

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, Dec. 9, 1969.

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

Present on roll call 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.

The Flag Salute was led by Mr. Cvitanich.

Mayor Rasmussen introduced Mr. H. M. Smit, who is a city official from Hempstead, The Netherlands. Mr. Smit said he is in the City visiting relatives. Mayor Rasmussen presented Mr. Smit with a key to the City and said he was pleased that he chose to visit the City Council meeting.

Mayor Rasmussen asked if there were any omissions or corrections to the minutes of the meeting of Nov. 25, 1969.

Mrs. Banfield moved that the minutes of Nov. 25 be approved as submitted. Seconded by Mr. O'Leary. Voice vote was taken. Motion unanimously carried.

HEARINGS & APPEALS:

This is the date set over for the hearing on the preliminary plat submitted by Whitacre Engineers, Inc. of the revised Westgate's Wedgewood Park between Shirley & Pearl Sts. and between No. 37th & No. 40th Street extended.

Mr. Buehler, Director of Planning, explained that a letter was received from Mr. Curtis F. Peterson, Pres. of Briston Corp., developers, agreeing to construct public sidewalks along Pearl St. from the North line of Westgate's Wedgewood Park, 2nd Addition to the South line of Westgate's Wedgewood Park, 3rd Addition. He added, the construction of the sidewalks will be in connection with the final approval of the 3rd Addition, the westerly development abutting Pearl Street.

Mr. Cvitanich moved to concur in the recommendation of the Planning Commission to approve the above preliminary plat with the conditions as set forth in the developer's communication relative to constructing sidewalks on Pearl Street. Seconded by Mr. O'Leary. Voice vote taken. Motion unanimously carried.

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This is the date set for hearing on the appeal filed by the Greyhound Lines-West on its audit and assessment levied by the Tax and License Dept.

Mr. McLennan, Director of Tax & License Dept., explained that a field audit was made covering the business activities of the Greyhound Bus Line for the period of Jan. 1, 1964 through June 30, 1969. An assessment notice was issued to the Greyhound Lines on Sept. 18, 1969 for deficiencies totaling \$4,325.25. The Lines filed its notice of appeal on Sept. 26, 1969.

Mr. McLennan explained that the taxpayer is engaged in the transportation business of personal property as well as persons. In addition to their major portion of income they are engaged in locker room rentals, pay toilet facilities, commissions from amusement and vending machines, telephone and telegraph rebates and other miscellaneous income from the use of various facilities.

Mr. Vernon L. Lindskog, attorney representing Greyhound Lines, explained that the Lines does not object to paying its fair share of city taxes. He knew that all governmental agencies in this day and age need money but they feel that the audit in this

particular instance was unfair. There is no question how the auditor arrived at the total figure of \$4,325.25, but they do feel that he did not go beyond the initial state of allocating revenue between interstate and intrastate sources. The audit should have gone from the interstate and intrastate apportionment to the intracity and intercity apportionment within the state of Washington. They felt that the Tax & License Dept. has not apportioned between services rendered within and without the City. Therefore they felt that section 6.68.250 of the City Code had not been applied by the Auditor.

Mr. Lindskog submitted an exhibit to the Council explaining that the company feels that the tax should be allocated on a mileage basis. He added that Tacoma is the only city in the State which has taken the position that all of the income generated by the sale of tickets is taxable by the City of Tacoma.

Mr. McLennan felt that the only tax which the Greyhound Co. feels they should pay the City is for that activity in which the buses are travelling within the corporate limits. This is in direct conflict of the City's rules and regulations of long standing.

After some discussion, Mr. Zatkovich moved to sustain the action of the Director of Tax & License Dept. Seconded by Mr. O'Leary. Voice vote taken. Motion unanimously carried.

Mayor Rasmussen asked that a resolution be submitted at next week's meeting to ratify this decision.

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

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The City Planning Commission recommending denial for the request of a special use permit submitted by Time Oil Company for the S.W. corner of So. 15th & Union Ave.

An appeal was filed by Paul Olson from the Time Oil Company and the suggested date for hearing before the Council is Dec. 30, 1969.

Mrs. Banfield moved to set Dec. 30, 1969 as the date for hearing on the appeal. Seconded by Mr. O'Leary. Voice vote taken. Motion unanimously approved.

