

## CITY COUNCIL MINUTES

City Council Chambers. 7:00 P. M.  
Tuesday, November 7, 1961

Council met in regular session. Present on roll call 9: Bott, Cvitanich, Easterday, Murtland, Olson, Porter, Price, Steele and Mayor Hanson.

Mrs. Price moved that minutes of the Council Budget Meeting of October 6, 1961 be approved as submitted. Seconded by Mr. Steele.

Mr. Bott called attention to a correction to be made in the minutes of October 24, 1961 on Page 9, 3rd paragraph, second line from the bottom of the page, where it states "in the event that no" to be corrected to state "to avoid any". Mr. Bott then moved that this correction be made. Seconded by Mr. Cvitanich.

Voice vote was then taken on the minutes as corrected. Motion carried.

HEARINGS & APPEALS:

The City Planning Commission recommending the denial of the petition -251 of Albert DeLeon for the rezoning of property located at East 38th and Portland Avenue from an "R-2" to a "C-2" District.

Appeal has been filed by Mr. DeLeon.

Mr. Easterday moved that the date for hearing on the appeal be fixed as November 28, 1961. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Presentation of suggestion award to Guy McWilliams, Finance Department, in the amount of \$100.00.

Mr. Rowlands said the suggestion submitted by Mr. McWilliams will save the City \$3,251.00 annually by permitting the Fiscal Agent in New York to destroy bonds, rather than returning them for processing by additional personnel.

Mr. McWilliams was presented with a \$100.00 check for his suggestion.

Mayor Hanson and Mr. Rowlands both congratulated Mr. McWilliams on his award.

PETITION:

Petition submitted by the Mueller Investment Co. requesting the rezoning of the N. E. corner of Pearl St. and No. 30th St.

Referred to the Planning Commission.

55-21

City Council Minutes - Page 2 - November 7, 1961

**RESOLUTIONS:**

**Resolution No. 16800:** (postponed from the meeting of Oct. 31, 1961)

Awarding the contract for the sale and removal of the iron in the Old City Jail for the sum of \$400.00 to Glen Currah, Jr.

It was moved by Mr. Easterday that the Resolution be adopted.  
Seconded by Mr. Cvitanich.

Mr. Rowlands said that this Resolution was postponed for one week to allow Mr. Currah ample time to meet the City's requirement in securing the proper bond coverage.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

**Resolution No. 16806:**

Fixing Monday, November 27, 1961 at 4:00 P. M. as the date for hearing on L I D 4693 for widening and permanent paving on No. Stevens from No. 21th to No. 35th.

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Steele.

Mr. Cvitanich asked that Mr. Rowlands explain why this improvement is on an L I D basis rather than on a bond project.

Mr. Rowlands explained that this matter was discussed at a Study Session last week, with five Council members present. The Council wanted to know what the general reaction would be to the policy of instances where the streets have been improved and paid for by abutting property owners with no cost to the abutting property owner. In some cases where there is no curb and gutter and just an oil mat street, they felt the \$4.00 or \$4.50 a front foot would be in order, and in streets where there is no curb and gutter and where there might be two strips of concrete pavement or black-top pavement to accommodate two channels of traffic, then the street would have to be widened to a 44 foot width; in that event the property owner would only pay an additional \$3.00 per front foot. So a different formula would be had for different improvements, depending upon the circumstances. He added that each improvement would have to be reviewed by the City Council, although the Council has agreed that in cases where the street had been improved before, and the property has been assessed, the street would be put in on the Bond program.

Mayor Hanson stated then, the policy would be to relieve the property owners from paying twice on an arterial improvement, but require a certain contribution if no previous assessment has been made commensurate with the amount of non-payment of previous assessment.

City Council Minutes - Page 3 - November 7, 1961

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16807:

Awarding contract to Ostruske-Murphy, Inc. for the construction of the Western Slopes Sewage Treatment Plant in the amount of \$650,300 plus sales tax. 54:1

It was moved by Mr. Cvitanich that the Resolution be adopted. Seconded by Mr. Easterday.

