

**MINUTES
PIERCE COUNTY COUNCIL MEETING
APRIL 9, 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 Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Moss.

III. ROLL CALL

Councilmembers Present: Wendell Brown, Calvin Goings, Harold Moss, and Kevin Wimsett; Karen S. Biskey, Pat O'Malley, 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 nine visitors present.

IV. APPROVAL OF AGENDA

Brown 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. 2002-4, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 69TH AVENUE EAST, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST, OF THE WILLAMETTE MERIDIAN, IN THE PUYALLUP AREA.
Sponsored by: Councilmember Pat O'Malley
Contact person: Jennifer Andres, 798-2720
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat O'Malley, Chair; Kevin Wimsett, Vice Chair; Karen Biskey, Member; Calvin Goings, Member, Harold Moss, Member)
Suggested date of Council hearing: May 7, 2002

2. PROPOSAL NO. 2002-5, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 141st STREET SOUTH (TAYLOR STREET) RIGHT-OF-WAY, WHICH IS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE SPANAWAY AREA.
Sponsored by: Councilmember Pat O'Malley
Contact person: Jennifer Andres, 798-2720
DO PASS RECOMMENDATION - PUBLIC WORKS COMMITTEE (Pat O'Malley, Chair; Kevin Wimsett, Vice Chair; Karen Biskey, Member; Calvin Goings, Member, Harold Moss, Member)
Suggested date of Council hearing: May 7, 2002
3. PROPOSAL NO. 2002-33, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS10-01, YEONG-YANN HUANG - ORTING AREA)
Sponsored by: Councilmember Calvin Goings
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning & Environment Committee
4. PROPOSAL NO. 2002-34, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, LOCATED IN THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 17 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST14-01, HERB KLIEMANN - EATONVILLE AREA)
Sponsored by: Councilmember Calvin Goings
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning & Environment Committee
5. PROPOSAL NO. 2002-35, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO THE TOWN OF STEILACOOM FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY.
Sponsored by: Councilmember Pat O'Malley
Contact person: Jerry West, 798-3687
For referral to the Public Works Committee

6. PROPOSAL NO. 2002-36, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CANCELING CERTAIN UNCOLLECTIBLE PERSONAL PROPERTY TAXES.
Sponsored by: Councilmember Harold Moss
Contact person: Jack Rusler, 798-7551
For referral to the Rules & Operations Committee
7. PROPOSAL NO. 2002-37, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, LOCATED IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 17 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST15-01, RICHARD AND CYNTHIA HAHN - ROY AREA)
Sponsored by: Councilmember Calvin Goings
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning & Environment Committee
8. PROPOSAL NO. 2002-38, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 17 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS13-01, DIXON AND JUDY BLACKMER - EATONVILLE AREA)
Sponsored by: Councilmember Calvin Goings
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning & Environment Committee
9. PROPOSAL NO. 2002-39, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF OPEN SPACE CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTY WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY, LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN; REQUIRING PUBLIC ACCESS; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OS11-01, PUTTING CLASSIC, INC., DOING BUSINESS AS CLASSIC GOLF CLUB - SPANAWAY AREA)
Sponsored by: Councilmember Calvin Goings
Contact person: Airyang Julia Park, 798-2783
For referral to the Planning & Environment Committee
10. PROPOSAL NO. 2002-43, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ESTABLISHING A WEIGHT RESTRICTION OF TEN TONS ON ALDER CUTOFF ROAD, FROM MAY 10, 2002, TO

JULY 16, 2002, INCLUSIVE.

Sponsored by: Councilmember Harold Moss

Contact person: Jerry West, 798-3687

For referral to the Rules and Operations Committee
(To be heard by the Rules Committee on April 22,
2002)

Suggested date of Council hearing: ~~April 30~~ April 23,
2002

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

Brown moved approval of the Consent Agenda; motion seconded.

Weber pointed out that on page 4 of 7, Item 10, Staff is requesting that the suggested date of Council hearing be changed from April 30 to April 23, 2002. Brown moved that amendment; motion seconded and passed.

The Consent Agenda passed as amended 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 Ordinances, which were approved and signed on March 22, 2002, was read into the record:

ORDINANCE NO. 2001-110, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING AN UNIMPROVED ALLEY WAY IN THE PLAT OF HYADA PARK, LOCATED IN THE NORTHEAST TACOMA AREA IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 21 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN.

ORDINANCE NO. 2000-4s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NON-EXCLUSIVE FRANCHISE TO PUGET SOUND ENERGY, FOR LOCATION OF GAS PIPELINES ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

ORDINANCE NO. 2001-44s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING THE GIG HARBOR COMMUNITY COMPREHENSIVE PLAN (CHAPTER 19B.10 PIERCE COUNTY CODE); ADOPTING A NEW CHAPTER 19B.10 OF THE PIERCE COUNTY CODE, THE GIG HARBOR PENINSULA COMMUNITY PLAN; SETTING AN EFFECTIVE DATE; AND ADOPTING FINDINGS OF FACT.

