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COUNCIL CHAMBER, 4:00 P. M.

Monday, July 28, 1958

Council met in regular session. Present on roll call 8; Anderson, Brattudon, Easterday, Humiston, Perdue, Porter, Riser, Hanson; Absent 1, Goering. Mrs. Goering taking her seat at 4:10 P. M.

It was moved by Mr. Anderson, seconded by Dr. Humiston, that the minutes of the meeting of July 21, 1958 be approved as submitted. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

Presentation of "Pedestrian Protection Award" to Chief Kerr and Captain Robert Marshall by Mr. Reynolds, President of the A. A. A. Club.

Mayor Hanson called on Mr. Reynolds, Director for the Northwest Automobile Association, in reference to the presentation of the "Pedestrian Protection Award" to Chief Kerr and Capt. Bob Marshall of the Police Department.

Mr. Reynolds stated for over 20 years the American Automobile Ass'n. has conducted a nation wide pedestrian protection program. He said there have been approximately 1000 cities who have entered in this protection contest. Since this contest has been inaugurated, pedestrian accidents have actually decreased. Not only has this been beneficial in that respect, but it is giving cities an opportunity to know what others are doing, he added. Tacoma is in the 100,000 to 200,000 class population. There are about fifty-one to fifty-two cities in that class, and forty-seven of them entered the contest and Tacoma placed fourth and received honorable mention. Mr. Reynolds presented the plaque to Mayor Hanson who in turn presented it to Chief Kerr and Captain Robert Marshall of the Police Department.

Presentation of award by Mayor Hanson and City Manager Rowlands to Captain J. W. Riser from Fire Station No. 2, for a suggestion of extinguishing oil fires with rock wool - as recommended by the Suggestion Award Board.

Mr. Rowlands explained that to date twenty-two separate suggestions have been presented to the Board by various employees. Out of the twenty-two, nine have been processed by the Board, and Mr. Riser's suggestion was one that has received recognition from the Board and a monetary reward of \$30.00. The other thirteen suggestions have been distributed to the various department Directors for their review. Some of them affect the operations of the various departments. We are very gratified that the employees are taking advantage of this program, he added.

At this time Mayor Hanson presented to Don Horsman, driver at Station #2 who accepted on behalf of Capt. Riser, a check for \$30.00 for his suggestion.

COMMUNICATIONS:

S. S. Stevens, President of the Allied Owners, Inc., requesting a hearing before the City Council regarding the denial of their petition for rezoning the area lying between Pine Street and the Freeway from South 43rd to So. 48th. (Recommendation from the Planning Commission submitted.)

Mr. Rowlands presented to each Council member a copy of Sec. 13.06.470 of the Official Code pertaining to the filing of an appeal to the City Council on the denial of applications for rezoning. He explained that the letter submitted by Allied Owners, Inc., does not actually conform to the procedure to be followed in making an appeal under this section of the Code. He said the section states "the applicant may appeal to the City Council by written application of appeal filed in duplicate with the City Clerk." He said that they did not state in their letter of transmittal where the Planning Commission was in error, or why. If all of the information was not presented at the Planning Commission hearing, or if they want to have the project modified any way, it seems to him the Council could either request it be returned to the Planning Commission or have a new petition submitted to Council in accordance with the provisions of this Section of the Code, stating why they thought the Planning Commission's findings were in error.

Mr. Porter said the letter submitted by the Allied Owners, Inc. requests a hearing before the Council.

Mr. Perdue asked if the time had elapsed for filing an appeal.

Mr. Rowlands said Tuesday, July 29, 1958 was the last day to file an appeal.

Mr. Paul Benson, Assistant Planner, explained that the Commission was a little concerned with the wording of the letter inasmuch as they might want to ask for a modified request. If they would want this, it should be referred back to the Planning Commission for a further hearing. Under State Law and the City Ordinance, the recommendation from the Planning Commission on the specific request of the Petitioners should be made before the Council considers it. If they do want to go ahead on an appeal basis on their present proposal, the Planning Commission feels that they should submit some additional information along with the letter they submitted, which would point out where the Planning Commission was in error in their planning.

Mr. Leary, representing Allied Owners, Inc., advised that the Company now desires to propose a stage development for the center and they are compiling new figures to substantiate its market analysis.

