

CITY COUNCIL MINUTES

City Council Chambers
November 5, 1996

The meeting was called to order at 5:07 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 Crowley.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council study sessions, October 24 and 29, 1996.

RESOLUTIONS

Resolution No. 33547

Setting Monday, November 25, 1996, at 5:00 p.m., as the date for a hearing by the Hearing Examiner on L.I.D. No. 3957 for the placement of sanitary sewers in the alley between East 54th and East 55th Streets from East I Street west 350 feet.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner agenda for November 5, 1996.
- b. Minutes of the meeting of the Landmarks Preservation Commission, October 9, 1996.
- c. Minutes of the meeting and study session of the Public Utility Board, October 9, 1996.
- d. Monthly Financial Reports for 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, September 1996.

Council Member Evans moved that the Consent Agenda, including Resolution No. 33547, be approved. Seconded by Deputy Mayor Silas. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 33547, was declared approved.

Council Member Miller requested a point of personal privilege and encouraged citizens to exercise their civic right to vote tonight.

PROCLAMATION

Mayor Ebersole proclaimed November 7, 1996, as "Safe Streets Day" and presented the proclamation to Priscilla Lisicich, Director of Safe Streets Campaign.

REGULAR AGENDA

COMMUNICATIONS

Hearing Examiner recommending that the request to vacate a portion of the alley west of East T Street, between East 35th and Harrison Streets, be dismissed.
(Steve D. Jones; File No. 124.1037)

Council Member Miller moved to concur in the recommendations of the Hearing Examiner. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

FINAL READING OF ORDINANCES

Ordinance No. 25934

Amending Chapter 13.06 of the Municipal Code to reclassify the property located at 1717 South 72nd Street from an "R-2" One-Family Dwelling District to a "C-1" Commercial District to allow a nail care business to operate on the north side of South 72nd Street, between I-5 Freeway and Wapato Lake. (Trang Le; File No. REZ96-00005)

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. 25972

Accepting the donation of a 9-1-1 telephone simulator from State Farm Insurance Company in support of the Fire Prevention Bureau Public Education Program.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Miller

The Ordinance was declared passed.

Ordinance No. 25973

Providing for the formation of L.I.D. No. 2629 for the construction of a two-inch asphalt surface treatment and storm drainage on North Warner Street from North 35th to North 36th Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Abstaining: 1 – Miller

The Ordinance was declared passed.

Ordinance No. 25974

Approving and confirming the Assessment Roll for L.I.D. No. 8557 for the construction of concrete curb and gutters, asphalt pavement, and storm drainage on High Point Drive NE from 45th Street NE to Northshore Parkway.

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. 25975

Amending Chapter 13.06 of the Municipal Code to reclassify the property located at 4416 South 74th Street from an "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow Wild Thyme Nursery to continue operating. (Robert Porter; File No. REZ96-00014)

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. 25976

Transferring \$64,319.18 from the Tacoma Dome Property Self-Insurance Fund to the Tacoma Dome Operating Fund; appropriating said sum from the Tacoma Dome Operating Fund for the repair of ice rink piping in the floor of the Tacoma Dome; and declaring an emergency, making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 33548

Awarding contracts to:

1. Fastenal Company, in the amount of \$15,000, to increase the contract for fasteners and fastening devices - OPO No. 3631;
2. Lucent Technologies, in the amount of \$416,072.28, for telephone communications equipment;
3. General Fire Apparatus, on its bid of \$32,394.68; L.N. Curtis & Sons, on its bid of \$14,626.96; and Wildfire Pacific Fire Equipment, Inc., on its bid of \$8,571.36; for fire hose and couplings - Specification No. G-042-96; and
4. L.D. Heaton & Associates, in the amount of \$903,648.21, to increase the contract for two additional 1500 GPM triple combination pumper engines - Specification No. G-043-94.

Council Member Evans moved that the Purchase Resolution, including waiving formal bidding procedures on Item Nos. 1 and 2, be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item Nos. 1 and 2, was declared adopted.

