

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, March 4, 1969

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

Present on roll call 7: Banfield, Bott, Cvitanich, Finnigan, Johnson, Zatkovich and Mayor Rasmussen. Absent 2: Herrmann and Murtland. Mr. Murtland arriving at 4:25 P. M.

The Flag Salute was led by Mr. Cvitanich.

Mayor Rasmussen presented a 20-year service pin to his secretary, Mrs. Doris Stuart who has served with the City for twenty years.

Mayor Rasmussen asked if there were any omissions or corrections to the minutes of the meeting of Feb. 11th, 1969.

Mayor Rasmussen called attention to page 4, paragraph 4, second line down, relative to his remark that the Battleship U. S. New Jersey will berth in Tacoma, etc. He said that bus service will be provided by the 'City' not the Navy as written. Therefore, he asked that after the word 'the' on the second line, the words 'Navy Personnel' be deleted and add the word 'City'.

Mrs. Banfield moved that the minutes of Feb. 11, 1969 be approved as corrected. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

HEARINGS & APPEALS:

a. This is the date set for hearing on the request of J. F. Crocker for rezoning of the S. W. corner of No. 45th & Pearl St. from an "R-2" to an "R-2-T" District.

Mr. Buehler, Director of Planning, explained the applicant has requested this reclassification in order to utilize the site for a Naval Architect's office. He noted that the proposed rezone would provide a buffer between an "R-2" and a "C-2" District.

Mr. Frank Peters of 4338 No. Pearl, explained the property owners had understood that the alley behind this property would be vacated.

Mr. Buehler explained, the alley was not to be vacated. The vehicular access to the off-street parking area will be provided by paving the alley with cement concrete from No. 45th to the point necessary to service the parking area and constructing a standard timber guard rail at the end of the alley improvement. Paving of the alley and the parking area will also include storm drains.

Mr. Peters stated, if and when this alley is paved he would be using the alley because he will be constructing a carport on his property. If a barricade is constructed as planned, he would not be able to go through the alley to this property from No. 45th. He could not understand why a business would be allowed in a strictly residential area.

Mayor Rasmussen explained that one of the stipulations for allowing this rezone would be, that the existing structure in question be upgraded and the site properly landscaped.

Mr. Cvitanich moved to postpone the request for one week to March 11th so

interested persons will have an opportunity to discuss their complaints with the Planning Commission to see if their questions can be resolved. Seconded by Mr. Zatkovich. Voice vote taken. Ayes 6: Banfield, Bott, Cvitanich, Finnigan, Zatkovich and Mayor Rasmussen. Nays 1: Johnson. Absent 2: Herrmann and Murtland. Motion carried.

The hearing was postponed until March 11, 1969.

Mr. Murtland arriving at this times, 4:25 P. M.

b. This is the date set for hearing on the appeal filed by Robert L. Hess on the denial of the request for rezoning of the south side of So. 12th St. between Pine and Oakes St. from an "R-3" to a "C-2" District.

Mr. Buehler explained, this request is to place a "C-2" zoning on 12th Street encompassing some "C-1" zoning. The zoning at the present time is "C-1" with the exception of the laundry which is zoned "C-2" The applicant has requested this rezone to allow construction of a coin-operated washing and dry cleaning establishment.

Mr. Robert L. Hess, residing at 7205 22nd St. W., petitioner explained, he felt the decision of the Planning Commission should be reversed. He added, that coin operated laundries are needed in the City and particularly in this immediate area. He also noted that the tax income alone to the City would likely increase one-hundred fold. He explained he had been told that multiple dwellings could not be constructed in areas such as this.

Mr. Johnson said he would be in favor of overruling the Planning Commission's recommendation as he felt, since the Council had allowed the Peerless Laundry to expand, this request would be an expansion of the "C-2" zoning.

Mr. Gordon N. Johnston, Chairman of the Planning Commission, explained that the Commission had questioned the location of this laundry. They felt the commercial zoning should not be expanded to the west or east, since this badly congested area would only become worse and this would only be a 'creeping' strip zoning of 12th Street.

Mr. Finnigan explained that 12th Street is a very inadequate arterial, and he had opposed the expansion of the Peerless Laundry. He did not feel the commercial zoning should be enlarged on 12th Street as there are too many traffic problems already on this street.

Mr. Murtland stated, he would have to weigh the traffic problem against what might be a good facility as far as service is concerned.

Mr. Cvitanich moved to concur in the recommendation of the Planning Commission to deny the above rezone. Seconded by Mr. Finnigan. Voice vote was taken on the motion, resulting as follows: Ayes 7: Bott, Cvitanich, Finnigan, Herrmann, Murtland, Zatkovich and Mayor Rasmussen. Nays 2: Banfield and Johnson. Motion carried.

PETITION:

Bruce H. Kelly requesting rezoning of the N. E. corner of Center & Madison Sts. from an "R-3" to a "C-2" District.

Referred to the Planning Commission.

COMMUNICATIONS:

a. Ronald E. Thompson, attorney, representing the neighboring area requesting that the hearing on the appeal of W. H. & W. T. Ostruske for rezoning of the easterly side of No. 11th & the north side of D St. vacated from an "R-2" to an "R-4" District, be postponed from the March 25th date to April 1, 1969.

b. Valen H. Honeywell, attorney, for W. H. & W. T. Ostruske advising if any change is made in the hearing date of the Ostruske's appeal he suggested that it be set back to the original March 18th, 1969 date.

