

**MINUTES**  
**PIERCE COUNTY COUNCIL MEETING**  
**JUNE 21, 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 men and women in the Military.

**III. ROLL CALL**

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

Council Staff Present: Alison Beason, Acting Deputy Clerk; Steve Gross, Deputy Legal Counsel; Denise Johnson, Clerk of the Council; Susan Long, Legal Counsel; Hugh Taylor, Senior Research Analyst; Michael Transue, Budget Consultant; and Thomas Weber, Administrator for Research and Policy.

There were approximately 25 visitors present.

**IV. APPROVAL OF AGENDA**

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

**V. CONSENT AGENDA**

Lee moved to amend the Consent Agenda to remove the referral to Rules and Operations Committee on Proposal No. R2005-88; motion seconded and passed on a voice vote.

- a. Approval of Minutes
- b. Action on Ordinances (refer, set date of hearing)
- c. Action on Resolutions (refer, set date of hearing)
  1. PROPOSAL NO. R2005-88, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO APPLY FOR FUNDING ASSISTANCE FOR A LOCAL BOATING PROGRAM TO THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION, FOR THE DEVELOPMENT OF THE FIRST PHASE OF THE SPANAWAY PARK IMPROVEMENTS IN PIERCE COUNTY, WASHINGTON.  
Sponsored by: Councilmember Barbara Gelman  
Contact person: Jan Wolcott, 798-4007  
For referral to the Rules and Operations Committee  
Suggested date of Council hearing: June 28, 2005
- d. Other Items

Lee moved approval of the Consent Agenda; motion seconded and passed as amended 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 May 31, 2005, was read into the record:

ORDINANCE NO. 2005-14, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF CORNWELL-TIEDEMAN ROAD LOCATED IN THE NORTHEAST QUARTER OF SECTION 10 AND THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 20 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE KEY PENINSULA AREA

ORDINANCE NO. 2005-16, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL FINDING THE PROPOSED NON-EXCLUSIVE CABLE TELEVISION FRANCHISE TO MILLENNIUM DIGITAL MEDIA SYSTEMS, L.L.C., FOR A CABLE NETWORK IN PIERCE COUNTY TO BE IN THE PUBLIC INTEREST; SETTING FORTH TERMS AND CONDITIONS ACCOMPANYING THE GRANTING OF THE CABLE FRANCHISE; PROVIDING FOR THE REGULATION OF CONSTRUCTION, OPERATION, MAINTENANCE, AND USE OF THE NETWORK; PRESCRIBING REMEDIES FOR THE VIOLATION OF THE PROVISIONS OF THE FRANCHISE; AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO THE FRANCHISE AGREEMENT.

ORDINANCE NO. 2005-23, AN ORDINANCE OF THE PIERCE

COUNTY COUNCIL AMENDING CHAPTER 18.25 OF THE PIERCE COUNTY CODE (PCC), DEFINITIONS, AND TITLE 18B PCC, DEVELOPMENT REGULATIONS-SIGNS; ADDRESSING MENU READER BOARD SIGNS FOR DRIVE-THROUGH FACILITIES IN COMMUNITY PLAN AREAS; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

**VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS - None**

**VIII. ORDINANCES**

**PROPOSAL NO. 2005-34s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATING TO BOAT MANAGEMENT, AMENDING TITLE 19D, (OTHER COMPREHENSIVE PLANNING DOCUMENTS) OF THE PIERCE COUNTY CODE BY ADOPTING A NEW CHAPTER 19D.260 (LAKE TAPPS BOAT MANAGEMENT PLAN), AND SETTING AN EFFECTIVE DATE.**

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

Staff Testimony

Gross explained and provided a brief report on the Proposal. He stated the Proposal received a do pass recommendation by the Public Safety and Human Services Committee on June 14, 2005.

Lee moved Council Amendment No. 1 (goldenrod); motion seconded. A copy of the amendment is identified as Attachment I to these minutes.

Bunney explained the purpose of the amendment, stating the record is incomplete relating to safety concerns.

The Chair called for testimony on the amendment; there was no response. The amendment passed on a voice vote.

The Chair called for testimony on the amended Proposal.

Staff Testimony

Gross spoke to the June 16, 2005, memorandum from the Boating Advisory Commission.

Public Testimony

Gordon Gibson provided written testimony and spoke to the issue. A copy of his letter is contained in the Ordinance file.

Linda Thompson spoke to the official records on the issue.

The Chair called for final Councilmember comments/discussion.

Councilmembers Lee and Gelman recognized the Lake Tapps Task Force and Bunney for their work on the Lake Tapps Boat Management Plan.

Bunney spoke to the fiscal impact and recognized the Proposal will be a site-specific model.

