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## CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.  
Tuesday, October 20, 1964

Council met in regular session. Present on roll call 9: Bott, Cvitanich, Finnigan, Haley, Herrmann, Johnson, Murtland, Price and Mayor Tollefson.

Mrs. Price moved that the minutes of the meetings of the budget hearing on Monday, October 5th, City Council and budget hearing on Oct. 6th, and budget hearing on October 7th, 1964 be approved as submitted. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

### HEARINGS & APPEALS:

a. This is the date set for hearing on the petition submitted by Lester R. Rhea for rezoning of property located at the northwest corner of So. 12th & Santz Bldg. from an "R-2" to an "R-4-L" District.

Mr. Thompson, Attorney representing Lester Rhea the petitioner, stated he requested that Blocks 26 and 27 be rezoned, however, the Planning Commission recommended that only Block 26 be rezoned. He added, the petitioner is in agreement with the cutback. Mr. Thompson submitted photographs which showed that the area was sparsely developed. He said the apartments which they intend to build will be an asset in the neighborhood and will provide housing for married students and faculty at the Community College, soon to be constructed.

Following a discussion by the City Council, Dr. Herrmann moved that the recommendation of the Planning Commission be accepted and that the proper ordinance be drafted rezoning Block 26. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

b. This is the date set for hearing on the petition submitted by the Bank of California for vacation of the air space over Court A between So 10th<sup>57-400</sup> and 11th Streets.

No one appearing to protest the vacation, Mrs. Price moved to concur in the recommendation of the Planning Commission and that the proper ordinance be drafted for the vacation. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

c. This is the date set for hearing on the petition submitted by St. Leo's<sup>57-400</sup> Parish for the vacation of So. 14th St. from the west line of "G" to the east line of the alley between Yakima and "G" Sts.

No one appearing to protest the vacation, Mr. Finnigan moved to concur in the recommendation of the Planning Commission and that the proper ordinance be drafted approving the vacation. Seconded by Mrs. Price. Voice vote taken. Motion carried.

RESOLUTIONS:

Resolution No. 18048

Fixing Tuesday, Nov. 17, 1964 at 4:00 P. M. as the date for hearing on the vacation of So. 39th St. between Steele and Stats Sts. and Trafton St between So. 38th and So. 40th Sts.

Mr. Haley 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. 18049

Fixing Monday Nov. 23, 1964 at 4:00 P. M. as the date for hearing on L I D 6843 for intersectional lighting from Yakima Ave. to So. "J" St., from South 72nd to South 78th St.

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

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

Resolution No. 18050

Authorizing the proper officers of the City to enter into an agreement for the furnishing of fire protection and fire fighting service to the U. S. Oil & Refining Co. located outside the city limits.

Mrs. Price moved that the Resolution be adopted. Seconded by Dr. Herrmann.

Mr. Bott asked if the U. S. Oil Refinery met all of the City fire prevention requirements.

Chief Reiser explained that the plant will be investigated periodically by the Fire Inspectors and recommendations will be made but officials at the Refinery are not required to carry them out. He explained the exact location of the refinery.

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Mr. Finnigan asked if fire protection would be available to other industries in the County, and if this would be the policy in the future, to give fire protection service at a fee.

Mr. Rowlands stated no other request has been received for fire protection in the last five years.

Mayor Tollefson said he was concerned on the amount of services the City is rendering outside of the City by contract agreement, so that an individual or firm may receive the same service as those firms located inside of the City. He wondered if the amount paid for these services correlates with the tax paid if they were located inside the City.

Mayor Tollefson asked what the Refinery would pay in taxes if it were located inside the City limits as against the fee charged by the City for services rendered, and how far the City should go in rendering services outside of the City which gives little revenue. He also asked how much less their insurance rates would be with the fire protection given by the City.

Mr. Rowlands said he did not have those figures readily available. He added, the only reason this came before the Council at this time was that the amount of money being paid to the City was increased. They would get fire protection under the mutual aid protection in any event.

Mr. Bott said this agreement has been in effect for sometime and this contract is to the City's advantage. He suggested that they continue the contract under the new provisions and review the contract next year for any changes.

Mr. Murtland moved to continue the resolution until Nov. 4, 1964 as he thought the matter should be discussed further. Seconded by Mr. Cvitanich Voice vote taken. Motion carried.

Resolution No. 18051

Authorizing the proper officers of the City to enter into an agreement with Ft. Lewis and McChord AFB fire departments for reciprocal fire protection.

Mr. Cvitanich moved that the Resolution be adopted. Seconded by Mr. Haley.

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

Resolution No. 18052

Authorizing the proper officers of the City to execute a contract of sale to Robert Bearden of Hoodsport, Wash. for approximately 306,000 board feet of alder located in the vicinity of Lake Cushman for the purchase price of not less than \$2,100.00.

