

JUL 26 1960

City Council Chambers, 7:00 P. M.  
Tuesday, July 26, 1960

Council met in regular session. Present on roll call 7, Bott, Cvitanich, Easterday, Olson, Porter, Price, Steele. Absent 2, Murtland, Mayor Hanson. Mayor Hanson coming in at 7:10 P. M. Deputy Mayor, Mr. Porter, presided as Chairman in the absence of Mayor Hanson.

It was moved by Mrs. Price that the Minutes of July 12, 1960, be approved as submitted. Seconded by Mr. Steele. Mayor Hanson assumed the Chair at this time.

Mr. Cvitanich remarked that on Page 8, the statements made by Mr. Chuck Newman and Mr. Eugene Collins were not put into the minutes in sequence, as Mr. Chuck Newman's remarks were made before Mr. Collins remarks, and asked that this correction be made. Mayor Hanson asked that this correction be made to the Minutes. Voice vote taken on the minutes as corrected, resulted as follows: Ayes 8; Nays 0; Absent 1, Murtland.

#### HEARINGS AND APPEALS:

This is the date for hearing on the petition of the Tacoma School District #10 for the vacation of the alley between Mullen and Gove Street from South 50th Street extended to South 52nd Street.

It was moved by Mr. Easterday that the proper Ordinance be drawn confirming the vacation. Seconded by Mrs. Price. Voice vote taken on the motion resulted as follows: Ayes 8; Nays 0; Absent 1, Murtland.

#### RESOLUTIONS:

Resolution No. 16208: (Postponed from the meeting of July 5, 1960)

Awarding contract to Dual Parking Meter Company for the furnishing and installation of parking meters in the total sum of \$63,461.45 plus sales tax.

Mr. Bott moved that the Resolution be tabled. Seconded by Mr. Porter. Mr. Marshall McCormick, City Attorney, explained that he thought the Council should dispose of the Resolution by voting it down rather than having it tabled. This procedure will then make it possible that the bidder be notified, that his proposal has been rejected.

Roll call taken on the Resolution resulted as follows:

Ayes 0; Nays 8; Absent 1, Murtland.

The Chairman declared the Resolution defeated.

Mr. Rowlands submitted M C 313, Parking Meter Progress Report, listing the prices submitted by Dual Meters Company for:

200 Double Dual Meters installed for \$16,520

400 Single Dual Meters installed for \$20,500;

and from the Duncan-Miller Company for:

200 Double Meters for \$20,770

400 Single Meters for \$22,820;

and from M. H. Rhodes Meters for:

Conversion costs of the present meters:

For 400 Single Meters for \$6,700

For 200 Double Meters for \$1,160.

Mr. Rowlands pointed out that in view of the fact the retailers have expressed a desire for the automatic type of Parking Meter, it would be his recommendation that they install 400 Dual Parking Meters, or make arrangements to continue with the present Mark-time Meters.

Resolution No. 16226: (Postponed from the meeting of July 19, 1960)

Authorizing the proper officers of the City to execute contracts with W. K. Fanning, Harold C. Starkey and Herbert F. Syford for appraisal reports in connection with the Fawcett Urban Renewal Area, Wash R-3. 291

Mr. Bott moved that the Resolution be postponed until August 9, 1960. Seconded by Mr. Cvitanich. Roll call taken on the Motion to postpone the Resolution, resulted as follows:

Ayes 4; Nays 4; Olson, Price, Steele, and Hanson; Absent 1, Murtland. Motion was then declared lost by the Chairman.

Mr. Bott again questioned the procedure followed in determining to whom the appraisals are given.

Mr. W. K. Fanning, one of the appraisers, said the approved rate to public agencies for M A I appraisers was \$100 a day. This rate is paid by the State Highway Department to M A I appraisers, he added.

Mr. Bott asked how long this has been in effect. Mr. Fanning replied approximately two months. \*\*\* See Amendment - Correction of Minutes - next page. 301

Mayor Hanson asked Mr. Jacobson if the combination of appraisals awarded resulted in the lowest cost to the City. Mr. Jacobson replied that it did.

