

Monday, September 26, 1955.

Council met in regular session. Present 8; Battin, Goering, Hooker, Humiston, Jensen, Perdue, Stojack, Tollefson. Absent 1; Bratrud.

It was moved by Mr. Perdue, seconded by Dr. Battin, 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 be dispensed with. Motion carried unanimously on voice vote.

PETITIONS:

Alfred C. Harris, for restaurant license at 751 St Helens Avenue.

The Director of Health recommends the petition be denied as the premises do not comply with the requirements of the Health Department. The City Manager concurs in the recommendation. It was moved by Dr. Humiston, seconded by Dr. Battin, to concur in the recommendation. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Bratrud.

Russ Michael, et al., for rezoning from an R-3 District to a C-1 District of Lots 17, 18, 19, 20, Block 8729, Tacoma Land Co's 6th Addition, located at the N. E. Corner of South 38th and Sheridan. Referred to City Planning Commission.

RESOLUTIONS:

Resolution No. 14393.

By GOERING:

Authorizing and directing the City Manager to execute and deliver to the State of Washington State Highway Commission the written contract in connection with replacement and widening of Bridge No. 1-V/105, located on Secondary State Highway No. 1-V over the sluiceway of the St. Paul and Tacoma Lumber Co. at East 11th Street in Tacoma, a copy of which is attached hereto; and authorizing the Department of Public Works to expend out of the General Fund of the City sufficient moneys for the payment of all expenses and costs necessary to perform and do the work in accordance with the agreement hereinabove mentioned. It was moved by Dr. Humiston, seconded by Dr. Battin to suspend Rule 9 and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call September 26, 1955.  
 Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14394.

By JENSEN:

Approving recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding contract for concrete curb and gutter, asphaltic concrete surface and necessary storm sewer on North 22nd Street from Puget Sound Avenue to Warner Street and from Lawrence Street east approximately 155 feet, also asphalt paving of alley between North 22nd and North 24th from Warner Street to Lawrence Street, L I D 4554, to Woodworth & Co. Inc. on its low bid of \$10,330.92. It was moved by Col. Hooker, seconded by Mr. Perdue to suspend Rule 9 and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call September 26, 1955.  
 Ayes 8; Nays 0; Absent 1; Bratrud.

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Resolution No. 14395.

By GOERING:

Authorizing the Investment Board of the City of Tacoma to invest the sum of \$100,000 of the moneys in the Sewer Utility Fund in United States Government securities.

Adopted on roll call September 26, 1955.  
Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14396.

By JENSEN:

Approving recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding contract for grading, asphalt paving, concrete curb and gutter and storm sewer on North 7th Street from Union Avenue to Puget Sound Avenue, constituting L I D 4561, to Woodworth & Co. Inc. on its low bid of \$7,346.76. It was moved by Mr. Jensen, seconded by Dr. Humiston to suspend Rule 9 and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call September 26, 1955.  
Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14397.

By HOOKER:

Authorizing private sale of certain property more fully described herein located in Frace's First Addition to Nels H. Magnuson for the sum of \$10.00 to clear the cloud on his title. (vacant land located between South 12th and South 14th and Vassault and Mildred Streets). It was moved by Col. Hooker to suspend Rule 9, seconded by Dr. Humiston and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call September 26, 1955.  
Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14398.

By HOOKER:

Accepting bid of Steve Brown and Ethel Brown for purchase of Lots 10 to 15 inc. Block 1, Railsback's Addition for \$410.00, payable on terms listed herein, and authorizing the proper officers of the City to execute a local improvement contract in favor of said purchaser. (Property located on Cushman Street 100 feet north of Center Street).

Adopted on roll call September 26, 1955.  
Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14399.

By HOOKER:

Accepting Bid of Robert A. Engstrom and Theoria D. Engstrom, for purchase of Lots 15, 16 and 17, Block 8, Gill's Seaview Park Addition for \$750.00 cash, and directing the proper officers of the City to execute a local improvement assessment deed in favor of said purchasers. (Vacant land located at North 45th and Winnifred). It was moved by Mr. Jensen to suspend Rule 9, seconded by Mr. Perdue and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call September 26, 1955.  
Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14400.By JENSEN:

Approving recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding contract for concrete paving on North 11th Street from Madison Street to Proctor Street, L I D 4555, to George Madsen, d/b/a George Madsen Co. on his low bid of \$6431.97.

