

Council Chambers, 4:00 P.
Monday, November 16, 1959

Council met in regular session. Present on roll call 7: Anderson, Bratrud, Easterday, Herdue, Porter, Price and Mayor Hanson. Absent 2, Goering and Dr. Humiston. Mrs. Goering coming in at 4:10 P. M.

It was moved by Mr. Bratrud that the minutes of the meeting of November 9, 1959 be approved as submitted. Seconded by Mr. Perdue. Voice vote was taken on the motion resulting as follows: Ayes 7; Nays 0; Absent 2, Goering and Humiston.

HEARINGS AND APPEALS:

196 The City Planning Commission recommending the denial of the petition of A. R. Gapener et al., for the reclassification from an "R-2" One-Family Dwelling District to a "C-1" Commercial District, property located on the west side of Ferry Street between So. 56th and Railroad Streets.

Mr. Rowlands explained that no appeal had been filed and the filing of an appeal has lapsed. It was the recommendation of the Planning Commission that this petition be denied.

Mr. Perdue moved to concur in the recommendation of the Planning Commission to deny the Petition. Seconded by Mr. Porter. Voice vote was taken on the motion, resulting as follows: Ayes 7; Nays 0; Absent 2, Goering and Humiston.

PETITIONS:

416 Petition from W. H. Opie & Company, for the replat of property between No. 14th and No. 18th Streets between Shirley and the alley east of Bennett Streets.

Fixing December 21, 1959 as the date for hearing.

Moved by Mr. Easterday that December 21, 1959 be set as the date for hearing. Seconded by Mrs. Price. Voice vote was taken on the motion resulting as follows: Ayes 7; Nays 0; Absent 2, Goering and Humiston.

Mr. Rowlands explained that there was a Resolution which did not appear on the Agenda that should be taken up at today's Council meeting. It was then moved by Mr. Anderson to dispense with the regular order of business to take up this Resolution at this time. Seconded by Mr. Bratrud. Voice vote was taken on the motion, resulting as follows: Ayes 7; Nays 0; Absent 2, Goering and Humiston.

RESOLUTIONS:

Resolution No. 15942: Mrs. Goering coming in at this time.

By BRATRUD?

Authorizing the sale of a \$3,000,000 Sewer Revenue Bonds of the City of Tacoma to Glore, Forgan & Company, and Associates.

Mr. Rowlands said that the bids submitted by various firms ranged from 3.932007 to 4.1509. He said he felt the bid of 3.932007 was a very good bid.

Mayor Hanson thought the public should know that these are Revenue Bonds, and that we are not pledging the credit of the City. These are bonds that will be paid out of the revenues from the Sewer Utility, he added. This bid would indicate that our basic financial plan, with reference to our sewer improvement program, is regarded to be extremely sound. It is a much lower rate of interest than we dared to hope, he explained.

It was moved by Mr. Easterday that the Resolution be adopted. Seconded by Mr. Porter. Voice vote was then taken, resulting as follows.

Ayes 8; Nays 0; Absent 1, Humiston.

The Resolution was then declared adopted by the Chairman.

RESOLUTION NO. 15936

By BRATRUD

Authorizing the filing of an application for a loan and grant for the Center Street Urban Renewal area.

Mr. Rowlands explained that Bob Jacobson, Urban Renewal Coordinator, had submitted an Urban Renewal Plan which was sent out to all Council members with the Agendas on Friday. The report is about one-third of the total Report which will be submitted to the Housing ^{and Home} Finance Agency. He said after the report is approved by the Governmental Housing Agency, the City Council is required to hold a hearing, which will probably be about next January or February.

Mr. Jacobson, Urban Renewal Coordinator, said he thought it may take more than one hearing. He said on the first page, where the amount of the loan was left blank, the figure of \$1,752,000 should be inserted.

Mayor Hanson explained that this is the project where the City's participation has been satisfied as a result of capital improvements in the area and will not require additional cash from the City.

Mr. Jacobson explained that part of the application would be the City's financing plan, pending the Federal Government's approval, but prior to the hearing and passage of an Ordinance on the plan we will know precisely whether we are coming out ahead or not on the plan.

