

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
MARCH 23, 2004**

GIG HARBOR CIVIC CENTER, COUNCIL CHAMBERS  
3510 GRANDVIEW STREET  
GIG HARBOR, WASHINGTON  
(COUNCIL DISTRICT NO. 7)

**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 6:00 p.m. by Chair Moss.

Moss announced once a year the Charter requires each Councilmember to conduct a Council meeting in his or her district. Moss passed the gavel to Lee, Host Councilmember.

Presentation of Colors by Boy Scout Troop #204.

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

The pledge was led by Troop #204. Lee thanked the Troop for their presentation

**III. ROLL CALL**

Councilmembers Present: Barbara Gelman, Calvin Goings, Terry Lee, Harold Moss, Dick Muri, and Kevin Wimsett. Shawn Bunney was excused.

Council Staff Present: Steve Gross, Deputy Legal Counsel; Denise Johnson, Clerk of the Council; Susan Long, Administrator for Legal and Operations; Leslie Swalley, Councilmember Assistant; Tom Weber, Administrator for Research and Policy, and Cindy Willis, Councilmember Assistant.

There were approximately 50 visitors present.

**IV. APPROVAL OF AGENDA**

Moss 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. 2004-7s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL CHANGING THE NAME OF THE PIERCE COUNTY PERSONNEL DEPARTMENT TO PIERCE COUNTY HUMAN RESOURCES DEPARTMENT; AND AMENDING SECTIONS 2.06.010, 2.07.070, 3.04.010, 3.08.020, 3.08.090, 3.08.110, 3.08.120, 3.08.150, 3.12.070, 3.12.110, 3.14.020, 3.14.030, 3.15.030, 3.15.040, 3.16.010, 3.16.080, 3.16.100, 3.20.010, 3.24.010, 3.32.010, 3.40.030, 3.40.050, 3.44.010, 3.67.010, 3.67.020, 3.67.040, 3.67.090, 3.69.030, 3.69.050, 3.70.070, 3.70.080, 3.70.090, 3.70.100, 3.70.110, 3.72.050, 3.76.060, AND 3.80.020 OF THE PIERCE COUNTY CODE.  
Sponsored by: Councilmember Harold Moss  
Contact person: Hudson Stansbury, 798-7477  
DO PASS AS SUBSTITUTED RECOMMENDATION - RULES AND OPERATIONS COMMITTEE ON MARCH 8, 2004 - (Harold Moss, Chair; Kevin Wimsett, Vice Chair; and Terry Lee, Member)  
Suggested date of Council hearing: April 20, 2004
2. PROPOSAL NO. 2004-12s AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING CHAPTER 19C.10 OF THE PIERCE COUNTY CODE, PROCEDURES FOR AMENDMENTS TO THE COMPREHENSIVE PLAN, TO MODIFY THE LENGTH OF THE TIMELINE FOR COMPREHENSIVE PLAN AMENDMENT CYCLES; AND ADOPTING FINDINGS OF FACT.  
Sponsored by: Councilmembers Calvin Goings and Terry Lee  
Contact person: Anna Graham, 798-6253  
DO PASS AS SUBSTITUTED RECOMMENDATION - COMMUNITY DEVELOPMENT COMMITTEE ON MARCH 8, 2004 - (Calvin Goings, Chair; Terry Lee, Vice Chair; Harold Moss, Member; Dick Muri, Member; Kevin Wimsett, Member)  
Suggested date of Council hearing: April 20, 2004

c. Action on Resolutions (refer, set date of hearing)

1. PROPOSAL NO. R2004-42, A RESOLUTION OF THE PIERCE COUNTY COUNCIL DECLARING AN INTENT TO INITIATE A COMMUNITY PLAN FOR THE BROWNS POINT-DASH POINT COMMUNITY, TO BE KNOWN AS THE BROWNS POINT-DASH POINT COMMUNITY PLAN; AND REQUESTING THE COUNTY EXECUTIVE TO INCLUDE FUNDING FOR THIS COMMUNITY PLAN IN THE NEXT ANNUAL BUDGET.

Sponsored by: Councilmember Calvin Goings  
Contact person: Anna Graham, 798-6253  
For referral to the Community Development Committee  
To be heard in the Community Development Committee  
on April 5, 2004

d. Other Items

Moss 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 - None**

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

**PROPOSAL NO. R2004-49, A RESOLUTION CONFIRMING THE APPOINTMENT OF ONE NEW MEMBER TO THE PIERCE COUNTY PARKS AND RECREATION CITIZENS' ADVISORY BOARD. (DAN SUTICH)**

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

Dan Sutich stated he looks forward to serving the citizens and thanked the Councilmembers for their consideration.

Lee thanked Sutich for volunteering his time and for his willingness to serve.

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

**VIII. ORDINANCES**

**PROPOSAL NO. 2003-127s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL REPEALING SECTION 8.88.140 OF THE PIERCE COUNTY CODE (PCC), "MANNER OF OPERATION"; AMENDING SECTION 8.88.170 PCC, "RECKLESS OPERATION"; AND ADOPTING A NEW SECTION 8.88.165 PCC, "NEGLIGENT OPERATION".**

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

Staff Testimony

Sergeant Jerry Lawrence, Deputy Sheriff and the Sheriff's Designee to the Pierce County Boating Advisory Commission,

stated the Proposal clarifies the Reckless Operations section of the County Code, makes it consistent with State law, and makes technical changes. He asked the Council to pass the Proposal as written.

