

Monday, March 19, 1956

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

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

Mayor Tollefson reported that he has been asked to take up two matters at the beginning of the meeting, one, which is not on the Agenda and the other, which is listed under New Business on the Agenda, and said he would entertain a motion to suspend the rules. Moved by Dr. Battin, seconded by Dr. Humiston to suspend Rule 5 (Order of Business) and Rule 7 (Filing of new matter). Motion carried unanimously on voice vote.

Mayor Tollefson then read in full letters from the following:

- (1) Puyallup Valley Daffodil Festival Inc., asking that consideration be given to the suggestion that the Daffodil be named as the official flower of Tacoma; 350
- (2) Capitol District, Washington State Federation of Garden Clubs, urging adoption of the Daffodil as Tacoma's Official flower.

At this time Eivera Sommer, 1955 Daffodil Queen, presented Mayor Tollefson with a lovely floral piece of Daffodils to bring to the attention of the Council the 23rd Puyallup Valley Daffodil Festival to be held April 9 to 15, 1956. Mayor Tollefson expressed his thanks and said although he would like to keep it, he felt that it should rightfully be given to Mrs. Goering, Vice Chairman of the Council, in view of her many activities in Garden Clubs, and he made this presentation. He urged all citizens to advertise the coming parade and all organizations to enter floats if possible. Referring to the requests that the Daffodil be named the official flower, he said this suggestion would be given consideration.

The communication of Fred G. Berto, advising that last year he circulated a petition to improve several streets between 6th Avenue and 12th Street and Orchard and Shirley Streets; that several owners want to build here as soon as streets are improved and they have asked him to get this matter before the proper authorities, and accordingly he is requesting that it be considered at the Council meeting on March 19th, was taken up at this time. Mr. Berto spoke on the problem, saying that although he has circulated a petition for street improvements, the Public Works Department is afraid to improve any more streets in this area because of the danger from run-off water. The area between Mildred and Orchard from Westgate to South 19th is badly in need of storm sewers, and until they are put in the district cannot be built up nor the property improved, he added. Mr. Staman, Director of Public Works, agreed with Mr. Berto's statements and said that there are two other districts, one east of Pacific at 96th and the other on Portland Avenue, which likewise cannot go forward until the lack of storm and sanitary sewers is remedied. He referred to his letter of March 12, 1956, re "Council Consideration of Sewer Problems" (submitted to Council under M C 84) which contains several recommendations on this problem. 124  
346  
Paul Erickson, Northern Construction Co., read a lengthy letter from the Tacoma Boat Building Co. Inc., owner of 32 acres in the vicinity, which in part stated that they believe an L I D is not a proper answer to the problem, and that the trunk storm sewers should be put in by the City under a bond issue or other suitable financing program. James A. Hopkins, representing Tacoma School District No. 10 said the School District was concerned about the storm sewers also as they are designing a large high School and Junior High in this area. He urged

that consideration be given to the idea of the City bearing the cost of the storm sewers. Various methods of financing were discussed and at the conclusion of the discussion, Dr. Humiston suggested that the City Manager submit a report on various alternatives of financing and the Mayor suggested the City Planning Commission submit a priority list of needed improvements in the City. Mayor Tollefson said he would defer appointment of a Committee to study the problem until after next week, when the reports from the Manager and Planning Commission have been submitted.

Order of business reverted to

PETITIONS:

Genevieve A. Smith, for license for Dog Kennel at 8835 South Park Avenue. The Building Inspector recommends the petition be denied as the premises are not in the proper zone. The City Manager concurs in the recommendation. It was moved by Col. Hooker, seconded by Mr. Perdue to concur in the recommendation and carried on roll call: Ayes 8; Nays 0; Absent 1; Jensen.

H. E. Cope, et al., for rezoning from an R-2 District to a C-1 District, Block 31 and the south 110' of Block 32, Pacific Avenue Addition (located to the west of the N. W. corner of South 72nd and Pacific Avenue). Referred to City Planning Commission.

