

Council Chamber, 7:30 P. M.

Monday, March 4, 1957

Council met in regular session. Present on roll call: Battin, Goering, Perdue, Stojack, Tollefson. Mr. Bratrud and Mr. Jensen, taking their seats at 7:40 P. M. Absent 2, Humiston and Anderson. In the absence of Mayor Anderson, Dr. Battin, Vice Mayor presided.

Dr. Battin pointed out that a statement by Mr. Omar Bratrud, "I understand the signatures on the petitions are coming in pretty good", had been omitted in the discussion following the sentence ending on line 39, page 2 of the minutes as submitted to Council (page 157 of original minutes) which he felt should be corrected. Moved by Mr. Tollefson, seconded by Mr. Perdue that the minutes be amended by the inclusion of this statement. Motion carried on roll call: Ayes 5; Battin, Goering, Perdue, Stojack, Tollefson; Nays 0; Absent 4, Bratrud, Humiston, Jensen and Mayor Anderson.

Dr. Battin stated that at the end of line 23, page 3 of the minutes as submitted to Council, an important question and answer had been omitted. (Page 158 of original minutes). He asked Mr. Bratrud the following question: "Has the present appointed Utility Board done anything that was unsound business practice, has this Board been inefficient, has this Board done anything against the best interests of Tacoma?" Mr. Bratrud answered "No, the Board has done a very good job. I have nothing against any member of the Board. I think the Board has given us very fine service. But some people don't want an appointed Board, they want to elect the Board, and I want to give them a chance to vote on it." Dr. Battin said he felt this question and answer should be included in the minutes. Moved by Mr. Tollefson, seconded by Mr. Perdue that the minutes be amended by including the above question and answer. Motion carried on roll call: Ayes 5; Battin, Goering, Perdue, Stojack, Tollefson. Nays 0; Absent 4, Bratrud, Humiston, Jensen and Mayor Anderson.

It was moved by Mr. Tollefson, seconded by Mr. Perdue that the minutes be approved as amended. Motion carried on roll call: Ayes 5; Battin, Goering, Perdue, Stojack, Tollefson. Nays 0; Absent 4; Bratrud, Humiston, Jensen, Anderson.

Mr. Stojack stated that Mr. Perrow of the Planning Commission was present for the hearing on the petition of the Elk's for hearing on the appeal of the Elk's Club from the denial of their petition for rezoning to a C-2 District, and he moved that Rule 5 (order of business) be suspended in order to consider this matter at this time. Motion seconded by Mr. Perdue and carried unanimously.

#### UNFINISHED BUSINESS:

The hearing on the appeal of Tacoma Lodge No. 174, B. P. O. Elks, (12-26-57) from the City Planning Commission's denial of its petition for reclassification to a C-2 District of property between Union Avenue and Cedar Street, from South 19th Street south 1400 feet, was taken up at this time.

Dr. Battin read a letter from the Elk's Club asking to have the hearing continued to April 15, 1957 pending outcome of Legislation now before the Legislature relative to planning. Mr. Perrow, Chairman of the Planning Commission advised that in order to resolve several problems they have been working on an amendment

covering "Planned Shopping Center" copies of which have been handed Council this evening. The Commission feels these are two entirely different types of zoning. They would like to see the Council reject the C-2 application of the Elks and then the petitioner will be in a position to apply for rezoning under the "Planned Shopping Center" District when this classification has been created by Ordinance. In reply to a question from Mr. Stojack as to whether or not the same petition could be used, Mr. McCormick replied that in his opinion the petitioners would have to sign an endorsement to the original petition asking for a "Planned Shopping Center". The matter of whether the filing fee could be used on a new petition for a "Planned Shopping Center" was also discussed and it was the opinion of the majority that this could be worked out by the Planning Commission. It was moved by Mr. Stojack, seconded by Mrs. Goering that the request of the Elks for a continuance of the hearing be denied. Motion carried: Ayes 7; Nays 0; Absent 2, Humiston, Anderson.