Mr. Rowlands said that this is a very excellent bid as the estimate was \$747,000.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16808:

Authorizing and directing the firm of Knight, Vale & Gregory, certified Public Accountants to make a financial and management audit and survey for the calendar year of 1961. 54:239

It was moved by Mr. Steele that the Resolution be adopted. Seconded by Mrs. Price.

Mr. Easterday moved to postpone the Resolution for one week, as there is more information that he would like to secure on this matter. Seconded by Mr. Cvitanich.

Roll call was taken on the motion to postpone resulting as follows: Ayes 6; Nays 3, Murtland, Price and Steele. Motion carried.

Resolution No. 16809:

Authorizing the execution of an agreement between the City Council acting through its Mayor, with Knight, Vale & Gregory, certified Public Accountants, setting forth the terms of employment for the making of a financial and a management audit and survey.

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Steele.

Mr. Easterday moved that the Resolution be postponed for another week along with Resolution 16808. Seconded by Mr. Porter.

## City Council Minutes - Page 4 - November 7, 1961

Mrs. Price stated before voting, she would like to make a statement. She said, she is deeply concerned about postponing this audit as it is the middle of November, and if anything is to be accomplished before the first of the year, there are only 6 remaining weeks. This has been discussed a number of times and she thought they had stated their intentions and given them directions last week and can see no reason for delaying the matter any longer, so she shall vote "no".

Mr. Steele gave the same reason as Mrs. Price for voting "no", but he felt as long as they are continuing Resolution No. 16808, they might as well continue this one.

Roll call was taken on the motion to postpone, resulting as follows:

Yeas 7; Nays 2, Murtland and Price. Motion carried.

Mayor Hanson said he voted on the prevailing side in order to move for reconsideration of the Resolution. Seconded by Mrs. Price

Mayor Hanson said that Mrs. Price made the point very well, that this has been under consideration for months. The end of the year is near and if this firm is to perform its function adequately, they will certainly need the balance of the time.

Mr. Murtland said he agreed with Mrs. Price that this matter has been discussed thoroughly although he knows that some of the Council have been absent during meetings when this was discussed, but he feels this is strictly a delay on the part of some of the Council. He further stated he doesn't understand why this should be continued.

Mrs. Price said this has been discussed from time to time and they have tried to employ a local firm to do the auditing. She said, if a decision isn't made soon it will not be fair to the firm to expect them to finish their job in such a short time.

Mr. Easterday said he would withdraw his motion to postpone 16809.

Mayor Hanson said since the motion has been acted upon, it has become a matter of the body and the same result would be accomplished by voting in favor of the reconsideration.

Mrs. Olson stated that many of the Council have been concerned that there has not been a complete audit of the books of the City of Tacoma. However, she could see very little accomplished between now and the end of the year. Any results obtained from this audit will strictly be for information only and will not have any more meaning in 1961 than in January of 1962 since the budget has already been passed. Matters are constantly being put off until the last minute and then they are informed they cannot vote to postpone for one more week. She felt Mr. Easterday is within his rights asking for a postponement and it was out of courtesy to Mr. Easterday that she voted in favor of his motion.

Mr. Porter said he voted for Mr. Easterday's motion for reconsideration out of courtesy as he believes when anyone wants a postponement, it should be granted. He said he thinks that the postponement or passing of this Resolution or Resolution 16808 is not going to make very much difference because these are purely types of efficiency expert management surveys which they have had in the past few years.

## City Council Minutes - Page 5 - November 7, 1961

Mrs. Price said she would like to also state that she usually votes out of consideration for a postponement. She remembers in previous meetings, there were some areas where Mr. Easterday specifically asked for an audit and she felt this is the reason they should proceed. There were areas that Mr. Easterday had requested.

Mr. Easterday stated there is still one area that he would like to have discussed again in a study session. He said one area where they have been given their full instructions and he has gone along to the point that Knight, Vale & Gregory have been set up in Resolution No. 16809, but before they are given the green light to proceed as in Resolution No. 16808, there's one area that hasn't been discussed in a study session, and he would like to have that area included before proceeding with the audit.

