

COUNCIL CHAMBER, 7:30 P. M.

Monday, January 7, 1957

Council met in regular session. Present on roll call 9: Battin, Bratrud, Goering, Humiston, Jensen, Perdue, Stojack, Tollefson and Mayor Anderson. Absent 0.

It was moved by Dr. Battin, seconded by Dr. Humiston that the minutes of the previous meeting, copies of which had been mailed by the Clerk to each Council member, be approved and the reading thereof dispensed with. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

RESOLUTIONS:Resolution No. 14858:By ANDERSON:

Approving and recommending the enactment of the two bills proposed by the Legislative Council, by the Legislature of the State of Washington at the 1957 Session. (Exempting urban passenger transportation systems from the public utility tax, and from the motor vehicle fuel tax and use fuel tax.) Mr. Tollefson reported that this matter had come up at the American Municipal Association Convention and had been defeated because it was felt each City or State should take care of the policy in their area. Dr. Humiston said he felt it was proper for the Council to take a positive stand on this matter and pass the Resolution as Tacoma had a vital interest in view of the agreement with the Tacoma Transit Company. Mayor Anderson agreed with Dr. Humiston's statement and said he was whole-heartedly in favor of the Resolution.

Adopted on roll call January 7, 1957.

Ayes 9; Nays 0; Absent 0.

Resolution No. 14859:By GOERING:

Authorizing a temporary loan of \$25,000 from General Fund to Public Works Revolving Fund, same to be repaid out of Accounts Receivable, consisting mainly of amounts due from L I D's now in process.

Adopted on roll call January 7, 1957

Ayes 9; Nays 0; Absent 0.

Resolution No. 14860:By GOERING:

Authorizing a temporary loan in sum of \$50,000 from the Firemen's Relief and Pension Fund and \$100,000 from the City Street Fund, to the Employees Retirement Fund, to be repaid within 90 days, with interest at 2 1/4% per annum.

Adopted on roll call January 7, 1957

Ayes 9; Nays 0; Absent 0.

FINAL READING OF ORDINANCES:Ordinance No. 15770:

Amending Ordinance No. 14793 - ZONING ORDINANCE - by ¹⁰⁷ adding thereto two new sections to be known as Section 18A and 18A - 1. (Sec. 18A - Regulations of "R-4-L" Multiple Family Dwelling Districts) (Section 18A-1 - Setting forth boundaries of "R-4-L" - Multiple Family Dwelling District) (Along Pacific Avenue from South 68th Street to South 76th Street.) Read by title and passed.

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

Ordinance No. 15771:

Amending Ordinance No. 14793 - ZONING ORDINANCE - by adding thereto a new section to be known as Section 9M - C-2 Commercial District - West side of Sheridan from South 12th Street 225 feet north. Read by title and passed.

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

Ordinance No. 15772:

Establishing the procedure to be followed upon application of abutting property owners for the vacation of streets and alleys in the City of Tacoma; providing for the payment or waiver of expenses and costs in connection therewith; and repealing Ordinance No. 15370. Read by title and passed.

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

Ordinance No. 15774: L. I. D. 1966

Providing for construction of sewers along lines described as ⁷⁰ follows: starting at a point on East 68th Street approximately 100 feet east of the ³⁵⁵ eastboundary line of East B Street; thence east to the existing trunk sewer a distance of approximately 416 feet; creating L I D 1966. Read by title and passed.

