

Monday, May 2, 1955.

Council met in regular session. Present 6; Battin, Bratrud, Goering, Humiston, Hooker, Perdue; Absent 3; Jensen, taking his seat at 7:40 P. M.; Stojack, taking his seat at 8:17 P. M. and Mayor Tollefson, for the entire meeting, as he was in Washington D. C. on behalf of the Public Utilities Department. In the absence of the Mayor, Mrs. Goering, Vice Chairman of the City Council, presided.

It was moved by Dr. Battin, seconded by Mr. Perdue, 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 6; Nays 0; Absent 3; Jensen, Stojack, Tollefson.

RESOLUTIONS:

Resolution No. 14246.

By GOERING:

Authorizing the Investment Board of the City of Tacoma to invest the sum of \$755,000.00 of the moneys in the Light Construction Fund of 1953 in United States Government 91-day Treasury Bills.

Adopted on roll call May 2, 1955.
Ayes 6; Nays 0; Absent 3; Jensen, Stojack, Tollefson.

Resolution No. 14247.

By HUMISTON:

Approving the preliminary plans of the County-City Building, being Drawings Nos. 5311-45, 5311-78, 5311-79, 5311-90, 5311-91, 5311-92, 5311-95 and 5311-120.

Dr. Humiston said he had understood this resolution was to carry a qualifying clause, making approval of the preliminary plans dependent on execution of satisfactory terms of occupancy, and he felt this resolution should be amended to include such a provision. It was moved by Dr. Humiston, seconded by Mr. Bratrud that the resolution be laid over until later in the meeting for adoption, to afford the City Attorney time to draw an amendment making approval contingent on execution of terms of occupancy. Motion carried on roll call: Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Resolution No. 14248.

By JENSEN:

Amending Paragraph I of the General Rules, contained in the "Rules and Regulations for Motor Vehicle Wrecker and Towing Operator Licensees Engaged in Authorized Police Towing", promulgated by the City Manager and previously approved by motion of the Council, upon recommendation of City Manager to read as contained herein.

Adopted on roll call May 2, 1955.
Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Resolution No. 14249.

By STOJACK:

Accepting and approving Sea View Terrace Second Addition (located east of Brown's Point Boulevard and North of 55th Street N. E.). It was moved by Dr. Battin to suspend Rule 9, seconded by Mr. Perdue and carried unanimously on voice vote. The Resolution was then adopted without having been read in full.

3 MAY 9 1955

Adopted on roll call May 2, 1955.
Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Resolution No. 14250.

By TOLLEFSON:

Authorizing and directing execution and delivery to William Jones of a local improvement assessment deed to Lots 6 and 7, Block 8017, Tacoma Land Company's First Addition, upon payment of the sum of \$425.00 in cash (located in McKinley Avenue District, 125 feet east of Northeast corner of East B and 30th Streets). It was moved by Col. Hooker, seconded by Dr. Battin to suspend Rule 9, and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call May 2, 1955.
Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Resolution No. 14251.

By TOLLEFSON:

Approving recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding the contract for paving and curb and gutter and related work on streets in Westmoreland Terrace Addition, except North Shirley Street and Orchard Street, constituting L. I. D. No. 4547, to Woodworth & Co. Inc. on its low bid of \$77,840.75. It was moved by Dr. Battin to suspend Rule 9, seconded by Col. Hooker and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call May 2, 1955.
Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Resolution No. 14252.

By HUMISTON:

Authorizing proper officers of City of Tacoma to sell 600 obsolete meters at 60¢ each f. o. b. Tacoma, Washington, to Atlantic Electric Meter Corp. of New York.

Adopted on roll call May 2, 1955.
Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Dr. Humiston reported that Mr. Boyle was now ready with the amendment to Resolution No. 14247, so it was in order to bring this up for adoption at this time.

Resolution No. 14247.

By HUMISTON:

Approving the preliminary plans of the County-City Building, being Drawings Nos. 5311-45, 5311-78, 5311-79, 5311-90, 5311-91, 5311-92, 5311-95 and 5311-120. It was moved by Dr. Humiston, seconded by Dr. Battin that the resolution be amended by adding the following clause at the end of the last paragraph: "contingent upon the execution of a binding agreement between the County and City upon the terms of occupancy of said County-City Building." Motion carried on roll call: Ayes 7; Nays 0; Absent 2, Stojack, Tollefson.

