

COUNCIL CHAMBER, 7:30 P.M.

Monday, March 24, 1958

Council met in regular session. Present on roll call 8: Stojack, Humiston, Bratrud, Goering, Humiston, Battin, Jensen and Mayor Anderson. Absent 1; Tollefson. Tollefson arrived at 7:45.

Dr. Battin asked that the minutes be corrected in reference to the statement "challenging Mr. Bratrud's vote on the fare increase, stating he voted on the grounds that he writes Insurance for the Transit Company". Dr. Battin asked the minutes should read that: "Dr. Battin challenged Mr. Bratrud's right to vote on the committee that made the recommendation before the increase in rates on the grounds of (1) legal and (2) ethical standpoint. Mayor Anderson requested the Clerk make this change to coincide with Dr. Battin's request.

Moved by Mr. Stojack, seconded by Dr. Humiston to approved the minutes with the corrections, and the reading thereof dispensed with. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Tollefson.

RESOLUTIONS:

Motor Coach Employees Union, Local 758 and Employees Transit Association of Tacoma, requesting Council to reconsider their action taken on March 17th in connection with fare increases requested by the Tacoma Transit System.

The letter was read in full.

Mr. Stojack moved to reconsider Resolution 15933 passed at last council meeting in reference to bus rates. Seconded by Dr. Humiston.

Dr. Humiston said he has been as hopeful as anyone that the time municipal ownership could be postponed forever, but the more he looks at the situation, he added, he wonders if the time is not here now. There are four parties interested in this situation: The Motor Company Employees, Stock holders, general public and the City Council. He said subsidy is not possible under the City Attorney's ruling unless the City actually owns the system. He asked if it might be possible for the City to initiate negotiations with the shareholders for the purchase of the Company "with a realistic view of the Company's present value". He explained at the time the employees started the contract purchase of the Company there was an agreed price of \$6.00 a share. At that time the value of those securities were significantly higher than they are today, he added. He said he would like to see the City enter into renegotiations with the idea of the City purchasing the Transit Company and paying off the stockholders, and instead of \$6.00, pay off the stockholders at \$4.75, and add to that the money the employees have already paid into the Company, then put this money into the City Retirement System, and the City take over the Transit Company. Dr. Humiston said the reason that he is bringing this up tonight was due to a timing problem. If the City should take over the Transit Company, they could not take it over before 1960 unless funds are budgeted in the 1959 budget which will be considered in August of this year.

Mr. Jensen said he did not think this was the time for the City to take over the operation of the Transit Company.

Dr. Battin said on the basis of the report and accounting record made by the accountants for this particular purpose, and on previous discussions of the Transit problems the evidence is very clear that the Transit Company is, for all intents and purposes, as far as making their way is concerned, is bankrupt. Now the question before the Council is: The employees have a purchase contract with the stockholders and they have already paid in over one half the purchase price,

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so the employees are also owners, the funds are being held in escrow until such time only as it is turned in and the stock holders can relinquish completely any rights to the Company. Dr. Battin agreed with Dr. Humiston's suggestion that the possibility be explored of some revision of the contract as between the stockholders and employees to arrive at some solution which would permit the Company to operate on a solvent basis.

Mr. R. W. Clary, President of the Employees Transit Association said he could not speak for all the employees, but if Council failed to act by the 1st of April, that a walk-out was possible.

Mr. Goering said the fare increased were simply a "stop-gap" measure which solves no problem, and she was sorry she voted for any increase at all last week.

Mr. Jensen said he felt the time of Municipal ownership might be coming, but, that he did not think it was here yet. The City should do everything possible, to keep from taking over the Transit Company.

Mr. Bratrud said the fact remains that the employees are still paid the lowest salary compared to Portland and Seattle, of \$2.02 per hour. Mr. Bratrud said "it behooves the Council to take sound steps in giving relief to the Transit Company" and that the Council should investigate the theories of Dr. Humiston.

Dr. Humiston suggested two things: (1) The Transit System give for thirty days, a 12% raise, and that the Council have the proper study made and find out just what the financial implications would be for the City to negotiate a sale of the Transit Company to the City with some figure significantly less than \$6.00 a share, and that such a study be completed before May 1st.

