

Council Chambers, 4:00 P.M.
Monday, December 22, 1958

Council met in regular session. Present on roll call 8; Anderson, Bratrud, Easterday, Goering, Humiston, Porter, Price and Mayor Hanson. Absent 1, Mr. Perdue. Mr. Perdue coming in at 4:15 P.M.

It was moved by Mr. Anderson that the minutes of the meeting of December 15, 1958 be approved as submitted. Seconded by Mr. Bratrud; carried unanimously. Ayes 8; Nays 0; Absent 1, Perdue.

RESOLUTIONS:

Resolution No. 15586

BY BRATRUD:

Authorizing the payment of the sum of \$6,094.64 annually to Pierce County pursuant to the authority of RWC 35.21.430 for the benefit of all taxing districts within which the properties of the Puget Sound Power and Light Company heretofore acquired by the City be paid out of the 8% gross earnings tax. 484

It was moved by Dr. Humiston to adopt the Resolution. Seconded by Mr. Bratrud.

Dr. Humiston said he still is of the same opinion as he previously stated that the tax should be paid, but it should not be deducted from the gross earnings tax of the general government but should be paid by the Utilities. He suggested that the Council defeat this resolution and it automatically will refer the matter back to the Utility Board.

Mr. Bratrud said he agreed with Dr. Humiston. He felt this was making encroachments on other districts in lieu of taxes that should be paid out of the City Light revenues and not out of the 8% gross earnings tax.

Mayor Hanson said in terms of this being a danger of establishing a new policy, he felt a differentiation could be made between the policy of those payments which are mandatory by legislature compared to those sums which are permissive.

Roll was then taken on the resolution resulting as follows:

Lost on roll call December 22, 1958
Ayes 3; Nays 5, Anderson, Bratrud, Goering, Humiston and Mayor Hanson; Absent 1, Perdue.

Resolution No. 15587

BY HANSON:

Fixing Tuesday, February 10, 1959 at 4:00 P.M. as the date for hearing on L I D 6760 for ornamental street lights on "A" St. from So. 60th to So. 64th. 602

It was moved by Dr. Humiston to adopt the resolution, seconded by Mr. Bratrud.

Adopted on roll call December 22, 1958
Ayes 8; Nays 0; Absent 1, Perdue

Resolution No. 15588

BY REQUEST OF ANDERSON:

Requesting the Washington State Research Council to make a study of the financial structure and problems of the City at no cost to the City.

It was moved by Mrs. Price to adopt the resolution, seconded by Mr. Bratrud.

Mr. Rowlands, City Manager, said he had talked to Mr. Fred Osmer in reference to this resolution and in the past the Washington State Research Council has been more concerned about State and County matters, than they have about City matters so he felt that this would give the City an opportunity to explain the plight of the Cities to the research Council.

Roll call was then taken on the resolution resulting as follows:

Adopted on roll call December 22, 1958
Ayes 8; Nays 0; Absent 1, Perdue.

Resolution No. 15589

BY HUMISTON:

Authorizing the Tacoma Transit System to continue to charge the present bus fares.

Mr. Perdue coming in at this time.

It was moved by Mr. Anderson to adopt the resolution; seconded by Mr. Bratrud.

Dr. Humiston pointed out that about six months ago the Tacoma Transit Company presented their problems to the Council and the temporary increase in fares was allowed. An examination of their books since then indicated that the situation has improved. He said he talked with Mr. Rowlands a few days ago and asked that this resolution be brought in extending the present fares indefinitely as the trial period has been successful.

Mr. Rowlands said the monthly report from the Transit Company was received this morning and it showed they were \$37,000 in the black this year compared to \$18,000 in the red last year at this time.

Roll was then taken on the resolution resulting as follows:

Adopted on roll call December 22, 1958
Ayes 9; Nays 0; Absent 0/

MC - 241 - Hood Street Reservoir - Explanation of the following two Resolutions.

Mr. Rowlands said this MC outlines specifically why it would be advisable for Mr. Whitacre to continue with this covering of the reservoir. He said that since the reservoir covering is a part of the total job which involved the plans of the bridge and approaches the rate that Mr. Whitacre submitted will be less than any other Company. A minimum of \$1200 will be saved by having Mr. Whitacre do the work. The Water Department will be working with the engineers and will have final

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approval of the plans.

