

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
JANUARY 2, 2001**

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 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; Carolyn Pendle, Research Analyst; Gerri Rainwater, Administrator/Clerks & Operations; and Tom Weber, Administrator/Research & Policy.

There were approximately 14 visitors present.

**SPECIAL ORDER OF BUSINESS:**

**ORDINANCE NO. 2000-104, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 14.20.020, "SPRINKER RECREATION CENTER" AND 14.20.040, "FACILITY USE FEES" OF THE PIERCE COUNTY CODE TO REMOVE PARKING FEES AT SPRINKER, FRONTIER, LAKE TAPPS, AND SPANAWAY COUNTY PARKS.**

Acknowledging receipt of the December 12, 2000, veto message from the County Executive on Ordinance No. 2000-104, which was vetoed on December 12, 2000. The Clerk read the veto message into the record; a copy of the Message is contained in the Ordinance file.

O'Malley moved that the veto be overridden; motion seconded. Moss stated he was concerned about other increases for Parks' services and facilities that might be coming in the future, and could not support an override of this veto.

The Chair called for testimony; there was no response. The motion to override passed on a roll call vote of five to two; Moss and Goings voted no. The veto on Ordinance No. 2000-104 was thereby overridden, allowing the Ordinance to become effective.

**IV. APPROVAL OF AGENDA**

Moss 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. 2000-98, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNDEVELOPED 40TH AVENUE EAST RIGHT-OF-WAY, WHICH IS ALSO KNOWN AS PENNSYLVANIA AVENUE, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE PUYALLUP AREA.

Sponsored by: Councilmember Harold Moss

Contact person: Jennifer Andres, 798-2720

DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE  
(Harold Moss, Chair; Ken Madsen, Vice Chair; Sarah Casada/excused; Pat O'Malley; Jan Shabro)

Suggested date of Council hearing: January 30, 2001

2. PROPOSAL NO. 2000-103, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PLACING THE ATKINSON FARMSTEAD WHICH IS LOCATED AT 16127 FOREST CANYON ROAD EAST IN SUMNER, WASHINGTON, ON THE PIERCE COUNTY REGISTER OF HISTORIC PLACES; AND ADOPTING FINDINGS OF FACT.  
(PARCEL NO. 0520074031)

Sponsored by: Councilmember Pat O'Malley

Contact person: Airyang Julia Park, 798-2783

DO PASS RECOMMENDATION - RULES COMMITTEE (Sarah Casada, Chair/excused; Wendell Brown, Vice Chair; Karen S. Biskey; Harold Moss; Jan Shabro)

Suggested date of Council hearing: January 16, 2001

3. PROPOSAL NO. 2000-105, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ESTABLISHING AND AUTHORIZING THE COLLECTION OF A FILING FEE FOR MANDATORY ARBITRATION MATTERS; AND SETTING AN EFFECTIVE DATE.

Sponsored by: Councilmember Jan Shabro

Contact person: Charles D. Gay, 798-7760

DO PASS RECOMMENDATION - RULES COMMITTEE (Sarah Casada, Chair/excused; Wendell Brown, Vice Chair;

Karen S. Biskey; Harold Moss; Jan Shabro)  
Suggested date of Council hearing: January 16, 2001

4. PROPOSAL NO. 2000-112, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 14.20.050 OF THE PIERCE COUNTY CODE, "GOLF COURSE FEES", BY AMENDING FEE SCHEDULES; AND ESTABLISHING AN EFFECTIVE DATE FOR THE NEW FEES.  
Sponsored by: Councilmember Jan Shabro  
Contact person: Janel Krilich, 798-4008  
For referral to the Rules Committee
5. PROPOSAL NO. 2000-113, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 14.20 OF THE PIERCE COUNTY CODE, "PARKS AND RECREATION SERVICES FEES", BY AMENDING FEE SCHEDULES; ADDING NEW FEES FOR PARKS AND RECREATION ACTIVITIES AND FACILITIES; AND ESTABLISHING AN EFFECTIVE DATE THE NEW FEES.  
Sponsored by: Councilmember Jan Shabro  
Contact person: Janel Krilich, 798-4008  
For referral to the Rules Committee
- c. Action on Resolutions (refer, set date of hearing)
  1. PROPOSAL NO. R2000-188, A RESOLUTION OF THE PIERCE COUNTY COUNCIL INITIATING A PROPOSED AMENDMENT, PURSUANT TO REVISED CODE OF WASHINGTON 36.70.640, TO AMEND SUBSECTIONS 18A.25.250 B. AND 18A.25.150 E. OF THE PIERCE COUNTY CODE, TO ESTABLISH LEVELS FOR EDUCATION SERVICES; TO PERMIT LEVEL 1 EDUCATIONAL SERVICES IN THE RURAL SEPARATOR ZONE; AND REFERRING THE PROPOSED AMENDMENTS TO THE DEPARTMENT OF PLANNING AND LAND SERVICES, AND THE PIERCE COUNTY PLANNING COMMISSION, FOR A REPORT AND RECOMMENDATION BACK TO THE COUNTY COUNCIL.  
Sponsored by: Councilmember Wendell Brown  
Contact person: Thomas Weber, 798-6067  
For referral to the Planning Committee
- d. Other Items  
Moss moved adoption of the Consent Agenda; motion seconded and passed on a roll call vote of seven to zero.

