

## CITY COUNCIL MINUTES

City Council Chambers  
Tuesday, May 13, 1969

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, Zatkovich and Mayor Rasmussen. Absent 0.

The Flag Salute was led by Mr. Bott.

Charles Zittel, Chief of Police explained this week is National Police Week, and as one of the special events, the department is presenting outstanding citizen awards to five individuals who have helped police in some unusual or outstanding manner.

Mayor Rasmussen presented the awards to the Rev. W. D. Ellington, Mr. Jene W. LeMarr, James R. Frannon, Harold R. Doran and PFC. A. C. Smith for their aid in combating crime.

Mayor Rasmussen, Mr. Rowlands, City Manager and the Council congratulated the recipients.

Mrs. Virginia Shackelford presented a framed copy of an editorial from the News Tribune agreeing with Mayor Rasmussen that Tacoma needed more than ten policemen to maintain law and order in the City.

Mayor Rasmussen explained this article was based on the statistics in the monthly Police report which indicated that crime had increased in the City. He thanked Mrs. Shackelford for the award.

Mayor Rasmussen asked if there were any omissions or corrections to the minutes of the meeting of April 8, 1969. Mr. Cvitanich moved that the minutes of April 8th, 1969 be approved as submitted. Seconded by Mr. Banfield. Voice vote taken. Motion unanimously carried.

HEARINGS & APPEALS

This is the date set for hearing for the vacation of the west side of "A" St. between So. 12th & 13th Sts. (Petition of National Bank of Washington)

Mr. Buehler, Director of Planning, explained this request is for the vacation of the sidewalk area which is to be relocated to allow space for drive-in facilities to the basement of the new bank and office building. Mr. Buehler pointed on the map the location and added that the Planning Commission has recommended this action.

Mr. Tom Frey, representing Skidmore, Owings & Merrill, architects from Portland, Oregon, and their client, the Bank of Washington in Tacoma, submitted pictures of the proposed plan to the Council. He explained this proposal has been very carefully considered and they have attempted to consider this project as a total block development to serve the citizens. This will be an integral part of the downtown fabric of business. He added the departments of the City have been contacted and have been very helpful. The plan as presented has attempted to meet all requirements of the City with a stable access system.

Mr. Finnigan moved to concur in the recommendation of the Planning Commission and that an ordinance be drafted approving the vacation. Seconded by Mr. Johnson. Voice vote was taken, resulting as follows: Ayes 7: Bott, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen. Nays 2: Banfield and Cvitanich. Absent 0. Motion carried.

This is the date set for hearing on the appeal filed by Curtis Peterson of the Conifer Co., on the denial of the request for rezoning of the north side of Westgate Blvd., between Defiance & Pearl Sts., from an "R-2" to an "R-4-L-PRD" District.

Mr. Buehler explained this is a request for the reclassification in order to construct a (145) unit multiple apartment complex for the elderly. Petitions have been filed against this request for rezoning.

Mr. Curtis Peterson representing the Conifer Co., felt the concern of the Planning Commission was not so much a higher density of land use, but the extent of the zoning. He asked that their plan be decided on its merit. A specific plan has been submitted which they are prepared to follow.

Mr. Robert Chervanek, representing the architect firm of Grant, Copeland & Chervanek of Seattle, explained the site plan for the development on Pearl St., Westgate Blvd. and Defiance St. He noted that the entire idea is to cluster the buildings in such a way that they form spaces within the units to allow for landscaping and for a park-like in nature. Parking space is also available near the units, he added. He urged the Council to reverse the Planning Commission's decision.

Mr. Cvitanich asked what rental fee would they be charging.

Mr. Peterson explained the rent would be from \$40 to \$95 per month, which could be supplemented by the funds from the Federal Government.

Mr. Murtland said he was definitely opposed to the type of structure that the Conifer Co. had constructed on Pearl St. from No. 30th and 31st streets.

Mr. Cvitanich said the Council must concern itself with quality structures, as many of the developments that have been constructed are a disgrace to the community. He also felt there was more than an ample supply of apartments in Tacoma and urged the Council to support the Planning Commission's denial of this rezoning.

Mr. Zatkovich said he agreed with Mr. Cvitanich's approach.

Mr. Finnigan asked how many developments of this type have been constructed in this area.

Mr. Peterson said this would be their third development. He noted they have a waiting list of their own approaching sixty names. They have been informed by the Tacoma Housing Authority that their list has approximately one thousand names. He explained the restrictions on developments such as these are numerous, particularly with the average age of the people being seventy-two.

Mr. Chervanek explained their intent was to enhance the area as residential in nature.

Dr. Herrmann felt the Council must make its decision on whether it is an appropriate land use. He noted the Planning Commission's recommendation was divided by a four to four decision and from the presentation that has been made he felt it would be a reasonable development.

Mr. Johnson also felt this development would be proper.

Mr. Finnigan said to add another (145) unit development for the elderly in this area would not be good planning, or good zoning, as the area near this site has two other developments for low-income families and for the elderly. The original program is excellent but the apartments should be interspersed around the community.

A number of citizens spoke opposing the development.

Mr. Buehler explained that some members of the Planning Commission felt there were sufficient apartment complexes in the area and other members had the feeling that the developers should be given the right to construct this complex which would be accepted, rather than a partial development of the land. The question that was paramount in the minds of the commissioners who voted for denial of the petition was the fact that if apartments were constructed facing Defiance St. they would be being developing residential property. At one time a petition had been submitted for a shopping center which the City Council denied. The Planning staff itself felt the development should not be approved as it was not consistent with the orderly growth of this portion of the City.