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

Ayes 8; Nays 0; Absent 1, Murtland. The Resolution was then declared adopted by the Chairman.

Resolution No. 16228:

Fixing Monday, August 22, 1960, at 4:00 P. M., as the date for hearing on L I D 2314 for concrete sidewalks on various south end streets in the vicinity of South 43rd and Junett Streets. 369

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

Voice vote taken on the Resolution resulted as follows:

Ayes 8; Nays 0; Absent 1, Murtland. The Resolution was declared adopted by the Chairman.

Resolution No. 16229:

Settling the claim of Robert E. and Margaret K. Beck in the amount of \$717.50 for damages to their garage, shrubbery and fence at 1701 North Oakes St.

JUL 26 1960

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

Ayes 8; Nays 0; Absent 1, Murtland.

The Resolution was declared adopted by the Chairman.

Resolution No. 16230:

456  
Authorizing the City Planning Commission to prepare and submit to the City Council by Sept. 6, 1960, its written recommendation on the feasibility of the acquisition of property for and the construction of a Civic Auditorium and facilities in connection therewith.

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

Mr. Cvitanich asked that his name be stricken from the Resolution.

Mr. Porter said he had a motion that he would like to substitute for the Resolution, and asked that the Rules be suspended to consider the motion.

Mayor Hanson said action should be taken on the Resolution first.

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

Ayes 0; Nays 8; Absent 1, Murtland.

The Resolution was declared lost.

It was moved by Mr. Porter that the rules be suspended to consider his motion. Seconded by Mr. Steele. Voice vote on the motion resulted as follows: Ayes 8; Nays 0; Absent 1, Murtland.

Mr. Porter then moved that the City Council request that the Planning Commission formulate and forward to the City Council, not later than August 16, 1960, a recommendation asking for the submission to the voters in the November 8, 1960, election, of a proposition calling for the financing and construction of a Multi-Purpose Convention Hall and Civic Auditorium, containing a proper amount of exhibition space and parking; said recommendation to include the approximate cost and the minimum size of the facility. Seconded by Mr. Steele.

Mayor Hanson wondered if they were asking the Planning Commission to make a policy decision which the Council should decide on the basis of the information already before them.

Mr. Porter said he felt, to ask for specific recommendations from the Commission was proper.

Voice vote was then taken on the motion, resulting as follows: Ayes 8; Nays 0; Absent 1, Murtland.

Resolution No. 16231:

Making change orders No. 1 to 4, both inclusive, in the Contract with Ben B. Cheney in reference to the construction of the Baseball Park known as Cheney Stadium.

Mr. Rowlands said that this Resolution is in connection with some change orders for the Cheney Stadium.

Mr. Easterday moved that the Resolution be adopted. Seconded by Mrs. Price.

**\*\* CORRECTION OF MINUTES**

(Amended as requested by Mr. Cvitanich and Mrs. Price.)

City Council Minutes - Page 2 - July 26, 1960

\* \* \* \* \*

(Underscored portion is the amendment.)

**Resolution No. 16226:**

Authorizing the proper officers of the City to execute contracts with W. K. Fanning, Harold C. Starkey and Herbert F. Syford for appraisal reports in connection with the Fawcett Urban Renewal Area, Wash R-3.

Mr. Bott moved that the Resolution be postponed until August 9, 1960. Seconded by Mr. Cvitanich. Roll call taken on the motion to postpone the Resolution, resulted as follows: Ayes 4; Nays 4; Olson, Price, Steels and Hanson; Absent 1, Murtland. Motion was then declared lost by the Chairman.

Mr. Bott again questioned the procedure followed in determining to whom the appraisals are given.

Mr. W. K. Fanning, one of the appraisers, said the approved rate to public agencies for M A I appraisers was \$100 a day. This rate is paid by the State Highway Department to M A I appraisers, he added.

