

MINUTES
PIERCE COUNTY COUNCIL MEETING
MAY 29, 2001

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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 Brown.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Brown.

III. ROLL CALL

Councilmembers Present: Karen S. Biskey, Wendell Brown, Calvin Goings, Harold Moss, Pat O'Malley, Jan Shabro, and Kevin Wimsett.

Council Staff Present: Susan Long, Legal Counsel; Gerri Rainwater, Administrator/Clerks & Operations; and Tom Weber, Administrator/Research & Policy.

There were four visitors present.

IV. APPROVAL OF AGENDA

Moss moved approval of the Agenda; motion seconded and passed.

V. CONSENT AGENDA

- a. Approval of Minutes
 1. The minutes of the May 14, 2001, special Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
 1. PROPOSAL NO. 2001-51, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE *UNIFIED SEWER PLAN FOR THE PIERCE COUNTY WASTEWATER UTILITY*, AS THE PIERCE COUNTY WASTEWATER UTILITY SEWERAGE GENERAL PLAN; INCORPORATING IT INTO THE PIERCE COUNTY CODE AS CHAPTER 19D.70; REPEALING CHAPTER 19D.80 OF THE PIERCE COUNTY CODE, *THE CHAMBERS CREEK BASIN WATER QUALITY MANAGEMENT PLAN, PIERCE COUNTY, WASHINGTON*; AND ADOPTING FINDINGS OF FACT.

Sponsored by: Councilmembers Karen Biskey and
Harold Moss

Contact person: Marsha Huebner, 798-4662
For referral to the Planning and Environment
Committee and the Public Works Committee

2. PROPOSAL NO. 2001-52, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING THE CITY OF ORTING, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON, A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE, AND MAINTAIN A SANITARY SEWER PIPELINE SYSTEM IN, ALONG, AND UNDER CERTAIN COUNTY-OWNED ROADS AND HIGHWAYS IN PIERCE COUNTY, WASHINGTON; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.
Sponsored by: Councilmember Harold Moss
Contact person: Jerry West, 798-7250
For referral to the Public Works Committee

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

1. PROPOSAL NO. R2001-96, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE COUNTY EXECUTIVE, IN COOPERATION WITH THE PIERCE COUNTY SHERIFF, EMERGENCY MANAGEMENT DEPARTMENT, CENTRAL PIERCE FIRE AND RESCUE, AND FIRECOM, TO STUDY THE FEASIBILITY OF DEVELOPING A JOINT PUBLIC SAFETY FACILITY IN THE PARKLAND-SPANAWAY AREA.

Sponsored by: Councilmembers Kevin Wimsett and
Calvin Goings

Contact person: Carolyn Pendle, 798-3631

For referral to Public Safety Committee

(To be heard by the Public Safety Committee on June
14, 2001)

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 - None

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

PROPOSAL NO. R2001-88, A RESOLUTION OF THE PIERCE COUNTY COUNCIL PROCLAIMING THE WEEK OF JUNE 3-10, 2001, AS "NATIONAL HOME OWNERSHIP WEEK" IN PIERCE COUNTY, WASHINGTON.

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

Laura Tupper accepted the Proclamation on behalf of the Master Builders Association and thanked the Council for their recognition.

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

VIII. ORDINANCES

PROPOSAL NO. 2001-39, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, SAID PROPERTY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 20 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN; REQUIRING PUBLIC ACCESS; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS1200, GARY I. ROBINSON, ANDERSON ISLAND)

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

Moss moved adoption of Council Amendment No. 1 as set forth in Attachment I to these minutes; motion seconded and passed.

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

PROPOSAL NO. 2001-40, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, SAID PROPERTY BEING LOCATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 16 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; REQUIRING PUBLIC ACCESS; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS17-00, CLAUDE PORTEUS, EATONVILLE AREA)

Moss moved adoption; motion seconded. The Clerk read the

title into the record.

Moss moved adoption of Council Amendment No. 1 as set forth in Attachment II to these minutes; motion seconded and passed.

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

PROPOSAL NO. 2001-41, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, SAID PROPERTY BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 17 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS16-00, RESOURCE INVESTMENTS, INC - KAPOWSIN AREA)

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

Moss moved adoption of Council Amendment No. 1 as set forth in Attachment III to these minutes; motion seconded and passed.

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

PROPOSAL NO. 2001-42, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, SAID PROPERTY BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS14-00, MARY J. AND DEWARD JOHNSON, PUYALLUP AREA)

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

Moss moved adoption of Council Amendment No. 1 as set forth in Attachment IV to these minutes; motion seconded and passed.

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

PROPOSAL NO. 2001-43, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, SAID PROPERTY BEING LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS13-00, GREGORY J. AND SUSAN M. CANNARD - GIG HARBOR PENINSULA AREA)

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

Moss moved adoption of Council Amendment No. 1 as set forth in Attachment V to these minutes; motion seconded and passed.

