

Council Chambers, 4:00 P. M.
Monday, May 18, 1959

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

It was moved by Dr. Humiston that the minutes of the meeting of May 11th be approved as submitted. Seconded by Mr. Anderson. Roll call: Ayes 9; Nays 0; Absent 0.

PETITIONS:

National Bank of Washington; requesting the reclassification of property located on the west side of Pearl Street, 160 feet north of North 26th Street, be rezoned from an R-2 District to a C-1 District. Referred to the City Planning Commission. 169

RESOLUTIONS:

Resolution No. 15750:

By Humiston:

Modifying and amending the agreement with the Tacoma Humane Society to provide that beginning with the calendar year 1959, the Society shall receive for its services all moneys received from the licensing and impounding of animals and from fines and penalties for the violation of the city ordinances pertaining to animals. 115

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

Mr. Perdue asked if the adoption of this Resolution would solve the problem of the Humane Society.

Mr. Rowlands explained this would take care of the situation for the balance of the year and will again be discussed at budget time.

Mr. Rowlands said at last week's Council meeting Dr. Humiston asked that the Humane Society submit a letter advising whether the Society have any funds which they could legally use for increasing wages of their employees for the balance of the year.

Mr. Carl Skoog, Attorney for the Humane Society said he would prefer not to answer this question until after he had met with the board; but, in his verbal conversation, Mr. Rowlands pointed out that he could not legally release to the Society any additional funds, and that he would provide the City with a written statement to that effect this week.

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

Adopted on roll call May 18, 1959

Ayes 9; Nays 0; Absent 0.

MAY 18 1959

Resolution No. 15751:**By Goering:**

Agreement with the State Highway Department for cost distribution on the future elevated structure section of "A" Street between South 14th and the vicinity of South 21st Streets.

It was moved by Mr. Anderson to adopt the Resolution. Seconded by Mr. Perdue.

Mr. Rowlands said this matter was discussed by the Council 6 or 8 months ago. A good deal of time and work has gone into meetings and discussions with the State Highway Department to convince them that this elevated section of "A" Street should be a part of their highway system and that the City should receive Federal Aid. The figure involved in this project is from 3 million to 4 million dollars and the Federal Government would pay about 52%. The State has agreed to pay 50% of the balance.

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

Adopted on roll call May 18, 1959
Ayes 9; Nays 0; Absent 0.

Resolution No. 15752:**By Price:**

Setting forth the conditions which private firms may connect to the City's Fire Alarm circuit.

It was moved by Dr. Humiston to adopt the Resolution. Seconded by Mr. Anderson.

Mr. Rowlands said the first time this matter came up was in February of 1958. Since then many meetings and discussions have been held on the subject and several MC's have been written.

As a result, Resolution No. 15752 which has to do with governing the connections or establishing the policy of whether or not private firms may connect to the City's Fire Alarm circuit, and also the Ordinance which governs those individual firms engaged in the business of selling, installing, maintaining or repairing of fire alarm equipment have been prepared for Council's approval.

Mr. W. J. Dahl, Sales District Manager of the A. D. T. said this proposed Resolution has much to do with the welfare of his company which has rendered services for many years in the City of Tacoma. Two years ago A. D. T. made a \$65,000 investment in a building which employs 15 people at salaries totaling some \$70,000 a year. They are paying the City several thousand dollars in business tax. They also attempt to purchase all the materials they need in the City of Tacoma. The business they are rendering is somewhat on a 'nip and tuck' basis. If they were to lose part of their business now, it would

be serious as their profit is small.

He asked why would the City enter into the Fire Alarm business in competition to a company that is authorized by the National Board of Underwriters which meets all of their requirements. Would it be for additional revenue, or does the City feel they can do a better job. The standards of A. D. T. are very rigid, and are under inspection by the National Board of Underwriters, F. I. A. and many others. In order to meet those requirements they are on duty 24 hours a day. He read many communications from several fire chiefs, the National Board of Underwriters, and the International Association of Fire Chiefs supporting his views. He added, that should Tacoma pass this Resolution, A. D. T. had 2 alternatives - one would be to close the office in Tacoma, secondly they could handle all their business in Tacoma from their Seattle office over wires, and then make a special request from the City of Tacoma to run direct wiring to the Municipal Alarm Headquarters from the subscribers to whom they render service. Thus Tacoma would be the loser.

Mr. Rowlands said in the survey that was conducted on the Fire Alarm Systems, the question was asked "Do you allow approved fire alarm systems in private businesses to connect to the City system by means of master fire alarm boxes? The answer was yes, 59 and no, 19.

