

CITY COUNCIL MINUTES

City Council Chambers
November 18, 1997

The meeting was called to order at 5:04 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 Cub Scout Pack No. 227 Bear Den.

CONSENT AGENDA

Approval of the Tacoma City Council minutes of October 21, 28, and November 4, 1997.

RESOLUTIONS

Resolution No. 33887

Setting Tuesday, January 6, 1998, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate Augusta Drive Northeast, 44th Avenue Northeast, and an adjacent alley near the North Shore Golf Course. (Novastar Development Company; File No. 124.1063)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's Agenda, November 18, 1997.
- b. Minutes of the Commission on Children, Youth and Families, October 9, 1997.
- c. Minutes of the Tacoma-Pierce County Board of Health, October 1, 1997.
- d. Telecom Advisory, Association of Washington Cities, September 1997.
- e. Utility Industry Restructuring and Competition, Association of Washington Cities, September 1997.

Council Member Miller moved that the Consent Agenda, including Resolution No. 33887, be approved. Seconded by Council Member Crowley. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 33887, was declared approved.

PROCLAMATION

Mayor Ebersole proclaimed November 1997 as "Disabled Veterans Outreach Program Month" and presented the proclamation to Mr. Sal Cantu.

REGULAR AGENDA

FINAL READING OF ORDINANCES

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.

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. 26158

Vacating the alley between 28th and 29th Streets Northeast, east from 62nd Avenue Northeast, to combine the vacated alley with adjacent properties to allow construction of an addition to the existing building. (ThunderChief Smoke Shop; File No. 124.1026)

Council Member Evans moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Silas. 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. 26159

Amending Title 6 of the Municipal Code by adding a new chapter entitled "Adult Entertainment" regulating adult entertainment establishments.

The Ordinance was set over for final reading to the next meeting.

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Ordinance No. 26160

Amending Chapter 13.06 of the Municipal Code relative to brewpubs and microbreweries.

The Ordinance was set over for final reading to the next meeting.

Ordinance No. 26161

Authorizing the execution of an agreement with the State of Washington Department of Social and Health Services, in the amount of \$263,696; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for the continued operation of the Tacoma-Pierce County Child Care Resource and Referral Service.

The Ordinance was set over for final reading to the next meeting.

Council Member Miller moved to suspend the rules to consider Ordinance No. 26162 after the public hearing. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 26162

Modifying the Biennial Budget for 1997-1998; and adopting the 1997-1998 Mid-Biennial Modification.

Ordinance No. 26162 was considered after the public hearing.

RESOLUTIONS

Purchase Resolution No. 33888

Awarding a contract to:

Ceccanti, Inc., on its bid of \$245,014, for residential street construction on South Madison Street, from South 69th Street to 350 feet north of South 74th Street, LID 8588 - Specification No. G-241-97.

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

Resolution No. 33889

Recognizing the ASARCO Final Environmental Impact Statement and the Master Development Plan as working documents in the creation of future land use revisions to facilitate redevelopment and reuse of the ASARCO Smelter Site.

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

Resolution No. 33890

Authorizing the execution of an amendment to the Purchase and Sale agreement with Labrador Ventures, in the amount of \$295,000, for building demolition and associated tasks on the property between the Foss and Middle Waterways.

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

Resolution No. 33892

Authorizing the execution of a Cultural Facility Development Fund agreement with the Children's Museum, in the amount of \$60,000, for the planning of a proposed facility expansion.

Council Member Miller moved to remove Resolution No. 33892 from the agenda. Seconded by Deputy Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33892 was removed from the agenda.

Resolution No. 33893

Directing staff to identify a site, negotiate terms for acquisition, and formulate a financing strategy for a new public parking structure to be located in the vicinity of A to Market Streets and Sixth Avenue to 11th Street.

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

Speaking before the Council were:

Name	Address/Affiliation
Bob Trotter	General Manager, Sheraton Tacoma Hotel
Jesse Allen	Resident
Joseph Fortier	525 Broadway #406
Chris Anderson	Interim Executive Director of the Tacoma Empowerment Consortium
Phyllis Barrett	912 South Cushman
David Bow	4818 North 27th Street

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Catherine Rudolph	Resident
Steph Farber	President, LeRoy Jewelers
Don Percell	728 Broadway
Scott Bourne	625 Commerce Street
David Allen	Executive Director, Executive Council for Greater Tacoma
King Cole	Jillian's Billiard Club
Kevin Phelps	Tacoma's Landmark Convention Center
Paul Ellis	Tacoma-Pierce County Chamber of Commerce

Roll call vote was taken, resulting as follows:

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

Nays: 1 – De Forrest

Abstaining: 1 – Kirby

The Resolution was declared adopted.

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

The City Council recessed at 7:07 p.m. and reconvened at 7:20 p.m.

PUBLIC HEARINGS AND APPEALS

- a. This is the date for a public hearing relative to proposed amendments to the Comprehensive Plan and area-wide zoning reclassifications.

The public hearing began at 7:20 p.m.

Speaking before the Council were:

Name	Affiliation/Address
Carl Scheuerman	6811 South Wapato Street
Tim Strege	Executive Director, William Factory Small Business Incubator

The public hearing was declared closed at 7:36 p.m.

