

Council Chambers, 4:00 P.M.
Monday, January 19, 1959

Council met in regular session. Present on roll call 7; Anderson, Bratrud, Easterday, Goering, Humiston, Perdue, Price. Absent on roll call 2; Porter and Mayor Hanson. Porter coming in at 4:20 P.M., Mayor Hanson coming in at 4:30 P.M. In the absence of Mayor Hanson, Dr. Humiston presided as chairman.

Mr. Anderson moved that the minutes of the meeting of January 12, 1959 be approved. Seconded by Mr. Perdue. Roll call: Ayes 7; Nays 0; Absent 2, Porter and Mayor Hanson.

PETITION:

Petition from Ernest T. Meucci and Ralph Brink requesting the rezoning of property on the west side of Pacific Avenue and running from 72nd Street to approximately 74th Street from an R-4-L District to a C-2 District.

Referred to the Planning Commission.

RESOLUTIONS:

Dr. Humiston explained that this next Resolution No. 15583 pertaining to an agreement to supply water to the town of Five be set aside until Mayor Hanson, who has been detained at a meeting, arrives. The next Resolution on the agenda was then taken up.

549
563

Resolution No. 15608

BY REQUEST OF COUNCIL:

Adopting the rules for the government of the City Council and rescinding Resolution No. 14836, adopted December 17, 1958 and all amendments thereto.

551

It was moved by Mr. Anderson to adopt the Resolution, seconded by Mr. Bratrud.

Adopted on roll call January 19, 1959
Ayes 7; Nays 0; Absent 2, Porter and Mayor Hanson.

Resolution No. 15611

BY HUMISTON:

Fixing February 10, 1959 at 4:00 P.M. as the date for hearing on LID 2297 for grading and storm drains on Winnifred and Shirley Streets from No. 14th to No. 18th Streets; also grading and oil mat on alleys between Shirley and Winnifred Streets and between Winnifred and Highland Streets from No. 14th to No. 18th.

It was moved by Mr. Bratrud to adopt the Resolution, seconded by Mr. Anderson.

Mr. George Smith, Assistant City Manager, explained that the Public Works Department has recommended that this Resolution be voted down for the reason the property owners have decided to have some of the work done by private contractors At a later date they would bring in a petition for paving.

Vote was then taken on the motion to adopt the Resolution:

Ayes 0; Nays 7, Anderson, Bratrud, Easterday, Goering, Humiston, Perdue, Price; Absent 2, Porter and Mayor Hanson.
Lost on roll call January 19, 1959.

Resolution No. 15612

BY HUMISTON:

Fixing February 10, 1959 at 4:00 P.M. as the date for hearing on L I D 5303 for water mains in the area bounded by East 64th; McKinley Ave., east 72nd and Pacific Ave; also in East 65th and East 66th from McKinley ave. to East I; East I from East 65th to East 66th St; and So. 70th from Pacific Ave. to South D Street.

It was moved by Mrs. Price to adopt the Resolution, seconded by Mr. Perdue

Adopted on roll call January 19, 1959
Ayes 7; Nays 0; Absent 2, Porter and Mayor Hanson

Porter coming in at this time.
Resolution No. 15613

BY REQUEST OF ANDERSON:

Commending Martin L. Potter for his six years of outstanding service as Police Judge of the City of Tacoma.

It was moved by Mr. Bratrud to adopt the Resolution, seconded by Mr. Perdue

Mr. Anderson remarked that Judge Potter did a very fine job the six years he served as Police Judge and became very well known throughout the United States.

Adopted on roll call January 19, 1959
Ayes 8; Nays 0; Absent 1, Mayor Hanson

Resolution No. 15614

BY HUMISTON:

Awarding contract to Woodworth and Co, Inc, in the amount of \$79,630.55 for L I D 4644 which is determined to be the lowest and best bid.

It was moved by Mr. Anderson to adopt the Resolution, seconded by Mr. Perdue.

Adopted on roll call January 19, 1959
Ayes 8; Nays 0; Absent 1, Mayor Hanson

JAN 19 1959

563

Resolution No. 15615

BY HANSON:

Appropriating the sum of \$2,000 for payment to James C. Buckley, Inc; for performing certain surveys and additional work in regard to the airport project.

