

City Council Chambers, 7:00 P.M.
Tuesday, August 2, 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. Easterday moved that the minutes of the meeting of July 19, 1960 be approved as submitted. Seconded by Mr. Porter. Voice vote resulted as follows: Ayes 8; Nays 0; Absent 1, Murtland.

Mr. Rowlands said the minutes of July 26th had been distributed to the Council members at the Study Session last night and asked if they would want to approve those minutes also.

Mayor Hanson said he had not had an opportunity to examine the minutes and would like to have them set over.

Mr. Bott moved that the minutes of July 26th be set over one week for approval. Seconded by Mr. Porter. Voice vote resulted as follows: Ayes 8; Nays 0; Absent 1, Murtland.

PETITIONS:

Petition from Beverly G. Hoffman, requesting the rezoning of property at 2411 No. 30th from an "R-2" District to an "R-3" District. 368

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 16232:

Fixing Tuesday, August 30, 1960 at 7:00 P.M. as the date for hearing on the vacation of the alley lying between East 35th and Harrison from McKinley Avenue to East I Street. (Petition of Safeway Stores, Inc.)

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

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. 16233:

Awarding contract to Cascade Asphalt Paving Company for L I D. 4662 on their bid of \$38,903.55 and for the supplemental bid in the amount of \$245.75, which was determined to be the lowest and best bid.

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. 16234:

Reappointing Paul Martin to the Dangerous Building Appeals Commission for a three year term expiring July 29, 1963.

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

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. 16235:

Appropriating \$575.00 from the Cumulative Reserve Fund for Capital Outlay for the purpose of purchasing one steel table, 5 steel chairs and 1 four drawer filing cabinet for the Civil Service Board.

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

Mr. Easterday asked if this equipment was to be put out on bids.

Mr. Rowlands explained that "informal quotations" were taken on these items. He added that anyone who desires can submit a "letter quotation."

Mayor Hanson asked Mr. Easterday if he would like to have formal bids on this equipment. by formal bids

Mr. Easterday answered in the affirmative and said a savings is often realized

Mr. Steele said he objected to the formal bid request as he felt the best price could be obtained by the letter quotation method since all the Office Equipment Companies will be submitting their bid.

After this discussion Mr. Easterday said he withdrew his request.

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. 16236:

Authorizing the proper officers of the City to execute a Supplemental Agreement No. 1 to Agreement No. GC0576 R, to provide for the construction of storm and sanitary sewers by the State Highway Department to the new terminus in Wakefield Gulch.

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

Mr. Rowlands said this is one of the agreements entered into with the State Highway Department in regard to carrying out and continuing the City's sewer program and sharing in the costs. It came about due to the State desiring to use the Lincoln Gulch as a fill area for additional parking and playground area.

The State's share was originally \$112,370, the additional \$17,000 suggested in this agreement will make the total contribution for the State, \$129,400.

The City's share was \$41,755 and under this present proposal the City's share is an additional \$5,615, making a total of \$47,370.

Mr. Easterday asked from what fund is the \$41,755 to be taken.
Mr. Rowlands replied that it was from the Sewer Utility Fund.

Sanitary

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. 16237:

Amending the Urban Renewal Plan for Project No. Wash. R-1 (Center Street Urban Renewal Project) regarding Off-Street parking and loading ratios.

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

Mr. Rowlands said these requirements are necessary for Off-street parking in the Center Street Urban Renewal Project, which have been checked over very carefully with the Urban Renewal representatives.

Mr. Cvitanich asked if this would accommodate sufficient parking space for loading, etc., for Industries who contemplate moving into the Center Street Urban Area.

Mr. Rowlands said it is anticipated this would accommodate them.

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.

Mr. Cvitanich said he would like to direct a statement to Mr. McCormick before proceeding with the First Reading of Ordinances.

Mr. Cvitanich thanked Mr. McCormick for the excellent job in compiling the statistics and facts involving the legality of the meter maids. At this time, he said, he would like to request that a Resolution be drafted requesting that the meter maids be replaced by regular police officers and handicapped persons as these vacancies occur, and that this Resolution be presented to the Council three weeks from this date.