Mr. Cvitanich moved to concur with the recommendation of the Planning Commission to deny this rezoning. Seconded by Mrs. Banfield. Roll call was taken on the motion, resulting as follows: Ayes 6: Banfield, Bott, Cvitanich, Finnigan, Murtland and Zatkovich. Nays 3: Herrmann, Johnson and Mayor Rasmussen. Absent 0. Motion carried.

PETITIONS:

a. Forrester Realty & Mortgage Co. requesting rezoning of the west side of Pearl St. approx. 150 feet south of No. 48th St., from an "R-2" to an "R-3" District.

b. Hillhaven Inc. requesting rezoning of the S.E. corner of So. 5th & M Sts., from an "R-TM" to an "R-T" District.

Referred to the Planning Commission.

COMMUNICATIONS:

Gordon N. Johnston, Chairman of the Tacoma City Planning Commission, advising the City Council that the status report has been prepared relative to the creation of a Design Review Board and has set June 16, 1969 as a public hearing before the City Planning Commission.

Mr. Cvitanich urged every member of the Council to attend this meeting as it is very important in terms of the quality type of development that they desire in the community.

RESOLUTIONS:

Resolution No. 20192

Awarding contract to Manson-Smith Motors, Inc. on its bid of \$3,167.70 for one 1969 Cargo Van with optional equipment.

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mr. Murtland. 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. 20193

Establishing a ten minute parking zone in front of a business office located at 3010 Portland Avenue, between the hours of 8 A.M. and 6 P.M., except Sundays and legal holidays.

Mr. Cvitanich 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. 20194

Authorizing the execution of a local improvement assessment deed to W. B. Swensen for property on the east side of South I, South of South 23rd Street and on South I north of South 23rd Street.

Mr. Finnigan moved that the resolution be adopted. Mr. Johnson seconded the motion.

Mr. Cvitanich asked if a hearing by the Planning Commission had been held on this matter.

Mr. Rowlands, City Manager, explained an appraisal of this property had been made and Mr. Swensen has requested that these properties be sold to him at a private sale to be combined with property already owned by his firm, which will make an adequate site for the construction of a number of multiple-family units under a Federal Housing Authority program.

Mayor Rasmussen asked that the appraisal report be included with the resolution for the Council's information.

Mr. Cvitanich referred to Mr. Swenson's letter, where it indicated unless these properties can be purchased immediately, Federal funds will be withdrawn. Mr. Cvitanich was concerned, as he had not known about this matter in any way.

Mr. Rowlands explained he did not know if this had been before the Planning Commission, but unless Mr. Swenson has sufficient property for his project he could not come before the Planning Commission. He further stated this property is surplus to the City's needs and it has been cleared through all city departments.

Mr. Zatkovich was concerned because Mr. Swensen has asked that these properties be sold to him at a private sale. He felt the property should be sold by calling for bids.

Mayor Rasmussen requested that the Council receive from the Planning Commission at the next Council meeting, a map indicating the general location of the property and how much other property the City owns in addition, if any, and also the appraisal report.

Mr. Zatkovich moved to postpone the resolution for one week, until May 20, 1969 for further information. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

The Resolution was postponed until May 20, 1969.

Resolution No. 20195

Authorizing the payment of \$14,150.00 for additional engineering costs on the Union Ave. Urban Arterial Project.

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

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

Nays 1: Finnigan. Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20196

Authorizing the execution of a written lease to the Coast Sash & Door Company for a monthly rental of \$70.00 located at 11th & East F Streets.

Mr. Schuster, Director of Public Works, explained this piece of property is located near East F, at approximately East 9th St., which is just north of the new Fire Station. There will be no cost to the City as the Coast Sash & Door Co. will prepare the property for a parking lot.

Mr. Rowlands, City Manager, explained the Port of Tacoma officials have indicated they might wish to buy this property, therefore the agreement has been set up with a clause for cancellation after six months with a thirty days written notice at the option of either party.

Mr. Cvitanich felt the lease should be for a shorter period of time.

Mr. Murtland thought the rental was quite conservative and perhaps the lease should run for three years instead of five so the lease could be reappraised at that time.

Mr. Bott felt perhaps the lease should be just on an annual basis.

Mr. Rowlands said this is a recommendation by the staff and can be modified as the Council wishes.

Mr. Murtland moved to amend the resolution to provide for a three year lease with an option of a two year renewal and sixty day notice of the intention to exercise the option. Seconded by Mr. Cvitanich. Voice vote was taken. Motion unanimously carried.

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.

FIRST READING OF ORDINANCES:

Ordinance No. 18822

Vacating So. 30th St. between Proctor & Adams Street (Petition of Services Investment Company)

Mr. Cvitanich requested that the Planning Dept. check this proposed vacation in terms of costs to the City and submit a report by the final reading of the ordinance.

The Ordinance was placed in order of final reading.

Ordinance No. 18823

Amending Chap. 13.06 of the official code by adding a new section 13.06.055-8 to include property on both sides of Durango at So. 30th St. in an "R-3-PRD" District. (petition of Services Investment Company)

Mr. Cvitanich requested that Mr. Hamilton contact Dr. Campbell of the Bureau of Governmental Research to see if it is constitutionally possible for the Council to pass a reversionary clause in terms of rezoning, in that event an ordinance should be drafted.

The Ordinance was placed in order of final reading.

Ordinance No. 18824

Amending Subsection 18 of Sec. 11.20.010 relative to One Way Streets Designated.

Mayor Rasmussen explained this ordinance will aid the Fire Dept. in its emergency runs to the north and the business men who have lived with the one-way street for many years.

