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**CITY COUNCIL MINUTES**

**City Council Chambers, 7:00 P. M.  
Tuesday, January 31, 1961**

**Council met in regular session. Present on roll call 9: Bott, Cvitanich, Easterday, Murtland, Olson, Porter, Price, Steele and Mayor Hanson.**

**Mr. Easterday moved that the minutes of the meeting of January 17, 1961 be approved as submitted. Seconded by Mrs. Price. Voice vote resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried.**

**Presentation of suggestion award to Basil McMeel of the Public Works Department.**

**Mr. Rowlands said Mr. McMeel is being presented an award in the amount of \$25 for his suggestion on a method of improving the design on a belt loader by reinforcing the beaters so that they will not be damaged by stones and other large objects. This suggestion has already proven effective and will reduce repair costs to the equipment.**

**Mr. Rowlands added that this is the second suggestion award won by Mr. McMeel, and that he should be commended for his fine work.**

**Mayor Hanson presented Mr. McMeel with the award, and both Mr. Rowlands and Mayor Hanson congratulated him.**

**Mr. Cvitanich brought up that there have been on several occasions, remarks made in the papers on the recent appointment he has obtained, as well as his conflict of interests on the City Council. He said he would like it known at this time, to those who are trying to pressure him, to either leaving the Council or resigning his job, that he will not do so as long as the Attorney advised him that it was legal for him to hold both positions. He added, on many occasions his integrity has been impugned and he wants it known, at this time by all present, that he hopes that some of the press will quote him accurately, that he does not intend to resign this position under any circumstances. In the event his job creates a problem in direct conflict with the City Council, he will terminate his employment, but he wants it understood that he campaigned on specific issues, and he came on this Council on specific issues.**

**Mayor Hanson said he was very glad that Mr. Cvitanich brought this up because he could see absolutely no conflict between the duties on the City Council and the position held by Mr. Cvitanich. He said Mr. Cvitanich is eminently qualified for the position he holds with his experience in this area. He added, he can be of assistance to the State as well as to the City, and he could see no reason for anyone attacking a person who has the primary responsibility of providing for his family. He said he knew, if it were to develop that there were a conflict, Mr. Cvitanich could well be the judge of determining whether or not a conflict existed and knew that he would discontinue his State position. Mayor Hanson continued, he could see no reason why there need be any conflict, and congratulated Mr. Cvitanich for having the courage to hold firm just to prove a point, even though it wasn't for the fact that he has a family to support.**

**RESOLUTIONS:**

**Resolution No. 16412:** (postponed from the meeting of January 24, 1961)

Accepting an offer of the United States to make an advance of Federal Funds to the City of Tacoma to aid in financing the cost of preparing a General Neighborhood Renewal Plan designated Plan No. Wash. R-6 (GN).

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

Mr. Rowlands explained that this Resolution indicates that in the Central Business District a blight exists in certain sections. It also provides for the City's acceptance of an advance of \$21,500 for studies to be made in the area and when these studies are completed at least one project will be outlined in the area which encompasses the entire GNRP.

Mayor Hanson said since this Resolution will permit the City to proceed with the study and analysis and detailed inventory of what exists in the area, he feels that the City should proceed. The details and terms of the broad general plan of development cannot be made until these plans are available, he added.

Mr. Porter remarked that he thought everyone agreed that there were blighted areas in the City and some of them exist in this designated area. He for one would prefer to see that it be done by private enterprise, but a good many years have elapsed without anything being done. He said he did not think the Council could stand by and let the situation exist if some economical and feasible method can be employed to improve the situation.

Mrs. Olson asked if this was a non-payable loan.

Mayor Hanson replied that it is chargeable against the expense of any Urban Renewal Project as part of the Federal contribution towards the project.

