

Monday, July 18, 1955.

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

It was moved by Mr. Perdue, seconded by Dr. Humiston, that Dr. Battin be excused from tonight's meeting. Motion carried unanimously.

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

COMMUNICATIONS:

Andrew O. Berg (Berg's at 1306 Commerce) requesting permission and stating he is free to appear before Council to explain his position regarding the license fee in question (sale of second-hand barrels \$50.00 per year, which he wishes reclassified and lowered). Mr. Berg was present and submitted his case to the Council, stating that the selling of barrels is only a small part of his business, which is primarily groceries and a tavern, and that he felt the fee of \$50.00 a year is much too high for the license, since he sells only between 50 or 60 reconditioned barrels during a year, as the majority are new barrels. He does not buy the barrels locally but direct from the factory where they are reconditioned, he added. The situation was discussed and there was some question on the part of several Council members as to whether or not Mr. Berg's side-line was actually second hand business. It was moved by Mr. Bratrud, seconded by Mr. Stojack that the matter be referred back to the City Manager for a complete review of the second hand license provisions. Motion carried unanimously. Mr. Berg was advised by the Mayor to pay the license fee under protest and was promised that in the event it is decided that he should not have to pay same, the fee would be refunded by the City.

PETITIONS:

Doug Muir, making application for a franchise for a period of 10 years to place and maintain under proposed code benches upon City of Tacoma's sidewalks, street aprons and specific rights of way with advertising matter thereon, and submitting Exhibits A, B & C. Referred to City Manager.

C. P. McNabb, et al, requesting the establishment of a one or two hour parking time limit on the north side of Center Street from M Street to Sheridan Avenue. Referred to City Manager.

American Savings & Loan Association, requesting the west side of South Puget Sound Avenue from South 58th Street to 120' south of South 58th Street be rezoned from an R-3 District to a C-2 Commercial Zone. Referred to City Planning Commission.

Safeway Stores, Inc., requesting that Lots 25, 26, 27, of Block 927, and all of Block 1127, Alliance Addition, together with the easterly 10' of Sheridan Avenue abutting thereon be rezoned from an R-3 District to a C-2 District. (East side of South Sheridan between South 11th and South 12th; also N. E. corner of South 11th and Sheridan). Referred to City Planning Commission.

RESOLUTIONS:

Resolution No. 14322.

By JENSEN:

Approving the recommendation of the Director of Public Works and the

Board of Contracts and Awards and awarding to General Electric Supply Co. contract for 5000 Volt Series Street Lighting Cable on its low bid of \$5,811.00.

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14323.

By JENSEN:

Approving the recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding the contract for furnishing non-metallic conduit and fittings for street lighting to General Electric Supply Co., on their low bid of \$13,734.05, less 1% 30-day cash discount plus sales tax. Moved by Col. Hooker to suspend Rule 9, seconded by Perdue and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14324.

By JENSEN:

Approving recommendation of the Director of Public Works and the Board of Contracts and Awards and awarding contract for Prestressed Concrete Standards, luminaries, ballasts, mast arms and constant current regulating transformers to General Electric Supply Co., on its low bid of \$103,669.50. It was moved by Col. Hooker to suspend Rule 9, seconded by Dr. Humiston and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14325.

By HUMISTON:

Authorizing the Investment Board of the City of Tacoma to invest not to exceed \$1,000,000 of current light fund in 91-day bills and to invest any surplus funds available from the Cowlitz Power Development Fund cash in United States Government securities or securities of the Light Division. It was moved by Dr. Humiston to suspend Rule 9, seconded by Mr. Perdue and carried unanimously on voice vote. It was moved by Dr. Humiston to substitute a revised resolution in order to correct an omission in the original. Motion seconded by Col. Hooker and carried unanimously on voice vote. The revised resolution was then adopted without having been read in full.

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14326.

By HUMISTON:

Authorizing the proper officers of the City of Tacoma to sell scrap metals to Jerome E. Norton on his bid of \$.1487 per pound for lead covered copper cable and \$.2135 per pound for the insulated scrap copper cable.

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14327.

By HUMISTON:

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Authorizing the Director of Utilities to sell surplus transformers of the Light Division up to and including 15 kva capacity to purchasers thereof in amounts not to exceed the sum of \$500.00, for a period of not to exceed six-months from the date of the adoption of this resolution.

