

Council Chambers, 4:00 P.M.  
Monday, September 28, 1959

Council met in regular session. Present on roll call 8: Bratrud, Easterday, Goering, Humiston, Perdue, Porter, Price and Mayor Hanson. Absent 1, Anderson. Anderson coming in at 4:20 P.M.

Mr. Bratrud moved that the minutes of the meeting of September 21, 1959 be approved as submitted. Seconded by Easterday.

Mr. Perdue asked that the minutes be amended to indicate that he left before the end of the meeting and did not vote on the adoption of the Preliminary Budget or the postponement of the action on the demolition of the "Old City Hall." He therefore moved that the minutes be so amended. Seconded by Mr. Porter. Ayes 8; Nays 0; Absent 1, Anderson.

Mr. Bratrud moved that the minutes be approved as amended. Seconded by Mr. Easterday. Motion carried: Ayes 8; Nays 0; Absent 1, Anderson.

Presentation of a Suggestion Award to Hannes A. Sutherland, employee of the Public Works Department.

Mr. Rowlands presented Mr. Hannes A. Sutherland of the Construction Division with a \$50 Award. He said Mr. Sutherland's suggestion that the Public Works Field Crew use the Linkler Direct Elevation Rods in place of the type of leveling rod now being used will save the City approximately \$500 a year. This will enable a direct reading to be made in the field, which will not only save time but will also eliminate the possibility of errors.

Mr. Rowlands and Mayor Hanson both congratulated Mr. Sutherland on his very fine suggestion.

Presentation of 30 year "Service Award Pins" to City employees with 32 - 34 years of service.

Mr. Rowlands advised that the following City employees with 32 to 34 years of service will be presented with 30 year "Service Award Pins": Walt Waadne, Public Works Department - 34 years; Elmer Bashey, Public Works Department - 33 years; Sgt. Tom Brown, Police Department - 33 years; Joseph Gaiff, Public Works Department - 33 years; Capt. Turrel L. Anderson, Fire Department - 32 years; Charles Forsland, Finance Department - 32 years; Guy McWilliams, Finance Department - 32 years; Detective James Miller, Police Department - 32 years; Captain W. Schlegel, Fire Department - 32 years, and Al Freiheit, recently retired from the Fire Department - 32 years.

Mayor Hanson and Mr. Rowlands congratulated each recipient and wished them many more years of service to the City.

Mr. Anderson coming in at this time.

#### PETITIONS:

350 Orrin H. Anderson requesting the rezoning of the property located at 3813 So. L Street to be rezoned from an R-2 District to a R-3 District. Referred to the Planning Commission.

Mayor Hanson said he would also like to give special recognition to one of the Council members, Vice-Mayor, Dr. Homer Humiston, who was chosen President Elect of the Washington State Medical Society. He said everyone joins in congratulating Dr. Humiston on this honor.

RESOLUTIONS:Resolution No. 15888:

BY PORTER:

Authorizing the proper officers of the City to enter into an agreement with the State of Washington for the relocation of the Fife Substation.

It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mr. Bratrud.

Mr. Barline, Public Utilities Director, explained that the Freeway will go through the present Fife Substation and the State has agreed to relocate this substation at no cost to the City.

Adopted on roll call September 28, 1959  
Ayes 9; Nays 0; Absent 0.

Resolution No. 15889:

BY PRICE:

Authorizing the proper officers of the City to execute a Release and Waiver of Interest of the City's rights in order that the Light Division may be reimbursed for its relocation costs.

It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mr. Bratrud.

Adopted on roll call September 28, 1959  
Ayes 9; Nays 0; Absent 0.

Resolution No. 15890:

BY ANDERSON:

Authorizing the proper officers of the City to execute a supplemental agreement to the Water Rate Agreement between the City of Tacoma and the St. Regis Paper Co.

It was moved by Mr. Anderson that the Resolution be adopted. Seconded by Mr. Bratrud.

Mr. Barline said much work and many negotiations have brought about this Water Rate Agreement with the St. Regis Paper Co. It is something that has been pending for many years and felt that Mr. Benedetti, Water Superintendent, should be commended on his very fine work in the matter.