Mrs. Olson said she could not help but agree with Mr. Porter that there are many blighted areas in downtown Tacoma as there are in many other parts of the City. When Federal funds are available with which we can do a major job to be of benefit to the community, she would not want to stand in the way of the project. However, she added, she would like to go on record as suggesting that before any area is designated by the City that a comprehensive plan be drawn and that the Planning Commission play a very important part in the planning of this particular area since that is their function in the community.

Mr. Rowlands said the Planning Commission will be working very closely with the Urban Renewal Staff to help delineate this project area.

Mr. Cvitanich said he would like to go on record agreeing with Mrs. Olson's sentiments.

Mrs. Olson asked if there were any restrictions on how this money must be spent.

Mr. Rowlands replied that this money will be used to analyze the area, and from these studies the Planning Commission and Urban Renewal staff will come up with recommendations as to the best use of the property.

Mayor Hanson said the Council should take action tonight to incorporate into the record the written reports, submitted on the Resolution by the Chief Fire Inspector, Building Inspector, Police Inspector and the Director of Health.

Mr. Porter then moved that the records and findings on this Resolution be made a part of the record. Seconded by Mrs. Price. Voice vote: Ayes 9; Nays 0; Absent 0. Motion carried.

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

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16413: (postponed from the meeting of January 24, 1961)

Designating the Downtown Tacoma General Neighborhood Renewal Area Wash. R-6 (GN) as a major Independent Urban Renewal Project.

Mr. Murtland moved that the Resolution be adopted. Seconded by Mrs. Price.

Mr. Rowlands said this is merely to represent the fact that there is a GNRP area which is part of the necessary steps.

Voice vote taken on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16417:

Fixing Monday, February 27, 1961 at 4:00 P. M. as the date for hearing on LID 4669 for paving on various streets between So. 48th & 70th between So. Lawrence and Manitou Way.

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

Voice vote taken on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16418:

Fixing Monday, February 27, 1961 at 4:00 P. M. as the date for hearing on LID 4689 for paving on So. Fife from So. 8th to 11th St. and nearby streets.

Mr. Bott moved that the Resolution be adopted. Seconded by Mr. Murtland.

Voice vote taken on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16419:

Awarding contract to J. D. Shotwell Co. for LID 4668 on their bid of \$22,437.89 which was determined to be the lowest and best bid.

Mr. Easterday moved that the Resolution be adopted. Seconded by Mr. Bott.

Voice vote taken on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16420:

Awarding contract to LaVelle Construction Co. for the demolition of the Cameo Theatre building in the amount of \$33,013.76 including sales tax.

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

Mr. Rowlands said that this bid was about \$7,000 under the Public Works Department estimate.

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

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Mr. Easterday asked what was the status of the right of way for the escalator through the Weisfield property.

Mr. Rowlands said the City expects to go through the Arden Store Building and the trustee for that property is the National Bank of Washington. He said there has been some difficulty between the trustee and the tenants in regard to the lease. He added there was a meeting held this morning in an attempt to resolve the problem, but it looks as though this may have to be taken to court, unless some progress was made this morning.

Mr. McCormick said the meeting was held this morning but very little progress was made. A trial date of February 25, 1961 has been set. However, he added, there is another meeting scheduled in two days, and another attempt will be made to work out something prior to the trial.

Resolution No. 16421:

Awarding contract to Wasted Tire Co. for the furnishing of passenger and truck tires for the year 1961.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Porter.

Voice vote taken on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16422:

Authorizing the proper officers of the City to enter into an agreement with the IBM Machines Corp. for the use and rental of certain machines and equipment.

Mr. Murtland moved that the Resolution be adopted. Seconded by Mrs. Olson.

Mr. Rowlands said this matter was reviewed with the Council a few months ago. In order that this equipment can be installed by June or July, it must be ordered now. In the meantime, the Finance Department's analysts who will be in charge of the processing center will be trained and will be ready to take over at that time. In the meantime, the Finance Director is keeping in mind what personnel can be shifted to other responsibilities.

Mrs. Olson asked if this was all the machinery that would be needed.

