

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, October 22, 1968

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

Present on roll call 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zetkovich and Mayor Rasmussen. Absent 0.

The Flag Salute was led by Mr. Cvitanich.

Mrs. Banfield moved that the minutes of the meeting of Oct. 8th, 1968 be approved as submitted. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

This is the date set for hearing for rezoning of the south side of So. 19th St. between Union Ave. & Cedar Sts. from an "R-2-TM" to an "R-5-TM" District, submitted by Allenmore Medical Center, Inc.

Mr. Stan Wiley, Assistant Director of Planning, explained this rezone involves a twenty acre tract. The applicant has requested the reclassification in order to construct a (408) unit apartment complex and a (420) retirement apartment complex. A new hospital wing is also involved in the over all plan, he added.

Mr. Wiley further stated this rezone would be compatible with the proposed development such as a bank building, offices and a church as well as other apartments. The applicant is also willing to execute a contract with the City to comply with the various departmental requirements, open space, density, underground parking and other amenities.

Mr. B. G. Krona of Nelson, Krona, Ziegler Architects, located in Tacoma, explained they were commissioned to design the hospital wing, but after considerable study, the Allenmore Medical Center representatives joined forces with an architectural firm of Vancouver B. C., who have constructed a number of high rise apartments.

Mr. Wilfred E. Buchart, Architect of Vancouver, pointed out on slides the location and plans for the proposed complex. He said that the one bedroom apartments will rent from \$120.00 to \$160.00 per month, depending upon the location and size of the suite. The two bedroom apartments start at \$185.00 per month.

Mr. Finnigan asked when the building will be completed.

Mr. Krona explained, in all probability the entire improvement will take from three to five years to construct.

Mr. Cvitanich mentioned that a contractual agreement between Allenmore Medical Center Inc. and the City will be agreed upon to provide that the proposed site development and density standards will be carried out.

Mr. Wiley explained two changes in the contractual agreement that have been made relative to a setback on So. 19th St. and offstreet parking stalls.

Dr. Herrmann moved to concur with the recommendation of the Planning Commission to approve the rezone and that an ordinance be drafted approving same. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

PETITIONS:

a. Petition from the Conifer Company requesting rezoning of the north side of Westgate Blvd. between De fiance and Pearl St. from an "R-2" to an "R-4-L-TRD" District.

b. Petition from Robert J. Spruel & Assoc. requesting rezoning of the east side of Graham St. & Co. from an "R-2" to a "C-1" District.

Referred to the Planning Commission.

A communication was received from the World Wide Advertising, Inc. submitting proposed ordinance for the Council's consideration relative to bus bench advertising.

Mr. Peter C. Harvey, Acting City Manager, explained it was the staff's recommendation that the Council refer this matter to the staff for review and advise the staff on how the Council desires the staff to proceed on this matter.

Mr. Bott moved to refer this matter to the City Attorney and the City Manager's office for their recommendation on the matter. Seconded by Mr. Finnigan.

Mr. Johnson reminded the Council this procedure does not conform to the recommendation from the Civic Arts Commission. He added, the Commission felt there should be no advertising put on benches. He felt the Council should respect their findings, therefore, there should be no action taken on this matter.

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

Mr. Johnson moved that the matter be removed from the agenda. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

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62-256

RESOLUTIONS:

Resolution No. 19868 (postponed from the meeting of Oct. 8, 1968)

Establishing new rates of maximum assessment on assessable unit of frontage basis for property owners in Local Improvement Districts and rescinding Resolution No. 17305.

Mr. Murtland moved to amend the resolution on page 1, sub-paragraph 1, third line down to change the figure \$10.00 to \$9.00. Seconded by Mr. Finnigan.

Mr. Bott stated he understood that several persons wished to discuss this amendment with the Council, therefore he would move to postpone the resolution for two weeks, until, Wednesday, Nov. 6th, 1968. Seconded by Dr. Herrmann. Roll call was taken on the motion to postpone, resulting as follows: Ayes 8: Banfield, Bott, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen. Nays 1: Cvitanich. Absent 0. Motion carried.