2. A message from the Executive transmitting the following Ordinance, which was approved and signed on March 28, 2002, was read into the record:

ORDINANCE NO. 2002-1, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF 64TH STREET EAST, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 20 AND THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 20 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, IN THE SUMNER AREA.

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

PROPOSAL NO. R2002-39, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF TEN NEW MEMBERS AND THE REAPPOINTMENT OF ONE EXISTING MEMBER TO THE COMMUNITY SERVICES CITIZENS' ADVISORY BOARD. (LAWERENCE FAULK, PAULA FLORENCE, ZOE KREIGER, J. KARL KREITZER, VICTORIA JOHNS, HOPE STADTHERR, BETSY STUBBS, SCOTT SULLIVAN, JOYCE WILLIAMS, STUART SCHEUERMAN, AND LARRY JOHNS)

Brown 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. 2002-7, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PROHIBITING THE DISCHARGE OF FIREARMS WITHIN UNINCORPORATED PORTIONS OF PIERCE COUNTY IN THE SPANAWAY, GRAHAM, PUYALLUP, AND SOUTH HILL AREAS. (TITLE SUMMARY: PLEASE SEE SECTION 2. OF THE ORDINANCE FOR COMPLETE LEGAL DESCRIPTION.)

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

Following a discussion among Councilmembers and Staff, and hearing testimony from Mark McConnell, Brown moved that the Proposal be continued to April 23, 2002, to allow Councilmember Wimsett an opportunity to discuss the issue with the Department of Wildlife, and to consider all sides of this issue; motion seconded and passed.

PROPOSAL NO. 2002-8, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL PROHIBITING THE DISCHARGE OF FIREARMS WITHIN UNINCORPORATED PORTIONS OF PIERCE COUNTY, IN THE BONNEY LAKE, SOUTH PRAIRIE, BUCKLEY, AND LAKE TAPPS AREAS. (TITLE SUMMARY: PLEASE SEE SECTION 2. OF THE ORDINANCE FOR LEGAL DESCRIPTION OF THE AREA.)

Brown moved that this Proposal be continued to April 23, 2002, motion seconded and passed.

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PROPOSAL NO. 2002-15, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING TITLE 3 OF THE PIERCE COUNTY CODE, PERSONNEL, BY ADOPTING A NEW CHAPTER 3.15, WORKPLACE VIOLENCE PREVENTION.

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

Staff Testimony

Betsy Sawyers, Director of Personnel, stated this Ordinance has been requested to promote sound, effective, and fair employment practices. She stated it is important for the County to develop a policy dealing with violence in the workplace, and this provides a direction for dealing with the issue and sets forth procedures.

Brown thanked the Personnel Department for bringing this Ordinance forward.

In response to Goings' question, Sawyers said this policy would apply to exempt personnel as well as career service.

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

PROPOSAL NO. 2002-17, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 3.16 OF THE PIERCE COUNTY CODE, AND ADOPTING A NEW TITLE FOR CHAPTER 3.16, EQUAL EMPLOYMENT OPPORTUNITY POLICY.

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

Following a discussion of the Proposal with Sawyers, Council, and Staff, Brown moved that the Proposal be continued to April 23, 2002, to allow time for further study; motion seconded and passed.

IX. RESOLUTIONS

PROPOSAL NO. R2002-30, A RESOLUTION OF THE PIERCE COUNTY COUNCIL RATIFYING, AS REQUIRED BY PIERCE COUNTY CODE 2.110.120, THE SALE OF A PORTION OF SURPLUS COUNTY-OWNED REAL PROPERTY, WHICH IS

LOCATED AT 1304 PACIFIC AVENUE IN TACOMA, WASHINGTON. (A PORTION OF THE PROPERTY IS COMMONLY KNOWN AS THE PACIFIC BLOCK PROPERTY)

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

Staff Testimony

Dan Cagle, Facilities Management Department, stated this transaction is ready for finalization. He provided two documents to the Council, one entitled Pacific Block Value Information, and the other handout is a map of the property in question. Copies of those handouts are contained in the Ordinance file.

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

1. Second Quarter Briefing - Traffic Impact Fees, Gary Predoehl. (Copies of the handouts are contained in the Clerk's meeting file.)

XI. GENERAL PUBLIC COMMENTS

1. Janine Peterson urged Council's adoption of the No-shooting Ordinance. She provided photographs that depict how near the shooting range is to her yard, stating she has experienced hearing problems from the noise of the shooting.

The Chair invited Peterson to attend the Council's meeting on April 23, 2002, to reiterate that testimony.

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:32 p.m.

Attest:

Gerri Rainwater, Clerk of the Council

Approved:

Harold Moss, Council Chair

Date Approved