

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
OCTOBER 1, 2002**

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 Vice Chair O'Malley.

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

The pledge was led by O'Malley.

**III. ROLL CALL**

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

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

There were approximately four visitors present.

**IV. APPROVAL OF AGENDA**

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

**V. CONSENT AGENDA**

a. Approval of Minutes

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

1. PROPOSAL NO. 2002-79s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 2001-104s, WHICH EXPANDS THE FRANCHISE BOUNDARY AREA OF THE CITY OF BONNEY LAKE'S SANITARY SEWER FRANCHISE, BY CORRECTING THE LEGAL DESCRIPTION.

Sponsored by: Councilmember Pat O'Malley

Contact person: Thomas Weber, 798-6067

DO PASS AS SUBSTITUTED RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat O'Malley, Chair; Kevin Wimsett, Vice

Chair/excused; Karen Biskey, Member/excused; Calvin Goings, Member, Harold Moss, Member)  
Suggested date of Council hearing: October 29, 2002

2. PROPOSAL NO. 2002-80, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING COUNTY OWNED REAL PROPERTY, LOCATED AT 104TH STREET SOUTHWEST AND 87TH AVENUE SOUTHWEST, IN LAKEWOOD, TO BE SURPLUS AND AUTHORIZING ITS SALE, PURSUANT TO PIERCE COUNTY CODE 2.110.  
Sponsored by: Councilmember Harold Moss  
Contact person: Les Olsen, 798-7250  
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat O'Malley, Chair; Kevin Wimsett, Vice Chair/excused; Karen Biskey, Member/excused; Calvin Goings, Member, Harold Moss, Member)  
Suggested date of Council hearing: October 29, 2002
3. PROPOSAL NO. 2002-82, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A SUPPLEMENTAL FRANCHISE NO. 1 TO SPANAWAY WATER COMPANY, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.  
Sponsored by: Councilmember Pat O'Malley  
Contact person: Jerry West, 798-3687  
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat O'Malley, Chair; Kevin Wimsett, Vice Chair/excused; Karen Biskey, Member/excused; Calvin Goings, Member, Harold Moss, Member)  
Suggested date of Council hearing: October 29, 2002
4. PROPOSAL NO. 2002-83s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO THE CITY OF GIG HARBOR, A MUNICIPAL CORPORATION, FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.  
Sponsored by: Councilmember Pat O'Malley  
Contact person: Jerry West, 798-3687  
DO PASS AS SUBSTITUTED RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat O'Malley, Chair; Kevin Wimsett, Vice Chair/excused; Karen Biskey, Member/excused; Calvin Goings, Member, Harold Moss, Member)  
Suggested date of Council hearing: October 29, 2002
5. PROPOSAL NO. 2002-91, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNIMPROVED 50TH AVENUE EAST LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 18 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, IN THE FREDERICKSON AREA.  
Sponsored by: Councilmember Pat O'Malley  
Contact person: Les Olsen, 798-7250  
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat

O'Malley, Chair; Kevin Wimsett, Vice Chair/excused;  
Karen Biskey, Member/excused; Calvin Goings, Member,  
Harold Moss, Member)  
Suggested date of Council hearing: October 29, 2002

6. PROPOSAL NO. 2002-92, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 8.92 OF THE PIERCE COUNTY CODE, "DISPOSITION OF THE REMAINS OF INDIGENT DECEDENTS", ALLOWING THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH UNIFORM RATES FOR SERVICES.  
Sponsored by: Councilmember Harold Moss  
Contact person: Thomas Weber, 798-6067  
DO PASS RECOMMENDATION - RULES & OPERATIONS COMMITTEE  
(Harold Moss, Chair; Pat O'Malley, Vice Chair; Wendell Brown, Member/excused)  
Suggested date of Council hearing: October 29, 2002
7. PROPOSAL NO. 2002-99, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING THE SPENDING PLAN FOR THE PARKS AND RECREATION PORTION OF THE SECOND REAL ESTATE EXCISE TAX FUND.  
Sponsored by: Councilmembers Harold Moss, Calvin Goings, Wendell Brown,  
and Kevin Wimsett  
For referral to the Planning & Environment Committee  
To be heard by the Planning & Environment Committee  
on October 16, 2002  
Suggested date of Council hearing: October 29, 2002
8. PROPOSAL NO. 2002-100, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING ORDINANCE NOS. 2000-34S AND 2000-35S, AS AMENDED; AMENDING ORDINANCE NO. 99-93S2, WHICH AMENDED TITLE 19A OF THE PIERCE COUNTY CODE, THE PIERCE COUNTY COMPREHENSIVE PLAN, TO DELETE AREA-WIDE MAP AMENDMENT M-8 (CRYSTAL MOUNTAIN RESORT & MEEKS) AND DELETE FINDING OF FACT NO. 18; AMENDING ORDINANCE NO. 2000-17, WHICH AMENDS THE PIERCE COUNTY ZONING ATLAS, TO DELETE THE DESIGNATION OF CRYSTAL MOUNTAIN RESORT AS MASTER PLANNED RESORT; ALL PURSUANT TO THE FINAL DECISION AND ORDER ISSUED BY THE CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD IN DAVID AND MEREDITH KENYON AND GOLD HILL COMMUNITY CLUB V. PIERCE COUNTY AND DANA MEEKS AND ASSOCIATES, INC., CASE NO. 01-3-0001.  
Sponsored by: Councilmember Wendell Brown  
For referral to the Planning & Environment Committee  
To be heard by the Planning & Environment Committee  
on October 16, 2002  
Suggested date of Council hearing: November 5, 2002

