

MAY 19 1958

COUNCIL CHAMBER, 7:30 P.M.
Monday, May 19, 1958

Council met in regular session. Present on roll call 6; Bratrud, Goering, Hansen, Humiston, Stojack and Mayor Anderson. Absent 3, Battin, Perdue and Tollefson. Mr. Perdue taking his seat at 7:45 P.M.

It was moved by Mr. Bratrud to approve the minutes of the previous meeting, May 12, 1958. Seconded by Dr. Humiston. Motion carried on roll call: Ayes 6; Nays 0; Absent 1, Battin.

RESOLUTIONS:

Mayor Anderson said for the past six years the Junior Chamber of Commerce has sponsored their annual "Clean-up-Paint-up-Fix-up Day" and that a Resolution has been prepared for tonight's meeting which does not appear on the Agenda.

It was then moved by Dr. Humiston, seconded by Mr. Bratrud, to suspend the rules to consider Resolution No. 15349. Motion carried. Ayes 6; Nays 0; Absent 3, Battin, Perdue and Tollefson.

Resolution No. 15349:

By THE COUNCIL:

Fixing Saturday May 24, 1958 as "Clean-up-Paint-up-Fix-up Day".

Mr. Bob Hodve, President elect of the Tacoma Junior Chamber of Commerce and Chairman of the "Clean-up-Paint-up-Fix-up Day", was present and explained they are urging citizens to clean up their property and they are making arrangements to dispose of all material that they cannot burn. He said their members will be host at the City Dump this Saturday. Also City garbage trucks will be available next Monday and Tuesday for picking up rubbish if prior arrangements are made.

Adopted on roll call May 19, 1958
Ayes 6; Nays 0; Absent 3, Battin, Perdue, Tollefson

Resolution No. 15340:

By BATTIN:

Consenting to the establishment of limited access for a portion of Primary State Highway No. 1, located near So. 68th and Sprague and extending north and east to the vicinity of M Street near So. Tacoma Way, in accordance with the plan entitled "Primary State Highway No. 1, Tacoma Freeway South City Limits to Pacific Avenue. Plan showing access", as designated on sheets 2 and 3 of said plans.

Mr. Rowlands, City Manager, advised that the deeds have been received and have been placed in escrow. He pointed out that this Resolution is comparable to the one that was passed last year by Council, which covers the area from the South City limits to South 40th Street. He added that this

Resolution covers property located between South 68th Street and approximately South M Street and modifies certain access areas between South 68th and South 40th as was originally presented in Resolution No. 14998.

Adopted on roll call May 19, 1958
Ayes 6; Nays 0; Absent 3, Battin, Perdue, Tollefson

Resolution No. 15345: L I D 1972

245
X

By ANDERSON:

Fixing June 17, 1958 as the date for hearing on L I D 1972 - sanitary sewers etc. in Jackson Avenue, North 17th Street, Cascade Street, North Fir Street and Juniper Street.

Adopted on Roll Call May 19, 1958
Ayes 6; Nays 0; Absent 3, Battin, Perdue, Tollefson

Resolution No. 15346:

By GOERING

Authorizing proper officers of the City to sell approximately 4,000 pounds of junk brass and bronze to the Pacific Iron and Metal Co. on their bid of \$.1231 per pound.

Adopted on roll call May 19, 1958
Ayes 6; Nays 0; Absent 3, Battin, Perdue, Tollefson

Resolution No. 15347:

By BATTIN:

Authorizing the proper officers of the City to execute an agreement with Hill and Ingman, retaining said firm for the purpose of making a comprehensive study and report for sewer use charges, for a fee not to exceed \$10,000.00.

Lost on roll call May 19, 1958
Ayes 3; Nays 3; Goering, Humiston, Anderson; Absent 3, Battin, Perdue, Tollefson

Mr. Perdue taking his seat during the following discussion.
Dr. Humiston said he had asked for background material from the Manger's office in reference to this Resolution and said there are several different problems involved. There are basic principles on which the Ordinance has to be set up with respect to the amounts of solids in the sewerage and the biological oxygen demand, etc. He said some type of program must be set up for continuing examination according to whatever formula is set out in the rate ordinance. He said he would like to see the Public Works Department do the testing that will be required after an ordinance is passed, and which must be done on a continuous basis. He said it would be impossible to set a rate unless the firm who has the assignment knows how much money must be raised. He said the first step the City should take before setting the rate, is to formally endorse a program to finance the sewer service charge. The Brown & Caldwell report recommends a certain rate of speed for progressing, with the development of the sanitary sewer program. The City should be presented with some alternative plans in order to determine speed with which they can proceed.