Mr. Cvitanich asked that the minutes of the Planning Commission meeting pertaining to the original hearing be included in the agenda for the Council's review on Dec. 30.

COMMUNICATIONS:

A communication from Marshall McCormick advising that he has received requests from Taxicab & Ambulance Companies asking for rate increases. 347

Mayor Rasmussen said this will be referred to Mr. Cvitanich, Chairman of the Finance Committee.

Mr. McCormick explained in matters such as this the Manager fixes the rates but they have to be approved by the Council. He added that the companies wish raises in two categories. He suggested the Council check the rates being charged in Seattle and other cities, then have a study session.

Mayor Rasmussen said, at an informal discussion the Council members decided that committees on certain operations should be formed among themselves. He added, these committees have not all been formulated yet. He noted that Mr. Cvitanich is the Chairman of the Finance Committee. This will give Mr. McCormick time to obtain more information on the proposed rate increases before a meeting is held by the Finance committee.

Mayor Rasmussen further explained that five members of the Council will consist of a committee, the remaining members will be able to sit in on any of the discussions. However, only the committee members can vote. He felt this would save the Council, as a whole, considerable amount of time.

He also noted the budget committee will include all the members of the Council.

Mr. Cvitanich explained that the Committee System was tried under Mr. Backstrom, former City Manager and from all indications it worked quite successfully.

Mayor Rasmussen asked that individual statements be obtained from the various companies as to their gross and net incomes for a particular year. He felt that such a statement would help in the Council's deliberations if they knew what each company's returns were and why they wished an increase in rates.

Mr. Cvitanich said he had contacted the Teamsters, Local #313 on this matter and they will be happy to furnish any backup information for the Council if they so desire.

Mr. McCormick said he would contact the Local.

RESOLUTIONS:

Resolution No. 20479 (Postponed from the meeting of December 2, 1969.)

Authorizing the purchase of a building and to be removed from the site located on the Tacoma Industrial Airport, by Mr. Marion S. Madsen.

Mr. Finnigan moved that the resolution be adopted. Seconded by Dr. Herrmann. Mayor Rasmussen explained this resolution was postponed so the building could be examined.

Mr. O'Leary explained the house is run-down and impossible to move. He felt the \$200 offered by Mr. Madsen is a fair offer.

Mrs. Banfield felt that a time limit to remove the house should be spelled out in the resolution.

Mr. Madsen explained in his proposal he has specified a 12 month period to remove the house from the property.

Mr. O'Leary moved to amend Res. No. 20479 after the last "BE IT RESOLVED", 10th line down after the word "removed" add the words, "within twelve months after", then delete the word "upon" and continue on the sentence. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

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

Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20482

Fixing Tuesday, December 23rd at 4 P.M. as the date for hearing on the Zoning Ordinance Text Amendments, relative to appeals to the City Council from decisions from Planning Commission and Board of Adjustment.

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

Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20483

Awarding contract for the removal of certain buildings to Tacoma Floor Co., and Manfred Hanson.

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

Ayes 9: Benfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20484

Awarding the contract for the City printing for the calendar year 1970 to Tacoma Daily Index.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Cvitanich. Mayor Rasmussen explained he had asked Bud Bond, Public Information Officer, to inquire what the cost would be if the City were to pay for a publication such as the Spokane Gazette, which has more information about the City Council and business than does the Tacoma Daily Index.

Mr. Bond, explained that sometime ago it was found that the cost for such a publication was far greater than the contract for the official printing in the Tacoma Daily Index. However, he has made inquiry and will submit a report to the Council as soon as cost figures are received.

Mr. Cvitanich moved that the resolution be postponed for one week, until Dec. 16, Seconded by Mr. Zatkovich. Voice vote taken. Motion unanimously carried.

The Resolution was postponed until Dec. 16, 1969.

Resolution No. 20485

Accepting the petition for annexation submitted by Henry O. Johnson etal for property on both sides of Crystal Springs Road between So. 19th & 22nd St. West extended.

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

Ayes 9: Benfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20486

Amending Rule 1 of the Rules for the Government of the City Council to provide that meetings of the City Council shall be held at 7 P. M. on Tuesdays instead of 4 P.M.

