

# CITY COUNCIL MINUTES

City Council Chambers  
January 7, 1997  
Amended - Page 7

The meeting was called to order at 5:03 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 Deputy Mayor Silas.

\*\*\*\*\*

## CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of December 3, 10, and 17, 1996 and study session of December 17, 1996.

### ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's agenda for January 7, 1997.
- b. Amended minutes of the meeting of the Civil Service Board, December 2, 1996.
- c. Minutes of the meeting of the Foss Waterway Development Authority, December 5, 1996.
- d. Minutes of the meeting of the Planning Commission, December 2, 1996.
- e. Minutes of the meetings of the Tacoma Public Library Board of Trustees, November 20 and December 4, 1996.
- f. Minutes of the meeting and study session of the Public Utility Board, November 13, 1996.
- g. Minutes of the meeting of the Tacoma Area Task Force on Disabilities, November 21, 1996.
- h. Minutes of the public hearings of the Urban Policy Committee, November 6 and 7, 1996.
- i. Monthly financial reports for the Belt Line Division, Light Division, Water Division, Data Processing Fund, Fleet Services Fund, Self-Insurance Claim Fund, Conservation Project Fund, and Geographic Information System Fund, October 1996.
- j. Appendices to the Natural Resource Damages Consent Decree for the Middle Waterway Estuarine Natural Resources Restoration, Swan Creek Stream Restoration, Tahoma Salt Marsh Restoration, Hylebos Marsh and Wildlife Habitat Restoration, and Olympic View Resource Area, October 1996.

Council Member Miller moved that the Consent Agenda be approved. Seconded by Council Member Crowley.

Council Member Miller moved to amend the Consent Agenda by correcting the City Council Minutes of December 17, 1996, on page 10, under Reports by the City Manager, second paragraph, striking the words "Deputy Mayor" and inserting the words "Deputy City Manager." Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on the Consent Agenda, as amended. The Consent Agenda, as amended, was declared approved.

\*\*\*\*\*

**REGULAR AGENDA**

**PROCLAMATIONS**

Mayor Ebersole proclaimed January 9, 1997, as "Occidental Chemical Corporation Day" and presented the proclamation to Mr. Larry Landry.

**ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS**

Presentation of the Veterans of Foreign Wars' 1995 Law Enforcement Officer of the Year Award.

Mayor Ebersole called on Mr. Dayle Haugan, Commander of Veterans of Foreign Wars Ray C. Roberts Post 969.

Mr. Haugan then introduced District Commander Charles Keller and Senior Vice Commander Dan Clark.

Mr. Clark presented the Department of Washington, Veterans of Foreign Wars' Law Enforcement Officer of the Year Award to Tacoma Police Patrol Officer Mark Feddersen.

\*\*\*\*\*

Mayor Ebersole and members of the Council honored Deputy Mayor Silas for her service as Deputy Mayor and presented her with a gift.

\*\*\*\*\*

**Resolution No. 33586**

Electing Bill Baarsma as Deputy Mayor through December 31, 1997.

Council Member Miller moved to suspend the rules to consider Substitute Resolution No. 33586. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

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

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 Substitute Resolution was declared adopted.

\*\*\*\*\*

**COMMUNICATION**

City Clerk advising that the Civil Service Board has filed proposed amendments to Personnel Rules Sections 1.24.420(d) and 1.24.450, regarding changes to residency requirements for employment with the City.

Mayor Ebersole announced that this Communication item is for informational purposes only.

\*\*\*\*\*

**FINAL READING OF ORDINANCES**

**Ordinance No. 25995**

Authorizing the execution of an interlocal agreement with Pierce County in the amount of \$30,000; accepting, depositing and appropriating said sum from the Miscellaneous Grants Summary Fund for specialized child care resource and referral services to families of children with developmental disabilities and to parents with disabilities.

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. 26003**

Accepting \$1,000 from Queen Anne Thriftway and \$500 from the Tacoma-Pierce County Chamber of Commerce; depositing in and appropriating \$1,500 from the Central Services Summary Fund for the video production of the 1996 Holiday Torchlight Parade.

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. 26004**

Authorizing the execution of an agreement with World Com Network Services, Inc., to lay fiber optic cable along the Tacoma Eastern Railroad right-of-way between Fredrickson and Roy for a fee of one dollar per linear foot per year; depositing in and appropriating \$137,280 from the Tacoma Eastern Railroad Acquisition and Operating Summary Fund for the operation and maintenance of the Tacoma Eastern Railroad right-of-way.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, and Mayor Ebersole

Nays: 0

Absent: 1 – Silas

The Ordinance was declared passed.

