

AUG 30 1960

City Council Chambers, 7:00 P. M.  
Tuesday, August 30, 1960

Council met in regular session. Present on roll call: 8, Bott, Cvitanich, Easterday, Murtland, Olson, Price, Steele, and Mayor Hanson; Absent 1, Porter. Mr. Porter coming in at 7:10 P. M.

Mrs. Price moved that the minutes of August 23, 1960 be approved as submitted. Seconded by Mr. Steele. Voice vote resulted as follows: Ayes 8; Nays 0; Absent 1, Porter. Motion carried. Mr. Porter coming in at this time.

#### HEARINGS AND APPEALS:

This is the date to which the petition of E. Jennings Beard, Regional Real Estate Officer of the Post Office Department, was set over for final action; on the rezoning of the property located at 38th & "A" Streets from "R-3" to "C-1" District.

Mayor Hanson said the hearing was completed at the last Council meeting and action on the petition was postponed until this date.

It was moved by Mr. Bott that the Council sustain the recommendation of the Planning Commission to deny the petition. Seconded by Mr. Easterday. Roll call resulting as follows: Ayes 5; Nays 4, Cvitanich, Olson, Price, Steele.

This is the date to which the petition of the American Manufacturing Co. was set over for final action, for the vacation of Court "A" between South 21st and South 22nd Streets.

Mayor Hanson said correspondence has been received on this matter indicating that not only the Greyhound Corporation, but also the Puget Sound <sup>Auto</sup> Electric Company are objecting to the vacation.

Mr. James Ramsdell, representing the American Manufacturing Company, said he was sure there was no question, after a discussion he has had with Mr. E. W. Eatock, President of Puget Sound Auto Electric Co., he felt they will go along with their proposal, as they do not propose to eliminate the alley as a place of means of egress or ingress into his or any other business. He said the Traffic Engineer has made a traffic count in the area and has made some very significant findings in connection with it. He said the report indicated that from 12:00 noon to 5:00 P. M. there were 345 pedestrians crossing between the American Manufacturing Co. plants, and a substantial number of vehicles using this as a street. He said this vacation is only a matter of safety for the employees, not for the purpose of building. He said he felt all of the facts have not been fully presented to the Planning Commission and it should be sent back so that all of the facts can be set before them to determine whether or not it can be vacated without 100% approval. At the time the petition was submitted to the Planning Commission there was no opposition to the vacation, he added. He suggested that it be referred back to the Planning Commission for their recommendation.

Mr. Cvitanich said he will again state that this would be a tragic mistake to vacate this area as the City will be establishing a precedent in the downtown area.

Mr. Steele then moved that the petition be referred back to the Planning Commission. Seconded by Mr. Easterday. Motion carried.

This is the date set for hearing on the petition of the Safeway Stores, for the vacation of alley from McKinley Avenue to East "I" Street, between East 35th and Harrison Streets. 392

Mr. Rowlands said this petition has been reviewed, and also a recommendation has been submitted by the Planning Commission, for the approval of the vacation.

Mr. Buehler, Planning Director, said that all of the requirements have been met by the petitioner, and the Ordinance can be brought in immediately.

It was moved by Mr. Bott that the proper Ordinance be prepared providing for the vacation. Seconded by Mr. Steele. Motion carried.

#### COMMUNICATIONS:

Communication signed by (44) property owners requesting the City Council to reconsider the action taken on August 23rd, 1960 in regard to the petition of Northwestern Homes, Inc. to vacate the alley from 6th Avenue to South 7th Street.

Mayor Hanson explained that there might be a possibility of rezoning the entire area. He suggested, if this matter were reconsidered, that it be placed for further hearing on next week's agenda, September 6, 1960. 355

Mayor Hanson then moved that the action taken at last week's meeting be reconsidered. Seconded by Mr. Porter. Ayes 5; Nays 4, Bott, Cvitanich, Easter-day, Murtland. Motion carried.

#### RESOLUTIONS:

Resolution No. 16257: (Postponed from meeting of August 23, 1960)

By request of Cvitanich:

Amending Section 3.7 of the City Charter to provide for the appointment of the City Clerk by the City Manager with confirmation by the City Council.

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Mr. Cvitanich moved that the Resolution be adopted. Seconded by Mr. Steele.

Mr. Porter explained that the City Clerk is appointed by the Council in most cities. He said the amendment would be a compromise between the majority practice and the present City Council's practice.

Mayor Hanson said he could see no violent objection to the amendment, but he could not see sufficient reasons to warrant a change.

Mr. Bott said he could see two objections to this amendment: in the first place, he could see no reason why it should be changed; and secondly, he thought the ballot would be overcrowded.

