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COUNCIL CHAMBER, 7:35 P. M.

Monday, August 27, 1956.

Council met in regular session. In the absence of both the President and Vice President, the meeting was called to order by the City Clerk. Present 7; Bratrud, Goering, Humiston, Jensen, Perdue, Stojack, Tollefson. Absent 2; Battin and Mayor Anderson (taking his seat about 8.15 P. M.)

It was moved by Mr. Bratrud, seconded by Mr. Tollefson that Dr. Humiston be appointed as temporary chairman. Motion carried unanimously. Dr. Humiston assumed the Chairmanship and presided.

It was moved by Mr. Jensen, seconded by Mr. Stojack, that the minutes of the previous meeting, copies of which had been mailed by the Clerk to each Council member, be approved and the reading thereof be dispensed with. Motion carried on roll call: Ayes 7; Nays 0; Absent 2; Battin, Anderson.

OFFICIAL COMMUNICATIONS:

City Planning Commission, requesting in accordance with action of the Commission at its August 7th meeting, that the City Council not hold a hearing on the rezoning appeal of Harold E. Wagner (7-9-56) until further investigation and hearing may be held by the Commission concerning the zoning of property adjacent to Mr. Wagner's, and advising that Mr. Wagner has stated he would have no objection to this delay. Placed on file. 441
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RESOLUTIONS:

Resolution No. 14751. L I D 4614. *

BY JENSEN:

Fixing September 18, 1956 as date for hearing on L I D 4614- paving on Cedar Street from North 7th to North 8th; on North 8th Street from Cedar to Junett Street; on North 7th Street from Warner Street to Lawrence Street; and on North Adams Street from North 9th Street to North 12th Street. 48:3

Adopted on roll call August 27, 1956.
Ayes 7; Nays 0; Absent 2; Battin, Anderson. 48:20

Resolution No. 14752. L I D 5282. *

By HUMISTON:

Fixing September 18, 1956 as date for hearing on L I D 5282- cast iron water main in "K" Street from South 65th Street to South 67th Street and in South 67th Street from "K" Street to "L" Street.

Adopted on roll call August 27, 1956.
Ayes 7; Nays 0; Absent 2; Battin, Anderson. 48:20

Resolution No. 14753. L I D 5283. *

By HUMISTON:

Fixing September 18, 1956 as date for hearing on L I D 5283--cast iron water main in Junett Street from South 40th Street to South 45th Street and in South 40th Street from Junett Street to Pine Street.

Adopted on roll call August 27, 1956.
Ayes 7; Nays 0; Absent 2; Battin, Anderson.

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Resolution No. 14754.

By HUMISTON:

Authorizing and directing execution of a lease with Sound Drug Wholesale Inc. for the storage building and storage yard located at 24th and "C" Street at a rental of \$50.00 per month for the first year and \$75.00 per month for the remaining four years. Mr. Tollefson asked if this was a reasonable rental as compared to the value of the premises. City Manager Rowlands replied that he did not have the figures on the valuation of this property. However, Mr. Barline advised him that he would be in attendance at tonight's meeting to answer any questions, Mr. Rowlands added. It was moved by Mr. Perdue, seconded by Mrs. Goering to lay Resolution No. 14754 over until later in the meeting when Mr. Barline is present. Motion carried unanimously.

Resolution No. 14755. (Authorizing execution of a proposed modified agreement with Fircrest for trunk storm sewer lines through Fircrest). Dr. Humiston directed that this resolution be laid over until later in the meeting after action has been taken on the emergency appropriation ordinance (No. 15683.)

Resolution No. 14756. L I D 1955. X

BY JENSEN:

Fixing 7:30 P. M. September 25, 1956 as the date for hearing on L I D 1955- installation of storm trunk sewers in the west end of the City. (hearing to be held in the auditorium of the Public Utilities Building)

Adopted on roll call August 27, 1956.
Ayes 7; Nays 0; Absent 2; Battin, Anderson.