Adopted on roll call September 26, 1955.  
Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14401.By JENSEN:

Approving recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding the contract for concrete paving on North 8th Street from Lawrence Street to Alder Street, L I D 4565, to George Madsen, d/b/a George Madsen Co., on his low bid of \$4,656.54. It was moved by Dr. Humiston, seconded by Mr. Jensen, to suspend Rule 9 and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call September 26, 1955.  
Ayes 8; Nays 0; Absent 1; Bratrud.

Resolution No. 14402.By JENSEN:

Approving recommendation of the Director of Public Works and the Board of Contracts and Awards and authorizing and directing the proper officers to sell the buildings lying within the right of way for the South 12th and Sprague cut-over, located at the addresses set forth herein, to the individuals designated opposite the respective addresses at the purchase prices designated following the name of the purchaser. It was moved by Dr. Humiston, seconded by Mr. Perdue to suspend Rule 9 and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call September 26, 1955.  
Ayes 8; Nays 0; Absent 1; Bratrud,

It was moved by Dr. Humiston, seconded by Mr. Perdue to suspend Rule 7, relative to filing of new matter, in order to give consideration to Resolution No. 14403. Motion carried unanimously on voice vote.

Resolution No. 14403.BY HUMISTON:

Accepting the bid of Broadway Transport Inc. for the purchase of Parcel B, more specifically described as lots 13 to 20 inc., Block 2307, Tacoma Land Company's First Addition, for sum of \$55,100.00 (part of Holgate property) and authorizing and directing the proper officers of the City to execute the necessary documents and instruments to affect the sale of said property hereinabove described to Broadway Transport Inc. It was moved by Dr. Humiston to suspend Rule 9 and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call September 26, 1955.  
Ayes 8; Nays 0; Absent 1; Bratrud.

FIRST READING OF ORDINANCES:

Ordinance No. 15433.      L I D 5257.

Providing for the construction of a 12-inch cast iron water main in South 19th Street from Tyler Street to Mason Avenue; an 8-inch cast iron water main in Mason Avenue from South 19th Street to South 23rd Street; and a 6-inch cast iron water main in Tyler Street from South 12th Street to South 19th Street and in South 17th Street from Tyler Street to Mason Avenue; creating L I D 5257. Read by title and placed in order of final reading.

Ordinance No. 15434.      L I D 5256.

Providing for the construction of a 6-inch cast iron water main and fire hydrants in East 50th Street from East "B" Street to a point approximately 720 feet east and in East "B" Street from East 50th Street to East 52nd Street; creating L I D 5256. Read by title and placed in order of final reading.

Ordinance No. 15435.      L I D 6746.

Providing for the installation of ornamental street lights with underground wiring, on Rochester Street from Sixth Avenue to North 9th Street; creating L I D 6746. Read by title and placed in order of final reading.

Ordinance No. 15436.      L I D 4576.

Providing for the improvement of North 12th Street from Mason Street to Proctor Street by grading to the established subgrade and placing thereon an asphaltic concrete pavement, with cement concrete curbs and gutters, together with the necessary storm drainage; creating L I D 4576. Read by title and placed in order of final reading. Dr. Battin advised Council that two property owners were present and would like to be heard at this time. Mr. Stojack pointed out that a public hearing had been held on this district by the L I D Committee on September 20th, at which time remonstrances were considered and remonstrators heard. He could see no object in holding committee hearings if they were going to hear the same protests at a Council meeting, he said. The matter was discussed at length, and in conclusion Mayor Tollefson suggested that these two men hand Mrs. Goering, Chairman of the L I D Committee a written protest, which can and will be considered at the next Council meeting when the ordinance comes up for final reading and passage, and the two men who were present at tonight's meeting said this arrangement would be satisfactory to them.

Ordinance No. 15437.      L. I. D. 2179.

Providing for grading to the established subgrade and placing thereon a gravel and oil mat surface on Shirley Street from North 31st Street to the South line of Westmoreland Terrace; creating L I D No. 2179. Read by title and placed in order of final reading.

