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COUNCIL CHAMBER, 7:35 P. M.

Monday, June 17, 1957

Council met in regular session. Present on roll call 5; Goering, Humiston, Perdue, Tollefson and Mayor Anderson. Absent 4, Battin, taking his seat at 7:43 P. M. and Bratrud, Jensen and Stojack, taking their seats at 7:40 P. M.

It was moved by Dr. Humiston, seconded by Mr. Tollefson 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. Ayes 5; Nays 0; Absent 4.

PETITIONS:

X Miller Construction Company, Inc. For replat of area north of North 17th Street between Jackson and Juniper Streets, as Miller's Panorama Park, (formerly known as Olympic Highlands Addition. 321

Pursuant to applicable State Laws, the City Clerk has set July 15th 1957 as the date for hearing thereon at the Council meeting at 7:30 P. M. It was moved by Dr. Humiston, seconded by Mr. Perdue that July 15, be fixed as the date for hearing. Motion carried on roll call: Ayes 5; Nays 0; Absent 0.

Mr. Rowlands advised that a petition for rezoning had been filed with the Clerk Friday afternoon too late to appear on the Agenda. The petitioners are anxious to have the processing on this petition start as soon as possible, and if the Council is willing, it could suspend the rules and have the petition entered in the minutes and referred to the City Planning Commission. Mr. Rowlands advised.

It was moved by Dr. Humiston, seconded by Mr. Perdue that Rule 7 relative to the filing of new matter for Council's consideration be suspended in order to consider the petition for rezoning. Motion carried unanimously on voice vote.

X Commercial and Industrial Development Corporation: For rezoning from R-2 District to a C-2 District property on 6th Avenue approximately 1,200 feet west of Pearl. Referred to the City Planning Commission. 328

RESOLUTIONS:

Resolution No. 15025:

L I D 4606:

49: 23

By Stojack:

Fixing July 16, 1957 as date for hearing on L I D 4606, for permanent type paving on the following streets: Alki Street from North 43rd to Madrona Way; Orchard Road from North 26th, northward 550 feet, North 14th Street from Madison to Monroe, North Puget Sound Avenue from North 22nd to North 25th.

Adopted on roll call June 17, 1957
Ayes 9; Nays 0; Absent 0.

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Resolution No. 15026: X L I D 5288:

By Jensen:

Fixing July 16, 1957 as date for hearing on L I D 5288 - installation of a six inch cast iron water main in East 68th Street from East B Street to East E Street.

Adopted on roll call June 17 1957
Ayes 9; Nays 0; Absent 0.

Resolution No. 15027: X

By TOLLEFSON:

Authorizing sale of approximately 11 tons of scrap locomotive wheels approximately 17 tons of railroad scrap iron and approximately 22 tons of scrap steel rails to Northwest Pipe & Salvage Co. on their bid of \$33.89 per ton. (property of the Utilities Department)

Adopted on roll call June 17, 1957
Ayes 9; Nays 0; Absent 0.

Resolution No. 15028: X

By GOERING:

Awarding contract for the purchase of 2,000 gallons of white Traffic Paint and 399 gallons Yellow Traffic Paint to Rudd Paint and Varnish Co. for the price of \$5,220.00 plus state sales tax, which is the lowest and best bid.

Mr. Bratrud asked where the Rudd Paint and Varnish Company was located and Mr. Rowlands replied it was a Seattle concern. Mr. Bratrud asked if the policy of Council giving a 5% preferential to Tacoma concerns, would allow the contract to be awarded to a local company, and he was informed that the policy he referred to covered the State of Washington rather than the City of Tacoma. Mr. Tollefson asked if the various products had been tested, and Mr. Statman replied that they all had been given laboratory tests and were found about equal in quality.

Adopted on roll call June 17, 1957
Ayes 9; Nays 0; Absent 0.

Resolution No. 15029: X

By HUMISTON:

Authorizing contract for the purchase of four cab-over type truck chassis to Diamond T Trucks, Inc., for the purchase price of \$27,204.32, plus state sales tax, which bid is determined to be the best bid.

Adopted on roll call June 17, 1957
Ayes 9; Nays 0; Absent 0.

The City Clerk announced to the members of the Council that a printed copy of the "Charter and Official Code of the City of Tacoma" had been duly and regularly filed in her office pursuant to Chapter 97, Laws of 1957.

Mr. McCormick advised that in order to comply with the legal requirements, Ordinance No. 15904, adopting the Codification, should be given first reading prior to the adoption of Resolution No. 15030, which provides for publication of the notice of hearing.

