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COUNCIL CHAMBER, 7:37 P. M.

Monday, March 7th, 1955.

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

It was moved by Col. Hooker, seconded by Mrs. Goering, 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 carried: Ayes 7; Nays 1; Humiston (not voting); Absent 1; Jensen.

COMMUNICATIONS:

State of Washington Pollution Control Commission, advising they have under consideration L. I. Ds 1933, 1935 and 1936 for the expansion of the Tacoma Sewer System; that in accordance with the policy of the Pollution Control Commission not to approve expansion of sewer systems without provision for adequate treatment, approval for these L. I. Ds is being withheld; stating that there appears to be some uncertainty among City officials as to what will be accepted by the Commission as definite progress on the basis of which approvals for sewer construction may be issued, and that they feel it highly desirable that a meeting be arranged between the members of the Tacoma City Council and their office to discuss this matter. Mr. Backstrom advised the Council that Mr. Eldridge, Chief Engineer for the Commission, had called at his office to discuss the matter and had been informed that the City had contemplated building sewage disposal plants at key points with the funds from a bond issue, but that this measure had been defeated at the election last November, which left the City without the necessary finances. Of the improvements mentioned in the letter, two have been completed and one involves the 6th and Pearl District, which will drain into the sewage disposal plant. Additional sewage disposal plants could be financed by bonds or by an increase in sewage rates to permit issuance of revenue bonds, he said. Mr. Backstrom felt it was desirable for the Council to meet with Mr. Eldridge and it was a question whether the Public Utilities Committee or the entire Council should participate in the meeting. After further discussion, the mayor requested Mr. Backstrom to arrange a meeting between the Public Utility Committee and Mr. Eldridge.

RESOLUTIONS:

Resolution No. 14187.

BY JENSEN:

Approving recommendation of the Fire Chief and the Board of Contracts and Awards and awarding contract for 5,000 feet 2½ inch cotton, rubber lined, double jacketed fire hose to Eureka Fire hose Division of United States Rubber Co. on their low bid of \$4,750.00.

Adopted on roll call March 7, 1955.

Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14188.

BY BATTIN:

Accepting the bid of Lester M. Davis for purchase of Lot 12, Block 1, E. L. Sawyer's Addition for \$50.00 cash, and authorizing execution of a local improvement assessment deed in favor of said purchaser. (located on west side of Sawyer Street between Center and South 28th Street).

Adopted on roll call March 7, 1955.

Ayes 8; Nays 0; Absent 1; Jensen.

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Resolution No. 14189.

By PERDUE:

Authorizing private sale of all right, title and interest of the City of Tacoma acquired through proceedings for foreclosure, to Addison H. Forrester and authorizing execution of local improvement assessment deed upon payment of \$10.00 covering Lots 1 to 6 inclusive and Lots 16 to 21 inclusive in Block 3, Frace's First Addition located on Whitman Street between South 8th and 10th Streets. It was moved by Dr. Battin to suspend Rule 9, seconded by Col. Hooker and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call March 7, 1955.
Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14190.

By HUMISTON:

Declaring that the execution of the construction program for 1955 for construction and installation of the betterments and improvements to the existing artificial street lighting system of the City of Tacoma, be accomplished in accordance with the proposed working agreement between the Public Works Department and the Light Division of the Utilities Department, hereto attached and made a part hereof. (bond issue program). It was moved by Col. Hooker to suspend Rule 9, seconded by Mr. Perdue and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call March 7, 1955.
Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14191.

By Stojack:

Fixing Monday, April 4th, 1955 as date for hearing on petition to vacate that certain street or thoroughfare in the form of an arc lying between Blocks 6 and 7, Port of Tacoma Industrial Development District, First Addition to City of Tacoma, and also lying between the most easterly line of Block 6, extended to Block 7 and the most northerly line of Block extended to said Block 7.

Adopted on roll call March 7, 1955.
Ayes 8; Nays 0; Absent 1; Jensen.

FIRST READING OF ORDINANCES:

Ordinance No. 15263. L I D 2107.

Approving and confirming assessment and assessment roll for cost of improvement in L. I. D. 2107. Read by title and placed in order of final reading.

Ordinance No. 15264. L. I. D. 5170.