It was moved by Mr. Tollefson, seconded by Mr. Perdue to concur in the recommendation of the City Planning Commission to deny the petition. Mr. Tollefson withdrew his motion, and made another motion that the appeal be referred back to the City Planning Commission for consideration when and if the Elks decide to come under this proposed controlled zone for "Planned Shopping Centers" but with the understanding that their right to have a C-2 District has been excluded. Motion seconded by Mr. Stojack and carried unanimously.

Mr. Tollefson reported at this time that the Urban Renewal Bill had passed the House. He felt the City Planning Commission should hold in abeyance any proposed changes and should review the present zoning Ordinance to ascertain how this bill will affect it, Mr. Tollefson added. He commended Dr. Battin and his Committee on the hard work they had done to get this bill enacted into law. Dr. Battin thanked Mr. Tollefson for his statement of commendation and said that Mr. Tollefson is making one of the best Presidents' the Association of Washington Cities has ever had and is really accomplishing things.

Order of Business reverted to:

PETITIONS:

Mrs. Ester Hemminger, et al, for rezoning from R-2 to R-3 District property on South 40th Street between Pacific Avenue and "A" Street. Referred to the City Planning Commission. 243

Port of Tacoma, for vacation of the following plats in the tidelands industrial area: Reuter's First Tideland Addition, Chicago-Milwaukee Addition, Chicago-Milwaukee 2nd Addition, Prichard's 2nd Addition, Mrs. Lawler's Tideland Addition, all of which property is owned entirely by the Port of Tacoma. Pursuant to applicable State Laws, the City Clerk has set April 1, 1957 at 7:30 P. M. as the date for hearing thereon. It was moved by Mr. Stojack, seconded by Mr. Tollefson that April 1, 1957 be fixed as the date for hearing on this petition. Motion carried unanimously. 207

COMMUNICATIONS:

Karl A. Tongedahl, asking for establishment of a ten minute parking zone in front of grocery store at 2701-03 North 21st Street. Referred to the Traffic Engineer for investigation and recommendation. 193

**Pierce County Humane Society:** asking the City Council to specify conditions enumerated herein as prerequisites to the continuance of the contract between the City of Tacoma and the Tacoma Humane Society, since the above organization receives the greater part of its revenue from the operation of the City Pound. Mr Rowlands stated that he believed these suggestions can be taken up directly with the Humane Society and he will keep the Council informed of the status.

**Sound Mattress and Felt Company:** stating they wish to go on record as opposing the construction of a ramp across the Hosmer Street side of their property as shown on the tentative plans for the Seattle-Tacoma Freeway.

Mr. Rowlands advised that this matter is being taken under advisement by the Highway Department, and a Public hearing will be held within the next two or three weeks.

Mr. Bratrud said he felt that the State Highway Department should be requested to make a decision now as two or three firms adjacent to the freeway are contemplating expansions, and they should know where they stand.

Dr. Battin stated this will be brought up at the hearing.

### RESOLUTIONS:

**Resolution No. 14917:** X L I D 4619:

**By ANDERSON:**

Fixing April 2, 1957 as the date for hearing on L I D 4619 - resurfacing with asphaltic concrete South M Street from South 41st Street to South 52nd Street.

Adopted on roll call March 4, 1957:

Ayes 7; Nays 0; Absent 2, Humiston, Anderson

**Resolution No. 14918:** X L I D 5275:

**By ANDERSON:**

Fixing April 2, 1957, as the date for hearing on L I D 5275- 20" cast iron water main in South 12th Street from Huson Street to Orchard Street and in Orchard Street from South 12th Street to Sixth Avenue.

Adopted on roll call March 4, 1957

Ayes 7; Nays 0; Absent 2, Humiston, Anderson.

**Resolution No. 14919:**

**By BRATRUD:**

Fixing April 1, 1957 as the date for hearing on petition to vacate the portion of South Tacoma Way between South Prospect Street and the alley west of South Prospect Street, adjoining Lot 13, Block 3, Junett's Addition, more fully described herein. Petition of Tacoma Milk Producer's Association. (12-31-56).

Adopted on roll call March 4, 1957

Ayes 7; Nays 0; Absent 2, Humiston, Anderson.

