

CITY COUNCIL MINUTES

City Council Chambers
April 2, 1996

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 Ebersole.

The Flag Salute was led by Council Member McGavick.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of March 5, 1996.

PETITIONS:

Trang Le requesting the reclassification of the property located at 1721 South 72nd Street from a "R-2" One-Family Dwelling District to a "C-1" Commercial District for a nail care business facility. (Trang Le; File No. REZ96-00005)

For referral to the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner agenda for April 2, 1996.
- b. Minutes of the meeting of the Landmarks Preservation Commission, March 13, 1996.
- c. Minutes of the meeting of the Tacoma Area Task Force on Disabilities, February 22, 1996.
- d. Minutes of the special meeting of the Tacoma Transportation Committee, March 7, 1996.
- e. Minutes of the meetings of the Tacoma Employees' Retirement Board, December 28, 1995, and January 25, 1996.
- f. Minutes of the meeting of the Tacoma Public Library Board of Trustees, February 21, 1996.
- g. Minutes of the meeting of the Civil Service Board, February 5, 1996.
- h. Minutes of the special meeting of the Downtown Tacoma Parking Commission, February 29, 1996.

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

PROCLAMATION

Mayor Ebersole presented a proclamation to Mr. Bill Lokey, Director of Emergency Management Services, proclaiming the month of April 1996 "Disaster Preparedness Month."

IN RECOGNITION

Mayor Ebersole presented a certificate "In Recognition" to Mr. Bruce Cannon, of KH20 850am, a new radio station, broadcasting for the first time on April 1, 1996, from Downtown Tacoma.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 25785

Amending Chapter 13.06 of the Municipal Code to reclassify the property located approximately 300 feet south of South 19th Street between Washington Street and West Union Avenue, from a "R-2" One-Family Dwelling District to a "R-4L" Low Density Multiple-Family Dwelling District to allow for a 12-unit apartment complex. (Werner Architects; File No. 120.1402)

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

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Ordinance No. 25873

Vacating that portion of South 54th Street abutting the I-5 turnback to consolidate properties and allow for future commercial development. (Mrs. Vien Floyd; File No. 124.1028)

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25877

Accepting a donation from DeBartolo Properties Management, Inc., and the Tacoma Mall of computer electronic components necessary for the operation of the Police Department's computer system for use at the temporary operations facility at 3737 South Puget Sound Avenue.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25878

Amending the Municipal Code by repealing Sections 3.08.040 and 3.08.080 relative to fees for businesses having hazardous chemicals on site.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25879

Appropriating \$47,893 from the General Fund; which sum was collected as admission taxes for the City by the Metropolitan Park District by reason of Meadow Park Golf Course operations during the fourth quarter of 1994 and all of 1995; to increase the City's contribution to the Metropolitan Park District for 1995; increasing the future annual appropriation of the City to the Park District by the amount of annual admission taxes collected at the Meadow Park Golf Course, for operations and improvements of the Meadow Park Golf Course; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

RESOLUTIONS:

Purchase Resolution No. 33343

Awarding contracts to:

1. Ocean Enterprises Company in the amount of \$45,000 to increase their contract for citywide hazardous sidewalk replacement - Specification No. G-251-95; and
2. Intersection Development Corporation on their bid of \$33,693.48 for traffic signal controller cabinets - Informal Bid No. 8171.

Council Member Miller moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 2, be adopted. Seconded by Deputy Mayor Silas.

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. 33344

Authorizing the execution of Amendment No. 122 to the Neighborhood Preservation Program agreement with the Tacoma Community Redevelopment Authority; allocating \$80,959 in 21st Year Community Development Block Grant funds to be loaned by the TCRA to the Martin Luther King Housing Development Association for the rehabilitation

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of two single-family residences located at 724 South Cushman Avenue and 1612 South 8th Street to provide rental housing to low-income families.

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

Speaking before the Council was:

<u>Name</u>	<u>Address</u>
Will Baker	809 South I Street

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

Resolution No. 33345

Amending the "Rules of Procedure of the Council of the City of Tacoma" relative to oral argument on appeals before the City Council.

