

COUNCIL CHAMBER, 7:36 P. M.

Monday, July 1, 1957

Council met in regular session. Present on roll call 5: Bratrud, Goering, Humiston, Tollefson and Mayor Anderson; Mr. Jensen taking his seat at 7:48 P. M. Absent 3; Battin, Perdue, Stojack.

It was moved by Dr. Humiston, seconded by Mr. Tollefson, that the minutes of the previous meeting, copies of which had been mailed by the Clerk to each Council member, be approved and the reading thereof dispensed with. Motion carried unanimously.

This being the date set by Resolution No. 15030, adopted June 17, 1957, for the hearing on the adoption of the Codification of the Charter and General Ordinances of the City of Tacoma, Mayor Anderson asked if anyone present wished to be heard on this matter. No one responded, and no amendments or modifications were presented. 243

RESOLUTIONS:Resolution No. 15049: 314

By BRATRUD:

Directing duly authorized officers of City of Tacoma to execute and deliver a contract for operation and control of the City Pound by the Tacoma Humane Society; and rescinding Resolution No. 15034.

Mr. Rowlands explained that in order to give the Humane Society some relief, the money taken in this year should be pro-rated. In order to make the salary adjustments he felt it would be fair to take the total amount received for the year and pro-rate it over a 7/12 basis. He said this should take care of their immediate problem.

Adopted on roll call July 1, 1957

Ayes 5; Nays 0; Absent 4; Battin, Jensen, Perdue, Stojack.

Resolution No. 15050:

By BATTIN:

Awarding contract to Matt Herried Tire Co. for the purchase of requirements of tires and tubes for the period June 1, 1957 through December 31, 1957 on their lowest and best bid.

Adopted on roll call July 1, 1957

Ayes 5; Nays 0; Absent 4; Battin, Jensen, Perdue and Stojack.

Resolution No. 15051:

By PERDUE:

Fixing Monday, July 29, 1957 at 7:30 P. M. in the Council Chambers in the City Hall for the hearing on the vacation of that portion of South 16th Street from So. Monroe to South Tyler Street, and from South Tyler Street to Mason Avenue. 337

Adopted on roll call July 1, 1957

Ayes 5; Nays 0; Absent 4; Battin, Jensen, Perdue, Stojack.

FIRST READING OF ORDINANCES:

Ordinance No. 15910:

Amending Section 1.12.100 of the Charter and Official Code of the City of Tacoma. (payment of false arrest insurance for police officers and transportation and

moving costs of certain City employees.) Read by title.

Mr. Rowlands pointed out that it is now possible to obtain insurance against false arrest, and that this ordinance will authorize the City to purchase this insurance in accordance with an opinion from the Attorney General.

Dr. Humiston asked if the last paragraph of the ordinance was entirely new material, and Mr. Rowlands replied that it was. He then asked how far down the line the City should pay for the moving of household goods, and stated he thought it should be the duty of the Council to decide this point.

Mr. McCormick stated that it would have to be in the Compensation Plan in order to be legally paid as a fringe benefit.

It was then moved by Dr. Humiston, seconded by Mr. Bratrud, to amend the last paragraph of the ordinance to include - "requesting the recommendation by the appointing Power and with the approval of the City Council of such expenditures." Motion carried unanimously.

Mr. McCormick was requested to make this change prior to the final reading of the ordinance next week. The ordinance was then placed in order of final reading.

Ordinance No. 15911:

Appropriating the sum of \$7,512.00 from the City Street Fund for purpose of paying for the City participation in L I D No. 4610, as required by Ordinance No. 15908.

Mr. Rowlands advised that L I D 4610 was laid over to this meeting to ascertain if sufficient funds were available for construction of this district. He stated that there is \$7,512.00 surplus in the City Street Fund which was previously allocated for other Local Improvement Districts and this ordinance appropriates the necessary funds for construction of this district.

Read by title and placed in order of final reading.

Ordinance No. 15912:

Authorizing the Department of Public Utilities, Light Division, to operate the steam electric plants for other utilities or consumers, and establishing charges therefor. Read by title.

Mayor Anderson called upon Mr. J.D. Ferguson, Supt. of the Light Division, for an explanation of this ordinance.

Mr. Ferguson stated that the ordinance authorizes the Light Division to operate the Steam Plants of the City for the use of other Utilities or Consumers and to charge for their operation. He stated further that the plants would not be available for other Consumers during the peak period from November to February, and that anytime they are operated for other Consumers, if the power was needed, we would be able to take over the operation for the City immediately; also, it would in no way affect the lease that we have with Seattle being given second preference, and Bonneville Power Administration third preference for their use. The ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15904: (laid over to this date on June 24th)

Adopting the codification of the Charter and the ordinances of the City of Tacoma of a general, public or permanent nature, or imposing a fine, penalty or forfeiture, as the official Code of said City, as provided for and pursuant to Section 2.16 of the City Charter and Chapter 97, Laws of 1957. Read by title and passed.