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14328. L. I. D. 5250.
BY HUMISTON:

Stating intention of Council to order the installation of cast iron watermains in Frace Avenue from North 38th Street to North 46th Street; in North 43rd Street from Lexington Street to Frace Avenue; creating L I D 5250 and fixing August 16, 1955 as the date for hearing. It was moved by Mr. Bratrud 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.

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14329. L. I. D. 5252.

BY HUMISTON:

Stating intention of Council to order the installation of cast iron watermains in East 63rd Street from "B" Street to "F" Street; and in "B" Street and "F" Street from East 63rd Street to East 64th Street; creating L I D 5252 and fixing August 16, 1955 as the date for hearing. It was moved by Dr. Humiston 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 July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14330. L. I. D. 5254.

By HUMISTON:

Stating intention of Council to order the installation of cast iron watermains in Orchard Street from North 21st Street to North 25th Street and in North 22nd Street from Orchard to Huson Street; creating L. I. D. 5254 and fixing August 16, 1955 as the date for hearing. It was moved by Dr. Humiston 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.

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14331. L. I. D. 4554.

By JENSEN:

Stating intention of Council to order installation of asphaltic paving, curbs and gutters and storm drainage on North 22nd Street from Puget Sound Avenue to Warner Street; also from Lawrence Street east for 150 feet; also alley between North 22nd and North 24th Street from Lawrence to Warner; creating L I D 4554; creating L I D 4554 and fixing August 9, 1955 as the date for hearing thereon. It was moved by Mr. Perdue, seconded by Col. Hooker 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 July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14332. L. I. D. 4555.

By JENSEN:

Stating intention of Council to order the installation of paving, curbs and gutter on North 11th Street from Proctor to Madison Street; creating L I D 4555 and fixing August 9, 1955 as the date for hearing thereon. It was moved by Dr. Humiston, seconded by Mr. Perdue to suspend rule 9 and carried unanimously on voice vote. The resolution was then adopted without having been read in full. 145

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14333. L. I. D. 4560.

By JENSEN:

Stating intention of Council to order asphaltic paving, concrete curbs and gutter on East F Street from Morton Street to East 36th Street and from East 38th Street to East 43rd Street; creating L I D 4560 and fixing August 9, 1955 as the date for hearing thereon. It was moved by Col. Hooker, seconded by Mr. Perdue 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 July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14334. L. I. D. 4561.

By JENSEN:

Stating intention of Council to order asphaltic concrete paving, concrete curbs and gutters with necessary storm drainage on North 7th Street from Union Avenue to Puget Sound Avenue; creating L I D 4561 and fixing August 9, 1955 as the date for hearing thereon. It was moved by Dr. Humiston 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.

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14335. L. I. D. 4562.

By JENSEN:

Stating intention of Council to order paving of South J Street from South 37th Street to South 38th Street with asphaltic concrete and installation of concrete curbs and gutters; creating L I D 4562 and fixing August 9, 1955 as the date for hearing thereon. It was moved by Mr. Perdue to suspend Rule 9, seconded by Col. Hooker and carried unanimously on voice vote. It was moved by Dr. Humiston, seconded by Col. Hooker to amend the second paragraph of Resolution No. 14335 by adding thereto the following: "on South J Street from South 38th Street to South 39th Street". Motion carried unanimously. The resolution as amended was then adopted without having been read in full. 145

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14336. L. I. D. 4564.

By JENSEN:

Stating intention of Council to order installation of asphaltic paving, curbs and gutters with necessary storm drainage on Cedar Street from 6th Avenue to North 8th Street also on North 7th Street from Alder Street to Junett Street; creating L I D 4564 and fixing August 9, 1955 as the date for hearing thereon. It was 147

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moved by Dr. Humiston, seconded by Mr. Perdue 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 July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14387.

L. I. D. 4565.

By JENSEN:

Stating intention of Council to order installation of cement concrete curbs and gutters and concrete pavement on North 8th Street from North Alder Street to Lawrence Street; creating L I D 4565 and fixing August 9, 1955 as the date for hearing thereon. It was moved by Mr. Perdue to suspend Rule 9, seconded by Dr. Humiston and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call July 18, 1955.
Ayes 8; Nays 0; Absent 1; Battin.