It was moved by Dr. Humiston, seconded by Mr. Tollefson, to suspend Rule 5 (Order of Business) in order to give first reading to Ordinance No. 15904. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 15904:

Adopting the codification of the Charter and the ordinances of the City of Tacoma of a general, public or permanent nature, or imposing a fine, penalty or forfeiture; as the official Code of said City, as provided for and pursuant to Section 2.16 of the City Charter and Chapter 97, Laws of 1957. Read by title and placed in order of final reading.

Order of business reverted to:

RESOLUTIONS:

Resolution No. 15030: X
By GOERING:

Authorizing and directing the City Clerk to publish notice of the hearing on the adoption of the codification of the charter and of the ordinances of the City of Tacoma in the Tacoma Daily Index, which hearing is to be held on July 1, 1957, in the Council Chamber at 7:30 P. M.

Adopted on roll call June 17, 1957.
Ayes 9; Nays 0; Absent 0.

Resolution No. 15031: X
By ANDERSON:

Reappointing Warner C. Mattson as a member of the Civil Service Board to fill the term expiring June 30, 1963.

Adopted on roll call June 17, 1957
Ayes 9; Nays 0; Absent 0.

Resolution No. 15032: X
By THE COUNCIL:

Authorizing the Employees' Retirement System to obtain and retain the expert services of Moody's Investors Service for the investment Council for a

sum not in excess of \$4,000.

Dr. Humiston pointed out that it was the responsibility of the Council to see that the funds of the Retirement System are properly handled, and he felt the proper controls to protect the Fund should be covered by an amendment to the Retirement Ordinance, to provide for a Consultant's service. He also felt that any such service should cover the entire portfolio, while the Moody's Investors Service will cover only about one-half of the investments. Mr. McCormick was asked if the matter could be handled by the resolution and he advised that the Retirement System Ordinance could be amended if Council wished to make the consultant service a fixed standard, but the resolution is sufficient for hiring the services.

Mr. Gaisford advised that almost half of the Retirement Fund is invested in municipal bonds of small cities in the State of Washington, and that Moody's Investors Service will not evaluate these investments, if they are under a \$700,000 issue. However, they probably would be willing to take over the entire portfolio on an hourly rate basis. Mr. Gaisford added. Mr. Ketler asked if this Resolution had the approval of the Retirement Board, and Mr. Rowlands replied in the affirmative.

Mr. Perdue asked if it were not possible to obtain the service of some competent local concern to act in this capacity. Mr. Rowlands said they might discuss further with the Finance Director the possibility of obtaining consultant service on the smaller investments, but he felt they should retain a national firm like Moody's Investors Service for corporate investments.

Dr. Humiston said he would like to see an ordinance drawn to amend the Retirement Ordinance requiring the employment of an investment Counsel to advise the Retirement Board on investments, and that this Counsel be approved by the Board and by the City Council. Mr. McCormick was asked how soon such an amendment could be passed in view of the interval of time in which no amending ordinances can be passed because of codification of Ordinances, and he advised that the first possible date would be July 22nd.

In view of this opinion, it was moved by Dr. Humiston seconded by Mr. Bratrud that this Resolution be postponed to July 22nd. This motion was discussed. Mr. Jensen pointed out that the Retirement Board had spent a great deal of time reviewing the various bids, and had accepted Moody's Investors Service as the best bid. Now the Council is placing itself in the position of getting another firm to bid on this service, he added. Roll was called on the motion to postpone, which lost: Ayes 3; Bratrud, Humiston, Tollefson; Nays 6; Battin, Goering, Jensen, Perdue, Stojack and Mayor Anderson. Absent 0.

Roll was then called on the Resolution

Adopted on roll call June 17, 1957

Ayes 5; Nays 0; Absent 0.

Resolution No. 15033:

By BRATRUD:

Authorizing the Director of Public Works to enter into a mutual agreement with abutting property owners for repair of hazardous sidewalk located at approximately 1010 So. 18th Street, pursuant to Ordinance No. 14972.

Adopted on roll call June 17, 1957

Ayes 9; Nays 0. Absent 0.

Resolution No. 15034:

304

By BRATRUD:

Authorizing execution and delivery of a contract for the operation and control of the City Pound by the Tacoma Humane Society, substantially upon the terms and conditions of the agreement attached hereto.

