

1996 05 20

LAKWOOD CITY COUNCIL MINUTES

Monday, May 20, 1996

Clover Park School District Board Room

Student Services Center

10903 Gravelly Lake Drive SW

Lakewood, WA 98499

CALL TO ORDER

Mayor Harrison called the meeting to order at 7:01 p.m.

ROLL CALL

Councilmembers Present: 7 - Mayor Bill Harrison; Deputy Mayor Claudia Thomas; Councilmembers Ann Kirk Davis, Colleen Henry, Jose Palmas, Doug Richardson and Sherri Thomas.

Staff Present: City Manager D. Scott Rohlfs; City Attorney Dan Heid; Community Development Director David Bugher; Engineering Manager Bill Larkin; Human Resources Administrator Debra Young; and City Clerk Alice Bush.

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FLAG SALUTE

The Pledge of Allegiance was led by Ed Starbird by request of Mayor Harrison.

PROCLAMATIONS AND PRESENTATIONS

Proclamation declaring May 22, 1996 as Kate Starbird Day

Mayor Harrison proclaimed May 22, 1996 as Kate Starbird Day and presented the proclamation to Mr. Ed Starbird.

PUBLIC COMMENTS

*Kate Vore, 6504 94th Street SW, spoke against adult entertainment businesses and the need to impose limitations on the types of dances allowed in such establishments.*

*Evelyn Zimmer, 9826 Washington Blvd., spoke against pornography.*

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*Alex, Lakewood worker, expressed concern about what would happen to those who do work in adult entertainment businesses were to loose their jobs because these businesses were forced to go out of business.*

C O N S E N T A G E N D A

A. Approval of the minutes of the City Council meeting of May 6, 1996.

**B. Approval of the minutes of the City Council Study Session of May 13, 1996.**

**C. Approval of claim vouchers in the amount of \$25,630.23 for the period ending May 15, 1996.**

D. Setting Monday, June 3, 1996 at approximately 7:00 p.m. as the date for a public hearing by the City Council on the Six-Year Comprehensive Transportation Program, 1997-2002.

DEPUTY MAYOR THOMAS MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECONDED BY COUNCILMEMBER DAVIS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

## REGULAR AGENDA

### ORDINANCES

**Ordinance No. 74 creating Chapter 12.24 of the Lakewood Municipal Code relative to regulations for parades, motorcades, runs and assemblies.**

DEPUTY MAYOR THOMAS MOVED TO ADOPT ORDINANCE NO. 74. SECONDED BY COUNCILMEMBER DAVIS.

COUNCILMEMBER RICHARDSON MOVED TO AMEND ORDINANCE NO. 74, SECTION 12.24.070 A. TO READ AS FOLLOWS, "THE CITY MANAGER OR DESIGNEE SHALL APPROVE, APPROVE AS AMENDED, OR DISAPPROVE ALL APPLICATIONS NOT LESS THAN FORTY-FIVE DAYS PRIOR TO THE PROPOSED EVENT, WITH ANY DISAPPROVALS BEING PROVIDED TO THE APPLICANT IN WRITING." SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

**Ordinance No. 75 creating Chapter 1.40 of the Lakewood Municipal Code authorizing the City Manager discretion in granting minor variances of City Code requirements.**

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COUNCILMEMBER RICHARDSON MOVED TO ADOPT ORDINANCE NO. 75. SECONDED BY COUNCILMEMBER HENRY.

COUNCILMEMBER PALMAS MOVED TO AMEND ORDINANCE NO. 75, SECTION 1.40.010 A. (1) TO READ, AS FOLLOWS: "THE REQUESTED REQUIREMENTS CHANGE DOES NOT EXCEED TEN PERCENT (10%) OF THE DISTANCE, AREA OR OTHER PHYSICAL MEASURE OF THE REQUIREMENT OF THE CITY CODE;" SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

**Ordinance No. 76 creating Chapter 10.24 of the Lakewood Municipal Code relative to traffic congestion areas and cruising regulations.**

COUNCILMEMBER DAVIS MOVED TO ADOPT ORDINANCE NO. 76. SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

**Ordinance No. 77 amending Ordinance No. 13 and creating Chapter 1.36 of the Lakewood Municipal Code relative to the Hearing Examiner system.**

COUNCILMEMBER HENRY MOVED TO ADOPT ORDINANCE NO. 77. SECONDED BY COUNCILMEMBER PALMAS.

