



# City Council Minutes

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City Council Chambers, 747 Market Street, First Floor, Tacoma, Washington 98402

February 9, 1999

The meeting was called to order at 5:07 p.m.

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

The Flag Salute was led by Council Member DeForrest.

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## **CONSENT AGENDA**

Approval of the minutes of the City Council meeting of January 12, 1999.

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

- a. Amended minutes of the Planning Commission, January 6, 1999.
- b. Minutes of the Planning Commission, January 11 and 20, 1999.
- c. Minutes of the Public Utility Board study session and minutes, January 13, 1999.
- d. Proposed amendment to the Charter of the Foss Waterway Development Authority.

Council Member Crowley moved that the Consent Agenda be approved. Seconded by Council Member Silas. Voice vote was taken and carried. The Consent Agenda was declared approved.

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### **AWARDS PRESENTATION**

Mayor Ebersole called on Ms. Lisa Quinn, Commute Trip Reduction Coordinator, to present the Summit Awards for Commute Trip Reduction Programs. Mayor Ebersole announced that the recipients of these awards were: Merle Carlson, Jr. and Lisa Barker, from Simpson Tacoma Kraft; Randy Stearnes, from Tacoma Public Utilities; Dorothy Brown and Kathy Purdy, from the Port of Tacoma.

## **REGULAR AGENDA**

### **FINAL READING OF ORDINANCES**

#### **Ordinance No. 26360**

Appropriating \$55,000 from the Community Development Block Grant Summary Fund and \$44,600 from the Miscellaneous Trust Summary Fund; and authorizing the execution of an agreement with the National Development Council to provide assistance with economic development projects.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, Kirby, McGavick, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Miller

Abstaining: 1 – De Forrest

The Ordinance was declared passed.

#### **Substitute Ordinance No. 26361**

Adopting an immediate moratorium on the acceptance of applications for special property use permits and building permits for Group Care Home Class II facilities, except for those facilities located in the “M-1” zoning district, or as otherwise prohibited, to be effective for a period of six months; setting Tuesday, March 30, 1999, at approximately 6:00 p.m., as the date for a public hearing by the City Council; 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: 8 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Miller

The Substitute Ordinance was declared passed.



## FIRST READING OF ORDINANCES

### **Ordinance No. 26362**

Amending Chapter 13.06 of the Municipal Code to reclassify the property located on the east side of 9415 Pacific Avenue, abutting the east side of the Hiatt car dealership, from an "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow the property to be used as an unpaved vehicle storage area. (Stephen A. Hiatt; File No. REZ98-00010)

Council Member Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. 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. 26363**

Vacating portions of South 28<sup>th</sup> Street and Cushman Avenue. (James Pettit & The Caballeros Club; File No. 124.1083)

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

## RESOLUTIONS

### **Purchase Resolution No. 34301**

Awarding contracts to:

1. Polydyne Inc., in the amount of \$268,448, to extend and increase its bid for polymers for dewatering biosolids at the Central Wastewater Treatment Plant – Specification No. G-080-96; and
2. Safelite Auto Glass, in the amount of \$40,000, to renew its contract for automotive glass and glass repair – Informal Bid No. 008153.

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

### **Resolution No. 34302**

Designating the Sandberg-Schoenfeld Building, located at 1411-1423 Pacific Avenue, as a historic landmark and placing said building on the Tacoma Register of Historic Places.

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

**Resolution No. 34303**

Designating the Bostwick Building, located at 764 Broadway, inclusive of 758-772 Broadway and 751-753 St. Helen's Avenue, as a historic landmark and placing said building on the Tacoma Register of Historic Places.

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

**Resolution No. 34304**

Authorizing the execution of a two-year agreement with the Economic Development Board (EDB), in the amount of \$70,000, to further economic development goals; and authorizing the membership of City Council Members Crowley and McGavick, the Deputy City Manager, and the Director of the Department of Public Utilities to said Board.

Council Member Silas moved that the Resolution be adopted. Seconded by Council Member Baarsma. Voice vote was taken and carried, with Council Members Crowley and McGavick recusing themselves. The Resolution was declared adopted.

