

# CITY COUNCIL MINUTES

City Council Chambers  
July 9, 1996

The meeting was called to order at 5:04 p.m.

Present on roll call: 7 - Baarsma, Crowley, Evans, Kirby, McGavick, Miller, and Mayor Ebersole. Absent: 2 - De Forrest and Silas. (Deputy Mayor Silas arrived at 5:11 p.m.)

The Flag Salute was led by Council Member Crowley.

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## CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of June 4 and 11, 1996.

### RESOLUTIONS

#### **Resolution No. 33426**

Setting Tuesday, August 20, 1996, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate the alley between East 58th and East 60th Streets west from East B Street adjacent to 5818 East B Street. (Edley C. Lautermilch; File No. 124.1034)

#### **Resolution No. 33427**

Setting Tuesday, August 20, 1996, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate the northwest corner of South 19th and Mullen Streets. (John D. West; File No. 124.1035)

#### **Resolution No. 33428**

Setting Tuesday, August 20, 1996, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate South 28th Street between Orchard and Mullen Streets. (Eagle Hardware and Garden; File No. 124.1036)

#### **Resolution No. 33429**

Setting Tuesday, July 16, 1996, at approximately 6:00 p.m., as the date for a public hearing by the City Council relative to interim zoning regulations to prohibit billboards

and a temporary moratorium on the acceptance of permits for the construction, relocation and/or banking of billboards in the City of Tacoma.

**Resolution No. 33430**

Approving the final plat for WILCHER ADDITION located on the southeast corner of East 84th and A Streets for a seven-lot subdivision. (George Tyler; File No. PLT96-00005)

ASSESSMENT ROLLS

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

L.I.D. No. 6972 for the installation of modern street lighting on Bell Street from South 40th to South 45th Streets.

L.I.D. No. 8576 for the placement of permanent pavement with storm drainage on South 45th Street from Cedar to Alder Streets.

L.I.D. No. 8579 for the placement of permanent pavement with storm drainage on East G Street from East 40th to East 43rd Streets.

Setting Monday, August 12, 1996, at 5:00 p.m., as the date for a hearing by the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner agenda for July 9, 1996.
- b. Minutes of the planning retreat of the Tacoma-Pierce County Commission on Children, Youth and Families, April 11, 1996.
- c. Minutes of the meeting of the Planning Commission, June 17, 1996.
- d. Minutes of the study session and meeting of the Public Utility Board, June 12, 1996.
- e. Minutes of the meetings of the Urban Policy Committee, March 20, 21, and 27, and the special meeting of April 1, 1996.
- f. Statements by City employees disclosing remote interests pursuant to Tacoma Municipal Code 1.46.030(O) as follows:

<u>Name</u>	<u>Affiliation</u>
Linda Reiter	Eastside Improvement Group

- g. Monthly Financial Reports for Light Division, Water Division, Belt Line Division, Conservation Project Fund, Data Processing Fund, Fleet Services Fund, Geographic Information System Fund and Self-Insurance Claim Fund, May 1996.

Council Member Miller moved that the Consent Agenda, including Resolution Nos. 33426 through 33430, be approved. Seconded by Council Member Crowley. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 33426 through 33430, was declared approved.

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## REGULAR AGENDA

### ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS

#### **Resolution No. 33431**

Appointing individuals to the South End Neighborhood Center Advisory Committee, Transportation Committee, Urban Policy Committee, Environmental Commission and Planning Commission.

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

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### FINAL READING OF ORDINANCES

#### **Ordinance No. 25735**

Vacating a portion of the westerly ten feet of North 9th Street southerly of Tacoma Avenue, to combine the vacated area with the abutting property for the construction of a new garage with a driveway accessing North 9th Street. (Stanford L. Martin; File No. 124.1016)

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, Evans, Kirby, McGavick, Miller, and Mayor Ebersole.

Nays: 0.

Absent: 2 – De Forrest and Silas.

The Ordinance was declared passed.

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(Deputy Mayor Silas arrived at 5:11 p.m.)

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#### **Ordinance No. 25902**

Amending Chapter 13.06 of the Municipal Code to reclassify the property located at 2914 South Lawrence Street from a "R-3" Two- and Three-Family Dwelling District to a "C-1" Commercial District for the construction of a 7,000 square foot medical clinic. (AustinCina Architects; File No. REZ96-00004)

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0.

Absent: 1 – De Forrest.

The Ordinance was declared passed.

**Ordinance No. 25927**

Providing for the formation of L.I.D. No. 8598 for the placement of permanent pavement on the alley between Trafton and State Streets from South 8th to South 10th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0.

Absent: 1 – De Forrest.

The Ordinance was declared passed.

**Ordinance No. 25928**

Approving and confirming the assessment roll for L.I.D. No. 5719 for the construction of water main and fire hydrants in Sweet Street from Portland Avenue to 250 feet east of East Q Street.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0.

Absent: 1 – De Forrest.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES

**Ordinance No. 25929**

Vacating a portion of 35th Street NE east of Browns Point Boulevard to combine the vacated area with abutting properties in conjunction with a proposed subdivision. (Ed Veeder; File No. 124.1030)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Deputy Mayor Silas. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading to a date to be determined.

