

MONDAY, October 17, 1955.

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

It was moved by Dr. Humiston, seconded by Mr. Perdue, that Mr. Bratrud be excused from attending the meeting due to illness. Motion carried unanimously on voice vote.

It was moved by Dr. Battin, seconded by Mr. Perdue, that the minutes of the previous meeting (October 10, 1955) copies of which had been mailed by the Clerk to each Council member, be approved and the reading thereof be dispensed with. Motion carried unanimously on voice vote.

It was moved by Dr. Battin, seconded by Mr. Perdue, that the minutes of the Budget Hearings (October 4, 5, 6, and 7) copies of which had been mailed by the Clerk to each Council member, be approved and the reading thereof be dispensed with. Motion carried unanimously on voice vote.

PETITIONS:

F. H. Lucien, requesting that 100 feet on the east side of Pacific Avenue from 120' south of the south line of South 50th Street to the north line of South 52nd Street be rezoned from an R-4-T District to a C-1 District. Referred to City Planning Commission.

RESOLUTIONS:

Resolution No. 14418. L I D 2187.

BY BATTIN:

Stating intention of Council to order the laying of concrete sidewalks on North 27th Street from Stevens Street to Tyler Street (both sides); North 27th Street from Tyler Street to approximately 124 feet East (north side only); and on North Stevens Street from 27th Street north to the alley (east side only); creating L I D 2187 and fixing November 15, 1955 as the date for hearing thereon. It was moved by Dr. Humiston 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. 243

Adopted on roll call October 17, 1955.
Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14419. L I D 2239.

By BATTIN:

Stating intention of Council to order grading and oil mat surfacing on M Street from South 68th Street to South 72nd Street, also on South 70th Street from Sheridan Avenue to L Street, and concrete sidewalks on the East side of M Street from South 68th Street to South 70th Street, also on the South side of South 68th Street from M Street to L Street; creating L I D 2239 and fixing November 15, 1955 as the date for hearing thereon. It was moved by Mr. Perdue to suspend Rule 9, and carried unanimously on voice vote. The resolution was then adopted without having been read in full. 238

Adopted on roll call October 17, 1955.
Ayes 8; Nays 0; Absent 1; Bratrud.

OCT 17 1955

RESOLUTION No. 14420.

By STOJACK:

Forbidding motor vehicles to be parked in front of the building commonly known as 915 South "I" Street, for a longer period than ten minutes at any one time, and authorizing and directing the Director of Public Works to place a sign upon the sidewalk in front of said building to that effect. A number of the Council members expressed the opinion that this was unusually restrictive and asked if this was common practice, as they did not wish to show partiality in this particular instance. Mr. Backstrom said he would be willing to bring in more information on this matter, and accordingly it was moved by Dr. Humiston, seconded by Dr. Battin to postpone Resolution No. 14420 for one week to October 24, 1955. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14421.

By HOOKER:

Approving participation agreements between the Director of Public Works and the following abutting property owners: A. A. Adams, 5220 Pacific Avenue; Louis A. Porto, 2215 Portland Avenue; and First Presbyterian Church of Tacoma, Division and South Tacoma Avenue, for the repair of sidewalks, gutters, curbs along and driveways across sidewalks, pursuant to Ordinance No. 14972. It was moved by Dr. Humiston, seconded by Dr. Battin, 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 October 17, 1955.
Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14422.

By HUMISTON:

Authorizing and directing the proper officers of the City of Tacoma to execute and deliver to the State of Washington, Department of Highways, an easement for road purposes over, along and across certain property owned by the Water Division, Department of Public Utilities known as the flume line right of way at intersection of Federal Highway 99 and Steilacoom Boulevard. It was moved by Col. Hooker to suspend Rule 9, seconded by Dr. Humiston and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call October 17, 1955.
Ayes 8; Nays 0; Absent 1; Bratrud.

Col. Hooker said he had a resolution, which it was necessary to adopt tonight even though it had not been prepared in time to be placed on the agenda. It was moved by Col. Hooker, seconded by Mr. Perdue to suspend Rule 7 (relative to filing of new material for Council's consideration) in order to consider Resolution No. 14423. Motion carried unanimously on voice vote.

Resolution No. 14423.

By HOOKER:

Authorizing the City Manager and the Utility Board to enter into an agreement with the United States Oil and Refining Co. wherein the City of Tacoma will grant permission to said Company to locate a pipe line under certain streets and alleys to be designated in the area of the new plant on the tide flats subject to certain restrictions and limitations enumerated herein. Attorney Brooks Johnson, representing the U. S. Oil and Refining Co., showed Council members by means of a map the proposed location of the pipe line, and said the Company was anxious to get started as soon as possible. This resolution is a preliminary step, he said, and he assured the Council that all installations would conform to the requirements of the State Code and City

ordinances.

Adopted on roll call October 17, 1955.
Ayes 8; Nays 0; Absent 1; Bratruel.

FIRST READING OF ORDINANCES:

Ordinance No. 15454.

