

Monday, December 27, 1954.

Council met in regular session. Present 9; Battin, Bratrud, Goering, Hooker, Humiston, Jensen, Perdue, Stojack, Tollefson. Absent 0.

It was moved by Mr. Stojack, 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 unanimously.

RESOLUTIONS:Resolution No. 14122.By BRATRUD:

Authorizing a private sale of all right, title and interest of City of Tacoma acquired by and through local improvement district assessments and proceedings for foreclosure, for sum of \$136.55 and authorizing execution and delivery to A. W. Kendall of a local improvement assessment deed covering Lots 15 to 18 inc., Block 49, Monticello Park Addition (located at 6237 South Cedar Street).

Adopted on roll call December 27, 1954.
Ayes 9; Nays 0; Absent 0.

Initial Resolution No. 14123- L I D 4549.By BRATRUD:

Stating intention of Council to order the grading to the established sub-grade and placing thereon a 6-inch cement concrete pavement in the alley between I and J Streets from North 9th Street to North 10th Street, creating L I D 4549 and fixing January 18th, 1955 as the date for hearing thereon. It was moved by Dr. Humiston to suspend Rule 9, seconded by Col. Hooker and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call December 27, 1954.
Ayes 9; Nays 0; Absent 0.

Resolution No. 14124.By HUMISTON:

Authorizing certain employes of the Light and Water Divisions right to vacation which normally should have been taken in 1954, and to take the same during the year 1955. It was moved by Col. Hooker to suspend Rule 9, seconded by Mr. Jensen, and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call December 27, 1954.
Ayes 9; Nays 0; Absent 0.

Resolution No. 14125By BRATRUD:

Authorizing and directing proper officers of City to execute and deliver a conditional sale contract to Richard M. Brynestad and Rosemary A. Brynestad, for \$2100.00, payable \$425.00 in cash and balance at rate of \$15.00 per month, covering Lots 7 to 16 inclusive, Block 6, White and Ouimette's Addition. (Located at Ea. 59th between McKinley Avenue and East I Street).

Adopted on roll call December 27, 1954.
Ayes 9; Nays 0; Absent 0.

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Resolution No. 14126.By ERATKUD:

Authorizing and directing proper officers of City to execute and deliver to Arthur F. Swanson a local improvement assessment deed, upon payment of sum of \$562.48 covering certain property in Defiance Park Addition (Located on North Frace Street and on No. 50th Street between Frace and Lexington).

Adopted on roll call December 27, 1954.

Ayes 9; Nays 0; Absent 0.

Resolution No. 14127.By PERDUE:

Approving recommendation of the Chief of Police and the Board of Contracts and Awards and awarding the contract for furnishing 10- 1955 Police Special V-8 four door sedans and 1- 1955 V-8 Panel truck to the Titus Motor Co. on its bid of \$22,237.23 plus sales tax, less turn-in allowance of \$6,002.00, making a net bid of \$16,235.23.

Adopted on roll call December 27, 1954.

Ayes 9; Nays 0; Absent 0.

Resolution No. 14128.By PERDUE:

Authorizing certain General Fund Department employes the right to vacation which normally should have been taken in 1954, and to take the same during the year 1955. It was moved by Dr. Hamiston, seconded by Mrs. Goering to suspend Rule 9 and carried unanimously on voice vote. The resolution was then adopted without having been read in full.

Adopted on roll call December 27, 1954.

Ayes 9; Nays 0; Absent 0.

Resolution No. 14129.BY JENSEN:

Approving recommendation of the Director of Public Works, Director of Utilities and Board of Contracts and Awards and awarding contract for furnishing fuel oil requirements of the City for the period commencing January 1, 1955 and ending June 30, 1955 to Pacific Coast Coal and Oil Company on its low bid of \$16,200.00.

Adopted on roll call December 27, 1954.

Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:Ordinance No. 15202.

Amending Section 1 of Ordinance No. 14024, entitled: "An ordinance creating and establishing a fund to be known as the "Sidewalk Construction Fund" for the purpose of financing the construction of sidewalks and sidewalk repairs, under the provisions of Chapter 177, Laws of Washington 1949; and providing for payments and advances into said fund and for expenditures therefrom." Read by title and placed in order of final reading.

Ordinance No. 15203. L I D 4528.

Approving and confirming assessment and assessment roll for cost of the improvement in L. I. D. 4528. Read by title and placed in order of final reading.

Ordinance No. 15204. L. I. D. 4530.

Approving and confirming assessment and assessment roll for cost of the improvement in L. I. D. 4530. Read by title and placed in order of final reading.

Ordinance No. 15205. L. I. D. 2183.

Approving and confirming assessment and assessment roll for cost of the improvement in L I D No. 2183. Read by title and placed in order of final reading.

Ordinance No. 15206. L. I. D. 2204.