Mayor Rasmussen said the resolution will be on the agenda on Nov. 6th with Mr. Murtland's amendment pending.

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Resolution No. 19904 (postponed from the meeting of Oct. 8, 1968)

Endorsing the concept of constructing a canal between the Columbia River and Puget Sound and that preliminary feasibility and engineering studies be made by the United States Corps of Army Engineers.

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Mayor Rasmussen moved that in the last paragraph, 4th line down, after the word 'be', delete the word 'made' and insert the word 'continued'. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

Mr. Cvitanich moved that copies of this resolution be forwarded to the Senators and Representatives, President of the Senate and Speaker of the House, for their information. Seconded by Mrs. Banfield. Voice vote taken. Motion carried.

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

Resolution No. 19917

Fixing Wednesday, Nov. 6th, 1968 at 4 P. M. as the date for hearing for the vacation of property on the west side of Warner St. between So. 40th & So. 43rd streets. (petition of Keystone Investments, Inc.)

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

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

Resolution No. 19918

Fixing Tuesday, Nov. 19th, 1968 at 4 P. M. as the date for hearing for the vacation of the alley between East 38th St. and George St. from A to East B St. (petition of Bethlehem Lutheran Church, et al)

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

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

Resolution No. 19919

Authorizing the proper officers of the City to execute for and on behalf of the City of Tacoma a permit with the State Highway Dept. to construct a sanitary and storm sewer line under S. R. No. 16.

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

Mr. Art Anderson, City Engineer, explained the Department of Public Works has negotiated with the Washington State Highway Commission, for a permit to construct under S. R. No. 16 a 12-inch sanitary sewer and a 24-inch storm sewer. This resolution authorizes the proper officers of the City to execute this permit, he added.

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

Resolution No. 19920

Authorizing the proper officers of the City to execute for and on behalf of the City of Tacoma a permit with the State Highway Dept. to cross S. R. No. 16 with an aerial fire alarm electrical circuit.

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

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

Resolution No. 12621

Authorizing the proper officers of the City to hire Earley Construction Co. to make necessary repairs to the bridge located on East 26th St. between East A and East B Streets on a force account basis rather than call for formal bids.

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

Mr. Anderson, City Engineer, explained that on the 8th day of October a Milwaukee railroad train struck this bridge and as a result severe damage was sustained to the bridge.

He further explained that the Milwaukee Railroad Co. hired the Earley Construction Co. to assist in the removal of the wreckage and as a part of that work they erected certain supports and shoring under the bridge. It appears in the best interest of the City to have the bridge repaired on a force account basis by Earley Construction Co. rather than call for formal bids. This resolution also authorizes the firm of Sitts & Hill to supervise the making of said repairs. This engineering firm has completed a study of bridges in the City.

Mr. Hamilton, Acting City Attorney, explained that the morning of the accident the Milwaukee R/R Co. was informed that the City would request the recovery of damages. However, as of today the Legal Dept. has not received any written acknowledgement in behalf of the Railroad Co. that they would guarantee these costs. In the event the City is unable to collect on an amicable basis, the City can properly bring suit to recover the costs.

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

FIRST READING OF ORDINANCES:

Ordinance No. 12672

Adopting the annual budget of the City of Tacoma for the fiscal year 1969.

Mr. Gaisford, Director of Finance, explained that according to the wishes of the City Council, two items have been changed; one item is under the Expert Service Classification in the amount of \$31,600.00, which was transferred from the Legislative Budget to the Non-departmental classification. The other item is setting up a new General Service and Public Information Dept. under Mr. Bud Bond. The photographer, fringe benefits and costs were transferred out of the Public Works budget and four employees were transferred from the Finance Dept. budget. This will all be combined under the new department under Mr. Bond who will also have a Clerk-Steno. II in his Department.