Mr. Easterday inquired of Mayor Hanson as to how much the grant would amount to.

Mayor Hanson explained that he did not have the exact figures but it was around \$1,200,000 or \$1,300,000.

Mr. Rowlands explained the reason they did not have the exact figures was that the credits that are going to be worked out may fluctuate, but he also thought a rough figure of \$1,200,000 would probably be pretty close to the amount.

Mayor Hanson asked what percentage of structures were sub-standard in the area.

Mr. Jacobson said there was in excess of 50% of the structures that had to be removed.

Mr. Anderson moved that the Resolution be adopted. Seconded by Mrs. Price. Voice vote was then taken on the motion, resulting as follows:

Ayes 8; Nays 0; Absent 1, Humiston.

The Resolution was then declared adopted by the Chairman.

Resolution No. 15937:

By ANDERSON:

Authorizing and directing the proper officers of the City to execute and deliver to Kirby Hickey, a local improvement assessment deed in the sum of \$216.53 for property located on the north side of So. 50th between Sheridan and Cushman Avenue.

It was moved by Mr. Perdue that the Resolution be adopted. Seconded by Mr. Anderson. Voice vote was then taken on the motion, resulting as follows:

Ayes 8; Nays 0; Absent 1, Humiston.

The Resolution was then declared adopted by the Chairman.

Resolution No. 15938:

By BRATRUD:

Awarding contract to the sixteen (16) highest bidders on Surplus Items.

Mr. Anderson moved that the Resolution be adopted. Seconded by Mrs. Price. Voice vote was then taken on the motion, resulting as follows:

Ayes 8; Nays 0; Absent 1, Humiston.

The Resolution was then declared adopted by the Chairman.

Resolution No. 15939:

By PORTER:

Commending the action of the State TollBridge Authority in selecting the engineering firm of Bertram H. Lindeman and Associates of New York and San Francisco, as the engineering firm to conduct the survey on the Naches Pass Tunnel.

Mr. Easterday moved that the Resolution be adopted. Seconded by Mr. Porter. Voice vote was then taken on the motion, resulting as follows:

Ayes 8; Nays 0; Absent 1, Humiston.

The Resolution was then declared adopted by the Chairman.

Resolution No. 15940:

By PORTER:

Commending the Governor of the State of Washington, Albert D. Rosellini, for all past efforts in connection with the Naches Pass Tunnel. 413

Mr. Anderson moved that the Resolution be adopted. Seconded by Mr. Porter. Voice vote was then taken on the motion resulting as follows:

Ayes 8; Nays 0; Absent 1, Humiston

The Resolution was then declared adopted by the Chairman.

Resolution No. 15941:

By ANDERSON:

Agreement with the American Smelting and Refining Company for the sale of electric power.

Mr. John D. Ferguson, Supt. of City Light, said this contract replaces the contract that expires on the 25th of this month. He said there were no rates stated in this contract. The only change made in the contract over what the previous one stipulated was the rate adjustment change from 5 to 2-1/2 years, also the change in the type of services rendered.

Mr. Anderson moved that the Resolution be adopted. Seconded by Mr. Bratrud. Voice vote was then taken on the motion resulting as follows:

Ayes 8; Nays 0; Absent 1, Humiston

The Resolution was then declared adopted by the Chairman.

FIRST READING OF ORDINANCES:Ordinance No. 16458:

Authorizing the issuance and sale of general negotiable bonds of the City of Tacoma in the amount of \$200,000 for the purpose of establishing an airport and other air navigation facilities. Read by title. 364 378

Mayor Hanson reported on the meeting with the Port Commission in reference to whether or not the Port of Tacoma will participate in this Airport Program by guaranteeing the bonds, for this additional amount. We were advised they would give this consideration and a definite answer would be given when all the members of the commission are present. Mayor Hanson said the passage of this Ordinance will not mean that we are paying an additional \$200,000. It will mean that if it becomes necessary to do so we will have committed ourselves to an additional \$200,000.

Mrs. Goering asked if the discussion with the Port Commission in terms of \$200,000 would be under the same conditions as the original agreement, in other words, to be repaid from possible revenue from the Airport.

