

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, Jan. 28th, 1969

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

Present on roll call 8: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland and Mayor Rasmussen. Absent 1: Zatkovich. Mr. Zatkovich arriving at 5:15 P. M.

The Flag Salute was led by Mr. Finnigan.

Mayor Rasmussen asked if there were any corrections or omissions in the minutes of January 14th, 1969.

Mr. Johnson asked that a correction be made on Page 9, 7th line from the bottom, that the word 'be' be changed to 'feel'. He thought this was a typographical error.

Mrs. Banfield asked that a correction be made on Page 21 in the 8th paragraph, 4th line down, that the word 'and' be changed to 'than'.

Mayor Rasmussen asked that the statement he made on Page 18, last paragraph be checked with the tape, as he stated that a publication entitled "Luddite" has been circulated throughout the high schools. He wondered if in any way this could be connected with the Students for Democratic Society whose headquarters are at 1608 W. Madison St., Chicago, Illinois. He noted that the "Luddite" is published and edited by a Mr. Annis. He wondered if this Mr. Annis was the same man who spoke before the Council as a representative from the American Civil Liberties Union. He also noted that this publication was from the address at 2906 No. 25th St. He asked Mr. Rowlands, City Manager, to check on this and report back to the City Council.

Mr. Bott moved that the tape be checked and the corrections be made. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

Mr. Cvitanich moved that the minutes of January 14th, 1969 be approved as corrected. Seconded by Mrs. Banfield. Voice vote taken. Motion carried.

Mr. Johnson moved that the Budget hearing minutes of Oct. 7th, 8th, 9th, 10th, 14th and 16th, 1968 be approved as submitted. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

a. This is the date set for hearing on the Replat of Hofto Heights located in the area on 53rd Ave. N. E., 31st St. N. E. and 29th St. N. E., submitted by Richard Hofto.

Mr. Stan Wiley, Assistant Director of Planning, explained that all the conditions set by the Planning Commission on the Preliminary Plat have been approved by the Commission. He noted that Mr. Hoffo is the sole owner of the entire plat.

Mr. Finnigan moved to concur in the recommendation of the Planning Commission to approve the above replat. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

b. This is the date set for a meeting with the property owners for the annexation of property on both sides of So. 96th St. between Hosmer St. and #5 (Freeway), submitted by William D. Brown, et al).

Mr. Wiley explained this meeting is held to determine three items, (a) if the City will accept the annexation petition, (b) whether the annexed area will be required to assure the existing indebtedness of the City, and (c) whether a comprehensive land use plan will be required.

Mr. Wiley suggested that the 'land use' requirement be waived as there is no plan for development of this area. He noted that Mr. Brown, petitioner, has a nursing home under construction in the area and he wishes standardization for a sewer line to service the nursing home.

William Brown, residing at Federal Way, Wash., petitioner, explained that the structure for the nursing home has passed the State building code and the County building code. He added, he will submit the plans to the City for its perusal if the Council wished.

Mr. Murland asked that Mr. Brown submit the plans to the City Building Dept.

Mr. Cvitanich suggested that Mr. Brown be required to submit his building plans to the Building Department of the City for its approval as a condition of approval for this annexation.

Mr. Finnigan asked if it were permissible for the City to require any one outside the City limits to submit such plans.

Mr. Schuster, Director of Public Works, said if the petitioner is willing to do so, it wouldn't present any problem. However, if it were found that changes had to be made, and the property were not annexed, the City could not force a property owner to make the changes.

Mr. Johnson moved that the City Council accept the above annexation petition with the condition as stated. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Mayor Rasmussen asked Mr. Hamilton how the proposed annexation assumes indebtedness of the City.

Mr. Hamilton, Acting City Attorney, explained that it was his understanding if the City did resolve to require the assumption of the existing indebtedness, it would be the amount of the General Obligation Bonds and/or levies, that may presently exist, based upon the taxable ratio of the assessment. Such millage would be 5.73 mills, he added.

Mr. Brown explained, their corporation, The Sherwood Terrace, Inc., would be agreeable to accept such an indebtedness.