Dr. Battin asked if the City was permitted to examine the books of the Humane Society, and Mr. Rowlands replied that the City had this right. Mr. Gaisford stated that a complete audit is made of Humane Society Books every year.

Mr. Stojack asked for an explanation of the changes in the contract. Mr. Rowlands explained there were three major changes; (1) The city will receive 5% of the money from licenses, impounding fees, and fines, instead of 15%; (2) allow the Humane Society to buy gas and oil from the City; (3) The City will pay for receipt books and license tags which will mean a savings of approximately \$4,500 a year to the Humane Society.

Dr. Battin pointed out that the General Funds costs are increased by this amendment, while it gives the Humane Society additional funds. He has heard that the Society will receive a legacy amounting to \$30,000 next month, and if this is true, the financial condition is not as serious as it has been pictured. Mr. Fiedler Manager of the Humane Society was asked about this bequest. He reported, they have been informed, they will receive approximately \$30,000 from the Hart Estate, but as yet they have not received it. The Board of Directors voted to place the major portion in a trust account and the balance was to be used for improvements. Mr. Fiedler added. The Contract requires them to set aside a reasonable amount for improvements, but so far they have not been able to build up any reserve for this purpose.

Mr. Perdue said it seemed to him that if the Society receives donations as large as this some of the money could be used for expenses. He believes there may be some way they can keep up their expenses without seeking finances from the City that is badly needed for municipal expenses.

Mr. Jensen said the Tacoma Humane Society has proved a profit making organization as far as the City of Tacoma is concerned. A few years ago the entire cost of the pound was paid by the City, while under the present arrangement, the cost to the City is very little. Tacoma is fortunate to have a group that is willing to run the pound, and the Council should commend the organization for doing a good job, and cooperate with them, Mr. Jensen stated.

Mr. Perdue said he did not like to see the City bind itself to give the Humane Society the additional 10% for twenty-five years, but, he would be willing to approve this arrangement for one year.

Mr. Tollefson pointed out that according to Provision 16 of the agreement (page 5) the Society has to give six months notice of election to terminate the Contract, while the City is only required to give 60 days. He suggested that the time be made the same for both parties, and the second paragraph be deleted. Mayor Anderson asked Mr. Fiedler if he thought the Board members would have any objections to this change, and Mr. Fiedler said he believed the change would be satisfactory to the Board. It was moved by Mr. Tollefson, seconded by Mr. Perdue to amend the first paragraph of proviso 16 by adding the words "and also the City" after the words "Society" and changing the word "City" to "other Party" in the second line; and to delete the second paragraph. Motion carried unanimously.

Mrs. Goering asked Mr. Rowlands if he had gone over the books of the Humane Society to determine that financial relief was needed.

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Mr. Rowlands replied that this had been done and they felt there was a definite need for more funds, if the Humane Society is going to do the job as it should be done,

Mr. Perdue said he felt the contract should be for a shorter length of time than twenty-five (25) years. Mayor Anderson asked how long a contract Mr. Perdue favored and he replied that he favored one year. It was moved by Mr. Perdue, seconded by Dr. Battin that the contract with the Humane Society run for one year. Speaking on the motion, Mr. Bratrud said he felt one year was too short a time, as it would not allow for long term planning, nor would there be any incentive to make endowments to the Society when the contract was so uncertain. Mr. Perdue said he could see where a one year contract would make a difference in long range planning and endowments, and asked if a special resolution could be adopted to allow the Humane Society this additional 10% for one year. Mr. McCormick advised that a paragraph could be inserted in the contract relative to reviewing the percentage every five years. Mr. Perdue said he would be willing to withdraw his motion for a one year contract if a clause, providing for reconsideration at regular intervals of the percentage paid the Society, was included. Dr. Battin, who seconded the motion, agreed to withdraw his second.

Mayor Anderson asked Mr. Perdue how often he felt the rate should be reviewed. Mr. Perdue replied that he believed every three years was a good compromise. Accordingly it was moved by Mr. Perdue, seconded by Dr. Battin that three years be inserted in the proposed clause for review of the percentage.

Mr. Tollefson suggested that before anything is done on this matter, the Council be given a report from the Manager's Office as to the actual cost to the City for collecting dog licenses. Mr. Rowlands said this information could be brought in next meeting

It was then moved by Mr. Jensen, seconded by Dr. Humiston that the resolution be laid over for one week, to June 24th. Motion carried unanimously.