Mr. Rowlands said it would be all the machinery that will be needed for approximately two years.

Mrs. Olson asked if there would be any installation charge?

Mr. Gaisford, Finance Director, explained that there will be an installation charge of setting up the new electronic equipment, which the Council has approved in the amount of \$5,000.

Mr. Cvitanich said he will vote no on this Resolution, until there is a clarification of Section 7.14 of the Charter calling for an independent audit rather than a study of the clerical and accounting procedures.

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

Ayes 8; Nays 1, Cvitanich; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16423:

Authorizing the transfer of certain items within the same class in the 1960 budget.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Porter.

Mr. Rowlands explained that each year after the final closing of the books, certain transfers have to be made. He added, it is impossible to predict exactly what has to be spent 15 months in advance so an interdepartmental transfer is necessary to make the accounts balance.

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

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution, No. 16424:

Authorizing and directing the proper officers of the City to execute on behalf of the City a quit claim deed granting the City a utility right-of-way for the extension of a water main, and an easement for the transmission and distribution of electrical energy over a portion of property in So. 19th west of the meander corner.

Mr. Easterday moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

Mr. Rowlands said this quit claim deed will give up any of the City's rights to this particular area. The 20-foot utility right-of-way has been retained for the possible extension of a water main to Day Island, and also a 10-foot easement for light purposes. The City Planning Department has gone over this very carefully, and all parties are in accord with the agreement.

Voice vote taken on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16425:

Accepting certain offers to sell real property situated within an Urban Renewal Project designated Project No. Wash. R-1.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Porter.  
Voice vote taken on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16426:

Authorizing the proper officers of the City to execute an agreement with the Mossyrock Consolidated Public Schools of Lewis County in order to provide educational facilities for the children of the construction workers at the Mayfield Hydro-electric project.

Mrs. Olson moved that the Resolution be adopted. Seconded by Mr. Murtland.

Mr. Barline explained that the construction of the two dams on the Dowlitz River involves the employment of a large number of men; therefore, the normal enrollment of students in the District has greatly increased. He said this agreement provides that the City pay \$21,780 for its share of the recently constructed Mossyrock School, plus \$100 a year for each construction worker's child who is a student.

Voice vote on the Resolution resulted as follows:

Ayes 8; Nays 0; Absent 1, Cvitanich (temporarily).

The Resolution was then declared adopted by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 16737:

Amending the Official Code of the City by adding a new Section 1.06.358 in reference to Rental and Sale of Certain Surplus Major Projects Properties. (Cowlitz Power Development Project) Read by title.

Mayor Hanson said this Ordinance authorizes the rental of these properties, although a Resolution will be required for each item to be rented. This Ordinance is not a blanket authority for the Administration to proceed.

Mr. Barline explained that the purpose of this Ordinance is to allow short time rentals from the time the property is acquired to the time it is actually used.

Mr. Bott said he understands this is to protect the City's property that has been acquired during the condemnation, but also empowers the City to sell surplus property. Mr. Bott asked if this surplus property sale is on a bid basis?

Mr. Barline said the Ordinance requires that it be on a bid basis.

The Ordinance was then placed in order of final reading.

**Ordinance No. 16738:**

Transferring funds from certain categories to other categories in the 1960 budget. Read by title.

Mr. Rowlands said this Ordinance authorizes the transfer of funds from certain categories to other categories in the Library Fund Budget and the Garbage and Refuse Fund.

The Ordinance was then placed in order of final reading.

**Ordinance No. 16739:**

Authorizing the expenditure of certain moneys from unanticipated revenues to the extent of \$109,670.82 in the Public Works Revolving Fund and \$45,508.83 in the Equipment Rental Fund Account "A". Read by title.

Mr. Rowlands said this Ordinance is set up to conform with the State Law. The Ordinance was then placed in order of final reading.