9. PROPOSAL NO . 2002-101, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PLACING THE KARSHNER BUILDING (PARCEL NO. 2960000170), LOCATED AT 124 SOUTH MERIDIAN, PUYALLUP, WASHINGTON, ON THE PIERCE COUNTY REGISTER OF HISTORIC PLACES; AND ADOPTING FINDINGS OF FACT.  
Sponsored by: Councilmember Calvin Goings  
Contact person: Airyang Julia Park, 798-2783  
For referral to the Planning & Environment Committee  
Suggested date of Council hearing: November 5, 2002
  
  10. PROPOSAL NO. 2002-113, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL IMPLEMENTING THE GIG HARBOR PENINSULA COMMUNITY PLAN; MAKING TECHNICAL CORRECTIONS TO TITLES 18 AND 18A OF THE PIERCE COUNTY CODE (PCC); MAKING MINOR CHANGES TO COUNTY-WIDE REGULATIONS REGARDING SIGNS (TITLE 18B PCC) AND DESIGN STANDARDS (TITLE 18J PCC); AMENDING TITLE 18 "PIERCE COUNTY DEVELOPMENT REGULATIONS - GENERAL PROVISIONS"; AMENDING TITLE 18A "DEVELOPMENT REGULATIONS - ZONING"; AMENDING TITLE 18B "DEVELOPMENT REGULATIONS - SIGNS"; AMENDING TITLE 18J "DEVELOPMENT REGULATIONS - DESIGN STANDARDS AND GUIDELINES; AMENDING THE PIERCE COUNTY ZONING ATLAS; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.  
Sponsored by: Councilmember Karen Biskey  
Contact person: Mike Kruger, (253) 798-2700  
Council contact person: Anna Graham, (253) 798-6253  
For referral to the Planning & Environment Committee  
Committee hearing dates: October 9 & 16, 2002  
Suggested date of Council hearing: October 29, 2002
- c. Action on Resolutions (refer, set date of hearing)
1. PROPOSAL NO. R2002-114, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. 2001-39s, WHICH INITIATED THE SUMMIT-WALLER, NORTH CLOVER CREEK COLLINS, SUMMIT VIEW COMMUNITIES PLAN, TO INDICATE THAT THE RURAL SEPARATOR LAND USE DESIGNATION SHOULD BE RETAINED FOR ALL PROPERTIES CURRENTLY HOLDING THAT DESIGNATION; AND TO INCREASE COMMUNITY PLANNING BOARD REPRESENTATION FROM THE SUMMIT-WALLER COMMUNITY TO SEVEN MEMBERS.  
Sponsored by: Councilmember Calvin Goings  
Contact person: Anna Graham, 798-6253  
For referral to the Planning & Environment Committee  
To be heard by the Planning & Environment Committee on October 16, 2002
- d. Other Items
1. Rescinding the Council action of September 24, 2002, regarding Proposal No. 2002-98 at which time the Proposal was referred to Committee and a Council hearing date of October 29, 2002, was set. The Proposal title reads as follows:

PROPOSAL NO. 2002-98, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL IMPLEMENTING THE GIG HARBOR PENINSULA COMMUNITY PLAN AND MAKING TECHNICAL CORRECTIONS; AMENDING TITLE 18 OF THE PIERCE COUNTY CODE, PIERCE COUNTY DEVELOPMENT REGULATIONS - GENERAL PROVISIONS; AMENDING TITLE 18A DEVELOPMENT REGULATIONS - ZONING; AMENDING TITLE 18B DEVELOPMENT REGULATIONS - SIGNS; AMENDING TITLE 18J DEVELOPMENT REGULATIONS - DESIGN STANDARDS AND GUIDELINES; AMENDING THE PIERCE COUNTY ZONING ATLAS; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

NOTE: Proposal No. 2002-98 is being replaced by Proposal No. 2002-113 which appears on this Agenda, Section V.b. Item 10.

