

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, August 6, 1968

The meeting was called to order by Mayor Rasmussen at 4 P.M.

Present on roll call 8: Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Absent 1: Banfield.

The Flag Salute was led by Mr. Bott.

Dr. Herrmann moved that the minutes of the meeting of July 16, 1968 be approved as submitted. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Mr. Bott moved that the minutes of the meeting of July 23, 1968 be approved as submitted. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Dinwiddie Fuhrmeister, Chairman of the Tourist and Convention Bureau, Tacoma Chamber of Commerce, spoke before the Council requesting City government to participate in the Centennial program. Mr. Fuhrmeister pointed out that next year will be the 100th anniversary of the founding of the City of Tacoma and there will be a concentrated number of events scheduled by civic, cultural, fraternal and other organizations in the City during the week of July 4, 1969. He added there will be a non-profit organization established to handle arrangements, also a large committee with representatives from service clubs, women's organizations, labor and other interested organizations.

Don St. Thomas, Centennial Chairman, also spoke briefly on the planning of the centennial program and various committees that are to be established.

Mayor Rasmussen said he would request that a resolution be prepared signifying the City Council's intention to participate in the 100th anniversary of the City of Tacoma.

HEARINGS AND APPEALS:

a. This is the date set for hearing for the rezoning of the S.E. corner of No. 7th and Orchard Streets from an "R-2" to an "R-4-L" District, submitted by Alfred R. Orlando.

Mr. Buehler, Director of Planning, said the applicant proposes to construct an 8 unit apartment building. Mr. Orlando is also the owner of the apartment building Kon Tiki on the other side of the alley on 6th and Orchard Street which was built in 1962. Mr. Buehler added the applicant proposes to put in sufficient off-street parking to take care of the new apartment and also the existing apartment.

No one appearing and no protests being made, Dr. Herrmann moved to concur in the recommendation of the Planning Commission to approve

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the rezoning and that an ordinance be drafted approving same. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Ayes 7: Bott, Finnigan, Herrmann, Johnson, Murtland, Zatkovich, Mayor Rasmussen.

Nays 1: Cvitanich. Absent 1: Banfield.

b. This is the date set for hearing for the annexation of the S.W. corner of East 72nd and Portland Avenue. (K-Mart)

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Mr. Buehler said the Annexation Review Board met and recommended that the area be annexed.

Mayor Rasmussen explained that there are 15 steps in an annexation and the Council is now in Step 11.

No one appearing and no protests being made, Mr. Murtland moved that an ordinance be prepared for the annexation of the S.E. corner of East 72nd and Portland Avenue. Seconded by Mr. Bott. Voice vote taken. Motion carried.

Ayes 6: Bott, Herrmann, Johnson, Murtland, Zatkovich, Mayor Rasmussen.
Nays 2: Finnigan, Cvitanich. Absent 1: Banfield.

PETITIONS:

a. Petition submitted by John Barton Smith requesting rezoning of the N.W. corner of South 80th and C Street from an "R-2" to an "R-4-L" District.

Referred to the Planning Commission.

RESOLUTIONS:

Resolution No. 19808 (postponed from the meeting of July 23, 1968) 6/24/79 129

Expressing the opinion of the City Council that the lowering of the requirements for an examination for Police Patrolman from that of a high school diploma to that of a Certificate (GED) Test is detrimental to the morale of the members of the Tacoma Police Dept. and not in the best interests of the citizens of the City of Tacoma.

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

Mr. Bott said he understands the Civil Service Board is having a hearing on this matter and the Council should delay any action on this resolution.

Mr. Zatkovich moved that action on Resolution 19808 be postponed until the next council meeting. Seconded by Mr. Bott.

Roll call was taken, resulting as follows:

Ayes 4: Bott, Cvitanich, Zatkovich, Mayor Rasmussen.

Nays 4: Finnigan, Herrmann, Johnson, Murtland. Absent 1: Banfield.

The motion to postpone action on Resolution 19808 lost.

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Mr. Rowlands said at the last Council meeting some of the Council members expressed the desire to have more information on GED procedures. He said Mr. Greenhalgh, Education Director at Ft. Lewis, was present and would like to give an explanation of GED tests and how they are administered.

Mr. Zatkovich said he did not feel the matter should be discussed. The courtesy has been extended the Civil Service Commission to pass judgement on this matter and Mr. Zatkovich said he hopes they come up with a just decision. He said since the Civil Service Commission is meeting tonight he did not feel the Council could accomplish anything by discussing it at this time.