Mr. Finnigan felt the attorneys representing the different factions of the W. H. & W. T. Ostruske rezone appeal hearing should confer with each other and decide which date would be the best.

Mr. Buehler explained he had contacted the attorneys and was not able to get an agreement for a different date. He felt the Council should either leave the date as set at March 25th, change the date back to March 18th or set it forward to April 8th.

Mr. Finnigan moved that the hearing date be set for April 8th. Seconded by Mr. Johnson.

Mayor Rasmussen stated, the date for hearing has already been moved from March 18th to March 25th, 1969 and the people have been advised of this fact. He thought the date should not be changed.

Voice vote was taken on Mr. Finnigan's motion to postpone the hearing until April 8th. Motion Lost.

Mayor Rasmussen announced that March 25th, will be the hearing date.

c. Representatives and Senators from Legislative districts requesting clarification of the position of the City concerning State aid to Cities.

Mr. Rowlands, City Manager, explained the cities are asking for only \$60,000,000 in state aid and this is what they would have received if the voters had approved an initiative giving communities ten percent of the state sales tax. He also mentioned the matter of the state income tax and tax reforms. He asked if the Council wished to postpone the matter until it can be discussed at a study session.

Mr. Bott and Mr. Johnson explained they did not wish additional funds for the City if the Council has to agree to support a State income tax.

Mr. Cvitanich stated, Mayor Rasmussen and he had gone on record opposing aid for cities at the Spokane convention.

Mayor Rasmussen explained that he cannot endorse a State income tax because he has no right to speak for all city residents.

Mr. Bott moved that the Council be polled in order that the Legislative Chairman, who will be in Olympia tomorrow, can speak for the Council on Item No. 4 which states, "assuming an appropriation in excess of the Governor's recommendation, would the Mayor and members of the City Council support tax reform including an income tax or in the alternative, increased sales and property taxes?" Seconded by Mr. Johnson. Voice vote taken. Motion carried.

Mr. Johnson stated that No. 1-Assuming the continuation of the present distribution formula, what total state appropriation to cities would be the minimum necessary to meet Tacoma needs. and No. 2-Assuming a per capita distribution formula, what would be the minimum total State appropriation to cities necessary to meet Tacoma's needs, seem to differ only in the form of distribution of the funds. He asked Mr. Rowlands, which distribution would be most advantageous to the City of Tacoma.

Mr. Rowlands, City Manager, explained this \$60,000,000 request was a reiteration of the amount of money that all the cities in the State of Washington asked for during the No. 226 campaign. Unfortunately the cities were not allowed ten percent of the sales tax and it was through the efforts made by literally thousands of people in the State that the Legislature finally responded to the needs of the cities.

He added, in answer to Mr. Johnson's question, based on the presentation at the meeting in Olympia and based on the position taken by AWC, the \$60,000,000 would be the minimum to meet Tacoma's needs. This also means approximately \$15.00

per capita. He felt by using the formula in No. 1, the large cities might gain a little more, but it would be inconsequential.

Mr. Rowlands, continued under No. 3--Does the City favor the present formula or a per capita formula. He felt No. 1 is based on the needs of the larger cities but the small cities would gain on a per capita basis under No. 3. However, it would not make a great deal of difference to Tacoma as it would benefit tremendously in either case.

Mr. Finnigan felt that Mr. Cvitanich and Mr. Murtland did a fine job in Olympia when they presented Tacoma's needs to the Legislators. He hoped that the Council can work together as a unanimous unit while presenting matters to the Legislature.

Mr. Cvitanich felt it was pretty well decided as to how much will be allocated to the cities and the only question the Legislators had approached him on was Item No. 4.

Mr. Murtland stated that Mayor Rasmussen gave a minority report to the Legislators pertaining to the \$60,000,000 requested by the cities from the Legislature. The other two representatives from the Tacoma City Council reported the majority of the Council had favored this request. He added, the motion made by Mr. Bott does not leave any alterations that should be made available for the Council.

Mr. Cvitanich moved a substitute motion, that this discussion be continued for two weeks, until March 18th, 1969. Seconded by Mr. Finnigan. Voice vote taken. Ayes 7: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland and Zatkovich. Nays 1: Mayor Rasmussen. Absent 1: Herrmann. Motion carried.

RESOLUTIONS:

Resolution No. 20078

Fixing Monday, March 24, 1969 at 4 P. M. as the date for hearing for L I D 5473 for water mains in So. 56th from Mullen to Cheyenne St. and in Gove and Cheyenne Sts. from So. 56th to So. 62nd Street.

Mrs. Banfield moved that the resolution be adopted. Seconded by Mr. Johnson. Voice vote was taken on the resolution, resulting as follows:

Ayes 8: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 1: Herrmann.

The Resolution was declared passed by the Chairman.

Resolution No. 20079

Fixing Monday, March 24, 1969 at 4 P. M. as the date for hearing for L I D 5475 for water mains in Ea. 96th from East "E" St. to McKinley Avenue.

Mrs. Banfield moved that the resolution be adopted. Seconded by Mr. Johnson. Voice vote was taken on the resolution, resulting as follows:

Ayes 8: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 1: Herrmann.

