

CITY COUNCIL MINUTES

City Council Chambers
August 23, 1994

The meeting was called to order at 5:05 p.m.

Present on roll call: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

The Flag Salute was led by Council Member Silas.

CONSENT AGENDA

RESOLUTIONS:

Resolution No. 32730

Setting Tuesday, September 27, 1994, at approximately 9:00 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate a portion of the alley between East 26th and East 27th Streets east of East N Street. (Northwest Meats, Inc.; File No. 124.1005)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, August 23, 1994.
- b. Minutes of the meeting of the Tacoma Planning Commission and public hearing, August 3, 1994.
- c. Volunteer Services Quarterly Report, June 30, 1994.
- d. Tacoma Employees' Retirement System 53rd Annual Component Unit Financial Report, December 31, 1993.
- e. Report of the Director of Finance, June 1994.

Deputy Mayor Miller moved that the Consent Agenda, including Resolution No. 32730, be approved. Seconded by Council Member Silas. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.574 to allow the dredging and widening of Blair Waterway and the filling of an existing graving dock at 2330 Alexander Avenue. (Port of Tacoma; File No. 141.574)

Deputy Mayor Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Evans. Roll call vote was taken, resulting as follows: Ayes: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss. Nays: 0. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 25552

Accepting program revenues in the amount of \$2,870 from a Housing Conference; depositing in and appropriating said sum from the General Fund for unbudgeted costs of said conference.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25553

Accepting \$1,200 from the Washington Commission for the Humanities, \$300 from the United Nations Association of the USA, \$100 from Fred and Dorothy Haley, \$60 from Ward and Alice Miles, \$3,400 from an anonymous donor and program revenues of \$1,151 from the "Creating a More Equitable Economy In a Sustainable Environment" conference; depositing in and appropriating \$3,825 from the General Fund for expenditures associated with said conference and to reimburse the anonymous donor in the amount of \$2,386.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25554

Accepting \$4,500 from McDonald's Corporation, \$3,000 from the Weyerhaeuser Company Foundation, \$1,000 from Pierce County, \$500 from Washington Mutual, \$500 from Public Utilities, \$300 from the Washington State Human Rights Commission and the donation of goods and services from The News Tribune, Northwest Dispatch, Pierce Transit, Crane's Creations, Inc., Peninsula Ambulance, Inc., Tacoma Public Schools, the Tacoma Police Department and the Tacoma Dome; depositing in and appropriating \$9,800 from the General Fund for the Martin Luther King Day Celebration which was held on January 17, 1994.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25555

Accepting program revenues of \$1,645 from an Employers' Conference; depositing in and appropriating said sum from the General Fund for unbudgeted expenditures of said conference.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Substitute Ordinance No. 25556

Amending Title 8 of the Official Code by repealing and reenacting Sections 8.02.020, 8.10.030 and 8.30.040 relative to penalties for violations involving abandoned iceboxes, trash deposits around charity donation boxes and nuisances.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Substitute Ordinance was declared passed.

Substitute Ordinance No. 25557

Amending Title 5 of the Official Code by repealing and reenacting Sections 5.02.320, 5.24.030, 5.30.040, 5.32.020, 5.34.020, 5.38, 5.23.030, 5.02.070 and 5.46.020 relative to penalties for violations relating to garbage, rubbish and pollution and the keeping of animals and domestic fowl.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Substitute Ordinance was declared passed.

Substitute Ordinance No. 25559

Amending Title 13 of the Official Code by repealing and reenacting Section 13.06.510 relative to penalties of zoning violations.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Substitute Ordinance was declared passed.

Substitute Ordinance No. 25560

Amending Title 2 of the Official Code by repealing and reenacting Sections 2.01.130, 2.02.500, 2.06.060 and 2.07.060 relative to penalties for violations for dangerous buildings, the Uniform Building and Plumbing Codes and the Mechanical Code.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Substitute Ordinance was declared passed.

Substitute Ordinance No. 25561

Amending Title 3 of the Official Code by repealing and reenacting Sections 3.02.040 and 3.05.240 relative to penalties for violations of the Fire Prevention and Supplementary Life Safety Codes.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Substitute Ordinance was declared passed.

Ordinance No. 25563

Establishing Consolidated L.I.D. No. 51 and authorizing the issuance and sale of Local Improvement District bonds in the amount of \$658,244.28 for L.I.D. Nos. 3946, 3948, 6968, 6969, 7710, 7711, 7712, 7713 and 8540.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Ordinance No. 25563. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25564

Amending Chapter 5.04 of the Official Code relative to infectious waste management and adding Section 5.04.045 relative to residential sharps waste.

Speaking before the Council was:

Mr. Braunsteiner

3715 South Alaska

The Ordinance was set over for final reading next week.

Ordinance No. 25565

Authorizing the execution of a grant agreement with the Washington State Department of Community, Trade and Economic Development in the amount of \$250,000; depositing in and appropriating said sum from the Capital Improvement Program Summary Fund for the Thea Foss Waterway Environmental Impact Statement Project.

The Ordinance was set over for final reading next week.

Ordinance No. 25566

Repealing Sections 6.38.090 and 6.38.100 of the Official Code relative to public dance halls.

The Ordinance was set over for final reading next week.

Ordinance No. 25567

Repealing Chapter 6.31 of the Official Code relative to motion picture machine operators.

The Ordinance was set over for final reading next week.

Ordinance No. 25568

Repealing Section 6.35.030 of the Official Code relative to censorship and the prohibition of immoral pictures.

The Ordinance was set over for final reading next week.