Brown welcomed the two newly elected Councilmembers, Calvin Goings, District No. 2; and Kevin Wimsett, District No. 3, stating they had been sworn in at 9:00 a.m. on this day.

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

1. Prosecuting Attorney Resignation Letter. The Clerk read the memorandum and press release into the record.

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on December 11, 2000, was read into the record:

ORDINANCE NO. 2000-60, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING ORDINANCE NO. 85-79 (PIERCE COUNTY AIRPORT - THUN FIELD MASTER PLAN); AND SETTING AN EFFECTIVE DATE.

ORDINANCE NO. 2000-61, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING ORDINANCE NO. 99-113 AND MODIFYING THE 2000 BUDGET AND AUTHORIZING A \$300,000.00 LOAN FROM THE GENERAL FUND TO THE PATHS AND TRAILS FUND; AND INCREASING THE 2000 BUDGET FOR THE PATHS AND TRAILS FUND BY \$300,000.00 FOR THE PURCHASE OF AN ADDITIONAL SECTION OF THE TRAIL. (McMILLIN TO PUYALLUP)

ORDINANCE NO. 2000-62, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL TO ENTER INTO AN AGREEMENT FOR THE PURCHASE AND SALE OF REAL PROPERTY BETWEEN BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY, THE SELLER, AND PIERCE COUNTY, THE PURCHASER.

ORDINANCE NO. 2000-63, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING THE INTENTION OF PIERCE COUNTY TO EMBRACE THAT CERTAIN RAILROAD RIGHT-OF-WAY CORRIDOR LOCATED BETWEEN PUYALLUP AND MCMILLIN, WASHINGTON (BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY) FOR THE PURPOSE OF A PUBLIC HIGHWAY FOR A NON-MOTORIZED PATH AND TRAIL.

ORDINANCE NO. 2000-77, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL APPROVING THE TRANSFER OF ULTIMATE CONTROL OF THE TELECOMMUNICATIONS FRANCHISE OWNED BY YCOM NETWORKS, INC., TO FAIRPOINT COMMUNICATIONS, INC.

ORDINANCE NO. 2000-78, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO SPARTUS COMMERCIAL CORPORATION FOR LOCATION OF WATER LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

ORDINANCE NO. 2000-79, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 3.12.070 OF THE PIERCE COUNTY CODE "ETHICS COMMISSION" TO REVISE THE COMPOSITION OF THE COMMISSION; TO REDUCE THE QUORUM REQUIREMENT; AND TO PROVIDE FUNDING FOR STAFF ASSISTANCE.

ORDINANCE NO. 2000-80, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF UNDEVELOPED 282ND STREET

SOUTH AND 81ST AVENUE SOUTH RIGHTS-OF-WAY WHICH IS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, IN THE ROY AREA.

ORDINANCE NO. 2000-84s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING THE 2001-2006 TRANSPORTATION IMPROVEMENT PROGRAM AND 2001-2014 FOURTEEN-YEAR FERRY PROGRAM, PURSUANT TO REVISED CODE OF WASHINGTON SECTIONS 36.81.121, 36.81.122, 36.81.130, AND 36.54.015, AND WASHINGTON ADMINISTRATIVE CODE 136, CHAPTERS 15 AND 16; FINDING THAT EACH PROJECT CONTAINED IN THE PLAN IS A PUBLIC NECESSITY; AUTHORIZING THE PROSECUTING ATTORNEY TO COMMENCE CONDEMNATION PROCEEDINGS TO ACQUIRE REAL PROPERTY FOR ONLY THOSE CAPITAL IMPROVEMENT PROJECTS CONTAINED IN THE DOCUMENT FOR EXPENDITURE OF FUNDS IN 2001; AND ADOPTING FINDINGS OF FACT. (ANNUAL ROAD PROGRAM, SIX-YEAR ROAD PROGRAM, AND THE FOURTEEN-YEAR FERRY PROGRAM)

ORDINANCE NO. 2000-88, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CREATING A NEW CHAPTER 2.49 OF THE PIERCE COUNTY CODE ENTITLED, "PIERCE COUNTY FARM ADVISORY COMMISSION."

