

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
MARCH 22, 2005**

930 TACOMA AVENUE SOUTH, ROOM 1045  
TACOMA, WASHINGTON 98402  
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(Note: These minutes are not verbatim. Recorded tapes are available upon request.)

**I. CALL TO ORDER**

The regular meeting of the Pierce County Council was called to order at 3:05 p.m. by Chair Bunney.

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

The pledge was led by Bunney, followed by a Moment of Silence in tribute to our Armed Forces.

**III. ROLL CALL**

Councilmembers Present: Shawn Bunney, Roger Bush, Barbara Gelman, Calvin Goings, Terry Lee, and Dick Muri. (Timothy M. Farrell was excused.)

Council Staff Present: Kate Kennedy, Acting Clerk of the Council; Susan Long, Administrator for Legal and Operations; Tom Weber, Administrator for Research and Policy; Steve Gross, Deputy Legal Counsel; Victoria Woodards, Councilmember Assistant; Duane Rivera, Councilmember Assistant.

There were 40 visitors present.

**IV. APPROVAL OF AGENDA**

Lee moved approval of the Agenda; motion seconded and passed on a voice vote.

**V. CONSENT AGENDA**

- a. Approval of Minutes
  - 1. Minutes of the October 19, 2004, regular Council meeting.
  - 2. Minutes of the November 16, 2004, District No. 1 Council meeting.

3. Minutes of the February 1, 2005, regular Council meeting.
  4. Minutes of the February 15, 2005, regular Council meeting.
  5. Minutes of the March 8, 2005, regular Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
1. PROPOSAL NO. 2005-19, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RE-FORMING THE CHAMBERS CREEK PROPERTIES MASTER SITE PLAN CITIZENS COMMITTEE TO ASSIST IN THE PREPARATION OF THE CHAMBERS CREEK PROPERTIES MASTER SITE PLAN UPDATE.  
Sponsored by: Councilmember Terry Lee  
Contact person: Anne-marie Marshall-Dody, 798-4140  
For referral to the Community Development Committee  
Suggested date of Council hearing: April 12, 2005
- c. Action on Resolutions (refer, set date of hearing)
1. PROPOSAL NO. R2005-33, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING THE PROCESS FOR AMENDING THE PIERCE COUNTY CODE, CHAPTER 18J.30, "PARKLAND-SPANAWAY-MIDLAND COMMUNITIES PLAN AREA DESIGN STANDARDS AND GUIDELINES"; TO PROVIDE ALTERNATIVES TO CERTAIN COMMERCIAL DESIGN STANDARDS IN EXCHANGE FOR LANDSCAPING AND MAINTENANCE OF LANDSCAPING IN THE PACIFIC AVENUE RIGHT-OF-WAY; REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT TO DEVELOP THE AMENDMENTS AND CONDUCT THE NECESSARY ENVIRONMENTAL REVIEW; REFERRING THE AMENDMENTS TO THE PLANNING COMMISSION AND PARKLAND-SPANAWAY-MIDLAND LAND USE ADVISORY COMMISSION; AND SETTING A DATE FOR THE PLANNING COMMISSION TO SUBMIT ITS REPORT AND RECOMMENDATION TO THE COUNCIL.  
Sponsored by: Councilmember Barbara Gelman  
Contact person: Anna Graham, 798-6253  
For referral to the Community Development Committee  
To be heard in the Community Development Committee on March 28, 2005  
Suggested date of Council hearing: April 5, 2005
  2. PROPOSAL NO. R2005-36, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF SIXTEEN (16) MEMBERS TO THE CHAMBERS CREEK PROPERTIES MASTER SITE PLAN CITIZENS COMMITTEE. (LOUIS GAGE, JOHN MEDVED, DICK THURSTON, DON POWELL, NELL BATKER, CHERYL PHILLIPS, ROGER MALFAIT, RON ADAMS, ALEX POLSON, BEN BROSSARD, BRUCE MURRY, JAN CHAMBERLAND, JENNIFER POLICANI, JENNIFER SMITH, JOCKO BURKS, ROSS JENSEN)  
Sponsored by: Councilmember Terry Lee

Contact person: Anne-marie Marshall-Dody, 798-4140  
Suggested date of Council hearing: April 12, 2005

3. PROPOSAL NO. R2005-37, RESOLUTION OF THE PIERCE COUNTY COUNCIL CALLING FOR A SPECIAL ELECTION TO BE HELD ON MAY 17, 2005, FOR THE PURPOSE OF SUBMITTING TO THE AFFECTED VOTERS THE DETERMINATION OF WHETHER OR NOT PIERCE COUNTY FIRE DISTRICT NO. 22 SHALL INCREASE THE NUMBER OF COMMISSIONERS FROM THREE TO FIVE.