Providing for construction of cast iron water mains in area between Mason Street and Orchard Street from South 62nd Street to South 71st Street (MANITOU DISTRICT); creating L. I. D. 5170. Read by title and placed in order of final reading.

Ordinance No. 15265. L. I. D. 2198.

Approving and confirming assessment and assessment roll for cost of improvement in L. I. D. 2198. Read by title and placed in order of final reading.

Ordinance No. 15266. L. I. D. 1934.

Providing for the construction of sewers along the lines described as follows:

Starting at South 70th Street extended and the east side of the Northern Pacific Railway Company right of way, southerly along said right of way approximately 200 feet, thence southerly through unplatted property in Section 25, Township 20 North, Range 2 East of W. M. approximately 1120 feet, thence east to Northern Pacific Railway Company right of way, thence south to South City Limits; creating L. I. D. 1934. Read by title and placed in order of final reading.

Ordinance No. 15267. L. I. D. 4542.

Providing for improvement of the west side of Union Avenue from Center Street south to within 100 feet of the north Boundary line of South 35th Street by widening the existing pavement ten feet, with asphaltic concrete, and installing concrete curbs, gutters and sidewalks thereon; creating Local Improvement District No. 4542. Read by title and placed in order of final reading.

Ordinance No. 15268. L. I. D. 2222.

Providing for improvement of west side of South J Street from 70 feet south of the south boundary line of South 64th Street, for approximately 430.5 feet south by construction of concrete sidewalks thereon; creating Local Improvement District No. 2222. Read by title and placed in order of final reading.

Ordinance No. 15269.

Creating in the treasury of the City of Tacoma a special fund to be known as Street and Bridge Construction Fund of 1955; specifying the purpose for which said fund is created; providing for the deposit therein of the proceeds of the sale of \$500,000.00 of bonds to be issued by the City of Tacoma as authorized by the vote of the people at a special election held on Tuesday, November 2, 1954, pursuant to the provisions of Ordinance No. 15078, and of other available funds for the purpose of the payment of the cost of the construction of general street and bridge improvements in said City; appropriating from said special fund the sum of \$500,000, or so much thereof as may be necessary for the payment of said costs. Read by title and placed in order of final reading.

Ordinance No. 15270.

Creating in the treasury of the City of Tacoma a special fund to be known as Street lighting Construction Fund of 1955; specifying the purpose for which said fund is created; providing for the deposit therein of the proceeds of the sale of \$500,000 of bonds to be issued by the City of Tacoma as authorized by the vote of the people at a special election held on Tuesday, November 2, 1954, pursuant to the provisions of Ordinance No. 15077, and of other available funds for the purpose of the payment of the cost of making certain additions, betterments and extensions to the existing artificial street lighting system in said City; appropriating from said special fund the sum of \$500,000, or so much thereof as may be necessary for the payment of said costs. Read by title and placed in order of final reading.

Ordinance No. 15271.

Amending Section 2 of Ordinance No. 14286 entitled: "An ordinance providing for the bonding of certain officers and employes of the City of Tacoma; repealing ordinances Nos. 9436 and 11058; and making this ordinance effective January 1, 1952." Read by title and placed in order of final reading.

Ordinance No. 15272.

Amending Sections 28 and 30 of 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

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City into districts, etc." (Sec. 28- ZONING ORDINANCE- automobile space regulations, parking areas; Section 30- Nonconforming uses.) Read by title and placed in order of final reading.

Ordinance No. 15273.

Amending Section 8, 9 and 11 of Ordinance No. 13989 entitled: "An ordinance regulating the use and operation of the Tacoma Municipal Sewer System; providing for charges for handling sewage; declaring certain acts unlawful and declaring penalties therefor." Read by title and placed in order of final reading.

Ordinance No. 15274.

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, March 21, 1955, and continuing through Friday, March 25, 1955, between the hours of 9:00 A. M. and 9:30 P. M.; declaring an emergency and providing that this ordinance shall take effect immediately after publication. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15259

Vacating Morrison Street from Waterview to North Mason Avenue and the alley extending from Morrison Str. to North 44th Street and lying between Blocks 9 and 11, Mason's Waterfront Addition. Read by title. It was moved by Dr. Battin, seconded by Mr. Bratrud to suspend Rule 9, and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

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

Ordinance No. 15260.