**Ordinance No. 26005**

Approving and confirming the Assessment Roll for L.I.D. No. 8581 for the construction of permanent pavement on the alley between Trafton and Steele Streets from South 8th to South 10th Streets.

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.

\*\*\*\*\*

**FIRST READING OF ORDINANCES**

**Ordinance No. 26006**

Vacating a portion of surplus right-of-way on the westerly side of Cedar Street abutting the residence at 3108 South 9th Street to increase the side yard of the petitioner's property. (Troy A. Wagner; File No. 124.1043)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Crowley. 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. 26007**

Vacating a portion of surplus right-of-way on the westerly side of Cedar Street abutting the residence at 3115 South 9th Street for the construction of a fence and the planting of trees along Cedar Street to create a noise barrier. (Joel E. Klippert; File No. 124.1044)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Crowley. 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. 26008**

Vacating the streets in those portions of the replats of Prairie Park lying within the corporate limits of Tacoma to combine the vacated areas with the abutting properties to accommodate a golf driving range. (Sunabill Investment, Ltd.; File No. 124.1045)

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. 26009**

Accepting a grant award from the State of Washington Department of Community, Trade and Economic Development, in the amount of \$249,487; depositing in and appropriating said sum from the General Fund; and authorizing the execution of agreements with the Associated Ministries, Young Women's Christian Association, Tacoma Goodwill Industries, Consejo, Faith Homes, Phoebe House, Metropolitan

Development Council, Indo-Chinese Cultural and Service Center, and Mary Bridge Children's Hospital for criminal justice prevention and treatment programs.

The Ordinance was set over for final reading next week.

**Ordinance No. 26010**

Amending Chapter 8.20 of the Municipal Code relating to public safety and morals to prohibit public possession of an open package containing liquor.

Speaking before the Council were:

<b>Name</b>	<b>Address/Affiliation</b>
Louise Batchelor	5314 North 46th Street
Will Baker	809 South I Street

The Ordinance was set over for final reading next week.

\*\*\*\*\*

**CITIZENS' FORUM** (BEGAN AT APPROXIMATELY 6:21 P.M.)

Speaking before the Council were:

<b>Name</b>	<b>Address</b>	<b>Topic</b>
Will Baker	809 South I Street	Elections
Mozella Pooley	8041 East Sherwood	Fire Personnel
Louise Batchelor	5341 North 46th Street	Contracts and Contractors
Steve Kepper	3851 South 15th Street	Sewer Problem
Steve Bertson	5009 North 10th Street	TACID Funding
Cheryl Olson	9437 South Fawcett	Fern Hill Neighborhood
Virginia Haywood	803 South 96th	Fern Hill Neighborhood
Teresa Maxwell	9032 South Park Avenue	Fern Hill Neighborhood
Phyllis Barrett	912 South Cushman	Happy New Year Performance Audit
Bruce Roger	P.O. Box 876, Gig Harbor	Tacoma Narrows Airport

The Citizens Forum was declared closed at 7:43 p.m.

Council Member De Forrest moved to take a short recess. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

The City Council recessed at 7:43 p.m. and reconvened at 8:00 p.m.

**Ordinance No. 26011**

Annexing Calvary Cemetery to the City of Tacoma.

The Ordinance was set over for final reading next week.

**Ordinance No. 26012**

Amending Chapter 6.68 of the Municipal Code to exempt amounts received from the sale of licenses to use grave sites and related finance charges for cemeteries located within the City of Tacoma.

The Ordinance was set over for final reading next week.

\*\*\*\*\*

**RESOLUTIONS**

**Purchase Resolution No. 33587**

Awarding a contract to:

American Linen, on its bid of \$215,050, for coverall, uniform and linen service - Specification No. G-059-96. (Continued from the meeting of December 17, 1996.)

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

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Steve Boucher	1418 6th Avenue, Unifirst Corporation
Randy Tompkins	2011 South Tacoma Way, American Linen

Voice vote was taken and carried with Council Members Kirby Evans, McGavick, and Silas voting in opposition on the Purchase Resolution. The Purchase Resolution was declared adopted.

**Resolution No. 33566** (Continued from the meeting of December 17, 1996.)

Adopting amendments to the "Legislative Policy Manual" that identify priority issues for the City of Tacoma in the 1997 Session of the Washington State Legislature.