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mrs. Banfield. Mr. Cvitanich explained this would allow Council members and citizens to be able to attend the Council meeting without having to interrupt their normal jobs.

Mr. Dean called the Council's attention to Paragraph a. in the resolution which should be amended as it does not read correctly.

Mr. Hamilton explained that a full paragraph has been omitted and that the resolution will be amended for next week's meeting.

Mayor Rasmussen explained that a communication has been received from the Central Labor Council which endorses the change in time for the Council meetings.

Dr. Herrmann said he felt the time change would fulfill no useful purpose and thought the 4 P.M. time would be easier on the staff. He did not feel it would accommodate the public, as a person appears before the Council normally once in a great while on a rezone or for other types of hearings.

Mr. Finnigan said he could not support the resolution as it certainly would be an inconvenience to the press and staff and as a practical matter it did not seem at all feasible.

Mr. O'Leary spoke in favor of the resolution as he felt the staff would be more efficient particularly in obtaining information from their offices. He explained that the 7 P.M. meeting is more convenient for him as his day's work is finished by that time.

Mr. Zatkovich thought the later hour would cause the Council to move faster with the agenda. However, he did suggest that the meeting begin at 6 P.M. as a compromise.

Mrs. Banfield agreed that the 7 P.M. time was more practicable. She felt it would benefit the entire community.

After some discussion Mayor Rasmussen announced that the resolution must be set over for one week as it concerns changing the rules of the Council.

The Resolution was postponed for one week, until Dec. 16.

Resolution No. 20487

Appointing Mrs. Virginia Shackelford to a four year term on the Civic Arts Commission of Tacoma-Pierce County expiring on November 30, 1973.

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

- Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20488

Appointing Mrs. Roger A. Greiffenberg to a four year term on the Civic Arts Commission of Tacoma-Pierce County expiring on November 30, 1973.

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

Mr. Cvitanich asked if consideration was given to amend the ordinance which creates the Civic Arts Commission so that the ex-officio members will have the right to vote on issues presented before the Commission.

Mayor Rasmussen said he had requested Mr. Hamilton to draft a resolution in regard to this matter.

Mrs. Banfield said a number of people are appointed to the commission as ex-officio members but she hoped that only the elected officials who are ex-officio members would have the privilege of voting.

Mayor Rasmussen explained he had also discussed this matter with the County Commissioners and it was the intent to allow all the ex-officio members to cast their vote.

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

- Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20489

Reappointing Mr. Edward Richards and Dr. L. S. Baskin to a four year term on the Civic Arts Commission of Tacoma-Pierce County expiring on November 30, 1973.

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, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20490

Authorizing the proper officers of the City to take the necessary steps to reconvey to the Metropolitan Park District real property adjacent to Cheney Field.

Mayor Rasmussen explained that he had been asked to have this resolution postponed in order to have the legal description verified.

Dr. Herrmann moved to postpone the resolution for one week, until Dec. 16, 1969. Seconded by Mr. Cvitanich. Voice vote was taken. Motion unanimously carried.

Mayor Rasmussen asked that Mr. Glundberg, Director of Parks, submit more information on this matter regarding the disposition of the property, particularly in reference to the School Board. He asked that this be submitted next Friday so it can be placed on the agenda.

Mr. Glundberg said he would take care of the matter.

The Resolution was postponed until Dec. 16, 1969.

Resolution No. 20491

Authorizing the extension of ninety days to Pacific Cascade Properties Inc. from December 9, 1969 for performance of the undertakings provided for in the agreement of Sale entered into with the City of Tacoma.

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

Mr. O'Leary moved to amend the resolution by adding an additional Be It Further Resolved, as follows: "That inasmuch as this is the 2nd such extension on this property that no further extension be allowed in the future or at the end of the above mentioned extension. Motion failed for want of a Second.

Mrs. Banfield felt since it has been nearly two years this property has been in negotiation, and the owners have not paid any taxes to the City, she thought this extension should not be approved.

Mr. Wright, Director of Urban Renewal explained that Pacific Cascade Properties, Inc. lost a commitment by a previous tenant and had been put in the position of finding a new tenant. Since the past extension they had progressed very well with General Electric and this additional time is necessary to complete final arrangements for the construction. As soon as the Vice Pres. approves the commitment, the City will be able to convey the title to General Electric.

