

**MINUTES
PIERCE COUNTY COUNCIL MEETING
SEPTEMBER 16, 2003**

930 TACOMA AVENUE SOUTH, ROOM 1045
TACOMA, WASHINGTON 98402
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I. CALL TO ORDER

The regular meeting of the Pierce County Council was called to order at 3:05 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: Shawn Bunney, Barbara Gelman, Calvin Goings, Terry Lee, Harold Moss, and Kevin Wimsett. Paul Bocchi was excused.

Council Staff Present: Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Operations; Tom Weber, Administrator for Research and Policy; Carolyn Pendle, Research Analyst; and Anna Graham, Research Analyst.

There were approximately 25 visitors present.

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
- b. Action on Ordinances (refer, set date of hearing)
 - 1. PROPOSAL NO. 2003-73, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.67.040 OF THE PIERCE COUNTY CODE, "JURISDICTION AND AUTHORITY", ADJUSTING THE JURISDICTIONAL BOUNDARIES OF THE SOUTHWEST PIERCE COUNTY ADVISORY COMMISSION TO INCLUDE THE EATONVILLE AREA.

Pierce County Council Meeting
September 16, 2003

Sponsored by: Councilmember Kevin Wimsett
Contact person: Anna Graham, 798-6253
DO PASS RECOMMENDATION - PLANNING & ENVIRONMENT
COMMITTEE (Calvin Goings, Chair; Terry Lee, Vice
Chair; Paul Bocchi, Member/excused; Barbara Gelman,
Member; Kevin Wimsett, Member)
Suggested date of Council hearing: October 14, 2003

2. PROPOSAL NO. 2003-77, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF PARK JUNCTION ROAD RIGHT-OF-WAY LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 15 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, IN THE ELBE 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; Calvin
Goings, Member/excused)
Suggested date of Council hearing: October 21, 2003

3. PROPOSAL NO. 2003-79, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 192ND STREET EAST, LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 18 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 RECOMMENDATION - PUBLIC WORKS COMMITTEE
(Shawn Bunney, Chair; Terry Lee, Vice Chair; Paul
Bocchi, Member; Barbara Gelman, Member; Calvin
Goings, Member/excused)
Suggested date of Council hearing: October 21, 2003

4. PROPOSAL NO. 2003-85, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING HORSESHOE ROAD EAST AND A PORTION OF TREK DRIVE EAST LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 17 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE CLEAR LAKE AREA.

Sponsored by: Councilmember Kevin Wimsett
Contact person: Thomas Weber, 798-6067
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE
(Shawn Bunney, Chair; Terry Lee, Vice Chair; Paul
Bocchi, Member; Barbara Gelman, Member; Calvin
Goings, Member/excused)
Suggested date of Council hearing: October 21, 2003

5. PROPOSAL NO. 2003- 89s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CONSOLIDATING THE SUMMIT VIEW, SUMMIT

WALLER, AND NORTH CLOVER CREEK COLLINS ADVISORY COMMISSIONS INTO ONE LAND USE ADVISORY COMMISSION; REPEALING CHAPTERS 2.55, 2.63 AND 2.79 OF THE PIERCE COUNTY CODE; ADOPTING A NEW CHAPTER 2.63 OF THE PIERCE COUNTY CODE, ENTITLED MID-COUNTY LAND USE ADVISORY COMMISSION; ESTABLISHING AND CREATING A FIFTEEN-MEMBER ADVISORY COMMISSION; AND SETTING A SUNSET DATE.