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Mayor Hanson asked for clarification on the question of "as these vacancies occur." Does that mean as the meter maids discontinue their service with the City.

Mr. Cvitanich replied in the affirmative.

Mr. McCormick, City Attorney, said in his opinion this can not be done in respect to handicapped persons. The meter maids are classified until the Council abolishes the position. They are entitled to hold their position and cannot be abolished and replaced by handicapped persons or disabled veterans.

Mr. McCormick said he had explained this in his opinion which was distributed to the Council members.

Mr. Cvitanich said "attrition" is a common policy throughout municipal Government and he was sure Tacoma was no exception to the rule. Secondly, he said, he would like to ask Mr. McCormick, "were the present meter maids legal under the administrative code when they were hired?"

Mr. McCormick said he has so ruled.

Mr. Cvitanich said, pursuing the administrative code, the Chief of Police was asked at the previous meeting on the meter maid question, if he had obtained a \$2.00 fee and a \$1000 bond. Mr. Kerr answered he did not know. Mr. Cvitanich asked if Mr. McCormick could give some clarification in this respect.

Mr. McCormick said insofar as a special police commission is concerned, these

meter maids make no arrests, they simply issue citations on automobiles, which can be done without any special officers commission.

Mr. McCormick further stated he thought Mr. Cvitanich was referring to the provision of the administrative code governing the special police commission which provides that the applicant pay a \$2.00 fee and deposit a \$1000 performance bond. Under the commission which was issued they are not making any arrests. Whether they have a valid police commission or not is immaterial insofar as they are legally holding a position as parking meter checkers.

Mr. Cvitanich said he found it rather hard to believe that, since the Administrative Code requires a \$2.00 fee and the filing of a \$1000 bond with the Chief of Police which was not furnished and prior testimony before the City Council was completely opposite.

Mr. McCormick said his point was, if they had no commission at all they are still legally appointed qualified acting meter maids.

Mr. Cvitanich replied they are commissioned as special police officers.

Mr. McCormick said they have a commission but commissioned by the Chief and issued by the Manager's office, which is provided for by the Administrative Code. He said he did not know whether the \$2.00 had been paid or not or whether the bond had been posted, as this had no bearing on the decision he was asked to make since no arrests were made by the meter maids.

Mr. Cvitanich said the point he was making is that they did not pay the \$2.00 or put up the \$1000 bond.

Mr. McCormick said, that he did not know. He only asked Lyle Lemley, the City Treasurer, under whom the meter maids are employed, as to whether or not they had their commission. He did not check into the fee or the bond requirement. He said it was not pertinent to the problem which the Council asked.

Mr. Cvitanich said, then actually the legality of the meter maids at the onset and up to the present time is somewhat debatable as to the legality.

Mr. McCormick said "No" it was not, in his opinion.

Mayor Hanson said it certainly is debatable as indicated by the discussion. He believed it could be determined whether or not the bond has been issued.

Mr. McCormick said insofar as the legality of these people holding the job as meter maids this has absolutely nothing to do with it. As far as a special police officer's badge is concerned, the meter maids make no arrests and as he understands it, such a commission is not required.

Mr. Cvitanich said the meter maids have written citations for jaywalking, some of which have led to incarceration. Mr. McCormick has given opinions to the Police Department advising that meter maids do not have the authority to do so.

Mayor Hanson asked if this had been done since the opinion from the attorney.

Mr. Cvitanich said he couldn't say.

Mr. Steele said the proposition suggested by Mr. Cvitanich is a matter for consideration by the Civil Service Commission with reference to amending the definitive classification leading to meter maids.

Mr. Cvitanich said within the provisions of the special officers commission it provides that they can perform functions in relation to directing traffic under emergencies. This is a function of the Police Officer, he added.

Mayor Hanson asked Mr. Cvitanich if he was alleging that the meter maids were directing traffic?

Mr. Cvitanich said he has seen them do so on occasions.