**Resolution No. 14920:**

**By HUMISTON:**

Fixing April 1st, 1957 as the date for hearing on petition to vacate a portion of North Cheyenne Street at its intersection with the alley between

vacated North 47th Street and North 48th Street. Petition of George Pease, et al, 11-5-56.

Adopted on roll call March 4, 1957  
Ayes 7; Nays 0; Absent 2, Humiston and Anderson.

Resolution No. 14921:  
By GOERING:

Fixing April 1, 1957 as the date for hearing on petition to vacate the alley between Waterview and Forest Streets from North 42nd Street to McIntosh Street. Petition of Mrs. Helen M. Hepp, et al, 12-27-56.

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Adopted on roll-call March 4, 1957  
Ayes 7; Nays 0; Absent 2, Humiston and Anderson.

Resolution No. 14922:  
By JENSEN:

Fixing April 1, 1957, as the date for hearing on the petition to vacate Shirley Street between South 12th and South 13th Streets, exclusive of Bantz Boulevard; South 13th Street between west side of Bennett Street and Bantz Boulevard; the alley between Block 7 and Block 8 of Highland Park Addition; and all of the remaining alley lying west of Lot 1, Block 23, of Highland Park Addition, exclusive of Bantz Boulevard. Petition of Unitarian Association of Tacoma, Inc. 11-13-56.

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Adopted on roll call March 4, 1957  
Ayes 7; Nays 0; Absent 2, Humiston and Anderson.

Resolution No. 14923:  
By BATTIN:

Authorizing and directing sale of approximately 45,000 pounds of scrap iron to Northwest Pipe and Salvage Company on their bid of \$37.48 per ton, or a total of \$843.30, plus sales tax.

Adopted on roll call March 4, 1957  
Ayes 7; Nays 0; Absent 2, Humiston and Anderson.

Resolution No. 14924:  
By JENSEN:

Approving recommendations of the Director of Public Works and Board of Contracts and Awards, and awarding contract for Work Order No. 6561-A, surfacing and storm sewers on South 19th from Mason to Union, to Milone and Tucci, Inc., on its bid of \$27,154.55.

Adopted on roll call March 4, 1957  
Ayes 7; Nays 0; Absent 2, Humiston and Anderson.

Resolution No. 14925:  
By GOERING:

Authorizing transfer of the sum of \$5,000 from Item No. 5 of the 1957 Proposed Construction Program as set forth in the 1957 Budget of the Department

of Public Works (for pavement resurfacing) to Item No. 7 of said program (rebuilding of the 21st Street Bridge Approach item).

Adopted on roll call March 4, 1957  
Ayes 7; Nays 0; Absent 2, Humiston, Anderson.

Resolution No. 14926:

By HUMISTON:

Approving recommendations of the Director of Public Works and Board of Contracts and Awards and awarding to Hart Construction Company the contract for the removal and replacement of the west approach to Bridge F-12 located at East 21st and Canal Streets over the Puyallup River. (Work Order No. 7540.)

Adopted on roll call March 4, 1957  
Ayes 7; Nays 0; Absent 2, Humiston, Anderson.

Resolution No. 14927:

By ANDERSON:

Requesting the Federal Government, through its several agencies, to take prompt and immediate action to insure that the Northwest area be accorded fair and equal treatment in the allocation and distribution of steel and other critical industrial materials.

Adopted on roll call March 4, 1957  
Ayes 7; Nays 0; Absent 2, Humiston, Anderson.

Resolution No. 14928:

By ANDERSON:

Authorizing and instructing proper officers of the City of Tacoma to take all measures necessary to insure the installation of a 15-tube pneumatic tube system in the County-City Building in place of the manually-operated system now contemplated, at a total additional cost of not more than \$22,000 of which the City shall pay 13/15 and Pierce County 2/15; and appropriating City's share from the Cumulative Reserve Fund, New City Hall. Mr. Rowlands explained that the original plans called for manual tubes rather than automatic, and stated the latter will eliminate one full time employee, thus cutting down on overhead. The cost is divided into 13/15 for the City and 2/15 for County, for the reason that the City has 13 stations while the County has only 2.