Mrs. Banfield asked Mr. Wright who are the members of the Pacific Cascade Properties

Mr. Wright stated that Mr. Strand is Pres. and Mr. Lane is Vice Pres., however he would submit a list for Mrs. Banfield's information.

After further discussion, voice vote was taken on the resolution, resulting as follows:

- Ayes 6: Dean, Finnigan, Herrmann, Jarstad, Zatkovich and Mayor Rasmussen.
- Nays 2: Banfield and O'Leary. Absent 1: Cvitanich (temporarily).

The Resolution was declared passed by the Chairman.

Resolution No. 20492

Certifying that the City of Tacoma has exhausted all available legal procedures for demolition of certain structures by owners before governmental action is taken to demolish them.

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

Mr. Schuster, Director of Public Works, explained that as a condition to the payment of a grant, it is necessary that the City submit a resolution certifying that all available legal procedures have been exhausted before governmental action is taken to demolish certain dangerous structures. Tacoma is now desirous of receiving a grant payment to recover the cost of demolition for the following locations: 1520-1522 Pacific Ave., 1501 Market Street and 1342-1342 1/2 Fawcett Ave.

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

- Ayes 9: Banfield, Cvitanich, Dean, Finnigan, Herrmann, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen.
- Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 18987

Designating the portion of the 60 foot right-of-way extending north from So. 19th St. approx. 368 feet west as Brookside Terrace.

Mr. Cvitanich suggested that at some time in the future a street be named for Mr. Easterday, a former Council member and County Commissioner. Mr. Buehler stated he would keep this in mind.

The Ordinance was placed in order of final reading.

Ordinance No. 18988

Repealing Ordinance No. 18972 which condemned the right-of-way for a sidewalk area along Steele Street between So. 39th & 42nd Sts. in order to correct an error in the legal description.

The Ordinance was placed in order of final reading.

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Mr. Cvitanich moved to reconsider Ordinances No. 18986 and No. 18961, relative to CATV franchises. Seconded by Mr. Zatkovich.

Mr. Cvitanich explained that after some discussion by the Council it was the consensus of opinion that all the Cable TV ordinances be placed on the same agenda for final reading. The two local firms, Cable TV Puget Sound and Tacoma Cable have been formally passed from first to second reading, however, the two out-of-state companies, Telecable Communications Corp. and Nation-Wide Cablevision Inc. have been placed on the agenda and postponed under first reading.

Mr. Cvitanich felt that they should be placed on the same agenda for final reading to allow all companies a fair hearing.

Mr. McCormick explained that ordinances awarding franchises must be held over fifteen days between the first and second readings. He felt that simply including the out-of-state firms on past agendas was sufficient to satisfy the Charter requirements for first reading. Therefore the out-of-state firms could be voted upon Jan. 6th.

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Mayor Rasmussen asked if a resolution should be drafted stating that all ordinances pertaining to Cable TV be considered on the agenda of Jan. 6th for final reading.

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Mr. Hamilton felt this would be proper, but it would not take the place of an ordinance. He also suggested, if this is done, an appropriate rules suspension could be voted upon at the Jan. 6th meeting so the representatives of the TV companies could speak under the ordinances.

Mr. McCormick explained that any ordinance which has been read before the Council is automatically placed on second reading the next time it appears on the agenda.

Dr. Herrmann said if all the Cable TV ordinances are placed on the agenda Jan. 6th for final reading, then no one could speak on them according to the Council Rules.

Mr. Cvitanich felt the representative of the TV firms must be allowed to speak even though these ordinances would be on final reading.

Mr. Cvitanich withdrew his motion to reconsider Ord. 18986 and 18961 with the consent of the second.

Mayor Rasmussen said that a communication was received from Tele-Communications, Inc. of Denver, Colo. requesting to meet with the Council to present their supplementary proposal.

Mr. Zatkovich requested the four ordinances plus the Tele-Communications' Inc. proposal be placed on the agenda Jan. 6th for final reading. He also asked that this company be notified of the Jan. 6th Council meeting.