Sponsored by: Councilmember Shawn Bunney  
Contact person: Susan Long, 798-6068  
For referral to the Rules and Operations Committee  
To be heard in the Rules and Operations Committee  
on March 28, 2005  
Suggested date of Council hearing: March 29, 2005

4. PROPOSAL NO. R2005-38, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ENDORSING THE PIERCE COUNTY SHERIFF DEPARTMENT'S ACCEPTANCE OF A GRANT AWARD OF \$269,858.00 IN BUREAU OF JUSTICE ASSISTANCE J.A.G. GRANT FUNDS, FOR PUBLIC SAFETY AND JUDICIAL SERVICES THAT ADDRESS CRITICAL NEEDS FOR PIERCE COUNTY CITIZENS; AND PROVIDING A PUBLIC HEARING ON THE PROPOSED COUNTY'S USE OF THE MONEY RECEIVED.

Sponsored by: Councilmember Shawn Bunney  
Contact person: Julie Williams, 798-3430  
For referral to the Rules and Operations Committee  
To be heard in the Rules and Operations Committee  
on March 28, 2005  
Suggested date of Council hearing: March 29, 2005

d. Other Items

Lee moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of six to zero.

**VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY**

1. A message from the Executive transmitting the following Ordinances, which were approved and signed on March 7, 2005:

ORDINANCE NO. 2004-137, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF AN APPLICATION FOR OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS39-04, BOB VAN SLYKE - GRAHAM AREA; APPLICATION NO. OS40-04, GEORGE AND

MARJORIE PASERO - WILKESON AREA; APPLICATION NO. OS43-04, STEPHEN AND KATHLEEN REED - GIG HARBOR AREA; AND APPLICATION NO. OS45-04, MILTON AND JACQUELINE HOLLINGSWORTH - EATONVILLE AREA)

ORDINANCE NO. 2004-138, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF APPLICATIONS FOR TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST36-04, CHARLES AND KATHRYN REID - WILLOW LAKE AREA; APPLICATION NO. OST37-04, JAMES HODGEBLOOM AND CHERYL HOVDA - HIGHLAND MEADOWS AREA; APPLICATION NO. OST38-04, JASON J. AND TAWNY J. BURNS - WILLOW LAKE AREA; APPLICATION NO. OST41-04, JEREMY AND KENDRA MARROQUIN - HIGHLAND MEADOWS AREA; APPLICATION NO. OST42-04, JOHN AND ROBIN BURK - WILLOW LAKE AREA)

ORDINANCE NO. 2005-2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF APPLICATIONS FOR TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST28-04, CASSANDRA L. KNIGHT - ARTONDALE AREA; APPLICATION NO. OST29-04, MATTHEW WAYNE TISLER - ORTING AREA; APPLICATION NO. OST30-04, GREG S. MOODY - HIGHLAND MEADOWS AREA; APPLICATION NO. OST31-04, JONATHAN GRUBER - FOREST GROVE AREA; APPLICATION NO. OST32-04, DAVID FROEMBLING - HORN CREEK AREA; APPLICATION NO. OST33-04, TIMOTHY MODINE AND CHERYL FREDERICK - FOREST GROVE AREA; APPLICATION NO. OST34-04, BRUCE AND DARMAE MELODY STALK - WILLOW LAKE AREA; APPLICATION NO. OST35-04, DUANE T. AND MELISA G. SHUSTER - HIGHLAND MEADOWS AREA)

ORDINANCE NO. 2005-15, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL MAKING TECHNICAL CORRECTIONS TO ORDINANCE NO. 2004-87S; AMENDING CHAPTER 18A.23, "GIG HARBOR PENINSULA USES AND DENSITY AND DIMENSION TABLES", AND THE PIERCE COUNTY ZONING ATLAS; AND DECLARING AN EMERGENCY.

**VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS**

**PROPOSAL NO. R2005-26**, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF TWO NEW REGULAR MEMBERS TO THE BOARD OF EQUALIZATION. (KAREN L'ALLIER AND HOLLY MINNITI)

Lee moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of six to zero.

**PROPOSAL NO. R2005-27,** RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF THREE MEMBERS TO THE MAIL-IN VOTING ADVISORY TASK FORCE. (SCOTT TURNBULL, DONALD GREEN AND JOSEPH LEWIS)

Lee moved adoption; motion seconded. The Clerk read the title into the record. Gross explained the history on the formation of the Task Force. Muri stated that there were ten applications received with the Executive recommending three of those applicants. Muri gave a brief overview on each applicant's qualifications.