Ordinance No. 15438.

Amending Section 48 of Ordinance No. 15106, entitled: "An ordinance adopting the pay or compensation plan as contemplated by Section 6.9 of the City Charter; prescribing the salaries to be paid to nonelective officers and employees of the City; establishing the positions of the various departments of the City Government, etc." (Pay or Compensation Plan; re vacation allowance for City employees). Read by title and placed in order of final reading.

At this time Mayor Tollefson introduced a group of students, who are members of civics classes at Lincoln and Stadium High Schools. Jim Hoard acted as spokesman for the group and explained to Council members the plans they have for conducting a four day survey to determine when the Citizens of Tacoma would like to vote on a new City Charter. They will also ask numerous other pertinent questions concerning City government, and he promised that it would be a representative poll, as they intend to interview various age groups, people in various income brackets and from different sections of the City. This poll will be completed in time for next Monday's Council meeting, he added. Several Council members commended the students on their civic project and Mrs. Goering said she would like to wait until after the poll has been completed before the Council takes action to fix a date for the special election, as she for one would like to be guided by the results of the poll. Dr. Battin agreed with Mrs. Goering's thinking in the matter. Mr. Stojack referred to the request of the Free-holders for an early decision on the date of the election, and asked if the Council intended to furnish them this information tonight. The matter was discussed and upon the opinion of Mr. Boyle that the Charter could be completed without this information, it was decided it was not necessary to reply tonight as a delay of a week would not jeopardize the Charter.

Order of business reverted to

FINAL READING OF ORDINANCES:

Ordinance No. 15431. L I D 2225.

Providing for grading, graveling and oil mat on Frace Street from North 38th Street to North 46th Street; creating L I D No. 2225. It was moved by Dr. Humiston to suspend Rule 9, seconded by Mr. Perdue and carried unanimously on voice vote. The ordinance was then passed without having been read in full. 2  
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Roll call: Ayes 8; Nays 0; Absent 1; Bratrud.

Ordinance No. 15432.

Authorizing and directing the City Attorney of the City of Tacoma to purchase certain property for the protection of the water supply of the City of Tacoma in the Green River Watershed. Read by title. It was moved by Col. Hooker to suspend Rule 9, seconded by Dr. Humiston and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 8; Nays 0; Absent 1; Bratrud.

Ordinance No. 15398- (laid over to this date on August 22nd).

Amending Ordinance No. 14793, entitled: "An ordinance to regulate the location and use of buildings and the use of land within the City of Tacoma; to limit the height of buildings; to prescribe building areas and lines, and the size of yards and other open spaces and for these purposes to divide the City into districts, etc." ZONING ORDINANCE- by adding thereto a new section to be known as Section 8 I( C-1 Commercial district, property located on either side of 6th Avenue from Proctor to Madison Streets). Read in full. The Clerk read from the report of the City Planning Commission, dated September 23, 1955, which stated that since the findings indicate that reasons previously given for recommending the reclassification cannot be fully supported at this time, they are rescinding their approval of the petition and recommend that it be disapproved, and have instructed the Staff to go forward with a study to determine more exactly the extent to which the zoning along 6th Avenue in this area may be in error and to make recommendations for proper corrections if considered necessary. Letters from Herbert L. Hartman, 3415 North 7th; W. J. and Helen Raedisch, 717 South Madison and Mrs. Charles A. Sherman, 3914 South 7th Street, were read, favoring the zoning of this block to C-1 district.

Mr. Stojack, Council member on the Planning Commission, explained that the Commission had voted to leave the status of this block "as is" (C-2) for the present, as they were unable to find the reason for zoning it "C-2" and they want the staff to make a thorough study to ascertain if there is any error and to determine what the zone should be, which would take from three to six months with the limited staff available. It was brought out in the discussion that the property would not be frozen during the time the study was being conducted and that any business allowed in a "C-2" district could be put in. Mrs. Goering was of the opinion that it might be helpful to have the more restrictive Zone C-1 until the study is completed and Dr. Humiston and Mr. Perdue agreed with Mrs. Goering. F. A. Bond, spokesman for the residents who have petitioned for a return of the block to the "C-1" Classification, spoke in favor of the passage of the ordinance. He pointed out that they have 90 signed in favor of the rezoning, which is 25 more signatures than is required by law, and since it is a valid petition, it should be granted by Council. A long discussion followed and at the conclusion the Mayor asked if there was any one present who favored retaining this block in a "C-2" district and no one responded. He then asked for a show of hands of those favoring a "C-1" District and a great number of hands were raised. Several Council members said they were ready to vote on the passage of the ordinance and the roll was called, resulting as follows:

