

CITY COUNCIL MEETING

**December 9, 2008
7:00 P.M.**

MINUTES

City of



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

"Where Dreams Can Soar"

Audio Time
Stamp ↓

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:03 p.m.

A. Flag Salute – Austin Crockett from Boy Scout Troop #532 led the audience in the Pledge of Allegiance.

B. Roll Call: [A 1.3]

City Clerk Edvalson called the roll. In addition to Mayor Neil Johnson, Jr., elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley.

[Staff members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Planning & Community Development Director John Vodopich, City Attorney Jim Dionne, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, Human Resources Officer Jenna Young, Senior Accountant Cassandra Raymond, Accountant Terrina Marchant, Senior Services Manager Sue Hilberg, Building Official Jerry Hight, Assistant Police Chief Dana Powers and Records & Information Specialist Susan Duis.]

C. Announcements, Appointments and Presentations: [A 3.6.9]

1. Announcements:

Mayor Johnson announced that the 'Shop with a Cop' event is coming soon and they are in need of \$350 additional funds for the gift program. Chief Mitchell explained that Police Department staff will take children shopping at Target.

Mayor Johnson said this year the Council decided not to exchange gifts amongst themselves. Instead, they will donate funds to be split between local charities including Lions 4 Kids and the Bonney Lake Food Bank. Councilmember Carter added that the City has a 'giving tree' to collect gifts for area children in need. She asked people to drop off gifts at the Police Department or City Hall.

Mayor Johnson announced that the City has received an improved bond rating with Standard & Poors. Chief Financial Officer Juarez said the rating went up three grades, from A+ to AA+, based on the city's rapid growth, strong income indicators, moderate debt, and strong fund balances. Councilmember Rackley said the bond rating is like a grade for the current administration and City Council. Councilmembers congratulated City staff.

2. Appointments: None.

3. Presentations:

- a. **Certificate of Recognition – Alycia Wolfe and Molly Rayl – Dia de Los Muertos Art Contest Award Recipients.**

Mayor Johnson presented Mountain View Middle School student Molly Rayl for her third place finish and Bonney Lake High School student Alycia Wolfe for her first place finish in the art contest. He encouraged citizens to let him know about young people doing extraordinary things or being good citizens so they can be recognized.

- D. Agenda Modifications: None.

7:11:35

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: [A 3.6.12]

1. AB08-224 (Continued) **Final Hearing on Proposed Biennial Budget.**

Mayor Johnson re-opened the Public Hearing at 7:11 p.m. He said the Council has spent a lot of time deliberating the budget, though there were few public comments. As there were no speakers, the Hearing was closed at 7:12 p.m.

- B. Citizen Comments: [A 1.5]

Claire Murphy, 12115 120th Ave E, South Hill, represents the Pierce County Library System and is the new Managing Librarian for the Bonney Lake Library. She said the library is embarking on a 20-year long range planning endeavor, and is looking for input from citizens on library services. She said the survey can be picked up at the library or completed online, and a link to the survey has been added to the City's website. She asked for input from both those who use the library and those who do not use library services, to try to remove any barriers to the available services. Mayor Johnson said he and the City Administrator are already involved and the Council can get involved as the project moves forward.

Fred Jacobsen, 9100 189th Ave Ct E, thanked the Council for making time available for citizens during open houses, public forums, and all the activities held in the City during the year like Bonney Lake Days, etc. He also thanked the City for the speaker system in the Council chambers, which has been in place for over a year. He said as someone who is hearing impaired, it is a great help. He asked Councilmembers to be sure to wear their lapel microphones rather than holding them up when they speak, which makes it difficult to hear what they are saying. He wished the Council a Merry Christmas.

- C. Correspondence: None. [A 1.2]

7:16:55

III. COUNCIL COMMITTEE REPORTS: [A 3.6.4]

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and discussed their minutes, recruitments and open positions,

Qwest Ethernet services, a possible substitute to the salary table ordinance on the agenda, and the 2009-2010 Biennial Budget.

