

**MINUTES
PIERCE COUNTY COUNCIL MEETING
MAY 20, 2003**

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 3:00 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.

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; and Tom Weber, Administrator/Research & Policy.

IV. APPROVAL OF AGENDA

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

V. CONSENT AGENDA

a. Approval of Minutes

1. The minutes of the May 6, 2003, Special Council meeting
2. The minutes of the April 29, 2003, regular Council meeting

b. Action on Ordinances (refer, set date of hearing)

1. PROPOSAL NO. 2003-35, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING AN UNNAMED ROAD, PORTIONS OF SNELLSTROM-BUSH ROAD, AND EUSTIS-HUNT ROAD LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE GRAHAM AREA.
Sponsored by: Councilmember Shawn Bunney
Contact person: Jerry West, 798-3687
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Shawn Bunney, Chair; Terry Lee, Vice Chair; Paul Bocchi, Member; Barbara Gelman, Member/excused; Calvin Goings, Member)
Suggested date of Council hearing: June 17, 2003
2. PROPOSAL NO. 2003-36s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 26TH AVENUE EAST LOCATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE SPANAWAY AREA
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/excused; Calvin Goings, Member)
Suggested date of Council hearing: June 17, 2003
3. PROPOSAL NO. 2003-42, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 27TH AVENUE NORTHWEST RIGHT-OF-WAY, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN THE GIG HARBOR AREA; AND RESERVING THE RIGHT OF ACCESS FOR DRAINING STORM WATER, AND MAINTAINING THE STORM DRAINAGE SYSTEM.
Sponsored by: Councilmember Shawn Bunney
Contact person: Jerry West, 798-3687
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Shawn Bunney, Chair; Terry Lee, Vice Chair; Paul Bocchi, Member; Barbara Gelman, Member/excused; Calvin Goings, Member)
Suggested date of Council hearing: June 17, 2003

4. PROPOSAL NO. 2003-54, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 19D.140 OF THE PIERCE COUNTY CODE, "SATELLITE SYSTEM AND MANAGEMENT PROGRAM AND DISPUTE RESOLUTION PROCESS", BY ESTABLISHING TIMELY AND REASONABLE SERVICE CRITERIA.
Sponsored by: Councilmember Shawn Bunney
Contact person: Susan Clark, 798-6169
For referral to the Public Works Committee

5. PROPOSAL NO. 2003-55, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS19-02, DAVID R. LARAWAY - ROY AREA)
Sponsored by: Councilmember Calvin Goings
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning & Environment Committee
To be heard by the Planning & Environment Committee
May 28, 2003
Suggested date of Council hearing: June 17, 2003

6. PROPOSAL NO. 2003-56, 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. OST18-02, DONALD AND DIANE MILLS - TANWAX AREA; APPLICATION NO. OST20-02, ROBERT AND MARTHA SOUTHWORTH - KEY PENINSULA; APPLICATION NO. OST21-02, IRA AND WANDA MARSHALL - TANWAX AREA; AND APPLICATION NOS. OST23-02 AND OST24-02, ELVIN E. FLOBERG - KEY PENINSULA)
Sponsored by: Councilmember Calvin Goings
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning & Environment Committee
To be heard by the Planning & Environment Committee
May 28, 2003
Suggested date of Council hearing: June 17, 2003

7. PROPOSAL NO. 2003-58, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF 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. OS26-02, JOHN MOWER - ORTING AREA; APPLICATION NO. OS27-02, JERRY AND LUCY BARANSKI - EATONVILLE AREA; APPLICATION NO. OS28-02,

MICK BOYNTON - FAIRFAX AREA; APPLICATION NO. OS29-02,
CLARITA ABUAN - SOUTH PRAIRIE AREA; APPLICATION NO.
OS32-02, DANIEL VADNEY - SUMMIT-WALLER AREA;
APPLICATION NO. OS36-02, JERRELL AND PATRICIA
LEWELLEN - VAUGHN AREA; APPLICATION NO. OS46-02,
RAYMOND FEENER - KAPOWSIN AREA; AND APPLICATION NO.
OS47-02, WILLIAM AND SUSAN STYLER - BURNETT-WILKESON
AREA)