Adopted (as amended) on roll call May 2, 1955.
Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

FIRST READING OF ORDINANCES:Ordinance No. 15323.

Declaring the abandonment of any rights and privileges the City of Tacoma may have by virtue of a certain easement granted to the City by Ernest Ranseir, by instrument dated June 19, 1930, and recorded July 14, 1930, under County Auditor's fee No. 998420, over the premises herein described, for the purpose of constructing, operating and maintaining a sewer. Read by title and placed in order of final reading.

Ordinance No. 15324.L. I. D. 4543.

Providing for the improvement of Huson Drive from Moorelands Drive to South 16th Street by paving, curbs and gutters, and storm sewers; creating L I D 4543. Read by title and placed in order of final reading.

Ordinance No. 15325.

Amending Sections 3 and 4 of Ordinance No. 14386 entitled: "An ordinance providing for the making of certain additions and betterments to and extensions of the existing electric generating plant and system of the City of Tacoma; specifying and adopting a plan and system proposed therefor; declaring the estimated cost thereof as near as may be; providing for the method of the financing thereof; and providing for the construction thereof." Read by title and placed in order of final reading.

Ordinance No. 15326.

Amending Sections 2, 4, 5 and 6 of Ordinance No. 15087, passed August 16, 1954, entitled: "An ordinance providing for the issuance and sale of Series "A" and Series "B" Special Obligation Bonds of the City of Tacoma in the amount of \$7,500,000.00 each, and Series "C" Special Obligation Bonds of the City of Tacoma in an amount not to exceed \$7,500,000.00, to be known as Cushman No. 3 Light and Power Bonds Series "A" 1954, Cushman No. 3 Light and Power Bonds Series "B" 1954, and Cushman No. 3 Light and Power Bonds Series "C" 1954; to be issued for the purpose of making of certain additions and betterments to and extensions of the present electric plant and system and electric power and light transmission and distribution system of the City of Tacoma as authorized by Ordinance No. 15085; and creating and establishing a special fund for payment of the principal and interest on said bonds." Read by title and placed in order of final reading.

Ordinance No. 15327.

Amending Sections 2, 4, 5 and 6 of Ordinance No. 15101 entitled: "An ordinance providing for the issuance and sale of Series "A", Series "B", Series "C", Series "D", Series "E", Series "F", Series "G", Series "H" and Series "J" Special Obligation Bonds of the City of Tacoma in the amount of \$15,000,000.00 each, and Series "K" Special Obligation Bonds of the City of Tacoma in an amount not to exceed \$11,000,000.00, to be known as Cowlitz Power Development Bonds Series "A" 1954, Cowlitz Power Development Bonds Series "B" 1954, Cowlitz Power Development Bonds Series "C" 1954, Cowlitz/Development Bonds Series "D" 1954, Cowlitz Power Development Bonds Series "E" 1954, Cowlitz Power Development Bonds Series "F" 1954, Cowlitz Power Development Bonds Series "G" 1954, Cowlitz Power Development Bonds Series "H" 1954, Cowlitz Power Development Bonds Series "J" 1954, and Cowlitz Power Development Bonds Series "K" 1954; to be issued for the purpose of making of certain additions and betterments to and extensions of the present electric generating plant and system and electric power and light transmission and distribution system of the City of Tacoma as authorized

by Ordinance No. 14386, as amended; and creating and establishing a special fund for payment of the principal and interest on said bonds." Read by title and placed in order of final reading.

Mr. Backstrom advised the Council that it was necessary to give first reading at tonight's meeting to an ordinance appropriating the necessary funds to pay for the special election on May 10th, but that the ordinance had been prepared too late to appear on the Agenda.

It was moved by Dr. Humiston, seconded by Mr. Perdue to suspend Rule 7, relative to filing of new matter for Council's consideration, in order to give first reading to Ordinance No. 15328. Motion carried unanimously on voice vote.

Ordinance No. 15238.

Appropriating the sum of \$18,000.00, or so much thereof as may be necessary, from the General Fund for the payment to Pierce County of the costs incurred and to be incurred for the submission to the voters at an election to be held May 10, 1955, of a proposition to choose fifteen freeholders to prepare, revise and propose a charter for the City of Tacoma, and for the nomination and election of such freeholders if the said proposition should be adopted; 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.