The Police Department and City Manager recommend the change order to automatic tubes, Mr. Rowlands added.

Adopted on roll call March 4, 1957  
Ayes 7; Nays 0; Absent 2, Humiston, Anderson.

**Resolution No. 14929:**

**By BATTIN:**

Scheduling Council meetings of March 11th, 1957 at Stewart Junior High School, March 18th at Gray Junior High School, March 25, 1957 at Geiger School at 7:30 P. M. (For purpose of giving citizens an opportunity to be heard on Charter Amendments).

Dr. Battin, sponsor of the Resolution, read the following statement explaining reasons why he felt it should be adopted.

"As sponsor of this resolution I propose to open the discussion with an explanation of the reasons why it should be adopted, and I shall also claim the right, as sponsor, to make the final summary remarks on the resolution.

**Reasons for adoption.**

1. No amendment should be proposed until the charter has been demonstrated to be ineffective, or inadequate, or injurious, and has been requested by the people to whom it belongs.

Such facts should be determined in orderly hearings, democratically conducted without emotional explosions or deadline pressures, over long enough period to enable the merits and demerits of each proposal to be thoroughly explored and presented.

a) The Freeholders in 1952 truly represented a majority of the people, since there were no pressure groups, no self seekers pushing any single candidate or any slate of candidates in their election. These 15 true representatives of all the people of Tacoma, spent several hundred hours in meetings over a period of six months, studying Tacoma's previous charters, model charter and charters of several of the best governed cities in the United States, listening to experts in government from universities, from practical Governmental positions.

We read thousands of pages on government, visited cities in many parts of the country comparing their governments. We employed an expert on government, Don Nemitz, to help us analyze each section, each paragraph, each provision, each sentence, each phrase to determine whether it would promote good government, democratic government, efficient government, fair and effective government. Nemitz has helped freeholders to write charters and put them into operation in cities in nearly every state in the union. He has also helped overhaul municipal governments in Europe, Asia and South America.

Can we afford to put up amendments to our charter without, at least, holding hearings to learn whether anybody really wants them, and if so, WHY? Can we afford to put up amendments without exploring the reasons for and against them and then weighing the amendments in terms of good government?

b) In 1955 another group of freeholders was chosen to review the 1952 charter. Thirteen of the fifteen freeholders elected were members of a carefully picked slate pledged to overthrow the current government and come up with a special interest approved charter.

In spite of the expenditure by the 1952 charter opponents of many thousands of dollars some of which came from the same sources that are, today, in trouble in Portland, Oregon, over pinballs, gambling, prostitution and general racketeering:

In spite of intimidation tactics used upon certain Councilmen and Councilmen's families the present charter won by a larger percentage majority than it had won in 1952.

You are curious about the intimidation technique?

I refer you to the planting of smoke bombs in a Councilman's automobile while the owner was in Council meeting. I refer you to the hold up at the point of a gun, of Mrs. Battin in her home while I was out campaigning against the proposed charter. I refer you to the phone calls I received warning me to lay off the gambling and corruption argument against the proposed charter.

We have no moral right to propose amendments to the charter accepted by a majority of the people in 1952 and again accepted by an even larger majority in 1956, without extensive hearings. I might observe, parenthetically, that the acceptance in 1956 repudiated specifically the very points contained in the amendments which were proposed last Monday.

We should oppose any changes in this charter until we know who wants changes, what changes they want, why they want such changes and how many people want the changes.

2. The second reason for holding these hearings is that such hearings have been promised publicly and privately to the voters by various members of the City Council.

To recapitulate:

We have had two tests of this present Charter.

- 1. Its adoption in 1952
- 2. The repudiation of vested interest promoted changes in 1956;

Gentlemen and lady of the Council, we are no children nor are we adolescents. Let us measure up to the ideals of good democratic government, and our responsibility as champions of good government. Let us hold these hearings in good faith, but in proper form. Several friends of good government have expressed to me the fear that special interest groups would stack the meetings with a noisy clack as they did the general meeting held at Stewart Intermediate School in 1955 to study the merits and demerits of the then proposed new charter.