Mr. Finnigan suggested that the cars that constantly double park near the telephone office be policed during the change of shifts.

The Ordinance was placed in order of final reading.

Ordinance No. 18825

Appropriating the sum of \$4,125.00 or so much thereof as may be necessary from the General Fund for the purpose of paying increased salaries, wages and fringe benefits to the Municipal Judges.

Mr. Hamilton, Acting City Attorney, explained this ordinance will coincide with the Senate Bill #298 passed by the 1969 Legislature of the State of Washington establishing the salaries of Municipal Court Judges and other Justices of the Peace at \$20,000.00 per year.

Mr. Finnigan felt this points out particularly that the cities are the victims of the State Legislature when they adopt such programs as this and do not provide the funds to take care of them. He noted the increase in these salaries has been tremendous in the last few years.

Mr. Zatkovich felt such an action by the Legislature was out of line.

Mr. Cvitanich explained until the people elect legislators who are cognizant of the problems of the cities, the cities will not be benefited.

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18812 (postponed from the meeting of May 6, 1969)

Appropriating the sum of \$48,710.00 or so much thereof as may be necessary from the General Fund for the purpose of hiring ten additional police officers for the Police Dept.

Mr. Bott moved that under Section 1, last sentence, after the word 'category', insert the words, "that these patrolmen shall be assigned to the Patrol Division, thereby increasing its present allocated complement by ten men." Seconded by Mr. Johnson.

Mr. Cvitanich thought that the Council should oppose such an amendment as the Chief of Police is charged with the responsibility of the Police Dept. and it is his responsibility to allocate the manpower as he sees fit.

Dr. Herrmann felt this matter should be taken care of at the time the 1970 budget is considered.

Mr. Cvitanich and Mr. Zatkovich felt that Policemen and Firemen are the two top priorities in any City and this ordinance should be passed.

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

Ayes 1: Bott

Nays 8: Banfield, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen. Absent 0. Motion LOST.

Roll call was taken on the ordinance, as amended, 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. 18813 (postponed from the meeting of May 6, 1969)

Appropriating the sum of \$9,800.00 or so much thereof as may be necessary from the General Fund for the purpose of paying the share of the City of Tacoma in certain work study programs.

Roll call was taken on the ordinance resulting as follows:

Ayes 6: Bott, Finnigan, Herrmann, Johnson, Murtland and Mayor Rasmussen.

Nays 3: Banfield, Cvitanich and Zatkovich. Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18814 (postponed from the meeting of May 6, 1969)

Appropriating the sum of \$15,000.00 or so much thereof as may be necessary from the General Fund for paying salaries, wages and costs of M & O for certain temporary employees to be hired during the summer months.

Mr. Cvitanich explained he had opposed ordinances for temporary employees for the Summer Youth Work Program for several years. He did not feel the cost of employing these youths, particularly in the Fire Dept. had been compensated, as the majority of the trainees do not pass the examinations. He felt the motivation that is needed for these people is lacking.

Mr. Zatkovich explained he had checked the summer work crew during the last few weeks and there is very little motivation.

Mr. Rowlands, City Manager, explained the Neighborhood Youth Corps Program is a different program and the people are younger. There are problems, it is true, but definite progress has been made over-all, he added. This particular ordinance will take care of students in college or graduating seniors wishing to help finance their first year in college.

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

Ayes 6: Bott, Finnigan, Herrmann, Johnson, Murtland and Mayor Rasmussen.

Nays 3: Banfield, Cvitanich and Zatkovich. Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18815 (postponed from the meeting of May 6, 1969)

Providing for the improvement of L I D 3683 for sanitary sewers in Waterview from No. 43rd to Gove St.; alley between McBride & No. 39th from Orchard to Ferdinand St. and Villard from No. 37th to Perkins Street.

Mayor Rasmussen stated this ordinance was postponed for further information regarding the rate to be charged per front foot.

Mr. Schuster, Public Works Director, has submitted a memo recommending that the property owners on Waterview St. from Reeves St. to No. 43rd St. be assessed at the old rate of \$5.50 per front foot for sanitary sewers since the petition had been filed prior to the Dec. 19, 1968 deadline for participation rate change.

Mr. Finnigan moved that Ordinance 18815 be amended to include the corrected figures which will show a charge of \$5.50 per front foot. Seconded by Mr. Zatkovich. Voice vote was taken. Motion unanimously carried.

Roll call was taken on the ordinance, as amended, 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. 18820

Amending the Pay & Compensation Plan to reflect the rate changes authorized by the Electrical Workers Agreement.

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

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

Nays 2: Johnson and Murtland. Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18821

Amending Title 8 of the official code relative to make it unlawful to aid or to escape from jail.

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.

UNFINISHED BUSINESS:

The Director of Public Works and Public Utilities presents the assessment roll for the following for hearing:

- a. L I D 6893 for street lights along So. I from So. 12th to So. 25th.
- b. L I D 5450 for water mains in Ea. 59th from K St. to M; Ea. 60th from K St. to L and Ea. L from 58th to 61st Street.

Mr. Finnigan moved that Monday, June 23, 1968 at 4 P.M. be set as the date for hearing on the above assessment rolls. Seconded by Mr. Murtland. Voice vote taken. Motion unanimously carried.

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Mr. Murtland moved that the Council Rules be suspended at this time to permit Mr. Wallace Walker, Sr. to speak according to the request that has been submitted, and after that, the people from the Black Community present, be allowed one-half an hour to present certain statements. Seconded by Mr. Johnson. Roll call was taken, resulting as follows: Ayes 6: Bott, Finnigan, Herrmann, Johnson, Murtland and Mayor Rasmussen. Nays 3: Banfield, Cvitanich and Zatkovich. Absent 0. Motion carried.



