

CITY COUNCIL MEETING

**August 28, 2012
7:00 P.M.**

AGENDA

City of



“Where Dreams Can Soar”

The City of Bonney Lake’s Mission is to protect the community’s livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

Website: www.ci.bonney-lake.wa.us

SIGN-UP TO SPEAK FOR SPECIFIC ACTION ITEMS ON THE AGENDA: *If you have signed up prior to the Council meeting to speak with respect to a particular ordinance or resolution appearing on the agenda, you will be recognized to address the Council for up to one minute before the Council takes action on that item. Those wishing to address such items on the “Consent Agenda” should do so during the “Citizen Comments” portion of the Agenda. If the Council chooses to discuss the item further after taking comments, they may restrict additional public comment before taking action. Please look for the sign-up sheets near the Council Chamber doorway. (See Item II.B. for Citizen Comments on other items of City business.)*

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr.

- A. Flag Salute
- B. Roll Call: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.
- C. Announcements, Appointments and Presentations:
 - 1. Announcements: None.
 - 2. Appointments: None.
 - 3. Presentations: None.
- D. Agenda Modifications

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings:
 - Pg. 3 1. **AB12-123** – Public Hearing Regarding Proposed Ordinance D12-124 (AB12-124) For A Six Month Extension of The Temporary Zoning Moratorium On The Establishment, Maintenance, Or Continuation Of Medical Marijuana Collective Gardens.
- B. Citizen Comments:
You may address the City Council on matters of City business for up to 5 minutes. Those commenting about ordinances or resolutions on the “Consent Agenda” should limit their comments to one minute per item. When recognized by the Mayor, please state your name and address for the official record. Designated representatives speaking on behalf of a group may take up to 10 minutes on matters of general City business.
- C. Correspondence

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee
- B. Community Development Committee
- C. Public Safety Committee

D. Other Reports

IV. CONSENT AGENDA:

The items listed below may be acted upon by a single motion and second of the City Council. By simple request to the Chair, any Councilmember may remove items from the Consent Agenda for separate consideration after the adoption of the remainder of the Consent Agenda items.

- Pg. 7 A. **Approval of Minutes:** July 17, 2012 Workshop, July 24, 2012 Meeting, and August 14, 2012 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #64338-64341 in the amount of \$3,735.00 for Tunes @ Tapps and Kids Club payments. Accounts Payable checks/vouchers #64342 in the amount of \$2,368.51 for Bonney Lake Days vendor payment. Accounts Payable checks/vouchers #64343-64356 including wire #2012081701 in the amount of \$47,671.42.
- C. **Approval of Payroll:** Payroll for August 1st-15th, 2012 for checks 30636-30657 including Direct Deposits and Electronic Transfers in the amount of \$ 451,407.45.

V. **FINANCE COMMITTEE ISSUES:** None.

VI. **COMMUNITY DEVELOPMENT COMMITTEE ISSUES:** None.

VII. **PUBLIC SAFETY COMMITTEE ISSUES:** None.

VIII. FULL COUNCIL ISSUES:

- Pg. 27 A. **AB12-112 – Ordinance D12-112 –** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Changing The Zoning Designation Of Parcel 0519045009 From Single Family Residential (R-1) To Medium Density Residential (R-2).

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110, the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

X. ADJOURNMENT”

For citizens with disabilities requesting translators or adaptive equipment for communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.

**THE COUNCIL MAY ADD AND TAKE ACTION ON
OTHER ITEMS NOT LISTED ON THIS AGENDA**

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Admn Srvc / Edvalson	Meeting/Workshop Date: 28 August 2012	Agenda Bill Number: AB12-124
Agenda Item Type: Public Hearing	Ordinance/Resolution Number:	Councilmember Sponsor:

Agenda Subject: Holding a Noticed Public Hearing Regarding Proposed Ordinance 12-124 - For A 6 Month Extension Of The Temporary Zoning Moratorium On The Establishment, Maintenance Or Continuation Of Medical Marijuana Collective Gardens.

Full Title/Motion: n/a Public Hearing Regarding Proposed Ordinance 12-124 - For A 6 Month Extension Of The Temporary Zoning Moratorium On The Establishment, Maintenance Or Continuation Of Medical Marijuana Collective Gardens..

Administrative Recommendation: Hold Public Hearing.

Background Summary: By motion at their 14 August 2012 meeting, the City Council set a public hearing to consider a second extension of the Temporary Zoning Moratorium on the Establishment, Maintenance or Continuation of Medical Marijuana Collective Gardens. The 'Whereas' portion of the proposed ordinance, as attached, provides the history of this issue.
Attachments: Ordinance D12-124

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
Budget Explanation: There is no fiscal impact to this action.			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>	Yes	No
Date:	Chair/Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	Consent Agenda:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s): 08/28/12
Meeting Date(s): 08/23/11; 02/28/12; 08/14/12; 08/28/12	Tabled to Date:

APPROVALS		
Director: <i>HTE</i>	Mayor: <i>NHJ</i>	Date Reviewed by City Attorney: 8/6/12 (if applicable):

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ORDINANCE NO. D12-124

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, EXTENDING A TEMPORARY ZONING MORATORIUM ON THE ESTABLISHMENT, MAINTENANCE OR CONTINUATION OF MEDICAL MARIJUANA COLLECTIVE GARDENS.

WHEREAS, on August 23, 2011, the Council adopted Ordinance No. 1396, enacting a temporary moratorium on the establishment, maintenance or continuation of medical marijuana collective gardens, in accordance with RCW 35A.63.220 and RCW 36.70A.390; and

WHEREAS, Ordinance No. 1396 included findings of fact in support of such moratorium, in the form of various recitals; and

WHEREAS, on February 28, 2012, the Council adopted Ordinance No. 1418, extending the temporary moratorium, and including findings of fact in support of the same; and

WHEREAS, the Council finds that the findings adopted in Ordinance Nos. 1396 and 1418 remain valid and pertinent to the issue of extension of such moratorium; and

WHEREAS, a public hearing was held on **August 28, 2012**, regarding extension of such moratorium; and

WHEREAS, significant uncertainty continues to exist regarding the validity of Washington's current medical marijuana statutes, including those pertaining to collective gardens; and

WHEREAS, the Council wishes to refer to the Planning Commission consideration of an ordinance clarifying that medical marijuana collective gardens and dispensaries remain illegal under federal law, and are therefore barred under BLMC 18.02.030(C); and

WHEREAS, based upon the findings set forth herein and in Ordinance Nos. 1396 and 1418, the Council deems it to be in the public interest to extend the existing zoning moratorium pending Planning Commission consideration of and action upon such clarifying ordinance;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. The recitals set forth above and in Ordinance Nos. 1396 and 1418 are hereby adopted as the Bonney Lake City Council's findings in support of extension of the moratorium imposed by Ordinance Nos. 1396 and 1418.

Section 2. Pursuant to the provisions of RCW 35A.63.220 and RCW 36.70A.390, the zoning moratorium enacted by Ordinance Nos. 1396 and 1418, prohibiting the licensing, establishment, maintenance or continuation of any medical marijuana collective garden within the

City, is hereby extended by six months, unless terminated sooner by the Bonney Lake City Council. All other provisions of Ordinance Nos. 1396 and 1418 shall remain in effect.

Section 3. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance, or the application of the provision to other persons or circumstances, shall not be affected.

Section 4. This Ordinance concerning powers vested solely in the Council, it is not subject to referendum, and shall take effect five (5) days after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this _____ day of September, 2012.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

Passed:
Valid:
Published:
Effective Date:

CITY COUNCIL WORKSHOP

**July 17, 2012
5:30 P.M.**

MINUTES

City of



“Where Dreams Can Soar”

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Website: www.ci.bonney-lake.wa.us

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the workshop to order at 5:30 p.m.