Mr. Steele said at the time the City Charter was drawn up, the 52 freeholders debated the subject of appointments of all departments, and they reviewed every possible manner of the appointments, not only for the City Clerk, but the City Attorney, and also the Director of Finance. It was the judgment of the freeholders that the City Manager have the power of the City Clerk's appointment. He said it appears from experience in the past 7 years, this procedure has been satisfactory to the Council, and felt there has been no particular cause for concern. He could see no reason for a change on this Resolution, and also for the next Resolution.

Mr. Murtland said he felt this amendment was destroying the concept which was proposed and adopted by the people. He said he also felt that there has been no

reason to indicate that the responsibility has been ill-placed in the appointment that has been made in this particular office, as well as the office of the City Attorney.

Mr. Cvitanich asked Mr. Tollefson, a former freeholder, if he had any comment to make on this matter.

Mr. Tollefson said he recalled no deep conviction either way on the method of the appointment of the City Clerk. He said some freeholders, including Mr. E. K. Murray, had wanted the City Attorney tied more closely to the Council than the Manager, but a majority of freeholders had voted for appointment by the City Manager.

Mrs. Olson said she thought the amendment would tend to weaken the present concept of separation of executive and legislative powers, and felt there would be no place in which to place the responsibility. Therefore, she thought this amendment was not good and does not clarify anything.

Mr. Cvitanich brought out that the City Clerk is the Clerk of the City Council and also of the City of Tacoma, and thought that this should be considered.

Roll call was then taken on the Resolution, resulting as follows:

Ayes 3; Nays 6, Bott, Murtland, Olson, Price, Steele, Mayor Hanson; Absent 0. The Resolution was declared lost by the Chairman.

Resolution No. 16258: (Postponed from meeting of August 23, 1960)

By request of Cvitanich:

Amending Section 3.5 of the City Charter to provide for the appointment of the City Attorney by the City Council in place of appointment by the City Manager.

It was moved by Mr. Cvitanich that the Resolution be adopted. Seconded by Mr. Porter.

Mr. Steele moved that the Resolution be tabled.

Mr. Cvitanich said that this particular Resolution had been discussed in the study session. He said he felt that the City Attorney is more than an attorney and he has a quasi-judicial position to perform. He said City Council members come and go, and also do City Managers, but he thought they should have a measure of stability within one setment of the City Government, and this would tend to strengthen it.

Mr. Porter said he would like to amend the Resolution to read it exactly the same as Resolution No. 16257, except wherever the words "City Clerk" appear, that the words "City Attorney" be substituted there. Seconded by Mr. Cvitanich.

Roll call was then taken on the motion to <sup>amend</sup> result, resulting as follows:

Ayes 6; Nays 3, Bott, Olson, Steele. Motion carried.

Roll call was then taken on the adoption of the Resolution, as amended, resulting as follows:

Ayes 3; Nays 6, Bott, Murtland, Olson, Price, Steele, Mayor Hanson. The Resolution was declared LOST by the Chairman.

Resolution No. 16269:

Fixing Monday, October 10, 1960 at 4:00 P. M. as the date for hearing on L I D 6781 for street lighting on North 22nd Street from Stevens to Huson Streets;

Cascade from North 13th to the Cul-de-sac North of North 17th Street; Fir Street from North 15th Street north of North 17th Street; and at North 17th and Juniper Street.

It was moved by Mr. Bott that the Resolution be adopted. Seconded by Mrs. Price. Voice vote on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was declared adopted by the Chairman.

Resolution No. 16270:

Awarding contract to Jardeen Bros. for W. O. 73059 - Building Construction for Escalator Equipment - in the amount of \$108,106.96, which was determined to be the lowest and best bid.

Mrs. Price moved that the Resolution be adopted. Seconded by Mr. Steele. Voice vote on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was declared adopted by the Chairman.

Resolution No. 16271:

Awarding contract to Tucci & Sons for L I D 3502 on their bid of \$8,243.35 and for the supplemental Proposal of \$1,178.50 plus sales tax, which was determined to be the lowest and best bid.

Mr. Steele moved that the Resolution be adopted. Seconded by Mr. Easterday. Voice vote on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was declared adopted by the Chairman.

Resolution No. 16272:

Authorizing the Mayor of the City of Tacoma to proclaim the week of September 5 through September 11, 1960, as "Union Label Week."

Mr. Steele moved that the Resolution be adopted. Seconded by Mr. Porter. Voice vote on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was declared adopted by the Chairman.