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

**PROPOSAL NO. 2005-35s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL IMPLEMENTING THE LAKE TAPPS BOAT MANAGEMENT PLAN; ADDING "VESSELS" AS A SOURCE OF PUBLIC NUISANCE NOISE, AMENDING CHAPTER 8.72 (MOTOR VEHICLES, PUBLIC DISTURBANCE) OF PIERCE COUNTY CODE AND SETTING AN EFFECTIVE DATE.**

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

Staff Testimony

Gross explained the Proposal relates to sound systems on the boats not engine noise.

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

**PROPOSAL NO. 2005-36s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL IMPLEMENTING THE LAKE TAPPS BOAT MANAGEMENT PLAN; ESTABLISHING A SPEED LIMIT ON CLASS "A" LAKES, LIMITING "RAFTING" ON LAKE TAPPS, AMENDING CHAPTER 8.88 (WATERCRAFT REGULATIONS) OF THE PIERCE COUNTY CODE, AND SETTING AN EFFECTIVE DATE.**

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

Staff Testimony

Gross provided information on the Proposal and stated the speed limit will be 60 mph on Class A lakes.

Gerald Lawrence, Pierce County Sheriff's Department, responded to Bunney's question regarding rafting on lakes. Lawrence stated that he will distribute flyers to notify residents of the boating law change.

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

**PROPOSAL NO. 2005-37, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 17A.10.060 AF. AND 17B.10.050 M. OF THE PIERCE COUNTY CODE, AND CHAPTER 3, "GLOSSARY AND NOTATIONS" OF THE PIERCE COUNTY STORMWATER MANAGEMENT AND SITE DEVELOPMENT MANUAL TO MAKE A TECHNICAL CORRECTION TO A CODE REFERENCE.**

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

Staff Testimony

Gross explained the Proposal makes technical amendments to the Code.

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

**PROPOSAL NO. 2005-41, 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. OS80-04, KAREL AND LIBA PELTRAM - GRAHAM AREA; APPLICATION NO. OS93-04, JERRIE L. AND SALLY EATON TRUST - EATONVILLE 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 passed on a roll call vote of six to zero.

**PROPOSAL NO. 2005-42, 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.OST81-04, JAMES D. AND DIEUTAM D. CHRISTIAN - WILLOW LAKE AREA; APPLICATION NO. OST82-04, ALAN K. AND DEBRA M. WILLOUGHBY - SILVER LAKE HIGHLANDS AREA; APPLICATION NO. OST83-04, JOHN S. CLAYTON - FOREST GROVE AREA; APPLICATION NO. OST84-04, DAVID R. BRAMSCHKE - TULE LAKE AREA; APPLICATION NO. OST85-04, JEFFREY A. AND PAULA R. PIELAK - FOREST GROVE AREA; APPLICATION NO. OST86-04, EUGENE J. AND KAREN C. FREEMON - TULE LAKE AREA; APPLICATION NO. OST87-04, ALLAN J. AND PAMELA W. BENNETT - HIGHLAND MEADOWS AREA; APPLICATION NO. OST88-04, ROBERT G. AND NANCY E. LOISELLE - HIGHLAND MEADOWS AREA; APPLICATION NO. OST89-04, MARK H. BOYD AND ISABEL M. KALOCSAY - FOREST GROVE AREA)**

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

Staff Testimony

Gross reported the Proposal received a do pass recommendation by the Rules and Operations Committee on June 13, 2005.

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

**PROPOSAL NO. 2005-43, 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.OST90-04, MARK H. BOYD AND ISABEL M. KALOCSAY - WILLOW LAKE AREA; APPLICATION NO. OST91-04, HIRO TSUJI AND JAMES KNODELL - HIGHLAND MEADOWS AREA; APPLICATION NO. OST92-04, DONALD AND MARGARET SCHULER - WILLOW LAKE AREA; APPLICATION NO. OST94-04, ROBERT WEISBECKER - EATONVILLE AREA; APPLICATION NO. OST95-04, KEVIN W. MOSS - ORTING AREA; APPLICATION NO. OST96-04, BRUCE STELMAR - HIGHLAND MEADOWS AREA; APPLICATION NO. OST97-04, JOHN AND DANIELLE SAWYER - SILVER LAKE HIGHLANDS AREA; APPLICATION NO. OST98-04, RANDAL AND PAULA M. RANSOM - FOREST GROVE AREA; APPLICATION NO. OST99-04, RANDALL J. REDDING AND JANET T. CLARKE - HIGHLAND MEADOWS AREA)**

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

Staff Testimony

Gross reported the Proposal received a do pass recommendation by the Rules and Operations Committee on June 13, 2005.

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

**PROPOSAL NO. 2005-44s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2004-107s AND MODIFYING THE COUNTY 2005 BUDGET.**

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

Staff Testimony

Michael Transue explained Section 1 of the Proposal, which identify modifications to the 2005 Budget.

