

Monday, October 4, 1954.

Council met in regular session. Present 8; Bratrud, Goering, Hooker, Humiston, Jensen, Perdue, Stojack, Tollefson. Absent 1; Battin.

It was moved by Col. Hooker, seconded by Mr. Stojack that the minutes of the previous meeting, copies of which had been mailed by the Clerk to each Councilman, be approved and the reading thereof be dispensed with. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Battin.

PETITIONS:

Frances Akel and Retha Beckman, for license for grocery store at 2519 South 12th Street. The Director of Health recommends the petition be denied as the premises do not comply with requirements of Health Department and applicants have made no effort to make the corrections between June 18th and September 24th. The City Manager concurs in the recommendation. It was moved by Mr. Perdue to concur in the recommendation. Motion seconded by Mr. Bratrud and carried on roll call: Ayes 8; Nays 0; Absent 1; Battin.

Paul F. Salatino, requesting an early hearing before the City Council in order to clear up certain controversial points outlined herein, pertaining to his taxicab location stand license and also the license for his taxicab. Referred to the City Manager.

RESOLUTIONS:

Resolution No. 14052.

By STOJACK:

Accepting and approving Hokold's Second Addition to Tacoma, Washington (located South 68th and Sheridan).

Adopted on roll call October 4, 1954.  
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14053.

By HUMISTON:

Authorizing the proper officers of the City of Tacoma to sell twenty 15Kva 2400-120/240 transformers to the Town of Pacific for the sum of \$1050.00 plus sales tax, which transformers are surplus and no longer essential to continued effective utility service.

Adopted on roll call October 4, 1954.  
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14054.

By HUMISTON:

Ratifying and confirming the Form of Water Bonds Series "A" 1954 and the form of Water Bonds Series "B" 1954 as printed and issued, and particularly the paragraph quoted herein, which is contained in Water Bonds Series "B" 1954.

Adopted on roll call October 4, 1954.  
Ayes 8; Nays 0; Absent 1; Battin.

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Resolution No. 14055.By TOLLEFSON:

Approving the appointment of Ralph Benjamin Gorton to the position of Chief Air Raid Warden by the City Manager and waiving residence requirements of the City Charter and of the Personnel Rules as to such appointee, in accordance with the authority conferred upon the City Council in the provisions of the Charter and the Personnel Rules.

Adopted on roll call October 4, 1954.  
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14056.By GOERING:

Approving the recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding the contract for the construction of concrete curb and gutter and asphaltic concrete surface on Fawcett Avenue from South 36th Street to South 37th Street, constituting L. I. D. 4536, to Woodworth & Co. Inc. on its bid of \$8,567.65.

Adopted on roll call October 4, 1954.  
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14057.By GOERING:

Approving recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding contract for widening, surfacing and asphaltic concrete curb and gutter on South 9th Street from South K Street to South L Street, designated as Improvement No. 4538 to Woodworth and Co. on its bid of \$6,582.95.

Adopted on roll call October 4, 1954.  
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14058.By GOERING:

Authorizing private sale and delivery of a local improvement assessment deed to Westgate Inc. on payment of \$10.00, covering Blocks 9 and 25, Puget Sound Homestead Association. (Block 9, located near North 21st and Shirley; Block 25, located near Shirley and North 19th Street extended west.)

Adopted on roll call October 4, 1954.  
Ayes 8; Nays 0; Absent 1; Battin.

FIRST READING OF ORDINANCES:Ordinance No. 15133.

Appropriating the sum of \$9,317.62 from Cumulative Reserve Fund, Public Buildings, for the purpose of the payment of the cost of installation of fixtures in the general office of the City Treasurer and the installation of a counter top in LID section of said office, and remodeling and carpeting in said office. Read by title and placed in order of final reading.

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Ordinance No. 15134.

Repealing Section 65c of Ordinance No. 14892, entitled: "An ordinance to provide for licensing and regulating the operation of certain devices, vehicles and things and the carrying on of certain businesses, callings, professions, trades, occupations and activities in the City of Tacoma; to provide for the suspension and revocation of licenses issued; to establish license fees, etc." (Repealing \$1,000.00 bond for wholesale produce dealer). Read by title and placed in order of final reading. (GENERAL LICENSE ORDINANCE).

Ordinance No. 15135.

Granting to the Great Northern Railway Company and the Oregon-Washington Railroad and Navigation Company, their successors and assigns, the right, privilege and authority to lay down, construct, maintain and operate a railroad track on, along, over and across East Twenty-first Street in the City of Tacoma. Read by title and placed in order of final reading.

Ordinance No. 15136.      L. I. D. 1929.

Providing for the construction of sewers in the alley between East 61st Street and East 62nd Street from East B Street to East D Street; creating L I D 1929. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15130.

