

Council Chamber, 7:30 P. M.

Monday, February 11, 1957

Council met in regular session. Present on roll call 8: Battin, Bratrud, Goering, Humiston, Jensen, Perdue, Stojack, Mayor Anderson. Absent 1, Tollefson.

It was moved by Mr. Jensen, seconded by Mr. Stojack that the minutes of the previous meeting, copies of which had been mailed to each Council member by the Clerk be approved and the reading thereof dispensed with. Motion carried on roll call: Ayes 7; Nays 1, Perdue (not voting); Absent 1, Tollefson.

RESOLUTIONS: x

Resolution No. 14899:

L I D 6751:

By HUMISTON:

Fixing March 5, 1957 as the date for hearing on L I D 6751 - ornamental street lights and standards on North 33rd Street from Proctor Street to Union Avenue.

Adopted on roll call February 11, 1957

Ayes 8; Nays 0; Absent 1, Tollefson.

Resolution No. 14900: x

By ANDERSON:

Providing for constructing, reconstruction or repair of sidewalks, gutters and curbs and driveways in various locations of the City; and fixing Monday, March 4, 1957 as the date for hearing thereon before the entire Council. Mr. Jensen asked if some City legislation could be passed in Tacoma similar to that of other cities to provide that when a sidewalk needs repair, that the property owner is notified, and this absolves the City from responsibility and damages in the event of an accident. The burden is thereby placed on the property owner instead of on the City, Mr. Jensen stated. Mr. Rowlands advised that this matter was discussed at a staff meeting, and Mr. McCormick has given an opinion that the City could pass an ordinance to the effect that property owners were responsible for sidewalk repairs, but the City would also be liable as it is the owner and has an interest in the sidewalk. Mr. Jensen stated he understood that Olympia has an ordinance placing the full responsibility on the property owner. Mr. Rowlands said he would be glad to get a more detailed opinion from the City Attorney on this question, but they would like to proceed as soon as possible with the repair of the sidewalks as provided in this resolution in order to absolve the City from liability. Roll was then called on the Resolution.

Adopted on roll call: February 11, 1957

Ayes 8; Nays 0; Absent 1, Tollefson.

Resolution No. 14901:

By TOLLEFSON:

Authorizing purchase of equipment listed herein for the following offices: Public Works Department; Finance Department and Purchasing Department Managers Office; Police Department and Personnel Department, at a total cost of not more than \$6,500.00 to be paid from Cumulative Reserve Fund for Capital Outlay and Maintenance and Operation for Municipal purposes.

Adopted on roll call February 11, 1957  
Ayes 8; Nays 0; Absent 1; Tollefson.

FINAL READING OF ORDINANCES:

Ordinance No. 15805:

Appropriating the sum of \$675.00 from the Library Fund for the purpose of securing for the library a policy of insurance protecting the library and the City from liability for damages in the event of an accident or injury to its employees; and declaring an emergency making necessary the appropriation herein contained. Read by title and passed.

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

Ordinance No. 15806:

Amending Sections 6.15, 6.17, 6.18, 6.19, 6.29, and 6.30 of Ordinance No. 15751 - PAY OR COMPENSATION PLAN. Read by title. Mr. Rowlands stated that he felt further consideration should be given to the changes in range of the Assistant Water Superintendent as this position is comparable to several positions in the General Government, which should receive the same pay scale. He suggested that the entire Section 1, which amends Section 6.15 of the Compensation Plan be eliminated from Ordinance No. 15806, pending investigation. Moved by Mr. Stojack, seconded by Dr. Battin to delete Section 1 as it appears in the ordinance; and to change Section 2 to Section 1, and to change the numbers of the remaining sections accordingly. Motion carried. Ayes 8; Nays 0; Absent 1, Tollefson.

Dr. Humiston called attention to the changes being made in Section 6.18 Electrical Operations Supervision, and Line Foreman II stating that it was his understanding the only increases as a result of the negotiation with the Electrical Workers were to relate to electrical employees on an hourly rate, since the Supervisors salaries had been taken up at Budget time. This would actually mean that these two employees would receive two increases within a thirty day period, and he was not in favor of this, Dr. Humiston stated.

Mr. Bixel explained that the one range increase provided in this ordinance, is equivalent to the raises given to journeymen by the agreement, and is necessary to keep a proper relationship between the salaries of the journeymen and supervisors. Roll was called on the ordinance, resulting as follows: Ayes 4; Battin, Humiston, Perdue, Anderson; Nays 4; Bratrud, Goering, Jensen, Stojack. Absent 1, Tollefson. The Ordinance was lost on roll call.

