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City Council Chambers, 7:00 P. M.  
Tuesday, July 12, 1960

Council met in regular session. Present on roll call 8; Bott, Cvitanich, Easterday, Olson, Porter, Price, Steele and Mayor Hanson. Absent 1, Murtland, Mr. Murtland coming in at 7:50 P. M.

Mr. Porter called attention to page 12 of the minutes where the roll was recorded as Ayes 5, Nays 4 and the Resolution was declared as lost. He asked that the tape be checked correcting the roll call. He then moved that the approval of the minutes be set over until the next week. Seconded by Mrs. Price. Voice vote resulted as follows: Ayes 8, Nays 0; Absent 1, Murtland.

Mayor Hanson asked that the second item on the Agenda, on the sanitary fill, be postponed until later in the meeting as the proponents are not present at this time.

RESOLUTIONS:

Resolution No. 16212:

Fixing Monday, August 8, 1960 at 4:00 p. m. as the date for hearing on L I D 3510 for sanitary sewers in the area of East "T" Street from 56th Street to 72nd Street. 289

Mayor Hanson said that he had been advised that it will be necessary to change the description in this Resolution. Therefore, he called for a motion to postpone the Resolution for one week.

Mr. Steele moved the Resolution be postponed for one week to July 19th, 1960. Seconded by Mrs. Price. postpone,  
Voice vote was then taken on the motion to postpone, resulting as follows:

Ayes 8; Nays 0; Absent 1, Murtland.

Resolution No. 16213:

Awarding contract to Cascade Asphalt Paving Company for L I D 4667 on their bid of \$16,832.05, which was determined to be the lowest and best bid.

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

Voice vote was taken on the Resolution, resulting as follows:

Ayes 8; Nays 0; Absent 1, Murtland.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16214:

Authorizing the proper officers of the City to execute and deliver a conditional real estate contract to Leo and Anna T. Allotta for property located on the north side of Suspension Drive, east of Mountain View Avenue and west of Ventura Drive, for the sum of \$4,600.00.

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Mr. Rowlands explained this was a normal disposition of property. As pointed out at the bottom of the Resolution, the amount due to the City in L I D's is \$4,195.61. Since the sum of \$4,600.00 is being paid to the City for the property, the City will profit by the sale in the amount of \$404.39.

Marshall McCormick, City Attorney, said the City foreclosed on the L I D's for nonpayment and then, pursuant to State Law, advertised the property for sale by public bid. This was the highest bid received.

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

Voice vote was then taken on the Resolution, resulting as follows:

Ayes 8; Nays 0; Absent 1, Murtland.  
The Resolution was then declared adopted by the Chairman.

Resolution No. 16215:

Accepting and approving the plat of Bayview Heights, located at the extreme northern boundary of the City in North East Tacoma, along Agnes Road extended north from Dash Point Water Works Road.

\*\*\* Mayor Hanson said this matter was heard before the Planning Commission and was recommended by a vote of 8-0.

\*\*\* It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mr. Porter.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 8; Nays 0; Absent 1, Murtland.  
The Resolution was then declared adopted by the Chairman.

Resolution No. 16216:

Consenting to the establishment of limited access on a portion of Primary State Highway No. 1 in the vicinity of East R Street, to the E. Corp. Limits of the City.

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

Mr. Rowlands said this Resolution is establishing part of the Tacoma Freeway and is a step in the early construction at the Puyallup River Crossing which has been worked out with the State Highway Engineers and the Public Works Department.

Voice vote was then taken on the Resolution, resulting as follows:

Ayes 8; Nays 0; Absent 1, Murtland.  
The Resolution was then declared adopted by the Chairman.

Mayor Hanson said he had several other appointments to make and would like to have the rules suspended to consider the Resolutions. It was then moved by Mr. Steele that the rules be suspended to consider the Resolutions. Seconded by Mrs. Price.

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FINAL READING OF ORDINANCES:

Ordinance No. 16608:

Vacating the west one-half of North Pine Street between North 32nd Street and the alley between North 31st and North 32nd Streets. (A. L. Waterbury petition) Read by title and passed. 270

Roll call was taken on the Ordinance resulting as follows:

Roll call: Ayes 8; Nays 0; Absent 1, Murtland.  
The Chairman then declared the Ordinance passed.

