

COUNCIL CHAMBER, 7:45 P. M.

Monday, April 2, 1956.

Council met in regular session. Present 9; Battin, Bratrud, Goering, Hooker, Humiston, Jensen, Perdue, Stojack, Tollefson. Absent 0.

Mr. Jensen advised that on the roll call to table Resolution No. 14580 last Monday night, his vote should have been recorded as "Nay". The Clerk was instructed to make this correction. It was moved by Col. Hooker, seconded by Dr. Battin, that the minutes of the previous meeting, copies of which had been mailed by the City Clerk to each Council member, be approved as corrected and the reading thereof be dispensed with. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

PETITIONS:

Robert Johnston, et al, for rezoning from an R-2 District to an R-3 District property at 4017 Pacific Avenue. Referred to City Planning Commission. 385

RESOLUTIONS:

Resolution No. 14581.

By STOJACK:

Compromising claim of Edward S. Wright, for damage to his property by reason of change of grade of Huson Drive by L I D 4543; and authorizing City Attorney to make settlement in the sum of \$725.00 and direct payment from the proper City Funds by the proper City officials.

Adopted on roll call April 2, 1956.

Ayes 9; Nays 0; Absent 0.

Resolution No. 14582. L. I. D. 4601.

By JENSEN:

Stating intention of Council to order grading to the established grade and placing thereon an asphaltic concrete surface, with concrete curbs and gutters on North Warner Street from North 18th Street to North 19th Street; creating L I D 4601 and fixing May 1, 1956 as the date for hearing thereon. 396

Adopted on roll call April 2, 1956.

Ayes 9; Nays 0; Absent 0.

RESOLUTION No. 14583.

By HUMISTON:

Establishing for the time being a general policy of participating on a "first come first served" basis, in the financing of storm and sanitary sewer improvements on a combination thereof, when funds are available, to the extent of not more than 20 per cent of the total cost of such improvement, which includes costs over and above the normal and usual cost involved in such project, but only when conditions enumerated herein exist and have been met. Speaking on the above resolution, Mr. Jensen said he felt this was not the solution to the problem. It might work in a small L I D, but in large districts the cost to the property owner for trunk mains would be so great that the majority would not favor the creation of a district, he added. The only way to finance this problem is through a bond issue or from other available funds, Mr. Jensen contended. Mr. Staman, Director of Public Works, said in his opinion Condition #2, relative to 50% of the property petitioning for the formation of an L I D, was too restrictive, as in many instances an L I D is initiated by the Council at the instigation of 346 440

the Department. He suggested that this condition be stricken from the resolution. Mayor Tollefson suggested this could be made less restrictive by adding a clause such as "or that by Council action an L I D is created". The matter was discussed at length and Dr. Humiston said he would like to see the resolution pass in its original form, pointing out this is only a temporary solution and can be changed if it does not prove satisfactory. Roll was then called on the adoption of the resolution resulting as follows:

Adopted on roll call April 2, 1956.
Ayes 9; Nays 0; Absent 0.

Resolution No. 14584. (in lieu of Res. No. 14580, tabled last meeting.)

By BATTIN:

Urging Congress of the U. S., as soon as expedient, to pass the proper and necessary legislation for the creation and financing of an adequate and suitable highway program containing specific provisions therein for the payment of or the reimbursement to the municipalities for all costs of every kind in relocating, removing or redesigning any municipal utilities or facilities where the same becomes necessary as a result of said Federal Highway Program.

Adopted on roll call April 2, 1956.
Ayes 9; Nays 0; Absent 0.

Mr. Jensen reported that he had a resolution, which is not on tonight's agenda, which he would like to take up at this time, and he moved that Rule 7, (pertaining to filing of new matter for Council's consideration) be suspended. Motion seconded by Dr. Humiston and carried unanimously on voice vote. Mrs. Goering stated she too had a resolution to be considered, and as the one in her possession had been given the lowest number, it was considered first.

Resolution No. 14585.

By GOERING:

Declaring the DAFFODIL to be the official flower of the City of Tacoma. Read in full by the Clerk. Mrs. Goering said she felt this action would be an amicable settlement of the controversy relative to whether the Chrysanthemum or Dahlia is the official flower of the City of Tacoma. The Chrysanthemum Growers' Association has given this idea consideration at its meeting and are willing to make this concession, Mrs. Goering said. Mr. Clifford A. Taylor, President of the Washington State Dahlia Society, who was in the audience, stated, in reply to a question from Mayor Tollefson, that they would go along with naming the Daffodil as the official flower of the City for the sake of promoting tranquillity among flower lovers. City Attorney Marshall McCormick advised the Council members that Resolution No. 14585 will nullify and supersede any previous resolution or action on this matter, even though this is not specifically set forth therein. Roll was then called on the adoption of the Resolution, resulting as follows:

Adopted on roll call April 2, 1956.
Ayes 9; Nays 0; Absent 0.