Various compromises on student fare increases were discussed.

Mr. Hill, President of the Transit Company, urged the Council to raise the fares to 15%, and said he did not know why they should carry school children for 10% fares. "We haven't had a single complaint today on the new adult fare," he added.

Mr. Stojack said the Council is faced with a situation in finding a solution to the Transit Company's problem. He said the Transit Company has brought this problem to the Council's attention some time ago, and the Council appointed a committee to study the problem, and to find out what could be done, whether it was a "stop-gap" or not, but they came up with a temporary solution and he did not think they intended for the City to drop the matter at this time. He said he felt the Council should solve the matter as soon as possible, but he hoped the City would not take over the Transit Company as long as they are doing a fairly good job. He urged that they go along with the recommendation of the Transit Association and Employees Unions requesting a raise.

Mr. Perdue said he still has the same opinion as last week, that if a substantial increase is put into effect that there will be a decrease in number of passengers on the Transit and if ultimately the City will have to finance the Transit System one way or the other. Mr. Perdue said he felt the proposal from the Transit Company was better than the one presented last week. He said he would like to see the type of study made on the proposal suggested by Dr. Humiston.

Roll was then called on the motion of Mr. Stojacks to reconsider the action taken on March 17th on Resolution No. 15233, resulting as follows: Ayes 6; Nays 3; Battin, Humiston & Perdue; Absent 0.

Mr. Tollefson said it was evident from the statements made by Mr. Clary that we will have an emergency or crises if something was not done now. None of the Council would like to see a fare increase, he said. In order to avoid a bus strike with no transportation available, it seems that the Council will have to arrive at some type of compromise.

Mr. Tollefson then moved, reluctantly, that the fares for students of Elementary and Junior High, and High Schools only, be raised to 12 $\frac{1}{2}$ % from the hours that they generally go to and from school - 7 A.M. to 4 P.M. after that a 15% fare is to be paid. This fare increase to remain in effect until July 1, 1958 Seconded by Dr. Humiston.

After July 1, 1958 Mr. Tollefson added, the Manager and the Council will have had an opportunity to study the matter and can present a better solution to the problem. By doing this it will hold us over and give us transportation until that time, Mr. Tollefson added.

Roll was called on the motion to amend resulting as follows: Ayes 6; Nays 3; Battin, Goering, Perdue; Absent 0.

Roll was then called on the original motion as amended resulting as follows: Ayes 6; Nays 3; Battin, Goering, Perdue; Absent 0.

Dr. Humiston then moved that the Mayor appoint a committee to work with the Manager to present to Council on April 14th the information relative to a possible negotiated purchase of the Transit Company by the City. Seconded by Mrs. Goering.

Dr. Battin asked that the committee be instructed to investigate the possibility of the renegotiation of the contracted sales in the first place, the possibility of being realistic valued per share, put on the stock for the employees. Roll was then called on the motion resulting as follows: Ayes 8; Nays 1; Stojack; Absent 0.

Tacoma Employees Retirement System - requesting a meeting with the City Council, time and place to be set at the Council members convenience. X

It was suggested that after the Retirement Board Meeting on March 31, that the Board notify the Council if they still wish to meet with them.

Investment Exchange Development Corporation, requesting the City Council to reconsider their recommendation made on January 27th, 1958 regarding the rezoning of property on South 12th and Cedar Streets, and to resubmit and approve the ordinance rezoning said property to commercial use, was discussed. X

Mr. McCormick explained that the request of the Investment Exchange Development Corporation to reconsider the ordinance would not be possible, inasmuch as the council rules states in part under no motion to reconsider a vote shall be in order unless it be made at the same or the following meeting and by a member who voted with the prevailing side.

There are two ways in which the rezoning can be initiated: (1) by Resolution of the Council (2) official proposal by the Planning Commission on the petition method. The only possible way it can be given consideration by the Council is if they on their own volition wish to pass a Resolution requesting this amendment of the Commission, it would then be referred to the Commission for their hearing, Mr. McCormick added. He said the Investment Exchange Development Corporation is in the same position as if they are initiating a new petition.

