

Monday, January 24, 1955.

Council met in regular session. Present 7; Bratrud, Goering, Humiston, Jensen, Perdue, Stojack, Tollefson. Absent 2; Battin (taking his seat at 7:40 P. M.) and Hooker (on account of illness).

It was moved by Dr. Humiston, seconded by Mr. Perdue, 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: Ayes 5; Nays 2; Stojack, and Jensen (not voting); Absent 2; Battin, Hooker.

PETITIONS:

Woodrow Kinney and Don Freeman, for license for Garage, Grade 2 at 5002 South Tacoma Way. The Fire Chief recommends that the petition be denied for the reason that the building does not meet the requirements of the Building Code which demands fire resistant construction for this type of business. The City Manager concurs in the recommendation. It was moved by Dr. Humiston to concur in the recommendation. Motion seconded by Mr. Perdue and carried on roll call: Ayes 7; Nays 0; Absent 2; Battin, Hooker.

RESOLUTIONS:

Resolution No. 14142.

By Jensen:

Approving recommendation of Director of Public Works and Board of Contracts and Awards and awarding contract for furnishing one self-propelled street sweeper to Feenaughty Machinery Co. on its low bid of \$10,077.25 plus sales tax, less trade-in allowance on used equipment in sum of \$1,977.25, making a net bid of \$8,100 plus sales tax. Mr. Bratrud and Mr. Jensen stated that they had witnessed a demonstration in Olympia of the Elgin Sweeper, which is sold by Totem Equipment Co. Inc. and although the initial cost is greater, the capacity is also greater and the maintenance costs are reputed to be less. The merits of the two sweepers were discussed at length. Mr. Bratrud said he felt that the Elgin Machine should be given further consideration before the bids are awarded and moved that the resolution be postponed for one week to January 31st, 1955. Motion seconded by Mr. Stojack and carried on roll call: Ayes 8; Nays 0; Absent 1; Hooker.

At this time Mayor Tollefson introduced a group of Camp Fire Girls from Mason School and their leader, who were visiting the Council session.

Resolution No. 14143.

BY STOJACK:

Accepting and approving the Plat of Narrowmoor Fourth Addition (adjacent to and west of Jackson Avenue and northerly of 6th Avenue). It was moved by Dr. Humiston, seconded by Mr. Perdue to suspend Rule 9 and carried unanimously on voice vote. Mr. Wilcox of the City Planning Department advised that this plat had been under consideration for sometime and that all the difficulties have been satisfactorily ironed out. The resolution was then adopted without having been read in full.

Adopted on roll call January 24, 1955.
Ayes 8; Nays 0; Absent 1; Hooker.

170 JAN 24 1955

Resolution No. 14144.

By HUMISTON:

Authorizing the City Manager to employ a Senior Planner for the City Planning Department at the compensation provided for same in the Compensation Plan; that by reason of unfilled positions in said Department, no appropriation in addition to the appropriation contained for salaries for said Department in the annual budget for the year 1955, is required and that the compensation of said Senior Planner shall be paid only out of the general appropriation for salaries not in excess of the amount provided under the classification of salaries in said annual budget. Mr. Arthur Jordan, Chairman of the Planning Commission, spoke in favor of the resolution, saying that the present staff is young and inexperienced, with only the Chief Planner having sufficient experience. This puts a heavy load on Mr. Wilcox and they feel that the appointment of a Senior Planner will tend to facilitate the operations of the department and matters can be handled with considerable less delay if the following through and instructing is assumed by this employee. As a result a better job will be given to the City and the work will get out faster. Mr. Backstrom stressed that this will not increase the Planning Department's budget as funds set up for a full time junior planner and a half year junior planner, which positions will not be filled, will be used to pay the Senior planner's salary. The position will be designated as appointive rather than Civil Service to facilitate the filling of the position, he added. Mr. Stojack, who is a member of the Planning Commission, said he was in favor of the resolution.

Adopted on roll call January 24, 1955.

Ayes 8; Nays 0; Absent 1; Hooker.

Resolution No. 14145.

By HOOKER:

Authorizing private sale of all right, title and interest of the City of Tacoma for sum of \$10.00 in cash, and directing execution and delivery to Leonard Blau-man of a local improvement assessment deed covering Lot 8, Block 38, Pacific Avenue Addition, located at 6514 South "C" Street. It was moved by Dr. Humiston to suspend Rule 9, Seconded by Dr. Battin and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call January 24, 1955.

Ayes 8; Nays 0; Absent 1; Hooker.

FIRST READING OF ORDINANCES:

Ordinance No. 15227.