ORDINANCE NO. 2000-100, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING WAGE ADJUSTMENTS FOR NON-REPRESENTED EMPLOYEES; AND AMENDING THE PIERCE COUNTY SALARY AND CLASSIFICATION PLAN.

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

Display of "Take Home" Packets from Puyallup Fair Putting Challenge -- Susan DeAugustine, Community Action Child and Family Services Coordinator.

Employee Recognition for 15 years of service -- Sandy Bassett, Kate Kennedy, Gerri Rainwater, and Tom Weber.

**PROPOSAL NO. R2000-190, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE ETHICS COMMISSION (MICHELLE P. SHERLS).**

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

Public Testimony

Michelle Sherls addressed the Council, stating she looks forward to working on the Commission, and provided a

background of her volunteer and community activities in the past.

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

#### VIII. ORDINANCES

**PROPOSAL NO. 2000-95, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.52 OF THE PIERCE COUNTY CODE, COOPERATIVE EXTENSION CITIZENS' ADVISORY COMMISSION, TO REDUCE THE MEMBERSHIP OF THE COMMISSION FROM 19 MEMBERS TO 11 MEMBERS; TO ADJUST THE QUORUM AND VOTING REQUIREMENTS; AND TO CLARIFY THE FUNCTIONS OF THE COMMISSION.**

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

#### Public Testimony

Maggie Kelly stated with 19 members it is difficult to attain a quorum for their meetings. The current active Commissioners support this request to reduce the membership to 11, and urged Council's adoption.

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

**PROPOSAL NO. 2000-110, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS, AFL-CIO, LOCAL NO. 17 AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.**

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

#### Staff Testimony

Joe Carrillo, Personnel Department, stated Council's passage of this Ordinance would ratify the Collective Bargaining Agreement reached with the two units as set forth in Exhibits "A" and "B."

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

#### IX. RESOLUTIONS

**PROPOSAL NO. R2000-167, A RESOLUTION OF THE PIERCE COUNTY COUNCIL**

**DECLARING THE INTENT TO VACATE A PORTION OF UNDEVELOPED ROY-CHRISTY ALTERATION ROAD, ALSO KNOWN AS 304TH STREET SOUTH AND 32ND AVENUE SOUTH, WHICH IS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 17 NORTH, RANGE 3 EAST, OF THE WILLAMETTE MERIDIAN, IN THE ROY AREA; AND DIRECTING THE COUNTY ENGINEER TO EXAMINE THE INTENDED VACATION AND REPORT THE FINDINGS AND CONCLUSIONS THEREOF TO THE COUNCIL.**

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

Staff Testimony

Jennifer Andres, Public Works and Utilities Department, stated this Resolution was initiated by a Councilmember to explore the possibilities of vacating this portion of right-of-way. She stated there will be an Ordinance following for Council's consideration. In response to Biskey's question, Andres stated the administrative fees are waived for vacations when the Council generates the action. In response to Wimsett's question as to the effect of the Resolution, Andres stated this starts the process; asking for a recommendation from the County Road Engineer, which will come back to the Council.

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

**PROPOSAL NO. R2000-169, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF EIGHT NEW MEMBERS TO THE COOPERATIVE EXTENSION CITIZENS' ADVISORY COMMISSION. (MARINA BECKER, ABEL CORPUS, WILLIAM HAVENS, MAGGIE KELLY, LIZ LATHROP, JAN PIERCY, DAVE VAN HULLE, AND MEL NEIGHBORS)**

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

Public Testimony

Maggie Kelly introduced William Havens and Jan Piercy, who are to be appointed. She stated the members being appointed in the Resolution are the current active members, and they do look forward to working on this Commission.

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

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Overview of Council's Process for Appointing Prosecuting

Attorney -- Susan Long, Legal Counsel.

Public Testimony

David Artis, Chair of the Pierce County Democratic Central Committee, stated a letter submitting three names in order of preference had been submitted to the Council that day. Artis asked that the Council not appoint one of the three candidates as the interim Prosecuting Attorney.

2. Moss moved to certify the following budget certification, and instructed the Clerk of the Council to forward the Certification to the Pierce County Assessor-Treasurer's Office, pursuant to Revised Code of Washington 84.52.020; motion passed and passed:

a. City of Milton (Cities and Towns)

**XI. GENERAL PUBLIC COMMENTS**

Pat O'Malley commended the Puyallup Fair Putting Challenge Community Action program, and the County's employees who volunteer to make this program a success.

**XI. ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:45 p.m.

Attest:

Clerk of the Council

Approved:

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Council Chair

Date Approved