Mr. Finnigan moved, as a condition of annexation, the nursing home corporation, Sherwood Terrace Inc., would assume the existing indebtedness of the City. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

Mr. Hamilton explained that the statutes provide that the City if it desires may establish a comprehensive land use plan for an area located outside the City, which will probably be annexed. However, he has been advised that the City has not prepared such a plan, therefore, provision (c) is not applicable at this time.

Mr. Wiley explained the City had not prepared a comprehensive land use plan for this area. He also mentioned that another hearing will be held before the City Council on the final acceptance of the petition; it will probably be several months before this is completed.

Mr. Johnson moved that the requirement for a comprehensive land use plan be waived as a condition of annexation. Seconded by Mr. Bott. Voice vote taken. Motion carried.

Mayor Rasmussen asked Mr. Hamilton, City Attorney, what would be the next step.

Mr. Hamilton explained that the next step is for Mr. Brown to file a formal petition with the City Clerk for annexation which will be analyzed by all City Departments. This petition would then be referred to the Council and Planning Commission for further action.

COMMUNICATIONS:

a. Communication from the Community Telecable of Seattle, Inc. stating they are interested in applying for a non-exclusive city-wide community antenna television franchise.

Mayor Rasmussen explained the communication will be placed on file with the other two applications and be discussed when the Council sets a hearing date on the matter.

b. City Planning Dept. submitting two publications of Tacoma's Community Improvement Program.

Mr. Jack Creighton, Principal Planner in the Planning Dept., explained these two documents, the Program Design Report Draft and Program Status Report No. 1 fulfill the requirements of HUD for the CIP study.

Mrs. Banfield suggested that these copies be placed in the Libraries for the citizen's information.

Placed on filed.

RESOLUTIONS:

Authorizing the City Council to provide for a running audit of all accounts and books of the City by a firm of Certified Public Accountants.

Mr. Cvitanich moved that this resolution be postponed for three weeks, until Feb. 17th, 1969. Seconded by Mrs. Banfield. Roll call was taken, resulting as follows: Ayes 4: Banfield, Cvitanich, Johnson and Mayor Rasmussen. Nays 4: Bott, Finnigan, Herrmann and Murtland. Absent 1: Zatkovich. Motion Lost.

Mr. Cvitanich explained that in February of 1962 a Proposition for an Independent Audit was on the Ballot, but was defeated; however, he still felt that a running audit means a complete audit by a private company to determine whether the Council is spending the City's money effectively. He hoped this resolution would be approved.

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

Ayes 2: Banfield and Cvitanich.

Nays 6: Bott, Finnigan, Herrmann, Johnson, Murtland and Mayor Rasmussen. Absent 1: Zatkovich.

The Resolution was declared Lost by the Chairman.

Resolution No. 20016

Establishing a policy of designating its elective officials the Mayor and two Councilmen of the City of Tacoma as its official representatives to the Puget Sound Governmental Conference.

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

Mr. Zatkovich arriving at this time.

Mayor Rasmussen explained that the by-laws of the Puget Sound Governmental Conference have been changed to allow a Tacoma delegation to consist of the Mayor and two Councilmen. He felt that the City should be represented entirely by elective officials as the regional body engages in policy making decisions.

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

Ayes 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen.
Nays 5: Bott, Finnigan, Herrmann, Johnson and Murtland. Absent 0.
The Resolution was declared Lost by the Chairman.

Resolution No. 20018

Fixing Monday, Feb. 24, 1969 at 4 P. M. as the date for hearing for L I D 4857 for paving on No. 14th from Stevens to Ferdinand St.; Monroe from No. 34th to No. 37th St. and other nearby streets.

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

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.
The Resolution was declared passed by the Chairman.

Resolution No. 20019

Fixing Tuesday, Feb. 25th, 1969 at 4 P. M. as the date for hearing for the vacation of So. 18th St. between So. "I" & "J" Sts.; also alley between So. "I" & "J" Sts. and between So. 17th & 18th Sts. (petition of St. Joseph's Hospital)

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

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.
The Resolution was declared passed by the Chairman.