Amending Section 9 of Ordinance No. 15132, entitled: "An ordinance to define 'Tacoma Harbor'; to establish rules and regulations for the movement, anchorage and dockage of vessels and watercraft within said Harbor; to prescribe the duties of the Harbor Master; to prescribe the duties and responsibilities of owners of docks, wharves and waterfront structures; to provide penalties for the violation hereof; and to repeal Ordinance No. 6245 and all other ordinances and parts of ordinances in conflict herewith." (Section 9- Information to be furnished harbormaster). Read by title and placed in order of final reading.

Ordinance No. 15228.

Amending Ordinance No. 14892, entitled: "An ordinance to provide for licensing and regulating the operation of certain devices, vehicles and things, and the carrying on of certain businesses, callings, professions, trades, occupations and activities in the City of Tacoma; to provide for the suspension and revocation of licenses issued; to establish license fees; to provide a penalty for the violation hereof; etc." by amending Sections 61, 61a and 61b, and by adding to said ordinance six sections to

be known as 61c, 61d, 61e, 61f, 61g and 61h. (GENERAL LICENSE ORDINANCE- Relative to Tattooing shops and operators). Mr. Backstrom explained that this ordinance was being amended to set up sanitary regulations for tattooing parlors and operators, as there have been several reports of infection to soldiers from Fort Lewis patronizing the three shops in Tacoma, and the Military has threatened to place them "off limits". Read by title and placed in order of final reading.

Ordinance No. 15229. L. I. D. 4549.

Providing for the improvement of the alley between I and J Streets from North 9th Street to North 10th Street by grading to the established subgrade and placing thereon a 6-inch cement concrete pavement; creating L I D No. 4549. Read by title and placed in order of final reading.

Ordinance No. 15230.

Amending Sections 30, 30a, 30b, 30c, 30d, 30e, 30f, 30g, 30h, 30i, 30j and 30k of Ordinance No. 14892, entitled: "An ordinance to provide for licensing and regulating the operation of certain devices, vehicles and things, and the carrying on of certain businesses, callings, professions, trades, occupations and activities in the City of Tacoma; to provide for the suspension and revocation of licenses issued; to establish license fees; to provide a penalty for the violation hereof, etc." and repealing Sections 30-1, 30m and 30n of said ordinance. (General License Ordinance- boiler plants and licenses for operators of boiler plants, etc.) Mr. Backstrom advised that Mr. McCormick from the Public Works Department would be present to explain the ordinance and answer questions at next week's Council meeting. The ordinance was read by title and placed in order of final reading.

Ordinance No. 15231.

Providing for the conveyance of certain City property; and repealing Ordinance No. 15131, entitled: "An ordinance 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 condemnation and acquisition of a certain tract of land for the purpose of installing, maintaining, operating and repairing water mains and appurtenant equipment from the west line of Brown's Point Boulevard to the east line of Beverly Heights Addition; and directing that compensation for the property to be taken or damaged shall be payable from funds to be hereafter appropriated." (conveying N. 40' of Lot 1, Blk 6, Beverly Hts to Fred C. and Gertrude Hofstetter) Read by title and placed in order of final reading.

ORDINANCE No. 15232.

Relating to an election to be held May _____, 1955, providing for the submission thereof of a proposition to elect fifteen freeholders to prepare and propose a Charter for the City of Tacoma; and requiring the City Clerk to certify to the County Auditor of Pierce County, Washington, and ex officio Supervisor of Elections, as required by law, said proposition in the form of a specified ballot title. Read by title. Mr. Backstrom reported that he was in receipt of a communication from A. H. Blankenship, Superintendent of Tacoma Public Schools, stating that the School Board Members believe the most advantageous date for the school election will be May 10th, and in no event later than May 17th. Mr. Backstrom pointed out that the 24th of May had been fixed for the Special City Election by the City Council at the last meeting for the reason that it would allow registrants, who are cancelled for failure to vote by State Law, a period of three weeks in which to become eligible to vote, while the May 10th date gives only one week, as the books will be closed April 8th. The matter was discussed at length and upon being advised that relatively few citizens are affected, it was the opinion of the Council that the School Board should be accommodated as much as possible. Mr. Boyle reported that the 10th, 17th and 24th

JAN 24 1955

of May are all satisfactory from a legal standpoint. It was moved by Dr. Humiston, seconded by Mr. Brastrud that "10th" be inserted in the blank space in the title and in Section 1 of the Ordinance. Motion carried unanimously. The ordinance was then placed in order of final reading.

Ordinance No. 15233.