I explained to these people that we would take precautions such as requiring each person who offers suggestions for amendment or argues in favor or against any amendment suggested to:

- 1. State his name
- 2. Give his address.
- 3. State his occupation, or for whom he works
- 4. State what he wants, i. e. what his suggestion is.
- 5. State why he wants such an amendment
- 6. Tell how he believes such amendment will, if adopted, give us a better governed city.

I explained further that after these four hearings have been held all suggestions made in the hearings should be collected, classified, analyzed and interpreted. The Council should then call in expert advice and assistance to formulate the minimum number of proposals necessary to embody all essential suggestions made.

The Council should then after the proposals have been formulated set up another series of hearings to study the proposals, acquaint all the people with the proposals, and evaluate them in terms of good city government."

Mr. Bratrud submitted the following statement, signed by Mr. Stojack, Mr. Jensen and himself, which was read by the Clerk:

**"COUNCILMEN JENSEN, STOJACK AND BRATRUD WISH TO MAKE THE FOLLOWING MINORITY REPORT**

We appeal to the Council to give immediate consideration to the proposed amendments for changes in the city charter; namely, elected Mayor and 6 man Council, elective Utilities Board and elective Civil Service Board, and to further set a date for an election to be held early in May of 1957 to decide these matters. This appeal is based upon information that has come to us from the people of Tacoma, the people we represent.

It is our firm belief that in the absence of this Council to present amendments to the charter (that have been asked for by the people of Tacoma and promised by some Councilmen during the last election) we are failing in our duties as Councilmen. It is our further belief that if these amendments are presented to the people, it will have a tendency to forestall the pending petitions calling for a freeholder's election.

We firmly believe in the merits of the City Manager form of government and wish to retain it for the City of Tacoma. We as a Council have told the people that the Manager form of government is flexible, now lets show them that it is. We feel it may be possible to satisfy a large percentage of the opposition and criticism now leveled at this City Manager form of government. We want a more united Tacoma and should, therefore, attempt to be a more unified Council.

As elected representatives of the people, we are sincerely seeking the answer to our civic problems. We ask the support of our fellow Councilmen. If that support is not available, we are left with only one alternative - to take this, our plea, to the people of Tacoma for their early consideration.

Signed-Omar Bratrud,  
Frank Stojack  
Everett Jensen"

Mr. Bratrud said he believed the sooner these discussions are held the better it would be, saying amendments to the Charter have been discussed for several years but nothing has been done.

Mr. Tollefson said he did not think it made good sense for the Council to try to forestall the circulation of petition for Charter revisions by submitting amendments as has been the practice of the Council. He did not believe the Council should endeavor to satisfy or appease pressure groups by offering Charter amendments, he stated. He favored having a discussion of the matter as soon as possible, but said he did not believe Council members should submit any amendments unless they had a wealth of information. He did not feel that anyone on the Council is a member of a minority group as set forth in the statement of Bratrud, Stojack and Jensen, and he certainly did not consider himself a member of any group, Mr. Tollefson said.

Mr. Perdue observed that it seemed rather inconsistent for Councilmen to say they are for this form of government and then submit amendments that would sabotage the City Manager government.

Mr. Jensen stated that some members of the Council seem to express the opinion that this Charter is a perfect instrument. After you work with a Charter you find places where it can be improved, he said. He pointed out that some time back the Council had felt that the Mayor had too heavy a burden, and the question of making



a change to a full time Mayor had come to a vote, but had been voted down. If the amendments suggested by Mr. Bratrud have enough support he felt they should be put to the vote of the people, Mr. Jensen stated.

After further discussion Mr. Tollefson pointed out that the question before the Council was the resolution about holding Council meetings in various places in the City. It was moved by Mr. Bratrud seconded by Mr. Jensen to amend the resolution to have all the meetings listed therein in the Auditorium of the Public Utility Building. Mr. Bratrud said this was a central location and the City would avoid the payment of rent.

Mr. Perdue said he thought the original idea was to bring the meetings to areas where people live. This change would defeat the purpose and he would be against the amendment, Mr. Perdue added.

