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COUNCIL CHAMBER, 7:45 P. M.

Monday, April 25, 1955.

Council met in regular session. Present 8; Battin, Bratrud, Goering, Ariston, Jensen, Perdue, Stojack, Tollefson. Absent 1; Hooker, taking his seat at 7:47 P. M.

It was moved by Dr. Battin, 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 on roll call: Ayes 8; Nays 0; Absent 1; Hooker.

SOLUTIONS:

Resolution No. 14243.

BATTIN:

Authorizing the proper officers of the City to enter into a supplement to an agreement with the Chicago, Milwaukee, St. Paul & Pacific Railroad Company to agreement dated October 15, 1954, authorized by Resolution No. 13899 (substitute mutually operated signals for equipment in the original agreement at the Railroad's crossing at the intersection of Pacific Avenue, South 26th Street and Wakefield Drive).

Adopted on roll call April 25, 1955.
Ayes 9; Nays 0; Absent 0.

Resolution No. 14244.

PERDUE:

Authorizing the proper officers of the City of Tacoma to sell from the City to 50 tons of scrap metal accumulated by the Public Works Department to George Michaels, on his bid and offer to pay therefor the sum of \$21.50 per ton.

Adopted on roll call April 25, 1955.
Ayes 9; Nays 0; Absent 0.

Resolution No. 14245.

JENSEN:

Authorizing private sale of all right, title and interest of the City of Tacoma acquired by and through local improvement district assessments and foreclosure proceedings to Edward A. Driscoll for \$48.06 in cash, covering Lot 15, Block 2311, Caughran's Addition, located at 2345 South Tacoma Avenue.

Adopted on roll call April 25, 1955.
Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES:

Ordinance No. 15316.

Authorizing and directing the City Attorney of the City of Tacoma to purchase and/or institute and prosecute an action in the Superior Court of the State of Washington for Pierce County, under the right of eminent domain for the purpose of acquiring additional property for a site for the location of a water reservoir; providing for the taking and damaging of property; and providing for the payment therefor. Read by title and placed in order of final reading.

Ordinance No. 15317.

Amending Section 2 of Ordinance No. 14931, entitled: "An ordinance to be known as the "Street Obstruction and Excavation" ordinance, relating to and regulating the obstruction of streets and alleys and public places of the City of Tacoma; defining the duties of the Director of Public Works in relation thereto; providing for the construction, excavation or improvements on or in the streets or alleys; providing penalties for the violation thereof; and repealing Ordinance No. 12947, as amended Ordinance No. 14124." Read by title and placed in order of final reading. Myron Calkins, City Engineer, explained that this amendment will require all fuel oil dealers to obtain a permit in order to oil dusty streets in the summer, which will give the City a check on the companies performing this work and tend to make for a uniform job throughout the City. There is no charge for this permit, Mr. Calkins added.

Ordinance No. 15318-

Authorizing and directing the City Attorney of the City of Tacoma to purchase or prosecute an action in the Superior Court of the State of Washington, for Pierce County, under the right of eminent domain, for the condemnation and acquisition of certain property, property rights and privileges for the purpose of extending East 38th Street from East "N" Street to Portland Avenue; providing for the taking and damaging of said property, property rights and privileges; and providing for the payment therefor. Read by title and placed in order of final reading.

Ordinance No. 15319. L. I. D. 1939.

Providing for the construction of sewers in the area bounded by Hosmer and Alaska Streets and from 128 feet north of South 46th Street to the alley between South 49th and South 50th Street; creating L I D 1939. Read by title and placed in order of final reading.

Ordinance No. 15320. L. I. D. 4550.

Providing for improvement of the alley between North 33rd and North 34th streets from Proctor Street to Adams Street by paving and storm drainage; creating L I D 4550. Read by title and placed in order of final reading.

Ordinance No. 15321. L. I. D. 5245.

Providing for the construction of a 6-inch cast iron water main in State Street from South 15th Street to South 19th Street, and in South 18th Street from State Street to Sprague Avenue; creating L I D 5245. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:Ordinance No. 15315.

Repealing Ordinance No. 6993, entitled: "An ordinance to regulate the writing of prescriptions for certain drugs; and prescribing a penalty for the violation hereof." Read in full and passed.

