

Council Chambers, 4:00 P.M.  
Monday, August 24, 1959

Council met in regular session. Present on roll call 9: Anderson, Bratrud, Easterday, Goering, Humiston, Perdue, Porter, Price and Mayor Hanson.

Mr. Anderson moved that the minutes of the meeting of August 17, 1959 be approved as submitted. Seconded by Mr. Easterday. Roll call: Ayes 9; Nays 0; Absent

Mayor Hanson explained that before proceeding with the regular order of business he would like to inform the Council of a letter received from Mr. Steve Pease of the Kiwanis Club, inviting the Council members to the "Oldtime Threshing BEE" on Sunday, August 30th at the Western State Hospital Farm.

Mr. Steve Pease said a good time was expected at the Threshing Bee and hoped all of Tacoma would turn out for the festivities. He added that a pancake breakfast was scheduled for 7:00 A.M. for which the Council members were presented with two tickets each.

Mayor Hanson thanked Mr. Pease and the Kiwanis Club for the invitation.

#### HEARINGS AND APPEALS:

32  
34  
This is the date to which the Council continued the hearing from July 27, 1959 on the appeal filed by the Tacoma Freeway Mart, Inc. for a "C-P-R" Planned Regional Shopping Center on property bounded generally by So. 43rd, So. 48th from Pine to Free

Mayor Hanson said this hearing was continued from the meeting of July 27th and at that time there was considerable discussion and unless there is new information to be submitted, the matter will be limited to Council discussion only. He explained that there was a hold-over motion of Mr. Porter's that the Planning Commission's recommendation be overruled and the petitioners request be granted and the property in question be rezoned to a "C-P-R" Regional Shopping Center.

Mr. Bratrud said he understood that when this question came before the Planning Commission an alternative plan of a "Community Shopping Center" was proposed and voted upon.

Mr. Porter said motions were made on Regional, Community and Neighborhood Shopping Centers at the Planning Commission hearing. If his motion does not pass to grant the Regional Shopping Center, then anyone voting for the center could vote to reconsider and amend the petition for any size desired. Thus having the opportunity to vote for a smaller shopping center.

Dr. Humiston asked for a ruling on this.

Marshall McCormick, City Attorney, said as he understands it, the Planning Commission recommended that the application for a Regional Shopping Center be denied. Also contained in this motion was a proviso that the Commission give consideration to a "C-P-C" or lesser district on a portion of the same site which they also voted down. He said in his opinion the Council has two matters before it. Therefore if Mr. Porter's motion is voted down they still have the right to vote on the Community Center.

Mr. Perdue said the Council should give this matter considerable thought on what will happen if this rezoning goes through. Mr. Perdue asked if there were any firms represented here today that would care to say they were willing to lease units in such a shopping center, if they were approached.

Mr. Norman Smith, owner of a clothing store, said he personally would not lease a unit in such a location. He felt that the downtown area was a more desirable location in which to invest his money.

Mr. Hogan, operator of the Piggly Wiggly Stores, said he would certainly be interested in opening a store in this new shopping center.

Mrs. Goering asked Mr. Pomeroy, petitioner of the Freeway Mart Inc., if a community Shopping Center would alter their planning in regard to the types of store constructed.

Mr. Pomeroy said there would be a difference in so far as the parking area would be cut down and this might possibly affect the plans for major stores.

Mr. Porter commented on the difference between a Regional Center and a Community Center. In regard to the Community Center, the Planning Commission recommended that the building be limited to thirty three and one-third acres within certain boundaries which would put the location of the center at the furthest corner of the site away from the Freeway and from the 38th Street Shopping Center. Also in a "Community Center", the height of the buildings cannot be over three stories whereas a "Regional Center" can be six stories. He said it seemed to him that the 35 acre compromise would do just as much damage to existing business districts and wouldn't attract as much new business from outside the City. He urged approval of the larger rezoning.

Mr. Buehler, Planning Director, explained that when the "Community Center" was considered by the Planning Staff three locations were discussed. As far as he knew nothing definite was decided. The staff had given consideration to locations: one oriented to the Freeway, one to Pine Street and the other closer to 38th Street. He said he thought if the "Community Center" was approved, the petition would have to return to the Planning Commission to decide upon the specific location, so that the street vacations, etc. be completed before the actual passage of an Ordinance.