Mayor Hanson stated they have before them the motion to reconsider the action on the motion to postpone Resolution No. 16809. Voice vote taken. Motion carried.

Mayor Hanson said the motion to postpone the Resolution is before them. Voice vote taken. Motion fails.

Mayor Hanson said the Resolution 16809 is now before them for action.

Mr. Cvitanich moved to amend Resolution 16809, the fourth line down after the words "audit of", insert the word "all". On the next line after the word, "extent", insert "as provided in Section 7.14 of the Charter of the City of Tacoma." Seconded by Mr. Porter.

Verbatim as requested by Mr. Cvitanich.

Mayor Hanson, "I think this is quite obviously another continuing effort on the part of those who differ with the majority to bring this issue again before us."

Mr. Murtland, "If Mr. Cvitanich would like to make up the difference between the amount that has been available for this purpose, and the other, I'll be able to vote for it, but otherwise I don't see how it possibly can vote for it, either in the 6 weeks that remains in this year or any other way to take care of the expense that it would be, so I will have to vote against it."

Mr. Cvitanich, "Mr. Mayor, I would like the Clerk to read Section 7.14 into the record."

Mayor Hanson, "Mr. Cvitanich, I'm going to rule that out of order, that has been read into record and been included in the record on numerous occasions, everyone is very familiar with the wording. We are also very familiar with the various methods of interpretation and also aware of the fact that basically it becomes a matter for the Council to determine the interpretation."

Mayor Hanson, "Proceed with the roll call on the motion to amend the Resolution. Voice vote taken on the amendment. Motion lost."

End of verbatim

City Council Minutes - Page 6 - November 7, 1961

Mayor Hanson asked if there were any further questions or discussion. Voice vote was then taken on Resolution No. 16909.

The Resolution was then declared adopted by the Chairman.

Mr. Bott said inasmuch as he voted on the prevailing side on Resolution No. 16808, he moved that the Resolution be reconsidered. Seconded by Mr. Steele

Mayor Hanson asked for a roll call on the motion to reconsider the action postponing the Resolution.

Roll call: Ayes 7; Nays 2. Easterday and Porter.

Motion carried

Mayor Hanson said the motion before the Council now is to postpone the Resolution for one week. Roll call taken.

Ayes 2; Nay 7; Bott, Cvitanich, Murtland, Olson, Price, Steele and Hanson. Motion lost

Mayor Hanson said Resolution No. 16808 is now before the Council for adoption. He asked if there were any further discussion.

Mr. Cvitanich moved to amend Resolution No. 16808 by adding the word "all" before "of account" and directly behind 1961 add " as provided in Section 7 14, Charter of the City of Tacoma. Seconded by Mr. Porter

Mayor Hanson asked for a roll call on the amendment to Resolution 16908 proposed by Mr. Cvitanich. Ayes 4; Nays 5; Bott, Murtland, Price, Steele and Hanson. Amendment fails

Mrs. Price asked if, at this time, Mr. Easterday would like to make a motion to amend the Resolution since there are still some areas that he would like studied.

Mr. Easterday said he didn't think he would make the motion at this time although he would like to have this one area discussed in a study session with the Council.

Mayor Hanson explained even though they passed this Resolution tonight, it would certainly be in order to discuss it with the thought in mind of the possibility of amending the Resolution but this would at least permit the firm of accountants to get started.

Mr. Porter said he had no objection to postponing the Resolution, but he hopes that this will be discussed at the Council Meeting next week rather than at a study session.

Mr. Easterday said he would ask that an amendment be prepared by the City Attorney for presentation at next Tuesday's Council meeting.

Mayor Hanson asked for roll call on the adoption of Resolution No. 16808: Ayes 8; Nays 1, Cvitanich.

The Resolution was then declared adopted by the Chairman.

City Council Minutes - Page 7 - November 7, 1961

Resolution No 16810:

Authorizing the proper officers of the City to enter into a leasehold agreement with Dravis, Inc. for dock Street property.

50:440

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Steele.