**Ordinance No. 16740:**

Amending the Official Code of the City relating to zoning by adding a new section known as Sec. 13.06.113 (1) to include property located in the southeast corner of So. 72nd and East Sprague Frontage Road in a "C-F-V" Freeway Commercial Vehicular Services District. (Munson-Hokold Petition)

Read by title and placed in order of final reading.

**Ordinance No. 16741:**

Amending the Official Code of the City relating to zoning by adding a new section known as Sec. 13.06.112 to include property located on the east side of East Sprague Frontage Road between So. 76th extended and So. 80th in a "C-F-P" Freeway Commercial Personal Services District.

Read by title and placed in order of final reading.

**Ordinance No. 16742:**

Amending the Official Code of the City relating to zoning by adding a new section 13.06.113 to include property located in the southeast corner of So. 84th and Sprague Ave.; thence south on the east side of Sprague 581 feet in a "C-F-V" Freeway Commercial Vehicular Services District. (petition of Mike Nicholic)

Read by title and placed in order of final reading.

**FINAL READING OF ORDINANCES:**

**Ordinance No. 16636:**

Amending Chapter 13.06 of the Official Code of the City by adding a new section known as Sec. 13.06.273 in reference to zoning of "C-F" District. Read by title.

Mr. Rowlands said he would like to make an explanation on the following five Ordinances. Ordinances No. 16636, 16640, 16642, and 16643 are carry overs from the discussion the Council held on this "C-F-P" and "C-F-V" zoning a few months ago. There has already been a substitute for these Ordinances for first reading, Ordinances No. 16740, 16741, and 16742, which the Council has just reviewed; therefore, Ordinances No. 16636, 16640, 16642, and 16643 should be voted down, he added.

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

Ayes 0; Nays 9; Absent 0.

The Ordinance was then declared lost by the Chairman.

**Ordinance No. 16640:**

Amending the Official Code of the City in reference to zoning and adding a new section 13.06.112 to include property located on the east side of East Sprague Frontage Road from So. 76th to So. 80th Street. (Oscar Hokold, Inc. petition) Read by title.

Mayor Hanson said this, too, should then be voted down.

Roll call was taken on the Ordinance resulting as follows:

Ayes 0; Nays 9; Absent 0.

The Ordinance was then declared lost by the Chairman.

**Ordinance No. 16641:**

Amending the Official Code of the City in reference to zoning by adding a new section known as Sec. 13.06.115 (2) to include property adjacent to the southeast corner of So. 72nd and the East Sprague Frontage Road in a "C-P-N" Planned Neighborhood Shopping Center District. (Oscar Hokold petition). Read by title.

Mr. Rowlands said the description in this Ordinance will have to be changed to coincide with the description contained in the letter to the City Council from the Planning Commission.

Mr. Buehler, Planning Director, explained that the letter from the letter from the Planning Commission contains some clarification of the description because of the terminology of streets in the area.

Mr. Bott moved that the proper description as set forth in the letter from the Planning Commission be included in this Ordinance. Seconded by Mrs. Price. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried.



Mr. Rowlands said this area is planned to be a Neighborhood Shopping Center and was recommended by the Planning Commission based on the Market Analysis Survey which was prepared by them.

Mr. Harold Tollefson, Attorney representing Mr. Hokold, the petitioner, said this rezoning matter has been pending for over a year, and has been given considerable study by the Planning Commission who recommends approval of the rezoning. This area lies between 72nd and 84th Streets and will principally serve as a Neighborhood Shopping Center for those residents to the east of the zoning area. He said it will also tend to intercept some of the traffic which would otherwise go across the Freeway at the overpasses and would probably cut down the amount of traffic in and off the Freeway rather than to aggravate any conditions of excess traffic.

Mr. Tollefson said the Planning Commission has made a very detailed study of this matter. Mr. Benson, Senior Planner, explained very thoroughly the matter of street egress and ingress, the amount of traffic in the area, and the amount of traffic the roads can bear at the present time.

