

# CITY COUNCIL MINUTES

City Council Chambers  
November 12, 1997

The meeting was called to order at 5:07 p.m.

Present on roll call: 7 - Baarsma, Crowley, De Forrest, Evans, Miller, Silas, and Mayor Ebersole. Absent: 2 - Kirby and McGavick.

The Flag Salute was led by Council Member Crowley.

\*\*\*\*\*

## CONSENT AGENDA

Approval of the Tacoma City Council minutes of October 14, 1997.

## RESOLUTIONS

### **Resolution No. 33880**

Setting Tuesday, December 16, 1997, at approximately 6:00 p.m., as the date for a public hearing by the City Council regarding amendments to Chapter 13.05 of the Municipal Code relative to land use permit procedures.

### **Resolution No. 33883**

Approving the final plat for the MARISA ESTATES, DIVISION II, located east of 37th Avenue Northeast and north of Browns Point Boulevard, for a six-lot subdivision. (Scott Thomas; File No. PLT97-00007)

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Arts Commission, October 13, 1997.
- b. Minutes of the emergency meeting of the Arts Commission, October 21, 1997.
- c. Minutes of the Civil Service Board, October 6, 1997.

- d. Minutes of the Planning Commission, October 15, 1997.
- e. Utility Billing & Collection Issues, Municipal Research Services Center of Washington, September 1997.

Council Member Miller moved that the Consent Agenda, including Resolution Nos. 33880 and 33883, be approved. Seconded by Council Member Crowley. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 33880 and 33883, was declared approved.

\*\*\*\*\*

## REGULAR AGENDA

### COMMUNICATIONS

Hearing Examiner recommending approval of the request to modify a previously approved reclassification of the property located at 4602 North Pearl Street by removing Condition 'c' which stated that the two driveways on the site closest to the intersection of North 46th and Pearl Streets shall be removed and replaced with concrete curb and gutter. (Bill Sullivan and Gunvald Rusdal; File No. REZ97-00013) (Continued from the meeting of September 30, 1997.)

Deputy Mayor Baarsma moved to remand the communication item back to the Hearing Examiner for dismissal. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

### FINAL READING OF ORDINANCES

#### **Ordinance No. 24554**

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southeast corner of the intersection of South 30th Street and South Huson Street from an "R-2" One-Family Dwelling District to an "M-1" Light Industrial District for the construction of 48,000 square feet of office/assembly/storage space. (Art Redford; File No. 120.1283A)

Deputy Mayor Baarsma moved to suspend the rules to consider Substitute Ordinance No. 24554. 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: 7 – Baarsma, Crowley, De Forrest, Evans, Miller, Silas, and Mayor Ebersole

Nays: 0

2

Absent: 2 – Kirby and McGavick

The Substitute Ordinance was declared passed.

**Ordinance No. 26113**

Vacating a portion of the alley right-of-way between East B and McGhee Streets north of East 60th Street to combine the vacated areas with abutting properties to provide additional yard space. (Edwards Construction Company; File No. 124.1052)

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Evans, Miller, Silas, and Mayor Ebersole

Nays: 0

Absent: 2 – Kirby and McGavick

The Ordinance was declared passed.

**Ordinance No. 26125**

Amending Chapter 13.06 of the Municipal Code to reclassify the property located on the east side of South Orchard Street at 5414 South Orchard from an "R-2" One-Family Dwelling District to a "C-2" Commercial District for the construction of a mini-storage facility with an office and an apartment. (Graydon Smith; File No. REZ97-00011)

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Evans, Miller, Silas, and Mayor Ebersole

Nays: 0

Absent: 2 – Kirby and McGavick

The Ordinance was declared passed.

**Ordinance No. 26149**

Vacating East 11th Street, between Port of Tacoma Road and the Blair Waterway, exclusive of that portion previously vacated, for the expansion of the marine terminal. (Port of Tacoma; File No. 124.1050)

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Evans, Miller, Silas, and Mayor Ebersole

Nays: 0

3

Absent: 2 – Kirby and McGavick

The Ordinance was declared passed.

**Ordinance No. 26150**

Accepting \$1,000 from Queen Anne Thriftway, \$2,500 from Key Bank and \$6,500 from Life Center; depositing in and appropriating \$10,000 from the Central Services Summary Fund for the production of the holiday special "The Gift of Music."

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Evans, Miller, Silas, and Mayor Ebersole

Nays: 0

Absent: 2 – Kirby and McGavick

The Ordinance was declared passed.

**Ordinance No. 26151**

Authorizing the execution of a Cooperative Agreement with the Department of Housing and Urban Development, in the amount of \$35,700; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for intake services for housing discrimination charges.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Evans, Miller, Silas, and Mayor Ebersole

Nays: 0

Absent: 2 – Kirby and McGavick

The Ordinance was declared passed.