The Resolution was declared passed by the Chairman.

Resolution No. 20080

Fixing Monday, March 24, 1969 at 4 P. M. as the date for hearing for L I D 5478 for water mains in Hosmer from So. 92nd to So. 96th, So. 96th from Hosmer St.

City Council Minutes - Page 5 - March 4, 1969

1,860 feet west; in So. 90th St. from west line of Interstate Highway #5 east 600 feet and in adjoining easements.

Mrs. Banfield moved that the resolution be adopted. Seconded by Mr. Johnson. Voice vote was taken on the resolution, resulting as follows:

Ayes 8: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 1: Herrmann.

The Resolution was declared passed by the Chairman.

Resolution No. 20081

Fixing Tuesday, March 18, 1969 at 4 P. M. as the date for hearing on the rezoning of the N. W. corner of Ea. 46th St. and Portland Ave. from an "R-3" and an "R-2" to an "R-4-L-PRD" District. (petition of Weyerhaeuser Co.)

Mrs. Banfield moved that the resolution be adopted. Seconded by Mr. Johnson. Voice vote was taken on the resolution, resulting as follows:

Ayes 8: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 1: Herrmann.

The Resolution was declared passed by the Chairman.

Resolution No. 20082

Fixing Tuesday, March 25, 1969 at 4 P. M. as the date for hearing for the rezoning of the south side of 29th St. N. E. from approximately 225 feet east of 62nd Ave. N. E. to the King County Line from an "R-2" to a "C-1" District. (petition of Puget Sound National Bank)

Mrs. Banfield moved that the resolution be adopted. Seconded by Mr. Johnson. Voice vote was taken on the resolution, resulting as follows:

Ayes 8: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 1: Herrmann.

The Resolution was declared passed by the Chairman.

Mrs. Banfield moved to consider Resolution No. 20085 before Resolution No. 20083. Seconded by Mr. Cvitanich. Roll call was taken, resulting as follows: Ayes 5: Banfield, Cvitanich, Finnigan, Zatkovich and Mayor Rasmussen. Nays 3: Bott, Johnson and Murtland. Absent 1: Herrmann. Motion carried.

Resolution No. 20085

Setting forth the business & occupational tax liability for the Salvation Army Goodwill Industries, Y. M. C. A. and the Society of St. Vincent DePaul commencing with the date of passage of the taxing ordinance or the date any of said organizations commenced doing business within the City of Tacoma.

Mrs. Banfield moved that the resolution be adopted. Seconded by Mr. Cvitanich.

Mrs. Banfield remarked that she had requested this resolution approximately two weeks ago and the other two resolutions were not requested until last Monday at a study session.

Mrs. Banfield explained that the KINT Luncheon News had reported that the City Council had reached a tentative agreement, that there would be no attempt to collect back business and occupation taxes beyond 1968 from four Tacoma charitable institutions which had operated on the assumption they did not have to pay the tax. She felt that the Council was not voting until today on these resolutions and such a statement should not have been made.

Mrs. Banfield informed the Council that on Sept. 14, 1965, all the Council members voted for the amendment to the B & O Ordinance with the exception of Mr. Murtland who was absent. Mr. Rowlands, City Manager, by his own admission has known since 1959 that these taxes were not being collected. In keeping with the oath of office taken by the Council, it is their duty to uphold all ordinances in the City of Tacoma. She could not see how any Council member could possibly vote against this resolution and still be upholding their oath of office. She urged the Council to pass this resolution.

Mr. Murtland moved that Resolution No. 20085 be continued for one week. Seconded by Mr. Zatkovich. Roll call was taken, resulting as follows: Ayes 4: Finnigan, Johnson, Murtland, Zatkovich; Nays 4: Banfield, Bott, Cvitanich and Mayor Rasmussen. Motion Lost.

Mr. Cvitanich pointed out that the Council did revise the ordinance in 1965 and called attention to the Inter-Departmental Communication submitted to the Council by the Legal Dept. for today's meeting. He felt that the total communication should be read by every Council member. He pointed out a number of paragraphs which were pertinent to the three resolutions on this particular agenda.

Mr. Zatkovich felt that the three resolutions should be postponed for at least one week.

Mayor Rasmussen said he would entertain a motion to postpone action on these resolutions.

Mr. Finnigan moved to postpone Res. No. 20085 for one week, until March 11, 1969. Seconded by Mr. Murtland. Voice vote taken. Motion unanimously carried.

The Resolution was postponed until Mar. 11, 1969.

Resolution No. 20083

Setting forth the findings of the City Council that license fees for the Salvation Army, Goodwill Industries, Y. M. C. A. and Society of St. Vincent DePaul should not be imposed until the year 1968.

Mr. Finnigan moved to postpone Res. No. 20083 for one week, until March 11, 1969. Seconded by Mr. Murtland. Voice vote taken. Motion unanimously carried.

The Resolution was postponed until Mar. 11, 1969.

Resolution No. 20084

Setting forth the business and occupational tax liability of the Salvation Army, Goodwill Industries, Y. M. C. A. and the Society of St. Vincent DePaul commencing with the second quarter of the year 1968.

Mr. Finnigan moved to postpone Res. No. 20084 for one week, until March 11, 1969. Seconded by Mr. Murtland. Voice vote taken. Motion unanimously carried.