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RESOLUTIONS

**Purchase Resolution No. 33432**

Awarding contracts to:

1. Excel Marketing Plus, on its bid of \$30,201.33, for safety gloves - Specification No. G-036-96; and
2. Gifford Industries, in the amount of \$28,560, for the Tacoma Dome basketball floor refinishing - Sole Source.

Council Member Miller moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 2, be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 2, was declared adopted.

**Resolution No. 33433**

Authorizing the execution of an amendment to the agreement with Milliman & Robertson, Inc., for an estimated total amount of \$115,000 to provide actuarial consulting services through December 31, 1996.

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

**Resolution No. 33434**

Authorizing the execution of amendments to the Operating Agreement and the Housing Development Agreement with the Hilltop Homeownership Development Center; and allocating \$259,500 in Community Development Block Grant funds for the continuation of the homeownership program.

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

**Resolution No. 33435**

Authorizing the execution of an agreement with Preston, Gates and Ellis in the amount of \$25,000 for legal services relative to the creation and implementation of the "Foss Waterway Development Authority."

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

**Resolution No. 33436**

Authorizing the execution of an agreement with Diamond Parking to provide parking spaces at the Rialto Parking Garage for the Tacoma Police Department.

Deputy Mayor 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. 33437**

Authorizing the purchase of an Inductively Coupled Plasma (ICP) laboratory instrument from the Perkin Elmer Company in the amount of \$124,977; and waiving formal bidding procedures.

Council Member Miller moved that the Resolution be adopted. Seconded by Council Member Baarsma.

Speaking before the Council was:

<u>Name</u>	<u>Affiliation/Address</u>
Skip Vaughn	7634 South Fife

Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 33438**

Authorizing the execution of an amendment to the agreement with ABKJ, in the amount of \$24,500, for additional design services for the Charrette Phase of the I-705 pedestrian overpass project.

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

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**Resolution No. 33439**

Authorizing the execution of an amendment to the agreement with Hornberger Engineering, in the amount of \$34,800, for a maximum amount of \$366,300, to modify and update proposed storm and sanitary sewer rates for 1997 and 1998 and to modify project rates for 1999 through 2000.

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

Speaking before the Council was:

<u>Name</u>	<u>Affiliation/Address</u>
Edward Palmer	802 East 34th Street Apt. 3

Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 33440**

Authorizing the execution of an agreement with Black & Veatch Special Projects Corporation of Tacoma, in the amount of \$1,400,000, to install a new water-supply well for the City of Fircrest and improvements to the groundwater extraction treatment system at the landfill; and waiving formal bidding procedures.

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

Speaking before the Council was:

<u>Name</u>	<u>Affiliation/Address</u>
Xeno Whitenack	5101 North 45th Street

Voice vote was taken and carried. The Resolution was declared adopted.

Council Member Miller moved to suspend the rules to consider Resolution No. 33441 after the public meeting. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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**Resolution No. 33441**

Directing the Planning Commission to conduct a study and make a determination whether or not interim zoning regulations to prohibit billboards and a temporary moratorium on the acceptance and processing of permits for the reconstruction, relocation and/or banking of billboards is warranted and make findings of fact and a recommendation on this issue within 30 days.

(Resolution No. 33441 was be considered after the public hearing.)

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**PUBLIC HEARINGS AND APPEALS** (Began at approximately 6:08 p.m.)

This is the date set for a public meeting to consider whether interim zoning regulations to prohibit billboards and a temporary moratorium on the acceptance of permits for the construction, relocation and/or banking of billboards in the City of Tacoma is warranted.

Speaking before the Council were:

<b><u>Name</u></b>	<b><u>Address</u></b>
Paul Cyr	4102 55th St Ct NW
Anita Preston	2611 North 31th Street
Claire Lawson	3601 6th Ave South
Frank Podany	3601 6th Ave South
Dean Wilson	1401 Sunset Drive
Wendy Isenhardt	2605 North Warner
William Garl	3115 North 28th Street
Mike Honey	718 North M Street
Pat Krueger	718 North M Street
Judy Schmidtke	1338 Farallone Ave
Amanda Clemons	1335 South Highland
Jeremy Gibson	1808 East 32nd Street
Ayesha Newell	923 East 32nd Street
John Avery	2501 North Union Ave
Senator Rosa Franklin	29th State Legislative District
Skip Vaughn	7634 South Fife
Jan Bejarano	3023 South Durango
Mozella Pooley	8041 East Sherwood
Edward Palmer	802 East 34th Street

The public meeting was declared closed at 8:01 p.m.

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**Resolution No. 33441**

Directing the Planning Commission to conduct a study and make a determination whether or not interim zoning regulations to prohibit billboards and a temporary

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moratorium on the acceptance and processing of permits for the reconstruction, relocation and/or banking of billboards is warranted and make findings of fact and a recommendation on this issue within 30 days.

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

### UNFINISHED BUSINESS

None.

### REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr., stated that the first of four Housing Summits will begin on Wednesday, July 17, 1996, at the Landmarks Convention Center. He stated that the discussion will be the issue of housing in the City of Tacoma. Mr. Corpuz stated that the public has been invited for their insight and direction as to how the City might proceed in the future. Mr. Corpuz then stated that questions from the public can be answered through the Planning and Development Services Department. He stated that in addition to the July Housing Summit, two more sessions will be held in August, with the last one being held in September.

### COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Kirby requested the background material on the taxation of the Internet Access Providers. Council Member Kirby expressed concerns regarding the impact of the taxation, but that the City of Tacoma should not let the media or the big powerful companies inundate them with negative information. He then stated that he felt we owed it to the citizens of the City of Tacoma to be on the cutting edge.

Mayor Ebersole stated that the decision to tax the Internet Access Providers was the kind of policy issue that should come from the City Council. He then stated his concerns regarding the taxation of the Internet Access Providers and that it may discourage the same businesses that the City Council wants to encourage to stay in the City of Tacoma.

Council Member Baarsma stated that the City Manager has been asked to provide the pros, cons, consequences and implications of the taxation of the Internet Access Providers. He then commented on an article in the newspaper regarding the compensation for the Mayor. He corrected an error in the article and stated that the Citizens last voted in 1956 on the question regarding a Tacoma City Charter change to the City's Mayor/Council form of government. Council Member Baarsma then stated that it was in 1970 when a series of amendments were on the ballot including the transfer of authority from the City Manager to the Mayor, as well as the recall issues. Council Member Baarsma stated that all the amendments were defeated. He then

stated that the Mayor's position is technically a full-time position and is compensated on a full-time basis. He stated that in the past the Mayor, as a presiding officer, was appointed by Council Colleagues. He stated that the voters changed the Tacoma City Charter to a direct election of the Mayor, and that over time it has become a full-time position. Council Member Baarsma stated that he would like to research a way to adjust the compensation to reflect the responsibilities of that office.

Council Member Evans stated that he had the privilege of representing the City of Tacoma at a meeting with a group of people from Hachinohe, Japan. He indicated that they are a sister city of the City of Federal Way, but have an interest in the City of Tacoma and the Port of Tacoma. He stated that they are about to get a container shipping line that will be traveling this way and that we should encourage those kinds of enterprises. He stated that he would like the City of Tacoma to foster the relationship with Hachinohe, Japan.

Council Member Evans requested staff to look at the IAC land which is adjacent to Harbor Lights. He then asked when the public will have access to that land.

Council Member Miller stated that a year ago the City Council adopted a Resolution requesting the State of Washington, Department of Transportation, to resolve the concerns and issues regarding the Jackson Street on-ramp to SR-16. He stated that he had the opportunity to meet with the Secretary of Transportation, Sid Morrission and the Regional Administrator, Gary Damage, and stressed the concerns and the impact on the citizens in that area. Council Member Miller indicated that the Washington State Department of Transportation will be holding a public open house on July 24, 1996, from 4:00 p.m. to 7:00 p.m., at Hunt Middle School cafeteria. He stated that presentations would begin at 4:30 p.m. and again at 6:00 p.m. He encouraged citizens and the City Council to attend and participate in the public open house on this issue. Council Member Miller requested Mayor Ebersole send a letter, on behalf of the City Council, attaching the adopted Resolution and stating the City of Tacoma's concerns.

Council Member Crowley reported that Deputy Mayor Silas, Council Member Evans and himself met with a number of City Council Members of Kunsan, Korea. He stated that Kunsan City, has a population of 300,000 and 36 Council Members. Council Member Crowley then thanked the Fourth of July Commission for the Fourth of July Celebration. He then complimented Metropolitan Park District on the Taste of Tacoma. Council Member Crowley then thanked Harry Wappler for the wonderful weather over the Fourth of July weekend.

Deputy Mayor Silas reported that the visitors from Kunsan, Korea commented on the City of Tacoma's clean sidewalks. She then thanked Bill Pugh, Public Works Director.

Mayor Ebersole stated that opening day of the Washington State Historical Museum will be August 10, 1996, and will be open to the public. He then stated that TVW which is a kin to C-SPAN and broadcasts the State Supreme Court, the State Legislature, the Public Utilities Commission and other state activities, has requested our Municipal Channel provide some hours of programming. He then stated that it would be a service to our citizens if we would quicken the pace of the discussions regarding the

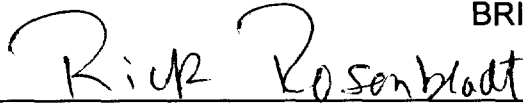
programming. Mayor Ebersole stated that although we have an excellent Municipal Channel he thought that the broadcast of TVW would enhance it.

Council Member Miller moved to excuse Council Member De Forrest from the meeting tonight. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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On proper motion, the meeting was adjourned at 8:53 p.m.

  
BRIAN EBERSOLE, MAYOR

ATTEST:   
RICK ROSENBLADT, CITY CLERK

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