

COUNCIL CHAMBER, 7:30 P. M.

Monday, December 23, 1957.

Council met in regular session. Present on roll call 7; Battin, Bratrud, Spring, Humiston, Jensen, Stojack and Mayor Anderson. Absent 2; Perdue, Tollefson. Mr. Tollefson took his seat at 7:45 P. M.

It was moved by Dr. Battin, seconded by Dr. Humiston, that the minutes of the previous meeting be approved and the reading thereof be dispensed with. Motion carried on roll call: Ayes 7; Nays 0; Absent 2; Perdue, Tollefson.

RESOLUTIONS:Resolution No. 15173:BRATRUD:

Authorizing issuance of a local improvement assessment deed to Grover A. and Mel Lilley for \$10.00 for property located south of 4907 South Oakes Street.

Adopted on roll call December 23, 1957  
Ayes 7; Nays 0; Absent 2; Perdue, Tollefson.

Resolution No. 15174:ANDERSON:

Authorizing the Director of Public Works to enter into agreements with the adjoining property owners for the repair of hazardous sidewalks at various parts of the City.

Adopted on roll call December 23, 1957  
Ayes 7; Nays 0; Absent 2; Perdue, Tollefson.

Resolution No. 15165:

(laid over to this date on Dec. 16, 1957)

JENSEN:

Awarding contract to Evergreen Truck Service for furnishing tires and tubes for the calendar year 1958 for the sum of \$20,000 plus sales tax.

Mr. Rowlands brought up that the questions asked by Councilman Tollefson in regard to the contract awarded to Evergreen Truck Service were distributed with the Agenda to the Council members. He said there was one statement that should have been included in the report: that in awarding this contract to the Evergreen Truck Service there would be a savings of approximately \$2400 to \$2500 annually, to both the General Government and the Utility Department. The report was discussed and roll was then called on the Resolution, resulting as follows:

Adopted on roll call December 23, 1957  
Ayes 6; Nays 1; Battin, Absent 2; Perdue, Tollefson.

Mr. Rowlands said that he had a Resolution that did not appear on the Agenda that he would like to present tonight.

Dr. Humiston moved to suspend the Rules to give consideration to the Resolution. Motion seconded by Mr. Bratrud and carried on roll call: Ayes 8; Nays 0; Absent 1; Perdue.

Resolution No. 15175:BY THE COUNCIL:

Setting forth bi-weekly compensation to be paid the City Manager as adopted and set forth in the Annual Budget for the year 1958.

Mr. Rowlands said that this Resolution is in reference to bi-weekly pay for the City Manager for the year 1958, and since the Compensation Pay Plan has been changed to bi-weekly pay the City Manager's compensation should be adjusted to conform,

Adopted on roll call December 23, 1957  
Ayes 8; Nays 0; Absent 1; Perdue.

FIRST READING OF ORDINANCES:

Ordinance No. 16005:

Amending the Charter and Official Code relating to Licenses and Taxes (Bicycle Licenses). Read by title and placed in order of final reading.

Ordinance No. 16006:

Appropriating the sum of \$31,000 from the Equipment Rental Fund to pay the cost of operation in the Department of Public Works, payable from said fund under Ordinance No. 15928 creating such fund. Read by title.

Ordinance No. 16007:

Appropriating the sum of \$96,500 from the Public Works Revolving Fund to pay the cost of operation in the Department of Public Works, payable from said fund under Ordinance No. 15475. Read by title.

Mr. Rowlands explained that the amounts set up in these two ordinances do not effect the overall budget, but according to State Law the necessary appropriations have to be made even though it is a Revolving Fund.

Ordinance No. 16006 and Ordinance No. 16007 were then placed in order of final reading.

Ordinance No. 16008:

Granting to the Northern Pacific Railway Company and the Union Pacific Railway Co. the right to purchase in accordance with Ordinance No. 3770 an equal interest in and to operate over certain existing railroad tracks along Canal Street southeast from East 11th Street presently owned and operated by the Chicago, Milwaukee, St Paul and Pacific Railroad Co. Read by title.

Mr. McCormick, City Attorney, explained that this ordinance was drawn at the request of the City Manager after a request was made by the Northern Pacific Railroad Co. for a franchise across Canal Street to allow switching privileges to the St. Regis Plant.

