

COUNCIL CHAMBER, 7:38 P. M.

Monday, August 2, 1954.

Council met in regular session. Present 8; Battin, Bratrud, Coering, Hooker, Humiston, Jensen, Stojack, Tollefson. Absent 1; Perdue, taking his seat at 7:40 P. M.

It was moved by Col. Hooker that the minutes of the previous meeting, copies of which had been mailed by the Clerk to each Councilman, be approved and the reading thereof be dispensed with. Motion seconded by Dr. Battin and carried on roll call: Ayes 8; Nays 0; Absent 1; Perdue.

PETITIONS:

D. L. Radman, for license for Grade 5 Garage at 7434 South Tacoma Way. The Building Inspector and City Manager recommend the petition be denied for the reason that the buildings are not satisfactory. Moved by Col. Hooker to concur in the recommendation of the Building Inspector and City Manager. Motion seconded by Dr. Battin and carried on roll call: Ayes 8; Nays 0; Absent 1; Perdue.

RESOLUTIONS:

Resolution No. 13990.

By STOJACK:

Forbidding motor vehicles from being parked in front of 223 North K Street for a longer period than 10 minutes at any one time; and authorizing owner or lessee of storeroom to place an appropriate sign upon the sidewalk in front of said premises.

Adopted on roll call August 2, 1954.
Ayes 9; Nays 0; Absent 0.

Resolution No. 13991.

By JENSEN:

Approving recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding to Paine-Gallucci Inc., the contract for grading and surfacing of South Steele Street from South 38th Street to South 40th Street, L.I.D. 2204, on its low bid of \$5,509.55.

Adopted on roll call August 2, 1954.
Ayes 9; Nays 0; Absent 0.

Resolution No. 13992.

By BATTIN:

Authorizing execution and delivery of conditional sale contract for sale of Lots 1 to 17 incl. Block 20, McKinley Park Fourth Addition to Marguerite E. Hanson for the sum of \$550.00 (located between East 38th and 48th Streets on East O Street). It was moved by Dr. Humiston, seconded by Col. Hooker to suspend Rule 9, and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call August 2, 1954.
Ayes 9; Nays 0; Absent 0.

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Resolution No. 13993.

By BATTIN:

Authorizing Director of Finance to call for bids for the disposition of four automotive vehicles, listed herein, belonging to the Police Department; and that the best bid received be determined by the Board of Contracts and Awards and said vehicles be sold to said bidder or bidders. It was moved by Dr. Humiston, seconded by Col. Hooker to suspend Rule 9, and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call August 2, 1954.
Ayes 9; Nays 0; Absent 0.

Initial Resolution No. 13994.

L. I. D. 4536.

By JENSEN:

Stating intention of Council to order grading to the established subgrade and placing thereon a gravel, crushed rock and asphaltic concrete pavement, also cement concrete curbs and gutters, together with necessary storm drainage on Fawcett Avenue from South 36th Street to South 37th Street; creating L. I. D. 4536 and fixing August 24th, 1954 as the date for hearing thereon. It was moved by Col. Hooker, seconded by Dr. Humiston to suspend rule 9, and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call August 2, 1954.
Ayes 9; Nays 0; Absent 0.

Resolution No. 13995.

By BATTIN:

Reinstating, effective this date, Lease No. 68945, dated July 23, 1948, between the Northern Pacific Railway Company and the Meyerhaeuser Timber Co. as supplemented by the attached supplement No. 2, dated June 16, 1954 (covering property lying east of Cliff Avenue). It was moved by Dr. Humiston, seconded by Mr. Stojack to suspend Rule 9, and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call August 2, 1954.
Ayes 9; Nays 0; Absent 0.

At this time Dr. Humiston moved to suspend Rule 7, regarding the filing of new matter for Council's consideration, in order to consider a letter from the Brown's Point Improvement Club. Motion seconded by Mr. Jensen and carried unanimously on voice vote. Dr. Humiston then read the letter in full, which invited the City Council and citizens of Tacoma to attend their Salmon Bake on August 7th and 8th. Queen Deanna Carlson and Princess Marilyn LaMarch of the Brown's Point Salmon Bake presented Mayor Tollefson a huge salmon, and extended a cordial invitation to attend the festivities.

