

Council Chambers, 4:00 P. M.
Monday, May 11, 1959

Council met in regular session. Present on roll call 7; Bratrud, Easterday, Goering, Humiston, Perdue, Porter and Mayor Hanson. Absent on roll call 2; Anderson and Price.

It was moved by Mr. Bratrud that the minutes of the meeting of May 4th, 1959 be approved as submitted. Seconded by Mr. Easterday. Roll call: Ayes 6; Nays 1, Humiston (not voting); Absent 2, Anderson and Price.

Mayor Hanson asked that the item on the agenda in reference to the proposals on Dock Street be taken up at this time, as there were several people present in connection with this matter. It was moved by Dr. Humiston that the rules be suspended in order to take up this subject. Motion seconded by Mr. Perdue and carried. Ayes 7; Nays 0; Absent 2, Anderson and Price.

UNFINISHED BUSINESS:

Mr. Rowlands explained that the bid opening on the leasing of the Waterfront property on Dock Street was held May 7, 1959 and that two proposals were received one from M. W. Marush and the other from the Coast Iron and Machine Works. The proposal sheet contained information as to the type of business they intend to enter into, the amount of employees to work on the premises, the intention in reference to the present building and the rent to be paid. 80
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He said that a letter submitted by Mr. McRae of the Coast Iron and Machine Works stated also that as they would have no need for the easterly portion of the premises they would intend, with the Council's permission, to sublease that portion to Johnny's Seafood Market. An accompanying letter from the owners of Johnny's Seafood explained they desired to construct a cold storage locker, costing between \$16,500 and \$21,000 on this property, and also stated that if Johnny's Seafood was able to sublease this property they would in turn be able to make the northerly 25 feet of their present leasehold premises available to the Dravis Engineering and Machine Works which has been seeking to acquire this for expansion.

Mr. Rowlands said Mr. Marush, the other bidder, pointed out in his letter that he would like to remove the existing building and construct a dock and buildings at a value of not less than \$10,000.

Mr. Rowlands said it was now a matter of deciding what the staff should do in awarding the Bid.

Mr. Bratrud asked how definite were the plans for constructing a cold storage locker.

Mr. John Reha, representing Johnny's Seafood said they have no definite specifications drawn as yet, but the company now must store their fish in Seattle which costs them approximately \$600 to \$700 a month. He said they have averaged between 70,000 and 90,000 lbs of fish stored in King County over a period of nine months, at a value of \$50,000. For this reason their King County personal property tax assessment for 1959 will far exceed the amount they will pay Pierce County for its 1959 personal property taxes. Due to the high storage, rent and the extra work and time involved in this transportation of fish, makes them very anxious to construct a freezer in Tacoma, which will be within the next 2 years.

Mayor Hanson asked what action is expected from the Council in order to award the contract.

Mr. Rowlands said there should be a motion to draw up a formal agreement.

Mr. McCormick, The City Attorney, said the Council would no doubt desire to see the final draft before the Resolution is submitted.

Mr. Bratrud asked how this property could be leased to three companies.

Mr. McCormick said the agreement should state the property would be leased to Coast Iron and Machine Works with the provision that they would sublease the other. He said he felt these different conditions should be spelled out so that they will be fulfilled. Also, he assumed the Council would want a modified agreement between the three property owners.

Dr. Humiston then moved that a Resolution be drawn with the appropriate agreements between the various parties accepting what is essentially the offer of Coast Iron and Steel Works and Johnny's Seafood and taking into consideration the tentative agreement with the Dravis Machine Company. Seconded by Mr. Perdue. Roll call: Ayes 7; Nays 0; Absent 2, Anderson and Price.

The order of business was then resumed.

HEARINGS AND APPEALS:

The City Planning Commission recommends the denial of the petition of Gerald W. Phillips, for the reclassification of property located near 64th and Pipeline Road, to be rezoned from an R-2 District to an R-4-L District.

Mayor Hanson explained that the time limit for filing an appeal from the Planning Commission's action has elapsed and that no appeal has been filed.