Mr. Easterday said he felt \$4500 was in excess of what it would cost the Water Department to design the cover.

Mr. Rowlands said these figures came from Mr. Barline and Mr. Benedetti after much careful study.

Mr. Benedetti said they were asked at the last meeting for an estimate of what it would cost the Water Department to design this cover. The figure of \$4500 is not based on any percentage figure but on how many structural designs would be necessary, how much field work would be necessary. It is the Water Department's opinion that it will take approximately this amount. Mr. Benedetti said this reservoir is not symmetrically shaped; he said there is probably no other reservoir so constructed in the United States or in the world as this was built to fit the contour of the ground. Therefore there isn't any other design that they could copy.

He said whether Mr. Whitacre or the Utilities Department do the engineering they will get the benefit of what has been done in the past of reservoir covering in order to get the best possible cover for the reservoir; one that will be the least to maintain. He said they submitted two figures; one was \$4500 which would be for the basic design and preparation of the plans and specifications to prepare this project for bids, the other was for the work that would be necessary to undertake the actual construction, inspection and field work. He said he it was their recommendation that the actual design be performed by Mr. Whitacre and that the construction inspection be performed by the Water Division.

Mr. Bratrud brought up inasmuch as the engineering costs in the Water Department are so high, instead of having City engineers do this work, why not let all the work out to private contractors and engineering firms. Those firms have to pay B and O Tax, real estate tax, income tax and they have to make a living.

Mr. Benedetti said he didn't think that was a satisfactory comparison because as he pointed out before, they have not gone into this \$62,500 figure to verify whether it is, or is not, correct. The \$4500 figure they submitted is not based on a percentage figure but on how many structural designs would be necessary to complete this project.

Mr. Porter asked Mr. Benedetti in the event Mr. Whitacre is given the contract could he give an estimate of what it would cost the Water Department for the construction inspection, and if it would equal the difference between the two prices.

Mr. Benedetti said the \$4500 fee or Mr. Whitacre's engineering fee does not cover construction inspection or field work. It would be paid for on another basis, either on an hourly or daily rate. They have estimated that \$1900 will take care of all the field work and all of the construction inspection and in addition to that, any consulting and checking of drawings that would have to be done.

Resolution No. 15590

BY REQUEST OF ANDERSON:

Authorizing the proper officers of the City to enter into a contract with Horace Whitacre for preparation of the necessary plans and specifications for

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the designing and construction of a partial covering for the Hood Street Reservoir.

It was moved by Mr. Anderson to adopt the Resolution, seconded by Dr. Humiston.

Adopted on roll call December 22, 1958
Ayes 8; Nays 1, Easterday; Absent 0.

Resolution No. 15591

BY REQUEST OF EASTERDAY:

Authorizing the proper officers of the City to enter into a contract with the Utility Board for preparation of the necessary plans and specifications for the design and construction of a partial covering for the Hood Street Reservoir.

It was moved by Dr. Humiston that this resolution which covers the same matter as Resolution No. 15590 be stricken from the agenda. Seconded by Mr. Perdue.

Lost on roll call December 22, 1958
Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 16237

Creating a new fund in the Treasury of the City of Tacoma to be designate as the Airport Construction Fund; specifying the purposes for which said fund is to be used; providing for the deposit of certain moneys into said fund; and for the keeping of records and accounts thereof. Read by title.

Mr. Rowlands said if moneys are made available from the C.A.A, or other sources, it should be placed in a fund. This is merely setting up the mechanics in depository for money coming in from different sources. The ordinance was then placed in order of final reading .

Before taking up the Ordinance No. 16238 which was next on the agenda, Mr. Reno Odlin, chairman of the Citizens Committee for Tacoma's Future development, was given an opportunity to talk.

Mayor Hanson said that Mr. Odlin would like to make a few remarks concern the sewer program that the Council is considering.

Mr. Odlin explained that the sub-committee that studied the sewer problem have met several times and there has been some publicity in reference to the proposed charges that were suggested in the Thomas and Harstad report. He said he has had only one letter from one of the industries that was critical of the proposed charges. He said he thought the explanation that the basis for establishing charges is based on the period of three winter months met with approval.