Mayor Rasmussen said he received a request from the Police and Firemen's union that this resolution be postponed as they had to attend the Civil Service Board meeting. Mayor Rasmussen asked if the Council would have any objection to hearing Mr. Greenhalgh of Ft. Lewis speak on this subject.

Mr. Zatkovich said he had been contacted by several groups who have additional information with reference to the GED tests and as they are unable to attend this meeting they cannot get the information. He did not feel the Council should hold a discussion on it now. He feels the Council should abide by the decision of the Civil Service Commission.

James Greenhalgh, 11303 - 89th Ave. S.W., Lakewood, said he has been the Education Services Officer at Ft. Lewis since 1951 and has been associated with armed forces education since 1951. He said he has perhaps certified more GED tests than anyone in the west. The armed forces and American Council on Education, which is the accrediting association for the GED testing program, in all instances recommends that people complete a regular high school diploma program, but it also recognizes the tremendous manpower pool of qualified people who were high school dropouts who have continued to acquire the ability to learn, and as a result the armed forces accepts the GED test for admission to technical service schools. They have benefited from this and many military officers have been commissioned thru this entrance test.

Mr. Greenhalgh added the GED tests do not measure for aptitude, character, physical fitness or interest, but do test the educational development and whether or not it is equivalent to the average high school graduate. In 1943 and again in 1945 the GED test was standardized by the American Counsel on Education. The tests are revised by competent university people and are then administered to graduating seniors in 800 high schools throughout the country.

Mayor Rasmussen said he thought the concern of the Council was that the present Commission on Crime recommends upgrading of police, eventually calling for a college education due to more involved procedures.

Mr. Zatkovich said he did not believe Mr. Greenhalgh was in a position to say whether this is lowering standards or not. He said he maintains it is lowering standards. He added he was not saying the GED tests do not prove a point, but the Council is merely trying to set a standard.

Mr. Rowlands, City Manager, said he would like to reiterate that any man under 27 years of age who is now eligible to take this police examination will not become a police officer unless he passes all physical requirements and all other tests conducted. This only makes it possible for someone to take this examination. He said he would be the last one to say we should water down requirements.

Lynn Hodges, 3407 North 18th St., said the Human Relations Dept. is concerned about this resolution. They are opposed to any resolution or practice that would be detrimental to the welfare of the Tacoma Police Dept. They are in accord with what is for the best interest of the citizens of Tacoma. He said it seems both these concerns are involved with the resolution that is under consideration. The pool from which selection is made should be as large as possible rather than minimized. Inclusion of candidates who have successfully passed the GED tests would enlarge this area of choice. Those who have graduated with a high school diploma and those who have graduated by taking the GED exam are finally tested by the same civil service examination before they can become police officers. It is difficult to see how anything but upgrading could result from recognizing the GED equivalent under such circumstances. Even more significant as far as the Human Relations Dept. is concerned is the unfortunate fact that more members of minority groups tend to be screened out by failure to use the GED tests than do other people. Only of late have as many of the employment opportunities been open to persons regardless of race or color, some still are not open.

Mrs. Virginia Shackelford, 1105 North L St., said according to information Mr. Zatkovich has brought out, there are more applications than there are openings right now. She asked if there was something special right now that would warrant this sudden action or if someone has a few people in mind that should override those who have already applied.

Mayor Rasmussen said he has no knowledge of what the circumstances are. However, with the Police and Fire unions appearing before the Civil Service Board to present their views, he felt it would be wise to postpone action on this resolution.

Dr. Herrmann said the resolution is not binding, it is merely expressing an opinion. He said he cannot understand the Council wanting to inject itself into civil service requirements for any position. He felt the Council should not try to run the Police Dept. from the Council Chambers by questioning various types of examinations and GED requirements. He added the Civil Service Commission is a separately elected self-constituted body according to our City Charter and they are responsible for establishing requirements. He felt the resolution should be disposed of one way or another instead of being postponed.

Mr. Bott moved to postpone Resolution 19808 for two weeks. Seconded by Mr. Zatkovich. Voice vote taken. Motion carried.

Ayes 7: Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich, Mayor Rasmussen. Nays 1: Herrmann. Absent 1: Banfield.

Resolution No. 19819

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Fixing Tuesday, August 20, 1968 at 4 P.M. as the date for hearing for the adoption of the Six-Year Program for Arterial Street Construction for 1969 thru 1974.

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

Mayor Rasmussen asked Mr. Schuster, Director of Public Works, if this report is prepared at this time.

Mr. Schuster replied he anticipates it will be completed in a week.

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

Resolution No. 19820

Authorizing the sale of the Public Safety Bldg. Annex at 617-619 Pacific Ave. to Western Finance Company for the sum of \$7,666.07.