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- b. This is the date for a public hearing to consider modifications to the City's 1997-1998 Biennial Budget.

The public hearing began at 7:36 p.m.

Speaking before the Council were:

Name	Affiliation/Address
Phyllis Barrett	912 South Cushman
Nancy Watkins	Executive Director, Tacoma-Pierce County Visitor and Convention Bureau
Abel Corpus	Chairman, Tacoma Library Board of Trustees

The public hearing was declared closed at 8:19 p.m.

Ordinance No. 26162

Modifying the Biennial Budget for 1997-1998; and adopting the 1997-1998 Mid-Biennial Modification.

The Ordinance was set over for final reading to the next meeting.

Resolution No. 33894

Authorizing the execution of an amendment to the Neighborhood Preservation Program to allow the Tacoma Community Redevelopment Authority to enter into a loan agreement with Martin Luther King Housing Development Association, in the amount of \$390,011 of 1996 and 1997 HOME funds, to acquire three vacant properties located at 2301 Martin Luther King, Jr. Way, 2303 South L Street, and 1116 South 23rd Street.

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

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PUBLIC HEARINGS AND APPEALS

- a. This is the date for a public hearing relative to proposed amendments to the Comprehensive Plan and area-wide zoning reclassifications
- b. This is the date for a public hearing to consider modifications to the City's 1997-1998 Biennial Budget.

The public hearings were held earlier in the meeting.

UNFINISHED BUSINESS

Council Member Miller moved to continue the public hearing on wireless communication regulations, originally scheduled for the meeting of December 2, 1997, to a date to be determined. 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. requested an Executive Session to discuss pending litigation, not to exceed ten minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Miller moved to cancel the City Council meeting of December 2, 1997. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Baarsma reported on the inaugural trip of the MV Tacoma jumbo ferry. He stated that the ferry is a phenomenal boat and that the trip was a terrific experience. He stated that the trip went from Seattle to Bainbridge Island and back.

Deputy Mayor Baarsma stated that he and Council Member Evans attended the North End Neighborhood Council meeting last night. He stated that, at this particular meeting, officers were being elected. He stated that 13 positions were up for election and over 20 candidates gave articulate and positive comments about their expectations for the Neighborhood Council. Deputy Mayor Baarsma then stated that over 150 people were in attendance, which is a sign of progress and success for the Neighborhood Council endeavor. He stated that he was most impressed with the positive comments made by the citizens about City staff.

Deputy Mayor Baarsma stated that he read the article in the *News Tribune* regarding the relationship between Tacoma City Light and Frank Russell (Company.) He stated the first fiber optic wiring of Tacoma has occurred and officers of Frank Russell spoke in glowing terms about the success of that first stage.

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Deputy Mayor Baarsma then stated that it was interesting to see an article that appeared in the Council packet from the *Nation Cities Weekly* concerning some communities in Iowa that voted on the question of whether they should move forward and compete against TCI. He said in Alta, Iowa the vote was 88 percent in favor, despite a campaign waged by TCI that characterized this effort as "creeping socialism." He stated that in Spencer, Iowa the vote was 91 percent in favor, despite the fact the opponents outspent the proponents by a ratio of 130 to 1. He stated that the vote in Englewood, Colorado was 94 percent in favor.

Mayor Ebersole thanked Deputy Mayor Baarsma for the report and his good work on behalf of the City with the first cruise of the MV Tacoma and other public appearances.

Council Member De Forrest stated that he attended the Eastside Neighborhood Council meeting last night. He stated that neighborhood signage was discussed. He stated that the South End Neighborhood sign is in the Eastside Neighborhood Council District, not by just one block but from McKinley Avenue to Pacific Avenue. He stated that the reason that happened was that the Planning Department was using the Planning map and not the Neighborhood Council map. He stated the Eastside Neighborhood Council is the only Neighborhood Council that received an amendment to the Ordinance to change the lines from that of the Planning Department maps. He requested the signage be corrected.

Council Member De Forrest then stated that further discussion was held regarding the present Planning Districts. He stated that he did not think the Districts had been changed in 20 or 30 years and that maybe this is a good time to review them.

Council Member De Forrest stated that each of the Council Members received a copy of a letter that Ms. Phyllis Barrett sent to Sergeant Miller, of the Tacoma Police Internal Affairs Division. He stated that it was his understanding that the Internal Affairs Division declined to follow up on her complaints. Council Member De Forrest then requested a written response be sent to Ms. Barrett stating either the reason we cannot respond or answering her concerns.

Council Member Silas requested information regarding the maintenance of the Peoples Community Center. She stated that the roof at the Center is leaking and she would like to have the responsible party to fix it.

Council Member Silas then wished Council Member Kirby a happy birthday.


Council Member Miller moved to convene to Executive Session for a period of ten minutes to discuss pending and potential litigation. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

The City Council convened to Executive Session at 8:42 p.m. and reconvened at 8:49 p.m.

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Council Member Miller moved to authorize the City Attorney's office to settle the case of Rhonda Aida v. City of Tacoma et al., Pierce County Superior Court Cause No. 96-2-12666-2, for the amount of \$60,000.00. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 8:49 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST: Rick Rosenblatt
RICK ROSENBLADT, CITY CLERK