

# CITY COUNCIL MINUTES

City Council Chambers  
May 6, 1997

The meeting was called to order at 5:13 p.m.

Present on roll call: 8 - Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Deputy Mayor Baarsma. Absent: 1 - Mayor Ebersole.

The Flag Salute was led by Council Member Miller.

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## CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of April 15 and 22, 1997, and of the Joint Tacoma City Council and Pierce County Council study session of April 29, 1997.

## RESOLUTIONS

### **Resolution No. 33686**

Setting Tuesday, June 3, 1997, at 9:00 a.m., as the date for a hearing by the Hearing Examiner, on the request to vacate portions of South 49th Street, State Street and the alley westerly of Tacoma Mall Boulevard.

(Extended Stay of America; File No. 124.1048)

### **Resolution No. 33687**

Setting Tuesday, June 10, 1997, at 9:00 a.m., as the date for a hearing by the Hearing Examiner, on the request to vacate the northwesterly 35 feet of Lincoln Avenue, northerly of Alexander Avenue.

(Pacific Paper; File No. 124.1049)

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's Agenda for May 6, 1997.
- b. Minutes of the meeting of the Board of Administration of the Tacoma Employees' Retirement System, March 27, 1997.
- c. Minutes of the meeting of the Human Rights Commission, March 20, 1997.

- d. Agenda and amended minutes of the meeting of the Library Task Force, April 9, 1997.
- e. Minutes of the meeting of the Planning Commission, April 21, 1997.
- f. Minutes of the meeting and study session of the Public Utility Board, April 9, 1997.

Council Member Miller moved that the Consent Agenda, including Resolution Nos. 33686 and 33687, be approved. Seconded by Council Member Evans. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 33686 and 33687, was declared approved.

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**PROCLAMATION**

Deputy Mayor Baarsma and Pierce County Executive Doug Sutherland proclaimed the week of May 5-11, 1997, to be "National Nurses Week" and presented a joint proclamation to Mr. Michael Krashin, President and Ms. Luella Vig Hefty, Executive Director of the Pierce County Nurses Association.

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**REGULAR AGENDA**

**ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS**

**Resolution No. 33688**

Reappointing Mayor Ebersole to the Pierce Transit Board for a three-year term and adding Deputy Mayor Baarsma as an alternate to the Puget Sound Regional Council.

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.

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**FINAL READING OF ORDINANCES**

**Ordinance No. 26063**

Accepting a donation of \$250; depositing in and appropriating said sum from the Right-of-Way Enhancement Fund for the Residential Tree Planting Program.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas and Deputy Mayor Baarsma.

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Nays: 0

Absent: 1 – Mayor Ebersole.

The Ordinance was declared passed.

**Ordinance No. 26064**

Amending Chapter 1.12 of the Municipal Code to implement 1997 rates of pay and compensation for employees of District Lodge No. 160 on behalf of Local Lodge No. 297 of the International Association of Machinists and Aerospace Workers, General Unit, effective January 1, 1997.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas and Deputy Mayor Baarsma.

Nays: 0

Absent: 1 – Mayor Ebersole.

The Ordinance was declared passed.

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**FIRST READING OF ORDINANCES**

**Ordinance No. 26066**

Amending Ordinance No. 26011, annexing the Calvary Cemetery, to correct the legal description, in which Hannah Pierce County Road should have been identified as Manitou Custer Road.

The Ordinance was set over for final reading next week.

**Ordinance No. 26067**

Authorizing the execution of an amendment to the cooperative agreement with the Department of Housing and Urban Development, in the amount of \$38,320; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for the purpose of intake services for administrative costs, enforcement-related expenditures, and training.

The Ordinance was set over for final reading next week.

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## RESOLUTIONS

### **Purchase Resolution No. 33689**

Awarding contracts to:

1. Manpower, Inc., in the amount of \$75,000, and Kelly Services, in the amount of \$350,000, to renew their contracts for temporary personnel services - Specification No. G-008-96; and
2. Fox Island Construction, Inc., in the amount of \$30,000, to increase their contract for Citywide Hazardous Sidewalk Replacement Improvement No. BP005C - State Contract No. SA2492 - Federal Aid No. STPE-EN94(005) - Specification No. G-213-96.