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

Mayor Rasmussen asked Mr. McCormick, City Attorney, if this was the only bid received on the Public Safety Building Annex.

Mr. McCormick said it was his understanding that this was the only bid received. He added three weeks ago the Council had before them the agreement with respect to this matter, with Mr. Wallerich who bid under the name of Western Finance Co. This bid is in conformity with the agreement which the Council approved at the previous meeting.

Mr. Bott asked Mr. McCormick if this is a new corporation formed just for this purpose.

Mr. McCormick said it was his understanding that it is an existing corporation with Mr. Wallerich as president. It has been checked into and the City is protected by a performance bond.

Mr. Finnigan said he felt it would be very impractical and illogical to renovate the building as it will have more occupants and would create more of a traffic problem. He feels this is one of the most congested areas in the City of Tacoma as far as parking is concerned.

Mayor Rasmussen said it was his feeling that the Council should go ahead with the project and keep faith with Mr. Wallerich.

Mr. Cvitanich said he was concerned if a viaduct were to be built in that area in the future, how much would it cost the City to acquire this property again.

Mr. McCormick, City Attorney, said the City would have to pay whatever the value of the property is at the time it is acquired.

Mr. Rowlands, City Manager, explained no one can anticipate at this time what might happen, but conceivably the highway may miss the building altogether and may come between the two buildings. However, this would be a calculated risk.

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

Ayes 5: Bott, Herrmann, Johnson, Murtland, Mayor Rasmussen.
Nays 3: Cvitanich, Finnigan, Zatkovich. Absent 1: Banfield.

At this time Mayor Rasmussen asked Congressman Hicks, who was in attendance at the meeting, to say a few words to the Council.

Congressman Hicks said it was a pleasure to see democracy in action and that was what he was evidencing today. He added he was particularly interested to know if Tacoma was interested in the Model Cities program. He added if Tacoma wants a Model Cities program, it looks like Tacoma's application will get favorable attention.

Congressman Hicks said Resolution No. 19824, which is on the agenda approving the Workable Program, is essential to Model Cities and he doesn't see how Tacoma can have one without the other.

Mayor Rasmussen said he felt that the City has been stagnant too long and wants to get it on the "road." He wondered what was holding up the grant.

Congressman Hicks said he felt an expression from the Council as to whether or not they are interested is needed, and he thought that adopting Resolution 19824 would serve this purpose as the workable program is connected with the Model Cities Program.

Mayor Rasmussen asked Congressman Hicks when the City could expect the 90% money for the 15th Street bridge.

Congressman Hicks explained that this was tied up in the Senate and was still under consideration when he left.

Mayor Rasmussen said he felt if the City could get that grant they could forget the Model Cities program. What Tacoma needs is some action, not just studying the problems that already exist.

Resolution No. 19821

Awarding contract to Feenaughty Machinery Co. on its bid of \$15,013.52 for the furnishing of one street sweeper.

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

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19822

Authorizing the proper officers of the City to solicit sealed bids for the sale of property located at 4326 So. 36th Street.

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

Mr. Schuster, Director of Public Works, explained that this property is located in the disposal area. It is a portion of property purchased as part of the disposal area. A house is on the property which is of no use so it is being sold and the money derived from the sale would be put in the garbage utility fund.

Mayor Rasmussen asked if this property is in the disposal area itself.

Mr. Schuster said it is adjacent to what we have as a buffer zone. Part of the property is in the disposal area itself, part of it is retained as a buffer between the house and property that is up for sale. This property is further to the east from the actual disposal site itself.

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19823

Authorizing the approval of the Community Shelter Plan.

Mr. Rowlands, City Manager, said this plan designates how the districts have been divided. The program is financed by federal funds and is a joint effort between the county and the city.

Mr. Evans, Director of Civil Defense, said this program was adopted in 1966 for the purpose of providing as much shelter space as possible for the citizens of Tacoma in the event of an atomic attack. At the present time there are 130 buildings that could house 68,000 people for a two week period or double that amount for a one week period, depending on the amount of fallout that might be in the area. The entire program is 100% financed by the federal government.

Mr. Evans added there is an ordinance that has not been too popular throughout the country whereby all public buildings, new construction, would be compelled to put in shelters. However, in schools etc. where government money is involved, the government has not seen fit to demand that shelter space be put in these particular buildings.

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19824

Adopting the Workable Program for 1968-1969.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Johnson.

Mr. Rowlands, City Manager, said this program covers the last 18 months of the city's improvement program. This has been the procedure for the past 7 or 8 years. The adoption of this workable program at this time is quite essential as it has to be re-certified before the first of September and by taking positive action at this time it could qualify through the regional office in San Francisco for approval.