II. ROLL CALL:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Assistant Public Works Director Charlie Simpson, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, Assistant City Attorney Kathleen Haggard, Facilities & Special Projects Manager Gary Leaf, and Administrative Specialist II Renee Cameron.

III. AGENDA ITEMS:

A. Presentation: Pierce County Department of Emergency Management - Hazard Mitigation Plan Update Process, Purpose, and Council Responsibilities.

The Council heard a presentation from Katie Gillespie, Program Coordinator for Pierce County Department of Emergency Management (DEM) Hazard Mitigation Plan who is responsible for updating the City’s hazard mitigation plan. Ms. Gillespie introduced Judy Harmon, the City’s DEM Liaison. She advised that the City’s current approved and adopted FEMA mitigation plan expires November 2013. Pierce County - Emergency Management (PC-EM) is currently reviewing and updating the City’s plan and this year they will integrate technological and manmade disaster into the City’s plan, which currently has not been done. PC-EM was awarded a grant totaling \$534,000, and will actually receive \$400,000 from FEMA, and PC-EM needs to produce a match of \$134,000. Rather than billing the City for its portion, they plan to use the City’s staff time. Ms. Gillespie advised they will come back in approximately November 2013 asking for a resolution to put the plan in place, which will be good for five (5) years. The whole purpose of the mitigation plan is to identify the potential hazards faced in Bonney Lake and how to prevent them or mitigate and lessen the impact to the citizens. Implementing this plan makes the City eligible for hazard mitigation grant dollars to be used toward mitigation projects such as retrofitting buildings to burying power lines. Potential projects so citizens are less likely impacted by the next disaster.

City Administrator Don Morrison stated he assisted in working with the first plan, as did Executive Assistant Brian Hartsell. He said this will be an update of the natural hazards, as well as the manmade hazards which focuses on some new areas such as civil disobedience and terrorism potential. He said this is a cooperative effort with many

agencies involved including the Fire District, School Districts, Police Department, and all cities and towns. Staff will keep Council updated as the plan progresses.

- B. **Discussion:** Allan Yorke Park Safety Plan. Mayor Johnson presented the City's proposed plan, as provided for in a handout with 13 items/suggestions in said plan.
1. Stencil in bright colors along the concrete - **"NO LIFEGUARD ON DUTY" & "SWIM AT YOUR OWN RISK"** (at least 3 of these sets) - **Cost \$50.00**
 2. Fix the current stencils that says **NO PUSHING OR DIVING - COMPLETED.**
 3. Order 2 water temperature signs to put in the water. One at the boat launch, the other in the swimming area (not sure of which entrance point). **Cost is approximately \$5,000 each** and we will work with CWA on a potential partnership.
 4. Create 3 larger signs (2' x 4'). Signs will be a reflective orange color with black lettering (see sample). These signs will replace the current signs at the end of dike 13, the entrance close to the dike and the middle of the swim area. The signs will read **NO LIFEGUARD ON DUTY AND SWIM AT YOUR OWN RISK.** The current signs will be attached to the front of the chain link fence as you enter the swim area. **Cost is \$180.00** (2 weeks to receive)
 5. Install a 911 hot line which automatically dials 911 when the phone is picked up. No other outbound numbers / dialing would be allowed. Place next to the life vests at AY Park. **Cost is \$400** annually.
 6. Purchase 2 PFD's and install at life jacket kiosk. **Cost \$160.00**
 7. Remove the floating dock. Will need two days. **Cost is \$300.00**
 8. Temporary park employees will take CPR training.
 9. Have information about Lake Tapps and the dangers at the City's booth at Bonney Lake Days. City Administrator Don Morrison will coordinate information for the booth.
 10. Update the website with Lake Tapps information that is gathered along with an area on the website talking about water safety.
 11. Work with School Districts, County, CWA, East Pierce Fire on putting together a Lake Tapps education month, possibly in April. Share information about the dangers of the lake with all schools within the Sumner, White River and Derringer School Districts. The Mayor's office will work on this project.
 12. Memorial sign for Quentin Boggan will be worked on later with the family.

The thirteenth item would go to the Public Safety Committee for further discussion -

13. **Lifeguards on Duty:** Each location has a senior lifeguard or manager on staff and at least one lifeguard (with additional lifeguards on duty during warmer or hot weather) on duty. In the event there is only one lifeguard assigned for that day, the manager would need to provide breaks. **Cost would be \$60-\$90,000.**
Hours on Duty: The average hours the beaches are guarded are 12pm-8pm and hours worked each week range from 30-40 hours. This could potentially increase if the weather were warmer.
Training: Each city requires CPR for the Professional Rescuer, First Aid and Lifeguard Certification before the employee is hired. In addition, Lakewood has in service training once a week and SeaTac has in service training twice a month to test skills and assess effectiveness of the lifeguards and the set procedures.

There was extensive discussion amongst the Council and staff regarding all 13 parts of the plan. Mayor Johnson suggested the matter move on to the Public Safety Committee for input and a recommendation if the City should move forward with suggestions from the Mayor's Plan. He said with the upcoming budget process, the City should take these plan options into consideration. Mayor Johnson stated that it's all about safety, knowing there are pros and cons to some of the plan's items/suggestions.

Public Safety Committee Chair Councilmember Hamilton said the Public Safety Committee will take that on.

Mayor Johnson hopes to not have another tragedy like we had.

C. Council Open Discussion:

Parking during Special Events: Councilmember Watson discussed parking at Allan Yorke Park today during the Reptile Man's show. He said it was a great event with great attendance, however, he is concerned about parking. He would like to see in the future, as these events grow bigger, that we make improvement for parking for these events.

Signage: Councilmember Watson discussed that he spoke with an attorney at MRSC about the Deaf and Children at Play signage, and the attorney agreed that a resolution would be fine to establish City policy. He said he would like to have discussion on this and proposes a resolution stating that the City will not be putting signs up anywhere in the City, and why, because they are not effective. Council discussed running it through the Public Safety Committee next week to get the wording down and work with the Clerk's Office and City Attorney to get it on the agenda. The Council wants to be clear that the City will not be replacing (or removing) any existing sign(s).

Recognition of Public Works Operations Staff: Councilmember Watson thanked Assistant Public Works Director Charlie Simpson and his Public Works crew regarding their work on Bonney Lake Boulevard and Locust and the parking lot striping at the park. He felt they did a great job.

Shop Bonney Lake Coupons Website: Councilmember Watson suggested that the City consider using its monthly page in the newspaper to remind citizens that there are coupons on the City website.

Cabin on Lake Bonney: Councilmember Watson wanted Council to know that the cabin on Lake Bonney is now gone.

Relay for Life: Councilmember Minton-Davis wanted to remind everyone that Relay for Life is coming up July 27-28th at Bonney Lake High School. She said the Cascade Regional Blood Center will be there to do a blood drive, American Cancer Society's Cancer Prevention Studies will be in attendance for those who want to register/join for the CPS-3 and she advised that we are the only Relay for Life site in Western Washington where you can register to join on Friday from 5-9 p.m.; and you can sign up with Be The Match to register as a bone marrow donor. Councilmember Minton-Davis advised that MaryAnn Johnson will be the honorary chairperson this year, as an honorary caregiver, and she will be giving a speech at the opening ceremony. She said Luminaria is at 10:00 p.m., and there will be entertainment all night long. Midnight Lap is at Midnight. Closing ceremony is at 11:00 a.m. on Saturday, and the Last Lap is at 12:00 Noon.