Mr. Benedetti said he and his staff received very fine cooperation from Mr. Eisenhower, Attorney, and representatives of the St. Regis Paper Co. He said they were satisfied that the figure of \$33.24 compared to the \$21.50 which they previously paid was realistic and fair.

Mayor Hanson said he was speaking for the entire City when he expressed his appreciation for the work done by all those concerned.

Adopted on roll call September 28, 1959  
Ayes 9; Nays 0; Absent 0.

**Resolution No. 15891:**

BY ANDERSON:

Authorizing the proper officers of the City to enter into an agreement with Pierce County for the construction, maintenance and operation of the Athletic and Recreational Field in the Snake Lake Recreational area.

It was moved by Mr. Bratrud that the Resolution be adopted. Seconded by Mr. Anderson.

Mayor Hanson said this is consistent with previous discussions on the matter of handling the proposition in cooperation with the County Commissioners.

Mr. Rowlands explained that the agreement provides principally that the City and County shall each be responsible for and pay one-half of all costs. It covers the lease to the San Francisco Giants for a term of five years; it further provides that the City shall have the authority and responsibility of collecting all revenues obtain from the use of said park; Creates an Advisory Board Committee consisting of one member selected by the City Council, one member of the Board of County Commissioners and one member of the Metropolitan Park Board. The termination date of this agreement is December 31, 1979.

Mrs. Goering said the agreement appears to be very well thought out but she will, of course, have to vote against it because of paragraph 5 which covers the financing of this project from the proceeds of a General Obligation Bond issue in the amount of \$590,000. She said she objects to this as she has previously stated.

Roll call was then taken on the Resolution.

Adopted on roll call September 28, 1959.  
Ayes 8; Nays 1, Goering; Absent 0.

**Resolution No. 15892:**

BY ANDERSON:

Authorizing the proper officers of the City to execute an agreement with the San Francisco Giants and Pierce County for the use and operation of a Ball Park for the playing of Pacific Coast Baseball in Tacoma.

It was moved by Easterday that the Resolution be adopted. Seconded by Mr. Anderson.

Mr. Rowlands said the agreement has met with the approval of the San Francisco Giants and has already been executed by them. He said the most significant section, perhaps, is on page 2, Section 6, providing for the payment, by the Giants of \$16,000 per year to the City; the City will receive a certain percentage of the net admission receipts and in addition 5% of net profits derived from all concessions. All moneys due shall be paid on or before October 31st of each year.

Mr. Rowlands said it also should be pointed out that the Park itself will be maintained by the Giant's organization and the players' salary, etc., will be paid by the Giants.

Mrs. Goering asked if the \$28,000 for the bleachers was included in the list of expenses that was given to the Council members originally.

Mr. Rowlands said it was expected at first to obtain the bleachers from the Giant organization. However, in almost every operation of this type, the revenues

from the parking lot go to the Club itself. In this case it was decided the City would benefit more by receiving the revenue from the parking lot and assuming the payment of the bleachers.

Mrs. Goering said in other words the revenue from the parking lot is expected to pay for the bleachers and make up the difference which was not included in the original cost.

Mr. Rowlands replied they expected the revenue to exceed even that.

Mr. Anderson said he felt it should be mentioned that Woodworth & Company did a very fine job on the clearing of the field and that the grading by the Lige Dickson Co. has begun. He said he was positive the Park would be finished in time for the 1960 baseball season.

Adopted on roll call September 28, 1959

Ayes 9; Nays 0; Absent 0.

#### FIRST READING OF ORDINANCES:

##### Ordinance No. 16428:

Vacating that portion of East "I" Street from East 27th Street to the alley<sup>277</sup> between East 25th to East 26th Streets. (Oscar Kretschmer) Read by title and placed<sup>301</sup> in order of final reading.

##### Ordinance No. 16429:

Vacating the north 15 feet of No. 10th Street between the west line of Winnifred and the east line of the alley between Highland and Winnifred Street. Read by title and placed in order of final reading. (William Schultz)

##### Ordinance No. 16430:

Amending Chapter 13.06 of the Official Code relating to zoning by adding a new section to be known as Sec. 13.06.030 (1) to include property on Bayview and Panoramic Drive between Brown's Pt. Blvd. and Scenic Drive, N. E. Tacoma in the "R-1" One Family Dwelling District. (Potucek Petition) Read by title.

