

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.  
Tuesday, June 11th, 1968

Council met in regular session. Present on roll call 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Mrs. Banfield moved that the minutes of the meeting of May 28th, 1968 be approved as submitted. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

a. This is the date set for hearing on the appeal filed by Luzon J. Mondau on the denial of the request for rezoning of the S. W. corner of So. 15th and Sprague Ave.

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Mr. Russell Buehler, Director of Planning, explained the reasons for the Planning Commission's recommendation in denying this request. He noted that the Commission felt that the present land use pattern should be maintained to promote the best interest of the general public and the given neighborhood. The "C-1" zoning at this location would tend to encourage additional strip commercial zoning along Sprague Ave. which may tend to impede traffic flow. He further stated that Sprague Ave. is scheduled for widening and will carry a much higher volume of traffic once the Interstate freeway connection is completed at So. 25th as a part of the Nalley Valley viaduct.

Mr. Buehler further explained, that the majority of the site is zoned "R-4-L" which provides the needed buffer or transitional zoning between the "C-2" to the north and the "R-2" to the south.

Mr. Bott asked about the right-of-way at this location as the site seemed rather large for a service station.

Mayor Rasmussen asked Mr. Schuster, Public Works Director, to explain the plans relative to the widening of So. Sprague Ave.

Mr. Schuster, Director of Public Works, explained that a (56) foot roadway is planned for Sprague Ave. from So. 23rd St. to Sixth Avenue. He did not know if any right-of-way would be needed at this location.

Mr. Buehler stated that he had been informed by the City Engineer that the intersection of So. 15th & Sprague Ave. is being designed at the present time in connection with the proposed improvement of Sprague Ave., therefore, additional right-of-way will probably be required. Consequently, if this rezone is approved, a stipulation of a condition to the rezoning should be determined by the City Council.

Mr. Luzon J. Mondau, 1237 Fernside Drive So., petitioner, reiterated the use of his land for the past (43) years. He felt that his proposal for a service station at this location would be to the best possible use of the land. He also felt that the traffic problem, now and in the future, would be no problem. He remarked that

the company with primary interest in the property has made a firm commitment and would undoubtedly put the land to an effective use, and the proposed building would be in keeping with the most advanced standards of industry.

Mr. Bill Foster, of the Tacoma Realty Co., representing Mr. Mondau, stated that Sprague Ave. is going to be a main thoroughfare from the downtown area to the freeway. He felt a service station at this location was imperative, as there was not another service station from 6th Ave. to So. 23rd and he thought it would certainly be the best use of the land.

Mr. Mike O'Conner, representing the Standard Oil Co., assured the Council that this site would be used only for a service station and would not be opened up to any other businesses. They would also landscape the property.

Mr. Paul Meyer, Chairman of the Planning Commission, reminded the Council there had been two service stations abandoned at the intersection of So. 12th and Sprague within recent years.

Mr. Gordon N. Johnston, Vice Chairman of the Planning Commission, stated that the Commission felt an apartment house buffer would be more appropriate at this site rather than a service station. He noted that Mr. Mondau did not choose to develop the plans on which the "R-4-L" zoning was granted a number of years ago. He also noted that the granting of commercial zonings along arterial streets encouraged additional requests in the immediate vicinity and it was felt that the present land use pattern should be maintained in the best interest of the general public and the given neighborhood.

Mr. Bott moved to overrule the recommendation of the Planning Commission to deny this rezone and asked that an ordinance be drafted subject to conditions relative to the right-of-way and landscaping. Seconded by Mrs. Banfield.

Mr. Murtland felt it would be more advantageous to postpone a decision on this request until Sprague St. is widened and the access road has been completed.

On Mr. Finnigan's inquiry as to when would Standard Oil Co. build on this property if it were rezoned, Mr. O'Conner replied he did not know.

After further discussion, roll call was asked for on Mr. Bott's motion to overrule the Planning Commission's recommendation of denial.

Mr. Cvitanich pointed out that by this action, it would be extremely difficult to deny any other requests in this area relative to a "C-1" zoning, and he felt the Council should postpone its decision until it is determined what the pending service station ordinance will require.

After further discussion, Mr. Murtland moved that the hearing be continued until July 9th, 1968, thereby postponing action on Mr. Bott's motion. Seconded by Mr. Cvitanich. Roll call was taken on the motion resulting as follows: Ayes 5: Banfield, Bott, Cvitanich, Murtland and Zatkovich. Nays 4: Finnigan, Herrmann, Johnson and Mayor Rasmussen. Absent 0. Motion carried.

b. This is the date set for hearing for the rezoning of both sides of Durango St. and So. 30th St., submitted by Services Investment Co. from an "R-3: to an "R-3-PRD" District.