Mr. Bött said when this was previously discussed it was decided in order to satisfy everyone concerned, a legal opinion was requested as to whether or not the meter maids were legal as meter maids in their appointment. A very exhaustive opinion from the Legal Department has been submitted which states that the meter maids are legally appointed, they have a legal status in their Civil Service set-up

and furthermore it would be illegal to hire handicapped persons to fill that position. As stated before it is irrelevant whether or not they have a commission as a special police officer. He said Mr. McCormick has done more than what was requested and has submitted an exhaustive report. He said he would like to entertain a motion to consider ~~Resolution to consider~~ Resolution No. 16238 which has been distributed to the Council this evening.

Mr. Cvitanich said he would challenge Mr. Bott presenting the Resolution at this time.

Mayor Hanson said in order to consider this Resolution it would be necessary to suspend the rules and a unanimous vote would be required.

Mrs. Olson moved that the rules be suspended in order to consider Resolution No. 16238. Seconded by Mr. Bott. Voice vote resulted as follows: Ayes 6; Nays 2, Cvitanich and Easterday; Absent 1, Murtland.

Mayor Hanson said the motion was lost so Resolution No. 16238 will not be considered.

Mr. Bott asked if it could be considered at the next Council meeting.

Mayor Hanson said it could be placed on the Agenda for next week.

Mayor Hanson explained there was another Resolution which did not appear on the Agenda which should be considered tonight.

Mr. Steele Moved the rules be suspended to consider Resolution No. 16239: Seconded by Mrs. Price. Voice vote: Ayes 8; Nays 0; Absent 1, Murtland.

Resolution No. 16239:

The City Council of the City of Tacoma pledging their support in carrying out a program for the filing with the legislature of an Initiative Petition as outlined by the executive committee of the Association of Washington Cities.

It was moved by Mr. Steele 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.

Mr. Cvitanich said the Council is continually being confronted with Resolutions coming in at the last minute whereby not allowing the Council members time to study the material. He asked if this were to be the policy.

Mayor Hanson said he did not believe it is the policy of the Council, but added, any Council member can object to the suspension of the rules to consider any material which has not been presented to the Council prior to the Council meeting if he desires to do so.

Mr. Bott said the Resolution prepared on the meter maid question was discussed in the Study Session last evening and at that time he mentioned he would like such a Resolution drafted.

Mr. Steele said in reference to Resolution No. 16239, discussion was held at the convention in Wenatchee with reference to acquiring more revenue for the Cities from the Legislature regarding the distribution of State collected funds. He said this was before all the Council members at the Wenatchee meeting and Resolution No. 16239 simply embodies the Council's support of the Association of Washington Cities' Executive Board's decision to make this move to initiate the petition to the Legislature to allocate 5% of the sales tax revenue to the Cities to meet the Cities growing

Needs for tax dollars.. He said he did not think there should be any concern that this comes as any surprise.

Mr. Cvitanich asked Mr. Steele if this was the beginning of "Home Rule" in his opinion.

FIRST READING OF ORDINANCES:

Ordinance No. 16623:

Vacating the alley between Mullen and Gove Streets from So. 50th Street extended to South 52nd Street. (Petition of Tacoma School District #10) Read by title and placed in order of final reading.

Ordinance No. 16624:

Amending the Official Code of the City relating to zoning by adding a new section known as Sec. 13.06.120 (15) to include property in the area bounded by East "I", East 35th, Harrison Street and a line 120 feet east of McKinley Avenue in a "C-1" Commercial District. (Petition of Safeway Stores, Inc.) Read by title.

Mr. Bott asked if anyone objected to this vacation.

Mr. Buehler said there has been no objection.

The Ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 16622:

Changing the name of the street in the Pacific Traction right of way from the north line of So. 66th at its intersection with So. Tyler, north to its intersection with So. Gunnison and So. 36th Street to So. Manitou Way. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 8; Nays 0; Absent 1, Murtland.

The Ordinance was declared passed by the Chairman.

REPORTS:

Tacoma Employees Retirement System for the month of July 1960.

Tacoma Transit System Report.

Report from the Belt Line, Water and Light Division for the month of June, 1960.