Mayor Rasmussen said it was his understanding this transfer was to be discussed at a later date.

Mr. Gaisford said it was his understanding it was the concensus of the Council that this be done. Mr. Gaisford said it would be no problem to amend the ordinance to place these changes back to their original status.

Mayor Rasmussen thought the first reading of the ordinance should be postponed so that the public could comment on the revised budget ordinance.

Mayor Rasmussen then moved to postpone the ordinance for one week, until Oct. 29th, 1968. Seconded by Mrs. Barfield.

Mr. Peter Harvey, Acting City Manager, explained that the changes in the proposed final budget have all been made in accordance with the instructions of the City Council.

Roll call was taken on the motion to postpone the first reading of Ordinance 19672, resulting as follows: Ayes 3: Banfield, Cvitanich and Mayor Rasmussen. Nays 5: Bott, Mansign, Hermann, Johnson, Murkland, Zatkovich. Absent 0. Motion carried.

Mr. Harvey explained that the largest number of changes in the final budget were in the salary and wage category, as well as the revenue portion of the budget which was raised to meet the imbalance resulting from Council approved increases.

Mr. Marvin Hansen of the Police Dept. explained in checking the Radio Technician's salary, it is one-step below a Police Lieutenant's salary. He added, the Radio Technicians feel that they should be classified in the same category as a Lieutenant.

Mr. Darrell Erickson, Radio Technician, explained at the present time his classification is under the Police Pension System, however, the radio division is being phased out into the City Pension System.

Mr. Robert Hamilton, Acting City Attorney, explained that the City Council is powerless to adopt a resolution or ordinance at the present time, stating that the radio technician would come under the same category as a uniform officer in future years.

Mr. Bott asked what affect would this have on a radio technician if this classification were phased out and no longer under the Police Pension System.

Mr. Hamilton remarked, if Mr. Erickson retires while under the classification of Lieutenant of Communications under the Police Pension System, it would not affect his particular pension. However, if another person who is classified as a civilian employee, radio technician, he would not be a member of the Police Pension System and would be classified under the City Retirement System.

Mayor Rasmussen felt Mr. Erickson should be given the same rank for retirement as any other Police Dept. employee after (25) years of service.

Mr. Hamilton explained, this was a matter of policy which the Council must determine. If Mr. Erickson is not equated with some other rank and the position is abolished, then in years to come there will be nothing that he can utilize for his escalation provisions under the pension law.

Mr. Cvitanich wondered why this was not brought out during the Police Union's negotiations with the City Council. He noted, there are two different questions here, namely, salary and freezing pension benefits. He wondered what the Council could do for those persons who are presently employed and come under the Police Pension System when the positions are eliminated.

Mr. Hamilton said, if the Council wishes when these four persons are eventually eliminated, the Council could establish a position in the budget under the compensation plan and continue to equate the position with the present one which they have for personnel under the Police Pension System.

Mr. Cvitanich therefore moved that the City Attorney's staff submit suggestions as to how the Council can protect the present radio technicians' positions to insure that their pension rights will be protected in terms of future benefits. Seconded by Mr. Bott. Voice vote taken. Motion carried.

Mayor Rasmussen moved that the budget be reduced as submitted by \$100,000.00 in the housing improvement section of the Public Works Dept. Seconded by Mrs. Banfield.

Mayor Rasmussen felt this amount is for inspections of older buildings and is a duplication of other city programs. He thought this amount could be reduced and there would still be a balance of \$62,630.00 which should be adequate for these particular inspections.

Several Councilmen reminded Mayor Rasmussen that the City and Federal officials had gone to great lengths explaining the necessity of enforcing the minimum building code in order to qualify Tacoma for future Federal aid.

Roll call was taken on the motion to reduce the budgeted amount of \$100,000.00 in the housing improvement section of the Public Works Dept. Ayes 4: Banfield, Cvitanich, Farkovich and Mayor Rasmussen. Nays 5: Bott, Finnigan, Herrmann, Johnson and Hartland. Absent C. Motion Lost.

