

**MINUTES
PIERCE COUNTY COUNCIL MEETING
NOVEMBER 30, 2004**

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324 SOUTH MERIDIAN
PUYALLUP, WASHINGTON
(COUNCIL DISTRICT NO. 2)

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(Note: These minutes are not verbatim. Recorded tapes are available upon request.)

I. CALL TO ORDER

The District No. 2 meeting of the Pierce County Council was called to order at 5:00 p.m. by Acting Chair Wimsett.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Wimsett.

III. ROLL CALL

Councilmembers Present: Shawn Bunney, Barbara Gelman, Calvin Goings, Terry Lee, and Kevin Wimsett. Harold Moss and Dick Muri arrived after roll call.

Council Staff Present: Anna Graham, Research Analyst; Steve Gross, Deputy Legal Counsel; Denise Johnson, Clerk of the Council; Susan Long, Legal Counsel; Mary Sherman, Councilmember Assistant; Tom Weber, Administrator/Research & Policy; and Christine Wilson, Councilmember Assistant.

There were approximately 20 visitors present.

Wimsett explained the Charter requires that once a year Councilmembers are to conduct a Council meeting in his or her district. Wimsett passed the gavel to Goings, Host Councilmember.

The Chair introduced the Council Staff in attendance. The Councilmembers introduced themselves and explained the area their District encompasses.

ORDINANCE NO. 2004-95, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PIERCE COUNTY CODE SECTIONS 2.05.040, 2.05.060, 2.05.070, 2.05.080, 2.05.090, 2.05.100, 2.05.105, 2.05.110, 2.05.120, AND 2.05.130 OF THE PIERCE COUNTY CODE CHAPTER 2.05, PLANNING AND LAND SERVICES DEPARTMENT FEES; INCREASING DEVELOPMENT FEES TO SUPPORT DIRECTIONS PACKAGE AND OTHER SERVICES PRESENTLY BEING PERFORMED WITHOUT A FEE; AND SETTING AN EFFECTIVE DATE.

Having voted on the prevailing side and there being no intervening business, Wimsett moved reconsideration of Ordinance No. 2004-95; motion seconded and passed. The Clerk read the title into the record.

Staff Testimony

Long explained the Ordinance is being reconsidered for the purpose of inserting language into Code Section 2.05.115 that was inadvertently omitted.

Wimsett moved adoption of Council Amendment No. 1 on pink; motion seconded. A copy of the amendment is identified as Attachment I to these minutes.

Long read the amendment into the record.

Goings called for testimony on the amendment; there was no response. The motion passed.

Goings called for testimony on the amended Proposal; there was no response. The Proposal passed as amended on a roll call vote of five to zero (Muri and Moss were excused).

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. 2004-123, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.109 OF THE PIERCE COUNTY CODE ENTITLED "HISTORICALLY UNDER-UTILIZED BUSINESS (HUB) PROGRAM."
Sponsored by: Councilmember Harold Moss
Contact person: Karen Goon, 798-4108
For referral to the Economic and Infrastructure Development Committee
- c. Action on Resolutions (refer, set date of hearing)
- d. Other Items
 - 1. Motion to certify the following Budget Certifications, and instruct the Clerk of the Council to forward the Certifications to the Pierce County Assessor-Treasurer's Office, pursuant to Revised Code of Washington (RCW) 84.52.020:

- City of Bonney Lake
- City of Buckley
- City of Fircrest
- City of Orting
- City of Roy
- City of Tacoma
- Pierce County Fire Protection District No. 2
- Pierce County Fire Protection District No. 3
- Pierce County Fire Protection District No. 5
- Pierce County Fire Protection District No. 12
- Pierce County Fire Protection District No. 14
- Pierce County Fire Protection District No. 20
- Pierce County Fire Protection District No. 22
- Pierce County Fire Protection District No. 27
- Pierce County Rural Library District

Wimsett moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of five to zero (Muri and Moss were excused).

There being no objection from Council, Goings advanced to Section X., OTHER BUSINESS/ANNOUNCEMENT, Items 1 and 2.

X. OTHER BUSINESS/ANNOUNCEMENTS

1. Presentation from the Honorable Kathy Turner, Mayor of City of Puyallup. Mayor Kathy Turner, City of Puyallup, spoke to Puyallup's future projects, budget issues and upcoming events.
2. Presentation from Mr. Bruce Danmeier, President of the Puyallup School District Board of Directors. Bruce Danmeier, Puyallup School District, introduced staff members in attendance and spoke to the Puyallup School District bond project. Danmeier briefed the Council on the 2004 bond projects. A copy of the handout is contained in the Clerk's meeting file.