Mayor Hanson explained, the Port's participation is different in that it would require their guaranteeing the additional \$200,000 with their revenues, however, it was assumed that their priority on the funds from the Airport would remain the same so that they would receive the revenues to retire their participating funds before the City would enjoy any earnings.

Mrs. Goering said in the event the revenue would be more than enough to start retiring the original grant, would that additional revenue still accrue to the Port Commission in full on the new loan.

Mayor Hanson said they left the meeting with that impression.

Mr. Rowlands pointed out that at this meeting it was brought up that bonds could be issued by the Port on an inside levy in a legal capacity of only \$1,200,000. He said it might not seem practicable to feel that additional bonds can be retired by revenues from the Airport over and above the \$350,000. To be realistic about the matter, knowing that the F. A. A. officials will look at this objectionably and realistically, they will want the Port and the City to spell out specifically where this additional money is coming from on this application, which should be filed on or before December 15, 1959.

Mrs. Goering asked if we are forever excluding ourselves from receiving any income from the Airport until all this money is paid for.

Mayor Hanson said that would be true until the Port's participation has been retired.

Mr. Easterday said he was very much opposed to the City financing and operating an Airport based on the revenue anticipated.

Mr. Anderson said, in seeking new businesses for the City of Tacoma it is often asked "Do you have an Airport?" and "If you do have an Airport, is it located close to the City and how long does it take to get to the Tideflats where they are contemplating on establishing a business?"

Mr. Rowlands cites a few cities with populations comparable to Tacoma, one of which was Sacramento with a population of 160,000. In 1958 they had 21,000 scheduled airlines stops with a little over 250,000 passengers. General Aviation had operations of over 90,000 with 256,000 passengers. In Savannah, Georgia, of 14,000 scheduled airline stops there were 83,000 passengers in and out in 1958. The General Aviation companies had 30,000 operations with 83,000 passengers.

Mr. Easterday said he could not see why this Airport would not be as valuable to rural Pierce County as it would be to the City of Tacoma. He also asked why the Port of Tacoma, knowing how vital an Airport is, did not seek a bond issue prior to this.

Mayor Hanson said he realized the "Airport Issue" was not a popular one at this point, however, it is very apparent that if Tacoma does not have adequate air facilities we're going to be left behind all other cities of our size. Just as rail and water traffic, and Highways, determined the centers of industries in the past, now air traffic centers determine the importance of the community to the growth of the state and nation, and if Tacoma is unable to participate in air traffic and give proper service we will be left behind, he added. The Ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:Ordinance No. 16449:

Amending Section 6.64.050 (b) of the Official Code of the City in reference to Occupations subject to tax - increasing the Occupation Tax on persons engaged in the distribution of natural gas from 2% to 3% per annum, effective January 1, 1960. Read by title. 360

Mayor Hanson asked if this Ordinance was drawn up in accordance with the recommendations of MC-280, which was distributed to the Council members, and if so what effect the Ordinance may have on the industries that are now using gas.

Mr. Rowlands said this Ordinance would have to be amended to provide for the possible changes suggested to Council in this MC. He pointed out that on the 2nd page of the report it explains what it would mean if the maximum of \$2500 were adopted as far as payment of taxes is concerned. Under item No. 6, page 2, he referred to what could happen if some of the industrial users, now using gas, converted to oil the City would be losing \$35,661 annually. Mr. Rowlands explained that Mr. Jones, of the Washington Natural Gas Company, said that this conversion could be made at a minute's notice, and if the price of oil would be lowered and it was advantageous to the industries to utilize oil instead of gas, the City could lose a considerable amount of money in B & O Tax. The Oil Dealers are paying 1/10th of 1% B & O Tax. Our present rate is 2% Franchise and 2% B & O Tax; this new rate would increase B & O Tax to 3% on the amount up to \$2500. Mr. Rowlands said in view of what Mr. Jones presented to Council previously, these arguments are valid.

Mayor Hanson said this would be the matter of applying the additional tax to the first \$2500 received from any one customer.