It was moved by Mr. Bratrud to adopt the Resolution, seconded by Mr. Anderson.

Mr. Rowlands, City Manager, said additional funds might be necessary to pay the Buckley firm for performing certain surveys, etc., in connection with the airport that were not anticipated in the 1959 budget.

Adopted on roll call January 19, 1959
Ayes 8; Nays 0; Absent 1, Mayor Hanson

Resolution No. 15616

BY HUMISTON:

Carrying over certain appropriations in the 1958 Annual Budget for certain construction projects for payment during the year 1959.

It was moved by Mr. Bratrud to adopt the Resolution, seconded by Mr. Anderson.

Adopted on roll call January 19, 1959
Ayes 8; Nays 0; Absent 1, Mayor Hanson

Resolution No. 15617

BY PERDUE:

Authorizing the settlement of the claim of C. R. Taylor and Elizabeth L. Taylor in the sum of \$6,000.

It was moved by Mr. Anderson to adopt the Resolution, seconded by Mr. Bratrud.

Adopted on roll call January 19, 1959
Ayes 8; Nays 0; Absent 1, Mayor Hanson

Resolution No. 15583 which was set aside at the beginning of the meeting was taken up at this time as Mayor Hanson is now present.

Resolution No. 15583

BY EASTERDAY:

Authorizing the proper officers of the City to enter into a tentative agreement to supply water to the Town of Fife.

Mr. Anderson moved that the Resolution be adopted, seconded by Mr. Bratrud.

561
549

Dr. Humiston said there was some information in respect to this matter that should be furnished to the Council regardless of what action is taken on this Resolution. He said he presumes the mains would be put in on an L I D basis and he felt a comparison should be made on the costs that goes with setting up a water L I D within and outside the City. The residents of the City of Tacoma through the General Fund pay \$35 for each fire hydrant to the Water Department. While this outside City rate is 10% higher, it was not contemplated at the time this rate was set up to furnish an entire town with water, and he did not believe there was any compensation factor for the cost of fire hydrants and standby water service so he felt that this should be looked into.

He also pointed out that the City pays the costs of everything over a 6-inch water main and asked that additional information be compiled on the costs of the water system to Fife residents compared to the cost if the town were annexed to Tacoma.

Mr. Barline said the purpose of this Resolution was to authorize the Water Department to work out an agreement with the City of Fife and then present this agreement to the City Council for their final approval.

Mr. Anderson asked Mr. Barline what would happen if there was a shortage of water sometime in the future.

Mr. McCormick said the agreement could include a clause protecting the City against such a problem, and eliminating any possibility of the City being liable for any shortage not due to negligence.

Vote was then taken on the motion to adopt the Resolution.

Adopted on roll call January 19, 1959
Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 16260:

Amending Sec. 6.68.220 of the Official Code relating to licenses and taxes so that it applies to any business rendering services within the City regardless of location of its place of business. Read by title.

Mr. Rowlands said the Finance Department thought it should be made clear that any business engaged actively in the City, regardless of the location of the office or building, would be subject to the occupational tax; that is why this Resolution was prepared.

Mr. Anderson asked if this hadn't always been in effect?

Mr. Rowlands said actually it had been but there was some misunderstanding as to the interpretation.

Dr. Humiston asked what the situation was in other Cities.

Mr. Anderson said in doing business in Olympia and Renton he has paid the Business and Occupation tax there but Tacoma did not collect the "B and O" tax.

Mr. Comfort, Assistant City Attorney, said a conference was held in Olympia of all the cities; and Seattle was asked to grant concessions to businesses, located in Seattle doing business in Tacoma and taxed by Tacoma, but Seattle would not agree to it at that time.

Mr. Easterday asked if Frederick and Nelson's trucks which make deliveries in Tacoma are taxable.

Mr. Comfort said they had been negotiating with Frederick and Nelson about this as they felt the tax should be paid. So far no agreement has been reached and if Frederick and Nelson does not agree to pay the "B" and "C" tax then legal action will be taken.

