

CITY COUNCIL MEETING

January 12, 2010
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 7:01 p.m.

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

B. Roll Call:

City Clerk Harwood Edvalson called the roll. In addition to Mayor Neil Johnson, Jr., elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember Jim Rackley.

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

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments:

- a. **AB10-26** – A Motion of the Bonney Lake City Council Appointing a Representative and Alternate Representative to the Pierce County Regional Council.

Deputy Mayor Swatman nominated Councilmember Rackley as the representative and Councilmember Hamilton as the alternate representative to the Pierce County Regional Council.

Motion approved 7 – 0.

3. Presentations: None.

D. Agenda Modifications: None.

7:03:06

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Lora Butterfield, Chamber of Commerce President, gave the Council an update on the Chamber of Commerce's activities and plans for 2010. A new Goodwill store and

a restaurant, Zato Grill, recently opened in Bonney Lake. The South Sound Legislative Coalition, including 9 area Chambers, met on January 8, 2010. The Chamber moved its Tuesday networking meetings to Zato Grill, and Chamber luncheons will be held at the Swiss Hall. Special Events Coordinator David Wells will attend the next luncheon to present information on upcoming City events and sponsorship opportunities. The Chamber will be unveiling a new website at www.bonneylakechamber.com soon. The new page will include new features including specials at area businesses, job postings, events, business listings, YouTube video feeds, news feeds and calendars. The existing website, www.bonneylake.com, will be redesigned later this year; this page will focus on resources for people who want to visit or relocate to Bonney Lake. It will also provide local community organizations with a space to create their own web pages. Ms. Butterfield said the Chamber is currently accepting nominations for its annual 'Citizen of the Year' awards banquet. She thanked Councilmember Carter for suggesting she come to talk with the Council, and said she hopes to regularly attend Council meetings and give updates.

C. Correspondence: None.

7:09:25

III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and welcomed its new member, Councilmember Hamilton. The committee discussed Resolution 2005 (AFSCME contract), Resolution 2008 (joint recreation program), Resolution 2004 (emergency management interlocal agreement), and Resolution 2000 (conservation management grant application), which are planned for the current or upcoming agendas. The committee also discussed a grant for AEDs in City buildings, utility billing services, minutes, false alarm fees, and coordination of Council Committees.

B. Community Development Committee: Councilmember Rackley said the committee met on January 4, 2010 and moved Resolutions 1993, 1994, 1995, 1998, and 1999 to the current agenda, and recommended passage of all these items.

C. Public Safety Committee: Councilmember Hamilton said the committee met on January 11, 2010 and heard from East Pierce Fire & Rescue Assistant Chief McDonald about NIMS training and fire ordinances related to night clubs. The committee also discussed 2010 goals and will continue working on the Metro Animal Services contract and boat noise issues. The committee will also review a request to expand tow truck service from a business located in Pacific, Washington.

D. Other Reports:

Annexation: Deputy Mayor Swatman said he met with the Autumn Crest Homeowner's Association to discuss the possibility of annexing into the City. He said residents seemed receptive to the idea.

Pam Roach Town Hall: Councilmember Carter said Pam Roach held a town hall meeting at the Bonney Lake Senior Center on January 9, 2010. She and Councilmembers Lewis, Rackley and Swatman attended, but did not sit together.

Community Leaders Coffee: Councilmember Carter said the next event is on January 27, 2010 and people should RSVP by January 22 if they plan to attend.

Community Pancake Breakfast & Town Hall: Councilmember Carter said the Council has scheduled a Town Hall meeting and Pancake Breakfast on Saturday, January 30, 2010 from 8:30 a.m. to 10:30 a.m. She encouraged citizens to attend.

Zato Grill Opening: Mayor Johnson attended the opening of the new restaurant, as did County Councilmember Shawn Bunney and State Representative Pam Roach. He said he also learned that Design Commissioner Raymond Bunk plans to run for a State Representative position.

Frank Miller Celebration of Life: Mayor Johnson said Frank Miller, who worked as a cook in the Senior Center for many years, passed away on January 9, 2010. At Mr. Miller's request, a 'celebration of life' will be held instead of a funeral. The event will be held later in the month at the Senior Center. He said Frank was a wonderful person with a ready smile, and will be greatly missed by the community.