Resolution No. 20020

Fixing Tuesday, Feb. 25, 1969 at 4 P. M. as the date for hearing for the vacation of the alley between 24th & 25th Sts. N. E. and from 64th Ave. N. E. approximately 320 feet west. (petition of Robert Singleton)

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

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20021

Fixing Tuesday, Feb. 13th, 1969 at 4 P. M. as the date for hearing for the Sidewalk Construction Fund #68 for construction, reconstruction of sidewalks on 1537 Broadway at the estimated cost of \$3,500.00.

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20022

Awarding contract to Miller Equipment Co. on its bid of \$8,631.70 for one sewer sludge tank.

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20023

Awarding contract to the Electric Construction Co. on its bid of \$2,573.20 for L I D 6883.

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20024

Awarding contract to International Harvester Company on its bid of \$12,641.75 for one Cab & Chassis.

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20025

Awarding contract to Shell Oil Co. for gasoline requirements from Feb. 1st, 1969 through Jan. 31, 1970.

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

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

Nays 0: Absent 0. Mr. Bott abstained from voting.

The Resolution was declared passed by the Chairman.

Resolution No. 20026

Approval of the Final Plat of North Wood located in the area of the north side of 19th St. N. E. and between 65th and 68th Ave., N. E.

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

Mr. Murtland asked what the plans were of the developer regarding L I D's in this plat to protect the people on the other side of the street.

Mr. Wiley, Ass't. Planning Director, explained that a performance bond has been obtained by the developer pledging that he will build the streets within the plat and if the developer does not improve the street the City may exercise the street bond for the improvement.

Mr. Murtland suggested that the Council should require in the future that any developer be required to put in the improvements in a replat at his own expense.

Mr. Cvitanich agreed that a policy should be set in this regard.

Mr. Bott asked that the Planning Dept. explore the possibility of a developer putting in all improvements and make this a prerequisite to granting a plat.

Mr. Hamilton, Acting City Attorney, explained the ordinances could be amended to provide for such a change.

Mayor Rasmussen asked that Mr. Hamilton draft a memo to the Planning Commission relative to this matter to be explored.

Mr. Rowlands explained one reason why such a policy has not been followed is because the County does not require such a plan.

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20027

Approving the contractual agreement between the City of Tacoma and the Pacific Northwest Bell Telephone Company providing for construction of various on-and-off-site improvements, in the area between Trafton & Prospect Sts. extended between So. 78th & So. 80th Sts. extended.

Mr. Johnson moved that the resolution be adopted. Seconded by Dr. Herrmann. Mr. Wiley, Ass't. Planning Director, explained that the Pacific Northwest Bell Telephone Co. has a definite design for the project in the area.

Mr. John L. Wright, Architect, employed by Pacific Northwest Bell Telephone, pointed out on a map the plans for the buildings and aesthetics to be applied to the property.

Mayor Rasmussen asked if the public would have an opportunity to protect any such development.

Mr. Wiley explained that all property owners residing within 300 feet of the area are notified.

Mayor Rasmussen felt there should be a public hearing on all special use permits the same as on rezones.

Mayor Rasmussen asked Mr. Hamilton, Acting City Attorney, to prepare a memo on this matter to see what can be accomplished. He also requested that the Planning Commission check into the matter.

Mr. Bott suggested that the requirements for a special use permit be more specific relative to classifications under such a permit. He asked that Mr. Hamilton explore this matter.

After some discussion, Mr. Cvitanich asked what the Comprehensive Plan for the City indicates regarding this particular area.

Mr. Wiley explained that the plan that is presently before the Planning Commission for review does include this area as an Industrial Park area.

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

- Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
- Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20028

Authorizing a temporary loan in the sum of \$33,233.75 from the Garbage and Refuse Reserve Fund to the Garbage and Refuse Fund.

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

Mr. Cvitanich asked Mr. Gaisford to explain why this temporary loan is required.