Mr. Bott asked how long this has been in effect. Mr. Fanning replied approximately two months.

Mrs. Olson asked Mr. Bob Jacobson, Urban Renewal Coordinator, if he could evaluate what the cost would be to the Department and the program, if the Resolution were delayed one week.

Mr. Jacobson replied that he could not give a direct answer at this time in reference to the cost, but, he said, a slight delay could create a hardship on the Department.

Mayor Hanson asked Mr. Jacobson if the combination of appraisals awarded resulted in the lowest cost to the City. Mr. Jacobson replied that it did.

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

Voice vote taken on the Resolution resulted as follows:

Ayes 8; Nays 0; Absent 1, Murtland.

The Resolution was then declared adopted by the Chairman.

\* \* \* \* \*

JUL 26 1934

303

Voice vote taken on the Resolution resulted as follows:

Ayes 8; Nays 0; Absent 1, Murtland.

The Resolution was then declared adopted by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 16622:

Changing the name of the street in the Pacific Traction right-of-way from the north line of South 66th at its intersection with South Tyler, north to its intersection with South Gunnison and South 36th Street to South Manitou Way. Read by title and placed in order of final reading.

312

FINAL READING OF ORDINANCES:

Ordinance No. 16617:

Amending Sec. 2.15.330 of the Official Code of the City relating to Weights and Measures. Read by title.

Mr. Joe Durnin, City Weights and Measures Supervisor, said that they originally objected to the amendment to the Ordinance on the grounds that the principle of providing the purchaser with a sales slip or delivery ticket at the time of the delivery of oil, is basic and should be upheld by regulation, and that such a requirement is necessary for proper control of such sales transactions. He said the purpose of a Weights and Measures Ordinance is to establish standards for commercial transactions which are fair to both the buyer and seller. He said they are objecting to this amendment as it is not compatible with that purpose.

294

Mr. Durnin pointed out that this amendment was requested by only one fuel oil dealer from approximately 70 fuel dealers in the City. He said this has been discussed with other fuel dealers and none were objecting to the present Ordinance requirements. He added that every possible safeguard in the inspection of fuel oil trucks is assurance that the fuel being dispensed will be accurately measured and recorded. This proposed amendment removes a safeguard which is designed to discourage fraud, he added.

Mr. Durnin said he was able to obtain a final draft from the Committee on Law and Regulations of the 45th National Conference on Weights and Measures, whereby it states in Section 38: "There shall be rendered to the purchaser, either in writing or otherwise, at the time of delivery or within a period mutually agreed upon between the vendor and the purchaser, a delivery ticket or a written statement, the name and address of the vendor of the fuel delivered, together with any meter readings from which such liquid volume has been computed."

Mr. E. M. Murray, attorney, representing the Fuel Oil Service, said his company has requested this amendment as it is <sup>in</sup> line with modern accounting advances and is approved by the Oil Heating Institute. He said the proposed amendment will permit that a copy of the invoice either be left with the customer at the time of the delivery, or mailed to them the next business day, therefore, making it more effective and in no way will it constitute a threat to the public in not receiving the proper amount of oil.

JUL 26 1960

Mayor Hanson said he could not see where the new method would give any less protection to customers.

Roll call was taken on the Ordinance resulting as follows:

Roll call: Ayes 5; Nays 3, Olson, Price and Steele; Absent 1, Murtland.  
The Ordinance was then declared passed by the Chairman.

Ordinance No. 16618:

Amending the official Code of the City relating to zoning to include property located on all four corners of South 64th and Puget Sound Avenue in an "R-3-T" Residential Commercial Transitional District. (Petition of Jeannette Field). Read by title and passed.

Roll call was taken on the Ordinance, resulting as follows:

Roll call: Ayes 8; Nays 0; Absent 1, Murtland.  
The Ordinance was then declared passed by the Chairman.

Ordinance No. 16619:

Amending the Official Code of the City relating to zoning by adding a new section known as Sec. 13.06.115 (1) to include property located on the north side of South 74th Street between Stevens and Mullen extended, in a "C-P-N" Planned Neighborhood Shopping Center District. (Petition of Burkhart-Evans, Inc.) Read by title and passed.

