

6 JUN 13 1955

COUNCIL CHAMBER, 7:35 P.M.

Monday, June 13, 1955

Council met in regular session. Present 6; Battin, Bratrud, Goering, Hooker, Perdue, Tollefson. Absent 3; Humiston, Jensen (taking his seat at 7:38 P.M.) and Stojack.

It was moved by Col. Hooker, seconded by Dr. Battin, 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; Humiston, Jensen, Stojack.

The Mayor advised that Mr. Sterbick was present on the request of his Client, August F. Gratzner (5-16-55) for repeal of Ord. No. 14867 (relative to appraisal fee in vacation proceedings) and said he would entertain a motion to suspend the regular order of business so that the matter might be considered at this time.

It was moved by Col. Hooker to suspend Rule 5 (Order of Business), seconded by Mr. Perdue and carried unanimously on voice vote.

A report on the validity of Ordinance No. 14488 as amended by Ordinance No. 14867 (vacation ordinance) was submitted by Mr. Boyle, copies of said opinion having been previously handed Council members and Mr. Sterbick. This report stated that in their opinion those portions of the ordinances which specifically provide for the payment of the appraised value for such vacated streets are invalid as now written. As this opinion was in agreement with Mr. Sterbick's contention as set forth in the petition requesting the repeal of the ordinance (5-16-55), Mr. Sterbick asked the Council to act favorably on two petitions of August F. Gratzner, (1) for vacation of South 40th Street from South Union to South Tacoma Way and (2) for vacation of Junett Street from South 38th to South 40th, which had been abandoned at Mr. Gratzner's request because the appraisal fee was too high. He said his client would like to have the vacations expedited as quickly as possible without going through the usual procedure of approval by the Planning Commission, posting of notices of hearing, etc. inasmuch as this had already been done. He also asked whether or not his client would have to pay the filing fees again, pointing out that this too had been taken care of previously. The two petitions were discussed and it was the opinion of several members of the Council and the City Attorney that since the matter had been abandoned at the petitioner's request it would be necessary to file a new petition and start at the beginning again. Mr. Boyle thought it was possible for the Council to waive the fees and consider the previous fees as sufficient to cover the new petitions but said he would like to look into the matter more fully before giving an opinion on this question. Mr. Boyle advised Mr. Sterbick that in his opinion it would be better to wait until the Council passes a valid ordinance covering vacation of property before proceeding, inasmuch as the present ordinance is not valid. It was moved by Dr. Battin, seconded by Mr. Perdue that the City Attorney be directed to bring in a valid ordinance covering the procedure for vacating property and repealing Ordinance No. 14488 and amendments thereto. Carried on roll call: Ayes 7; Nays 0; Absent 2; Humiston, Stojack. Mr. Boyle agreed to keep Mr. Sterbick informed on the progress being made.

R. W. Copeland, attorney for C. L. Judge, whose hotel license for the Holly Hotel had been denied by the City Manager, was called upon at this time, this being the date to which the hearing on Mr. Judge's appeal had been continued by the Council. Mr. Copeland advised that they were withdrawing their request for a hearing on the appeal, as his client had sold his hotel because of his health, and the License Inspector had promised the new owner would have no difficulty obtaining a license. Mr. Copeland thanked the Council for the courtesy extended Mr. Judge in this matter.

Thos. E. Moffitt of Hooker Electrochemical Co., appeared before the Council on the ordinances on the agenda tonight to increase the power rates for certain commercial customers of the Light Department. He complimented the Utilities Board for the consideration and cooperation it has given this serious matter. He pointed out that the proposed increases are serious because each increase in power rates tends to make the City less competitive. He had been authorized by the other industries involved to say they are reluctantly willing to accept the increase, he added.

Mr. Rodney Mewhirter was present relative to a letter he had written to the Council about a paid advertisement in the News-Tribune of May 6th, 1955 placed by Judge Martin L. Potter (in the recent Charter Campaign). He contended it was improper for Judge Potter to use his position for this purpose. He had taken the matter up with the Bar Association but that organization did not wish to act upon it, so he had decided to bring it before the Council, he said. The Mayor told Mr. Mewhirter that the communication would be passed on to the City Attorney for an opinion as to whether there has been any violation on the part of Judge Potter.

ORDER OF BUSINESS REVERTED TO

RESOLUTIONS:

Resolution No. 14278.

By GOERING:

Authorizing the proper officers of the City of Tacoma to purchase 1000 decalcomanias inscribed "Don't Back Into an Accident" for use on City vehicles in the Safety Campaign, and that payment therefor in a sum not in excess of \$100.00 be made from Cumulative Reserve Fund for Maintenance, alterations and Repairs for Municipal purposes.