Mr. Haley moved that the Resolution be adopted. Seconded by Dr. Herrmann.

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

Resolution No. 18053

Authorizing the proper officers of the City to enter into a contract of sale with Tucci & Sons Inc. for approximately 15,000 cubic yards of roadway borrow for the sum of 10¢ per cubic yard.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Johnson.

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

Resolution No. 18054

Authorizing the proper officers of the City to enter into an agreement with the Brotherhood of Railroad Trainmen for employees of the Belt Line Division providing for the payment of \$23.00 per month effective from October 1964 for a medical and life insurance plan.

Mr. Johnson 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. 18055

Authorizing the proper officers of the City to accept the bids of (5) firms for the purchase of salvage items.

Mr. Finnigan moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

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

Resolution No. 18056

Authorizing the proper officers of the City to deed access rights to the State of Washington for the property located in the vicinity of So. 56th St.

Mr. Cvitanich moved that the Resolution be adopted. Seconded by Mr. Haley.

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

Resolution No. 18057

Authorizing the proper officers of the City to grant a release of easement to Robert C. Harvey located in the vicinity of Olympic Hwy., south of Cushman Powerhouse.

Mr. Haley 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. 18058

Authorizing the proper officers of the City to enter into a contract of sale with Mr. Ernest T. Rosholt of Edmonds, Wash. to remove 100,000 cubic yards of silt at 05¢ per yard from the reservoir at Alder Lake .

Mr. Finnigan moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

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

Resolution No. 18059

Setting forth the opposition by the City Council to Referendum Measure No. 34 the so-called Tolerance Gambling Act.

Mr. Haley moved that the Resolution be adopted. Seconded by Mr. Johnson.

Mr. Haley stated he had requested that this Resolution be drafted. He said many people are confused as to what referendum #34 is really about. There has been an attempt to confuse the voters and put a cloak of respectability around this bill. It has been advertised that a vote for the referendum will keep professional gamblers out of the State, and probably this community. He was convinced that this law would bring an invasion of professional gamblers into the State and very likely this community. The opposition to this bill by the Council would be consistent with the platform on which they were elected when they pledged to run a closed and clean City. He thought the City Council should declare to the citizens of Tacoma that they, as Council members are opposed to the referendum.

VERBATIM requested by Mr. Cvitanich.

Mr. Cvitanich: Mr. Mayor: I was going to sit back and be quiet, but, I know Mr. Haley is sincere in what he says but as far as people campaigning on what their particular position is, I think you probably know better than anybody what my position was back in 1962 when I made the statement that I favored the policy of toleration in the City of Tacoma. Mr. Haley makes

reference to "open town", what, "open town" back in the years of late forty-fives when we had houses of prostitutions, well, I don't want to see that either. By the same token I think I can remember that I felt two years ago that we should license x-number of card rooms in the downtown area, the City has control of them we know who owns the establishments. There is too much hypocrisy surrounding this whole idea of open town, closed town, this is utterly ridiculous. I feel that the working man is entitled to as much opportunity to go downtown and play a game of cards as somebody who belongs to a private club. I said that two years ago and I say it tonight publicly again. Secondly, I think it is real poor for the City of Tacoma to take the position at this time in regard to this referendum when it is being submitted to the voters of the State of Washington. They're the ones that make the ultimate decision. Secondly, I received numerous phone calls, also and I'm sure they're the same as Mr. Haley, that says we would like the right to express ourselves on this issue, which I think they're entitled to and they'll have it very shortly. You pointed out one good rider within this referendum measure; the right of local option, realistically and I don't particularly care to boost the subject, but we have a policy of toleration in the City of Tacoma at the present time, Mr. Haley, I'm sure you're not naive enough to realize that it exists, but it is going on nevertheless. There is card playing within town, there's bingo, there's church groups, there's veterans groups, now where do we draw the line? Do we close it altogether, then why don't we completely eliminate this policy of toleration that exists in the City of Tacoma today. Thirdly, there is any number of legislators that advocated this particular referendum, very shortly the City of Tacoma is going to the State Legislature to ask for, perhaps, what many of us consider we're entitled to, but I don't think that we should get embroiled in this. Particular, Number one, this is an issue with the Governor, it is an issue with the State Legislature and I think it is going to become an issue on the local level. I wouldn't want to see the City of Tacoma get involved at this time. Let the people express themselves at the polls, in this City, in this County, in this State. If it's passed, then it will be up to us to stand up and be counted on where we stand, on whether we want it or not, I for one, certainly don't want an "open town". Of course, we should decide what open town means first of all.

END OF VERBATIM.