Mr. Rowlands said there were several other companies in the same category. The Ordinance was then placed in order of final reading.

Ordinance No. 16261:

Amending Sec. 8.68.020 of the Official Code relating to weights and measures and the establishing of rates to be charged for the operation and use of the City scales. Read by title and placed in order of final reading.

Ordinance No. 16262:

Amending Sec. 11.36.020 of the Official Code by adding thereto a maximum speed limit of 15 miles per hour in any alley or court. Read by title.

Mr. Rowlands said both the Traffic Engineer and Captain Marshall of the Traffic Division felt this speed limit should be included in the Ordinance. Cars have been traveling 20 to 25 miles per hour in alleys and courts making it dangerous for small children crossing or play, and also for the cars approaching intersections. The Ordinance was then placed in order of final reading.

Ordinance No. 16263:

Amending Sections 13.06.010, 13.06.1235, 13.06.280 and 13.06.400 of the Official Code of the City relating to zoning of Motel-trailers. Read by title.

Mr. Boehler said each council member received a background analysis of this plus a survey sheet. Not of the people owning trailers are in favor of this Ordinance but the trailer dealers are objecting to this Ordinance and have asked to meet with the Planning Commission on this matter. Their desire is to allow trailers to go on any property on a two to three year permit basis. The Planning Commission plans to meet with them Wednesday afternoon, he added.

The intent of the Planning Commission is to fix the mobile home parks in a large tract - 3/4 acres. There will also be a license ordinance pertaining to these parks which will require them to maintain a license from year to year and also to maintain the standards as outlined in this Ordinance.

Mr. Rowlands said this was quite a step forward and will make it possible for the proper type of trailer park. It will give them an opportunity to locate under proper conditions and still uphold values of property in the areas.

JAN 19 1959

Mr. Buehler said there have been constant efforts to locate trailer parks and at the present time the Ordinance allows them only in a "C-2" Commercial District. To rezone residential areas into a "C-2" District for this purpose just doesn't work as people object to the commercial zoning. He said this new ordinance will give trailer parks more opportunities to open up. He said this Ordinance also changes the zoning of motels on state highways enabling them to be in a "C-1" District instead of a "C-2". The Ordinance was then placed in order of final reading.

Ordinance No. 16264:

558
575

Vacating the west 26 feet of North Junett Street from No. 31st to the alley between No. 31st and No. 32nd Street. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 16252:

Appropriating the sum of \$16,000 from the General Fund for the purchase of property for the South Tacoma Fire Station located at 56th and Warner.

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

Ordinance No. 16253:

Authorizing a temporary loan in the amount of \$150,000 from the Local Improvement Guaranty Fund to the Garbage and Refuse Fund for the purpose of purchasing new equipment for the Division.

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

Ordinance No. 16254:

54
574

Providing for the improvement of L I D 4653 for paying and storm drainage on East D from East 3rd to East 11th Street also on East E from East 11th to East 7th and on East 7th from East D to East F Street.

A letter was received from The Star Iron and Steel Company withdrawing their remonstrance on this L I D and Junior Line Furniture had also called removing their remonstrance from the petition.

Mr. A. L. Lee, attorney representing the Coast Sash and Door Co., said this had come up before the L I D Committee twice. There had been a 69.3% remonstrance against the paving of East E and a 63.4% remonstrance against East 7th as it was felt that East D and F would give all the property owners access to a paved road and it was the contention that it was a useless expense to pave East D and East 7th Streets. At the December 23 L I D meeting the people left assured by the L I D committee members that either this Ordinance would be drawn eliminating East E and East 7th or that East E and East 7th Street would be deleted as they were surprised to see it was included in this Ordinance.

Mr. Lancaster of the Shell Oil Company said he also was surprised that these two streets were still included in the L I D when a majority of the people are against it.

Dr. Humiston said what is before the Council now is a matter of procedure to follow the law and they do not have the power to separate a piece of property when the improvement is continuous. In order to accomplish what Mr. Lancaster would like the whole L I D would have to be abandoned and a new date for hearing would have to be held eliminating this area. Dr. Humiston asked, since the Star Iron and Steel Company and the Junior-Line Furniture Company have withdrawn their objections, what is the total remonstrance at present?