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

UNFINISHED BUSINESS:

This being the date to which Council continued the hearing on appeal of C. L. Judge (4-11-55) from denial by the City Manager of his license for the Holly Hotel at 811 1/2 Pacific Avenue, the Clerk reported that Mr. Judge had requested that the hearing be postponed until May 9th, as he was ill and unable to attend ³⁰

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the meeting tonight. It was moved by Dr. Humiston, seconded by Mr. Jensen that the hearing be postponed until May 9th. Motion carried on roll call: Ayes 9; Nays 0; Absent 0.

4 The L. I. D. Committee reports that hearing was held by the Committee on L I D 5243 on April 19th, 1955 for cast iron water mains in South 9th Street from Mason Avenue to Verde Street, and at said meeting it was reported that a remonstrance of 61.75% had been filed against the improvement. In view of this large remonstrance, the L I D Committee sustained the remonstrance and ordered that the district be abandoned and makes this recommendation to the Council. It was moved by Mr. Stojack, seconded by Col. Hooker to concur in the recommendation of the L I D committee and carried on roll call: Ayes 9; Nays 0; Absent 0.

The City Manager advised that he had an ordinance, which although it was not listed on the Agenda, it was desired to give first reading at tonight's meeting.

It was moved by Mr. Jensen, seconded by Dr. Humiston to suspend Rule 7, relative to filing of new matter for Council's consideration, in order to give first reading to Ordinance No. 15322. Motion carried unanimously on voice vote.

FIRST READING OF ORDINANCES:

Ordinance No. 15322.

Amending Section 48 of Ordinance No. 15106, entitled: "An ordinance adopting the pay or compensation plan as contemplated by Section 6.9 of the City Charter; prescribing the salaries to be paid to nonelective officers and employees of the City; establishing the positions of the various departments of the City Government; fixing the effective date of this ordinance, etc." (Pay or Compensation Plan. Re Vacation allowance with pay). Read by title and placed in order of final reading. Mr. Gavin Lawson, Director of Personnel, explained that the above amendment was being made to clarify the wording which was not entirely clear. This amendment would reinstate the language of the ordinance in effect before Ordinance No. 15106. He also stated that it was not the intent of Section 48 to reduce any of the "fringe benefits" enjoyed by City employes in former years. It was brought out in the discussion that followed that City Employes receive twelve working days vacation per year; that after 10 years service an employe receives three additional working days vacation; that after 20 years service an employe's vacation amounts to 20 working days, which is approximately a month; that sick leave can be accumulated up to 90 days; and that the City contributes the same amount to the pension fund as is contributed by the employe. Mr. Backstrom said that it is estimated that the above "Fringe Benefits" amount to approximately 19%. Mr. Bratrud said that he felt every means of publicity should be used to acquaint the general public with these facts as there is much talk about the "poor abused City employe". He suggested that the City Manager include these facts in his next report to the Citizens and Mr. Backstrom agreed to do this.

UNFINISHED BUSINESS:

6 Mr. Al Morrison, Chairman of the Committee for the "Summer Festival", which was first presented to Council on March 14th, outlined in detail some of the ideas that are being worked out to make this celebration outstanding. Two problems are at the moment confronting the Committee, which the Council can help to alleviate, Mr. Morrison said. One is the matter of the \$50.00 a day license fee levied by the Council in 1953 for operating a carnival, and the other is the securing of streets in the downtown area for the street dances and carnival, which is to run three days from July 22nd to 24th inc. He asked Council to either waive the fee in this instance or amend the ordinance so as to exempt from payment of the license fee a Civic sponsoring non-profit organization, where the proceeds are to be used solely for expenses. The Committee will be obliged to pay the license

See they have been informed by the carnival operator, he added, and it would be a great boost to have it waived. The advisability of making an exception in this case was discussed at length, and at the conclusion of the discussion, the matter was taken under advisement and referred to the City Manager for study to ascertain what can be done. Mr. Morrison was promised by the Mayor that the Committee will be advised of the outcome in ample time.

At this time (8:40 P. M) the Mayor called for a short recess and asked the Council members to adjourn into his office for discussion of some reports and communications which he had just received.

Council reconvened at 9:10 P. M., with all members present.

Mayor Tollefson asked Mr. Perdue, Chairman of the Finance Committee, if they had received the report from the Auditors requested at last week's meeting in order to verify figures released by the City Manager in a news article in January. Mr. Perdue furnished each member of Council with a copy of this report from Lybrand, Ross Bros. and Montgomery, dated April 22, 1955. This report, which Mr. Perdue read for Council's information, stated there actually was a cash balance of \$41,655.21 in the General Fund at the close of 1953, but if expenditures for the last seven months of the year had continued at the same rate as for the first five months, and there were no changes in total annual receipts, there would have been a cash deficit of approximately \$110,000 as of December 31, 1953, as during the first five months the General Fund received 47.66% of its total annual receipts and paid or incurred 45.60% of its total annual expenditures, although those five months represented only 41.67% of the calendar year. A representative of the auditing firm was present and answered questions asked by members of Council.