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

Ordinance No. 15748:

Vacating all of North Starr Street lying between Blocks 74 and 75 of Tacoma Tide Lands and extending from the Northerly line of Ruston Way to the Inner Harbor Line. Read by title. City Manager Rowlands reported that the proper deed had been received from the petitioners and the ordinance could now be passed. ⁴⁹

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

Ordinance No. 15750:

Prohibiting smoking or carrying lighted cigars, cigarettes or pipes in elevators; requiring the posting of "No Smoking" signs therein; declaring any violation a misdemeanor; and providing penalties therefor. Read by title. Mr. Bratrud ⁷⁶

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Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

The following Assessment rolls, upon which the Clerk reported that post card notices had been mailed to each property owner, on Dec. 21st, 1956, were taken up at this time:

L I D 4587: Grading, asphalt paving, concrete curb and gutter on North 33rd from Alder to Cedar. 83

Mr. Bratrud reported that he had received telephone calls from Dr. H. A. Anderson, 3114 North 33rd and Mrs. Lawrence McNerthney, 3215 North Alder Street, who complained that the banks on their property had been cut back for sidewalks, which may be installed in the future, and that as a result their premises were left in an unsightly condition. Mr. Staman explained that it is a practice of the department to grade out the sidewalk area, if at all possible, when a street is graded, and in this case the most they took out was two feet and the bank had been sloped to a reasonable grade. The matter was discussed at length and Mr. Bratrud said that although these two property owners were unhappy about the situation, there appeared to be nothing that could be done. 120

L I D 2179: Grading, ballasting and surfacing on North Shirley Street from the north line of Nelson's Second Addition to North 31st Street.

Mr. Jack S. Fatland of 5411 North 30th Street, stated that several property owners had written agreements with the contractor for certain work in addition to that called for by L I D 2179. He asked whether this extra work would be billed by the City or whether they would deal directly with the Contractor. Mr. McCormick, advised that if they had a separate agreement with the contractor they would deal directly with him, and that the City would assess them only for the work called for in the L I D. 83 119

L I D 4602: Asphaltic concrete re-surfacing Jefferson Avenue to Center Street from South 27th to South I; Tacoma Avenue from South 27th Street to Center Street South 17th and South 19th from Fawcett to Tacoma Avenue. 83

The Clerk reported that a small remonstrance amounting to \$11.20 had been filed by the Mr. H. R. Linton of 2820 South Yakima Avenue, which did not state that he had been assessed unfairly. 120

It was moved by Mr. Tollefson, seconded by Dr. Humiston that the remonstrances on the above assessment rolls be overruled and the assessment roll be approved and confirmed. Carried on roll call: Ayes 9; Nays 0; Absent 0.

This is the date to which Council (on July 9th, 1956) continued the hearing on the petition of Carl Schreiner, et al, requesting the City of Tacoma to vacate a parcel of land at the Southwest corner of East 84th and D Streets. The Clerk reported that another letter, dated January 4, 1957, had been received from Reverend L. W. Blackwell, asking that the hearing be continued for three months so that their architect who is coming from Elgin Illinois may complete a study of the situation. Moved by Mr. Tollefson, seconded by Mr. Bratrud, that the hearing be continued for three months to April 8, 1957. Motion carried on roll call: Ayes 9; Nays 0; Absent 0. 47:445 48:219

Mr. Bratrud said he had seen an article in the newspaper that the City Manager had ordered two establishments, where Bingo was being played, closed, down, and he asked Mr. Rowlands for an explanation of this order. Mr. Rowlands said he received complaints that in these instances individuals were operating Bingo games for profit and for this reason, he had sent out letters ordering them to close by February 1st. He realized that this was one of the forms of entertainment for older citizens and that there was a need for more recreational facilities for this group, Mr. Rowlands said.

Mr. Bratrud said he believed that unless there was something to take its place, the City Manager was wrong in closing them down, and furthermore he felt the decision should not have been made without bringing the matter before the Council, as this is a matter of policy. Mr. Jensen agreed that this set a precedent and to be consistent the City would have to close all Bingo games, and other forms of gambling.

Mr. Rowlands said he felt this was an administrative matter and that is the reason he had taken the action.

Mr. Bratrud said until such time as there are provisions for entertainment for older groups, either through an enlargement of the program of the Golden Age Club or some other method, Mr. Rowlands' order to close these places should be rescinded, so these people can continue to enjoy this form of amusement.