Sponsored by: Councilmember Calvin Goings

Contact person: Airyang Julia Park, 798-2783

For referral to the Planning & Environment Committee

To be heard by the Planning & Environment Committee

May 28, 2003

Suggested date of Council hearing: June 17, 2003

8. PROPOSAL NO. 2003-59, 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. OST25-02, LARRY MAGILL - EATONVILLE AREA; APPLICATION NO. OST31-02, KATHRYN BAMFORD - KEY PENINSULA; APPLICATION NO. OST35-02, DON AND RENEE GALLAGHER - ROY AREA; AND APPLICATION NOS. OST40-02, OST41-02, OST42-02, OST43-02, AND OST44-02, MANKE LUMBER COMPANY, INC. - KEY PENINSULA)

Sponsored by: Councilmember Calvin Goings

Contact person: Airyang Julia Park, 798-2783

For referral to the Planning & Environment Committee

To be heard by the Planning & Environment Committee

May 28, 2003

Suggested date of Council hearing: June 17, 2003

9. PROPOSAL NO. 2003-43, 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. OST13-02, CHONG AND ROMEINA HAN - TANWAX AREA; APPLICATION NO. OST14-02, WESLEY AND MARIAN MARK - TULE LAKE AREA; APPLICATION NO. OST15-02, DENNIS AND ELSIE TOWNSEND - TANWAX AREA; AND APPLICATION NOS. OST16-02 AND OST17-02, WAYNE E. ARNOLD AND BONNIE JO CHRISTNER - TANWAX AREA)

Sponsored by: Councilmember Calvin Goings

Contact person: Airyang Julia Park, 798-2783

DO PASS RECOMMENDATION - PLANNING & ENVIRONMENT COMMITTEE (Calvin Goings, Chair; Terry Lee, Vice

Chair; Paul Bocchi, Member; Barbara Gelman, Member;
Kevin Wimsett, Member)
Suggested date of Council hearing: June 17, 2003

c. Action on Resolutions (refer, set date of hearing)

1. PROPOSAL NO. R2003-78, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ESTABLISHING AN AD HOC URBAN DESIGN TASK FORCE, TO DEVELOP RESIDENTIAL DESIGN STANDARDS FOR THE HIGH DENSITY SINGLE-FAMILY AND NEIGHBORHOOD CENTER LAND USE DESIGNATIONS; PROVIDING GUIDELINES AND A TIMELINE FOR THE WORK OF THE TASK FORCE; REQUESTING THE PLANNING COMMISSION AND LAND USE ADVISORY COMMISSIONS TO REVIEW THE PROPOSAL AND MAKE RECOMMENDATIONS FOR ACTION BY THE COUNTY COUNCIL; AND SETTING A SUNSET DATE OF THE AD HOC TASK FORCE.
Sponsored by: Councilmembers Calvin Goings, Terry Lee, and Kevin Wimsett
Contact person: Anna Graham, 798-6253
For referral to the Planning & Environment Committee

d. Other Items

Wimsett 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 May 2, 2003, was read into the record.

ORDINANCE NO. 2002-127, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PROHIBITING THE DISCHARGE OF FIREARMS IN PORTIONS OF THE UNINCORPORATED AREAS OF SECTIONS 33 AND 34, TOWNSHIP 18, RANGE 2 EAST, AND SECTIONS 3 AND 4, TOWNSHIP 17, RANGE 2 EAST, IN PIERCE COUNTY IN THE ROY AREA.

ORDINANCE NO. 2003-6, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY THAT LIES WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, AND IS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; REQUIRING PUBLIC ACCESS; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS1-02, JOSEPH AND PAMELA MAYER - SPANAWAY AREA)

ORDINANCE NO. 2003-7, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE

CLASSIFICATION UNDER CURRENT USE ASSESSMENT, ON CERTAIN PROPERTY THAT LIES WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, AND IS LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 17 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS2-02, WILLIAM MILES - GRAHAM AREA)

ORDINANCE NO. 2003-8, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WHICH LIES WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, AND IS LOCATED IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS3-02, KENNETH AND SHARRELL KILBORN - GIG HARBOR AREA)

ORDINANCE NO. 2003-9, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT, ON CERTAIN PROPERTY THAT LIES WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, AND IS LOCATED IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 16 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST4-02, RICHARD HANLY - ROY AREA)

ORDINANCE NO. 2003-14, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF AN ALLEY WAY LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 20 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN THE PUYALLUP AREA.