Resolution No. 14757.

By PERDUE:

Approving recommendations of the Director of Finance as set forth herein relative to interest rates and maturity dates for the General Obligation Street Lighting Bonds, Series "B" and "C" of 1955 in amount of \$500,000 each, and for General Obligation Street and Bridge Improvement Bonds, Series "B" of 1955 in amount of \$460,000.00.

Adopted on roll call August 27, 1956.
Ayes 7; Nays 0; Absent 2; Battin, Anderson.

FIRST READING OF ORDINANCES:

Ordinance No. 15684. L I D 1950.

Approving and confirming assessment roll for cost of improvement in L I D 1950-- sanitary sewer in vicinity of South 64th and Sheridan. Read by title and placed in order of final reading.

Ordinance No. 15685. L I D 5256

Approving and confirming assessment and assessment roll for cost of improvement in L I D 5256-- water main in East 50th Street from East "B" Street to a point approximately 720 feet east and in East "B" from East 50th Street to East 52nd Street. Read by title and placed in order of final reading.

Ordinance No. 15686. L I D 5257.

Approving and confirming assessment roll for cost of improvement in

L I D 5257-- cast iron water main in South 19th from Tyler to Mason; in Mason from South 19th to South 23rd; in Tyler from South 12th to South 19th and in South 17th from Tyler to Mason Avenue. Read by title and placed in order of final reading.

Ordinance No. 15687 L I D 1961.

Providing for the installation of sanitary sewers on Bridgeview Drive from James Street to 350 feet south and in James Street from North 17th Street N. E. to Bridgeview Drive; creating L I D 1961. Read by title and placed in order of final reading.

Ordinance No. 15688. L I D 2262.

Providing for improvement of Defiance Street from North 46th Street to North 48th Street by grading, oil mat surface and necessary storm drainage; creating L I D 2262. Read by title and placed in order of final reading.

Ordinance No. 15689. L I D 2263.

Providing for improvement of Asotin Street from South 35th Street to South 36th Street by grading and placing thereon a gravel and oil mat surface; creating L I D 2263. Read by title and placed in order of final reading.

Ordinance No. 15690. L I D 5278.

Providing for construction of a 6-inch cast iron water main in South Madison Street from South 69th Street to South 74th Street; creating L I D 5278. Read by title and placed in order of final reading.

Ordinance No. 15691. L I D 5280.

Providing for construction of a 6-inch cast iron water main in East 50th Street from McKinley Avenue to East K Street; creating L I D 5280. Read by title and placed in order of final reading.

Ordinance No. 15692. L I D 5276.

Providing for construction of water mains in North 18th Street from Huson Street to Orchard Street, in North 14th Street from Huson Street to Orchard Street and in Orchard Street from North 11th Street to North 18th Street; creating L I D 5276. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15676. L I D 2249.

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Providing for placing cement concrete sidewalks and driveways on South 65th from Pacific to "A"; on west side of Bell Street from South 64th Street to South 67th Street; on "A" Street from South 64th Street to South 68th Street, except where walks are in place; on Linden from "A" to East "B" Street; also grade and oil mat on South 65th Street from Bell to "A" Street; creating L I D 2249. Read by title and passed.

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Roll call: Ayes 7; Nays 0; Absent 2; Battin, Anderson.

Ordinance No. 15677. L I D 2252.

Providing for construction of cement concrete sidewalks on South 19th Street from Ainsworth Avenue to 140 feet west of Lawrence, on north side; also from

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Ainsworth to south line of Hayden's Addition on south side of South 19th Street; creating L I D 2252. Read by title and passed.

Roll call: Ayes 7; Nays 0; Absent 2; Battin, Anderson.

Ordinance No. 15678. L I D 4600.

42 Providing for the improvement of the alley between Grant and Ainsworth Avenue from South 17th Street to South 19th Street, by grading and placing thereon a gravel base and asphaltic concrete surface; creating L I D 4600. Read by title and passed.

