

Tuesday, September 4, 1956.

Council met in regular session. Present 8; Battin, Bratrud, Goering, Humiston, Perdue, Stojack, Tollefson, Anderson. Absent 1; Jensen.

It was moved by Mr. Stojack, seconded by Dr. Battin, that the minutes of the Special Meeting of August 23rd and the Regular Meeting of August 27th, copies of which had been mailed by the Clerk to each Council member, be approved and the reading thereof be dispensed with. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Jensen,

PETITIONS:

X J. Olson and O. Coombs, Frisbee Bakery, for renewal of license for bakery and coffee shop at 711 South 38th Street. The Director of Health recommends the license be denied because of certain violations of the Food Code, which have not been corrected in a month's time. The City Manager concurs in the recommendation. The Clerk read a communication from R. Clifton Smith, Supervisor, Division of Sanitation, stating that a re-inspection has been made and the violations have been corrected, and requesting that the application be returned to them for a new recommendation. It was moved by Mr. Perdue, seconded by Dr. Battin that the application be returned to the Health Department. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Jensen.

The following petitions were submitted and referred to the City Planning Commission:

- Frank A. Brittain, et al, requesting that property at 7609 Pacific Avenue be rezoned from an R-2 to R-4 District; 48:107
- Lawrence A. Burns, et al, for rezoning from an R-2 District to an R-3 District property at South 11th and Warner Streets; 48:112
- C. S. Shassey, et al, for rezoning of N. E. Corner of South 64th and Pacific Avenue from a C-1 District to an R-2 District. 48:62

RESOLUTIONS:

Resolution No. 14759.

By HUMISTON:

Authorizing the Light Division to sell approximately 11 acres located in the vicinity of its Alder Project to the Department of Conservation and Development, Division of Forestry of the State of Washington for \$385.00 for use as a fire fighting center. Director of Utilities Barline advised Council that the property referred to is in an area which is not required for the Alder Dam. They have had the property appraised at \$10.00 an acre, he said. However the State Forestry Division is willing to pay \$385.00 for a fire fighting center, which is considerably above the appraised value, Mr. Barline added. Roll was then called on the adoption of the resolution.

Adopted on roll call September 4, 1956.
Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14760.

By BATTIN:

Authorizing purchase of one electric floor polisher, to be used for

building maintenance, at a cost not in excess of \$290.00 and one desk, at a cost not in excess of \$125.00, for use in the Police Department, and appropriating sufficient funds from Cumulative Reserve Fund-Capital Outlay, for payment therefor.

Adopted on roll call September 4, 1956.
Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14761.

By BATTIN:

Authorizing and directing the purchase of the following equipment for use in Department of Public Works: 1 electric Royal Typewriter and stand; 2 Automatic Monroe Calculators; 1 Mobile Transmitter and Receiver Accessory Kit, at a total cost not in excess of \$2,306.32 and that sufficient funds be appropriated from Cumulative Reserve Fund, Capital Outlay, for payment therefor. Dr. Humiston said to his way of thinking this resolution limited the City to the purchase of certain makes and models, which he felt was not in accordance with the provisions of the Charter relative to competitive bidding, and he asked the reason this was done. City Manager Rowlands explained that these calculators have been rented by the City for the past two months and the rental can be applied on the purchase price, which is the reason these certain models are being purchased. Dr. Humiston said he nevertheless felt competitors should have an opportunity to bid on this equipment. Mr. Staman agreed to contact other firms informally to see how their bids compare, and it was moved by Dr. Humiston, seconded by Dr. Battin to postpone for one week to September 10, 1956. Motion carried unanimously on roll call.

Resolution No. 14762.

By GOERING:

Authorizing private sale of property located at northeast corner of Lexington and North 49th Street to Zelma E. Dudley for \$122.44 cash and authorizing execution and delivery of a local improvement assessment deed to said purchaser.

Adopted on roll call September 4, 1956.
Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14763.

