

CITY COUNCIL MEETING

October 13, 2009
7:00 P.M.



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

MINUTES

"Where Dreams Can Soar"

Audio Time
Stamp ↓

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

A. Flag Salute – Boy Scout Troop #595 led the audience in the Pledge of Allegiance.

B. Roll Call:

City Clerk Harwood 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, Councilmember Dave King and Councilmember Jim Rackley.

[Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Community Development Director John Vodopich, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments: None.

3. Presentations:

a. **Proclamation:** Proclaiming October 2009 as Domestic Violence Awareness Month.

Mayor Johnson read the proclamation aloud and presented the proclamation to Raymond Bunk, a volunteer with the Greater Pierce County Community Network. Mr. Bunk introduced the organization's Administrative Director, Sarah Kluesner. Ms. Kluesner described studies that show that 'adverse child experiences' such as domestic violence negatively affect children throughout their lives. Children who witness domestic violence are more likely to abuse drugs, have health problems, or become batterers themselves as adults. She and Mr. Bunk thanked the Council for being proactive in fighting domestic violence. Councilmember Carter provided the audience with purple ribbons to display for Domestic Violence Awareness Month.

b. **Presentation:** State Representative Chris Hurst.

Mayor Johnson introduced State Representative Hurst, who discussed current legislative issues and budget concerns. He said the State budget needs to be cut another \$1 billion next year, so the legislature will likely not pass anything that will cost money, but it is a good time to take action on policy issues that do not affect the budget. He said he is meeting with cities, fire districts and schools this month to get input, he said he hopes the

Council will ask questions and give him ideas he can take to the upcoming session.

Councilmember Rackley said portions of the Growth Management Act need to be reviewed and clarified. Rep. Hurst said others have suggested allowing a group of cities in the same area pool their resources for environmental studies, rather than each city re-creating the same study over and over. City Administrator Morrison said he has a draft bill related to annexation of wholly surrounded areas that he will provide to Rep. Hurst.

Deputy Mayor Swatman asked Rep. Hurst for his thoughts on a proposed income tax and Boeing Company updates. Rep. Hurst said any income tax proposal should go before the voters and would likely fail as there is not enough support. He said he is unhappy with how Boeing management has been dealing with current issues. The company received large tax cuts from Governor Gary Locke but now is looking to build a plant in South Carolina, and have had a lot of issues with design and production of their new airplane. Councilmember King said he does not feel 'sin taxes' should be raised to plug the budget deficit. Rep. Hurst said if these taxes are raised too high, people will spend less and it will not help the State's revenues. Councilmember Hamilton suggested the prevailing wage laws are hurting small cities and suggested the new regulations be temporarily postponed until the economic crisis is over. Rep. Hurst said it would be difficult to change or postpone these regulations, as people would have concerns that it would unravel existing wage laws. Councilmember Bowen asked if the State is considering allowing homeless camps or 'tent cities' on State property or if other options have been discussed. Rep. Hurst said he had not heard this idea before and would look into ways the State could take on the issue instead of leaving it to individual cities. He said he is passionate about issues facing the homeless based on his 25 years of experience in law enforcement.

Rep. Hurst said he is interested in changing regulations to allow cities to spend their funds as they wish and not be as restricted by the legislature. He said he is also working to eliminate unnecessary boards and commissions in the State. He sits on the State Government & Tribal Affairs Committee and will continue working on these issues. Mayor Johnson thanked Rep. Hurst for visiting the Council and for being accessible to citizens. Rep. Hurst thanked the Council for their time and encouraged them to call him with any questions or concerns. He also said Mayor Johnson did extraordinary work for the City during negotiations to purchase Lake Tapps. He said he was very impressed by Mayor Johnson's ability to think quickly and recognize a good opportunity, even though the negotiations were not successful.

Mayor Johnson congratulated Councilmember Carter on her receipt of the Municipal Leadership certificate from the Association of Washington Cities.

c. **Presentation:** Initiative 1033 - Impacts - City Administrator Don Morrison.

