

CITY COUNCIL MINUTES

City Council Chambers
November 9, 1993

The meeting was called to order at 5:09 p.m.

Present on roll call: 8 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas, and Mayor Vialle. Absent: 1 - Nielsen.

The Flag Salute was led by Council Member Moss.

Approval of the minutes of the Tacoma City Council meeting of November 2, 1993; study sessions of August 3, 17, 24, and 31, 1993; and joint City Council/Pierce County Council study session of July 27, 1993.

RESOLUTIONS:

Resolution No. 32391

Approving the final plat for ALDERWOOD PARK, located at 45th Avenue Northeast and 36th Street Northeast, for 40 residential building lots. (Kerr-Built, Inc.; File No. 125.309)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for November 9, 1993.
- b. Monthly Financial Reports for Belt Line Division, Light Division, Water Division, Data Processing Fund, Fleet Services Fund, Self-Insurance Claim Fund and Geographical Information System Fund for September 1993.

Council Member Miller moved that the Consent Agenda, including Resolution No. 32391, be approved. Seconded by Council Member Evans. Voice vote was taken and carried. The Consent Agenda was declared approved.

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REGULAR AGENDA

COMMUNICATIONS:

- a. Hearing Examiner recommending removal of Conditions 5.A.3, 5.A.4 and 5.A.5 imposed in regard to Shoreline Management Substantial Development Permit No. 141.537 for the property located at 1509 Taylor Way. (MacMillan-Piper, Inc.; File No. 141.537)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member McElliott. Roll call vote was taken, resulting as follows: 8 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas, and Mayor Vialle. Nays: 0. Absent: 1 - Nielsen. The motion was declared adopted.

- b. Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.553 to allow development of a third seawater pump at No. One Dock and for repairs to No. One and No. Two Docks on the property located at 605 Alexander Avenue. (Occidental Chemical Corporation; File No. 141.553)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Evans. Roll call vote was taken, resulting as follows: 8 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas, and Mayor Vialle. Nays: 0. Absent: 1 - Nielsen. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 25014

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South 38th and Steele Streets from a "R-4" Multiple-Family Dwelling District to a "C-2" Commercial District for the construction of a 25,000 square foot retail commercial center. (Richard Kloppenburg; File No. 120.1334)

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Nielsen.

The Ordinance was declared passed.

Ordinance No. 25393

Accepting \$207,191 from the State of Washington; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for growth management activities.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Nielsen.

Ordinance No. 25394

Amending Title 1 of the Official Code by adding a new Chapter 1.50 relative to procurement of goods and services from minority and women's business enterprises.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Nielsen.

Ordinance No. 25395

Authorizing the closure of South Pine Street, north of South 80th Street, to vehicular traffic by the placement of barricades and/or gates.

Mayor Vialle moved to continue Ordinance No. 25395 to the meeting of November 16, 1993. Seconded Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 25395 will be considered at the regular City Council meeting of November 16, 1993.

FIRST READING OF ORDINANCES:

Ordinance No. 25392

Providing for the sale and issuance of Water System and Refunding Revenue Bonds in the aggregate principal amount of \$24,100,000 to pay for additions and betterments to and extensions of the existing water system, paying and retiring the Water Revenue Bonds, 1978 Refunding Series, and for defeasance of the Water Revenue Bonds, 1980 Series.

Speaking before Council was:

Cheryl Miller

3303 North 36th Street

The Ordinance was set over for final reading next week.

Ordinance No. 25396

Accepting donations totaling \$1,500 from the Forest Foundation, Fuchs Foundation and Key Bank; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for Senior Citizens Awareness Day expenses.

The Ordinance was set over for final reading next week.

Ordinance No. 25397

Vacating the northerly end of Sunset Drive in the plat of THE NARROWS to convert the street to a private easement road with a gated entry, retaining and reserving therein an easement for the construction, repair and maintenance of all municipal public utilities. (Stanley Selden; File No. 124.983)

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

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 25398

Vacating a portion of the east 30 feet of Cedar Street north of North 33rd Street to combine the vacated area with the abutting property to allow for a single-story addition to the existing home at 3023 North 33rd Street. (Norman P. Schieke; File No. 124.981)

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

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 25399

Amending Ordinance No. 24735, creating Local Improvement District No. 5704, to reflect a 20-year Assessment Roll rather than a 10-year Assessment Roll.

The Ordinance was set over for final reading next week.

Ordinance No. 25400

Depositing \$5,805 in booth rental fees and \$964 in asbestos removal reimbursements in the Planning and Development Services Senior Account of the General Fund; appropriating \$6,769 from the General Fund for Senior Citizens Awareness Day expenses.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 32390

Awarding contracts to:

1. Tucci & Sons, Inc., on their bid of \$35,782.97, for emergency storm sewer repair on East 25th and "G" Streets - Purchase Order No. E-46052; and
2. Jones-Goodell Yachts, in the amount of \$7,400, to increase their contract for boat parts and repairs - Open Purchase Order No. 1977.

Deputy Mayor Mykland moved to suspend the rules to consider Substitute Exhibit "A." Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

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Deputy Mayor Mykland moved to waive the formal bidding procedures on Item Nos. 1 and 2. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Mykland moved that the Purchase Resolution, including Substitute Exhibit "A," be adopted. Seconded by Council Member Evans. Voice vote was taken and carried. The Purchase Resolution was declared adopted.

Resolution No. 32392

Recommending that all licensed gun dealers doing business in the City of Tacoma advise purchasers of guns about gun locks and encourage buyers to purchase gun locks, and encouraging the State Legislature to pass a law requiring the sale of gun locks with firearms.