Mr. Rowlands said it should be pointed out that in preparing the City's budget for 1960 it was not anticipated that there would be increases, but under this proposed program we will actually exceed what we had estimated because of the increased use of gas.

Mayor Hanson said that after obtaining this information, and the recommendations of the Washington Natural Gas Company, it would be proper to amend the Ordinance.

Mr. Leland Jones, of the Washington Natural Gas Company, said he had no further comments to make other than to have the following words added to Section 1, paragraph (b): "except that the tax rate over 2% shall apply only to the first \$2500 of revenue per month on any one gas customer's bill."

Mr. Easterday moved that the Ordinance be amended by inserting in Section 1, paragraph (b), the following: "except that the tax rate over 2% shall apply only to the first \$2500 of revenue per month on any one gas customer's bill." Seconded by Mrs. Price. Vote was taken on the motion resulting as follows: Ayes 8; Nays 0; Absent 1, Humiston.

Mr. Bratrud said that inasmuch as this has been quite a controversial subject, and also he has not had an opportunity to look over the report thoroughly, he would like to have the Ordinance continued to December 14, 1959.

Mr. Bratrud then moved that the Ordinance be continued to December 14, 1959. Seconded by Mr. Anderson. Voice vote was taken on the motion, resulting as follows: Ayes 8; Nays 0; Absent 1, Humiston.

Ordinance No. 16454:

Amending Section 6.52.130 of the Official Code of the City relating to licenses and taxation of Taxicabs in the City of Tacoma. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1, Humiston.

Ordinance No. 16455:

2, 59 Amending Chapter 1.30 of the Official Code of the City by adding a new section to be known as Section 1.30.585 so that any member who has retired prior to January 1, 1955, shall receive an additional pension purchased by the contributions of the City. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1, Humiston.

Ordinance No. 16456:

Amending Chapter 1.06.256 of the Official Code of the City in reference to the publication of notice of bids on purchasing procedure. Read by title and passed.

Roll call: Ayes 8; Nays 0; Absent 1, Humiston.

Ordinance No. 16457:

366 Amending Sections 6.60.060 and 070 of the Official Code of the City relating to the licensing and impounding of dogs, and repealing Section 6.60.090. Read by title.

Mrs. Stacey, representing the Pet Owners Inc. and Pierce County Animal Association, stated that since there had been no previous publicity on this Ordinance she would like to have action postponed on the Ordinance for two weeks so that their Attorney would have an opportunity to study the Ordinance.

Mrs. Price then moved that the Ordinance be postponed for two weeks to November 30, 1959. Seconded by Mr. Perdue.

Mr. Archie Fidler, Manager of the Tacoma Pierce County Humane Society, said that Mrs. Stacey's organization represents a group of people from Pierce County, and are not inside the City of Tacoma, and felt she was only present to hinder the operations of the Humane Society.

Mr. Porter said he could see no danger in the wording of the Ordinance as proposed and could not see why it should be postponed.

Mrs. Price said she felt if anyone asks for the postponement of an Ordinance, and if it does not present a hardship on anyone, the Council should extend them that privilege.

Mrs. Edw. Byrne said she felt the fee of \$5.00 should be set for female dogs, \$3.00 for male dogs and \$2.00 for spayed female dogs. She said something should be done about the surplus animal problem. She also wanted to know what Council could do to put more teeth in the City Ordinance regarding female dogs running in season.

Mr. Easterday agreed with Mrs. Byrne as to the encouraging of people to have their female dogs spayed. He said he would like to have the Ordinance amended to provide for a \$2.00 fee for spayed female dogs and \$5.00 for unspayed female dogs.

Mayor Hanson said he would ask for a roll call on the motion to postpone the Ordinance first. Roll was then called on the motion to have the Ordinance postponed for two weeks. Roll call: Ayes 3; Nays 5, Anderson, Bratrud, Easterday, Perdue and Porter; Absent 1, Humiston. Motion lost.

Mr. Easterday moved that the fee for unspayed female dogs be raised from \$4.00 to \$5.00. Seconded by Mrs. Price.