Mr. Tollefson explained that there are a great number of residences going up in this area, and said that Mr. Hokold who is seeking the rezoning has planned for numerous additional residences; therefore, the center would serve the City very well. With all of the safeguards that would be included in the "C-P-N" contract with the City, and with the recommendations of the Planning Commission, Mr. Hokold respectfully requests that the Council approve this rezoning action.

Mr. Sleavin, architect for the development, said originally they had requested a larger area to be rezoned than is contained in this Ordinance. However, the Planning Commission requested that the petition be amended so as to include a smaller area of 7 1/2 acres. It is planned to construct a supermarket, a drug store, and perhaps a small hardware store. Mr. Hokold has been approached by persons interested in establishing their business but has not dealt with anyone yet until the rezoning of the property has been resolved.

He further added, it had been planned originally to build a market about the size of Sib's Supermarket in the north end of town. However, the Planning Commission requested that a smaller supermarket be constructed, which are the present plans.

Mr. Murtland said, although there is a market analysis made of this area, how is it determined that there is a need for a shopping center in this particular point when the stores in the Park Avenue area are in such close proximity?

Mr. Sleavin said it is widely accepted that people want to be within a half mile of a small Shopping Center. There are a few stores along Park Avenue, a group on 64th and Park, a few on 72nd and Park, and some on 84th and Park, which are a distance of at least a mile away. It will be hard to say that some business will not be drawn from these areas, but it is believed that very little will be attracted.

Mr. Tollefson brought out that Mr. Benson, Senior Planner, brought out at one time that the traffic attracted to the "C-P-N" District would not be attracted during the peak period of highway use, and also recognizing that "C-F-P" and "C-F-V" might draw even more traffic, the "C-P-N" zoning would be the best and highest use of the land in that area. One other point to consider is the effect this might have on the value of adjacent property. Mr. Hokold being the property owner and developer would not want to blight the area in any way. The people who have purchased this property are very anxious to have this zoned, he added.

Mr. Arthur Paulson, an attorney representing South Tacoma Business groups opposing the new center, said their position is that this rezoning would create a traffic-generating facility on the access roads to the Freeway, and will jeopardize the potential use of the Freeway and the access road.

Mr. Paulson asked how far has the traffic projection been carried out?

Mr. Buehler replied, up to 1975.

Mr. Paulson said we have used the same main arterial between Tacoma and Seattle for the past 35 years. Now we are developing for the first time our main traffic arteries, and the Planning Staff is basing their Freeway planning on approximately a ten-year projection by the time this is completed. Experience has shown that a 10-year traffic projection is very difficult to make with accuracy.

This development can be approached from two points of view, Mr. Paulson added. One is the best use of this property from the property owners point of view. Another is the primary concern of the rest of the community as to the proper use of this property from the standpoint of the Freeway. This access road, the frontage road, and interchanges, are not designed for traffic-generating developments such as is proposed here. If the primary concern is how to serve these 200 or 400 homes being developed, the businesses should probably be put on this Freeway frontage road. However, he said, this seems to be completely inconsistent with sound planning. He said he certainly urged the Council to take into consideration the importance of preserving good access to this Freeway which is going to be such an important project to the City of Tacoma.

Mrs. Price said at the time this rezoning was discussed previously there was some discussion on whether or not it would be wise to zone all of the property along the frontage road, and it was decided that these people who wanted to be rezoned would make requests. She asked if any of the rest of the property owners along the frontage road between the "C-F-V" and "C-F-P" have applied for any zoning.

Mr. Buehler said the Planning Commission did send out a letter to all of these property owners asking them to give an affirmative answer. Only one person contacted them and then decided to wait until a later date. There have been no formal requests, he added.

Mrs. Olson said she recalls, at the time this zoning along this road was discussed, the Council was told that it should not all be included in a Commercial frontage zone because there was a possibility that too many service stations might locate there which would generate traffic. She said she thought this was one of the reasons this should be divided so the traffic could be controlled.