Relating to an election to be held May _____, 1955, calling an election for the providing for the election thereof by the qualified voters of the City of Tacoma of fifteen freeholders, whose duty it shall be to prepare and propose a Charter for said City; providing for the filing of nominations of candidates therefor; certifying the offices of said freeholders to the County Auditor of Pierce County, Washington, and ex officio Supervisor of Elections, as provided by law; and requiring the City Clerk to certify to said Auditor and ex officio Supervisor of Elections the names of qualified persons who have filed their nominations for said office. Read by title. It was moved by Dr. Humiston, seconded by Dr. Battin that "10th" be inserted in the blank space in the title and in Section 1 of the Ordinance. Motion carried unanimously. The ordinance was then placed in order of final reading.

At this time Mayor Tollefson called to the attention of the Council the fact that many City Employees are concerned over their act in signing the petition for revision of the City Charter. He stated that the Council, as well as the Administration, will protect those who have signed the petition and will also protect from outside coercion those who did not sign. The question has arisen as to whether or not City Employees should contribute funds to the defeat of the City Manager form of government, he said. The Council will protect both those who contribute and those who do not. He warned against the use of coercion in soliciting contributions of funds from City Employees and stated that he had been informed the Mr. Ketter of the Municipal Civil Service League was engaged in this campaign and cautioned him against using pressure.

Ordinance No. 15234.

Authorizing and directing the City Attorney of the City of Tacoma to purchase and/or prosecute an action in the Superior Court of the State of Washington for Pierce County under the right of eminent domain for the condemnation and acquisition of certain tracts of land for the purpose of opening and extending a right of way street connection from South 11th Street and Sprague Avenue to South 12th and Ferry Street, and for use incidental to the construction and maintenance of the same; and providing for the taking and damaging of said tracts of land; and directing that compensation for the lands to be taken or damaged shall be payable from the General Street and Bridge Construction Fund of 1954. Read by title. Dr. Humiston asked the cost of this condemnation and said he felt this was an expensive way to cut a diagonal as several homes were located ^{there}. He thought that the situation could be handled less expensively by installation of two traffic lights. Mr. Backstrom advised that the improvement had been studied by the Traffic Engineering staff and Public Works Department before it was recommended and promised that a review of the project would be presented to the Council for further study. The ordinance was then placed in order of final reading.

Ordinance No. 15235.

Amending Section 28 of Ordinance No. 15106, entitled: "An ordinance adopting the pay or compensation plan as contemplated by Section 6.9 of the City Charter; prescribing the salaries to be paid to nonelective officers and employees of the City; establishing the positions of the various departments of the City government; fixing the effective date of this ordinance; and repealing Ordinances Nos. 12692, 12825, 12994, 13169 and 14967, and all amendments and additions thereto and all ordinances and parts of ordinances in conflict herewith." (Add "(A) Assistant Civil Engineer") Read by title.

Mr. Ketler, Business Representative of the Municipal Service League, objected to the passage of this ordinance, stating that this was making two Civil Engineer positions appointive in order to retain two employees who had no Civil Service Status to the jobs, while 6 employees with Civil Service rating as Civil Engineer I with seniority ranging up to 30 years were denied these positions and reclassified as Engineering Aides. He alleged these practices were in direct opposition to Civil Service as intended by the framers of the City Charter, as only assistants to administrative heads are permitted to be appointive under Charter provisions, and this by vote of 6 Council members. Mr. Backstrom said these two were "hardship cases" and the Department hated to lose two good men and they wanted to be fair to them. Mr. Ketler called attention to the number of appointive positions in the Engineering and Technical Field as set up in this ordinance, which claimed amounted to 21 and said he felt this was certainly getting away from Civil Service. Mr. Bratrud asked Mr. Ketler to ascertain if the two men in question had a chance to take the examination at any time since they came to work for the City on a temporary basis, which he promised to do. The situation was discussed at length and the ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15221.

Authorizing and directing the City Attorney of the City of Tacoma to purchase and/or prosecute an action in the Superior Court of the State of Washington for Pierce County under the right of eminent domain for the condemnation and acquisition of certain property, property rights and privileges for the purpose of widening and realigning South 56th Street from South Junett to South Prospect Street; and providing for the taking and damaging of said property, property rights and privileges; and providing that payment therefor shall be made at a later date and from funds hereafter to be made available therefor. Read by title. It was moved by Dr. Humiston to suspend Rule 9, Motion seconded by Dr. Battin, 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; Hooker.

Ordinance No. 15222.