The following petitions were submitted:

David Doud, et al., for replat of Lots 7, 8, 9, 11, 12, 13, 14, and 21, Block M, Edw. P. Millers Country Club Estates First Addition;

Edw. P. Miller, for replat of Lots 1 to 7 and 25 to 48, Block 4, and Lots 14 to 46, Block 5, Dakin and Smith's First Addition.

Pursuant to applicable State Laws, the City Clerk reported she has set April 16, 1956 as the date for hearing on these petitions. It was moved by Dr. Humiston, seconded by Mr. Perdue to approve the action of the Clerk and to fix April 16, 1956 as the date for hearing. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Resolutions:

Resolution No. 14570.      L I D 1956. x

By TOLLEFSON:

Stating intention of Council to order laying of sanitary sewers in Tyler Street from manhole 40 feet south of the south property line of Wright Avenue to 40 feet south of the south property line of South 32nd Street; creating L I D 1956 and fixing April 17, 1956 as the date for hearing.

Adopted on roll call March 19, 1956

Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14571.      L I D 5267. x

By HUMISTON:

Stating intention of Council to order installation of water mains in North Park Avenue from Bristol to Visscher; in Visscher from North Park Avenue to North 42nd Street; in Defiance Street from North Park Avenue to North 48th Street; in Bristol Street from North Park Avenue to North 49th Street; in North Park Way from Vassault to Bristol; in Vassault Street, Whitman Street and Frace Street from North 51st Street to North 49th Street; in Lexington from North 51st to North Hale; in North 49th from Pearl to Lexington; and in North 51st from Pearl to Lexington; creating L I D 5267 and fixing April 17, 1956 as the date for hearing.

Adopted on roll call March 19, 1956.

Ayes 8; Nays 0; Absent 1; Jensen.

**By HUMISTON:**

Stating intention of Council to order installation of a 12" cast iron water main in South 19th Street from Lawrence Street to Adams Street; creating L I D 5272 and fixing April 17, 1956 as the date for hearing thereon. 378

Adopted on roll call March 19, 1956.  
Ayes 8; Nays 0; Absent 1; Jensen.

**Resolution No. 14573.**

**By GOERING:**

Approving recommendation of the Director of Public Works and Board of Contracts and Awards and awarding contract for L I D 4570 to Woodworth & Co. Inc. on its low bid of \$3588.35 (asphalt paving, concrete curb and gutter on North 7th Street from Alder to Lawrence).

Adopted on roll call March 19, 1956.  
Ayes 8; Nays 0; Absent 1; Jensen.

**Resolution No. 14574.**

**By GOERING:**

Approving recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding contract for L I D 4586 to Woodworth and Co. Inc. on its low bid of \$4827.45 (paving, concrete curb and gutter on North 8th Street from Cedar to Alder).

Adopted on roll call March 19, 1956.  
Ayes 8; Nays 0; Absent 1; Jensen.

**Resolution No. 14575**

**By BATTIN:**

Authorizing proper officers of the City to purchase one National Cash Register Machine for traffic violations and that the additional sum in amount of \$358.25, over the sum of \$3,080 in the budget of 1956, be paid from Cumulative Reserve Fund, Capital Outlay.

Adopted on roll call March 19, 1956.  
Ayes 8; Nays 0; Absent 1; Jensen.

**Resolution No. 14576.**

**By GOERING:**

Approving recommendations of the Judge of the Municipal Court of the City and the Board of Contracts and Awards and awarding to the National Cash Register Co. the contract for furnishing one cash register for the Traffic Violations office on its bid of \$4179.50, less trade-in allowance.

Adopted on roll call March 19, 1956.  
Ayes 8; Nays 0; Absent 1; Jensen.

Mr. Bratrud reported he had been handed a resolution for adoption by the Council tonight, which was not on the Agenda, and he moved that the Council suspend Rule 7 (relative to filing of new matter for Council's consideration) in order to take action on Resolution No. 14577. Motion seconded by Dr. Humiston and carried on roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Resolution No. 14577.