Mr. Roger Crosby, Attorney for the Northern Pacific Railroad and the Union Pacific Railroad, explained that the St. Regis Plant desires to have services from the Union Pacific and the Northern Pacific Railroads as well as from the Milwaukee. He said the early franchise provided that whenever any other Railroad Company desired to operate over that same track that was built by the Milwaukee the other Railroads would have that right by paying their pro-rata share of the construction costs plus certain stipulated interests. The purpose of this ordinance is to permit the Northern Pacific and the Union Pacific Railroads to construct a track across the paved portion of Canal Street.

Mr. F. L. Steinbright, General Manager from the Northern Pacific Railroad, was present and concurred in Mr. Crosby's explanation.

Mr. J. A. Reeder, representing the St. Regis Paper Co., was present to explain the reasons for the service desired.

Mr. D. P. Hanson, Ass't Superintendent from the Milwaukee Railroad, said the Milwaukee Railroad has served the St. Regis for a number of years and have given them adequate service. He said that their Company requested that they be awarded a hearing before this franchise is given to the Northern Pacific Railroad and the Union Pacific Railroad Companies.

Mayor Anderson advised Mr. Hanson that this ordinance will not be able to pass until January 13th, and this would allow them sufficient time to hear both sides before the ordinance passes. The ordinance was placed in order of final reading.

Ordinance No. 16009:

Vacating a portion of the alley between North 14th and North 15th Streets from Lawrence approximately 143 feet east. (Petition of College of Puget Sound). Read by title and placed in order of final reading.

Mr. Rowlands said he had an ordinance to be brought up for first reading tonight but it did not appear on the Agenda.

It was moved by Dr. Humiston to suspend the Rules to consider this ordinance. Motion seconded by Mr. Tollefson and carried on roll call: Ayes 8; Nays 0; Absent 1; Perdue.

Ordinance No. 16010:

Amending the Charter and Official Code with reference to JUVENILES - HOURS in Bowling alley in the City. Read by title.

Mr. Rowlands said this ordinance was discussed with the Chief of Police several times during the past week and that his Staff conferred with various operators of Pool & Bowling Establishments on this matter. The Police Department definitely recommended that distinction be made between Bowling Alleys and Pool Halls, he said. This ordinance does not permit persons under the age of 18 years to bowl, loiter or congregate in an establishment between the hours of 12:30 A. M. and 6:00 A. M. Ordinance No. 15991, which is coming up for final passage this evening, lowers the age limit of minors playing pool to 18 years, he added.

Mr. Stojack asked the following questions pertaining to Bowling Alleys:

- 1) How many Bowling Alleys stay open longer than 12:30 A. M.;
- 2) How many Bowling Alleys will this proposed ordinance affect;
- 3) How many complaints has the Police Department received regarding use of Bowling Alleys by minors under 18 years of age.

He then asked if the answers to these questions could be obtained.

Mr. Joe Durham, an employee of the City, said he was concerned about the hiring of Juveniles to set pins for certain groups to gamble on after working hours.

Mr. Rowlands said that he would see that answers to Mr. Stojack's questions and also to Mr. Durham's question would be submitted for next Council meeting on December 30, 1937.

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:Ordinance No. 15998:

Amending the Charter and Official Code - relating to purchasing procedures. Read by title.

Dr. Humiston explained that the objection raised by Mr. Tollefson at last week's meeting in reference to a non-collusion affidavit, should be a part of the bid when submitted.

Mr. Rowlands said in view of this objection raised last week they have prepared an amendment to Sec. 1.06.257 on Page 4 with reference to the non-collusion affidavit, to read as follows:

1. Add to the title the words "and Non-Collusion Affidavit" and substitute a comma for the word "and" after "deposits";
2. Insert the following as the second sentence of the section:  
"As a part of any bid submitted, the bidder shall be required to warrant that his bid is a genuine bid, and that he has not in any manner sought by collusion to secure an advantage over any other bidder."
3. Add the following to the last sentence of the section: "... and an executed and notarized non-collusion affidavit on a form approved by the City Attorney".

