

Council Chamber, 4:00 P. M.

Monday, June 30, 1958

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

Mr. Perdue moved that corrections be made on Page 3 of the minutes in reference to Mrs. Goering's statement, and also the correction of a word on page 7. Seconded by Mr. Anderson.

It was then moved by Mr. Anderson, seconded by Mr. Easterday, that the minutes of the meeting of June 23, 1958 be approved as corrected. Motion carried on roll call: Ayes 8; Nays 1, Humiston; Absent 0.

#### PETITIONS:

D. P. Rawnsley: Submitting petition for rezoning property at the West side of vacated South C Street between So. 82nd and 84th, from an R-2 District to a C-1 District. Referred to the City Planning Commission. X 391

#### RESOLUTIONS:

Resolution No. 15387: (Postponed from June 23)

#### By REQUEST OF HANSON:

Appointing Charles T. Pearson as a member of the Planning Commission for the six-year term to expire June 30, 1964.

Mayor Hanson said the Council was very fortunate in having Mr. Pearson serve on the Planning Commission Board. "He is outstanding in his field as an architect and Planner," he stated. Mr. Bratrud said, although he is in favor of Mr. Pearson's appointment, he feels when any appointment is made on any of the Boards, private sessions should be held prior to the Council meetings so that the Council would be in agreement with the appointment.

Mr. Perdue said he is wholeheartedly in favor of Mr. Pearson's appointment, but he agrees with Mr. Bratrud that when any appointment is made it should be considered by the Council prior to the Council meeting.

Mayor Hanson explained that in the future if it is the wish of the Council, closed sessions will be held to discuss any appointments.  
Adopted on roll call June 30, 1958  
Ayes 9; Nays 0; Absent 0;  
Resolution No. 15401:

L I D 6753 X

#### By ANDERSON:

Fixing July 15, 1958 as the date set for hearing on LID 6753 for the installation of Ornamental Street lights on existing poles on Washington St. from No. 9th to No. 11th Streets.

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Mr. Rowlands said that 20% of the total cost was put in the operating budget for the LID, Street lighting. The Bond issue provides for about 40% and the property owners were assessed about 40%. For this type of fixtures on wooden poles, the approximate cost is \$1.00 per front foot, and it is necessary to put the ornamental fixtures on the new poles which runs about \$2.20 per front foot. This is a partial participation to the extent of 60% of City funds, both operating budget and Bond funds, which is the recommendation submitted to Council by the Citizens Committee last fall.

Dr. Humiston said the Council had previously passed a Resolution that had to do with participation of Street paving, etc., and it would be entirely proper before spending money on a formula, the Council should pass a Resolution setting up a formula, rather than to accept the recommendation of another body.

Mr. Rowlands said he would be very happy to get any type of Resolution the Council desires, establishing a policy.

Dr. Humiston asked that this be brought in next week.

Adopted on roll call June 30, 1958  
Ayes 9; Nays 0; Absent 0.

Resolution No. 15402:

By HANSON:

Fixing Monday the 4th day of August, 1958 at 4 P. M. o'clock in the Council Chambers as the date for hearing on the vacation of property on East F Street from East 64th to East 65th St; Bismarck St. from East "E" to East "F" St.

Adopted on roll call June 30, 1958  
Ayes 9; Nays 0; Absent 0.

Resolution No. 15403:

By PORTER:

Authorizing the proper officers of the City to execute and deliver a local improvement assessment deed to Calvary Cemetery Ass'n Inc., in the sum of \$74.80 for property located at South 67th and Durango.

Adopted on roll call June 30, 1958  
Ayes 9; Nays 0; Absent 0;

**Resolution No. 15404:****By PRICE:**

Authorizing the proper officers of the City to execute and deliver to Tacoma School District No. 10, a local improvement assessment deed in the sum of \$1,568.40, for property located on Bennett and Baltimore Sts. and between No. 37th and North 38th Sts.

Adopted on roll call June 30, 1958  
Ayes 9; Nays 0; Absent 0;

**Resolution No. 15405:****By BRATRUD:**

Authorizing the extension of the Pennsylvania Salt Manufacturing Company's Power Contract for a period of sixty days.

Adopted on roll call June 30, 1958  
Ayes 9; Nays 0; Absent 0;

**Resolution No. 15406:****By HUMISTON:**

Appropriating the sum of \$394.78 for the purpose of paying James C. Buckley Co., Inc. for the additional reports furnished by them, said sum to be appropriated from the Cumulative Reserve Fund for Capital Outlay and Maintenance and Operation.