Sponsored by: Councilmembers Barbara Gelman, Calvin Goings and Kevin Wimsett

Contact person: Anna Graham, 798-6253

DO AS SUBSTITUTED RECOMMENDATION - PLANNING & ENVIRONMENT COMMITTEE (Calvin Goings, Chair; Terry Lee, Vice Chair; Paul Bocchi, Member/excused; Barbara Gelman, Member; Kevin Wimsett, Member)

Suggested date of Council hearing: October 14, 2003

6. PROPOSAL NO. 2003-90s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CONSOLIDATING THE PARKLAND AREA, SPANAWAY, AND MIDLAND ADVISORY COMMISSIONS INTO ONE LAND USE ADVISORY COMMISSION; REPEALING CHAPTERS 2.61, 2.62 AND 2.81 OF THE PIERCE COUNTY CODE; ADOPTING A NEW CHAPTER 2.62 OF THE PIERCE COUNTY CODE, ENTITLED PARKLAND-SPANAWAY-MIDLAND LAND USE ADVISORY COMMISSION; ESTABLISHING AND CREATING A FIFTEEN-MEMBER ADVISORY COMMISSION; AND SETTING A SUNSET DATE.

Sponsored by: Councilmembers Barbara Gelman, Calvin Goings and Kevin Wimsett

DO AS SUBSTITUTED RECOMMENDATION - PLANNING & ENVIRONMENT COMMITTEE (Calvin Goings, Chair; Terry Lee, Vice Chair; Paul Bocchi, Member/excused; Barbara Gelman, Member; Kevin Wimsett, Member)

Suggested date of Council hearing: October 14, 2003

7. PROPOSAL NO. 2003-92, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.83.040 OF THE PIERCE COUNTY CODE, "GEOGRAPHICAL BOUNDARIES", ADJUSTING THE JURISDICTIONAL BOUNDARIES OF THE ALDERTON-MCMILLIN ADVISORY COMMISSION.

Sponsored by: Councilmembers Shawn Bunney and Calvin Goings

Contact person: Anna Graham, 798-6253

DO PASS RECOMMENDATION - PLANNING & ENVIRONMENT COMMITTEE (Calvin Goings, Chair; Terry Lee, Vice Chair; Paul Bocchi, Member/excused; Barbara Gelman, Member; Kevin Wimsett, Member)

Suggested date of Council hearing: October 14, 2003

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

1. PROPOSAL NO. R2003-120, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING THE PROCESS FOR AMENDING TITLE 18A OF THE PIERCE COUNTY CODE, "PIERCE COUNTY DEVELOPMENT REGULATIONS - ZONING"; REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT TO DEVELOP PROPOSED AMENDMENTS TO ADDRESS MOTORCYCLE AND MOTOR BIKE TRACKS; REFERRING THESE AMENDMENTS TO THE PLANNING COMMISSION AND LAND USE ADVISORY COMMISSIONS; AND SETTING A DATE FOR THE PLANNING COMMISSION TO SUBMIT ITS REPORT AND RECOMMENDATION TO THE COUNCIL.

Sponsored by: Councilmember 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 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 August 26, 2003, was read into the record:

ORDINANCE NO. 2003-63, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF CRESCENT VALLEY CUTOFF ROAD NORTHWEST, WHICH IS LOCATED IN THE WEST HALF OF SECTION 33, TOWNSHIP 22 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN THE GIG HARBOR AREA.

ORDINANCE NO. 2003-64, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO LONGBRANCH SHORES ASSOCIATION, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

2. A message from the Executive transmitting the following Ordinance, which was approved and signed on September 2, 2003, was read into the record:

ORDINANCE NO. 2003-75, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH INTERNATIONAL UNION OF OPERATING ENGINEERS (IUOE), LOCAL 612; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

3. A message from the Executive transmitting the following Ordinance, which was approved and signed on September 3, 2003, was read into the record:

ORDINANCE NO. 2003-60, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO AMERICAN WATER RESOURCES, INC., FOR THE LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

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

VIII. ORDINANCES

PROPOSAL NO. 2001-22s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CREATING A NEW CHAPTER 2.46 OF THE PIERCE COUNTY CODE, "PIERCE COUNTY AIRPORT/THUN FIELD ADVISORY COMMISSION."

