

JAN 17 1955 4:33

COUNCIL CHAMBER, 7:35 P. M.

Monday, January 17, 1955

Council met in regular session. Present 6; Battin, Bratrud, Goering, Humiston, Perdue, Tollefson. Absent 3; Hooker, Jensen, Stojack. (Hooker was excused on account of illness).

It was moved by Dr. Battin, seconded by Dr. Humiston, 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 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

PETITIONS:

Chester E. Davis, et al., for rezoning from an R-3 District to an M-1 District Lots 1 to 7, Block 28, Hillcrest Addition, located at South 30th and Lawrence Streets. Referred to City Planning Commission.

COMMUNICATIONS:

Mrs. Robert J. DeLong, et al., inquiring if the purchase of the Ice Skating Arena at South 38th and Union had ever been presented to the City Council; stating they believe this would be a good location for a Civic Coliseum, and they feel that Tacoma needs an ice skating arena. Referred to City Manager.

OFFICIAL COMMUNICATIONS:

City Planning Commission, advising their Commission has been carefully considering problems caused by lack of an established right-of-way for the proposed Titlow Beach- Point Defiance Parkway overlooking the Narrows; making three recommendations listed herein to the City Council, and asking favorable action by Council, to make available unexpended funds for study and engineering planning referred to herein, as it is imperative to locate the alignment of this parkway before the spring construction period arrives. Referred to the City Manager and the Finance Committee and the City Manager was requested to arrange a meeting with the Committee on the matter.

RESOLUTIONS:

Initial Resolution No. 14141.

L I D 1936.

By PERDUE:

Stating intention of Council to order laying of sanitary or local sewers in alley between Winnifred & Highland Streets from 6th Avenue to Bantz Boulevard, thence in 6th Avenue from said alley to Pearl Street; also in Pearl Street from North 7th Street to approximately 300 feet south of 6th Avenue; creating L I D 1936 and fixing February 15th, 1955 as the date for hearing thereon. It was moved by Dr. Humiston, seconded by Mr. Perdue 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: January 17, 1955.

Ayes 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

FIRST READING OF ORDINANCES:

Ordinance No. 15221.

Authorizing and directing the City Attorney of City of Tacoma to purchase and/ or prosecute an action in the Superior Court of the State of Washington for Pierce county under the right of eminent domain for the condemnation and acquisition of certain property, property rights and privileges for the purpose of widen-

JAN 17 1955

ing and realigning South 56th Street from South Junett to South Prospect Street; and providing for the taking and damaging of said property, property rights and privileges; and providing that payment therefor shall be made at a later date and from funds hereafter to be made available therefor. Read by title and placed in order of final reading.

Ordinance No. 15222.

Amending 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 City into districts, etc." (ZONING ORDINANCE) by adding thereto two new sections to be known as Section 6A and Section 19 A 1. ("R-4" Multiple-family Dwelling District and "R-4-T" District- Pacific Avenue from South 50th to South 53rd and area between A and South D Streets- O'Flyng petition). Read by title and placed in order of final reading.

Ordinance No. 15223.

An ordinance to be known as the Air Pollution Code, establishing a Section of Air Pollution Control under the Department of Public Works; controlling the emission of dusts, gases, odors and smoke; regulating the use of equipment emitting cinders, dusts, fumes, odors, soot and smoke; providing a penalty for the violation hereof; and repealing Ordinances Nos. 13794 and 14091. Read by title and placed in order of final reading,

Ordinance No. 15224.

Vacating a portion of East N Street described as follows: East N Street beginning at a point 207.81 feet west and 428.77 feet south of NE corner of Lot 1 in NW $\frac{1}{4}$ of Section 15, Township 20 North, Range 3 East, W. M., thence southerly 914.53 feet, thence in a northeasterly direction 30 feet more or less, thence northerly parallel to the east line of said subdivision 932.53 feet more or less, thence in a southwesterly direction to the point of beginning; and confirming an agreement by the City in behalf of its Department of Public Utilities to dedicate a portion of a tract of land owned by it for street purposes. Read by title and placed in order of final reading. (East N Street Reservoir Site).

Ordinance No. 15225.