Mr. Gaisford, Director of Finance, stated that this resolution as well as the two resolutions following are on the same subject. He explained, the Finance Department has finished closing out the books for the City for the year 1968. As the Council knows, the statutes require that the books be kept open for the payment of obligations until the 20th of January. During that period no revenue is allowed to be deposited into any funds so there is a continual out-go of funds and no income.

Mr. Gaisford added, basically the Garbage and Refuse Fund, the Neighborhood Youth Corps Revolving Fund, the General Bond Interest and Redemption Fund and the Firemen's Relief and Pension Fund came to an overdraft. The Garbage and Refuse Fund, which was funded, contiguous with the Garbage and Refuse Reserve Fund is for the replacement of equipment and is now being required to borrow \$33,233.75 from the Reserve Fund which will be repaid in sixty days.

In Resolution No. 20029 the City has billed the Federal Government for services preformed by the Neighborhood Youth Corps, but has not yet received the money from the Federal Government. Therefore, a temporary loan in the sum of \$45,000 has been requested from the Arterial St. Fund which will be repaid within sixty days. As soon as the City receives the money from the Government, it will not show an overdraft.

In Resolution No. 20030, Mr. Gaisford further explained, that a temporary

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Loan has been requested in the amount of \$191,731.79 to the General Bond Redemption Fund from the Arterial St. Fund. The General Bond Redemption Fund has investments of \$761,000 which have not matured at the present time, and the staff does not wish to turn these investments in as it would mean a loss on the sale. Therefore, a temporary loan is being asked from the Arterial St. Fund at the rate of 3%, payable in approximately thirty days.

Mr. Gaisford added, the other fund is the Firemen's Relief and Pension Fund which has an investment in the amount of \$183,000; \$120,000 of this amount is invested in Savings & Loan investments paying 5 1/4% interest and the balance is in Government Bonds. If the \$120,000 of Savings & Loan investments were to be used, the City would lose interest.

Mr. Gaisford explained, these resolutions are strictly a method to enable the books of the City to be closed and not show an actual overdraft for 1968.

Mayor Rasmussen asked why these temporary loans are not made from the General Fund.

Mr. Gaisford explained that the General Fund investments would have to be converted into cash to make such loans.

Mayor Rasmussen felt that any funds borrowed should be paid back with the going rate of interest. He asked Mr. Hamilton what the City statutes denote in this regard.

Mr. Hamilton, Acting City Attorney, explained that the borrowing fund has to be a solvent fund and interest must be paid. However, he did not recall any specific rate of interest other than at the discretion of the Legislative body.

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20029

Authorizing a temporary loan in the sum of \$45,000 from the Arterial Street Fund to the Neighborhood Youth Corps Revolving Fund, in order to carry out said program.

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

Mayor Rasmussen moved to amend the resolution so the going rate of interest will be repaid from the General Fund. Seconded by Mr. Cvitanich. Roll call was taken, resulting as follows: Ayes 8: Banfield, Bott, Cvitanich, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen. Nays 1: Finnigan. Absent 0. Motion carried.

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

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

Nays 2: Banfield and Cvitanich. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20030

Authorizing a temporary loan in the sum of \$191,731.79 from the Arterial Street Fund to the General Bond Redemption Fund and \$100,533.38 from the Arterial Street Fund to the Firemen's Relief and Pension Fund.

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

Mayor Rasmussen moved to amend the resolution in each instance where it shows 3% and the money will be repaid to the Arterial Street Fund at the going rate of interest. Seconded by Mrs. Banfield. Voice vote taken.

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

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

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20031

Accepting certain offers to sell real property to Fennie & Elliott D. Rosenthal for the purchase price of \$22,500 in the New Tacoma Urban Renewal Project No. Wash. R-14.

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

Mr. James Wright, Urban Renewal Director, explained that the site of this property is just north of So. 15th and Market St. and is being rented by Bob's Auto Parts. The City Council in 1964 approved the plan to have multiple-family housing on the periphery of the downtown center. Such a use would support nearby commercial services and a market analysis showed that sufficient properties were being set aside for commercial developments.

Mayor Rasmussen felt that a plan which calls for developing commercial property for residential use was incorrect. He did not think the available commercial areas should be reduced.