No one appearing and no protests being made, Dr. Herrmann moved to concur in the recommendation of the Planning Commission to approve the above rezone, and that an ordinance be drafted approving same. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

c. This is the date set for hearing for the vacation of all of So. 30th St. lying between the west line of Adams St. and the east line of Proctor Sts., submitted by Services Investment Co.

No one appearing and no protests being made, Dr. Herrmann moved to concur

in the recommendation of the Planning Commission to approve the above vacation and that an ordinance be drafted approving same. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

d. This is the date set for hearing for the vacation of a portion of the west side of Alaska St. between Alaska and a point approximately 240 feet west thereof, submitted by John Hergert.

Mr. Buehler, Director of Planning, explained that both So. 90th St. and Alaska St. have been realigned at this location to provide for a proper four-way intersection, and the vacation will allow additional yard space for the petitioner's dwelling.

Mrs. Banfield moved to concur in the recommendation of the Planning Commission to approve this vacation and that an ordinance be drafted approving same. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

e. This is the date set for hearing for the establishment of a limited access highway to extend from So. 23rd to So. 19th lying parallel to and west of the existing Sprague Ave.

Mr. McCormick, City Attorney, explained that State Law required that two hearings be held in connection with a limited access facility before it can be established. Therefore, this is the first hearing relative to a limited access facility to be located generally west of Sprague Ave. and extending from So. 23rd St. to So. 19th St. in the City of Tacoma.

Mr. McCormick continued, for the next hearing his staff will prepare a resume of the plan which will be submitted to the Council before the June 18th hearing.

Mr. Gilbert Schuster, Public Works Director, was sworn in by the City Clerk attesting to the truth of statements to be made by him at this hearing.

Mayor Rasmussen asked that Mr. Schuster give the City's testimony in regard to the resolution establishing Sprague St. as a limited access facility.

Mr. Schuster gave a resume of the procedures that have been taken in connection with the limited access facility for Sprague Ave. The proposed development will make a connection with the bridge to be built over the valley between Interstate Highway #5 and Sprague Ave., west of Center St. The Washington State Highway Dept. has also held hearings relative to this limited access facility.

Mr. M. B. Helmersen, 1937 So. Sprague Ave., property owner, asked that the proposal include concrete curbs on both sides of the street since the proposal calls for a one-way street in his area. He also wondered why there were so many mud holes in their street.

Mayor Rasmussen asked if it were contemplated that the improvement on Sprague Ave. would be an L I D.

Mr. Schuster stated there is no contemplated work on Sprague Ave. itself except from approximately 300 feet south of So. 19th St.

Mayor Rasmussen requested that the Public Works Dept. check the street in this vicinity to see why there is so much water standing.

Mr. Schuster stated he would look into the matter.

Mr. Johnson moved that the preliminary plan for the establishment of a limited access highway from So. 23rd to So. 19th lying parallel to and west of the existing Sprague Ave., and Exhibit "A", be accepted by the Tacoma City Council, and that this hearing be continued until Tuesday, June 18th, 1968. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

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PETITION:

Petition submitted by William Bell requesting rezoning of Orchard to Villard St. between So. 12th & Kellogg Sts. from an "R-2" to an "R-4-L" District.

Referred to the City Planning Commission.

RESOLUTIONS:

Resolution No. 19724 (tabled on May 28th, 1968 & reconsidered)

Establishing the policy of the City Council that no new or additional Urban Renewal projects will be undertaken by the City Council unless a proposition has been approved by the vote of the qualified electors of the City of Tacoma.

Mr. Cvitanich remarked that he thought this resolution was adopted last week, and he therefore asked for an explanation of the parliamentary procedure.

Mayor Rasmussen explained that the motion was made by Mr. Cvitanich at last week's Council meeting, June 4th, 1968, and seconded by Mr. Zatkovich that Resolution No. 19724 be removed from the table, which was put to a vote and passed. He added, then the demand was made for the previous question and was sustained, consequently cutting off debate. The next motion was then a move to adjourn. He stated, this was his interpretation of the proceedings at the Council meeting of June 4th.

Mr. Cvitanich stated that on May 28th, 1968 he had moved the adoption of Resolution No. 19724, and his motion was seconded by Mrs. Banfield. After some discussion there was a motion made to table the resolution which passed five to four. Therefore, last Tuesday night, he moved to remove the Resolution from the table, and he referred to Roberts Rules of Order which stated that 'when taken up, the question with everything adhering to it is before the assembly exactly as when it was laid on the table'; he had also asked for the previous question, 'which is unqualified it applies only to the immediate pending motion.' Therefore, Mr. Cvitanich felt that the Resolution had passed at last week's meeting.