Sumner Rhubarb Festival: Mayor Johnson advised that he participated as a Judge at the Rhubarb Festival in Sumner and had a good time tasting all of the rhubarb pies, breads, juices, ice creams, desserts and crisps. Council members commented regarding the event and the many uses of rhubarb.

Introduction: Administrative Services Director/City Clerk Woody Edvalson introduced the City's new Administrative Specialist II, Renee Cameron. The Mayor and Council welcomed Renee.

D. Review of Draft Council Minutes:

The June 26, 2012, July 3, 2012 Workshop, and July 10, 2012 minutes were forwarded to the July 24, 2012 meeting for action with corrections. Deputy Mayor Swatman wanted to comment regarding page 17 of the agenda packet where former Councilmember Dan Decker commented in some newspaper article that some Councilmembers indicated that signs work better than lifeguards. Deputy Mayor Swatman said that he has never heard or seen that written from any of the current Council members and doesn't want the public to think that Councilmembers are thinking like that.

E. Presentation: Medical Premiums and Health Care Costs. City Administrator Don Morrison provided a presentation regarding medical health care costs, premiums and insurance after attending the AWC annual conference. During the conference AWC presented comparable information back to 2001. He advised that back in 2002 the employee-only premium was about \$205, and \$591 to cover full family. Now in 2012 it is up to \$630 for the employee-only premium, and \$1,833 to cover a full family per month. He stated that in ten years it is estimated to be \$1,935 for an employee and \$5,684 for a full family per month and he does not believe these significant increases are sustainable for the City. He advised that many cities are starting to strategize how to deal with the increases by increasing employee contributions, deductibles and/or co-pays, or capping employer contributions. He said the most popular trend addressed at the conference was incorporating a High Deductible Health Plan with tax-favored account.

Councilmember Minton-Davis commented that she too had attended the conference and that she found it interesting that another city had implemented a plan where employees with dual insurance have the option to opt out. Employees don't get reimbursed but the amount saved goes into a health savings plan for their use. City Administrator Morrison said that the City currently does have a saving option of 50% for employees who opt out because they are eligible for dual insurance, however, AWC underwriting rules only allow the first 25% of employees who elect to do so.

City Administrator Morrison said AWC would have an option for a high deductible plan with a health savings account. For example, the employee deductible would be \$1,500 for employee only, or \$3,000 for a family, and then an employee would still pay 20% of the medical bill until they reach the cap, or the out-of-pocket maximum, which would be \$5,000 for employee only, or \$10,000 for a family. After that, the employer and/or employee can put money into a health savings account that is set up to help off-set those. However, federal law limits how much can be put into those accounts, which currently is \$3,100 for employee only, and \$6,250 for a family.

City Administrator Morrison said the High Deductible Health Plan is about half the cost of the current one. He said the City could put the balance of the money budgeted into a health savings account to use as a good start. He said he will start to look at different

options and take them to the Finance Committee, as well as get ready to start negotiating with AFSCME during contract negotiations.

Councilmember Hamilton said it really depends on what happens with the upcoming election, what direction the country is going to go, and what is happening federally. So, he thinks this may be a moot point until things settle down on the federal level. He thinks it is fine to bring it forward, but until the election is over and we know where the country is headed it's hard to know how to proceed. Councilmember Minton-Davis commented regarding a vendor who offered alternatives to a health savings account without as many restrictions, which she believed sounded like a much more appealing option.

Councilmember Hamilton said he is concerned about the federal government taxing health care benefits received by employees from employers beginning in 2018. There was brief discussion amongst the Councilmembers regarding the taxing of health care benefits to employees.

- F. **Discussion:** AB12-110 – Park Project Options. Facilities & Special Projects Manager Gary Leaf discussed some of the Parks Project Options as provided in the agenda packet. Leaf advised that City staff completed the Park Plan at the end of last year and the Mayor sponsored a Parks Summit in which the Park Board was involved. He said there has been a lot of discussion as to how to implement the plan. He said he prepared one option which received the most support and would focus dollars on the items that got the most support at the Parks Summit which were trails and ball fields, and would also include some other features which were not so high dollar items, like sport courts and playgrounds. He said they prepared a draft timeline to put the measure on a ballot for next April, which would require the City to follow a fairly rigorous timeline to determine what would be included in the Plan, the For/Against Committees, ballot resolutions, and keeping it all in line and organized.

Mayor Johnson commented regarding the Preferred Park Option and some discussions that occurred during the Park Summit. He suggested the Water Utility sell the Reed property to the Parks Department, or to the General Fund, over a period of time so the property can be used for parks. He also wants to work on the properties we already have. He suggested a Pavilion be put into the Downtown Civic Center Plan to be used for a number of things. He suggested making the pavilion part of the Parks option and put it into the Civic Center to have a vision like the Puyallup Pavilion. He said the City already has the property downtown and could do a lot of things to support the civic campus. He said the City needs to get some positive energy going. Regarding the YMCA, Mayor Johnson's position is it will have to wait, unless they have \$8-10 Million to contribute toward the facility. He said he wants to put the \$15 Million toward things that can get to the masses and get everyone involved and engaged. He said if the Council wants to get this on next year's ballot, options must be discussed before a ballot item limits further discussion.

Councilmember Rackley said he really likes this type of program, however, he wants to see how the economy is doing before committing to a spring ballot. Councilmember Watson said he likes the timeframe and thinks we should move forward and get comments from the public about how they feel. He is concerned about the Reed property being utilized because it is located so far from town and would like to do something closer to town so more can participate and utilize it. Mayor Johnson said another option is the WSU Forest since we have the 40 acres and citizens like the trails out there. He

suggested putting the Public Works Facility at the Reed property and using the Water Tank property as a park, he said again the City needs to focus on properties it owns. Councilmember Rackley said we could team up with the County to benefit both the County and the City on the 80-acre park.

Councilmember Minton-Davis said she loves the proposed plan and thinks it is very ambitious. Her top priority would be for the pavilion and the downtown center to spur the downtown area and make it a vibrant downtown where the Farmer's Market could go. She also thought it would also make a great wedding venue. Her second choice would either be the Trails or the Moriarty property. She believes the sports complex is an expensive project and this would probably be her last priority. Mayor Johnson said based on the people who showed up and were engaged at the Parks Summit that their priorities were the trails and then the sports complex.

Councilmember Lewis inquired about the water requirements for a sports complex out at the Reed property. Mayor Johnson said there would be sufficient water. He wants to make sure the right balance of facilities is provided to keep citizens interested and engaged in the event of an election next year. Councilmember Lewis said he personally likes the way it is laid out and likes the integration of the different phases and items spread throughout the City. He said he is enthralled by the downtown pavilion idea. It would be the centerpiece of downtown, which would promote downtown even more and spur additional activity.

Mayor Johnson said it would be nice to have another park on the other side of 410, and that another option is the WSU Forest or the 80 acre park and to work with the County.

Councilmember Watson said transportation is still a concern and he would like to see something close to the bus routes with facilities that are easy to get to.

Councilmember Rackley said he didn't see anything in the plan regarding the WSU Forest being developed into a walking park. Mayor Johnson said there are currently walking trails. He was just not proposing to develop it. He said the WSU Forest is set aside for YMCA and some fields. He wants to make sure to include that and have money in the proposed plan for it, if that is what is wanted.

Deputy Mayor Swatman commented about this being a Metropolitan Park District (MPD) configuration, so it's more of a permanent ongoing levy for the MPD. Councilmember Rackley and Deputy Mayor Swatman discussed the amount of taxes on a single family, and the value of how these facilities would serve the community. Mayor Johnson commented regarding the value and what is needed for the City and wants to try to build on that pride aspect. He thinks it is something the City needs to do because it will be ongoing, much longer than the Council and he are in office. Mayor Johnson said it would be nice to spread the Preferred Park Options throughout the City so citizens are not congested in just one park.