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

Staff Testimony

Graham stated the Ordinance will establish the Pierce County Airport/Thun Field Advisory Commission under the authority of the County Charter. The Commission will advise the County, Hearing Examiner, Planning Commission, Executive, and County Council on all airport related issues. The Commission will have ten voting members: five members to represent the Airport community and five community residents. There will be five non-voting members, and the Commission is to meet quarterly. She explained the functions listed in Exhibit "A" to the ordinance.

Goings explained the Proposal's past issues of concern: inconsistencies between the City of Tacoma and the County airports, noticing, membership, and costs.

Public Testimony

Kirk Hall asked that the Planning & Environment Committee reconsider the Proposal and expressed concerns with the costs of administering the Proposal.

Carl Vest spoke in support of the Proposal as written, and would be in support of the Thun Field users and the citizens working together to resolve concerns.

Dennis Wilson spoke against the costs involved in the operations of the Commission. He spoke in support of the make-up of the membership of the Commission.

Norm Balcom spoke in opposition of the money being taken from the Thun Field budget. The paying users of the Thun Field airport should be notified of airport issues.

Gary McDonald stated he doesn't want the money coming from the airport budget to fund the Commission.

Betsy Stubbs thanked the Council for the process of the Proposal. She expressed concerns that the airport isn't notifying its tenants of issues involving the airport. She spoke in support of the Commission membership, and encouraged the Councilmembers to continue their open communication on the issue.

Joseph Andrews stated he would like to know what the airport problems are since he is only aware of the noise complaints. In the interests of noise complaints and safety, engine noise should be reduced where all possible.

John Sell commented on his past experiences of working with people regarding airport noise complaints.

At the Chair's direction, Goings responded to the cost concerns addressed during today's testimonies.

Moss stated the Commission will be re-examined if it is overburdened with costs.

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

PROPOSAL NO. 2003-44s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 2.89 OF THE PIERCE COUNTY CODE, "TACOMA NARROWS AIRPORT ADVISORY COMMISSION"; AND AMENDING CHAPTER 2.58 OF THE PIERCE COUNTY CODE, "GIG HARBOR PENINSULA ADVISORY COMMISSION" TO TRANSFER ITS REVIEW RESPONSIBILITIES REGARDING THE TACOMA NARROWS AIRPORT TO THE TACOMA NARROWS AIRPORT ADVISORY COMMISSION.

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

Staff Testimony

Graham explained that the Proposal is similar to Proposal No. 2001-22s2. The airport is owned by the City of Tacoma, and has the City's interest involved throughout the Commission.

She explained the membership and role of the Commission. She explained that the functions of the Peninsula Advisory Commission are clarified in Exhibit "B" to the ordinance.

Lee explained the intention of the Proposal.

Public Testimony

Dennis Cane spoke in support of the Advisory Commission, stating he is in favor of the process to acquire a quorum.

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

PROPOSAL NO. 2003-52s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PCC 17C.80.025, "SECTION 203 AMENDED - VIOLATIONS" FOR THE PURPOSE OF MAKING CERTAIN VIOLATIONS OF CHAPTER 17C.80 PCC, "UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS," MISDEMEANORS.

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

Staff Testimony

Pendle stated the Proposal has been requested by Code Enforcement, Sheriff's Department, and building officials. The Proposal will make code enforcement consistent with other Code regulations. The County will report to the Council quarterly on the impacts of this Code amendment.

Wimsett thanked Bocchi and Bunney for co-sponsoring the Proposal. He explained how the Proposal evolved, and stated the Proposal's intent is to make it a criminal issue to re-occupy abated buildings. He urged the Council to adopt the Proposal.

Bunney stated the Proposal will allow law enforcement to arrest the violators. He provided photographs of meth dwellings in a particular neighborhood and a petition from the residents in the area. He thanked Wimsett and Bocchi for their sponsorship, and urged the Council's adoption.

Gelman stated that for one year the Executive will provide a quarterly report to the Council on the issue.

Sheriff Paul Pastor spoke in support of the Proposal, and commented on the problems that law enforcement face in dealing with meth dwellings. On behalf of the community and law enforcement, he urged the Council to adopt the Proposal.