Approving and confirming assessment and assessment roll for cost of the improvement in L. I. D. No. 2204. Read by title and placed in order of final reading.

Ordinance No. 15207.

Ordering the construction, reconstruction and repair of sidewalks, gutters and curbs along and driveways across sidewalks and other appurtenances and works necessary thereto; providing for the payment therefor; stating the amounts of cost to be borne by the City Street Fund; and directing the levy of special assessments according to the benefits upon the respective abutting properties. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:Ordinance No. 15197.

Amending Section 17 of Ordinance No. 11459 entitled: "An ordinance granting to the Tacoma Railway and Power Company, a corporation, its successors and assigns, the authority, right and privilege to establish, maintain and operate a transportation system in and upon streets of the City of Tacoma for the transportation of passengers for hire; and fixing the terms and conditions of such grant." (reduce gross earnings tax from 4 to 3 percent effective January 1, 1955.) Read by title. It was moved by Mr. Bratrud, seconded by Mr. Stojack to suspend Rule 9, and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 9; Nays 0; Absent 0.

Ordinance No. 15198.

Ratifying and confirming a loan by the City of Tacoma in the amount of \$960,000.00; authorizing the issuance and sale therefor of general negotiable serial interest-bearing coupon general obligation general street and bridge improvement bonds, Series "A" in the amount of \$500,000.00, and Series "B" in the amount of \$460,000.00, for the purpose of providing funds for the payment of the cost of the construction of capital improvements consisting of street and bridge improvements necessary to improve the general system of streets and bridges of said City as submitted to the qualified voters under Ordinance No. 15078, passed August 30, 1954; and providing for the levy and collection of taxes for the payment of the principal and interest of said bonds. Read by title. It was moved by Dr. Humiston, seconded by Col. Hooker to suspend Rule 9 and carried unanimously on voice vote. It was moved by Dr. Humiston that Ordinance No. 15198, which had its first reading before the Council on Monday, December 20, 1954, be amended before final passage as follows, to-wit:

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(1) Delete in the title the words "and creating and establishing a fund to be known as 'General Street and Bridge Improvement Fund'".

(2) In the 13th line on the second page, following "authorized", insert "at par and accrued interest".

(3) In the next to the last line of Section 3, following the word "rate", insert "or rates".

(4) In the caption of the bond form in Section 5 change "BONDS" to read "BOND".

(5) Change the period at the end of the first sentence of the first paragraph of the bond form to a comma and add "or, if this bond be registered as to both principal and interest, to the registered holder hereof."

(6) Change to "General Obligation Street and Bridge Improvement" the words "general obligation street lighting", appearing in the coupon form on the fourth page, and change the word "bonds" to read "Bond". Delete the word "Bond" preceding "No.".

(7) In the first paragraph on the fifth page change "The" to "the" and insert prior to such word the words: "If the bonds maturing on and after ten years from their date are made redeemable, then".

(8) In the first line on the fifth page delete "eleven years" and insert in lieu thereof "ten years and six months".

(9) In the third line of Section 6 insert "at and" preceding "after", and in the sixth line change "bond" to "bonds".

(10) Change the first five lines and a part of the sixth line of the quoted paragraph in Section 6 to read as follows: "The City of Tacoma reserves the right to redeem the bonds of the issue of which this bond is a part, maturing after ten years from their date of issuance at par and accrued interest, on _____, or on any interest paying date thereafter, as a whole, or in part in inverse numerical order, commencing with the highest numbered outstanding bond;" and change "Provided" to "provided".

(11) In the 4th line of Section 7 delete "under" and insert in lieu thereof "and shall be sealed with", and in the same line following "Tacoma" insert "attested by the City Clerk,".

Motion seconded by Col. Hooker and carried on roll call: Ayes 9; Nays 0; Absent 0. Roll was then called on the passage of Ordinance No. 15198, without same having been read in full, as amended above.

Roll call: Ayes 9; Nays 0; Absent 0.

Ordinance No. 15199.

Ratifying and confirming a loan by the City of Tacoma in the amount of \$1,500,000.00; authorizing the issuance and sale thereof of general negotiable serial interest bearing coupon general obligation street lighting bonds, Series "A", "B" and "C", in the amount of \$500,000.00 for each series, for the purpose of providing funds for the cost of capital improvements consisting of additions, betterments and extensions to the existing artificial street lighting system in the City of Tacoma, Washington, as submitted to the qualified voters under Ordinance No. 15077, passed August 30, 1954; and providing for the levy and collection of taxes for the payment of the principal and interest of said bonds. Read by title. It was moved by Dr. Humiston, seconded by Mr. Perdue to suspend Rule 9 and carried unanimously on voice vote. It was moved by Dr. Humiston, that Ordinance No. 15199, which had its first reading before the Council on Monday, December 20, 1954, be amended before final passage as follows, to-wit:

(1) Delete in the title the words "and creating and establishing a fund to be known as 'Street Lighting Fund'".