The Resolution was postponed until Mar. 11, 1969.

Resolution No. 20086

Authorizing the employment of members of the Tacoma Fire Dept. on an overtime basis to engage in the design, building and construction of the Daffodil Float, and not to exceed the amount of \$5,300.00.

Mr. Johnson moved that the resolution be adopted. Seconded by Mr. Murtland. James W. Reiser, Fire Chief, explained that \$7,250 was budgeted for the construction of the daffodil float. Out of that amount \$4500 was budgeted for Publicity and Public Relations. Over the last three years approximately \$1800 had been used for this one item. He noted that the amount of \$5,300 which is requested in this particular resolution is to be used in the event the two employees, Fire Fighter Paul McNail and Capt. Jack Harkins, who will be building the float, have to be replaced in the firefighting division at the two stations. A study has been made and it was determined that \$5,300 would be needed.

Chief Reiser further explained, this year a (75) minimum manpower level in the Firefighting Division has been initiated, therefore, it changes the picture for the construction of this float. When the manpower level gets below (75) men, off-duty firemen are hired to replace men on an overtime basis. However, when the Fire Department budget was submitted this particular overtime pay was inadvertently omitted.

Mr. Bott asked about the hours worked by the two men at the present time and if overtime is being paid for working on the float.

Chief Reiser explained that Capt. Jack Harkins works at a regular station on night shift at a regular salary with no overtime pay. Then the next day is his off-duty day. If he uses this day to work in the construction of the float he is paid overtime.

Mr. Cvitanich wondered where the line should be drawn as he felt the overtime rate should not be paid to anyone to build a float.

Mayor Rasmussen asked what has been the total cost for building the daffodil float.

Chief Reiser said, in 1967 the total cost was \$6,500.57 and in 1968, \$6,316.15. These figures also include the hours in which the men received their regular pay.

Mayor Rasmussen felt this was a nominal amount as the City has had many wonderful floats, however, he wondered what it would cost for 1969.

Chief Reiser explained, the figure would reach approximately \$12,000 if the \$5,282 has to be paid out in overtime. This is why he felt this matter should be called to the attention of the City Council.

Mr. Rowlands, City Manager, explained, these two men are outstanding individuals in building floats and have the ability to be employed by other parties at a higher rate of pay. He mentioned, since the Fire Dept. has begun a (75) man minimum manpower level, it is hoped the American Insurance Association will re-evaluate the Tacoma Dept. as it will enhance the City's position to go from third to second class in insurance ratings. It is therefore, imperative that someone is on duty. Mr. Rowlands explained that it has been found that it is better to pay a man time and one-half rather than employ other full time firemen to maintain the (75) man minimum level.

Mr. Zatkovich wondered if it would be improper to have some of the firemen work on the float while they are on duty at the station.

Chief Reiser explained, this would be almost impossible as each station has their inspection and drilling at allotted times on a programmed and planned basis. He suggested that, perhaps, a determination should be made after this year as to

whether the City wishes to build a float in future years.

Mr. Murtland wondered, since the Public Utility Dept. also has a float, the amount of money involved would probably be around \$20,000 for both floats. He asked what was the benefit to the City. He did not feel it made such a great difference for the City to win the Sweepstakes award, however, he could see private enterprise competing as it is good advertising.

Mr. Johnson felt the Council should look into the matter due to the rising costs, however, he felt since this year is Tacoma's Centennial, a float should be justified.

Mr. Finnigan explained the Daffodil Festival has been growing by quite a percentage each year. He felt the Council had a responsibility to help sponsor programs such as this. He noted that City Light has for a number of years built the Queen's float. He hoped that the Council passes the resolution because the Festival does bring additional revenue to the City each year.

Mr. Murtland wondered if the design of the float is such that it might be used during the Centennial.

Chief Reiser felt that the float could be saved for the Centennial if the Council wishes.

Mr. Bott felt the national acclaim that Tacoma has received from the Festival is invaluable.

Mayor Rasmussen agreed the float should be built this year and in future years discussions can be held to see if other arrangements can be made.

Voice vote was taken on the resolution, resulting as follows:

Ayes 7: Banfield, Bott, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 1: Cvitanich. Absent 1: Herrmann.
The Resolution was declared passed by the Chairman.

Resolution No. 20087

Adopting regulations governing and limiting transfers between items within a class in the budget by the City's Chief administrative or Finance officer.

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mrs. Banfield. Roll call was taken on the resolution, resulting as follows:

Ayes 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen.
Nays 4: Bott, Finnigan, Johnson and Murtland. Absent 1: Herrmann.
The Resolution was declared LOST by the Chairman.

Mayor Rasmussen requested Mr. Hamilton, Acting City Attorney, to resubmit this resolution to be placed on the agenda for next week.

Resolution No. 20088

Authorizing the proper officers to enter into an agreement with the Disabled American Veterans, Harmony Chapter No. 18 providing for the operation of the baseball parking lot.

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mr. Murtland. Voice vote was taken on the resolution, resulting as follows:

Ayes 8: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 1: Herrmann.
The Resolution was declared passed by the Chairman.

Resolution No. 20089

Requesting the City Council to make all the necessary arrangements for the securing of a report by certified public accountants based upon an audit of all of the financial transactions of the City of Tacoma.

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mrs. Banfield.