Mrs. Banfield moved that the funds appropriated for the Human Relations Dept. be deleted from the 1969 budget. Seconded by Mayor Rasmussen.

Mrs. Banfield felt that during the hearings on the budget, it was brought out that this particular department had been taken over by the Urban Coalition. She also proposed that Mr. Hodges, Human Relations Director, be hired by the Tacoma Area Urban Coalition.

Mayor Rasmussen said that the Urban Coalition is doing an excellent job and he agreed with Mrs. Banfield's suggestion.

Mr. Johnson said he felt the Human Relations Dept. could be phased out, but that any action without consulting the Coalition would be premature.

Dr. Herrmann felt this was no place or time to continue the budget hearings as these were concluded last Wednesday evening on the 16th of October, and he also was against deleting the Human Relations Dept.

Roll call was taken on Mrs. Banfield's motion to delete the funds appropriated for the Human Relations Dept. from the 1969 budget. Ayes 4: Banfield, Cvitanich, Farkovich and Mayor Rasmussen. Nays 5: Bott, Finnigan, Herrmann, Johnson and Hartland. Absent C. Motion Lost.

Mayor Rasmussen moved to delete the funds set up in the budget for the salary and fringe benefits for a clerk-stenographer from the Tacoma Industrial Airport budget. Seconded by Mr. Cvitanich.

Mr. Cvitanich stated it was his understanding that the unfilled position would be dropped because the Council had voted to retain another person on the Airport staff.

Voice vote was taken on the motion to eliminate the clerk-stenographer position from the Tacoma Industrial Airport budget. Motion carried.

Mr. Cvitanich moved that a study session be held in the immediate future to consider Airport problems. Seconded by Mrs. Banfield. Voice vote taken. Motion carried.

Mrs. Banfield requested that the financial statement of the Tacoma Airport be brought up to date for the Council.

The Ordinance was placed in order of final reading.

Ordinance No. 18673

Fixing the amount of ad valorem tax levies necessary to raise the amount of estimated expenditures for the General Fund for the fiscal year 1969.

The ordinance was placed in order of final reading.

Mayor Rasmussen asked if the public would be allowed to participate in the discussions on the budget at the final reading of the ordinance.

Mr. Bott said, these figures were approved by the Council last week when the budget was amended, and he could see no reason to allow the audience to participate during the final reading of the budget ordinance.

INDICTMENT

Don R. Nicholson

Page 21 of the Charter of the City of Tacoma--Section 7.2:

"The budget shall be prepared and acted upon in the manner and within the time limits prescribed by State Law. The Council may prescribe budget procedures supplemental to and not inconsistent with the provisions of the State Law and this Charter."

The Charter in this manner clearly indicates that the City shall abide by and give the State Law precedence.

R. C. W. 35.18.010:

"The City Manager shall be responsible to the Council for the proper administration of all affairs of the City or town."

Note the use of the word responsible, this would indicate the Council has the final word in all matters. The scope of the City Manager's responsibilities is to carry out the directions whatever they may be of the City Council, nothing more, nothing less.

This also would indicate that the Manager can not give direction to the City Council. For him to do so would be in violation of the above.

The citizens of Tacoma have experienced a reverse of the law which has resulted in a break down of city government.

The means by which Mr. Rowlands has accomplished domination of the Council may in themselves be legal, but they do not conform with the spirit and intent of the law thus placing his administration outside the law.

R. C. W. 35.33.030-Paragraph 4:

"It shall be the duty of all city officials to file the estimate within the time, and in the manner specified in the clerk's notice and the clerk shall deduct and withhold from the salary of each official failing to file such estimates as herein provided the sum of ten dollars for each day delay but the total penalty against any one official shall not exceed fifty dollars in one year. The clerk's notice shall contain a copy of this penalty clause."

See 35.33.010 for definition of Clerk.