Mr. Bratrud said the non-collusion affidavit has no bearing whatsoever on the bid unless it would be the successful bid. He felt that the non-collusion affidavit could be signed at the time the bid was awarded, otherwise it was a waste of time to file it.

Dr. Humiston said he felt that rules would have to be set up which would protect the public interest in spending public money and he did not think this non-collusion affidavit filed as a consideration of the awarding of a contract serves the purpose for which it is intended. If someone files a bid and does not have to file a non-collusion affidavit they could file a bid and just not be interested in accepting the contract. Therefore, he thought this should be a part of the bid.

Mr. Jensen then moved to amend the ordinance to include the amendment presented by Mr. Rowlands. Motion seconded by Mr. Stojack.

Dr. Humiston then moved to amend the amendment under Section "B" to read as follows:

As a part of any bid submitted, the bidder shall be required to warrant that his bid is a genuine bid, and that he has not entered into any collusion with any other bidder or any other person.

Motion seconded by Mr. Jensen. The amendment was then discussed at length and roll was called on the amendment to the amendment, resulting as follows: Ayes 8; Nays 0; Absent 1; Perdue. Roll was then called on the amendment, resulting as follows: Ayes 8; Nays 0; Absent 1; Perdue.

Mr. Tollefson then moved that there be a non-collusion affidavit to the bid when called. Motion seconded by Dr. Humiston and lost on roll call: Ayes 3; Nays 5; Bratrud, Moberg, Jensen, Stojack, Anderson. Absent 1; Perdue.

Roll was called on the ordinance, as amended, resulting as follows:

Roll Call: Ayes 8; Nays 0; Absent 1; Perdue.

Ordinance No. 15999:

L I D 2267:

Approving and confirming the assessment roll for L I D 2267 - for grading, ballasting and surfacing Junett Street from South 40th to South 45th Street. Read by title and passed.

Roll Call: Ayes 8; Nays 0; Absent 1; Perdue.

Ordinance No. 16000:

L I D 4584:

Approving and confirming the assessment roll for L I D 4584 - constructing asphalt paving, concrete curbs and gutters and storm sewers on Melfose from State Street to Prospect; also on State Street from So. 14th to So. 15th Street. Read by title and passed.

Roll Call: Ayes 8; Nays 0; Absent 1; Perdue.

Ordinance No. 16001:

L I D 6750:

Approving and confirming the assessment roll for L I D 6750 - ornamental street lights and standards on South 18th Street from Cedar to Pine Street. Read by title and passed.

Roll Call: Ayes 8; Nays 0; Absent 1; Perdue.

Ordinance No. 16002:

L I D 5297:

Providing for the construction of a six-inch cast iron watermain in South 65th Street from Portland Avenue to a point approximately 950 feet east of the east line of Portland Avenue; creating L I D 5297. Read by title and passed.

Roll Call: Ayes 8; Nays 0; Absent 1; Perdue.

Ordinance No. 16003:L I D 4622:X 48: 36  
50: 48

Providing for the improvement of L I D 4622 - grading and permanent type pavement including concrete curbs and gutters, storm water catch basins and storm sewers, also cement concrete driveway entrances and sections of concrete sidewalks and sanitary sewer connections in area from So. 60th to So. 63rd Street and South C to East D Street, also South 60th Street from Pacific Avenue to Fawcett Avenue and South L Street from 36th to 58th Street. Read by title and passed.

Roll Call: Ayes 7; Nays 0; Absent 2; Perdue, Jensen (temporarily).

Ordinance No. 16004:L I D 1974:

X

Amending Section 3 of Ordinance No. 15986 pertaining to the construction of sewers in the alley between North 11th and No. 10th Streets in L I D 1974. Read by title and passed.

Roll Call: Ayes 7; Nays 0; Absent 2; Perdue, Jensen (temporarily).

Ordinance No. 15988L I D 4591: (Held over from Dec. 9th)

X

Providing for the improvement of L I D 4591 - for grading, paving, curbs and gutters and storm water catch basins on Tyler Street from South 15th Street to South 19th Street; Wilkeson Street from So. 19th to So. 23rd Street; Ridgewood Ave. from So. 12th to So. 14th Street. Read by title and passed.

Roll Call: Ayes 7; Nays 0; Absent 2; Perdue, Jensen (temporarily).