Mr. Bott thought they should have an opportunity to discuss this before voting. He said there are conscientious people on both sides of this issue. He thought every member of the Council was opposed to the introduction of gambling into the City, but he didn't feel a vote for the resolution would necessarily reflect that. He said there are a number of issues on the ballot which will affect the City and he didn't feel they were qualified tonight to vote on it and would like additional time. In view of this fact he moved that the Resolution be tabled. Seconded by Mr. Cvitanich.

Mr. Murtland asked Mr. Bott if he would be willing to withdraw the motion so that anyone in the audience could speak on the Resolution.

Mr. Bott stated in moving to table he did not intend to discontinue debate and in making that motion it does shut off debate. He then moved that action be postponed with the consent of the second on the motion for further discussion.

Mr. Johnson stated, gambling opens the door as history has proven for other types of crime. He thought if this passed the Police Department would be hard pressed as a result.

Mrs. Price asked Mr. Rowlands whether the City presently had a tolerance policy.

Mr. Rowlands replied that the City had a limited tolerance policy which was approved years ago by the Council.

Mrs. Price asked, when a youngster knocks at her door to sell chances on something, would they commit a crime.

Mayor Tollefson said he presumed that it could be, but that would be technically a lottery, which is prohibited by the State constitution and which wouldn't be affected by this act. He said this statute does not pertain to lotteries.

Mayor Tollefson asked if the Police Department had expressed its views regarding the Referendum.

Mr. Rowlands stated, Chief Zittel is out of town but had submitted a statement before he left which read in part: Reliable statistics released by the Federal Bureau of Investigation reveal that where gambling is legalized, crime rates increase. Legalized gambling will attract the gambler, the racketeer, the cheater and the undesirable element to our State and community. Experience dictates that the result will be an abnormal increase in crime, especially crimes of violence, that police problems will increase and that the community will be a less safe one in which to live."

Mayor Tollefson stated the bill has a local option provision, however, he doubts that the provision is either legal or practical. He thought the law would permit open gambling in Tacoma as well as all other areas in Washington. He felt that the law would be detrimental to the economy of the community and the administration of the City.

Mr. Finnigan said he did not think tolerance could be measured in degrees. He said at present the Police Dept. is under pressure because of the lack of any tolerance policy whatsoever. He thought they should discuss this matter privately. He didn't think it would be fair to make a decision without further study.

The Rev. Paul Pruitt, Chairman of the Community Affairs for the Tacoma-Pierce County Council of Churches, recommended that the Tacoma City Council go on record opposing Referendum #34.

Dr. Humiston, stated one reason the Tacoma voters changed the City Charter in 1952 was because of the problems of law enforcement which the Council recognized and cleaned up. He felt the Council should endorse this Resolution to point out to the people what their feelings are on the issue.

Mrs. Robert Strobel, representing the Tacoma Council of Parents & Teachers Association, stated they were opposed to Referendum #34 and wanted a "no" vote.

Mr. Paul Gray, Chairman of Civic Affairs of the Tacoma Chamber of Commerce, commended the City Council for making a stand on this issue.

Francis Ash, Tacoma consulting engineer, Rev. James B. Hughes, president of the Council of Churches, the Rev. Darwin Blomgren, representing this district of the American Council of Churches all opposed the Referendum.

Mr. Marshall Riconosciuto, stated the Council has a right to discuss and to state their opinion concerning the issue here tonight. He asked, however, if a pattern was being set here tonight on all of the issues that are in the pamphlet that concerns Tacoma this isn't the only measure up for a vote.

He said there are some well meaning citizens in this State who disagree with the opinions which have been expressed at this meeting and who feel that the passage of this act will do more for the State than what the opponents advocate. He felt this Referendum is a method of controlling gambling and eliminating some hypocrisy.

VERBATIM as requested by Mr. Cvitanich:

Mr. Cvitanich: Well, getting back to what I said earlier, I heard Mr. Bott make a statement that he doesn't play poker. I don't play any cards whatsoever; I have no interest in it; frankly, I don't have the money if I had the interest. But, quite frankly that it is going to be a vote of the people of the State of Washington; it's going to be decided on Nov. 3rd, and if it passed then the Council can be faced with the problem of "do we want it in Tacoma or don't we" and I certainly respect Mr. Haley's position in bringing this before us; I have no quarrel with you at all Dick. I don't agree with you anymore than you agree with me but nevertheless it is a good place to sound off; but, I don't know why we're getting so emotionally involved; let the people of the State decide what they want, then after the returns come in, then we will face the issue squarely but why borrow trouble; this is what I can't understand.

END OF VERBATIM:

Mrs. Price left the meeting because of illness.