COMMENTS:

Mr. Rowlands said he had a letter which Mr. Easterday prepared and asked that it be read:

Dear Mr. Rowlands:

Since the demonstration and hearing by the people of the Swan Creek area protesting

the use of Swan Creek as a garbage disposal area, I have devoted considerable time and study to the solution of this problem inasmuch as I can foresee numerous court injunctions and damage suits by the residents within the area in the event that the area is used as contemplated for a sanitary fill. 299

In years past I have observed large burners burning the refuse from saw mills, one in particular was operated by the St. Paul and Tacoma Lumber Company, and daily consumed a vast amount of surplus sawdust and other scrap lumber of that gigantic plant.

It has been pointed out that a large percentage of the material now going into the sanitary fills consists of waste paper, paper cartons, boxes, tree trimmings, etc. causes me to believe that were the combustible material separated from the non-combustible material and transported to a large burner similar to the ones that existed when Tacoma was the lumber capital of the world, it would relieve the sanitary fills being made considerably.

I know that the Public Works Department have no one who has any experience of this nature and that Pierce County did in the past carry on a study by one of their staff and considerable data was gathered pertaining to garbage incinerators and due to the fact that there existed at that time several large areas that could be secured at a very low price the decision was made to go to the sanitary fill method.

This is a problem that will always be with us and as the area grows in population will continue to increase. It was thought at one time that the tide flats area would never be filled beyond the point where no dumping area would be available. I suggest that a local engineer be secured to make realistic appraisal and recommendations to the City to the end that a modified incineration be installed.

I think that a study should include an approximate cost for building an incinerator to handle combustible matter only, also one that would destroy all organic matter and possibilities of disposing of either by sanitary fills or other means of the inorganic matter.

It has come to my attention that in many of the larger cities in the east garbage is collected at the residence from three different cans. One containing the combustible material; one containing the inorganic material; one the gathering of the swill. The swill is gathered at regular intervals by a private collector at no cost to the municipality, and used by him as hog food. This matter should be studied most carefully.

This is a serious matter and should be investigated carefully before deciding to utilize the Swan Creek area. Much publicity has been had on this controversy and was well timed to bring bad relations to the City from our rural neighbors. I will be glad to cooperate to the full extent of my ability with whoever might be secured to carry on this investigation.

Sincerely yours,

Signed: Forrest R. Easterday
Member of Council

Mr. Easterday added that in the event the swill could not be used by a hog farmer, it could be placed in pits and covered and later removed as compost. He said he heard that the City did make a feeble attempt to compost at one time, but he

thought more data could be secured on the composting of swill and should definitely be looked into more carefully by someone other than a department employee. He said he had a local man in mind for this job, who carried on the investigation for Pierce County.

Mr. Easterday added he has heard fantastic figures of \$3,000,000 and four times the amount in salary for the staff to operate an incinerator and thought a little more careful study on this matter would be money well spent.

Mr. Bott asked Mr. Calkins if he were familiar with the incineration process. If so, would this contribute to a smog condition.

Mr. Calkins said it is true that the type of burner used by the mills in the past has created some smoke problem. However, he felt this was certainly worthy of consideration.

Mr. Calkins said in reference to Mr. Easterday's question, he has not had an opportunity to look into the problem, therefore he could not make a statement that it would or would not be workable.

Mr. Easterday said he would like to have a comprehensive study made on this matter.

Mr. Bott asked if the Public Works Department wasn't looking into this problem. He understood this was under study.

Mr. Rowlands said the suggestions made by Mr. Easterday will certainly receive consideration and if the Council desires to retain someone else for a more exhaustive survey, that could be done.

Mr. Rowlands added that a number of alternatives are being investigated now quite carefully. He said he thought any sanitary engineer will conclude that if a satisfactory sanitary land fill operation can be obtained, it would be more economical and more desirable than the separation of garbage; but as time goes on conditions change and different techniques are needed.

Mr. Easterday said at this point the City is down to one area - "Swan Creek"

Mr. Bott said he did not realize there was only one location to decide upon as at the Study Session several alternatives were presented.

Mayor Hanson said he thought there would be a report forthcoming of the various alternatives.

Mr. Steele said that the City of Seattle is facing the problem of garbage disposal and for several months have conducted a study on incineration. They are now at the point where they have run out of areas and are having to look toward an incineration program which will cost in the neighborhood of \$3,000,000.

He said he thought as long as Tacoma still had many areas left suitable for land fill, the Council should not close its eyes to these possibilities, and have to face the problems that Seattle is now facing in about 8 or 10 years.