AMENDING Section 39 of Ordinance No. 15106 entitled: "An ordinance adopting the pay or compensation plan as contemplated by Section 6.9 of the City Charter; prescribing the salaries to be paid to nonelective officers and employees of the City; establishing the positions of the various departments of the City Government; fixing the effective date of this ordinance, etc." and declaring the effective date hereof. (Compensation or pay plan-"Fire Alarm Division- Fire Dept.") Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15212.

Authorizing and directing the City Attorney of the City of Tacoma to purchase and/or prosecute an action in the Superior Court of the State of Washington for Pierce County under the right of eminent domain for the condemnation and acquisition of certain property rights and privileges for the purpose of obtaining ballast to be used in the construction of City streets, said ballast to be obtained from property located in the general vicinity between South 74th and South 76th Streets and South Sprague and South Wapato Streets; and providing for the taking and damaging of said property, property rights and privileges; and appropriating the sum of \$10,000.00 from the City Street Fund for the payment therefor. Read by title. It was moved by

DR. Humiston, seconded by Mr. Perdue to suspend Rule 9, and carried unanimously on voice vote. Mr. Stamen was asked to explain the ordinance. He advised the Council that this property was being condemned to provide the City with another gravel pit and was adjacent to the present pit, which is almost exhausted. He further stated it was standard practice for cities to have gravel pits to supply ballast and that he felt the City received better bids on jobs by providing this. After further discussion, the ordinance was passed without having been read in full.

Roll call: Ayes 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

Ordinance No. 15213.

Repealing Ordinance No. 15081 entitled: "An ordinance approving and confirming the assessment and assessment roll certified to the Council on May 25th, 1954, for cost of the improvement in L I D 2081, etc." Read in full and passed.

Roll call: Ayes 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

Ordinance No. 15214.

Relating to the operation by the City of Tacoma and County of Pierce of a combined Health Department; authorizing the execution and delivery of an agreement covering the terms of such operation; and repealing Ordinance No. 13700 and Ordinance No. 14057. Read by title. It was moved by Dr. Battin to suspend Rule 9. Motion seconded by Mr. Perdue and carried unanimously on voice vote. Mr. Backstrom explained that this agreement is substantially the same as the one now in existence except that the City Manager is made a member of the County-City Health Board instead of the Mayor, thus bringing it to conform to the new form of government. Roll was then called on the passage of the ordinance, without same having been read in full.

Roll call: Ayes 6; Nays 0; Absent 3, Hooker, Jensen, Stojack.

Ordinance No. 15215.

An ordinance to be known as the Plumbing Code; requiring a permit and the collection of fees therefor, for the installation or alteration of plumbing or drainage systems; defining certain terms; establishing minimum regulations for installation, alteration or repairs of plumbing and drainage systems and the inspection thereof; providing penalties for the violation thereof; adopting by reference a Uniform Plumbing Code as amended; repealing Ordinance No. 11652 and all amendments thereto and all parts of ordinances in conflict with this ordinance; and specifying the effective date hereof. Read by title. It was moved by Dr. Humiston to suspend Rule 9. Motion seconded by Dr. Battin and carried unanimously on voice vote. Mr. Backstrom called upon Mr. McCormick to explain the new plumbing code. Mr. McCormick introduced the following members of a committee which had met approximately 25 times during the past year for the purpose of proposing an up to date Plumbing code for the City of Tacoma: David M. Hopkins, representing the Mechanical Engineers; Bill Brownlee, the Plumbers' Union; Vernon F. Grosser, Master Plumbers; Norman Jardeen, home builders; Bob Price, the architects and E. J. Ludeman, the Gas company. * Mr. Hopkins advised that the Committee examined the "Western Plumbing Officials Uniform Plumbing Code" and compared it with other codes, making amendments (as set forth in Ordinance No. 15215) to fit it to the City of Tacoma's needs, and they recommend its adoption. Mr. Bratrud raised the question as to whether the code had been approved by the Plumbers' Union and Mr. Brownlee, the union representative, replied that the Union feels the present code is outmoded and needs bringing up to date and that the Uniform Code with proposed amendments is the answer. He pointed out that the new code is more clearly defined, and will be less controversial and therefore a good code to administer. Numerous questions asked by the Council members were answered by Committee members to the satisfaction of those

and also J. E. Murphy, City Plumbing Inspection Department.

