

**MINUTES
PIERCE COUNTY COUNCIL MEETING
APRIL 22, 2003**

BALLOU JUNIOR HIGH SCHOOL
9916 - 136TH STREET EAST
SOUTH HILL, WASHINGTON
(COUNCIL DISTRICT NO. 3)
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(Note: These minutes are not verbatim. Recorded tapes are available upon request.)

I. CALL TO ORDER

The District No. 3 meeting of the Pierce County Council was called to order at 6:00 p.m. by Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Moss, followed by a Moment of Silence in tribute to our men and women in the Military.

Chair Moss passed the gavel to Vice Chair Wimsett, Host Councilmember for the District No. 3 meeting. Wimsett introduced Councilmembers and Staff.

III. ROLL CALL

Councilmembers Present: Paul Bocchi, Shawn Bunney, Barbara Gelman, Calvin Goings, Terry Lee, Harold Moss, and Kevin Wimsett.

Council Staff Present: Gerri Johnson, Administrator/Clerks & Operations; Susan Long, Legal Counsel; Tom Weber, Administrator/Research & Policy; Anna Graham, Research Analyst; and Jenifer Schultz, Committee Clerk.

There were approximately 110 visitors present.

(Clerk's Note: Because of a malfunction of the audio recording equipment, several minutes at the beginning of the meeting were not recorded.)

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
 1. PROPOSAL NO. 2003-23s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO ELBE WATER AND SEWER DISTRICT, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.
Sponsored by: Councilmember Shawn Bunney
Contact person: Jerry West, 798-3687
DO PASS AS SUBSTITUTED RECOMMENDATION - PUBLIC WORKS COMMITTEE (Shawn Bunney, Chair; Terry Lee, Vice Chair; Paul Bocchi, Member; Barbara Gelman, Member, Calvin Goings, Member)
Suggested date of Council hearing: May 20, 2003
 2. PROPOSAL NO. 2003-24s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING ELBE WATER AND SEWER DISTRICT A NONEXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE, AND MAINTAIN A SANITARY SEWER PIPELINE SYSTEM OVER, IN, ALONG, AND UNDER CERTAIN PUBLIC ROADS AND HIGHWAYS IN PIERCE COUNTY, WASHINGTON.
Sponsored by: Councilmember Shawn Bunney
Contact person: Jerry West, 798-3687
DO PASS AS SUBSTITUTED RECOMMENDATION - PUBLIC WORKS COMMITTEE (Shawn Bunney, Chair; Terry Lee, Vice Chair; Paul Bocchi, Member; Barbara Gelman, Member, Calvin Goings, Member)
Suggested date of Council hearing: May 20, 2003
 3. PROPOSAL NO. 2003-30, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.49 OF THE PIERCE COUNTY CODE, "PIERCE COUNTY FARM ADVISORY COMMISSION."
Sponsored by: Councilmember Calvin Goings
Contact person: Brynn Brady, 798-3667
DO PASS RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair; Kevin Wimsett, Vice Chair; Terry Lee, Member)
Suggested date of Council hearing: May 20, 2003
 4. PROPOSAL NO. 2003-33, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CANCELING CERTAIN UNCOLLECTIBLE PERSONAL PROPERTY TAXES.
Sponsored by: Councilmember Harold Moss
Contact person: Jack Rusler, 798-7551
DO PASS RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair; Kevin Wimsett, Vice Chair; Terry Lee, Member)
Suggested date of Council hearing: May 20, 2003

5. PROPOSAL NO. 2003-45, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING SECTION 18A.35.130 OF THE PIERCE COUNTY CODE, DEVELOPMENT REGULATIONS - GENERAL PROVISIONS; ADOPTING A NEW SECTION 18A.35.130 OF THE PIERCE COUNTY CODE, DEVELOPMENT REGULATIONS - GENERAL PROVISIONS; AMENDING PIERCE COUNTY CODE SECTIONS 18A.75.070 AND 18.40.020; TO MODIFY THE NONCONFORMING USE STANDARDS AND APPLICATION SUBMITTAL STANDARDS FOR UNINCORPORATED PIERCE COUNTY.
Sponsored by: Councilmember Calvin Goings
Contact person: Sean Gaffney, 798-2724
For referral to the Planning & Environment Committee

- c. Action on Resolutions (refer, set date of hearing)
- d. Other Items

Moss moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of seven 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 April 10, 2003, was read into the record:

ORDINANCE NO. 2002-121s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNIMPROVED 174TH STREET EAST, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, IN THE SPANAWAY AREA.