ORDINANCE NO. 2003-16, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 15 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST9-02, JANICE A. TRACY - EATONVILLE AREA)

ORDINANCE NO. 2003-17, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 16 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST8-02, ALLEN AND CARLA CHASE - ROY AREA)

ORDINANCE NO. 2003-18, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 16 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST11-02, MICHAEL AND VICKY MURPHY - EATONVILLE AREA)

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

PROPOSAL NO. R2003-71, A PROCLAMATION OF THE PIERCE COUNTY COUNCIL AND PIERCE COUNTY EXECUTIVE DECLARING THE DAY OF MAY 20, 2003 AS "JUDGE JACK NEVIN DAY" IN PIERCE COUNTY, WASHINGTON.

Wimsett moved the Proposal be continued until May 27, 2003; motion seconded and passed on a voice vote.

PROPOSAL NO. R2003-75, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY CITIZENS' ELECTION OVERSIGHT ADVISORY COMMISSION. (DAVID FRANTA)

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

Public Testimony

David Franta thanked the Council for his appointment to the Pierce County Citizens' Election Oversight Advisory Commission, and stated he hopes his participation will be of value to the County in future elections.

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

PROPOSAL NO. R2003-76, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE LODGING TAX ADVISORY COMMITTEE. (ROSALIE "ROE" MARCANTONIO)

Wimsett 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. R2003-77, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY PARKS AND RECREATION CITIZENS' ADVISORY BOARD. (DAVID QUINS)

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

Public Testimony

Mr. Quins stated he appreciates the opportunity to serve his community, especially working as an advocate for youth. Mr. Quins stated he is the Director of the Al Davies Youth Program at the Al Davies Boys and Girls Club.

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

VIII. ORDINANCES

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.

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

Staff Testimony

Les Olsen, Public Works & Utilities Department, stated this is a fifteen-year renewal of an existing franchise and that the Department supports the request for renewal.

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

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

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.

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

Staff Testimony

Olsen stated this is a renewal of a franchise; a request for a fifteen-year renewal of a franchise, and that the existing service area does not change. He stated the Department supports the request to renew.

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

The Proposal passed on a roll call vote of seven to zero.
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."

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

Staff Testimony

Brynn Brady, Planning & Land Services Department, stated she has been staffing this Advisory Commission. The changes contained in this Proposal are a change to the quorum and other technical changes. She provided an overview of the activities of the Commission.

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

PROPOSAL NO. 2003-33, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CANCELING CERTAIN UNCOLLECTIBLE PERSONAL PROPERTY TAXES.

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

Staff Testimony

Jack Rusler, Budget and Finance Department, stated this is an annual request that the County cancel certain uncollectible personal property taxes, as required by State statute.

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

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

IX. RESOLUTIONS

PROPOSAL NO R2003-39, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING ITS INTENT TO VACATE AN UNNAMED ROAD, PORTIONS OF SNELLSTROM-BUSH ROAD, AND EUSTIS-HUNT ROAD, ALL LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 18 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE GRAHAM AREA; AND DIRECTING THE COUNTY ENGINEER TO EXAMINE THE INTENDED VACATION AND REPORT THE FINDINGS AND CONCLUSIONS THEREOF TO THE COUNCIL.

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

Staff Testimony

Olsen stated this was the first step in the process of vacating the referenced County right-of-way; the request coming from the Department. He stated the Department supports this proposed vacation. In response to Bunney's question, Olsen provided an explanation of the vacation process beginning with the Resolution requesting the report and findings from the County Engineer, and ultimately an Ordinance that effects the vacation.

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

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

X. OTHER BUSINESS/ANNOUNCEMENTS - None

XI. GENERAL PUBLIC COMMENTS - None

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:25 p.m.

Attest:

Gerri Johnson, Clerk of the Council

Approved:

Councilmember Harold Moss, Council Chair

Date Approved

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Pierce County Council Meeting
May 20, 2003