Mr. Bott said he had asked that the open and closed streets be marked on the maps that are submitted for the Council's information, but has noticed it was overlooked on this map. Mr. Rowland

Mr. Rowlands said he would confer with the Planning Department on this matter to see that this policy is carried out.

Ordinance No. 16609:

Amending Chapter 9.16 of the Official Code of the City relating to the use of sidewalks, streets and alleys for display or advertising purposes of goods, wares, merchandise, etc. Read by title. 100  
270  
271

Mr. Steele said he understood that the two feet restriction was to be changed. Mayor Hanson remarked that no definite action was taken, although there was discussion on the matter.

Mr. Bott said he understood the main purpose of the Ordinance was to eliminate the display of refrigerators and stoves on the sidewalks. Upon checking, he added, it was found that the average stove or refrigerator measures 24 inches; therefore, the two feet restriction would not include these items.

Mayor Hanson asked if the Council would like to amend the Ordinance to read "18 inches".

Mr. Porter moved to amend the Ordinance to read "18 inches" in place of "2 feet" in Section 9.16.015 in the 11th line. Seconded by Mr. Steele.

Voice vote on the Motion was then taken, resulting as follows: Ayes 8; Nays 0; Absent 1, Murtland.

Roll call was taken on the Ordinance resulting as follows:

Roll call: Ayes 8; Nays 0; Absent 1, Murtland.  
The Chairman then declared the Ordinance passed.

Ordinance No. 16610:

Amending the Official Code of the City by adding 9 sections known as Chapter 9.19.010 relating to street beautification and the planting, maintenance, and protection of trees and shrubs, etc. Read by title. 270

Mayor Hanson said this Ordinance was submitted at the request of the Beautification Committee. The Council may have some reservations about some

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of the provisions; however, he believed it was a great step in the direction of beautifying the City's streets.

Mr. Steele said the question arose from one of the downtown opponents with reference to some objection by a nurseryman. He said he understood from a conversation with Mr. George Smith, who is the City Manager's representative on the Beautification Committee, that the Nurserymen's Association is satisfied with reference to the provision in the Ordinance.

Mr. Cvitanich said he would like to have a week's postponement on this Ordinance in the event the Beautification Committee may have come up with something in the interim which may be presented to the Council next week.

Mr. Rowlands said this matter has been studied for 6 months, not only from the Beautification Committee's standpoint, but also from the Retail Trade Bureau's. Calls have been received from various firms who would like to proceed with this program immediately. There has been a tremendous amount of discussion on this matter over a long period of time. One point which held up the matter for a period of time was in reference to the liability insurance, and when it was found that the fee was quite nominal, that point was satisfactory. This program has been carefully worked out with the Beautification Committee and the Retail Trade Bureau, and also with the Nurserymen's Association who are very much in favor of the Ordinance in its present form.

Mr. Steele pointed out that Mr. Ted Van Fossen of the Bank of California, who was primarily concerned with this Ordinance, advised that several of the downtown merchants are anxious to have it passed so that they can proceed with their plans. He did not feel the Council should delay it any longer.

Mr. Cvitanich said this Ordinance not only affects the downtown area, but also the residential areas. He said he would vote on the prevailing side so he could move for reconsideration at a future date. However, in all sincerity, he felt the Ordinance should be postponed a week for further study, and so moved. Seconded by Mr. Bott. Voice vote resulted as follows: Ayes 2; Nays 6; Easter-day, Olson, Porter, Price, Steele, and Mayor Hanson; Absent 1, Murtland. Motion lost on voice vote.

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

Ayes 8; Nays 0; Absent 1, Murtland.

The Chairman then declared the Ordinance passed.

#### REPORTS:

##### Discussion - Civic Auditorium Report.

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Mr. Morley Brotman, Chairman of the Civic Auditorium Study Committee, said his group has been preparing this report to submit to the Planning Commission and the City Council for the past two years, showing the need and feasibility of a Civic Center in the City of Tacoma. He said the desirability of such a building was brought up in 1944. In 1945 local architects proposed two civic center plans, both of which made provision for an auditorium as well as administrative and judicial buildings. In 1946, it was recommended that a bond issue be put on

the ballot in the amount of \$2,500,000 to acquire property and build the first unit of the Comprehensive Civic Center.

