

Council Chambers, 4:00 P.M.  
Monday, Jan. 5, 1959

Council met in regular session. Present on roll call 8; Anderson, Bratrud, Goering, Humiston, Perdue, Porter, Price, and Mayor Hanson. Absent 1; Easterday.

It was moved by Dr. Humiston that the minutes of the Dec. 29, 1958 meeting be approved as submitted. Seconded by Mr. Porter. Carried unanimously. Ayes 8; Nays 0.

#### PETITIONS:

Petition from William L. Good for rezoning of property from an R-1 District to a R-4-L District in the area of So. 19th and Alexander-Jackson Street. 590

Referred to the Planning Commission.

#### RESOLUTIONS:

Resolution 15477:

BY ANDERSON:

Pledging full co-operation, effort and support to the Department of Commerce and Economic Development and all other planners, commissions, bodies and persons concerned in the promotion and holding of Century 21 Exposition, and rescinding Resolution No. 15382. 507 604

Mr. Porter said his opinion hasn't changed since this Resolution was brought up before the Council on December 1st. He suggested that the people who have injunctions against the Seattle site be invited to attend the next Council meeting and speak on the subject.

Mayor Hanson said he had talked with Mr. Alfred J. Schweppe and he said that the injunctions had been refiled and that there is a demurrer pending against it that will be argued this week or next.

Mr. Anderson said he felt the Council was in error in not backing this Century 21 Exposition, as from all indications, it is going to be in that site. He said the Resolution has been set over before at Mr. Porter's request and nothing has been done with it. At the present time all the property has been purchased with the exception of one piece which will be purchased within the next few days. Seattle has spent \$4300,000 on the Fair, so far. The State of Washington has spent \$1,200,000.

Mr. Anderson said he had attended many meetings in Seattle and is convinced that Tacoma cannot change the site. The Tacoma Chamber of Commerce has endorsed the Seattle site wholeheartedly. He said there is much work to be done for the Fair and Tacoma

should get on the "band wagon". The Federal Government has appropriated \$80,000 for study and research, and Senator Jackson said there were hopes of receiving a couple million dollars. The architect is designing the overall plans of what the Fair will look like. He said the Fair has gone too far now to have anyone oppose it.

Dr. Humiston said he felt that the Council should not supersede the Superior Court in having these people argue their case. This is something that should be argued in Court alone. He said he talked to Mayor Clinton about this site, and the Mayor stated that there was no possibility at all of the site being changed. Therefore, personally is in favor of passing this Resolution.

Dr. Humiston moved that the Resolution be adopted. Seconded by Mr. Anderson. Motion carried.

Adopted on roll call January 5, 1959  
Ayes 7; Nays 1; Porter Absent 1; Easterday.

Mayor Hanson said he would entertain a motion to suspend the rules so as to take up the matter of Ordinance 16248 and Ordinance 16249.

Dr. Humiston then moved to suspend the rules to take up these two matters. Seconded by Mr. Anderson. Carried unanimously. Ayes 8; Nays 0; Absent 1; Easterday

Ordinance No. 16248:

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548 Amending Section 13.06.275 of the Official Code relating to Zoning - "C-P" Districts - Regional Shopping Center.-

Mr. Feist, Secretary of the Planning Commission, said Mr. Buehler, City Planning Director, Bob Garen, member of the Planning staff were present to explain the Planning Commission's recommendations on the Shopping Center Ordinance.

Dr. Humiston said he was willing to accept all of the recommendations of the Planning Commission, but paragraph eleven.

Mr. Bob Garen said the language in the recommendation should speak for itself. The main difference between this first amendment which related to the "intent" and the later Paragraph 8 is the inclusion of the market analysis being conducted, and signed by a recognized and independent market analyst.

In Paragraph 11 the difference in regards to the plan for stage development is that the Planning Commission recommended that the that the sentence deleted by Resolution No. 15543 ("or may be approved by the Planning Commission prior to, or during the course of, construction of the shopping center.") be left in. He said the reason that the language was included originally was as a compromise for the people who were representing Allenmore Shopping Center Rezoning, at that time.