Roll call: Ayes 7; Nays 0; Absent 2; Battin, Anderson.

Ordinance No. 15679. L I D 4604.

Providing for the improvement of the alley between Pacific Avenue and Bell Street from South 40th Street to South 43rd Street, by grading and placing thereon a concrete surface; creating L I D 4604. Read by title and passed.

43 Roll call: Ayes 7; Nays 0; Absent 2; Battin, Anderson.

Ordinance No. 15680. L I D 4611.

Providing for improvement of South Junett Street from South 52nd Street to South 56th Street by grading to established grade and placing concrete pavement; also placing concrete curbs and gutters on South Junett Street from South 54th Street to South 56th Street; creating L I D 4611. Read by title and passed.

Roll call: Ayes 7; Nays 0; Absent 2; Battin, Anderson.

Ordinance No. 15681.

Providing for a special seal of the City of Tacoma, and repealing Ordinance No. 3764. Read by title and passed.

Roll call: Ayes 7; Nays 0; Absent 2; Battin, Anderson.

Ordinance No. 15682.

Relating to persons previously convicted of certain crimes; requiring them to file a personal data report with the Chief of Police; making said records private; and defining offenses and prescribing penalties for the violation hereof. Read by title. Police Chief Kerr stated that Seattle, Portland and Spokane, as well as many other cities and states have a similar ordinance in force. Since Tacoma does not have such a law, a lot of "Ex-Cons" make Tacoma their headquarters, and for this reason he would like to have the Council pass this ordinance, Chief Kerr added. Roll was then called on the passage of this ordinance.

Roll call: Ayes 7; Nays 0; Absent 2; Battin, Anderson.

Ordinance No. 15683. Brought up at this time and laid over until later in the meeting when Mayor Anderson will be present.

UNFINISHED BUSINESS:

The Director of Utilities presented the assessment rolls for the cost of the improvement in the following local improvement districts:

L I D 5265-- for cast iron water mains in North Shirley Street from North 27th Street

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to North 31st Street;

L I D 5268--for cast iron water mains in North Highland and North Winnifred Streets from the north line of Nelson's Second Addition to North 30th Street; and an 8-inch cast iron water main in North 30th Street from Highland Street to Shirley Street;

The Director of Public Works presented the assessment roll for the cost of the improvement in the following local improvement district:

L I D 2239-- grading and oil mat surface on M Street from South 68th Street to South 72nd Street, also on South 70th Street from Sheridan to L Street; and concrete sidewalks on east side of M Street from South 68th to South 70th Street, also on the south side of 68th Street from M to L Streets.

It was moved by Mr. Tollefson, seconded by Mr. Stojack, that October 2, 1956 be fixed as the date for hearing on the above assessment rolls. Motion carried on roll call: Ayes 7; Nays 0; Absent 2; Battin, Anderson.

The L I D Committee of the City Council submitted its report on the hearing on L I D 5279, for water mains in South 18th Street from Walters Road to Crystal Springs Road, which was held on August 7th and then continued to August 21st, and advised that remonstrances amounting to more than 60% had been filed against the district. The L I D Committee sustained the remonstrances and abandoned the district, and makes this recommendation to the City Council. It was moved by Mr. Stojack, seconded by Mr. Perdue to concur in the recommendation of the L I D Committee. Motion carried on roll call: Ayes 7; Nays 0; Absent 2; Battin, Anderson.

Ordinance No. 15683, which was laid over earlier in the meeting, was brought up for consideration at this time.

Ordinance No. 15683.