Mayor Rasmussen stated, a demand for the previous question simply cuts off debate and further action is then required.

Mayor Rasmussen stated that Mr. McCormick, City Attorney, concurs with his opinion that there was not a vote on the resolution itself.

Mr. Cvitanich challenged the ruling of Mayor Rasmussen.

Mr. Bott moved that the members of the Council sustain the ruling of the Chair. Seconded by Mr. Johnson. Roll call was taken on the motion, resulting as follows: Ayes 6; Bott, Finnigan, Herrmann, Johnson, Murtland and Mayor Rasmussen. Nays 3; Banfield, Cvitanich and Zatkovich. Motion carried.

Mayor Rasmussen stated, Resolution No. 19724 is before the City Council at the present time.

Mayor Rasmussen informed the Council that a petition is being circulated in the community at this time for the purpose of bringing this matter of urban renewal to a vote of the people. He felt the Council would be wise to place this on the ballot themselves.

Mrs. Banfield asked Mr. McCormick, City Attorney, to explain the fact he was largely responsible for the passage of an enabling act relative to urban renewal at the State level. She also asked if Mr. Rowlands had requested him to do so.

Mr. McCormick explained, a State-wide meeting of different organizations that were interested in urban renewal had been held a number of years ago. He believed that a State-wide committee was appointed and they had requested attorneys to draw up a proposed State law, which included not only urban renewal but also the dangerous building code provisions. He felt this was presented to the 1956 Legislature, however, it lost. At the next Legislature the committee separated the dangerous building code provisions from the urban renewal portion and proposed them in two separate bills. The State Legislature, after several amendments to the bills, passed them. He did not recall if Mr. Rowlands was involved during those years.

Mr. Rowlands stated he did not know whether he was involved in this particular instance, however, the City-wide committee was started in 1955 which was a year before he came to Tacoma. He assured the Council since he had been here as City Manager, at the direction of former Councils he had been active in trying to obtain proper legislation.

Mrs. Banfield asked Mr. McCormick if it would be possible to have a law enacted at the next Legislature, stating that a referendum be required before any urban renewal project is undertaken.

Mr. McCormick stated it would be possible if the members of the present Legislature wished to amend the law.

Mrs. Banfield stated she may attempt as an individual citizen to initiate such a Statewide referendum.

Mr. Rowlands stated, Mrs. Banfield certainly has a right to do so, but it was his hope that Council members would be unanimous in their support of various laws to be sought by the City at the 1969 session of the Legislature.

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.

Dr. Herrmann moved to suspend the Rules so that Resolution No. 19744 could be considered at this time as Mr. Robert McAbee, Executive Director of the Puget Sound Governmental Conference, wishes to speak on the resolution. Seconded by Mr. Johnson. Roll call was taken on the motion, resulting as follows: Ayes 4: Bott, Finnigan, Herrmann and Johnson. Nays 5: Banfield, Cvitanich, Murtland, Zatkovich and Mayor Rasmussen. Absent 0. Motion lost.

Resolution No. 19734

Authorizing a grant agreement with the Dept. of Housing & Urban Development for open space along Ruston Way. 454

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

Mr. Rowlands, City Manager, explained that Resolution No. 19734, Resolution No. 19735 and the first reading of Ordinance No. 18606 all relate to the City entering into a grant agreement with the Dept. of Housing & Urban Development as well as with the State of Washington concerning open space along Ruston Way. He outlined the appropriations from each department involved; \$37,500 from the State of Washington, \$40,000 from the City of Tacoma and \$76,000 from the Dept. of HUD. He said the staff would now like to proceed with the appraisals and then submit to the Council the estimates of the various offers for the Council's information.

Mr. Cvitanich stated, in 1961 when this project was first presented, and the Planning Dept. conducted a study from Old Town to the Smelter, a point he had stressed was that this plan would not disturb in any way the pre-existing businesses

on Ruston Way, specifically Dickman Mill and the Top of the Ocean. At that time it was also pointed out that since many of the industries had burned down on the water front, it would be an excellent time for the City of Tacoma to acquire the land. He would now like reassurance from the Council that this plan will not bother the pre-existing industries located on the water front.

Mr. Rowlands stated he would assure Mr. Cvitanich that existing businesses would not be bothered. He stated that after appraisals have been completed a priority listing will be submitted to the Council for review prior to purchasing any properties.

Mr. Zatkovich felt that the initial appropriation is just a beginning and that the waterfront should be developed by private enterprise.

Mr. Cvitanich felt that the money that would be invested in the water front would be for future generations to enjoy and the property should be acquired at a minimal cost as opposed to what the cost will be thirty or forty years from now.