They felt that having to adhere to a plan for stage development without any chance for later coming before the Planning Commission and getting an amendment, was too rigid.

Dr. Humiston said it was his thought, that it would be better to do away with this power, of the Planning Commission to let the stage development be changed, after an area is rezoned. He said this would not make it impossible for changes in the stage development, but would make it necessary for the developers to have approval from both the Planning Commission and the City Council. He felt this was a healthier situation.

Dr. Humiston moved to amend Ordinance No. 16248 to comply with the Planning Commission's recommendation in Paragraph 9, 8, 8A and Section A, with the exception of Paragraph 11; Seconded by Mr. Porter. Motion carried. Ayes 8; Nays 0; Absent 1; Easterday.

Mr. Buchler said the hearings under "Unfinished Business" with reference to Allied Owners, Inc., petition and the petition of Mr. A. F. Gratzner, should be taken up at this time.

The Allied Owners Petition was discussed at this time.

This is the date to which the Council continued the hearing on the petition of Allied Owners, Inc., for the rezoning of the area bounded by the proposed freeway on the east; Pine Street on the west; South 43rd on the north and So. 46th on the south from an R-2 District, R-3 and C-1 Districts to a C-P-R- Regional Shopping Center.

Mr. Rowlands asked Mr. McCormick, City Attorney, to give an opinion on the status of this hearing continuation in light of the Council's action on this Ordinance.

Dr. Humiston said he raised this question before, as to the propriety of postponing the time on the hearing and then in the middle of the hearing change the ground rules. He asked what effect this had on the application. He thought one of two things ought to be done—either turn down the appeal and let the petitioner start anew, or refer it back to the Planning Commission. He did not think the Council should take action on the petition recognizing that the Planning Commission made an examination on this proposition under an entirely different ordinance. The Council should not change the ordinance and then assume jurisdiction without either turning it down on the basis of the ordinance that existed at that time, and in fact still exists.

Mr. McCormick, City Attorney explained that there are two different matters before the Council. (1) The Ordinance amending the present rules under which the appeal was filed, which will not be voted upon until next week. (2) The appeal based on the decision of the Planning Commission on the rules that presently exist. He said it would be his opinion that if the changes are approved, the

Council should send the Town Center petition back to the Planning Commission for new hearings under the Zoning Ordinance as amended. He also felt the hearing on the Gratzer Petition for vacation of property relating to the Town Center should be continued to such time as the final determination is made on this Town Center petition.

Mr. Porter moved that the hearing on the petition of Allied Owners, Inc., for the rezoning of the area bounded by the Proposed Freeway on the east; Pine Street on the west; South 43rd on the north and South 46th on the south from an R-2 District, R-3 and C-1 Districts to a C-P-R Regional Shopping Center, be set over to January 12, 1959. Seconded by Mr. Anderson. Motion carried unanimously. Ayes 8; Nays 0; Absent 1, Easterday.

Mr. Porter moved that the hearing on the petition of A.F. Gratzer for the vacation of streets and alleys in the area bounded approximately by the freeway; So. 48th Street; So. Pine and So. 43rd Streets, also be set over until January 12, 1959. Seconded by Mr. Anderson. Carried unanimously. Ayes 8; Nays 0; Absent 1; Easterday.

Mr. Rowlands, City Manager, said the next order of business is the Sanitary Sewer Rate Ordinance No. 16249. He said Mr. Thomas Muzzy, Chairman of the Citizens Sub-Committee on Sewers, was present. The members of the Council have also been provided with an MC 244 - outlining some of the important points in the Ordinance.

\*\*\*\*\* Mr. Muzzy said the Council will recall on several occasions that the members of the Sewer & Drains Committee have presented certain facts to the Council informing them of the Committee's recommendations as far as the needs for sewers in this area. He said he felt everyone would concur on this point. However, there has been some question as to where the money would come from.

Ordinance No. 16249 has been prepared to create the funds to proceed with the twelve and one-half million dollar sewer program. Mr. presented a recommendation signed by the members of the Sewers & Drains Committee, stating they are wholeheartedly in favor of this Ordinance.