Another important point, he said, was that the Fire Chief and himself would not be recommending the Ordinance if the National Board of Fire Underwriters voiced their objections.

At the present time, Chief Fisk advised, there are 10 private concerns hooked up to the fire alarm system besides schools and hospitals.

Mr. Rowlands said many Cities are seriously considering replacing their present outmoded alarm system with that of an adequate system with telephones. As a matter of fact, Tacoma has about 10 of these telephones in operation now, whereby anyone can call in a fire, a robbery, etc. Many cities having no alarm system whatsoever have considered installing such a telephone alarm system. We are all vitally concerned about fire protection for our industries. Perhaps it would not be in order for any of us to unduly persuade industry to get one system or other, but the fact remains that there are a number of businesses in Tacoma that do not have this protection. That is why these changes have been recommended.

Mayor Hanson explained to Mr. Dahl that he could understand his position not wanting the City to allow private concerns to connect to their system, but as the City now has such a policy would he prefer that there be no hook-up charge or that there be a \$50.00 hook-up fee and a \$7.50 per month line service charge?

Mr. Dahl said there is a company in the City of Tacoma now that can render this service very economically, so there is no reason for industry not to have this service. If this service is going to be obtained from the City for such a small fee as mentioned in the Resolution, he felt the City should not be in competition to legitimate businesses. However, he commended the City Council in protecting schools and institutions as set up in the Resolution.

Dr. Humiston asked, is the operator of a sizeable building going to get quicker service from the Fire Department if he is hooked up to the municipally owned fire alarm system than to an A. D. T. System.

Chief Fisk said "yes" as it is a direct service from the building to the fire alarm, whereas in A. D. T. it goes from the consumer to the A. D. T. to the fire alarm making a difference of about 1 or 2 minutes.

Mr. Dahl said actually it would be a matter of 10 or 15 seconds at the most. An alarm comes in with five codes, and by the time the 2nd code is coming, it is

being recorded and is going into the fire department before we receive the complete code. In the A. D. T. service the entire responsibility in a plant is taken over whereas in this proposed plan of the City's the responsibility will stop on the street.

A. D. T. has everything under electrical supervision. They know when the air pressure is down in the sprinkler system, when the gate valve is shut off impairing the water in the sprinkler system, when the lines are broken, etc.

Mayor Hanson said in other words the additional services of A. D. T. insures the proper operation of the fire alarm system. If the system is operating correctly the alarm would come in just as fast or maybe even a little faster if hooked into the City's system, but there is not that assurance that the system is operating within the building.

Mr. Rowlands pointed out #4 of the Resolution which would require private fire alarm systems to be covered by a monthly inspection and maintenance contract to insure their good condition.

Mr. Marvin Mohl, Attorney for Notifier Northwest, distributors of notifier equipment in the State of Washington said they provide alarm and maintenance service for the alarm equipment. They have had discussions with the Washington Rating and Surveying Bureau and their inspection service has been approved by the bureau, and will be subject to the continued supervision of the bureau. At the present time the firm is operating out of Seattle but a staff will be set up in Tacoma as soon as they are needed here.

Mr. Mohl said the main problem in this situation is handled in Paragraphs 3 and 4 of the Resolution where it states that private fire alarm systems must have the continuing approval of the Fire Chief and that the private system be covered by a monthly inspection and maintenance contract. He said if the Council will recall when this question arose before, Mr. Peterson of the Washington Surveying and Rating Bureau expressed his concern that there be adequate maintenance and inspection of the system after it is installed.

According to the Washington Surveying and Rating Bureau there must be at least one 30 day inspection by experienced and qualified people in the field. This Resolution insures the greatest protection for the people involved.

Mr. Perdue asked Chief Fisk if there was some firm operating now in the City taking care of those concerns that are connected to the system now?

Chief Fisk said at the present time his men are inspecting the systems once a month as the City would be liable if a fire should occur and the system was not working. This is one of the reasons they desire the passage of this Resolution.

Dr. Humiston asked if there was any City that required an industry by Ordinance to have a fire alarm system. He said he felt this was worth looking into.

Chief Fisk said the charges mentioned in the Resolution were carefully checked by examining how long it took to hook up a line to the Master Box and how often it was necessary to check it. The monthly line service charge was based on the telephone line charge. He said they realized some one close would be paying the same as someone further away. Taking for example, if the "Marina" would want a fire alarm service installed they would have to pay for their own installation which would be in the neighborhood of \$2,000.

Mr. Rowlands said it was important also to realize that our system will be able to properly handle any number that might connect to the system.