Initial Resolution No. 13996.

L. I. D. 4535.

By JENSEN:

Stating intention of Council to order oil mat surface in the alley between South 35th Street and Division Lane from South C Street to South D Street; creating L I D 4535 and fixing August 24, 1954 as the date for hearing thereon. It was moved by Dr. Humiston, seconded by Col. Hooker to suspend Rule 9 and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call August 2, 1954.
Ayes 9; Nays 0; Absent 0.

Initial Resolution No. 13997. L. I. D. 2206.

By JENSEN:

Stating intention of Council to order grading and oil mat surface, together with concrete sidewalks on South G Street from South 68th Street to South 70th Street; creating L. I. D. 2206; and fixing August 24, 1954 as the date for hearing thereon. It was moved by Dr. Humiston, seconded by Col. Hooker to suspend Rule 9, and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call August 2, 1954.
Ayes 9; Nays 0; Absent 0.

Resolution No. 13998.

By JENSEN:

Fixing Monday, August 30th, 1954 as the date for hearing on petition to vacate portions of the following streets: Stewart Street, East 17th Street, East 18th Street, East 19th Street, East 20th Street, East 21st Street, Stanup Avenue (Commercial Street, Mill Street, Olympic Street, East "Q" Street (Pet. of U. S. of A. and Port of Tacoma, 4-13-54). It was moved by Dr. Humiston, seconded by Col. Hooker to suspend Rule 9, and carried unanimously on voice vote. It was moved by Mr. Stojack, Seconded by Mr. Perdue to amend the resolution by changing the hour set for hearing from 10:00 O'Clock a. m. to 7:30 P. M. and carried on roll call; Ayes 9; Nays 0; Absent 0. The resolution was then adopted as amended without having been read in full.

Adopted on roll call August 2, 1954.
Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 15068.

Providing for the issuance of permits and regulating the construction and maintenance of structures, excavations and improvements under the streets and alleys of the City of Tacoma. Read by title and placed in order of final reading.

Ordinance No. 15069. L. I. D. 2191

Approving and confirming the assessment and assessment roll for the cost of the improvement in L. I. D. 2191. Read by title and placed in order of final reading.

Ordinance No. 15070- L. I. D. 2189.

Approving and confirming the assessment and assessment roll for the cost of the improvement in L. I. D. 2189. Read by title and placed in order of final reading.

Ordinance No. 15071. L. I. D. 2195.

Providing for the improvement of the alley between North 29th and North 30th Streets from Cheyenne Street to Verde Street by grading, graveling and oil mat surface; creating L. I. D. 2195. Read by title and placed in order of final reading.

Ordinance No. 15072. L. I. D. 5745.

Providing for the improvement of North 9th Street from Stevens Street to North Proctor Street by the installation of ornamental street lights; creating Local Improvement District No. 5745. Read by title and placed in order of final reading.

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Ordinance No. 15073. L. I. D. 4531.

Providing for the improvement of the alley between Ferry Street and Sprague Avenue from South 12th Street to South 10th Street by concrete paving; creating L. I. D. No. 4531. Read by title and placed in order of final reading.

Ordinance No. 15074. L. I. D. 2185.

Providing for improvement of the alley between Wilkeson and Alaska Streets from South 35th Street to South 36th Street by grading, oil mat and storm drainage; creating L. I. D. 2185. Read by title and placed in order of final reading.

Ordinance No. 15075.

Amending Section 109-9 of ordinance No. 11701, entitled: "An ordinance regulating travel and traffic on the streets of the City of Tacoma; providing a penalty for the violation thereof, etc." (Restricted parking district- that portion of the east side of South G Street from South 36th Street to South 37th Street). Read by title and placed in order of final reading.