Mr. Rowlands explained that negotiations have been going on for some months with the Dravis Co. The former rent was \$105.00 a month and this has been increased to \$150.00 a month, with the provision that every five years, the lease will be re-evaluated to determine what is the reasonable rate to pay. The twenty year lease in all, will also permit the Dravis Co. to make any improvement on the property. At the end of the lease period, if they wish to move elsewhere, the building would revert to the City. We are being protected all the way through, as far as liability is concerned.

Mayor Hanson asked if the 20-year term is to encourage them to make improvements.

Mr. Rowlands replied, it was as they wished to make certain improvements to the property which will expand their operations.

Mr. Murtland asked Mr. Rowlands if there were any possibility that the City would have any use for this property within the next 10 years.

Mr. Rowlands said, for the time being, the City doesn't contemplate any use for the property, although within the next year or two the Council may want to review again the possibility of selling the property.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16811:

Authorizing the officers of the City of Tacoma to waive the breach of the Lease by the Tacoma Youth Center Organization at the premises at No. 13th and J Streets.

54:207  
55-277

It was moved by Mr. Porter that the Resolution be adopted. Seconded by Mrs. Price.

Mr. Steele said he would like to speak in opposition to the Resolution. In August of 1959 the Youth Center leased this property from the City with the proviso that the lessee should have one year from that date of the execution of the lease to secure complete occupancy of the building, which should have been occupied on or about August 17, 1960. He said for the record, he spoke in opposition for an extension at that time, for the reason, nothing had been done to the property. It should be noted that the surrounding neighborhood is unanimously opposed to this Youth Organization and the circumstances being as they are, they have not made any structural changes within the last two years.

City Council Minutes - Page 8 - November 7, 1961

The only physical accomplishment is the hanging of light fixtures acquired from the old City Hall. Other governmental agencies would be interested in this property such as the Civilian Air Patrol and Civil Defense.

Mrs. Price, speaking in defense of this Resolution, stated, these are young people trying to build a center for themselves. This building in its present condition cannot be used for anything because it has been declared unsafe. These young people have worked about five years trying to raise money to build this center, and when they had an opportunity of using this building with approval from the Planning Commission and the City Council last year, the lease was extended to them for a year. They now have sufficient funds and the plans are completed. They have approximately \$15,000 worth of material which has been donated, plus additional funds. They are ready to go to work. They have made contacts with a number of contractors for them to do the work. She feels these young people deserve a great deal of credit for the work they have been doing and their continued interest in this kind of project. They are willing to work for it and she thought the Council would be remiss if they didn't encourage these young people by giving a longer period on this lease to allow the contractors time to complete their work.

Mayor Hanson asked Mr. McCormick if an amendment would waive the condition of putting the building into shape for the rest of the term of their lease and also subject to the renewal.

Mr. McCormick said it would not.

Mr. Murtland asked if there were any future date designated for the work to be completed.

Mrs. Price said when this was before the Council last year, she had requested that this be continued for one year.

Mrs. Price then moved to amend the Resolution to extend the lease so that the work will commence within 6 months from this date. Seconded by

Mr. Steele      Voice vote taken      Motion carried

Mayor Hanson asked for a voice vote on the Resolution as amended. Voice vote taken. Motion carried.

Mr. McCormick said the lease will be drawn up according to action taken.

Resolution No. 16812:

Authorizing the proper officers of the City to execute a conditional sales contract to Morley Studios, Inc. for the sale of a parcel of land located on the north side of So. 19th St. across from the Heidelberg Field.

It was moved by Mr. Steele that the Resolution be adopted. Seconded by Mrs. Price.

Mr. Porter asked what was the difference between this Resolution and the previous Resolution that was before the Council.