Mayor Rasmussen asked what the City has in the line of turn key projects at the present time.

Mr. Peter DeMark, Asst. Director of the Tacoma Housing Authority, explained they have a turn key project at 602 So. Wright with 58 units which will be completed sometime in September. A project will be started sometime next month at No. 4th and G which will have 40 units. There is a project on the drawing board at So. 56th and Lawrence for 42 units. The authority is now requesting federal government approval for 105 more turn key units. This application will be sent out sometime next month provided the workable program is attached.

Mr. DeMark further added at the present time there are 660 eligible tenants on the waiting list. However, there hasn't been any agreement approved by the Council except for the 105 units so far.

Mayor Rasmussen asked Mr. Rowlands why additional units have not been approved if there is need for 660 more and only 105 have been approved.

Mr. Rowlands said the Tacoma Housing Authority makes recommendation to the City Council. He added they expect to have as many as 300 to 400 units annually when this program gets off the ground. One of the difficulties for the developer in the City right now is trying to assemble enough property, which is holding up the program.

Mr. James Wright, Director of Urban Renewal, said this program covers the last operating period from January 1967 to June 1968. No one was displaced in the Center St. or Fawcett St. project during that time. Prior to that we had a relocation program.

Mr. Cvitanich remarked in reviewing the committees, he noted there are 6 or 7 names that consistently show up on committees which he feels might be a conflict of interest. He said there are people doing work for the city on various projects and they are also members of Boards. He feels this would create a conflict of interest.

Mayor Rasmussen advised Mr. Cvitanich that none of these committees are functioning at the present time as the list is in the process of being revised. He asked the Council to submit names of members for the Committees and said if there is a conflict of interest those members certainly should be eliminated.

Mrs. Shackelford, 1105 No. L St., commented on the inspection of homes by the City inspectors. She said the people have been assured this is purely voluntary and no one has to open their door, however, one sentence in the workable program states that where a determination has been made to conduct periodic inspections in an entire area of the City, a general warrant may be obtained authorizing entry within the area. She felt a clarification of this was in order, and asked if this would come under mandatory investigation or inspection of the entire city.

Mayor Rasmussen asked Mr. McCormick, City Attorney, if it would be possible to issue a general warrant requiring all homes to be open for inspection.

Mr. McCormick said he did not think this was possible on a general broad area. There may be certain limited areas where there are similar deficiencies which are a menace where this probably could be done. He felt this was the article Mrs. Shackelford had reference to.

Kathleen Skrinar, 424 No. C St., asked if the workable program is adopted, would it indicate that the City of Tacoma intends to give its permission to utilize Urban Renewal. She said it has been stated frequently in the past that the City of Tacoma has no plans for utilization of Urban Renewal. Also, she added the workable program indicates there is citizen participation and she asked if all citizens would have an opportunity to participate if they so desired.

Mayor Rasmussen said according to his information a committee of 200 was appointed by the Mayor but was never confirmed by the Council. A committee that is appointed with a fixed term of office retains that office only during the term of office to which the appointing officer was elected, therefore, the committee is out of existence.

Mr. Rowlands, City Manager, said the adoption of the workable program is necessary for many programs other than Urban Renewal. There are a number of specific programs listed that have to be certified. There cannot be another Urban Renewal Project unless approved by the City Council. To his knowledge there is no other Urban Renewal Project at this time, he added.

Mayor Rasmussen asked Mr. Rowlands if the workable program is not passed if all federal funds would be cut off.

Mr. Rowlands said if the program isn't passed he would not say necessarily that all federal funds would be cut off but it is desirable that the program be passed so it can be processed in the normal manner.

Mayor Rasmussen asked Congressman Hicks if this followed his understanding of the program.

Congressman Hicks said he could not give any information on this as this was not his purpose of appearing here this evening. His particular purpose in being here was to hear how the citizens and the City Council express themselves regarding the Model Cities Program. He added he has had no official word from H U D, but he feels this program would be one of the things they would take into consideration in weighing the application.

Mr. Cvitanich stated he agreed with 90% of the workable program but felt he would have to vote against it. 62-98

The Resolution was passed by voice vote.

Ayes 7: Bott, Finnigan, Herrmann, Johnson, Murtland, Zatkovich,
Mayor Rasmussen.

Nays 1, Cvitanich; Absent 1, Banfield.

Resolution No. 19825

Establishing a ten-minute parking zone in front of the building located at 1502 Tacoma Ave. So. between the hours of 8 A.M. and 6 P.M. except on Sundays and holidays.