FIRST READING OF ORDINANCES:

Ordinance No. 15386.

Amending Sections 2 and 3 of Ordinance No. 14911, entitled: "An ordinance relating to the Police Department providing for the appointment and prescribing the duties and term of office of special police officers; prohibiting the unauthorized use or possession of special police badges; defining offenses; prescribing the penalty for the violation thereof." Read by title and placed in order of final reading.

Ordinance No. 15387.

Authorizing the Director of Finance to transfer the sum of \$2,575.00 from the M & O Budget Class of Account G14.2 to the Capital Outlay Class of the same account pursuant to the authority of Chapter 322 of the 1955 Session laws of the State of Washington. Read by title and placed in order of final reading.

Ordinance No. 15388.

Amending Section 14 of Ordinance No. 14039, entitled: "An ordinance providing for a retirement and pension system for superannuated and disable 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; providing for the financing and administration of said systems; superseding and repealing Ordinance No. 11870 and ordinances in conflict herewith; and prescribing the effective date hereof." Read by title and placed in order of final reading. (permitting any pensioner to request and obtain temporary or permanent waiver of a portion of his or her retirement allowance, upon terms and conditions set forth herein.)

Ordinance No. 15389.

Vacating the alley lying between Pacific Avenue and C Street from South 65th Street to South 67th Street; and retaining and reserving certain easements therein for the construction, repair and maintenance of public Utilities and services. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15380.

L. I. D. 5176.

Providing for the construction of a 6-inch cast iron water main in Union Avenue from South 38th Street to South 47th Street; in Puget Sound Avenue from South 37th Street to South 48th Street; in Warner Street from South Tacoma Way to South 48th Street; and in Lawrence Street from South Tacoma Way to South 48th Street; an 8-inch cast iron water main in South 48th Street from Lawrence Street to South Tacoma Way; and a 12-inch cast iron water main in South 43rd Street from Lawrence Street to Union Avenue; creating L. I. D. 5176. Read by title. It was moved by Dr. Humiston to suspend Rule 9, seconded by Mr. Perdue and carried unanimously on voice vote. The ordinance was then passed without having been read in full. 74
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Roll call: Ayes 8; Nays 0; Absent 1; Battin.

Ordinance No. 15381.

L. I. D. 5248.

Providing for the construction of a 16-inch cast iron water main in East 64th Street from Portland Avenue to Homestead Avenue; an 8-inch cast iron water main in Homestead Avenue from East 61st Street to East 64th Street and in East 61st Street from T Street to Homestead Avenue; and a 6-inch cast iron water main in East 61st Street from Portland Avenue to T Street, in East 62nd Street and East 63rd Street from Portland Avenue to Homestead Avenue; creating L. I. D. 5248. Read by title. It was moved by Dr. Humiston to suspend Rule 9, seconded by Col. Hooker and carried unanimously on voice vote. The ordinance was then passed without having been read in full. 79
823

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

Ordinance No. 15382.

L. I. D. 2210.

Providing for the improvement of North 26th Street (Narrows Drive) from Pearl Street to Jackson Avenue and approximately 400 feet north of North 15th Street by grading and oil mat; creating Local Improvement District No. 2210. Read by title. It was moved by Dr. Humiston to suspend Rule 9, seconded by Mr. Perdue and carried unanimously on voice vote. The ordinance was then passed without having been read in full. 78
476

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

Ordinance No. 15383.

L. I. D. 2233.

Providing for the improvement of south side of South 17th Street from Adams Street to Washington Street, west side of Washington Street from South 17th Street to South 18th Street, north side of South 18th Street from Adams Street to Washington Street, by construction of cement concrete sidewalks thereon, also concrete curb and gutter on the north side of South 18th Street from Adams Street to Washington Street; creating Local Improvement District No. 2233. Read by title. It was moved by Dr. Humiston to suspend Rule 9, seconded by Mr. Perdue and carried unanimously on voice vote. It was reported that a new L. I. D. is contemplated, eliminating the curbs on the north side of North 18th Street between Adams and Washington, as requested by property owners at the hearing on July 5th. Mr. Boyle suggested that the ordinance be laid over for one week to July 25th, pending creation of the revised district. It was moved by Col. Hooker to lay the ordinance over for one week to July 25th. Motion seconded by Dr. Humiston and carried unanimously on voice vote. 78

Ordinance No. 15384.