City Administrator Morrison presented the Council with a brief overview of Initiative I-1033. The initiative would place a limit on the amount of

revenues the City could take in each year; any additional revenues taken in over the limit would be placed in a fund to lower property taxes. Voters would have to approve revenues above the limit through elections. He discussed the estimated revenue impacts to the State and the City based on revenue projections through 2015, as well as various pros and cons of the initiative. Based on Bonney Lake's projections, the City could lose about \$3.16 million from 2009 through 2015; if there is a vigorous turn-around in the economy, the figure could be from \$4 million to \$6 million. The Office of Financial Management has estimated that the State's general fund revenues would be reduced by \$5.9 billion through 2015.

City Administrator Morrison said the initiative often sounds good to voters at first, as a means to control government spending and decrease property taxes. However, he said it would make it extremely difficult for cities to manage growth, provide even basic services, and respond to changes in the economy or emergencies. He said a similar initiative was passed in Colorado, but it negatively affected education and local revenues and was repealed by voters after a few years. City Administrator Morrison said recent polls show 42% of Washington voters are in favor of I-1033.

Councilmember King noted the initiative affects tax revenues as well as fees, which the City uses to cover the cost of services. Deputy Mayor Swatman said the initiative would hit cities with large potential commercial growth, like Bonney Lake. He said commercial growth brings in new tax revenues, but any revenues over the cap would be moved into the property tax fund, and would not be available for new Public Works or Police expenditures that result from new growth. The City Administrator agreed, and said the initiative does not give cities incentives to promote for economic growth. He said annexation may or may not be harmful to cities, perhaps depending on whether residential or commercial areas are annexed.

D. Agenda Modifications: None.

8:01:11

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Dennis Lynch, 20608 131st St Ct E, is the President of the Senior Advisory Board, and spoke to the Council about what the board does. He said he became president in 2008 and since then has worked to set up a master plan, goals, mission statement, board job descriptions, and a code of conduct for board meetings. He said bingo revenues have decreased in the down economy, but local businesses have supported the board and Senior Center. He said the board is working on a steering committee that will help generate new activities and events. The first idea they are working toward is an auction fundraiser. On October 10, 2009 the Senior Center hosted a fundraiser for the Cle Elum Senior Center, whose building was burned down earlier this year. He thanked the Council for their support of the Senior Center and the board. Mr. Lynch said the board focuses on supporting seniors in the Bonney Lake

and Lake Tapps area, but seniors come from various communities in the area for the activities and community. The board is working on a 'welcome committee' to help orient new visitors to the Center.

Councilmember King said area seniors have great spirit and are involved in a variety of service groups around the area. He said he is glad to hear about the wide variety of activities and that the Center serves seniors outside the immediate area.

Councilmember Bowen asked who is eligible to vote at board elections; Mr. Lynch said elections are normally held on the second Wednesday and anyone who comes to the Senior Center on that day can vote. Participation in events and lunches is not limited, either; those under 55 years old pay more for lunch but everyone is invited.

Councilmember Carter said the board is doing a great job and she wishes there were more Senior Centers around like the one in Bonney Lake.

George Brown, 8410 Locust Ave, Bonney Lake, said he would be interested in taking part in a 'free dinner' program for area families in need. He said he has done this in other cities in the past and several restaurants participated to provide a free meal to a family of four. He suggested a contest or drawing could be held to get people involved. Mayor Johnson asked Mr. Brown to send him more information so he can work with area schools and non-profits to get something started.

Mr. Brown asked if the City has a way to promote its position on I-1033 to let the public know. City Administrator Morrison said the Council can pass a resolution in support or in opposition to a ballot measure, but the City must give equal times to both sides of the debate. He said the City cannot use funds to promote or oppose the initiative, but can provide facts to the public. He said they might put something in the upcoming City newsletter to help educate voters.

Mr. Brown asked whether staff at the Puyallup dispatch center are familiar with the Bonney Lake area. His business is two blocks from the Police Department but when he calls, dispatchers are not sure where it is located unless he gives them the exact address. Chief Mitchell said the department has a program to set up 'ride-alongs' for dispatchers to get a feel for the City. He said the City contracted with Puyallup a year ago and it takes some time to familiarize staff with the areas they serve. Mr. Brown said he also called the Police regarding a possible problem across the street from his business, but there was no response. Chief Mitchell said the department was likely on a higher priority call and unavailable. Mayor Johnson asked Mr. Brown to contact himself or Police Chief Mitchell any time with feedback.