Mr. Steele said a sanitary fill is one way of reclaiming land and he was not going to be stampeded into any flight from a sanitary land fill program.

Mr. Cvitanich asked Mr. Steele if he then favored Swan Creek area for the sanitary fill.

Mr. Steele replied that he did.

Mr. Porter asked Mr. Easterday if he had any idea what his suggested survey would cost.

Mr. Easterday said it would be in the neighborhood of a \$1000.

Mr. H. Olson, a resident of the Waller Road area, presented a petition bearing the signatures of 400 persons requesting that the Swan Creek area be preserved.

Mayor Hanson said the petition would be accepted and filed with the City Clerk's office.

Mr. John Meyers, also a resident of Waller Road, said they have petitioned The General Service Administration in Washington D. C. which was endorsed by Congressman Tollefson, in regard to the City acquiring this area for use as a

garbage disposal area and urging that this be carefully examined before the sale is made.

He urged the Council to look into the disposal of garbage by means of incineration.

Mayor Hanson said the City has a problem it is trying to solve. He said he had not reached his own personal opinion as to which way he favors but he had not overruled the Swan Creek possibility. He said he appreciates the facts being presented to the Council by the residents.

Mr. Easterday asked Mr. Calkins if he has had any experience with incinerators.

Mr. Calkins replied he had not.

Mr. Cvitanich asked if the engineer Mr. Easterday mentioned could meet with the Council and give some explanation of the problem.

Mayor Hanson said he thought that could be arranged.

Mr. Bott said he would like to hear what the City is doing in this respect before an engineer was commissioned.

Mr. Steele said the City of Tacoma is faced with garbage and a place must be found to dispose of it. He said the City's best engineering personnel have come up with areas to be used as sanitary land fills and regardless of what is said about sanitary land fills, this is the most economical and most feasible manner which to dispose of it.

He said there are many cities that have come to the point where incineration is necessary but this entails considerable cost and also a location problem is involved.

Mr. Easterday said he has suggested that a study be made of partial incineration by someone with experience in this line. He did not anticipate any such investment of even a major portion of a million dollars to bring on partial incineration.

Mayor Hanson said he agreed that all avenues should be explored and he hoped some other solution could be discovered.

Mayor Hanson said it has been established that the residents of Swan Creek object to the site for a proposed sanitary fill and before any decision is reached on this matter, they will be notified.

Mr. Harley Hoppy, President of Overtaxed, Inc., pointed out to the City Council that there is no need to legislate the construction of new service stations in the City as is now being proposed. He said there are less service stations in the City of Tacoma today than there were in 1939. He said his organization opposed the suggested legislation because the facts showed that the gasoline business in the City is declining and restrictions would add to the difficulties. 284

He gave some statistics from the U. S. Department of Commerce which showed that in 1939 there were 4413 stations;
1948 there were 3550 stations;
1954 there were 3355 stations;
1959 there were 3225 stations.

He suggested that the City Council do what it could to encourage new industry rather than restrict the businesses that are presently established in the City.

Mr. Homer King said he had written to the City of Spokane and asked for information in regard to the financing of their Auditorium and had received a full page of information which he would be happy to make available to the Council if they so desired.

Mr. Easterday asked if he would be willing to leave the information so that

a copy could be prepared for each Council member.

Mr. King said he would be happy to do so.

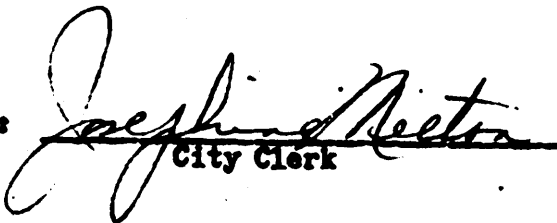
Mayor Hanson said if Mr. King would make the information available to the City Clerk, she would have it duplicated so that each member can be furnished with a copy.

Mr. Cvitanich said in a check with Mount Rainier Ord. Depot in March there were 49 people layed off; in June there were 49 people layed off, making a total of 98.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 9:05 P.M.


Mayor of the City Council

Attest:


City Clerk