Mayor Anderson asked if the matter would have to be referred back to the Planning Commission.

Mr. McCormick advised that it did.

Mr. Stojack explained that the Planning Commission has taken action on this, and has forwarded their recommendation on to the Council. Mr. Stojack reviewed the action of the commission and advised that if the Council requested the Commission to reconsider this petition, they would be happy to cooperate.

Mr. M. G. Tennant, representing the Investment Exchange Development Corporation stated he was under the impression the Council would be in order to reconsider this matter this evening.

Mr. Faville, from the Planning Staff, advised that as far as the commission was concerned, the petition would have to be started anew.

Mr. Tennant said that they had a deadline to meet by Wednesday on this matter and that they had a deadline to meet by Wednesday on this matter and that they would have to notify the Council if they would submit another petition on this rezoning and that the matter has been in process for approximately a year and nothing has been gained. Mr. Tennant then thanked the Council and Mayor Anderson for their courtesy in allowing him the privilege of being heard on this matter.

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Mr. Stojack requested that a Resolution be submitted to Council to initiate the rezoning of the property in question.

Mr. Joe Gordon, attorney, advised he had a petition from the Automobile Dealers to reinstate the prohibition of Sunday sales, and asked if he could present the petition at this time.

It was moved by Dr. Humiston that the council rules be suspended and that the petition of the Automobile Dealers be considered at this time. Motion seconded by Mr. Perdue and carried unanimously.

It was then moved by Mr. Tollefson that Ordinance No. 16059 relative to the sales of automobiles be reconsidered at this time. Seconded by Dr. Battin, and carried unanimously.

Mr. Gordon then read the petition requesting the reinstatement in the Ordinance prohibiting auto sales on Sunday. He advised the petition had been signed by all of the new car dealers in the City and attached to this petition is the pledge of the new and used car dealers which was signed February 10th and printed in the Paper pledging that they would remain closed on Sunday. He said that the pledge was signed by approximately 99% of the used car dealers in the area. He said they needed the cooperation of the Council in protecting the citizens from the "fly by night" or out of town Companies who bring in cars from out of State to sell on Sundays. Mr. Ken Hopper, Secretary of the Automobile Salesman's Union advised he had two letters, one from the Automobile Salesman's Union and one from the Pierce County Central Labor Council, urging the reinstatement of the portion prohibiting the sale of new and used cars in the City, on Sunday.

Dr. Battin asked if it were not true that there was a State Law prohibiting the sale of Automobiles on Sunday. Mr. McCormick, City Attorney advised that there was. Dr. Battin then added that it would be rather pointless to repeat an ordinance that conforms to State Law.

Mr. McCormick said that if we have an ordinance prohibiting the sales, it would then be possible for the City Police to enforce the ordinance, if we had no ordinance, the Prosecuting Attorney and the Sheriff would be required to enforce as far as the State laws are concerned.

Mrs. Goering asked if this were put back in the Ordinance, would the other items have to be reinstated at the same time to conform to the State Law.

Mr. McCormick said not necessarily so.

Mr. Perdue then moved that Paragraph 5 on Page 3 of Ordinance 16059 be reinstated in the Ordinance in reference to selling on Sundays. Motion seconded by Dr. Battin.

Mr. Bratrud asked that if we do not intend to enforce the Ordinance, "why not just insert the portion pertaining to new and used cars."

Mr. Perdue advised that State law is superior to City Ordinances, and if it were not inserted it would mean that any fines imposed would go to the County instead of the City.

Mr. Rowlands advised that unless the Ordinance is going to be enforced it will place the Council in a rather embarrassing position. It was mentioned last week that each type of industry could more or less police their own, to see that they enforce the ordinance.

Mr. Perdue said he felt the entire paragraph should be reinstated and should be enforced.

Mrs. Goering stated that the council should not deprive any business from closing or keeping open on Sunday if they so wished. she said that there are many persons whose religious beliefs prohibit them from working on Saturdays, yet they do not try to keep all stores closed on Saturdays, or keep people from working.