Indictment

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How many times during the budget hearings did Mr. Rowlands and Mr. Gaisford say, "We will bring those figures in." "We will revise this, and change that."

R. C. W. 35. 33. 049

Budget Estimates--Classification--Segregation--Transfers

- (1) Salaries and Wages
- (2) Maintenance and Operation
- (3) Capital Outlay
- (4) Interest and debt redemption
- (5) Expenditures proposed to be made from bond or warrant issues not yet authorized.

The above would clearly indicate that these are the five general divisions to be considered by the Council and that they shall be considered each separately in its due time.

To a degree where ever possible the reader must conjecture as to what was in the collective minds of the Legislators at the time of Legislation to arrive at spirit and intent.

The above had its effect upon the consideration, hearings, and adoption of the budget as to time and the limiting thereof.

Remark made by two Councilmen: "We have and can adopt a budget in twenty minutes." This would give the five general divisions exactly four minutes each.

35. 33. 050 - Paragraph 4:

This Section is rather lengthy, but may be read by any person who will take the time and trouble to look it up.

"Copies of such preliminary budget to meet reasonable demands of taxpayers therefor and have them available for distribution not later than two weeks before the first Monday in October."

I, Don Nicholson, have made numerous requests through the Mayor's office. The information requested was not available even to the Mayor. I heard a discussion between Mayor Rasmussen and Doris Stuart in which Mrs. Stuart had requested Mr. Gaisford for some information and he had told her, "If I wanted the information it would cost me \$23 for copies."

Indictment

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35.33.060--Budget notice of hearing on final:

"The City Council will meet on the first Monday in October thereafter for the purpose of fixing the final budget and making the tax levies, designating the time and place of meeting, and that any taxpayer may appear thereat and be heard for or against any part of the budget. The publication shall be made in the Official Newspaper of the City (if there is one). Otherwise in a newspaper of general circulation in the city."

This establishes my rights by law to be heard. (D. R. N.)

The New Tacoma Times is a newspaper of this city and is in general circulation. Joke over for certain Council members. (End of Joke)

35.33.070--Budget-Final-Hearing-Adoption:

(First Paragraph) "The hearing may be continued from day to day but not to exceed a total of five days."

(Second Paragraph) "Upon the conclusion of the hearing the City Council shall determine each item of the budget separately and shall by ordinance adopt the budget setting out in separate totals the appropriation total for each of the five general classes."

See 35.33.040 for the five general classes.

This involves the collective reasoning of the legislature in fixing the time limitation. It was assumed that one day's time would be used for each division of the five general classes. D. R. N.

35.33.080--Emergency expenditures--non-debatable emergencies:

This section concerns itself with mostly uncontrollable catastrophes and appropriations to correct or satisfy such emergencies.

However, it is the writer's opinion, and I am sure shared by many, that the City of Tacoma has been in a state of emergency for some twelve years.

35.33.090--Emergency expenditures--Other emergencies hearing:

"If a public emergency which could not have reasonably been foreseen at the time of the making of the estimates for the annual budget requires the expenditure of money not provided for in the annual budget and if it is not one of the emergencies specifically enumerated in R. C. W. 35.33.080, the City Council before making any expenditure therefor, shall adopt an ordinance stating the facts constituting the emergency and the estimated amount required to meet it and

Indictment

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declaring that an emergency exists." See 35.33.070.

The Council had exceeded by 48 hours the time permitted by law at the time of Mr. Herrmann's motion for an ordinance of adoption. The Council was in emergency session and refused to recognize it or declare it.

35.33.090--Paragraph Two--continued:

"Such ordinance shall not be voted on until one week has elapsed after its introduction for passage and shall require the vote of one more than the majority of all members of the legislative body of the City, and in cities not having the Commission form of government must also be approved by the mayor."

"Any taxpayer may appear at the meeting at which the emergency ordinance is to be voted on and be heard for or against the adoption thereof."