Adopted on roll call June 30, 1958  
Ayes 9; Nays 0; Absent 0;

**Resolution No. 15407:****By REQUEST OF HUMISTON:**

Authorizing the Tacoma Transit Company to continue to charge the present bus fares, for the period beginning July 1, 1958 and ending at midnight December 31, 1958.

Dr. Humiston, Chairman of the Transit Committee, said the fares that are being charged now, were put into effect on a temporary basis with the understanding that when the time had expired the Council would review the financial experience of the Bus Company. After reviewing their recent statement, he added the Resolution is quite in order to continue the fares for the rest of the year.

Mr. Rowlands said a letter was sent to Council from Mr. Curtis Hill, President of the Transit Company, which called Council's attention to the proposed shuttle bus service, to begin on September 2nd.

Dr. Humiston asked why the shuttle bus service could not be started before September 2nd.

Mr. Hill said that summer is a dry period for any Transit System, and they realize this endeavor would be unprofitable, and by starting the service on September 2nd, the added Labor Day activity would be more profitable for the Transit Company.

It was moved by Dr. Humiston, seconded by Mr. Anderson, that the Resolution be amended to set up permission to charge the 10¢ fare rate on the shuttle bus service operating in the area of 11th & Pacific Ave., up 11th St. to Yakima Ave., across Yakima Ave. to So. 9th; down 9th St. to A St., and down A St. to 11th St. Roll was called on the Amendment resulting as follows: Ayes 9; Nays 0; Absent 0;

Dr. Humiston suggested that the date of starting be left up to the management of the Transit Company. Roll was then called on the Resolution as amended.

Adopted on roll call June 30, 1958

Ayes 9; Nays 0; Absent 0;

Resolution No. 15408:

By PORTER:

Authorizing the proper officers of the City to purchase certain accessory equipment for the new Police cars, to be appropriated from the Equipment Rental Reserve Fund Account "B".

Adopted on roll call June 30, 1958

Ayes 9; Nays 0; Absent 0;

Resolution No. 15409:

By GOERING:

Authorizing the proper officers of the City to proceed with the replacing of the timber bridge located on Oakes Street between No. 19th and No. 21st Sts., utilizing the 1954 Street and Bridge Construction Fund monies in an estimated amount of \$50,000.00, and utilizing 1954 Street and Bridge Construction Fund monies in amount of \$15,000 for widening and paving of North 21st & Alder to Proctor Streets; and recinding Resolution No. 14029.

Adopted on roll call June 30, 1958

Ayes 9; Nays 0; Absent 0;

**Resolution No. 15410:****By EASTERDAY:**

Authorizing the Board of Contracts and Awards to purchase the Fuel Oil requirements for the Public Utilities Dept. for the period from July 1, 1958 to June 30, 1959.

Adopted on roll call June 30, 1958

Ayes 9; Nays 0; Absent 0:

**Resolution No. 15411:****By REQUEST OF GOERING:**

Designating a strip at McChord Field as the principal site for the Airport and the Peninsula Site as the alternate site.

Moved by Mr. Easterday and seconded by Dr. Humiston to adopt. Roll was then called resulting as follows: Ayes 0; Nays 9; Absent 0; Resolution declared lost.

**Resolution No. 15412:****By REQUEST OF ANDERSON:**

Selecting the Peninsula Site as the proper site for the establishment, construction of an airport by the City of Tacoma.

Moved by Mr. Anderson, seconded by Dr. Humiston to adopt the Resolution.

Moved by Mrs. Goering to amend the Resolution by adding McChord Field Air Force Base as an alternate site. Seconded by Dr. Humiston.

Dr. Humiston asked if such a provision in this Resolution is acceptable to the C. A. A.

Mayor Hanson said it was his impression that it would be acceptable but not essential.

Mr. Perdue said that a similar amendment had held this up before, and he understood that the C. A. A. would investigate both sites. He felt the Council should make their intention clear.

Mr. Bratrud said the Resolution should be clear cut.

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Mayor Hanson said he feels the Council should be definite in one recommendation since the C. A. A. has been waiting for a definite choice.

Dr. Humiston asked since the application to the C. A. A. was a joint application, "will the Port Commission endorse this Resolution or take similar action, so that official communications can be sent to the C. A. A. ?"

Mayor Hanson said that the Port Commission would be informed of the action taken by the Council. They had previously indicated they would not oppose such a Resolution, he added.