In 1948 the people of Tacoma voted on this proposition. Although a majority of the people voted for the proposition, it failed due to the fact it lacked the required 60% of the votes cast in the previous election, as required by law.

In 1955, the Tacoma-Pierce County Athletic Federation brought before the City Council and the Planning Commission, the proposition of a multi-purpose civic auditorium again. This resulted in further study on the possibility of the auditorium. Nothing was done, however, due to lack of personnel.

In 1958, a group of local citizens again discussed the possibility of a civic auditorium. An architectural presentation was prepared at that time. The Planning Commission instructed the staff to bring in a comprehensive report, which was completed and distributed to the Council members a week ago.

Mr. Brotman said he thought a downtown site would be suitable as it would "rid the city of a lot of junk housing and fringe buildings," making the downtown perimeter more valuable and generate new business. He urged the Council to decide on a location and present the proposition of acquiring the land to the people. He felt the voters would support such a proposition.

Mr. Marshall Riconosciuto, Planning Commission member, said the recent Auditorium report was the result of considerable time and effort, and felt the Civic Auditorium has long waited its turn and should be the City's number one project. He added the need and feasibility are proven in the study. The Council should determine the location, type of structure, and cost, and then put the proposition on the November ballot. He said there is a group formed, that is ready to go to work and help promote this project, once it is placed on the ballot.

Mr. Steele asked what type of structure do they recommend - the arena type or the theatre type?

Mr. Riconosciuto said basically the report covers all types of structures, but after checking the plans his recommendation would be an all-purpose type - the arena type.

Mr. Steele said this report covers all phases and basis of the structure, the land acquisition, and the parking costs, and asked, if this were put on the ballot, for what amount would it be.

Mayor Hanson said one suggested approach would be to place the proposition for land acquisition on the November ballot. Then it would depend upon which site is chosen. He thought it would be well for the Council to determine this as soon as possible.

Mr. Porter suggested that a good margin be allowed for expediency, and that a million dollar issue be anticipated for site acquisition, and for clearing of the site, for a preliminary design, and even the possibility of surfacing the area for temporary off-street parking, until another issue can be placed on the ballot for the building of the auditorium.

Mr. Riconosciuto suggested that the City Council call a meeting with the key members of the various committees involved to decide what to put on the ballot.

Mr. Brotman said his group is very anxious to get this civic auditorium. They are now thinking in terms of a 5,000-seat multi-purpose arena with parking for 1,000 cars in the area bounded by South 11th, 13th, Tacoma, and Fawcett Avenues, in place of the 10,000-seat auditorium originally proposed in 1944. He thought the facility should not cost more than five million dollars.

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Mr. Porter said while in Las Vegas he found that, although the auditorium there has only been operating nine months, they have had 13 major conventions, and figured conservatively that those conventions brought an additional 12 million to legitimate Las Vegas businessmen. They also had 41 conventions booked in advance.

Mr. Porter added there is a shortage of large auditoriums to take care of the number of conventions. He said experts estimate that people attending conventions spend from \$30 to \$40 per day in a convention city. Tacoma could certainly use that type of business, he added.

Mr. Cvitanich said he "wholeheartedly agreed" that Tacoma needs a civic auditorium, but was concerned with the various issues which may have to be placed on the fall ballot that may be of more importance.

Mayor Hanson remarked that this will be a matter to be determined by the City Council.

Mr. Bott asked how soon would the plans have to be formulated in order to be placed on the fall ballot.

Mr. McCormick said the Council had until early in September to decide what is to be placed on the ballot.

Mrs. Price suggested that the Council set a date to meet with the various committees and discuss the different plans.

Mayor Hanson said a date would be set shortly, and the parties interested would be notified. He thanked Mr. Brotman and Mr. Riconosciuto for their help in preparing the report.

#### UNFINISHED BUSINESS:

The Director of Public Works presents the assessment roll for L I D 6767 for street lights on ornamental steel or concrete standards on North 30th Street from Proctor to Orchard and Shirley to Pearl; also on Stevens Street from South 12th to South 19th Streets.

~~Mr. Martland coming in at this time.~~

Mr. Bott moved that August 22, 1960 be set as the date for hearing on the assessment roll for L I D 6767. Seconded by Mr. Easterday. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0.