Mr. Cvitanich and Mr. Zatkovich both felt that the Council has now set a precedent in suspending the rules. They felt if any person is interested in speaking they should stay until the regular agenda is completed.

Mayor Rasmussen felt, perhaps, other members of the community were not aware of the policy to submit letters requesting to speak before the Council. He was sure that after this meeting they will become aware of the procedure.

CITIZEN'S COMMENTS:

Mr. Wallace Walker Sr., 2335 So. M, explained that on May 8, 1969 a letter was addressed to the Council in reference to "Fix-up, Clean-Up Period" during the Centennial Year. He said much has happened since this letter was written and he asked that his presentation be postponed until a later date. He added, that after the incident Sunday night, he had asked the Mayor to hold a meeting with the people in the Central Area. The Mayor had told him that there would be such a meeting in his Chamber at 11:00 A.M., Monday morning. He asked if this were true.

Mayor Rasmussen explained this meeting was not held for all of the people.

Mr. Walker said when he arrived at the meeting only the Council members were present. He said the statements he made at that meeting were his own personal opinions.

Mr. Rasmussen said the same statements that Mr. Walker made were also made by Mr. John Epps, Pres. of the NAACP at the Library meeting yesterday.

Mr. Walker said the Black Community now feel he had been a lone representative for them.

Mayor Rasmussen told Mr. Walker that he knew he was not representing the Black Community and that he had told the Council, as Mr. Epps did, what had occurred in the K St. area. He said Mr. Walker was then excused from the meeting and the Council then met with the staff and discussed the problems.

Mr. Walker explained this was the point that he wanted to establish. He thought when incidents happen, the Council and the Mayor should call representatives from various groups and clubs within the community to discuss the matter. He felt this was the only way a fair representation from the community could be obtained. He said no one individual can represent the Central area.

Mr. Walker hoped that in the future there would be some way to address representatives of these various clubs and organizations as within all of them you will find a cross-section of representation of this community.

Mr. Walker asked that his letter be placed on the agenda next week as this evening other problems are more important.

Mr. Murtland moved that Mr. Walker be given the right to present the same subject which he hoped to present tonight as the next Council meeting. Seconded by Mr. Cvitanich. Voice vote was taken. Motion carried.

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VERBATIM REQUESTED BY MR. CVITANICH:

Mr. Cvitanich: I will call a point of order, and I want the record to indicate it for the reasons as stated earlier.

Mayor Rasmussen: What is your point. State your point of order.

Mr. Cvitanich: My point of order is simply that we've departed from the routine as established by the Murtland rules; the Council has adhered to them over the months. Time and again there have been people that have come up here to talk on things that are important and the Council has arisen to a point of order individually and collectively, and I want the record to indicate that.

END OF VERBATIM

Mr. Zatkovich explained that he wished to speak to the point of order raised by Mr. Cvitanich.

Mayor Rasmussen explained that the Council by its vote has suspended the rules so the Council is out of order in the procedure, but it was accomplished by the suspension of the rules.

Mr. Zatkovich also raised a point of order as the rules were suspended to merely allow Mr. Walker, who had submitted a letter to the Council, so that he could speak. He reiterated that the Council had nothing more on the agenda except, Comments by Members of the Council, Citizen's comments, Reports by the Manager and Items Filed. This group of people have waited this long and he knew that many other people have waited until midnight or one-o'clock. He felt there was no particular reason why the rules had to be suspended.

Mayor Rasmussen ruled that Mr. Zatkovich's point was not well taken since the motion had been passed.

CITIZEN'S COMMENTS:

Mr. Melvin Joseph Conerly, 2349 So. K St., explained that four speakers will be presented to speak on the incident within the Black Community this past Sunday. They are also going to discuss the discriminatory type of proclamation that indicted a certain geographical area in the City of Tacoma which proclaimed a curfew. Mr. Conerly introduced Mr. Jim Walton as the first speaker.

Mayor Rasmussen asked Mr. Conerly that if any of the speakers might be appearing in court they not discuss their particular case.

Mr. James L. Walton, 1524 So. J St., stated just one unfortunate incident provoked the damage that was inflicted in the K St. area. The only encouraging thing that came from that incident was the awakening of the Black people in the Black Community to their plight in the City. He felt there are two things necessary to bring about the type of change they wish in the Black Community. They demand as people that the ten Patrolmen for which the Council has allocated funds, be Black people who are residents of the Black Community in Tacoma. He stated they also demand that the streets be improved in the Central area.

Mr. Conerly introduced Mr. Roy Forks as the next speaker.

Mr. Zatkovich felt, since Mayor Rasmussen made a ruling relative to the people who will be involved in court not to speak, he would suggest that Mr. Forks should not be allowed, as he was one of the parties concerned.

Mr. Murtland felt Mr. Forks should be able to speak on any other incidents that might involve the Black Community, but not about the last Sunday evening.

Mayor Rasmussen asked Mr. Forks to contain his remarks about generalities and not speak about his specific case and the incident involved.

Mr. Forks spoke relative to police brutality that the Black Community is experiencing. He also requested Negro Policemen for the Hilltop area who are older and who understand the problems in that area. He explained the Black Community needs the opportunity for more jobs.

Mr. Alonza Jennings, 2352 So. Hosmer, felt the representatives of the Black Community should have been heard at the beginning of the Council meeting. He also requested that a Black man be elected to the Council.

