

FEB 24 1958

COUNCIL CHAMBER, 7:30 P.M.

Monday, February 24, 1958

Council met in regular session. Present on roll call 8: Battin, Bratrud, Goering, Humiston, Stojack, Jensen, Tollefson, and Mayor Anderson. Absent 1, Perdue.

Moved by Mr. Stojack, seconded by Dr. Battin, that the minutes of the previous meeting be approved and the reading thereof dispensed with. Motion carried on roll call: Ayes 8; Nays 0; Absent 1, Perdue.

RESOLUTIONS:

Resolution No. 15229:

L I D 4638:

131

120

By TOLLEFSON:

Fixing March 18, 1958 as the date for hearing on L I D 4638 - grading and placing thereon a permanent type pavement, including concrete curbs, gutters, storm water catch basins and storm drains where needed on Junett Street from South 13th Street to Melrose Street; Heatherwood West from No. 13th to 300' South; North 17th Street from Lenore to Mildred; So. 10th Street from McArthur to 140' West, Howard Street from 6th Avenue to 122' North; Rochester and Hawthorne Streets from 6th Avenue to 150' North and North 22nd Street from Monroe Street to Proctor Street.

Adopted on roll call February 24, 1958  
Ayes 8; Nays 0; Absent 1, Perdue

Resolution No. 15230:

By ANDERSON:

Appropriating \$8,525.00 from the Cumulative Reserve Fund for Capital Outlay and Maintenance and Operation for various offices of the City.

Adopted on roll call February 24, 1958  
Ayes 8; Nays 0; Absent 1, Perdue

Resolution No. 15231:

By GOERING:

Authorizing the proper officers of the City to settle claim of Russell H. Sandquist in the sum of \$605.05, payable from Sewer Utility Fund.

Adopted on roll call February 24, 1958  
Ayes 8; Nays 0; Absent 1, Perdue

Resolution No. 15232:

By BRATRUD:

Awarding contract to Woodworth & Co., Inc., for regrading North 21st and I Streets from North 13th Street to Steele Street, and placing thereon asphaltic concrete pavement and concrete curb and gutter, on their bid of \$12,398.85.

Adopted on roll call February 24, 1958  
Ayes 8; Nays 0; Absent 1, Perdue

**Resolution No. 15233:****By REQUESTA OF THE COUNCIL:**

Authorizing the Tacoma Transit System to increase the present bus fares charged by said system, as follows:

	From:	To:
Cash Fares	20¢	25¢
Token Fares	3 for 50¢	5 for \$1.00
Student Fares	10¢ cash	15¢ cash
School Tickets will be available at the increased rate:		

effective, March 3, 1958.

Dr. Battin moved to amend the Resolution that all elementary grade school students be exempted from any increase. Seconded by Bratrud.

Mr. Tollefson said the City of Tacoma is a party to a tri-party agreement between the bus drivers and share holders, and the City of Tacoma has the lessee, lessor relationship. He understands that the employees who are purchasing the Company from the Stock Holders have more left to pay then the Company is worth. He felt that this matter should be given further study, and should be referred to the Utility Committee and they should be empowered to hire the services of the C. P. A. in order to determine whether or not they should have these increased at this time or whether the City should buy the transit system.

In viewing the accounts of the Transit Co. they indicate from the very first year the bus drivers negotiated for a purchase. The income of the Transit Co, has fallen off considerably even though the drivers have done everything they can to increase the travel.

Mr. Tollefson then moved that the Resolution be referred to the Utility Committee for further study. Seconded by Dr. Battin.

Dr. Humiston said as chairman of the Utility Committee he has gone into the Transit Company's financial problem in detail three times since he has been on the Council with the help of the C. P. A. consultant who was employed at that time. He said he concurs in Mr. Tollefson's recommendation that this matter should be re-examined in great detail including the examination of the terms of the agreement, before any change in fares are made.

Mayor Anderson said that Mr. Tollefson's motion to postpone the Resolution had precedence over Dr. Battin's motion to amend so no action was taken on Dr. Battin's motion. Roll was then called on Mr. Tollefson's motion to refer this to the Utility Committee for further study. Seconded by Dr. Battin. Ayes 8; Nays 0; Absent 1, Perdue.

Dr. Humiston said he would move to amend Mr. Tollefson's motion that the report be submitted to the Council in two weeks (March 10). Seconded by Tollefson. Roll call on the amendment resulting as follows: Ayes 8; Nays 0; Absent 1, Perdue.

Roll call on the motion as amended to postpone for two weeks Ayes 8; Nays 0; Absent 1, Perdue.

Dr. Humiston announced that there will be a preliminary meeting of the Utility Committee consisting of Dr. Battin, Bratrud, Mayor Anderson and himself, to meet in the Council Chambers on Wednesday, February 26th at 4 P.M. in reference to the Transit problem and asked those present to attend if they so desired.