Dr. Humiston said it was his intention to vote to support the Planning Commission's recommendation, that the petition be denied. He felt that it is improper for the City through the Council or the Planning Commission to make fundamental business decisions for people - They should be made by the people themselves, who have the money invested.

Mayor Hanson said he is in favor of a "C-P-R" Regional Center. He said shopping centers are here to stay. They are springing up all around Tacoma. Here is an opportunity for Tacoma to have its own shopping center on a Freeway.

Mayor Hanson called for a vote of Mr. Porter's motion that the Planning Commission's recommendation be overruled and the petitioners request be granted and the property in question be rezoned to a "C-P-R" Regional Shopping Center. He added that he would rule that if this motion does not pass the chair will entertain a compromise motion.

The vote resulted as follows: Ayes 4; Nays 5, Anderson, Bratrud, Goering, Humiston and Perdue. Motion lost.

Mrs. Price then moved that the petition be granted to allow a "C-P-C" Shopping area for 35 acres. Seconded by Mr. Bratrud. Roll call: Ayes 7; Nays 2, Humiston and Perdue.

Mr. Porter said he hoped the location would be somewhere in the center area so as to provide for future expansion of parking facilities if needed.

Mr. Pomeroy thanked the City Council for their consideration, and he was certain that the Freeway Mart Inc. could work harmoniously with everyone concerned, and that they would be proud to be a part of Tacoma.

#### RESOLUTIONS:

Resolution No. 15752: BY PRICE:

Setting forth the conditions and regulations under which firms, corporations and other agencies may connect to the City's Fire Alarm circuit. 225

It was moved by Dr. Humiston that the Resolution be adopted. Seconded by Mr. Anderson.

Mr. Rowlands said NC 269 was compiled in answer to questions asked by Mr.

Porter at the meeting of August 3rd. The present policy in Portland is to no longer allow auxiliary hookups unless ordered by the Fire Marshall. The recent Van Waters & Rogers connection was made on the basis of a permit. Therefore both Mr. Dahl of the American District Telegraph Co. and Mr. Oliver of the Gamewell Co. were correct on what appeared to be conflicting statements at the meeting of August 3rd.

Mr. Rowlands also pointed out that a survey revealed that the experience of cities allowing auxiliary hookups has been favorable with 72.9% reporting favorably. The last point covered in the MC, a survey of false alarms in Tacoma for a six month period, indicates that 48% of the alarms received from A. D. T. were false while 27.3% of the auxiliary service alarms were false.

Mrs. Goering said the question that arises in her mind is "does the City have an unlimited potential and how long will it take before the system would become overloaded."

Chief Fisk said there is a saturation point but Tacoma is a long ways from that.

Dr. Humiston said he previously had been inclined to vote "no" on the Resolution, but the one fact that was stated by one of the speakers at an earlier meeting, has changed his mind. Regardless of the type of system being used all that is being considered here is tying into the City's fire alarm system one place or another.

Mr. Bratrud said a letter was received from the Washington Surveying and Rating Bureau which he asked to be read. The letter, in part, stated, "The present wording of Resolution \$ 15752 does not, in our opinion provide for the establishment of proper standards for installation and maintenance of fire alarm equipment, and we strongly recommend that it not be adopted in this form." They recommended that paragraphs (1), (2) and (3) establish a single standard for installation maintenance and operation which is set up by the National Board of Fire Underwriters.

Mr. Perdue moved that paragraph (1) be amended by omitting the "or" in the third line after the word "Underwriters" and by changing the "or" in the fourth line after "Bureau" to "and"; that paragraph (2) be amended by omitting the first word in the third line "or" and the "or" after the word "Surveying" to "and"; that paragraph (3) be amended by omitting the "or" in the second line after the word "Underwriters" and changing the "or" in the third line after the word "Bureau" to "and". The paragraphs will then read:

1. That prior to the connection with the City fire alarm signal system the installation be approved by the National Board of Fire Underwriters, the Washington Surveying and Rating Bureau and the Chief of the Tacoma Fire Department.

2. That the private fire alarm system continually meet the standards of the National Board of Fire Underwriters, the Washington Surveying and Rating Bureau and the Chief of the Tacoma Fire Department, or

3. That the private fire alarm system have the continuing approval of the National Board of Fire Underwriters, the Washington Surveying and Rating Bureau and the Chief of the Tacoma Fire Department.