Ordinance No. 25569

Repealing Sections 6.25.050 and 6.25.060 of the Official Code relative to hotels and lodging.

The Ordinance was set over for final reading next week.

Ordinance No. 25570

Repealing Sections 6.15.050(G), 6.15.054 and 6.15.057 of the Official Code relative to limitations for the cost of solicitation and promotions.

The Ordinance was set over for final reading next week.

Ordinance No. 25571

Repealing Chapter 5.44 of the Official Code relative to wheat dust.

The Ordinance was set over for final reading next week.

Ordinance No. 25572

Repealing Chapter 5.40 of the Official Code relative to restrooms.

The Ordinance was set over for final reading next week.

Ordinance No. 25573

Amending Section 3.04.020 and repealing Sections 3.04.050, 3.04.080, 3.04.090, 3.04.110, 3.04.120 and 3.04.170 of the Official Code relative to updating regulations of the Tacoma Fire Department.

The Ordinance was set over for final reading next week.

Ordinance No. 25574

Repealing Chapter 1.38 of the Official Code relative to the Model Cities Land Use Review Board.

The Ordinance was set over for final reading next week.

Ordinance No. 25575

Repealing Chapter 1.26 of the Official Code relative to the Neighborhood Youth Corps.

The Ordinance was set over for final reading next week.

Ordinance No. 25576

Repealing Chapter 6.57 of the Official Code relative to endless chain sales.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 32731

Authorizing the execution of an easement to the U.S. Forest Service for property located over Water Division property to increase access control within the Green River Watershed.

Council Member Silas moved that the Resolution be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 32732

Authorizing the execution of an easement to Plum Creek Timber Company, L.P. for property located over Water Division property to correct Road Segment A and allow construction of a new Road Segment B to serve as a bypass road for access along the Green River in the Lester area.

Council Member Evans moved that the Resolution be adopted. Seconded by Council Member Silas. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 32733

Authorizing the execution of an amendment to the agreement with Tidemark Computer Systems, Inc., in the amount of \$153,975 for an Integrated Permit Management System.

8

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 32734

Authorizing the execution of an Agreement in Principle with the Metropolitan Park District, the Town of Ruston and ASARCO to facilitate the cleanup and development of the ASARCO Smelter Site.

Speaking before the Council were:

Mayor Parker
Robert Skanes
Tom Aldrich

Town of Ruston
4048 South A Street
ASARCO

Deputy Mayor Miller moved that the Resolution be adopted. Seconded by Council Member Silas.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Resolution was declared declared adopted.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. requested an Executive Session, not to exceed 30 minutes, to discuss pending and potential litigation.

Mr. Corpuz announced that the General Government's Community Connection program participated in the Paint Tacoma-Pierce County Beautiful Program by painting the home at 6516 Tacoma Avenue South. Mr. Corpuz read the names of the 24 employees who participated in this effort.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Kirby indicated that in the memorandum on the Land Use Management Plan amendments, the ordinance for adopting the Plan is scheduled for Council consideration on September 13. Council Member Kirby requested that Council be given more time to review the material on the proposed amendments.

Council Member Silas commended the staff who participated in the Paint Tacoma Beautiful Project. Council Member Silas expressed her best wishes to Dick Moe (Chairman, Metropolitan Park District Board) for a speedy recovery from a possible heart attack.

Deputy Mayor Miller also expressed his concerns and best wishes to Dick Moe. Deputy Mayor Miller apologized to Mr. Skanes if he let his frustrations get in the way of their conversation on the boat launch.

Council Member De Forrest stated that the Tacoma firefighters who helped put out the fires in Western Washington did a good job.

He noted that one City employee from Sewer and two from Street Maintenance, who are members of the National Guard, were also called to assist with the fires in eastern Washington when the Governor declared a state of emergency. He indicated that the three employees who were called to assist with the fires had to have the time they spent putting out the fires deducted from their pay as "leave without pay." He stated that according to the Personnel Rules, 15 days are allowed for National Guard duties, but there is no provision for State-declared emergencies. Council Member De Forrest indicated that some of the colleagues of the three employees attempted to donate their sick and vacation time to assist the three individuals; but according to the Personnel Rules, this was not allowed. Council Member De Forrest said that he has talked with the Chair of the Civil Service Board to see if there could be a Rule change to accommodate these kind of circumstances. Council Member De Forrest also asked if there was anything that could be done to help these individuals.

Council Member McGavick reported that the Joint Commission on Domestic Violence, will be preparing a Comprehensive Plan on Domestic Violence and the Council will have an opportunity to review this Plan.

Council Member Baarsma reported on the pending crime bill currently before the United States Senate. He stated he discussed with Mr. Len Simon, the effects the House's action would have on the City's potential funding of \$2.7 million under this bill. Council Member Baarsma indicated that there is some funding available for domestic violence. Council Member Baarsma emphasized the need to upgrade the LESA's Computer Aided Dispatch system. He strongly urged that a message be sent to Senator Gorton pleading him not to be a part of a filibuster to kill the crime bill. He emphasized that the bill is critical to the City of Tacoma.

10

Council Member Evans announced that at next week's study session the Council will be discussing regional airports.

Council Member Silas congratulated Juli Daniel on her upcoming wedding.

Deputy Mayor Miller moved to cancel the September 6, 1994 Council meeting. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Miller moved that Council recess to Executive Session, not to exceed 30 minutes, to discuss pending and potential litigation. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:40 p.m. and reconvened at 8:05 p.m.

On proper motion, the meeting was adjourned at 8:05 p.m.



HAROLD G. MOSS, MAYOR

ATTEST: 

GENELLE BIRK, CITY CLERK