

**CITY COUNCIL MEETING**

**June 9, 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](http://www.ci.bonney-lake.wa.us)*



**I. CALL TO ORDER** – Mayor Neil Johnson called the meeting to order at 7:01 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 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, Police Chief Mike Mitchell, Community Development Director John Vodopich, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director/ City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

C. Announcements, Appointments and Presentations: [A 3 6.9]

1. Announcements:

a. Proclamation: **Panther Day – June 18, 2009.**

Mayor Johnson read the proclamation aloud and said he would share information on student athletic and academic achievements with the Council at a later date.

b. Proclamation: **"Paint the Town Purple - Relay for Life," June 24, 2009.**

Mayor Johnson read the proclamation aloud and invited those involved to share information about the event. Local Relay for Life organizers Katrina Minton, Nani Bracken, Mike Bukowski and Debbie McDonald each spoke briefly. They thanked the City for their support and invited residents to participate in the Relay on August 7 and 8, 2009. They said there would be fundraisers around the City and at events over the summer. Ms. Bracken is a four-year cancer survivor and the 2008-09 Relay for Life event chair and asked people to be involved. There are 63 relay teams registered to date, with a goal of 75 by the August event. Ms. McDonald is co-captain of the Bonney Lake relay team and said they are having a 'penny drive' at all the City Hall buildings, with all proceeds going to the Relay for Life fundraising effort. Councilmember Carter said she will provide a basket for the Relay for Life raffle, and donated a bag of coins. Councilmember King asked everyone to be very careful around city streets and the highway when they are fundraising.

2. Appointments:

- a. **AB09-93** – A Motion of the Bonney Lake City Council Ratifying the Mayor’s Appointment of Raymond Bunk III to the Civil Service Commission.

Mayor Johnson thanked Mr. Bunk, who currently serves on the Design Commission. He thanked Mr. Bunk for attending the Council Meeting. He said though it is not required, he always brings these appointments to the Council and asked them to consider approving the appointment.

**Councilmember Rackley moved to approve motion AB09-93. Councilmember Decker seconded the motion.**

**Motion approved 7 – 0.**

3. Presentations:

- a. **Government Finance Officers of America Distinguished Budget Presentation Award.**

Mayor Johnson said the City received the GFOA Distinguished Budget Presentation Award for the 2009-2010 Budget. He congratulated Chief Financial Officer Al Juarez, City Administrator Don Morrison and the entire Finance Department for their hard work. CFO Juarez said the budget was a team effort, and thanked his staff as well as the department directors for their input, the City Administrator for his guidance and leadership, and the Council for their flexibility and support. He said less than 5% of all entities in the U.S. and Canada receive this award each year. Kassandra Raymond accepted the award on behalf of the Finance team and thanked everyone for their efforts.

D. Agenda Modifications: None.

7:16:38

**II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:**

A. Public Hearings: [A 3.6 12]

- 1. **AB09-92 – Resolution 1950** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Surplus Property in Accordance with the Provisions Outlined in BLMC 2.70.100.

**Mayor Johnson opened the Public Hearing at 7:16 p.m. Seeing no one wishing to speak on the item, the Public Hearing was closed at 7:17 p.m.**

B. Citizen Comments: [A 1.5]

Raymond Frey, 12356 Northrup Way, Suite 119, Bellevue, asked the Council to reconsider the City’s fee structure. He said the market is undergoing a major correction and businesses need any help they can get to be competitive. He said the City should consider going back to fees as they were around 2003, or consider dropping projects from the Transportation Improvement Plan (TIP) for a year to reduce those fees. He said Winco is building a facility at the bottom of the hill outside Bonney Lake. He said the City lost that development due to bad timing, but the company also said fees were high. He said his Greenwood Development off Main

St has found a potential user, but the impact fees could be up to \$300,000. He said the fees elsewhere are much less and the City needs to try and capture these projects. He also suggested the City calculate sewer impact fees based on the number of bedrooms, not size or type. He said the charge for a studio apartment should be much less than that for a 3-bedroom apartment. Councilmembers discussed talking about the issue at the next workshop, and invited Mr. Frey to provide more information to the Council via email. Mr. Frey said he would attend the workshop and would be happy to answer any questions. He said he has worked in the City a long time and has a vested interest in its successful development.

