



City Council Minutes

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

December 14, 2004

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

Council Members Present: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

The Flag Salute was led by Council Member Stenger.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Tacoma Community Redevelopment Authority, September 23, and October 14, 2004.
- b. Minutes of the Tacoma Housing Authority Board of Commissioners, October 27, 2004.
- c. Minutes of the Tacoma-Pierce County Board of Health, November 3, 2004.
- d. Citizens' petitions opposing the closure of Tacoma Fire Station 13.

CONSENT AGENDA

Approval of the minutes of the City Council Budget Workshop, November 20, 2004.

RESOLUTIONS

Resolution No. 36373

Setting Tuesday, January 18, 2005, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate the alleyway north of Norpoint Way NE between 58th Avenue NE and 59th Avenue NE to increase landscaping and storage areas. (Larry and Rebecca Gregory; File No. 124.1226)

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Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 36373 through 36378 and the Communication item, was declared approved.

PROCLAMATIONS

None.

RECOGNITION

Mayor Baarsma recognized the contributions of Senator Lorraine Wojahn.

Deputy Mayor Evans moved to suspend the rules to consider Ordinance No. 27307 at this time. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 27307

Amending Title 6 of the Municipal Code by repealing and reenacting Sections 6A.30.090 and 6A.30.100 removing the general deduction allowed for non-profit 501-C-3 organizations and adding specific non-profit exemptions and deductions.

Deputy Mayor Evans moved to remove Ordinance No. 27307 per the request of Council. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 27307 was removed from the agenda.

PUBLIC COMMENT

This is the time set aside for public comment on items on the agenda. Speakers are asked to identify the specific agenda items they wish to address and comments will be limited to up to five minutes per person.

Public Comment began at 5:20 p.m.

Speaking before Council:

Name	Address/Affiliation	Subject
Charles Creso	5501 Broadview NE	Ordinance No. 27303
Scott Hansen	702 Broadway Avenue, Suite 101	Ordinance No. 27300
Bliss Moore	6116 North Park Avenue	Ordinance No. 27300
Jim Henricksen	1125 Bridgeview Drive	Ordinance No. 27300
Sally Perkins	1419 South Sheridan Avenue	Ordinance No. 27303
Steve Apling	1401 South 14 th Street	Ordinance No. 27303
Jim Borich	7843 Pacific Avenue	Ordinance No. 27305
Howard Anderson	1757 South Proctor Street	Ordinance No. 27300

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Seconded by Council Member Ladenburg.

Speaking before Council:

Name	Address/Affiliation
Tom Smith	Planning Commissioner

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

Ayes: 5 – Ladenburg, Lonergan, Manthou, Phelps, and Talbert.

Nays: 4 – Anderson, Evans, Stenger and Mayor Baarsma.

The motion was declared adopted.

Council Member Stenger moved to amend Ordinance No. 27300, by adding thereto the current Section 13.11.130 to be amended as follows:

“13.11.130 Wetlands and stream corridors – Applicability.

This chapter does not apply to holding basins that are part of Tacoma’s storm water system when the outlet of such holding basins is controlled by an approved pump system.”

Seconded by Mayor Baarsma.

Speaking before Council:

Name	Address/Affiliation
Scott Hansen	702 Broadway Avenue, Suite 101
Bryan Flint	Tahoma Audubon

Council Member Stenger removed Motion No. 2 to amend Ordinance No. 27300.

Council Member Talbert moved to amend Ordinance No. 27300, page 44, line 6, by amending section 5 to read as follows:

“Section 5. That this ordinance shall remain in effect until amended by the City Council, but no longer than December 7, 2005, unless a public hearing is held by the City Council, and findings of fact are made to support an extension of the effective date.”

Seconded by Council Member Lonergan.