As a motion to postpone action takes precedence over all other motion roll was not called on Mr. Perdue's motion to insert three years in the proposed clause of the review of the percentage.

Resolution No. 15035:

By PERDUE:

Authorizing the City of Tacoma to enter into a modification of the agreement with the U. S. in connection with the construction of the Eagle Gorge Dam, whereby the Government will pay for the encasement of the Water Division's Green River gravity line in concrete where the N. P. Railroad right of way crosses same.

Adopted on roll call June 17, 1957

Ayes 9; Nays 0; Absent 0.

Resolution No. 15036:

By STOJACK:

Authorizing the City of Tacoma to enter into a service agreement

with the McChord Air Force Base at McChord Field for the purchase of electric power from the City.

Mrs. Goering pointed out that in a discussion last meeting, Mr. Barline had stressed the fact that unless large sums were spent for expansion of electrical facilities, there was great danger of a power shortage in the City, and now the Utility Department does not hesitate to substantially increase the amount of power sold to McChord Field. She said she didn't understand the philosophy of expanding outside the City if the people inside the City are in jeopardy.

Mr. Barline advised that this contract amounts to \$92,000 and will mean that the City General Fund will receive 8% of this amount. The sale of power to customers outside the City is one of the few ways the City has of taxing this group who use city services. Moreover without the profits from larger loads furnished to outside customers, the City would not have been able to maintain its low rates and make a number of improvements to its plant, Mr. Barline added. Mr. Bratrud asked if customers at McChord Field were paying the same rate as citizens of Tacoma for electric power, Vivian B. Jones, Assistant Superintendent of Light explained that the City sells this power to the government at wholesale and it is distributed to individual customers, over the governments distribution system, which is maintained entirely at government expense. The Department has no knowledge of what is charged for the electricity by the Government, he added. After further discussion, roll was called on the adoption of the Resolution.

Adopted on roll call June 17, 1957.
Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 15903:

Repealing Ordinance No. 15088, an ordinance authorizing the execution and delivery of a contract between the City of Tacoma and the Tacoma Humane Society. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15901: X

Vacating that portion of Marshall Avenue, not presently vacated, from Lincoln Avenue to Milwaukee Way. Read by title and passed.

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

Ordinance No. 15902: X

Amending Ordinance No. 14892 - GENERAL LICENSE ORDINANCE by amending Sections 32, 32A, 32B, 32C, 32D, 32E and 32-O; and repealing Sections 19, 19A and 19B - Fumigators, Sprayers and Exterminators. Read by title.

Mr. Rowlands advised that the ordinance should be amended to raise the insurance coverage to \$100,000 minimum and \$300,000 for more than one person injured or killed, so this ordinance will conform to other ordinances

containing provisions for insurance coverage.

It was moved by Mr. Tollefson, seconded by Mr. Stojack that Section 32D be amended by raising the insurance coverage from \$25,000 minimum to \$100,000 and from \$50,000 to \$300,000 for more than one person injured or killed. Motion carried unanimously.

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

Ordinance No. 15893: X

Amending Ordinance No. 14892 - GENERAL LICENSE ORDINANCE - by adding thereto six new sections - Sec 78 and 78A to 78E, Inc. (Repealing Sec. 224 of Ordinance No. 3376, Section 74f of Ordinance No. 14892) LICENSING HEATING CONTRACTORS. Read by title.

Mr. Rowlands called attention to the report of Director of Public Works relative to increasing Contractors license fee to \$100.00, which was handed each Council member at tonight's meeting. This report stated eight firms had been contacted and the poll shows seven favor the new Ordinance and \$100. fee, and one opposed the raise. Mr. Rowlands advised.

Mr. Perdue pointed out that this report did not cover small business firms which might install one or two appliances. It seems to him that they would have to discontinue handling this equipment if they are required to pay a license fee of \$100., Mr. Perdue added. Mr. Staman said a number of merchants were turning the installation work over to Contractors.

Mr. Jensen said he did not think the wording of Section 78 was specific enough, and should include also the installation of used appliances. In order to clarify this wording, it was moved by Mr. Jensen, seconded by Mr. Stojack to amend Section 78 by adding the words "either new or used" after the word appliances in the 4th line. Motion carried. Ayes 9; Nays 0; Absent 0.

Copies of letter requested from the Fire Department by Council on June 3rd for their comments on the provisions of the ordinance were also distributed to Council members. This letter signed by Lt. R. K. Heymel of the Fire Prevention Bureau, stated that in his opinion, the Citizens Advisory Committee and supervisory personnel of the City have prepared an adequate and comprehensive regulatory code for licenses and installations to provide safe and satisfactory carrying on of occupations and activities in Tacoma so far as heating and ventilating are concerned.