Amending Ordinance No. 14793, entitled: "An ordinance to regulate the 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; and repealing Ordinances Nos. 12703, 9389 and 9598 and all amendments thereto." by adding thereto two new sections to be known as Section 6A and Section 19 A I. (Zoning Ordinance - "R-4" Multiple-family Dwelling District and "R-4-T" District - Pacific Avenue from South 50th to South 53rd and area between A and South D Streets - O'Flyng Petition). Read by title. It was moved by Dr. Humiston 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 8; Nays 0; Absent 1; Hooker.

Ordinance No. 15223.

An ordinance to be known as the Air Pollution Code, establishing a Section of Air Pollution Control under the Department of Public Works; controlling the emission of dusts, gases, odors and smoke; regulating the use of equipment emitting cinders, dusts, fumes, odors, soot and smoke; providing a penalty for the violation hereof; and repealing Ordinances Nos. 13794 and 14091. Read by title. It was moved by Dr. Humiston, seconded by Dr. Battin to suspend Rule 9 and carried unanimously on voice vote. Mr. Roger Chase, Chairman of the Citizens' Advisory

Committee, was introduced to the Council. Mr. Chase read the names of the other Committee members, and also read the ten changes made by the Committee in the Air Pollution Ordinance to bring it into conformity with the manager form of government. Mr. A. E. Harstad, Air Pollution Control Engineer for the City, was also introduced to the Council. It was pointed out that this position is now under Civil Service and Mr. Harstad holds same by Civil Service rights. It was moved by Dr. Humiston, seconded by Mr. Perdue to amend Section 6 by deleting the words "per hour" in next to last line; and Section 11, second paragraph, by substituting the word "reversed" for the word "affirmed". Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Hooker. The ordinance as amended was then passed without having been read in full.

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

Ordinance No. 15224.

Vacating a portion of East N Street described as follows: East N Street beginning at a point 207.81 feet west and 428.77 feet south of NE corner of Lot 1 in NW $\frac{1}{4}$ of Section 15, Township 20 North, Range 3 East, W. M., thence southerly 914.53 feet, thence in a northeasterly direction 30 feet more or less, thence in a southwesterly direction to the point of beginning; and confirming an agreement by the City in behalf of its Department of Public Utilities to dedicate a portion of a tract of land owned by it for street purposes. Read by title. (East N Street Reservoir Site). It was moved by Dr. Humiston, 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 8; Nays 0; Absent 1; Hooker.

Ordinance No. 15225.

Amending Section 39 of Ordinance No. 15106 entitled: "An ordinance adopting the pay or compensation plan as contemplated by Section 6.9 of the City Charter; prescribing the salaries to be paid to nonelective officers and employees of the City; establishing the positions of the various departments of the City Government; fixing the effective date of this ordinance; and repealing Ordinances Nos. 12692, 12825, 12994, 13169 and 14967, and all amendments thereto and all ordinances and parts of ordinances in conflict herewith." and declaring the effective date hereof. (Fire Alarm Division- Fire Department). Read by title. It was moved by Dr. Humiston 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 8; Nays 0; Absent 1; Hooker.

UNFINISHED BUSINESS:

⁴⁹³ The Director of Public Works submitted the assessments and ⁴⁹³ assessment rolls for the cost of the improvement in Local Improvement Districts Nos. 2107, 2198, and 2200. It was moved by Dr. Humiston, seconded by Mr. Stojack that March 1, 1955 be fixed as the date for hearing on said rolls. Motion carried on roll call: Ayes 8; Nays 0; Absent 1; Hooker.

The L. I. D. Committee reported that hearing was held by the Committee on January 18, 1955 on L. I. D. 2220, for oil mat and storm drainage on Wapato Street from South 64th Street to South 66th Street, and at said meeting it was reported that a remonstrance of 59.7% had been filed against the improvement. In view of this large remonstrance, the L I D Committee sustained the remonstrance and ordered that the district be abandoned, and makes this recommendation to the Council. It was moved by Dr. Humiston, seconded by Mr. Stojack, to concur in the recommendation of the L. I. D. Committee and carried on roll call: Ayes 8; Nays 0; Absent 1; Hooker.

Mrs. Goering commented on the valuable and unselfish contribution the Citizens' Committees were giving to the City of Tacoma in working out technical problems and suggested that a letter of appreciation be sent by the City to each member of each committee. The Air Pollution Committee and the Plumbing Code Committee have already finished their work, and the City Manager agreed to send a letter of thanks to each member of these committees and future committees as they complete their projects.

