

CITY COUNCIL MEETING

July 14, 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 – Deputy Mayor Dan Swatman called the meeting to order at 7:02 p.m.

A. Flag Salute – Deputy Mayor Swatman led the audience in the Pledge of Allegiance.

B. Roll Call: [A 1.3]

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

[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. **Gott Family Assistance Fund:** Deputy Mayor Swatman said the Gott family's home was destroyed by a fire on July 4, 2009. An assistance fund has been set up through the Bank of America to accept donations.

2. Appointments: None.

3. Presentations: None.

D. Agenda Modifications:

Councilmember Rackley moved to remove Consent Agenda Item F., AB09-101, from the agenda. Councilmember Decker seconded the motion.

Motion approved 7 – 0.

7:04:20

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None. [A 3.6.12]

B. Citizen Comments: [A 1.5]

David ~~Konsmo~~, P.O. Box 1962, Auburn, spoke as a representative of Easttown property owners and developers. He read a written statement aloud and submitted it to the clerk. He said his group wants the City to move forward with a latecomers agreement for Easttown as soon as possible, and said the Compass Pointe and Auburn Commercial developers are working to integrate their engineering plans and to make

them compatible with the proposed sewer easement along 96th St E. He said the Eastown project should have priority due to delays and setbacks since first discussed in 2001. He said the developer's plans should be ready for submittal soon.

Jerry Thorsen, Fire Chief, East Pierce Fire & Rescue, gave the Council an update on department news. He said East Pierce Fire & Rescue (EPFR) is working on a possible merger with the City of Milton, and a possible annexation of Pierce County Fire District #8. He said the three groups are working on an agreement now for EPFR to provide administrative services for all three, and to bring the Fire Chiefs from Milton and PCFD #8 onto the EPFR team. He said the public would likely vote on the changes in 2010. He said the changes would add revenue to the fire service and would not negatively impact service in Bonney Lake or the plateau. He said the other departments have good quality equipment and strong staff, though the Edgewood Fire Department needs remodeling. In response to a question from Councilmember King, Chief Thorsen said Chief Jaques from Milton, would be taking over Chief Wakefield's role on the Public Safety Committee for emergency planning.

Lara Wheeler, Bonney Lake, thanked Team Bonney Lake and City staff for taking part in the 'penny drive' fundraising effort. The City raised over \$500 for Relay for Life. Because employees in the City Hall building raised the most money, they will receive a pizza party as a reward.

Dennis Lynch, 20608 131st St Ct E, Bonney Lake, is President of the Bonney Lake Area Senior Center Advisory Board. He thanked the City Council and administration for their support of the Senior Center and activities, and said without this support the Center would have a difficult time.

Don Sangesand, 5616 195th Pl E., Bonney Lake, said political leaders in the U.S. have made a shambles of the country and Bonney Lake is not any different. He said he has requested information on the city's finances and long-range plan for the Downtown Civic Center, but no information is available. He said the people running the city are entrenched and need to be changed. He also complained about the taste and smell of water from the Ball Park Well. He said he complained in the past but was told he did not know what he was talking about. He said he was a professional engineer for many years. Councilmember Rackley said the City installed a filtration system on the water line, and all tests indicate the water from the well meets requirements and is as clean as any drinking water in the state. Councilmember Carter said the City is planning a tour of the Ball Park Well. Mr. Sangesand said he simply wants the city to fix the problem, and was not interested in a tour.

C. Correspondence: [A 1.2]

Deputy Mayor Swatman said at the previous workshop a resident in Sumner said she received very high sewer bills. He said he has more information on the Sumner customer's billing. He said billing included storm/sewer fees and that a water leak affected her bill. He said Sumner sewer rates are very similar to those in Bonney Lake.

7:32:44

III. COUNCIL COMMITTEE REPORTS: [A 3.6.4]

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:00 p.m. earlier in the evening and discussed Resolution 1957, Resolution 1956, false alarm fees, boat passes, minutes, developer fees, a latecomers agreement for Ptarmigan Ridge, garbage fees, and right-of-way acquisition costs for Old Sumner Buckley Highway in Downtown. The Committee also discussed the City's budget and projected revenues and expenditures through 2009. He said the Finance Committee urged the administration to find more ways to save money, as expenditures are expected to exceed revenues by more than anticipated.
- B. Community Development Committee: Councilmember Rackley said the committee met on July 7, 2009 and forwarded four motions for project completions to the Consent agenda, and four items that are on the CDC Items on the agenda.
- C. Public Safety Committee: Councilmember King said the committee met on July 6, 2009, and discussed fireworks incidents, municipal court state legislation, a sample nightclub ordinance from AWC, issues with vacant homes in the City, 'Operation 365' in Cedarview, garbage issues, and animal control contract negotiations. He said Police Chief Mitchell is working with other cities on animal control options and hopes to resolve this issue by next month. The committee also discussed a LESA study on 800 MHz systems and how it might impact dispatch services.
- D. Other Reports: None.

