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City Council Chambers, 4:00 P.M.
Monday, February 1, 1960

The City Council met in regular session. Present on roll call 6: Bratrud, Easterday, Humiston, Porter, Price and Mayor Hanson. Absent 3, Anderson, Goering and Perdue. Mr. Perdue coming in at 4:05 P.M. Mrs. Goering coming in at 4:25 P.M.

Mr. Easterday moved that the minutes of the meeting of January 25, 1960 be approved as submitted. Seconded by Mrs. Price. Voice vote was taken on the motion resulting as follows: Ayes 6; Nays 0; Absent 3, Anderson, Goering and Perdue.

HEARINGS AND APPEALS:

Mr. Perdue coming in at this time.

This is the date set for hearing on the assessment roll for Work Order No. 158 for the repair and reconstruction of sidewalks in various parts of the City. 421

Mayor Hanson said this is a hearing on the confirmation of the assessment roll and notices were sent out in reference to this hearing. He asked if anyone was present to object to the roll. 490

Mr. N. L. Johnson residing at 820 No. 10th Street, complained that there was practically a difference of five inches between the curb and sidewalk on his property. He said he has planned on constructing a parking strip and felt this should be taken care of before going into that expense.

Mrs. Ed Potocki residing at 1442 East 30th Street, complained that her sidewalk is in worse condition now than before the improvement. She complained about the mud on the sidewalks and the back fill wash outs caused by the recent rains. She also said there is a two-inch drop which has been left causing people to trip or stumble.

Mayor Hanson asked that the Public Works Department check into these complaints to see if the problem can be remedied.

Mr. Wickstrom, Engineer in the Public Works Department, said Mrs. Potocki's complaint has been checked into and will see that the repairs are made.

Mayor Hanson said since there is no further discussion on the matter, the approving and confirming ordinance will be processed for presentation at a later date.

RESOLUTIONS:

Resolution No. 16015:

L I D 4662

BY HUMISTON:

Fixing Tuesday, March 22, 1960 at 4:00 P.M. as the date for hearing on L I D 4662 for permanent type pavement and storm drains on No. Highland Street from No. 14th to No. 18th and nearby streets. 51:129

It was moved by Mr. Bratrud that the Resolution be adopted. Seconded by Mr. Perdue.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 7; Nays 0; Absent 2, Anderson and Goering.

The Resolution was then declared adopted by the Chairman.

Resolution No. 16016:

L I D 5313

BY GOERING:

Fixing Wednesday, February 24, 1960 at 4:00 P.M. as the date for hearing on L I D 5313 for cast iron water mains in East 3rd from East E to East F and in East F from East 3rd to East 5th Street.

It was moved by Mr. Perdue that the Resolution be adopted. Seconded by Mrs. Price.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 7; Nays 0; Absent 2, Anderson and Goering.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16017:

BY GOERING:

Authorizing the sale of used rail and joint bars in the Belt Line Division to the Tacoma Terminals, Inc.

It was moved by Mr. Perdue that the Resolution be adopted. Seconded by Mr. Bratrud.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 7; Nays 0; Absent 2, Anderson and Goering.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16018:

BY PRICE:

Accepting the approval of the plat of Brotman's First Addition lying on the west side of Verde Street between So. 16th and So. 18th Streets.

It was moved by Mrs. Price that the Resolution be adopted. Seconded by Mr. Bratrud.

Voice vote was taken on the Resolution, resulting as follows:

Ayes 7; Nays 0; Absent 2, Anderson and Goering.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16019:

BY PORTER:

Accepting the approval of the plat of Hokold's 4th Addition lying on the west side of Alaska Street and both sides of Wilkeson Street extended between So. 73rd and 80th Street.

It was moved by Mr. Perdue that the Resolution be adopted. Seconded by Mr. Bratrud.

Mr. Buehler, Planning Director said one of the recommendations was that a notarized statement by the legal owners of the subdivision agreeing to the plat layout and joining in the dedication of required street rights-of-way and slope easements should be so accepted and filed with the plat.

Mr. Rowlands said in looking over this plat the fifteen foot sewer easement is a problem as the sewer bisects some of the lots. Normally it is not desirable to build over a sewer or drain.

Mr. Buehler said much work was done in attempting to arrive at a different solution but this sewer was laid diagonally some ten or fifteen years ago and after checking, there was nothing legally that could be done to preclude them from building over the sewer. He said this is all spelled out in the deed and recorded so that they have full knowledge of the situation.

Mr. Rowlands said, then if a person builds over the sewer it is the property / owner's responsibility if any damage occurs.

Mr. McCormick said that is correct, by subject to the easement.

Voice vote was then taken on the Resolution, resulting as follows:

Ayes 7; Nays 0; Absent 2, Anderson and Goering.
The Resolution was then declared adopted by the Chairman.