Authorizing the Director of Public Health of the combined Health Department of the City of Tacoma and County of Pierce to provide for immunization and certification for overseas travelers and other persons needing such service; establishing a fee schedule for such service; and providing for the receipt and deposit of said fees.

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read by title. It was moved by Dr. Humiston to suspend Rule 9, seconded by Mr. Perdue 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. 15385.

Amending Section 194 of Ordinance No. 15258, entitled: "An ordinance regulating travel and traffic on the streets of the City of Tacoma; providing a penalty for the violation thereof; repealing Ordinances Nos. 10598, 11054, 11385, 11617, 11701, and 11965, and all ordinances and parts of ordinances in conflict herewith; and declaring that this ordinance shall take effect immediately after publication." (One way street by adding Tennis Court Road North 7th Street to Tacoma Avenue, northbound only, and alley between Park Avenue and Yakima Avenue from South 38th Street to South 39th Street southbound only). Read by title. It was moved by Dr. Humiston to suspend Rule 9, seconded by Mr. Perdue 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. 15390.

Amending Ordinance No. 10883, passed December 7, 1932, as amended by Ordinance No. 11037, passed April 2, 1934, entitled: "An ordinance defining who are disorderly persons; providing for their punishment; repealing Ordinances Nos. 7481 and 7915; and declaring an emergency." by adding thereto a new section to be known as Section 1A; declaring a public emergency; and providing that this ordinance shall take effect immediately after publication. (intoxicated persons found in a motor vehicle in City declared to be disorderly persons). Read by title. It was moved by Mr. Perdue to suspend Rule 9, seconded by Mrs. Goering 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.

UNFINISHED BUSINESS:

The Director of Public Utilities submits assessment and assessment roll for cost of improvements in L I D 5193. It was moved by Dr. Humiston, seconded by Mr. Perdue that August 16th, 1955 be fixed as the date for hearing on said assessment roll. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Battin.

This being the date to which Council continued the hearing on petition of Tacoma School District No. 10 (1-13-55) for vacation of South 7th Street from Ainsworth Avenue to Grant Avenue and the alley between Ainsworth Avenue and Grant Avenue from a point 75 feet south of South 7th Street to a point 50 feet north of South 7th Street, the matter was brought up at this time. Col. Hooker said in his opinion some agreement should be made between the City of Tacoma and the School District that if and when the vacated property ceases to be used for school purposes it would be returned to the City for street purposes rather than be sold by the School Board. This suggestion was discussed at length and City Attorney Boyle advised the Council that such a provision could not be made a part of the vacating ordinance under the State Statutes. However a separate agreement to this effect could be drawn up, signed and recorded in the office of the County Auditor, he added. Asst. Supt. Jas. A. Hopkins, representing the School District, was asked if this would be agreeable to the School Board, and he assured the Council they would have no objection to entering into such a agreement. It was moved by Mr. Jensen, seconded by Mr. Bratrud that the petition be granted and the City Attorney directed to prepare the necessary ordinance vacating the property and to also draw up an agreement between the City and the School Board, providing that in the event the vacated property is no longer used for school purposes it will be returned to the City for street purposes. Motion carried unanimously on roll call. Ayes 8; Nays 0; Absent 1; Battin.

Mayor Tollefson briefed the Council on the progress to date on the endeavor of the City of Tacoma to have that portion of the State Game and Fisheries Department suit, which attacks the validity of the bonds for the Cowlitz Project, removed. He attended a meeting in Seattle recently with the attorneys for the State Department of Game and Fisheries to attempt to get them to do this but was unsuccessful, he added. Several Council members expressed the opinion that the City of Tacoma is not receiving proper cooperation from the State Attorney General of the Governor that a meeting should be held with these two officials prior to Thursday (the day the bonds are scheduled to be delivered in New York) as there is eminent danger that the bonds cannot be sold until the City can sign a statement that there is no litigation pending on the validity of the bonds. After much discussion, Mayor Tollefson said he would contact Governor Langlie in the morning and endeavor to arrange for a meeting between the Utilities Committee of the Council and Utility Board representatives and the Governor.

Upon motion, duly seconded and carried, Council adjourned at 9:49 P. M.

W.A. Tollefson

President of City Council

Attest: *Edna Meland*

Deputy City Clerk.