Mayor Hanson said he had several Board appointments to make at this time and would like to have the rules suspended to consider this matter.

It was then moved by Mr. Steele that the rules be suspended to consider the appointments. Seconded by Mrs. Price. Voice vote resulted: Ayes 9; Nays 0; Absent 0.

Mayor Hanson said he would like to reappoint Mr. Roger Crusan to the Planning Commission for the six-year term as he has been a good and conscientious member on the Board.

By motion of Mr. Steele and seconded by Mrs. Price the following Resolution was adopted.

#### Resolution No. 16127:

Reappointing Roger Crusan as a member of the Planning Commission of the City of Tacoma for a six-year term expiring June 30, 1966.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Mayor Hanson said he would like to appoint Mr. Albert E. Farrar to the Utility Board to replace Mr. Hudson. He added that Mr. Farrar is a former Tacoma police official and a former State Legislator, and felt his past experiences as a legislator would prove invaluable to the Board, and also valuable in connection with the next session of the Legislature.

By motion of Mr. Easterday and seconded by Mr. Porter, the following Resolution was adopted.

Resolution No. 16218:

Appointing Albert E. Farrar as a member of the Public Utility Board for a five-year term expiring June 30, 1965.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 8; Nays 1; (Cvitanich not voting); Absent 0.

The Resolution was then declared adopted by the Chairman.

Mayor Hanson said he would like to reappoint Mr. Jack Sleavin as a member of the Housing Board of Appeals as he has served on the Board since its inception and has had a great deal to do with the formulation of the Housing Code.

By motion of Mr. Easterday and seconded by Mr. Porter, the following Resolution was adopted.

Resolution No. 16219:

Reappointing Jack Sleavin as a member of the Housing Board of Appeals for a five-year term expiring July 13, 1965.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Mayor Hanson said they will now revert back to the second item on the Agenda, under Communications, since the people involved are now present.

COMMUNICATIONS:

Waller Road District Improvement Club; requesting an appearance in reference to the proposed sanitary fill near the city limits at East 56th Street.

Mr. G. M. Ford, 4624 Waller Road, said if the City is contemplating on establishing a garbage dump in this area, it would bring "foul air, dust, germs, and rats." He said it would also cause a 50% loss in real estate values.

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Mr. Harold C. Olson, 3539 Waller Road, presented a petition bearing 800 signatures, protesting the location of the garbage dump. He said this area is a beauty spot and a natural recreation area which would be blighted for a three-mile radius.

Mrs. Grace Fogle, Master of the Waller Road Grange, said the Grange was definitely opposed to a sanitary fill in the Swan Creek area.

Mr. William Haire, 5410 Waller Road, said his home is 800 feet from the proposed dump. He said he had investigated the present dump site on Orchard Street, and passed out to the Council members some pictures that he had taken of the area, showing the uncovered garbage dump, and predicted the promised sanitary land fill would never come to pass. He further added that the City should work together with the County on a plan to incinerate or compost the area's

**\*\*garbage\*\***

Mr. Eugene P. Collins, 3022 East Nob Hill Road, pointed out that previous reports from the City and County Planning Departments, proposed the gulch as the route of a limited access highway, which could not be built on top of a garbage fill. He urged the composting of garbage be explored.

Other residents present to protest the garbage dump were Mr. J. F. Downs, 7826 East Taylor Street; Mrs. S. R. Christel, Jr., 5624 Waller Road; Mrs. Leonard J. Kalapus, 5208 Waller Road; and Mrs. Stella Olson, 2521 East 80th Street

Mayor Hanson said, as yet, no decision has been made on the location, although in the investigations made, they have found this area to be a possible site. Frankly, he said, the proposed site looks good to him. His tentative opinion is that the problems predicted by the residents would not come to pass. He assured the people that no hurried decision would be made, but each Council member would seriously consider the problem before a solution is formulated.

Mr. Cvitanich said considerable information was presented this evening of which he and other Council members were not aware. He felt this matter called for very serious study before any decision is reached.

Mr. Easterday said he felt, before any decision is made, a comprehensive study should be made as to cost, etc., of garbage incineration.