Dr. Humiston asked if the Council should accept the letter of Allied Owners, Inc. as an appeal or should it be referred back to the Planning Commission.

Mr. Bratrud advised that he definitely believed that it should be referred back to the Planning Commission with the Modifications.

It was then moved by Mr. Bratrud, seconded by Mr. Anderson, to refer the petition back to the Planning Commission. Motion carried unanimously.
Ayes 9; Nays 0; Absent 0.

Resolution No. 15431: (Postponed from July 21st)

BY HUMISTON:

Authorizing the execution of a deed to West Tacoma Newsprint Company for the City's 155 acre parcel of land, known as the Thomas Springs property, in consideration of receiving from the West Tacoma Newsprint Company \$1,700.00 plus a deed for a 77 acre parcel of land adjacent to the McMillan Reservoir.

Mr. Hamilton, Assistant Attorney, advised that the Administrative Code, as last amended, provides for the sale of property by Resolution, and the procedure utilized here is in conformity with the Administrative Code, he added.

Mr. Porter asked if any of the staff could give an opinion on the city's gain on this type of sale.

Mr. Benedetti explained that before entering into this transaction, the property was appraised by M. I. A. and Forrester. The purchase of this property, he said, will allow the construction of the spillway lines. In addition to that it will allow the City to acquire a buffer strip which now separates two parcels of the McMillan Reservoir.

Adopted on Roll Call July 28, 1958
Ayes 9; Nays 0; Absent 0.

Resolution No. 15432:

BY GOERING:

Fixing Monday, August 26, 1958 as date for hearing on vacation of Hill and East "N" Streets, and the alley between them north of the north line of East 38th Street to the south line of the Portland Avenue Reservoir.

Mr. Rowlands advised that the 26th was inadvertently inserted as the date of hearing and should be changed to Monday, August 25, 1958.

It was moved by Mr. Perdue to amend the date of hearing to Monday, August 25, 1958. Seconded by Mr. Bratrud. Motion carried: Ayes 9; Nays 0; Absent 0.

Adopted on Roll Call July 28, 1958
Ayes 9; Nays 0; Absent 0.

Resolution No. 15433:

BY PRICE:

Appropriating \$171.00 from Cumulative Reserve Fund for Capital Outlay for purchase of one check protector for use in the office of the City Treasurer.

Adopted on Roll Call July 28, 1958
Ayes 9; Nays 0; Absent 0.

Resolution No. 15434:

BY HANSON:

Awarding contract for the printing of General Obligation Bonds of the City of Tacoma, 1958 to North Pacific Bank Note Company for the sum of \$4,174.00, plus sales tax, and amending Resolution No. 15367.

Adopted on Roll Call July 28, 1958
Ayes 9; Nays 0; Absent 0.

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Resolution No. 15435:

BY PRICE:

Authorizing sale of surplus motor vehicles and one lot of miscellaneous junk material to the high bidders as set forth in said Resolution.

Mr. Rowlands explained that the City will receive \$1835.00 more than the value placed on these items.

Adopted on Roll Call July 28, 1958
Ayes 9; Nays 0; Absent 0.

Resolution No. 15436:

BY PORTER:

Authorizing the proper officers of the City to execute and deliver a written contract between the City and the State of Washington providing for construction of storm drains and sanitary sewers between South 72nd Street and South 40th Street.

Adopted on Roll Call July 28, 1958
Ayes 9; Nays 0; Absent 0.

Resolution No. 15437:

BY ANDERSON:

Authorizing the Auditor of the State of Washington to withhold funds from the State Motor Vehicle Fund for payment of the City's portion of the cost of storm and sanitary sewers adjacent to the Freeway between South 72nd Street and South 40th Street.

Adopted on Roll Call July 28, 1958
Ayes 9; Nays 0; Absent 0.

Resolution No. 15438:

BY EASTERDAY:

Authorizing the proper officers of the City to execute and deliver to the State of Washington a permit for a waste site for surplus earth materials from the construction of the freeway.

Mr. Rowlands explained that the Joint Use and Planning Committee are going to meet to discuss the possibility of filling in a portion of the Lincoln Gulch for use as a parking lot for the Lincoln Bowl activities. He said in this particular stretch of highway they found that it would be more desirable and economical for the State Highway Department to fill in an old abandoned gravel pit owned by the City and located near So. 74th Street. It might be two or three years before the State

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Highway Department will be able to fill in the Lincoln Gulch, he added.