Adopted on roll call June 13, 1955.
Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

Resolution No. 1 4279.

By STOJACK:

Authorizing and directing the proper officers of the City to make, execute and deliver to Asa E. Troyer and wife a local improvement assessment deed conveying to them certain property by the correct description herein set forth, in order to correct an error in description of a deed recorded July 18, 1944 to John F. McRae. (Property subsequently conveyed to Asa E. Troyer, et ux). It was moved by Dr. Battin, 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 June 13, 1955.
Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

Resolution No. 14280.

By JENSEN:

Approving recommendation of the Director of Public Works and Board of Contracts and Awards and awarding contract for construction of concrete sidewalks on South M Street from South 64th Street to South 68th Street and on the north side of South 68th Street from South L to Sheridan, constituting L I D 2227, to George Madsen, d/b/a George Madsen Co. on his low bid of \$4,924.05. It was moved by Dr. Battin, 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 June 13, 1955.
Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

JUN 13 1955

Resolution No. 14281

By JENSEN:

Approving recommendation of Director of Public Works and Board of Contracts and Awards and awarding contract for construction of concrete curb and gutter and sidewalks on A Street from South 68th to South 70th, constituting L I D No. 2228, to George Madsen, d/b/a George Madsen Co. on his low bid of \$3,423.50. 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 June 13, 1955.

Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

Resolution No. 14282.

By TOLLEFSON:

Authorizing execution of a conditional sale contract to Marguerite Platt for \$550.00 covering Lots 1 to 5, Block 8029, the Tacoma Land Company's 1st Addition (in vicinity of McKinley Avenue and East 30th Street). It was moved by Col. Hooker, seconded by Mr. Bratrud 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 June 13, 1955.

Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

Resolution No. 14283.

By HUMISTON:

Approving the official statement for use in the sale of revenue bonds for the Cowlitz Power Development Project (copy attached) heretofore prepared and published by the Public Utility Board and signed by its Chairman, and ratifying and confirming the acts and actions of the Public Utility Board with respect to said official statement.

Adopted on roll call June 13, 1955.

Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

Initial Resolution No. 14284. L I D 2210.

By TOLLEFSON:

Stating intention of Council to order grading to the established sub-grade and placing thereon a gravel and crushed rock oil mat on North 26th (Narrows Drive) from Pearl Street to Jackson Avenue and approximately 400 feet north of North 15th Street; creating L I D 2210 and fixing July 5th, 1955 as the date for hearing thereon. It was moved by Dr. Battin, 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 June 13, 1955.

Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

Initial Resolution No. 14285. L. I. D. 2233.

By JENSEN:

Stating intention of Council to order laying of cement concrete sidewalks on south side of South 17th Street from Adams to Washington, on West side of Washington from South 17th to South 18th; on North side of South 18th from Adams to Washington; and concrete curb and gutter on the north side of South 18th from Adams Street to Washington; creating L I D 2233 and fixing July 5th, 1955 as the

date for hearing thereon. 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 June 13, 1955.
Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

Initial Resolution No. 14286. L I D 4553 .

By JENSEN:

Stating intention of Council to order paving and curbs and gutters in area from North 9th to North 15th from Alder to Anderson; creating L I D 4553 and fixing July 5, 1955 as the date for hearing thereon. It was moved by Col. Hooker 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 June 13, 1955.
Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

Initial Resolution No. 14287. L I D 5176.

By Humiston:

Stating intention of Council to order installation of cast iron water mains in Union Avenue from South 38th to South 47th; in Puget Sound Avenue from South 37th to South 48th; in Warner from South Tacoma Way to South 48th; in Lawrence from South Tacoma Way to South 48th; in South 48th from Lawrence to South Tacoma Way, and in South 43rd from Lawrence to Union; creating L I D 5176 and fixing July 5th, 1955 as the date for hearing thereon. It was moved by Col. Hooker 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. 113

Adopted on roll call June 13, 1955.
Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

Initial Resolution No. 14288. L I D 5248.

By HUMISTON:

Stating intention of Council to order installation of cast iron water main in East 64th Street from Portland Avenue to Homestead Avenue; in Homestead Avenue from East 61st Street to East 64th and in East 61st from T Street to Homestead Avenue; in East 61st from Portland to "T", in East 62nd and East 63rd from Portland to Homestead Avenue; creating L I D 5248 and fixing July 5, 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. 113

Adopted on roll call June 13, 1955.
Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

Initial Resolution No. 14289. L I D 5251.