Councilmember Watson said although it is not really time to do a bond, the City cannot keep waiting for a good time. Deputy Mayor Swatman said it is not necessarily a bond. Voters will be asked if they want to form a MPD. Residents need to know what and how they will benefit from a MPD. Councilmember McKibbin said there are repercussions if it fails. The City will have to wait about 5 years to propose it again. Councilmember Watson said that with the last turnout there were enough people supporting it, so he thinks it will actually go through.

Councilmember Minton-Davis said she thinks everyone agrees that the City needs to move forward, however, she does not like the BMX facilities plan. Deputy Mayor Swatman said there are many different styles of BMX tracks and this would not be like the one in Sumner. Councilmember Minton-Davis inquired if fees were paid for its use. Deputy Mayor Swatman said the Park Board would have to take a look at what they want there.

Councilmember Hamilton asked Facilities & Special Projects Manager Gary Leaf about the Preferred Park Option. He said it seems to him that with the City Hall, WSDOT, and the Cimmer parcel with trail heads that the \$2 Million amount seems low. He calculated it would be more like \$4 Million. Project Manager Leaf advised that he took the numbers out of the Master Plan and the numbers were a little old. He said the old City Hall and Cimmer property will be the most important properties for this portion of the plan. Councilmember Hamilton said he doesn't want to make promises for trails if the City can't cover the actual costs. Councilmembers said they would like to look at this now as a conceptual thing, and if the amount can change then we can at least get it off the ground for consideration. Deputy Mayor Swatman said he votes for this plan but wants to make sure that the plan will occur in a reasonable time. Deputy Mayor Swatman said the City would have a dedicated funding source by creating a MPD, but should not be creating something that cannot be cared for in the future. Councilmember Rackley said he would just like to look at it as a conceptual plan and other Councilmembers agreed.

Councilmember Hamilton commented regarding the WSU forest. Project Manager Gary Leaf said that the issue with the WSU property is trying to fit a comprehensive recreational facility and a sports complex on the same piece. The Park Plan envisions a recreational facility on at least 10 acres, leaving only 13 acres and is that really enough for a sports complex. Councilmember Lewis said he is not anxious to take trees down and start developing the WSU forest without a definite plan. He likes the idea of spreading the plan throughout the city.

Councilmember Minton-Davis said she remembers when there was a high ropes course in the WSU Forest. Councilmember Hamilton said there could be a zip line and rock climbing wall. Councilmember Minton-Davis said maybe by contacting 4H the City could get information to make it useful without changing the character. Deputy Mayor Swatman said the WSU forest is a jewel, and one of the City's highest assets for commercial prospects on Highway 410. He added that with WSU forest, it has to be something where people can drop in and use it. It is 40 acres to be utilized.

Mayor Johnson said he wanted to remind everyone that once City staff all move to the Justice Center and the Public Works facility is built, then the old City Hall could also be utilized for Parks. A portion is already dedicated for Parks.

Mayor Johnson said the WSU Forest property will be brought back for discussion to the August 21st Council Workshop.

- G. **Discussion:** AB12-111 – Approval of GMG Final Plat. Community Development Director John Vodopich discussed the GMG Final Plat and he said it is ready to bring forward. He advised that the Plat is 54 lots and there had been some ownership issues, however, it is now bank owned, and it has met all conditions of approval. The bank has asked for a resolution approving the final plat which will give the bank assurance to move forward with the required bonding. Community Development Director Vodopich

would like to bring a resolution forward to the next Council meeting. Councilmembers said it was good to see some development activity.

Additional Open Discussion:

Mayor Johnson asked Community Development Director John Vodopich to give him an update on the condos by Allan Yorke Park. Community Development Director Vodopich advised that they are still in foreclosure and the City receives occasional calls about the property, however, no one has purchased the property. Mayor Johnson said he would like to know what the asking price would be for this property.

Councilmember Lewis asked for an update on the Franciscan Medical Pavilion. Community Development Director John Vodopich provided an update stating they are moving forward and starting to get into the street right-of-way for utility line connections. They have already started with the ground breaking, and the City has agreed to allow them to use some City-owned right-of-way for parking. They were directed to contact Pierce County Transit as well to use their parking lot. The Ground Breaking Ceremony for the Project is scheduled for approximately one hour on Monday, August 6, 2012, at 1:00 p.m. The building completion date is scheduled for March 2013.

Councilmember Hamilton inquired about the corner of Church Lake Road and West Tapps Highway and the poor visibility. As the area gets more populated, he wants to know if there are any plans for improvements. Community Development Director John Vodopich said he knows that a three (3) way stop was previously researched. Director Vodopich said he will check with City Engineer John Woodcock to look at a site distance evaluation to consider a three way stop. Mayor Johnson said he recalls that they trimmed the trees back some time ago, however, he will have the City Engineer look into it.

IV. EXECUTIVE SESSION: None.

V. ADJOURNMENT:

At 7:15 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the July 17, 2012 Workshop:

- Don Morrison – Mayor Johnson’s Allan Yorke Park Lake Safety Improvements Plan
- Don Morrison – Medical Premiums and Health Care Costs PowerPoint Presentation

CITY COUNCIL MEETING

July 24, 2012
7:00 P.M.

MINUTES

City of



“Where Dreams Can Soar”

The City of Bonney Lake’s Mission is to protect the community’s livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

Website: www.ci.bonney-lake.wa.us

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:05 p.m.

- A. Flag Salute: Mayor Johnson led the audience in the Pledge of Allegiance.
- B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Chief Financial Officer Al Juarez, Interim Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, and Administrative Specialist Renee Cameron.

C. Announcements, Appointments and Presentations:

1. Announcements:

Mayor Johnson announced and congratulated Administrative Services Director/City Clerk Harwood “Woody” Edvalson for earning his designation of Master of Municipal Clerks through the International Institute of Municipal Clerks.

Mayor Johnson announced and congratulated Chief Financial Officer Al Juarez, for earning the Washington Finance Officers Association’s Professional Finance Officers Award for the past 21 years; Terrina Marchant, Finance Accountant for earning the Professional Finance Officers Award for the past 8 years; and Kassandra Raymond, Finance Accounting Manager for earning the Professional Finance Officers Award for the past 10 years.

2. Appointments: None.

3. Presentations:

a. **Proclamation:** William Knight III Day – August 16, 2012.

Mayor Johnson read the Proclamation. Interim Police Chief Dana Powers introduced William Knight III, who will be Chief for the Day on August 16, 2012

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.
- B. Citizen Comments: None
- C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and mainly discussed the Audit Exit Conference for fiscal 2010; a proposed resolution for an amendment to the employment agreement for John Vodopich for travel allowances as his duties have expanded to Building Official and building division manager; the possibility of a freeze on filling vacant positions; the concept of a higher deductible plan for employee benefits; provided an update on property acquisitions for the Town Center Concept; and looked at ideas/concepts for the Food Bank relocation plan.
- B. Community Development Committee: Councilmember McKibbin advised that the Committee had a number of items on tonight's agenda.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since last meeting. The next meeting the Committee will discuss lifeguard issues at Allan Yorke Park.

Councilmember Watson read into the record the July 24, 2012 Memo from City Engineer John Woodcock regarding driver warning signs.