Council Member Miller moved to suspend the rules to consider Substitute Resolution No. 33566 and Substitute Exhibit A. Seconded by Council Member Silas. Voice vote was taken and carried.

Council Member Miller moved that the Substitute Resolution, including Substitute Exhibit A, be adopted. Seconded by Council Member Evans.

Council Member De Forrest stated that he strongly opposed the new policy, "Health Department Regulation of Tobacco," in the Legislative Policy Manual.

Council Member Kirby stated he also opposed the new policy, "Health Department Regulation of Tobacco," in the Legislative Policy Manual.

Roll call vote was taken on the motion to amend Substitute Resolution No. 33566 by striking New Policy No. 3107 "Health Department Regulation of Tobacco" resulting as follows:

Ayes: 3 – De Forrest, Kirby and Silas

Nays: 6 – Baarsma, Crowley, Evans, McGavick, Miller, and Mayor Ebersole

The motion to amend Substitute Resolution No. 33566 was declared failed.

Council Member McGavick called for the question. Seconded by Council Member Crowley. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The motion was declared adopted.

Council Member Miller moved to amend Substitute Exhibit A of Substitute Resolution No. 33566 under the category "Economic Development," at the end of the paragraph, by inserting the words:

" . . . and continued expansion of enrollment opportunities at the Tacoma Branch Campus consistent with the level requested by the University of Washington at a minimum."

Seconded by Deputy Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on Substitute Resolution No. 33566, as amended. The Substitute Resolution, as amended, was declared adopted.

**Resolution No. 33574** (Continued from the meeting of December 17, 1996.)

Accepting an offer to purchase Electric System Revenue Refunding Bonds, Series 1997, in the amount of \$110,000,000; approving the plan for refunding the 1991 Bonds and authorizing the sale of such bonds.

Council Member Crowley moved to continue Resolution No. 33574 to the meeting of January 14, 1997, per the request of staff. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.



Resolution No. 33574 will be considered at the regular City Council meeting of January 14, 1997.

**Resolution No. 33583** (Continued from the meeting of December 17, 1996.)

Authorizing the execution of an agreement with the Metropolitan Park District for the operations of the South End Neighborhood Center.

Council Member Miller moved to remove Resolution No. 33583 from the agenda, per the request of staff. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33583 was removed from the agenda.

**Resolution No. 33588**

Authorizing the execution of agreements with the Metropolitan Development Council, in the amount of \$50,000; Tacoma Boys and Girls Clubs, in the amount of \$92,000; Tacoma Center Young Men's Christian Association, in the amount of \$10,000; and Metropolitan Park District, in the amount of \$25,000, for the operation of the juvenile curfew support programs.

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

Speaking before the Council were:

Name	Address/Affiliation
Phyllis Barrett	912 South Cushman
Louise Batchelor	5314 North 46th Street

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

**Resolution No. 33589**

Authorizing the sale of surplus property located between South 30th Street and State Route-16 and between Alder and vacated Lawrence Streets, in the amount of \$6,934.50, to Dr. William Shields.

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

**Resolution No. 33590**

Authorizing the execution of Local Improvement Assessment Deeds on four parcels of surplus Guaranty Fund Property and a Real Estate Contract on one parcel of surplus Guaranty Fund Property sold at private sales.

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. 33591**

Authorizing the submittal of a Brownfields Assessment grant application to the Environmental Protection Agency, in the amount of \$200,000, to develop a project assessment of the Nalley Valley District.

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

\*\*\*\*\*

**CITIZENS' FORUM** (BEGAN AT APPROXIMATELY 6:21 P.M.)

Citizens' Forum was held earlier in the meeting.

\*\*\*\*\*

**UNFINISHED BUSINESS**

None.

\*\*\*\*\*

**REPORTS BY CITY MANAGER**

City Manager Ray E. Corpuz, Jr., introduced Patti Rader as the Special Assistant who will be serving in the City Manager's Office for the next three months. Mr. Corpuz stated that Ms. Rader is from the Budget Office of the Finance Department.

Mr. Corpuz stated that, in our effort to continually communicate the City Council's vision for Tacoma and our mission and strategic focus, we have come up with a professional new note card that can be used in a variety of ways. He then asked the City Clerk to pass out the note cards to the City Council Members. Mr. Corpuz stated that he felt the note card is a good way to communicate with our customers, citizens, rate payers and other people in business. He thanked Deputy City Manager Jim Walton, the Community Relations Office and Graphic Services for their work on this card.