Matt Richardson, City of Sumner Councilmember, said he is the Chair of the Pierce County River Revitalization Task Force, and presented the Council with the Task Force's Final Report. He said it is important for the County and cities to look at what they can do now to respond to issues in the valley. He said state and federal studies require five to fifteen years and \$4 to \$20 million to complete, and something needs to be done sooner. He said flooding issues in the valley impact Bonney Lake for transportation and the Waste Water Treatment Facility (WWTF). He said repairs to a wastewater facility would cost millions of dollars, and the cities need to review options to raise the floodwall. He said it is important for Sumner and Bonney Lake to have a good relationship to deal with these issues.

Mr. Richardson said the Task Force's report includes reports, news, correspondence, concerns and information from the County, cities and other agencies. The Task Force held three policy summits over the summer to present information and get input from citizens. The report includes a draft resolution that includes findings about removing debris, applying for sediment removal, setting up a city/county flood control district, joint planning for future sewage treatment plants, updating the County emergency management flood evacuation plan, and maintaining current flood information on the County website.

Deputy Mayor Swatman said Sumner will face a challenge in pursuing a new fee district that includes cities on the plateau, where flooding is not an issue. Councilmember King asked whether the Pierce County Regional Council has been involved. Mr. Richardson said PCRC members are on the task force and are pushing hard to get something done within the County. He will meet with the PCRC on Thursday, October 15th. Sections of the report should be available online soon as well.

Councilmember Hamilton said flooding issues in the valley must be dealt with at a higher level, with the Corps of Engineers and federal government involved. Mr. Richardson agreed and said the Task Force is working to get federal support, but also felt it was important to take local action now. He added that Sumner is 125 years old, but the major floods did not start until the past 10 years. He said the Puyallup River was managed by dredging through 1985, and as sediment builds back up it is not surprising flooding has been more severe. He said the river needs to be managed again, by dredging as well as through other means.

Councilmember Bowen asked about the task force's recommendation about future sewer treatment facilities being planned at the County level, rather than by cities. Mr. Richardson said this would help share costs and risks more evenly. He said it is important to start planning for future facilities now as it takes years to design these plants. He thanked the Council for their time and particularly thanked Councilmember Rackley for his participation at the PCRC. He said he hoped Bonney Lake and Sumner will continue building strong relationships going forward.

C. Correspondence: None.

At 8:51 p.m. Councilmember Bowen moved for a 5 minute break. Councilmember Rackley seconded the motion.

Motion Approved 7 – 0.

Mayor Johnson brought the meeting back to order at 8:58 p.m.

8:58:03

III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and forwarded Resolution 1970 to the agenda. The committee also discussed an amendment to the D.M. Disposal solid waste agreement and an ordinance regarding ad valorem taxes.

- B. Community Development Committee: Councilmember Rackley said the committee met on October 5, 2009 and met with Easttown property owners for one hour. The committee forwarded Resolutions 1969, 1975 and 1976 to the evening's agenda.
- C. Public Safety Committee: Councilmember King said the committee met on October 5, 2009 and discussed ongoing emergency flood evacuation plans, public safety watercraft funding, changes to the animal control contract, and potential funding sources for the 800 MHz system.

D. Other Reports:

Police Activity: Mayor Johnson said Puyallup's Assistant Police Chief Bryan Jeter thanked the Bonney Lake Police Department for their help in arresting a criminal known as the "River Rat Bandit," who was staying on property near Bonney Lake. The Bonney Lake force helped with surveillance and it was a good example of cooperation between several cities and agencies.

Sumner Wastewater Treatment Facility: Councilmember Rackley said he attended a meeting on September 30, 2009 with Councilmember Hamilton, Deputy Mayor Swatman, Public Works Director Grigsby, Sumner Councilmember Matt Richardson, and other Sumner staff to discuss the Sumner sewer treatment facility. They heard a report on facility upgrades and a potential construction of a new floodwall. He said the group will probably meet again after the November election to discuss options for the cities going forward.