Council Member Evans moved that the Resolution be adopted. Seconded by Council Member Crowley. The Resolution was set over for final reading next week.

CITIZENS' FORUM: (Began at 5:30 p.m.)

Speaking before the Council were:

<u>Name</u>	<u>Affiliation/Address</u>	<u>Topic</u>
Margaret Ward	P.O. Box 578	Running Wolf Smoke Shop
Rafael Ojeda	Pacific Lutheran University	TCI Negotiations
Laura Ryan	3535 55th Ave NE	Running Wolf Smoke Shop
Rhonda Steinman	4816 38th St Ct NE	Running Wolf Smoke Shop
Hilma Betenson	3801 49th Ave NE	Running Wolf Smoke Shop
Melva Hardy	3857 49th Ave NE	Running Wolf Smoke Shop
Donel Pim	3815 49th Ave NE	Running Wolf Smoke Shop
Marion Week	4735 42nd St NE	Running Wolf Smoke Shop
Frank Campoy	4001 49th Ave NE	Running Wolf Smoke Shop
Marianne Mitchell	Washington State Representative	Running Wolf Smoke Shop
Phyllis Barrett	912 South Cushman	Police Performance
Vivian Campoy	4001 49th Ave NE	Running Wolf Smoke Shop

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. introduced Peter Katich from Building and Land Use Services Division who will be serving as the Special Assistant in the City Manager's Office for the next three months.

Mr. Corpuz requested an Executive Session to consider pending litigation, not to exceed 45 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Silas indicated that she shares the views of the other Council Members regarding the Running Wolf Smoke Shop. She then stated that she would like to invite Tribal Members to a meeting and bridge the communication gap.

Mayor Ebersole reappointed Sinoun Hem-Joyce as Commissioner of the Tacoma Housing Authority, for a term commencing on April 1, 1996, and terminating on March 31, 2001.

Council Member Baarsma spoke regarding the meeting sponsored by the Rainier Cable Commission, TCI, and Viacom. He stated that Channel 13 is moving to Seattle and there will be an opportunity to utilize that facility as a regional site for cable television and PEG Access. Mr. Baarsma stated that representatives from most of our sister city committees throughout Pierce County and the County Council Members were there to review the site and the facility that would be available.

Council Member Kirby spoke regarding the testimony relative to the Running Wolf Smoke Shop and expressed his frustration regarding things the City could not do. He requested that the City aggressively pursue creative avenues in order to protect the citizens of Tacoma.

Council Member De Forrest thanked Mr. Randy Lewis for an excellent job in representing the City of Tacoma regarding the Running Wolf Smoke Shop. He stated that he was somewhat encouraged by the Supreme Court Ruling on the Indian Casino problem invoking the 11th Amendment of the United States Constitution in a 5-4 vote stating that the Federal Government cannot sue the States on behalf of Indian Tribes. Mr. De Forrest stated that maybe the Tribal Council and other Indian Nations will not be able to sue the City of Tacoma. He stated that Justice Stevens also said that the majority opinion has put in jeopardy the environmental lawsuits of the Federal Government. He stated that the City Attorney will be doing a further analysis of that decision. Council Member De Forrest stated that on April 6, 1996, Cambodian New Year will be celebrated at 7:30 p.m. at the Fellowship Hall on 47 St. Helens Street.

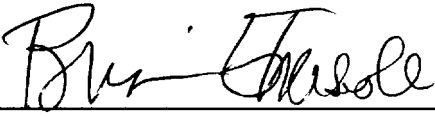
Council Member Miller moved to convene to Executive Session to consider pending litigation, not to exceed 45 minutes. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council convened to Executive Session at 7:10 p.m.

At 7:55 p.m., Mayor Ebersole extended Executive Session for 15 minutes.

Council reconvened at 8:06 p.m.

On proper motion, the meeting was adjourned at 8:06 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST: 

RICK ROSENBLADT, CITY CLERK