



City Council Minutes

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City Council Chambers, 747 Market Street, First Floor, Tacoma, Washington 98402

May 10, 2005

The meeting was called to order at 5:11 p.m.

Council Members Present: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

The Flag Salute was led by Deputy Mayor Ladenburg.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Human Rights Commission, March 17, 2005.
- b. Minutes of the Neighborhoods and Housing Committee, April 4, 2005.
- c. Minutes of the Public Safety and Human Services Committee, April 7, 2005.

CONSENT AGENDA

Approval of the minutes of the City Council study sessions, March 22, March 29, April 5, and April 12, 2005; and regular meetings, April 19 and April 26, 2005.

RESOLUTIONS

Resolution No. 36498

Setting Tuesday, June 7, 2005, at 9:30 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of East N Street between East 46th and East 48th Streets, to combine the vacated property with the abutting property for an access road for single-family affordable housing. (Habitat for Humanity; File No. 124.1239)

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Resolution No. 36499

Setting Tuesday, June 7, 2005, at 9:30 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate the west five feet of East Road and the south five feet of Bradley Road to combine the vacated property with the abutting property for the expansion and remodel of a garage. (Scott Vipond; File No. 124.1240)

FIRST READING OF ORDINANCES

Ordinance No. 27358

Vacating a portion of South 60th Street, between the west boundary line of South Stevens Street and the alley to the west, for the construction of single-family homes. (Habitat for Humanity; File No. 124.1235)

Deputy Mayor Ladenburg moved that the Consent Agenda, including Resolution Nos. 36498 and 36499 and Ordinance No. 27358, be approved. Seconded by Council Member Phelps.

Mayor Baarsma moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner for Ordinance No. 27358. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 36498 and 36499 and setting Ordinance No. 27358 over for final reading to a date to be determined, was declared approved.

PROCLAMATIONS

There were no proclamations.

Mayor Baarsma mentioned the recent presentation of the 10th Annual Golden Tennis Shoe award by Senator Patty Murray to a local recipient, Ms. Rosalyn Watson.

PUBLIC COMMENT

This is the time set aside for public comment on items on the agenda. Speakers are asked to identify the specific agenda items they wish to address and comments will be limited to up to five minutes per person.

Public Comment began at 5:15 p.m.

Speaking before Council:

Name	Address/Affiliation	Subject
Phyllis Barrett	912 South Cushman Avenue	Ordinance Nos. 27359 and 27360

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Name	Address/Affiliation	Subject
Allen Douglass	University Place resident	Various ordinances and resolutions
Herman Dillon Sr. Charles Creso	Puyallup Tribal Chair 5501 Broadview Avenue NE	Resolution No. 36505 Ordinance No. 27355; Resolution No. 36494
Jeanie Peterson	Hilltop Action Coalition	Ordinance No. 27360
Jack Pleasant	2540 South I Street	Ordinance No. 27360
Steve Apling	Central Neighborhood Council	Ordinance No. 27360
Maureen Loop	Central Neighborhood Council	Ordinance No. 27360
Dee Morgeson	Central Neighborhood Council	Ordinance No. 27360
S. Troy Christensen	2 Creekwood Lane, Lakewood, Homeless Coalition, Greater Lakes Mental Health	Ordinance No. 27360
Florence Dahling	Homeless Transition Housing	Ordinance No. 27360
Patti Moore	Street Pulse Volunteer	Ordinance No. 27360
Myrtle Harris	1715 South 17 th Street	Ordinance No. 27360
Rob Gleason	702 South 7 th Street	Ordinance No. 27360
Phillip Brooke	2314 South Ainsworth Avenue	Ordinance No. 27360
Rick Cvitanich	2808 North 8 th Street	Ordinance No. 27360
Denny Faker	915 North Sheridan Avenue	Ordinance No. 27360
Douglas Thrusher	Pennington Apartments	Ordinance No. 27360
Pastor John E. Aquino	925 South Ainsworth Avenue	Ordinance No. 27360
James Myers	2126 South Alaska Street	Ordinance No. 27360
Joseph Sulzer	2117 South Wilkerson Street	Ordinance No. 27360
Debi LaFleuv	Pierce County Human Services Coalition	Ordinance No. 27360
Walter Zische	Intercommunity Mercy Housing	Ordinance No. 27360
Carl Manley	2101 Martin Luther King Jr. Way	Ordinance No. 27360
Reverend Herman Hawkins	2102 South Cushman Avenue	Ordinance No. 27360
Paul Warren	Mount Zion Baptist Church	Ordinance No. 27360
Denny Hunthansen	Catholic Community Services	Ordinance No. 27360
Kelvin Brown	2521 South Grant Avenue	Ordinance No. 27360
Sandy Burgess	1506 North 8 th Street	Ordinance No. 27360
Bob Aaron	710 South 18 th Street	Ordinance No. 27360
Frances Lorence	816 South L Street	Ordinance No. 27360
David Alger	Associated Ministries	Ordinance No. 27360
Skip Vaughn	South Tacoma Neighborhood Council	Ordinance No. 27360
Larry Elise	Tacoma resident	Ordinance No. 27360
Dana Morrison	Tacoma resident	Ordinance No. 27360
Crystal Sohnrey	Tacoma resident	Ordinance No. 27360
Janis Martin	2122 Martin Luther King, Jr. Way	Ordinance No. 27360
Gina Eury	2329 South Grant Avenue	Ordinance No. 27360
Tim Strege	WM Factory Small Business Encubator	Resolution No. 36501
Peggy Mutchie	1016 South 8 th Street	Ordinance No. 27360