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

Speaking before Council was:

Kelly Halligan

Tacoma citizen

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

Resolution No. 32393

Authorizing an amendment to the agreement with the Pierce County Department of Assigned Counsel, in the amount of \$20,000, for costs of making photocopies of police reports and other discovery-related documents pertaining to cases brought before the Municipal Court for the years 1993 and 1994.

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

Resolution No. 32394

Approving an amendment of the Health Department budget authorizing the allocation of \$8,020 of City funds for delivery of primary care services through the contract with the Community Health Care Delivery System.

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

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Resolution No. 32395

Authorizing the execution of Amendment No. 85 to the Neighborhood Preservation Program agreement with the Municipal Authority for implementation of the Down Payment Assistance Program.

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

Resolution No. 32396

Authorizing the execution of Amendment No. 86 to the Neighborhood Preservation Program agreement with the Municipal Authority and further authorizing the execution of an agreement with the Hilltop Homeownership Development Center for housing services in the Hilltop area.

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

CITIZEN'S REQUEST TO BE HEARD: (Began at 6:00 p.m.)

- a. Jacob K. Smith, Business Agent for International Alliance of Theatrical Stagehand Employees (I.A.T.S.E.) Local #15, requesting to make a statement relative to the labor provided to the Tacoma Dome by the I.A.T.S.E.

Mr. Jacob K. Smith, Business Agent I.A.T.S.E. Local #15, spoke regarding his concerns. Mr. Bill Anthony, member of I.A.T.S.E. Local #15, expressed his concern regarding using non-union labor for activities at the Tacoma Dome.

Mayor Vialle requested that the City Manager provide information to the Council in the Friday Letter.

- b. James R. Merritt, of Merritt and Pardini, requesting to speak about the upcoming "Asarco Week #1" to take place the week of November 15 through 19, 1993.

James R. Merritt introduced Mr. Tom Aldridge, site manager of Asarco, who gave an overview of "Asarco Week #1." Mr. Merritt then explained

the proposed future use, alternatives and goals of the Asarco site. He then reviewed the implementation of that strategy.

PUBLIC HEARINGS AND APPEALS: (Began at 6:24 p.m.)

This is the date set for a public hearing by the City Council relative to a "Bed and Breakfast" ordinance.

Mr. Bill Bailey, Public Works Department, Building and Land Use Services Division, gave a presentation on the draft Bed and Breakfast ordinance.

Speaking to the Council were:

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| Dale Adams | 3305 North Union |
| Nancy Norton | 3319 North Union |
| Liz Heath | 3803 North 36th Street |
| Greg Englemeyer | Seattle resident |
| Jodie Zaricor | 3306 North Union Street |
| Lisa Walsh | Tacoma-Pierce County Visitor
Convention Bureau |
| Bill Kaufmann | 3312 North Union |
| Kathleen Crews-Cray | Tacoma resident |
| Casey Cochrane | Tacoma-Pierce County Chamber
of Commerce |
| J. D. Fitz | 3618 North 33rd Street |
| Ellen Berdan | Washington State Bed and
Breakfast Guild |
| Ron Culpepper | Representing Lenore Keenan |
| Martin Goldsmith | 3306 North Union |
| Maren Stavig | 3720 North Union |
| Ellen Cohen | 3612 North 33rd Street |
| Carla Harris | 3309 North Union |
| Ken Zirinsky | 3612 North 33rd Street |

There being no further testimony, Mayor Vialle declared the public hearing closed at 7:46 p.m.

Council Member Miller requested, in the Friday Letter, the addresses of other Bed and Breakfasts in Tacoma.

Council Member Silas moved to send the matter back to the Planning Commission. Seconded by Mayor Vialle.

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Roll call vote was taken, resulting as follows:

Ayes: 5 -- Baarsma, Miller, Mykland, Silas, and Mayor Vialle.

Nays: 2 -- Evans and Moss.

Absent: 1 -- Nielsen.

Abstaining: 1 -- McElliott.

The matter was sent back to the Planning Commission.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, reported to the Council on the sale of and the City's investment in the UPS Law School. He reported that the Rhodes Building and two adjacent buildings were purchased with UDAG loans and Section 108 grants through HUD for approximately \$4.5 million. He stated more information would be provided for the Council in their Friday Letter packets. Mr. Corpuz then commented on the transfer of assets to Seattle University. He stated that he had had discussions with the Chairman of the Board and President of the University. Discussion followed with Council on the lack of notification provided to the City, faculty and students of UPS prior to the sale.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Mykland moved to excuse Council Member Nielsen from tonight's meeting. Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

Council Member Evans commented on a letter received from Bill Pugh, Public Works Department Director, on the skateboarding problems on the North 23rd Street Bridge. He stated that this continues to be a problem for neighbors on both sides of the bridge. He discussed the possibility of the bridge

surface being roughened with gravel; however, the sidewalks to be left clear for pedestrian traffic.

Council Member Evans stated that he had discussed with the City Attorney the conversion of single-family residences into dormitories around the University of Puget Sound area. He stated it was necessary to begin discussions on this again.

Council Member Evans noted a parallel between the proposed closure of South Pine and attempted closures of Naussau NE and North Yakima Avenue. He felt there should be one standard instead of doing closures selectively.

Council Member Baarsma expressed his praise for the staff involved in the election night return coverage on City Cable 12. He felt this was a great and enjoyable learning experience.

Council Member Baarsma stated that the faculty, students, and staff at the University of Puget Sound were stunned at the sale of the UPS Law School.

On proper motion, the meeting was adjourned at 8:10 p.m.


KAREN L. R. VIALLE, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

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