Dr. Humiston advised that he had checked the agreement with the electrical workers, which Council had adopted by Resolution No. 14891, on January 28, 1957; and these two positions were included, therefore the City cannot pay the employees covered by the agreement unless this Ordinance is passed, by Council, Dr. Humiston advised. It was moved by Mr. Stojack, seconded by Dr. Humiston to reconsider the ordinance. Motion carried Ayes 8; Nays 0; Absent 1, Tollefson.

The matter was discussed further, and Mr. McCormick advised that if these two positions were in the agreement, they must be paid the increase, as the Council cannot legally change any of the terms of the agreement after they adopted same. Dr. Humiston agreed that the Council would have to follow through since they had accepted the agreement. Mr. Bratrud said he felt this point should be brought to the attention of the Director of Utilities and the Utility Board and they should be told that the Council did not approve of the manner in which this was done. Roll was then called on the ordinance, resulting as follows:

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

Ordinance No. 15807:

Approving assessment roll for L I D 1958 - sewers in South 86th Street from South M Street to existing manhole, approximately 650 feet east of M Street. Read by title and passed. 112

Roll call: Ayes 8; Nays 0; Absent 1, Tollefson

Ordinance No. 15808:

L I D 5279:

Providing for construction of cast iron water mains in the area between Seashore Drive and Sunset Drive from 6th Avenue to South 19th Street; creating L I D 5279: Read by title. The Clerk reported that since the date of hearing, additional remonstrances had been filed, bringing the total to 61.22%.

Mr. Benedetti of the Water Department advised that this is the second time this improvement has been defeated, as a similar project was turned down by property owners last summer. This district involves property which has been served by the University Place Water system for a number of years Mr. Benedetti stated. They have an opinion from the Attorney that it is illegal for University Place to sell water within the City Limits of Tacoma under the present Charter, and the Water Division has accordingly made two attempts to correct this, both of which have met with defeat, Mr. Benedetti stated. He briefed the City on the history of the case, and said that at the time University Place began this service, the City was not in a position to serve these residents with water, but the situation has now changed, and the City can now take care of these customers. In reply to a question from Mayor Anderson, City Attorney McCormick advised that the City has the right to order the water shut off.

Mr. Lloyd Sell, 8430 So. 18th Street spoke against the L I D, saying that at the time he built his house 17 years ago, the City refused to do anything to provide him with water, and he has invested a considerable sum in pipes to bring water from the University Place System, and his neighbors have invested hundreds of dollars in drilling wells. Mr. Edward Croston of 8305 So. 18th Street, objected to the haphazard method in which this improvement was presented to the property owners, and mentioned a number of points which he felt were not properly explained.

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Mr. Benedetti defended the Water Department's method of presentation, stating that the same procedure had been followed in this case as in all other Local Improvement Districts, in accordance with the provisions of the State Law.

Mr. Stojack asked if the ordinance could be postponed, and Mr. McCormick advised that if the remonstrance has reached 60%, nothing further can be done, as the L I D is automatically killed. Mr. Rowlands asked if property owners could withdraw remonstrances, and Mr. McCormick advises that it is his opinion the improvement will have to be started all over.

As the 61.22% remonstrance defeats the L I D under State Law, it was deemed that no action of Council was necessary on the Ordinance.

#### UNFINISHED BUSINESS:

26 This being the date fixed by Resolution No. 14874, adopted by the City Council on January 21, 1957, for hearing on petition of Charles Goranson, et al, (3-7-56) for vacation of the blind end of South 20th Street extending east from the alley between South I and South J Streets to the west line of Lots 1 and 2 of South 20th and I Street Replat, the hearing was held at this time. The Clerk reported the posting of the notices required by law and the filing of an affidavit of such posting. Also reported that a fee of \$50.00 had been paid by the petitioners, and no remonstrances had been filed against the proposed vacation. Mr. Buehler of the Planning Staff advised that this street has never been opened, but has been used as private property, and it is now the desire of the property owner to have the street vacated to clear his title. The Water Department has requested that an easement be reserved for maintenance and operation of the existing water transmission main and for electric services, Mr. Buehler stated. The City Planning Commission recommended the property be vacated subject to the easements requested by the Utilities Department, he added. It was moved by Mr. Bratrud, seconded by Mr. Stojack to concur in the recommendation of the Planning Commission, and that the City Attorney be instructed to draw the necessary ordinance to vacate the strip of land as requested. Motion carried on roll call: Ayes 8; Nays 0; Absent 1, Tollefson.