Mrs. Goering said she favored the regional meetings, but thought perhaps another meeting at the Public Utility Building at the conclusion of the series would be a good idea.

Mr. Tollefson said he was in favor of the Utility Building.

Roll was called on Mr. Bratrud's motion to have the meetings at the Utility Building, which carried. Ayes 4, Bratrud, Jensen, Stojack, Tollefson. Nays 3, Goering, Perdue, Battin. Absent 2, Humiston and Mayor Anderson.

Roll was then called on the Resolution, as amended

Adopted on roll call March 4, 1957  
Ayes 7; Nays 0; Absent 2, Humiston and Anderson.

Resolution No. 14912: (Postponed to this date on February 25, 1957)

By BRATRUD:

Submitting to qualified voters at a Special Municipal election on May \_\_\_\_\_, 1957 for their rejection or approval a proposition to amend Section 6.11 of the City Charter (to provide for direct election of Civil Service Board).

It was moved by Mr. Bratrud, seconded by Mr. Stojack that Resolution No. 14912 be laid over to March 11th for discussion.

Dr. Battin pointed out that this suggested amendment comes from Council rather than the citizens, while it was his understanding that the purpose of the meetings on Charter amendments is to receive suggestions from the public.

Mr. Bratrud asked if it were Dr. Battin's understanding that the Council members had no right to make comments, suggestions or proposals at these hearings. Dr. Battin replied that he believed the Council should hold meetings similar to those held by the Freeholders in drafting the Charter. The Freeholders asked the people for opinions and then later held discussions on the merits of the suggestions, Dr. Battin added.

Mrs. Goering said she could see no other way except by public hearings to give the people an opportunity to be heard. She hoped the meetings would not be stacked with pressure groups, she added. However, she did not believe the Council should come to these meetings armed with resolutions for amendments, Mrs. Goering said.

Mr. Jensen asked how the Council was going to handle the mechanics of screening the suggestions offered. Dr. Battin replied that the Freeholders had a recorder take down everything that was said. If this were done at these meetings, the records would be available for Council's study, but the Council would not be leading the movement for amendments, he added.

Roll was called on Mr. Bratrud's motion to lay the resolution over to

March 11th, which lost on roll call: Ayes 2, Bratrud and Stojack; Nays 5; Goering, Jensen, Perdue, Tollefson, Battin. Absent 2, Humiston and Mayor Anderson.

It was then moved by Mrs. Goering, seconded by Mr. Perdue to indefinitely postpone the resolution. Motion carried on roll call: Ayes 7; Nays 0; Absent 2, Humiston and Mayor Anderson.

Resolution No. 14916: (Postponed to this date on February 25, 1957)

By ANDERSON:

Declaring it to be the policy of the Council of the City of Tacoma that the City will not extend or furnish to any incorporated areas outside the City Limits of Tacoma any of its water or water facilities or sanitary sewers or disposal system facilities.

It was moved by Mr. Bratrud to lay the Resolution over to March 18th. No second. Mr. Stojack asked why the Utility Board had postponed action on the Resolution. Dr. Battin replied that the Utility Board said they did not have time to study it, due to the stress of the Cowlitz matter and had postponed it for this reason. Dr. Battin pointed out that the Board of County Commissioners is holding a hearing on the Tidehaven City incorporation tomorrow night and before making a decision they are waiting to hear what the City is going to do about the Resolution.

Mr. Stojack pointed out that the proposition must be put to a vote of the residents, and he said he thought if the Resolution were adopted prior to the election it would be in ample time. Mrs. Goering said she felt a statement of policy should be made immediately so those involved would know the facts. She could not conceive how the Council can answer to the citizens of Tacoma, if they give these advantages to towns outside the City which do not share in the cost of our government, she added.

Roll was called on the Resolution.

Adopted on roll call March 4, 1957

Ayes 5; Goering, Jensen, Perdue, Tollefson, Battin.

Nays 2; Bratrud, Stojack/ Absent 2, Humiston, Anderson.