Mr. Schuster said the overall remonstrance was approximately 25% and that the remonstrance on East E and East 7th was now 52.4%.

Mr. Adcock of the Fick Foundry Company said the East E Street in question goes along the side of their plant and it is at the present time impassable on the lower section. He said it was their opinion that should the streets be tied in and completed, that there would be a much better channalization of the traffic, therefore allowing them to have a much better access to their property.

Mayor Hansen said he believed it was very obvious that if this street was not paved by this L I D it never would be. He said he had gone over to look at the street and certainly was not proud of it, and was in favor of passing this Ordinance. He said it might be a burden on some of the property owners in the location but would be no more than is borne by other citizens throughout the City on L I D matters.

Mr. Anderson said he agreed with the Mayor that the Ordinance should be passed including these two streets.

Mr. Molzan of the Coast Sash and Door Company, said he felt it was unnecessary to pave East E as it was actually almost an alley. Very few of the public use the street.

Mr. Lee asked that this Ordinance be continued for one week, until January 26, 1959.

Mr. Price moved that the Ordinance be continued for one week until January 26, 1959. Seconded by Mr. Perdue. Roll call: Ayes 5; Nays 4, Anderson, Goering, Humiston and Porter; Absent 0.

Ordinance No. 16255: Amending Sec. 2 of 43 ordinances approving and confirming Local Improvement Districts, to provide for the issuance of warrants in lieu of local improvement bonds.

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

Ordinance No. 16256: Providing for the improvement of L I D 1978 for storm drainage in Pearl Street from 6th Avenue to So. 19th St. and in Woodlawn St. from So. 11th to So. 13th and from So. 17th to So. 19th Street. 498 50:445

Mr. Rueger, a property owner, said he owned lots on Pearl Street and would be affected by this L I D. He said he had protested against this L I D because

of the high cost of the assessment.

Mr. Schuster said the protest against this property had been 8.6% including Mr. Rueger's protest.

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

Ordinance No. 16257:

Approving and confirming the Assessment roll for L.I.D. 6753 for the installation of ornamental street lights on wooden poles in the area of Washington Street from No. 9th to No. 11th Streets.

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

Ordinance No. 16258:

Approving and confirming the assessment roll for L.I.D. 5290 for water mains in the area bounded by No. 46th; Pearl St; No. 49th and Orchard Street.

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

Ordinance No. 16259:

Approving and confirming the Assessment roll for L.I.D. 1972 for sanitary sewers from Olympic Blvd. to Woodworth Ave.; Woodworth Ave. to Juniper Street; north on Juniper to No. 17th; east on No. 17th to Jackson Ave.

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

A letter was received from the Roman Wheels Hot Rod Club requesting that a conference be arranged at 3:00 P.M. February 2, 1959 with the City Council, the Sheriff of Pierce County, the Chief of Police, and representatives of the Washington State Patrol so that the hot rod clubs might have an opportunity to explain the purposes and aims of such clubs and how they hope to cooperate with the various traffic officials in safe driving programs.

Mr. Bratrud moved that a hearing be granted them for this date. Seconded by Mr. Porter. Roll call: Ayes 9; Nays 0; Absent 0.

UNFINISHED BUSINESS:

MC - 249 - Day Island Bridge Structure.

The recommendation from Mr. Rowlands, City Manager, was that the old bridge structure be removed and that the County proceed to demolish the structure in accordance with its agreement with the Northern Pacific Railway. It was pointed out in reaching this decision that there are many other overhead crossings through out the City which would require an expenditure of City funds before any money would be used for this structure. If the main structure were barricaded for possible future use by the City it should be emphasized that the City could be held liable for injuries.

JAN 19 1959

569

Dr. Huniston moved that the Council endorse the Manager's recommendation that the County be instructed to proceed to demolish the structure in accordance with its agreement with the Northern Pacific Railway. Seconded by Mr. Bratrud. Roll Call: Ayes 9; Nays 0; Absent 0.

Report from the L I D Committee on Assessment roll hearing LID 4606.