ORDINANCE NO. 2003-3s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 3.68 OF THE PIERCE COUNTY CODE, "SICK LEAVE", TO BRING THE COUNTY'S RULES REGARDING PERMISSIBLE USES OF SICK LEAVE INTO COMPLIANCE WITH THE WASHINGTON STATE FAMILY CARE ACT, WHICH BECAME EFFECTIVE ON JANUARY 1, 2003.

ORDINANCE NO. 2003-4, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 3.72.010 OF THE PIERCE COUNTY CODE, "ACCRUAL OF VACATION LEAVE", TO ADJUST VACATION ACCRUAL RATES FOR NON-REPRESENTED, NON-ELECTED EMPLOYEES; AND SETTING AN EFFECTIVE DATE.

ORDINANCE NO. 2003-15, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO RESCIND A LEASE EXECUTED BY PIERCE COUNTY, THE CITY OF TACOMA, AND THE TACOMA RESCUE MISSION, FOR PROPERTY JOINTLY OWNED BY THE COUNTY AND THE CITY OF TACOMA; AND TO TRANSFER OWNERSHIP OF THAT PROPERTY TO THE TACOMA RESCUE MISSION AND TO HABITAT FOR HUMANITY.

ORDINANCE NO. 2003-25s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH UNITED HEALTHCARE WORKERS, LOCAL 1184, SYSTEM COUNCIL NO. 15, NATIONAL CONFERENCE OF FIREMEN AND OILERS SERVICE EMPLOYEES INTERNATIONAL UNION - LICENSED PRACTICAL NURSES UNIT; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

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

PROPOSAL NO. R2003-63, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE NORTH CLOVER CREEK COLLINS ADVISORY COMMISSION. (MIKE BOWERMAN)

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

Public Testimony

Mike Bowerman thanked the Council for the confirmation of his appointment, stating he looks forward to working with the Commission.

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

PROPOSAL NO. R2003-64, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE SUMMIT-WALLER COMMUNITY ADVISORY COMMISSION. (KRISTINE WOLFE)

Moss 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 seven to zero.

PROPOSAL NO. R2003-65, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PARKLAND AREA ADVISORY COMMISSION. (LOIS MORRIS)

Moss 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 seven to zero.

With the consent of the Council, the Chair moved to Section IX., RESOLUTIONS.

IX. RESOLUTIONS

PROPOSAL NO. R2003-66, A RESOLUTION OF THE PIERCE COUNTY COUNCIL WAIVING THE REQUIRED APPEARANCE OF THE CLEAR LAKE WATER DISTRICT IN THE PIERCE COUNTY VOTERS' PAMPHLET FOR THE SEPTEMBER PRIMARY AND THE NOVEMBER GENERAL ELECTIONS IN 2003; AND FINDING THAT SUCH PARTICIPATION WOULD CREATE AN UNDUE FINANCIAL HARDSHIP ON THE DISTRICT.

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

Staff Testimony

Long stated there is a provision in State law that allows for an exemption of appearing in the County Voter's Pamphlet if such appearance creates an undue financial hardship on the District. The Council has been petitioned by the Clear Lake Water District to provide this exemption.

The Chair called for public testimony; there was no response.

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

VIII. ORDINANCES

PROPOSAL NO. 2003-10s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 19B.90 OF THE PIERCE COUNTY CODE, THE SOUTH HILL COMMUNITY PLAN; AMENDING THE PIERCE COUNTY COMPREHENSIVE PLAN, TITLE 19A OF THE PIERCE COUNTY CODE, TO INCORPORATE POLICIES OF THE SOUTH HILL COMMUNITY PLAN AND ADD A NEW HIGH DENSITY SINGLE-FAMILY LAND USE DESIGNATION; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

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

Staff Testimony

Graham provided an overview of land use planning in Pierce County, and the process used to develop this Community Plan.