DEPUTY MAYOR THOMAS MOVED TO AMEND ORDINANCE NO. 77, SECTION 1.36.070, FIRST SENTENCE TO READ AS FOLLOWS: "THE EXAMINER SHALL NOT CONDUCT OR PARTICIPATE IN ANY HEARING OR DECISION IN WHICH THE EXAMINER OR ANY OF THE FOLLOWING PERSONS HAS A DIRECT OR SUBSTANTIAL FINANCIAL OR MATERIAL INTEREST:..." SECONDED BY COUNCILMEMBER DAVIS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

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Council recessed at 8:05 p.m. and reconvened at 8:15 p.m.

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**Ordinance No. 78 establishing a work plan in support of the moratorium on the filing of applications for licenses, permits and approvals for adult entertainment businesses.**

**businesses.**

Speaking before the Council were:

*Tom Van Houte, 10722 Glenwood Dr. SW, spoke about renewing the moratorium for adult entertainment businesses.*

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*Dick Anderson, 10530 90th Avenue SW, echoed Mr. Van Houte's comments.*

*Phillip Elizondo, spoke in favor of establishing a task force to study adult entertainment.*

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*Helen Morrison, Lakewood resident, spoke in support of a citizen task force to review adult entertainment businesses.*

COUNCILMEMBER DAVIS MOVED TO ADOPT ORDINANCE NO. 78. SECONDED BY DEPUTY MAYOR THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

**Ordinance No. 79 amending Sections 5.02.050, 5.14.030, 5.20.060, 5.020.070, 5.32.010 and 5.32.030 and creating Section 5.020.045 of the Lakewood Municipal Code relative to business licenses, adult entertainment and panorama licenses.**

COUNCILMEMBER PALMAS MOVED TO ADOPT ORDINANCE NO. 79. SECONDED BY COUNCILMEMBER HENRY.

COUNCILMEMBER THOMAS MOVED TO AMEND ORDINANCE NO. 79, SECTION 5.32.030 C. TO READ AS FOLLOWS: "PUBLIC DANCES: \$35.00 PER NIGHT PER INDIVIDUAL DANCE OR \$100.00 PER YEAR FOR UP TO FOUR DANCES IN ANY CALENDAR YEAR." SECONDED BY COUNCILMEMBER DAVIS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

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Council recessed at 8:45 p.m. and reconvened at 8:46 p.m.

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**Ordinance No. 80 repealing Chapter 5.36 and creating Chapters 5.35 and 5.37 of the Lakewood Municipal Code relative to massage and bathhouse businesses.**

**Speaking before the Council was:**

***Lee Noosbaum, Veterans Drive, spoke in support of Ordinance No. 80.***

*COUNCILMEMBER HENRY MOVED TO ADOPT ORDINANCE NO. 80. SECONDED BY DEPUTY MAYOR THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.*

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## **RESOLUTIONS**

**Resolution No. 1996-19 providing for a process for handling issues presented to the Pierce County Hearing Examiner on cases filed prior to the incorporation of the City of Lakewood.**

COUNCILMEMBER DAVIS MOVED TO ADOPT RESOLUTION NO. 1996-19. SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**Review of Lakewood Municipal Code relative to gambling taxes.**

None.

**NEW BUSINESS**

**Review of Lakewood Municipal Code relative to gambling taxes.**

City Manager Rohlfs reviewed the Lakewood Municipal Code relative to gambling taxes and the revenue projections for gambling tax activities.

Mayor Harrison directed staff to notify the Economic Development Advisory Board of Council's desire to have them study the revenues generated from the gambling tax and how the gambling tax ordinance impacts the gambling industry in Lakewood. He requested that a report on the findings of the study be brought back to the Council.