FIRST READING OF ORDINANCES:Ordinance No. 16055:By BRATRUD:

Repealing Chapter 9.20 of the Official Code of the City of Tacoma, relating to underground electric light and power wires. Read by title.

City Manager Mr. Rowlands, said this Ordinance has been on the books since 1896 and obviously has not been observed in placing all the electric wires and power lines under ground. He said there was quite a discussion on the additional cost but found it was considerably more expensive placing them under ground rather than overhead. This is merely to delete something that is obsolete and inconsistent with actual practice. The ordinance was then placed in order of final reading.

Ordinance No. 16056:By STOJACK:

Amending Section 1.20.600 of the Official Code of the City of Tacoma, Washington, relating to pay and compensation (Fire Department). Read by title.

Dr. Battin reported that several months ago the question of salaries paid to the Fire Alarm Dispatchers I & II, came before Council and it was suggested at that time that a meeting be held between the Council and representative of the Union involved. The Union asked for an arbitrator which was appointed. He said at that time they discussed the problem and found at that time they had adequate information available to make a decision. After all pertinent information concerning this agreement was collected it was presented at the meeting last Friday at 4:00 P.M. As a result of this information an agreement was arrived at and a decision was given. The contention of the Union Members were upheld. This Ordinance includes the changes made in the pay schedule with retroactive pay from January 1, 1958. The ordinance was then placed in order of final reading.

Ordinance No. 16057:By BATTIN:

Repealing Section 1.34.310 of the Official Code of the City of Tacoma, Washington relating to working fund advances. Read by title and placed in order of final reading.

Ordinance No. 16058:By BRATRUD:

Amending the Official Code of the City of Tacoma, Washington by adding thereto a new section to be known as Section 1.34.430 (relating to Working Fund Advance Director of Finance, Parking Meter Section \$25.00). Read by title and placed in order of final reading.

Ordinance No. 16059:By PERDUE:

Amending Section 8.12.010 of the Official Code of the City of Tacoma, Washington, relating to public safety and morals. (Defenderly) persons defined and enumerated),.

City Attorney, Marshall McCormick, explained there were three changes in this Ordinance. One on the second page, changing the age from 21 years to 18 years for anyone playing pool or billiards. The purpose of this amendment is to bring this Ordinance into conformity with the licensing Ordinance that was amended some time ago changing the age requirement from 21 to 18 years.

The second amendment was included making it unlawful to carry a starter pistol which gives the same effect of a real pistol if it were pointed at anyone.

On page three the figure was changed from \$25 to \$75 in reference to petty larceny. This is made in conformity to State Law.

Mr. McCormick said also a paragraph had been added "that any person obtaining lodging food etc. without payment therefor, shall be deemed a disorderly person."

Mr. Robert Copeland, an attorney, brought up that the Police Court Judge has a habit of suspending a lot of sentences, and stating "I suspend your sentence conditioned upon your good conduct of which I am the sole Judge". Mr. Copeland said if a person is sentenced in Superior Court and draws a deferred or suspended sentence in any event by the time the sentence has expired they are through with it whether they have served it or whether it was suspended. But, he added, if a person goes before the Police Court Judge and he gives them a thirty day sentence in jail and then suspends it in total or after two days or four days conditioned upon good behavior of which he is the sole judge, then five or 10 years later the same person comes back on a reckless driving charge and then the case is tried and he wins the case then if the judge wants to he can say they owe the City thirty days on the previous suspended sentence.

Mr. Copeland said that he would like to see a time limit of one year set on the invoking of suspended sentences and perhaps a limit of ninety days on those for offenses not involving moral turpitude.

Mr. Tollefson was in accord with Mr. Copeland's request and suggested that the City Attorney be directed to give some thought to it and present a proposal to Council.

Mr. McCormick advised that Mr. Copeland's remarks were unfortunately very true and added that it could very well bear looking into as far as the Council is concerned that is legal and feasible.

He said as far as the Legal Office is concerned and if Council desires, during the next week they will check into the matter to determine a solution that will meet with Council's approval.

Mrs. Goering commented that it is unfortunate that these matters exist without being brought to the attention of the Council. She felt it was the duty of any citizen or professional man that these matters be brought to their attention.

Mr. Copeland said he brought this up on the floor of the Tacoma Pierce County Bar Association and asked to have a committee appointed to look into this and other judicial abuses, particularly in the Police Court and said the matter just died. He said he hoped by bringing it to the Council's attention, something could be done to improve the situation.