Mr. Hamilton stated he would call Mr. Pat Sutherland in Olympia, who is the Tele-Communications' representative.

UNFINISHED BUSINESS:

The Director of Public Works presents the assessment roll for the cost of the following:

a. L I D 3682 for sanitary sewers in Ainsworth Ave. from So. 80th St. south 500 feet and in So. 81st from Ainsworth to Cushman Ave.

b. L I D 4821 for paving on Prospect from So. 60th to 62nd; L from So. 25th to 27th and other nearby streets.

Mr. Cvitanich moved that Monday, Jan. 26, 1970 at 4 P. M. be set as the date for hearing on the above assessment rolls. Seconded by Mrs. Banfield. Voice vote taken. Motion unanimously carried.

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Mayor Rasmussen stated that since Mr. Murtland is no longer on the Council, a replacement of the Council's representative in the Assn. of Washington is in order.

Mr. O'Leary moved that Mr. Cvitanich be appointed to be the Council's representative in the Assn. of Washington Cities organization. Seconded by Mrs. Banfield. Voice vote was taken. Motion carried.

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Mayor Rasmussen announced he would nominate a committee to study proposals for City Charter changes. The following persons were nominated: Floyd Oles, Frank Murphy, E. Albert Morrison, Mrs. Lily Piva, Mrs. Ruby Knowlen, Clyde Wakeman, Swan Johnson, George Kupka, Willy Brouillett, James E. Kelly, Otto Siburg, Percy Watkins, John Starke, Mrs. Pearl O'Dell, Louis Muscek and Burt McMurtrie. Louis Muscek was appointed temporary chairman.

Mayor Rasmussen further stated he would nominate four County representatives who would meet with the committee and serve in an ex-officio capacity as follows: Albert Tisch of Parkland, Henry Foss of Day Island, Ellory Buddle of Lakewood and Harold Gloyde of Lakewood.

Mr. Cvitanich moved to concur in Mayor Rasmussen's recommendations for the Committee to study proposals for the revision of the City Charter. Seconded by Mr. Zatkovich.

Dr. Herrmann wondered if anyone from the University of Puget Sound had been considered as a member of the committee. He also noted that the committee did not seem unbiased by its composition. He asked what was the purpose of the committee and what will they be considering.

Mayor Rasmussen explained that the purpose is to study the City Charter and recommend changes so it might be more functional. He mentioned the committee consists of good average citizens instead of persons active in banking, universities or politics. He added, the committee could draw on the resources of all the universities in the entire State. 344

Mr. Finnigan explained he had been remiss about telling the Council Mr. Dimitri Todd had volunteered to serve on this particular committee.

Mayor Rasmussen stated that he would be happy to keep Mr. Todd in mind if someone is unable to serve.

Dr. Herrmann suggested that former Mayor Tollefson be appointed to the committee.

Mayor Rasmussen stated Mr. Tollefson had volunteered but he felt the former Mayor could best serve in an advisory capacity.

Voice vote was taken on Mr. Cvitanich's motion to concur in Mayor Rasmussen's appointments to study the City Charter changes. Motion unanimously carried.

Mayor Rasmussen stated a resolution will be on the agenda for next week confirming these appointments.

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Mayor Rasmussen explained that if the City remains in the Puget Sound Governmental Conference the cost of dues at the first of the year, combined with costs of regional transportation study, would total approx. \$20,000. He added, he had discussed the idea of a governmental conference for the County with the Pierce County Commissioners. He felt this type of conference would comply with HUD requirements. He felt a large portion of the \$20,000 could be saved if it is determined that the City would like to form their own governmental conference jointly with Pierce County. 296 363

Mr. Cvitanich explained that primarily the Puget Sound Governmental Conference is a planning body formed on a voluntary basis so that elected officials could exchange ideas on problems of mutual concern, and in this manner provide a unified front to the State Legislature. In the beginning no budget was needed. Unfortunately, over the years it has grown so fast that at their last meeting only ten elected officials were present compared to fourteen staff members.

Mr. Cvitanich felt that it has reached a point now that the elected officials from Tacoma should work in consort with the elected Representatives and State Senators, rather than through the Puget Sound Governmental Conference.