Mr. Rowlands said additional meetings were held with Mr. Muzzy and representatives, and this Ordinance was discussed section by section and no criticism was voiced. He said the section which pointed out that only waste will be going into the sewerage system and not water used, answered most of the objections of Industry. He said the Council will recall that this was taken up with the Legislative Committee of the Central Labor Council, and they went on record as favoring this program, as it is becoming more serious from the standpoint of unsanitary condition in the community.

Mr. Anderson said this sewer ordinance would take care of the health problem that Tacoma is confronted with. He felt that this was one of the most important programs that Tacoma has undertaken.

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#### Ordinance No. 16249

Amending Sec. 12.08.010 of the Official Code relating to charges and rates for sewage.

Mrs. Goering asked "when will the people begin to be charged the rate increases?"

Mr. Rowlands said it would be necessary to put the rate increase into effect in order to build up the necessary fund to take care of the bond program.

Mrs. Goering said "in other words, people who are not connected will begin to pay the rate".

Mr. Rowlands said the charge will be made only to those who have a sewer line adjacent to their property.

Mr. McCormick said he felt Mrs. Goering had a point that should be considered in reference to when the charge should be made, and thought that an amendment should be made to the Ordinance to clarify this.

Mrs. Price asked if the charge is going to be made before they are connected to the sewer or is it going to be made just when the sewer is available.

Mr. Rowlands said their interpretation was that the charge will be made if the sewer is available.

Mr. Anderson said when sewers are put in it sometimes takes 60 to 90 days to have them in operation. He felt the sewers should be available and in a state of operation before rates are charged.

Mr. Schuster said their thinking on the "availability" was that when a sewer was available it would be in a street or alley adjacent to the property involved.

Mrs. Price said she was concerned about the effect of the residential increase on persons living on fixed low incomes.

Dr. Humiston said the Council didn't have the right to charge different people different amounts. He pointed out that this is the minimum charge the experts feel the Council can make, and still take care of the sewer and pollution problem.

Mr. Rowlands said that if a serious sanitary condition arises the Council has a right to initiate an LID District. As a matter of procedure, however, the Council would be following the procedure of the Local Improvement Districts and hold hearings.

Some people would not be in a position to connect to any sewer unless the trunks go in first. Therefore the LID petitions will have to be presented to put in the trunk laterals into the streets.

Mrs. Price said she felt the increase should be for a lesser amount and that the time period be extended for a longer period of time.

Mr. Anderson brought out that this was a thirty year program.

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It was suggested that an amendment be made to the Ordinance relative to the availability of sewers and when the Ordinance would become effective from the standpoint of charging the new sewer rates, and that this amendment be brought in for the next Council meeting of the Council on January 12, 1959.

The Council then proceeded in the regular order of business.

**Resolution No. 15596:**

BY ANDERSON:

Authorizing the proper officers of the City to participate in the affairs of the Puget Sound Governmental Conference.

It was moved by Mr. Anderson to adopt the resolution. Seconded by Mr. Bratrud.

Adopted on roll call January 5, 1959  
Ayes 8; Nays 0; Absent 1; Easterday

**Resolution No. 15597**

BY GOERING:

Awarding contract to Tidewater Oil Company for the furnishing of motor oil requirements for the calendar year 1959.

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

Adopted on roll call January 5, 1959  
Ayes 8; Nays 0; Absent 1; Easterday

**Resolution No. 15598**

BY EASTERDAY:

Awarding contract to the Sound Battery Company for their bid of \$4500 for the furnishing of Storage Batteries for the calendar year of 1959.

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

Adopted on roll call January 5, 1959  
Ayes 8; Nays 0; Absent 1; Easterday

**Resolution No. 15599**

BY HANSON:

Awarding contract to the Tacoma Daily Index for the official Printing for the City for the year 1959, as the official newspaper for the year 1959.

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Mr. Rowlands said this price is the same as the City was paying last year.