Mr. Bratrud asked that as long as a change is contemplated in the Ordinance that a review be made of Paragraph 5 on page 3, which refers to selling, etc. on Sundays. He asked that this paragraph be brought up to date. He said many stores are open on Sundays and the Ordinance should either be enforced or brought up to date. He asked that this ordinance be referred back to the City Manager and City Attorney and that this particular paragraph be amended. Mr. Rowlands explained that he had several telephone calls regarding the sale of new or second hand cars on Sunday. He said the Automobile Ass'n is anxious to have this paragraph remain as is, as it automatically provides for a six day week for automobile sales. He said the Association is working with the County Association to work out a plan whereby all automobile sales, both new and used will be closed on Sundays. The Ordinance was then placed in order of final reading.

Ordinance No. 16060:By HUMISTON:

Amending Section 8.22.010 of the Official Code of the City of Tacoma, Washington relating to public safety and morals. (Definition). Read by title and placed in order of final reading.

Ordinance No. 16061:By JENSEN:

Amending Section 11.10.230 of the Official Code of the City of Tacoma, Washington, relating to traffic and safety. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:Ordinance No. 16049:By JENSEN:

Amending the Charter and Official Code relating to buildings; adopting the American Standard Safety Code for Elevators, Escalators, and Dumbwaiters, 1957 Edition.

Mr. Rowlands advised that in Section 2.14.020 on page 3 under (11) Definitions where it reads, "Board" shall mean the Elevator Safety Board, acting under appointment by the City Manager." "The words acting under the appointment by the City Manager" should be deleted.

Mr. Humiston then moved that Sec. 2.14.020 under (11) Definitions that it be amended by striking the words, acting under appointment by the City Manager. Motion seconded by Dr. Battin - carried on roll call Ayes 7; Nays 0; Absent Tollefson and Perdue.

Roll call Ayes 7; Nays 0; Absent 2, Tollefson & Perdue

Ordinance No. 16050:By JENSEN:

Amending the Charter and Official Code of the City of Tacoma, relating to the pay and compensation plan, and amending certain sections thereof.

Roll call Ayes 8; Nays 0; Absent.1, Perdue

Ordinance No. 16051:L I D No. 2254: XBy BOERING:

Providing for the improvement of L I D 2254 - grading and gravel ballast, oil mat surfacing on North Orchard Street from No. 9th to 16th, and No. 16th Street from Orchard to Huson.

The Committee reported that at the hearing on February 4th, 13.5% remonstrances had been filed, and that the Committee recommended the remonstrance be overruled and the district created.

Roll call Ayes 7; Nays 0; Absent 2, Perdue & Tollefson

19  
SD 48

X Ordinance No. 16052:  
By STOJACK:

L I D 2271:

Providing for the improvement of L I D No. 2271 - both sides of East 72nd Street from A Street to East D Street, by construction of concrete sidewalks.

Dr. Humiston reported that remonstrances amounting to 3.8% had been filed.

The Committee recommended the remonstrances be overruled and the district created.

Roll call Ayes 7; Nays 0; Absent 2, Perdue & Tollefson

X Ordinance No. 16053:

L I D 4635:

By JENSEN:

412  
Providing for the improvement of LID 4635 - Resurfacing with asphaltic concrete Court C from South 7th Street to St. Helens Avenue, and from South 9th Street to South 13th Street.

Dr. Humiston advised that four blocks were involved in this Ordinance and that at the Local Improvement hearing there were 2.9% remonstrances filed against the improvement. He said practically all of the property owners between 6th and 7th St. objected to being included. He said that Court "C" is between Titus and Winthrop Motor Company's and the level portion is paved with brick, then a steep place, and this portion is paved with rough cobblestone. He said the protest was made that when there was a heavy snow the cobblestones helped in getting up the alley, and wanted this left as it is. Dr. Humiston said it was the recommendation of the L I D Committee that the portion on Court "C" from 6th Ave. to So. 7th St. be deleted, from the district and the remonstrances be overruled and the remainder of the district be created.

Roll call Ayes 7; Nays 0; Absent 2, Perdue & Tollefson

X Ordinance No. 16054:

L I D 4637:

By PERDUE:

41  
290  
Dr. Humiston explained that at the time of the hearing on this local improvement there were 27.9% remonstrance filed against the improvement, and at that time there seemed to be property owners at the meeting who seemed to think there were more people that were not in favor of the improvement who did not remonstrate. It was explained that the property owners had 30 days after the Ordinance was passed to file remonstrances, and up to date, Dr. Humiston said there were 50.3% remonstrances filed against the improvement. Inasmuch as there was not enough remonstrances filed against the improvement to abandon it, roll was then called on the Ordinance.

Roll call Ayes 6; Nays 0; Absent 3, Battin, Perdue, Tollefson

UNFINISHED BUSINESS: This is the date fixed by Resolution No. 15213, adopted February 3, 1958 for hearing on construction and reconstruction of sidewalks etc., in various locations in the City.