The Chair called for public testimony.

Joe Lewis, applicant, stated he looks forward to serving on the task force and providing input.

The Proposal was adopted on a roll call vote of six to zero.

#### **VIII. ORDINANCES**

**PROPOSAL NO. 2004-111s,** AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REGARDING INCREASED VEHICLE TRAFFIC ON 168TH STREET EAST BETWEEN GEM HEIGHTS DRIVE EAST AND A POINT 500' EAST OF 97 AVENUE COURT EAST; RESTRICTING CERTAIN COMMERCIAL VEHICLE TRAFFIC FOR A PERIOD OF FIVE YEARS; AND DIRECTING THE PUBLIC WORKS AND UTILITIES DEPARTMENT TO MONITOR TRAFFIC FLOW AND PROPOSE TRAFFIC CALMING MEASURES IF APPROPRIATE.

Lee moved adoption; motion seconded. The Clerk read the title into the record. Gross explained the effect of the Proposal. Bush voiced his appreciation on sponsoring this proposal in that it will help with safety of the citizens in the area and the noise concerns. He stated the situation will also be monitored over the next five years. Gelman stated this is the first of many traffic calming pilot projects.

The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of six to zero.

**PROPOSAL NO. 2004-119s,** AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF APPLICATIONS FOR TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY;

AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST2-04, STACY K. PIERCE TEJEL AND DAVID TEJEL SUBIRADA - McKENNA FLATS AREA; APPLICATION NO. OST3-04, NORRIS AND KATHLEEN CARVER - McKENNA FLATS AREA; APPLICATION NO. OST4-04, BARBARA ECHO - McKENNA FLATS AREA; APPLICATION NO. OST5-04, LINKEM FAMILY LLC - McKENNA FLATS AREA; APPLICATION NO. OST6-04, DAVID W. AND DEBORAH C. TOWNSEND - McKENNA FLATS AREA; APPLICATION NO. OST7-04, RON AND YULI HARRISON - McKENNA FLATS AREA; APPLICATION NO. OST8-04, LARRY T. AND M. LOUISE WIER - McKENNA FLATS AREA; APPLICATION NO. OST9-04, PAUL J. AND LAURETTE D. BERGLUND - McKENNA FLATS AREA; AND APPLICATION NO. OST10-04, PETER R. AND ARLENE L. MERZ - McKENNA FLATS AREA)

Lee moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of six to zero.

**PROPOSAL NO. 2004-136s**, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 280TH STREET EAST AND 114TH AVENUE EAST LOCATED IN THE NORTHEAST AND SOUTHEAST QUARTERS OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE GRAHAM AREA.

Lee moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of six to zero.

## **IX. RESOLUTIONS**

**PROPOSAL NO. R2005-28**, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ACCEPTING AN ACTION PLAN NECESSARY TO IMPLEMENT THE PLANNING AND LAND SERVICES DEPARTMENT'S (PALS) PERFORMANCE AUDIT RECOMMENDATIONS; INCLUDING A STRATEGY TO ELIMINATE PERMIT BACKLOG BY DECEMBER 31, 2005; AUTHORIZING THE RELEASE OF \$250,000 TOWARDS IMPLEMENTING THE ACCEPTED ACTION PLAN AND SETTING FORTH A PROCESS TO RELEASE ADDITIONAL MONIES FOLLOWING THE ACHIEVEMENT OF IDENTIFIED MILESTONES; LIMITING THE USE OF THE \$250,000 TO THE ELIMINATION OF APPLICATION BACKLOG ONLY; REQUESTING THAT THE OVERSIGHT COMMITTEE FOR THE PERFORMANCE AUDIT CONTINUE TO MEET ON A REGULAR BASIS AND MONITOR IMPLEMENTATION OF THE PERFORMANCE AUDIT; AND DIRECTING PALS TO PROVIDE MONTHLY PROGRESS REPORTS TO THE PIERCE COUNTY COUNCIL REGARDING IMPLEMENTATION OF THE PERFORMANCE AUDIT AND SUCCESS IN ELIMINATION OF APPLICATION BACKLOG.

Lee moved adoption; motion seconded. The Clerk read the title into the record. Lee moved to continue this Proposal to the March

29, 2005 Council meeting; motion seconded and passed. The question was called; the Proposal was continued to the March 29, 2005 Council meeting.