(2) In the 13th line on the second page, following "authorized", insert "at par and accrued interest".

(3) In the next to the last line of Section 3, following the word "rate", insert "or rates".

(4) In the caption of the bond form in Section 5 change "BONDS" to read "BOND".

(5) Change the period at the end of the first sentence of the first paragraph of the bond form to a comma and add "or, if this bond be registered as to both principal and interest, to the registered holder hereof."

(6) Capitalize the first letters of the words "general obligation street lighting", appearing in the coupon form on the fourth page, and change the word "bonds" to read "Bond". Delete the word "bond" preceding "No.".

(7) In the first paragraph on the fifth page change "The" to "the" and insert prior to such word the words; "If the bonds maturing on and after ten years from their date are made redeemable, then".

(8) In the first line on the fifth page delete "eleven years" and insert in lieu thereof "ten years and six months".

(9) In the third line of Section 6 insert "at and" preceding "after", and in the sixth line change "bond" to "bonds".

(10) Change the first five lines and a part of the sixth line of the quoted paragraph in Section 6 to read as follows: "The City of Tacoma reserves the right to redeem the bonds of the issue of which this bond is a part, maturing after ten years from their date of issuance, at par and accrued interest, on _____ or on any interest paying date thereafter, as a whole, or in part in inverse numerical order, commencing with the highest numbered outstanding bond;" and change "Provided" to "provided".

(11) In the 4th line of Section 7 delete "under" and insert in lieu thereof "and shall be sealed with", and in the same line following "Tacoma" insert "attested by the City Clerk,".

Motion seconded by Mr. Perdue and carried on roll call: Ayes 9; Nays 0; Absent 0. Roll was then called on the passage of the ordinance as amended above, without same having been read in full.

Roll call: Ayes 9; Nays 0; Absent 0.

Ordinance No. 15200.

Amending Section 29 of Ordinance No. 14887 entitled: "An ordinance to be known as the Administrative Code providing for the establishment of a complete plan of administrative organization of the government of the City of Tacoma; defining the jurisdiction, functions and powers of departments, offices, boards and other units of the City; and establishing administrative procedures; and repealing Ordinance No. 14822." (Public Works Department). Read by title. It was moved by Mr. Jensen to suspend Rule 9, Seconded by Mr. Perdue and carried unanimously on voice vote. The ordinance was then passed without having been read in full.

Roll call: Ayes 9; Nays 0; Absent 0.

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UNFINISHED BUSINESS:

The Director of Public Works submitted the assessments and ^{Y10}assessment rolls for the cost of the improvements in Local Improvement Districts Nos. 2070, 2195 and 4531. It was moved by Dr. Humiston, seconded by Mr. Stojack that February 1, 1955 be fixed as the date for hearing on said rolls. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

This being the date fixed by Resolution No. 14104, adopted November 29, 1954, for hearing on petition of William J. Parker, et al (9-23-54) for vacation of the alley between Cedar and Junett Streets extending from South Tacoma Way on the south to Northern Pacific Railroad right of way on the north; and a narrow strip of land extending between Cedar and Junett Streets along north side of Blocks 11 and 12 and between Northern Pacific Railroad Right of way and Lots 1 and 2, Block 12 and Lots 1, 2 and 3, Block 11, Junett's Addition, the Clerk reported the posting of the notices required by law and the filing of an affidavit of such posting. Also reported that the fee of \$80.00 had been paid by the petitioners and that no remonstrances had been filed against the proposed vacation. Also reported that the City Planning Commission and the Light and Water Divisions approved the granting of this petition. Atty. Henry Arnold Peterson advised the Council that he was in the process of collecting the appraisal cost amounting to \$1950 from his clients and would be in a position to pay the City this amount in full within the next two days. It was moved by Mr. Bratrud, seconded by Mr. Perdue that the petition be granted and the City Attorney instructed to draw the necessary ordinance. It was moved by Dr. Humiston, seconded by Mr. Stojack that this motion be amended to provide that the petition be granted subject to payment of the appraisal fee by the petitioners. Roll was called on the amendment; resulting as follows: Ayes 9; Nays 0; Absent 0. Roll was then called on the original motion, which was carried: Ayes 9; Nays 0; Absent 0.