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

### **Resolution No. 33690**

Authorizing and approving the filing of the Notice of Intent with the Pierce County Boundary Review Board for the extension of water utility services to the remaining portion of the Cascadia development located in the Prairie Ridge area south of the City of Bonney Lake.

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

### **Resolution No. 33691**

Authorizing the execution of an Interlocal Agreement with the Tacoma-Pierce County Health Department and Pierce County to establish a regional permit management system.

Council Member 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. 33692**

Reallocating \$170,000 in Community Development Block Grant Funds to the Hilltop Homeownership Development Center to continue operation of the program from July 1, 1997 through December 31, 1997.

Council Member Miller moved to consider Substitute Resolution No. 33692. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council Member Miller moved to adopt Substitute Resolution No. 33692. Seconded by Council Member Evans.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Darel Grothaus	Executive Director, Hilltop Homeownership Development Center

Council Member De Forrest moved to continue Substitute Resolution No. 33692 to the meeting of May 13, 1997. Seconded by Council Member McGavick. Voice vote was taken and carried with Council Member Silas voting in opposition. The motion was declared adopted.

Substitute Resolution No. 33692 will be considered at the regular City Council meeting of May 13, 1997.

**CITIZENS' FORUM** (BEGAN AT 6:35 P.M.)

Speaking before the Council were:

<u>Name</u>	<u>Topic</u>
Don Carr	Public Gambling
Maurice Wright	Public Gambling
Phyllis Barrett	Police Issues

The Citizens Forum was declared closed at 6:46 p.m.

**Resolution No. 33693**

Creating an ad hoc citizens advisory committee to review and evaluate housing programs supported with City federal funds; and authorizing the use of \$15,000 of Community Development Block Grant contingency funds to assist in completing the review of the housing programs.

Council Member Crowley moved to continue Resolution No. 33693 to the meeting of May 13, 1997. Seconded by Council Member Evans. Voice vote was taken and carried with Council Members Kirby and Silas voting in opposition. The motion was declared adopted.

Resolution No. 33693 will be considered at the regular City Council meeting of May 13, 1997.

**Resolution No. 33694**

Approving and authorizing the submittal of the Amended Consolidated Plan to the Department of Housing and Urban Development including the 1997 Annual Action Plan for a CDBG grant of \$3,283,000, a HOME grant of \$1,370,000, and an Emergency Shelter grant of \$84,000.

Council Member Evans moved to suspend the rules to consider Substitute Resolution No. 33694. Seconded by Council Member Crowley. Voice vote was taken

and carried with Council Member Silas voting in opposition. The motion was declared adopted.

Council Member Kirby moved to adopt Substitute Resolution No. 33694. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

**Resolution No. 33695**

Expressing support for the naming of the Eleventh Street Bridge over the Thea Foss Waterway as the "Murray Morgan Bridge."

Council Member Evans moved to suspend the rules to consider Substitute Resolution No. 33695. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Council Member Evans moved to adopt Resolution No. 33695. Seconded by Council Member Miller.

Speaking before the Council was:

Name	Address/Affiliation
Clare Petrich	1118 East D Street, Port Commissioner
Mozella Pooley	8041 East Sherwood

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

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**CITIZENS' FORUM** (BEGAN AT 6:35 P.M.)

Held earlier in the meeting.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

Deputy City Manager James L. Walton requested a temporary residency waiver be granted to Mr. Michael Manning for the position of Employee Relations Coordinator for a period not to exceed 18 months. Mr. Walton then requested an Executive Session to discuss pending litigation, not to exceed 45 minutes.

Mr. Walton called on Mr. Jan Gilbertson, Human Resources Director, for an explanation of the temporary residency waiver request.

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Council Member Miller moved that an 18-month residency waiver be granted for the hiring of Michael Manning for a period not to exceed 18 months and that, upon completion of that time period, the residency waiver would be binding on the employee. Seconded by Council Member Crowley. Voice vote was taken and carried with Council Members De Forrest and Silas voting in opposition. The motion was declared adopted.