Authorizing an emergency appropriation of \$235,000 from the L I D Guaranty Fund for the purpose of constructing sanitary and storm sewers through Fircrest. Read by title. Mr. Paul Nolan, Assistant City Attorney, submitted an amended copy of the proposed ordinance, which deleted the reference to the 18-inch sanitary sewer line and to include authority to expend a portion of the appropriation for land acquisition. These modifications, according to Mr. Nolan, were made for the following reasons: (1) The reference to the 18-inch sanitary sewer line was inadvertently contained in the original ordinance, as the State Law does not allow the City to become indebted in this manner for extensions to its sanitary lines. There are sufficient funds for this construction in the sewer utility capital outlay budget for 1956. (2) The addition of land acquisition authority was made to allow a use of part of the funds for the future acquisition of land for an impounding reservoir to be located below Fircrest.

Mr. Bratrud asked Mr. Nolan if it would be mandatory for the City to acquire the land for the impounding area when the ordinance is passed. Mr. Nolan replied that it will not be mandatory but the provision is merely made for funds for condemnation if needed. Mr. Bratrud then asked Mr. Rowlands if it was his intent to immediately condemn the land if the ordinance is passed, and Mr. Rowlands replied in the affirmative. Mr. Staman advised that the proposed impounding area is approximately 100 acres in size, 50 acres of which would be used for impounding and the other 50 would be in the perimeter. This can be anywhere from the swamp to Fircrest, but they would like to have it located as near Fircrest as possible. They believe the area they have set up is large enough to take care of flash floods, Mr. Staman stated in reply to a question.

Dr. Humiston said he felt the appropriation should be held in abeyance until L I D 1955 for trunk storm sewers has been approved, as to this way of thinking it would be inappropriate to spend as large a sum as \$235,000 for a connector unless

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the L I D is acted on favorably by the property owners. Mayor Anderson said in his opinion, if the ordinance is passed, the L I D will undoubtedly go through. However on the other hand, if the ordinance is not passed tonight, Fircrest will go through with the paving of Contra Costa Street, he added. Mr. Jensen said he felt the City should go ahead with the trunk line through Fircrest now in order to develop the west end of the City where more than 3500 building sites are available. The increased taxes as a result of the development will more than off-set the \$235,000 investment made by the City, Mr. Jensen contended. Mrs. Goering also spoke in favor of the ordinance, saying that if the Council fails to provide the necessary facilities to this area, it will be failing a basic obligation. Mr. Perdue voiced the opinion that the fact two major schools are going to be erected in the area will cause it to build up very rapidly. Mr. McCormick stated that unless this appropriation ordinance is passed tonight, Fircrest will proceed with the paving of Contra Costa Street.

Roll was then called on the passage of the ordinance resulting as follows:

Roll call: Ayes 6; Nays 2; Humiston, Tollefson. Absent 1; Battin. Ordinance declared lost on roll call as it required a unanimous vote of those present due to the emergency appropriation.

Mr. Tollefson explained that although he favored the ordinance, he had cast a negative vote in order that he would be in a position to move to reconsider the voting, because he voted with the prevailing side. City Attorney McCormick ruled that Mr. Tollefson's position was sound according to Parliamentary Law. Moved by Mr. Tollefson, seconded by Mr. Bratrud to reconsider the vote on Ordinance No. 15683. Mr. Tollefson pointed out that if the matter is delayed, Fircrest undoubtedly will go ahead with the paving, and it will cost the City of Tacoma more if the streets have to be ripped up at a later date. He also pointed out that the survey firm has told the City officials that the plan is feasible; the City has taken precaution to include an impounding area; and the Council could change its mind in the event L I D 1955' does not pass; and moreover that funds are available for this purpose now. He urged Dr. Humiston to vote in favor of the ordinance. Mr. Rowlands expressed the fear that the City might be faced with objections from the citizens of Fircrest to ripping up Contra Costa at a later date, and may have to go around Fircrest with the sewer, which will possibly cost \$70,000.00 additional. Roll was called on the motion to reconsider the vote, which carried unanimously.

Dr. Humiston again stated his position as being opposed to going ahead with the spending of the City's 20% without first being assured that the 80% will be paid by the residents, which he argued would be in contradiction to the Council's adopted policy. Mr. Rowlands pointed out that the fact that in this particular instance a storm sewer is being installed outside the City Limits of Tacoma, would not tend to set a precedent. After further discussion roll was again called on the passage of the ordinance, which resulted as follows:

Roll call: Ayes 7; Nays 1; Humiston; Absent 1; Battin. Ordinance declared lost.