Mr. Rowlands explained that previously the Board of Contracts and Awards recommended that the bid be rejected which was submitted by the only



City Council Minutes - Page 9 - November 7, 1961

bidder, Mr. Brotman for \$3,500.00 and 8,000 cubic yards of peat. Two months ago, Mr. Brotman was present and talked to the staff about the possibility of purchasing this property. At that time he made an offer of \$4,000.00 or 8,000 cubic yards of peat or 2,000 cubic yards of processed peat. The City could use this peat in various areas in that locality. Mr. Brotman was willing to negotiate on that basis. The staff will be willing to recommend that the \$4,000 be payable on the basis of \$1,000 down payment with 6 semi-annual payments of \$500.00 each with a total of \$4,000. The difference is between \$3,500 and \$4,000.00.

Mr. Bott stated that the previous bid was \$3500.00 and 8,000 cubic yards of peat. This Resolution is for \$4,000 plus 8,000 cubic yards of peat which is \$500.00 difference; would that mean that for \$500.00 they are getting 6,000 cubic yards of peat.

Mr. Rowlands stated they would rather have 2,000 cubic yards of processed peat, than to try and go in and remove the 8,000 cubic yards of peat. The difference is about what is represented here between the 2,000 and 8,000. He stated the City would prefer the processed peat.

Voice vote was taken on the Resolution.

The Resolution was then declared adopted by the Chairman.

#### FIRST READING OF ORDINANCES:

##### Ordinance No. 16922 :

Vacating No. 42nd St. lying between Forest and Waterview St. and the alley between Forest and Waterview St. from No. 42nd to No. 43rd Streets.  
Petition of Emanuel T. Muntz. Read by title.

Mayor Hanson stated this vacation was discussed at the time of the hearing and it is the recommendation of the Planning Commission that this be approved.

The Ordinance was then placed in order of final reading.

##### Ordinance No. 16923:

Amending the Official Code of the City relating to zoning by adding a new section 13.06.065-13 to include property on the southeast corner of No. 33rd and Proctor streets in the "R-4-L" Low-Density Multiple Family Dwelling District. Read by title. *(Evergreen State Builders, Inc)*

Mayor Hanson said this also was recommended for approval by the Planning Commission.

Mr. Buehler, Planning Director, pointed out the existing zoning of the area on the map. He said the area follows Proctor Street, going North; North 33rd and Proctor running East & West, where the Puget Park gulch is located. Presently the area is classified as a "R-2" Single Family Dwelling with the exception of the boundary zoned as a "C-2" Commercial. The

234  
103  
236

53-74  
54-236

City Council Minutes - Page 10 - November 7, 1961

property in question is 150' by 120' located on the Southeast corner of North 33rd and Proctor Streets. One hearing has been held before the Planning Commission and was continued at the request of the owner for a further hearing. The people requesting the rezoning and those opposing are here tonight. This rezoning is for "R-4-L" which is a Low-Density Apartment zoning. Low Density meaning that for every 2,500 square feet of ground, one unit can be built, allowing them to build seven units in this area. The restrictions were to keep some of the natural growth and foliage to be retained by a 10' conservation easement with a 40' easement which is held in escrow. The property breaks off quite rapidly into the gulch. He said 33rd St. has an 80' right-of-way. Proctor St. has a 100' right-of-way with the bridge approximately 60' located pretty well in the center so the west edge of the bridge is 20' from the property line.

Mr. Creighton Flynn, attorney for the petitioner, went on to explain the property on the Southeast corner of North 33rd and Proctor extend 150' east on 33rd and 120' south on Proctor. This "C-2" area is immediately adjacent, north across 33rd Street to an abandoned or vacant gasoline station. Across the Street to the west on Proctor is another gasoline station, then there are other commercial establishments which are north on Proctor Street.

Mr. Flynn, further stated, the new structure will include (7) units with off-street parking, provided immediately next to the bridge so the living accommodations will be quite an improvement. This zoning "R-4-L" is keeping strictly within the expressed intent of our "R-4-L" as set up in the zoning ordinance. It provides a transitional area between a "C-2" and an "R-2" which is presently the zoning in the area. The property does not lend itself with any development of any kind other than what is proposed here. The Evergreen State Builders have had their engineer and consultants there and were satisfied that the property with this type of construction, be put there. We have an executed easement to the City conserving all the natural state of the growth, that is for 10' on the westerly side and 40' on the southerly side which will blend with the scenic area in the vicinity of the building. He said he felt this would be an asset to the neighborhood.