Dr. Humiston moved that the Council concur in the recommendation of the Planning Commission and that the petition be denied. Motion seconded by Mr. Perdue and carried on roll call: Ayes 7; Nays 0; Absent 2, Anderson and Price.

The City Planning Commission recommends the denial of the petition of Frank Risalvato, for the reclassification of property located near 8822 Pacific Avenue, to be rezoned from an R-2 and C-1 District to an C-2 District.

Mayor Hanson said there had been no appeal filed from the Planning Commission's action on this recommendation either.

Dr. Humiston moved that the Council concur in the recommendation of the Planning Commission and that the petition be denied. Motion seconded by Mr. Bratrud and carried on roll call: Ayes 7; Nays 0; Absent 2, Anderson and Price.

This is the date set for hearing on the vacation of a portion of the property located on the north side of South 74th Street between Warner and the alley between Warner and Lawrence Streets.

Mr. Paul Benson, Assistant Planning Director, explained that the Planning Commission recommended approval of this vacation subject to the following conditions: That a utility easement be retained over the westerly 10' of the subject vacation for light poles, guy wires and overhead distribution lines of the Public Utilities Department and that a slope easement be given by the

necessary property owners over the southerly 3' of the vacation.

Mr. Easterday moved that the Council concur in the recommendation of the Planning Commission and that an Ordinance be drawn vacating a portion of the property located on the north side of So. 74th Street between Warner and the alley between Warner and Lawrence Streets. Motion seconded by Mr. Bratrud. Roll call: Ayes 7; Nays 0; Absent 2.

RESOLUTIONS:

Resolution No. 15741:

By Perdue:

Authorizing the proper officers to enter into an agreement with the Architectural firm of Lea, Pearson and Richards, for the preliminary study on the escalators or moving sidewalks between Pacific Avenue and Commerce, and between Commerce and Broadway at both South 10th and South 12th Streets. 287

It was moved by Dr. Humiston to adopt the Resolution. Seconded by Mrs. Goering.

Mr. Rowlands said this agreement spells out specifically the amount to be spent in the study on the escalators, and it also gives the City Council the right to review at any time the work or studies, and also to terminate this agreement if they so desire.

Mr. Rowlands also said the report received from the Downtown Parking Committee advises the City of the status of their downtown parking afacility project which the City had hoped could be constructed in conjunction with the installation of the escalators at 10th and 12th Streets.

In the report, Mr. L. B. MacDonald, Chairman of the committee, pointed out that \$2,050,000.00 is necessary to finance the facilities as planned.

A tentative commitment on a long term first mortgage loan of \$1,000,000 has been received, but is contingent upon raising the balance of \$1,050,000. from local sources. Also, considerable progress has been made in pledges by property owners and business men. A sum of \$350,000. remains to be raised. Mr. Macdonald said, although the City desires the committee to take further action at this time so that it may proceed with its planned escalator development, they do not feel free to do so until they meet their primary financial requirements. A meeting would be held in the near future to discuss the matter further.

Mr. Rowlands said they have attempted to coordinate the parking facilities and the escalators as much as possible, as both are separate entities. He said they would appreciate the Council voting approval of this agreement with Lea, Pearson and Richards, in order to get some plans and sketches on the project.

Mayor Hanson said although there has been some delay he felt the downtown property owners and businessmen should be commended for their support of the program.

Mr. Rowlands said Mr. Macdonald said that Mr. Macdonald and the Parking Committee should also be commended for their efforts.

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

Adopted on roll call May 11, 1959.

Ayes 7; Nays 0; Absent 2, Anderson and Price.

Resolution No. 15742:

By Easterday:

171 Fixing Tuesday, June 9, 1959 at 4:00 P. M. as the date for hearing on L I D 1996 for sanitary sewers in Wapato Lake Drive from the existing line at South 60th and Alaska Streets to South 64th Street.

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

Adopted on roll call May 11, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Price.