The Mayor stated that many charges have been made by opponents of the City Manager form that Civil Service was being destroyed. Questionnaires have been sent to 87 comparable cities to ascertain statistics on the controversial "rule of three" now in effect in Tacoma and also on how the Civil Service Board is picked. Forty-two cities have replied and the tabulations show that 30 use the "rule of three" and that 40 have an appointed Civil Service Board.

Mayor Tollefson said he had learned that the Tacoma Police Local #252, which had intended to remain neutral, had, at the insistence of some of its members, taken a secret ballot on a motion "Opposing the City Manager form of government and the present City Charter as it affects our Civil Service". The results were 127 in favor and only 84 opposed to the motion. He commended the Department for taking a secret ballot, as he would not want it to appear any pressure was used, and reiterated his former position that any city employee has the right to support or go against the present government, and both sides would be protected by the Mayor and the Council.

Mayor Tollefson, who was one of the Freeholders drawing the present charter, reviewed the positions of the members of the Committee, saying that 12 favored the City Manager form, 2 favored a strong mayor form and 1 favored amending the old charter, and that all were in favor of appointment of a Utility Board. Letters favoring a Utility Board were received by the Free Holders from the Electrical Workers Union, the Chamber of Commerce, Tacoma Engineers' Club, C. A. Erdahl, then Commissioner of Public Utilities, and many others and these are on file.

Dr. Humiston asked the City Manager if the report on negotiations, which have taken place with City Employees and their representatives, had been completed. Mr. Backstrom handed each member of Council a copy of the report entitled "Public Hearings and Meetings relating to salaries, wages and working conditions of City Employees", which was too long to summarize in the meeting.

Dr. Battin said that a news story last week, which reported the Mayor as

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stating before the Bar Association on April 15th, that he felt it might be unethical to ask Mr. E. K. Murray how much money he had been paid by the City in 1952 while serving as a freeholder and Mr. Murray's reply that he had received fees for his services but that he considered himself to have been underpaid, had aroused his curiosity and he had done a little investigating. He found that since 1948 Tacoma City Light has retained Mr. Murray as Special Counsel and up to the time Mr. Erdahl was discharged as director, at which time Mr. Murray's services were also terminated, he had been paid in excess of \$44,000 in fees not including expenses which were extra, Dr. Battin told the Council. Dr. Battin charged that the creation of a Utility Board, which Mr. Murray now opposes, was actually his "brainchild" and was proposed by him to the Freeholders.


City Manager Backstrom stated that the application of Paul Salatino for a taxicab location stand was under consideration and he felt it should be referred to a Committee of the Council to meet with the Administrative Staff. He suggested the "General Committee" consisting of Perdue, Stojack and Hooker, would be the proper Committee to which to refer this matter, and Mr. Perdue was asked to arrange for a meeting.

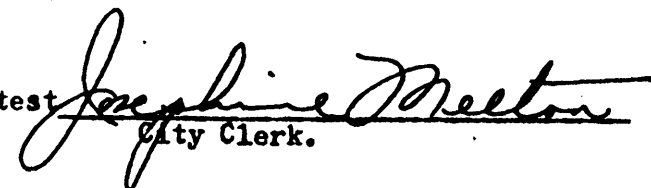
Col. Hooker pointed out that a great deal of adverse publicity is being given by the opposition to the 6 points of the Civil Service Rules, which ended in disagreement, while nothing is being said about the more than 100 points where arbitration brought agreement, and said he would like a report on this phase.

Mr. Backstrom reported that the County-City Building Committee had met with the County Commissioners and gone over approximately one-half of the agreement. Another meeting should be arranged as soon as possible to consider the balance of the document, he added. Wednesday, April 27th at 9:30 was agreeable to the Committee for this meeting, and Mr. Backstrom agreed to notify the members where the meeting would be held.

The Mayor reported that he would not be at the Council meeting next Monday, as he has been requested by the Public Utility Board, as well as the Director, to appear before both houses of Congress in the City's behalf on the Eagle Gorge Dam.

Upon motion, duly seconded and carried, Council then adjourned at 9:50 P. M.


President of City Council.

Attest 
City Clerk.