By HUMISTON:

Stating intention of Council to order installation of cast iron water main in Walters Road from Sixth Avenue to South 19th Street; creating L I D 5251 and fixing July 19th, 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. 128

Adopted on roll call June 13, 1955.
Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

50 JUN 13 1955

The City Manager reported that he was in receipt of a resolution, which was not on the agenda, but which it was desired to have adopted at tonight's meeting.

It was moved by Dr. Battin, seconded by Mr. Bratrud, to suspend Rule 7, relative to filing of new matter for Council's consideration, in order to take up Resolution No. 14290. Motion carried unanimously.

Resolution No. 14290.

By TOLLEFSON:

Accepting and approving the plat of "The Puget Sound First Addition (located between South Verde and South Mason from north of South 16th to south of South 17th). It was moved by Col. Hooker, seconded by Mr. Bratrud, 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 June 13th, 1955.
Ayes 7; Nays 0; Absent 2; Humiston, Stojack.

FIRST READING OF ORDINANCES:

Ordinance No. 15354. L. I. D. 1933.

Approving and confirming assessment and assessment roll for cost of improvement in L I D 1933. Read by title and placed in order of final reading.

Ordinance No. 15355. L. I. D 2212.

Approving and confirming assessment and assessment roll for cost of improvement in L I D 2212. Read by title and placed in order of final reading.

Ordinance No. 15356. L. I. D. 4503.

Approving and confirming assessment and assessment roll for cost of improvement in L I D 4503. Read by title and placed in order of final reading.

Ordinance No. 15357. L I D 2217.

Approving and confirming assessment and assessment roll for cost of improvement in L I D 2217. Read by title and placed in order of final reading.

Ordinance No. 15358. L. I. D. 1935.

Approving and confirming assessment and assessment roll for cost of improvement in L I D 1935. Read by title and placed in order of final reading.

Ordinance No. 15359. L. I. D. 2209.

Approving and confirming assessment and assessment roll for cost of improvement in L I D 2209. Read by title and placed in order of final reading.

Ordinance No. 15367.

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 a tract of land necessary to complete the reservoir site of a low service reservoir. Read by title and placed in order of final reading.

Mr. Ferdue was excused at this time (8:42 P. M.) for the balance of the meeting.

FINAL READING OF ORDINANCES:Ordinance No. 15351.

Appropriating the sum of \$6,796.00, or so much thereof as may be necessary, from the General Fund to pay the salaries of additional personnel required in the administration of the Library for the remainder of the year 1955; authorizing the issuance of warrants, as provided by law, for said purpose; and declaring an emergency making necessary said appropriation and the immediate taking effect of this ordinance. Read by title. It was moved by Mr. Bratrud, 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 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

Ordinance No. 15352.

Amending Ordinance No. 14793, entitled: "An ordinance to regulate the location and use of buildings and the use of land within the City of Tacoma; to limit the height of buildings; to prescribe building areas and line, and the size of yards and other open spaces and for these purposes to divide the City into districts, etc." (ZONING ORDINANCE) by adding thereto three new sections to be known as Section 9G (C-2 District property at NW and SW corner North 26th and Pearl), Section 12E (M-1 Light Industrial District property located at South Pine to South Steele and South 35th to South Tacoma Way), Section 12-F (M-1 Light Industrial District- property located in area north of Center Street to the Bluff and from Steele to South "G" Street). Read by title. It was moved by Col. Hooker 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 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

Ordinance No. 15353.

Amending Ordinance No. 14793, entitled: "An ordinance to regulate the location and use of buildings and the use of land within the City of Tacoma; to limit the height of buildings; to prescribe building areas and lines, and the size of yards and other open spaces and for these purposes to divide the City into districts, etc." ZONING ORDINANCE- by amending Section 25 thereof as amended by Section 1 of Ordinance No. 15003. (Sec. 25- regulations of the "M-1" Light Industrial District) Read by title. It was moved by Col Hooker 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 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

Ordinance No. 15360.

Authorizing the Director of Utilities to enter into a modification of the contract between the City of Tacoma on behalf of the Department of Public Utilities, Light Division, and the St. Regis Paper Company, a corporation, and declaring an emergency making necessary the immediate passage of this ordinance and the taking effect thereof immediately after publication. Read by title. It was moved by Col. Hooker, 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 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

82 JUN 13 1955

Ordinance No. 15361.

Authorizing the Director of Utilities to enter into a modification of the contract between the City of Tacoma on behalf of the Department of Public Utilities, Light Division, and the Washington Co-operative Farmers' Association, a corporation, and declaring an emergency making necessary the immediate passage of this ordinance and the taking effect thereof immediately after publication. Read by title. It was moved by Mr. Jensen, 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 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

Ordinance No. 15362.

