

## CITY COUNCIL MINUTES

City Council Chambers  
March 22, 1994

The meeting was called to order at 5:06 p.m.

Present on roll call: 8 - Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Moss.

The Flag Salute was led by Council Member Baarsma.

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Approval of the minutes of the Tacoma City Council meeting of March 15, 1994; study sessions of February 1, 8 and 10, 1994; and Tacoma City Council Tour of February 12, 1994.

### RESOLUTIONS:

#### Resolution No. 32544

Setting Tuesday, April 26, 1994, at approximately 6:00 p.m. as the date for a public hearing by the City Council concerning proposed housing regulations for accessory dwelling units and small lot development.

#### Resolution No. 32545

Setting Tuesday, April 26, 1994, at 9:00 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate a portion of Lincoln Avenue between the Port of Tacoma Road and Blair Waterway. (Port of Tacoma; File No. 124.996)

#### Resolution No. 32546

Approving the final plat of NORTH SHORE COUNTRY CLUB ESTATES, DIVISION 2 located in the area bounded by 45th Avenue N.E., Browns Point Boulevard, 43rd Street N.E., extended and the North Shore Golf Course.

### APPEAL:

Joseph F. Keely and Alma T. Cowan, appealing the decision of the Hearing Examiner relative to a Special Use Permit on the property located at North 14th Street between

North Stevens Street and Mason Avenue to allow the construction of an addition to a church and a new parking lot. (Emmanuel Lutheran Church; File No. 121.1256)

Setting Tuesday, April 12, 1994, at approximately 6:00 p.m. as the date for a hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, March 22, 1994.
- b. Minutes of the meeting of the Civil Service Board, February 7, 1994.
- c. Minutes of the meeting of the Tacoma-Pierce County Board of Health and study session, January 5, 1994.
- d. Minutes of the meetings of the LESA Executive Board, September 22 and December 14, 1993.
- e. Total Service Delivery Report of the Tacoma-Pierce County Humane Society, January 1994.
- f. Policing Tacoma 1993-1998, Social and Demographic Trends Affecting the Tacoma Police Department, by Paul A. Pastor, Jr., Ph.D.
- g. Annual Financial Reports from the Light and Water Divisions, 1993.

Council Member De Forrest moved that the Consent Agenda, including Resolution Nos. 32544, 32545, and 32546, be approved, and amending the February 1, 1994 study session minutes to reflect that only Council Member De Forrest was absent and not Hal Nielsen. Seconded by Council Member Silas. Voice vote was taken and carried. The Consent Agenda including the amending the February 1, 1994 study session minutes were declared approved.

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**REGULAR AGENDA**

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 32547

Appointing Sharon M. McGavick to fill the at large Council position vacated by Deputy Mayor Harold G. Moss effective March 22, 1994 through December 31, 1995.

Council Member Silas 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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Mayor Moss conducted the oath of office swearing-in ceremony of Sharon M. McGavick.

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Mayor Moss proclaimed the day of March 26, 1994, to be "Children Safety Fair Day" and presented the proclamation to Ms. Jenny Booth and Ms. Kelly Halligan.

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Presentation of Police Department citizens' awards.

Mayor Moss and Assistant Police Chief Charles Meinema presented a certificate of award to Mr. Ernest Ward for meritorious action.

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COMMUNICATIONS:

Hearing Examiner submitting a Shoreline Management Substantial Development Permit No. 141.554 for the placement of asphalt paving, sheet piling and riprap at 1901 Taylor Way, on the corner of Taylor Way and Lincoln Avenue, extended. (Buffelen Woodworking, Inc.; File No. 141.554)

Council Member Miller announced that he would abstain from consideration of this matter and left the Council Chambers.

Council Member Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Baarsma. Roll call vote was taken, resulting as follows: 8 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Silas, and Mayor Moss. Nays: 0. Abstaining: 1 - Miller. The motion was declared adopted.

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FINAL READING OF ORDINANCES:

Ordinance No. 25455

Vacating a portion of South 45th Street west of Adams Street to provide additional parking. (Victor J. Yaconetti; File No. 124.991)

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Silas, and Mayor Moss.

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

Council Member Miller returned to the Council Chambers.

Ordinance No. 25457

Amending Chapter 13.06 of the Official Code to reclassify the property located on both sides of South Cedar and Alder Streets from South 7th to South 12th Streets including an adjacent area along the north side of South 12th Street extending west to South Lawrence Street from a "R-3" Two- and Three-Family Dwelling District to a "R-2SRD" Residential Special Review District. (City of Tacoma; File No. 120.1372)

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25458

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast and southeast corner of North 25th and Adams Streets from a "C-2BSRD" Commercial Special Review District to a "R-2" One-Family Dwelling District. (City of Tacoma; File No. 120.1369)

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

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Ordinance No. 25460

Amending Chapter 12.06 of the Official Code relative to electrical energy regulations and rates effective April 4, 1994.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 25460. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Speaking before Council were:

Ed Huson	Resident
Tom Bensol	Occidental Chemical
Barbara Reddish	Elf Atochem
O. Pottier	Boise Cascade
Link Overton	Resident

Council Member Kirby moved to continue Substitute Ordinance No. 25460 for two weeks. Seconded Council Member De Forrest.

Roll call vote was taken on the motion, resulting as follows:

Ayes: 3 -- De Forrest, Evans and Kirby.

Nays: 6 -- Baarsma, Crowley, McGavick, Miller, Silas, and Mayor Moss.

The motion failed.

Roll call vote was taken on the Substitute Ordinance No. 25460, resulting as follows:

Ayes: 6 -- Baarsma, Crowley, McGavick, Miller, Silas, and Mayor Moss.