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

Mr. Schuster, Director of Public Works, explained this building was formerly a restaurant and has now been remodeled into an office building. He said it will be an area approximately 25 feet long where this ten-minute parking zone is being established.

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19826

Appropriating the sum of \$50,000 or so much thereof as may be necessary from the 1958 Street & Bridge Construction Fund for the purpose of providing additional City participation in the Local Improvement District program for the year 1968.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Johnson.

Mayor Rasmussen said it was his understanding that it would require approximately \$100,000 to match the City's share for the valid LID projects now pending. This resolution provides \$50,000 toward the pending LID projects. Mayor Rasmussen asked Mr. Schuster, Director of Public Works, to advise the Council when this money is expended so that additional funds can be appropriated to continue the program.

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Banfield.

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Resolution No. 19827

Authorizing the employment of Preston Thorgrimson et al of Seattle as bond Counsel for the submission to the electorate and the issuance of a Street Capital Improvement Bond issue in the amount of \$4,000,000.

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

Mr. Cvitanich said he understood this to be a \$3,000,000 bond issue instead of \$4,000,000.

Mayor Rasmussen said this was his understanding also. He thought the information was to be presented to Council with back-up material before a resolution was put on the agenda.

Mr. Rowlands, City Manager, said the money needed for the bond issue amounts to approximately \$3,750,000. He said he did submit some information relative to this on Friday but will submit further information for Council's perusal in next Friday's agenda.

Mr. Murtland moved to postpone Resolution 19827 for one week as he felt a resume should be submitted with the resolution. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Resolution No. 19828

Submitting to the electorate at a special election to be held on November 5, 1968 a proposition for the issuance and sale of a Capital Street Improvement Bond issue of \$4,000,000.

Mr. Murtland moved to postpone the resolution for one week as Resolution No. 19827 and this one are companion resolutions. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

FIRST READING OF ORDINANCES:

Ordinance No. 18638

Amending Ordinance No. 15929 creating in the Treasury of the City a special fund to be designated "Equipment Rental Fund."

Mr. Schuster, Director of Public Works, explained the Equipment Rental Fund is used to maintain various pieces of equipment used by the General Government other than the Fire Dept. Rates are set up for charges on various types of equipment. Mr. Schuster explained that it has been necessary to increase the rates. There has been a request for a 10% increase in rates for rental of various pieces of equipment. This fund is for the day to day operation of the equipment and repairs.

Mr. Gaisford, Director of Finance, explained that there are two funds within the Equipment Rental Fund. One is the "A" Fund which is the operational fund and the "B" Fund which is the replacement fund. Each year in the annual budget there is an amount budgeted into the Equipment Rental Fund "B" from the General Fund.

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for the replacement of equipment. The charges placed on equipment is the actual cost that must be paid to the Equipment Rental Fund "A" to maintain this equipment and also for the gas and oil. He added there isn't a reserve set up for the replacement of equipment. Approximately ten years ago the department asked for Council's approval to charge a sufficient rate for rental of equipment to set up a reserve, but Council did not see fit to approve it.

Mayor Rasmussen said he felt the purchase of new equipment should be staggered rather than buying many new pieces at one time, where they would have to replaced at the same time.

Mr. Rowlands said one of the difficulties is that approximately \$250,000 to \$300,000 is needed to set up a depreciation account but the initial cost is one of the problems at this time.

Mr. Bott asked if the possibility of leasing equipment had been explored.

Mr. Rowlands said this was investigated and found it was not practical.

Mr. Schuster, Director of Public Works, said he talked with Mr. Bronow, head of the Equipment Rental Fund, and he said the last complete study made was about 4 years ago on police cars and at that time it definitely was not a paying proposition as far as the City was concerned. Mr. Schuster said he would submit written information on this before the next Council session.

The ordinance was placed in order of final reading.

Ordinance No. 18639

Amending Chapter 13.06 of the official code by adding a new section 13.06.067-7 to include property on the south side of East 56th St. between the Pipe Line Road and Roosevelt Ave. in an "R-4-L-PRD" District. (petition of Silver Falcon, Inc.)

The ordinance was placed in order of final reading.

Ordinance No. 18640

Amending Chapter 1.30 of the official code by adding a new section 1.30.150 relative to "Average Final Compensation" Defined.

Mr. Gaisford, Director of Finance, explained the formula for service retirement is based on the highest 5 year average salary, divided by 1/120 and multiplied by the years of service. It was found through correspondence with other retirement systems throughout the country many are averaging out on a 3-year basis, some even on a one-year basis. At the last meeting of the Retirement System it was unanimously agreed that the 3 highest consecutive years of employment be used.