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**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

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Council Member Miller moved to excuse Mayor Ebersole from tonight's meeting. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

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Council Member De Forrest requested information regarding skateboarding on the bridge located at North 23rd and Yakima Avenue. He requested clarification on how a bridge that has been closed to vehicle traffic, even though it is a right-of-way, can be considered a roadway.

Council Member Miller expressed his disappointment in the drawings he received relative to the painting of the SR-509 Bridge. He then stated that he had hoped to coordinate with the State of Washington to hold off on the painting of the SR-509 Bridge or at least speed our process to meet the State of Washington's timetable. Council Member Miller stated that he would have liked the SR-509 Bridge to have some tie to the Tacoma Dome in terms of colors, radiating from a white to a light blue on up to a darker blue.

Council Member Kirby complimented the Deputy Mayor on the exemplary fashion in which he had conducted the City Council meeting tonight.

Council Member Evans stated that the bridge located at North 23rd and Yakima Avenue is a bridge designed to take roadway traffic. He stated that although the bridge is closed for vehicle traffic he believes that it still serves as a roadway. He stated that since that bridge was rebuilt, there has been a constant problem with teenagers using the bridge surface for skateboarding. Council Member Evans stated the bridge has suffered considerable damage, mostly waxing of the steps on the pedestrian edges and chipping of the concrete. He stated that the teenagers are also throwing things off the bridge, urinating off the bridge and threatening adults and children who are on the bridge while they are trying to skateboard. Council Member Evans stated that he has received many complaints from citizens who live in that area asking for the bridge to be maintained against skateboarding. He stated that the bridge has a sign posted prohibiting skateboarding. He then stated that a police officer raised the question as to whether there was any legal right to close that bridge. Council Member Evans stated that he believed Mr. Bacha, from the Legal Department, was looking into that issue.

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Council Member Evans stated that he had also asked for some color samples that could be used to seal the SR-509 bridge over the existing transparent sealer. He stated that the transparent sealer was applied in spite of the City Council's request that it not be painted. Council Member Evans stated that the Mayor had asked him to set up a committee to examine the colors the City of Tacoma might want to paint the bridge. He stated he was a little hesitant to do that because of the neon experience. Council Member Evans then suggested the committee be an in-house committee. He stated that the bridge is a big structure and needs to have a forceful paint job and he felt that it should stand out from the other structures along the waterfront. He stated it would be an ongoing discussion.

Council Member Silas stated she wanted to publicly recognize Council Member McGavick as being the newly appointed president of the Clover Park Technical College. She then stated that Council Member McGavick is the first woman president of a technical college in the State of Washington.

Deputy Mayor Baarsma stated that it was 106 years ago this very day, that Tacoma experienced the first visit by a United States President, President Benjamin Harrison, on May 6, 1891. He stated that the President gave a speech on a platform where Grounds for Coffee now stands, to over 25,000 Tacoma citizens. He stated it was raining that day. He stated that within a year's time, Tacoma's population surpassed that of Seattle for the first and only time. He stated all that could be read in Murry Morgan's book, *South on the Sound*.

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Council Member Miller moved to recess to Executive Session for a period not to exceed 45 minutes to discuss pending litigation. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council convened to Executive Session at 7:40 p.m. and reconvened at 8:07 p.m.

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Deputy Mayor Baarsma moved to authorize the City Attorney's Office to settle the case of Sterud v. City of Tacoma, et al., Pierce County Superior Court Cause No. 95-2-13941-3, for the amount of \$125,000, and to proceed with third-party claims. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

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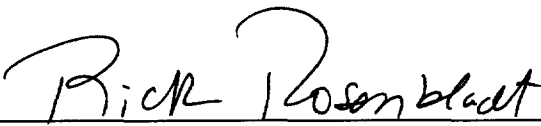


Deputy Mayor Baarsma moved to authorize the City Attorney's Office to settle the case of Huggler v. City of Tacoma, et al., Pierce County Superior Court Cause No. 95-2-01959-1, for the amount of \$250,000, and to proceed with third-party claims. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

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

  
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WILLIAM BAARSMA, DEPUTY MAYOR

ATTEST:   
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RICK ROSENBLADT, CITY CLERK