Dr. Humiston said that he believed when a store stays open, it is no concern of the Council and they should be able to be open when they desired.

Mr. Gordon advised that there is a vast difference in the two phases, that whether the automobile dealers or grocery store stay open on Sundays. Groceries are a necessity, whereas there can be no urgency in purchasing an automobile on Sunday. Roll was then called on Mrs. Perdue's motion resulting as follows: Ayes 8; Nays 6; Bratrud, Goering, Humiston, Jensen, Stojack & Mayor Anderson; Absent 0.

Mr. Bratrud then moved to reinstate the portion of the ordinance pertaining to new and used car dealers being closed on Sundays. Seconded by Mr. Stojack. Ayes 7; Nays 2; Goering, Humiston, Absent 0.

Roll was called on the ordinance as amended resulting as follows: Ayes 8; Nays 1; Goering, Absent 0.

RESOLUTIONS:

Resolution No. 15255:

By PERDUE:

Awarding contract to Titus Motor Company on their bid of \$8,203.59 for four Police Special Type 4-door sedans and awarding contract to Walker Chevrolet Co. on their bid of \$12,224.12 for furnishing seven 6-cylinder four-door sedans.

Adopted on roll call March 24, 1958
Ayes 9; Nays 0; Absent 0

Resolution No. 15256:

By STOJACK:

Authorizing the proper officers of the City to execute and deliver a local improvement assessment deed to Claude G. Purvis and Signe Purvis for purchase of property located at the northeast corner of So. 40th and Puget Sound Avenue, for the sum of \$1,850.00.

Adopted on roll call March 24, 1958
Ayes 9; Nays 0; Absent 0

Resolution No. 15257:

By STOJACK:

Authorizing the proper officers of the City to execute and deliver a local improvement assessment deed to Mabel Holland for purchase of property located on both sides of Browns Point Boulevard at About 57th St. N.E. for the sum of \$2,929.64.

Adopted on roll call March 24, 1958
Ayes 9; Nays 0; Absent 0

Resolution No. 15258:

By JENSEN:

Authorizing the proper officers of the City to execute and deliver a local improvement assessment deed to Lloyd R. Norberg for purchase of property located on the east side of Alaska Street about 100 feet south of South 21st Street, for the sum of \$600.00.

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Adopted on roll call March 24, 1958
Ayes 9; Nays 0; Absent 0

Resolution No. 15259:

By ANDERSON:

Authorizing the proper officers of the City to execute and deliver a local improvement assessment deed to the Highland Hill Baptist Church for property located on Woodlawn Street between South 9th and 10th Streets, for the sum of \$10.00.

Adopted on roll call March 24, 1958
Ayes 9; Nays 0; Absent 0

Resolution No. 15260:

By GOERING:

Authorizing the proper officers of the City to transfer from the 1958 Annual Budget, City Street Construction Program, Item Pavement Surfacing, the sum of \$5,000 or so much thereof as may be necessary, to item to be entitled "Reconstruction of East 'D' Street, City Street Reconstruction Program".

Mr. Rowlands advised that Mr. Staman had prepared a map showing the area involved. He said the State is willing to do the work the same time as the channelization is done. By doing this, he said, it will save the City from 10% to 20% of the contract price. He said the same contractor will be doing the work for the State and the City, and the City will be charged the same unit price as the State.

Adopted on roll call March 24, 1958
Ayes 9; Nays 0; Absent 0

Resolution No. 15261:

By TOLLEFSON:

Authorizing the proper officers of the City to negotiate with various engineering and surveying crews for the purpose of obtaining surveying crews to properly initiate the construction program approved by the voters of the City of Tacoma.

Moved by Humiston, seconded by Battin that Paragraph 5 the words engineering and above inserted. Roll call; Ayes 9; Nays 0; Absent 01

Adopted on roll call March 24, 1958
Ayes 9; Nays 0; Absent 0

Resolution No. 15262:

By REQUEST OF STOJACK AND BRATEUD:

Commending the Citizens Committee for Tacoma's Future Development for the diligent study and unselfish time and effort involved in the preparation and presentation of the various bond issues to the voters.