Authorizing the proper officers of the City of Tacoma to enter into an agreement between the City of Tacoma and the State of Washington, Department of Highways, for the construction of Federal Aid Project No. U-4601 (1), Milwaukee Way Extension; directing the transfer of Seventy-four Thousand Three Hundred Nineteen and 17/100 Dollars (\$74,319.17) from the City Street Fund to the City Street Investment Fund; and authorizing the expenditures of the same pursuant to the terms of the agreement. Read by title. It was moved by Col. Hooker to suspend Rule 9, seconded by Mr. Perdue and carried unanimously on voice vote. The Ordinance was then passed without having been read in full.

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

Ordinance No. 15261.

Authorizing and directing the City Attorney of the City of Tacoma to purchase certain property to be used for the widening and improving of South 19th Street; and providing for the payment thereof. Read by title. Moved by Col. Hooker, Seconded by Dr. Battin to suspend Rule 9 and carried unanimously. Ordinance then passed without having been read in full.

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

Ordinance No. 15262.

Amending Section 21 of 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 areas and lines, and the size of yards and other open spaces and for these purposes to divide the City into districts, etc. (ZONING ORDINANCE- including self-service laundry in C-1 Commercial Districts and requiring they provide off-street parking spaces). Read by title. It was moved by Dr. Humiston, seconded by Mr. Stojack

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to suspend Rule 9 and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

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

UNFINISHED BUSINESS:

The Director of Public Utilities submitted assessment and assessment roll for the cost of the improvement in Local Improvement District No. 5745. It was moved by Dr. Humiston, seconded by Mr. Perdue that April 5, 1955 be fixed as the date for hearing on said assessment roll. Carried on roll call: Ayes 8; Nays 0; Absent 1; Jensen. 290

Mr. Backstrom called Council's attention to a request of the Light Department for reimbursement in amount of \$92,000 on account of changing its lines by reason of the construction of the Port Industrial Waterway Bridge, which the department claims the General Fund owes them as a result of a verbal agreement with the former City Council. He read from an opinion of City Attorney Boyle, dated September 29, 1954, which stated that a personal interview with four out of five former City Commissioners indicated that there was an oral agreement that the Light Division would be reimbursed to the extent of any balance remaining from the City's contribution of \$250,000. There was something like \$92,000 balance in the fund on completion of the Bridge, Mr. Backstrom said, which it would appear from Mr. Boyle's opinion was a legal obligation the General Fund was committed to pay. However there were no funds budgeted in 1955 for this purpose, so in order to meet the claim, money would have to be borrowed from the L.I.D. Guaranty Fund, he said. He recommended that the Light Division be contacted to ascertain whether or not this could be handled by payments over a four or five year basis, and asked for instructions from Council. The Council instructed Mr. Backstrom to negotiate with Light Department officials to see if the obligation can be paid over a four or five year period. 479

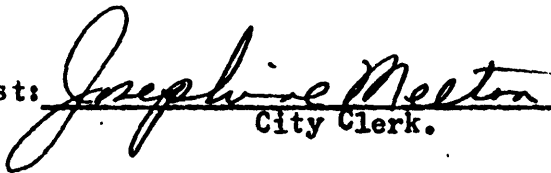
Mr. Backstrom advised the Council that he is in receipt of a request from the Metropolitan Park Board for \$12,236 for the grading and drainage of the parking area at the new Titlow Beach Swimming Pool, which they anticipate opening about June 5, 1955. He would like to have instructions from Council as to whether an emergency ordinance should be presented for Council action, since there are no funds in the Park Board Budget for this purpose. The matter was discussed and Dr. Humiston asked if any more requests of this nature would likely be made by the Park Board in 1955, and no answer to this question was forthcoming. He also said he would like to know if the Park Board had any unexpended Capital Outlay Funds. Mrs. Goering said she would like to know if the Park Board has any money put aside in bonds. At the conclusion of the discussion, Council instructed Mr. Backstrom to present an emergency ordinance for \$12,236.00 for drainage and grading Titlow Beach Parking area with Bratrud as sponsor. 47-6

Upon motion, duly seconded and carried, Council then adjourned at 9:00 P. M.



President of City Council.

Attest:



City Clerk.