He said they were now devoting some attention to the stimulation of the parking project and he felt they were progressing as fast as could be expected in all these matters. From the standpoint of the committee they urge that the Council dispose of this matter of sewer rates at the earliest possible time and start on

other projects. He said they have received no complaints or objections and felt that the community has accepted that something like this has to be financed.

Dr. Humiston advised Mr. Odlin there will be an ordinance presented to Council shortly setting up the rates for sanitary sewer charges which were recommended by Harstad and Thomas.

Ordinance No. 16238

Relating to the licensing of Amusement devices and repealing all ordinances in conflict therewith. Read by title.

Mayor Hanson said he had a letter from the Tacoma Council of Churches signed by Mr. Donald Holsopple naming six individuals representing a number of denominations who would like to speak before the Council on this matter. Mayor Hanson called on Thomas A. Swayze, Jr.

Mr. Swayze said he was chairman of the Tacoma Council of Churches' Commission of Christian Life and Work. His commission is to deal with various problems relating to race relations, refugee problems, overseas relief, as well as problems of a moral and social aspect in the community. He said they have had several meetings in the past several months, one meeting particularly was attended by fifty or sixty people and this meeting pertained specifically to the problem of moral atmosphere in the City of Tacoma. It was unanimously the concensus of opinion that we would be opposed to any relaxation on the ban on pinball machines as it presently stands as well as the areas of gambling, prostitution and liquor regulations. He said he was merely here as a representative of those persons expressing their view in opposition to this Ordinance as presented.

Rev. Carl Mau, Jr., President of the Lutheran Ministerial Association, said he would like to assure the Council that they are endeavoring to remain alert to any and all issues as they come before the Council that have to do with the moral and social aspects of life in the community. They have endeavored to support the Council in some of the fine projects that they are carrying out. He said they are surprised and alarmed at this particular Ordinance. There has not been ample time for them to study the Ordinance but they will take the same position expressed by Mr. Swayze.

Mr. Robert Mac Dicken, President of Greater Tacoma Evangelical Association, said this particular Ordinance was brought before his organization and it was the unanimous feeling of the fifty churches in his organization that passage of the ordinance would be a "step backwards" for the community.

Mr. Arlie Masters, representing the Mormon Church, said if the Council "let the bars down in any degree they will come down all the way." He said he had spent five years as the Commissioner of Family Court for Pierce County and said he had women in his office frequently complaining about the money their husbands had lost in gambling. He said his organization would do anything they could to prevent any type of gambling or anything that would demoralize Tacoma.

The Rev. Mr. Elbert G. Harlow, President of the Tacoma Council of Churches, said he was impressed at the progress Tacoma has made in the past five or six years, especially in the realm of morals and ethics in which our City has taken a determined stand progressively in making things realistic and facing facts. He said the Ordinance refers to amusement devices but he felt it was obvious that these are not

amusement but gambling devices. We as church people, are concerned as to what this will do to the life of our City. We are concerned that we continue to make the progress that has been made under the present Council's leadership.

Mayor Hanson commended the representatives of the Tacoma Council of Churches for their opinions as individuals and as representatives of their organizations.

Several other interested citizens were present to protest the Ordinance.

Dr. Humiston asked if this Ordinance was written by the City Attorney.

Mr. McCormick said his office did not write the Ordinance. It was presented to them with the request that they put it in ordinance form for presentation to the Council.

Dr. Humiston said as he recalls it was about two years ago that the City Manager brought to the Council a recommendation from Chief Kerr that these devices be declared a nuisance. Then an Ordinance was passed by a majority of the Council.

Dr. Humiston said that "only the most naive can look upon this ordinance as anything but the licensing of a gambling device." He said the paragraph in Section 6.05.080 prohibiting gambling is entirely voided by the final sentence: "This prohibition shall not apply to any device which only permits automatically the playing of additional games." Any device which reflects the number of free games won is a gambling device, since free games can easily be converted to nickels, he said.

He added that the paragraph giving the Council the responsibility to approve or disapprove master licenses was "astonishing" and improper and upsets the orderly licensing procedure.

Mr. Perdue said he agreed with Dr. Humiston that any person would have to be very "naive" to think that pinball machines are not gambling devices. The only way the ordinance could be enforced to prevent gambling would be to station policemen at each location of a machine. He said "let no one be deceived," this ordinance would permit gambling in the City of Tacoma.