Roll call: Ayes 7; Nays 1; Stojack, Absent 1; Bratrud.

UNFINISHED BUSINESS:

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L. I. D. 5253, for installation of water mains in the area between South 40th and South 49th and between Alaska Street and Hosmer Street, on which the hearing had been continued until tonight's Council meeting at the request of the LID Committee, was brought up at this time. Mrs. Goering, Chairman of the L I D Committee, said that the Committee did not feel qualified to pass on this district and had asked that it be referred to the Council as a whole after the Council members had viewed the proposed area first hand. Dr. Humiston said he had toured the area and from what he had seen apparently a sub-division was going in, and he asked what portion of the L I D was under the control of the sub-division and why others were involved. Mr. Benedetti of the Water Division replied that approximately half of the area belonged to the sub-division and that others who are included had never paid for a water main, but were benefited by water from a shoe string service attached to a water main paid for by some one else. Development in this area is being held back because no more houses can be built due to a lack of water service. Dr. Humiston said that some fears had been expressed that the promoter would be able to utilize only a portion of the property and the City would get the worthless portion back for delinquent assessments. Mr. Benedetti advised that the Water Division would not advertise for bids or proceed with the district until the low spot is filled and the contractor has been notified to this effect. Col. Hooker and Mr. Perdue said that after viewing the area they felt it was to the best interest of the City to have the watermains installed so the district could be developed. Mr. Cornelius Humphrey, who had circulated the petition, spoke in favor of the improvement and said that Mr. McGhee, the contractor, could not possibly pull out at this stage as he has too much money involved. He urged the Council to create this district and thus open 100 acres in the City limits. Mr. C. S. McLean, Mr. and Mrs. Wm. Loew, Mr. W. J. Lea, Mr. John Roller and Mr. Tom Kulavick all spoke at length against the improvement, stating they had a satisfactory water supply, and they asked the Council to create a district to supply Mr. McGhee with water and eliminate them from the improvement. Mr. Benedetti pointed out that Mr. MCGhee has property on seven different streets and the only way he can get water service is by creation of the district as set up by this L I D. Mr. Stojack asked for a legal opinion as to whether or not the people on 43rd, 44th, and 45th, who have asked to be left out of the district, would have any legal standing if they should decide to press the issue and Mr. Boyle said they would not as the L I D laws are based on the rule of majority. After this discussion, Mrs. Goering reported that the L I D Committee had no recommendation to make to the Council. It was moved by Col. Hooker, seconded by Dr. Battin that the remonstrances amounting to 38.57% be overruled and the district be created. Carried on roll call: Ayes 7; Nays 1; Stojack; Absent 1; Bratrud.

Mr. Perdue, Chairman of the Council Committee appointed to investigate firms of consulting engineers for a master plan for Tacoma's sewer system, read the Committee's report for Council's information. This report concluded with the recommendation that Brown and Caldwell, sanitary engineers, be employed by the City of Tacoma to study its sewer and drainage problems, and write a comprehensive report, which will constitute a master plan for the future development of Tacoma's sewer system. 157 216

Dr. Walter A. Anderson, a partner in the Central Veterinary Hospital at 4002 South Tacoma Way, protested the closing of the opening in the channelization in front of their business when the new channelization was installed after the street had been resurfaced last week. It is very difficult for customers to turn into the hospital, he explained and he asked the Council to take under consideration the opening of the channel in front of their place of business as they are the only firm in the area having no outlet.

Upon motion, duly seconded and carried, Council then adjourned at 11 P. M.

*W. J. Johnson*  
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 President of City Council.

Attest: *Josephine Melton*  
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 City Clerk.