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Council Chamber, 7:30 P. M.

Monday, August 19, 1957

Council met in regular session. Present on roll call 8; Battin, Bratrud, Goering, Humiston, Jensen, Perdue, Stojack and Tollefson. Absent 1, Mayor Anderson. In the absence of Mayor Anderson, Dr. Battin, Vice Mayor presided.

It was moved by Dr. Humiston, seconded by Mr. Tollefson that the minutes of the previous meeting be approved and the reading thereof dispensed with. Motion carried. Ayes 8; Nays 0; Absent 1, Mayor Anderson.

RESOLUTIONS:

Resolution No. 15088:

By BATTIN: 376

Fixing Monday, September 16, 1957 at 7:30 P. M. as date for hearing on petition to vacate the half-street abutting the west side of Block 5, Edward P. Miller's 1st Addition (located near So. 17th and Sprague Streets). (Petition of Commercial & Industrial Development Corporation, et al).

Adopted on roll call August 19, 1957
Ayes 8; Nays 0; Absent 1, Mayor Anderson

Resolution No. 15089:

By BRATRUD:

Authorizing payment of the sum of \$8.00 per day to Lieutenant R. E. Duppenthaler during the period of time he is attending the Traffic Institute at Northwestern University, said sum to be paid from available funds.

Adopted on roll call August 19, 1957.
Ayes 8; Nays 0; Absent 1, Mayor Anderson.

Resolution No. 15090:

By HUMISTON:

Authorizing proper officers of the City to execute a quit claim deed to the State of Washington, covering a portion of the Flume Line right of way of the Water Division, lying easterly of Union Avenue Extension (near Max Frolic's Restaurant) upon payment of \$820.00, to be used for the new Freeway.

Adopted on roll call August 19, 1957
Ayes 8; Nays 0; Absent 1, Mayor Anderson.

Resolution No. 15091:

By GOERING:

Authorizing the proper officers to sell 312--15 amp., 120 volt, 2 wire, type CA Westinghouse Meters to the Texas Meter and Device Company on their bid of \$2.00 each.

Adopted on roll call August 19, 1957.
Ayes 8; Nays 0; Absent 1, Mayor Anderson.

Resolution No. 15084:

By GOERING:

Awarding contract to Sound Battery Company for purchase of the annual supply of storage batteries, on its bid of \$4500.00, plus sales tax.

Dr. Humiston asked how many bids were received. Mr. Perdue replied that two bids were received, one from the Piston Service Company, Inc. and one from Sound Battery Company, and that the Piston Service was the low bidder on 16 items but failed to bid on 9 items. He wondered if there was any reason why the bid could not be split and new bids called for on these 9 items, thus giving the City a considerable saving.

Mr. Rowlands stated that in this case the specifications were so prepared that the bid was to be awarded to the bidder who qualified on all items, and so actually the Piston Service didn't qualify.

Mrs. Goering asked if there were a good reason for including so many items on one bid, and if the City got better bids by following this procedure.

Mr. Rowlands advised that it was imperative to have good heavy duty batteries. In the event a truck is tied up due to battery failure it would mean the loss of \$25 or \$30. in man hours. The specifications were made high in this case, so that a good grade of battery would be obtained, and whether or not the bids were broken down would make no difference. After further discussion, roll was called on the resolution.

Adopted on roll call August 19, 1957
Ayes 8; Nays 0; Absent 1. Mayor Anderson.

FIRST READING OF ORDINANCES:

Ordinance No. 15937:

Vacating South 16th Street from Monroe to Tyler Streets and from Tyler to Mason Avenue. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 15928:

Creating in the City Treasury a special fund to be designated as the "Equipment Rental Fund". Read by title.

Mr. Rowlands called attention to the opinion submitted by the City Attorney setting forth the statutory authority and the legal basis upon which the Equipment Rental

Fund is to be established, which was forwarded to each Council Member. This opinion is self-explanatory, Mr. Rowlands stated.

Dr. Humiston commented that a certain sum of money for equipment replacement would have to be spent each year, whether it comes from this fund or from income. He questioned the advisability of binding large sums which might eventually reach as much as \$400,000, which will be a stable fund and remain there.

Dr. Humiston said he would like to have serious consideration given in abolishing this fund by using it to make replacements of equipment in next year's budget, and not placing any more money in this fund. Mr. Jensen agreed with Dr. Humiston's statement, advising he felt that the obsolete equipment owned by the City should be replaced as quickly as possible, so that the best job can be done.

Mr. Rowlands explained they did not plan to build the fund up rapidly by placing therein from \$100,000 to \$150,000 next year, but instead they intend to build it up very gradually and to use \$104,000 of the fund for replacements in 1958.

Dr. Humiston asked that Council be furnished in writing, along with the Budget material, an alternative whereby the building up of this "Capital Fund" would be discontinued and any rolling stock set up in the coming budget, be paid for out of this fund, and that they contemplate in the future the purchase of new equipment from current income as has been done in the past.

Mrs. Goering said "there seems to be two basic theories on the proper way to purchase equipment", and does not know which is correct. "There is Dr. Humiston's method of purchasing it out of current funds, or the method advocated by Mr. Rowlands of purchasing it from a Revolving Fund." These two methods are exactly opposite, and she felt there should be some information available as to which method is best, so the Council will be in a position to make a decision.