Mr. O'Leary moved that the City of Tacoma withdraw from the Puget Sound Governmental Conference and that the City form its own conference in conjunction with Pierce County Commissioners and the cities of Pierce County. Seconded by Mr. Cvitanich.

Mr. Finnigan urged that Tacoma's membership in the P.S. Conference be maintained until the proposed single-county body could be formed. In that event, funds would still be needed. He thought there were too many ramifications to be studied before a decision such as this is made.

Mayor Rasmussen explained if the City is a member of a group which includes Pierce County as well as the cities in Pierce County, it would fulfill federal requirements, as a city must be a member of a larger agency before federal projects could be approved.

After some discussion Mr. Finnigan felt that the motion should be delayed until the new Mayor takes office.

Roll call was taken on Mr. O'Leary's motion to withdraw from the P. S. Governmental²⁶ Conference and form a conference in conjunction with the Pierce County Commissioners³⁴⁵ and cities of Pierce County. Ayes 7: Banfield, Cvitanich, Dean, Jarstad, O'Leary, Zatkovich and Mayor Rasmussen. Nays 2: Finnigan and Herrmann. Absent 0. Motion carried.

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Mrs. Banfield asked why the October bank statement was not included in the Financial report.

Mr. Gaisford explained it was inadvertently left out and would be included in the November report.

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Mrs. Banfield reported that a Historical Building Committee is being formed and she wondered why Mr. Liddle of the Civic Arts Commission had repeatedly explained to the Council that the Civic Arts Commission was to be the only body that was going to work on the Building program. She asked that the ordinance regarding the functions of the Civic Arts Commission be amended to include a paragraph relative to programs being set up for the designation and preservation of historical landmarks and buildings within the City.

Mr. Hamilton explained he would prepare an amendment.

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Mayor Rasmussen explained that at a finance committee meeting it was discussed that the banks are now required to be certified under the new deposit law, and the certification must be signed by the Mayor.

Mr. Gaisford explained if this is a requirement it has been overlooked as the banks have submitted their letters to the City Treasurer as certified but he would check with the Legal Dept.

Mrs. Banfield asked if the banks pay a B. & O. tax.

Mr. Hamilton replied he would check this out, but the National Banking Institutions are exempt because of federal charters. The City ordinance is patterned after the State Law which exempts National Banks, apparently on a policy determination. It also exempts State Banks, Savings & Loans, small loan companies, etc.

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Mayor Rasmussen asked Mr. Hamilton, Acting City Attorney when the Federal government grants funds to the City for open space, under a deed restriction, can those funds be used for any other purpose without Government approval.

Mr. Hamilton remarked he would check the legal interpretation.

REPORTS BY THE CITY MANAGER:

Mr. McCormick explained that any of the staff is available if the Council wishes to call on them relative to the budget deliberations. He hoped the budget can be passed as soon as possible.

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Mr. McCormick asked the Councilmen when they request any information on any matters if they would please advise the Manager or City Attorney's offices if they wish copies for themselves or for the entire Council.

Mr. McCormick explained that he would ask for a study session when he has obtained the information on the ambulance and taxi fees.

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Mr. Cvitanich asked when any department sponsors a resolution or ordinance that this information be placed on the resolution or ordinance for clarification for the new members of the Council.

Mr. McCormick explained, the new policy is that a fact sheet should be accompanying the request, and if it is not submitted, the request will not be approved.

COMMENTS BY MEMBERS OF THE COUNCIL:

A communication dated Dec. 9, 1969 sent to Mrs. Banfield from Tom Wells, 841 Ea. 48th was read. Mr. Wells asked that the Human Relations Commission be investigated and if found in violation of the City Charter, particularly in regard to sensitivity training, they be prosecuted.

Mrs. Banfield agreed with Mr. Wells that an investigation should take place. She also felt that the meetings of the Education Task Force should be investigated. She felt the School Board should look into the matter.

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Mr. Cvitanich requested that the Public Works Dept. check to see if left turn lanes are possible at 9th & Tacoma Ave., as well as No. 30th and McCarver St.

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Mr. Cvitanich asked that a status report be submitted on an L I D for streets at No. 31st and Warner Sts.