- B. Community Development Committee: Councilmember Rackley said the committee met on December 1, 2008 and forwarded three items to the Consent Agenda: proposed Resolutions 1877, 1890, and 1905.
- C. Public Safety Committee: Councilmember King said the committee did not meet in December, and their next meeting is January 5, 2009 at the Public Safety Building. He asked all councilmembers to contact him with potential agenda items and welcomed public attendance at meetings.
- D. Other Reports:

Mountain View Middle School Youth Forum

Councilmember Rackley said he plans to attend the Youth Forum on Thursday, December 11, 2008.

Regional Access Mobility Partnership

Councilmember Hamilton said he and Director Grigsby attended the RAMP meeting on December 3, 2008. The main topic was transportation funding and long term goals for Pierce County. The State plans to cut \$70 million in transportation funds. Washington State Senator Jim Kastama and State Representative Dennis Flannigan requested cities to send suggestions of projects that can be executed quickly, which would be considered for possible federal funding. City Administrator said the City sent a letter to Governor Gregoire with three project proposals already.

Puyallup Deputy Police Chief

Councilmember Rackley said he attended the swearing-in ceremony for Puyallup's new Deputy Police Chief Bryan Jeter. Chief Jeter was formerly Bonney Lake's Police Chief. Mayor Johnson said he spoke with Chief Jeter and is glad to have two outstanding individuals in the neighboring communities. He said the City of Bonney Lake works well with Puyallup.

Local Fundraisers

Councilmember Carter said Lions 4 Kids is holding a fundraiser on Saturday, December 13, 2008 at the Bonney Lake Senior Center from 1:30 p.m. to 4:30 p.m. She said the number of people using the Food Bank has doubled recently. She also said there is a free dinner from Noon to 4:00 p.m. at the Sumner High School Commons on December 13th for people in need.

7:25:05

IV. CONSENT AGENDA: [A 3.6]

- A. **Approval of Corrected Minutes:** November 18th Council Workshop.
- B. **Accounts Payable Checks/Vouchers:** Accounts Payable checks/vouchers #53618 thru #53674 (including wire transfer # 4147438) in the amount of \$117,745.12; Accounts Payable checks/vouchers #53675 thru #53681 in the amount of \$372.71; and Accounts Payable checks/vouchers #53682 thru 53775 in the amount of \$409,018.84.

- C. **Payroll Certification:** Payroll for November 1-15th, 2008 for checks 27767-27803, including Deposits and Electronic Transfers for \$ 364,741.35 (AFSCME and Non-represented); and Payroll for November 16-30th, 2008 for checks 27759-27766, including Deposits and Electronic Transfers for \$ 142,256.41 (Police Department).
- D. **AB08-167 – Resolution 1877** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Water Developer Extension Agreement and Annexation Covenant Agreement with the Sumner School District (Victor Falls Elementary School).
- E. **AB08-186 – Resolution 1890** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Subscription Agreement with Pierce County in the Amount of an Initial Development Cost of \$5,000 with a Yearly Subscription Fee Starting in 2009 of \$4,000 Per Year.
- F. **AB08-220 – Resolution 1902** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Adopting Lodging and Meal Rates for City Employees and Officials While on City Business.
- G. **AB08-226 – Resolution 1904** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing an Interlocal Agreement Between the Sumner School District and the Cities of Bonney Lake and Sumner to Operate a Joint Recreation Program.
- H. **AB08-228 – Resolution 1905** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Ratifying an Escrow Agreement to Acquire the Property at 10013 192nd Avenue East, and Authorizing the Mayor to Sign the Purchase and Sales Agreement with L.E.S. 1, LLC.

**Councilmember Rackley moved to approve the Consent Agenda.
Councilmember King seconded the motion.**

Consent Agenda approved 7 – 0.

7:25:16

V. FINANCE COMMITTEE ISSUES:

- A. **AB08-218 – Ordinance 1299** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Amending Ordinance No. 1267 Relating to Salaries and Benefits for Non-Represented Employees.