Mr. Perdue asked if the Commission should be asked to take similar action.

Mayor Hanson said he thought it might be wise to consult with the Port in that regard.

Mr. Rowlands said that since the application and letters to the C. A. A. have been done jointly, it was essential that the Port's recommendation should correspond with the Council's.

Mayor Hanson said that the Resolution will be sent to the Port requesting them to take the necessary action so that the Council can proceed.

Roll was then called on the amendment resulting as follows:  
Ayes 1; Nays 8, Anderson, Bratrud, Easterday, Humiston, Perdue, Porter, Price, Hanson; Absent 0; Amendment lost on roll call.

Roll was then called on the Resolution resulting as follows:  
Adopted on roll call June 30, 1958  
Ayes 8; Nays 1, Goering; Absent 0;

Resolution No. 15413:

By REQUEST OF EASTERDAY:

Requesting to proceed immediately with the mapping and surveying of the Peninsula Airport site when and if said site is approved by the C. A. A.

Adopted on roll call June 30, 1958  
Ayes 9; Nays 0; Absent 0;

FIRST READING OF ORDINANCES:

Ordinance No. 16145:

Amending Sec. 5.20.180 of the Official Code of the City relative to rates to be charged for the use of the City's Disposal area. The Ordinance was read by title and placed in order of final reading.

**Ordinance No. 16146:**

Amending the License Ordinance No. 14892 of the City, Sec. 6.33.090 of Chapter 6.33 of the Official Code. (Pawnbrokers limitations). The Ordinance was read by title and placed in order of final reading.

Mr. Porter asked how many Pawnbrokers the City has licensed now, as this might cause some of them to close.

Mr. Rowlands said that at present there are 15 licensed. The provision of this Ordinance would eliminate the retroactive feature, that is, "anyone now in business, would continue," he added.

Mr. Bratrud asked if it were legal to do this.

Mr. Marshall McCormick, City Attorney, explained that the City, limits them now, one to every 10,000. This Ordinance limits them one to every 15,000. Mr. McCormick said it would be illegal if they would regulate it to a point where it no longer becomes a license, then it would create a monopoly. Under our Police power, he said, this would be a reasonable ration and a reasonable control. It was understood, even though there are more Pawnbrokers now than would be permissible under the 1 to 15,000, those in existence at present would continue to operate. Mr. McCormick said in order to eliminate any question, with the approval of the Council, he would add to the last section of the Ordinance "specific proviso will not effect any existing license and transfers."

This was agreeable with the Council.

**Ordinance No. 16147:**

Amending the Official Code of the City, relating to zoning, by adding a new section to be known as Sec. 13.06.130 (6). Property located at the N. E. Corner of East 72nd and G Street to be included in the "C-2" Commercial District. The Ordinance was read by title and placed in order of final reading.

**Ordinance No. 16148:**

Vacating a portion of No. Frace St. between North 40th and North 42nd Sts. The Ordinance was read by title and placed in order of final reading.

**FINAL READING OF ORDINANCES:****Ordinance No. 16144:**

Vacating South Verde Street from the south line of Puget Sound First Addition 330 feet south. The Ordinance was read by title and passed.  
Roll call: Ayes 9; Nays 0; Absent 0;

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NEW BUSINESS:

Minutes of "Your Country Needs Your Help" - June 17, 1958.

X Mayor Hanson asked Mr. Anderson if he would report on the meeting held on June 17, in reference to "Your Country needs your help."

Mr. Anderson said several cities on the Coast and throughout the United States have what is known as a "sister City" in various Countries. One of the Governmental Groups from Washington D. C. met last week with a group of civic leaders from Tacoma encouraging various cities throughout the United States to have "sister Cities", he said. Mr. Anderson suggested that a committee be appointed to see what benefits would be gained by having a "sister City."

Mayor Hanson appointed Mr. Anderson to investigate this matter and report his findings to the Council at his convenience.

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

- X a. City of Tacoma - Tacoma Transit System Report for May, 1958 and 1957 and 5 months 1958 and 1957.
- b. Belt Line Division - Monthly Report for May, 1958.
- c. Water Division - Monthly Report for May, 1958.

X Mrs. Goering and Mr. Porter reported briefly on the Legislative Committee meeting that they both attended on Saturday in Seattle.

Mr. Bratrud asked if the City had been notified officially on the status of the new \$125,000 Tilton River Bridge, which will be flooded in 1960 by the completion of the Mayfield Dam on the Cowlitz River.