By GOERING:

Authorizing a private sale of unimproved property on the north side of South 18th Street 320 feet west of Wilton Road to Charles M. Maib for \$222.65 in cash, and authorizing execution and delivery of a local improvement assessment deed to said purchaser.

Adopted on roll call September 4, 1956.
Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14764.

By STOJACK:

1:40 Fixing Monday, October 8th, 1956 as the time for hearing on petition to vacate the alley between South 18th and South 19th Streets from South Union Avenue to West Union Avenue. (Petition Earl A. and Edith H. Olson- 6-6-56).

Adopted on roll call September 4, 1956.
Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14765. L I D 6748. x

By JENSEN: 7:47

Fixing October 2nd, 1956 as the date for hearing on L I D 6748--installation of three street lighting units on existing wood poles on the west side of Jackson Avenue from Hegra Road, south approximately 570 feet.

Adopted on roll call September 4, 1956.
Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14766.

By ANDERSON: 48:4-

Authorizing and directing the proper officials of the City to consent to the assigning of the leasehold interests formerly held by Foster and Kleiser Co. to W. R. Grace & Co. City Attorney McCormick was asked how many leases Foster & Kleiser had with the City and he replied that he had only been able to find one lease with the Public Utilities Department on file in the Finance Director's office. Mr. Barline stated that his Department had a number of leases with this company. The matter was discussed and some of the Council members felt they would like to have more definite information on the leases with Foster & Kleiser before adopting this resolution. City Attorney McCormick was requested to submit a report to Council on all existing leases between the City and this Company. It was moved by Mr. Bratrud, seconded by Mrs. Goering that the resolution be laid over for two weeks to September 17th. Motion carried on roll call: Ayes 6; Nays 2; Perdue and Tollefson. Absent 1; Jensen.

FIRST READING OF ORDINANCES:

Ordinance No. 15694.

Authorizing the payment of certain periodic salary increases agreed to be paid to certain employees of the City, pursuant to provisions of compensation plan, itemized provision for which, through error and inadvertence, was not specifically set forth in the annual budget for 1956. Read by title and placed in order of final reading.

Ordinance No. 15695.

Amending Section 6 of Ordinance No. 15645 entitled: "An ordinance to prescribe the manner in which obligations of the City shall be paid, etc." (Providing that pay rolls shall be delivered to the Director of Finance not later than the second working day after the end of the pay period.) Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15684. L I D 1950.

Approving and confirming assessment roll for cost of improvement in L I D 456
1950--sanitary sewer in vicinity of South 64th and Sheridan Avenue. Read by title
and passed.

Roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Ordinance No. 15685. L I D 5256.

Approving and confirming assessment roll for cost of improvement in L I D 452
5256--water main in East 50th Street from East B to a point approximately 720 feet

east and in East B Street from East 50th Street to East 52nd Street. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Ordinance No. 15686. L I D 5257.

Approving and confirming assessment roll for cost of improvement in L I D 5257--cast iron water main in South 19th from Tyler to Mason; in Mason from South 19th to South 23rd; in Tyler from South 12th to South 19th and in South 17th from Tyler to Mason Avenue. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Ordinance No. 15687. L I D 1961.

Providing for the installation of sanitary sewers on Bridgeview Drive from James Street to 350 feet south and in James Street from North 17th Street N. E. to Bridgeview Drive; creating L I D 1961. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Ordinance No. 15688. L I D 2262.

Providing for improvement of Defiance Street from North 46th Street to North 48th Street by grading, oil mat surface and necessary storm drainage; creating L I D 2262. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Ordinance No. 15689. L I D 2263.

Providing for improvement of Asotin Street from South 35th Street to South 36th Street by grading and placing thereon a gravel and oil mat surface; creating L I D 2263. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Ordinance No. 15690. L I D 5278.

Providing for construction of a 6-inch cast iron water main in South Madison Street from South 69th to South 74th Street; creating L I D 5278. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Ordinance No. 15691. L I D 5280.