Mr. Steele said this is only the first reading of the Ordinance and he would like to ask Mr. Flynn if there are any plans in reference to the landscaping, and if any of the standing timber will be preserved. He said in reading the objections from the neighborhood, the biggest objection is the traffic hazard created by the northeast bridge railing. He wondered if any consideration has been given by the field staff of the Planning Commission or the builder himself as to lowering that railing 20 or 30 feet to the south of the start of the bridge. It is possible that some attention could be given to that in conjunction with the Planning Commission and the Public Works Department so as to eliminate that slight block. When going westbound on 33rd, entering Proctor and turning south on Proctor, a car would have to creep into this intersection. He thinks the neighborhood has a valid objection from that point of view.

Mr. Flynn said this railing on the bridge has been an existing thing

City Council Minutes - Page 11 - November 7, 1961

and has nothing to do with the building of the apartments unless the City does something about it.

Mr. Steele said the point he is trying to get across is that (7) additional off-street parkings, just east of the bridge, will certainly present a traffic hazard and the builders should cooperate with the City to work out a plan to reduce that hazard.

Mr. Flynn said, they will certainly cooperate, but he does not agree, however, that what they are going to build will add to a condition that already exists. He doesn't think this will hamper the view.

Mr. Murtland asked Mr. Rowlands if the Traffic Engineers have ever taken up the point of that corner as far as trying to alleviate that condition regardless of what may be built there.

Mr. Rowlands stated, on the point of traffic hazard, no particular suggestions were made, the Traffic Engineer doesn't think the addition of those several cars will create too difficult a situation, traffic wise. However, there may be something the City can do to analyze the end of the bridge to see what can be done to give a better situation, regardless of how many cars are parked off-street near the end of the bridge, caution will have to be exercised in approaching the Proctor Street intersection.

Mayor Hanson stated, the problem will exist, whether or not this Resolution is approved.

Mrs. Price suggested the Council go out on a field trip to inspect the property and also the bridge situation.

Mayor Hanson suggested that this field trip be made after the Study Session on Tuesday, November 14th.

Mayor Hanson asked if the Council wanted to discuss this further, if not, they will hear from residents who live in the area.

Dr. Robert Lantieri, 3724 No. 33rd St. says that all the residents living in this vicinity objected because they are desirous of living in a one family zoned district. The people bought their homes with the idea the district would remain a one-family dwelling zone. He said most of the people in the area are against the rezoning.

Several others residing in the area, Dr. Lindsey, Mr. Middleton, and Mr. Charles Reberger protested the rezoning.

The Ordinance was then placed in order of final reading.

#### FINAL READING OF ORDINANCES:

##### Ordinance No. 16919:

Amending the Official Code of the City relating to zoning by adding a new section 13.06.051-1 to include property on the N. E. corner of 6th Ave. and Orchard Sts. in an "R-3-T" Residential Commercial Transitional District. (Petition of Allen Ward.) Read by title and passed. 54: 54202

Roll call was taken on the Ordinance resulting as follows:  
Ayes 9; Nays 0. Absent 0.

The Ordinance was then declared passed by the Chairman.

City Council Minutes - Page 12 - November 7, 1961

Ordinance No. 16920:

Amending the Official Code of the City relating to zoning by adding a new section 13.06.160-5 to include property on the south side of So. 25th St. between Steele and Sprague Ave. in the "M-1" Light Industrial District. (Petition of Mrs. Jessie Bell.) Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0

The Ordinance was then declared passed by the Chairman.

Ordinance No. 16921:

Setting forth the land disposition policies and procedures for the Center Street Wash. R. - 1 Project and authorizing a review board to approve proposals. Read by title and passed.

Mr. Steele stated discussions were held relating to the land disposition policies in the Center St. area. As to the possibility of owners located within Urban Renewal Projects retaining title to the property and redeveloping it in compliance with the Project plans, with the City purchasing only the improvements from the real property in those cases where the result will not have a detrimental effect on parcelization of the project area. There has been some feeling that such a policy would not be within the rules and regulations of the Urban Renewal Administration, and he thought they could amend the Ordinance by adding a new section to give effect to that possibility, so that it would be in the Ordinance, and if it were not disapproved, it would become an additional policy matter that the Council would have in determining disposition of properties within an Urban Renewal Project.