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By GOERING:

Approving recommendation of the Director of Public Works and Board of Contracts and Awards and awarding contract for L I D 4576 to Woodworth & Co. on its low bid of \$17,577.04-( asphalt paving on North 12th Street from Proctor Street to Mason Avenue).

Adopted on roll call March 19, 1956.  
Ayes 8; Nays 0; Absent 1; Jensen.

FIRST READING OF ORDINANCES:

Ordinance No. 15569.

Amending Section 14 and Section 16 of Ordinance No. 14890, as amended, entitled: "An ordinance relating to the Municipal Water Supply System of the City of Tacoma; regulating the use of water therefrom; providing for the sale of same; fixing the price thereof, etc." (Relative to fees for Water Service Connections). Read by title and placed in order of final reading.

Ordinance No. 15570.

Repealing Ordinance No. 14930 entitled: "An ordinance authorizing the employment of certain individuals, firms or corporations, conducting business establishments in various convenient locations in the City, for the purpose of receiving payment of amounts due the City on account of its charges for utility services; and fixing the compensation to be paid such agencies and the conditions under which the same shall operate." Read by title and placed in order of final reading.

Ordinance No. 15571.

Authorizing the employment of certain individuals, firms or corporations, conducting business establishments in various convenient locations both within and without the corporate limits of the City of Tacoma for the purpose of receiving payment of amounts due the City on account of its charges for utility services; and fixing the compensation to be paid such agencies and the conditions under which the same shall operate. Read by title and placed in order of final reading.

Mr. Bratrud reported he had been handed an ordinance, which is not on the Agenda, but which it is necessary to give First Reading tonight, and he moved that the Council suspend Rule 7 (relative to filing of new matter for Council's consideration) in order to take care of this matter. Motion seconded by Dr. Humiston and carried on roll call: Ayes 8; Nays 0; Absent 1; Jensen.

Ordinance No. 15572.      L I D 4585.

Providing for improvement of East 60th Street from East B to East F by grading, construction of asphaltic concrete pavement, concrete curbs and gutters and storm drainage; creating L I D No. 4585 and repealing Ordinance No. 15543. Read by title and placed in order of final reading.

Mayor Tollefson said he had a matter to take up with the Council while the rules are suspended. He felt some official action should be taken relative to the salary to be paid Mr. Boyle while he is serving as acting manager and he suggested that this be at least equivalent to the first salary paid the City Manager. It was moved by Col. Hooker, seconded by Dr. Battin that Mr. Boyle be paid \$1330 per month during the time he serves as City Manager, retroactive to the time when he assumed the office. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Jensen.

FINAL READING OF ORDINANCES:

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Ordinance No. 15560.

Consenting to the assignment of the franchise of Washington Gas and Electric Co., a corporation organized and existing under and by virtue of the laws of Delaware, to the Washington Natural Gas Co., a corporation organized and existing under and by virtue of the laws of Delaware. Read by title and passed.

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

Ordinance No. 15568.

Appropriating and authorizing the expenditure of the sum of \$345,000.00, as advance payment on the City's costs in connection with the ownership and joint occupancy in the County-City Building project, which funds are in the "Cumulative Reserve Fund for Providing a New City Hall"; authorizing the City to incur a general indebtedness in the amount of \$405,000.00 to secure additional funds to be used as further advance payment of the City's cost in connection with the ownership and joint occupancy in said project, etc. Read by title.

Council members commented on the position they were taking with regards to this proposition as follows:

Mr. Bratrud stated he had received letters from the "Association of Sub-contractors" and the "Association of General Contractors" urging the City to go ahead with the proposal. He said there are many arguments both for and against, and there were many incidents leading up to the situation, which he did not like. However, he felt if the Council did not take a firm, positive and optimistic view now, this could easily turn into a political football and the site could remain vacant for years. He urged Council to take an optimistic view and go ahead.

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Dr. Humiston said he feels the Council would be violating the State Law governing bond issues if they voted for this ordinance, as they would be committing the citizens to vote money to finish the building, and for this reason he was going to vote NO on the ordinance.