Seconded by Dr. Humiston. Roll call: Ayes 9; Nays 0; Absent 0.

Mr. Perdue also moved that paragraph (8) be amended by changing the last two words of line 3 "or may" to "and shall" and also by changing the period at the end of the paragraph to a comma and adding "unless suitable corrections are made within a reasonable time after nullification by the City." This paragraph will then read:

8. That at any time the City Manager may, for good cause, direct the discontinuance of the connection of the private fire alarm system to the City of Tacoma fire alarm circuit, and shall direct the removal of any equipment, devices or instruments in connection with any private fire alarm system on city property upon a violation of any of the foregoing conditions and regulations, unless suitable corrections are made within a reasonable time after nullification by the city.

Seconded by Mr. Porter: Roll call: Ayes 9; Nays 0; Absent 0.

Mr. Bratrud said this Resolution has been discussed and amended so many times that he felt it should be tabled. He then moved that the Resolution be tabled. Seconded by Mrs. Price. Ayes 3; Nays 6, Easterday, Goering, Humiston, Perdue, Porter and Mayor Hanson; Absent 0. Motion lost.

Mr. Dahl of American District Telephone, said the way this Resolution is drawn paragraph (10) will allow A. D. T. to connect to Fire Alarm Headquarters free of charge when at the present time A. D. T. is paying a \$6300 tax.

Mr. Rowlands said some of the companies will have to lease lines from the Telephone Co. who pays a 8% tax and who in turn will pass this cost onto its users. A. D. T. has its own private lines and will still be paying such a tax.

Mr. McCormick said this paragraph pertains solely to the charge for a hook-up to the fire alarm system. A. D. T's agreement says nothing about paying this and is entirely a different matter.

Dr. Humiston said he felt a vote should be taken on this Resolution and if it passes, an analysis of the situation can be made within the next two weeks and necessary the Resolution can then be amended.

Roll call was then taken on the Resolution as amended:

Adopted on roll call August 24, 1959

Ayes 7; Nays 2, Price and Bratrud; Absent 0.

Dr. Humiston asked that Mr. Rowlands bring in at his earliest opportunity a report based on Mr. Dahl's statement in reference to paragraph 10 of the Resolution.

Resolution No. 15857:

REQUEST OF ANDERSON:

Authorizing the employment of the firm of E. L. Mills & Associates, architects, to design and supervise the construction of a Ball Park grandstand in the Snake Lake Recreational area.

241  
254

It was moved by Mr. Anderson that the Resolution be adopted. Seconded by Mr. Perdue.

Mr. Anderson said in the past six years whenever any matter has come up concerning baseball, Mr. Mills has donated his services willingly. When an architect has donated much of his time and work such as Mr. Mills has, he felt the person was entitled to some compensation, that is why he has asked that this Resolution be presented.

Mr. Porter said it has always been the policy of the Council, before hiring a firm, to allow all interested firms an opportunity to present their qualifications. Therefore he had asked that another Resolution be drawn leaving the firm's name blank. Since the matter before the Council is the selection of an architect for the baseball park both of these Resolutions, No. 15857 and 15858, should be considered at the same time.

Dr. Humiston said over a period of years the Council has attempted to distribute the work to various architectural firms in Tacoma. However, he said, Mr. Anderson has a good point in that Mr. Mills has donated his time and work in the past on this project, and now that the hiring of an architect is necessary for the ballpark it would seem logical that the person who has worked on this without any compensation in the past should be considered.

Mrs. Goering said the Council last week approved a \$590,000 "inside levy" and issue for the baseball park based on the estimates of Mills & Associates, but a

254 AUG 24 1959

letter from Northen, Wing, Seifert & Forbes estimates the cost at \$841,000. She asked why there was such a difference in costs.

Mr. Rowlands, City Manager, said the Public Works Department has surveyed the site and the city officials are convinced that \$590,000 is a realistic figure.

It was also pointed out that the Northen, Wing, Seifert & Forbes estimate did not take into consideration the expected donation of bleacher seats and lights from the San Francisco Giants; it was based on a 10,000 seat grandstand instead of the proposed 7,000. This also includes more parking area, which is to be paved with asphalt rather than with a cheaper oil mat surface.