Mr. McCormick said he had formally notified Lewis County officials last Thursday that the City will not be responsible for replacing a new bridge. He said the City will not pay anything over and above the amount necessary to keep the bridge in repair, while the dams are being built, he said. They also notified Lewis County that they would be happy to start negotiations with them at any time on a basis that will be advantageous to all parties concerned.

X Dr. Humiston advised Mayor Hanson that an appointment should be made to replace Dr. Battin, who served as member to the Utility Board Committee.

Mayor Hanson explained that not being familiar with the procedure he felt this matter should be taken up at a private session.

Dr. Humiston said that he was quite familiar with the procedure and did not think this was necessary.



Mayor Hanson asked Dr. Humiston and Mr. Bratrud if they would like to continue to serve on the Board.

Dr. Humiston and Mr. Bratrud said they would be pleased to continue serving.

Mayor Hanson then appointed Mr. Perdue to serve as the third member.

Mrs. Price brought up that last week, Council passed Resolution No. 15399 fixing July 7 as the date for hearing on the petition for annexation of a strip of property in the Port's Industrial Area. Since that time, she said, Council members have received a letter from Mr. Graves, Attorney representing the Tidehaven Inc., Committee, in which he takes the position that the petition before the County Commissioners has a prior legal right over the petition filed with the City on the annexation. She asked if this were correct.

Mr. Marshall McCormick, City Attorney, explained that Mr. Graves has his opinions on whether proceedings are legal, and of course, he said, the City has theirs. Often times Attorneys' opinions do not take the same road, he said. There is a legal question involved as to who has prior rights here. We think there is a very serious problem involved as to their legal rights to proceed, with the Commissioners. He pointed out that the third incorporation petition, although given to the County Auditor on June 5, was not filed with the County Commissioners until June 20, after the annexation petition was filed. He said there is also a question as to whether the incorporators could file further petitions when one petition was pending.

Mr. McCormick said frankly, he felt there was no escape as to the final determination by Court action on the legal question. Eventually, someone is going to have to present it, if both the Council and the Commissioners feel that there should be one on the one hand, the incorporation, and on the other, the annexation. There is no question there is a litigation in the offing, he added.

Dr. Humiston said he thought the Council should concern themselves with what is in the best interests of the City and not with any litigation which might result. That is a matter for the courts, he stated.

Mr. Perdue said the "tiny bit that the litigation might cost, would be small, in comparison to the benefits that would ultimately be derived to the community."

Mrs. Price said Tacoma has spent a good deal of money on litigation and would not like to see Tacoma involved in any more litigation, if possible. She said inasmuch as she has voted on the prevailing side on Resolution No. 15399, she moved that the vote be reconsidered on the Resolution which was adopted on June 23, 1958. Seconded by Mr. Porter.

Vote was then taken on the Resolution, resulting as follows:

Ayes 2; Nays 7, Anderson, Bratrud, Easterday, Geering, Humiston, Perdue, Hanson; Absent 0;

Mayor Hanson said he understood that it was the standard procedure that the petition be referred to the Planning Commission to bring in their recommendation for consideration.

Mr. Rowlands said it was on the Planning Commission's agenda for tomorrow.

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Dr. Humiston said inasmuch as the Planning Commission has to hold a hearing to make a recommendation to the Council, he thought it would be better if they would meet with the Council on July 7 at their hearing. By doing this, he said, "it would save time and would eliminate an extra hearing."

This was agreeable with the Councilmembers.

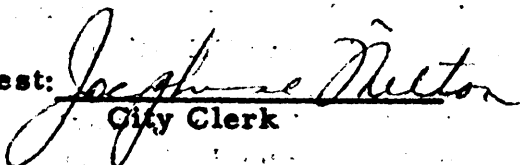
Dr. Humiston then moved that the Planning Commission be invited to attend the Council meeting on July 7 at 4 P. M. Seconded by Mr. Anderson. Ayes 9; Nays 0; Absent 0;

Mr. McCormick submitted a report for Council's perusal, regarding Mr. Henry K. Carlbon's request made on June 23, in reference to his L I D Bonds.

Mr. Thomas R. Black asked if the shuttle Bus service could be extended to K Street. Mayon Hanson said the amendment that was made tonight on the Resolution, in reference to transit service, did not include service to K Street, but said the matter would be taken up with the Transit Company as soon as possible.

There being no further business or comments from the audience, the meeting adjourned at 6:00 P. M.

  
President of City Council

Attest:   
City Clerk