Mr. Johnson explained he would be in favor of the resolution if it included the Utility Dept. as well as the General Government. He requested that a meeting be held with the Utility Board relative to this matter. There has been a great deal of discussion relative to the disappearance of one million dollars when the change of government occurred a number of years ago, and he would like to see this matter cleared up by a complete audit of the entire City of Tacoma.

Mr. Cvitanich informed the Council that the Audit Committee met at Knight, Vale and Gregory's offices yesterday. He felt that Section 7.14 of the City Charter defines the fact that an audit should be made of city government. He urged that every member of the Council support this resolution. An audit of all city books and accounts would cost only four tenths of one percent of the total 1969 total general fund budget, and he felt this was well worth it, to assure the tax payers of the City that their City government is conducted properly.

Mr. Johnson suggested that the Council consider employing the services of an internal auditor who would report to the Council in the same manner as a special accountant reports to a private company's shareholders.

Mr. Cvitanich stated, the controversial provision of the City Charter which uses the term 'running audit' in Section 7.14 should be changed. He noted that it is planned that an amendment be submitted to the voters eliminating the word 'running' in the fall election of 1969.

Mayor Rasmussen stated he had attended the meeting at Knight, Vale and Gregory's office and many good suggestions had been brought to the Committee's attention.

Mayor Rasmussen reminded the Council members of the meeting with the Utility Board on March 10th at 6:30 P. M. at the Utility Dept. He thought, perhaps, this resolution should be postponed until this meeting is held.

Mr. Murtland felt the Public Utility Dept. should be included in any audit that is accomplished.

Mr. Johnson said, the first audit would be an expensive one, but in the future, if the internal audit procedure is adopted, an auditing firm who makes the annual audit would be able to use a number of figures that had been prepared by the internal audit, consequently the next year's audit would not be as expensive.

Mr. Bott moved to postpone action on Resolution No. 20089 for one week, until March 11th, 1969. Seconded by Mr. Murtland. Voice vote taken. Ayes 7: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland and Mayor Rasmussen. Nays 1: Zatkovich. Absent 1: Herrmann. Motion carried.

The Resolution was postponed for one week, until Mar. 11th, 1969.

FIRST READING OF ORDINANCES:

Ordinance No. 18763

Vacating the alley between 24th & 25th Sts. N. E. and from 64th Ave. N. E. approximately 320 feet west. (petition of Robert Singleton)

Mr. Cvitanich asked that the Planning staff check to see if the Council had vacated another alley in this same general vicinity about two weeks ago.

Mr. Buehler, Direct of Planning, stated he would look into the matter.

The Ordinance was placed in order of final reading.

Ordinance No. 18764

Vacating East 38th and George St. from A to East B Street. (petition of Bethlehem Lutheran Church, et al)

The ordinance was placed in order of final reading.

Ordinance No. 18765

Vacating East 35th from East D to approximately 125 feet west. (petition of Schwinkendorf and Sousa).

The ordinance was placed in order of final reading.

Ordinance No. 18766

Amending Chapter 13.06 of the official code by adding a new section 13.06.067-8 to include property on the east side of Mildred between 6th Ave. and No. 9th extended in an "R-4-L-PRD District. (petition of Forrester Realty & Mtg. Co.)

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18757

Amending Section 1.12.430 of the official code to add 1122 Trainee Corps Coordinator.

Mr. Rowlands, City Manager, explained this ordinance creates the position of a Trainee Corps Coordinator.

Mr. Zatkovich felt this ordinance is in direct opposition to basic Civil Service procedures. He added, he would therefore oppose the ordinance.

Mr. Johnson stated, this ordinance does not violate the Civil Service Rules as it is creating a position.

Mr. Cvitanich asked if a competitive examination is going to be held for this position.

Mr. Rowlands explained, not in this particular instance.

Mr. Bixel, Personnel Director, explained, it was not contemplated to hold a competitive examination for the initial filling of this position. This was the result of action by the Civil Service Board approving the non-competitive appointment to this particular position. He pointed out that the Civil Service Board is an elective board which is empowered to determine classifications. Any future appointments will require their approval if this non-competitive feature is used, he added.

Mr. Cvitanich felt such a situation comes under the Council's purview. He asked Mr. Bixel if he had suggested to the Civil Service Board that such an ordinance be created.

Mr. Bixel said he had requested this procedure, and the ordinance provides that he may do so.

Mr. Cvitanich said, in all due respect to the other elected officials, he felt that the Council does have a responsibility and it is within its power to check on such matters as these.

Mr. Bott asked Mr. Bixel, if this position were not created, would the gentlemen, who is acting in this capacity under another classification, be able

to continue his present classification.

Mr. Bixel explained, under the present classification, Personnel Technician, there has been an employment list established, and the Civil Service Board would expect a person to be appointed from the employment list. He further added, the position of Personnel Technician I had been budgeted last year on a temporary basis, however, in the 1969 budget budget provides for a full-time position.

Mr. Bott asked if the temporary basis could be extended another nine months.

Mr. Bixel remarked, that the extension of any position is subject to budgeted funds. When there is an employment list, the people on that list are entitled to be offered employment.

Mayor Rasmussen stated there had been two Personnel Technician positions filled recently. He asked Mr. Bixel what these positions entailed.