Mr. Fidler said it has been the policy of the Humane Society not to raise the dog license fees unless absolutely necessary. This amendment is not a raise. They are merely eliminating the discount clause. He said he would recommend that the license fees not be changed.

Mayor Hanson asked what the charge was for spaying female dogs.

Mr. Fidler said the price varied from \$15.00 up to \$25.00.

Mr. Perdue asked what the \$2.00 provision would do to the Humane Society's revenue picture.

Mr. Fidler said the \$2.00 is not to increase the revenue of the Humane Society. It is more of an inducement to the people to get their license and make it easier to enforce. He said every dog owner would get a warning ticket before the \$2.00 would be imposed.

Mrs. Stacey told the Council Members if they vote for this Ordinance they are condemning a lot of dogs to death.

Mrs. Goering said she had been informed that the Humane Society has been unable to keep up with the calls from various people in the City and she said she would be in favor of anything that would help their "work load," but she did not know if the \$1.00 increase would do it or not.

Mayor Hanson then called for a voice vote on Mr. Easterday's motion to increase the license fee for unspayed female dogs from \$4.00 to \$5.00, resulting as follows: Ayes 8; Nays 0; Absent 1, Humiston. Motion carried.

Mrs. Stacey again spoke, protesting the provision which calls for an additional \$2.00 fee after a notice of violation has been sent to the owner. She stated that if notices were sent to all violators on the 1st of January, then on the 7th of January anyone who had not paid their dog license will be required to pay an additional \$2.00 fee. She asked that this provision be changed so that the notice will not be sent out until after March, and then give them ten days and only a \$1.00 penalty instead of \$2.00.

Mayor Hanson stated, he believed the Humane Society gave the people ample time to get their dog licenses, and even if they did not send the notice out until the 1st of February, that, in his opinion, was ample time.

Roll was then called on the Ordinance, as amended, resulting as follows: Ayes 8; Nays 0; Absent 1, Humiston. Motion carried.

NOV 16 1959

UNFINISHED BUSINESS:

The Director of Public Works presents the assessment roll for L I D 4649 for permanent paving including concrete curbs and gutters on No. 8th from Mason to Stevens; No. 11th from Stevens to Mullen; No. 11th from Ferdinand to Orchard and No. 9th from Mullen to Villard Streets.

It was moved by Mr. Easterday that December 22, 1959 be set as the date for hearing. Seconded by Mr. Anderson. Voice vote was taken on the motion, resulting as follows: Ayes 8, Nays 0; Absent 1, Humiston.

The Director of Public Utilities presents the assessment roll for L I D 5300 for cast iron watermains in the area bounded by McKinley Avenue, Portland Avenue, East 52nd and East 64th Streets.

It was moved by Mr. Easterday that December 22, 1959 be set as the date for hearing. Seconded by Mr. Anderson. Voice vote was taken on the motion, resulting as follows: Ayes 8; Nays 0; Absent 1, Humiston.

364 Mr. James Healey, Attorney, speaking on behalf of certain property owners in reference to L I D 4532, asked the Council to reconsider the Ordinance providing for the improvement of L I D 4532. He said the Ordinance setting up this improvement provides for several different areas of improvement which in his opinion are not contiguous. He said that these areas are entirely different; the terrain, the population, and some areas have a great deal of unimproved land. Also included in the L I D are two school areas and property that is owned by the Federal Government. There are also numerous people in the area who are pensioners, which will be difficult for them to pay for improvements out of a small fixed income.

Mr. Healey spoke particularly about the area on So. 53rd from Asotin to Alaska. He mentioned the turn on Alaska Street where there is approximately a 45° incline to a hill before dropping down to Asotin Street, which he said was about 55' below the level of Alaska Street. This Street, he said, is traveled by approximately 5 cars per day. The property owned by Mrs. Pell, has a rise of 40' from 52nd Street and requires three flights of concrete steps to gain access to her property. Mr. Healey said if the grades on So. 53rd Street were established to City specifications they will still have a crest to the hill. If the hill is graded to anything lower than the established grade, they will have to submit to condemnation of property and will be required to pay damages. If this is done, the City will be taking the rights from this property owner and will be subjecting the City to a substantial damage suit. He added that in order to make a "constant grade," the City will probably reduce the level by about 20'.