Adopted on Roll Call July 28, 1958
Ayes 9; Nays 0; Absent 0.

Resolution No. 15439:

BY REQUEST OF PRICE:

Submitting to the qualified voters of the City of Tacoma a proposition to amend certain sections of the City Charter to provide for the election of the Mayor by a direct vote of the people for a four-year term, and to provide for the compensation of the Mayor.

Mr. Bratrud said that he was very interested in this Resolution, and also Resolution No. 15440, which is next on the agenda, and which provides for the election of a Civil Service Board. He said he felt that both of these Resolutions should be postponed from week to week for further discussion by the Council. He then moved that Resolution No. 15439 be postponed for one week. Seconded by Dr. Humiston.

Mr. Porter asked what would be the last date that the Council could pass this Resolution and still have sufficient time for it to appear on the November ballot.

Dr. Humiston said the last possible date Council could act on these Resolutions would be September 15th. He said he would like to see them postponed from week to week so as to get the best possible opinion of the Council.

Mrs. Price advised she had no objection to the Resolutions being postponed, as her main reason was to get the two positions before Council for their consideration and study.

Mr. Perdue explained he also felt these Resolutions should be postponed but that six weeks would be better. He said there are many things the new Council members need to learn about our City Government. The pitfalls should be pointed out and they should know what damage they will be doing to this form of government by passing these Resolutions so they can't say they were not informed and did not know any better.

Mayor Hanson said ~~that he wanted to be known~~ about the City's Government, and he thought the best procedure would be to discuss the proposed amendments each week, and could see no harm in postponing them for one week.

Roll was then called on the Resolution to postpone for one week. Carried unanimously.

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

Resolution No. 15440:

BY REQUEST OF PRICE:

Submitting to the qualified voters of the City of Tacoma a proposition to amend certain sections of the City Charter providing for the election of a Civil Service Board and investing said Board with civil service rule-making power.

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It was moved by Mr. Anderson, Seconded by Dr. Humiston, to postpone for one week (August 4, 1958). Motion carried unanimously.

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

FIRST READING ORDINANCES:

Ordinance No. 16161:

Amending the Official Code pertaining to hotels and motels, placing them from a service classification into a retail classification, paying a rate of 1/10 of 1% instead of 1/4 of 1%. The Ordinance was read by title and placed in order of final reading.

Ordinance No. 16162:

Amending Section 6.48.030 of the Official Code relating to licenses and taxes, and amending the license fee for engaging in the small loan business in the sum of \$150.00 per annum.

Mr. Rowlands advised that this Ordinance was prepared in accordance with discussions held several weeks ago, which raises the license fee from \$50.00 to \$150.00 per year for Small Loan Businesses. He asked if it would be acceptable to Council to make the effective date as of April 10th as that was the effective date of the B. & O. Tax Ordinance.

This was agreeable with the Council.

The Ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 16158:

Annexing to the City of Tacoma the area lying approximately southwesterly of Taylor Way Extension, being an irregular strip extending southerly to within about 1330 feet of Highway 99, and fixing the date that said annexation shall become effective. (Petition of Port of Tacoma). 276

Mr. Rowlands advised that the effective date of the annexation had been set as January 1, 1959.

It was then moved by Dr. Humiston, seconded by Mr. Anderson, to amend the Ordinance by inserting January 1, 1959 as the effective date of the Annexation. Motion carried. Roll call: Ayes 9; Nays 0; Absent 0.

Roll was then taken on the Ordinance resulting as follows:

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

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Ordinance No. 16159:

Authorizing the acquisition of property located from So. Tacoma Way at approximately 600 ft. south of So. 76th Street to the alley immediately east of Montgomery Street, at approximately 350 feet south of South 76th Street, for the purpose of constructing, operating, maintaining and servicing storm drains and sewers, and directing compensation for same to be payable from the General Storm Drain Improvement Construction Fund of 1958. The Ordinance was read by title and passed.

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

Ordinance No. 16160:

Repealing Ordinance No. 16054 for the creation of L. I. D. No. 4637.

Mayor Hanson asked if anyone in the audience wished to speak on the Ordinance.