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

Ayes 4; Nays 5, Bott, Cvitanich, Murtland, Olson, and Price; Absent 0.  
The Ordinance was then declared lost by the Chairman.

Mr. Bott said he had the greatest respect for Mr. Hokold's pioneering work in this area, but he still maintains this Freeway zoning was for Freeway usage, and if Mr. Hokold could locate this Shopping Center in some other spot on his property he thought it would be better. So for that reason, he said, he voted against the Ordinance.

Mrs. Price passed on the roll call and then changed her vote to a "no" vote in order that there would be no question should she want to vote for reconsideration next week.

**Ordinance No. 16642:**

Amending the Official Code of the City in reference to zoning by adding a new section known as Sec. 13.06.113 (1) to include the S. E. corner of realigned So. 72nd and the East Sprague Frontage Road to be included in the "C-F-V" Freeway Commercial Vehicular Services District. (Arthur Munson petition). Read by title.

Mayor Hanson said this is another Ordinance that should be voted down. Roll call was then taken on the Ordinance resulting as follows:

Ayes 0; Nays 9; Absent 0.

The Ordinance was then declared lost by the Chairman.

**Ordinance No. 16643:**

Amending Chapter 13.06 of the Official Code of the City in reference to zoning and adding a new section known as Sec. 13.06.113 to include property located in the S. E. corner of So. Sprague Ave., and So. 84th thence southerly along So. Sprague St. 481 feet more or less in a "C-F-V" District. Read by title.

Mayor Hanson said this also should be voted down. Roll call was then taken on the Ordinance resulting as follows:

Ayes 0; Nays 9; Absent 0.

The Ordinance was then declared lost by the Chairman.

**Ordinance No. 16675: (postponed from the meeting of January 17, 1961)**

Amending certain sections of the Official Code in reference to public safety and morals. Read by title.

Mr. Easterday moved that the Ordinance be tabled. Seconded by Mr. Steele. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried. Ordinance tabled.

Mayor Hanson explained that there were a number of amendments being prepared in reference to this Ordinance and thought it best that it be tabled and a new Ordinance be presented with the amendments.

**Ordinance No. 16676: (postponed from the meeting of January 17, 1961)**

Amending the Official Code of the City by enacting Chapter 8.46 relating to the conduct of business on Sunday. Read by title.

Mr. Bott moved that the Ordinance be tabled. Seconded by Mr. Cvitanich. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried. Ordinance tabled.

**Ordinance No. 16732:**

Amending the Official Code of the City relating to zoning by adding a new

section known as 13.06.065 (8) to include property on the S. E. corner of No. 26th and Bristol St. extended in a "R-4-L" Multiple-Family Low Density Dwelling District. (petition of Rex Harrington and F. R. Kendall). Read by title and passed.

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared adopted by the Chairman.

Ordinance No. 16733:

Amending the Official Code of the City by adding two new sections 13.08.045 and 046 in reference to the Inspection and Testing of Sewage. Read by title and passed.

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared adopted by the Chairman.

Ordinance No. 16734:

Amending Section 1.06.395 of the Official Code of the City to bring this section into conformity with the section changing the title from Urban Renewal Coordinator to Urban Renewal Director. Read by title and passed.

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared adopted by the Chairman.

Ordinance No. 16735:

Approving and confirming the assessment roll for LID 5318 for cast iron water mains in the area bounded by So. 12th and Durango and So. 19th and Tyler St. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was then declared adopted by the Chairman.

Ordinance No. 16736:

Repealing Ordinance No. 16701 which created L I D 4674. Read by title and passed.

Roll call was taken on the Ordinance resulting as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared adopted by the Chairman.

COMMENTS:

Mr. Rowlands said the date for the City to submit a new bid for the Federal owned property of the Swan Creek area expires on February 1. Originally, he added, the City had bid \$20,000 for the ground but residents of the Waller Road area offered the General Services Administration \$35,000, which prompted the Government to ask the City to increase their bid.