Resolution No. 15743:

By Goering:

171 Fixing Tuesday, June 9, 1959 at 4:00 P. M. as the date for hearing on L I D 2300 for grading and placing an oil mat surface on East C from East 38th to 40th; and on Wapato Lake Drive from Alaska to So. 64th, also relocate water main at a lower elevation and furnish fire hydrants on Wapato Lake Drive from Alaska Street to South 64th Street.

It was moved by Mr. Easterday to adopt the Resolution, seconded by Mr. Bratrud.

Adopted on roll call May 11, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Price.

Resolution No. 15744:

By Hanson:

171 Fixing Tuesday, June 9, 1959 at 4:00 P. M. as the date for hearing on L I D No. 4445, for paving, curbs, gutters and storm water catch basins on Puget Sound Avenue from 6th Avenue to North 8th Street, also alley paving on alley between North 22nd and North 24th from Warner to Puget Sound Avenue.

It was moved by Dr. Humiston to adopt the Resolution, seconded by Mr. Bratrud.

Adopted on roll call May 11, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Price.

Resolution No. 15745:

By Perdue:

Awarding contract to Woodworth and Company, Inc. on their bid of

\$17,318.63 for Work Order No. 7707, which was determined to be the best and lowest bid.

It was moved by Mr. Bratrud to adopt the Resolution. Motion seconded by Mr. Easterday.

Adopted on roll call May 11, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Price.

Resolution No. 15746:

By Easterday:

Rejecting the bid of West Coast Marine, Inc., in the sum of \$4,290.00 including tax, for the drydocking and repair of the Fire Boat

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

Mr. Rowlands explained that it is the recommendation of the Fire Department, Purchasing Agent and the Board of Contracts and Awards, that this bid be rejected. He said they would like to make a thorough study of the condition of the Fire Boat to determine the actual requirements, then a new call for bids will be issued at a later date in order to receive better bids. He said a qualified person has been hired to make this study.

Mr. Rowlands pointed out that the City desires to purchase a better fire boat. A new boat would cost approximately \$225,000 but if the City could obtain a Navy surplus boat, a considerable amount of money could be saved. Although Tacoma is low on the priority list, we are still on the alert.

The matter of seeking a contribution from the Corps of Engineers to keep the harbor clean is being investigated, as it is now the Harbor Master has to take the Fire Boat out now to remove the debris.

Adopted on roll call May 11, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Price.

Resolution No. 15747:

By Porter:

Authorizing the sale of three frame houses to Cooney, Meyer and Church-ill for the sum of \$550.00.

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

Adopted on roll call May 11, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Price.

Resolution No. 15748:

By Hanson:

Authorizing the proper officers of the City to execute and deliver to Glenn and Vivian Miller a local improvement assessment deed for the sum of \$40.00 to clear their title, for property located on the west side of Whitman Street between North 50th and North 49th Streets.

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

Adopted on roll call May 11, 1959
Ayes 7; Nays 0; Absent 2, Anderson and Price.

Resolution No. 15749:

By Anderson:

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Authorizing and directing the proper officers of the City to execute 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. Seconded by Mr. Perdue.

Mr. Easterday moved that the Resolution be postponed for 2 weeks (May 25) to allow other qualified firms to submit their qualifications. Seconded by Mr. Porter.

Dr. Humiston said he was in favor of voting on this Resolution now, as submitted. He said the City cannot make use of all the qualified people and the custom has been to use the people as rotated.

Mayor Hanson said he understood there might be a possibility of saving the City some money if this were checked into, and was in favor of postponing the Resolution.

Mr. Jacobson, Urban Renewal Coordinator explained that they had hoped to have all of these appraisals in by the 15th of August in order to give the City 30 days to check them, and to get preliminary approval from the Housing and Home Finance Agency as to the accuracy of the appraisals, then an additional 30 days to check the contracts for any corrections or changes. These appraisals are needed so as to present to the Council, and the Housing and Home Finance Agency, an estimated cost of the project. It is hoped that the complete plan will be presented to Council by the latter part of October for public hearing. He pointed out the City must go through litigation of State Law before any property can be acquired and this action can not be taken until after the public hearing.