Dr. Battin read the following prepared statement in full:

There are two points that need to be said about Resolution No. 15262:

1. The work of the CITIZEN'S COMMITTEE FOR TACOMA'S FUTURE DEVELOPMENT was so outstanding and so unprecedented in its organization and its success that our appreciation and our commendation of the work of the committee should stand alone.

The efforts of the members of the council, some more than others, in the promotion of this program also were extensive, intensive and time consuming, but I doubt that the council would want to pass a resolution commending itself. However, Mayor John Anderson did some special and effective work in raising a large part of the funds used in the promotion of the program and the council might want to commend him for that, in which case such commendation should be included in a separate resolution.

2. The second point is that the administrative staff of the city government spent untold hours over and above their regular call of duty in order to help put this program across. I personally know that many of them put in 10 to 12 hours a day, 7 days a week, for several weeks prior to the final vote on the program. They are still spending many extra hours coordinating the program now that it is an accomplished fact. These people deserve the commendation of the Council and I herewith officially request that a proper resolution be drawn up expressing our commendation and our appreciation.

Furthermore I move that resolution 15262 be made into two resolutions, one devoted exclusively to the CITIZEN'S COMMITTEE FOR TACOMA'S FUTURE DEVELOPMENT, and the other commending Mayor John Anderson. Motion seconded by Mr. Perdue.

Dr. Battin added that this would detract from no one, but it is keeping the commendations separate, and adding commendations to those who should be commended, he said.

Mayor Anderson asked Dr. Battin to preside during the vote on this request.

It was then moved by Dr. Humiston, seconded by Dr. Battin that Resolution No. 15262 be postponed indefinitely. Ayes 9; Nays 0; Absent 0.

Resolution No. 15249: (Postponed to this date on March 10, 1958)

By ANDERSON:

Granting approval to investment and reinvestment of funds and sales of securities made by the Board of Administration of the Tacoma Employees' Retirement System, providing all such investments and reinvestments and sales are approved by the Finance Committee of the City and that the Board of Administration furnish to the City Council a list of such investments, reinvestments and sales so made for the preceding month.

Moved by Dr. Humiston, Seconded by Mr. Stojack to postpone the resolution for two weeks, to April 7th. Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 16072:

Creating in the Treasury of the City of Tacoma a special fund to be known as the General Street and Bridge Improvement Construction Fund of 1958; specifying the purpose for which said fund is created; providing for the deposit therein of the proceeds of the sale of \$3,923,000 of bonds to be issued by the City as authorized by vote of the people at the general municipal election to be held on Tuesday, March 11, 1958. The ordinance was then placed in order of final reading.

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Ordinance No. 16073:

Creating in the Treasury of the City of Tacoma a special fund to be known as the Storm Drain and Storm Sewer Construction Fund of 1958; specifying the purpose for which such fund is created; providing for the deposit therein of the proceeds of the sale of \$2,775,000 of bonds to be issued by the City of Tacoma authorized by the vote of the people at the General Municipal election held Tuesday, March 11, 1958. The ordinance was then placed in order of final reading.

Ordinance No. 16074:

Creating in the Treasury of the City of Tacoma a special fund to be known as the Street Lighting Construction Fund of 1958; specifying the purpose for which such fund is created; providing for the deposit therein of the sale of \$1,040,000 of bonds to be issued by the City of Tacoma as authorized by the vote of the people at the general municipal election held Tuesday, March 11, 1958. The ordinance was then placed in order of final reading.

Ordinance No. 16075:

Creating in the Treasury of the City of Tacoma a special fund to be known as the Public Buildings Construction Fund of 1958; specifying the purpose for which said fund is created; providing for the deposit therein of the proceeds of the sale of \$148,000 of bonds to be issued by the City of Tacoma authorized by the vote of the people at the general municipal election held Tuesday, March 11, 1958. The ordinance was then placed in order of final reading.