FIRST READING OF ORDINANCES:

Ordinance No. 15826:

Vacating the south 50 feet of the east 35 feet of South K Street at its intersection with South 65th Street; and retaining and reserving easements therein for the construction, repair and maintenance of public utilities and services. Read by title and placed in order of final reading.

Ordinance No. 15827:

Vacating Warner Street from North 31st Street to North 32nd Street; and retaining and reserving an easement therein for the construction, repair and maintenance of public utilities and services. (Petition Ruth Sarver, et al - 10-19-56) Read by title and placed in order of final reading.

Ordinance No. 15828:

Vacating a portion of North Ferdinand Street from North 9th Street to North 10th Street; and retaining and reserving certain easements therein for the construction, repair and maintenance of public utilities and services. Petition of Winston I. Nunes, et al - 6-1-56. Read by title and placed in order of final reading.

FINAL READING OF ORDINANCES:Ordinance No. 15825:

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457  
Repealing Ordinance No. 15513, entitled: "An ordinance providing for improvement of Melrose Street from Prospect Street to State Street, also State Street from South 14th Street to South 15th Street, by grading and placing thereon an asphalt concrete pavement, etc.; creating L I D No. 4584 (passed January 3, 1956) Read by title.

Mr. Rowlands reviewed the history of L I D 4584, stating the L I D Committee had considered the district twice last year and had approved it. After the Ordinance was passed, it was decided by Council to hold the L I D in abeyance for one year. In this district there was originally a remonstrance of 48.3% filed, but the situation is a little different in this case as the Park Board which owns 33% of the property remained neutral in the matter. If only private property owners are considered, the remonstrance would actually be much higher, possibly 72%, Mr. Rowlands said. Dr. Battin raised the question of whether or not the Council would be setting a precedent if they repealed the ordinance because the Park Board owns 33% of the property.

Mrs. Goering asked if it would help to solve the problem as far as those who are opposed are concerned if the improvement were delayed another six months. Mr. Staman replied that he had talked to both sides recently and has found no change in their feelings.

Mr. Bratrud said he did not feel the Council should inject itself into this neighborhood controversy when there are so many petitions filed by people who desire the City's financial assistance on an L I D project.

Mr. Staman pointed out that the City's portion for this improvement was committed in 1956 and the money is still being held for this purpose. Mr. Perdue said he felt the Council would be setting a precedent where some are against an improvement and cannot be reconciled or where the Parks are involved and he could see no reason for changing the Council's former position. Mr. Bloomquist spoke against the improvement using the same arguments he had given at previous hearings, namely financial burden. Mr. Walters urged Council to approve the L. I. D. Dr. Battin pointed out to the opponents that if the district is abandoned, they will actually be turning down the City's contribution of 40% of the cost and they may never have this golden opportunity again.

Roll was called on the Ordinance.

Roll call: Ayes 2; Bratrud, Stojack; Nays 5; Goering, Jensen, Perdue, Tollefson, Battin. Absent 2, Humiston and Mayor Anderson.  
The Ordinance was lost on roll call.

Ordinance No. 15814:

Vacating South 20th Street extending east from the east property line of the alley between South I Street and South J Street to the west line of Lots 1 and 2 of South 20th and I Street replat to Tacoma, Pierce County, Washington; and retaining and reserving easements for the construction, repair and maintenance of Public utilities and services. Read by title.

Mr. Buehler of the Planning Office advised that the ordinance had been laid over for the purpose of correcting the legal description on page two to include a proviso that the owners of existing buildings shall have the right to maintain same even though they encroach upon the City's easement. This amend-

ment has been made and the ordinance is now ready for passage, Mr. Buehler stated. Moved by Mr. Stojack, seconded by Mr. Jensen that the Ordinance be amended to include the proviso relative to maintenance of existing buildings. Motion carried unanimously. The Ordinance was then passed as amended.