Mr. Perdue read a prepared statement in which he said in part that since the cost of the building is greater than the money available from the bond issue, acceptance of the bids and commencement of the construction would be illegal, and in his opinion the donation of additional money by the City would not make the procedure legal, but would rather involve the City in an illegal act. He also suggested that the architect, who made the error of designing a building which would cost more than \$3,000,000 in excess of available funds, be requested to completely re-design the structure within the remaining bond issue funds without charge of any additional fee. He concluded by saying he felt it necessary to vote NO on the ordinance.

Col. Hooker said that the City had no part in the preliminary plans for the building or in the choice of architects, and he felt it would be inappropriate for the City to authorize funds for this purpose and he was not in favor of such action.

Dr. Battin said this was a question of whether the City should spend its funds for a County-City Building or for much needed storm sewers and he would vote NO.

Mrs. Goering said she was basing her decision to vote NO on the ordinance primarily on the legal questions raised by City Attorney McCornick.

Mr. Stejack gave no indication of what stand he intended to take on the issue.

Mayer Tollefson read in full letters from the following:

- (1) Clifton E. Collins, stating he trusts the City Council will not give its con-

sent to allow the Pierce County Commissioners to go ahead with the County City Building.

(2) G. K. Mullins, urging Council to refuse to go along with the County Commissioners until the voters have had an opportunity to say whether they want to vote more funds.

(3) South Tacoma Business Club, stating they feel the people would be best served if the City facilities were moved to the Utilities Building and that the City should avoid all obligations as a partner of the County in the absence of a full voice in policy and planning.

(4) Tacoma Retail Trade Bureau, stating they are convinced it would be wise for the City Council to take the necessary steps for immediate construction of the County-City Building.

(5) Men's Democratic Luncheon Club- giving approval to the City advancing money for the completion of the County-City Building.

People in the audience who wished to express their views were given the opportunity to do so at this time, and the following spoke:

L. Everet Landon, chairman of the County-City Advisory Committee, said they feel there is a need for the building and it is the proper thing to go ahead if funds are available but stressed that they are not asking the Council to do anything illegal.

Robert Cresce warned the City against cutting the space down too much, as they should plan for future growth.

Mrs. Robert Chamberlain, speaking for women with whom she had conversed, said she had not found one who would support an additional bond issue. If High Schools can be built to accommodate 2000 students for three million dollars, she thought a presentable County-City Building could be constructed for five million.

Gordon Peters said he would be willing to vote for another bond issue as he felt the City needed this building just as much as it needed adequate schools.

After further discussion Mayor Tollefson said this is one of the most difficult decisions he has been called upon to make since he had been on the Council. It was also a hard decision for the County-Commissioners and he felt they were without fault in this instance, the Mayor said. He read a prepared statement, which pointed out that the issue actually is whether the Council should substitute its will for the will of the voters, and obligate them to finish the building. There are three questions to his way of thinking- (1) Is this the most functional building which can be designed to meet requirements? (2) Is it legal? (3) Is it morally correct to proceed with a nine million dollar building when the voters have only approved a six million dollar bond issue? If any of these questions are unfavorably answered it is impossible to vote in favor of the present proposal, the statement continued. In conclusion he said he could not find it within his province to substitute his will for the will of the people.

Roll was then called on the passage of Ordinance No. 15568, resulting as follows:

Roll call: Ayes 2; Bratrud, Stojack; Nays 6; Battin, Goering, Hooker, Humiston, Perdue, Tollefson. Absent 1; Jensen. Ordinance declared lost on roll call.

Mayor Tollefson said he had prepared a resolution on the County-City Building problem, for Council's consideration, and copies were distributed to each Council member.

It was moved by Dr. Humiston, seconded by Col. Hooker to suspend Rule 7 (pertaining to filing of new matter for Council's consideration) and carried unanimously on voice vote.

RESOLUTIONS:

Resolution No. 14578.