**Ordinance No. 26152**

Amending Chapter 1.12 of the Municipal Code to implement rates of pay and compensation for certain represented employees of the United Transportation Union, Yardmen/Switching Supervisors and Switch Operators, and changes in classification to reflect the organizational structure.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Evans, Miller, Silas, and Mayor Ebersole

Nays: 0

4

Absent: 2 – Kirby and McGavick

The Ordinance was declared passed.

**Ordinance No. 26153**

Accepting \$830,695 from the Federal Emergency Management Agency and \$552,839 from the Washington State Military Department; depositing said sums into the Tacoma Eastern Railroad Acquisition and Operating Summary Fund; and appropriating \$1,527,908 for work related to flood damage caused to the Tacoma Eastern Railroad during the past two winters.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Evans, Miller, Silas, and Mayor Ebersole

Nays: 0

Absent: 2 – Kirby and McGavick

The Ordinance was declared passed.

**Ordinance No. 26154**

Accepting donations of \$4,000 from the Multicare and Regence Washington Health; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund; and appropriating \$12,559.60 from the General Fund for expenses associated with Senior Citizens' Awareness Day.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Evans, Miller, Silas, and Mayor Ebersole

Nays: 0

Absent: 2 – Kirby and McGavick

The Ordinance was declared passed.

\*\*\*\*\*

**FIRST READING OF ORDINANCES**

**Ordinance No. 26155**

Vacating a portion of Fairwood Boulevard, between 41st Street NE and the North Shore Golf Course, to combine the vacated right-of-way with certain abutting residential lots. (Novastar Development; File No. 124.1055)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Deputy Mayor Baarsma. 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.

**Ordinance No. 26156**

Vacating portions of East I and East 40th Streets to clear title to the building encroachments on the property. (Ron Topliff; File No. 124.1056)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Deputy Mayor Baarsma. 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.

**Ordinance No. 26157**

Accepting \$1,500,000 from the United States Department of Commerce, Economic Development Administration; depositing in and appropriating said sum from the Tacoma Eastern Railroad Acquisition and Operating Fund for construction improvements to various sections of the Tacoma Eastern Railroad; 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. 33884**

Awarding contracts to:

1. Microflex Medical Corporation, on its bid of \$48,070, for latex examination gloves - Specification No. F-008-97; and
2. Rejecting all bids for the installation of a new sidewalk - Specification No. G-232-97.

Council Member Miller moved that the Purchase Resolution, including rejecting all bids on Item No. 2, be adopted. Seconded by Deputy Mayor Baarsma. Voice vote was taken and carried. The Purchase Resolution, including rejecting all bids on Item No. 2, was declared adopted.

6

**Resolution No. 33885**

Authorizing the execution of an amendment to the Sheraton Loan Documents to allow KS Tacoma Hotel L.P. to borrow \$500,000 for a total of \$1.5 million for the replacement and refurbishment of furniture, fixtures and equipment at the Tacoma Sheraton Hotel.

Deputy Mayor Baarsma moved to continue Resolution No. 33885 to a date to be determined per the request of staff. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

**Resolution No. 33886**

Accepting proposals for the purchase of the City's Water System Revenue Bonds, 1997; fixing the maturities and interest rates of said bonds; and directing disposition of the proceeds.

Council Member Crowley moved to suspend the rules to consider Substitute Resolution No. 33886. Seconded by Deputy Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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

**PUBLIC HEARINGS AND APPEALS** (BEGAN AT APPROXIMATELY 6:02 P.M.)

- a. This is the date set for a public hearing relative to proposed amendments to Chapter 13.06 of the Municipal Code regarding brewpubs and microbreweries.
- b. This is the date set for a public hearing to consider amendments to Chapter 13.10 of the Official Code relative to Shoreline Regulations.

The public hearings were held later in the meeting.

**UNFINISHED BUSINESS**

Mayor Ebersole moved to authorize the City Attorney's Office to settle the case of Schrag, et al. v. Tacoma Police Department, et al., United States District Court Cause No. C97 5099 FDB, for the amount of \$505,000.00, including all attorney's fees and costs. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

**REPORTS BY CITY MANAGER**

City Manager Ray E. Corpuz, Jr. stated that, at the request of the City Council, he has contacted the Library Director on the Library's Budget. He stated that the Library Board of Trustees will be considering a Resolution, on November 20, 1997, regarding performance audits. He stated that specifics on the Library's Budget will be provided to

the City Council prior to the consideration of the Ordinance modifying the 1997-1998 Biennial Budget.

Mr. Corpuz requested information from the City Council regarding the City Council's meeting schedule, as well as computer issues. He requested the City Council meet with Ms. Nancy Forster, City Manager's Office, regarding these issues as soon as possible.