Deputy Mayor Swatman moved to approve Ordinance 1299. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman said the Finance Committee carefully reviewed the salary ordinance. He distributed a copy of a substitute ordinance that was suggested by the City Administrator. The substitute adopts the open pay scale table, uses the 15,000 to 30,000 population range for the salary table, and phases in pay increases for those who fall below the minimum salary on the new pay scales over a two year period. He said the suggested language is a compromise between the options available. He said it is important to pay employees appropriately and to retain staff.

Deputy Mayor Swatman moved to amend Ordinance 1299 with the provided revisions to Sections 2, 3 and 4. Councilmember Bowen seconded the motion.

Councilmember Rackley moved to include an exception in Section 3 for staff whose salaries fall below the minimum salary. Councilmember Bowen seconded the motion. City Administrator Morrison said the 3% maximum pay raise applies to annual performance increases, not the initial adoption of the new pay scales. Councilmember Rackley withdrew his motion, and Councilmember Bowen withdrew his second.

Councilmembers asked about the financial impacts of the proposed changes. City Administrator Morrison said the cost to bring employee salaries that fall below the market rate up would cost the City about \$32,000. Deputy Mayor Swatman said the open salary table, meanwhile, saves the City about \$16,000. Human Resources Officer Jenna Young said the savings gained by using the open range table are greater than the administrative costs of facilitating the process.

Motion to amend Ordinance 1299 approved 6 – 1. Councilmember Decker voted no.

Motion to approve Ordinance 1299 approved 5 – 2. Councilmembers Bowen and Decker voted no.

- B. **AB08-203 – Ordinance 1291** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Adopting the Biennial Budget for Calendar Years 2009 and 2010.

Councilmember Bowen moved to approve Ordinance 1291. Deputy Mayor Swatman seconded the motion.

Mayor Johnson thanked staff for their time to get through the budget process. He said the Council and citizens have seen the budget process get better each year. He said the average person can read the budget that was presented.

**Motion approved 6 – 1.
Councilmember Decker voted no.**

Councilmember Decker said he wanted to explain his “no” vote. He said he thinks the Police Department should have received about \$200,000 to \$300,000 more than it did in the budget. Mayor Johnson said all department heads took part in the creation of the budget. Police Chief Mitchell said all departments have a ‘wish list,’ and may not get everything they ask for. He said given the current revenues and budget he was more than happy with the budget. Councilmember Decker said some exempt employees are being paid more than they should and the funds should be put to better use.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

7:25:16

VIII. FULL COUNCIL ISSUES:**A. AB08-189 – A Motion to Approve the Comprehensive Plan Amendments. (Below)**

Ordinance 1292 [D08-211] – Amending the Comprehensive Plan to Adopt Retail Mixed Use as a Land Use Designation Implemented by Downtown Core Zoning, Assigning Downtown Mixed Zoning to Implement the Mixed Use Land Use Designation, Assigning Retail Mixed Use as the Land Use Designation of All Properties Currently Zoned Downtown Core, and Assigning Retail Mixed Use as the New Land Use Designation of Those Portions of Parcel Nos. 5640001420, 5640001380, and 5640001570 Currently Designated Commercial.

Ordinance 1293 [D08-212] – Amending the Comprehensive Plan Land Use Designation for the Property Referred to as the Hulburt Property from Single Family Residential to High Density Residential.

Ordinance 1294 [D08-213] – Amending the Comprehensive Plan Land Use Designation and Zoning for Properties Adjacent to Bonney Lake Marketplace (Lowe's, from Single Family Residential to Commercial and C-2).

Ordinance 1295 [D08-214] – Amending the Comprehensive Land Use Designation for Tax Parcel No. 0520338001 from High Density Residential to Public Facilities (City Property North of Junction 192).

Ordinance 1298 [D08-217] – Amending the Zoning Map in the Cedar Grove Area from R-2 to R-3.

Ordinance 1296 [D08-215] – Changing the Comprehensive Plan Land Use Designation of those Lots on Inlet Island Currently Designated Medium Density Residential to Single Family Residential and those lots Currently Zoned R-2 to R-1.

Ordinance 1297 [D08-216] – Changing the Comprehensive Plan Land Use Designation of Lots of the Church Lake Tracts Currently Designated Medium Density Residential to Single Family Residential and the Lots Currently Zoned R-2 to R-1.