Mr. Hansen said he thought the Council still needs an opinion from a firm such as Hill and Ingman before the bonds are sold. "If we get the

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opininn now it will assist us in approaching other problems that may arise." he added.

Mr. Rowlands said the City does not have the personnel to make such a study. Mr. Perdue explained that Brown and Caldwell is a recognized firm in this field and are prepared to make such a study as we require. He said they undoubtedly have a wealth of information from the work they have already done for the City, which should save them considerable time if they were given this study. After some discussion it was suggested by Mr. Perdue that a Resolution be drawn naming Brown and Caldwell as the firm to make the survey, at a cost not to exceed \$5,800.00.

Resolution No. 15348:

By GOERING:

Opposing the construction of any bridge or bridges across Puget Sound from the Peninsula to Vashon Island or between Vashon Island and Fautleroy.

Mr. Rowlands explained that MC-197 had been sent to all Council members explaining the situation on the cross-sound bridge. He said the U. S. Army Engineers recommend that they substitute a floating bridge on Colvos passage with a 70 foot vertical clearance. This would not permit the use of the west passage by the larger ships, he explained. He said this Resolution would reiterate Council's position. We have notified the Army Engineers, on two previous occasions, of our position that we do not want bridges in either passage which will constitute a hazard to navigation and that is what this particular Resolution will do. This was the same position that was taken by the Chamber of Commerce Committee and other groups in the community, interested in the shipping industries.

Adopted on roll call May 19, 1958
Ayes 7; Nays 0; Absent 2, Battin, Tollefson.

Mayor Anderson explained that Mr. Sweeting, Vice President of the Medosweet Dairy, was present on the hearing for the vacation of the alley between Puyallup Avenue and South 25th; and Pacific Avenue and A Street, and asked the Council if they would reverse the order of business to take the matter up at this time.

It was then moved by Dr. Humiston that the rules be suspended to allow the hearing to be held, Motion seconded by Mr. Hansen and carried unanimously.

UNFINISHED BUSINESS:

Mr. Rowlands explained that this proposed vacation had been studied very carefully for a period of several months with respect to sewer lines, utility poles, etc., which will have to be relocated.

The Planning Department advised that three conditions must be met before the vacation is approved.

- (1) Reservation of an easement over the vacated alley from the existing sewer line.
- (2) Dedication by Medosweet Dairies, Inc., for an alley turnabout in the block and designed and specified by the Public Works Department.
- (3) Payment by Medosweet Dairies of the cost of relocating electric

- (3) and telephone facilities required for removal of the utility pole presently located in the alley between Lots 9 & 8, Block 7413.

These conditions were acceptable to the Medosweet Dairy. Mr. Sweeting said this vacation is to permit a substantial expansion of the Medosweet Dairy plant, to replace a separate facility which will have to be removed from the freeway right-of-way.

Mr. Bratrud then moved that an Ordinance be prepared approving this vacation. Seconded by Mr. Perdue. Carried unanimously.

FIRST READING OR ORDINANCES:

Ordinance No. 16112:

Amending the Official Code of the City relating to retirement and pensions. (pertaining to election of Board members)

Mr. Rowlands advised that this Ordinance provides for the use of absentee ballots by City employees in the election of Board Members of the Tacoma Employee Retirement System. It also provides for a primary and final election if a nominee does not receive more than 50% of the total votes cast at the primary election.

Ordinance No. 16113:

Amending the Official Code relating to licenses and taxes. (excluding business of producing, selling and distributing steam and hot water to consumers within the City from paying B. and O Tax.)

Mr. Rowlands advised that this Ordinance was discussed at last week's meeting and that a representative will be present next week when the ordinance will be given final reading. He added that a copy of the Franchise with the Consumers Central Heating Company was distributed with the agenda.

Mr. Humiston asked Marshall McCormick, City Attorney, the meaning of Section 1 of the franchise ordinance stating "the right privilege and franchise to engage in the business of manufacturing, selling, distributing and supplying steam and hot water to consumers, and the right, privilege, and authority to enter upon, use and occupy, for the purpose hereinafter named streets, etc."

Mr. McCormick explained that this was the normal phraseology used at that time in a franchise ordinance. The franchise is for the purpose of using the streets, as you cannot use the ground underneath the streets without using the streets also, he stated. He advised that Mr. Comfort, Assistant Attorney, is in the process of preparing a comparison of the franchise ordinance so that the similarity of the ordinance and the legal ramifications in connection therewith will be more explicit. This will be ready for next Monday's meeting, he added.

Ordinance No. 16114:

Amending Sections 11.36.100 and 11.36.110 of the Official Code and adding a new section to be known as Section 11.36.120 - relating to traffic - designating speed limit on various streets throughout the City.