Mrs. Banfield felt the City of Tacoma should purchase this land with its own funds and not use federal funds.

Mayor Rasmussen felt open-space grants from the U. S. Dept. of Housing and Urban Development are one of the meritorious uses of federal money. He felt it was necessary that this resolution be passed at this time.

After further discussion, roll call was taken on the resolution, resulting as follows:

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

Nays 2: Banfield and Zatkovich. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 19735

Authorizing an agreement with the State of Washington wherein the State of Washington will contribute to the cost of the acquisition to the open space of Ruston Way under the Federal Program.

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

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

Ayes 7; Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland and Mayor Rasmussen.

Nays 2: Banfield and Zatkovich. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 19736

Fixing Tuesday June 25, 1968 at 4 P. M. as the date for hearing for the rezoning of the N. E. corner of No. 26th & Starr Sts. from an "R-2" to an "R-4-L" District. (petition of S. W. Anderson)

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

The Resolution was passed unanimously by voice vote.

Ayes 9; Nays 0; Absent 0.

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Resolution No. 19737

Fixing Tuesday, July 2, 1968 at 4 P. M. as the date for hearing for the Zoning Text Amendment regulating Gasoline Service Stations.

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

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

Resolution No. 19738

Fixing Tuesday July 9th, 1968 at 4 P. M. as the date for hearing for the rezoning of the S. W. corner of So. 12th & Orchard Sts. from an "R-2" to an "R-4-L" District. (petition of Forrester Realty & Mortgage Co.)

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

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

Resolution No. 19739

Fixing Tuesday July 9th, 1968 at 4 P. M. as the date for hearing for the vacation of Villard St., the alley immediately to the east and west all being between So. 12th & 14th Sts., also So. 13th St. between Orchard & Baltimore Sts. (petition of Alvin & Jean Lindstrum)

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

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

Resolution No. 19740

Approving and accepting the annexation petition submitted by Victor Lyons and Earl D. McCarthy et al, for the annexation of the area at the S.W. corner of East 72nd and Portland Ave. (K-Mart)

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

Mr. Buehler, Director of Planning, explained this resolution was the seventh of fifteen steps required in annexation procedure. The next several steps involve the convening of a review board and a public hearing.

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

Resolution No. 19741

Petitioning the President of the United States of American and the Congress to enact legislation lifting the burden of Federal taxation from low income individuals and families by raising the personal income tax exemption to a level of \$1,000.00 per person.

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

Mayor Rasmussen explained that he felt this resolution was in order as Congress has designated \$3600 a year and under as the poverty level. He noted that at the last session of the Legislature a similar resolution was passed and forwarded to the Congress members. It seemed to him this would be a direct means of helping the poor and unemployed.

Mr. Finnigan and Mr. Murtland felt that the representatives in Congress were aware of the problems of taxation and that a public body such as the Council should not take it upon itself to pass such a resolution. They felt it was not proper.

Mr. Cvitanich felt this would be expressing the opinion of the citizens of the City of Tacoma if this resolution was sent to the President of the United States and Congress.

Mr. Johnson moved that the Council change the figure of \$1,000 to \$3600, inasmuch as this is an advisory resolution. Motion failed for want of a second.

The Resolution was passed by voice vote.

Ayes 7: Banfield, Bott, Cvitanich, Herrmann, Johnson, Zatkovich and Mayor Rasmussen.

Nays 1: Finnigan; Absent 1: Murtland.

Resolution No. 19742

Authorizing the proper officers of the City to execute and deliver to the City of Tacoma local improvement assessment deed upon payment of the sum of \$80.88 for property at East 34th St. between East R and East T Streets.

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

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Murtland.

Resolution No. 19743

Authorizing the Purchasing Agent of the City to purchase radio units and component parts under the State of Washington contract with Motorola and General Electric.

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

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Murtland.

Resolution No. 19744

Authorizing the proper officers to expend the sum of \$7,060.00 or so much thereof as may be necessary to pay the cost of Tacoma's share of the Air Transportation System Advance Plan study from the Puget Sound Governmental Conference.

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

62-2



Mr. Rowlands, City Manager, requested that the resolution be postponed for one week so that he might submit information from other governmental agencies in regard to the study. He also asked that Mr. Robert McAbee, Executive Director of the Puget Sound Governmental Conference, be allowed to speak on the resolution.

Mr. Robert McAbee, Executive Director of the Puget Sound Governmental Conference, spoke in favor of Tacoma's participation in the study. He listed other members who were participating in the study. He stated that the members of the Conference feel it is an extremely important and vital study and has a very real bearing on the regional transportation system in this area. He hoped that the Council would approve the resolution.