Resolution No. 16020:

BY REQUEST OF HUMISTON:

Amending Rule (2) of the Rules of the City Council by designating the "Acting Mayor" as "Deputy Mayor."

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Mr. McCormick said according to the rules this Resolution must have two readings and will therefore be automatically set over for one week.

FIRST READING OF ORDINANCES:

Ordinance No. 16510:

Amending Section 2.04.950 of the Official Code of the City in reference to "Wiring Methods." Read by title.

Mr. Ferguson, Light Superintendent, said these changes have been drafted so as to reflect current recommended practices in wiring methods which appear to be in the best public interest and safety.

The Ordinance was then placed in order of final reading.

Ordinance No. 16511:

Vacating portions of streets and alleys bounded by No. 17th, No. 23rd between Mildred and Frace Streets. (Petition of D. L. Johnson.) Read by title.

Mr. Buehler said the Council had a hearing on this vacation a few weeks ago. The Ordinance was then placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 16506:

Amending Sections 1.18.010, 020, 040 and repealing Sec. 1.18.050 of the

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Official Code of the City by changing the word "Acting" to "Deputy" Mayor. Read by title and passed.

Roll call: Ayes 7; Nays 0; Absent 2, Anderson and Goering.

Ordinance No. 16507:

Authorizing the transfer of funds from certain categories to other categories from the 1959 Budget. Read by title and passed.

Roll call: Ayes 7; Nays 0; Absent 2, Anderson and Goering.

Ordinance No. 16508:

Authorizing the expenditure of certain moneys from unanticipated revenues to the amount of \$50,180.34 in the Public Works Revolving Fund and \$50,013.25 in the Equipment Rental Fund, Account "A". Read by title and passed.

Roll call: Ayes 7; Nays 0; Absent 2, Anderson and Goering.

Mrs. Goering coming in at this time.

Ordinance No. 16509:

Providing for the improvement of L I D 5817 for cast iron water mains in the area bounded by McKinley Avenue, East 64th, Wilkeson and East 72nd Street. Read by title and passed.

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

UNFINISHED BUSINESS:

The Director of Utilities presents the assessment roll for the cost of the L I D 5310 for cast iron water mains in the area of Harborview Drive between Browns Point Blvd. and Edwards Road.

Mr. Easterday moved that the date of March 22, 1960 be fixed as the date for hearing. Seconded by Mr. Bratrud. Voice vote on the motion resulted as follows: Ayes 8; Nays 0; Absent 1, Anderson.

MC-289 - Analysis of Police Department operations.

Mr. Rowlands said this question of a Police Department survey was brought up a few weeks ago. In accordance with MC-289 this survey was made in 1956 by the Traffic Division of the International Association of Chiefs of Police and many of the recommendations made as a result of the survey have been followed up in the move to the County-City Building. The one area which the Department is still deficient in is man power and should be remedied as soon as funds become available in order to provide adequate patrol coverage around the clock.

Dr. Humiston said when this matter arose several weeks ago the problem which concerned him was that it was pointed out to the Council by a survey for insurance rat purposes that the Fire Department should have more personnel. This extra personnel was furnished whether the City actually had the money or not. Now his question is, does the same condition exist in the Police Department.

Mr. Rowlands replied that it was strictly a man power situation and the question is of having sufficient funds to remedy the situation the best possible way with the money available.

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Mayor Hanson asked that data be furnished to the City Council in reference to the increases in budgetary appropriations in both the Police and Fire Department in the past few years.

Dr. Humiston added that this information include data also on total personnel. He said there should be a personnel breakdown as there were changes in rates of pay which might show a slightly different prospective.

Mayor Hanson said it was his understanding that no assignment has been given so far as the operational audit of the Police Department is concerned. He thought perhaps when this additional information is submitted, further discussion can be held on the advisability, of an operational audit.

MC-290 - NBFU Survey of Fire Department Improvement from 1949 to 1960.

Mr. Rowlands said this MC is the result of the request received from Councilman Paul Perdue, concerning the recently completed National Board of Fire Underwriters Survey of Tacoma, together with improvements made during the past ten years.

Mr. Rowlands said it should be pointed out that Mr. Weers, Assistant Chief Engineer of the N. B. F. U. advised that it is the policy of the National Board to make every effort to survey each City at intervals not to exceed ten years, regardless of whether or not a request for such a survey has been made. Therefore, since Tacoma's last survey was fourteen years ago, the City was overdue and could have expected a survey in the near future in any event.

Mr. Rowlands added that as a result of the 1959 survey, the City now knows exactly where action must be taken to remove deficiency points; whereas if this were not known money could have been spent on capital outlay items which would not have resulted in any appreciable reduction in deficiency points, which could have subjected the Council to severe criticism particularly when another survey by the N. B. F. U. was imminent.