Randy Green, an elected member of the Retirement Board, said this is not a high cost item and will not increase the cities cost whatsoever. It is the recommendation of the actuaries and of all members of the pension board.

The ordinance was placed in order of final reading.

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FINAL READING OF ORDINANCES:

Ordinance No. 18635

Amending Chapter 8.66 of the official code and adding (5) new sections relative to the sale of pistols.

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

Ayes 8: Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich, Mayor Rasmussen

Nays 0; Absent 1, Banfield.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18637

Authorizing the condemnation of 116 acres of land more or less as needed for improvements and expansions of facilities at the Tacoma Industrial Airport.

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

Ayes 7: Bott, Finnigan, Herrmann, Johnson, Murtland, Zatkovich, Mayor Rasmussen.

Nays 1: Cvitanich Absent 1, Banfield.

The Ordinance was declared passed by the Chairman.

UNFINISHED AND/OR NEW BUSINESS:

a. The Director of Public Works presents the Assessment Roll for the cost of the improvement of L I D 4814 for paving on Gove Street from North 31st to North 33rd Street and other nearby streets.

Mr. Finnigan moved that Monday, Sept. 9, 1968 at 4 P.M. be set as the date of hearing for the assessment roll for L I D 4814. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Mayor Rasmussen asked Mr. Rowlands, City Manager, if there was any further information on increasing the mortgage on the airport building from \$50,000 to \$200,000.

Mr. Rowlands said he did not recall any information in that respect.

Mr. Johnson said he had information not long ago that financing was withdrawn and they were no longer able to borrow money because of the delay by the City Council.

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Mayor Rasmussen said there is going to be a National League

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of Cities convention in New Orleans and the secretary would like to know how many Council members plan to attend. Mayor Rasmussen said he would like to know the policy of the Council regarding attending these conventions.

Mr. Bott said he thought there had been a resolution passed allowing as many councilmen who wish to attend to do so.

Mayor Rasmussen said he would like to have the staff check on this as he felt that resolution was only for the convention that was held in Washington, D.C.

Mr. Murtland and Mr. Cvitanich stated they would like to attend the convention. Mayor Rasmussen said he felt it might be his duty as Mayor to go.

Mayor Rasmussen said there had been a request from some of the Council members to review the Dangerous Building Ordinance and he asked Mr. Rowlands what would be an appropriate time for the staff to have some information ready.

Mr. Rowlands said he felt a study session during the first part of September would be a convenient time.

CITIZENS' COMMENTS:

a. Wallace Walker Sr., asking to speak on the Central Area Progressive Improvement Assn. and its purpose.

Mr. Walker, 2336 So. M St., introduced the officers of the organization. He said they realized the need for a credit union in the central area, and were able to get workers together to start working on the project. He added they held an open house on Saturday, August 3rd, and many people came in to deposit money, but they are hoping more people will join. He said their temporary office is located at 1719 South K St. and office hours are from 4 to 6 P.M.

Mr. Walker added in order to join the Credit Union anyone must become a member of the Central Area Progressive Assn. The dues are 50¢ for an individual or \$1.00 for a family and this includes all the children under 21 years of age.

b. Mr. Bullinger requesting to speak relative to the law enforcement in the "K" St. area.

Mr. Bullinger, residing at 501 So. 49th St., complained to the City Council that he was attacked, beaten and stabbed by negroes who were members of Harambee. He said he was walking in the K St. area on July 13, when a member of a group of negroes struck him in the head with a beer bottle. He said he was able to get up and knock down the person who had struck him, but that other members of the group, about eight or ten negroes, knocked him to the sidewalk again.

Mr. Bullinger said that a man he later identified as the Rev. O. R. Pigford tried to get him to release his assailant but didn't try to help him. He added he was stabbed sometime during the fight but he was not aware of this until he had been placed in a patrol

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car and driven a block away to be interviewed about the fight. He added the police officers made no arrests at the time of the incident.

Chief Zittel explained that it is necessary for an officer to witness a misdemeanor being committed before an arrest can be made. He added the officers didn't know at the time Mr. Bullinger had been stabbed until after he left the scene. He also explained that the persons involved in the incident have been arrested, charged and are presently awaiting court action on the case.

Mr. Bullinger said it was made known at a meeting at the American Legion Hall, attended by 70 to 75 K St. businessmen and residents, that Mr. Rowlands has been working through the Harambees to promote better relationship in that area. Mr. Bullinger asked why he did not work through the K St. business as they have been there much longer than the Harambees. He added that if in the future Mr. Rowlands continues to work through groups such as the Harambees that representatives from K St. be included in the meetings. He asked the colored people of the community to join him in demanding equal law enforcement from the Police Dept.