Mr. Zatkovich felt that Pierce County and the Port of Tacoma should participate in the study. He felt that asking the City of Tacoma to participate alone is very unfair.

Mr. Rowlands stated that he hoped to have more information for the Council's perusal next week.

Dr. Herrmann moved to postpone the resolution until Tuesday, June 18th. Seconded by Mr. Johnson. Voice vote taken. Ayes 7: Banfield, Bott, Finnigan, Herrmann, Johnson, Zatkovich and Mayor Rasmussen. Nays 1; Cvitanich; Absent 1; Murtland.

The Resolution was postponed until Tuesday, June 18th, 1968.

Resolution No. 19745

Authorizing an agreement between the City of Tacoma and the Tacoma Firefighter's Union, Local #31.

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

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

FIRST READING OF ORDINANCES:

Ordinance No. 18606

Appropriating the sum of \$40,000.00 or so much thereof as may be necessary from the General Fund for the purpose of acquiring certain real property along Ruston Way.

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Mayor Rasmussen asked Mr. Gaisford, Finance Director, what would be the approximate of normal annual gross revenue the City of Tacoma should receive in 1969.

Mr. Gaisford, Director of Finance, explained that at this time of year it is practically impossible to estimate an income for 1969, but he would predict that it will be close to a 7% increase, which would be an approximate increase of \$950,000.

After further discussion, Mr. Zatkovich felt that this project would cost at least \$250,000 and he was not in favor of improving this land.

Mr. Fred C. Carlbon, 1930 No. Mason, felt the City's western shoreline including Salmon Beach offered more recreational potential than Ruston Way and this should be developed.

Mayor Rasmussen asked Mr. McCormick, City Attorney, to investigate this suggested proposal about acquiring State-owned tidelands on the western shoreline.

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The ordinance was placed in order of final reading.

Ordinance No. 18607

Amending Chapter 13.06 of the official code of the City by adding a new section 13.06.050-22 to include property on the S. W. corner of So. 54th & L Sts. in an "R-3" District. (petition of Alvin L. Morris & Sons, Inc.)

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18590 (postponed from the meeting of May 28th, 1968)

Amending Chapter 6.20.050 of the official code of the City to amend the compensation for the Board of Examiners for the Engineer & Firemen's licenses to thirty dollars per month.

Mr. Rowlands, City Manager, suggested this ordinance be held over for one week, until June 18th, 1968 for additional information.

Mr. Zatkovich moved that Ordinance No. 18590 be postponed for one week, until June 18th, 1968. Seconded by Mrs. Banfield. Voice vote taken. Motion carried.

Ordinance No. 18602

Amending Chapter 13.06 of the official code by adding a new section 13.06.113-6 to include the northeast corner of So. 84th & Hosmer Sts. in a "C-F-V" District. (petition of Mobil Oil Corp.)

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

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

Nays 0: Absent 1, Murtland.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18603

Amending Chapter 13.06 of the official code by adding Section 13.06.065- 84 to include property between 6th Ave. & So. 8th St. extended, approximately 400 feet west of Pearl Street in an "R-4-L" District. (petition of William Edwards)

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

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

Nays 0: Absent 1, Murtland.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18604

Appropriating the sum of \$7,000 or so much thereof as may be necessary from the General Fund for the purpose of rebuilding and modifying the crematorium of the Tacoma-Pierce County Humane Society.

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Mr. Rowlands, City Manager, explained there is a contract with the Humane Society and the City. Under this agreement, the Society occupies City buildings and land, the County therefore has no vested interest in the land or equipment. All improvements on the premises shall, at the termination of the agreement become the property of the City. He remarked that the County is not prepared to participate in this particular facility, but it is hoped that in the operating budget for next year, adjustments will be made which will more accurately reflect the work load of the City and the County.

Mayor Rasmussen felt the Society should pay the \$7,000 instead of the City.

Mr. Rowlands stated, if there should be a termination of the contract the City's equity in this particular improvement would have to be recognized.

Mayor Rasmussen asked Mr. Rowlands, how much compensation the City received from the services rendered for cats, in comparison to that of dogs.

Mr. Rowlands stated the City does not license cats, unless there are six cats on the premises.

Mr. Fidler, Manager of the Humane Society, stated it was better to take the cats to keep the public from dumping them, and there is a charge for this service

Dr. B. R. Pinckney, Veterinary, President of the Board of Trustees of the Humane Society, explained that the interest and dividends from the trust fund, that was mentioned last week, are used as revenue in formulating the Society's budget each year. If there should be a surplus in operating funds at the end of the year, these monies are not added to the trust fund. They are under constant questioning as to what they were doing with the trust fund. Citizens are constantly adding to the fund, but under the By-laws and Constitution of the Society, they are unable to dip into the trust fund for capital improvements. They are hoping that in the future they may become self sufficient.