Providing for the making of certain additions and betterments to and extensions of the electric generating plant and system of the City of Tacoma; specifying and adopting the plan and system proposed therefor; declaring the estimated cost thereof as near as may be determined; providing for the issuance and sale of Special Obligation Bonds of the City of Tacoma in the amount of \$5,000,000.00, to be known as the Light and Power Bonds of 1956, to be issued for the purpose of making certain additions and betterments to and extensions of the electric generating plant and system and electric power and light transmission and distribution system of the City of Tacoma, and creating and establishing a special fund for payment of the principal and interest of said bonds. Read by title and placed in order of final reading.

Ordinance No. 15455.

Creating in the Treasury of the City of Tacoma a special fund to be known as the Light and Power Construction Fund of 1956; specifying the purpose for which said fund is created; providing for the deposit therein of the proceeds of the sale of the \$5,000,000.00 issue of Light and Power Bonds of 1956, to be hereafter issued; moneys advanced from current funds; and such other funds as may be appropriated to said special fund for the purpose of paying the cost of additions and betterments to and extensions of the present electric generating plant and system and electric power and light transmission and distribution system of the City of Tacoma as specified and adopted by Ordinance No. 15454; and appropriating the sum of \$5,000,000.00 or so much thereof as may be necessary, from said fund for said purpose. Read by title and placed in order of final reading.

Ordinance No. 15456.

Amending Ordinance No. 15258, entitled: "An ordinance regulating travel and traffic on the streets of the City of Tacoma; providing a penalty for the violation thereof; etc." (TRAFFIC ORDINANCE) by adding thereto a new section to be known as Section 183K. (one hour parking on Center Street from South I to South Sheridan, both sides). Read by title and placed in order of final reading.

Ordinance No. 15457.

Repealing Ordinance No. 15087 as amended, entitled: "An ordinance providing for the issuance and sale of Series "A" and Series "B" Special Obligation Bonds of the City of Tacoma in the amount of \$7,500,000.00 each, and Series "C" Special Obligation Bonds of the City of Tacoma in an amount not to exceed \$7,500,000.00, to be known as Cushman No. 3 Light and Power Bonds Series "A" 1954, Cushman No. 3 Light and Power Bonds Series "B" 1954, and Cushman No. 3 Light and Power Bonds Series "C" 1954; to be issued for the purpose of making of certain additions and betterments to and extensions of the present electric plant and system and electric power and light transmission and distribution system of the City of Tacoma as authorized by Ordinance No. 15085; and creating and establishing a special fund for payment of the principal and interest on said bonds." Read by title and placed in order of final reading.

It was moved by Mr. Perdue, seconded by Dr. Battin to suspend Rule (relative to filing of new material for Council's consideration) in order to give first reading to an ordinance, which does not appear on the agenda. Motion carried unanimously on voice vote.

Ordinance No. 15458.

Authorizing the City Manager of the City of Tacoma to execute a contract between the City of Tacoma and the engineering firm of Brown and Caldwell, sanitary engineers, for the purpose of obtaining necessary engineering services for a study of and report upon development of a comprehensive sewerage and drainage program for the City of Tacoma and setting out the terms and provisions thereof; and providing for the payment of the cost thereof, estimated in the sum of \$50,000.00 including the estimated sum of \$15,000 for work to be performed by the City's forces, from funds budgeted in the annual budgets for the years 1955 and 1956. Read by title and placed in order of final reading. Mr. Backstrom reported that they have a number of sample reports from various companies and said they would like to present the matter fully to the Council at the time the ordinance is up for passage.

FINAL READING OF ORDINANCES:Ordinance No. 15445.

Defining "milk" and certain "milk products", "milk producer", "pasteurization", etc.; prohibiting the sale of adulterated and misbranded milk and milk products; requiring permits for the sale of milk and milk products; regulating the inspection of dairy farms and milk plants, and the examination, grading, labeling, pasteurization, regrading, distribution, and sale of milk and milk products; providing for the publishing of milk grades, the construction of future dairies and milk plants, the enforcement of this ordinance, and the fixing of penalties for violation hereof, etc." (MILK ORDINANCE) Read by title. It was moved by Dr. Humiston, seconded by Mr. Perdue to suspend Rule 9 and carried unanimously on voice vote. A report of the changes made in the City Milk Ordinance by Ordinance No. 15445, which had been prepared by the Director of Health, was furnished each Council member and Dr. Fargher explained that the purpose of the new ordinance was to bring the City ordinance in conformance with the U. S. Public Health Service standard ordinance. The ordinance was then passed without having been read in full,

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

Ordinance No. 15446.

Vacating the westerly 10 feet of Shirley Street, extending from Sixth Avenue to South 11th Street, and retaining and reserving to the City of Tacoma certain easements therein for the construction, repair and maintenance of public utilities and services. Read by title. It was moved by Dr. Humiston, seconded by Dr. Battin 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; Bratrud.

Ordinance No. 15447. L I D 1847.