7:34:14

IV. CONSENT AGENDA: [A 3.6]

- A. **Accounts Payable Checks/Vouchers**: #55832 thru 55917 (including wire transfer # 6022009) in the amount of \$437,051.89; Accounts Payable checks/vouchers #55918 thru 55927 for A/R refunds in the amount of \$13,250.07; Accounts Payable checks/vouchers #55928 thru 56010 in the amount of \$263,859.42; Accounts Payable checks/vouchers #56011 for an A/R refund in the amount of \$3,256.00; Accounts Payable checks/vouchers #56012 thru 56083 in the amount of \$2,081,644.37; Accounts Payable checks/vouchers #56084 thru 56088 for A/R refunds in the amount of \$8,265.58; Accounts Payable checks/vouchers #56089 thru 56134 (including wire transfer #'s 4738263 & 6262009) in the amount of \$137,630.71; Accounts Payable checks/vouchers #56135 for a Utility Refund in the amount of \$23.20; Accounts Payable checks/vouchers #56136 thru 56208 in the amount of \$262,119.66.
- B. **Approval of Minutes**: June 2, 2009 Council Workshop and June 9, 2009 Council Meeting Minutes.
- C. **Approval of Payroll**: June 1-15th, 2009 for checks 28272-28303 including Direct Deposits and Electronic Transfers in the amount of \$ 411,462.73; and Payroll for June 16-30th, 2009 for checks 28304-28341 including Direct Deposits and Electronic Transfers in the amount of \$ 586,588.76.
- D. **AB09-111 - Resolution 1956** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the City to Accept a \$100,926 Grant Award in Connection with our Application for the FY09 Byrne/JAG Recovery Grant for Gang Prevention and Suppression.

- E. **AB09-112 - Resolution 1957** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to sign a grant agreement with the Washington State Department of Ecology to Update the Bonney Lake Shoreline Master Plan.
- F. ~~**AB09-101** - A Motion of the Bonney Lake City Council to Accept as Complete the SR410 Sanitary Sewer Interceptor Repair & Replacement Project with Pape & Sons Construction, Inc. This item was removed during Agenda Modifications (Item I. D.).~~
- G. **AB09-102** - A Motion of the Bonney Lake City Council to Accept as Complete the Downtown Regional Drainage Facility Contract with Tucci & Sons, Inc.
- H. **AB09-103** - A Motion of the Bonney Lake City Council to Accept as Complete the Cedar View & 188th Ave E Watermain Replacement Project with Less Russell Construction, LLC.
- I. **AB09-104** - A Motion of the Bonney Lake City Council to Accept as Complete the 95th Loop E & 181st Ave Watermain Replacement Project with RP & Company, Inc.

Consent Agenda approved 7 – 0.

Councilmember King congratulated the Police Department on their receipt of the \$100,000 gang prevention and suppression grant, which was passed as Resolution 1956.

7:40:53

V. FINANCE COMMITTEE ISSUES:

- A. **AB09-96 - Ordinance 1324** - An Ordinance Adding a New Chapter to Title 13 of the Bonney Lake Municipal Code Relating to Regulation of Billing Practices for Master Metered or Unmetered Utilities.

Councilmember Decker moved to approve Ordinance 1324. Councilmember Rackley seconded the motion.

Deputy Mayor Swatman said this item was in the Finance Committee for some time. It provides consumer protection and only applies to multi-family buildings with three or more units. He said the ordinance addresses the use of sub-meters that bill each tenant individually, which can be used to charge exorbitant rates to tenants. The ordinance sets regulations and limits for these sub-meters.

Motion approved 7 – 0.

- B. **AB09-113 - Resolution 1958** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Granting Puget Sound Energy an Easement on the Property of Parcel 5640001600 which is the Future Location of the Interim Justice Center.

Councilmember Decker moved to approve Resolution 1958. Councilmember Bowen seconded the motion.

Motion approved 7 – 0.

7:43:58

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB09-108 - Resolution 1953** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Ratifying the Easement and Agreement for the Pump Station and Hydrant Facility Approved with the City Engineer's Signature.