- C. Correspondence: None. [A 1.2]

7:28:13

### 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 personnel updates, a draft submetering ordinance for multi-family water service, surplus vehicles (Resolution 1950), park and boat launch fees and the new solid waste fee ordinance. He said all temporary summer employment positions have been filled.
- B. Community Development Committee: Councilmember Rackley said the committee met on June 1, 2009 and forwarded one item to the June 16, 2009 Workshop for consideration. The minutes will be available on the City website.
- C. Public Safety Committee: Councilmember King said he did not give a report about the Committee's meeting in May and gave updates on both meetings. At the May 4, 2009 meeting, the committee discussed changes to the animal control contract, proposed changes to the noise ordinance, the domestic violence ordinance, pandemic response plans, and the 800 MHz system. At the June 1, 2009 meeting, the committee continued discussions of the animal control contract and 800 MHz project. He said Item F. on the consent agenda could provide grant funding for the 800 MHz monopole. The committee's next scheduled meeting is July 6, 2009.
- D. Other Reports: None.

7:34:14

### IV. CONSENT AGENDA: [A 3.6]

- A. **Approval of Corrected Minutes**: Council Workshop of April 21<sup>st</sup>, Council meetings of April 28<sup>th</sup>, May 12<sup>th</sup> and May 26<sup>th</sup>.
- B. **Accounts Payable Checks/Vouchers**: Accounts Payable checks/vouchers #55699 thru 55763 (including wire transfer #'s 111565, 5192009 & 25212611) in the amount of \$1,198,772.10; Accounts Payable checks/voucher #55764 thru 55831 in the amount of \$12,465.01.
- C. **Approval of Payroll**: Payroll for May 16th-31st, 2009 for checks 28238-28272 including Direct Deposits and Electronic Transfers in the amount of \$ 575,771.38.
- D. **AB09-88 -- Ordinance D09-88** -- An Ordinance of the City of Bonney Lake, Pierce County, Washington Amending Bonney Lake Municipal Code Sections 14.50.030,

14.70.040, 14.80.040, 14.120.020, 14.140.050, Repealing Sections 14.50.040, 14.70.050, 14.80.050, 14.90.060, and Chapter 16.04, and Adding a New Chapter 16.04 to Clarify the Procedures for Administrating the State Environmental Protection Act.

- E. **AB09-80 – Resolution 1944** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing an Agreement with Washington State Department of Licensing to Access the Internet for Data Sharing Information Processing System (IHPS).
- F. **AB09-91 – Resolution 1949** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the City to Electronically Submit a Grant Application for \$15,000 in Connection with the State Farm Good Neighbor Citizenship Grant Program.
- G. **AB09-89** – A Motion of the Bonney Lake City Council to Approve the Draft Scope of Work and Draft Grant Agreement with the Department of Ecology Related to the Major Update of the City’s Shoreline Master Plan.
- H. **AB09-90** – A Motion of the Bonney Lake City Council Canceling the June 23<sup>rd</sup> Regular Council Meeting.

**Consent Agenda approved 7 – 0.**

7:34:40

**V. FINANCE COMMITTEE ISSUES:**

- A. **AB09-92 – Resolution 1950** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Surplus Property in Accordance with the Provisions Outlined in BLMC 2.70.100.

**Councilmember Decker moved to approve Resolution 1950. Councilmember Rackley seconded the motion.**

Councilmember Bowen asked how much money the City receives from these surplus vehicles. Executive Assistant Brian Hartsell said one vehicle is being ‘junked’ but the others will go to the surplus center in Auburn, and the amount received by the City depends on how much the vehicles get through auction or scrapping. City Administrator Morrison said the City pays a nominal fee for the surplus contract but it is very cost effective. Mr. Hartsell said the service is very efficient and convenient, and offered to provide details on total costs and amounts received to the Council. Mayor Johnson thanked Mr. Hartsell for his work to prepare the items for surplus.

