

CITY COUNCIL MEETING

March 10, 2009
7:00 P.M.

MINUTES



"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

Audio Time Stamp ↓

I. **CALL TO ORDER** – Mayor Neil Johnson 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:** [A 1.3]

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

[Staff members in attendance were City Administrator Don Morrison, City Attorney Jeff Ganson, Chief Financial Officer Al Juarez, Community Development Director John Vodopich, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

Councilmember Decker moved to excuse Councilmember Rackley's absence from the Meeting. Councilmember King seconded the motion.

Mayor Johnson said Councilmember Rackley and Public Works Director Grigsby were attending a meeting of the Pierce County Regional Council related to federal stimulus package funding, and were therefore unable to attend the Council Meeting.

Motion approved 6 – 0.

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

1. Announcements:

Mayor Johnson noted upcoming events including the Bonney Lake Easter Egg Hunt on April 11, 2009 at 11:00 a.m. at Allan Yorke Park. He said he and Councilmembers Carter, Rackley, King and Swatman attended the celebration for the new Lions 4 Kids House on March 8, 2009. The City was presented with a certificate of appreciation for its contributions.

2. Appointments:

- a. **AB09-48** – A Motion of the Bonney Lake City Council Confirming the Mayor's Reappointment of Planning Commissioners Randy McKibbin, ~~Dennis Poulsen~~ and Grant Sulham; Design Commissioners David Colbeth, Paul Webber and Raymond Bunk III; and Park Board Commissioners Brian Cebe and Richards Rawlings.

**Deputy Mayor Swatman moved to approve the motion.
Councilmember Decker seconded the motion.**

Mayor Johnson said the City realized that Dennis Poulsen moved out of the City and is no longer eligible to serve on the Planning Commission. Mr. Poulsen will finish his term, which expires April 6, 2009. Mayor Johnson said there are currently no Planning Commissioners who live in Ward 1 or Ward 5, and encouraged residents of those areas to apply to serve on the commission.

Motion approved 6 – 0.

3. Presentations: None.

D. Agenda Modifications:

Deputy Mayor Swatman made a motion to move AB09-45, Full Council Issues Item A., to the March 24, 2009 Workshop as an action item. Councilmember Carter seconded the motion.

Deputy Mayor Swatman explained that staff is still working on the draft ordinance and asked that it be pulled for consideration at a later date.

Motion approved 6 – 0.

7:06:29

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None. [A 3.6.12]

B. Citizen Comments: [A 1.5]

Merry Pantaleo, 18802 111th St E, Bonney Lake, invited the Council and Mayor to attend the Community Summit on March 26, 2009 at Calvary Community Church. The free event is sponsored by the Community for Families Coalition, and the speaker this year will focus on youth engagement. Mayor Johnson said City staff will present “Sidewalk & Street Lights – Safe Travel” at the summit. Deputy Mayor Swatman said he has attended this event in the past and highly recommends it.

Mayor Johnson added that he attended a youth summit at Bonney Lake High School last week and had given councilmembers notes on the event. Students said drugs are an issue in area high schools, and said they would like to see more restaurants, a recreation center and a bowling alley in Bonney Lake.

Joyce Labender, 17807 77th St E, Bonney Lake, said her security system has had three false alarms recently and she was charged \$100 by the City. She said the last time it went off, she asked the police to check her property. They told her they came out and the perimeter looked good, but they could not have seen her whole property unless they went over the fence. She said she has called the alarm company to check the system, but it is not fair to be penalized for something she has no control over. She said she cannot afford the fee on her budget. Mayor Johnson asked Ms. Labender to give her contact information to the Police Chief. He confirmed that the City code is that a fee is assessed after three false alarms. Community Services

Director Gary Leaf said false alarms are very common, and the City should ensure people are aware of the fees for false alarms.

- C. Correspondence: None. [A 1.2]

7:12:54

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 extending the Allan Yorke Park snack shack lease with the Bonney Lake Food Bank, renewing the Pierce County GIS Service contract and digital orthophotography subscription, and a request for proposals for utility billing services. He said the Council should work on a long-range budget model to plan for the future.
- B. Community Development Committee: Councilmember Bowen said the committee met on March 9, 2009 and forwarded Resolutions 1921, 1922 and 1923 to the current meeting agenda.
- C. Public Safety Committee: Councilmember King said the committee met March 2, 2009 and heard a presentation from Metro Animal Services related to service calls, improvements, and costs. He said he expects service costs to increase when the City renegotiates its contract with Metro in the coming months.
- D. Other Reports: None.

7:15:43

IV. CONSENT AGENDA: [A 3.6]

- A. **Approval of Corrected Minutes**: February 17, 2009 Council Workshop and February 24, 2009 Council Meeting.
- B. **Accounts Payable Checks/Vouchers**: Accounts Payable checks/vouchers #54613 thru #54680 (including wire transfer #'s 11509, 81508, 91508, 101508, 111708, 121508, 970427, 970428, 4426789 & 23913739) in the amount of \$1,482,375.03. Accounts Payable checks/vouchers #54681 thru #54795 (including wire transfer #'s 200901, 338001, 338002, 338003, 338004, 338005, 338006, 338007, 338008, 338009, 338010, 338011 & 338012) in the amount of \$390,190.73.
- C. **Approval of Payroll**: Payroll for February 1-15th, 2009 for checks 28013-28044 including Direct Deposits and Electronic Transfers in the amount of: \$ 371,116.88; and Payroll for February 16-28th, 2009 for checks 28045-28081 including Direct Deposits and Electronic Transfers in the amount of: \$ 543,334.18.
- D. **AB09-43 – Ordinance 1309** – An Ordinance of the City of Bonney Lake, Pierce County, Amending the City of Bonney Lake Employee Classification and Compensation Plan to Include a Salary Differential for any Regular Employee of the City Called to Active Military Duty for More than Thirty (30) Consecutive Days.
- E. **AB09-44 – Ordinance 1310** – An Ordinance of the City of Bonney Lake, Pierce County, Amending Section 2.70.090 of the Bonney Lake Municipal Code and the