Ordinance No. 15076.

Providing for the submission to the qualified voters of the City of Tacoma, at a special municipal election to be held on Tuesday, November 2, 1954, of a proposition of creating an indebtedness in the amount of not exceeding \$2,200,000 and the issuance and sale thereof of general negotiable serial interest-bearing coupon bonds of said City in not to exceed said amount, for the purpose of providing funds for the making of additions, betterments and extensions to the existing sanitary and storm trunk sewer system and the construction of sewage disposal facilities in said City, the payment of the principal and interest of such bonds to be provided by annual tax levies in excess of tax levy limitations imposed by law; and directing the City Clerk to certify to the Pierce County Auditor said proposition in the form of a ballot title as required by law. Read by title.

Ordinance No. 15077.

Providing for the submission to the qualified voters of the City of Tacoma, at a special municipal election to be held on Tuesday, November 2, 1954, of a proposition of creating an indebtedness in the amount of not exceeding \$1,500,000 and the issuance and sale thereof of general negotiable serial interest-bearing coupon bonds of said City in not to exceed said amount, for the purpose of providing funds for the making of additions, betterments and extensions to the existing artificial street lighting system in said City, the payment of the principal and interest of such bonds to be provided by annual tax levies in excess of tax levy limitations imposed by law; and directing the City Clerk to certify to the Pierce County Auditor said proposition in the form of a ballot title as required by law. Read by title.

Ordinance No. 15078.

Providing for the submission to the qualified voters of the City of Tacoma at a special municipal election to be held on Tuesday, November 2, 1954, of a proposition of creating an indebtedness in the amount of \$960,000 and the issuance and sale thereof of general negotiable interest-bearing coupon bonds of said City in said amount, for the purpose of providing funds for the payment of the cost of the construction of general street and bridge improvements in said city, the payment of the principal and interest of such bonds to be provided by annual tax levies in excess of tax levy limitations imposed by law; and directing the City Clerk to certify to the Pierce County Auditor said proposition in the form of a ballot title as required by law. Read by title.

Ordinance No. 15079.

Providing for the submission to the qualified voters of the City of Tacoma, at a special municipal election to be held on Tuesday, November 2, 1954, or a proposition of creating an indebtedness in the amount of \$400,000, and the issuance and sale therefor of general negotiable interest-bearing coupon bonds of said City in said amount for the purpose of providing funds for payment of part of the cost of construction of a building or buildings, facilities and the development of a site to be known as the Public Works Field Headquarters and Garage, the payment of the principal and interest of such bonds to be provided by annual tax levies in excess of tax levy limitations imposed by law; directing the City Clerk to certify to the Pierce County Auditor said proposition in the form of a ballot title as required by law. Read by title. 26
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It was suggested by several members of Council that a public hearing be held on the four bond proposals, and it was moved by Dr. Battin, seconded by Mr. Fardus that Ordinances Nos. 15076, 15077, 15078 and 15079 be laid over to August 16th for a public hearing and that copies be transmitted to the Pierce County Taxation Bureau. Carried

FINAL READING OF ORDINANCES;Ordinance No. 15063.

Amending Ordinance No. 14793, entitled; "An ordinance to regulate the location and use of land within the City of Tacoma; to limit the height of buildings; to prescribe building area and lines, and the size of yards and other open spaces and for these purposes to divide the City into districts, etc." (ZONING ORDINANCE) by adding thereto two new sections to be known as Section 6A and Section 7A. ("T" Residential-Commercial Transitional Districts-"R-4-T" and "R-5-T"). Read by title. It was moved by Col. Hooker, seconded by Mr. Estrud to suspend Rule 9 and carried unanimously on voice vote. Mr. Backstrom advised the Council that the Legal Department has been studying the basic zoning ordinance (No. 14793) and inasmuch as this study has not been completed, he recommended that Ordinance No. 15063 be laid over to August 9th for final passage. 273
In accordance with this recommendation, it was moved by Dr. Humiston, seconded by Dr. Battin to postpone Ordinance No. 15063 for one week to August 9, 1954. Motion carried on roll call: Ayes 9; Nays 0; Absent 0. 29

Ordinance No. 15064.