Dr. Humiston said he felt the Council was twisting the intent of the law by placing \$100,000 of tax money in a fund in order to build this fund up, as they are actually freezing tax income.

Roll was then called on the ordinance, resulting as follows:

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

Ordinance No. 15929:

Creating in the City Treasury a special fund to be designated as "Garbage Deposits Fund". Read by title and passed.

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

Ordinance No. 15930:

Creating in the City Treasury a special fund to be designated as "License Deposits Fund". Read by title and passed.

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

Ordinance No. 15931:

Creating in the City Treasury a special fund to be designated as "Light Deposits Fund". Read by title and passed.

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

Ordinance No. 15932:

Creating in the City Treasury a special fund to be designated as "Water Deposits Fund". Read by title and passed.

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

Ordinance No. 15933:

Amending the Charter and Official Code of the City regarding Heating Installations, Licenses Required, Examining Board, Fees, etc.. Read by title.

Mr. Rowlands pointed out a slight amendment on page 2, second line of Section 6. 71. 060 where "or utility operation" was added. This change was made by the Attorney after conferring with Mr. Nye of the Consumer's Central Heating Company who objected to the ordinance unless these words were added. Mr. McCormick was asked if it would be necessary to move to amend the ordinance, and replied that he did not believe so, but that the ordinance could be passed as amended.

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

Ordinance No. 15934:

Amending the Charter and Official Code of the City by adding thereto a new chapter to be numbered 6. 61. 010 et seq., relating to installation, alteration or extension of steam, hot water or cooling systems for comfort; requiring a permit and providing for collection of fees therefor. Read by title.

Mr. Rowlands advised that the only changes in this ordinance was the addition of the words "or Utility operation" on page 2, section (g) and page 6, section 6. 61. 120.

Numerous questions raised by various members of the Council were answered by Mr. Gillis, Chief of the Building Division, Mr. Murphy, Plumbing Inspector and Mr. Miller, Chairman of the Committee which prepared the ordinance.

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

Ordinance No. 15935:

Amending the Charter and Official Code of the City of Tacoma relating to Probationary Period of employment, Leave of Absence without pay and Layoff. Read by title and passed.

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

Ordinance No. 15936:

Amending the Charter and Official Code of the City regarding Leave With Pay. Read by title.

Mr. Rowlands stated that Council asked for information as to what this provision would cost the City and he has obtained the figure of \$3,800 a year from the Personnel Department.

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

UNFINISHED BUSINESS: X

The City Manager reported on Local Improvement District No. 4606. Mr. Rowlands advised that the opinion from the City Attorney on this Local Improvement District, which was requested by the L. I. D. Committee at the hearing, and had been distributed to Council Members, brings out two important facts: (1) That an L. I. D. can not be created unless the properties are related to each other, ie; located in the same section of the City. In other words streets in the North end of the city could not be included in a district with streets in the South end nor could streets in the West end and the East end of the City be included in the same district. A radius of two miles would be considered a reasonable distance, he said. (2) The benefits derived from an L I D should serve to be equivalent to the assessment. If there is any question that a piece of property is not benefited, the City Attorney suggests that it would be advisable for the department to have a competent appraiser make a determination before action is taken.

Dr. Humiston asked if this would be a routine procedure. Mr. McCormick replied that an appraisal should not be made in all remonstrances but only in instances where the City Council or L I D Committee was convinced that there is some question as to whether the property is benefited by the improvement. Mr. McCormick also said this appraisal should not be made after the work is completed and the roll filed.

Mr. McCormick advised there is no yardstick to go by as to how large a district should be. Mr. Moen of the Engineer's office had talked to a number of contractors and they felt that the larger district up to a certain point would result in lower bids. Streets within a two or three mile radius could logically be included in the same L I D Mr. McCormick stated.

Mr. Rowlands advised that every effort has been made by the staff in the past year to include as much property in an L I D as possible, and he felt this was one of the reasons the L I D program has been so successful.

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

- a. X Fire Chief - report of the Fire Department, Fire Prevention Bureau, Fire Alarm and Radio for the month of July, 1957.
- b. X Police Chief - report of the Police Department for the month of July, 1957.
- c. X Light Division - report for the month of June, 1957.

NEW BUSINESS:

X Mr. Donald G. Holsopple, Executive Director of the Tacoma Council of Churches, distributed a copy of his personal statement, on the liberalizing of operating hours for taverns, to each member of the Council. Mr. Holsopple read the statement for Council's information, which concluded with a protest against the liberalization of this law. Dr. Battin thanked Mr. Holsopple for appearing before Council.

X Mr. Nicholas Eberhardt, who operates a tavern spoke in favor of the extension of the closing hours for taverns and cocktail lounges, saying that operators of this type of business are having a difficult time and need the stimulant given by the later closing time.

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Upon motion, duly seconded and carried, Council adjourned at 8:25 P. M.

Charles O'Brien

Vice President of City Council

Attest:

Joseph A. Trotter

City Clerk