Resolution No. 14586.

By JENSEN:

Forming a committee of six members, to be known as the "Citizen's Advisory Committee" for the selection of a permanent City Manager, which members shall serve without compensation, and setting forth the manner in which they shall be selected and appointed. Mr. Jensen said this is the same resolution the Council had up for consideration some time ago (Res. No. 14560- March 5, 1956) at which time it was thought by Council members to be premature. He feels that now is the appropriate time for this action and therefore is presenting the resolution for Council's consideration, Mr. Jensen added. Dr. Humiston spoke against the resolution, saying he does not feel any

group has had experience in this field and he is opposed to appointment of a fixed committee for this purpose. Col. Hooker said, although he likes the idea, he is not willing to vote in favor of the resolution at this time. The Council has had the experience along this line and he felt they are qualified to act in this matter, he added. Mr. Perdue spoke against the resolution because of the mechanics involved. If any additional group was to give advice on the choice of a City Manager, it would have to spend as much time as the Council did in studying the applications, and he felt such a group would tend to hamper the Council from doing a good job, as there could possibly be a conflict in the time when the Council and the Committee members want to study the applications, he added. Mrs. Goering also spoke against the idea, giving as her reason that organizations other than the six named would feel they were being excluded, as she knew at least two other groups, which should be included. She asked if the Tacoma Central Labor Council had consented to this appointment, as she had been told by officials of the group that they wanted no part in the matter of choosing a City Manager since they are on record as opposed to this form of government. Mr. Jensen replied that he had talked with a representative of Labor, who told him they would be willing to serve on such a committee. Mr. Bratrud said he could see no harm in the proposed resolution, as the Council would not be bound by the advisory committee's recommendations. Mayor Tollefson pointed out that the primary function of the Council according to provisions of Section 3.1 of the Charter is the hiring of a City Manager and he does not feel the Council should delegate this authority to a lay committee. Mr. Jensen defended the idea, saying this is the method used in many instances to obtain advice of qualified persons on a problem. After further discussion, roll was called on the adoption of the resolution, resulting as follows:

Ayes 3; Bratrud, Jensen, Stojack. Nays 6; Battin, Goering, Hooker, Humiston, Perdue, Tollefson. The resolution was declared lost on roll call.

Resolution No. 14580. (tabled to this date on March 26th, 1956)

By BATTIN:

Urging Congress of the United States to pass the Fallon-Boggs Bill, creating and establishing a Federal Highway Program as soon as conveniently possible, and urging Representatives in Congress Thor C. Tollefson and Don Magnuson to support said bill. As Resolution No. 14584, adopted earlier in this session, more clearly sets forth the Council's ideas on a Federal Highway Program, Mayor Tollefson suggested Resolution No. 14580 be disposed of by a negative vote of the Council. Roll was called on the resolution, resulting as follows: 343

Nays 9; Ayes 0; Absent 0. Declared lost on roll call.

FIRST READING OF ORDINANCES:

Ordinance No. 15577.

Authorizing and directing the City Attorney of the City of Tacoma to purchase and/or institute and prosecute an action in the Superior Court of the State of Washington for Pierce County, under the right of eminent domain, for the purpose of protecting Light Division installations. (property adjacent to the waters of Alder Lake near Elbe, Washington owned by Agnes Walker). Read by title and placed in order of final reading.

Ordinance No. 15578.

Appropriating the sum of \$50,000.00, or so much thereof as may be necessary, from the City Street Fund, for the purpose of acquiring the necessary additional right of way at the East end of the East 11th Street bridge over the City Waterway; and declaring an emergency making necessary the passage of this ordinance and the appropriation herein contained. Read by title and placed in order of final reading.

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Mrs. Goering advised that she had an ordinance which should be given first reading tonight and she moved that Rule 7, (pertaining to filing of new matter for Council's consideration) be suspended. Motion seconded by Dr. Humiston and carried unanimously on voice vote.

Ordinance No. 15579.

