

MINUTES
PIERCE COUNTY COUNCIL MEETING
JULY 23, 2002

(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 3:05 p.m. by Chair Moss.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Moss.

III. ROLL CALL

Councilmembers Present: Karen S. Biskey, Calvin Goings, Harold Moss, Pat O'Malley, Jan Shabro, and Kevin Wimsett; Wendell Brown was excused at the time of roll call.

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

There were approximately six visitors present.

IV. APPROVAL OF AGENDA

O'Malley moved approval of the Agenda; motion seconded and passed.

V. CONSENT AGENDA

- a. Approval of Minutes
 - 1. The minutes of the May 7, 2002, regular Council meeting.
 - 2. The minutes of the June 11, 2002, District No. 3 Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
- c. Action on Resolutions (refer, set date of hearing)
- d. Other Items

O'Malley 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 Ordinance, which was approved and signed on July 9, 2002, was read into the record:

ORDINANCE NO. 2002-73s, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 2.54 OF THE PIERCE COUNTY CODE, "DISTRICT COURT DISTRICTING PLAN", TO CONSOLIDATE ALL PIERCE COUNTY DISTRICT COURTS INTO ONE PIERCE COUNTY DISTRICT COURT; SETTING EFFECTIVE DATES; ADOPTING FINDINGS OF FACT; AND DECLARING AN EMERGENCY.

2. A message from the Executive transmitting the following Ordinances, which were approved and signed on July 11, 2002, was read into the record:

ORDINANCE NO. 2002-19s3, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 5.24.020, 5.24.030, 5.24.050, 5.24.060, 6.04.020 AND 6.04.030 OF THE PIERCE COUNTY CODE RELATIVE TO FEES FOR KENNELS, CATTERIES, GROOMING PARLORS, PET SHOPS, AND PET LICENSES; ADDING A DEFINITION FOR BOARDING KENNELS AND CATTERIES; ADDING A BI-ANNUAL FINANCIAL REQUEST FOR SERVICE AND PERMIT DATA REPORTING REQUIREMENTS; AND SETTING AN EFFECTIVE DATE.

ORDINANCE NO. 2002-20s, 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 FOR THE NEW FEES.

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

VIII. ORDINANCES

PROPOSAL NO. 2002-64, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL VACATING A PORTION OF BARKUBEIN COUNTY ROAD EAST (226th AVENUE EAST), LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 20 NORTH, RANGE 5 EAST, OF THE WILLAMETTE MERIDIAN, LOCATED IN THE BONNEY LAKE AREA.

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Les Olsen, Survey Supervisor, Public Works & Utilities Department, stated that this property was acquired in 1922, and when the bridge was constructed the right-of-way should have been vacated at that time. He stated the Department supports this vacation request, and the right-of-way is not needed in the County road system.

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

(Brown entered the meeting.)

PROPOSAL NO. 2002-81, AN EMERGENCY ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 17C.60.090 OF THE PIERCE COUNTY CODE, "FIREWORKS" REGARDING THE DATES WHEN THE SALE, PURCHASE, AND DISCHARGE OF FIREWORKS ARE PERMITTED IN UNINCORPORATED PIERCE COUNTY; AND DECLARING AN EMERGENCY.

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Long stated this Emergency Ordinance was prepared in response to a recent change in State law, and passage of the Ordinance would update the County's fireworks regulations to bring them into compliance with Second Substitute Senate Bill 608, relative to the sale, purchase, and discharge of fireworks in unincorporated Pierce County. The timeline for jurisdictions to adopt this new State law has a deadline of August 12, 2002. It is, therefore, necessary to make this an Emergency Ordinance because of the County's noticing procedures.

Wayne Wienholz, Emergency Management Department, stated the County has made a practice of staying in compliance with State law, and urged Council's adoption to do so in this case.

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

PROPOSAL NO. 2002-45, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO PUBLIC UTILITY DISTRICT NO. 1 OF LEWIS COUNTY, A PUBLIC UTILITY OF THE STATE OF WASHINGTON, FOR LOCATION OF ELECTRIC LINES ON CERTAIN COUNTY OWNED RIGHTS-OF-WAY; REPEALING ORDINANCE NO. 2000-118; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

O'Malley moved adoption of Committee Amendment No. 1 as set forth in Attachment I to these minutes; motion seconded. O'Malley read the amendment into the record. O'Malley stated that in prior Public Works Committee hearings the petitioner has requested that the franchise be extended for a longer period of time. O'Malley moved an amendment to change the period of the franchise from five years to 15 years.

Staff Testimony

Weber stated the amendments would occur in the Ordinance and the Exhibit.

O'Malley instructed the Clerk to place the amendments in the appropriate places; 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 seven to zero.

IX. RESOLUTIONS - None

X. OTHER BUSINESS/ANNOUNCEMENTS

1. O'Malley publicly thanked the Partners for Parks for their successful event on the previous Sunday.
2. Harold Moss announced that the Ethnic Fest celebration would be happening this weekend at Wright Park, and invited all to attend.

XI. GENERAL PUBLIC COMMENTS - None

XII. ADJOURNMENT

There being no further business, the meeting was adjourned at 3:22 p.m.

Attest:

Gerri Rainwater, Clerk of the Council

Approved:

Harold Moss, Council Chair

Date Approved