Amending Section 17 of Ordinance No. 14049, entitled: "An ordinance providing for a retirement and pension system for superannuated and disabled officers and employees of the City of Tacoma; prescribing the conditions under which retirement allowances and other benefits shall be paid; fixing rates of contribution and assessments and providing for the adjustment thereof, etc." (PENSION ORDINANCE\* Pertaining to Safeguards of Disability Retirement). Read by title. It was moved by Dr. Humiston, seconded by Mr. Perdue to suspend Rule 9, and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 8; Nays 0; Absent 1; Battin.

Ordinance No. 15131.

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 condemnation and acquisition of a certain tract of land for the purpose of installing, maintaining, operating and repairing water mains and appurtenant equipment from the west line of Brown's Point Boulevard to the east line of Beverly Heights Addition; and directing that compensation for the property to be taken or damaged shall be payable from funds to be hereafter appropriated. Read by title. It was moved by Col. Hooker, seconded by Dr. Humiston to suspend Rule 9 and carried unanimously on voice vote. Mr. Boyle advised the Council that the Water Division has requested an amendment to the ordinance, as they are not able to construct water mains on property where an easement is taken. Therefore, it was moved by Dr. Humiston, seconded by Col. Hooker to delete the words in Section 1 "or an easement thereover" immediately after the words "acquisition in fee simple". Motion carried on roll call; Ayes 8; Nays 0; Absent 1; Battin. The ordinance was then passed without having been read in full.

Roll call: Ayes 8; Nays 0; Absent 1; Battin.

Ordinance No. 15132.

Defining "Tacoma Harbor"; to establish rules and regulations for the movement,

Anchorage and dockage of vessels and watercraft within said Harbor; to prescribe the duties of the Harbor Master; to prescribe the duties and responsibilities of owners of docks, wharves and waterfront structures; to provide penalties for the violation hereof; and to repeal Ordinance No. 5245 and all other ordinances and parts of ordinances in conflict herewith. Read by title. It was moved by Col. Hooker, seconded by Dr. Humiston to suspend rule 9 and carried unanimously on voice vote. Mr. Boyle, City Attorney, reported to Council that the change suggested by Mr. Lambert of the Hooker-Electro-Chemical Company at the last meeting had been made and incorporated in the ordinance. Therefore, it was moved by Dr. Humiston, Seconded by Mr. Perdue to amend Section 12, Paragraph 3 by deleting the words "Gas Masks" at the beginning of said paragraph and substituting therefor "Proper Safety Equipment". Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Battin. The ordinance as amended was then passed without having been read in full.

Roll call: Ayes 8; Nays 0; Absent 1; Battin.

Ordinance No. 15128 (laid over to this date on September 27th).

Amending Ordinance No. 12387, entitled: "An ordinance levying an admission tax on persons admitted to certain places of amusement; fixing the amount and providing for the collection thereof; prescribing penalties for the violation hereof; declaring a public emergency and providing that this ordinance take effect immediately after publication." by amending Section 2 thereof. (exempting Moving Picture Theaters from paying this tax). Read by title. It was moved by Dr. Humiston, seconded by Mr. Perdue to suspend Rule 9 and carried unanimously on voice vote. As requested by Mayor Tollefson at the Council meeting of September 27th, Mr. Boyle reported as to the legality of the ordinance, and stated that in his opinion the ordinance was legal as submitted. Joseph Gordon, attorney for the Theater Owners, spoke in favor of reducing the tax from the present 4% to 1% if the Council does not wish to entirely eliminate it, as his clients have requested. He explained that originally the tax levied by the City was purely a revenue tax and was imposed when Theater business was at its peak, but at the present time is burdensome and unfair to all the theaters, in view of the increased cost of operation. After further discussion by the Councilmen, it was moved by Mr. Jensen, seconded by Mr. Stojack that the ordinance be amended so that no City Tax would be charged on admissions up to and including 50%; and that on admissions over 50% the first 50% be exempted and the balance of the admission be subject to tax. The question was asked as to the amount this would decrease the City's revenues and Mr. Gaisford replied that if this were passed, approximately \$40,000 less income would be received by the City. Mayor Tollefson stated that the admission tax was levied by the government as a luxury tax, and that in his opinion Television, and not the admission tax, is the real reason for a decline in moving picture theater patronage. If we remove this tax, all other businesses will expect the same treatment, he added. Roll was called on Mr. Jensen's motion, resulting as follows: Ayes 3; Bratrud, Jensen, Stojack, Nays 5; Goering, Hooker, Humiston, Perdue and Tollefson; Absent 1; Battin. The motion was declared lost. Mr. Bratrud then moved that Ordinance No. 15128 be amended to read that no City tax be charged for tickets costing 50% or less. Motion seconded by Mr. Stojack. Mr. Gaisford advised that this amendment would result in an approximate loss of \$15,000 per year to the City. Roll was then called on Mr. Bratrud's motion, which carried: Ayes 5; Bratrud, Jensen, Perdue, Stojack, Tollefson. Nays 3; Goering, Hooker, Humiston; Absent 1; Battin. Mr. Boyle advised that the ordinance should be postponed for the purpose of redrafting. It was moved by Mr. Jensen, seconded by Mr. Stojack that Ordinance No. 15128 be laid over for one week to October 11th. Carried on roll call: Ayes 8; Nays 0; Absent 1; Battin. Mr. Backstrom asked the Council's wishes as to the date this ordinance is to become effective and after a short discussion it was moved by Col. Hooker, seconded by Mr. Perdue that the effective date of January 1, 1955 be incorporated in the ordinance. Carried on roll call: Ayes 8; Nays 0; Absent 1; Battin. Mr. Boyle was asked whether or not this ordinance should be passed before the final budget is adopted and he replied that in his opinion the ordinance should be passed before the budget is adopted. It was moved by Mr. Jensen that the previous mo-