Mr. Corpuz then stated that the City is working with the Department of Transportation and the Port of Tacoma on the grand opening of State Route-509. He stated that the opening ceremony will be held on January 22, 1997, at 10:00 a.m., on the deck of the new cable-stay bridge.

Mr. Corpuz then echoed the thanks that the City Council gave to staff members for the extraordinary and excellent work they did in addressing the winter storms over the last couple of weeks. He stated that he hoped that the employees of the City of Tacoma performed in a way the citizens expected us to perform. He then thanked Deputy City Manager Jim Walton and Assistant City Manager Genelle Birk who were in charge at various times in the last two weeks.

Mr. Corpuz expressed his appreciation for the work Deputy Mayor Silas did over the last year. He then stated that he looked forward to working with Deputy Mayor Baarsma in 1997.

\*\*\*\*\*

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

Council Member Miller stated that the City Council rules have provisions regarding decorum and actions to be taken against individuals who fall outside the decorum when addressing the City Council. He stated that citizens have every right to state almost anything they please under Citizens' Forum, but when they refuse to abide by the rulings of the Chair, there should be rules in place regarding that issue. He stated that the bylaws only cover City Council Members' actions and not the actions of citizens and felt that the Chair should have the right to bar participation in the Citizens' Forum from individuals who refuse to abide by levels of decorum and rulings by the Chair. He then asked staff to look into that matter. He then added his compliments to staff's participation during the storm. He thanked the City Light electricians and stated that other regions in Puget Sound were without light for a substantially greater period of time than the customers of City Light. He stated that a number of individuals indicated that they wished Tacoma City Light was their utility company.

Council Member Miller then stated that tomorrow is the official signing of the ASARCO agreement. He stated that the agreement is between the City of Tacoma, Town of Ruston, Metropolitan Park District and ASARCO. He stated that this document is not only the culmination of years of hard work by many people, but the start of a tremendous opportunity for the City of Tacoma over the next decade. He stated that he is excited and proud that tomorrow the City will be able to kick that off.

He then asked that the map on the wall showing the City of Tacoma's Sister Cities be fixed.

Council Member McGavick also thanked Assistant City Manager Genelle Birk for her help in keeping the City of Tacoma running during the storm. She then thanked

Ms. Birk's son for keeping her house together while she was on vacation in Arizona. Council Member McGavick stated that while the City of Tacoma is dealing with take-home cars for the Police Department, the City of Scottsdale, Arizona, is dealing with what to do with the horses that the Police Department uses for patrol.

Deputy Mayor Baarsma also expressed his gratitude to staff who worked 16 hour days, seven days a week and volunteered to help other jurisdictions in their effort to restore power to their customers. He stated that he received a memorandum from the Director of Retirement indicating that Council Members who have completed their fifth year on the Council are now eligible to contribute from their own pay check into the City's retirement. He stated that it is his intention to bring forward an Ordinance to allow for contributions into the Retirement System from the first day of being sworn in as City Council Members. He asked staff to look into whether or not City Council Members may buy back years into the Retirement System.

Council Member Evans asked staff to look into whether the City Council Members that vote on the Ordinance regarding retirement for City Council Members may participate in it as well. He stated that doesn't seem to be the case for salaries.

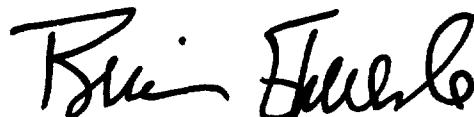
Council Member Kirby stated that he appreciated the patience of the Mayor and Members of the City Council tonight during the Citizens' Forum, but felt that it went a step beyond what he feels is acceptable. He then suggested that the Mayor should have control of the podium's microphone, as well as signaling staff to take the camera off the citizen. He asked staff to look into this issue.

Council Member De Forrest also thanked staff for an excellent job during the storm. He then stated that the Police Chief had given an article to the City Council Members to read. He stated that the article deals with the difficulties that the Police Chief deals with in the big cities. He encouraged Council Members to read it. Council Member De Forrest then commented on TVW programming.

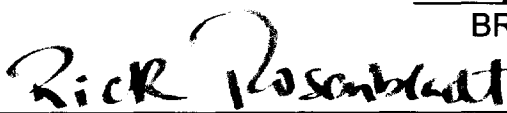
Mayor Ebersole also stated that he would like to see the State Legislative Sessions televised on TV Tacoma, the municipal channel, and encouraged staff to have it shown in a decent time slot.

\*\*\*\*\*

On proper motion, the meeting was adjourned at 9:37 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST: 

RICK ROSENBLADT, CITY CLERK