Mr. Bullinger stated his chief reason for being here tonite was that he wanted a statement from Mr. Rowlands, City Manager, that the law will be equally enforced in the K St. area.

Mr. Johnson asked Mr. Bullinger if he had any way of estimating the age of the people who attacked him.

Mr. Bullinger said the man who attacked him was 27 years of age.

Mr. Bott asked Mr. Bullinger if the man who attacked him was a member of the Harambee organization. He said he had been led to believe that these were dedicated boys.

Mr. Bullinger replied that the man was a member of that group.

Mr. Bott said he was moved by Mr. Bullinger's report and he felt something should be done regarding this.

Mr. Rowlands said it was certainly regrettable that this incident occurred and the action is not condoned. He added that Mayor Rasmussen had accused him of giving orders to the Police Dept. not to apprehend anyone in that area and this was not true. This was clearly demonstrated at a meeting held on a Wednesday evening when 10 or 11 members of the Police Dept., including the Chief, delineated the fact that such orders had not been given.

Mr. Rowlands added he resented Mr. Bullinger's inferences and accusations that he was not interested in what was taking place, that he did not want to help and that orders had been given not to apprehend these men. He said Chief Zittel made a report indicating that law enforcement in the Hilltop area has been just as strict, if not more so, than some other areas of the City.

Mr. Rowlands added as long as he is City Manager he will do everything possible to work with groups in the Hilltop area to try to develop good relations and try to analyze some of the things that cause difficulties. If someone breaks the law he said he would be the first one to tell the police to do their duty and apprehend the person. He stated never was any order ever given the Chief of Police not to apprehend anyone in the Hilltop area or any other part of Tacoma.

Mayor Rasmussen said he did not feel Mr. Rowlands had answered Mr. Bullinger's question as to what the people in the K St. area could expect in the way of law enforcement.

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Mr. Rowlands said the people in the K St. area will get the same degree of law enforcement as any other part of the City. He said he felt this had been demonstrated during the past few weeks when the Police Dept., Detective Division and Youth Guidance have been busily engaged trying to track down some of the young people who are causing these difficulties.

Mayor Rasmussen asked if the people in the K St. area could expect increased police patrol and if a (3) wheeler would be assigned to the area.

Mr. Rowlands said the (3) wheeler would not be assigned completely to that area. However, the area is being patrolled.

Mayor Rasmussen asked if there have ever been orders issued from Mr. Rowlands office to the Police Chief.

Mr. Rowlands said he has never given any orders as far as law enforcement is concerned. He added they had had discussions that have been going on for several months on the desirability of having a community relations detail to find out what is going on in various areas.

Chief Zittel said the Monday following the K St. incident he spent an hour with Mr. Bullinger showing him the crime maps and explained that the K St. area is not the only area in the City that he has to be concerned with.

He said the night of the incident the police officers arrived at the scene where there had apparently been a fight but it was over when they arrived. At that time the officers were not aware that Mr. Bullinger had been stabbed. On Monday morning Mr. Bullinger came to the Police Dept. and made his report. Steps were immediately taken to obtain a warrant for the arrest of the man who stabbed Mr. Bullinger. However, the man who was arrested was not guilty of the stabbing. The Youth Guidance Officers worked very diligently and through their investigation determined it was another individual who had committed the stabbing. This individual has been arrested and processed and his case is before the court. He added that all persons immediately involved have been handled by the Police Dept.

Mr. Bullinger said he did not know if all persons involved had been apprehended because he did not see any of their names in the paper.

Chief Zittel said juvenile names do not appear in the paper.

Mr. Bullinger asked Chief Zittel if it is necessary for a police officer to see an actual crime committed before he can make an arrest, if there are witnesses who come forward and give their name and address to the police.

Chief Zittel stated on a misdemeanor it is necessary to see the crime but this is not true of a felony. By the time the officers realized Mr. Bullinger had been stabbed they had removed themselves from the scene of the crime and the people involved were gone.

Chief Zittel said it was his understanding that the man who hit Mr. Bullinger was not dressed in black but he would like a chance to check this with the officers.

Chief Zittel stated he has never received any orders and has never issued any orders to keep hands off anyone in that area. He said in so far as protection in the K St. area, they have increased protection and police service in this area. There is a prow car in the district which has been narrowed down to give more protection and there is a (3) wheeler that will cut through the K St. area but cannot spend all of its time there as there are other areas in the City that also require police protection.

Mr. Bullinger said he would like an answer from Chief Zittel as to why the police officers told him the night of the incident at K St. that they had orders not to apprehend these people and the officers who came into the American Legion Hall said they had orders not to be there in uniform. He asked where these orders came from.