During the year 1960 there will be no changes in the existing fire insurance premiums since the City is taking corrective action. The re-survey will take place early in the year 1961, at which time if the millage is approved, the equipment, etc., will have been secured.

MC-291 - City owned Asphalt Plant 474

Mr. Rowlands said this MC ^{which} was requested by Councilman Omar Bratrud, more or less coincides with the report submitted about a year and a half ago on the same topic, that the City owned asphalt plant is needed.

He pointed out the comparison table in the report showing that the cost of production of asphaltic mix from the City's plant compares rather favorably with that produced by the other cities mentioned, even though Tacoma's volume is considerably less.

ITEMS FOR FILING IN THE OFFICE OF THE CITY CLERK:

Personnel report from the month of December 1959.

Tacoma Transit System report for 1958 & 1959.

COMMENTS:

Mr. Rowlands said Saturday, February 6, 1960, the Legislative Council, Judiciary Committee, will conduct a hearing on the proposed legislation concerning Justice Courts. When this was discussed previously the City had some reservations as to the effect of this proposal on local operation. Mr. Rowlands asked Mr. McCormick, City Attorney, to give a brief explanation on the situation.

Mr. McCormick, explained that at the last Legislative session, House Bill No. 36 was introduced which was a complete revision of the Justice Court procedure as well as all Municipal Courts. This bill attempted to combine as one operation the Municipal Court and the Justice Court. At that time, due to the many objections of the Cities which have a full time Police Court, the bill was not passed.

Now there is a proposal made to re-draft another such bill in the next Legislature in 1961. Although certain corrections have been made, a draft has not yet been drawn by this Committee. They have asked for comments from the various cities at the meeting held next Saturday as mentioned by Mr. Rowlands. He said Mr. Hamilton, Assistant City Attorney, will be attending the meeting to represent the City of Tacoma.

The principle objection to the last bill was that it submerged entirely the Municipal Court to the one Court and made it more of a County operation. The City thought the operation of the Police Court was so foreign to some of the operation of the Justice Court that the separation of the two was more desirable.

Mr. Hamilton, Assistant City Attorney, said the legal staff feels this is a basic policy question and the Attorneys are not empowered to represent the City until an expression is received from the Council.

He said the basic premise that should be determined is whether or not, in the opinion of the Council, the administration of the Police Courts should be a City or a County function. Under the present system the Chief Clerk and his staff in the Police Court are under the jurisdiction of the City. Under the proposed legislation that function would be removed from the City and would be under County supervision and assigned to the Justice Court.

The other proposition on which the Council's opinion is desired is whether or not they feel the Justice should be selected for a Municipal Court alone as contrasted to a Justice of the Peace of the County, acting part time only, as a Municipal Court Judge.

Mr. Easterday asked, under this proposed plan, would the fines and forfeitures go to the City or to the County.

Mr. Hamilton said he understands under one proposed draft the County would take the cost of the operations of the Justice Court from the fines and forfeitures and remit the balance to the City. At the present time all of the fines and forfeitures go to the City, but the Police Pension Fund has first claim on them before any operation and maintenance costs are deducted.

Mayor Hanson said the need is recognized for revision in the general area of Justice Courts. The important matter, therefore, is to work out the problem of eliminating the objectional points.

Mr. Hamilton said another concern at this time is that the City should not be subject to criticism by the Legislative Committee at a later date by not taking any action or looking into the matter.

The City should state its position now so as to avoid this criticism, he added.

It was the consensus of the Council that the Attorneys be instructed to attend the meeting and apprise the Committee of the City's objections as brought forth.

Mr. Porter said he would like to have a brief from the City Attorney on the points raised.

Mr. McCormick said they would submit a report after the meeting Saturday to acquaint the Council with what has transpired.

Mayor Hanson brought up the matter of appointing a committee to study the problem of the Transit Company, which was discussed at last week's meeting.

Mr. Gordon Brown, a member of the State Legislature, emphasized the importance of solving this problem of the Tacoma Transit System. He said he hopes

the Council will realize that it will not be possible much longer for the City representatives to go to the State Legislature and ask for the Tacoma Transit Gas tax exemption which is unique in that it is the only such exemption granted a privately operated system. The present exemption runs out in June of 1961, so this problem should be solved before that time.

Mr. Porter said Mr. Anderson's motion to re-activate the old committee consisting of Dr. Humiston and Mr. Bratrud and a third member to be appointed by the Mayor was tabled at last week's meeting to give the Council members an opportunity to study the proposition. He said it is his suggestion that this committee be re-activated with the third member to be either Mrs. Price or Mr. Easterday.