**Motion approved 7 – 0.**

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

7:38:09

**VII. PUBLIC SAFETY COMMITTEE ISSUES:**

- A. **AB09-94 – Ordinance 1322** – An Ordinance of the City of Bonney Lake, Pierce County, Washington Amending Chapter 9.23 of the Bonney Lake Municipal Code

to Criminalize Domestic Violence in the Presence of Children and Domestic Violence Strangulation.

**Councilmember Carter moved to approve Ordinance 1322. Councilmember Decker seconded the motion.**

Councilmember Carter said the City receives 13.3 domestic violence calls each month. She said the proposed ordinance covers incidences of domestic violence that occur in front of or within ear shot of children. She thanked Court Administrator Kathy Seymour and Records & Information Specialist Susan Duis for their work to update the City's web site with information and resources for victims of domestic violence. Councilmember Bowen said there are no 'safe houses' for domestic violence victims in the area and said this should be a priority when the budget improves. He said he had land in Buckley he would donate if the County offered to help provide a safe house.

**Motion approved 7 – 0.**

7:41:08

#### **VIII. FULL COUNCIL ISSUES:**

- A. **AB09-84 – Ordinance D09-84** – An Ordinance of the City of Bonney Lake, Pierce County, Washington Relating to Cancellation of Workshops and Amending Chapter 2.04 of the Bonney Lake Municipal Code and Ordinance No. 1061 § 1.

**Councilmember Decker moved to approve Ordinance 1323. Deputy Mayor Swatman seconded the motion.**

Deputy Mayor Swatman said the ordinance provides a necessary tool for the administration and deputy mayor to cancel workshops occasionally. He said if the City does not want to cancel any workshops, even when there is no business to discuss, they can give that direction. Councilmember Hamilton said the ordinance is not necessary and he hopes if it passes it will rarely be used. He said the mayor and deputy mayor plan agenda items far enough in advance that they could suggest cancellations at a regularly scheduled meeting or workshop so the whole Council can consider them. Deputy Mayor Swatman said the agenda creation cycle is not complete on Tuesdays when the Council meets and things can change or be delayed. City Attorney Dionne said the proposed ordinance was written broadly to deal with actual situations he has seen in the past. He said it provides two reasons for cancelling workshops: the expected lack of a quorum or no/few business items to discuss. He said a quorum of four councilmembers is required to hold meetings and pass motions. He said it is his job to ensure these rules are enforced. Administrative Services Director/City Clerk Edvalson said the Council's policies and procedures state that if less than a quorum comes to a scheduled meeting or workshop, the meeting/workshop could be called to order and then adjourned to a later date.

**Motion failed 3 – 4.  
Councilmembers Bowen,  
Decker, Hamilton and  
King voted no.**

- B. **AB09-95** – A Motion of the Bonney Lake City Council Designating an Alternate Delegate to the AWC Annual Conference Business Meeting.

**Councilmember Decker moved to approve motion AB09-95. Councilmember Hamilton seconded the motion.**

Councilmember Decker said he realized he will not be able to attend the AWC Annual Conference and cannot serve as a delegate.

**Councilmember Carter moved to designate Councilmember Rackley as an Alternate Delegate to the AWC Annual Conference Business Meeting. Councilmember Bowen seconded the motion.**

**Motion approved 7 – 0.**

7:52:20

**IX. EXECUTIVE SESSION:**

Pursuant to RCW 42.30.110(1)(c), the City Council adjourned to an executive session with the City Attorney at 7:52 p.m. to discuss property negotiations for ten minutes. The meeting resumed at 8:04 p.m. No action was taken.

8:04:24

**X. ADJOURNMENT:**

**At 8:04 p.m. Councilmember Rackley moved to adjourn the meeting. Councilmember Decker seconded the motion.**

**Motion approved 7 – 0.**

  
Harwood Edvalson, CMC  
City Clerk

  
Neil Johnson  
Mayor

*Items submitted to the Council Meeting of June 9, 2009: None.*