Councilmember Rackley moved to approve Resolution 1953. Councilmember Carter seconded the motion.

Councilmember Rackley said this is a nice arrangement, trading an easement to the City for construction of the City's booster pump station in exchange for a water supply connection for Pierce County.

Motion approved 7 – 0.

- B. **AB09-109 - Resolution 1954** - A Resolution of the City Council of the City of Bonney Lake, Washington, Approving a Professional Services Contract with Shea, Carr, and Jewell for the 30% Design of the 214th Intersection with SR 410.

Councilmember Rackley moved to approve Resolution 1954. Councilmember Decker seconded the motion.

Councilmember Bowen said he initially opposed the resolution, but after further review and discussions, he is now in favor of it. He said the design project addresses the city's needs for 10 to 20 years in the future, including increased traffic as the WSU property is developed.

Motion approved 7 – 0.

- C. **AB09-110 - Resolution 1955** - A Resolution of the City Council of the City of Bonney Lake, Washington, Approving the Professional Services Contract with Shea, Carr, and Jewell for the 30% Design of the Main Street Intersection with SR 410.

Councilmember Rackley moved to approve Resolution 1955. Councilmember Decker seconded the motion.

Councilmember King said this project has been a long time coming and he is glad to see it move forward.

Motion approved 7 – 0.

- D. **AB09-105** - A Motion of the Bonney Lake City Council to Set a Public Hearing Related to the Proposed Six-Year Transportation Improvement Plan (2010-2015) to be Held During the Regular Council Meeting of July 28, 2009 which starts at 7:00 p.m. at Bonney Lake City Hall.

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

Councilmember Bowen said this is the type of issue that citizens sometimes feel they have not heard about until it is passed. He asked how the City lets the public know about these hearings. Director Grigsby said the hearing will be listed on the agenda and posted on the City website. City Clerk Edvalson added that his office posts public hearing notices at standard places in town (the library, post office, and at city buildings), as well as a legal notice in the newspaper.

Motion approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

7:48:49

VIII. FULL COUNCIL ISSUES:

- A. **AB09-99 – Ordinance 1325** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Amending Bonney Lake Municipal Code Sections 3.68.010, 14.20.010, 14.110.010, 16.13.020, 16.20.030, 16.20.080, 16.20.090, 16.20.140, and 16.26.050, and their Underlying Ordinances; to Clarify the Critical Areas Ordinance Permitting Procedures.

Councilmember Decker moved to approve Ordinance 1325. Councilmember Bowen seconded the motion.

Councilmember Decker said this ordinance helps property owners understand what development is possible on wetlands. Director Vodopich said the ordinance allows consideration for reasonable use of property, and establishes a process including the hearing examiner, application of SEPA code, and possible mitigation. Councilmember King said this suggestion came through citizens, and he is glad to vote in favor of it. Director Vodopich confirmed that the Planning Commission unanimously recommended the item for approval with a 5–0 vote.

Motion approved 7 – 0.

- B. **AB09-100** - A Motion of the Bonney Lake City Council to Approve the Proposed Changes to the 2009 Planning Commission Workplan.

Councilmember King moved to approve motion AB09-100. Councilmember Decker seconded the motion.

Deputy Mayor Swatman asked about the workplan item related to private Comprehensive Plan amendments. Director Vodopich said it is an off-year for Comprehensive Plan amendments, so the City accepts private applications that can only be for those who own property or own a business in Bonney Lake. He said there is an open public hearing on the applications at the Planning Commission Meeting tomorrow, July 15, 2009, where staff will give an overview of the applications received. He said there will be several opportunities to make formal comments on the applications, including the environmental review and at formal public hearings

before the Planning Commission. He said prior to these hearings the City will post the legally mandated notices.

Motion approved 7 – 0.

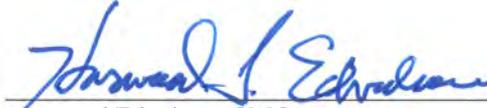
IX. EXECUTIVE SESSION: None.

7:57:15

X. ADJOURNMENT:

At 7:57 p.m. Councilmember Rackley moved to adjourn the meeting. Councilmember Bowen seconded the motion.

Motion approved 7 – 0.



Harwood Edvalson, CMC
City Clerk



Neil Johnson
Mayor

Items submitted to the Council Meeting of July 14, 2009:

- Bonney Lake Citizen – Verbal Letter re: “Follow up on Eastown Infrastructure Matters Involving the New State Legislation called HB 1513, pertaining to Latecomers Agreements by Cities.” – David Konsmo.