Mr. Conerly introduced Floyd Davis as the last speaker.

Mr. Floyd Davis, 2101 So. Ash St., explained the Black Community is suffering from the lack of representation, particularly at the Police force level. He explained that the only persons who had been effective at all during the last two days were Black persons. He also asked that the ten policemen who are to be hired, be from the Black Community.

Mayor Rasmussen said he wished to impress on the people who make demands that it all depends on the manner in which the demands are made. When demands are made on the basis of "if we don't do this," "you are going to do that;" he reminded the audience that the persons whose windows were broken on K St. had given them no reason for such action, particularly to the Black Community. This is certainly the wrong way to accomplish anything in America. There have been crises all through the history of this nation and progress is not made in the manner they are suggesting.

Mr. Davis felt the democratic process has not been effective at all.

Mayor Rasmussen stated the Council appreciated the people from the Black Community coming to a Council meeting.

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Mr. Davis formally invited the Council to the Hilltop Community at any day convenient for them.

Mayor Rasmussen thought this meeting could be arranged.

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Mayor Rasmussen explained that the curfew law was applied equally, as residents in the Hilltop area are both white and black. It was applied only to the Hilltop area in the beginning, however, after a meeting of certain spokesmen from Hilltop, they thought it was discriminatory so the Council agreed to place the curfew over the entire city.

Mayor Rasmussen also explained that the City Council had met today and the curfew has been lifted but the State of Emergency Proclamation is still in effect, however the curfew can be re-instituted upon the request of the Chief of Police. Restrictions on the sale of liquor have been raised, he added.

Mayor Rasmussen further explained that it depends upon the performance of the citizens of this city as to whether or not the curfew goes back in effect. The Police Dept. is going to continue to serve all of the people of the City and to see that the laws are obeyed and it is expected that the Black Community will cooperate. He felt they all would cooperate, as the speakers this evening indicated they wished to be good citizens.

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Mr. Davis said the Black Community could supply the City with ten qualified Black persons for the Police Dept. and this could be done through the Urban League.

Mayor Rasmussen asked that Mr. Davis submit a list of qualified people to the City's staff.

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Mr. Davis suggested that the Council meet at 12:00 Noon, Monday, May 19th at the Hilltop Youth Center.

Mayor Rasmussen said this would be convenient as it would be at the regular time of the Study Session and the Council would accept the invitation. He asked that an agenda be prepared for the meeting.

Mr. Davis stated this would be arranged.

Mr. Conerly explained the Black Community is trying to convey their concern over the problems that are existing in the Hilltop area. He felt that many problems can be eradicated by the Council's personal involvement. They are concerned about the conditions and treatment that is existing in their community. He thanked the Mayor and City Council for allowing them the opportunity to speak.

Mr. Cvitanich stated that Mr. Conerly placed ninety percent of the burden and the responsibility on the Mayor's back during his whole statement, with the exception of the last remarks. Mr. Cvitanich said he is sorry that Mr. Conerly is not present to hear what he has to say. He would like for him to go back into the history that has transpired in this community and pick out the individual councilmen who are responsible for part of the problem that exists. He felt there was entirely too much hypocrisy among some of the Councilmen.

Mr. Zatkovich also took exception to some of the remarks made, and noted there was quite a bit of confusion and disorganization between the group that was present here this evening. He wondered who the people represented who spoke, as he did not recognize very many familiar faces from the Black Community who had spoken to the Council before. He noted that any of the Black Community who wish to apply for the position of policeman can do so, but they must qualify for such a position.

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Mr. Zatkovich moved to suspend the rules to allow Mr. Eddie Carnes to speak. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

Mr. Eddie Carnes, 1129 No. E St., asked that Mr. Hodges, Director of Human Relations Commission, resign from his position as he had applauded Father Groppi who spoke at Tacoma Community College a few weeks ago. He added, Father Groppi is an advocate of black power. If the Council does not ask for Mr. Hodges' resignation he thought some type of an explanation should be forthcoming from him. He also recommended that a non-paid, preferably a Negro, be appointed to head the Human Relations Commission in the City of Tacoma.

REPORTS BY THE CITY MANAGER: \* \* \* \* \*

Mr. Rowlands, City Manager, asked that Mr. Hodges be allowed to clarify his action at the meeting held in TCC.

Mr. Hodges, Director of the Human Relations Commission explained he had checked the tape recording of the meeting and found that no one clapped when the statement was made by Father Groppi relative to being glad that Milwaukee was burning. At that time there was silence after the statement was made, he added. He felt such statements about him were fabrications and wondered why they were being brought up.

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Mr. Rowlands submitted MC 581, relative to a report from the Fire Dept. and Chief Reiser on the location of a fire station in NE Tacoma and the fire headquarters.

Mr. Rowlands noted that Mr. Weers, Assistant Chief Engineer of the Fire Underwriters, had indicated in a letter that they would prefer that a fire station not be located on a one-way street. However, he said it would be impossible to determine whether it would be more desirable to locate a fire station on a hill side near a high-value area, or some distance away from the area on a level site. He also noted in his letter that the site location, type of high-value district, fire flow requirements, and response distances involved, etc., must be considered when a location of a fire station is being contemplated. At the conclusion, Mr. Weers letter stated the Underwriters believed that either of the locations at 9th St. and Fawcett Ave. or 9th St. and Tacoma Ave., which were suggested by Fire Chief Reiser would be satisfactory for the fire headquarters.

Mayor Rasmussen felt the hill side location was not satisfactory, nor was one at the bottom of the hill where many responses must be made up a grade. He also stated that the one-way streets propose another problem for the Fire Dept.