This being the date fixed by Resolution No. 14105, adopted November 29, 1954, for hearing on application of City of Tacoma, Water Department, for vacation of a certain portion of East N Street at or near 37th Street, which is necessary for the construction of a low service reservoir, the Clerk reported the posting of the notices required by law and the filing of an affidavit of such posting. Also reported that as this was at the request of the Water Division no fee was required and that no remonstrances had been filed against the proposed vacation. Mr. Stojack asked if any recommendation with reference to the petition had been received from the Planning Commission and was advised that the matter had not been referred to that Department. Mr. Boyle advised that inasmuch as this property was being vacated for City purposes, the Council had authority to grant the petition without the approval of the Planning Commission if it so desired. Since there was no rush in this matter, several of the Council members felt the Planning Commission's approval should be requested before the petition was granted. It was moved by Mr. Bratrud, seconded by Mr. Stojack that the vacation be referred to the City Planning Commission for its approval, and carried unanimously. It was moved by Mr. Perdue, seconded by Mr. Bratrud that the hearing be continued to January 10th, 1955. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

Mr. Bratrud, Chairman of County-City Building Committee, reported that Dr. Humiston had been successful in getting an appointment with the County Commissioners for a conference on the "Terms of Occupancy", which meeting is scheduled for Thursday, December 30th at 10 A. M and he urged as many of the Council members to be present as were able.

NEW BUSINESS:

Referring to the article in the Sunday paper regarding a raise in Garbage Collection rates amounting to 25¢ a month, Mr. Jensen stated that as far as he could see no efforts were being made to put the Department on a self-supporting basis and that he was opposed to a raise in rates until every angle had been thoroughly investigated. Mr. Stojack also said he was opposed to raising the rates except as a last resort. Mr. Backstrom referred to C. M. #62 relative to bi-monthly billing of sewer and garbage accounts, which he stated would result in an annual saving of \$26,000 for the Sewer Utility and \$15,000 for the Garbage Department, and stated that both the sewer and

garbage ordinances would have to be amended by Council in order to put into effect this system of billing. This phase was discussed and the Council favored the immediate passage of the necessary ordinances to make possible this saving as soon as possible.

Mr. Jensen reported that he and Mr. Stojack had seen the operation of the Pierce County Waste Disposal Area and contended that this was being operated at approximately half the expense of the City dump, and suggested that possibly this angle of economy should be considered for the City. He submitted a memorandum from William A. Stancer, County Engineer, explaining the County methods, and the Clerk was directed to have copies of this letter prepared for each member of the Council.

Mr. Jensen also asked whether or not another dump in some other part of the City would cut down the cost of hauling and thus result in a saving to the Garbage Department. Mr. Hiberly, Superintendent of the Garbage Department, related at length the problems the City had experienced in the 1930's when it attempted fills in several locations in the City, and stated that at the present time they do not know where a second dump could be started as suggested by Mr. Jensen.

Mr. Jensen said he had talked to several private operators who felt the the City was not running the Garbage Department as efficiently or economically as it could, and he suggested that the angle of contracting the Garbage Collection be also considered. Mr. Hiberly refuted this statement by figures showing that Tacoma compared favorably with other cities. Mr. Backstrom did not favor going into private contract as the City loses control and it has proved unsatisfactory in many cities and is being abandoned.

Mr. Backstrom read portions of MC 63 relative to Garbage Department Operations and increased garbage rates for Council's information and gave particular emphasis to page 8 of this communication with reference to recommendations that the Council provide for an increase of 33-1/3% in the garbage rates with the provision that if operating costs remain relatively stable, if revenues are collected as anticipated and if further economies can be effected; all resulting in a surplus within the department, that such surplus be returned to the customers in the form of an annual dividend by providing one month's free service.

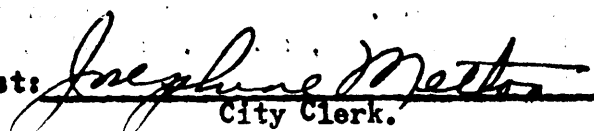
Mrs. Goering protested the continual publicity which was being given to raises in utility rates and noted that no mention was given in the press or by radio of the suggestion of giving one month garbage service free should there be a surplus.

After a considerable number of questions by the Council members, which were answered by Mr. Hiberly, it was decided that further study should be given the garbage department situation before action was taken to raise the collection rates.

Mr. Stojack, who is a member of the Planning Commission, stated that he had been asked by the Commission to obtain a clarification from the Council on the rezoning matter of the O'Flyng property at South 52nd and Pacific. By Resolution #14093 they were instructed to hold a hearing for creation of a C-3 District and later by Resolution #14118 they were directed to hold the hearing for an R-4-T District for a larger area which would also include the O'Flyng property, he said. The Planning Commission now wants to know whether they are supposed to hold both of these hearings or just for the R-T-4 District. Mr. Boyle explained that while the Council took no action in connection with former Resolution No. 14093 (C-2-District) it was the intention that action would be delayed pending the results to be obtained under Resolution No. 14118 (R-4-T District). Mr. Boyle was asked to write a letter to the City Planning Commission giving them this explanation.

Upon motion, duly seconded and carried, Council then adjourned at 10:00 P. M.


President of City Council

Attest: 
City Clerk.