Resolution No. 14754. (laid over until Mr. Barline was present).

By HUMISTON:

Authorizing and directing execution of a lease with Sound Drug Wholesale Inc. for the storage building and storage yard located at 24th and "C" Street at a rental of \$50.00 per month for the first year and \$75.00 per month for the remaining four years. Mr. Barline advised the Council that they have had this property appraised for rental purposes and \$75.00 a month would be the proper rent. The first time bids were called for, three were received, one for \$25.00 per month, one for \$75. and one for \$105.00. The highest bidder intended to use the premises as a junk yard and the Department did not favor this idea. So all bids were rejected and new bids were called for, exempting the use of the premises as a junk yard, he stated. The bid of Sound Drug Wholesale, Inc. was the best offer and the Public Utility Board has approved acceptance of same, Mr. Barline added. Roll was called on the adoption of the resolution, resulting as follows:

Adopted on roll call August 27, 1956.

Ayes 8; Nays 0; Absent 1; Battin.

Resolution No. 14755. (Laid over to be taken up after Ordinance No. 15683.)

By BATTIN:

Rescinding Resolution No. 14748 and proposed agreement adopted by Council August 20, 1956; and authorizing execution of the proposed modified agreement between Tacoma and the Town of Fircrest for the construction, operation and maintenance of storm and sanitary trunk sewer lines through Fircrest. Mr. McCormick advised Council that in view of the action taken on Ordinance 15683 it is useless to adopt this resolution, as the provisions contained therein are contingent upon the passage of the ordinance. Dr. Humiston said he thought presentation of the City's position should be made to the officials of Fircrest at their meeting tomorrow night in an effort to have them delay the paving of Contra Costa until a hearing has been held on L I D 1955. It was moved by Mr. Perdue, seconded by Mr. Bratrud that Dr. Humiston be delegated to explain the City's position to Fircrest officials at their meeting tomorrow night. Carried on roll call: Ayes 5; Nays 3; Goering, Jensen, Tollefson, Absent 1; Battin. It was moved by Mr. Tollefson, seconded by Mr. Perdue to lay Resolution No. 14755 over for one week, and carried on roll call: Ayes 8; Nays 0; Absent 1; Battin. 487

Bob Hovde of the City's Nonpartisan Register and Vote Committee, told the Council their Committee would like to see another week of special registration centers set up around the City for those who are still unregistered for the November election. Mr. Hovde said Pierce County is 6% below the national average of 50% registration of eligible voters. He added that the Secretary of State is considering allocating state liquor tax monies to Cities on the basis of registration figures, rather than on population. City Manager Rowlands said he would look into the feasibility of another week of special registration centers and report to the Council next Monday. 462 493

Mr. Perdue called the Council's attention to copies of the report of Lybrand, Ross Bros. & Montgomery on the operation of the City Asphalt Plant. This report shows that the City is saving money by making its own asphalt paving material Mr. Perdue reported. In addition the plant also provides for heating oil and sand, the report points out, Mr. Perdue added.

Mrs. Goering made two suggestions for Council's consideration:

- (1) That the Council meet informally with the Utility Board from time to time, either for lunch or at some other convenient time.
- (2) That the Council members visit the Cowlitz site in order to obtain first hand information on the project. The most convenient time for such a trip was discussed with the City Manager and Dean Barline, Director of Utilities, and it was decided to make this trip on September 24th.

The City Manager submitted to each Council Member a copy of the report on the funds appropriated in the 1956 Budget for the City's participation in Local Improvements as requested by Dr. Humiston on August 20th.

Upon motion, duly seconded and carried, Council adjourned at 9:25 P. M.


President of City Council

Attest:


City Clerk.