Amending Ordinance No. 14793, entitled; "An ordinance to regulate the location and use of buildings and the use of land within the City of Tacoma; to limit the height of buildings; to prescribe building areas and lines, and the size of yards and other open spaces and for these purposes to divide the City into districts." (ZONING Ordinance) by adding thereto a new section to be known as Section 8E. ("C-1" Commercial District property located between South 38th and South 40th along west side of Pacific Avenue). Read in full and passed.

Roll call: Ayes 9; Nays 0; Absent 0.

Ordinance No. 15066.

Authorizing the execution and delivery of an agreement between Northern Pacific Railway Company, Great Northern Railway Company, Oregon-Washington Railroad & Navigation Company and its lessee Union Pacific Railroad Company, and Chicago, Milwaukee, St. Paul and Pacific Railroad Company and the City of Tacoma amending and supplementing that certain agreement dated April 10, 1950, authorized by Ordinance No. 13714, and amending and supplementing that certain supplemental agreement dated October 8, 1952 authorized by Ordinance No. 14600, and providing for an increase in compensation to be paid for certain switching services by the City for such railroads. Read by title. It was moved by Dr. Humiston, seconded by Col. Hooker to suspend rule 9 and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 9; Nays 0; Absent 0.

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Ordinance No. 15067.

Authorizing the proper officers of the City of Tacoma to execute and deliver a lease agreement between the City and Charles W. Voss, granting to said Charles W. Voss a concession for the operation of a pleasure resort and facilities in connection therewith at Lake Kapowsin, Pierce County, Washington; specifying the terms and conditions of said agreement. Read by title. It was moved by Dr. Humiston, seconded by Col. Hooker to suspend Rule 9 and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 9; Nays 0; Absent 0.

Ordinance No. 15059. (laid over to this date on July 26th, 1954)

Adopting a set of rules, to be designated as the Personnel Rules, governing municipal employment, in compliance with Section 6.14 of the City Charter. Read by title. It was moved by Dr. Humiston to suspend Rule 9, seconded by Col. Hooker and carried unanimously on voice vote. The Clerk read a letter from Mr. Dean Barline, Director of Utilities, stating in part that the Public Utility Board has authorized him to advise the Council that the change suggested to Rule VI is satisfactory, and that Section 5.7B as originally proposed is preferable to the same section as re-written. Mayor Tollefson reported that no discussion had been held on Section V and VI of the proposed ordinance, and at this time he gave D. H. Kettler, Municipal Civil Service League Representative, and Mr. Gavin Lawson, Director of Personnel an opportunity to be heard on these two sections. After a discussion by the Council, roll was taken on the passage of the ordinance without same having been read in full, resulting as follows:

Roll call: Ayes 7; Nays 2; Jensen, Stojack. Absent 0.

Ordinance No. 15029. (laid over to this date on July 26th, 1954).

Amending Ordinance No. 11701, entitled: "An ordinance regulating travel and traffic on the streets of the City of Tacoma; providing a penalty for the violation thereof, etc." (TRAFFIC CODE). by adding thereto a section to be known as Section 109-18. (Restricted parking district North E Street between Division Avenue and North 1st). Read in full, Mr. Backstrom, advised that a letter had been received from L. B. Macdonald, owner of the Young Apartments, in which he stated they believe the two hour limit from 8 A. M. to 4 P. M. would be good, providing the tenants could get in and out the entrance zone. A letter from the Director of Public Works on this matter, dated July 21st, stated in part that the loading zones for the Young Apartments should not be installed until the effect of Ordinance No. 15029 can be studied. The ordinance was then passed.

Roll call: Ayes 7; Nays 2; Jensen, Stojack. Absent 0.

Ordinance No. 15062. (laid over to this date on July 26th).