This law speaks for itself--no comment. D.R.N.

35.33.100-- Emergency warrants:

This section concerns itself with emergency warrants and is not relevant and material at this point.

35.33.105--Adjustment of Wages, etc. of electrical workers permissible budget, notwithstanding. No concern in this.

35.33.110--Forms--accounting--supervision by the State.

"The division of municipal corporations in the office of the state auditor is empowered to make and install the forms and classifications required by this chapter to define what expenditures are chargeable to each budget class and to establish the accounting and cost systems necessary to secure accurate budget information.

35.33.120--Paragraph two:

"Liabilities incurred by any officer or employee of the city in excess of any budget appropriations shall not be a liability of the city. The clerk shall issue no warrant and the City Council or Mayor shall approve no claim for an expenditure in excess of any individual budget appropriation except upon an order of a court of competent jurisdiction or for emergencies as provided in this chapter." See my affidavit 1967 elections.

NOTES AS A RESULT OF TUESDAY NIGHT'S COUNCIL MEETING

OCTOBER 22, 1968

1. State law provides for free and public discussion on the part of the Council and any interested citizen taxpayer. Murkland rule does not apply as concerns discussion and adoption of the budget.

2. If the stipulated amounts, figures and projected incomes are not in the budget at the time it is being considered and more important, adoption of same, the question presents itself, what has the Council considered, and what is it adopting?

3. If the action of adoption constitutes establishment of said budget then according to State law it would require emergency legislation to exceed any stipulated figure in the adopted budget.

FINAL READING OF ORDINANCES:

Ordinance No. 18651

Amending Chapter 1.30.640 of the official code relative to Disability Retirement allowance.

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

Yes 8: Banfield, Bott, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

No 0: Absent 1, Cvitanich; temporarily.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18659 (as amended)

Amending Chapter 8.12 of the official code of the City by adding a new subsection 8.12.010.41 relative to disorderly persons defined and enumerated.

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Mr. Zatkovich moved to amend the ordinance by inserting in paragraph "41" after the word violence, the words "or which shall tend to provoke a breach of the peace through encouraging or advocating disrespect for law enforcement officer." Seconded by Mr. Cvitanich. Voice vote taken on the amendment. Motion carried.

A number of citizens spoke for and against the ordinance.

Mr. Alfred Anderson representing the American Legion Post #138, spoke in favor of the ordinance prohibiting the distribution of literature such as the 'Flame' being circulated.

Mr. Eddie Karnes, residing at 1120 North E., mentioned that America is a nation of law and order. He thought, perhaps, this ordinance should be more forceful in regard to the printed and spoken word. Such literature that is being circulated is degrading to our law enforcing agencies.

Dr. Herrmann said he appreciated the intent of the ordinance, but felt acts of violence and breaches of the peace are covered by other ordinances, consequently, he could not vote for this particular ordinance.

Mr. Murtland felt the ordinance was too vague and he questioned its constitutionality.

Mr. Zatkovich felt that the courts would make certain that the ordinance was not abused. He added, it is not the intent to punish the innocent.

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

Yes 7: Banfield, Bott, Cvitanich, Finnigan, Johnson, Zatkovich and Mayor Rasmussen.

No 2: Herrmann and Murtland. Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18670

Providing for the improvement of L I D 4855 for paving on Washington St. from So. 11th to So. 12th Street and other nearby streets.

Mr. Cvitanich informed the Council that the L I D Committee has recommended deletion of Prospect Street from So. 49th to So. 50th St. as there was a 50% protest against this area and this is deleted in the ordinance.

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

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18671

Approving and confirming the assessment roll for L I D 5448 for water mains and fire hydrants on So. 80th from Pacific Ave. to So. D Street.

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

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

Nays 0: Absent 1, Zatkovich, temporarily.

UNFINISHED BUSINESS:

The Director of Public Utilities presents the assessment for the cost of L I D 5443 for water mains in Shirley, Baltimore and Villard Sts. from No. 35th to No. 38th St. and in No. 33th from Orchard to Villard.