Mr. Jacobson said this was a group bid, as no one appraiser felt he could do the work in 90 days as required.

This was the lowest of the bids considered.

Mr. Rowlands said perhaps it would be possible in the next 2 weeks to find additional qualified appraisers to add to the list thus giving more persons an opportunity and still meet the desired deadline.

Mr. D. L. Melendy, an independent ^{appraiser} said he felt the City should give independent appraisers an opportunity to do this work. He felt it was unfair of the City to ignore the fact that there were many appraisers in the City qualified to do this work at a much lower fee than the M. A. I. group.

Mr. Easterday asked Mr. Melendy if he realized the appraisers would have to be approved by the Housing and Home Finance Agency.

Mr. Melendy said this project would be no different than the State Freeway Project in which the Federal Government finances 90% of the money. Many of the men of this group of Independent Appraisers are doing the work for that project.

Mr. Jacobson said because this was new to them, they had simply followed the procedure of selecting appraisers that was recommended by the "book" and also by a list of appraisers received from the State Highway Department.

Vote was taken on Mr. Easterday's motion to postpone for two weeks to May 25th, Motion carried: Ayes 4; Nays 3, Goening, Humiston and Perdue. Absent 2, Anderson and Price.

FIRST 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 Corp.) Read by title and placed in order of final reading.

Ordinance No. 16341:

Amending the Official Code of the City relating to zoning by deleting Section 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 placed in order of final reading

Ordinance No. 16342:

Amending Section 1.08.020 of the Official Code of the City relating to employee bonds. Read by title and placed in order of final reading.

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 placed in order of final reading.

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 placed in order of final reading.

UNFINISHED BUSINESS:

1
The Director of Utilities presents the assessment roll for the cost of the improvement in L I D No. 5302 for cast iron water mains in Darien Drive from North 46th to Frace Avenue and in Frace Avenue from North 46th Street to Darien Drive. It was moved by Mr. Perdue that the date for hearing be fixed as June 9, 1959. Motion seconded by Mr. Easterday and carried: Ayes 7; Nays 0; Absent 2, Anderson and Price.

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Report from Riviera, Cameo and Shell Theatre owners on the breakdown on Theatre admission taxes, which was requested by Council at the meeting of April 27, 1959.

Mr. Sanders, owner of the Cameo Theatre explained they had submitted for the Council's information, a breakdown on the theatre admission taxes on admission prices of 50¢ and under, as requested by the Council at their meeting of April 27th, 1959.

The report stated that the tax on admission fees of 50¢ and under amounted to \$4,328.00, or 14% of the 1959 estimated budget. He said he knew that the proposed installation of the escalators will improve the theatre business, but tax relief is needed now to enable them to keep their theatres open, he added.

Mr. Bratrud moved that an Ordinance be drawn exempting the theatres from paying the City admission tax on general admission prices of 50¢ or less. Motion seconded by Mr. Easterday and carried: Ayes 7; Nays 0; Absent 2, Anderson and Price.

Progress report on negotiations between Tacoma Pierce County Humane Society and the Union.

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Mr. Rowlands said this report submitted by the Humane Society expresses their desire to receive 100% of the proceeds from the sales of licenses, impounding fees, fines and the sale of city stray dogs, giving them an additional \$1800. a year. They felt this would enable them to continue negotiations with the Union. Next Monday there will be another meeting between the Society and the Union and they are desirous of knowing what action the Council will take. Dr.

Dr. Humiston said, from all the information submitted there was no doubt that the Society's employees were underpaid according to the City's standards, but he wondered if the sum of \$1,800.00 would enable them to come to an agreement with the Union.

Mr. Rowlands said, this would enable them to give their employees a raise of about \$30.00 for the rest of the year.

Dr. Humiston asked if the Society had any other source of revenue other than from the City.