Amending Ordinance No. 14793, entitled: "An ordinance to regulate the location and use of buildings and the use of land within the City of Tacoma; to limit the height of buildings; to prescribe building areas and lines, and the size of yards and other open spaces and for these purposes to divide the City into districts. (ZONING ORDINANCE). by adding thereto a new Section to be known as Section 20A (Transitional Districts). Moved by Dr. Humiston, seconded by Mr. Ferdue to suspend Rule 9 and carried unanimously on voice vote. In view of the study being conducted by the Legal Department on the Zoning Ordinance, it was moved by Dr. Humiston to postpone action on Ordinance No. 15062 for one week to August 9, 1954. Motion seconded by Dr. Battin and carried unanimously on voice vote.

UNFINISHED BUSINESS:

The communication of Frank A. Glassy (7-26-54) requesting a hearing before the City Council on the denial of his petition for rezoning property on South 38th Street near Pacific from R-3 Residential District to C-1 Commercial District, by the City Planning Commission, which was laid over to this date, was brought up at this time. The Clerk reported that a letter had been received from Richard J. Dolak, attorney for Mr. Glassy, asking that his client's request for hearing be held in abeyance until after the meeting of the Planning Commission on August 17th, 1954. It was moved by Dr. Humiston, seconded by Mr. Bratrud that August 23rd be set as the date for hearing on this appeal. Carried on roll call: Ayes 9; Nays 0; Absent 0. 271

The communication of Attorneys for the Theater Operators of Tacoma, asking to appear before Council and state their side of the case relative to their request for repeal of the admission tax on Theater Admissions, which was deferred to this date by Council on July 26th, was brought up at this time. Mr. J. H. Gordon, attorney for the group, asked Council's favorable consideration on repealing the admission tax on Theaters. He stated that the Federal Government has reduced its admission tax from 20% to 10%; the City of Puyallup has eliminated this tax, and that Sumner is in the process of eliminating it, and the theater owners would like Tacoma to do the same. He also explained that the tax was originally imposed by the Federal Government when the theater business was at its peak, but since 1949 Tacoma theater revenues have declined 24% and the City's tax from this source has accordingly been reduced by the same percentage. This reduction in revenue is one of the reasons why they believe the tax should be eliminated. Several theater owners and managers spoke before the Council, including Mike Barovic of the Riviera Theater, the manager of the Hamrick downtown theatres, and the Manager of the Sunset and K Street Theaters. After a short discussion and question period by the Council, it was moved by Mr. Bratrud, seconded by Dr. Battin to postpone action on the request of the Theater Operators until the 1955 Budget is considered. Motion carried unanimously. 271

The Program on Mental Health in vocational Rehabilitation, presented by Dr. C. R. Fargher, Director of Health, at Council meeting of July 6th and laid over to this date on July 19th for study, recommendation and report back by the Finance Committee, was considered at this time. Dr. Humiston explained that he and the Finance Committee had not been able to meet to study the proposed program, but that money had been provided for same in the current budget and he could see no reason why it should not be approved at this time. After a short discussion period, it was moved by Col. Hooker, seconded by Dr. Humiston to approve the "Mental Health Program" as outlined by Dr. Fargher. Carried on roll call: Ayes 5; Battin, Goering, Hooker, Humiston, Perdue. Nays 4; Bratrud, Jensen, Stojack, Tollefson. Absent 0. 269

The report on a Review of the Classification Plan and recommended Compensation Plan prepared by the Public Administration Service, laid over to this time on July 26th, was brought up for consideration, and the City Manager was directed by the Council to have an ordinance prepared, covering the compensation plan, for consideration at next Monday's Council meeting. 276