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Public Comment closed at 7:06 p.m.

Deputy Mayor Ladenburg moved to suspend the rules to consider Resolution No. 36505. Seconded by Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 36505

Naming the new bridge across Lister Gulch located at East 32nd Street “Ke-lah-bid” to honor the history and heritage of the Puyallup Tribe of Indians.

Deputy Mayor Ladenburg moved that the Resolution be adopted. Seconded by Mayor Baarsma. Voice vote was taken and carried. The Resolution was declared adopted.

Council Member Manthou moved that the Council authorize and direct the City Manager Performance Review Committee and the Acting City Attorney to enter into contract negotiations with City Manager Candidate Eric Anderson. Seconded by Council Member Talbert. Voice vote was taken and carried.

The motion was declared adopted.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 27355

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation negotiated with District Lodge 160, on behalf of Local Lodge 297 of the International Association of Machinists and Aerospace Workers, Track Workers Unit, Belt Line Division, for 8 employees, effective January 1, 2002, through December 31, 2008; and changes in classification to reflect the organizational structure.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Anderson, Evans, Ladenburg, Lonergan, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 0

Absent: 1 – Manthou.

The Ordinance was declared passed.

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Ordinance No. 27356

Accepting \$250,000 from the MacMillan-Piper Corporation for the construction of railroad siding and intermodal spurs in the Frederickson area for the Mountain Division Line; and amending the Biennial Budget for the years 2005-2006.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Anderson, Evans, Ladenburg, Lonergan, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 0

Absent: 1 – Manthou.

The Ordinance was declared passed.

Ordinance No. 27357

Amending Chapter 8.29 of the Municipal Code, relating to drug paraphernalia, to delete rebuttal presumptions regarding the continued display, sale, or distribution of drug paraphernalia, and to clarify the definition of drug paraphernalia and level of prosecution in relation to state law.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Anderson, Evans, Ladenburg, Lonergan, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 0

Absent: 1 – Manthou.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 27359

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation negotiated with the Teamsters Local 313, for 112 employees, effective January 1, 2004, through December 31, 2006.

The Ordinance was set over for final reading next week.

Ordinance No. 27360

Adopting an immediate moratorium on the establishment of and/or the acceptance of applications for land use permits for Group Homes, Group Residential facilities and Emergency and Transitional Housing, to be effective for a period of 365 days; and setting Tuesday, July 12, 2005, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the moratorium; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 36500

Awarding contracts to:

1. Petter Investments, Inc., d.b.a. Riveer Company in the amount of \$53,896.00, plus sales tax, for one Barrel Wash System – Specification No. PW05-0038F;
2. Northwest Cascade, Inc., on its bid of \$381,888.50, including sales tax, for the Earnest S. Brazill Street Storm Sewer Replacement Project – Specification No. PW05-0124F;
3. Coast Rail, Inc., on its bid of \$387,002.00, including sales tax, for three signal crossings near Elbe, Washington – Specification No. PW04-0843F; and
4. Alcatel Internetworking, Inc., in the amount of \$110,316.25, plus sales tax, for video, voice, and data transport equipment – Washington State DIS Contract No. AR 1466.