tion to postpone the ordinance for one week be rescinded and the ordinance be postponed to Wednesday, October 6th. Seconded by Mr. Stojack and carried on roll call: Ayes 8; Nays 0; Absent 1; Battin.

#### UNFINISHED BUSINESS:

As this was the date to which the request of the Tacoma Transit Co. (9-27-54) for an immediate reduction of their gross earnings tax to 1%, was laid over, the matter was taken up at this time. Dr. Humiston, Chairman of the Finance Committee, read the Committee's report on the request for tax relief of the Tacoma Transit Co., which recommended that for 1955 the 4% gross earnings tax be continued for reasons enumerated, and that the amount of the gross earnings tax be reviewed annually for the duration of the franchise. Dr. Humiston reviewed for Council's information all proceedings held with the Transit Company since their request of more than a year ago for reduction in franchise tax or permission to increase bus fares, which was later granted by the State of Washington. Mr. V. W. Stevenson, employee representative of the Transit Co., reported that 61% of the necessary 75% acceptance of the stockholders had been obtained and that employees will be taking over the operations in approximately two weeks. He added that the employees wish to do two things after taking over the operation of the company: (1) provide for better working conditions, and (2) offer the public as much or more service than they have at the present time. Mr. Stevenson stated that if the franchise tax is not reduced by the City they will have no alternative but to eliminate service on the non paying runs and to increase student fares. They do not want to do this, but they can see no other way out. He said that a plan was underway for a campaign to boost bus riding in Tacoma, but they would be in a poor position if the service has to be cut. Mayor Tollefson stated that he thought it would be better to wait until the employees have operated the company for a year, then re-examine the books and at that time they could again consider a reduction in the franchise tax. After further discussion Mr. Bratrud moved to reduce the franchise tax of the Tacoma Transit Co. from 4% to 2½% for a period of one year, and to review the matter again at the time. Motion seconded by Mr. Jensen and lost on roll call: Ayes 3; Bratrud, Jensen, Stojack. Nays 5; Goering, Hooker, Humiston, Perdue, Tollefson, Absent 1; Battin.

Mr. Backstrom, City Manager, made a statement that the revenues for the City's Operation are declining each year, that these revenues are tied to the City's economy, that if the Council wishes a new tax structure, new sources of revenue will have to be found, and if these are not found, the City's services will have to be curtailed or cut.

This being the date fixed by Resolution No. 14022, adopted September 7, 1954, for hearing on petition of A. F. Gratzner (5-7-54) for vacation of South 40th Street between South Union Avenue and South Tacoma Way, the Clerk reported the posting of the notices required by law and the filing of an affidavit of such posting. Also reported that the fee of \$80.00 had been paid by the petitioner and no remonstrances had been filed against the proposed vacation. A letter was read from Director of Public Works advising that Mr. Gratzner wishes to abandon the vacation proceedings, for the reason that the appraisal valuation of the property to be vacated is too high in his opinion. It was moved by Mr. Jensen, seconded by Dr. Humiston that the petition be denied and the vacation be abandoned, as requested by the petitioner. Carried on roll call: Ayes 8; Nays 0; Absent 1; Battin.

This being the date fixed by State Law for hearing on the Preliminary Budget, adopted by the Council on September 20th, 1954, the Clerk reported the publication of the notice required by law on September 22, and 29, 1954. The Mayor asked if anyone present wished to be heard on this subject, and no one present signified such a desire. Mrs. Backstrom explained that on Tuesday evening, the Utilities Budget would be considered and charges by this department for I. B. M. Billing, Hydrant rentals, etc. will be given special attention. Wednesday night the Admission Tax amendment will come up for passage, and the General Fund departments will be discussed, as well as the charges on the expenditure side of the budget.

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It was duly moved, seconded and carried that the budget hearing be continued to Tuesday, October 5th at 7:30 P. M.

Upon motion, duly seconded and carried, Council recessed to Tuesday, October 5th, 1954 at 7:30 P. M. (Council adjourned at 12 :00 O'clock-

H. M. TOLLESON  
President of City Council

Attest:

Joseph M. Melton  
City Clerk.