By TOLLEFSON:

Providing for immediate appointment of a committee of experts in such number as deemed advisable by the Commissioners of Pierce County and the Mayor of Tacoma from the professional and contracting fields, and other fields connected with the designing, financing and construction of projects such as the County-City Building, for purpose of counselling and advising upon all matters pertaining to designing, financing and construction of a proper County-City Building and facilities; pledging the City of Tacoma to make every effort to immediately do all things possible in order that a County-City Building can be constructed for use and occupancy by the County and the City; and in event it should prove impossible within available funds to construct said building, declaring that another bond issue for such additional necessary funds will be submitted to voters of Pierce County at the earliest possible time. Read in full by the Mayor.

It was moved by Mr. Stojack to postpone this resolution for one week to March 26, 1956. Motion seconded by Mr. Bratrud. Talking on the motion, Dr. Humiston said he felt it was important that the Council give its position on the controversy and he would like to have the resolution voted on tonight. Roll was called on the motion to postpone, which was lost on roll call: Ayes 2; Bratrud, Stojack. Nays 6; Absent 1; Jensen. Roll was then called on the adoption of the resolution, resulting as follows:  
Adopted on roll call March 19, 1956.  
Ayes 7; Nays 1; Stojack; Absent 1; Jensen.

Ordinance No. 15561.

Vacating a portion of the alley lying between South Trafton Street and South State Street between Blocks 5 and 6 of Prescott Park Addition to Tacoma; and retaining and reserving certain easements therein for the construction, repair and maintenance of public utilities and services. (Petition Northwest Chair Co., et al). Read by title and passed. 307

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

Ordinance No. 15562.

Vacating Court C lying between Lots 21 to 26 inc., Block 1106 and Lots 21 to 26 inc., Block 1107, Map of New Tacoma, extending upward from elevation 164.00, City of Tacoma Datum. (Petition John S. Baker Co.) Read by title and passed. 311

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

Ordinance No. 15563.

Vacating that portion of North 17th Street lying between North Lawrence Street and a point 151 feet east on said North 17th Street; and retaining and reserving certain easement therein for the construction, repair and maintenance of public utilities and services. (Petition College of Puget Sound). Read by title and passed. 321

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

Ordinance No. 15564.

Vacating a portion of the north side of South 37th Street from South "G" Street west to the west line of Park Avenue. (Petition of Tacoma School 321

District No. 10). Read by title and passed.

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

Ordinance No. 15565. L I D 5263.

Providing for construction of a 6-inch cast iron water main in Orchard Street from North 9th to North 11th; in Villard Street from North 9th to Dahl Drive; in Bennett Street from North 10th Street to Dahl Drive; in North 10th Street from Bennett Street to Villard Street; in Dahl Drive from North Bennett Street to North Villard Street; and in North 8th Street from Huson Street to Orchard Street; and an 8-inch cast iron water main in North 9th Street from Huson Street to a point approximately 430 feet west of Villard Street; and a 12-inch cast iron water main in North 11th Street from Huson Street to Bennett "Vacated"; creating L I D 5263. Read by title and passed.

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

Ordinance No. 15566. L I D 5271.

Providing for construction of a 12-inch cast iron water main in South 56th Street from Proctor Street to Durango Street and a 6-inch cast iron water main in Proctor Street from South 54th Street produced to South 56th Street; creating L I D 5271. Read by title and passed.


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

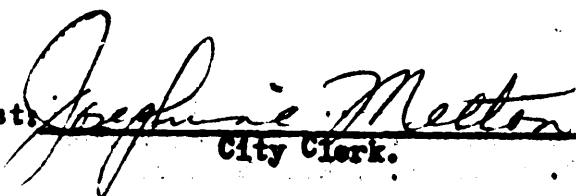
Ordinance No. 15567. L I D 5261.

Providing for construction of an 8-inch cast iron watermain in South 84th Street from Yakima Avenue to Ainsworth Avenue, and a 6-inch cast iron water main in M Street from South 84th Street to South 85th Street; creating L I D 5261. Read by title and passed.

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

54 Upon motion, duly seconded and carried, Council then adjourned at 10:07 P.M.

  
President of City Council.

Attest:   
City Clerk.