Mrs. Goering said she felt the State Law should be modified as these are illegal operations. A situation like this puts the Council in the dilemma of deciding how many State Laws they are not going to enforce. She felt that the Council should have given the Manager an opportunity to talk matters of policy over with them, but this is not being done, and said it was unfair to the City Manager.

Mr. Perdue stated he believed the Manager did the right thing in this instance, since he had a number of people complaining.

Dr. Battin said he felt the Council could have avoided putting the Manager "on the spot" by talking things over with him, and that without this opportunity the Manager is working in the dark.

Mr. Tollefson said this action could be construed as either a policy matter or an administrative matter, which could have been discussed.

It was then moved by Mr. Tollefson seconded by Mr. Bratrud that the City Manager be directed to write a letter to the two operators telling them to delay the closing of their establishments until such time as the Council has considered the matter more fully.

Mrs. Goering said she would like to see a time limit set, and Mr. Tollefson pointed out that any Council member has a right to amend the motion.

Dr. Humiston asked if it were within the province of the Council to ask the Manager to refrain from closing something he felt was illegal. Mr. McCormick advised that his office had rendered an opinion that Bingo is illegal. However, in his opinion Mr. Tollefson's motion was not out of order as it merely provided for a delay pending investigation.

Mr. Perdue said he could see no reason for looking into something that the Legal Department has ruled is illegal, nor could he see any reason for delaying the action.

Mrs. Goering asked if the City has the authority to enforce such laws in private Clubs and Churches, and Mr. McCormick replied in the affirmative. Mr. Jensen said the City would have to be consistent and allow no exceptions, but outlaw Bingo in its entirety.

Mr. Steve O'Brien spoke against the action taken by the City Manager in ordering these two establishments to close.

Roll was called on Mr. Tollefson's motion "that the City Manager be directed to write a letter to the two operators telling them to delay the closing of their establishments until such time as the Council has considered the matter more fully". This motion lost on roll call: Ayes 3; Bratrud, Jensen, Tollefson. Nays 6; Battin, Goering, Humiston, Perdue, Stojack (not voting) Anderson. Absent 0.

X Mr. Jensen brought up a matter which he felt might bear investigating by Council; (1) namely the sharp increase in the traffic violation arrests by the Motor Division.

He has had a number of complaints about the way speeding laws are enforced and there have been a number of letters in the open letter column of the daily paper, all which he believes shows a need for investigation. Mr. Jensen read the figures from the Police Court Fines and forfeitures for the years 1954, 1955, and 1956, which showed that these had increased from \$230,000 to \$290,000. He admitted that the Police Department has done a fine job in cutting accidents and deaths, but he thought the matter of marginal tickets - 5 or 10 miles over the speed laws - should be considered by the City Manager.

He also questioned the fairness of the numerous "speed traps" such as 35th and Tyler, Center Street, Puyallup River Bridge, Portland Avenue and others.

Mayor Anderson said his office had received many complaints from residents of neighboring cities who have been picked up for traveling 5 or 10 miles over the speed limit.

Mrs. Goering said perhaps the speed limits on City Streets should be reviewed. Mr. Tollefson informed her that the Traffic Engineering division is making a constant survey.

Mrs. Goering also brought up the letter Council members had received about changing the speed limit in School zones to 28 miles instead of 20, as the lower speed limit could not be enforced. Mr. Kosai, Chief of the Traffic Division explained the speed problem at School zones and what had been done on this situation.

Mr. Rowlands stated they are constantly reevaluating and checking to cut down speed, as speed is one of the primary causes of accidents.

Mrs. Goering brought up the hazards to motorists caused by the signs which are being used on Sundays by Churches for the protection of pedestrians, and also the need for some traffic control at certain hours for the protection of the handicapped workers at the Goodwill Industries in crossing the busy thoroughfare of Tacoma Avenue.

Mr. Kosai was asked to look into these two matters.

Upon motion, duly seconded and carried, Council adjourned at 9:25 P. M.

John H. Anderson
President of the City Council

Attest: *Josephine Melton*
City Clerk