Roll Call: Ayes 6; Nays 0; Absent 3.

Ordinance No. 15908: (laid over to this date on June 24th)

Providing for improvement of North 17th Street, James Street, Bridgeview Drive, North 13th Street and alley between James Street and Narrows Drive from North

17th Street to Bridgeview Drive by paving, etc.; creating L I D 4610. Read by title and passed.

Roll Call: Ayes 6; Nays 0; Absent 3.

UNFINISHED BUSINESS:

This being the date fixed for hearing on the petition of Raymond Hammond, (8-1-56) for vacation of East 67th Street between East G Street and McKinley Avenue, the matter was considered at this time. The Clerk reported the posting of the notices required by law and the filing of an affidavit of such posting. Also reported that a fee of \$50.00 had been paid by the petitioner and that no remonstrances had been filed against the proposed vacation. X
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Mr. Buehler, Director of Planning, stated that the property to be vacated is a dead end street that ends on the Chicago-Milwaukee Railroad tracks as it comes into the City. He stated that this vacation fits into the general plan proposed for this area by the Commission, and added that the Public Works Department, Utilities Department and City Planning Commission have no objection to this vacation.

Mr. Raymond Hammond, petitioner for the vacation, was present and spoke in favor of the vacation.

It was moved by Dr. Humiston, seconded by Mr. Tollefson, that the petition be granted and the City Attorney directed to prepare the necessary ordinance to vacate the street. Motion carried on roll call: Ayes 6; Nays 0; Absent 3; Battin, Perdue, Stojack.

Mr. Rowlands presented a letter from Mr. Stanley Bixel, Director of Personnel, regarding Promotional Appointments under the Rule of Three, which was requested by the Council on June 3rd. X
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Mr. Bixel stated that this report covers the period from February 15, 1955 to June 1st of this year. In explaining the report, Mr. Bixel pointed out that of the total number of appointments made to City service there were a total of eighty-eight employees appointed that were not first on the list and summarized this group for Council's information.

Dr. Humiston explained that there was a request, which would require the City Manager's or Director of Utilities' approval on each of these pass-overs, but that there was no recommendation in the ordinance. He stated when someone was passed over in an appointment the Director of the Department had to clear with the City Manager.

Mr. Rowlands said, to his knowledge, he has not been instructed to do this and there has been no order from the Council, but he would be glad to comply.

Dr. Humiston explained this matter was considered at the time Mr. Backstrom was City Manager but there was no directive from the Council. We were told that the Department of Utilities or the City Manager would personally pass on each of these pass-overs, he added. Dr. Humiston said he is very much in favor of the Rule of Three and would like to see this provision put in the Compensation Plan--"that when the Rule of Three has been passed over, the appointee would require the approval of the City Manager or the Director of Utilities.

Mr. Tollefson pointed out that if the appointing authority had to write the reasons for not appointing the No. 1 person, many times he would not take the best of the three but would take the first one on the list. He then moved that an ordinance be prepared following the recommendation of the Civil Service Board of that date "that the appointing authority submit the written statement to the City Manager or Director of Utilities for his approval whenever the Number One person is passed over. Motion was seconded by Mr. Bratrud.

Mrs. Goering stated she was in favor of this motion and added that every care should be taken to keep these reports confidential and that they should not be open for casual inspection.

Dr. Humiston said that privacy is tremendously important in this matter and he suggested that the ordinance be drawn in rough draft form for study and recommendation by the Council. Mr. Tollefson agreed with Dr. Humiston's statement. Dr. Humiston also said that he would like to have the communication of the Civil Service Board at that time.

Mrs. Goering asked how many of the eighty-eight that were No. 1 on the list have since been appointed. Council instructed Mr. Bixel to ascertain this information within the next two weeks and report to Council.

Vote was then taken on the motion, resulting as follows: Ayes 5; Nays 1; Jensen. Absent 3; Battin, Perdue, Stojack.

Mr. Ketler, Business Representative for the Municipal Civil Service League, asked Council to consider seriously the use of the "Rule of One" for promotion only. He stated that he would be glad to talk with the Council anytime on this matter.

Mr. Rowlands requested that the report on the City-owned cars be postponed for two weeks until such time as a full Utility Board has been appointed.

Mr. Rowlands presented a letter from the office of the City Attorney, setting forth two recommendations in the case of Mr. Ed Hubbell, as follows:

- (1) That the Council enact an ordinance amending the Personnel Rules so that such a situation as presently confronts Mr. Hubbell will be covered in the future.
- (2) That Mr. Hubbell file a claim for a position on the re-employment list with the Civil Service Board so that he may obtain a clarification of his present status, and that he not file this claim until such time as the Council has passed the suggested amendment to the ordinance.