- D. Other Reports: None

IV. CONSENT AGENDA:

- A. **Approval of Minutes**: June 26, 2012 Meeting, July 3, 2012 Workshop, and July 10, 2012 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**: Accounts Payable checks/vouchers #64020-64023 in the amount of \$7396.72. Accounts payable check/voucher #64026 in the amount \$500.00. Accounts Payable checks/vouchers #64024, 64025, and 64027-64105 (includes wire #39048946) in the amount of \$292,486.01. Accounts Payable checks/vouchers #64106-64111 in the amount of \$172,051.53. Void Checks: 64046 – duplicate invoice. Replaced with check #64106.
- C. **AB12-108 – Resolution 2227** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Purchase Of Anue Wastewater Conditioning & Cleaning Systems For Lift Stations 7, 8, 20 & 21 From Correct Equipment.
- D. **AB12-109 – Resolution 2228** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding A Professional Services Agreement

To Whitney Equipment Company, Inc. For The Purchase And Installation Of Flygt Pumps At Lift Stations 3, 4, 6, 7, 8, 13 And A Spare.

- E. **AB12-113 – Resolution 2229** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving The Mayor To Sign The Real Property Payment Voucher With Ocean Manor Apartments, LLC For The Right Of Way Acquisition Within The Main Street Intersection Improvements Project Limits.

Councilmember Rackley moved to approve the Consent Agenda. Councilmember Watson seconded the motion.

Consent Agenda approved 7-0

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT ISSUES:

- A. **AB12-103 – Resolution 2223** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A Six-Year Transportation Improvement Program (2013-2018).

Councilmember Lewis moved to approve Resolution 2223. Councilmember Watson seconded the motion.

Councilmember Hamilton inquired if the City has identified funding for the Six-Year Transportation Improvement Plan (2013-2018), and Public Works Director Dan Grigsby advised not at this time, however, a required annual report is sent to Washington State Department of Transportation for their approval, which identifies said funding.

Resolution 2223 approved 7-0

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB12-49 – Resolution 2199** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Establishment Of The Easttown Utility Latecomer Agreement.

Councilmember Rackley moved to approve Resolution 2199. Councilmember Watson seconded the motion.

Councilmember Watson said he is not really in favor of the agreement and is concerned about the hesitations expressed by the property owners. Councilmember Rackley said he heard a rumor that a check was going to be presented this evening. Mayor Johnson stated he wants a vote on the merits of the agreement, not on what may or may not occur regarding presentation of a check tonight. Councilmember Rackley added that he supports the agreement.

Councilmember Minton-Davis said she cannot support this agreement, because it seems the City is speculating with public money. She explained that although the City would be reimbursed, there is a time limit to the agreement, which is a risk to the City. She noted that investment in the properties under the agreement would have to occur in the first ten years in order for the City to recoup its full initial outlay. Councilmember Minton-Davis observed that 40% of the property is owned by three individuals and questioned if this project is really in the best public interest. She also added that building the sewer project is more expensive as a public project than it would be if built by a private developer. She said she would prefer to see the economic development of available properties in the Midtown area occur before venturing further out to Eastown.

Deputy Mayor Swatman questioned the timing of the participation payment from the LLC, and felt it should have been received by July 17th. He advised he would be willing to add a condition to the agreement before the Council to authorize the Mayor to enter into the agreement after receipt of the funds from the Eastown Sewer Development LLC. Assistant City Attorney Kathleen Haggard advised that such an amendment would be acceptable.

Deputy Mayor Swatman moved to amend the agreement to allow the Mayor to enter into the agreement only after receipt of the contribution from the Eastown Sewer Development LLC. Councilmember Lewis seconded the motion.

Motion to amend approved 4-3. Councilmembers Hamilton, McKibbin and Minton-Davis voted no.

Deputy Mayor Swatman advised the Council that he sees the development of sewers in Eastown as a critical path element for the City. He said it must be done before economic development will bring the needed revenues to the City to address other issues. He said the project is too large for any single developer to tackle. He acknowledged there is some risk to the City for funding 95% of the project, but also sees the potential for increased general fund revenues from development.

Councilmember Lewis noted that this current effort to develop sewers started some five years ago. He noted some of the milestones accomplished by the City and property owners along the way. He added that he was somewhat embarrassed by the recent demands of the LLC and could understand Councils' concerns regarding those remarks. However, he said, now is the time to show solidarity among the Council in support of the forward movement of this long-awaited project.

Councilmember Watson reiterated that he does not support moving forward with the project. He said the City can work with private developers and that too many new questions and concerns have been expressed.

Mayor Johnson said that while he hopes this plan will move forward, the Council must consider allowing these properties to develop on septic if the agreement is voted down. Councilmember Hamilton cited the Falling Waters residential development as an example of the use of septic to allow growth. Deputy Mayor Swatman said if the current agreement is defeated, the Council and City need a coordinated plan for the development of Eastown.

Councilmember Hamilton said he is voting no on the agreement. He feels this is not a good partnership when the minority partner complains about the majority partner. He said he also feels an obligation to protect the sewer ratepayers in the City. Councilmember Rackley said the City needs to be ready for growth as the nation comes out of the recession. He said he would support development in Eastown on septic, but is concerned for the environment of Fennel Creek. He suggested a table of the issue tonight might result in a workable compromise.

Mayor Johnson suggested that the agreement has received enough Council discussion and input. He suggested the Council move it forward, or find a different way to allow development to occur in Eastown. He hoped that if the Council chooses to table the agreement for further discussion, that there will be concrete solutions offered. Councilmember Lewis urged the possible temporary use of septic in Eastown, only until sewer becomes available. Deputy Mayor Swatman expressed concern that a defeat of the current sewer development agreement tonight will result in a loss forever of the opportunity to see a sewer system in Eastown. Public Works Director Grigsby observed that the current climate for bids on public works projects has typically resulted in bids coming in well below the engineer's estimates. He said the future bidding climate is uncertain at this time.

Mayor Johnson called for a hand vote of the Council on the main motion as amended.

The amended main motion was defeated on a vote of 3-4. Councilmembers Hamilton, McKibbin, Minton-Davis and Watson voted no.

- B. **AB12-111 – Resolution 2230** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving The GMG Final Plat

Councilmember Rackley moved to approve Resolution 2230. Councilmember Lewis seconded the motion.

Hamilton stated that this is another way the City is doing to help this development move forward.

Resolution 2230 approved 7-0

IX. EXECUTIVE SESSION:

None.

X. ADJOURNMENT:

At 7:52 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7-0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the July 24, 2012 Meeting:

- Councilmember Tom Watson – *Memorandum to Members of the Council from John Woodcock July 24, 2012, regarding traffic signs*

CITY COUNCIL MEETING

August 14, 2012
7:00 P.M.

MINUTES

City of



"Where Dreams Can Soar"

The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

Website: www.ci.bonney-lake.wa.us

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:00 p.m.

A. Flag Salute: Mayor Johnson led the audience in the Pledge of Allegiance.

B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Interim Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, and Records & Information Specialist Susan Duis.

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments:

- a. **AB12-122** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Supporting The Mayor's Appointment Of David Baus to Position #1 on The Bonney Lake Planning Commission With A Term Expiring April 2014.

Councilmember Rackley moved to approve the motion. Councilmember Lewis seconded the motion.

Mayor Johnson said though it is not required, he normally brings appointments such as this to the Council for their support. He said Mr. Baus had previously applied to serve as a Planning Commissioner, but there were no positions open at that time, so he was appointed to the Design Commission in April 2012. Mayor Johnson said that Planning Commissioner David Eck recently moved to Puyallup and has resigned his position, and Mr. Baus has been appointed to the Mr. Eck's unexpired term. Mr. Baus was in attendance and said he looks forward to the experience. Mayor Johnson thanked him for his service.

Motion AB12-122 approved 7 – 0.