Mr. Cvitanich moved that Monday, Dec. 9th, 1968 at 4 P. M. be set as the date for hearing on the assessment roll of L I D 5443. Seconded by Mrs. Banfield. Voice vote taken. Motion carried.

Mr. Cvitanich stated, at last week's meeting he had changed his vote to the prevailing side when Ordinance 18668 was defeated, which has reference to filing complaints of discrimination in housing, so he could move to reconsider the ordinance at this time.

Mr. Cvitanich then moved to reconsider Ordinance No. 18668. Seconded by Dr. Herrmann. Roll call was taken, resulting as follows: Ayes 6: Cvitanich, Finnigan, Herrmann, Johnson, Murtland and Mayor Rasmussen. Nays 3: Banfield, Bott and Zatkovich. Absent 0. Motion carried.

Ordinance No. 18668

Amending Title 8 of the official code by adding a new subsection to Sec. 8.80.040-2. h., relative to filing complaints of discrimination in housing.

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

Ayes 5: Cvitanich, Finnigan, Herrmann, Murtland and Mayor Rasmussen.

Nays 4: Banfield, Bott, Johnson and Zatkovich. Absent 0.

The Ordinance was declared passed by the Chairman.

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REPORTS BY CITY MANAGER:

Mr. Peter Harvey, Acting City Manager, announced that Mr. Rowlands, City Manager, is attending the Annual meeting of ICMA in Detroit, Michigan from Saturday Oct. 19th through Thursday, Oct. 24th, 1968.

Mr. Harvey distributed a report by the Civic Engineers and Planners Inc. a consulting engineering firm, regarding the Union Avenue Urban Arterial Project. He said the report contains a great deal of background information along with several alternative plans.

Mr. Harvey asked if the Council could have a study session on this matter as soon as possible. He said the Public Works Dept. would like a determination to start the project. He also mentioned that the Planning Commission would like to meet with the Council and discuss off-street loading zone requirements.

Mayor Rasmussen asked that the Public Works Dept. and the Planning Dept. submit their recommendations in writing to the Council relative to the Union Avenue Urban Arterial Project in next Friday's agenda.

Mr. Harvey stated he would take care of the matter.

Mr. Harvey distributed copies of the memo from Mr. Hendry, Director of the Transit System, concerning diesel buses in relationship to diesel emissions and air pollution.

Mr. Harvey also mentioned that the Tacoma Police Dept. in cooperation with the Pierce County Insurance Association has inaugurated a major traffic safety program entitled "Operation Lights On." It is hoped this will make all drivers more safety conscious from 2 P. M. until darkness, by having each driver turn on the head lights at that hour, to reduce accidents.

Mayor Rasmussen asked Mr. Harvey to obtain the names of the members of the Charitable Solicitations Advisory Board which was created and set up by the City Manager, under Ordinance No. 17926, section 6.15.100.

Mr. Harvey said, according to the listing that was prepared on June 18th, 1968 for the Council. The purpose of the Board is to advise and submit recommendations to the City Manager regarding the issuance of licenses under Chapter 6.15 of the City Code. Five members are appointed for a three year term by the City Manager with the confirmation of the City Council. The members must be residents of the City and they serve without compensation. However, there are no active members at the present time.

Mayor Rasmussen requested that Mr. Hamilton, City Attorney, prepare an ordinance authorizing the Mayor to appoint the Charitable Solicitations Advisory Board with the approval of the Council.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mayor Rasmussen said there was a private group circulating in the K Street area, knocking on doors and harassing people with questions, under the guise of official City capacity. He added, he has had numerous phone calls saying that someone was in that area on Sunday. These people indicated they were members of the team that was surveying for urban renewal.

Mayor Rasmussen explained, when a canvass is made by the City, it will be publicly announced and any employees will have identification.