Resolution No. 16273:

Extending the payment by the Federal Government in the sum of \$16,500 for its portion of the operation and maintenance costs for McMillin Reservoir No. 2 for the one-year period commencing October 31, 1960 and terminating October 31, 1961.

AUG 30 1960

368

It was moved by Mr. Steele that the Resolution be adopted. Seconded by Mrs. Price. Voice vote on the Resolution resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Resolution was declared adopted by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 16632:

Amending the Official Code of the City in reference to zoning and adding a new section known as Section 13.06.050 (6) to include property located at the Northeast corner of North 30th and White Streets. (Beverly G. Hoffman petition)

Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 16629:

Appropriating \$6,000 or so much as may be necessary from the General Fund for the purpose of paying for the services of Lybrand-Ross Bros. & Montgomery for making a survey and feasibility study and report on the need for and extent of the application of the mechanized accounting system in the Finance Department of the General Government. Read by title.

Mayor Hanson said that this Ordinance has been discussed at some length previously. Roll was then taken on the Ordinance, resulting as follows:

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

Mayor Hanson announced that the Ordinance fails, since it is an emergency appropriation.

Mr. Rowlands said, inasmuch as this Ordinance did not pass, it leaves the City in the position that they have an agreement with Lybrand-Ross & Montgomery to conduct certain services each year. However, this could be changed in the future so that certain areas could be covered by local C. P. A. firms, if desired. He pointed out that the City Charter indicates that certain running audits or checks should be made each year, and this is one area in which it would be very helpful. He added that the staff has been working with the Finance Department and with several firms in reference to the installing of certain systems, which should be analyzed very carefully to determine if it would be economical. Mr. Rowlands said he thought this was in agreement with all of the Council members.

Mayor Hanson then declared the Ordinance LOST.

Ordinance No. 16630:

Approving and confirming the <sup>A</sup>assessment <sup>F</sup>roll for L I D 6767 for street lights on North 30th Street from Proctor to Orchards Streets; North 30th from Shirley to Pearl Streets, and North Stevens from South 12th to South 19th Streets. Read by title and passed.

Roll call taken on the Ordinance resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 16631:

Providing for the improvement of L I D 2314 for concrete sidewalks on various South end streets, in the vicinity of South 43rd and Junett Streets, etc. R ad by title and passed. 30 390

Roll call taken on the Ordinance resulted as follows:

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works presents the Assessment Roll for L I D 3507 for sanitary sewers on Wilkeson from South 73rd to South 80th Street; Alaska from South 74th to South 80th from Alaska to Sprague Avenue. 25 442

It was moved by Mr. Easterday that September 26, 1960 at 4:00 P. M. be fixed as the date for hearing on the Assessment Roll for L I D 3507. Seconded by Mrs. Price.

REPORTS:

MC - 317 - Tacoma Census Tracts Survey.

Mr. Rowlands called the Council's attention to the M C which gives the breakdown on the number of people that were picked up on the various tracts. He said in the next ten-year period the City will be picking up approximately \$6,500 each year. He further added, even though the City will be receiving a few thousand dollars more in actual cash than the City received in the past years based on the projections, the fact remains that this situation has not alleviated the very difficult budgetary problem. If this reduction had not occurred, the City would have received an additional \$144,000 next year, he added. 348 001

COMMENTS:

Mr. Rowlands said the Preliminary Budget will be submitted to the City Council on September 6, 1960.

Mr. Steele said he would like to move that Mayor Hanson be authorized to attend the C. A. B. hearings <sup>to be</sup> held in Washington, D. C. at 10:00 A. M. , September 7, 1960, for the purpose of supporting the examiners recommendations in reference to the Trans-Pacific Route Case. Seconded by Mr. Porter. Motion carried.

Mr. Rowlands said there would be a meeting of the First Class Cities of the State on Thursday at 10:00 A. M. , September 8, 1960 at the Ben Franklin Hotel

AUG 30 1960

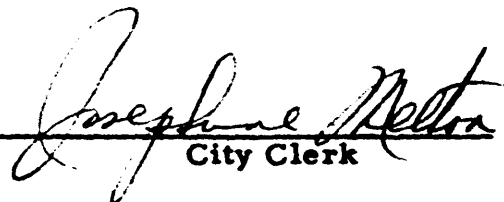
370

in Seattle. He said he would like to have as many of the Council members as possible attend.

Mayor Hanson appointed the following members to serve on the L I D Committee for the months of September, October, and November: Mrs. Price, Mrs. Olson, and Mr. Bott. The first meeting is to be September 12, 1960 at 4:00 P. M.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 8:00 P. M.

  
Mayor of the City Council

Attest:   
City Clerk