

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, April 23, 1968

Council met in regular session. Present on roll call 8: Banfield, Bott, Danich, Finnigan, Herrmann, Johnson, Zatkovich and Mayor Rasmussen. Absent 1: Murtland. Mr. Murtland coming in at 4:25 P. M.

Mayor Rasmussen called the meeting to order and declared a recess at 4:10 P. M. for a brief meeting with the Council in his office.

The Council reconvened at 4:25 P. M. and took up the regular order of business.

Mr. Johnson moved that the minutes of the meeting of April 9, 1968 be approved and submitted. Voice vote was taken. Motion carried.

Mr. James Conley of the Public Works Dept. was presented with a \$25.00 check for his suggestion relative to the installation of a stationary hose rack on the pickup truck employed with concrete sawing.

Mr. Conley was congratulated by Mayor Rasmussen, Mr. Rowlands, City Manager and members of the City Council.

James Reiser, Fire Chief, introduced Capt. Jack Harkins and Firefighter Paul McNail who for the second year in a row had designed the City float for the Rifodil Parade that won the Sweepstakes Award. Chief Reiser said he also wanted to thank many others from various departments in the City who contributed their support to the building of the float.

Capt. Harkins presented Mayor Rasmussen with the trophy and a zinc engraving of the float for his office.

Mayor Rasmussen thanked Chief Reiser and complimented all persons who had worked so diligently for the City of Tacoma on this project.

RESOLUTIONS:

Resolution No. 19678

Fixing Tuesday, May 14, 1968 at 4 P. M. as the date for hearing for the rezoning of the East side of Pearl Street from No. 15th to 18th Streets. (Petition of Palmer Peterson)

Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Finnigan.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19679

Awarding the contract to Eagle Signal Division--E. W. Bliss Co. for the furnishing of signal equipment on its bid of \$16,229.55.

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Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Bott.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Mr. Zatkovich moved to reconsider Resolution No. 19665 which failed to pass April 9, 1968, relative to the sprinkling system at the new Fire Dept. Headquarters Bldg. at 9th and Fawcett Ave. Seconded by Mr. Cvitanich

Mr. Bott asked Mr. McCormick, City Attorney, if this could be considered at this time.

Mr. McCormick, City Attorney, explained that it would be too late to reconsider the resolution, however, the Council could discuss the matter as an item of business. He remarked that the Council rules can be suspended and the matter brought forward by a motion and a resolution can be passed to cover the decision of the Council at this time.

Mr. Zatkovich withdrew his motion with the consent of his second.

Mr. Zatkovich moved to suspend the rules to consider a motion relative to the installation of a sprinkling system at the new Fire Dept. Headquarters Bldg. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Mr. Zatkovich moved that a resolution be prepared with reference to the sprinkling system for the new Fire Dept. Headquarters, authorizing the expenditure of \$2,990.00 for this automatic sprinkling system. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Mr. McCormick explained with the consent of the City Council the Legal Dept. will draft a resolution confirming the motion and it will be incorporated in the minutes as adopted by resolution.

Resolution No. 19680

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Appropriating the sum of \$2,990.00 or so much thereof as may be necessary from the Cumulative Reserve Fund for Capital Outlay & M & O for the purpose of installing a sprinkler system for the outside of the new Fire Station Bldg. at 9th and Fawcett Ave.

Mr. Zatkovich moved that the resolution be adopted. Seconded by Mr. Cvitanich.

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

FIRST READING OF ORDINANCES

Ordinance No. 18563

Vacating the area between So. 56th & 28th Sts. and between Mullen & Orchard St. (petition of Francoa Development Company)

The ordinance was placed in order of final reading.

Ordinance No. 18564

Amending Title 8 of the official code of the City by adding thereto a new Chapter 8.80 prohibiting discrimination in housing in the City of Tacoma because of race, creed, color or national origin; and establishing an Open Housing Review Board whose membership shall consist of the Human Relations Commission.

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Mr. Finnigan explained that he would ask that this ordinance be removed from the agenda as he thought Mayor Rasmussen's ordinance which comes up later on the agenda would meet with the approval of the City Council.

Mr. Finnigan then moved to remove the ordinance from the agenda. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

The Ordinance was then removed from the agenda.

GENERAL READING OF ORDINANCES:

Ordinance No. 18543

Amending various sections of the official code of the City relative to the hours of work for Fire Service employees, differential pay for Firefighters, classifications and providing for special license for certain truck drivers under State Law.