This being the date fixed by Resolution No. 14862, adopted by the City Council on January 14, 1957, for hearing on petition of Mrs. Ruth Sarver, et al, (10-19-56) for vacation of Warner Street from North 31st Street to North 32nd Street, the hearing was held at this time. The Clerk reported the posting of the notices required by law and the filing of an affidavit of such posting. Also reported that a fee of \$50.00 had been paid by the petitioners and that no remonstrances had been filed against the proposed vacation. Mr. Buehler stated that the street drops off into the gulch in a sheer bluff at this point, and that the petitioner's garage is built on a portion of the street right of way. The Department of Public Works requests an easement for an existing sewer, and that the petitioners join in the existing sidewalks on the north side of North 31st Street across the vacated North Warner Street frontage which stipulations are agreeable to the petitioners, Mr. Buehler reported. The City Planning Commission recommends the petition be granted, provided the conditions stipulated by the Public Works Department are complied with, Mr. Buehler added. It was moved by Mr. Bratrud, seconded by Dr. Humiston to concur in the recommendation of the City Planning Commission, and that the City Attorney be authorized to draw the necessary ordinance. Motion carried on roll call: Roll call: Ayes 8; Nays 0; Absent 1, Tollefson.

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

X Monthly report - Clerk of the Tacoma Police Department.

X Mayor Anderson called Council's attention to photostatic copies of several letters which had been received by the Police Chief commending the members of the department for their conduct, etc. Mr. Rowlands said he believed the Police Officers were doing a fine job in keeping traffic accidents down, and wanted the Council to be aware of the public's reaction and for this reason he had the copies prepared for Council's information.

Captain Marshall of the Traffic Division, and Traffic Engineer Kosai are now making a study of speed zones to ascertain if the speed limit on certain streets should be increased or decreased, Mr. Rowlands reported. The findings of this study should be completed within the next two or three weeks, and will be distributed to the Council, he added.

X Mr. Rowlands advised there was one item in the County-City building agreement which he would like to discuss with Council members. In the original plans for the Combined Public Safety Department and Sheriff's Office, the manual pneumatic type systems were included, Mr. Rowlands stated, but he now believes that it would be best to have an automatic system installed. The cost for the latter system is \$16,000 additional but he believed that the savings would more than amortize this amount in a few years, he advised, and he felt a change order should be made to include the automatic system. He would recommend that \$16,000 be appropriated from the City Hall Building Fund to take care of this additional expense, Mr. Rowlands added. The matter was discussed, and Mayor Anderson expressed the opinion that this should be negotiated with the County Commissioners and the County should be asked to assume the entire cost. Mr. Bratrud said he agreed with Mayor Anderson. Dr. Battin said that he thought the City Manager should negotiate this change on the same formula that was adopted in the original agreement with the County in constructing the County-City Building, and a number of the Council members agreed with this plan. Mr. Rowlands said he would negotiate the matter on this formula. 170

Mr. Staman briefed the Council on the proposed impounding area south of Fircrest. He outlined two plans which are being considered. Mr. Rowlands advised this information will be sent to Council, as they would like Council's authorization to work on either one or the other of these plans. 143 153

Mr. Rowlands advised that he would like to have an additional week to prepare the M. C. on the 6th Avenue Dock as they still have additional data to secure, & also a legal opinion to prepare on outside parties taking over the Dock. Council granted Mr. Rowlands the extension of the time requested. 144 154

Mayor Anderson called Council's attention to the action taken last Monday to convene Council meeting at 7:00 P. M. on February 18th, so that Council members could attend the Film "Our Living Future" at Jason Lee. 143

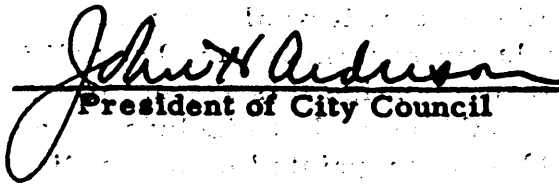
Mr. Bratrud suggested the Council should take action on Charter amendments as soon as possible, so they can be ready in ample time in the event the School District schedules a special election in May. By submitting some of the controversial issued to a vote of the people, the Council might be able to stop the holding of freeholder elections every 18 months or two years, which is very 143 157

expensive, Mr. Bratrud stated.

He planned to bring in an amendment reducing the size of the City Council from nine to seven members, and Mayor Anderson said he planned to present an amendment providing for an elected Mayor. The matter was discussed and it was left up to individual Councilmen to bring amendments they propose in the form of resolutions.

\* Mrs. Goering asked Mr. Rowlands how the Car Pool was working out. Mr. Rowlands replied that during the month of December, there had been a 260 gallon reduction in gas consumption, which amounts to almost 40%. They are planning to increase the mileage allowance from 7¢ to 9¢ for employees using their own cars on City business, which might make it more attractive to the employees. If enough employees use their own cars on a mileage basis, it might be possible to eliminate a number of City cars; and they plan to bring in legislation to cover an increase in mileage allowance, he added.

Upon motion, duly seconded and carried, Council adjourned at 9:22 P. M.

  
President of City Council

Attest:   
City Clerk