Mr. Rowlands said he presumed unless the Council wants to submit a higher bid on the property, anyone else would be free to bid.

Mayor Hanson said in the absence of any motion to take any action on the matter, he will continue with the next order of business.

Mr. Rowlands said at last week's meeting a letter from the Retirement Board was discussed regarding a new bill they desired to introduce to the Legislature.

Mr. Gaisford, who is a member of the Retirement Board, explained that the Board has requested permission of the City Council for the preparation of a bill to authorize the increase of open end investments of our City Retirement System from 5%, which is required by the law at the present time, to a maximum of 25%. He said this would be nothing more than permissive legislation. At the present time, he added, they have approximately \$457,000 invested in open end investments, and their yield for the year 1959 was 6.074 and would like to open that yield up to 25% which would give them a maximum investment of some \$3,250,000. He continued, they have received word from their investment Counselor, Moody & Co., confirming their recommendation that the present legislation be amended so that they would be allowed to increase their present investments up to a maximum of 25%. This would only affect four cities of the State, he added. The Statewide Retirement System has amended their particular law to authorize 25% but it does not take in the City of Seattle, Bremerton, Bellingham, and Tacoma.

Mayor Hanson said he would like to request the Council to endorse this bill which would be sufficient to enable the City to proceed.

Mrs. Price moved that the Council endorse the new bill as requested by the Retirement Board. Seconded by Mrs. Olson. Voice vote on the motion resulted as follows: Ayes 9; Nays 0; Absent 0. Motion carried.

Mr. Easterday said two weeks ago the bids were opened on the Leach Creek Impounding Basin, and the low bid received was from Tucci & Sons in the amount of \$81,000 which was considerably lower than the Public Works Department estimate. At this time he would like to request that a Resolution be drawn awarding the contract to Tucci & Sons and presented to the Council at the next week's meeting.

Mayor Hanson said he understands that a meeting has been arranged with the Fircrest engineering staff on this matter.

Mr. Rowlands said the Engineering Staff of Tacoma and of Fircrest will be meeting some time this week on the matter, and after some of the details have been worked out a meeting will be set up between the Tacoma City Council and the Fircrest Council. He explained the Council has 60 days in which to award this contract.

Mayor Hanson asked that these meetings be set up as soon as possible.

Mr. Rowlands said tomorrow morning at 2:30 A. M. the actual assets of the Transit System will be transferred and the System does become a department of the City Government. The last two days the inventory and books have been checked, and also the assets in general, so that everything seems to be reconciled.

Mr. Cvitanich commented on the procedure in which the names on the Airport petition were counted. He said there was no additional help employed to his knowledge to help check them, and asked for a definite explanation on this matter.

Mayor Hanson said he would like to comment on this matter. He felt the opponents had ample opportunity to bring in an action at any time, and were not compelled to hold their action to coincide with this temporary restraining order falling on the day or after the day of the sale of the Bonds. The fact that the petitions were not completely checked did not preclude them from filing the restraining order earlier. Mayor Hanson said he suggested to Mr. Rowlands that this certainly did not warrant the City to go to additional expense of hiring additional help for the convenience of the petitioners. If they had been so vigorously opposed to the Airport, they could have started their petitions well in advance of this date, and the Council of course in the interim had opportunity to direct the Manager to add additional people to do the counting. He said every time he went into the Clerk's office there were one or two employees working on the petitions. He said he feels the job was executed properly and legally.

Mayor Hanson said there is one thing to remember - that the policy of the City has been established and that is in the direction of the accomplishment of this facility.

Mr. Cvitanich asked Mrs. Melton, City Clerk, how many signatures have been counted?

Mrs. Melton replied that 2,900 valid signatures have been counted to date. One employee has been counting signatures full time and another has been checking them part time.

Mr. Cvitanich asked Mr. McCormick if those responsible for the lawsuit dismissed today might still be subject to lawsuit by the City?