7:20:18

IV. CONSENT AGENDA:

- A. **Approval of Corrected Minutes**: December 15, 2009 Workshop and December 22, 2009 Meeting.
- B. **Accounts Payable Checks/Vouchers**: Accounts Payable checks/vouchers #57569 thru 57606 (including wire #'s 121709 & 28128495) in the amount of \$2,535,963.43; Accounts Payable checks/vouchers #57607 thru 57659 (including wire # 142010) in the amount of \$1,091,236.60; Accounts Payable checks/vouchers #57660 thru 57665 for Utility Refunds in the amount of \$332.15.
- C. **Approval of Payroll**: Payroll for December 1- 15 2009 for checks 28670-28690 including Direct Deposits and Electronic Transfers in the amount of \$ 379,633.74. Payroll for December 16- 31 2009 for checks 28691-28720 including Direct Deposits and Electronic Transfers in the amount of \$ 589,140.78.
- D. ~~**AB10-03 – Resolution 1993** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Contract with RH-2 for the Design of Leaky Water Main Replacement – Phase 2C. Moved to Community Development Issues, Item B.~~
- E. **AB10-04 – Resolution 1994** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Intolight Contract to Install 15 Street Lights in the SR 410 Medians in Eastown between 214th Avenue East and 234th Avenue East.
- F. **AB10-05 – Resolution 1995** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign the Puget Sound Energy, Inc. Easement on Parcel #920000-007-0 to Serve the Greenwood Apartments.
- G. **AB10-08 – Resolution 1998** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign the SR

410 City Median Maintenance Agreement GM-1539 from the State of Washington Department of Transportation.

- H. ~~**AB10-09 – Resolution 1999**~~ – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign the SR 410, 214th Ave. E. to 234th Ave. E. Stormwater Mitigation Properties Agreement GCA-6371 from the State of Washington Department of Transportation. *Moved to Community Development Issues, Item A.*
- I. **AB10-22** – A Motion of the Bonney Lake City Council Voting for Mark Hamilton as the At-large Position #2 Representative to the Zoo/Trek Authority Board.
- J. **AB10-24 – Resolution 2006** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign an Interlocal Agreement with the City of Buckley for Planning Services.

Consent Agenda approved 7 – 0.

7:22:07

V. FINANCE COMMITTEE ISSUES:

- A. **AB10-23 – Resolution 2005** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Approving and Authorizing the Mayor to Sign a New Collective Bargaining Agreement with the American Federation of State, County, and Municipal Employees, Local No. 120, for the Years 2010-2012.

Deputy Mayor Swatman moved to approve Resolution 2005. Councilmember Carter seconded the motion.

Human Resources Officer Jenna Young said negotiations have been underway since October 2009 to reach this tentative agreement. She said one of the bigger changes is that the Union has agreed to change its medical benefits plan now, rather than waiting until 2012 when the City will be forced to switch to a new medical plan. She said changing plans now represents a cost savings to the City. The wage scales have also been adjusted to bring salaries in line with the market value, as was done for non-represented employees in 2009. She said thirteen employees currently earn less than the minimum. The agreement proposes bringing these salaries up to the minimum on the new scales in four installments during 2010 and 2011, similarly with how the non-represented employees' salaries were revised. Beyond this adjustment, there are no salary increases for union employees in 2010, except for employees who qualify for 3% step increases this year.

Deputy Mayor Swatman noted that in general, employees receive the 3% step increase, which was based on performance and length of employment. Ms. Young said she has worked hard with supervisors on regular employee evaluations so issues are addressed before it is time to consider giving a step increase. Mayor Johnson congratulated Ms. Young on increasing the rate of completed employee evaluations from supervisors to 97% recently. City Administrator Morrison said in the AFSCME agreements, step increases are based on longevity, not performance. Mayor Johnson thanked Jenna for her hard work and success in serving as the lead negotiator for the City in this process.

Motion approved 7 – 0.

- B. **AB10-27 – Resolution 2008** – 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.

Councilmember Rackley made a motion to approve Resolution 2008. Councilmember Lewis seconded the motion.

Councilmember Rackley noted that this continuing agreement has been in place for many years. Mayor Johnson said the joint program provides valuable services to Bonney Lake residents and others in the area. He said that even with budget cutbacks last year, the program was able to provide many great programs and events.

Motion approved 7 – 0.

7:29:50

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB10-09 – Resolution 1999** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign the SR 410, 214th Ave. E. to 234th Ave. E. Stormwater Mitigation Properties Agreement GCA-6371 from the State of Washington Department of Transportation. (Moved from Consent Agenda, Item H.)

Councilmember Rackley moved to approve Resolution 1999. Deputy Mayor Swatman seconded the motion.

Mayor Johnson invited those who had signed up to speak to come forward.

Mary Miller, 23015 Hwy 410 E, Bonney Lake, lives in Easttown and said she needs assurances from the City that she will be granted an easement for sewer service on her property. She said her property will not abut the sewer or frontage road, and she will not be able to access the sewer line unless one of her neighbors gives her access. She asked the City to provide her an easement so she is not held back from developing or selling the property later.

City Engineer Woodcock said the City's intent is to give all property owners an easement to hook into the sewer system. He explained that the sewer line will be installed first, then inspected and, if accepted, transferred to the City. Therefore, the City will not own the property for some time. He said the City could also try to work with the Department of Transportation during the process to work out agreements earlier. Councilmember Hamilton pointed out that this specific resolution does not address Ms. Miller's concerns. He said even if the City takes over the storm water ponds, different agreements would need to be in place related to a sewer easement.