Mr. E. J. Williams, residing at 3024 No. 26th, said he felt this was an opportunity to have the area improved. He said the block between No. 26th and No. 26th on Cedar Street was the only block that was not paved and urged Council to defeat this Ordinance.

Mr. Rowlands explained, when this Ordinance was discussed last week it was pointed out the only time that an area could be deleted from the district would be at the time of the hearing. As it now stands, he added, by eliminating one block on Cushman, which had over 70% remonstrances, it would leave a block on Cushman plus a block on Cedar. He pointed out that Council could initiate another L. I. D. immediately under the old price, as this came under the old price. He added if the Council passes this Ordinance, the entire L. I. D. would be killed. He said another L. I. D. could be initiated including both of these blocks, or as another alternative, initiate two separate L. I. D.'s including Cedar Street as one, and Cushman Avenue as the other. ^{However} After discussing this problem with Myron Calkins, Acting Public Works Director, he was doubtful if another L. I. D. could be completed this year, he said.

Mr. Perdue said inasmuch as this L. I. D. has not reached 60% remonstrance, he felt the Ordinance should be passed creating the district.

Mrs. Goering said she still felt it was unfair to include a far away block and tie them in together when there is so much opposition. However, she said, she decided it is less unfair to let it go through as it is now and she decided to vote against the Ordinance.

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

Roll Call: Ayes 4; Nays 5, Anderson, Bratrud, Goering, Perdue, Porter; Absent 0. The Ordinance was lost on roll call.

Mr. Calkins explained that Resolution No. 15420 calling for bids on this L. I. D. was postponed by Council until August 4th.

Mr. Rowlands said he thought the Resolution should be considered at tonight's meeting.

Mr. Robert Hamilton, Assistant City Attorney, advised that the Resolution could be considered at this time by a unanimous vote of the Council.

Dr. Humiston then moved to consider Resolution No. 15420 at this time.
Seconded by Mr. Bratrud.
Roll Call: Ayes 9; Nays 0; Absent 0.

Resolution No. 15420:

BY ANDERSON:

Awarding contract to Concrete Construction Company on their bid of \$29,253.59 for concrete paving and storm drainage on Cushman Avenue from So. 19th Street to So. 23rd Street; and on Cedar from No. 25th to No. 26th Street--L. I. D. 4637, which bid is determined to be the lowest and best bid.

Adopted on Roll Call July 28, 1958
Ayes 9; Nays 0; Absent 0.

UNFINISHED BUSINESS:

This is the date to which Council continued the hearing on the Business and Occupation Tax on Wholesale Functions.

Mr. Hugh Metzler, Attorney representing the Retail Trade Bureau, said they were opposed to Sec. 6.68.220 (c) of the Tax Ordinance covering warehouses where they supply two or more outlets in the City. He said this tax was unfair because of Seattle competition. If this Ordinance is passed it may result in the moving of warehouses to points outside the limits of Tacoma, he added. He thought this section should be deleted from the Ordinance.

After some discussion, it was moved by Mr. Anderson that the City Attorney be instructed to bring in an Ordinance amending Sec. 6.68.220 (c) of the Ordinance No. 14276 so amended by Mr. M. E. Easterday.

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

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

- a. Tacoma Transit System - Official Report for June, 1958.

COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Easterday asked if the Council had any consideration in the budget for 1959 for a study of the possible demolition of the City Hall and Police Station after we move into the new County-City Building.

Mr. Rowlands said that this would be a part of the overall budget program for 1959, and that a report would be forthcoming.

COMMENTS BY THE CITY MANAGER:

Mr. Rowlands advised that Wednesday at 1:30 P. M. a tour has been scheduled

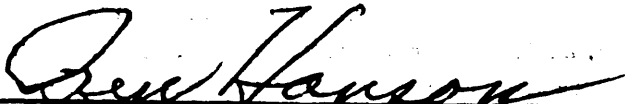
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including the Northeast Tacoma area and the North Shore Development, and asked if the time was agreeable with the Council. This was discussed and arrangements were made to take the tour on Wednesday, August 6, 1958.

Mr. Rowlands advised that the meeting of the Airport Space Committee will be held Thursday, July 31 at 10 A. M.

There being no further business or comments from the audience, the meeting adjourned at 5:55 P. M.



President of the City Council

Attest: 

City Clerk