Goings returned to the regular order of business.

VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY

1. A message from the Executive transmitting the following Ordinance, which was approved and signed on November 15, 2004, was read into the record:

ORDINANCE NO. 2004-79s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING MAXIMUM SPEED LIMITS ON COUNTY ROADS; REPEALING PRIOR SPEED LIMIT ORDINANCE NO. 99-13s; REPEALING ORDINANCE NO. 2000-5s AND REPEALING ORDINANCE NO. 2001-103 WHICH AMENDED ORDINANCE NO. 99-13s WITH APPLICABLE REVISIONS; DIRECTING THE COUNTY ENGINEER TO PROPERLY IMPLEMENT THE MAXIMUM SPEED LIMITS THROUGH THE USE OF APPROPRIATE TRAFFIC CONTROL DEVICES; AND SETTING AN EFFECTIVE DATE OF DECEMBER 1, 2004.

ORDINANCE NO. 2004-83, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING PORTIONS OF 176TH STREET EAST AND CANYON ROAD EAST LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 3 EAST, IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 19 NORTH, RANGE 4 EAST, AND IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 19 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, IN THE FREDERICKSON AREA.

ORDINANCE NO. 2004-86, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PLACING THE PIHL BROTHERS BUILDING (PARCEL NO. 7060000160), LOCATED AT 101 SOUTH MERIDIAN, PUYALLUP, WASHINGTON, ON THE PIERCE COUNTY REGISTER OF HISTORIC PLACES; AND ADOPTING FINDINGS OF FACT.

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

PROPOSAL NO. R2004-157, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER AND THE REAPPOINTMENT OF ONE EXISTING MEMBER TO THE FREDERICKSON ADVISORY COMMISSION. (TERRY WISE AND DONALD J. OLSEN)

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

Goings thanked the appointees for their service.

The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of five to zero (Muri and Moss were excused).

PROPOSAL NO. R2004-160, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF ONE MEMBER TO THE PARKLAND-SPANAWAY-MIDLAND ADVISORY COMMISSION. (MARLYS NESSET)

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

Goings thanked the appointee.

The Chair called for public testimony; there was no response. The Proposal was adopted on a roll call vote of five to zero (Muri and Moss were excused).

VIII. ORDINANCES

PROPOSAL NO. 2004-78, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING PIERCE COUNTY CODE CHAPTER 1.22, "PIERCE COUNTY HEARING EXAMINER CODE," AND CHAPTER 2.45, "LAND USE ADVISORY COMMISSIONS," TO ADDRESS THE CONSIDERATION OF LAND USE ADVISORY COMMISSION RECOMMENDATIONS AND COMMUNITY PLANS IN THE HEARING EXAMINER'S DECISION-MAKING PROCESS.

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

Staff Testimony

Graham stated the Proposal received a do pass recommendation by the Community Development Committee on September 13, 2004.

Goings explained the role of the Land Use Advisory groups.

Wimsett moved adoption of Council Amendment No. 1 on salmon; motion seconded. A copy of the amendment is identified as Attachment II to these minutes.

Staff Testimony

Graham explained the purpose of the amendment.

Long explained the reason for Amendment Items 4 and 5.

Goings explained the intent of the amendment and called for public testimony on the amendment.

Public Testimony

Tiffnay Speir, Master Builders Association, spoke in support of the amendments.

Bunney thanked Goings and Gelman for offering the amendments.

The motion passed.

Goings called for testimony on the amended Proposal; there was no response. The Proposal passed as amended on a roll call vote of five to zero (Muri and Moss were excused).

PROPOSAL NO. 2004-114s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 18A.29 OF THE PIERCE COUNTY CODE (PCC), "SOUTH HILL USE AND DENSITY/DIMENSION TABLES," AND CHAPTER 18J.50 PCC "SOUTH HILL COMMUNITY PLAN AREA DESIGN STANDARDS AND GUIDELINES"; REPEALING PCC 18A.33.295; "MIXED USE REQUIREMENTS" TO IMPLEMENT THE RECOMMENDATIONS OF THE "URBAN VILLAGES IMPLEMENTATION STUDY" AND RESOLUTION NO. R2004-80s; AND ADOPTING FINDINGS OF FACT.