Mr. Rowlands explained that the location is perfectly proper and has been approved by A. I. A.

Chief Reiser, explained they had a difficult time in obtaining the present site and they examined all sites thoroughly and this site was the one that had the most advantages and came closer to meeting all the criteria. Chief Reiser also mentioned he had asked Mr. Weers when the Underwriters would require the City to build a Fire Station in NE Tacoma. Mr. Weers stated perhaps eventually one might be required.

\* \* \* \* \*

Mr. Rowlands asked if the Council was interested in appropriating approx. \$1,000 to recondition the Daffodil Float so it may be used in the Centennial Parade in July.

Mr. Bott felt the \$1,000 should be appropriated since this is Tacoma's Centennial Year. He also wondered if the Float could be entered in the Seattle Sea-Fair Parade.

Dr. Herrmann moved that an ordinance be drafted appropriating up to \$1,000 for the renovation of the Daffodil Float for the Centennial Parade. Voice vote was taken. Motion LOST.

Mr. Murtland requested an itemized expense report connected with the Daffodil Parade.

Mr. Rowlands stated he would submit such a report.

\* \* \* \* \*

Mr. Rowlands reported that the State Liquor Control Board has adopted a change in their rules which will permit the advertising of beer, wine and liquor on the interior and exterior of buses.

A number of Councilmen felt the City should refrain from that type of advertising.

Mayor Rasmussen thought any cigarette advertising should be also explored by the Council.

Mr. Zatkovich felt if such advertising would bring revenue to the City perhaps the advertising should be allowed.

Mayor Rasmussen felt the Council had expressed their desire not to allow liquor advertising on the buses.

\* \* \* \* \*

Mr. Rowlands announced that the University of Puget Sound plans to have one of its home football games of the year on October 4th with the University of Hawaii. They have asked if the game could be played at Cheney Stadium that night.

Mr. Cvitanich explained that for many years it has been advocated that the field could not be used for any other type of activity other than baseball. He did not feel just one organization should be allowed to have a game at the field, unless all high schools and other organizations could use it.

Mayor Rasmussen felt that an agreement could be brought in for the approval of the Council.

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Mr. Rowlands mentioned that the Council had arranged a meeting at noon on Monday, May 19th with representatives of CATV and letters had been sent the various companies informing them of the meeting. He wondered, since the study session on Monday, May 19th is now to be held in the Hilltop area, whether the CATV meeting could be rescheduled for Tues. noon, May 20, 1969.

Mayor Rasmussen felt the study session on CATV could be dispensed with at this particular time.

\* \* \* \* \*

Mr. Rowlands reminded the Council members that in addition to the ten police officers approved this evening, there had been fourteen officers added during the year 1968 and nineteen officers for 1969. The Council has certainly recognized this problem for a number of years.

\* \* \* \* \*

Mr. Rowlands reported that the amount of monies to be received by the State is much less than anticipated and will pose serious problems in preparing the 1970 budget.

\* \* \* \* \*

Mayor Rasmussen stated the State Auditor had questioned the receipts from the bus advertising. He wondered what has been done, as the portion of the City's revenue indicated in the gross rather than on the net.

Mr. Rowlands stated he would submit a report to the Council on this matter.

COMMENTS BY MEMBERS OF THE COUNCIL:

Mr. Cvitanich requested that he receive a monthly copy of the billings from the Transit System relative to the maintenance performed by the Transit Dept. on the Fire equipment. He felt, in many instances the City would be money ahead to send this work out. He asked Chief Reiser what the costs were when the Fire Dept. maintained their own equipment.

Chief Reiser explained the same questions have been raised and he has received a report from the Transit Maintenance Supervisor outlining a time schedule on ordering and obtaining parts. He said he could submit this report to Mr. Cvitanich.

\* \* \* \* \*

Mr. Zatkovich commented again that there were many strange faces in the audience from the Hilltop area and very few of the old reliable leadership of the Black Community. This was the reason he did not feel he should listen to this particular group. One of the speakers who spoke was an ex-convict and another one has quite a police record; he doubted very much that the Chairman of the group, Mr. Melvin Conerly, was a registered voter or that he ever has been a registered voter, as he has spent most of his adult life in the penitentiary. He did not feel that the responsible people in the area wished this type of a person as their leader.

Mr. Dixon asked to speak.

Mr. Finnigan moved to allow Mr. Dixon two minutes to speak. Seconded by Mr. Murtland. Roll call was taken, resulting as follows: Ayes 4: Finnigan, Herrmann, Johnson and Murtland. Nays 5: Banfield, Bott, Cvitanich, Zatkovich and Mayor Rasmussen. Motion Failed.

VERBATIM REQUESTED BY MR. MURLAND:

Mr. Murland: Again I have to use the word, deplore. I've used that previously; I think I used it last week in connection with you, Mr. Mayor. It would appear that we are becoming character assassins on this Council. Not only to our fellow Councilmen in some instances, to our staff, to those who work for us and now we seem to be going out into the community. Mr. Zatkovich did read from the F.B.I. report which I have in front of me.

Mr. Zatkovich: You shouldn't have said that.