23

Mr. Schuster explained that this hearing on the Assessment roll L I D 4606 was referred to the Council by the L I D Committee on January 13, 1959 to determine if the L I D committee would be correct in cutting Mr. Crowwell's assessment on his property in half, due to the fact that he feels that this improvement does not benefit his property.

Mr. Schuster said Mr. Crowwell's property is located very much lower than the improvement. Many years ago Mr. Crowwell had trouble with water coming down onto his property. Eventually a petition came in for the paving of this extension of Orchard Road. When this was paved, curbs and gutters were put in this area. At the original hearing about a year ago, Mr. Crowwell's assessment had been figured on a zoning basis for this portion of the improvement. At this time it was decided that Mr. Crowwell was not realizing much benefit from the improvement because he had no access to the road. Appraisers were sent out to investigate and they decided that he was not receiving benefit from the paving, but was from the curbs, as it prevented the water from running down onto his property. At that time his assessment was changed to include only an assessment for the curbs and gutter in front of the property.

Mr. Schuster said there is also additional property abutting that of Mr. Crowwell's but it was still determined that Mr. Crowwell benefited from this. The problem is to determine to what extent he is benefited and how much he should be assessed.

Mrs. Goering said at the last hearing Mr. Easterday suggested that the City pay one-half of the assessment which would be \$105.83. She said she felt they should have an opinion from the City Attorney and also the consensus of the Council.

Mr. Bratrud said a year ago when this matter came up there were two or three other pieces of property in the same category as Mr. Crowwell's property with no access to the road and they were removed from the district entirely and he thought Mr. Crowwell's property had also been removed.

Mr. McCormick said as he remembers, in 1957 Mr. Crowwell had agreed he derived some benefit from the correction of the storm drainage by the curbs and gutters and that the property would be assessed according to this benefit.

Mr. Easterday moved that the assessment be cut in half making Mr. Crowwell's assessment \$105.83. Seconded by Mrs. Price. Roll call: Ayes 9; Nays 0; Absent 0.

ITEMS FOR FILING IN THE OFFICE OF THE CITY CLERK

1958. Report from Tacoma Employees' Retirement System for the month of December

Report from the Personnel Department for the month of December 1958.

Report from the Tacoma Police Department for the month of December 1958.

Report from the Traffic Division for the month of December 1958.
Report from the Light Division for the month of November 30, 1958.

Mayor Hanson said there has been some discussion of obtaining a Coast League Franchise for the City of Tacoma. He said Ben Cheney, owner of Cheney Ball Field, has indicated an interest in purchasing the franchise, provided a suitable ballpark is made available. The County Commissioners also have indicated their willingness to participate with the City in this project. The question of financing is the main object, Mr. Hanson said. It would take at least \$250,000 to put the Cheney field in shape for Coast League play. Mr. Cheney has indicated he is willing to deed the property to the City or County. The County Commissioners are willing to meet with the City Council to discuss the financial matters involved at 9:30 A.M. Thursday in the Council Chambers.

Mr. Anderson moved that the Council meet with the County Commissioners 9:30 A.M. Thursday in the Council Chambers. Seconded by Mrs. Price. Roll call: Ayes 9; Nays 0; Absent 0.

Mr. Rowlands said he wished to make it clear it was going to be difficult to raise the money.

Mr. Porter said two persons had suggested to him that the City and County contribute toward the Stadium Bowl rehabilitation drive, and use the Bowl for the baseball team.

Mayor Hanson said the Bowl was given thorough consideration but due to the size of the bowl it would mean that either left or right field would be extremely short.

Mayor Hanson again urged the council members to make suggestions as to the members of the Beautification Program. The Committee would be in charge of looking over the whole picture in the City and coordinating the plan with the Planning Commission. He read a list of names of people who had indicated their willingness to serve on this Committee.

There being no further business to come before the meeting, upon motion duly made and seconded, the meeting was adjourned at 6:30 P.M.

Ben Hanson
Chairman of the City Council

Attest: *Jacqueline Nelson*
City Clerk

Report from Tacoma Hospital
Report from the Personnel Department for the month of December 1958.
Report from the Tacoma Police Department for the month of December 1958.