Ordinance No. 15991:

(Laid over to this date on December 9th)

Amending the Charter and Official Code by lowering the age limit for minors playing pool, etc. to 18 years. Read by title and passed.

Roll Call: Ayes 7; Nays 1; Goering; Absent 1; Perdue.

NEW BUSINESS:

Mr. Rowlands brought up for Council's consideration the Proposed Metropolitan Program, which the Planning Commission had reviewed, and said he would like to get the Council's reaction on this matter before a resolution is presented for consideration. The Federal Government is making Federal Planning and grants to County Planning Commissions and are trying to work with the City Planners in connection with Metropolitan Planning in areas immediately outside the City Limits, he advised. The way the program is set up, Mr. Rowlands explained the City would contribute roughly \$500 in cash for the City's share and approximately \$1500 would be paid in services, for which the City would be reimbursed by the Federal Government. If the City could work together with the County Planners in these fringe areas it would be a matter of approximately \$500.00, he added.

Mr. Rowlands said that the report from the Citizens' Committee was distributed to Council members this evening.

Mayor Anderson said that it was requested by several Council members that this report be taken up in a legislative session after the Council meeting.

Dr. Humiston said he thought there were a number of people in the audience that were interested in the Citizens' Committee report and that the discussion be made public rather than in a legislative session.

Mayor Anderson said if it was the wish of the Council this could be discussed openly.

Mr. Tollefson said he felt there were matters that the Council would like to discuss privately on the report. He then moved that the Council adjourn to an executive

2 DEC 23 1957

session right after Council meeting. Motion seconded by Mr. Bratrud and carried on roll call. Ayes 5; Nays 3; Battin, Humiston, Stojack; Absent 1; Perdue.

Several spectators in the audience were given an opportunity to be heard on the discussion of the airport.

Mr. Lang Shelton, residing in Gig Harbor, spoke in favor of the airport side. He added that most of the Peninsula residents he had talked to also favor the airport.

Mr. Weathers, owner of property in that area, stated that a petition has been circulated with 700 signatures opposing the airport.

Mr. Lloyd Sass, Chairman of the Airport Committee, and Mr. Charles Drew, District Airport Engineer for the Civil Aeronautics Authority, were present and Council members asked numerous questions in reference to the airport site.

Mr. Stojack asked if either the Port of Tacoma or Pierce County has indicated any willingness to participate in financing the airport.

Mayor Anderson said he understood the County did not have any money but felt confident that funds would be made available from the Port.

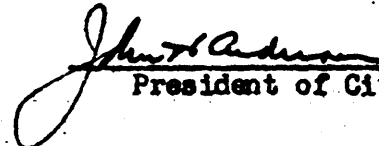
Mrs. Swayze, State Representative, said the borrowing of internal funds for an airport would leave no money for Urban Renewal. Mr. Rowlands advised that the Urban Renewal money would not be needed until 1959 and said he is hopeful by that time that the Legislature will permit financing of Urban Renewal projects through bond issues.

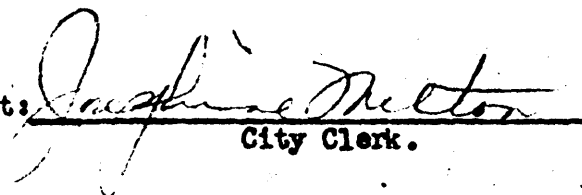
After some lengthy discussion on the various reports submitted by the Sub-committees on the City's Future Development, Dr. Humiston said that in order to get all of these items before the Council he thought that each item should come in as an ordinance so they can be voted on separately. He then recommended that the City Attorney prepare an ordinance implementing the recommendations of the Citizens' Committee in respect to the Public Buildings, Sewers and Drains, Street Lighting and Street and Bridges.

Mayor Anderson presented a letter from Dr. Eastvold, President of the Pacific Lutheran College, stating they have gone on record favoring annexation of Parkland to the City of Tacoma. This communication was read in full and placed on file.

ITEMS RECEIVED FOR FILING IN THE OFFICE OF THE CITY CLERK:  
Personnel Report to Administrative Officials for November, 1957.

Upon motion, duly seconded and carried, Council adjourned at 11:30 P. M.

  
President of City Council.

Attest:   
City Clerk.