Mr. Stan Bixel, Director of Personnel, explained that this ordinance includes several amendments to the Compensation Plan of the City. He outlined each change for the Council's information.

Mr. Cvitanich asked Mr. Bixel when the salary survey was completed from 1955 through 1968, what was the percentage that was recommended for supervisory personnel as opposed to rank and file employees.

Mr. Bixel stated he could not off hand give that information but would look into the matter and report as soon as possible.

Mr. Cvitanich asked that the Council keep in mind at the budget hearings that the rank and file employees with percentage increases in salary were falling far behind the supervisory salaries. He suggested that the Council discuss the matter of across the board increases for next year instead of percentage increases.

Mayor Rasmussen requested that Mr. Rowlands, City Manager, give the utmost consideration to filling the position of Assistant to the City Manager, with a person from the City of Tacoma and perhaps, a person from the minority race.

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18559

Amending Section 1.12.430 of the official code by adding Subsection 1112 to establish a new position of Health Administrative Officer in the Health Dept.

Mr. Rowlands, City Manager, explained that Mr. Van Camp, Business Representative of the Civil Service League, had discussed this ordinance with Mr. Bixel, Personnel Director, and some of the Pierce County officials, and it was recommended that this ordinance be postponed for a week.

Dr. Herrmann moved that Ordinance No. 18559 be postponed for one week, until April 30, 1968. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Ordinance No. 18560

Vacating Chandler St. between So. 28th St. and a point 243 feet south thereof. (petition of Doris M. Swanson)

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18561 (as amended)

Amending Title 3 of the official code by adding a new chapter 8.96 and eleven sections 8.96.010 thru 8.96.110 relative to the control of Civil Disturbances

Mayor Rasmussen moved that Ordinance No. 18561 be postponed for one week, April 30, 1968. Seconded by Mr. Bott

Mr. Zatkovich said he didn't see why this ordinance should be postponed as it had no relation to the open-housing ordinance

Mayor Rasmussen explained that he had held a meeting with many citizens of the community on Monday of last week and again at the study session on Monday of this week. Many constructive suggestions were made at these meetings in relation to the fact there was some feeling against this ordinance. In all probability the title for this ordinance will be considered as it was suggested it should be changed, the emergency control measure rather than the present riot control. Furthermore, some of the citizens at these meetings felt this ordinance was directed at them and they were assured that it was not directed at any particular segment of the community, as it was meant as a protective measure for everyone in the City.

He further stated, in the discussion of the open-housing ordinance, many constructive suggestions were made. It was impossible for the City Attorney's staff to draft an ordinance in such a short time which would include the suggestions that were made. Some compromises have been reached and, perhaps, it will be entirely possible that a housing ordinance will be drafted that will be acceptable. It was also felt that these two important measures should appear on the same agenda and be passed at the same time.

Mr. Zatkovich stated this ordinance will help everyone and he did not think it should be considered with the open-housing ordinance.

Dr. Herrmann explained he felt that the existing law and police enforcement were such that the ordinance was not necessary.

Dr. Herrmann then moved a substitute motion, to table the ordinance. Seconded by Mr. Murland.

Mr. Murland said he also did not see the need for such an ordinance and felt, in the City of Tacoma any disturbances can be handled in the future, as well as they have been handled in the past.

Mr. Cvitanich felt this ordinance was not directed at anyone except the law violators. He did not feel the open-housing ordinance and this ordinance should be drafted together.

Roll call was taken on Dr. Herrmann's motion to table the ordinance. Ayes 2; Nays 7; Banfield, Bott, Cvitanich, Finnigan, Johnson, Zatkovich and Mayor Rasmussen. Absent 0. Motion failed.

Roll call was taken on the motion to postpone Ordinance No. 18561 for one week. Ayes 6; Nays 3, Banfield, Cvitanich and Zatkovich. Absent 0. Motion carried.

Ordinance No. 18562

Amending Chapter 8.94 of the official code by adding a new section 8.94.020 relative to fire alarms.

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Finance No. 18565

Amending Title 8 of the official code of the City by adding thereto a new section 8.80 prohibiting discrimination in housing in the City of Tacoma because of race, creed, color or national origin and establishing an independent Open Housing Review Board and declaring an emergency making the ordinance effective immediately upon publication.

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Mayor Rasmussen explained that he had received communications from a number of people who asked to speak to this ordinance and he would call for their remarks at this time.