Mr. Steele then moved that the Ordinance be amended by renumbering Sec. 8, 9, 10 and 11 and inserting a new Sec. 8 as follows: "An owner of real property located within the Center Street Urban Renewal Project area maybe allowed to retain title to his land and redevelop it in compliance with the Center Street Urban Renewal plan with the City of Tacoma purchasing only the improvement from the real property in those areas where the result would not have a detrimental effect on parcelization of the Center Street Urban Renewal Project area." Seconded by Mrs. Price.

Mr. Easterday stated that the Council was to receive a legal opinion from the Urban Renewal legal staff of San Francisco to see if it were permissible. He asked Mr. McCormick if such a ruling had been made as yet.

Mr. McCormick answered, not to his knowledge.

Mayor Hanson asked Mr. Rowlands if he had any information on this matter.

Mr. Rowlands stated this matter had been discussed with the Urban Renewal Director, legal staff in San Francisco, and with Mr. Thompson of our legal staff. We don't have a specific answer as yet.

City Council Minutes - Page 13 - November 7, 1961

He added, this particular policy was discussed with the Council along with the other recommended methods of disposal. It was suggested by some of the Council members that it be included. To move along with the disposition of the property in Center Street that is a matter that will have to wait for a legal opinion from the legal staff of the Urban Renewal office in San Francisco.

Mayor Hanson asked what complications could arise by having this in the Ordinance. He said this apparently has been the consensus that has been expressed before by the Council, if it were within their authority to have it included.

Mr. McCormick read Section 12, of the Ordinance, which stated, "if any section, subsection, sentence clause, phrase or portion of this ordinance if for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a distinct and independent provision, and such holdings shall not affect the validity of the remaining portions thereof."

Mr. Bott moved that the amendment be tabled until such time as a legal opinion is forthcoming. Seconded by Mr. Cvitanich.

Voice vote taken. Motion carried.

Roll call was then taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared passed by the Chairman.

#### UNFINISHED BUSINESS:

The Director of Public Works presents the assessment for the cost of the improvement of L I D 6774 for intersectional lighting in the vicinity of East M; 32nd East between East 29th and Morton and between Portland Avenue and East L.

Mr. Easterday moved that Monday, December 11, 1961 at 4:00 P. M. be set as the date for hearing on L I D 6774. Seconded by Mr. Cvitanich.  
Voice vote taken. Motion carried.

#### REPORTS:

MC - 368 - Progress Report-Welfare Program

Mr. Rowlands stated he had given this report verbally last week and so far we have been very satisfied with the work done by the individuals sent to us by the Welfare Department.

#### ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

Report from the City Planning Department for the month of Sept., 1961.

Vol. 5, 34  
Page 169

City Council Minutes - Page 14 - November 7, 1961

COMMENTS:

Mr. Steele moved that the proper officers be authorized to advertise for bids on two buses. Seconded by Mrs. Price.

Mrs. Olson asked if it has been determined, what type of buses are to be used.

Mr. Rowlands stated this was discussed with Mr. Lee, Director of Transit. The question arose last week if smaller buses could be used. Since the peak loads are between 2:30 and 5 P. M. and inasmuch as 80 to 82 of our 91 buses are in use for that period, it seemed advisable to order two buses which will hold 40 to 46 passengers and this would augment the fleet to take care of the peak loads.

Mrs. Olson asked if one of these was to be a more luxurious type of bus for Charter purposes as it had been discussed by the Council briefly. She asked if any further discussion was made on this.

Mr. Rowlands stated the two buses that will be ordered as authorized by the Council will be very attractive.

Mr. Murtland asked if the specifications of the new buses will be general enough so that more than one Company can bid on them.