Mr. Dahl said the Resolution mentions only auxiliary service. There is nothing in the Resolution that states they will service direct, which is very important and which many companies would desire. In other words they will not want to get on the City's service but will want to make a direct line from their customers to the fire alarm headquarters. He is afraid if this Resolution is passed it will bring nothing but problems to the City. Other cities have tried this but gave up the operation when it became so involved. If Tacoma goes ahead with their plan and allows these people to make this investment and depend on the City for fire alarm service, the City is more or less morally obligated to continue the service from then on.

Chief Fisk said, in all their discussions with "Notifier" and others there was never any mention of their running private lines to the Fire Alarm headquarters.

Mr. Bratrud said inasmuch as the Ordinance setting up the licensing of the fire alarm systems will not pass until next week, he thought this Resolution could be held over until next week for passage and in the meantime a few amendments be made.

Mr. Bratrud moved that on the first page under No. 2, after the word "Underwriters" add "as carried out and enforced by the Washington Surveying and Rating Bureau". and under No. 3, after the word "Department" that the words "and the Washington Surveying and Rating Bureau" be added. Also on page two under No. 7 on the first line after the word "Department" the words "or his agent" be added; under No. 8 on the first line after the word "Manager" the word "shall" be changed to the word "may". Under No. 9 (c), in the first line after the word "Chief" insert the words "or his agent", and on the second line strike out the words "by him" after the word "necessary". Motion seconded by Mr. Anderson, and carried unanimously.

Mr. Anderson moved that the Resolution be set over until May 25, 1959. Seconded by Mr. Easterday and carried on roll call: Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 16350:

Amending Section 6.75 of the Official Code of the City relating to licensing those engaged in the business of selling, installing, maintaining or repairing of fire detective and/or fire alarm devices and equipment. Read by title and placed in order of final reading.

Ordinance No. 16351:

Amending Section 6.62.020 of the Official Code of the City by adding a new section 6.62.020 (1) relating to licenses and taxes - where the admission charge to a moving picture theatre is 50¢ or less, no tax shall be charged. Read by title. 114

Mr. A. L. Lee, Attorney for the owners of the Hamrick Theatres, operating the three downtown theatres said it was their position that any relief that could be given to the motion picture industry is most welcome. The motion picture business is in a depressed condition. The downtown theatres are in as bad a shape as the neighborhood theatres. The Federal Government recognized this

a year and a half ago and eliminated their amusement tax to the extent that no admission tax is charged on the first dollar. The ordinance as it now reads helps those theatres charging 50¢ or less. It is their suggestion that the Ordinance be changed to read "the first 50¢ of any admission charge to a moving picture theatre" thus giving relief to all those in the motion picture industry.

Mr. Anderson said many of the theatres throughout the country are closing due to loss of business and felt it would be a shame if Tacoma's downtown theatres were forced to close, therefore, he moved that the Ordinance be amended to read "that the first 50¢ of any admission charge to a motion picture theatre shall be exempt from the admission tax imposed by this Chapter".

Seconded by Mrs. Price. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

The Ordinance was then placed in order of final reading.

Ordinance No. 16352:

Vacating a portion of the north side of South 74th Street between Warner Street and the alley between Warner and Lawrence Streets. Read by title and placed in order of final reading.

Ordinance No. 16353:

Repealing Section 1.06.3563 of the Official Code of the City to eliminate the need for Council's approval of sales by the Public Utility Board of surplus City real and personal property with an estimated value of less than \$3,000. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 16340:

Amending the Official Code of the City relating to zoning by deleting Sec. 13.06.040 and adding a new section to be known as Section 13.06.065 (5) property located at the S. W. corner of So. 15th and Sprague Streets. (Petition of Commercial and Industrial Development Corporation) Read by title and passed.

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

Ordinance No. 16341:

Amending the Official Code of the City relating to zoning by deleting Sec. 13.06.040 and adding a new section to be known as Section 13.06.065 (4) property located at the N. E. corner of So. 30th and Orchard Streets. (Petition of Jack E. Hertzberg) Read by title and passed.

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

Ordinance No. 16342:

Amending Sec. 1.08.020 of the Official Code of the City relating to employee bonds. Read by title and passed.

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

Ordinance No. 16343:

Authorizing and directing the proper officers of the City to transfer any moneys remaining in said Guaranty Deposit Fund to other appropriate funds in the treasury of the City and repealing Ordinance No. 12949. Read by title and passed.

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

Ordinance No. 16344:

Repealing Section 10.04.170 of the Official Code of the City relative to the deposit of cost by contractors. Read by title and passed.