Mr. Murtland said, regardless of what happens on this Resolution, he intended to vote against Referendum #34. He didn't think it was within the Council's province to pass a Resolution of this type. He said the Council is taking official action which really does nothing. He said the Council doesn't have any control of this Referendum; that is up to the voters of the State of Washington to decide.

Following a discussion by the City Council, Mr. Bott moved to table the Resolution. Seconded by Mr. Cvitanich. Roll call was taken: Ayes 2; Nays 6; Finnigan, Haley, Herrmann, Johnson, Murtland and Mayor Tollefson. Absent 1; Mrs. Price. MOTION LOST.

Mr. Murtland moved to continue the Resolution for one week, until October 27, 1964. Seconded by Mr. Finnigan. Roll call was taken. Ayes 3; Nays 5; Cvitanich, Haley, Herrmann, Johnson and Mayor Tollefson. Absent 1; Mrs. Price. MOTION LOST.

Following a discussion by the City Council concerning the language, Mr. Bott moved to delete the 2nd, 3rd and 4th Paragraphs commencing with the word, 'whereas'. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

VERBATIM as requested by Mr. Cvitanich:

Mr. Cvitanich: If I may I'll just take a moment to make a short comment. Number 1; I certainly respect Mr. Haley for his battle and Dr.



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Humiston has done a lot of work in this particular Referendum, however, once again I am going to vote against the adoption of this Resolution, not because I advocate an open town, as I'm sure I'll be labeled as an advocate of it. However, I still think the responsibility lies with the people of the State of Washington, to vote on this; I think the City is acting prematurely, that is my opinion and if the majority goes the other way, they are certainly entitled to that.

Mr. Haley moved to adopt the Resolution as amended. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

The Resolution was passed by voice vote.

Ayes 5; Nays 2; Bott and Cvitanich; Absent 2: Murtland (temporarily) and Mrs. Price. Mr. Bott stated he abstained from voting on the resolution not that he favors gambling, but rather he had not had an opportunity to study the matter.

Resolution No. 18060

Authorizing the proper officers of the City to execute a renewal agreement of the Ball Park at Cheney Field with the Exhibition Co. for a one-year term.

Mr. Finnigan moved that the Resolution be adopted. Seconded by Mr. Cvitanich.

Mayor Tollefson read into the record a communication from Harry Sprinker, Chairman of the Board of County Commissioners, stating in part, that at the meeting held between the members of the Board of County Commissioners, the Officials of the Tacoma Giants Club, City Manager and Marshall McCormick, it was decided that it would be advisable to enter into a one-year lease for the calendar year 1965, although a longer lease might, under ordinary circumstances be desirable, therefore, it was the unanimous opinion of the County Commissioners that a one-year contract should be entered into for the year 1965.

The Resolution was passed unanimously by voice vote.  
Ayes 8; Nays 0; Absent 1, Mrs. Price.

FIRST READING OF ORDINANCES:

Ordinance No. 17700

Amending Title 11 of the Official Code relating to parking meters.

The Ordinance was placed in order of final reading.

Ordinance No. 17701

Amending Section 9 of the Franchise Ordinance No. 17495 by correcting the wording.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 17696

Adopting the annual budget for the fiscal year 1965. 24

Roll call was taken on the Ordinance resulting as follows:

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

Ordinance No. 17697

Fixing the amount of tax levies necessary to raise the amount of the estimated expenditures for the General Fund for the fiscal year 1965.

Roll call was taken on the Ordinance resulting as follows:

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

Ordinance No. 17698

Amending Subsection 1 (d) of Sec. 7.10.030 of the Official Code of the City relative to fixing the amount of special police officers bond to \$1,000.

Roll call was taken on the Ordinance resulting as follows:

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

Ordinance No. 17699

Amending Subsection (6) of Sec. 1.30.300 & 600 of the Official Code of the City relative to Exclusion from Membership and Deferred Retirement of the Pension System.

Roll call was taken on the Ordinance resulting as follows:

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

UNFINISHED BUSINESS:

The Director of Utilities presents the assessment roll for L I D 5385 for the cost of improvement of cast iron water mains and fire hydrants in Bristol St. from No. 42nd to No. 46th; No. 42nd from Visscher to Bristol St.

Mr. Finnigan moved that Monday, November 9, 1964 at 4:00 P. M. be set as the date of hearing. Seconded by Mr. Haley. Voice vote taken. Motion carried.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Tacoma Police Dept. report for the month of Sept. 1964.
- b. Tacoma Employees Retirement System report for the month of Sept. 1964.
- c. Report from the Light & Water Division for the month of August 1964.

COMMENTS:

No comments.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 7:45 P. M.

*J. M. Jolley*  
Mayor of the City Council

Attest: *Josephine Melton*  
City Clerk