Mr. Rowlands stated, Mr. Lee has compared the specs with the other organizations and they will be drawn for the best type of buses we can get. He said it is a Diesel type of bus that they are contemplating on purchasing. He is sure the specs will be such that anyone that handles that type would be able to bid.

Mayor Hanson stated, when the bids are called, he imagined that the members of the Council, that were not present at noon would like to be consulted as to their preference in color as it is their hope that the new buses will conform with the colors that the present buses will be painted when needed.

Mayor Hanson called for a voice vote on the motion that bids be advertised for two new buses. Motion carried.

\*\*\*\*\*

Mr. Steele said the second item he would like to bring up was the matter that was discussed some time ago by the Council, regarding a Resolution applying to the Home and Finance Agency for a loan of \$25,000 to conduct a study in reference to the proposition of establishing a central area Public Works Maintenance Garage, consolidating the various public works functions under one roof. It was his understanding that the Public Works Dept. has conducted a number of interviews with local architectural firms in connection with this study. This situation was discussed this noon; he said he was amplifying on the subject for the benefit of those who were not present at the noon meeting. It was the consensus that the Council should determine first, whether or not they should hire someone, then the Attorney should be instructed to bring in a Resolution hiring the firm recommended by the staff.

City Council Minutes - Page 15 - November 7, 1961

Mr. Steele then moved that the proper officers of the City be engaged to employ an architectural firm for the purpose of completing the study to include the preliminary design on the Public Works Maintenance Garage facilities. Seconded by Mr. Bott.

Mr. Porter asked if it would not be proper to have the attorneys draw up the Resolution leaving the firm name blank so the Council can determine the consultant.

Mr. Steele said this was discussed at noon today, and it was Mr. Easterday's desire to first vote on whether we hire anyone or not, then the Resolution be brought in selecting the firm.

Mr. Easterday remarked that there seemed to be consultants employed for everything. He believes that this consolidation of the various departments of the Public Works Department is an excellent idea, but he deplors the fact that nothing can be done unless we hire consultants. He thought the matter could be resolved without going to that expense. He said he would not be in favor of spending \$25,000 where it could be resolved within the Department. Therefore, he does not propose to vote for the Resolution.

Voice vote was taken on the motion resulting as follows:  
Ayes 6, Nays 2, Easterday and Cvitanich. Absent 0. Motion carried.

Mr. Porter stated, having voted on the prevailing side, he may move for reconsideration next week.

Mr. Steele said he made this request according to his understanding at the noon study session today, that if it were agreeable to the majority of the Council to hire a firm, then this was agreeable to Mr. Easterday if the Resolution were brought in according to the recommendation of the Public Works Department.

Mr. Easterday said, if that was Mr. Steele's recommendation, he would go along with that recommendation.

Mr. Steele said he would suggest that the Resolution be brought in along those lines.

\*\*\*\*\*

Mr. Rowlands mentioned that on Friday evening, Nov. 10, 1961 at Ingrams Cafe there will be a Regional meeting of the Association of Washington Cities. Some legislative matters will be coming up for discussion and he asked the Council to indicate how many wish to attend.

Mayor Hanson stated the Press, Radio and TV are invited.

\*\*\*\*\*

Mr. Rowlands stated on Nov. 20, 1961, Monday, there will be the White House Regional Conference at the University of Washington. Gov. Rosellini has sent an invitation to each City. There will be a discussion of the Domestic program of future needs. Washington State Senators will be there and also Mr. Udall, Secretary of the Interior. He asked that the Council indicate who will attend.

City Council Minutes - Page 16 - November 7, 1961

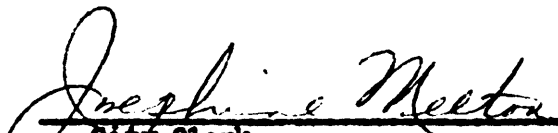
Mayor Hanson stated the Pierce County Veterans' Advisory Council has invited the Council to participate in the Veterans Day Program which will begin at 1:30 P. M. November 11, 1961.

\*\*\*\*

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 10:00 P. M.

  
Mayor of the City Council

Attest:

  
City Clerk