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

Ordinance No. 16345:

Appropriating \$1,800.00 from the General Fund for the purpose of paying necessary service rendered by the Tacoma Humane Society. Read by title and passed.

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

Ordinance No. 16346:

Amending Section 1 and 2 of Ordinance No. 16333 approving and confirming assessment roll No. 4622 to provide for 4% interest. Read by title and passed.

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

Ordinance No. 16347:

Providing for the improvement of L I D 2190 for concrete sidewalks and driveway crossings in the area of So. 72nd Street from South "D" to South Tacoma Way. Read by title and passed.

76
51:175
51:273

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

Ordinance No. 16348:

Providing for the improvement of L I D 6762 for the installation of modern street lights on existing wooden poles in the area of South 15th and Hosmer Streets. Read by title and passed.

77

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

Ordinance No. 16349:

Providing for the improvement of L I D 1898 for sanitary sewers in the alley north of North 12th Street from Cheyenne, west 250 feet and North Frace from North 43rd Street to North 46th Street. Read by title and passed.

76
445

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

UNFINISHED BUSINESS:

MC-258 - Report on Alonzo B. Brown:

Mr. Rowlands said this is a report on the circumstances surrounding the arrest of Alonzo B. Brown who was mistakenly arrested as being drunk. The report is divided into two sections. The first portion is a resume of the entire investigation and the second section consists of verbatim statements of witnesses. Mr. Rowlands said it should answer most of the questions raised at the meeting of May 4th.

Dr. Humiston said that no Police Department in the nation can hope to avoid an occasional error whereby a sick person is arrested as a drunk. A coma is often extremely difficult to diagnose, even in a hospital. This sort of thing has a certain percentage of incidence in any department.

Dr. Humiston said he checked with the superintendent of the Mountain View Hospital to determine whether the six hours that Mr. Brown was held in jail had affected his ultimate condition. He said he thought everyone would be pleased to know that the arrest had not made any difference as indicated by the clinical result. He said in most cases where a person is overcome by a stroke he is put to bed and observed, no particular attention is needed unless an emergency situation develops.

Reverend Harold Bass asked why Mr. Brown had not been taken to the hospital when Hercules Miller, an inmate of the jail, told the jailer, when Mr. Brown was placed in the tank, that Brown was a church deacon and did not drink?

Det. Russell R. Richardson said Mr. Miller had first told the other inmates this "not the jailer" and it was not until around 1:30 that Miller advised the jailer that Mr. Brown might be ill rather than drunk. He was then removed to the hospital for examination, where of course it was determined he had suffered a stroke.

Attorney Jack Tanner asked why Mr. Brown had been carried on the Police docket as a drunk for 2 weeks?

Detective Richardson said the normal procedure was to carry the charge after a booking, until it could be dismissed by the Judge.

Mayor Hanson and several councilmembers agreed that original charges should be erased in all such cases and asked for an investigation into this possibility.

Mr. Carlbon said he was of the opinion that a doctor should be on duty at the jail to examine all drunk arrests, thus preventing any recurrence of this incident.

Dr. Humiston said he knew that occasionally an error is made whereby a man is jailed for being drunk when he is sick, but the only way to prevent this would be to follow Mr. Carlbon's suggestion of having a doctor on duty at all times, but he said he did not know what licensed physician would do this work or what salary would be required. Actually it would be an extremely difficult thing to arrange. In larger cities where there are large county hospitals, interns are available, but this would not be feasible in Tacoma. There is available, however, the emergency room in Mountain View Hospital for anyone whom the Police feel need medical attention.

Mrs. Goering asked if the \$7.50 that was paid by Mrs. Brown for the towing of their car was refunded to them?

It was explained that no request had been made for this refund. He explained that the money had not been collected by the Police Department but had been paid to an independent wrecker service.

Mr. Rowlands said he would check into the matter to see that the money is refunded.

Mr. Anderson said it was unfortunate that this error had been made, but as Dr. Humiston pointed out, due to the great number of people handled by the Police Department, there are bound to be errors made. It is very unfortunate, but nevertheless he felt that the Police Department is doing a good job and should be commended for the fine work they have done.

Mayor Hanson said the reports were available to Mr. Patterson and other interested parties, and if they so desired further discussions would be held with them on the matter.

MC-259 - Revised construction schedule for 1959. Placed on file.