At this time Mayor Anderson asked to be excused, and Vice-Mayor Battin assumed the chair.

Roll was called on the passage of the ordinance, as amended.

Roll call: Ayes 6; Battin, Goering, Humiston, Jensen, Stojack and Tollefson Nays 1, Perdue; Absent 2, Bratrud and Mayor Anderson.

UNFINISHED BUSINESS:

Mr. Rowlands referred to communication from the Fire Chief dated June 13, 1957, on the subject of Mutual Fire Assistance Agreements.

copies of which were furnished Council members with the Agenda. This communication stated that fifteen Communities were contacted relative to forming a fire assistance agreement and compensation plan; seven of these have agreed and signed the necessary papers, leaving eight who have not joined. Mr. Rowlands advised that hereafter City equipment will not respond to any outside calls for fire assistance, unless a mutual fire assistance contract has been signed. Dr. Humiston said he did not agree with this policy but felt a more generous attitude should be taken. He suggested that, if help is needed, the City Fire Department should respond and send the community a bill, at which time further negotiating could be done. Several Council members did not agree with Dr. Humiston. Mr. Tollefson said perhaps some communities do not wish the City of Tacoma to participate in their fire fighting problems. He suggested that the City Manager communicate again with those Communities who have failed to sign up, and advise them the City hereafter will not be in a position to assist them in fighting a fire, unless they sign a Mutual Fire Assistance agreement with the City of Tacoma.

✓ Mr. Rowlands called attention to MC-145 covering Fire Service Charge for United States Oil and Refining Company. They are making two suggestions for fees to be charged, (1) Based on their assessed valuation, a reasonable fire service charge would be \$3,296.72 per year or \$274.13 per month and in addition \$100.00 should be paid for each Engine Company and \$150.00 for each Truck Company which responds to an alarm. (2) The Company be assessed \$1,000 per piece of equipment per hour per alarm. In view of the fact that Fire Fighting Service is virtually a standby or emergency service, the standby charge in (1) seems to be a realistic figure, Mr. Rowlands concluded. Mr. Tollefson asked if Mr. Rowlands had contacted other cities to ascertain what experiences they have had in this field of operation. He suggested that the City Manager write to the League of California Cities to obtain information and recommendations for providing firefighting service to oil companies outside the City Limits.

✕ Mr. Rowlands asked Mr. Barline if his report was complete on the use of City cars. Mr. Barline replied it would be available for next week's meeting. Accordingly the matter was deferred until next Monday

ITEMS RECEIVED FOR FILING IN THE OFFICE OF THE CITY CLERK:

- Personnel Report for the month of May, 1957
- Tacoma Police Department report of cases in Tacoma Municipal Court during the month of May, 1957.
- Fire Department, Report for the month of May, 1957.
- Tacoma Employees' Retirement System, Annual Report for the year, 1956.
- Director of Finance, report for May, 1957.
- Light Division, report for the month of April, 1957.

UNFINISHED BUSINESS:

- ✕ Mr. Rowlands asked Mr. McCormick if he had any further report on

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the Edwin E. Hubbell case. Mr. McCormick advised that he has not been able to have a conference with Mr. Ketler of the Municipal Civil Service League, but expects to hold a meeting on this matter in the near future. A report will be ready by next meeting, he added.

X Dr. Battin advised that he expects to be absent for the next four Council Meetings, and asked to be excused. It was moved by Mr. Tollefson seconded by Dr. Humiston that Dr. Battin be excused from the next four Council meetings. Motion carried unanimously.

X Mr. R. Resch, residing at 3822 South 19th Street, appeared before Council to complain about the manner in which the Contractor had completed work on South 19th Street. He explained that he was not satisfied with this improvement, as the bank on his property had been cut back three feet more than was agreed upon, and it was left at such a steep grade that it is dangerous to children who play there. He also complained of the excessive speed that automobiles travel on this street, saying he has great difficulty in backing out of his driveway, and asked that the speed be reduced on this street. Mr. Resch was advised that the Public Works Department would investigate his complaints about the steep grade on his bank and also the excessive speed of motorists.

Upon motion, duly seconded and carried, Council adjourned at 9:44 P. M.

Attest: Josephine Mector
City Clerk

John Anderson
President of the City Council