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

PROPOSAL NO. 2001-44, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING THE GIG HARBOR COMMUNITY COMPREHENSIVE PLAN (CHAPTER 19B.10 PIERCE COUNTY CODE); ADOPTING A NEW CHAPTER 19B.10 OF THE PIERCE COUNTY CODE, THE GIG HARBOR PENINSULA COMMUNITY PLAN; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

Biskey moved that the Proposal be postponed indefinitely; motion seconded and passed. (Chris Watkins submitted a written letter requesting that telecommunications be a part of the plan. A copy of the letter is contained in the Committee Clerk's meeting file.

PROPOSAL NO. 2001-45, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING THE PIERCE COUNTY COMPREHENSIVE PLAN, SECTION 19A.30.010 OF THE PIERCE COUNTY CODE (CODE) TO PROVIDE FOR AN URBAN SENSITIVE RESOURCE OVERLAY IN THE CITY OF GIG HARBOR'S URBAN GROWTH AREA; AMENDING SECTIONS 19A.30.010 I, 19A.40.020 D.1. AND 19A.40.050 A. OF THE CODE TO INCREASE THE MAXIMUM LOT SIZE TO ONE-HALF ACRE IN THE RESERVE-FIVE DESIGNATION; AMENDING SECTION 19A.30.135 OF THE CODE TO PROVIDE FOR A RURAL AIRPORT OVERLAY; AMENDING SECTION 19A.40.020 OF THE CODE TO PROVIDE FOR A RURAL AIRPORT DESIGNATION AND A RURAL SENSITIVE RESOURCE DESIGNATION; AMENDING THE OPEN SPACE/GREENBELTS MAP, SECTION 19A.30.170 I OF THE CODE, FOR THE GIG HARBOR PENINSULA; AMENDING THE GENERALIZED PROPOSED LAND USE MAP, SECTION 19A.30.230 PCC, TO IMPLEMENT THE GIG HARBOR PENINSULA COMMUNITY PLAN; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

Biskey moved that the Proposal be postponed indefinitely; motion seconded and passed.

IX. RESOLUTIONS

PROPOSAL NO. R2001-69, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO ALLOCATE FUNDS DISBURSED BY THE WASHINGTON STATE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT FOR THE PIERCE COUNTY BUILDABLE LANDS PROJECT.

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

Shabro stated the allocation of these funds could be reduced in the future considering the budget restrictions that are resulting from the current legislative session.

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

PROPOSAL NO. R2001-72, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THE FOUR COUNCIL-APPOINTED MEMBERS OF THE PIERCE COUNTY DISTRICTING COMMITTEE TO APPOINT A MEMBER OF THE LIBERTARIAN PARTY TO SERVE AS THE FIFTH MEMBER AND CHAIR OF THE DISTRICTING COMMITTEE.

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

Public Testimony

Michael Hamilton thanked Biskey for sponsoring the Resolution and asked the other Members to support the Resolution. He stated the Libertarian Party has obtained major political party status, and looks forward to the opportunity to participating in the districting process.

Staff Testimony

Long pointed out that if the Council adopts this Resolution, it is a recommendation to the Committee to select a member of the Libertarian Party as a Chair of the Committee.

Public Testimony

In response to Goings' question as to how Mr. Hamilton perceives the role of the Chair of the Committee, Hamilton responded that the Chair would coordinate meetings, and is basically employed by the members. He stated he would like to serve on the Committee. The Committee Chair would be the tie-breaking vote. Hamilton urged the Council to sponsor a Charter amendment to correct this situation in the future so that any major political party would be represented on this Committee.

Brown stated it is the Council's intent to initiate a correction to the Charter language for future districting processes.

Jay Wills, State Chair of the Libertarian Party, stated he feels the Charter language is ambiguous. He stated the party has been committed to a lawsuit to be a part of the process of bringing this status into reality. He stated a lawsuit could be difficult and complicated, and did not know whether or not it would have an injunctive effect.

Biskey moved an amendment on page 3 of 4 at line 9 to delete the word "April" and insert "May 22"; motion seconded and passed. (Clerk's note: On page 3 of 4 at line 7, the referenced Resolution was shown as R2001-5, it should be R2001-55; the Clerk has made that correction.)

The Proposal passed as amended on a roll call vote of four to three (Goings, Moss, and Wimsett voted no).

X. OTHER BUSINESS/ANNOUNCEMENTS

Councilmember Moss asked for a point of personal privilege to extend wishes to his Mother on her 93rd birthday.

XI. GENERAL PUBLIC COMMENTS

Michael Hamilton stated that the Council had referred Proposal R2001-34 back to Committee and asked when it might be heard. Long responded the Proposal is to be heard by the Rules Committee on the following Monday.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:55 p.m.

Attest:

Clerk of the Council

Approved:

Council Chair

Date Approved

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