Mrs. William E. Early of 3118 No. 30th, representing the Council of Churches, said she was one of the volunteers for the Tacoma Citizens' Task Force and felt that a fair housing ordinance should be passed. She presented a petition to the Council with 3,489 signatures in favor of a strong housing ordinance with an emergency clause.

Mr. LeRoy Annis, 2906 No. 25th, spoke as an individual and a member of the American Civil Liberties Union. He noted that one of the great principals of civil liberty is that every person should be treated as an individual on the basis of his own works. He suggested some changes in the proposed ordinance.

Mrs. Esrey Wolfrom, 1301 Tacoma Ave., representing the National Association of Social Workers, Mt. Rainier Chapter, spoke in favor of a strong and fair housing ordinance which incorporates an emergency clause.

Mayor Rasmussen read a communication from John H. Anderson, President of the Tacoma School Board, requesting that the Council enact legislation providing for open housing in the City of Tacoma and that such legislation include an emergency clause.

Mrs. Vardeberg of 414 No. C. St., stated she had been asked to read a letter from Mrs. Kenneth C. Heiman, President of the Lowell Elementary School which favored the passage of an open housing ordinance with an emergency clause and punitive measures. The communication further urged that the Tacoma Human Rights Commission be used as a review board.

Mr. L. H. Pedersen, 1715 East 70th, Secretary-Treasurer of the Pierce County General Labor Council, supported the ordinance which must include an emergency clause.

Mayor Rasmussen stated it was his hope that an ordinance could be passed that would be acceptable to the community on a basis of trust so a referendum would not be submitted.

Mr. Cvitanich felt if the Churches and people of communities many years ago had assumed their rightful responsibilities, an ordinance of this type would not have been proposed.

Mr. Johnson asked that Mr. McCormick, City Attorney, explain the emergency clause in the ordinance that is being discussed.

Mr. McCormick stated, under the City Charter there are provisions that provide for an initiative and a referendum. Also under the charter, certain ordinances are not subject to referendum. Normally ordinances require two readings and do not become effective until ten days after publication, which would allow time to gather signatures for a referendum. Also under the charter, there are provisions for the passage of an emergency ordinance which becomes effective immediately upon publication, consequently there would not be an opportunity to gather signatures for a referendum.

Mr. Earl Mamlock, President of the Tacoma Board of Realtors, called for an all

passing local law against housing discrimination as soon as possible. He said the realtors have subscribed to a code of practices against discrimination in housing for some three years, and their Board believes that a local ordinance could become effective immediately.

Mayor Rasmussen asked Mr. Mamlock to participate in the negotiations relative to passing an ordinance for the Council's action next week.

Mrs. A. E. Karstad, President of the Tacoma Council of the PTA, spoke on behalf of adopting the open housing ordinance with an emergency clause.

Mrs. Harold Moss, 1270 Huson Drive, representing the YWCA, read a statement to the Board of Directors, affirming and supporting the open housing ordinance.

The Rev. Norman McCue, 1718 Narrows Drive, spoke particularly on behalf of the Tacoma-Pierce County Council of Churches, and said that the Council of Churches formed their goal of several years ago and agreed that an open-housing ordinance should be passed.

The Rev. D. S. Brazill, 1723 So. K, favored the open-housing ordinance with an emergency clause, as he felt it would help control the injustices his race has been subjected to for the last one-hundred years.

Mr. Fred Carlson, 1913 No. Mason, was in favor of the proposed ordinance and suggested that the City Council consult with the City of Seattle, Fircrest, Gig Harbor and the Pierce County Commissioners, to make this an all inclusive open-housing measure.

Mr. Allen Vandeberg of 414 No. C. St., Laura Davis, 2002 So. Thompson, the Rev. J. Barry Williams, 1732 No. Steele St., also urged the Council to pass the proposed ordinance.

Mr. Fred T. Haley, 3018 No. Puget Sound Ave., favored the open-housing ordinance with an emergency clause. He suggested that thought be given to the situation in the Federal law dealing with the enforcement provisions.

Mr. Hugo Hartnack of 324 No. 4th, Mrs. Betty Jane Heigel, 8009 So. Yakima, Mrs. Slayter, 1910 No. Proctor, Mr. Ernie Roberts, 1332 Jackson St. and several other citizens spoke against the open-housing ordinance.