Mr. Wright explained an apartment, if built, would be for families of low to moderate income.

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

Ayes 6: Bott, Finnigan, Herrmann, Johnson, Murtland and Zatkovich.

Nays 3: Banfield, Cvitanich and Mayor Rasmussen. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20032

Endorsing Propositions "A" and "B" of School District No. 10 to be submitted to the electorate of said district at a special election to be held on Fe. 11, 1969.

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

Mrs. Banfield explained, sometime ago she had requested that the Council meet with the School Board so they could explain to the Board what is going on at the schools. This did not materialize. She said she has children attending schools and did not agree with what is going on at the schools. Therefore, she did not intend to further support Counselors or sensitivity training programs in the schools and will vote against the resolution.

Mr. Zatkovich felt, perhaps, the Council should not endorse such matter as this even though it has been the policy of past Councils.

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

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

Nays 1: Banfield. Absent 0.

The Resolution was declared passed by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 18735

Amending Chapter 13.06 of the official code to add a new section 13.06.180.2

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to include property northeasterly of Marine View Drive in the vicinity of Hylebos Waterway in an "M-3" District. (petition of Port of Tacoma)

Mr. Cvitanich asked if Mayor Rasmussen had set up a meeting for the Council to meet with the Planning Commission to discuss planning within the community.

Mayor Rasmussen said he had not as yet due to the weather conditions.

Mayor Rasmussen added, Mr. Wiley, Ass't. Planning Director, should inform the Commission of the Council's intention to meet with them.

The Ordinance was placed in order of final reading.

Ordinance No. 18736

Appropriating the sum of \$24,648.57 or so much thereof as may be necessary from the General Fund to the Police Relief and Pension Fund effective as of December 31, 1968.

Mr. Gaisford, Director of Finance, explained he had made an estimate of the funds needed during the year of 1968 but the estimate was approximately 5% too low, as there were additional retirements which were not anticipated.

Mr. Zatkovich felt that larger appropriations should be allotted hereafter in the budget, so that an ordinance of this type would not be required, as the State law is mandatory on this subject.

Mr. Gaisford explained, it has been the opinion of the Legal Dept. that such a determination is necessary.

Mr. Hamilton, Acting City Attorney, explained that an error was made in the estimate, as it is difficult to anticipate such funds, due to retirements, deaths, etc.

The ordinance was placed in order of final reading.

Ordinance No. 18737

Appropriating the sum of \$13,708.00 or so much thereof as may be necessary from the General Fund for the purpose of paying expenses incurred and to be incurred by the Tacoma-Pierce County Humane Society.

Mayor Rasmussen asked Mr. Rowlands, City Manager, if he had checked with Pierce County to determine if they could assume a larger share in the operation of the Humane Society.

Mr. Rowlands, City Manager, reported he had contacted the County Commissioners but they informed him they would have further meetings with the Humane Society, therefore, he did not have any information to give to the Council at this time. He mentioned that a full report on this matter had been submitted under M C-570, dated Jan. 10th, 1969 and out of the additional \$42,110 requested by the Humane Society 62% or \$13,708 has been asked from the City and 38% or \$8,402 from the County.

Mayor Rasmussen asked Mr. Fidler, Director of the Humane Society why the costs have increased so drastically.

Mr. Fidler explained they are now using gas instead of oil in the new crematorium which has three burners, instead of one which was previously used, and it is hoped this will cut down maintenance costs. He also explained the Society has agreed to a 14% wage increase for Teamster Kennelmen and drivers which would put the employees on a par with the City laborers and semi-skilled laborers.

Mr. Cvitanich thought the Council might agree to a larger increase if the Society presents evidence justifying more money. He asked that Mr. Fidler bring

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in a report comparing their positions with the positions in Seattle. He also hoped that negotiations with the unions could be completed by budget time next year.

Mr. Cvitanich further asked, if there has been any progress in having the Electrical Workers under Local 483, negotiate before April, as has been their practice.