Transue suggested that an oral amendment be made to Exhibit A, page 1 of 2, line 9, to strike the words " "~~(Animal Control Services)~~" and replace "\$100,000" with "\$-11,325".

Bunney moved for adoption of the oral amendment suggested by Transue; motion seconded.

The Chair called for public testimony on the amendment; there was no response. The motion passed on a voice vote.

Transue explained the Rules and Operations Committee crib sheet shows all the changes made in committee.

Lee moved Council Amendment No. 1 (yellow); motion seconded. A copy of the amendment is identified as Attachment II to these minutes.

Transue explained the amendments are technical changes.

The Chair called for public testimony on the amendment; there was no response. The motion passed on a voice vote. Lee moved Council Amendment No. 2 (blue); motion seconded. A copy of the amendment is identified as Attachment III to these minutes.

Transue explained the proposed amendment.

The Chair called for public testimony on the amendment; there was no response. The motion passed on a voice vote.

Lee moved Council Amendment No. 3 (buff); motion seconded. A copy of the amendment is identified as Attachment IV to these minutes.

Transue explained the proposed amendment.

The Chair called for public testimony on the amendment; there was no response. The motion passed on a voice vote.

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

#### **IX. RESOLUTIONS**

**PROPOSAL NO. R2005-65, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING THE PROCESS FOR AMENDING THE PIERCE COUNTY CODE, CHAPTER 18J.15, COUNTY-WIDE URBAN AND RURAL DESIGN STANDARDS AND GUIDELINES; TO REQUIRE INSTALLATION OF PEDESTRIAN PATHWAYS FOR CIVIC USE DEVELOPMENTS IN THE RURAL AREA; 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 APPROPRIATE LAND USE ADVISORY COMMISSIONS; AND SETTING A DATE FOR THE PLANNING COMMISSION TO SUBMIT ITS REPORT AND RECOMMENDATION TO THE COUNCIL.**

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

#### Staff Testimony

Long reported the Proposal received a do pass recommendation by the Community Development Committee on May 23, 2005.

Sean Gaffney, Planning and Land Services Department, explained passage of the Proposal will allow the Department to move forward.

Lee moved Council Amendment No. 1 (blue); motion seconded. A copy of the amendment is identified as Attachment V to these minutes.

Bunney explained the amendment is technical in nature.

The Chair called for testimony on the amendment.

#### Public Testimony

Bob Van Slyke, Bethel School District and Pierce County School Coalition, spoke in support of the substitute proposal and urged Council's adoption.

The motion passed on a voice vote.

The Chair called for public testimony on the amended Proposal; there was no response.

Councilmembers Bush, Gelman, and Lee provided closing comments in support of the Proposal.

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

#### **X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Pierce County Neighborhood Emergency Teams (Pc-Net) Presentation. Steve Bailey, Director of Pierce County Emergency Management; and Paul Pastor, Pierce County Sheriff, provided a PowerPoint presentation; Jody Woodcock assisted in the presentation. A copy of the presentation material is contained in the Clerk's meeting file.
2. Lee moved to add the following Proposal to the June 28, 2005, Council Meeting Agenda for final consideration:

PROPOSAL NO. R2005-88, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO APPLY FOR FUNDING ASSISTANCE FOR A LOCAL BOATING PROGRAM TO THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION, FOR THE DEVELOPMENT OF THE FIRST PHASE OF

THE SPANAWAY PARK IMPROVEMENTS IN PIERCE COUNTY,  
WASHINGTON.

The motion was seconded and passed.

3. Lee moved to amend the June 27-July 1, 2005, Meeting Schedule to remove the June 27, 2005, Rules and Operations Committee meeting; motion seconded and passed.
4. Lee moved to grant the Chair the authority to approve the proposed 2006 Council budget, the Meeting Schedule for the week of July 5-8, and the Council Agenda for July 5, 2005; motion seconded and passed.

Bunney explained the motion is necessary because there will be a lack of quorum for the June 2, 2005, Rules and Operations Committee.

The Chair announced the conclusion of the televised portion of the business meeting.

**IX. GENERAL PUBLIC COMMENTS**

1. Russell Sutton expressed his concern that the motorcycle ordinance (2004-34s) and the noise ordinance are not being enforced.
2. Duane Kaiser presented photographs of motorcycle trails in his neighborhood, and expressed his concern with the motorcycle ordinance.

Bunney stated it's time to have discussion on the noise ordinance, and he directed Council staff to work with the Executive, the Sheriff, and the Prosecuting Attorney on amending the noise ordinance.

Pierce County Council Meeting  
June 21, 2005

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned  
at 4:25 p.m.

Attest:

\_\_\_\_\_  
Denise D. Johnson, Clerk of the Council

Approved:

\_\_\_\_\_  
Shawn Bunney, Council Chair

\_\_\_\_\_  
Date Approved