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

Staff Testimony

Taylor stated the Proposal received a do pass recommendation by the Community Development Committee on November 18, 2004. Taylor provided an overview of the Proposal and explained the Proposal would modify Code Chapters 18A.29 and 18J.50, and repeal Chapter 18A.33.295.

Goings clarified the intent of the Proposal, and spoke in support of passage of the Proposal.

Wimsett moved adoption of Council Amendment No. 1 on blue; motion seconded. A copy of the amendment is identified as Attachment III to these minutes.

Taylor explained the amendment brings compliance to the Directions package.

Goings thanked the Community Development Committee for providing the changes.

Goings called for testimony on the amendment; there was no response. The motion passed.

The Chair called for testimony on the amended Proposal; there was no response. The Proposal passed as amended on a roll call vote of five to zero (Muri and Moss were excused).

IX. RESOLUTIONS

PROPOSAL NO. R2004-147s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING THE PROCESS FOR AMENDING THE PIERCE COUNTY CODE, CHAPTER 18A.35, DEVELOPMENT STANDARDS, AND TITLE 18B, DEVELOPMENT REGULATIONS-SIGNS; TO MODIFY THE BULK STANDARDS TO PROVIDE MORE FLEXIBILITY FOR DEVIATIONS BASED ON PROJECT DESIGN AND TO EXEMPT LIMITED MENU READER BOARDS FOR DRIVE THROUGH RESTAURANTS; REQUESTING THE PLANNING AND LAND SERVICES DEPARTMENT TO DEVELOP THE AMENDMENTS AND CONDUCT THE NECESSARY ENVIRONMENTAL REVIEW;

**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.**

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

Staff Testimony

Sean Gaffney, Planning and Land Services Department,
provided information on the Proposal. He spoke to the
development alternatives. The recommendations will be
brought to the Council in spring 2005.

Public Testimony

Tiffnay Speir spoke in support of the Proposal.

The Proposal was adopted on a roll call vote of six to zero
(Moss excused).

**PROPOSAL NO. R2004-159, A RESOLUTION OF THE PIERCE COUNTY COUNCIL
RELATING TO PERMITTING AUTHORITY FOR THE TACOMA NARROWS AIRPORT;
AND AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN INTERLOCAL
AGREEMENT IN CONNECTION THEREWITH.**

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

Staff Testimony

Gross provided committee information on the Proposal.

Mike Kruger, Planning and Land Services Department,
provided an overview of the Proposal.

Wimsett moved adoption of Council Amendment No. 1 on
yellow; motion seconded. A copy of the amendment is
identified as Attachment IV to these minutes.

Gross explained the intent of the amendments.

Weber clarified that the map contained in Exhibit "A"
should be included in the new Exhibit "A".

Goings called for testimony on the amendment; there was no
response. The motion passed.

Lee spoke to the negotiations with the City of Tacoma on
the Tacoma Narrows Agreement.

The Chair called for public testimony; there was no response. The Proposal was adopted as amended on a roll call vote of six to zero (Moss was excused).

Moss entered the meeting and explained his lateness was due to attending today's Tacoma City Council meeting to receive a proclamation in his honor.

X. OTHER BUSINESS/ANNOUNCEMENTS (cont.)

3. PROPOSAL NO. R2004-163, A RESOLUTION OF THE PIERCE COUNTY COUNCIL PROCLAIMING DECEMBER 3, 2004, AS "DON S. MONROE DAY" IN PIERCE COUNTY, WASHINGTON.

Wimsett moved adoption of R2004-163; motion seconded. The Clerk read the Proclamation in its entirety into the record.

Councilmembers Goings, Lee and Moss thanked Monroe for his service to Pierce Transit.

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

Don Monroe accepted the Proclamation and thanked the Council for their recognition.

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

XI. GENERAL PUBLIC COMMENTS

1. John Barry III spoke to bicycling trail concerns. He shared photos with the Council of displaying some of the trail problems. Clerk Note: with Council's approval the photos were returned to Barry following his comments, per his request.
2. Bob Myrick, Tacoma Wheelmen's Bicycle Club, spoke to bicycling on the new trails to rails project, and spoke to expanding the Puyallup trail.

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XII. ADJOURNMENT

There being no further business, the meeting was adjourned
at 6:30 p.m.

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Harold Moss, Council Chair

Date Approved