Mr. Rowlands, City Manager, explained this has been discussed over a number of years which covers private as well as public utilities, but no change in the policy has been made.

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18732 (postponed from the meeting of Jan. 21, 1969)

Approving and confirming the Assessment Roll for L I D 3657 for sanitary sewers on East D St. from East 93rd to East 96th St. and other nearby streets.

Mr. Schuster, Director of Public Works, explained that some years ago L I D 3505 was initiated for sewers in the alley between East E and East D to a point on 93rd St. The property in question, owned by Sgt. and Mrs. Dwyer, was assessed for sewers for Lots 1 and 2 and a connection was made to the existing house at that time.

Now this L I D 3657 has been formed for sanitary sewers which includes the other lots that are sufficient for a building site owned by the Dwyers.

Mrs. Banfield asked if the City has a Sewer Review Board.

Mr. Schuster answered that the City did not have a Sewer Review Board.

Mayor Rasmussen said the City has an ordinance allowing the appointment of a Sewer Review Board, which would be the final determination.

Mrs. Banfield felt when the Mayor appoints a Sewer Review Board, the ordinance should be amended so the Council has the final determination.

After some discussion, roll call was taken on the ordinance, resulting as follows:

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

Nays 1: Mayor Rasmussen. Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18734

Amending Chapter 13.06 of the official code by adding a new section 13.06.130-46 to include property at the southwest corner of Ea. 72nd & Portland Ave. in a "C-2" District. (petition by K-Mart)

Mayor Rasmussen remarked that this ordinance was postponed so the staff could determine if the City were rezoning the K Mart property to coincide with the County zoning.

Mr. Wiley said he would check into the matter.

Mr. Cvitanich moved that Ordinance No 18734 be continued for one week, until Feb. 4th, 1969. Seconded by Mrs. Banfield. Voice vote taken. Motion carried.

The Ordinance was declared postponed for one week.

UNFINISHED BUSINESS:

Mr. Cvitanich asked if Mr. Rowlands, City Manager, has obtained the information requested at the last Council meeting concerning the Fire Dept. employees using City vehicles and about the training program.

Mr. Rowlands stated he had just received this information and an M C would be submitted to the Council next week. He mentioned that nine people had been appointed to training positions in the Fire Dept. of which six were still working, three had resigned.

Mrs. Banfield asked that Mr. Rowlands check to see exactl. how the Seattle Urban League, the Tacoma Urban League and the Tacoma Housing Authority tie in together.

Mr. Rowlands stated the Tacoma Urban League and the Seattle Urban League are separate entities, however, he would check into the matter.

Mayor Rasmussen announced that Mason Halligan, a member of the group that is sponsoring the Sports Center, had presented him with a \$7,500 check as a binder on the lease agreement that had been approved by the Council.

Mayor Rasmussen announced there will be a celebration for Bert McMurtrie on February 20th, 1969 at the Top of the Ocean.

Mayor Rasmussen announced there had been a Home Builders' Association meeting in Houston, Texas and representatives from Tacoma attending the meetings brought back to the Mayor, keys from New Orleans, Galveston and Houston.

Mayor Rasmussen said there was an article in the paper stating that Dr. Bryan Frances of the State Health Dept. had announced that six nurses will be added to the Tacoma-Pierce County Health Dept. under a \$150,000 grant. Mayor Rasmussen asked if the five nurses that have been approved by the City Council in the 1969 budget would be needed.

Mr. Rowlands, City Manager, explained that Dr. McNutt, Director of the Tacoma-Pierce County Health Dept. had recommended the utilization of the five U. G. N. nurses.

Mayor Rasmussen explained, he had talked with Dr. McNutt and it was the Doctor's opinion that the request for the six additional personnel should have come from the Health Dept., with approval by the City Council and the grant should have been directed to the City.

Mr. Rowlands stated he would check into the matter as he was not aware of this situation.

Mr. Murtland asked if the Legislative Committee had taken any action on any bills presented to the Legislature on behalf of the Council.

Mr. Cvitanich explained that the Committee have been to Olympia and they are operating as past Committees. If any Councilman or staff member have any suggestions, they would be more than glad to discuss the matter.