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Mr. Zatkovich mentioned that a Police Officer, on a special detail, has been criticizing Council members publicly. Mr. Zatkovich felt that this should not be allowed. He asked Mr. McCormick to discuss this problem with Chief Zittel.

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Mayor Rasmussen said that a group of Wilson High school students under the sponsorship of the Rotary Club have requested permission from the Council to perform a Civic project. He stated that Mr. Bond was to look into the matter to see why this permission was needed from the Council.

Mr. Hamilton explained that Mr. Bond had contacted him, and the only concern was if they were going to work for the City they should be covered under the Workman's Compensation Law. The Club should obtain the necessary releases from the youngsters and their parents in the event anyone is injured.

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Mayor Rasmussen explained a communication had been received from Dr. VanDorren stating that the Community Mental Health Clinic did not wish to compete with the Health Dept. for funds.

Mayor Rasmussen asked that the Council members read the communication relative to Water Pollution which was in the agenda material, as it relates to the sewer connection to NE Tacoma.

Mr. Jarstad asked what is the procedure relative to citizens being able to criticize Council members at Council meetings.

Mayor Rasmussen explained that under the Rules of the Council, any citizen may send a letter asking permission to speak, and unless such a citizen becomes abusive they are allowed to speak on any subject.

Mr. Cvitanich explained that any member of the Council may call a point of order if he feels that a speaker is out-of-bounds. Then if the Chair rules against the point of order, it can be put to a vote and if the Council sustains, the point of order is well taken.

Mayor Rasmussen said this pertains to the public as well as the Council.

CITIZENS' COMMENTS:

Mr. Buell, 32 California, read a communication in which he asked that Mr. Finnigan and Dr. Herrmann be removed from the office of City councilmen.

Mayor Rasmussen announced that Mr. Dale L. Carlisle would not be present at this meeting and has asked for a postponement until next week.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the Board of Park Commissioners for November 24, 1969.
- b. Minutes of the Civil Service Board for November 18, 1969.
- c. Agenda for the December 8, 1969 meeting of the Selection & Evaluation Board.
- d. Tacoma Model Cities -Submission III- Goals, Objectives and Strategies.
- e. Report of traffic activities for the month of October 1969 from the Tacoma Police Dept.
- f. Personnel Report for October 1969.
- g. Report from the Director of Finance for October 1969.
- h. Report from the Light, Water and Belt Line Division for October 31, 1969.

Mr. Cvitanich called the Council's attention to page 2 of the Park Board minutes and the addendum relative to the proposed Foss High School and the land at "Tightwad Hill". He noted this was the reason he requested more information regarding the Cheney Stadium property involved with the Parks and Schools as well as the City.

Mayor Rasmussen asked that Mr. Cvitanich, Chairman of the Finance Committee, work out an agreement whereby the City can transfer Cheney Field to the Park Board and then they could take over the paying of the bonds. He asked that Mr. Cvitanich also work with the Chairman of the School Board.

Mrs. Banfield asked Mr. Gaisford look into the amount of approx. \$21,000 which the City is subsidizing the Ball park.

Mayor Rasmussen stated that Mr. Cvitanich could also have a report for the Council on this matter.

Mayor Rasmussen mentioned on page 23 of the Tacoma Model Cities - Submission III, it states that due to the rigid gridiron pattern of streets in the area there is a very high accident rate and he asked that Mr. Zatkovich, Chairman of the Public Safety Committee, review this matter with the Police Dept. and find out what their findings are regarding accident rates.

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Mr. O'Leary pointed out that on page 22 it mentions that no parks for children and teenagers are within the Model City neighborhood. He felt Wright Park has an especially good recreational program.

Mayor Rasmussen explained there are a number of instances in the report which he would question as he felt they had been copied from another report and did not necessarily pertain to Tacoma.

Mrs. Banfield noted on page 11, it states that programs should be eliminated if they are not accomplishing what they were designed to accomplish.

Mayor Rasmussen felt this was a true statement and he would heartily agree.

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Mr. Cvitanich moved to adjourn the meeting. Seconded by Mr. Zatkovich. The meeting adjourned at 8:40 P. M.

A. L. Rasmussen
A. L. Rasmussen - Mayor

Attest: Josephine Melton
Josephine Melton - City Clerk