Resolution No. 33549

Authorizing the execution of agreements with the Martin Luther King Housing Development Association, in the amount of \$31,050, and the Metropolitan Development Council, in the amount of \$30,000, to assist with administrative costs associated with housing development projects, in accordance with the 1996 Consolidated Plan.

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

Resolution No. 33550

Naming the pedestrian bridge, to be constructed from the Washington State History Museum to the Foss Waterway, "The Chihuly Bridge of Glass."

Speaking before the Council were:

Name	Address/Affiliation
David Allen	Secretary/Treasurer of the Board of Trustees for the International Museum of Modern Glass
Will Baker	809 South I Street
Phyllis Barrett	912 South Cushman

Council Member Evans moved that the Resolution be adopted. Seconded by Deputy Mayor Silas. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The Resolution was declared adopted.

Resolution No. 33551

Authorizing the execution of a Historic Preservation Special Valuation Covenant between the Tacoma Landmarks Preservation Commission and Mike and Kris Agostini for the property located at 1910 South G Street.

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

PUBLIC HEARINGS AND APPEALS (BEGAN AT 6:00 P.M.)

(Continued from the meeting of October 29, 1996.)

Allenmore Ridge Condominium Association appealing the decision of the Hearing Examiner relative to the recommendation to approve the request for reclassification of the property located at 2747 Center Street from an "R-2" One-Family Dwelling District to an "M-1" Light Industrial District and from an "M-2" Heavy Industrial District to an "M-1" Light Industrial District to allow construction of a residential treatment center/work release facility. (Progress House; File No. REZ96-00013)

Deputy Mayor Silas and Council Member De Forrest excused themselves from the Public Hearing and Appeal process.

Council Member Miller stated that although he had to leave the Council meeting early last week, he did have the opportunity to review the tape of the remainder of the Hearing and has versed himself entirely on the record.

Mayor Ebersole moved to remand the recommendation of the Hearing Examiner back to the Hearing Examiner to further consider Finding No. 24; specifically, whether the rezone bears a substantial relationship on public health, safety, morals, or general welfare. Seconded by Council Member Evans.

City Attorney Robin Jenkinson informed the Council that according to Engrossed Substitute House Bill 17.24 and RCW 36.70b.090(1)(c), the Council has to consider and decide this appeal within 60 days of filing the appeal unless the parties are willing to extend the time during which this appeal can be heard. She stated that the appeal was filed on September 19, 1996; therefore, counsel from both sides have to state their willingness to continue this matter.

Council Member Miller pointed out that the Hearing Examiner is proposing a December 10, 1996, hearing date which will require some period of time following that for his recommendation to be issued. This Council has canceled the last two meetings in December, so it may be the first or second meeting of January before the appeal comes back to be considered by the Council.

Ms. Stephanie A. Arend, attorney representing the appellant, Allenmore Ridge Condominium Association, stated that they had no objection to agreeing to the extension and to the remand.

Mr. Terry McCarthy, attorney representing the applicant Progress House, requested that the hearing be as soon as possible and that the Council review this as soon as possible because of the limited funds of a nonprofit organization. He stated that he was agreeing to the extension.

Voice vote was taken and carried on the motion to remand the recommendation of the Hearing Examiner back to the Hearing Examiner to further consider Finding No. 24, with Deputy Mayor Silas and Council Member De Forrest abstaining. The motion was declared adopted.

CITIZENS' FORUM (BEGAN AT 6:15 P.M.)

Speaking before the Council were:

Name	Address/Affiliation	Topic
Robin Culpepper	732 S. Monroe St.	• Boiler Inspector Office
Don Cowart	4412 S. 10th St.	• Boiler License Requirements
Ron Johnson	5635 N. 49th St.	• Boiler License Requirements
Dave Henderson	3611 Preble, Bremerton	• Boiler License Requirements
Mozella Pooley	8041 E. Sherwood	• Planter Boxes, Basketball Hoop, Blocked Driveway
Dave Hiatt	9415 Pacific Ave.	• Vagrants, Vandalism, Rats and Lack of Police
Sherrill Ware	3719 S. M St.	• More Police Officers and South End Safety Issues
Virginia Haywood	803 S. 96th St.	• More Police Officers in the South End
Mike Haase	Copperfields Restaurant	• More Police Officers in the South End
Will Baker	809 S. I St.	• Petitions
Jim Stevenson	3828 S. Yakima	• Increased Police Protection in the Lincoln District
Jim Griffith	P.O. Box 876, Gig Harbor	• Tacoma Narrows Airport
Bill Platt	4820 S. D St.	• Boiler Licensing
David Burnson	3322 S. Proctor	• Boiler License Code
Jim Wrenn	862 S. 39th St.	• Boiler Safety