Mr. Bixel said, these technicians perform quite a wide variety of activities, but the immediate vacancies are in connection with the recruitment and examination problems. Due to the recruitment picture and the expansion of the City's activities, the department has had to increase the production or maintain employment lists on both open-competitive and promotional basis. The City has an elaborate, complicated civil service program.

Mr. Bixel continued, the City Council provided additional positions in the Personnel Department's budget for 1969. In addition to the recruitment examinations, these persons may be used in salary studies, classification studies, labor union contract negotiations and a wide variety of activities.

Mayor Rasmussen remarked that the Personnel Dept. does purchase tests, and he did not see why they would need two Personnel Technicians at this time.

Mr. Bixel explained that the great majority of the tests are achievement type tests which relate directly to the work of the department. For example, an examination for the Fire Dept. must relate to the work performed here in Tacoma. It is true they do purchase tests, but it is a very small percentage as compared to the tests that are prepared in his department.

Mayor Rasmussen explained he felt Mr. Hutchine has done such an excellent job that he should have been placed as a Personnel Technician I, which would have given him a permanent position in City employment. If this manpower Trainee Program runs its course nationally, it would probably not be continued as a City service.

Mr. Bixel said, the Trainee Board members have all agreed that there is a great need for this Trainee Corps Coordinator position. He explained there are three members of the Board in the audience at the present time who would like to speak.

Mr. Johnson requested that one of the members explain to the Council the Board's point of view on this matter.

Mr. Murtland moved to suspend the rules to allow a member of the Trainee and Evaluation Committee to speak. Seconded by Mr. Bott. Voice vote taken. Motion carried.

Mr. Eunice Betts, 1709 So. Durango, a member of the Trainee Board, explained that Mr. Hutchine had done a tremendous job of coordinating and finding jobs for the underprivileged citizens of Tacoma. The Board felt that Mr. Hutchine should be given a permanent position, which he so richly deserves, within City Civil Service. She urged the Council to pass the ordinance.

Mayor Rasmussen wanted to know what the difference was in fringe benefits between a permanent position and a temporary position.

Mr. Bixel explained that fringe benefits for temporary employees vary considerably from that of regular employees. He added, temporary employees are not granted sick leave, holiday pay and vacation pay. However, after a person has worked for 180 days in the preceding year, vacation time and holiday pay can be accrued. The Pierce County Medical coverage is given after four month's employment,

but the life insurance is not available. Retirement benefits are not deducted until after three months on the job.

Mr. Johnson felt this Trainee Corps Program would be in existence for some time and he was in favor of passing this ordinance.

Mr. Bott said, as he understood it, this position was created on a temporary basis for an undetermined time.

Mr. Rowlands explained, the Personnel Technician position was created on a trial basis under the Neighborhood Youth Corps. He felt, however, that the program will be increased, not only by the City but by private enterprise. He also felt all cities should be involved in the program in trying to make opportunities for the disadvantaged who have not had the opportunity to enter the civil service program. By this training program, it is hoped that more persons can be made eligible to take the examinations. He further explained, that this position could be compared with the Cowlitz Project and Urban Renewal, where persons were classified for the period they worked.

Mr. Zatkovich felt the Council would be ignoring the civil service rules and regulations. He felt an examination should be held for this position. If this position is created and filled without an examination, it is an erosion of civil service principals. He knew that Mr. Hutchins had done a good job, and the Trainee Board members are urging that he be allowed to fill this position, but they are speaking of personalities, not of the merits of civil service. He asked Mr. Van Camp, representative of the Civil Service League, if he thought this was good practice.

Mr. Van Camp explained, the personnel rules under civil service do provide that this can be done. He was hoping in this one particular instance an agreement might be worked out. He agreed with Mr. Zatkovich that an examination should be given.

Mayor Rasmussen explained this Trainee Corps may continue for a number of years but it is not an actual established department. It may well become a permanent job at least it is now in a category of credits for sick leave, vacation, retirement and other fringe benefits, but it will only continue as long as there is a need for the position.

VERBATIM REQUESTED BY MR. CVITANICH:

Mr. Johnson: Mr. Mayor, I want to point out very clearly that this ordinance before us has nothing to do with civil service. It has nothing to do with the man that you're putting in there. It is merely establishing the position.

Now, if the Civil Service Commission sees fit to put him in without an examination, that's their business, but we're not voting on that. We are merely saying, there is a need for a Trainee Corps Coordinator, and that has nothing whatsoever to do with who goes into the job, or how they are put there. We are simply saying that there is a need for it, and I am certainly in favor of voting for this position.

END OF VERBATIM

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

- Ayes 5: Bott, Finnigan, Johnson, Murtland and Mayor Rasmussen.
 - Nays 3: Banfield, Cvitanich and Zatkovich. Absent 1: Herrmann.
- The Ordinance was declared passed by the Chairman.

Ordinance No. 18758

Vacating East "J" Street lying between East 60th & 61st Streets. (petition of Canty-Baker, et al)

City Council Minutes - Page 13 - March 4, 1969

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

Ayes 8: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 1: Herrmann.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18759

Approving and confirming the assessment roll for Sidewalk Construction Fund #68 for property at 1537 Broadway.

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

Ayes 5: Bott, Finnigan, Johnson, Murtland and Mayor Rasmussen.