136 JAN 17 1955

asking same. Mr. Backstrom stressed the importance of Section 1:16 on page two of the ordinance, which sets up a Board of Appeals and gives a flexibility to the Code. After the Mayor asked if anyone present wished to be heard on the code, and no one responding, the ordinance was passed without having been read in full.

Roll call: Ayes 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

Ordinance No. 15216.

L I D 2219

Providing for the improvement of Prospect Street from South 8th Street to South 12th Street, by grading and placing thereon a gravel and crushed rock base, together with oil mat surface; creating L I D No. 2219. It was moved by Mr. Bratrud to suspend Rule 9, seconded by Dr. Humiston and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

Ordinance No. 15217.

L I D 2221.

Providing for the improvement of South C Street from South 76th Street south for approximately 600 feet, by grading to the established grade and placing thereon a gravel and crushed rock oil mat; creating L I D No. 2221. 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 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

Ordinance No. 15218.

L I D 5233.

Providing for the construction of a six-inch cast iron water main in South 10th Street from Tyler Street to Mullen Street; creating L I D No. 5233. 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 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

Ordinance No. 15219.

L I D 5241.

Providing for the construction of a 6-inch cast iron water main in M Street and Sheridan Avenue from South 64th Street to South 68th Street and in South 68th Street from Sheridan Avenue to M Street; creating L I D No. 5241. 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 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

Ordinance No. 15220.

Amending Sections 15, 17, 18, 20, 28, 30, 31, 32, 33., 34 and 50 of Ordinance No. 15106 entitled: "An ordinance adopting the pay or compensation plan as contemplated by Section 6.9 of the City Charter; prescribing the salaries to be paid to nonelective officers and employees of the City; establishing the positions of the various departments of the City Government, etc." (Pay or compensation plan) (salaries in utilities Dept. and certain general fund positions) Read by title. Moved by Dr. Humiston to suspend Rule 9, seconded by Dr. Battin and carried unanimously on voice vote. Mr. Backstrom pointed out that at last week's meeting, Council voted to amend the ordinance to take care of the Fire Alarm Division, but the Attorney has advised it would be better to do this by a special ordinance, which was given

First reading tonight (Ordinance 15225). Mr. Keller, Business Representative of the Municipal Civil Service League, asked to have passage of the ordinance held in abeyance until after a meeting they were having with Mr. Barline, Mr. Lawson and the City Manager, which is scheduled for tomorrow at 10 A. M. for discussion of the new classifications "Automotive Service Repairmen I, II and III." He contended that this change would infringe on the automotive mechanics' rights by allowing servicemen to perform work on motors. Mr. Barline pointed out that for some time past automotive service men in the Utilities Department have been performing all types of work on cars and trucks, and that the change was being made at the request of the Electrical Workers' Union, so that status of one step higher than auto servicemen would be recognized and the employees could receive a \$20.00 per month raise. Don Turner of Local 483 advised that the Union had instigated the change and were in favor of it. The matter was discussed and as this seemed to be a jurisdictional question, the Council members could see no reason for postponing passage of the ordinance. Roll was then called on the passage of the ordinance without same having been read in full.

Roll call: Ayes 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

Ordinance No. 15226.

Amending Sections 9 and 10 of Ordinance No. 15147 entitled: "An ordinance relating to health and sanitation; providing for and regulating the collection, removal and disposal of garbage and refuse and dead animals in the City of Tacoma; providing for the handling thereof exclusively by the City through its Public Works Department, Sanitary Division, etc." declaring the effective date hereof; repealing Ordinance No. 15210; and declaring an emergency making necessary the immediate passage and taking effect of this ordinance. Read by title. It was moved by Dr. Humiston, seconded by Mr. Perdue to suspend Rule 9 and carried unanimously on voice vote. City Attorney Boyle reported that this ordinance is necessary due to an error in the title of Ordinance #15210, passed last Monday, and that the rates are exactly the same as those set forth in #15210. The ordinance was then passed without having been read in full.