Mr. McCormick said the City would not sue, since the Bond sale presumably would be unaffected. Mr. McCormick added that he had been contacted by several private individuals in the City who had wanted to sue the anti-airport litigants themselves, but he had dissuaded them from bringing suit, pending the outcome of the original case.

Mr. Cvitanich asked if the sale of the Bonds would void any action in this regard?

Mr. McCormick said he thought the Council knew his position on the matter - that this initiative petition is illegal, and therefore void. He has stated previously that in his opinion whether or not these petitions are counted, would not make a particle of difference. He said, as he understands, the only reason they were counted was in the event there were not sufficient valid signatures, all future litigation as to the validity of the Ordinances would be eliminated.

Mr. Cvitanich said he realizes that Mr. McCormick has made this statement previously. However, the point he was making was that with the sale of the Bonds on Wednesday, was there the possibility of litigation against those who opposed the Airport?

Mayor Hanson said he could not see any reason for the City to bring any action.

Mayor Hanson said the matter of the naming of the Airport should be decided upon. A suggestion received was that it be named "Tacoma Industrial Airport" and he said perhaps the Council could consider the propriety of this name for action next week. Mrs. Price suggested that the Port Commission be consulted on this matter.

Mr. Marshall Riconosciuto, Planning Commission member, said he would like to speak at this time regarding the joint meetings between the Planning Commission and the City Council. He said the role of the Commission has been discussed many times by the two bodies, but no progress is made. It should be decided whether a Planning Commission or a Zoning Board is desired.

He said he observed at tonight's meeting that the Council held a public hearing on the matter of the "C-P-N" which was thoroughly discussed by the Planning Commission many times. He said he did not object to the Council holding such a hearing as it was their right, but also taken up tonight were other matters that should also have been part of the duties of the Planning Commission. The Planning Commission has never been asked to study or discuss some of the major City projects such as the Airport or Escalators. He said he hoped that at the next joint meeting these matters could be resolved.

Mr. Riconosciuto further stated, another matter he would like to comment on was that he had read comments by the Mayor and Mr. Steele in which City suits were threatened against Elliott Metcalf for obtaining a temporary injunction against the Airport. He said he had come to the meeting hoping that someone would rise to the defense of a man who has spent many years in the service of this City.

Mayor Hanson said, first of all, in regards to the Planning Commission, he believed that they differed a great deal on the position of the Planning Commission with reference to City affairs, and hoped that those differences could be discussed thoroughly.

Mayor Hanson continued, as to his position with reference to those who obtained a temporary restraining order against the City at such a late date, which would affect the salability of the Airport Bonds, he felt it was his duty to see that action be taken against any party responsible for any added costs to the City of Tacoma, regardless of who it might be. He did not attack the motives of Mr. Metcalf; however, if the action had resulted in substantial damage to the City, it would have been necessary to bring legal action.

Mayor Hanson said there will be a hearing at the Federal Office Building, Seattle, Washington, February 21, 1961, before the Interstate Commerce Commission on the application of the Milwaukee Railroad to discontinue passenger service. He said a letter has been sent stating that Tacoma desires the continuance of passenger service, but he would like to have the Council consider what further action should be taken.

Mr. Cvitanich commented on the recent meeting held on the Unemployment situation, at which he, Mr. Bott, Mayor Hanson, and Mr. Rowlands were in attendance, with several selected groups. He said the cooperation and turnout was tremendous.

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Mayor Hanson said he, too, thought the meeting was very worthwhile. It is planned to have a similar meeting every month. The scope of the Committee has not yet been determined, he added.

Mrs. Olson asked how soon the Mayor planned to announce the members of the Junior College Committee. Mayor Hanson said he would like to ask Mrs. Olson to compile a suggested list as he felt she had a representative group of people who are interested in the matter.

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There being no further business, upon motion duly seconded and passed, the meeting adjourned at 10:30 P. M.

*Ben Harrison*  
Mayor of the City Council

Attest: *Josephine Melton*  
City Clerk