3. Presentations:

- a. Association of Washington Cities Certificates of Municipal Leadership – Councilmember Donn Lewis and Councilmember Randy McKibbin.

Mayor Johnson recognized Councilmembers Lewis and McKibbin for earning the leadership certificate from AWC, which requires a variety of training experiences. He said the newer councilmembers are also working on completing the certificate program.

- D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.

- B. Citizen Comments:

Fire Chief Jerry Thorsen, East Pierce Fire & Rescue, said the Fire Department's Maintenance and Operations levy was recently approved by voters. He said the funding will go a long way to maintain service levels and programs. He said several crews are currently battling a brush fire south of the City near Tehaleh. He thanked the City for working to improve the Public Safety Building with a repainting project that is underway.

- C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the Committee met at 6:00 p.m., later than usual, due to a small agenda. The Committee discussed personnel updates and clarified definitions for the employee leave policy. They reviewed a budget memo sent to the Management Team by the Mayor, and asked Chief Financial Officer Juarez to provide a copy to all Councilmembers. The Committee also considered reduced boat launch cards for military veterans.

- B. Community Development Committee: Councilmember McKibbin said the Committee met on August 7th at 4:30 p.m. and forwarded six items to the current Consent Agenda.

- C. Public Safety Committee: Councilmember Hamilton said the Committee met on August 6th and discussed lifeguards at the Allan Yorke Park swimming area. City Administrator Don Morrison and County Councilmember Dan Roach attended along with the regular committee members and staff. Councilmember Hamilton reported that Assistant Public Works Director Charlie Simpson explained information he got from other cities that employ lifeguards to put together information on the needs and costs if Bonney Lake were to hire lifeguards during the summer months. Councilmember Hamilton said the City would likely need to hire 5 lifeguards and 1 supervisor, all part time, and the annual cost is estimated at \$35,000 to \$40,000. He said that Councilmember Roach described the County's considerations of whether to hire lifeguards, noting that the beach at Lake Tapps North Park is very large and would require a considerable number of lifeguards. Councilmember Hamilton said the Committee discussed the need for water safety education for older kids, and plans to continue discussions in September and hopes to provide a recommendation to the full Council by the end of the year.

Mayor Johnson said he sent a letter to area agencies suggesting they meet as a group to discuss water safety on Lake Tapps. He said he has received responses from several agencies that are interested in participating.

- D. Other Reports:

Park Board Update: Councilmember Watson said he attended the August 13th Park Board Meeting. The Board discussed the upcoming project on Dike 13 at Lake Tapps, the completed sports court rehabilitation project, and the proposed park safety plan. He said he told Park Board members they should attend the Public Safety Committee Meeting as park safety will continue to be discussed. He noted that member Chauntelle Hellner was elected Vice Chair of the Park Board. The board also discussed the Allan Yorke Park parking plan, and members said they liked the changes.

Mayor Johnson said he has been contacted by volunteers who would like to donate life jackets for the swimming area, and put them in touch with EPFR's Dina Sutherland, who manages the Fire Department's free life jacket program.

Mayor's Schedule: Mayor Johnson said he will be out of town from August 19 through September 4 with family, but will respond to messages from staff and Councilmembers.

Relay for Life Presentation: Mayor Johnson invited Lisa Peters to speak to the Council, as she had arrived late. Ms. Peters said she works at the Bonney Lake Home Depot and participated in this year's Relay for Life celebration. She said it was a great experience and enjoyed meeting the Councilmembers and others from the community. She presented the Council and Mayor with a board of tiles that were created by children at the Relay for Life event on July 27 and 28, in appreciation for all the City does. Mayor Johnson thanked her for the item and said he plans to display it in the building. He also thanked Home Depot for their recent donation of \$2,500 to Beautify Bonney Lake.

Councilmember Minton-Davis said this year's Relay for Life event has raised \$155,000 so far, and volunteers expect to earn about \$170,000 over all this year. She said this was the first year the event was held at Bonney Lake High School, and it probably will be held there again next year. She said some neighbors complained about noise from the event, but next year she hopes everyone will be more prepared and know what to expect. Mayor Johnson said it was a great event and well-attended.

IV. CONSENT AGENDA:

- A. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** ~~Accounts Payable checks/vouchers # Accounts Payable checks/vouchers #64112-64114 in the amount of \$46,296.72. Accounts Payable checks/vouchers #64115-64193 including wires #9655447, 20120703, 20120716, 2012071701 in the amount of \$550,388.47. Accounts Payable checks/vouchers #64194-64217 in the amount of \$15,647.41 Accounts Payable checks/vouchers #64218-64221 in the amount of \$2,572.00. Accounts Payable checks/vouchers #64222 in the amount of \$890.00. Accounts Payable checks/vouchers #64223-64286 including wire #2021081001 in the amount of 284,311.89. Accounts Payable checks/vouchers #64287-64289 in the amount of \$1,000.00. Accounts Payable checks/vouchers #64290-64291 in the amount of \$1,033.96. Accounts Payable checks/vouchers #64292 in the amount of \$450.00. Accounts Payable checks/voucher #64293-64337 in the amount of \$185,520.36. Void Checks: #63297 replaced with #64208, #63524 replaced with #64207, #64115 paid in payroll, #64169 replaced with #64294, #64218 replaced with #64222, and #63889 replaced with #64290. Moved to Full Council Issues, Item A.~~
- B. **Approval of Payroll:** Payroll for July 1-15th, 2012 for checks 30578-30607 including direct deposits and electronic transfers in the amount of \$453,186.44; and Payroll for July

16-31st, 2012 for checks 30608-30635 including direct deposits and electronic transfers in the amount of \$638,676.98.

- C. **AB12-115 – Resolution 2232** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Professional Service Agreement With Parametrix Engineering For The 184th Avenue East And Locust Extension Watermain Project.
- D. **AB12-116 – Resolution 2233** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign The Possession And Use Agreement With Sound Credit Union For The Ultimate Right Of Way Acquisition Within The Main Street Intersection Improvements Project Limits.
- E. **AB12-117 – Resolution 2234** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign The Possession And Use Agreement With FR 1 For The Ultimate Right Of Way Acquisition Within The Main Street Intersection Improvements Project Limits.
- F. **AB12-118 – Resolution 2235** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign The Developer Agreement With The Washington State Department Of Transportation For The Main Street Intersection Improvements Project Limits.
- G. **AB12-119 – Resolution 2236** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign The Contract With Lakeridge Paving Company For The Overlay Of West Tapps Highway From Church Lake Drive To Church Lake Road.
- H. **AB12-120 – Resolution 2237** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign The Schedule 74 Cost Share Agreement Between Puget Sound Energy And The City Of Bonney Lake To Construct The Underground Puget Sound Energy Utilities Within The Main Street Intersection Improvements Project Limits.
- I. **AB12-123 – Motion** – A Motion Of The Bonney Lake City Council Setting A Public Hearing For August 28, 2012 As Part Of The Regular Council Meeting Which Starts At 7:00 P.M., Regarding Proposed Ordinance D12-124 - For A 6 Month Extension Of The Temporary Zoning Moratorium On The Establishment, Maintenance Or Continuation Of Medical Marijuana Collective Gardens.

Councilmember Watson asked that Item A., Approval of Accounts Payable and Utility Refund Checks/Vouchers be moved to Full Council Issues, Item A.