Roll call: Ayes 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

UNFINISHED BUSINESS:

This being the date fixed by Resolution No. 14116, adopted December 20, 1954, for hearing on petition of Robert J. Lowery, et al (9-2-54) for vacation of Morrison Street from Waterview to North Mason Avenue and the alley extending from Morrison Street to North 44th Street and lying between Blocks 9 and 11, Mason's Waterfront Addition, the Clerk reported the posting of the notices required by law and the filing of an affidavit of such posting. Also reported that the fee of \$100 had been paid and also the appraisal fee of \$750.00 had been paid by the petitioners and that one remonstrance had been filed against the proposed vacation, by Dr. W. W. Mattson. A letter was read by the Clerk from the City Planning Commission advising that at their meeting of November 16th they approved the petition of Robert J. Lowery, subject to the dedication of a service road through Block 11, Mason's Waterfront Addition, adjacent to the foot of the bluff by Mr. and Mrs. Lowery, as required by the Public Works Department. A letter was also read from Dean Barline, Director of Utilities, advising that the vacation is approved by both the Water and Light Divisions and suggesting that the petitioners should be cautioned that if they do not own the property through Waterview Street they should make arrangements for easements or other accesses to Utility lines, as if such access is not available, it will be necessary to bring electricity a considerable distance at the expense of the builder. The advisability of granting the petition before the roadway referred to above has been dedicated to the City was discussed. Mrs. Lowery stated that this will be done as soon as the road is graded, at which time the de-

scription of the road will be available, but that they did not like to have the necessary trees felled and the road graded until the vacation of the street and alley is approved. It was moved by Dr. Humiston, seconded by Dr. Battin that the petition be granted and the City Attorney instructed to bring in an ordinance vacating the property requested, same to be conditioned on a satisfactory agreement for the roadway. Motion carried on roll call: Ayes 6; Nays 0; Absent 3, Hooker, Jensen, Stojack.

The Director of Public Utilities submitted the assessments and assessment roll for the cost of the improvement in Local Improvement District No. 5237. It was moved by Dr. Humiston, seconded by Mr. Braund that February 15th be fixed as the date for hearing on said roll. Motion carried on roll call: Ayes 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

NEW BUSINESS:

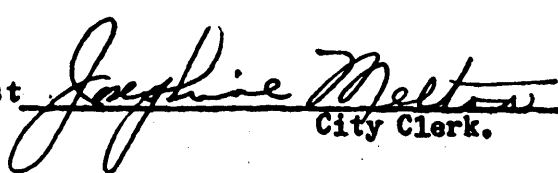
The City Clerk reported that her office has completed the checking of petitions for "Election of Free Holders to Prepare a new City Charter for Tacoma", filed by Howard Carothers on December 30, 1954, and that a total of 9,399 valid signatures were found and that since the law requires only 8,280 valid signatures, the petition is declared sufficient. Mr. Boyle reported that the earliest possible date to hold the election would be sometime in May, and that Mrs. Melton and he have worked out schedules using May 10, 17, or 24th as the date for the election. He pointed out that State Law provides that as of April 1, 1955 all registered voters who have not voted once in the previous 4 year period must be removed from the files and the first date would allow but one week for re-registration of such voters. They are recommending May 24th as the fairest date he added. It was moved by Dr. Humiston, seconded by Dr. Battin that an ordinance be introduced fixing May 24th, 1955 as the date for the election to determine if a new charter is to be prepared. Motion carried on roll call: Ayes 6; Nays 0; Absent 3; Hooker, Jensen, Stojack. It was moved by Dr. Humiston that an ordinance be prepared calling for nomination and election of freeholders on May 24, 1955. Motion seconded by Dr. Battin and carried on roll call: Ayes 6; Nays 0; Absent 3; Hooker, Jensen, Stojack.

Mr. Backstrom presented each Council member with a copy of a communication, dated January 11, 1955, from Board of Pierce County Commissioners, concerning the condition of the Day Island Bridge and the City of Tacoma's responsibility for maintenance and repair of same, and requesting that the City make an unequivocal declaration of its intent to join or not to join with the County in rectifying the condition of the Bridge.

Upon motion, duly seconded and carried, Council then adjourned at 9:25 P. M.



President of City Council

Attest 

City Clerk.