Ordinance No. 16076:

Amending the Official Code of the City of Tacoma relating to licenses and taxes and by adding five new sections to be known as Sections 6.68.055, 6.68.057, 6.68.345, 6.68.375 and 6.68.455. The

Mr. Rowlands explained that Clar Gaisford and David McLennan, had compiled the information sheet pertaining to Ordinance 16076, and commended them for their fine work. He said that this Ordinance has been drawn so that it is virtually identical with the State Law on the B&O Tax. This way, he said, the businessmen should be assisted immeasurably. He asked Mr. Gaisford for point out 3 or 4 features which should be called to Council's attention.

Mr. Gaisford commented that on page 1 of the letter Sec. 6.68.090 and 100, 110 and 120 pertain to the exclusion of by-products by manufactures that have not been taxed in the past. They have changed the paragraph regarding the "Extension of Time" and have included in this paragraph the payment of 1% interest. Failure to pay tax, a 10% penalty has been changed from 1 to 40 days as well as interest may be charged for each 30 days or a fraction thereof.

The ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:Ordinance No. 16066:

Making it unlawful for any person, firm or corporation to sell or offer for sale, barter or give away living baby chicks, rabbits, ducklings or other fowl under two months of age in any quantity less than six.

Roll call Ayes 9; Nays 0; Absent 0

Ordinance No. 16068:

An ordinance vacating Bismarck Street from East F Street to East G Street.

Roll call; Ayes 9; Nays 0; Absent 0

Ordinance No. 16068: LID 1964

Approving and confirming the assessment and assessment roll for LID 1964 - sanitary sewers on Alaska and Asotin Streets between So. 72nd Street and So. 76th Street.

Roll call; Ayes 9; Nays 0; Absent 0

Ordinance No. 16069: LID 2260

Approving and confirming assessment and assessment roll for LID 2260 - cement concrete sidewalks on So. 13th Street from Cedar to Alder; So. Grant from 17th Street north on west side, also from 15th to 16th on east side; North side of So. 17th from alley east of Grant to alley west of Ridgewood; South side of 17th from existing walk between Ridgewood and Grant to alley west of Ridgewood; Ridgewood Avenue from So. 17th St. north.

Roll call; Ayes 9; Nays 0; Absent 0

Ordinance No. 16070: LID 4616

Approving and confirming the assessment and assessment roll for LID 4616 - cement concrete pavement on the alley between Puget Sound Avenue and Union Avenue from North 18th Street to North 19th.

Roll call; Ayes 9; Nays 0; Absent 0

Ordinance No. 16071: LID 5285

Approving and confirming the assessment and assessment roll for LID 5285 - watermains in East Wright Avenue from East D to McKinley Avenue.

Roll call; Ayes 9; Nays 0; Absent 0

UNFINISHED BUSINESS:

The Director of Public Works presents the assessment and assessment rolls for the following districts:

LID 1968: Sanitary sewers on So. Bell Street from South 64th Street to So. 68th Street. X

LID 4579: Cement concrete pavement on Chandler Street from South Tacoma Way to Center Street. X

LID 4594: Asphalt pavement, concrete curb and gutter and storm sewer on South 8th from Mullen to Orchard Streets. X

LID 4618: Asphalt concrete pavement on So. 21st St. from Ainsworth to Cushman Avenues. X

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Moved by Mr. Humiston that May 6, 1958 be fixed as the date for hearing thereon. Motion seconded by Mr. Stojack. Roll call; Ayes 8; Nays 0; Absent 0.

MC-188 - Schedule for City Bond Program.