**Councilmember Lewis moved to approve the Consent Agenda as amended.
Councilmember Watson seconded the motion.**

**Consent Agenda approved
as amended 7 – 0.**

V. **FINANCE COMMITTEE ISSUES:** None.

VI. **COMMUNITY DEVELOPMENT ISSUES:** None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.**VIII. FULL COUNCIL ISSUES:**

- A. Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers # Accounts Payable checks/vouchers #64112-64114 in the amount of \$46,296.72. Accounts Payable checks/vouchers #64115-64193 including wires #9655447, 20120703, 20120716, 2012071701 in the amount of \$550,388.47. Accounts Payable checks/vouchers #64194-64217 in the amount of \$15,647.41 Accounts Payable checks/vouchers #64218-64221 in the amount of \$2,572.00. Accounts Payable checks/vouchers #64222 in the amount of \$890.00. Accounts Payable checks/vouchers #64223-64286 including wire #2021081001 in the amount of 284,311.89. Accounts Payable checks/vouchers #64287-64289 in the amount of \$1,000.00. Accounts Payable checks/vouchers #64290-64291 in the amount of \$1,033.96. Accounts Payable checks/vouchers #64292 in the amount of \$450.00. Accounts Payable checks/voucher #64293 – 64337 in the amount of \$185,520.36. Void Checks: #63297 replaced with #64208, #63524 replaced with #64207, #64115 paid in payroll, #64169 replaced with #64294, #64218 replaced with #64222, and #63889 replaced with #64290. *Moved from Consent Agenda Issues, Item A.*

Councilmember Lewis moved to approve Accounts Payable and Utility Refund Checks/Vouchers. Councilmember Watson seconded the motion.

Councilmember Watson said he noticed copier use overage charges on the voucher list. He said he is concerned that this is not being managed and wondered whether the contract should be renegotiated. Councilmember Lewis said a similar issue came up in his work and there are options to educate employees to cut down on copying costs. Councilmember Watson said staff members should be made aware of the costs of excess and color copies. Mayor Johnson said he would look into the issue.

Accounts Payable and Utility Refund Checks/Vouchers approved 7 – 0.

IX. EXECUTIVE SESSION: None.**X. ADJOURNMENT:**

At 7:29 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the August 14, 2012 Meeting: None.

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Community Development / John P. Vodopich, AICP	Meeting/Workshop Date: 28 August 2012	Agenda Bill Number: AB12-112
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D12-112	Councilmember Sponsor:

Agenda Subject: Conn Rezone

Full Title/Motion: An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Changing The Zoning Designation Of Parcel 0519045009 From Single Family Residential (R-1) To Medium Density Residential (R-2) .

Administrative Recommendation: Approve

Background Summary: The recommendation of the Hearing Examiner submitted to the City Council is to approve the rezoning of this parcel from “R-1 Residential” to “R-2 Medium Density Residential”. The property is designated as Medium Density Residential on the City’s Future Land Use Map and the R-2 zone is the implementing zone for that designation.
Attachments: Ordinance No. D12-112 and the July 2, 2012 Hearing Examiners Decision

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>	Yes	No
Date:	Chair/Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Commission/Board Review:			
Hearing Examiner Review: June 19, 2012 and July 2, 2012			

COUNCIL ACTION	
Workshop Date(s): August 21, 2012	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: <i>John P. Vodopich, AICP</i>	Mayor:	Date Reviewed by City Attorney: July 10, 2012 (if applicable):

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ORDINANCE NO. D12-112

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, CHANGING THE ZONING DESIGNATION OF PARCEL 0519045009 FROM SINGLE FAMILY RESIDENTIAL (R-1) TO MEDIUM DENSITY RESIDENTIAL (R-2)

WHEREAS, the State Environmental Policy Act was complied with through the adoption of a threshold determination of non-significance (DNS) on June 15, 2012; and

WHEREAS, the City's Future Land Use Map indicates a designation of the property as Medium Density Residential; and

WHEREAS, the proposed rezone is consistent with the Comprehensive Plan Land Use Designation map; and

WHEREAS, the proposed rezone is in conformance with the decision criteria of BLMC 18.52.030; and

WHEREAS, the Hearing Examiner conducted a public hearing on June 19, 2012 and issued a recommendation to approve this Rezone request on July 2, 2012.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1). The recommendation of the Hearing Examiner submitted to the City of Bonney Lake is accepted as written for parcel number 0519045009, identified in the attached Exhibit A. This parcel is to be rezoned from "R-1 Residential" to "R-2 Medium Density Residential" on the Official Zoning Map for the City of Bonney Lake.

Section 2). If any portion of this Ordinance shall be invalidated by a court of competent jurisdiction, the remainder shall remain in full force and effect.

Section 3). This ordinance is administrative in nature, concerns powers solely vested in the legislative authority, and is not subject to referendum. It shall take effect five days after passage, approval, and publication as required by law.

PASSED by the City Council and approved by the Mayor this 28th day of August, 2012.

Neil Johnson, Mayor

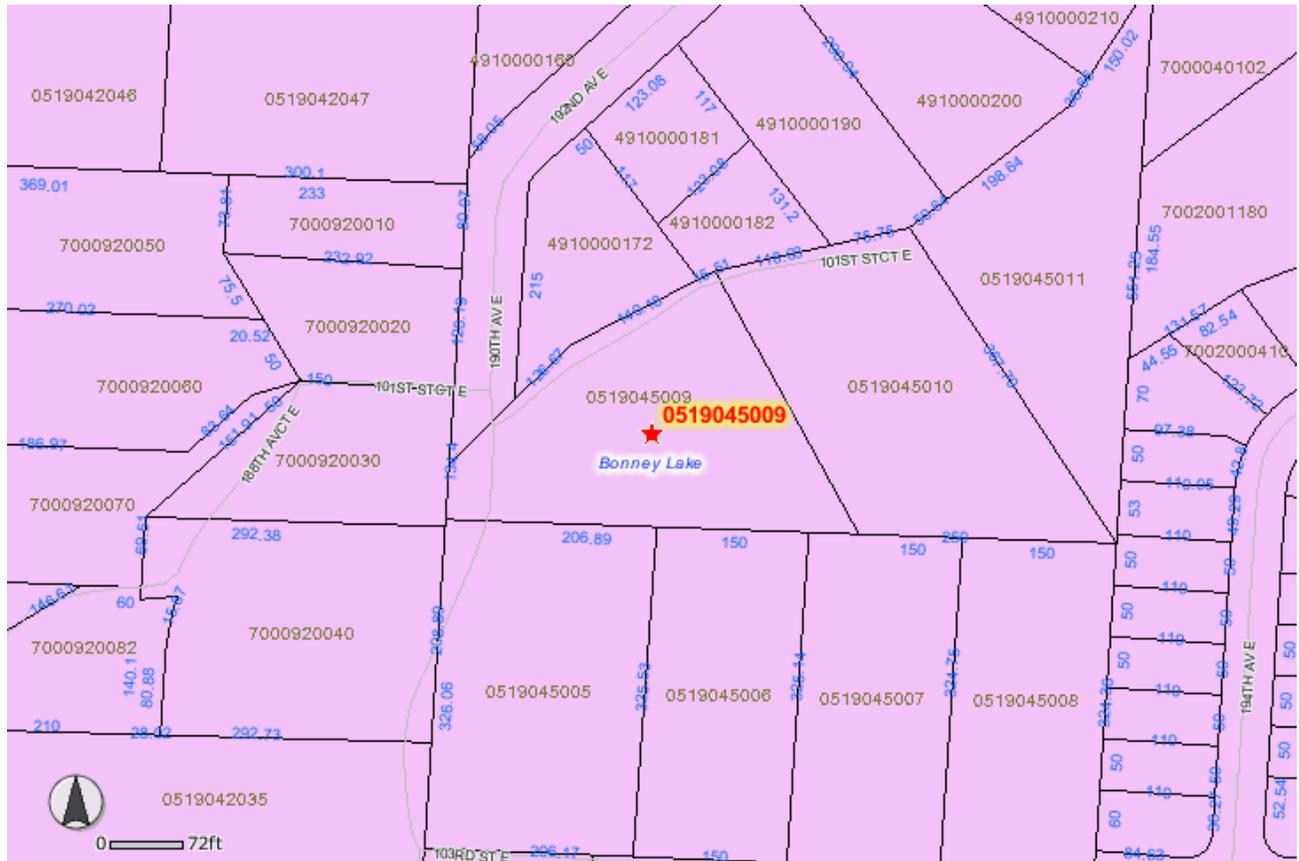
ATTEST:

Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

Exhibit A





Bonney Lake Hearing Examiner
902 South 10th Street
Tacoma, WA 98405
253-272-2206

July 2, 2012

RECEIVED

JUL 05 2012

City of Bonney Lake
Permit Center

Wolff Conn
19016-101st Street Court East
Bonney Lake, WA 98391

**RE: PLN 2012-01527
Conn Rezone**

Dear Mr. Conn:

Transmitted herewith is the Report and Recommendation of the City of Bonney Lake Hearing Examiner relating to the above-entitled matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "SKC", is written over a horizontal line.

STEPHEN K. CAUSSEAU, JR.
Hearing Examiner

SKC/jjp
cc: Parties of Record
City of Bonney Lake

OFFICE OF THE HEARING EXAMINER

CITY OF BONNEY LAKE

REPORT AND RECOMMENDATION

CASE NO.: **PLN 2012-01527**
Conn Rezone

APPLICANT/
OWNER: Wolff Conn
19016-101st Street Court East
Bonney Lake, WA 98391

PLANNER: Ryan Harriman

SUMMARY OF REQUEST:

Rezone of a 1.46 acre parcel from R-1 to R-2. The parcel is located at 19016-101st Street Court East, Bonney Lake.

SUMMARY OF RECOMMENDATION: Approval of the rezone.

PUBLIC HEARING:

After reviewing the Community Development Department Staff Report and examining available information on file with the application, the Examiner conducted a public hearing on the request as follows:

The hearing was opened on June 19, 2012, at 9:00 a.m.

Parties wishing to testify were sworn in by the Examiner.

The following exhibits were submitted and made a part of the record as follows:

- EXHIBIT "1" - Community Development Department Staff Report with Attachments**
- EXHIBIT "2" - Power Point Presentation**
- EXHIBIT "3" - Public Notice**

RYAN HARRIMAN appeared, presented the Community Development Department Staff Report, and testified that the site is currently improved with a single-family residential dwelling and the applicant desires to add an ADU. The proposed zone reclassification is

not legislative but an individual site specific rezone. Staff recommends approval and further recommends no conditions.

WOLFF CONN, property owner, appeared and testified that he had nothing to add. He proposes a 1,200 square foot ADU with a garage. The structures will have different architecture but the ADU will have a better appearance than the existing house. He has no questions or concerns regarding any information presented by Mr. Harriman or in the Staff Report.

No one spoke further in this matter and so the Examiner took the request under advisement and the hearing was concluded at 9:12 a.m.

NOTE: A complete record of this hearing is available in the City of Bonney Lake Community Development Department.

FINDINGS, CONCLUSIONS, AND RECOMMENDATION:

FINDINGS:

1. The Hearing Examiner has admitted documentary evidence into the record, heard testimony, and taken this matter under advisement.
2. The application is not exempt from formal environmental review under the State Environmental Policy Act (SEPA), per WAC 197-11-800. The City Responsible Official issued a threshold Determination of Nonsignificance (DNS) on June 15, 2012, pursuant to the optional DNS process.
3. The City provided proper notice of the application and public hearing (Exhibit 3).
4. The applicant has a possessory ownership interest in a triangular, 1.46 acre parcel of property located east of the intersection of 101st Street Court East and 190th Avenue East within the City of Bonney Lake. Improvements on the site include a single-family residential dwelling. The applicant desires to construct an Accessory Dwelling Unit (ADU) for use as a mother-in-law residence.
5. The parcel is located within the Residential One (R-1) zone classification of the Bonney Lake Municipal Code (BLMC). Section 18.14.020 BLMC authorizes detached single-family dwellings as an outright permitted use but does not list an ADU as a permitted use. Furthermore, Sections 18.14.030 and 18.14.040 BLMC do not list an ADU as accessory to a residential use or as a conditional use in the R-1 zone. However, BLMC 18.16.020(A) authorizes an ADU as an outright permitted use in the Medium-Density Residential (R-2) zone.
6. The applicant requests a zone reclassification for his parcel from R-1 to R-2 for the

purpose of constructing a 1,200 square foot ADU with garage for use by his mother-in-law. According to the zoning map (Exhibit 2) the applicant's parcel and abutting parcels to the west, south, and east are all located in the R-1 classification. However, parcels abutting the north property line are located in the R-2 classification. The City Future Land Use Map (Exhibit 2) shows the applicant's parcel and parcels to the north, east, and south located in the R-2 classification. Parcels to the west that are separated by 190th Avenue East remain in the R-1 classification.

7. The applicant proposes a site specific rezone for his parcel as authorized by BLMC 18.52.030. Said section provides that the purpose of such rezone is to amend the zoning map to better implement the City of Bonney Lake Comprehensive Plan. Section 18.52.030(E) BLMC provides:

E. The criterion for granting rezones shall be conformance to the comprehensive plan.

The City amended its Future Land Use Map in December, 2011, and changed the designation of the applicant's parcel from R-1 to R-2. The R-2 designation also applies to all abutting parcels but does not apply to parcels west of 190th Avenue East that remain in the R-1 designation. Approval of the zone reclassification conforms the zoning of the applicant's parcel with the December, 2011, amendments of the Future Land Use Map.

CONCLUSIONS:

1. The Hearing Examiner has jurisdiction to consider and decide the issues presented by this request.
2. The applicant has shown that the request for a site specific zone classification satisfies the criterion set forth in BLMC 18.52.030(E). Therefore, the Bonney Lake City Council should approve the requested zone reclassification from R-1 to R-2.

RECOMMENDATION:

It is hereby recommended that the Bonney Lake City Council approve the zone reclassification request of Wolff Conn for his parcel located at 19016-101st Street Court East within the City of Bonney Lake.

ORDERED this 2nd day of July, 2012.



STEPHEN K. CAUSSEAU, JR.
Hearing Examiner

TRANSMITTED this 2nd day of July, 2012, to the following:

APPLICANT: Wolff Conn
19016-101st Street Court East
Bonney Lake, WA 98391

CITY OF BONNEY LAKE

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NOTICE

Pursuant to City of Bonney Lake, this decision becomes final and conclusive on **July 17, 2012**, unless:

1. **RECONSIDERATION**: Any aggrieved person feeling that the decision of the Examiner is based on errors of procedure or errors of misinterpretation of fact may make a written request for review by the Examiner in writing and filed not later than 5:00 p.m. on **July 12, 2012**, with the Planning and Community Development Department. This request shall set forth the alleged errors or misinterpretations, and the Examiner may, after review of the record, take such further action as he deems proper and may render a revised decision.

2. **APPEAL OF EXAMINER'S DECISION**: The final decision by the Examiner on any land use matter within his jurisdiction may be appealed to the City Council by the applicant, a department of the city or county, or other party of record or agency with jurisdiction. Said appeal procedure is as follows:

The appellant must file written notice of appeal with the Planning and Community Development Department in writing with an appeal fee as required by the Department no later than 5:00 p.m. on **July 17, 2012**.

NOTE: In an effort to avoid confusion at the time of filing a request for reconsideration or an appeal, please attach this page to the request or appeal.