Mr. Rowlands advised that the speed limit had been increased on a

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number of streets in the City. This was done scientifically by members of the Traffic Engineering Division. He said they talked with the Traffic Engineers and the Police Department and have tried to make the speed as realistic and consistent with the terrain and topographical feature and other factors in the area. This was true in the 35 and 40 mile speed limits, he added.

Mr. Kosai, Traffic Engineer, advised that at the first of the year there was a question as to the speed limit on the streets, and at that time he had one of his Engineers make a thorough study of all arterial streets. They have been working under the new speed limit for several weeks, and the follow-up study indicates, in accordance with their report, that the speed limits set, are in accordance with their findings.

Mrs. Goering asked Mr. Kosai, if the forty mile per hour limit was a permissible speed in Cities. Mr. Kosai explained that in the 1953 State Legislature they provided that 35 miles per hour could be exceeded if it was done only after proper engineering studies.

Mr. Rowlands advised that there were two changes to be made in the Ordinance. One, on page 2 - line 38 - should read Pacific Avenue from South 17th Street to South 64th Street instead of South 67th Street. On page 3 - Section 2 - 11.36.100 - 14th line - should read Center Street from Union Avenue to M Street, instead of Center Street from Union Avenue to K Street.

Moved by Dr. Humiston to amend line 38 on page 2 to read Pacific Avenue from South 17th Street to South 64th Street, seconded by Mr. Bratrud. Carried unanimously on roll call. Moved by Dr. Humiston to amend line 14 on page 3 to read Center Street from Union Avenue to M Street. Seconded by Mr. Bratrud, Carried unanimously on roll call.

FINAL READING OF ORDINANCES:

Ordinance No. 16077:

Amending Chapter 6.70 of the Official Code of the City of Tacoma, relating to the Utilities Gross Earnings Tax.

Mr. Rowlands advised that they have not had an opportunity to talk to Mr. Barline as he has been out of town for the past couple of weeks, and asked that this Ordinance be postponed for three weeks (June 9, 1958) in order to confer with Mr. Barline. It was moved by Dr. Humiston, seconded by Mr. Bratrud to postpone this for three weeks. Carried on roll call. Ayes 7; Nays 0; Absent 2, Battin, Tollefson

Ordinance No. 16105:

An Ordinance providing for the improvement of L I D 4626 for paving, curbs, and gutters on South Thompson from South 48th to South 50th; I Street from South 48th to South 52nd Street; J from South 48th to South 50th Street; L Street from South 50th to South 52nd; South 50th from M Street to Thompson Avenue; and 52nd Street from M to J Street.

Mr. Bratrud explained that this Ordinance was held over for an opinion from the City Attorney as to whether one street could be deleted from the area. He said the Attorney advised that it could not be done in this particular case, and added that it was the committee's recommendation that the Ordinance be passed. Roll was then called on the Ordinance resulting as follows: Ayes 7; Nays 0; Absent 2, Battin, Tollefson

Mr. Rowlands said that copies of the Attorney's opinion were sent to all members of the Council and said that it should be stressed that in no instance, when there is an LID that is contiguous, that no section of that can be deleted.

Mr. McCormick explained that where there are separate projects which are joined in one LID, and not a continuation of one another, under those circumstances he said, that portion can be dropped without starting all over again with a new Resolution and a new hearing date. He said when it is one continuous improvement it cannot be done without starting completely over again.

Ordinance No. 16106:

Relating to welding; making it unlawful for any person to engage in the business of welding in the City without securing a certificate therefor, and adding a new chapter to the Official Code of the City under Title 6.

Mr. Rowlands advised that there was one correction that should be made on Page 2 of the Ordinance and asked that 6.74.040 "Renewal of Qualifications" be deleted. He said the last paragraph of this section on Page 3 be entitled, Section 6.73.040 with the new caption "Restricted Certificate". He said the two points mentioned under "Renewal of Qualifications" are irrelevant and undesirable.

Dr. Hamiston then moved to delete paragraph 1 of Section 6.73.040 and adding the caption "Restricted Certificate" to the last paragraph. Seconded by Mr. Perdue and carried unanimously on roll call.

Mr. Elmer Norman, Business Agent for the Iron Worker's Union said that for the past three years his Union has had trouble getting certified welders. He said when their men are called on a job that required a certified welder, they had to go to either Portland or Seattle to obtain this certificate. He said this Ordinance pertains to structural steel welding and reinforced steel bars, it does not pertain to boiler makers, machinists or millwrights. To avoid having to go to Seattle to get men who are certified "we have asked that this Ordinance be drawn requiring certificates for certain welders", he added. He said his men were well satisfied with this Ordinance, inasmuch as millwrights and others will not be interrupted by this Ordinance.