Roll call taken on the Ordinance, resulted as follows:

Ayes 8; Nays 0; Absent 1, Murtland.  
The Ordinance was then declared passed by the Chairman.

Ordinance No. 16620:

Amending Sec. 12.06.220 of the Official Code of the City relating to Electric Energy Regulations and Rates. Read by title.

Mr. J. D. Ferguson, Superintendent of the Light Division, explained that this amendment to the Ordinance, lowers the load requirements from 500 to 200 kilowatts for institutions, and largely for schools, he added.

Mr. Porter moved that the Ordinance be postponed until August 23, so that more information could be gathered on the Ordinance. Seconded by Mr. Cvitanich. Voice vote was taken on the motion, resulting as follows: Ayes 8; Nays 0; Absent 1, Murtland.

Ordinance No. 16621:

Authorizing the City Attorney to acquire by condemnation utility easements in the vicinity of South 96th and Sheridan Streets. Read by title and passed.

Roll call was taken on the Ordinance, resulting as follows:

Roll call: Ayes 8; Nays 0; Absent 1, Murtland.  
The Ordinance was then declared passed by the Chairman.

ITEMS FOR FILING IN THE OFFICE OF THE CITY CLERK:

- a. Tacoma Police report from the Traffic Division and Identification and Records Division for June, 1960.
- b. Personnel Report for the month of June, 1960.
- c. Basic Planning Studies from the City Planning Commission.

COMMENTS:

Mr. Marshall McCormick, City Attorney, presented his recommendation to the City Council in reference to the acquisition of the Cameo Theater building for escalator purposes.

It was moved by Mr. Easterday that the City acquire the Cameo Theater Building which consists of 50-foot frontage on Commerce Street and 50-foot on Pacific Avenue, for the sum of \$60,000 plus real estate taxes for years 1959 and 1960 due on said property in the total approximate amount of \$3,600. The owners shall have the right to remove all items from the portion of the building known as the Cameo Theater. Good and merchantable title will be furnished the City evidenced by a policy of title insurance from either the Tacoma Title Co. or the Commonwealth Title Co. Peaceful possession of said property will be given the City by owner. In the event any portion of said property is later sold for private enterprise the City shall sell it on open competitive bidding with full right of owner to bid thereon. Seconded by Mr. Porter. Voice vote on the motiton resulted as follows: Ayes 8; Nays 0; Absent 1, Murtland.

150  
504

Mr. McCormick said he thought the negotiated settlement was equitable and it would save the City court costs in connection with condemnation.

Mr. Rowlands, City Manager, said the building will cost approximately \$25,000 to demolish. The escalator will only take a portion of the 50-foot right-of-way, and the remaining commercial property will be sold by the City after the building is razed.

Mr. Easterday suggested that the City Manager look into the possibility of obtaining a site on the military reservation for a sanitary fill.

Mr. Rowlands said the Public Works Department has already proceeded to look into the matter.

Mr. Calvin Corey, an employee of the Northern Pacific Railway Shops, said the letter which was received from Mr. Robert MacFarlane, President of the Northern Pacific Railway, indicated that the electrical shops, governor and generator rooms, still are to be moved from Tacoma to Livingston, Montana.

209  
230  
417

Mayor Hanson said the Council will continue to urge the Company of its concern but, he added, he felt any drastic action might give them an excuse to move out entirely.

Mr. Rowlands pointed out that the letter from Mr. MacFarlane indicated that other types of work will be sought for the South Tacoma shops.

Mr. Cvitanich said he understood a drastic cutback of work is in the offing at the Mt. Rainier Ordnance Depot, and asked that the City attempt to determine if that rumor is true, and, if so, steps be taken to stop it before it happens.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 9:30 P. M.

Orin Hanson  
MAYOR of the City Council

Attest: Josephine Melton  
City Clerk