**PROPOSAL NO. R2005-30s**, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONCERNING THE CO-LOCATION OF A PRE-RELEASE/WORK RELEASE FACILITY AT A MENTAL ILLNESS HOSPITAL OR TREATMENT CENTER WITH AN IMMEDIATE AND SPECIFIC CONCERN FOR THE WESTERN STATE HOSPITAL CAMPUS.

Lee moved adoption; motion seconded. The Clerk read the title into the record. Gross explained the Proposal. Lee moved Amendment No. 1 as follows:

1. On page 2 of the ordinance, line 13, strike "~~vulnerable populations~~" and replace with "**children or vulnerable adults**".

The motion was seconded. The Chair called for public testimony on the amendment.

Doris B. Campbell spoke in support of the Proposal. She provided her statement in writing to members. (A copy of the handout is contained in the meeting file.)

Jennifer Martinez spoke in support of the Proposal. She provided her statement in writing to members. (A copy of the handout is contained in the meeting file.)

Sue Stoehr read into the record a letter from Gigi Talcott. (A copy of the handout is contained in the meeting file.)

Candice Bolk, representing City of Lakewood, voiced concerns with the resolution. She stated the City of Lakewood will be having a moratorium hearing on April 18 on this issue.

Elizabeth Pena spoke in support of the Proposal. She provided her statement in writing to members. (A copy of the handout is contained in the meeting file.)

Mark Stroh spoke to and presented a handout to members. (A copy of the handout is contained in the meeting file.)

Duane Hardesty, Steilacoom Historical and School District No. 1, spoke in support of the Proposal.

Reverend Robert E. Jones spoke in opposition to the Proposal.

Thomas Dickson spoke in opposition to the Proposal.

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Joe Lewis urged passage of the Proposal.

Reverend Leo Brown spoke on the benefit of Progress House to the community.

Gerald Horne, Prosecuting Attorney, spoke in support of the Proposal.

Muri thanked Horne for his comments, and raised concerns with the number of repeat offenders that come from Progress House. Lee thanked everyone who testified, and urged support of the Proposal. Gelman also voiced her support of the Proposal.

The Proposal passed as amended on a roll call vote of six to zero.

The Chair passed the gavel to Councilmember Lee.

**PROPOSAL NO. R2005-32s**, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE RELATED TO PRECURSOR DRUGS USED IN THE MANUFACTURE OF AMPHETAMINES AND OTHER SYNTHETIC DRUGS; EXPRESSING ITS SUPPORT OF HOUSE BILL 2266 AND SENATE BILL 5123, AND URGING THE STATE LEGISLATURE TO TAKE ACTION TO PASS THESE MEASURES IN ORDER TO PLACE STRICTER CONTROLS ON THE SALE OF THESE PRECURSOR DRUGS.

Muri moved adoption; motion seconded. The Clerk read the title into the record.

The Chair called for public testimony.

Representative Tom Campbell thanked the Council for their support, and presented facts on the meth epidemic in Pierce County.

Helen Myrick spoke in support of the Proposal.

Steve Marek, Tacoma-Pierce County Health Department, spoke in support of the Proposal.

Mark Lindquist, Deputy Prosecuting Attorney, spoke in support of the Proposal.

Darrel McCarthy urged passage of the Proposal.

Paul Pastor, Sheriff, voiced support for the Proposal.

Kelly Maynard, Community Action Team, urged passage of the Proposal.

Bush thanked Councilmembers for their support of the Proposal. Gelman and Muri thanked Campbell for his efforts on this issue.

The Proposal was adopted on a roll call vote of four to zero; Bunney and Goings were excused at the time of the vote.

**PROPOSAL NO. R2005-34**, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 5 FOR TUESDAY, APRIL 5, 2005, AT 5:30 P.M., IN THE PACIFIC LUTHERAN UNIVERSITY SCANDINAVIAN CULTURAL CENTER, UNIVERSITY CENTER BUILDING, CORNER OF 122ND STREET AND PARK AVENUE SOUTH, TACOMA, WASHINGTON.

Muri moved adoption; motion seconded. The Clerk read the title into the record. The Chair called for public testimony; there was none.

The Proposal was adopted on a roll call vote of four to zero; Bunney and Goings were excused at the time of the vote.

**XI. GENERAL PUBLIC COMMENTS** - None

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 5:10 p.m.

Attest:

\_\_\_\_\_  
Kate Kennedy, Acting Clerk      Date Approved

Approved:

\_\_\_\_\_  
Shawn Bunney, Council Chair      Date Approved