Mr. Rowlands advised this report was requested at last weeks meeting and he had summarized the reports submitted by the Director of Public Works, Director of Finance and City Attorney. In this MC several major projects were outlined that were felt should be completed in 1958 and also in 1959. Several staff meetings have been held consulting with engineers who will be called in to assist with the program. He said the entire program should be completed within a 2 year period and they are endeavoring to get the program underway just as quickly as possible. Mr. Rowlands explained that approximately \$3,058,000.00 will be expended in 1958 and \$4,630,000.00 in 1959. He advised that meetings have been held with out Bonding consultants, McLean & Co. and that additional meetings will be held this week, as a representative of the A. C. Allyn Co. will be working with the Directors of Finance, Public Works and the Managers Office staff. Until such time as the Committee has all the information assembled they will not be able to give Council an idea of what is involved as far as the financing of the program is concerned. It will be approximately 3 weeks before something will be definitely decided by the consultants on this area, he said. Mr. Rowlands added that the City received approval from the Housing and Home Finance Agency Community Services Division in connection with the \$15,000.00 grant for the Yakima Avenue Bridge. However, he said, we frankly do not need the money now, as long as the Bond program carried successfully.

City Manager submitted opinion from City Attorney regarding Mr. Bratrud doing business with the Transit System.

Dr. Battin advised he had two questions to ask on this opinion.

He asked, "Would this opinion also apply to insurance written on the Hugane Society and Park Board property."

Mr. McCormick, City Attorney, advised that this would also apply to both.

The second question is an ethical question, of a member of the council voting on or serving on a committee, which deals with an organization with which he or she has some financial relations. One would be a legal, and the other an ethical one which would be a question of what would be a good and acceptable practice. He thought it was the intent of the writers of the Charter that there was an ethical question involved. If by their wording, they did not make their ethical point a legal one, he still felt the ethical point should be recognized. The Council, as far as he knew, has not adopted any kind of an idea of what would be a proper ethical practice before a member of certain members have said "well I pass" or "I feel I am in a position to vote on that because I might be considered to have some interest in it." "Now my question is," Dr. Battin said, "whether that policy should be adopted." "We have a rule when someone does not vote on a matter this is counted as a negative vote." "Now then if one should, as a matter of ethics, say that, 'I refrain from voting', then should that vote be counted as a negative vote?" "I believe we have a real policy question which should be considered," he said.

Mr. McCormick explained that as far as the Legal Department is concerned that is a little outside of the Council's prerogative as far as the ethics of the Councilmen are concerned. However, Section 2.9 of the City Charter specifically provides that "Subject to the limitations imposed by law and by this charter, the Council shall establish its own rules and order of business."

He said he believed that was a matter entirely for the Council to determine, what rule it wants to be guided by, "it is a matter of policy with the Council itself," he explained.

Dr. Battin said that most governmental bodies do have some kind of an ethical code, dealing with such questions and he believes it would be highly proper for the Council to adopt something so that each person that was put in that position would know what would be the proper thing to do, as this has arisen on several occasions. It is a very general or usual practice to disqualify oneself to serve on certain matters because of the idea that he or she might have some interest in it. Dr. Battin said, he thought the proper thing to do would be for the Mayor to appoint a committee to draw up some kind of a recommendation for the Council to vote on.

Mr. Jensen said he realizes that this point Dr. Battin raises has been embarrassing at times, but a pass vote is recorded as a "no" vote. He said there is a way of evading that, which has not been used here as yet, and that is to leave the room and be recorded as absent and that still would be a "no" vote recorded.

Dr. Battin asked if such a committee could be appointed and make such a recommendation.

Mayor Anderson advised he would take this up with the City Attorney and report back to Council next Monday.

City Manager submitted a copy of a letter from the M.R. Smith Shingle Company advising they are in process of tearing down old brick kilns and have erected barricades across all openings, and that the work should be completed within the next three or four months. X

NEW BUSINESS:

City Manager submitted a copy of letter from Mayor Anderson to Mr. Chas. W. Drew, District Airport Engineer of the CAA advising that at a meeting held Wednesday, March 19, 1958, the Port of Tacoma Commissioners requested that the CAA carefully study the possibility of utilizing Northeast Tacoma as a possible site for the new Airport, and that the Tacoma City Council and Port Commissioners would like the opportunity to be heard by representatives of CAA. 166
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Mr. Mark Haakina presented a petition signed by 83 private pilots protesting The Peninsula site for the proposed Municipal Airport. They claim the schedule of charges as proposed for the Peninsula Airport are exorbitant and discriminating to the average pilot and plane owners. The location will entail a great deal of extra expense in Bridge Tolls, and in time of an emergency, the Narrows Bridge will become a bottleneck preventing access to the Airport.