Roll call: Ayes 5; Goering, Jensen, Perdue, Stojack, Battin  
Nays 0; Absent 4, Bratrud (Temporarily) Humiston, Tollefson (Temporarily) and Mayor Anderson

UNFINISHED BUSINESS:

This being the date fixed by Resolution No. 14900, adopted by Council on February 11, 1957, for hearing on construction, reconstruction or repair of sidewalks, gutters, curbs and driveways in various locations of the City, was held at this time. W. O. 7707. 145- 188

Mr. Staman reported that Mr. Wickstrom, the Engineer in charge, had viewed all the walks included in the project, and had talked to many of the property owners. He has received 43 telephone calls on the matter, and a report on these has been furnished each Council member, Mr. Staman advised. As a result of these telephone conversations, many of the remonstrators have been satisfied and no longer are opposed to the improvement, he added. If the sidewalks can be made safe by the property owner and meet the department's requirements, the City will not insist that the walks be replaced, Mr. Staman stated. People in the audience were given an opportunity to speak at this time.

Lewis R. Holcomb, who represented several property owners on Moorlands Addition, said they were opposed to the installation of the new sidewalks in Huson Drive because of the financial strain and asked to have this street removed from the district. Mrs. Clarence J. Kuzina, 1282 South Huson Drive said she felt most of the property owners were opposed to the improvement because of the manner in which it had been handled. They were not informed of the improvement until they received the notice from the Public Works Department. The petition, which started the ball rolling, was presented by residents who already had sidewalks, while those without the improvement were not consulted. Mr. Staman advised that these sidewalks had been included in the district as it would be cheaper than an L I D. Dr. Battin asked if a Public Works representative could contact each of those involved, and Mr. Staman said he would be willing to hold a meeting any time the residents desired.

James L. Perry, 1218 Moorlands Drive, said he had purchased a corner lot, which made his assessments almost double, and with the other improvements already in, it will mean that the payments on his house will increase approximately 23%. He thought owners of corner lots should be allowed 15 years to pay if other property owners are allowed 10 years. Mr. McCormick advised that the number of payments would have to be the same for all property. It was agreed that the Public Works Department would take the initiative in ascertaining when and where a meeting can be held to explain the improvement to the property owners.

Mr. Albert Ehli, 7008 So. Prospect, advised he had a letter signed by all but three residents in his block, opposing the new sidewalks on South Prospect. He pointed out there are no sidewalks to the north for fourteen blocks, and they could see no reason for installing them between South 70th and 72nd. Mrs. Hazel A. MacMayburns 7027 South Prospect Street, said she had been advised by the Public Works Department that this was an experiment to ascertain how the property owners reacted. She would much rather have a storm sewer than the sidewalks, as this was badly needed, Mrs. MacMayburns said. Mr. Leonard B. Shaw, 7022 South Prospect, spoke in favor of

the sidewalks and said Mrs. Verda S. Henselin, who is the owner of the corner property also would like to see the walks installed. Moved by Mr. Tollefson, seconded by Mr. Stojack that South Prospect Street from South 70th Street to South 72nd Street be deleted from the improvement. Motion was withdrawn by Mr. Tollefson.

Fred E. Ireland, 2710 East L Street, stated that the notice he received called for removal of approximately 840 square feet of sidewalk, but he believed only 250 feet needed repair. Mr. Wickstrom advised that Mr. Ireland's property is in the Freeway area, and they are at this time only going to make minor necessary repairs, pending the exact location of the Freeway.

Lloyd T. Nyman, 3758 East B, said he felt new sidewalks should not be put in on his street until the storm drainage is installed as they would "buckle" in a short time due to the water standing on them. The Public Works Department will investigate this problem, Dr. Battin advised.

Mr. Staman said the two controversial issues, Hudson Drive and East "B" Street will be investigated by his Department and a report given to Council.

It was moved by Mr. Brattud, seconded by Mr. Tollefson that the remonstrances be overruled and the W. O. 7707 be approved and the City Attorney be instructed to draw the necessary Ordinance. Motion carried on roll call: Ayes 7; Nays 0; Absent 2, Humiston and Mayor Anderson.

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

Annual Financial Report for the year 1956 for the Department of Public Utilities, Water Division.

Upon motion, duly seconded and carried, Council then adjourned at 11:20 P. M.

*Charles T. Battin*

Vice - President of City Council

Attest: *Josephine Helton*  
City Clerk