Mr. Rowlands said they have money coming from various sources which amounts to about 45% of their revenue. The City supplies them with 55% of the revenue.

Dr. Humiston requested that the Humane Society submit to the Council a letter stating whether the Society does or does not have funds which they could legally use for increasing the wages of their employees during the rest of the year.

Mr. Rowlands said he would see that this information is obtained.

ITEMS FOR FILING IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Tacoma Employees' Retirement System of investments for April, 1959.
- b. Report from the Municipal Court during the month of April, 1959.
- c. Report from the Traffic Div. of the Tacoma Police Dept. for the first quarter of 1959.

Dr. Humiston moved that the Rules of the Council be suspended in order to consider Resolution No. 15750 and Ordinance No. 16345, which do not appear on the agenda. Motion seconded by Mr. Perdue and carried on roll call: Ayes 7; Nays 0; Absent 2, Andersen and Price.

RESOLUTIONS:

Resolution No. 15750:

By Price:

Modifying and amending the agreement between the City and the Tacoma Humane Society to provide that beginning with the calendar year 1960 and for each year thereafter the Society shall receive for its services all moneys received from the licensing and impounding of animals and from fines and penalties for violation of city ordinances pertaining to animals.

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

Dr. Humiston said he thought the Resolution should be amended to read "to provide that beginning with the calendar year 1959 only, and then to work out at budget time the problems for future years.

Dr. Humiston then moved that the Resolution be set over for one week and that it be amended to read, to provide that beginning with the calendar year 1959 only, and if necessary the Ordinance also be amended. Motion seconded by Mr. Perdue. Motion carried: Ayes 7; Nays 0; Absent 2, Anderson & Price.

FIRST READING OF ORDINANCES:

Ordinance No. 16345:

Appropriating \$1,800.00 from the General Fund for the purpose of paying

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necessary services rendered by the Tacoma Humane Society. Read by title and placed in order of final reading.

Mr. Harley Hoppe, representing the Tax League said he was interested in the expense account turned in by the Councilmen during the Legislative Session. He asked how the expenses were accounted. Mayor Hanson said the expense vouchers were not itemized, but added that he had checked his own finances and discovered he had spent considerable more than the amount for which he had been reimbursed. He said the money that was spent for dinners with the Legislators gave them an opportunity to outline the City's problems to them. The other expenses were for their own living expenses while attending the Legislature.

Mr. Easterday asked Mr. Rowlands if the report on the Alonzo Brown incident was ready yet.

Mr. Rowlands said they had contacted the Police Department in the compilation of this report. They have had to interview witnesses and take their statements, but hope to have the information ready at the end of the week.

Mr. Bratrud mentioned the letter from the Tacoma Millwork Supply Company which protested the increase in their sewage service charge, and asked Mr. Rowlands if they had been answered.

Mr. Rowlands said they had checked with the representatives of the firm to see if there could be some defect in the plumbing or water system, and it was found that this was the case.

A member of the audience asked the Council what progress was being made on the "dance Ordinance"

Mayor Hanson said that much consideration has been given to this ordinance. At the study session today, it was discussed how to proceed to draft an ordinance that will make it possible to have dances for teen agers and yet have proper supervision.

Mrs. Goering said there is a great deal of misunderstanding and misinformation circulated in regards to this ordinance.

Mayor Hanson said it was obvious that the ordinance would not be ready for final reading May 18, 1959.

Dr. Humiston moved that Ordinance No. 16339 be postponed for one additional week to May 25, 1959. Seconded by Mr. Perdue and carried: Ayes 7; Nays 0; Absent 2, Anderson and Price.

Mrs. Goering asked if they were still working on the expense report on the trip to Washington D. C.

Mr. Rowlands replied that they were, and that it would be ready shortly.

There being no further business to come before the meeting, upon motion, duly seconded and carried, the meeting was adjourned at 6:30 P. M.

Attest:

Ershine Melton
City Clerk

Ben Hanson
President of the City Council