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

Adopted on roll call December 5, 1959  
Ayes 8; Nays 0; Absent 1; Easterday

Resolution No. 15600

BY GOERING:

Awarding contract to Woodworth and Company, Inc., on their bid of \$470,518.68, plus tax for Imp. Nos. 2286, 1981-A, A.W.O. No. 40,007., for storm drain trunk, grading, ballastagg on designated streets in Tacoma.

Mr. Rowlands said he felt this was a very good bid, as it was \$35,000 below the estimate. He said the top bid was \$10,000 over the estimate. He said the amount for sewers itself is \$446,000 and the bid was \$420,000, for the storm drains, and roughly \$50,000 for the other improvements.

It was moved by Mr. Bratrud to adopt the resolution. Seconded by Mr. Anderson.

Adopted on roll call January 5, 1959  
Ayes 8; Nays 0; Absent 1, Easterday.

FIRST READING OF ORDINANCES:

Ordinance No. 16246

Providing for the construction, reconstruction and repair of sidewalks, gutters and curbs in various parts of the City. Placed in order of final reading.

Ordinance No. 16247

Providing for the annexation of Scenic View Heights Plat, N.E. Tacoma, Dash Point area in the vicinity of Scenic Drive and Beverly Avenue - W. H. Potucek et al petition. Placed in order of final reading.

Ordinance No. 16250

Amending Chapter 13.06 of the Official Code by deleting certain described property from Section 13.06.050 and adding a new section to be known as Sec. 13.06.160(2). Located N. E. corner of South Tacoma Way and "L" Street.

Mr. Buehler, City Planning Director, explained that this ordinance was for an addition area along Wakefield Drive which was not realistically zoned. The Planning Commission thought that this

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land that was requested for rezoning was owned by the Railroad and Highway Department, but found out that a small portion was owned by private parties and therefore they wanted to extend the present zoning to an M-1 to include this property. The Ordinance was then placed in order of final reading.

Ordinance No. 16251

Amending the Official Code relating to zoning by adding a new section to be known as Sec. 13.06.120(8). Located on both sides of Center Street from South Orchard Street to So. Huson Street.

Mr. Buehler said this was to clarify the depth of the zone boundaries that was not included in the first Ordinance which was overlooked. The Ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 16239

Amending Section 1. of Ordinance No. 16186 by changing the clerical error of interest rate from 5% to 4% on LID No. 1921.

Roll call: Ayes 8; Nays 0; Absent 1, Easterday.

Ordinance No. 16240

Vacating property located in Olympic Blvd. abutting Block "D" Highlands, Narrowview Addition, between Howard and Skyline Drive. (Development for the West End Library).

Mr. Rowlands, City Manager said that the papers have not been filed for the negotiation of this property yet, and would like to have this ordinance set over for one week.

It was then moved by Dr. Humiston that the Ordinance be set over for one week until January 12, 1959. Seconded by Mr. Anderson. Carried unanimously on roll call.

Roll Call: Ayes 8; Nays 0; Absent 1, Easterday

Ordinance No. 16241

Approving and Confirming the Assessment roll for LID 4624 paving of North 9th, Pine to Lawrence; North 10th, Pine to Cedar; and South Junett, South 8th to South 13th Streets.

Roll Call: Ayes 8; Nays 0; Absent 1, Easterday



**Ordinance No. 16242**

Approving and Confirming the Assessment roll for LID 4627 for paving, concrete curb and gutter and storm drainage on So. 58th St. and 60th St., and So. Tacoma Way to Puget Sound Avenue; also paving and storm drainage between existing curbs on Junett St. from So. 62nd to So. 64th Street.

Roll call: Ayes 8; Nays 0; Absent 1, Easterday.

**Ordinance No. 16243**

Approving and Confirming the Assessment roll for LID 4631 for concrete paving of North 8th; Union to Proctor; North 8th, Lawrence to Warner; North 13th, Alder to Lawrence, and Vista Drive to Jackson Avenue. Roll call; Ayes 8; Nays 0; Absent 1, Easterday.

**Ordinance No. 16244**

Approving and Confirming the Assessment roll for LID 4591 for paving, concrete curb and gutter and storm drainage on Ridgewood Avenue from So. 12th to So. 14th; Tyler Street from So. 15th to So. 19th Streets; Wilkeson St. from So. 19th to So. 23rd.