Nays: 3 -- De Forrest, Evans and Kirby.

The Substitute Ordinance was declared passed.

Substitute Ordinance No. 25461

Amending Chapter 12.10 of the Official Code relative to water regulations and rates effective April 4, 1994.

There were no speakers before the Council.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Substitute Ordinance was declared passed.

Amended Substitute Ordinance No. 25462

Submitting a proposition to the voters at a special municipal election on April 26, 1994 to levy an additional regular property tax for emergency medical care or services; and requesting the Pierce County Auditor to find an emergency exists to call and conduct said election.

Council Member Miller moved to suspend the rules to consider Substitute No. 2 of Ordinance No. 25462. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council was:

Gail Rouse

Grandview, WA

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Substitute Ordinance No. 2 of Ordinance No. 25462 was declared passed.

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Mayor Moss moved to the "Citizens Request to Be Heard" portion of the agenda.

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CITIZEN'S REQUEST TO BE HEARD: (Began at 8:02 p.m.)

Tawne Best, requesting to speak on fluoridation.

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Ms. Best and Ms. Elsie Pizzard, of Puyallup, spoke to the Council regarding the negative impacts of fluoridation.

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Mayor Moss moved to recess for 10 minutes. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted. Council recessed at 8:30 p.m. and reconvened at 8:40 p.m.

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Ordinance No. 25463

Authorizing the execution of a grant award contract with the State of Washington Department of Social and Health Services, in the amount of \$5,468; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for training child care providers through the Child Care Resources and Referral System.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25465

Approving and confirming the assessment roll for L.I.D. No. 3948 for the placement of sanitary sewer in the alley between East 57th and East 58th Streets from East N Street to Portland Avenue.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 25459 (Continued from the meeting of March 8, 1994.)

Providing for the levy of the seventh year assessment for the Downtown Business Improvement Area (BIA); approving the BIA annual budget and work program; and appropriating \$432,940 for project activities.

Council Members Crowley and Miller announced that they would abstain from consideration of this matter and left the Council Chambers.

Mayor Moss moved to suspend the rules to consider Substitute Ordinance No. 25459. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance was set over for final reading next week.

Council Members Crowley and Miller returned to the Council Chambers.

Ordinance No. 25466

Vacating a portion of South 28th Street between Cushman and Sheridan Avenues to combine the vacated area with the abutting properties to provide additional yard space for residential building sites. (Janabea H. Wilson; File No. 124.920)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Kirby. 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. 25467

Appropriating \$30,000 from the Visitor and Promotion Fund unreserved fund balance; transferring and appropriating said sum from the Tacoma Dome Operating Fund for advertising the Tacoma Rockets' home games.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 32548

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Awarding a contract to:

Unifirst Corporation, in the amount of \$167,556.46 to extend and increase their contract for coverall, uniform and linen service - Specification No. G-071-91.

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. 32549

Authorizing the execution of Amendment No. 1 to the lease agreement with Lake Cushman Resort Company for operating and maintaining a public hunting and fishing lodge and resort.

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

Council Member Miller moved to continue Resolution No. 32549 to the meeting of March 29, 1994. Seconded Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32549 will be considered at the regular City Council meeting of March 29, 1994.

Resolution No. 32550

Accepting \$223,485 from the State of Washington Department of Community Development for criminal justice prevention and treatment programs.

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

Resolution No. 32551

Authorizing the execution of an agreement with the Tacoma-Pierce County Sports Commission, in the amount of \$33,000 for marketing and soliciting international, national and regional sporting events in the Tacoma Dome.

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

Resolution No. 32552

Authorizing the execution of an Administrative Order of Consent with the United States Environmental Protection Agency, Region 10, in the amount of \$3,700,000 for sediment remedial design activities in the Thea Foss and Wheeler-Osgood Waterways.

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. 32553

Authorizing the execution of an amendment to the agreement with Bruno B. Freschi, in the amount of \$65,000 for design services in developing the Thea Foss Waterway Development Master Plan.

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

Resolution No. 32554

Amending Rule 5(d) of the Rules of Procedure of the Council to delete the submittal of grant applications from the Consent Agenda.

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

Mayor Moss announced that pursuant to Council Rule No. 10(9), the Resolution was set over for second reading next week.

Resolution No. 32555

Authorizing the execution of Amendment No. 1 to the master license agreement with Tacoma Hockey Enterprises, Inc., in the amount of \$30,000 for advertising and marketing of the Tacoma Rockets' games.

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.

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UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, announced that citizens may call Vision Line at 591-2020 to provide any suggestions for improvements of City services.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Baarsma summarized the five action elements of the 1994 Action Agenda of the National League of Cities, which he obtained from the National League of Conference held in Washington, D.C. Council Member Baarsma stated that copies of the 1994 Action Plan will be made available for Council Members to review.


Council Member Kirby reported that at the National League of Cities Conference he expressed concerns about unfunded federal mandates which forces local governments to increase rates. Council Member Kirby requested staff to look into the possibility of breaking out the federally mandated requirements and listing them as a separate item on City bills.

Council Member Evans requested staff to look into Federal Way's proposal to add a third runway at McChord Air Force Base.

Council Member Silas requested Council Members to sign a petition in support of finding Tommie Woods who has been missing since November 1993. Council Member Sials indicated that a very informative meeting was held with Police, interested parties and a group of concerned citizens of Tommie Woods to talk about what can be done to assist the Police Department to find Tommie Woods.

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On proper motion, the meeting was adjourned at 9:45 p.m.

  
HAROLD G. MOSS, MAYOR

ATTEST:   
GENELLE BIRK, CITY CLERK