Mr. Bott requested that the ordinance relative to the junk automobiles that are parked on the streets be enforced. In discussing this with the Police Dept.

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and the City Attorney's office, they intend to have a campaign to inform the people of the City that these junk automobiles must be removed from the streets. If they do not adhere to the warning, the Police Dept. will have them removed, he added.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mrs. Banfield asked if the Public Schools are paying for the five bus operators who are busing children to and from schools, as the positions are in the budget.

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Mr. Harvey explained, the positions are in the budget but expenses incurred are shown in the budget as increased revenue.

Mayor Rasmussen called the Council's attention to a CDA letter #3 from the Department of Housing and Urban Development in relation to the Model Cities.

Mayor Rasmussen requested that Mr. Mork submit more copies of CDA letter #3 for the Council's perusal.

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Mayor Rasmussen asked that organizations who write to the Mayor's office wishing to be represented on the Model Cities Committee, give the date of their incorporation.

CITIZEN'S COMMENTS:

Mr. Thomas Dixon, Temporary Chairman of the Hilltop Model City's Temporary Advisory Committee, informed the Council that meetings are being held in regard to the Model Cities Program. He also noted that another meeting is being called on Thursday, Oct. 24th, 1968 at 8 P. M. in the McCarver School.

Mr. Dixon introduced seven members of their executive committee who were appointed by the temporary steering committee of (34) persons, whose duty will be to get as many people involved in the program as possible. James D. Baker, 2153 So. Ainsworth Ave., Ethel Harris, 2138 S. Hosmer; Richard Lundgren, 3101 No. 29th, Enelah Rankin, 1506 So. Sheridan, Thelma Page, 2117 No. Cheyenne; Lawrence Griggs, 1633 So. Ridgewood, Clarence Edwards, 930 Ea. 62nd and Mrs. James DeMaro, 2123 So. Wilkeson.

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Mrs. Banfield asked that Mr. Dixon inform the Council who the members are on their steering committee. Mr. Dixon stated he would compile such a list.

Mr. Dixon cited three reasons why his organization should receive official recognition on the program. (1) It is a cross section of the Hilltop population, and the members want to work with the City. (2) Federal Model Cities regulations insist on viable, citizen participation at the grass roots level. (3) Other cities involved in the program have endorsed such voluntary responses from responsible, law abiding citizens.

Mr. Dixon requested the City Council to designate his group as the official group to work with the City.

Mayor Rasmussen said he believes there must be a citizen's organization made up of representatives from every block in the Model Cities area.

Mayor Rasmussen said it is the Council's intention to discuss the aspects of organization for the Model Cities Program as soon as possible.

Mayor Rasmussen praised the members for their interest and promised they will be involved in the program but did not appoint Mr. Dixon's committee as the official committee.

Mrs. Thelma Page, 2117 No. Cheyenne, urged the City Council members to attend the Thursday night meeting of their committee at the McCarver School.

Mr. Johnson felt that this was the organization that has taken the lead and he liked their spirit and felt they should be given consideration.

Mayor Rasmussen also stated he believes there must be a citizens' organization made up of representatives from every block in the Model Cities area, and he promised a mass meeting as soon as possible to get the program rolling.

Mr. Bott urged that as many of the Council members attend Thursday's evening meeting as possible.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. State Auditor's report for Jan. 1, 1967 to Dec. 31, 1967.
- b. Report from the Fire Dept. for Aug. 1968.
- c. Minutes of the City Planning Commission for Oct. 7, 1968.
- d. Minutes of the Human Relations Commission for Sept. 19, 1968.
- e. Minutes of the meeting of Board of Park Commissioners for Oct. 7, 1968.
- f. Notification from the City Clerk Re the 30-day filing period for protests for L I D's 6895 and 6904.

Placed on file.

Mr. Johnson moved that the meeting be adjourned. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried. The meeting adjourned at 10:15 P. M.

A. L. Rasmussen
MAYOR

Attest: *Josephine Melton*
City Clerk