Mayor Anderson asked if anyone in the Council wished to speak at this hearing.

Mr. Wm. Raufs, residing at 708 So. 56th St. advised that when So. 56th Street was paved, heavy equipment and trucks backed over his sidewalks and as a result they were broken badly. He said when the sidewalks were originally

ut in, if they had put in 4" walks they would have been in better condition now.

Mayor Anderson advised that years ago the inspection was like it is at this time. They did not check for thickness, or quality of work. Now he explained they have specifications to follow.

Mr. Staman explained \$15,000, has been appropriated for this purpose this year. He said 25% of the cost is being paid for by the City and 75% by the property owner. The improvements are being made where sidewalks have deteriorated to such an extent that they need replacement and where there is no fault on the part of the property owner due to its deterioration, such as tree roots or where trucks and automobile have repeatedly gone over sidewalks to reach garages, etc. Mr. Staman explained the reason the square footage is set up in the notice sent to the property owners is that when the property owners are contacted during the construction period, they will agree as to exactly what percent of the sidewalk must be replaced., whether it be in toto or a fraction thereof. He said that many of people concerned feel that their walks are not in a serious condition, some are listed because of other bad areas in the block. Mr. Staman said in that event they talk to the person concerned and if there is not a need of replacement and the property owner can make it safe they will not replace it, he added.

Mr. Harry Wickstrom, City Engineer, presented a list of people who contacted his office regarding the sidewalk repairs.

Mr. O.P. McDougall residing at 5907 So. Yakima complained that water continually stands in his gutter and until drains are installed he felt there would be no advantage of putting in sidewalks until this condition is corrected.

He said if freezing weather should occur, the new sidewalks would crack.

Mr. Wickstrom explained that the drainage problem would be eliminated if the bond issue carries, which is to be placed on the March 11th election.

Mr.

Mr. John W. Robinson residing at 4603 So. J. St. complained his bill was too high, he felt if this price was to replace the full sidewalks it would be a fair price.

He advised he had tried to contact some contractors to ascertain what their price would be to replace the walks, but could not reach anyone up to this time.

Mr. Harold Roberts residing at 5041 So. J. St. advised that just a few months ago they replaced the sidewalks across the street from his home and asked why both sides were not done at the same time in the light of economizing they would have saved money.

Mr. Roscoe Green 4312 So. J. St. suggested that a paragraph be added to the end of the notices sent to each property owner advising them that they will be individually contacted before the sidewalks are installed.

Mr. Robert Copeland residing at 1220 No. 5th explained that there were three places in his sidewalk which needed replacing, which in his opinion would be a lot less than the 250 sq. feet which stated in the notice.

Mr. F. D. Crane residing at 1120 No. 5th complained of the high cost of repair for his part of the walks.

Mr. Arvin R. McDougall residing at 2001 So. 19th St. asked that his work be done as soon as possible for the reason he is leaving for overseas duty and wanted this done before he left.

It was requested that the City Attorney bring in an Ordinance providing for an improvement for construction and reconstruction of sidewalks in various locations of the City as set up in the Resolution.

FEB 24 1958

ITEMS RECEIVED FOR FILING IN THE OFFICE OF THE CITY CLERK:

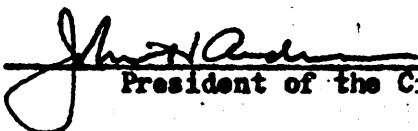
- \* City of Tacoma - Tacoma Transit System Report for January, 1958 and 1957.
- \* Personnel Report to Administrative Officials for the Month of January 1958.
- \* Report of the Director of Finance for January, 1958.

X  
Dr. Humiston advised he has talked with Mr. Buckley the head of the firm making the airport survey. He said he will arrive in Tacoma from 1-1:30 P.M. on Friday. He is bringing the reports and asked that they be distributed to the Council members as soon as possible after his arrival in Tacoma and that he would also like a special meeting of the Council Friday at 5:00 P.M. so the report can be received.

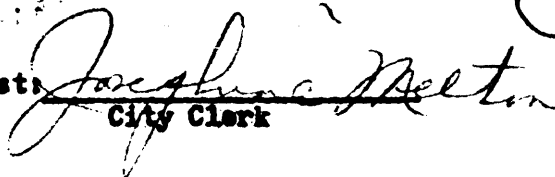
He then moved that a special meeting of the Council be held Friday February 28th at 5:00 P. M. in the Utilities Auditorium for the purpose of receiving this report and interviewing Mr. Buckley. Seconded by Mr. Stojack.

Roll call Ayes 6; Nays 0; Absent 3, Battin, Perdue & Tollefson

Council recessed until Friday, 5:00 P.M., February 28, 1958.

  
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President of the City Council

Attest:

  
\_\_\_\_\_  
City Clerk