Providing for construction of a 6-inch cast iron water main in East 50th Street from McKinley Avenue to East K Street; creating L I D 5280. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Ordinance No. 15692. L I D 5276.

Providing for construction of watermains in North 18th Street from Huson Street to Orchard Street, in North 14th Street from Huson Street to Orchard Street and in Orchard Street from North 11th Street to North 18th Street; creating L I D 5276. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Ordinance No. 15696.

485

Directing that in certain voting precincts of the City Registration files shall be kept open in such precincts for the registration of voters during the period commencing on Monday, September 17th and continuing through Friday, September 21st, 1956, between the hours of 9 A. M. and 9:30 P. M.; and declaring an emergency and that this ordinance take effect immediately after publication. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1; Jensen.

It was moved by Mr. Stojack, seconded by Dr. Humiston to suspend Rule 7, relative to filing of new matter for Council's consideration, in order to consider an ordinance which is not on the Agenda. Motion carried unanimously on voice vote.

Ordinance No. 15697. L I D 2264.

453

Providing for the improvement of South Thompson Avenue from South 56th Street to South 59th Street by reshaping the roadway, and two applications of M-C-3 cutback asphalt and crushed rock; creating L I D 2264. Read by title. Director of Public Works Staman advised Council that they wish to create this district without holding a public hearing in order to expedite the proceedings so the improvement can be put in before fall. The petitioners have filed a 63% petition for the improvement, Mr. Staman stated. Dr. Humiston stated that the Council has always followed the procedure of holding a hearing even though a sufficient petition has been filed and added that he favors this method. Mr. Rowlands pointed out that it will be impossible to do the work this fall unless the Council proceeds in this manner. Dr. Battin said he felt that because it has not been done before is no reason why it cannot be accomplished in this manner now. Mr. Bratrud said he felt that the minority of property owners, who are opposed to the improvement, will be incensed by this action, as they actually have no opportunity to remonstrate. The work will be done without the necessity of calling for bids as the amount is less than \$2,500, which is the amount of the actual work contracted out and does not include engineering costs, acquisition of property, etc, Mr. Rowlands explained. As far as possible the work will be done by City Crews, Mr. Rowlands added. Dr. Humiston said he felt that the maximum use should be made of competitive bids and a minimum use of force accounts, and for this reason he did not favor this method. Roll was called on the passage of the ordinance, resulting as follows:

499

48:24

48:30

Roll call: Ayes 5; Nays 3; Bratrud, Humiston, Tollefson, Absent 1; Jensen.

Dr. Humiston requested the City Manager to furnish a cost account report on L I D 2264 after the work is completed.

UNFINISHED BUSINESS:

The Director of Utilities presented the assessment rolls for the cost of the improvement in the following local improvement districts:

L I D 5260--for cast iron water main in "M" Street from South 56th Street to South 58th Street;

260
48:46

L I D 5269-- for cast iron water main in Chandler Street from Center Street to South Tacoma Way..

304
48:46

The Director of Public Works presented the assessment roll for cost of the improvement in the following local improvement district:

L I D 4570-- for grading, asphalt paving, concrete curb and gutter on North 7th Street from Alder Street to Lawrence Street.

152
48:46

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It was moved by Dr. Humiston, seconded by Mr. Perdue that October 2, 1956 be fixed as the date for hearing on the above assessment rolls. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Jensen.

The City Planning Commission submitted reports on the following appeals, and suggested that September 17th, 1956 be set as the date for hearing on each:

⁴⁷⁻¹
Douglas F. Albert of Albert and Campbell, attorneys for Gordon D. Alcorn, et al (7-30-56) appealing from denial by the Planning Commission of their petition for rezoning from C-2 District to R-2 District the property between North Proctor and North Adams from North 24th to North 25th;

⁴⁷⁻²
Earl Pullar, (8-6-56) appealing from denial by the Planning Commission of his petition for reclassification from R-3 District to C-1 District of the property at the corner of South 38th and L Streets;

⁴⁶⁻³
Harold E. Wagner (7-9-56) appealing from denial by the Planning Commission of his petition for rezoning of N. W. Corner of 6th Avenue and Huson Street to a C-2 District, but changing it from an R-2 to an R-3 District instead.