Mr. Cvitanich requested to see the statistics on the dog license sales from the years 1961-1966 in comparison with Spokane.

After further discussion, Mr. Zatkovich said he would consider asking that the City license cats because figures show that more cats than dogs are handled annually by the Humane Society.

Mr. Cvitanich stated that because of the air pollution problem the crematorium must be modified and, perhaps, the budget could be adjusted for the year 1969 relative to this matter.

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

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

Nays 0. Absent 1, Murtland.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18605

Amending Title 11 of the official code relative to parking zones.

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

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

Nays 0; Absent 1, Murtland.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Citizens Information & Service Bureau report for May 1968.

Mayor Rasmussen complimented Mr. Bond, Public Information Officer on the report relative to the bureau.

Mr. Cvitanich suggested that Pierce County should contribute to the salaries and maintenance of this center as there have been 3,238 referrals to the County Department as compared to 1,762 to City Department.

Mayor Rasmussen informed the public that the City has a printed form entitled "Request for Service" that can be filled out by the inquirer.

- b. Urban Renewal Report for the month of May 1968.
- c. Tacoma Police Dept. report for the month of May 1968.
- d. Personnel report for the month of April 1968.
- e. Employees' Retirement System report for the month of May 1968.

COMMENTS:

Mayor Rasmussen stated on May 14th, 1968 Mr. Rowlands had said he would submit a report relative to the planned garages in the downtown area in respect to the Downtown Parking Corp. having received the property for both garages.

Mr. Rowlands, City Manager, remarked, in checking with the staff and figuring out the schedule, it appears it will probably be another six months before the buildings can be raised between 9th and 11th Sts. because of the relocation of the two businesses now occupying the property.

Mr. McCormick, City Attorney, explained that anyone can bid on these parcels of land as long as they are bidding for both parcels at the same time and for the purpose of parking garages.

Mayor Rasmussen felt that signs should be placed at these locations, advertising this property for bid.

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Mayor Rasmussen stated he intends to reappoint Mrs. Reba Verlow and Don Danielson to the Teen-age Dance Board in the near future.

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Mayor Rasmussen stated that his suggested appointments to the Open-Housing Review Boards are Mrs. Lilly Piva, Mrs. John J. Starke and Mr. Joe Jordan. He continued, that Mr. Earl Mamlock was nominated by the Tacoma Board of Realtors, Mr. Robert Maguinez by the NAACP and Mr. John Epps by the Human Relations Commission to be on the Board. Mr. George Cvitanich, Councilman, was his nomination to represent the City Council on the board.

Mayor Rasmussen suggested that the Council review these appointments and let him know if there are any objections.

Mr. Johnson asked that the Council be given a brief summary on the backgrounds of the nominees.

Mayor Rasmussen stated that he would prepare this information. He also requested that Mr. McCormick prepare a resolution on this matter.

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Mayor Rasmussen stated that Mr. Fred Carlbon, had submitted a \$1000.00 cashier's check to the Mayor's office to purchase or lease the ground space under the escalades.

Mr. McCormick, City Attorney, read verbatim minutes of the April 30th meeting which spelled out specifically what was being sold. He noted, 'It was proposed that the City sell to the Dean Witter Co. the north 16 feet of this 50-foot tract which the City owns subject to all rights of maintenance, reconstruction in perpetuity-whatever the City may need for the continuance of that escalator. That way it gives them the right to use the space under for store purposes and over and above, that is what it is.'

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Mayor Rasmussen stated that the Council has already sold the piece of land that Mr Carlbon has requested. He also noted that he will sign the contract as the Council has directed.

Mr. Carlbon questioned the legal right of the Council to sell this particular property without public bids being called.

Mr. McCormick stated this is City property, and under the State Law as far as the City's properties are concerned, there is no provision for competitive bids. This property in question is controlled by the City's Administrative Code

Mr. Bott suggested that Mr. Carlbon contact the Dean Witter Co. with his plans.

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Mayor Rasmussen stated, if there was no objection, study sessions would be discontinued during the months of July and August, except for emergency situations.

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Mayor Rasmussen stated that the pictures at the Airport will be refurbished by volunteer service, but the charge would still be about \$100. He suggested that this be paid out of the Legislative Fund if there was no objection.

Mr Cvitanich felt the City should not have to appropriate any monies. After further discussion, the decision was to refurbish the pictures.

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Mrs. Banfield requested that the verbatim minutes by Mr. McCormick be officially added to the minutes of the meeting of April 30th, 1968.

Mrs. Banfield also requested that her verbatim minutes of May 7th, 1968 where she made statements about above, sides and under the escalades, be added to those minutes.