Speaking before Council:

Name	Address/Affiliation
Dick Dorsett	Planning Commissioner
Catherine Rudolph	Tacoma-Pierce County Association of Realtors
Van Collins	Associated General Contractors
Bryan Flint	Tahoma Audubon Society

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Ordinance No. 27218

Vacating portions of Alder, North 35th, Cedar, North 34th, Junett, North 33rd, Pine, and Oakes Streets, including alleyways located southwest of Ruston Way, for the construction of rail “crossovers” and installation of additional lights and signals to improve train safety along this section of trackage. (Burlington Northern & Santa Fe Railroad; File No. 124.1198)

Deputy Mayor Evans moved as a substitute, Substitute Ordinance No. 27218. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 0

The Substitute Ordinance was declared passed.

Ordinance No. 27302

Approving the 2005-2010 Capital Facilities Program and amending the Comprehensive Plan.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, and Talbert.

Nays: 0

Absent: 1 – Mayor Baarsma.

The Ordinance was declared passed.

Ordinance No. 27303

Adopting the 2005-2006 Biennial Budget.

Council Member Talbert moved as a substitute, Substitute Ordinance No. 27303. Seconded by Council Member Lonergan. Voice vote was taken and carried. The motion was declared adopted.

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Roll call vote was taken, resulting as follows:

Ayes: 6 – Anderson, Evans, Lonergan, Manthou, Phelps, and Talbert.

Nays: 0

Absent: 3 – Ladenburg, Stenger and Mayor Baarsma.

The Ordinance was declared passed.

Ordinance No. 27305

Amending Chapter 2.09 of the Municipal Code, relating to the Fee Code, to increase fees for various services related to construction, including plumbing, sewer, and grading permits; sign and billboard permits; overtime parking and miscellaneous service fees.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 27306 (Substitute Exhibit A)

Amending the 2003-2004 Biennial Budget by appropriating funds for additional contract obligations, transfers and other budget adjustments; accepting, depositing, and appropriating miscellaneous donations, contributions, and/or fees; 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 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 0

The Ordinance, including Substitute Exhibit A, was declared passed.

Ordinance No. 27307

Amending Title 6 of the Municipal Code by repealing and reenacting Sections 6A.30.090 and 6A.30.100 removing the general deduction allowed for non-profit 501-C-3 organizations and adding specific non-profit exemptions and deductions.

Ordinance No. 27307 was removed from the agenda earlier in the meeting.

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Resolution No. 36383

Adopting a Post-Employment/Retirement Health Savings Plan for payment of post-employment medical benefits on a tax-deferred basis for eligible employees of the City.

Council Member Phelps moved as a substitute, Substitute Resolution No. 36383. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Council Member Ladenburg moved that the Substitute Resolution be adopted. Seconded by Council Member Anderson. Voice vote was taken and carried. The Substitute Resolution was declared adopted.

Resolution No. 36384

Adopting the General Government Fee Schedule for special and miscellaneous services to allow for full cost recovery of services.

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

Resolution No. 36385

Accepting \$1,609,791 from the United States Department of Justice, Office of Community Oriented Policing Services; and authorizing the execution of an interlocal agreement with the City of DuPont, City of Lakewood, City of Puyallup, Pierce County Fire District, and Tacoma School District No. 10, for regional interoperability communications.

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

Resolution No. 36386

Authorizing the execution of a Construction and Maintenance Agreement with The Burlington Northern and Santa Fe Railway Company to establish the terms and conditions for the performance of work set forth as part of the D Street Overpass Project.

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

Resolution No. 36387

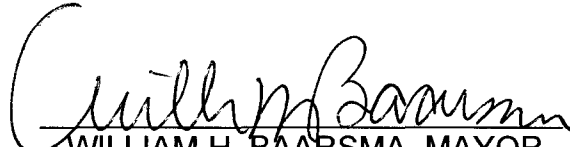
Authorizing the execution of a purchase and sale agreement, a quitclaim deed, and a temporary construction easement with The Burlington Northern and Santa Fe Railway

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Mayor Baarsma announced the cancellation of the next two Council meetings and study sessions and further stated the next study session and meeting will be Tuesday, January 4, 2005.

Mayor Baarsma wished everyone a safe and joyous holiday and a happy new year.

On proper motion, the meeting was adjourned at 9:29 p.m.


WILLIAM H. BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK

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