Council Member Phelps moved to waive further reading of the Purchase Resolution based on information provided. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

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

Deputy Mayor Ladenburg moved to suspend the rules to consider Resolution Nos. 36501, 36502, 36503, and 36504 at this time. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

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Resolution No. 36501

Authorizing the submittal of the 2005-2010 Five-Year Consolidated Plan, including the 2005-2006 Annual Action Plan, to the United States Department of Housing and Urban Development.

Deputy Mayor Ladenburg moved that the Resolution be adopted. Seconded by Council Member Phelps.

Council Member Stenger moved the amendment that he distributed to the Council this weekend as follows:

“It would allocate \$25,000 of the \$30,000 contingency fund, much like we did last year, to the following agencies, and after I get a second, I’ll just explain what I’m doing.”

Seconded by Council Member Phelps.

“First, would be the New Life Square Emergency Services, \$5,000; the King Center Emergency Shelter, \$5,000; the Homeless Services MDC, \$4,000; the New Connections Project, Irma Gary House, \$4,000; the Therapeutic Child Care Program, 1st Place for Children, \$4,000; and the Sexual Assault Center for education and prevention, \$2,000; and then for shared Housing Services for \$1,000; for a total of \$25,000.”

Voice vote was taken and carried. The Resolution, as amended, was declared adopted.

Resolution No. 36502

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with Tacoma Townhomes, LLC, for the construction of 12 market-rate, row house-style apartments located at 1614 East 34th Street in the Lower Portland Avenue Mixed-Use Center.

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

Resolution No. 36503

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with Puget Street Townhomes, LLC, for the construction of ten market-rate townhome-style apartments located at 4023 South Puget Sound Avenue in the Tacoma Mall Mixed-Use Center.

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

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Resolution No. 36504

Establishing a joint City of Tacoma and Pierce County Health Department Agreement Task Force to recommend revisions to the agreement between the two agencies; appointing Council Members Rick Talbert and Kevin Phelps, City Manager James L. Walton, and support staff to the Task Force; and directing the Task Force to forward recommendations to the City Council by August 31, 2005.

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

Mayor Baarsma moved to convene to Executive Session to discuss labor negotiations, the session not to exceed 60 minutes. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Council convened to Executive Session at 8:35 p.m. and reconvened at 9:47 p.m.

Resolution No. 36494

Authorizing the execution of a collective bargaining agreement negotiated with the Tacoma Firefighters Union, Local 31, which covers 388 employees, effective January 1, 2004, through December 31, 2005.

Council Member Phelps moved to continue Resolution No. 36494 to a date to be determined. Seconded by Council Member Talbert.

Resolution No. 36501

Authorizing the submittal of the 2005-2010 Five-Year Consolidated Plan, including the 2005-2006 Annual Action Plan, to the United States Department of Housing and Urban Development.

The Resolution was considered earlier in the meeting.

Resolution No. 36502

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The Resolution was considered earlier in the meeting.

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The Resolution was considered earlier in the meeting.

Resolution No. 36504

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The Resolution was considered earlier in the meeting.

Resolution No. 36505

Naming the new bridge across Lister Gulch located at East 32nd Street “Ke-lah-bid” to honor the history and heritage of the Puyallup Tribe of Indians.

The Resolution was considered earlier in the meeting.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

No Report.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

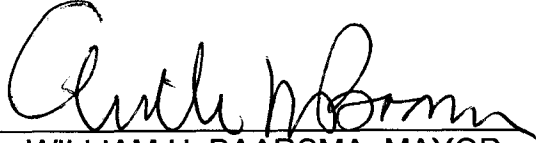
Council Member Lonergan mentioned the recent passing of former Fire Chief Tony Mitchell, April 27, 2005.

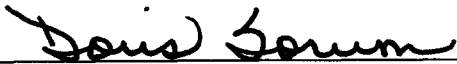
Council Member Talbert stated he agreed to send a letter to the State Liquor Board and to the Tacoma City School Board opposing the issuance of a liquor license to a local business located at 56th Street and Portland Avenue directly across the street from a Middle School.

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ADJOURNMENT

On proper motion, the meeting was adjourned at 9:50 p.m.


WILLIAM H. BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK

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