Providing for the construction of sanitary sewers on Shirley Street from North 31st Street to South line of Westmoreland Terrace; creating Local Improvement District No. 1847. Read by title. It was moved by Dr. Humiston to suspend Rule 9, and seconded by Dr. Battin, 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; Bratrud.

Ordinance No. 15448. L. I D 4575.

Providing for the improvement of East Harrison Street from McKinley Avenue to East F Street by grading and placing thereon a cement concrete pavement, with curbs,

together with the necessary storm drainage; creating L I D No. 4575. Read by title. It was moved by Dr. Humiston to suspend Rule 9, seconded by Dr. Battin 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; Bratrud.

Ordinance No. 15449. L I D 5258.

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Providing for the construction of a 6-inch cast iron water main and fire hydrants on East E Street, East F Street, East G Street from East 84th Street to East 86th Street, and in East 86th Street from East D Street to East G Street; creating L I D 5258. Read by title. It was moved by Dr. Humiston, seconded by Mr. Perdue 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; Bratrud.

Ordinance No. 15450. L I D 6747.

158
48:59

Providing for the improvement of Harrison Street from McKinley Avenue to East 86th Street by installing ornamental street lights; creating L I D 6747. Read by title. It was moved by Col. Hooker, seconded by Dr. Humiston 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; Bratrud.

Ordinance No. 15453.

Providing for the submission to the qualified voters of the City of Tacoma, for their adoption or rejection at a Special Election to be held on Tuesday, December 6, 1955, the proposed new and revised Charter for the City of Tacoma, filed in the Office of the City Clerk October 10, 1955, and prepared by the fifteen freeholders duly elected on the 10th day of May, 1955; directing the City Clerk to cause said Charter to be published in accordance with the laws of the State of Washington; appropriating the sum of \$25,000.00, or so much thereof as may be necessary, from the General Fund, to pay the cost of said special election; and declaring an emergency requiring the passage of this ordinance and the appropriation herein contained and providing that this ordinance take effect immediately after publication. Read by title. It was moved by Dr. Humiston, seconded by Col. Hooker to suspend Rule 9 and carried unanimously on voice vote.

162
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209

The mayor read in full the opinion requested from City Attorney Boyle, which stated that holding the election on February 14th, 1956 would be in sufficient time to permit, in case the Charter were adopted, the nomination and election of the officers and their taking office on June 4th, 1956, which is the earliest date that they could in any event assume said offices; and if the proposed Charter were rejected, the additional cost of any special election would be saved the City.

Dr. Humiston said in view of this information he intended to vote against Ordinance No. 15453 and would like to see it defeated.

Mr. Stojack spoke in favor of holding the Special Election on December 6th as proposed in the ordinance, pointing out that five positions for the present Council will be on the same ballot as the new Charter in February, and he felt this situation would be very confusing to the voters. He also pointed out that the Metropolitan Park District had offered to bear half of the cost of the election if held in December, which would save the City approximately \$12,500.

OCT 17 1955

Mrs. Dawn Olson, secretary for the Freeholders, stated that it was the unanimous feeling of their group that the Charter Election should be held at the earliest possible date and urged Council to give favorable consideration to the ordinance. W. Ketler, member of the Freeholder Commission, also spoke in favor of the December election and stated that two elected bodies, the Freeholder Commission and the Metropolitan Park Board are merely asking for the cooperation of the third, the City Council.

Mrs. Thomas Swayze, also a Freeholder, called attention to the 1955 State Law, which fixes the second Tuesday in March for School Board elections, and asked the effect the Charter election in February would have on this, should the Charter be adopted at that time. City Attorney Boyle admitted it was possible that, if the Charter were adopted, it might do away with the General election in March, but this would not prevent the School Board from holding their election. He also pointed out that Ordinance No. 15453 requires the unanimous vote of the Council, due to the emergency appropriation.


Mrs. Goering asked if there is any specified time required between the election and the taking of office of the successful candidates, and if there was sufficient time between May 22nd, the proposed Special election date, and June 4th. Mr. Boyle replied that there was ample time between the two dates.


Mayor Tollefson summed the situation up by the following statement of facts: (1) The effective date of the Charter will be the same whether the election is held in December or February; (2) No emergency exists; (3) Council must consider what the people want them to do with regards to this election, and the High School poll showed they were not in favor of a special election; (4) The number of persons voting in a special election is less than 50% of the eligible voters; (5) The matter of expense of a special election must be considered.

Roll was then called on the passage of the ordinance, resulting as follows: Ayes 1; Stojack. Nays 7; Battin, Goering, Hooker, Humiston, Jensen, Perdue, Tollefson; Absent 1; Bratrud. The ordinance was declared lost on roll call.

The Mayor asked the City Attorney to prepare an ordinance providing for placing the Charter issue on the ballot on February 14th, 1956 and to include the printing of the Charter as required by State Law.

Upon motion, duly seconded and Carried, Council then adjourned at 9:53 P. M.


President of City Council.

Attest: 
City Clerk.