Mr. Murland: I know, but I see it here. I'm trying to back you up a little bit Tony, it's not like you took it off the top of your head. So presumably this report is authentic. But I do not believe that this is the place. This is not the forum to take and put this out. These are things that are handled in court. These things are usually only used in courts for the purposes for which they are intended. They are also used for, sometimes the authorities, in having to do with arrests, and having to do with sentencing. But in this instance, as Mr. Dixon tried to tell us, there may be some extenuating circumstances at this time, which have not been able to be explained. Those who are listening on the air tonight will not be listening next week in the event an explanation is available. I know nothing about the background of Mr. Conerly except as it is revealed in this paper, and yet, as Mr. Bott said, that did not vote to give an explanation, perhaps, or a chance for an explanation. The man probably has served his time or he would not be before us. I just can't fathom why we continue to do this week after week. It would appear that certain members on the Council find that there is no way to get ahead in this world except to tear somebody else down. And, I say again, I deplore it, and I'm hoping that some of them will come to that position sometime themselves.

END OF VERBATIM

Mr. Zatkovich stated the members of the Black Community met with the Councilmen for an hour and one-half yesterday and devoted their time to try to solve the problem. Everyone offered suggestions and finally a curfew was suggested. Dr. Herrmann was not present at this meeting but attended the meeting held at the Library last evening. Dr. Herrmann apologized to some of these people there relative to the curfew and said it was ill-advised. Mr. Zatkovich further stated he didn't think that Dr. Herrmann had any right to make such a remark because he was not present at the meeting when the curfew was discussed.

Dr. Herrmann said he still felt the curfew was ill-advised and he did deplore the disclosure over the air that Mr. Zatkovich has made this evening.

\* \* \* \* \*

Mayor Rasmussen asked Dr. Herrmann and Mr. Murland if they had consulted with the Legal staff relative to the Cooney-Cranes Co. tax appeal

Mayor Rasmussen asked that Mr. Hamilton, Acting City Attorney, act as a temporary Chairman and hold a meeting with the committee members, as a report should be submitted next week on the matter.

\* \* \* \* \*

Mayor Rasmussen announced that Mr. Finnigan, Dr. Herrmann and Mr. Murland are appointed to serve on the L.I.D. Committee for the next three months, June, July and August.

\* \* \* \* \*



Mrs. Banfield moved that Mr. Lynn Hodges, Director of the Human Relations Commission, resign his position. Seconded by Mr. Cvitanich.

Mr. Bott felt Mrs. Banfield's motion was out of order as according to the Charter this is the prerogative of the Manager and not the Council. He asked whether or not a Councilman has this right.

Mayor Rasmussen said any Councilman can make a motion that somebody should resign and if adopted by the Council, hopefully the person in question would resign if the majority of the Council agrees.

Mrs. Banfield said there had been no racial problems within the City of Tacoma until the appearance of Mr. Hodges.

Mayor Rasmussen felt, perhaps, the Commission should be re-evaluated and placed on a voluntary basis.

Mr. Bott felt this should be discussed with the manager and that the motion should be tabled. Seconded by Mr. Bott. No vote taken.

Mr. Cvitanich moved to continue Mrs. Banfield's motion for two weeks. Seconded by Mr. Zatkovich. No. vote taken.

Roll call was taken on the motion to table Mrs. Banfield's motion, resulting as follows: Ayes 5: Bott, Pinnigan, Herrmann, Johnson and Murtland. Nays 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen. Motion carried.

DEBATE REQUESTED BY MRS. BANFIELD:

Mrs. Banfield: Well, talking about Mr. Zatkovich and what he said over the air tonight. There may be a time and place but I think since I've been on this Council, people out in the area will start waking up when they find we do have the kind of predicament in Tacoma. Also I find that many, many things are kept under the carpet, so to speak.

Not too long ago, April 15th, as a matter of fact, we all received a confidential letter. A city employee who has delved into things.

Mayor Rasmussen: I wouldn't mention the name.

Mrs. Banfield: I'm not mentioning any names at all. But I would just like to know, isn't this compounding a felony; assessing of public funds in grand larceny amounts. I think it is high time that, we as a Council, simply sit down together without Mr. Rowlands, and find out what direction we are going for the benefit of the citizens of Tacoma. Rather frankly, I was shocked but I'm wondering as long as we get a confidential letter like this, how many other things are going on behind the scenes that we don't know about. And, it's certainly going on record of not condoning the manner in which this was taken care of.

Mayor Rasmussen: May I see that letter, Mrs. Banfield.

Rowlands: Mr. Mayor and Council members, may I make a couple of comments, please. I would just like to give some admonition to Mrs. Banfield, 'he who is without fault, let him cast the first stone.' I think the demonstrations might have done more to destroy good human relations in this community than anything I've heard for a long time, and I mean that very sincerely. I feel that, very frankly I gave that particular letter in confidence; and it was thoroughly investigated about something that was unsightly; the personal whereabouts and implications that are always going on here. I feel that this is a good example of why some of us have dropped to second place as far as human rights are concerned in this community during the past year and one-half. We are not going to get the job done if we castigate individuals, castigate

their characters and try to place road blocks in the way of human understanding in human relations and civil compassion. That's all I have to say.

Mayor Rasmussen: Mr. Rowlands, now this letter that Mrs. Banfield is talking about, I have before me. And this is what the letter states, inasmuch as someone brought this matter to the attention of the State Auditor, Robert Graham, I thought you should have this information.

Now, this statement by you, and this letter is signed by you, indicates that if the matter had not been brought to the attention of the State Auditor, Robert Graham, the Council would never have heard of the matter.

Mr. Rowlands: I think that is correct, because the auditor is the watch dog of matters of the Council. We have two full-time auditors here and it was brought to his attention because the local auditor was asked to verify all of the reconciliation of funds, and he gave us the approval to proceed with procedures to be used.