UNFINISHED BUSINESS

None.

REPORTS BY THE CITY MANAGER

City Manager Ray E. Corpuz, Jr., requested an Executive Session to discuss potential litigation, not to exceed 30 minutes.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Mayor Ebersole designated and appointed Nathan Drake as a Commissioner of the Tacoma Housing Authority for a term commencing on November 5, 1996, and terminating on January 2, 2001. He stated that Mr. Drake has served as a foster parent over the past few decades to over 300 foster children, some of whom he has adopted. He then congratulated Mr. Drake on his appointment to the Housing Authority.

Council Member Baarsma commented on the graffiti that appeared on the University of Puget Sound campus. He stated that this is a very serious matter and that it was some of the most hateful, prejudicial comments he had ever seen. He stated the Police Department is working very closely with the University in dealing with this issue. Council Member Baarsma stated that he wrote a letter to the editor of the school newspaper on behalf of the Mayor and his City Council colleagues expressing their sentiments of outrage, and that the City of Tacoma does not tolerate acts of prejudice, hatred or bigotry.

Deputy Mayor Silas thanked Council Member Baarsma for taking the effort to write the letter to express their sentiments and requested permission to sign the letter, along with other City Council members.

Council Member Evans stated that on July 27, 1993; December 13, 1994; and July 2, 1996 the City Council had taken action on hate crimes. Council Member Evans commented that the City has a good track record of stating firmly where it stands on the issue of bigotry and will continue to fight this kind of ugliness.

Council Member McGavick requested the City Manager arrange for the Police Chief to meet with the Council regarding his plans for policing the community.

Council Member Miller reported that last Wednesday he attended the West End Neighborhood Council meeting. The meeting was attended by approximately 100 citizens who are affected by the Jackson Street on-ramp. He stated that the citizens expressed their appreciation for the revision to the flow of traffic during peak hours, retold their horror stories of what used to occur versus what is occurring now in terms of impacts on their homes, and encouraged the Council to stand behind the request made to the State to limit the Jackson Street on-ramp high occupancy vehicle access to only during the afternoon peak rush hours. Council Member Miller stated that he thinks it is going to be important that the Council become increasingly aware of the "high occupancy vehicle access-only program," and the benefits it is having. He stated that it is going to be important that staff continue to work with the Pearl Street neighborhood to mitigate impacts as much as possible. Council Member Miller then commented on going trick-or-treating with his daughter. They went as Esmerelda and Clopin (the King of Fools).

Mayor Ebersole stated that he had the pleasure of representing the City Council at the grand opening of the housing facility on 4th and Fawcett Avenue. This is the first completed project, since the Council passed the tax exemption provision, which allows improved property to go untaxed for 10 years. Mayor Ebersole stated that this facility will provide housing for 60 working families of very modest means and will provide a big "shot in the arm" for that community. He stated that the City staff did a great job in helping this along and this project is a good thing to see for downtown Tacoma.

Council Member Evans moved to convene to Executive Session to discuss potential litigation, for a period not to exceed 30 minutes. Seconded by Deputy Mayor Silas.

The Council convened to Executive Session at 7:35 p.m. and reconvened at 8:05 p.m.

Council Member Baarsma moved to cancel the City Council meeting of November 26, 1996. Seconded by Deputy Mayor Silas. Voice vote was taken and carried. The motion was declared adopted.

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


BRIAN EBERSOLE, MAYOR

ATTEST: 
RICK ROSENBLADT, CITY CLERK