Public Testimony

Robert Ferguson spoke in support of the Proposal, and commented on his experiences of dealing with a meth lab dwelling in his neighborhood.

Detective Collier, Sheriff's Department, spoke in support, stating this problem will continue without the Proposal. He provided photographs of meth lab dwellings, and urged the Council to pass the Proposal.

Lee spoke in support of the Proposal, stating all Council Districts face the meth dilemma.

Bunney thanked Ferguson for attending today's meeting to express his concerns to the Council, and complimented the Prairie Ridge residents for cleaning up their neighborhood by addressing the drug problem.

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

IX. RESOLUTIONS

PROPOSAL NO. R2003-61s2, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF 10 MEMBERS TO THE TACOMA NARROWS AIRPORT ADVISORY COMMISSION. (CARL GEIST, MARK HOPPEN, PAUL McCORMICK, HUGH MORGAN, ANN WHITTAKER, LARRY BIELSTEIN, DENNIS CUNNEEN, BRIAN HOWELL, RAS NIELSEN, AND BRAD PATTISON)

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

Staff Testimony

Graham stated the Proposal is a companion to Proposal No. 2003-44s2, and provided information on the Proposal.

Lee thanked the appointees for volunteering their time to serve on the Commission. He anticipates the Commission will work collectively to improve the economic climate and safety at the airport; also to provide a public forum for Gig Harbor and Key Peninsula citizens to express their concerns with future airport activities.

Moss thanked Lee for his leadership on the issue.

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

PROPOSAL NO. R2003-98, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPROVING THE 2003 GENERAL COMPREHENSIVE PLAN FOR A WATER SYSTEM FOR THE EAST GIG HARBOR WATER DISTRICT.

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

Staff Testimony

Susan Clark, Pierce County Water Programs, provided a history on the formation of the water district, and explained the requirements of the water district. She explained the reason for the new Comprehensive Water District Plan.

Weber suggested that an oral technical amendment be made on page 2 of 4 at line 20, to change RCW 57.04.040 to RCW 57.02.040.

Bunney moved the technical amendment; motion seconded. The Chair called for 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 was adopted as amended on a roll call vote of six to zero.

PROPOSAL NO. R2003-107, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING ITS INTENT TO VACATE HORSESHOE ROAD EAST AND A PORTION OF TREK DRIVE EAST, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 17 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE CLEAR LAKE 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.

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. R2003-116, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REPEALING RESOLUTION NO. R92-119 AND APPROVING AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTERLOCAL CABLE TELEVISION AND COMMUNICATION SERVICES COOPERATION AGREEMENT (RAINIER CABLE COMMISSION).

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

Staff Testimony

Bill Oltman, Rainier Communications Commission, provided information on the Proposal and background on the Interlocal Agreement. The Proposal strips Tacoma from the original Resolution adopted by the Council in 1992. He stated all but three entities have passed the Agreement.

Bunney congratulated Oltman on the Interlocal Agreement, and urged the Council to pass the Proposal.

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. R2003-119, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. THREE, FOR TUESDAY, OCTOBER 28, 2003, AT 6:00 P.M., AT NACHES TRAIL ELEMENTARY SCHOOL, 15305 WALLER ROAD EAST, TACOMA, WASHINGTON.

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

Wimsett explained the meeting is being held in District 3 in order that the affected residents have an opportunity to comment on the Frederickson Community Plan.

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. R2003-121, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. 2 FOR TUESDAY, DECEMBER 9, 2003, AT 6:00 P.M., AT THE BROWNS POINT IMPROVEMENT CLUB, 201 TON-A-WAN-DA AVENUE NORTHEAST, BROWNS POINT, WASHINGTON.

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 six to zero.

X. OTHER BUSINESS/ANNOUNCEMENTS - None

Pierce County Council Meeting
September 16, 2003

XI. GENERAL PUBLIC COMMENTS - None

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at
4:20 p.m.

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Councilmember Harold Moss, Council Chair

Date Approved

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