Deputy Mayor Swatman said the upgrade is estimated to cost \$9 million, with options for future expansions. He said Sumner and Bonney Lake need to work together, and Bonney Lake needs expanded service soon. He suggested this issue be discussed at a future workshop.

9:05:44

IV. CONSENT AGENDA:

- A. **Approval of Payroll**: Payroll for September 1-15, 2009 for checks 28479-28511 including Direct Deposits and Electronic Transfers in the amount of \$ 406,383.83; Payroll for September 16-30, 2009 for checks 28512-28552 including Direct Deposits and Electronic Transfers in the amount of \$ 590,776.29.
- B. **Accounts Payable Checks/Vouchers**: #56783 thru 56865 (including wire transfer #'s 9152009, 9172009 & 90254301) in the amount of \$718,250.26; Accounts Payable checks/vouchers #56866 for Utility Refunds in the amount of \$1,706.66; Accounts Payable checks/vouchers #56867 thru 56918 (including wire transfer# 5006173) in the amount of \$195,715.71; Accounts Payable checks/vouchers #56919 thru 56920 for Utility Refunds in the amount of \$650.24; Accounts Payable checks/vouchers #56921 thru 56947 (including wire transfer #'s 9142009, 10012009 & 10052009) in the amount of \$107,486.22.
- C. **AB09-141 - Resolution 1967** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Approving the Additive Bid Item to the Bonney Lake Downtown Improvements Contract to Johansen Excavating, Inc.

- D. **AB09-143 - Resolution 1968** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Approving the Schedule 74 Cost Share Agreement Between Puget Sound Energy and the City of Bonney Lake to Underground Puget Sound Energy Utilities within the Downtown Improvements Project Limits.
- E. **AB09-148 - Resolution 1970** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Professional Services Agreement with Makers Architecture and Urban Design and the Watershed Company for Consultant Services for the Shoreline Master Plan Update.
- F. **AB09-154 - Resolution 1975** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Approving the Cost Share Agreement between Qwest and the City of Bonney Lake to Underground Qwest Utilities within the Downtown Improvements Project Limits.
- G. **AB09-156 - Resolution 1976** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the City to Accept a \$50,000 FY2010-2011 Phase II Stormwater Pass-Through Grant from the Washington State Department of Ecology.
- H. **AB09-144** - A Motion of the Bonney Lake City Council to Accept as Complete the 82nd Street Court E Sanitary Sewer Improvements Contract with Big Mountain Enterprises.
- I. **AB09-145** - A Motion of the Bonney Lake City Council to Accept as Complete the 2009 Chip Seal Contract with Doolittle Construction LLC.

**Councilmember Bowen made a motion to approve the Consent Agenda.
Councilmember Decker seconded the motion.**

Motion approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.

9:06:11

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB09-146 - Resolution 1969** - A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Awarding the Contract for the Interlake Island, West Tapps and 194th Avenue Watermain Replacement Project to A & A Excavating, Inc.

**Councilmember Decker made a motion to approve Resolution 1969.
Councilmember Rackley seconded the motion.**

Motion approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

9:06:33

VIII. FULL COUNCIL ISSUES:

- A. **AB09-158 – Resolution 1977** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Expressing Opposition to Initiative 1033 – Concerns State, County and City Revenues.

Councilmember King moved to table Resolution 1977 to the October 20, 2009 Council Workshop for discussion and action. Councilmember Decker seconded the motion.

**Motion approved 5 – 2.
Councilmembers Carter and
Hamilton voted no.**

9:07:30

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110(i), the City Council adjourned to an Executive Session with the City Attorney at 9:09 p.m. for 10 minutes to discuss potential litigation. Mayor Johnson brought the Meeting back to order at 9:19 p.m. No action was taken.

9:19:18

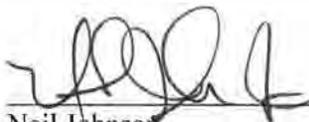
X. ADJOURNMENT:

At 9:19 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 October 13, 2009:

- Matt Richardson – “Pierce County River Revitalization Task Force & Policy Summit Final Report (October 5, 2009).”