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

Les McCluggage, 19624 96th St E, Bonney Lake, lives in Cedar Grove. He said when the changes were first proposed it was to change the area to C-1 or C-2. He said the three corners on SR 410 are all commercial. He said some commented that the area is below SR 410, but the area where Lowe's is had the same issues and was built up. He said he wants C-3 zoning for Cedar Grove.

Melissa Johnson, 4912 N Vista Dr E, Bonney Lake, said she and a group of Inlet Island residents have worked hard to get signatures and give facts to the Council and Mayor about why the island should be rezoned from R-2 to R-1. She said she hoped the issue could be wrapped up tonight so her group can begin working on other issues they'd like to see changed in the City.

Mayor Johnson said a lot of testimony has been taken on the proposed Comprehensive Plan changes. He said four residents came to City Hall at 5:30 p.m. and were not able to stay. The four residents signed a page indicating they are all in favor of R-1 zoning in the Church Lake area. He submitted the page of signatures to the City Clerk to be included in the record.

Councilmembers discussed how the ordinances could be approved, and if they could be amended individually. The City Attorney said the preferred method is to approve the ordinances as a group under a single motion for legal reasons. Mayor Johnson confirmed that any Councilmember can make a motion to amend a particular ordinance before the original motion is voted on.

Councilmember Bowen moved to amend Ordinance 1298 to show the area South of 94th St E zoned C-2, and the area to the North of 94th St E zoned R-3. Councilmember Decker seconded the motion.

Amendment to the motion failed 2 – 5. Deputy Mayor Swatman and Councilmembers Carter, Hamilton, King and Rackley voted no.

Councilmember Hamilton asked for more information on the property purchase agreement for the City owned property North of Junction 192. City Attorney Dionne said the question relates to an option to repurchase the property after five years, and said he could not give a legal answer since the option has not been exercised. He said the proposed land use designation and zoning changes on the agenda do not have an adverse affect on the property purchase option at this time. He said the City purchased the property with the intent to use it for a public facility, so the proposed changes are consistent with the original plans for the property.

Councilmember Hamilton thanked the Planning Commission and City staff for their hard work preparing the changes, taking public testimony, and working with the Council. Councilmember Bowen said he intends to vote ‘yes’ on the package. He said if the City owned property ends up being repurchased, he would wish the parcel to be zoned R-3. He said there is no reason to do so at this time as the City intends to use the property.

Original motion approved 7 – 0.

- B. **AB08-231 – A Motion of the City Council of the City of Bonney Lake, Canceling the December 16th Council Workshop and December 23rd Council Meeting, as Well as the Finance Committee Meeting Scheduled for December 23rd.**

Councilmember Decker moved to approve the motion. Councilmember Carter seconded the motion.

Deputy Mayor Swatman moved to amend the motion to remove the words “December 16th Council Workshop” from the original motion. Councilmember Rackley seconded the motion.

Deputy Mayor Swatman explained that the Council must hold a short meeting for an amendment to the 2007-2008 Budget before the end of the calendar year. He said the amendment was not ready in time for the current meeting. Councilmember King noted that this will make the December 16, 2008 Workshop an action item meeting.

**Amendment to the motion
approved 7 – 0.**

Original motion approved 7 – 0.

- C. **AB08-232** – A Motion of the City Council of the City of Bonney Lake, Authorizing Payment of Payroll and Accounts Payable and Utility Refund Checks/Vouchers in December 2008.

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

Mayor Johnson said this is a routine motion to allow items to be taken care of during the holidays.

Motion approved 7 – 0.

IX. EXECUTIVE SESSION: None.

7:55:01

X. ADJOURNMENT:

At 7:55 p.m. Councilmember Decker moved to adjourn the meeting. Councilmember King seconded the motion.

Motion approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

Items submitted to the Council meeting of December 9, 2008:

- City of Bonney Lake – *Substitute Ordinance D08-218* – City Administrator Don Morrison.
- City of Bonney Lake – *Sheet of Signers in support of R-1 Zoning in Church Lake Area* – Mayor Neil Johnson.