Roll call: Ayes 8; Nays 0; Absent 1, Easterday.

**Ordinance No. 16245**

Providing for the improvement of LID 1992 - Sanitary sewers in East D Street from East 3rd to East 11th; also in East 7th from D to F Street. Roll call: Ayes 8; Nays 0; Absent 1, Easterday.

**UNFINISHED BUSINESS:**

Mr. Rowlands, City Manager, said he would like to bring to the Council's attention at this time LID 4653 for paving on East F and D Streets. Mr. Sakuster, Public Works Director, explained that there were several hearings held on this particular LID #4653. He said originally a hearing was held for paving on East D St., 11th to East 3rd, and at that time there was approximately 16% remonstrances filed against the improvement on East D Street.

The Fick Foundry, who was included in this area suggested if East 7th Street was included in this LID that they would have to remonstrate against it. So in order that the Fick Foundry would not remonstrate against this area, the Public Works Department included this street in the LID.

Then a hearing was held on this area which included East D from Ea. 3rd to East 11th, East E from East 7th to East 11th, and East 7th from East D to East F Street; and, at the time of the hearing some of the people still remonstrated, stating they

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wanted sanitary sewers before any paving went in. So the LID Committee postponed the hearing on the area until December 23, 1958. In the meantime an LID was created for Sanitary Sewers on East D from East 3rd to East 11th, and East 7th to East D Street, and to be heard at the same time the LID for paving on December 23, 1958. At the time of the hearing the LID for sewers was approved without any remonstrances, but the LID for paving had 29.8% remonstrances. Most of the remonstrance were filed against the paving on East E Street from East 7th to East 11th Street, and it was determined by the LID Committee at the time of the hearing that the District be abandoned, and a new Resolution be drawn eliminating this area.

Mr. Schuster said this area which was remonstrated against, is in a deplorable condition, and felt the Council should go over and look at the situation before any final action was taken.

Mr. Bratrud said he was one of the members on the LID Committee that heard this particular LID, and the Committee felt that due to this remonstrance, they approved to eliminate this area. Inasmuch as this area was connected with the entire district, it was necessary to abandon the complete area and bring in a new Resolution eliminating this district. Mr. Bratrud said he thought it might be a good suggestion if some of the Council members would take a look at the situation before any action is taken.

It was then decided that the Council members would investigate the area before any action is taken.

Mr. Porter asked that Mr. Rowlands, City Manager, arrange a meeting with the representatives of the Chamber of Commerce and several of the Shippers, who use the Railroad Service, to determine what might be done in order to retain the N.P. Railway at the South Tacoma Shops. Mr. Rowlands said he would arrange a meeting for Wednesday, January 7, 1959, and that all the members of the Council will be notified.

Mr. Rowlands said he would like to get an expression from the Council before a Resolution is brought in on the matter.

He said they felt that considerable amounts of money can be saved if money could be borrowed from one of the Guaranty Funds or other funds to replace worn out equipment in the Garbage Department. He said there is some equipment that is beyond repair and some of the repairs would be excessive. He said they would like to bring in a report showing how considerable amounts can be saved.

Mr. Anderson said if Mr. Rowlands would bring in a report on what the costs would be for overhauling, etc., and also for new equipment, he was sure it would amaze some of the Council members, at the figures. Mr. Rowlands said if this were done, it would be a savings, and also give the employees better equipment to work with. It was suggested that the Manager prepare this report.

#### COMMENTS BY THE CITY COUNCIL:

Dr. Humiston said the Council postponed a Resolution on to

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December 15, 1958, which authorizes supplying water to the town of Fife until January 12, 1959, so that more information could be obtained in other utilities.

He said he hoped that the material that is being compiled would be a study of specific properties in the Town of Fife, comparing relative tax and insurance costs and services under incorporation and annexation. Mr. Rowlands said he would see that this material is furnished.

There being no further business, or comments from the audience, the meeting adjourned at 6:30 P.M.

*Ben Hanson*  
President of the City Council

Attest:

*Charles Meeter*  
City Clerk