Mayor Rasmussen: Mr. Rowlands, the day this letter--I didn't even have this letter - the State Auditor appeared in my office and handed me a letter. And this letter said that, 'therefore the degree of concurrence with the action taken by this office is limited strictly to the results of our independent review of this matter and we do not intend to approve or disapprove of that portion of any disciplinary action taken with respect to the employee concerned.'

Mr. Rowlands: Agree, that's correct.

Mayor Rasmussen: The Auditor said that he is not concurring or is concurring.

Mr. Rowlands: No, that's not what he said, he said -

Mayor Rasmussen: He said, we do not intend to approve or disapprove. He brought that letter up to my office and he wanted to make it very clear, that you were not tying him in with any of your statements. That he was independent as a State Auditor and was not concurring with your actions.

Mr. Rowlands: I want to get this straight, Mr. Mayor. If you read that again, he concurred with the techniques used. Obviously, it was not within the province of the auditor to decide, whether or not the disciplinary action taken was correct or not, but he did approve of the techniques to be sure that everything had been done properly.

Mrs. Banfield: I would just like to say Mr. Rowlands, as far as I'm concerned what's right is right, and what's wrong is wrong. This is absolutely wrong and to let you get away with this, I think it is absolutely wrong, and I'm not about to, as long as I'm on the Council.

Mr. Rowlands: Mr. Mayor and Council members, I think Mrs. Banfield, that my reputation over the years also indicates that I know what is right and what is wrong. And I want to make it very clear that in this case, the action was taken. Disciplinary action was taken; the individual had been here for a number of years. No money was lost to the City, and in the judgment of everybody involved, the proper action was taken. So, again this type of innuendo action taken in a public meeting, is not, to my way of bettering proper relations.

Mr. Cvitanich: Well, the someone referred to, I don't have to take credit for bringing this to the attention of the State Auditor. I was in Olympia as Chairman of the Legislative Committee, and I heard it in the 'gulch'. You hear a lot of rumors in the 'gulch' and I happen to know Mr. Graham quite well, and I went in and said, "Bob, I heard rumors pertaining to something in Tacoma." And, we chit-chatted briefly and at this time I believe he contacted his resident examiner. And then Mr. Rowlands and I spoke on the phone that same day about this, at which time I told Mr. Rowlands I had contacted Mr. Graham in Olympia.

Mr. Rowlands: I might say, Mr. Mayor and Council members, obviously, when we took into our confidence the auditor, it was assumed that we would go ahead, and in this case, tell his superior. There was nothing secretive about it; I mean, he was told, so there was no problem as far as the auditor was concerned.

Mr. Cvitanich: I knew nothing about it, only this rumor, at which time I went down to see Bob Graham that morning at a quarter to nine, as a matter of fact, on the 15th.

Mr. Bott: That's the date of this letter.

Mr. Cvitanich: We got a letter that same night when we came up here to the Council meeting.

Mayor Rasmussen: My concern, Mr. Rowlands, is that statement, 'that inasmuch as somebody had asked the auditor about it.'. Now you were going to advise us what was going on in the City. I wonder, Mr. Rowlands, what you do think the City Council of Tacoma is elected for. An unnecessary nuisance to you?

Mr. Rowlands: No. Sir, Mr. Mayor, that's not the case at all, but as the Chief Administrator, I'm charged with the responsibility of administrating the departments to the best of my ability with a very outstanding staff. I felt I had handled this matter properly in every degree. And I still think it was handled properly.

Mr. Finnigan: May we continue Mr. Mayor.

Mayor Rasmussen: This concludes the Council's comments.

END OF VERBATIM:

Mrs. Banfield said she had not been able to find if any of the City's monies are deposited in the North Pacific Bank. She knew that deposits are made in five other banks and wondered why this bank was not being utilized.

Mr. Rowlands stated he would submit a report on the matter.

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Mr. Cvitanich explained that a letter had been included in the agenda from Mr. Rowlands asking permission to attend a special Federal Aid Coordinators' conference which is to be held in Wash., D.C, on May 27th and 28th.

Mayor Rasmussen moved that Mr. Zatkovich be instructed to attend this conference in Washington, D. C. Seconded by Mr. Cvitanich.

Mr. Zatkovich declined as he thought he would not be in the City at that time.

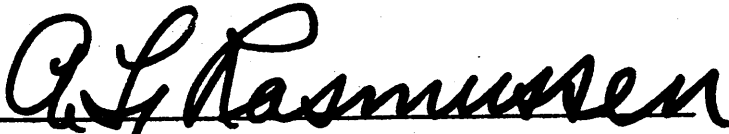
Dr. Herrmann moved that Mr. Rowlands be allowed to attend the conference. Seconded by Mr. Finnigan. Roll call was taken, resulting as follows: Ayes 4: Finnigan, Herrmann, Johnson and Murtland. Nays 5: Banfield, Bott, Cvitanich, Matkovich and Mayor Rasmussen. Motion LOST.


ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- City Council Study Session minutes of April 28, 1969.
- Board of Adjustment minutes of April 10, 1969.
- Civil Service Board minutes of April 15, 1969.
- Agenda for the Trainee Corps Selection & Evaluation Board and minutes of the meeting of April 14, 1969.
- Report from the City Planning Dept. for April 1969.
- Notification from the City Clerk In Re expiration date for filing protests on C I D 5473 and 5475.

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Mr. Finnigan moved that the meeting be adjourned. Seconded by Mr. Murtland. A vote was taken and the meeting was adjourned at 11:10 P.M.

  
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 A. L. RASMUSSEN, MAYOR

ATTEST:   
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 JOSEPHINE MELTON, CITY CLERK