As there has been a great deal of adverse publicity in the past on Council members making trips to meetings and conventions, Mrs. Goering said that a report on the conferences attended might help public relations and tend to do away with this criticism. She then made a report on a recent meeting of the Puget Sound Mayor's Conference which she attended in Olympia, and said she had received a great deal of valuable information on the Free-way problems, on the problem of out-of-town persons voting in the City limits, as well as a report on what is taking place in the State Legislature. The Association of Washington Cities has a representative in Olympia to study every bill which is presented she stated. Attendance at conferences, conventions, etc. make Council members more intelligent and better qualified as policy makers, she added.

Mr. Backstrom reported that the quarantine of the Port of Tacoma has been ordered lifted immediately by the United States Public Health Service.


The City Manager brought up the question of the request of the County Commissioners that the City declare its position with respect to joining in the reconstruction of the Day Island Bridge and called upon the City Attorney for a report on the legal aspects of the Situation. Mr. Boyle informed the Council that a check had been made by the former Director of Public Works on the history of the bridge construction and that it appeared that the original bridge was constructed on property located outside the City Limits, that same was thereafter constructed by the County with the assistance of the Northern Pacific Railway Company and was located at least partially upon South 19th Street, which was then within the City Limits; that no records have been found to indicate under what conditions, if any, the structure was permitted to occupy a portion of South 19th Street; that as far as known, the City had no part in such construction; that up to a few years ago, that portion of Day Island lying northerly of South 19th Street extended, was carried on the County tax rolls as being within the city limits; that the question of whether or not same was in the city limits was raised and that the Legal Department advised the same was not within the City Limits. Mr. Boyle stated that it was still the opinion of the Law Department that this property is not located within the limits of the City, basing his conclusion on the fact that originally the limits ran only to the shore of Puget Sound, lying easterly of Day Island and thence northerly along the shore line towards Point Defiance; that in 1909 the legislature passed an act which extended the jurisdiction of cities located on waterways from the shore line to the middle of any such waterways; that the small waterway which the Day Island Bridge spans, is an established and meandered waterway and that therefore the City's jurisdiction over the same extended only to the middle thereof, leaving Day Island entirely outside the City Limits. He further advised that, in his opinion, the City was under no legal liability to participate in the construction of the proposed bridge and that the only liability to which the City might possibly be subject would arise from claims for damages sustained by injured persons in the event the existing structure was permitted to be kept open if unsafe for travel. The matter was discussed and it was moved by Mr. Bratrud, seconded by Dr. Battin, that action on the Day Island Bridge be postponed indefinitely. The motion was discussed and it was the opinion of the Mayor that some reply should be drafted and sent to the County Commissioners. Mr. Bratrud pointed out there was a motion before the Council and demanded a roll call; which resulted as follows: Ayes 2, Battin, Bratrud; Nays 6, Goering, Humiston, Jensen, Perdue, Stojack, Tollefson. / Absent: R. Hooker. Motion declared lost. Mr. Backstrom agreed to send a reply to the County Commissioners under the Mayor's signature. This move was opposed by Mr. Bratrud, who moved that the matter of the Day Island Bridge be postponed until April. The motion was declared lost for want of a second.

446 JAN. 24 1955

Mayor Tollefson read a letter from Randy Haskell Hamilton, Associate Director of American Municipal Association, outlining a plan to do a major story for the May, 1955 issue of Nation's Business Magazine (circulation nearly 1,000,000) on the "Status of the Municipality in America today"; inviting Mayor Tollefson and the Mayors of Denver, Philadelphia, Jacksonville, Miss., and Milwaukee to come to Washington to sit around a conference table for a session on the subject mentioned above, preferably during the 2nd week in March, and stating that all or at least part of the expenses of the trip would be borne by Nation's Business through A. M. A. The Mayor said he would be pleased to go and felt it was an honor to himself as well as Tacoma to have been selected. Council members Battin, Goering and Jensen expressed the opinion that this was indeed an honor to both the Mayor and our City and that he should attend by all means if possible. It was moved by Mr. Bratrud, seconded by Dr. Battin that Mayor Tollefson be authorized to attend the conference sponsored by Nation's Business in Washington D. C. and that the City pay the balance of the expenses over and above those assumed by the sponsors. Motion carried unanimously.

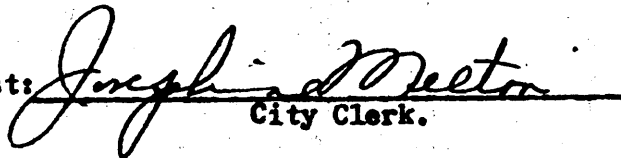
Upon motion, duly seconded and carried, Council then adjourned at 9:55

P. M.



President of City Council.

Attest:



City Clerk.