Graham provided two handouts: One dealing with the chronological listing of the public hearings held on Proposal Nos. 2003-10s and 2003-11s, and the chronological historical overview of land use management in Pierce County. Copies of the handouts are contained in the Ordinance file.

Kimberly Freeman, Planning and Land Services, provided a PowerPoint overview presentation of the development process followed to develop the Community Plan.

Moss moved adoption of Council Amendment No. 1, as printed on the pink; motion seconded. A copy of the amendment is included with these minutes as Attachment I.

Graham provided an explanation of the amendment, stating the items were technical in nature, and correct omissions and oversights.

Goings pointed out there is nothing substantive contained in the amendment; that it is being offered for clarification purposes.

Public Testimony

Henry Daehnke stated he had reviewed the Heritage Corridor map, and asked how it would affect his property.

Wimsett pointed out that all questions would be recorded and addressed at the end of the public testimony.

Charles Nicholas expressed a concern regarding the Urban Village designation, and read a letter to the editor that appeared in *The News Tribune*, from Scott Candoo, regarding land use planning.

Betsy Stubbs spoke in support of the Heritage Corridor map, stating she was glad the amendment contained nothing to change or compromise the Ordinance as it came out of Committee.

Goings stated the South Hill Heritage Corridor was established in 1853, when the Longmire Wagon Train came through South Hill.

In response to the questions regarding Urban Village, Freeman responded to those concerns, stating that the hope is transit will serve these areas to cut down on the amount of traffic.

The amendment passed on a voice vote.

Moss moved adoption of Council Amendment No. 2, as printed on the blue; motion seconded. A copy of the amendment is included with these minutes as Attachment II. Graham provided an explanation of the effects of the amendment.

Goings pointed out the amendment is housekeeping in nature, and nothing substantive is contained.

The amendment passed on a voice vote.

The Chair called for public testimony on the Proposal as substituted and amended.

Public Testimony

Carl Vest spoke in support of the Plan, stating he felt it was a good Plan that is based on wide community support.

Mark Mulder spoke in support of the Plan, and thanked the County Council for their work in assisting the community to shape its identity.

Michael Appersbach, representing SRO, spoke in support of the Plan, and thanked the Council for the opportunity to participate in the process.

Sherri Bails spoke in support of the Plan and expressed a concern for development causing loss of native vegetation and topsoil. She encouraged the use of sidewalks and good surface water management.

Glen Wickett stated he supports a left turn lane on 94th as opposed to widening the street to five lanes. He also recommended that weight restrictions be placed on some of the major roads, such as Woodland and Fruitland Avenues.

William Brumley expressed a concern about a high-density development that is proposed next to his property. He stated 128th is a busy street, and this proposed high-density development would further impact the traffic levels.

Walt Hardman stated a concern that there is nothing in the Plan to provide for North-South transportation relief. He read a letter into the record from Kenneth Jones. A copy of the letter is contained in the Ordinance file.

Tiffany Speir, Master Builders Association, thanked the Council for Amendment Nos. 1 and 2, and feels the broad participation approach that was used to develop the Plan resulted in a good Plan with compromises to address all parties concerned.

Boe Woodbury, representing the Young Men's Christian Association (YMCA), stated he feels that good land use management planning has a positive impact on public health. He encouraged the provision of walking and biking trails, and supports the Plan.

Gil Hulsmann thanked the Council and Staff for their work on the Community Plan. He supports the idea that a design should be in place for community identity. He encouraged a class for developers to review and be educated on the new regulations.

Martha Temus expressed a concern regarding traffic impact mitigations, and feels the Plan will help in this regard.

Eric Soderquist stated he is interested in traffic impact mitigation and infrastructure improvement. He stated community identity is important.

Catherine Rudolph, Tacoma-Pierce County Association of Realtors, spoke in favor of the Plan, and stated she hoped that in its implementation there will be a focus on transportation, and parks and recreation. She thanked the County for the process.