Mr. Wing of Worthen, Wing, Seifert & Forbes, said their figure was based on their conception of a suitable development for a ball park. It was not prepared as a competitive estimate. He said he did not feel that it was necessary to compare the two cost estimates as a basis for selecting the firm to design the project. Worthen, Wing, Seifert & Forbe requests that consideration be given their firm based strictly on their ability and capacity to handle the job. This information has been provided merely to demonstrate that they have a completely comprehensive staff to handle the project.

Roll call was then taken on Resolution No. 15857, resulting as follows:

Adopted on roll call August 24, 1959

Ayes 5; Nays 4, Porter, Price, Goering and Easterday; Absent 0.

Mrs. Goering said she still felt that it was wrong to use this amount of money for a ball park. She said the citizens had not had an opportunity to vote upon the issue and she felt they had a right to object. She asked the City Attorney how the Council could approve this large unbudgeted expenditure by a simple majority vote.

Mr. McCormick said it was permissible under State Law.

Resolution No. 15858:

253  
251  
BY REQUEST OF PORTER:

Employing a qualified person or persons to perform the usual and necessary professional services in connection with the design, construction and supervision over the construction of the baseball grandstand located in the Snake Lake Recreational area near 23rd and Cheyenne Streets.

Dr. Humiston moved that the Resolution be tabled. Seconded by Mr. Easterday.  
Roll call: Ayes 9; Nays 0; Absent 0.

Resolution No. 15859:

BY PRICE:

47  
Authorizing the City Attorney to intervene in the Transpacific Route Case jointly with the Chamber of Commerce now pending before the Civil Aeronautics Board.

It was moved by Dr. Humiston that the Resolution be adopted. Seconded by Mr. Bratrud.

Mr. McCormick said this is simply a matter of policy which will enable the Chamber of Commerce representative present at these hearings to state that the City of Tacoma as a City has joined in the intervention.

Mr. Ernest Franklin, representative of the Traffic Division of the Chamber of Commerce, explained that approximately eighteen air carriers and transport companies had pending certain proposed changes in air rights and routes in connection with various flights and that all of these petitions and applications have been consolidated in one case, known as the Transpacific Route Case, which is now pending before the Civil Aeronautics Board. The City of Tacoma will be directly affected by the results of three of these applications. Therefore the Chamber of Commerce desires to have the City of Tacoma join with them as interveners. He briefed the Council on the three applications that would affect Tacoma.

1. Pan American, one of the companies involved now has the right to fly from Los Angeles to Tokyo via Sea-Tac, but the stop at Sea-Tac is limited to refueling and taking on of supplies and does not include the right to embark or disembark passengers or freight; This company has applied for such rights and the Chamber of Commerce desires to support this application.

2. Pan American also now has the rights, in connection with east-west flights from eastern cities to Tokyo, to fly to Tokyo by way of Sea-Tac only. They have applied for an alternate route, have the right to fly from eastern cities via Fairbanks, Alaska, thereby by-passing Sea-Tac. The Chamber of Commerce will oppose this application as it would be a competitive service which would carry passengers away from the Sea-Tac area. Since this area only produces about 3 to 8% of the total passengers flying to the Orient, anything that would hinder the number of passengers flowing through Sea-Tac would undoubtedly be reflected in the reduction of the airline service here.

3. The Northwest Orient Airlines now have the right to fly to Tokyo by the Great Circle Route and also have the right to fly to Honolulu and return, but they do not have the right to fly from Honolulu to Tokyo. They are now asking for such rights. The Chamber is in favor of this.

Mr. Franklin added that it is felt this case can be very vital to the Northwest. Several major cities throughout the area have intervened as parties in the proceeding.

Adopted on roll call August 24, 1959  
Ayes 9; Nays 0; Absent 0.

#### Resolution No. 15860:

#### REQUEST OF HANSON:

Authorizing and instructing the City Attorney to cooperate and institute <sup>189</sup> proper legal proceedings to test the applicability of Chapter 294, Laws of 1959, regarding the "Washington Minimum Wage and Hour Act", to municipalities and to further provide for sharing the costs thereof with other Cities of the first class.

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

Mr. Rowlands said this question was discussed at a meeting of the first class cities. This Resolution provides that a City of the first class should institute necessary proceedings in reference to the Washington Minimum Wage and Hour Act. The Attorney's Association meeting next month will determine which City will be chosen for this test, and in connection with such litigation, the other cities will contribute all of the costs incurred.