Mrs. Goering asked if he knew whether the City would be doing this, and she asked Mr. Schuster, Director of Public Works, if he could enlighten the Council on this matter.

Mr. Schuster explained that no grade had been established for this street, and under the circumstances very little change would be made. Actually,

he said, the preliminary engineering has not been completed in this area but the City would attempt to meet the existing ground lines as closely as they could.

Mr. Healey said that more than 50% of the property owners on 53rd Street protested this improvement before the hearing.

Mr. Schuster advised that no additional protests were received on this area, and only 45-1/2% remonstrances had been filed against this particular area.

Mr. Healey asked that this street be deleted from the district as it is not contiguous to the other area.

Mr. Anderson explained that when setting up these Districts, the Contractors can give a cheaper price if the improvements are in the same general section of town, thus saving money for the City as well as the property owner.

Mr. Erling Tollefson, Attorney for property owners on East 55th Street, said that the improvement on East 55th Street is not adjoining to any other portion of this L I D. He said he has been informed by his client that he had 30 days to obtain 60% remonstrance for this portion of the L I D.

Mayor Hanson stated that he had 30 days to obtain the 60% remonstrance on the entire district, not just for one area.

The City Clerk and Director of Public Works both advised that no additional protests had been filed against this portion of the L I D and that only 19% had been filed at the time of the hearing.

Mr. Healey then asked if the property owners are not successful in obtaining 60% remonstrance against the total district, if consideration would be given if 60% were obtained in one particular portion of the L I D.

Mr. Anderson asked, if protests were received bringing any portion of this L I D over the 60%, could an Ordinance be passed deleting that particular portion.

Mr. McCormick advised that in order to be safe, this would have to be filed before the expiration of the 30 days period, which would be November 25th.

Mr. Perdue said the Council should be extremely careful as not to be setting a precedent in this matter. If this becomes the policy then people will be attempting to gain 60% remonstrance for a particular disconnected area, which has never been done before. He said our present method of procedure has been for the benefit of the citizens and should be continued in this manner.

Mayor Hanson asked the Council if they would reconsider deleting a portion of an L I D that had obtained over 60% protests within the 30 day period.

Mayor Hanson polled the Council on the question and it was the decision of the Council that they would not be in favor of deleting this portion.

ITEMS FOR FILING IN THE OFFICE OF THE CITY CLERK:

- a. Report from the Municipal Court for the month of October, 1959.
- b. Report from the Fire Dept. for the month of October, 1959.
- c. Report from the Director of Finance for the month of October, 1959.

COMMENTS:

297
5/11/59
Mr. Anderson asked if any report has been received on the progress of the Yakima Avenue Bridge. He wanted to know why the Bridge had not been started as yet. He was wondering if the Engineers designing the Bridge were not adequate, or what was causing the delay. He said he knew they had run into trouble with an abandoned tunnel on Center and Yakima Avenue, but he could not see why it is taking this length of time to design a bridge. He asked that the Council be informed as to the reason for the delay.

Mr. Rowlands replied that this project has been most frustrating, and they have been checking periodically with the architects and will give an up-to-date report on the progress of the bridge as soon as possible. He added that the tunnel has given them trouble, but the redesigning has been very time-consuming.

Mr. Schuster said that the tunnel has been the main problem. He said the designs were almost entirely completed when this problem arose. The Engineers are, at the present time, working on the design that crosses the tunnel. The Public Works Department is designing a new Trunk Sewer for Wakefield Drive that must be constructed to take care of the excess water from the tunnel area and which they anticipate on advertising for bids on around the 1st of the year.

371
379
Mr. Rowlands advised that the hearing on the Airport would be held December 2 and 3. He stated that the Airport Sub-Committee has arranged to underwrite Mr. Buckley's trip here for the hearing. It is necessary, he said, that we have technical advice to represent us.

There being no further business to come before the meeting, upon motion duly seconded and passed, the meeting was adjourned at 6:45 P. M.

Ben Hanson
Mayor of the City Council

Attest:

Josephine Mecton
City Clerk