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Mr. Cvitanich also mentioned that they must work for the passage of a bill to extend the L I D payments from ten to twenty years.

Mayor Rasmussen mentioned there is a S. B. 138 relating to changes in the Police Pension Law

Mr. Rowlands, City Manager, requested that a meeting be held Thursday, Jan. 30th regarding the proposed bills as he felt it was particularly important to discuss such matters and then a bulletin can be submitted to the Council for their information.

Mayor Rasmussen felt the briefing should be held at the Council meeting so Councilmen would not have to come to extra meetings during the week.

REPORTS BY CITY MANAGER

Mr. Rowlands, City Manager, submitted a communication from Angelo Giaudrone, Superintendent of the Tacoma Public Schools, which reported on the vandalism by students to the City buses. Mr. Giaudrone pointed out six approaches that are being implemented for a solution to the problem.

Mr. Rowlands stated that a follow up report will be submitted to the Council on this matter within a few weeks

Mr. Rowlands submitted a communication from Charles Zittel, Chief of Police, on the effect of a 72-hour waiting period on the volume of purchases of hand guns. It is noted that there was a 22% decrease of guns being sold during the period from Sept. through Dec. 1968.

Mr. Rowlands also submitted a report from James Wright, Director of Urban Renewal, in regard to Mrs. Banfield's request relative to taxes eliminated on property sold by Urban Renewal to non-profit organizations.

Mr. Rowlands said he would like to bring to the Council's attention a statement that was in the Saturday News-Tribune, dated Feb. 1st, 1969, that Councilwoman Mrs. Banfield, had associated him with communism, fascism and socialism.

Mr. Rowlands explained that he does not take orders from the International City Manager Association. He described the ICMA as an affiliation of City and County Managers and other urban administrators dedicated to improving their proficiency and the quality of municipal government. He wished to assure everyone that the ICMA has nothing to do with socialism and communism. Mr. Rowlands mentioned that President Johnson had issued an executive order directing federal administrators to obtain views of the ICMA and four other major municipal organizations relative to regulations affecting aid to Cities. Vice President Humphrey had been the President's ambassador to local government, and all indications were that the new administration will have the same type of working relationship with ICMA.

Mr. Rowlands continued, if there was anything questionable in his personal life, he certainly would not have been elected President of the Association of the United States Army at Ft. Lewis.

Mr. Rowlands explained that the Building at 1313 East 60th had been mentioned and he wished the record to show that building 1313 was established in 1938-1940 as a result of a grant to the Rosenthal Foundation. It is located on the campus of the University of Chicago and houses the Public Personnel Administration Association, National Finance Offices, National Assessors' Offices, Public

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Administration Service and Council of State Governors. He also said the City Manager's Association was located there for many years, but it is now located in Washington, D. C.

Mr. Rowlands also mentioned there had been a good relationship with the Department Directors and noted they were working together with the Manager and the City Council.

Mayor Rasmussen asked that Mr. Hamilton submit for the City Council's perusal a reprint of the Code of Ethics for City Employees and Conflicts of Interest.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Cvitanich felt that charter changes should be studied by the Council and placed as propositions on the ballot at the fall election.

Mayor Rasmussen asked that Mr. Hamilton, Acting City Attorney, explain H B-191 so that the Council may present its corporate views to the Legislative Committee.

Mr. Hamilton, explained that H B-191 would merely authorize an appointment of a Commissioner who, on occasions, could act concurrently with present Justices of the Peace, which would help to alleviate the crowded court dockets.

Mr. Cvitanich moved that the Council support H B-191 relative to an appointment of a Commissioner who, on occasions, could act concurrently with the present Justices of the Peace. Seconded by Mrs. Banfield. Voice vote taken. Motion carried.

Mayor Rasmussen distributed to the Council an examination of the Reverend Lynn Hodges White Paper by James H. Nicholls for their perusal.

Mr. Zatkovich felt that the nature of the city charter, perhaps, has affected the disagreement between the members of the Council as well as the City Manager.