Mr. Corpuz then stated that the cardboard replica of the new MV Tacoma Ferry on the dais this evening is from the Washington State Ferry System in honor of the new ferry. Mr. Corpuz stated that there is candy inside each ferry for the City Council's enjoyment.

## **COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Council Member Evans reported that this week the Tacoma-Pierce County Health Department's decision to prohibit advertising of tobacco products to children was upheld by Judge Bryan in Federal District Court. He stated that the Tacoma-Pierce County Health Department is the first local agency in the nation to take such strong action.

Mayor Ebersole noted that Council Member Evans is the Chair of the Tacoma-Pierce County Health Department and deserves accolades for his leadership on that issue.

Deputy Mayor Baarsma said he had the pleasure of having dinner with the Mayor of Kitakyushu, the Honorable Koichi Sueyoshi, on Friday evening. Deputy Mayor Baarsma stated that Mayor Sueyoshi explained the reason the City of Tacoma has a Sister City with a population over a million. He stated that some thirty years ago the City of Tacoma was affiliated with the City of Kokura. He stated that, since that time, five cities have consolidated and became Kitakyushu City and that is the reason the City of Tacoma is affiliated with them. He stated that Mayor Ebersole was invited to attend the International Conference of Mayors which will be hosted by Kitakyushu City sometime in the year 1999. Deputy Mayor Baarsma stated that the new Director of the Port of Tacoma will be visiting Kitakyushu, Japan in the near future.

Mayor Ebersole thanked Deputy Mayor Baarsma for his diligence in following through on these diplomatic relationships. Mayor Ebersole stated that sometimes it is difficult for us to realize the importance of these efforts, but it is very important to these visiting dignitaries that the Mayor and Members of the Council spend time with them.

Council Member Evans stated that in the late 1960s, when Dan Evans was Governor, the State Arts Commission arranged the first cultural art exchange between the City of Kokura and the City of Tacoma, so the linkage goes a long way back.

Council Member Miller requested that, as part of the City Manager's Report, he would like a report or an update on what actions were taken in responding to or answering concerns that were raised by the citizens at Citizens' Forum.

8



Council Member Miller then stated that there was a four-minute national news broadcast highlighting the success of the Tacoma-Pierce County Health Department's decision to prohibit advertising of tobacco products to children being upheld by Judge Bryan in Federal District Court. He stated that he counted 16 times where the City of Tacoma's name was mentioned throughout the report. He stated that he thought it was very good press for the City.

Council Member Silas stated that she also had the opportunity to meet and greet the Mayor of Kitakyushu, Japan. She then stated that, on behalf of the Mayor and City Council Members, she attended an educational seminar at the Temple Theater regarding Washington State history and preservation. She stated that the goal was to get educators to include Washington State history and preservation in their curriculum. Council Member Silas then stated that on Veterans Day she joined the Veterans of Foreign Wars' annual breakfast in remembrance of veterans.

\*\*\*\*\*

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

\*\*\*\*\*

Deputy Mayor Baarsma moved to cancel the City Council meetings of December 23 and 30, 1997. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

\*\*\*\*\*

Council Member Miller moved for a short recess. Seconded by Deputy Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted. The City Council recessed at 5:40 p.m. and reconvened at 6:02 p.m.

\*\*\*\*\*

**PUBLIC HEARINGS AND APPEALS** (BEGAN AT APPROXIMATELY 6:02 P.M.)

- a. This is the date set for a public hearing relative to proposed amendments to Chapter 13.06 of the Municipal Code regarding brewpubs and microbreweries.

The public hearing began at 6:02 p.m. There were no speakers before the City Council. The public hearing was declared closed at 6:07 p.m.

- b. This is the date set for a public hearing to consider amendments to Chapter 13.10 of the Official Code relative to Shoreline Regulations.

The public hearing began at 6:07 p.m.

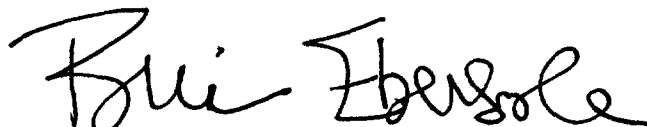
Speaking before the Council were:

<u>Name</u>	<u>Affiliation/Address</u>
Roger C. Edwards	46 Salmon Beach
Jan Lahey	13 Salmon Beach
Wendy Westlake	1419 South 7th Street
Fred Roberson	7 Salmon Beach
Henry Hopkins	32 Salmon Beach
Angie Pribbenow	4 Salmon Beach
Albert Eggers	100 Salmon Beach
Frank Pribbenow	4 Salmon Beach

The public hearing was declared closed at 6:46 p.m.

\*\*\*\*\*

On proper motion, the meeting was adjourned at 6:46 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST:



RICK ROSENBLADT, CITY CLERK

10