Mr. Rowlands explained that this property was recently annexed to the City by petition of Wallace Potucek and was zoned on an interim basis in a "RS-5" One and Two Family Classification. The Planning Commission has recommended that it be classified as an "R-1" One Family Dwelling District.

Mr. Buehler, Planning Director, explained that this recommendation is initiated under provisions of Sec 13.06 of the Official Code, wherein the Commission is charged with the duty of making a recommendation to the City Council on the proper zoning for all newly annexed areas. Their recommendation was based on the fact that the entire area of the City adjacent to the annexation is presently zoned in an "R-1" Family Dwelling Classification and also because the annexed area is subdivided into lots in excess of the minimum lot area requirement of the "R-1" District. The Ordinance was then placed in order of final reading.

Dr. Hamiston moved that the rules be suspended to take up Ordinance No. 16431 which does not appear on the agenda. Seconded by Easterday. Ayes 9; Nays 0; Absent 0.

Ordinance No. 16431:

Authorizing the issuance of \$3,000,000 Sewer Revenue Bonds to provide part of the money necessary to acquire, construct and install such additions, improvements and extensions. Read by title.

Mr. Rowlands said a detailed Ordinance would be sent to the Council before final reading next Monday. He passed out a schedule of the specific projects for which the money was earmarked. He said these figures were carefully checked by Mr. Schuster, Director of Public Works and Mr. Thorngrimson, Bond Attorney, as the Ordinance must list these projects specifically.

Mr. Schuster pointed out on the map the areas of the projects scheduled for the \$3,000,000 bond issue. The total cost of the six projects is estimated at a cost of \$3,310,000. The balance of the cost exceeding a total of \$3,000,000 will be provided from other funds of the sewer utility.

He added that an alternative project - the Western Slope Treatment Plant and appurtenances - will be constructed in place of Project No. 5 which is the South Tacoma Separation, if the City is allowed a Federal Grant of \$250,000 for which an application has been made.

Mr. Rowlands said they feel confident that it will be possible to get the money but it is not known as yet whether Tacoma or some other Washington City will get the largest grant. The Ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:Ordinance No. 16423:

Amending Section 6.68.010, 220, 270 and 280 of the Official Code of the City relating to Business and Occupation Taxes. Read by title.

Dr. Humiston said this was extensively discussed at last week's meeting and as far as he is concerned, ~~the intent of the ordinance is to allow the City to tax the sale of liquor~~ the intent of the ordinance is to allow the City to tax the sale of liquor. For that reason, he thinks it is improper for the City to try to invade something the State has reserved for one of its sources of revenue.

Dr. Humiston then moved to amend the Ordinance by deleting the fourth paragraph on page (1) beginning with "Whereas,...." and also by adding to Section 6.68.280 item (h) which states: "Amounts derived from the sale of liquor, as that term is defined in Revised Code of Washington, Section 66.04.200 (Ord. 15892, Sec 9 as amended by Ord. 16076; passed March 31, 1958.)" Seconded by Mr. Bratrud.

Mr. Perdue said he was unable to detect any valid argument in the discussion last week why this Ordinance should not be passed. He felt the Council should consider that if this particular small segment of business is not taxed in this way as are other businesses, the City is being discriminatory.

Mrs. Price said she has done some investigation in reference to the City receiving any money considered "in lieu of taxes" and has found that from all of the taxes, license fees, etc., collected through the sale of liquor, 50% goes to the General Fund of the State, 10% to the Counties and 40% to the Cities. It is her feeling that these people are paying their fair share to the Cities in this manner.

Mr. Porter said he also looked into the matter and found a general consensus of opinion that the next Legislature would change the wording of the existing Statute to insure the State's position in this matter of taxing liquors.

Roll was then called on Dr. Humiston's motion to amend the Ordinance: Ayes 8; Nays 2; Perdue; Absent 0. Motion carried.