FINAL READING OF ORDINANCES:

Ordinance No. 15316.

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 acquiring additional property for a site for the location of a water reservoir; providing for the taking and damaging of property; and providing for the payment therefor. Read by title. It was moved by Mr. Bratrud, seconded by Dr. Battin to suspend Rule 9, and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Ordinance No. 15317.

Amending Section 2 of Ordinance No. 14931, entitled: "An ordinance to be known as the "Street Obstruction and Excavation" ordinance, relating to and regulating the obstruction of streets and alleys and public places of the City of Tacoma; defining the duties of the Director of Public Works in relation thereto; providing for the construction, excavation or improvements on or in the streets or alleys; etc." Read by title. It was moved by Mr. Perdue, seconded by Dr. Battin to suspend Rule 9, and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Ordinance No. 15318.

Authorizing and directing the City Attorney of the City of Tacoma to purchase and/or 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 certain property, property rights and privileges for the purpose of extending East 38th Street from East "N" Street to Portland Avenue; providing for the taking and damaging of said property, property rights and privileges; and providing for the payment therefor. Read by title. It was moved by Dr. Battin, seconded by Col. Hooker to suspend Rule 9, and

carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Ordinance No. 15319. L. I. D. 1939.

Providing for the construction of sewers in the area bounded by Hosmer to Alaska Streets and from 128 feet north of South 46th Street to the alley between South 49th and South 50th Streets; creating Local Improvement District No. 1939. Read by title. It was moved by Mr. Perdue to suspend Rule 9, seconded by Mr. Bratrud and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Ordinance No. 15320. L. I. D. 4550.

Providing for improvement of the alley between North 33rd and North 34th Streets from Proctor Street to Adams Street by paving and storm drainage; creating Local Improvement District No. 4550. Read by title. It was moved by Mr. Perdue, seconded by Mr. Jensen to suspend Rule 9 and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Ordinance No. 15321. L. I. D. 5245.

Providing for the construction of a 6-inch cast iron water main in State Street from South 15th Street to South 19th Street, and in South 18th Street from State Street to Sprague Avenue; creating Local Improvement District No. 5245. Read by title. It was moved by Mr. Perdue, seconded by Mr. Jensen to suspend Rule 9, and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

Ordinance No. 15322.

An ending Section 48 of Ordinance No. 15106, entitled: "An ordinance adopting the pay or compensation plan as contemplated by Section 6.9 of the City Charter; prescribing the salaries to be paid to nonelective officers and employees of the City; establishing the positions of the various departments of the City Government; fixing the effective date of this ordinance; and repealing Ordinances Nos. 12692, 12825, 12994, 13169 and 14967, and all amendments and additions thereto and all ordinances and parts of ordinances in conflict herewith." Read by title. It was moved by Mr. Perdue to suspend Rule 9, seconded by Dr. Battin and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 7; Nays 0; Absent 2; Stojack, Tollefson.

UNFINISHED BUSINESS:

47-97
46-410
46-311
46-211
46-284
46-305
67

The Director of Public Works submits assessments and assessment rolls for cost of improvements in L. I. D. Nos 1933, 1935, 2209, 2212, 2217, and 4503. It was moved by Mr. Humiston, seconded by Mr. Perdue that June 7, 1953 be fixed as the date for hearing on said assessment rolls. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Tollefson.

NEW BUSINESS:

A communication, addressed to Police Chief Kerr, from Major H. D. Neal, Jr., Provost Marshall of the 2nd Infantry Division, was read for Council's information by the Clerk. This letter commended the Chief and members of the Police Department for their fine cooperation with the Military Police during the past 17 months and expressed appreciation for this cooperation.

A communication, addressed to Mayor Tollefson, from Captain S. H. Ambruster, U. S. Navy, Chairman of Armed Forces Disciplinary Control Board, was also read by the Clerk for Council's information. This letter expressed the appreciation of the Board of the excellent service which has been rendered by the City of Tacoma in the establishment and maintenance of a healthful moral climate for the young servicemen who visit Tacoma in large numbers during off-duty and leave periods, and gave particular recognition to the assistance of Chief of Police Kerr, and Messrs. Rolfsen and Kristovich of the Tacoma Police Department, through the fine performance of the Vice Squad and their consistent policy of close cooperation with the military services.