After some discussion Mayor Rasmussen moved that Ordinance No. 18565 be postponed for one week, until April 30, 1968. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

FINISHED BUSINESS:

The Director of Public Works presents the assessment roll for the cost of L I D 4809 for paving on So. 19th St. from Mildred to Jackson Ave.

Dr. Herrmann moved that Monday, May 13, 1968 at 4 P. M. be set as the date of hearing on the assessment roll for L I D 4809. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

REPORTS:

1964 - 1968 Model Cities Application.

Mrs. Banfield reiterated her objection to the insertion of additional pages in the Model Cities application after the Council had reviewed the application and pointed out several figures that she felt were discrepancies.

Mrs. Banfield brought up the fact that she voted against the 'CRP' and the Model Cities programs and stated that her main reason for voting against these programs was that she had stated, it could place the entire City of Tacoma under urban renewal. She read a letter dated March 29, 1968 which had been received by each Council member from Mr. Rowlands, City Manager, explaining the Model Cities application and the Community Renewal Program.

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Mr. Rowlands remarked that in his letter he noted that calls had been received from the officials of HUD in San Francisco, asking the thinking of the City Council as to these programs. They felt, that perhaps, non-interest would affect the City for Tacoma for either program.

Mr. Rowlands said that the 'CRP' grant offer was approved by the Federal officials and it is now up to the Council if they wish to accept the \$187,000 grant.

Mr. Rowlands said he has tried to the best of his ability to explain the items in MC-514 relative to the Model Cities application in describing the items which were added.

Dr. Herrmann pointed out that the Council had voted 7-2 for authorization of the application, and that overwhelming support of Model Cities had been expressed at a public hearing at the McCarver School. He felt for several months now there had not been the proper distinction between the legislative and administrative functions. He felt that this vote indicated to the Council that the application should be submitted and at that point it became an administrative policy.

Mayor Rasmussen explained it was the Council's responsibility to review the report and at the time of the review, it should have been complete.

Mayor Rasmussen requested, when reports are submitted to the City Council from the City Manager that it be made clear if any alterations or additions are to be made or that the report is complete.

Mrs. Nedlock residing at 3420 No. 37th, asked that a copy of the Model Cities application be placed in the main Library.

After further discussion, Mr. Bott moved that all MC's submitted to the Council members be mailed and not be listed on the agenda. Seconded by Mr. Martland.

Mr. Bott felt that MC's are normally for information.

Roll call was taken on the motion, resulting as follows: Ayes 4: Nays 5: Benfield, Cvitanich, Herrmann, Zatkovich and Mayor Rasmussen. Motion lost.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

Tacoma Police Dept. report for March 1968.

COMMENTS:

Mr. Rowlands reminded the City Council that the Baseball season opens Friday night at Cheney Stadium.

VA-28

Mr. Rowlands suggested that the Council members nominate their delegates to the AWC Convention which is to be held in Spokane in May.

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Mr. Rowlands stated that negotiations relative to wages will be starting this summer and he would like a determination from the Council as to whether or not the salary increases should be discussed percentage wise or across the board.

Mr. Zatkovich wondered, perhaps, across the board increases should be contemplated this year and he felt the percentage raises deprive some employees of a fair increase.

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Mr. Matkovich asked if any action has been taken on the request by the Council to employ five more policemen.

Mr. Rowlands explained that the request for more police personnel will be discussed at next week's Council meeting.

Mr. Matkovich remarked that an attorney who has given of his own time and expense to instruct the Police personnel for some years in the training program, has been relieved of his duties. He asked that Mr. Rowlands, City Manager, look into the matter.

Mr. Rowlands stated he would be happy to check the matter.

Mr. Critchfield inquired as to the progress of the air pollution studies.

Mayor Rasmussen stated that progress is being made by the Puget Sound Air Pollution Control Agency in providing equipment for monitoring Tacoma area smog conditions.

Mayor Rasmussen stated there has been a letter from the Air Pollution Control Board requesting a payment of approximately \$8,000, the balance due of Tacoma's share of air pollution control.

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Mayor Rasmussen said, since there is no objection from the Council, the payment of \$8,350 will be made for the balance of Tacoma's share for the air pollution control.

Mr. Fred Carlbon asked that the City Manager make a report in writing on the problem as requested a few weeks ago.

Mayor Rasmussen stated, the City Manager has the matter under investigation and the report will be forthcoming.

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There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 9:15 P. M.

A. L. Rasmussen
MAYOR

Attest: _____
City Clerk