Mayor Rasmussen stated her verbatim minutes were being prepared.

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Mayor Rasmussen asked Mr. Gaisford, Director of Finance, if he were hiring any new members in his department.

Mr. Gaisford stated that he believed that the Mayor was speaking about the Tax and License Dept. He noted that Mr. McLennan is the Director of that Dept.

Mr. Rowlands, City Manager, stated that the suggestions made by the auditors concerning the Tax and License Dept. are being reviewed and he would inform the Council about the matter as soon as the decision was made.

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Mayor Rasmussen stated the Council members are free to attend the meeting to be held relative to the preparation of the 1969 budget, on Wednesday, June 12th, 1968 in the Council chambers.

Mayor Rasmussen stated he hoped that the Council members would agree to form committees to work on specific sections of the budget. He felt a number of things had been placed in the budget that the Council members had not known about. They can then work with the various departments where their particular committee has been assigned.

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Mr. Rowlands, City Manager, stated, when the preliminary budget is submitted to the City Council, he would assure them, minute information will be available so there will be no misunderstanding in the future.

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Verbatim requested by Mr. Cvitanich.

Mr. Finnigan: Mr. Mayor, I would like to move that the wording be changed in the May 28th, 1968 Council minutes on Page (7) referring to the statement by Mr. Cvitanich as follows: "Mr. Cvitanich continued, they have been reassured by Mr. Rowlands, City Manager, and the various members of the Department of Urban Renewal that both in the Model Cities Program and in the CRP, there will be no urban renewal." I do not believe Mr. Rowlands ever made that statement. I want that to be made clear so that it cannot be used in the future.

Mayor Rasmussen: Have all the Council members found the place in the minutes?  
No

Mr. Johnson: What page?

Mr. Finnigan: Line 8, page 7 where it starts with "Mr. Cvitanich continued."

Mayor Rasmussen: Just a minute until we get all together here, -page 7, line 8.

Mayor Rasmussen: You were asking this be changed to what?

Mr. Finnigan: I think it should be changed to indicate that, Mr. Cvitanich continued, and insert words, such as, as he understood that they wouldn't be used as verbatim comments because he certainly misunderstood in saying that there would be no urban renewal, and quoting Mr. Rowlands as saying that. I'm quite sure--

Mayor Rasmussen: Mr. Finnigan there would be the interpretation of the Chairman that this is a Council member's statement, and unless it is in error from the tape, that this would have to be in the minutes. As the Councilmen have stated, we as a body have no right to change; we can correct any errors or omissions but not correct an individual member's statement, unless he so desires to have a correction made.

Mr. Finnigan: An improper statement, - has no, cannot be challenged?

Mayor Rasmussen: Absolutely, when a Councilman makes a statement and it goes in the minutes. It is his statement and he is stuck with it.

Mr. Bott: Clarification of a statement?

Mr. Cvitanich: Mr. Mayor.

Mayor Rasmussen: Mr. Cvitanich.

Mr. Cvitanich: I was going to say if there is any question, certainly I made the statement that they have been reassured by Mr. Rowlands, City Manager, and the various members of the Dept. of Urban Renewal that both in the Model Cities program and in the CRP, there will be no urban renewal. Now this, if you want to go ahead and check; I made the statement, yes, I did and in the minutes, it is in there. And this is my understanding, as far as researching it, we can go back and check the minutes over the meetings.

Mr. Rowlands: Mr. Mayor and Councilmen:

Mayor Rasmussen: Mr. Rowlands.

Mr. Finnigan: ...  
Mayor Rasmussen: ...  
Mayor Rasmussen: ...

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Mr. Rowlands: I would like to say that I believe the statement I made was when they were discussing the CRP and what the Model Cities had to do with the CRP when they were not quite developed. And under those circumstances, in any urban renewal project prepared and developed, must be approved by the City Council. You cannot have a project unless the City Council approves of the project area. Conceivably, after this is all completed, you could have a renewal project for the restoration and rehabilitation. The point I'm making is, conceivably you might have some type of renewal project to develop the program, but I did make the statement, that any type of urban renewal project could not be approved without the approval of the City Council, or until the Council conducts other public hearings.

Mr. Cvitanich: I take it my statement is to stay in, as I can't recall it off the top of my head, but I know in several discussion, in terms of the CRP, that when the people in the audience asked, and I asked at the Council level, and I would like to believe that there would be no urban renewal in these projects

Mr. Finnigan: What I'm trying to do is correct the statement, so it cannot be used improperly in the future.

Mr. Cvitanich: It is a matter of the official minutes of the City of Tacoma and if I want to use them, I'll use them.

Mayor Rasmussen: Mr. Finnigan have you completed?