Goings moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of four to zero.

**VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY**

1. A message from the Executive transmitting the following Ordinance, which was approved and signed on September 16, 2002, was read into the record:

ORDINANCE NO. 2002-78s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DIRECTING THE PERFORMANCE AUDIT COMMITTEE TO ENGAGE THE SERVICES OF AN INDEPENDENT CONSULTANT TO CONDUCT A PERFORMANCE REVIEW OF PUGET SOUND BEHAVIORAL HEALTH.

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

**PROPOSAL NO. R2002-112, A RESOLUTION OF THE PIERCE COUNTY COUNCIL REAPPOINTING ONE EXISTING COMMISSIONER (MICHAEL MORAN) TO THE PIERCE COUNTY ROAD SERVICE DISTRICT NO. 1, PONDEROSA ESTATES BOARD OF COMMISSIONERS; CORRECTING THE TERM EXPIRATION OF ANOTHER EXISTING COMMISSIONER (JANICE HARRISON) BY AMENDING RESOLUTION NO. R99-136; AND REPEALING RESOLUTION NO. R2000-179.**

Goings 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 four to zero.

**VIII. ORDINANCES**

**PROPOSAL NO. 2002-87s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 4.32.070 AND 4.32.080 OF THE PIERCE COUNTY CODE TO INCREASE THE COUNTY ENHANCED 9-1-1 EXCISE TAX BY TWENTY-FIVE CENTS PURSUANT TO THE AUTHORIZATION SET FORTH IN HOUSE BILL 2925; ADOPTING A NEW SECTION 4.32.090 OF THE PIERCE COUNTY CODE, "REFUND PROCEDURE"; AND SETTING AN EFFECTIVE DATE.**

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

Staff Testimony

Steve Bailey, Director of Emergency Management Department, stated passage of this Ordinance would increase the enhanced 9-1-1 excise wireless tax from \$.25 to \$.50 to pay for the implementation of Phase I of a wireless service, which is an automatic number identifier for cell phones. This will be followed by Phase II, an automatic location identifier. He stated recent State law authorized the addition of this fee, if approved by the County legislative authority.

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

**PROPOSAL NO. 2002-95, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING CHAPTER 17A.50 OF THE PIERCE COUNTY CODE, "FLOODPLAIN MANAGEMENT;" ADOPTING A NEW CHAPTER 17A.50, "FLOOD HAZARD AREAS;" AMENDING SECTION 17A.10.060, "DEFINITIONS;" SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.**

Goings moved that this Proposal be continued to October 15, 2002; motion seconded and passed on a voice vote.

**IX. RESOLUTIONS**

**PROPOSAL NO. R2002-92, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING THE PROCESS FOR AMENDING SECTIONS 18A.25.280 J., AND THE INDUSTRIAL USE CATEGORY OF TABLES 18A.25.100 G. AND 18A.25.150 E. OF THE PIERCE COUNTY DEVELOPMENT REGULATIONS BY SEPARATING VEHICLE STORAGE YARDS FROM SALVAGE YARDS; REFERRING THESE PROPOSED AMENDMENTS TO THE PLANNING COMMISSION AND LAND USE ADVISORY COMMISSIONS; AND SETTING A DATE FOR THE PLANNING COMMISSION TO SUBMIT ITS REPORT AND RECOMMENDATION BACK TO THE COUNCIL.**

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

Staff Testimony

Weber stated passage of this Resolution would initiate the process of amending the Zoning Code to separate vehicle storage yards from salvage yards by referring amendments to the Planning Commission and the Land Use Advisory Commission for report and recommendation back to the Council.

In response to Weber's suggestion, Goings moved an amendment on page 3 of 3 at line 6 to insert the date "December 31"; 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 four to zero.

**PROPOSAL NO. R2002-113, A RESOLUTION OF THE PIERCE COUNTY COUNCIL SETTING THE DATE OF AN EVENING COUNCIL MEETING IN COUNCIL DISTRICT NO. TWO, FOR TUESDAY, DECEMBER 3, 2002, AT THE WALLER ROAD ELEMENTARY SCHOOL, LOCATED AT 6312 WALLER ROAD EAST, TACOMA, WA.**

Goings moved adoption; motion seconded. The Clerk read the title into the record. Goings invited Councilmembers to attend the District No. 2 evening meeting, and stated he looks forward to being in the Waller Road community for this occasion.

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

**X. OTHER BUSINESS/ANNOUNCEMENTS - None**

**XI. GENERAL PUBLIC COMMENTS - None**

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:15 p.m.

Attest:

Gerri Rainwater, Clerk of the Council

Approved:

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Harold Moss, Council Chair

Date Approved