Adopted on roll call August 24, 1959  
Ayes 9; Nays 0; Absent 0.

Resolution No. 15861:

BY ANDERSON:

Authorizing and directing the City Manager to request the Housing and Home Finance Administration or other appropriate agency of the U. S. Government the authorization of "Section 221 of the Federal Housing Act of 1934."

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Dr. Humiston.

Mr. Rowlands explained that Bob Jacobson, Urban Renewal Coordinator, has been working with the Housing and Home Finance Authority for some time and in order to qualify for this authorization of Section 221 application must be made. Under this provision proper financing is assured.

Mr. Jacobson said this type of mortgage financing is limited to those Cities which have this program and who have submitted the proper documentation to show their need.

Adopted on roll call August 24, 1959  
Ayes 9; Nays 0; Absent 0.

Resolution No. 15862:

BY PERDUE:

Appointing a member to the Housing Authority to replace Fred Ludwig, whose term expired August 16, 1959 and the new members term to be for five years, expiring on August 16, 1964.

Mayor Hanson said he would like to fill in the name of Fred Ludwig for re-appointment, on this Resolution.

It was moved by Mr. Bratrud to adopt the Resolution. Seconded by Mr. Easterday.

Adopted on roll call August 24, 1959  
Ayes 7; Nays 2, Goering and Humiston; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 16413:

220  
261  
Vacating that portion of the alley located between So. 34th and So. 35th Streets from the City of Tacoma Flume Line right-of-way to Pine Street. (Petition of Saul Levy) Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 16350:

229  
261  
Amending Sec. 6.75 of the Official Code of the City relating to licensing those engaged in the business of selling, installing, maintaining or repairing of fire detective and/or fire alarm devices and equipment. Read by title and passed.

Roll call: Ayes 9; Nays 0; Absent 0.

Finance No. 16411:

Appropriating the sum of \$200,000 or so much as may be necessary for the purpose of paying to Pierce County the balance of the principal and interest costs of the County-City Building. Read by title. 246

Mr. Rowlands, City Manager, explained that MC-270, which was distributed to the Council members, is a breakdown on the payments due Pierce County in reference to the County-City Building, as requested at last week's meeting. Roll was then taken on the Ordinance resulting as follows:

Roll call: Ayes 9; Nays 0; Absent 0.

Finance No. 16412:

Changing the name of Edwards Road to Harbor View Drive and Harbor View from the east line of Edwards Road - extended to its intersection with Brown's St. Blvd., to be changed to 49th St. N.E. Read by title and passed. 246

Roll call: Ayes 9; Nays 0; Absent 0.

AGENTS:

Mr. Rowlands said nothing has been received from the F. A. A. on the report situation. If the City is to make application for funds for the fiscal year 1959-1960, the revised application would have to be submitted by September first. 231  
276  
Mr. Schuster, Public Works Director, and Bob Anderson have been working on the estimate. He feels that the \$368,000 which has been earmarked for Tacoma until December 1959, expenditures, will suffice for the acquisition of the site, plus what the City and Port will contribute. He said the City should get the application prepared for the fiscal year 1960-1961. In order to do this a meeting should be held with the Port Commissioners within the next few weeks to determine what the revised plan will involve as far as cost, and this application has to be in by November 1, 1959.

Mayor Hanson announced there is to be a reception for Mr. R. Ryan and Mr. Hubbell of the San Francisco Giants, Tuesday, August 25, 1959 at 5:00 P.M. at Tacoma Athletic Club, and all of the Council members are invited. 254  
259

Mr. Bratrud reminded the Council of the fishing trip Thursday at 1:00 P.M. to Point Defiance and asked that those wishing to attend notify him.

Mr. Porter reported that there was a Teen-age Dance held at the C. P. S. 234  
269  
Gymnasium last week which was a huge success. There were four rock n' roll orchestras and about 2000 teenagers in attendance. Some \$1600 was raised for the scholarship fund at C. P. S.

There being no further business to come before the meeting, upon motion duly seconded and passed, the meeting was adjourned at 7:40 P.M.

*Ben Hanson*  
President of the City Council

Attest:

*Josephine Melton*  
City Clerk