**Resolution No. 34305**

Authorizing the execution of Amendment No. 171 to the Tacoma Community Redevelopment Authority Agreement to transfer property located at 808 South M Street to the Martin Luther King Housing Development Association for the construction of single-family homes for low-income buyers.

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

**Resolution No. 34306**

Directing the Planning Commission to conduct a review and develop a recommendation concerning the provisions of Chapter 13.06 of the Municipal Code pertaining to nonconforming signs located within the City, and to make its recommendations no later than March 17, 1999.

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

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Phyllis Barrett	912 South Cushman

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

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## **PUBLIC HEARINGS AND APPEALS** (BEGAN AT 5:47 P.M.)

Ronald E. Thompson, from the law office of Thompson, Krilich, La Porte, West and Lockner, P.S., representing Michael and Claire Manke, appealing the recommendation of the Hearing Examiner relative to the petition to vacate a portion of North E Street between North 10<sup>th</sup> and North 11<sup>th</sup> Streets. (Dale Stirn; File No. 124.1079)

Mayor Ebersole called the quasi-judicial hearing in session and asked Council Members to disclose any personal interest or *ex parte* communications with the parties regarding this case at this time. There were no disclosures made by members of the City Council.

Mayor Ebersole called on Mr. Rod Kerlake, Hearing Examiner.

Mayor Ebersole called on Mr. Ronald Thompson, representing Michael and Claire Manke, Appellants.

Mayor Ebersole then called on Mr. Dale Stirn, Respondent.

Council Member Crowley moved to concur in the Findings, Conclusions and Decision of the Hearing Examiner and deny the appeal. Seconded by Council Member Baarsma. Voice vote was taken and carried, with Council Member De Forrest voting in opposition. The motion was declared adopted. The appeal was denied.

## **UNFINISHED BUSINESS**

None.

## **REPORTS BY CITY MANAGER**

City Manager Ray E. Corpuz, Jr. reminded everyone that next Monday, February 15, 1999, is Presidents' Day and City offices will be closed.

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

Council Member Phelps requested that a visual chart, with a pointer, be used during the hearing of appeals regarding street vacations. He stated that this equipment would make it easier for the appellants and the respondent to present the issue and for the City Council to follow the issue being presented.

Council Member Phelps inquired as to whether or not the City of Tacoma has a formal policy or ordinance regarding the disposal of weapons confiscated by the Police Department and that, if we do not, he would like staff to review the ordinance being proposed by King County and draft one for the City Council's review.

Council Member McGavick made remarks concerning hearings and how hard it is to sort out the information.

Council Member McGavick requested information about the road condition of Tacoma Avenue north of Center Street and when it would be repaired.

Council Member McGavick stated that she thought the joint study session today with the Arts Commission was very good and that there will be another presentation

regarding the forward movement of the Arts in the future. She stated that new recommendations for processing public art will also be presented for review.

Mayor Ebersole thanked Council Member McGavick, on behalf of the Council, for the excellent way she handled the issue regarding the Arts. He stated that the study session was very productive.

Council Member Baarsma directed the City Council and viewers to a short article in today's *News Tribune, Looking Back*. He stated that the article was about a franchise regarding electric cars going to Seattle.

Mayor Ebersole stated that this City Council needs to be supportive of the Sound Transit Chair, Paul Miller, in his struggle to equal mitigation and compensation for the displacement of parking on Pacific Avenue and Commerce Street, and for whatever negative effects caused by having an above-ground light rail system. He stated that it is his hope that the City of Seattle does not prevail to tunnel in the Rainier Valley, but if they do, we are going to go after the same kind of compensation for Tacoma, which we would be due. He stated that the real issue is Pierce County, the City of Tacoma, Snohomish County and the City of Everett subsidizing this system for the City of Seattle. Mayor Ebersole stated that we need to keep an eye on this issue because if \$300 million is going to come out of Tacoma and Pierce County we better make sure we get our money's worth.

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

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On proper motion, the meeting was adjourned at 6:58 p.m.

  
BRIAN EBERSOLE, MAYOR

ATTEST:   
RICK ROSENBLADT, CITY CLERK

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