Mrs. Goering said the usual procedure is that the License Department issues all licenses. This ordinance would make amusement devices an exception and it would be the responsibility of the Council members to give or take away licenses. If Tacoma should ever be unfortunate enough to have a dishonest councilman it could prove lucrative for city officials. She said the ordinance prohibits play of the machines by minors but knew of instances before, where minors did play the machines.

Mr. Easterday pointed out that persons who want to play the pinball machines can do so at present by going to Ruston.

Mr. Perdue asked who prepared the original copy.

Mr. Easterday said he and another member of Council wanted an ordinance similar to those in other Cities so they had it drawn up.

The Ordinance was then placed in order of final reading.

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FINAL READING OF ORDINANCES:

Ordinance No. 16236

Amending Sections 1.12.330 and 1.12.350 of the Official Code of the City in reference to the Pay and Compensation Plan for employees of the Belt Line Division.

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

UNFINISHED BUSINESS:

The Director of Utilities presents the Assessment roll for the costs of the improvement of L I D 5218 for the construction of cast iron water mains in the area bounded by So. 64th St; Pacific Ave; So. 80th and Sheridan Ave.

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The Director of Utilities presents the Assessment roll for the costs of the improvement of L I D 5298 for the construction of cast iron water mains in So. 26th St; from Huson Street to Baltimore Street.

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It was moved by Dr. Humiston that January 27, 1959 be set as the date for hearing on these two ~~Assessments~~ Assessment rolls. Seconded by Mr. Anderson. Roll call: Ayes 9; Nays 0; Absent 0.

The Director of Public Works presents the Assessment roll for the costs of the improvement in L I D 1985 for sanitary sewers in the alley between East 53rd and East 54th Streets from East K to East J Streets.

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It was moved by Mr. Bratrud that January 27, 1959 be set as the date for hearing on the assessment roll. Seconded by Mr. Perdue. Roll call Ayes 9; Nays 0; Absent 0.

This is the date fixed for hearing on the Petition for the vacation of property in Olympic Blvd abutting Block "D", Highlands Narrowview Add. between Howard and Skyline Drive.

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Mr. Rowlands said that representatives of the library board, the Public Works Department and the Planning Commission had reached a satisfactory conclusion on this petition.

Mr. Buehler said the library had asked for 35 feet from the center line but would consent to 50 feet as it still gave them ample room to build. The Planning Commission recommended approval of the vacation providing for the southerly line of the said vacation to run along a line 50 feet northerly and parallel to the center line of Olympic Blvd. in lieu of the 35 feet specified in the Council's Resolution.

The Public Works Department felt the area within the 30 feet of the curb line should be maintained for public right of way. This allows for any widening of the pavement that might be necessitated by an increase in traffic volume on Olympic Blvd. prior to the opening of the proposed new freeway.

Mr. Buehler said inasmuch as the proposed vacation is adjacent to a State Highway, a release was recommended from the State Highway Department and it was found they had no objections.

It was moved by Mr. Bratrud that the recommendations of the Planning Commission be accepted and that the City Attorney bring in an Ordinance providing for the vacation . Seconded by Dr. Humiston. Roll call Ayes 9; Nays 0; Absent 0.

REPORTS:

MC-238 - American Municipal Association Conference.

MC-239 - Meeting at Simulation Center At Indianapolis.

MC-240 - Tacoma Tax Rate.

Mr. Rowlands commented briefly on the three reports. He said some of the information was given verbally by the members at the A. M. A. These are a summary of what took place back east.

Mr. Anderson said he served on the International Municipal Cooperation Committee and in connection with the local program, he has called a meeting of the Sister City Committee during the early part of January 1959. He said the State Department is trying to promote this Sister City Plan as they believe it will help our relations economically and socially. He said he talked to the military at Fort Lewis of the possibility of the State Department sending some of the councilmembers to Japan so they could establish a more friendly basis for the Sister City Program.

He said several Cities had pictures to present at the meetings and he felt Tacoma should have pictures of the County-City Building, new bridges, old City Hall being torn down, street improvements, etc. He said he thought Tacoma could have interesting pictures to present at the A.M.A. meeting as any City in the country. It would publicize Tacoma, he added.

Dr. Humiston said he was also impressed by the pictures presented.

There being no further business or comments from the audience, the meeting adjourned at 6:00 P.M.

Ben Humiston
President

Attest: Josephine Melton
City Clerk