Dr. Humiston stated that on July 6th, 1954 Resolution No. 13960 was adopted by the City Council, offering to purchase one block of the proposed site of the County-City Building and to pay for a City Hall wing on a lease purchase agreement, and to date no reply had been received from the County Commissioners regarding this resolution. He therefore moved that the City Clerk be directed to send a letter to the County Commissioners requesting an answer to Resolution No. 13960. Seconded by Col. Hooker. Commenting that the spoken word is better than the written word, Mr. Jansen moved to amend the motion to read "that the City Manager meet with the County Commissioners to get their written reply to the resolution as presented". Seconded by Mr. Stojack and lost on roll call: Ayes 2; Jensen, Stojack. Nays 7, Battin, Bratrud, Goering, Hooker, Humiston, Perdue and Tollefson. Mr. Bratrud then moved that the motion be amended to 253

read that the Mayor be instructed to contact Commissioner Sprinker for a reply and report back to the Council at the next Council meeting. Motion seconded by Mr. Jensen, and lost on roll call: Ayes 3; Bratrud, Jensen and Stojack. Nays 6; Battin, Goering, Hooker, Humiston, Perdue, Tollefson (not voting). Roll was then taken on the original motion, which carried on the following roll call: Ayes 5; Battin, Hooker, Humiston, Perdue, Tollefson, Nays 4; Bratrud, Goering, Jensen, Stojack. Absent 0.

NEW BUSINESS:

Mr. Backstrom informed the Council that upon checking into the matter, he had ascertained that he was entitled to 7 days vacation, and asked Council's permission to take same starting the week of the 15th of August. It was moved by Dr. Humiston, and seconded by Col. Hooker that City Manager Frank Backstrom be permitted to take his earned vacation starting August 15th, and carried unanimously.

Mr. Stojack read the following statement: "It has been 14 months since the inception of the new City Manager form of government in Tacoma. I feel at the conclusion of one years operation we should pause to take inventory of our progress and present a factual report of conditions as they exist to the people of Tacoma. Our Civil Service rules are such that any new City Employee or any appointed new City employee is on a probationary period of six months.

Likewise, I think it is only fair that the City Manager's position should be appraised and evaluated for the first 14 months of operation in the spirit of constructive criticism and evaluation and a public report of such be rendered to the citizens of Tacoma.

Therefore, I move that the City Council appoint a Citizens' Committee to be empowered with the duties of appraising, evaluating and studying the progress and record of our City Manager for the first 14 months of operation. Such a report shall be in the spirit of constructive criticism to accomplish only what is best for the interest of all concerned in Tacoma, whether they be citizens, industrialists, chamber of commerce, commercial business, church groups, city employees or members of organized labor. Further I recommend the following groups be invited to designate a representative to conduct this said survey:

1. A member of the Council for Greater Tacoma
2. A member of the Tacoma Municipal League
3. A member from the Tacoma Chamber of Commerce
4. A member from Organized Labor
5. a Fifth Member, a Citizen at large, selected by the above four members.

The above committee shall be given free and full access to any City records desired and shall have the power to interview any city employees desired." Mr. Stojack's motion was seconded by Mr. Jensen.

Mr. Jensen stated that in order to consider an item not on the agenda, he would move to suspend Rule 7 of the Council rules regarding the filing of new matter. Motion seconded by Mr. Stojack and carried on roll call: Ayes 7; Nays 2; Goering, Hooker. Mr. Stojack's statement and motion were discussed at length by the Council. Mrs. Goering stated that she had heard nothing but good about our City Manager form of Government and could see no reason for a report or investigation of this kind. Dr. Humiston reported that specific points would have to be investigated, and since Mr. Stojack had not given any particular items for an investigation, he felt no investigation was necessary. Dr. Battin stated that the Freeholders had provided for investigation of the City government by the Independent Audit which is now in process and that he should see no reason for an investigation of the City Manager. After further discussion by the Council, roll was taken on Mr. Stojack's motion, resulting as follows: Ayes 7; Jensen, Stojack, Nays 2; Battin, Bratrud, Goering, Hooker, Humiston, Perdue, Tollefson. Motion lost on roll call.

Upon motion, seconded and carried, Council adjourned at 11:45 P. M.

H. M. TOLLEFSON

President of City Council

Attest: Josephine Melton
City Clerk.