Mr. Finnigan advised that the Ordinance as written, does not clarify the feeling behind it. He said if it is directed specifically to structural steel welding in the field, it should so state and exclude everything else. He said that many pre-fabricated parts are shipped to Tacoma from other sections of the country and he feels these should be examined and accepted by someone from the City Engineer's office, or someone of equal capability. He said he feels that this Ordinance was not drawn clearly enough to confine it to the requirement of a certification by a welder on the job site. If that is the intent, the ordinance should be re-written covering that and that alone, or covering the complete picture and include examination and acceptance by some representative of the City Engineer's office on every job and every item that pertains to steel. This, he said, would clarify it considerably for the future.

Mr. Bob Allen of the Star Iron & Steel Co. advised that there were

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several points in this Ordinance that raise immediate questions from the business standpoint and asked if it would be possible to refer this Ordinance to the committee where these questions might be answered rather than taking the time of the Council tonight.

Mr. Gillis said he would also be in favor of postponing this Ordinance for one week for the benefit of Mr. Allen and other local manufacturers to work out these objections as he believes it can be made acceptable to them.

Dr. Humiston then moved that the Ordinance be postponed for one week, seconded by Mr. Stojack. Motion carried unanimously on roll call.

Ordinance No. 16107:

Appropriating \$4,301.51 from the Cumulative Reserve Fund, Streets and Bridges and \$5,698.49 from the City Street Fund for the purpose of re-grading South 9th Street in the vicinity of G Street, (declaring an emergency making necessary the passage of this ordinance and the appropriation herein contained).

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

Ordinance No. 16108:

Amending Ordinance No. 15928 regarding schedule of charges to be paid into Equipment Rental Fund by various offices and departments of the City.

Roll call: Ayes 7; Nays 0; Absent/² Battin, Tollefson

Ordinance No. 16109:

Relating to zoning and amending Chapter 13.06 of the Official Code by adding a new section to be known as Section 13.06.120 (5) property located on the N.W. corner of east 40th and Portland Avenue to be included in the C-1 Commercial District.

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

Ordinance No. 16110:

Relating to elections and Dividing the City of Tacoma into various election precincts for the holding of State and Municipal elections.

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

Ordinance No. 16111:

Amending Section 5.26 of the Official Code relative to the impounding of stray dogs and cats and the redemption of cats or other small animals.

Mayor Anderson asked if anyone in the audience wished to speak on this Ordinance. Mrs. Gladys Orford advised there should be an Ordinance or some control law for cats, but said she did not believe this Ordinance as drawn meets the situation at all. She asked that the Ordinance be modified by the addition of "loitering" for a period of three or more days for no apparent reason",

also that a fee for the redemption of cats be lowered.

Mr. James Porter, Councilman elect, said he did not believe forty-eight hours was long enough time to hold a cat before disposal.

Mr. Carl Skoog, member of the Humane Society advised that three days is sufficient time in which to locate and pick up a cat at the pound and that he himself would not wait three days to inquire about his cat if it were lost.

Several other citizens were present to protest the Ordinance as presented. Mr. Archie Fidler, Manager of the Humane Society, stated the Society should be entitled to accept a cat if it is brought in by a citizen. He said they wanted to legalize what the Society has been practicing for years inasmuch as a cat is actually never destroyed for three full days after the day it is brought into the pound, which actually makes it nearly a four day waiting period, and also that the Humane Society does not intend to enforce a cat "leash law".

Roll was then called on the Ordinance resulting as follows:
Ayes 7; Nays 0; Absent 2, Battin, Tollefson.

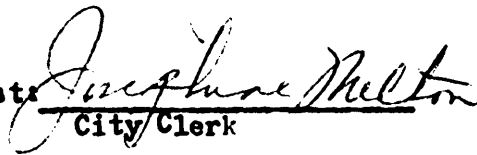
UNFINISHED BUSINESS:

Mr. Rowlands said he would like to report on the Greyhound bus situation. He said the Council had requested that the City check with the Greyhound Bus Company to see if some solution could be worked out with respect to the parking of their buses on the City streets. Mr. Rowlands said they have contacted the Bus Company, and said this problem will be worked out by the construction of the new depot and that they are going to park occasionally in Court A, off of A Street for the next five or six months while the depot is being constructed.

There being no further business Council adjourned at 9:20 P.M.



President of City Council

Attest: 

City Clerk

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

- a. Personnel Report for the month of April, 1958
- b. Annual Report for the Director of Finance - for year ending December 31, 1957.
- c. 17th Annual Report- Tacoma Employees' Retirement System - 1957.
- d. Report of the Director of Finance - April, 1958