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Mayor Harrison announced that Councilmembers Davis, Palmas and Thomas will be working with City staff on developing an agenda for an upcoming City Council Retreat.

Mayor Harrison announced that McChord Air Force will be holding a public meeting on the bed down of the C-17 aircraft at 7:00 p.m. on May 23, 1996 at Baker Middle School. He recommended that a City staff person attend the meeting.

**REPORTS BY THE CITY MANAGER**

City Manager Rohlfs reported that Pierce County is not accepting Lakewood's Urban Growth Boundary proposal. He indicated that staff is securing the help of an assistant to study the issue of including Arrowhead/Partridge Glen, the area around the 512 interchange, McChord and Ft. Lewis in the City's Urban Growth

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Boundary. City Manager Rohlfs noted that the deadline for submitting the amendments to Pierce County on the Urban Growth Boundary is May 31, 1996.

**Review of identification designs on police vehicles.**

City Manager Rohlfs and Police Chief Dunbar presented modifications to the police vehicle designs. The Council concurred with proceeding with the designs for the vehicle badge and wording on the police vehicles.

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City Manager Rohlfs reported that the CJRO police officers that have been providing services to the School District will continue to provide services to the District. The School District will be contracting with the City instead of the County for said services.

City Manager Rohlfs reported that the sign volunteers have been taking down telephone pole signs for three days.

He announced that the City was allocated \$88,000 from the urban growth management grant application for comprehensive planning.

City Manager Rohlfs announced that three additional positions have been filled. They are Office Assistant, Engineer and Principal Planner.

City Manager Rohlfs reported that staff may be placing a clip-out ad in the LAKEWOOD JOURNAL asking for citizen input about curfews. City Manager Rohlfs indicated that a fireworks ordinance will be coming before the Council and explained that questions about fireworks could also be included in the clip-out ad. He asked the Council to let him know what they thought

about the idea.

City Manager Rohlfs reported that he and Community Development Director Bugher met with Department of Ecology staff on the Lake Steilacoom issue. He indicated that the Department of Ecology is planning to issue a permit to allow the use of copper sulfate and other chemicals in Lake Steilacoom.

City Manager Rohlfs indicated that staff will be seeking Council's input about available dates for scheduling the Council's retreat in July.

City Manager Rohlfs asked for Council's feedback on the City's lapel pins.

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### **CITY COUNCIL COMMENTS**

Councilmember Henry commented that she will be providing the City Manager with copies of the curfew crime results in Tacoma.

Councilmember Richardson reminded everyone that today was election day on the annexation into the Pierce County Fire District and Pierce County Library District.

Councilmember Davis noted that the Regional Transit Authority will be voting on the the RTA proposal next week.

Councilmember Palmas expressed concern about ways of getting phone messages to staff.

Councilmember Thomas requested that the City look into creating a web page for the City of Lakewood.

Mayor Harrison reported that the Joint Determining Authority met and approved two open space proposals at the southwest corner of Country Club Lane and Gravelly Lake Drive (Tacoma Country and Golf Club) and between approximately 77th Street West and 79th Street East on both the west and east sides of Chambers Creek and adjacent to the South Tacoma State Game refuge (Ronald J. Beck).

Mayor Harrison asked staff to look at the figures he had read in a news article and a brochure about the increased number of military personnel living off base. He requested that the Economic Development Advisory Board study the reasons for the changes.

Mayor Harrison noted that in a recent Seattle newspaper article, it indicated that the diversity of people living in Washington state was growing rapidly. He suggested that the figures noted in the news article be compared with the City's information to better define the City's figures and trends.

Councilmember Palmas thanked the audience and staff for listening and sitting through the Council meeting.

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Mayor Harrison announced that the Council will recess to executive session for approximately 30 minutes to discuss potential litigation.

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The Council recessed at 10:15 p.m. and reconvened at 11:02 p.m.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 11:02 p.m.

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*BILL HARRISON, MAYOR*

*ATTEST:*

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*ALICE M. BUSH, CMC*

*CITY CLERK*

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