Mr. Finnigan: Yes, I believe that this kind of a comment reflected in the minutes of this meeting, will clear the situation.

Mr. Johnson: May I make a clarification now?

Mayor Rasmussen: Mr. Bott has asked for the floor, and then you can have your opportunity.

Mr. Bott: I move that this particular conversation be printed out verbatim and reflect so in the minutes. No Second.

Mr. Finnigan: Mr. Cvitanich has already asked that this be verbatim.

Mayor Rasmussen: This will take care of your motion, Mr. Bott.

Mayor Rasmussen: Mr. Johnson.

Mr. Johnson: I want to further clarify Mr. Cvitanich's remarks, I think he was quite right as far as he went, but Mr. Rowlands also made it clear that without Council action there would be no urban renewal. That is the part that was left out of Mr. Cvitanich's statement.

Mayor Rasmussen: I am sure Mr. Rowland's appreciates your making a statement for him, Mr. Johnson, and it will be in the minutes too.

Mr. Cvitanich: Mr. Johnson, what Mr. Rowlands said tonight I have heard him say on many occasions, it is specifically what I had reference too. My statement is in the minutes and I'll stand by what I said at the Council meeting.

Mr. Johnson: The whole statement is not in there

Mr. Cvitanich: No. I'll take the responsibility of what I said.

END OF VERBATIM.

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Mayor Rasmussen stated it was necessary that the Council members be excused by the Chair before they leave the meetings.

Mr. Finnigan therefore moved that Mr. Murtland be excused for the balance of the meeting. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

62-175

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Mr. Zatkovich related back to Mr. Carlbon's remarks and he thought he was quite right. He wondered why the haste on the resolution regarding the air rights, and he felt the Council did not know what they were purchasing, the amount, limitations, etc.

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Mr. Banfield requested as soon as the City buys property at the Airport that Mr. Rowlands, City Manager, submit a listing of who the owners were and the purchase price paid each owner.

Mayor Rasmussen stated that he had already requested that before the property is purchased the Council be provided with a list of the property owners; not only for a few acres but for all the necessary acreage for the future expansion of the Airport. This is now being prepared and the Council should have it within the next week, he added.

62-12

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Mrs. Banfield requested that Mr. Lynn Hodges, Director of the Human Relations Commission, attend the Council meetings as she had questions to ask him.

Mr. Rowlands stated he would ask Mr. Hodges to attend the next meeting

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Mrs. Banfield stated she had not received any notification of the meeting of the Urban Coalition Meeting which was held last week. She felt the Council members who are on the Steering Committee should have been notified.

Mr. Rowlands said he would check into this matter.

The Rev. O. R. Pigford, 1738 So. Fife, a member of the Urban Coalition Board, stated the meeting that Mrs. Banfield referred to was not called by the Steering Committee. It was called by a Committee from Olympia. This committee was set up by the Governor and it is entitled, "The Community Affairs Committee". It was not an open committee meeting.

Mrs. Banfield asked Rev. Pigford if this meeting concerned a State-wide Multi-Service Center.

The Rev. Pigford stated that was the purpose of the meeting, however, it would be regional rather than State-wide.

62-11

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Mayor Rasmussen stated he had been informed by a Tacoma businessman that Mr. Hodges is still active in the coffee house program. Mr. Rowlands has assured the Council that Mr. Hodges has no connection with the coffee house. However, Mayor Rasmussen stated he could not reassure this businessman because he felt he did not have the knowledge. The businessman was even wondering if some of the money from the City of Tacoma was being appropriated for the coffee house.

62-11

Mr. Rowlands, City Manager, stated that Mr. Hodges is not a member of the board of the coffee house. He felt that Mr. Hodges or any other city employee who wants to sit in on the coffee house discussions on his own time has the right to do so.

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Mrs. Charlotte Medlock, 3420 No. Huson, felt the public was entitled to a fuller explanation of the sensitivity training program.

Mr. Rowlands, City Manager, stated that these workshops were financed with private and federal funds. He felt that the human relations' workshops were essential to achieving communication and understanding between community leaders and disadvantaged persons.

62-12

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City Council Minutes - Page 17 - June 11th, 1968

Mayor Rasmussen reminded the Council that a Study Session will be held at the Winthrop Hotel on Monday, June 17th at Noon for the purpose of meeting with the Park Board, County Commissioners, City Council members and staff to discuss the Civic Center development at Cheney Stadium site.

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Mr. Bott moved that the meeting be adjourned. Seconded by Mr. Cvitanich. Voice vote was taken. The meeting adjourned at 9:30 P. M.

A. L. Rasmussen

MAYOR

Attest:

Josephine Mecton  
City Clerk