Nays 3: Banfield, Cvitanich and Zatkovich. Absent 1: Herrmann.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18760

Amending Chapter 12.10 of the official code and repealing Section 12.10.010 to and inclusive of 12.10.640 relative to "Water-Regulation and Rates".

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

Ayes 8: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 1: Herrmann.

The Ordinance was declared passed by the Chairman.

Mr. Cvitanich asked Mr. Benedetti, Assistant Director of Utilities, when the water department had last been audited, particularly by an independent auditor.

Mr. Benedetti explained that the annual audit of the State Examiner was filed with the Utility Board for the year 1968 at the last meeting which was on Feb. 26th, and there also has been a management audit.

Mayor Rasmussen asked Mr. Benedetti to inform the Utility Board that the audit referred to in Resolution No. 20089 which was discussed by the Council is one of the items that the Council would like to discuss with the Board.

Mr. Benedetti said he would relay the message.

Ordinance No. 18761

Providing for the improvement of L I D 4857 for paving on No. 34th from Stevens to Ferdinand; Monroe from No. 34th to No. 37th St. and other nearby streets.

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

Ayes 8: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 1: Herrmann.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18762

Providing for the improvement of L I D 5474 for water mains in 42nd Ave. East

from 144th St. East to a point 1,320 feet north of 144th St. East.

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

Ayes 8: Banfield, Bott, Cvitanich, Finnigan, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 1: Herrmann.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

Mrs. Banfield said at the last Human Relations meeting an intern was introduced to the commission. She wondered what his qualifications were and if he were paid by the City.

Mr. Rowlands, City Manager, explained the City has a fine working relationship with the University of Puget Sound and Pacific Lutheran University. Some of their Junior and Senior students with majors of political science, government, history and business serve with various City departments. These individuals receive about three hours credit in their courses for this work, and they are not being paid.

Mayor Rasmussen asked if this particular intern's name was John F. Fishback.

Mr. Rowlands stated that Mr. Fishback had been working in the City Manager's office assisting Mr. Mork and the Planning Dept.

Mayor Rasmussen said he had a copy of a letter which had been sent to the Federal Communications Commission recommending that KAYE Radio not be granted a license so that it would be removed from the air. He felt it was very strange that many letters such as this have been originating from the Manager's office.

Mr. Hodges had sent a letter and Mr. Fishback has sent another letter.

Mayor Rasmussen stated, it might be purely coincidental but the material in the letters have been identical. He did not know if anyone had composed these letters that were written. He asked Mr. Rowlands about the matter.

Mr. Rowlands stated, he had not known that Mr. Fishback had sent such a letter. The letter was sent on his own and as an individual. He is a student and a senior at PLU.

Mr. Rowlands further added, he did not see the letter before it was sent out, however, he was advised of the letter after it had been mailed.

Mr. Cvitanich mentioned when he was in Olympia recently and had stopped by to introduce himself to Representative Jerry Kopet of Spokane to check on the bill that Mayor Rasmussen had requested relative to Investment Funds. During the conversation, Representative Kopet said he was puzzled as Mr. Rowlands had called him in regard to the bill extending the Mayor's term of office and he had asked him what the official position of the City was on this particular bill. Mr. Cvitanich informed the Council that he had told Representative Kopet that the Council as a legislative group had never taken an official position on the matter.

REPORTS BY CITY MANAGER:

Mr. Rowlands submitted a list of expenditures approved to date in the amount of \$1,465 for the operation of the Tacoma Centennial Observance.

Mr. Bott announced that anyone who wished to enter a float in the Centennial Parade would be welcome to do so, but they should notify him as soon as possible. The Centennial Committee hopes to have an outstanding parade for this occasion, he added.

Mr. Cvitanich said he had received numerous inquiries relative to what the City's policy will be for growing beards for this celebration. He felt the Council should determine that the City employees may grow a beard, as they do wish to compete in the beard growing contest.

Mr. Rowlands explained that it was felt that beards would interfere with the masks worn by the firemen. In regard to the policemen, beards would probably interfere with the normal image of a police officer. Otherwise, there seemed to be no objection to other employees growing beards.

A communication was received from Thomas Dixon, Executive Director, advising that the Tacoma Urban League has worked in cooperation with the Seattle Urban League Operation Equality Housing office in terms of processing applications for low-income Tacoma residents for 221 (H) home purchases.

Mr. Rowlands said he had hoped to have this information for the Council before this time. However, there is a fine spirit of cooperation between the Tacoma Urban League and the Seattle Urban League. The Seattle Urban League has also assisted the Tacoma Urban League relative to the job training program. Mr. Rowlands asked that Mr. Dixon, Chairman of the Hilltop Model Cities Citizens' Advisory Committee, be given the time to make a report to the Council regarding their recommendation as to who should be the Model Cities Director.

After some discussion, Mayor Rasmussen asked that Mr. Dixon appear at the study session Monday, March 10th.

Mr. Rowlands explained he had not had an opportunity to comment on the audit situation. He felt that the record should be made clear, that there are two full time independent auditors auditing the records. These auditors are not in the employ of the City, they are employees accountable to the State Auditor. An independent audit is constantly being made within the City. He added, he would welcome any number of auditors to audit the records of the City as he is certain that everything is in order. If this were not so, the State Auditors would have found any discrepancies.