Mr. Rowlands reminded the Council that Mr. Drew, District Airport Engineer was requested to review the Tacoma Airport site, McChord Field, Northeast Tacoma sites, and that before the final decision is made, the council members will be notified.

City Manager submitted copy of letter from Port of Tacoma to J.S. Marriott, Regional Administrator of CAA regarding lengthening and expansion of Northeast Tacoma Airport by Port of Tacoma to provide for Executive type planes, etc.

Mr. Rowlands advised he received a letter from Mr. Plett, the Regional Administrator of the CAA, advising that \$368,698.00 has been tentatively allocated for the Tacoma Municipal Airport. It is stated in the letter that these funds can only be spent for the acquisition of land for Airport development and

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clear zones amounting to \$113,762.00, and \$254,936.00 is to be used for site preparation for a runway, taxiway, apron and building area.

Mr. Rowlands explained that a bill has been introduced in the Senate by Warren G. Magnuson and in the House by Thor Tollefson concerning the increase of Federal Airport Air from the present 63 million dollars to 100 million dollars annually for the fiscal year 1959-1963. The present 4 year period terminates as of June 30th. The allocation which has been made to Tacoma must have been acted upon prior to May 15, 1959. Mr. Rowlands advised that before the final site determination is made of the airport, the Port of Tacoma and City Council will be notified.

City Manager Rowlands submitting copy of letter to Elmer Simensen, President of the Association of Washington Cities regarding City revenues, which was submitted to Council Members.

ITEMS RECEIVED FOR FILING IN THE OFFICE OF THE CITY CLERK:

Record of cases in Tacoma Municipal Court during the month of February, 1958.

Personnel Report for the month of February, 1958.

Mr. Tollefson advised Council that some time ago he brought to the attention of Council the important legislation of Congress broadening the field for the sale of Municipal Bonds. Tacoma has just passed a bond issue and it will not be too long before these bonds will be on the market. He said the present interest rates are around 3 $\frac{1}{2}$ % or perhaps more. "If we can open the field for the sale of these bonds," he said, "we might be able to reduce the interest rate by approximately 1%." The percent on 8 million dollars is \$80,000 in one year's time, he added. In order to get this legislation passed, a lot of ground work has to be done at the National Capital. Also support by local levels in the manner of Resolutions urging the Congress to pass this legislation. Mr. Tollefson then requested Council pass a Resolution and that copies be sent to our own Congressmen and Senators as well as to all the members of the House Ways and Means Committee, providing for the broadening of the base for the sale of Municipal Bonds.

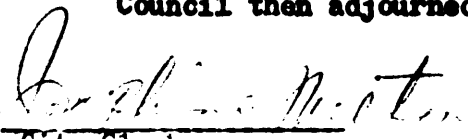
In view of Mr. Tollefson's recommendation, Dr. Humiston requested that a Resolution be prepared for next week's meeting.

Mrs. Goering pointed out that the pamphlet from the Bureau of Governmental Research & Services and the Association of Washington Cities was very interesting, she advised there were many mentions of our own City Attorneys; Mr. McCormick, Mr. Hamilton, Mr. Bingham, and others and, many points of information were very interesting. Mrs. Goering then suggested that as long as this is a new pamphlet and service to the cities, she requested a note of appreciation be sent to the Bureau of Governmental Research and Services stating that we appreciate this service and summary of the things going on in the other parts of the State and country.

Mayor Anderson explained that Certificates of Merit will be presented to each member of the Citizens Committee for Tacoma's Future Development. If this meets with Council's approval, he said, he would request a meeting Tuesday, April 1st at the Utilities Building at 4 P.M. to present the Certificates of Merit. Mayor Anderson also advised that he had a Plaque made for Reno Odlin who acted as Chairman, and that he would like to have as many members of Council present as possible for this meeting.

Council then adjourned at 11:30 P.M.

Attest:


City Clerk


President of City Council