**\*\*\*\*\*** Mr. Chuck Newman, President of the Tacoma-Pierce County Gas Dealers Association, asked to speak at this time. He said he represented approximately one-third of the gas dealers in Tacoma. He said there has been an overcrowding of the building of service stations, and they would like to have the zoning ordinance changed so as to provide for a separate zone for service stations, dry cleaners, and self-service laundries, except as needed in undeveloped areas. He said they realize that in the future there will be areas, such as Bantz Boulevard, which will perhaps need service stations. However, at the present time, the Tacoma-Pierce County area is about 10 years ahead on the building of service stations.

Mr. Newman said the Association's attorney has handled one bankruptcy a month in the service station business, in the last 13 months. There have been other cases of service station operators going out of business prior to bankruptcy in an attempt to recuperate their losses some other way, resulting in an average of about 37 1/2% turnover. Mr. Newman further pointed out that the dealers' price margin has not increased in the last twenty years and the local dealers have suffered from a 3 1/2 year price war.

Mayor Hanson said it was evident that Mr. Newman was not against competition.



Mr. Newman said they were not against competition but against competition such as exists today, which is forced on the service station operators by the oil companies who are overbuilding stations.

Mayor Hanson said he thought it was a matter that might well indicate an abuse of economic power.

Mr. P. J. Gallagher, a representative of the Gas Dealers Association, said the City has 5 times as many gas stations as it needs. He said the Association is requesting that the gas stations be zoned in the same category as the dry cleaning and drive-in laundry establishments, so that they can be limited.

Mayor Hanson said he realizes there are legal problems involved, and suggested that the Legal Department be consulted to identify the areas in which action can be taken to control this situation.

Mr. Bott said he has already spoken to the City Attorney who is now in the process of determining what ordinances are in effect in other cities and what can be done to control the gas stations built. Mr. Bott said he is aware of this problem and is very sympathetic towards the local dealers.

Mr. Cvitanich asked that the City Clerk read an article from Worthington, Ohio, on their attempts to control this problem. The article stated a zoning law was being drafted, based on the recommendation of the City Councilmen of Worthington, Ohio, which would prevent the building of service stations within 300 feet of any inhabited building in the city.

Mayor Hanson said it is evident this problem is arising in other communities and that the proper procedure is to handle it through the City Attorney. He suggested that Mr. Newman and his associates meet with Mr. McCormick, City Attorney, on this matter.

Marshall McCormick said his office had checked into this matter several years ago and found that an arbitrary limiting of the number of stations by the City would be unconstitutional. However, he said, at that time they did not explore fully the legality of the control through the zoning ordinance. There is a possibility of providing that service stations can be built only by applying for a variance permit or some type of special permit. His office is now exploring this possibility, and then it would be up to the Planning Commission and the Council to exercise their discretion as to whether or not such permit should be denied. He added he would be happy to meet with the gentlemen at any time for further discussion.

#### ITEMS FOR FILING IN THE OFFICE OF THE CITY CLERK:

Tacoma Employees' Retirement System - monthly report for June, 1960.

#### COMMENTS:

Sargeant Pritchard, stationed at Fort Lewis, was present and invited Mayor Hanson, members of the Council, and all the citizens of Tacoma to a Samoan Luau, or "Fia-Fia", to be held in Seattle, July 23, 1960, beginning at 6:00 P. M. He said the feast would include a genuine Cava ceremony with Samoan music and dances.

Mayor Hanson accepted the kind invitation and presented Sargeant Pritchard with a key to the City as a memento of his visit.

Mr. Rowlands said a meeting will probably be held this Monday, July 18, 1960, with the parking meter representatives.

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Mayor Hanson said Mr. Frank Southwell, a member of the South Tacoma business community, has requested to speak at this time on the parking meter situation.

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Mr. Southwell explained he was a member of the South Tacoma Off Street Parking Association, which is comprised of about 50 members, whose purpose is to provide parking in South Tacoma. He said, South Tacoma has made progress in providing adequate parking for its customers without the use of meters. The cost to the merchants each month to maintain this off street parking is \$858.70. To date, the merchants have spent approximately \$46,000 for off street parking.

Mayor Hanson said he felt the South Tacoma area was setting a fine example, and could see no need for parking meters in that area at the present time. The area has done much to solve its own problem.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 10:45 P. M.

Bert Hanson  
President of the City Council  
Mayor

Attest:

Joseph Melton  
City Clerk