Authorizing the Director of Utilities to enter into a modification of the contract between the City of Tacoma on behalf of the Department of Public Utilities, Light Division, and the Hooker Electrochemical Company, a corporation, and declaring an emergency making necessary the immediate passage of this ordinance and the taking effect thereof immediately after publication. Read by title. It was moved by Dr. Battin 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 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

Ordinance No. 15363.

Authorizing the Director of Utilities to enter into a modification of the contract between the City of Tacoma on behalf of the Department of Public Utilities, Light Division, and the West Tacoma Newsprint Company, a corporation, and declaring an emergency making necessary the immediate passage of this ordinance and the taking effect thereof immediately after publication. Read by title. It was moved by Dr. Battin to suspend Rule 9, seconded by Mr. Jensen and carried unanimously on voice vote. The ordinance was then passed ~~unanimously~~ without having been read in full.

Roll call: Ayes 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

Ordinance No. 15364.

Authorizing the Director of Utilities to enter into a modification of the contract between the City of Tacoma on behalf of the Department of Public Utilities, Light Division, and the Ohio Ferro Alloys Corporation, a corporation, and declaring an emergency making necessary the immediate passage of this ordinance and the taking effect thereof immediately after publication. Read by title. It was moved by Dr. Battin to suspend Rule 9, seconded by Mr. Jensen and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

Ordinance No. 15365.

Authorizing the Director of Utilities to enter into a modification of the contract between the City of Tacoma on behalf of the Department of Public Utilities, Light Division, and the Pennsylvania Salt Manufacturing Company of Washington, a corporation, and declaring an emergency making necessary the immediate passage of this ordinance and the taking effect thereof immediately after publication. Read by

JUN 13 1955

title. It was moved by Dr. Battin to suspend Rule 9, Seconded by Mr. Jensen and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

Ordinance No. 15366.

Authorizing the Director of Utilities to enter into a modification of the contract between the City of Tacoma on behalf of the Department of Public Utilities, Light Division, and the American Smelting & Refining Company, a corporation, and declaring an emergency making necessary the immediate passage of this ordinance and the taking effect thereof immediately after publication. 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 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

Ordinance No. 15368.

Authorizing the Director of Utilities to enter into a modification of the contract between the City of Tacoma on behalf of the Department of Public Utilities, Light Division, and the General Mills, Inc., Sperry Division, a corporation, and declaring an emergency making necessary the immediate passage of this ordinance and the taking effect thereof immediately after publication. 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 6; Nays 0; Absent 3; Humiston, Perdue, Stojack.

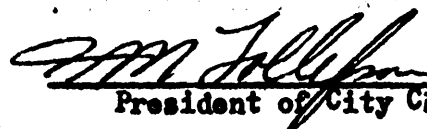
UNFINISHED BUSINESS:

The L. I. D. Committee reports that hearing was held by the Committee on L. I. D. 5247 on June 7, 1955 for Cast Iron Watermains in South 70th Street from D Street to A Street, Bell Street from South 64th Street to point 250' south of the South 70th Street, at which time the remonstrance was reported to be 68.59%. In view of this large remonstrance, the L. I. D. Committee sustained the remonstrance and ordered the district abandoned and makes this recommendation to the Council. It was moved by Mr. Bratrud, seconded by Dr. Battin to concur in the recommendation of the L. I. D. Committee and carried on roll call: Ayes 6; Nays 0; Absent 3; Humiston, Perdue, Stojack. 50

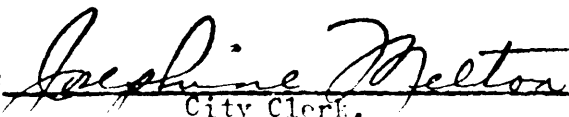
NEW BUSINESS:

The City Manager presented M. C. #73, relative to a Comprehensive Sewer Plan for Tacoma, which contained eight recommendations, and concluded with a request for instructions to survey the qualifications of a number of consulting engineering firms having experience in developing comprehensive sewer plans for other cities and to report back to the Council recommendation for the selection of several of said firms for final determination by the City Council. The matter was discussed in detail and it was moved by Col. Hooker, seconded by Dr. Battin that the City Manager be so authorized. Motion carried on roll call: Ayes 6; Nays 0; Absent 3; Humiston, Perdue, Stojack. 157

Upon motion, duly seconded and carried, Council then adjourned at 9:45 P.M.


President of City Council.

Attest:


City Clerk.