Mayor Hanson said he would like to submit the name of Lyle Swedberg, an Architect, to serve on the Planning Commission Board to fill the unexpired term of Mr. Pearson. 103

Dr. Humiston moved to suspend the rules and accept the Resolution for passage. Motion seconded by Mr. Easterday and carried: Ayes 9; Nays 0; Absent 0.

RESOLUTIONS:

Resolution No. 15753:

By Hanson:

Appointing Lyle Swedberg as a member of the City Planning Commission to serve the unexpired term of Charles T. Pearson, which term expires on June 30, 1964.

It was moved by Mr. Anderson to adopt the Resolution. Seconded by Mr. Perdue.

Mayor Hanson said Lyle Swedberg is very highly regarded by his fellow architects. He added that he felt it important that there be an architect on the Planning Commission.

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

Adopted on roll call May 18, 1959
Ayes 9; Nays 0; Absent 0.

The order of business was then resumed.

ITEMS FOR FILING IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Fire Prevention Bureau for the month of April, 1959.
- b. Report from the Personnel Department for the month of April, 1959.
- c. Report from the Police Department for the month of April, 1959.
- d. Report from the Director of Finance for the month of April, 1959.

16
24 Mr. Easterday asked that the City's new sewer rate be reviewed to see if the basis \$2.00 residential rate could not be made to apply to all single family residences. He said he would like to know what affect such a move would have on the revenues necessary for the proposed sewer construction program.

Mr. Rowlands said this study was being made and should be ready for Council next week.

Several Council members remarked they are receiving numerous complaints on the sewer rates.

Mr. Schuster, Director of Public Works said they were constantly modifying and making adjustments in an attempt to make these rates as fair and equitable as possible.

Mr. Porter suggested that the City Officials investigate the possibility of having more brackets in the rate system and thought this would perhaps help the situation also.

Mr. Rowlands said for some unknown reason there has been unwarranted delay on the part of the F. A. A. officials in Washington D. C. to advise Tacoma of their decision in reference to the Peninsula site as a location for an airport.

He said a letter was received from James C. Buckley stating that they are under the impression that contrary to the findings of the Simulation Study at Indianapolis, the Federal Aviation Agency is about to advise Tacoma by letter of the rejection of this site. If this letter is received, Mr. Buckley suggested that the City immediately request a full hearing from the F. A. A. asking the National Airport and Aircraft Associations to intercede on Tacoma's behalf.

Mr. Rowlands said that Mr. Thor Tollefson, our Congressman called him this morning and said he was on his way back to Washington and that he would attempt to find out what the delay was.

Mr. Rowlands also said he would keep Council posted on any developments.

112 Mr. Rowlands said he would like to have the rules suspended in order to discuss Resolution No. 15749 in rererence to appointing appraisers for the Center Street Urban Renewal area, which was postponed until May 25th. During the past week Mr. Bob Jacobson, Urban Renewal Coordinator has checked into the matter of obtaining more qualified real estate appraisers as requested by the Council at last week's meeting. Mr. Jacobson has obtained two names, Mr. Byron Keely, Jr., and Victor L. Lyon to add to the list.

Dr. Humiston moved that the Council reconsider their action of last week which postponed Resolution No. 15749 until May 25, and that they take up the Resolution at this time. Motion seconded by Mr. Bratrud. Motion carried: Ayes 8; Nays 1, Easterday. Absent 0.

Resolution No. 15749:

By Anderson:

Authorizing and directing the proper officers of the City to execute a written contracts with H. L. Blangy, W. K. Fanning, F. N. McCarty, George D. Poe and David N. Steel, all qualified members of the American Institute of Real Estate appraisers, to make acquisition appraisals necessary for the Center Street Urban Renewal Area.

It was moved by Dr. Humiston to adopt the Resolution. Motion seconded by Mr. Perdue.

Dr. Humiston moved that this Resolution be amended to include the names of Mr. Keely and Mr. Lyon. Motion seconded by Mr. Perdue and carried: Ayes 9; Nays 0; Absent 0.

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

Adopted on roll call May 18, 1959
Ayes 9; Nays 0; Absent 0.


Mr. Homer King, operator of an appliance firm, said he would like to speak before the Council on the proposed light rate increase. 135

Mayor Hanson explained to Mr. King, since he was not scheduled on the agenda to speak before the Council this evening, if he would ask to be put on the agenda for next week's Council meeting, that they would be very happy to hear him at that time, inasmuch as the hour was late and the Councilmembers had another meeting to attend this evening. This was agreeable with Mr. King.

There being no further business to come before the meeting, upon motion, duly seconded and carried, the meeting was adjourned at 7:00 P. M.


President of the City Council

Attest:


City Clerk