Mrs. Banfield felt that the headline in the newspaper article Mr. Rowland's mentioned, distorted what she had said. She felt that all headlines are written by the establishment because they are never critical of the Council-Manager form of Government. She also said she had told Mr. Rowlands during their telephone conversation that she would repeat that he was a 'dictator'. She stated she opposes the system and Mr. Rowlands because of the many powers he has been able to wield.

Mrs. Banfield, further stated, their philosophy is entirely different, as she believes government is the responsibility of the people and he believes people are the responsibility of the government. She did not believe in regional government and federal controls. In her speech she had asked for a grand jury investigation and also an audit. However, in the same speech she wished everyone to know she did not call Mr. Rowlands a 'communist'.

Mrs. Banfield then read portions of the speech she had given to the Young Men's Business Club on Friday, Jan. 21st.

At the meeting of February 11th, 1969 Mrs. Banfield requested that the speech she had given be inserted verbatim on Page 384A of the Jan. 28th, 1969 minutes.

"A new birth of freedom by Abraham Lincoln. This nation, under God, shall have a new birth of freedom and the Government of the people, by the people and for the people shall not perish from the earth." Let's have a new birth of freedom today. Let's forget the phrase, they should do something, instead let's say I will do something. May we rule our City, County, State and our Nation by our individual right to vote; to organize and expose the evil in those who oppose our Government, of the people, by the people and for the people."

"May we each consider ourselves servants for the public good and each sincerely take the Pledge of Allegiance and the Oath of Office required by all persons assuming public office. "

"We do have a choice. We can, by united effort of each individual, defend, protect and retain our Government, of the people by the people and for the people. Or, by apathy, unconcerned and lack of desire to assume and share the responsibility, we can become a nation of zombies, puppets or robots, to be controlled and used to build a dynasty empire for kingdom, for money hungry, power hungry syndicates, international association of 'isms' in one form or another."

"Many things are improbable, few are impossible. The Nation, State, County and City is filled with followers. What we need most is a small number of determined, dedicated, patriotic fired-up leaders. Key words, elected public servants."

"Be true to your God; be true to your Country, but first you must be true to yourself. " I hope, you members of the City Council, remember that."

Mayor Rasmussen stated a memo had been directed to the Council members by Mr. Rowlands, City Manager, explaining the procedure within the Finance Dept. concerning opening of mail.

Mayor Rasmussen suggested that the Manager issue orders that the mail is not to be opened. Further, that he issue a bulletin to all City employees and Department heads notifying them of the procedure to be followed concerning personal mail, that no mail is to go out without a return address and if it does, it will be thrown into the dead letter file.

Mr. Murtland asked if the Mayor had selected certain persons to work on the Centennial Committee

Mayor Rasmussen stated that he had appointed persons who will work as advisory representatives to the centennial committee. A complete report for the Council will be submitted when all persons have been contacted.

CITIZEN'S COMMENTS:

a. John C. Frai spoke and implored the City Council to improve its human relations within the body.

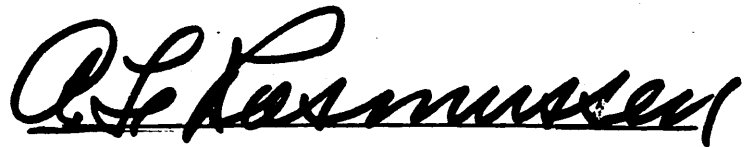
b. Mrs. R. L. Medlock spoke in regard to the Human Relations Commission's goals for the year 1969.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the City Council Study session for Jan. 20th, 1969.
- b. Minutes of the Regular meeting of the Board of Park Commissioners for January 13, 1969.
- c. Report from the Fire Department for the month of November, 1969.
- d. Tacoma Police Dept. report for the month of December, 1968.

Placed on file.

Mr. Zatkovich moved that the meeting be adjourned. Seconded by Mr. Finnigan. Voice vote was taken. Motion carried. The meeting adjourned at 11:35 P. M.



E. L. RASMUSSEN, MAYOR

ATTYST: Josephine Melton
CITY CLERK