Weber stated at the January 27, 2004, Public Safety and Human Services Committee hearing the Proposal was postponed indefinitely. At the March 9, 2004, Committee hearing the Proposal was passed with a do pass as substituted recommendation. He is not aware of any proposed amendments.

Lee stated the Proposal is the end result of on-going Committee and Boating Advisory hearings.

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

**PROPOSAL NO. 2003-128s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTION 8.88.360 OF THE PIERCE COUNTY CODE, "PERSONAL WATERCRAFT."**

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

Staff Testimony

Weber stated the Proposal was heard by the Boating Advisory Commission. At the January 27, 2004, Public Safety and Human Services Committee hearing the Proposal was passed with a do pass as substituted recommendation.

Lawrence explained the purpose of the technical amendment, stating it clarifies what is an infraction and misdemeanor.

Moss moved Council Amendment No. 1 on the lime; motion seconded. A copy of this amendment is contained with these minutes as Attachment I.

Long read the amendment into the record and stated the amendment clarifies which listed offenses are civil infractions and which are misdemeanors.

In response to Gelman's question, Lawrence stated in the previous Proposal it is an infraction for vessels to not have navigation lights.

The Chair called for testimony on the amendment; there was no response. The amendment passed on a voice vote.

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

**PROPOSAL NO. 2003-134s2, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL AMENDING SECTIONS 8.88.040 AND 8.88.250 AND ADOPTING NEW SECTIONS 8.88.252 AND 8.88.254 OF THE PIERCE COUNTY CODE, "WATERCRAFT REGULATIONS" TO ADDRESS IMPOUNDMENT OF DERELICT OR ABANDONED VESSELS.**

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

Lee provided background information on the Proposal, stating the enforcement regulations will apply County-wide. He thanked Jerry Lawrence, Peter Cropp, and Craig Adams for their work on the Proposal.

#### Staff Testimony

Lawrence stated the Proposal is a workable document, and the Boating Advisory Commission supports the Proposal.

Gelman commended Lee for his hard work on the Proposal.

#### Public Testimony

Bob Studivant spoke in support of the Proposal, stating it is a starting point since there are still problems with derelict vessels.

Lee stated it is important to have enforcement regulations in place, and the County will stay ahead of the derelict vessel problems.

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

### **IX. RESOLUTIONS**

**PROPOSAL NO. R2004-17, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CALLING FOR AN ELECTION ON \_\_\_\_\_ FOR THE PURPOSES OF SUBMITTING TO THE AFFECTED VOTERS THE QUESTION OF WHETHER TO FORM A METROPOLITAN PARK DISTRICT WHOSE BOUNDARIES ARE COTERMINOUS WITH THE BOUNDARIES OF THE KEY PENINSULA PARK AND RECREATION DISTRICT IN UNINCORPORATED PIERCE COUNTY, AND ON THE ELECTION OF THE FIVE INITIAL METROPOLITAN PARK COMMISSIONERS; AND REQUESTING THAT THE PROSECUTING ATTORNEY WRITE AN APPROPRIATE BALLOT TITLE.**

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

Lee thanked the many involved citizen and Council Staff for their efforts on the Proposal.

Moss moved Council Amendment No. 1 on the tan; motion seconded. A copy of this amendment is included with these minutes as Attachment II.

#### Staff Testimony

Gross provided background information on the Proposal. The amendment sets the date for election on May 18, 2004.

The Chair called for testimony on the amendment.

#### Public Testimony

Mimi Jansen informed the Council that other parents would be attending today's meeting to offer testimony on the Proposal. She spoke in support of the Proposal, and her son stated that he loves baseball.

Lee reminded Jansen and the audience that testimony is being taken on the amendment, and there will be an opportunity to speak to the Proposal later in the meeting.

The amendment passed on a voice vote.

The Chair called for public testimony on the amended Proposal.

#### Public Testimony

The following spoke in support of the Proposal: Carol Riley; Mike Salatino, Chairman, Key Peninsula Park and Recreation District; Paula DeMoss, President, Key Peninsula Little League; Joslyn Roberts, Randy Rajkovish; Fred Ramsdell; Jennifer Archuleta; Eric Guenther, Park Council and Peninsula Athletic Association; Jennifer Land-Forman; Donny Roberts, Vice President, Peninsula Little League and Club Master for Troop 202; and Kip Clinton.

Goings thanked the public for their input and thanked Councilmember Lee for his work on the Proposal.

The Proposal was adopted as amended on a roll call vote of six to zero.

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Update on Domestic Violence Advocacy/Kiosk - Eileen O'Brien, Justice Services Manager

O'Brien provided highlights of changes in the domestic violence area for the Gig Harbor community.

Lee thanked O'Brien for the presentation.

Gelman is looking forward to having a kiosk in the future for the Parkland community.

**XI. GENERAL PUBLIC COMMENTS**

1. Bob Henkel expressed concerns with general comments not being televised, and with the correspondence he submitted to Council not being answered.
2. Mark Wenzel, Communications Director, Bethel School District, provided an update to the Council on issues affecting the Bethel area.
3. Woody Anderson spoke to the lack of water access.
4. Dave Folsom spoke to growth projections in the Gig Harbor and unincorporated areas.

Moss complimented the Gig Harbor citizens on their Civic Center building.

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:25 p.m.

Attest:

\_\_\_\_\_  
Denise D. Johnson, Clerk of the Council

Approved:

\_\_\_\_\_  
Councilmember Harold Moss, Council Chair

Date Approved

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