Secondly, many audits have been made by accounting firms at the request of the City Council in areas determined by the City. In these reports there were many recommendations which were implemented by the City. Most recently the Council has requested changes in the Tax & License Dept.; these changes will also be followed.

Mr. Cvitanich explained that the State audit is a post audit and the audits that the firms have conducted have been more in the form of a management audit. The Council is talking about a financial audit that the Charter calls for as closely as possible.

Mayor Rasmussen asked if the Sewer Utility report mentioned last week is ready to be submitted to the Council.

Mr. Rowlands explained he had hoped to distribute it this evening, but this was impossible, so it should be available next week.

Mr. Rowlands explained he had just received a letter from Martin B. Miller, Model Cities Coordinator, Dept. of HUD in Seattle, stating that the Model Cities Administration has approved the extension of sixty days for the pre-planning period in Tacoma.

City Council Minutes - Page 16 - March 4, 1969

Mayor Rasmussen felt that Mr. Miller should have sent such a letter to the Mayor. The Federal Government is now requiring that such correspondence should be sent to the Mayors of Cities. He had received no notice of such approval.

Mr. Rowlands stated, this was a routine matter, but he was sure that Mr. Miller had been in touch with the San Francisco office of HUD.

Mr. Rowlands announced that the National League of Cities Legislative Conference will be held in Washington, D. C. on March 30th through April 1st, 1969.

CITIZEN'S COMMENTS:

Mr. Jim Bellamy, Wilson High School senior, spoke in regard to the voter apathy of citizens in the past school elections. He announced that a City-wide organization of high school pupils plan a protest march and an all-City dance to promote a successful election on March 25th, 1969. He said that he and Dick Cvitanich have not been sent by any organization to speak to the Council, but they represent only the view of the Youth of the City. It is imperative that the School millage passes. They are aware through their courses in school of the problems of the Cities and the greatest thing this nation has going for young people, is education. He asked that the City Council support Propositions A & B on March 25th.

Mr. Dick Cvitanich, explained they have organized committees to put these propositions before the citizens, and they are confident this election will be favorable as so many students have been informed through the efforts of the Students for Better Education.

Mayor Rasmussen thanked Mr. Cvitanich and Mr. Bellamy for coming before the Council. He requested Mr. Hamilton, Acting City Attorney, to draft a resolution for the Council's approval to support Propositions A & B at the election of March 25th.

Mr. Don R. Nicholson, 6735 So. Mason spoke against the Council Rules as he felt they placed the control of the City of Tacoma in very few hands, and that the rules violated the City Charter.

Mr. James P. Fulgham, spoke relative to the toleration policy that is enforced in the City of Tacoma in regard to bingo games. He noted that after the building which he had used at 13th and Pacific Ave. was torn down he had requested that his club be allowed to move to another location. He felt that these games are operated on a toleration basis and he would like to know if he can at this time be allowed to operate a bingo game again as the VFW Post #91 has offered to sponsor him.

Mayor Rasmussen asked Mr. Rowlands what could be done, and to explain how the tolerance policy works on bingo.

Mr. Rowlands explained he had not talked to Mr. Fulgham, but the decision of whether or not he could operate again should be made by the City Council. He mentioned that over the years a combination of thinking by the Council and the administration had set the rules.

Mr. Cvitanich said there has been no secret of a policy of toleration being in effect before and since he was elected to the Council. But a point is reached in society or in operation of a community that common sense must be used, and he felt Mr. Fulgham's particular problem should be resolved through the regular administration channels.

Mayor Rasmussen stated that, perhaps, Mr. Cvitanich is right, but by the same token it is a question, if the City is showing favoritism or whether everyone is being treated on an equal basis.

Mayor Rasmussen asked Mr. Rowlands if it were possible for the vacant Urban Renewal property to be used as parking lots for jurors, as the parking situation around the County-City Bldg. is critical.

Mr. Rowlands stated, there was a question of insurance liability involved but he would submit a report.

Mr. Cvitanich stated he would violently oppose using urban renewal property for parking.

Mr. John Hill, a private parking operator, informed Mayor Rasmussen that federal law prohibits random use of urban property for parking.

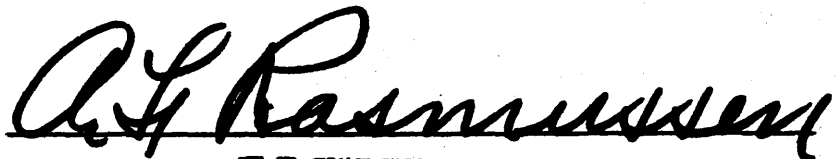
Mayor Rasmussen stated he had not been aware of such a law.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Planning Commission minutes for Feb. 17, 1969.
- b. Board of Park Commissioners minutes for Feb. 24, 1969.
- c. Personnel Report for January 1969.
- d. Fire Dept. report for January 1969.
- e. The Regional Statesman for February 1969.
- f. The City Clerk advising the 30-day period for filing protests on L I D 3676, 4858 and 5471 has expired on February 20, 1969.

Placed on file.

Mr. Bott moved to adjourn the meeting. Seconded by Mr. Johnson. The meeting was adjourned at 9:25 P. M.


 A. L. RASMUSSEN, MAYOR

ATTEST: 
 JOSEPHINE MELTON, CITY CLERK