Several members of the Council expressed a desire to have copies of the above communications and the Clerk was directed to have copies prepared for each member of the Council.

Dr. Battin said he also had some communications he would like to read to the Council so that members might be familiar with what is taking place as a result of his statements at last week's meeting relative to fees paid to E. K. Murray as Special Counsel for the Light Department under the prior regime. The First communication was from E. K. Murray, dated April 27, 1955, addressed to Dr. Battin, claiming the statements made were clearly libelous and intended to bring him into disrepute, and to injure him in his business and profession, and demanding a complete and public apology. The second letter was Dr. Battin's reply to Mr. Murray, which concluded with the statement that only facts were contained in his report to the Council and he does not feel it is incumbent upon a public official to apologize either privately or publicly for reporting the truth. Copies of the above communications are on file in Clerk's office.

Dr. Battin said he had some questions he would like to have answered, either by the Council or some member of the staff. He then read the following questions:

- (1) Who authorized construction of the Utilities Buildings at South 35th and Union Avenue?
- (2) What did the people have to say about whether the center should be built or where it should be built?
- (3) Who sought to divide the City from the Utilities in Tacoma?
- (4) Was there some reason the bond issue for the Utilities Center was sold at a private sale?
- (5) Was the Utilities Administration Building cost responsible for the 65 per cent summer light rate minimum?

The above questions were discussed at length, and in conclusion the City Manager said his office would undertake to get the answers to Dr. Battin's questions.

Dr. Humiston was excused for the balance of the meeting at this time.
(8:40 P. M.).

Dr. Battin also raised the question as to whether or not the City had a rebate coming on insurance on the City Steam Plants, which have not been operating full time. Mr. Bratrud said he thought he could get this information for the Council.

Col. Hooker called attention to a letter from Arthur K. Jordan, Chairman of the City Planning Commission, copies of which had been handed each Council member. This letter outlined a major change in the present zoning ordinance by the establish-

ment of a separate "Board of Adjustment" for granting of variances, thus relieving the Planning Commission of much detail and making available to the Commission additional time needed for study and preparation of a planning program required to solve immediate and future problems which affect Tacoma's growth. The letter also asked for comments and recommendations from the Council on this new amendment as well as the overall zoning code as soon as possible so that an early date for a public hearing on the proposed board of adjustment amendment might be set. Col. Hooker suggested that the City Manager make recommendations on this matter to the Council.

Mr. Perdue, Chairman of the Council's General Committee, presented each member of Council with a copy of the Committee's report on the meeting held for consideration of Paul Salatino's application for taxicab stand location license and their recommendations. The report was discussed and Mr. Stojack suggested that the Traffic Engineer and the City Manager recommend two or three locations where taxicab stands are needed and which could be made available to Mr. Salatino. It was then moved by Mr. Jensen, seconded by Dr. Battin that action on this matter be deferred until next Monday, May 9th. Carried on roll call: Ayes 7; Nays 0; Absent 2; Humiston, Tollefson. 36 +8

Former Mayor John H. Anderson, who was in the audience, was introduced by Mrs. Goering, and was asked if he had anything to bring before the Council. He replied that he was present to congratulate the Council on the splendid way they have conducted their office the past twenty-three months and to wish them continued success.

Mr. Jensen read a statement, signed by all the Council members and addressed to the "Citizens of Tacoma". This stated that the undersigned members of the City Council, having worked under the present Charter for approximately two years, find this Charter to be a superior, easily workable, basic framework of municipal government, and that it is flexible enough to permit any Council, now or in the future, to meet changing needs by amending ordinances rather than by expensive charter amendments, and concluded with the statement that no change in the Charter is needed.

The question of holding an extra meeting upon the Mayor's return, was discussed, and all the Council members were agreeable to holding such a meeting, if necessity arises, at a luncheon on Friday, May 6th.

Upon motion, duly seconded and carried, Council then adjourned at 9:05 P. M.

Clara E. Goering
Acting President of City Council.

Attest:

Joseph M. Melton
City Clerk.