Corresponding Portion of Ordinance No. 1251 Relating to the Use of Credit Cards in the Procurement and Disposition of Goods and Services for the City.

- F. **AB09-05 – Resolution 1909** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign an Agreement with Bruce Dees to Design a Trail and Bridge for the Safe Routes to School Project.
- G. ~~**AB09-40 – Resolution 1921** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Contract with RH2 Engineering for the Design of the Leaky Water Main Replacement Project, Phase 2B. Moved to Community Development Issues, Item A.~~
- H. **AB09-41 – Resolution 1922** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign the Closeout Loan Agreement with the Public Works Trust Fund Loan Board (Loan 06-962-pre-101).
- I. **AB09-42 – Resolution 1923** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Awarding the SR410 16-Inch Sanitary Sewer Replacement Contract to Pape and Sons Construction, Inc.

Resolution 1921 was moved to Community Development Committee Issues, Item A., for discussion.

Councilmember King said important items are sometimes approved on the Consent Agenda without any discussion. He said he wanted to highlight Ordinance 1309, and it is important for the City to make up the difference in salary for those who are called to serve in the military. He said this Ordinance is especially important to himself and others as a veteran. Councilmember Bowen agreed and said though he is not a veteran, many people in the community serve their country, and he is very proud to vote in favor of this Ordinance.

Councilmember Decker moved to approve the Consent Agenda as modified. Councilmember Carter seconded the motion.

Consent Agenda approved 6 – 0.

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

7:19:10

VI. **COMMUNITY DEVELOPMENT COMMITTEE ISSUES:**

- A. **AB09-40 – Resolution 1921** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Contract with RH2 Engineering for the Design of the Leaky Water Main Replacement Project, Phase 2B.

Deputy Mayor Swatman moved to approve Resolution 1921. Councilmember King seconded the motion.

Deputy Mayor Swatman said the proposed contract includes design of a sidewalk, and asked whether it is appropriate to use water funds to pay for this item. City Attorney Ganson said if sidewalk installation is required when improvements are made, it would seem to be an appropriate use of enterprise funds.

Deputy Mayor Swatman moved to table Resolution 1921 to the March 24, 2009 Workshop as an action item. Councilmember Bowen seconded the motion.

Motion approved 6 – 0.

7:22:35

VII. PUBLIC SAFETY COMMITTEE ISSUES:

- A. **AB09-35 – Ordinance 1311** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Amending Chapter 9 of the Bonney Lake Municipal Code to Create a New Section 9.35 Relating to Public Nudity.

Councilmember Decker moved to approve Ordinance 1311. Councilmember King seconded the motion.

Councilmember Bowen moved to amend Ordinance 1311 to remove the sentence: “Whereas, it is in the public interest to maintain the social order, morality, health, welfare, and safety of the citizens of Bonney Lake.” Councilmember Decker seconded the motion.

Councilmember Bowen said the Council will very likely pass the proposed ordinance, and he is in favor of it. However, he said he finds the wording about social order, morality, health, welfare and safety is untenable when related to alcohol, tobacco and gambling. He said the overuse of alcohol, which is a legal, regulated substance, can do immense damage and is much more dangerous to society than public nudity.

Motion to amend the ordinance failed 2 – 4. Deputy Mayor Swatman and Councilmembers Carter, King and Hamilton voted no.

Councilmember King said the State legislature is currently reviewing, and will likely pass, a measure that would make an exception to any public nudity ordinance for breast feeding in public. He noted that proposed Ordinance 1311 is consistent with expected state law, per BLMC Section 9.35.040. Councilmember Decker called for the question.

Original main motion approved 6 – 0.

VIII. FULL COUNCIL ISSUES:

- A. ~~AB09-45 – Ordinance-D09-45—An Ordinance of the City of Bonney Lake, Pierce County, Washington, Relating to the Permit and Permit Application Extensions and Amending Section 15.04.081 of the Bonney Lake Municipal Code and the Corresponding Sections of Ordinances 1308, 1230, and 1035.~~

This item was pulled from the agenda during Agenda Modifications.

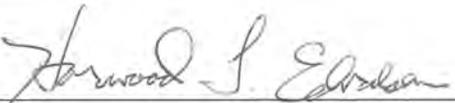
IX. EXECUTIVE SESSION: None.

7:28:20

X. ADJOURNMENT:

At 7:28 p.m. Councilmember Bowen moved to adjourn the meeting. Councilmember Hamilton seconded the motion.

Motion approved 6 – 0.



Harwood Edvalson, CMC
City Clerk



Neil Johnson
Mayor

No items were submitted to the Council Meeting of March 10, 2009.