Roll call on Ordinance as amended resulted as follows:

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

Ordinance No. 16424:

Vacating the north 10 feet and the south 10 feet of No. 33rd Street from the west line of Orchard to its termination at the west line of Lupton's Second Addition. (Petition of Frank J. Brennan) Read by title and passed. 286

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

Ordinance No. 16425:

Vacating the west 20 feet of Madison Street from the south line of No. 32nd to the north line of the alley between No. 31st and No. 32nd Street. (Petition of Ann Johnson) Read by title and passed. 287

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

Ordinance No. 16426:

Authorizing the condemnation of property from Pacific Avenue to Broadway between South 9th to So. 13th Street for the construction of a moving sidewalk and pedestrian right-of-way. Read by title and passed.

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

Ordinance No. 16427:

Authorizing the condemnation of property for the construction of a bridge or viaduct and for the construction and reconstruction of So. M Street between Center and South Tacoma Way. Read by title and passed.

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

ITEMS FOR FILING IN THE OFFICE OF THE CITY CLERK:

Report from the Traffic Division for the month of August, 1959.

Report from the Belt Line Division for the month of August, 1959.

Report from the Light Division for the month of August, 1959.

Report from the Water Division for the month of August, 1959.

COMMENTS:

Mr. Rowlands said last week it was mentioned that an underground drainage problem has arisen in connection with the construction of the Yakima Avenue Bridge, and asked that Mr. Schuster, Director of Public Works submit a recommendation on some method of bridging the area. 288 278

Mr. Schuster explained that the Yakima Avenue tunnel is about 100 feet below the elevation of Yakima Avenue. When some settlement began taking place the engineers made tests in the area and found that not only was there a weakened plane in the tunnel and over the tunnel, but that the water was sitting some 15 feet above the top of the tunnel. With that in mind, four possibilities were investigated. One of bringing the end of the bridge to continue the structure over the tunnel area, one to drive wood

SEP 28 1959

piling down into the tunnel clear to the bottom, another to grout the entire area and a fourth to put a concrete arch over the top about 15 feet below the existing roadway. After considering the different possibilities and the problems connected with each one, the consultant recommended that the concrete arch be constructed over the tunnel area itself. This would have no effect on the water moving through the area and draining into Wakefield Drive. It would cost approximately \$30,000 to \$40,000 less than it would take to extend the bridge structure across the tunnel area. The engineer will begin the design on this immediately and he plans to have it operative in six weeks he added.

Mr. Rowlands reminded the Council that the Legislative Committee of the Association of Washington Cities would be holding a meeting in Sumner on Tuesday evening October 27, 1959.

Mr. Rowlands said it would also be advantageous if as many Council members as possible could attend the Good Roads Conference meeting at the Winthrop Hotel, beginning Thursday evening.

Mr. Rowlands said the members of the Council have also been invited to the ribbon cutting celebration of the new Freeway at the 5 G near McChord Field, 9:00 A.M. Thursday, October 1, 1959. intersection of Highway

Mayor Hanson said the Planning Commission has nominated Elmer Alskog as the representative on the Board of Adjustment. This is an appointment for one year and calls for the approval of the City Council.

By motion of Mr. Anderson and seconded by Mr. Porter, the following Resolution was adopted:

Resolution No. 15893:

Confirming appointment of Elmer Alskog as representative of the City Planning Commission to the Board of Adjustments for a 1 year term expiring September 30, 1960.

Adopted on roll call September 28, 1959  
Ayes 9; Nays 0; Absent 0.

263  
Mayor Hanson said he met with Mr. Dingwall, Director and several others at the Century 21 headquarters and discussed the City of Tacoma's participation in the Century 21. Information was quite general at this time. However he did find out how to proceed to determine the nature and extent of the participation. He said he will get a report from time to time on the matter so the Council can decide on the plans. He informed the Council he has appointed Lloyd Sass as his representative on the planning body for the Century 21 Exposition.

There being no further business to come before the meeting, upon motion duly seconded and passed the meeting was adjourned at 5:25 P.M.

  
Mayor of the City Council

Attest:

  
City Clerk