Mayor Hanson said it was his thinking that at least one of the members from the old committee should be on the new committee to apprise the other committee members of what has transpired previously. It would also be valuable to have two members who would be able to continue on the Council after June. He said after discussing the matter with both Mr. Bratrud and Dr. Humiston, he would like to appoint Dr. Humiston, Mrs. Price and himself to the committee to begin the fact finding aspects of the committee's operation, recognizing that any other members of the Council interested, would be more than welcome to join in the activities of the committee. He asked if there were any objections to this. There being none, he said the Council would proceed on that basis and the initial meeting would be held at 11:00 A.M. Wednesday, February 3, 1960 in the Conference Room.

Mr. Rowlands said the Council should be informed of the storm drainage and sanitary sewer drainage project to begin soon on Wakefield Drive. One way traffic will be involved for about five or six weeks.

Mr. Schuster, Public Works Director, said a 42" sanitary line and a 60" storm line will be put through the area of the Yakima Avenue Bridge and will pick up the drainage out of the abandoned tunnel under Wakima and Center Street. There is, at the present time, a connection from that tunnel where some half million gallons of water a day flow through the existing line at the bottom of Wakefield Drive. The piling from the Bridge will be so near to this connection there is a great possibility of causing the sewer to collapse. The sewer that comes down through Wakefield Drive drains the entire southend of town and would be replaced during the separation program. Therefore the work will begin about the middle of this month installing the two lines in Wakefield Drive. The connection will be made below the Tacoma Avenue Bridge and will necessitate coming out into the Wakefield Drive area itself and will require a one lane traffic for five or six weeks from 6:00 A.M. to 3:00 P.M.

The area that will be one lane at any one given time will be a matter of only a few hundred feet so no problem is anticipated. This has been studied in conjunction with the Traffic Department, the Traffic Engineer and the State Highway Traffic Engineer. Traffic will be going south on Wakefield Drive at all times. Traffic coming into Tacoma will be diverted at 56th Street to Pacific to the existing 99 Highway.

Mr. Schuster said bids were received on the contract this morning and will come up before the Council for approval some time later this month.

Mr. Rowlands said this is a portion of the big public improvement program approved by the voters and also unanimously by the Citizens Committee.

Mr. Rowlands distributed MC-288, a Progress Report on Capital Improvement Program.

Mr. Rowlands said a letter was received from the City Administrator of Fairfield, California, which is near Travis Air Base, asking the City Council to join them in requesting the United States Government not to curtail further the Military

Airforce Transport Service by transporting troops by private airline service.

It was the consensus of the Council that they not become involved in this question.

241 Mayor Hanson said he received a list of signatures in protest of L I D 4492. He said it was his understanding the time to file protests has long expired.

Dr. Humiston said most of these protests were included in the processing of the L I D and were not sufficient to kill the L I D.

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Mayor Hanson said perhaps some persons would like to inspect the Baseball Park Construction and are welcome to do so. Unless the weather is extremely bad it appears that the Park will be ready by the Spring deadline.

Mr. Easterday reported on the Legislative Council Meeting held in Seattle which Mrs. Price, Mr. Perdue and he attended. He said many informative speeches were given on the needs of the Cities. The Legislative Council appeared to be very interested in the problems and showed desire to help.

Mr. Perdue said he received the impression that the Legislative Council showed interest in finding a solution to the Cities financial problems. They seemed to realize the Cities financial plight was serious, and that if a State is to be strong the Cities must be supported.

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Mrs. Goering said she has received many calls from irate businessmen on the effect of one way streets on their businesses and asked that a report be made on this.

Mr. Rowlands said a report was being prepared now and would be submitted for the Council's information soon.

Mr. K. C. Kuhn, who said he operates a sound truck in the Lakes District, asked the Council to consider changing the City Ordinance which presently prohibits sound trucks in Tacoma. He said he was interested only in this pertaining to commercial areas, not residential.

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Dr. Homer Humiston said he considers the City's Ordinance, which also prohibits loudspeakers on airplanes over the City or on the outside of commercial buildings one of the finest of its type in the nation. He said he was absolutely opposed to any change. Other members of the Council agreed with Dr. Humiston.

Mr. Kuhn said there are several commercial loudspeakers operating outside business establishments at present in the lower Pacific Avenue area.

The Council referred the complaint to Mr. Rowlands for investigation.

Mayor Hanson said he felt it would be well for the Council to pay tribute to the memory of Frank S. Baker, long-time News Tribune publisher who died Sunday.

Mayor Hanson said that "Mr. Baker's positive position on many civic projects contributed substantially to the betterment of our City."

There being no further business to come before the meeting, upon motion duly seconded and passed, the meeting was adjourned at 5:30 P.M.

Ray Hanson

Mayor of the City Council

Attest: *Joseph M. Nector*

City Clerk