Eva Lebert stated she lives next to the airport and wondered how the change from Residential to Light Industrial zoning would affect her property.

Alan Hughes asked if amateur radio towers and antennas were addressed in the Plan, especially relating to height restrictions.

Chuck Kingman expressed a concern about transportation in the South Hill area. He suggested a surcharge on building permits to fund traffic improvements.

Linda Brannon stated a concern about the accuracy of addresses on a new County map that she had received.

Betsy Stubbs pointed out that when the Plan is adopted, change would not occur overnight, but would be gradual. She thanked the Council for their vision and hope for the future for the community. Stubbs commended the Council for following a good process in the development of the Plan.

Goings responded to questions that had been set forth regarding setbacks and buffers; weight restrictions on residential roads; expansion of 94th; high-density development; training classes for developers; Urban Village development and how it affects current residences; rezones surrounding Thun Field; amateur radio antennas; and a North-South expressway.

Following Councilmembers' remarks, Goings asked whether or not the proposed amendments were within the range of impacts considered in previous environmental documentation.

Chip Vincent, Planning and Land Services, presented a letter to the Council from Chuck Kleeberg, Environmental Official, Planning and Land Services, stating that no further State Environmental Protection Act (SEPA) review is required for these revisions. A copy of the Kleeberg letter is contained in the Ordinance file.

Goings thanked Council Staff, Planning and Land Services Staff, Public Works and Utilities Staff, and in particular Jenifer Schultz, Clerk of the Planning & Environment Committee, and Anna Graham, Council Research Analyst, for their hard work on bringing this Proposal through the Committee hearing process.

The Proposal was adopted as substituted and amended on a roll call vote of seven to zero.

PROPOSAL NO. 2003-11s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL IMPLEMENTING THE SOUTH HILL COMMUNITY PLAN; AMENDING TITLE 18 OF THE PIERCE COUNTY CODE, PIERCE COUNTY DEVELOPMENT REGULATIONS - GENERAL PROVISIONS; AMENDING CHAPTER 18A.25, ZONE CLASSIFICATIONS AND USE TABLES, AND CHAPTER 18A.35, DEVELOPMENT STANDARDS; AMENDING THE PIERCE COUNTY ZONING ATLAS; ADOPTING A NEW CHAPTER 18B.140, SIGN DESIGN - SOUTH HILL, AND A NEW CHAPTER 18J.50, SOUTH HILL COMMUNITY PLAN AREA DESIGN STANDARDS AND GUIDELINES; AMENDING CHAPTER 18J.15, COUNTY-WIDE URBAN DESIGN STANDARDS AND GUIDELINES; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

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

Moss moved adoption of Council Amendment No. 1, as printed on the yellow; motion seconded. A copy of the amendment is included with these minutes as Attachment III.

Graham provided an explanation of the effects of the amendment, stating they are technical in nature. Goings pointed out there is nothing substantive contained in the amendment, and it has been reviewed by all interested parties.

Public Testimony

Carolyn Lake spoke in support of the amendment, and thanked the Council and Staff for a good product.

Glen Wickett stated he felt there was an oversight in the amendment; that it should relate density to existing roads and sewers.

The amendment passed on a voice vote.

Moss moved adoption of Council Amendment No. 2 as printed on the tan; motion seconded. A copy of the amendment is included with these minutes as Attachment IV.

Staff Testimony

Graham provided an overview and explanation of the effects of the amendment, which she stated was technical in nature.

The Chair called for public testimony; there was no response.

The amendment passed on a voice vote.

In response to Goings' questions regarding environmental review, Vincent presented a letter to the Council from Kleeberg, stating that no further SEPA review is required for these revisions. A copy of the Kleeberg letter is contained in the Ordinance file.

The Proposal passed as substituted and amended on a roll call voted of seven to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS - None

XI. GENERAL PUBLIC COMMENTS - None

Pierce County Council Meeting
April 22, 2003

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at
8:35 p.m.

Attest:

Gerri Johnson, Clerk of the Council

Approved:

Councilmember Harold Moss, Council Chair

Date Approved

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