Chief Zittel said he did not have any officers in uniform at the Fiesta that evening because he did not feel it was proper as it was more of a church meeting and they do not patrol such meetings in uniform. However, Chief Zittel said he was in attendance himself and several other officers were also there. He said he did not feel the Fiesta was the cause of the incident in which Mr. Bullinger was involved.

Mayor Rasmussen asked Mr. Rowlands if he felt he was right in continuing to work with the Harambees to settle the problems of the area.

Mr. Rowlands said he was working with all groups to try and improve the area and get people going in the right direction.

c. Virginia Shackelford, Pres., Hilltop Citizens Assn. requesting to speak on the K St. area.

Mrs. Shackelford said she would like to make it clear that she and Mr. Bullinger were speaking on somewhat the same subject but when she filed her letter requesting to speak she did not know Mr. Bullinger was going to speak and she had never met him before.

Mrs. Shackelford said the Hilltop Citizens Assn. was formed over a year ago in opposition to the model neighborhood application and projects. They recently amended their by-laws to take in the entire City of Tacoma or any member of Pierce County who wished to join. She said most of the members and most of the Board reside in the K St. and McCarver area.

Mrs. Shackelford made reference to the Hilltop Neighborhood Improvement Council, Inc. and said she was curious to know how a section can be taken out of the City and incorporated. They are using federal money -- taxpayers money -- but no one can belong to the organization unless they live within the area or have a business within the area. The directors do not have to account to anyone. The boundaries of this organization have changed eight times in the last four years. Mrs. Shackelford felt the K St. Boosters, Hilltop Citizens Assn. and other such groups should be represented.

d. John Zelanak requesting to speak relative to receiving information from the City Manager.

John Zelanak, 5415 Sc. A St., asked what a citizen is to do when he is advised by members of the City Council to get answers to his questions from the City Manager personally and the City Manager refuses to see him and does not give answers in his letters correctly.

Mr. Finnigan said it appears that Mr. Zelanak, who was an unsuccessful candidate for Council in the last election, is using the Council Chambers for campaigning again. He felt many of Mr. Zelanak's appearances in the Council Chambers are unnecessary. He said if Mr. Rowlands attempted to answer every kind of situation such as this one he would never have any time to attend to his affairs.

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Mr. Rowlands said he has tried to treat Mr. Zelanak with courtesy and respect when he talked to him in the office, he has written him letters dated March 1, April 12 and July 5th. In the last letter he felt he had answered Mr. Zelanak's questions.

Mr. Zelanak said he is not satisfied with the answers. The City Charter calls for an annual independent audit and he asked why the City Council members refuse to give this audit to the citizens of Tacoma. He also asked why the sauna baths were allowed to operate against the law. He said he did not feel it was fair to the Chief of Police and members of the Police Dept. to be unable to enforce City laws because the City Manager tells them what laws to enforce.

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/ Mayor Rasmussen said a running audit is made of individual departments but no comprehensive end of the year report, so the City Charter is being violated.

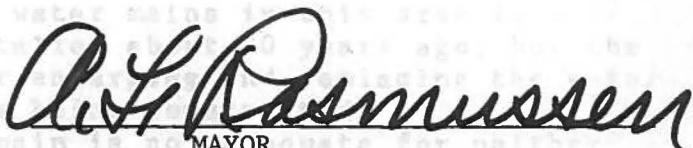
Mr. Bott said a running audit has always been a good political argument. He said CPA's cannot actually define a running audit. He said he talked with several people who drew up the City Charter and there are many different interpretations of a running audit. He said there is a constant audit because money is allocated each year in the budget and Council chooses the department that is to be audited, and in the course of three years all departments of the City have been audited. Also, there are two State Auditors stationed in the County-City Building who audit all books daily and this report goes to the State Auditor.

Mr. Rowlands said in regard to the operation of sauna baths, they are not allowed to operate against the law knowingly. Like any other ordinance, if people are in violation an investigation is made to correct the situation. He added the Police Dept. does a fine job of enforcing City ordinances and the City Manager does not tell them what ordinances to enforce.

ITEMS AND REPORTS FILED WITH THE CITY CLERK:

- a. City Planning Dept. report for the month of July 1968.
- b. Fire Dept. report for the month of June 1968.

Mr. Johnson moved that the meeting be adjourned. Seconded by Dr. Herrmann. Voice vote taken. Motion carried. The meeting adjourned at 10:00 P.M.


Al L. Rasmussen
MAYOR

Attest: Josephine Melton
City Clerk