It was moved by Dr. Humiston that an ordinance be drawn amending the Personnel Rules so that such a situation as presently confronts Mr. Hubbell will in the future be covered by the rules. Motion seconded by Mr. Tollefson and carried unanimously.

Mr. Rowlands presented a letter from L. P. Staman, Director of Public Works, in reply to the complaints of Mr. R. Resch of 3822 So. 19th Street (6-24-57) as to the manner in which the Contractor had completed the work on So. 19th Street, and also the excessive speed traveled by cars on this street. Mr. Staman stated in his letter that a recent speed check by the Traffic Division indicated that 35 miles per hour was the average speed traveled.

Mayor Anderson requested that a copy of this letter be transmitted to Mr. Resch for his information.

ITEMS RECEIVED FOR FILING IN THE OFFICE OF THE CITY CLERK:

Tacoma Transit System - Report for May, 1957 and May, 1956 and five months, 1957

With reference to DH-131 on the subject of "Coffee Breaks", Mr. Bratrud asked if the Personnel in the City Hall were permitted to leave the building for their coffee breaks.

Mr. Rowlands replied that employees in the City Hall do not leave their offices or the general area for their coffee break. He explained that in large offices like the Finance and Public Works Departments they have a special time and go on a split shift basis. He added that the memo was compiled with the cooperation of Mr. Barline, Director of Utilities.

Mayor Anderson was asked to report on his trip to New York City when he delivered the recent Utility Bonds. He stated that at a luncheon attended by several Bonding Company Officials, the matter was discussed on the rating of the Tacoma Utility Bonds. It was brought up that Tacoma had recently dropped to a BAA rating, which is an average rating. Mayor Anderson said he asked what caused Tacoma's rating to drop, and Mr. Dawson, Attorney for Wood, King & Dawson, explained that it was reported the entire Utility Board in Tacoma had resigned, and this effected the decline in the bond rate. Mayor Anderson then advised them that the Utility Board had not all resigned, but that only three members had actually resigned, and one, Mr. Thomas Anderson, was due to the expiration of his term of office on June 30, 1957.

The Mayor then explained that Tacoma had previously held AAA rating and dropped to AA rating, which was retained until the rumor was received that the Utility Board had resigned in a body. He pointed out that in 1950 our rating was down to BAA

in the 15 million dollar issue of Utility Bonds on the Cowlitz Project.

Mr. Bratrud asked how much money has been spent on the Cowlitz Dam at this time.

Mr. Ferguson, Superintendent of Light, reported that approximately \$20,000 a month is being spent for stand-by services and maintenance of equipment.

Mr. Bratrud stated he felt that no more money should be spent on the Cowlitz project until a decision is rendered by the Courts.

Mayor Anderson said he has been asked many times by taxpayers what amount has been spent on the Cowlitz to date, and he would like to have Mr. Ferguson submit to the Council the following information:

- (1) Itemized list of the total cost of the Cowlitz to date;
- (2) What particular items have been changed from the actual design;
- (3) What amount is due to the contractors.

He then asked if Mr. Ferguson would prepare these answers for Council's information at its next meeting on Monday, July 8th.

Mrs. Goering advised that she will be absent from the City for the Council meetings on July 15th and July 22nd and that she wishes Council's permission to be excused. It was moved by Mr. Bratrud, seconded by Mr. Jensen, to excuse Mrs. Goering from these meetings. Motion carried unanimously.

COMMENTS BY THE CITY MANAGER:

In reference to Resolution No. 14852, adopted January 2, 1957, regarding the North Oakes Street Bridge, Mr. Rowlands reported that they feel the bridge is usable for another two years, and that they have decided to postpone construction of the earth fill for that length of time.

Mr. Rowlands stated that the Capital Improvement Program Report has been completed and that it will be studied by the Joint Use Committee. He added that certain funds will be appropriated from the Federal Government if the Urban Renewal Program is approved, and that a full report will be submitted approximately the first part of September.

Mayor Anderson presented a letter from Mayor Dexter Silvers of Fircrest, referring to an article written in the Lakewood Log, dated June 27, 1957, with a "sensational headline", and apologizing for the inference in the article. Mr. Silvers mentioned in his letter that they did not wish to get into any argument or create any ill feelings over this mutual aid pact, and that there was nothing to substantiate the sensationalism put forth by the Lakewood Log. He added that there has always been a feeling of friendliness and neighborliness between Fircrest and Tacoma and that they would like to continue on this basis.

The Mayor was directed to write to Mayor Silvers, thanking him for his letter and apologies.

Upon motion, duly seconded and carried, Council adjourned at 9:30 P. M.

Attest:

Louise Malton
City Clerk

John H. Anderson
President of City Council