It was moved by Mr. Perdue, seconded by Dr. Humiston that September 17th, 1956 be fixed as the date for hearing on the above appeals. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Jensen.

NEW BUSINESS:

* The Clerk read a letter from Col. George R. Carey, Deputy Commander R O T C, expressing appreciation to Dr. Battin for participating in the presentation of the City of Tacoma Military Achievement Award at the R O T C summer camp and thanking Tacoma for this fine trophy. Placed on file.

* Mayor John H. Anderson presented a letter, advising that he has designated C. A. Gaisford to act as his proxy in affixing his signature of General Obligation Street and Bridge Improvement Bonds, Series "B" of 1955 and General Obligation Street Lighting Bonds, Series "B" and "C" of 1955, authorized by Ordinances Nos. 15198 and 15199 and Resolution No. 14710. Placed on file.

* Dr. Battin gave an informative verbal report of the 6th Meeting of the Inter-American Congress of Municipalities in Panama City, Panama August 14th through 19th, which he had attended as a representative of the City of Tacoma.

* Mr. Barline, Director of Utilities, reported on the letter of James J. Barnum, Geologist and Engineer, addressed to Governor Langlie, dated July 8, 1956, in which he gave his findings on the City of Tacoma Mayfield Dam Site, which stated in brief that the damsite was not a safe anchor for the Mayfield Dam. A copy of this letter had been mailed to Councilman Bratrud, who had asked for an investigation and report. Mr. Barline stated they have been unable to locate the writer at either the Toledo, Washington or Eugene, Oregon addresses given in the letter, and he is not known in either City, and that he does not have a valid license as an engineer in either Washington or Oregon. Mr. Barnum worked as a transit man for a contractor at the dam for a few weeks and had been discharged for incompetency, Mr. Barline said. He read favorable reports on the dam site from Harza Engineering Co. of Chicago, who have worked on such projects as Box Canyon Dam in Pend Oreille County, and Priest Rapids Dam, and from Dr. Howard Coombs, head of the Department of Geology of the University of Washington. Mr. Barline promised to have copies of these reports made for each Council member.

* Mayor Anderson asked if the City has any actual survey of the bed of Leach Creek or contemplates making one. In case of a law suit in the future he felt the City could better prove its position if a survey had been made, Mayor Anderson added. Mr. Staman advised him that the Public Works Department is planning to make a complete survey of the bed of this stream.

X Mr. Rowlands, City Manager, presented the Proposed Preliminary Annual Budget for the year 1957 for General Government and the Public Utility Department. 48.9

Mr. Joe Soltis of 1214 East 30th Street, appeared before the Council relative to the hearing on Assessment Roll for L I D 2152 (oil mat surface, etc. 461 on East 30th Street from East L Street to East M Street), which he understood was to be considered at tonight's meeting. Dr. Humiston informed Mr. Soltis that the hearing on this roll was held at this morning's meeting of the L I D Committee and the roll was approved at that time. Mr. Soltis, who circulated the original petition for the improvement, said that one residence on the lower side of the street had been left without a means of access, as the grade is much higher than the home. Before the roll is approved, he felt that steps should be put in for this property owner, he stated. Mr. Staman admitted that one house was rather low, but said the City has no way of putting in steps as a part of an L I D. Mr. Soltis claimed that the original plan was designed to have a driveway into this property but it was not included in the improvement. The City Manager was asked to investigate and report on this matter before the ordinance approving the roll is passed. 48.8

Upon motion, duly seconded and carried, Council then adjourned at 9:05 P. M.

John H. Anderson
President of the City Council

Attest: Josephine Melton
City Clerk.