Prohibiting the business of solicitation of subscriptions for magazines or periodicals or the purchase of tangible personal property for future delivery, on streets, sidewalks, doorways and areas immediately adjacent thereto; prescribing penalties; declaring an emergency to exist; and providing that this ordinance shall take effect immediately upon publication. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15573.

Adopting a program for the expenditure of funds received during the year 1955 in excess of estimated revenues; and appropriating funds so received for the making of expenditures in the budgetary classes of Salaries and Wages, maintenance and operation and Capital Outlay by the various departments of the City. Read by title and passed.

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

Ordinance No. 15574. L I D 5270.

Providing for construction of a six-inch cast iron water main in East B Street from East 58th Street to East 60th Street; creating L I D No. 5270. Read by title and passed.

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

Ordinance No. 15575. L I D 5246.

Approving and confirming assessment and assessment roll for cost of improvement in L I D 5246. (Water mains in South 72nd from L to Sheridan; in Sheridan from South 68th to South 72nd; in M Street from South 68th to South 72nd; in South 68th from J Street to M Street, and in L Street from South 68th to a point approximately 814 feet north of north line of South 68th Street). Read by title and passed.

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

Ordinance No. 15576.

Providing for the establishment of regular hours for the Mayor at the City Hall; increasing and establishing the salary of said Mayor; and providing for the appointment by the Mayor of a confidential secretary. Read by title. Mayor Tollefson reported he had talked to Mr. McCormick about this ordinance, and he has advised him that the ordinance should contain such entirely different language that the one presently being considered could not possibly be amended to be satisfactory, and he suggested that Ordinance No. 15576 should be defeated and another ordinance introduced. Mr. McCormick advised that the title of the ordinance would have to be amended and this cannot legally be done after the first reading. A tentative ordinance was handed each Council member and the Mayor suggested that a meeting of the Council be held in the Manager's Office to discuss several ideas on this matter which have been suggested. Roll was called on Ordinance No. 15576, resulting as follows:

Roll call: Ayes 1; Battin; Nays 8; Absent 0. Declared lost on roll call.

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UNFINISHED BUSINESS:

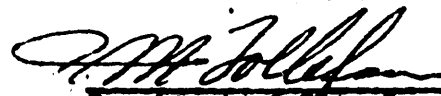
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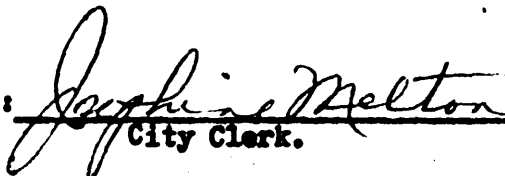
This being the date fixed by Resolution No. 14558, adopted by the Council on March 5, 1956, for hearing on petition of Concordia Lutheran School and Metropolitan Park District, requesting the City of Tacoma to vacate East 58th Street from East B Street to East D Street, the Clerk reported the posting 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. The Clerk also reported that the Department of Public Utilities and the Department of Public Works have no objection to the granting of the vacation petition. Mr. R. C. Bushler of the Planning Department advised that this street is located between the Concordia School Grounds and the Metropolitan Park District property and is not being used as a street. He also reported that the City Planning Commission has approved the vacation of this property. No remonstrators being present, it was moved by Mr. Bratrud, seconded by Col. Hooker that the petition be granted and the City Attorney be directed to prepare the necessary ordinance, vacating the street. Motion carried on roll call: Ayes 9; Nays 0; Absent 0. 316 323

This being the date fixed by Resolution No. 14559, adopted by the Council on March 5, 1956, for hearing on petition of Tacoma School District No. 10, requesting the City of Tacoma to vacate the following streets and alleys: South Whitman Street, South Frace Street and South Lexington Street from South 8th Street to South 10th Street; alleys between Vasaault and Whitman; between Whitman and Frace, and between Frace and Lexington and between Lexington and Mildred from South 8th Street to South 10th Street, 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. The Clerk also reported that the vacation of the streets and alleys above named had been approved by the Department of Public Utilities and Department of Public Works. Mr. R. C. Bushler of the Planning Department advised that these streets are to be vacatdd for the site of the new West End Junior High School and that the City Planning Commission has given its approval to the granting of the petition. No remonstrators being present, it was moved by Mr. Jensen, seconded by Mr. Bratrud that the petition be granted and the City Attorney be directed to prepare the necessary ordinance vacating the streets and alleys. Motion carried on roll call: Ayes 9; Nays 0; Absent 0. 316 35 36

Upon motion, duly seconded and carried, Council then adjourned at 9:20 P. M.



President of City Council.

Attest: 

City Clerk.