

**MINUTES
PIERCE COUNTY COUNCIL MEETING
NOVEMBER 8, 2005**

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 Bunney.

II. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge was led by Bunney, followed by a Moment of Silence in tribute to our men and women in the Military.

III. ROLL CALL

Councilmembers Present: Shawn Bunney, Roger Bush, Dick Muri, Timothy M. Farrell, Calvin Goings, and Terry Lee. Barbara Gelman arrived after roll call.

Council Staff Present: Steve Gross, Deputy Legal Counsel; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Operations; Carolyn Pendle, Research Analyst; and Tom Weber, Administrator for Research and Policy.

There were 10 visitors present.

IV. APPROVAL OF AGENDA

Lee moved approval of the Agenda; motion seconded and passed on a voice vote.

a. Approval of Minutes

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

1. PROPOSAL NO. 2005-101, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RELATED TO ALARM SYSTEMS; MAKING TECHNICAL CORRECTIONS TO ORDINANCE NO. 2005-6s; AND AMENDING PIERCE COUNTY CODE CHAPTER 8.64 IN CONNECTION THEREWITH.

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Sponsored by: Councilmember Barbara Gelman
Council contact person: Steve Gross, 798-7579
For referral to the Public Safety and Human Services
Committee

2. PROPOSAL NO. 2005-102, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CHANGING THE NAME OF THE PIERCE COUNTY INFORMATION SERVICES DEPARTMENT TO PIERCE COUNTY INFORMATION TECHNOLOGY DEPARTMENT; AND AMENDING SECTIONS 2.06.010, 2.07.100 AND 2.98.030 OF THE PIERCE COUNTY CODE.

Sponsored by: Councilmember Shawn Bunney
Department contact person: Lew Sellers, 798-3618
Council contact person: Susan Long, 798-6068
For referral to the Rules and Operations Committee
Meeting

3. PROPOSAL NO. 2005-103, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 9.56 OF THE PIERCE COUNTY CODE, "DRUG PARAPHERNALIA."

Sponsored by: Councilmember Terry Lee
Council contact person: Steve Gross, 798-7579
For referral to the Public Safety and Human Services
Committee

4. PROPOSAL NO. 2005-104, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL RATIFYING THE COLLECTIVE BARGAINING AGREEMENT REACHED WITH THE INTERNATIONAL UNION OF OPERATING ENGINEERS (IUOE), LOCAL 612 SUPERVISORS; AND AMENDING THE PIERCE COUNTY SALARY CLASSIFICATION PLAN.

Sponsored by: Councilmember Shawn Bunney
Department contact person: Michael Taft, 798-3394
Council contact person: Susan Long, 798-6068
For referral to the Rules and Operations Committee
Suggested date of Council hearing: November 29,
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5. PROPOSAL NO. 2005-105, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF APPLICATIONS FOR TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST102-04, CHRISTOPHER AIUTO AND JOLING MEW - HIGHLAND MEADOWS AREA AND APPLICATION NO. OST104-04, MAITLAND MCKENZIE - FOREST GROVE AREA)

Sponsored by: Councilmember Calvin Goings
Department contact person: Chad Williams, 798-3683
Council contact person: Steve Gross, 798-7579

For referral to the Rules and Operations Committee
Suggested date of Council hearing: November 29,
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6. PROPOSAL NO. 2005-106, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE APPROVAL OF APPLICATIONS FOR TIMBER LAND CLASSIFICATION UNDER CURRENT USE ASSESSMENT ON CERTAIN PROPERTIES LOCATED WITHIN THE UNINCORPORATED BOUNDARIES OF PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT. (APPLICATION NO. OST63-04, JEFF E. AND VICKY R. SHANNON - WILLOW LAKE AREA; APPLICATION NO. OST64-04, JAIR B. ROBLES - HIGHLAND MEADOWS AREA; APPLICATION NO. OST66-04, WESTBROOKE LLC - SILVER LAKE HIGHLANDS AREA; APPLICATION NO. OST67-04, WESTBROOKE LLC - SILVER LAKE HIGHLANDS AREA; APPLICATION NO. OST68-04, NICHOLAS L. MARTIN AND JOHN W. AND LINDA L. MARTIN - HIGHLAND MEADOWS AREA; APPLICATION NO. OST69-04, DEBORAH D. HENLEY AND STEVEN J. NORRIS - WILLOW LAKE AREA; APPLICATION NO. OST71-04, JONG C. LEE, MYUNG N. PARK, SAM S. AND KWANG I. HONG - HIGHLAND MEADOWS AREA)

Sponsored by: Councilmember Calvin Goings
Department contact person: Chad Williams, 798-3683
Council contact person: Steve Gross, 798-7579
For referral to the Rules and Operations Committee
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2005

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

Lee moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of six to zero (Gelman was excused).

VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY - None

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

PROPOSAL NO. R2005-134, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AND EXECUTIVE PROCLAIMING THE WEEK OF NOVEMBER 14-18, 2005, TO BE "PIERCE COUNTY EMPLOYEE APPRECIATION AND RECOGNITION WEEK" IN PIERCE COUNTY, WASHINGTON.

Lee moved adoption; motion seconded. The Clerk read the Proclamation in its entirety into the record.

Bunney spoke in support of the Proposal.

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The Chair called for public testimony; there was no response.

The Chair called for final Councilmember comments; there was no response.

The Proposal was adopted on a roll call vote of five to zero (Gelman and Goings were excused).

The Proclamation was accepted by Carola Regan.

PROPOSAL NO. R2005-143, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PERSONNEL BOARD. (BONNI J. PARKER)

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

Staff Testimony

Weber explained the Proposal confirms an appointment to the Personnel Board.

The Chair called for public testimony; there was no response.

The Chair called for final Councilmember comments; there was no response.

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

PROPOSAL NO. R2005-144, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF TWO MEMBERS TO THE PARKLAND-SPANAWAY-MIDLAND ADVISORY COMMISSION. (NELL BATKER AND CLAUDIA FINSETH)

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

The Chair called for public testimony; there was no response.

The Chair called for final Councilmember comments; there was no response.

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

PROPOSAL NO. R2005-145, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE APPOINTMENT OF TWO NEW MEMBERS TO THE PARKLAND-SPANAWAY-MIDLAND ADVISORY COMMISSION. (LISA M. RACCA AND JAMES W. JOHNSON)

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

The Chair called for public testimony; there was no response.

The Chair called for final Councilmember comments; there was no response.

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

PROPOSAL NO. R2005-146, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF ONE MEMBER TO THE PARKLAND-SPANAWAY-MIDLAND ADVISORY COMMISSION. (JAN W. SCHMALENBERG)

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

The Chair called for public testimony; there was no response.

Farrell spoke in support of the appointment.

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

PROPOSAL NO. R2005-147, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF LAKEWOOD CITY COUNCILMEMBER, DR. CLAUDIA B. THOMAS TO HER SECOND FULL TERM ON THE CENTRAL PUGET SOUND REGIONAL TRANSIT AUTHORITY. (SOUND TRANSIT) BOARD

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

The Chair called for public testimony; there was no response.

Muri and Farrell spoke in support of the reappointment.

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

VIII. ORDINANCES

PROPOSAL NO. 2005-78, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 2.92.040 OF THE PIERCE COUNTY CODE TO EXTEND UNTIL MARCH 30 THE TERM OF OFFICE FOR SOLID WASTE ADVISORY COMMITTEE MEMBERS.

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

Staff Testimony

Pendle provided background information on the Advisory Committee and highlighted the Committee changes that were made over the years. Pendle explained the Proposal allows people who served on the Committee to participate in making recommendations to the Council. Pendle reported the Proposal received a do pass recommendation by the Economic and Development Committee on October 18, 2005.

The Chair called for public testimony; there was no response.

The Chair called for final Councilmember comments; there was no response.

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

IX. RESOLUTIONS - None

Without objection from Council, the Chair advanced to Section XI. CITIZENS' FORUM of the Agenda.

XI. CITIZENS' FORUM

The Chair called for citizens' comments; there was no response.

The Chair returned to the regular order of the business meeting.

X. OTHER BUSINESS/ANNOUNCEMENTS

1. EXECUTIVE SESSION:

Discussion of pending litigation pursuant to Revised Code of Washington (RCW) 42.30.110(1)(i), to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing

body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.

Long cited the RCW requirement and explained that 45 minutes had been requested for the Executive Session.

The Chair announced the Council will be in Executive Session for 45 minutes, returning to business at 4:00 p.m.

At 3:15 p.m. the business meeting recessed and Council entered into Executive Session. At 4:00 p.m. the Executive Session concluded and the Council meeting reconvened.

X. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:00 p.m.

Attest:

Denise D. Johnson, Clerk of the Council

Approved:

Shawn Bunney, Council Chair

Date Approved

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