Marian Betzer, 19812 82nd St Ct E, Bonney Lake, spoke about her concerns that these ponds will negatively affect the headwaters of Fennel Creek. She said the ponds will have a cumulative affect over the years. She said the current ponds are

already completely full with the recent rainy days, and cannot handle more water. She said the City will also incur the cost of maintaining the ponds, which will increase over time as well. She invited Councilmembers to visit the site and see where the water comes in and leaves the area, and how these pond will affect the area.

Ms. Betzer responded to Councilmembers questions about the area. She said fill was placed on the French property in 2007, but the tributary waters are still underground and water continues to flow in. She said she is not opposed to commercial development but wants to the City to perform balanced, responsible assessments.

City Engineer Woodcock said the Department of Transportation designed the ponds to Department of Ecology standards, which are the most stringent requirements. He said they design these ponds to match the flow ingress and egress before and after construction, not to change how much water comes in or out overall. The ponds are designed to handle the increased runoff from SR 410 after the highway is expanded. He confirmed that environmental studies were completed to ensure Fennel Creek would not be endangered by the project. He said if the new ponds work as designed, they should actually improve the water quality in the creek and reduce pollutants.

Mayor Johnson said once the City takes on maintenance of the ponds, staff will have more control and oversight. Mr. Woodcock added that NPDES Phase II requires cities to monitor water discharged from storm ponds, so the City will be able to evaluate how the ponds are affecting the creek. He said this is an unfunded mandate, however, and funds still need to be identified for this task. Councilmember Rackley noted that the area Ms. Betzer refers to has flooded in the past, before and after the current ponds were installed. He said the DOT project is already designed and out for bids, and the City cannot stop construction at this stage. He said the ponds should not make water issues worse, but improve or at least keep the flows the same.

Charlotte Kontos, 22305 96th St E, Buckley, provided the City Clerk with a list of questions and a photograph of the culvert along her property. She said the pond near her property has no capacity left and she is concerned it will erode away her driveway. She said she is willing to transfer part of her property to the City if she can get access on a neighbor's property. Mr. Woodcock reiterated that the ponds are designed to keep the flows in and out about the same as they were before construction. He showed Councilmembers the locations of the three ponds on a map. He pointed out that the pond Ms. Kontos refers to is currently on County land.

Mayor Johnson reminded the Council that the proposed resolution is for the City to maintain the ponds, only.

Motion approved 7 – 0.

- B. **AB10-03 – Resolution 1993** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Contract with RH-2 for the Design of Leaky Water Main Replacement - Phase 2C (Moved from Consent Agenda, Item D.).

Councilmember Rackley moved to approve Resolution 1993. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman expressed concern that the CDC committee forwarded this item without reviewing any data showing that continued repairs are necessary. He said at this point the City's water loss is flat and wants to ensure that spending funds for additional leak repairs is justified.

City Engineer Woodcock said that specific leaky mains were added to the project list based on leak detection services and maintenance reports from City crews, who have to repair lines when major leaks or breaks occur. He said most of the City's pipes are over 50 years old and will need to be replaced in coming years. He added that the pipes are under high pressure and water sometimes leaks directly into the ground and is wasted.

Mr. Woodcock noted that early leaky main repair phases cost more since the price of steel was high, but recent projects have been coming in far under budget and the City may be able to get more work done with its funds. City Administrator Morrison said this phase of the leaky main project may be one of the last, since the City has done a lot to reduce water loss in recent years. Councilmember Rackley said that according to Assistant Public Works Director Charlie Simpson, the difference between the amount of water billed vs. pumped is still off by about 2 million gallons. He said the water is being lost through leaks, faulty equipment or bad readings. He said the CDC committee will discuss options to improve water meters and measurements in the future. Deputy Mayor Swatman said he supports the leaky mains project in general, but wants to be sure the committee carefully studies all projects and reviews current data. He said replacing old pipes also helps resolve water pressure issues, since the City can install larger-sized pipes when it replaces old lines.

Motion approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

8:16:58

VIII. FULL COUNCIL ISSUES:

- A. AB10-16 – A Motion of the Bonney Lake City Council Approving a Planning Commission Annual Work Plan for 2010.**

Councilmember Decker moved to approve motion AB10-16. Councilmember Lewis seconded the motion.

Councilmembers Rackley and Hamilton said they felt a Historical Element should be included with the Comprehensive Plan, and the work plan should include this topic. Deputy Mayor Swatman said he included the motion on the agenda because the Planning Commission expressed confusion about what they should be working on in early 2010. The Council will discuss planning issues at its Retreat in February, and new Planning Commissioners need to be brought on board as well. He said that after

that, the Council can discuss the work plan at a workshop and make changes as needed. The Council can also revise the plan at any time during the year.

Motion approved 7 – 0.

8:21:33 IX. EXECUTIVE SESSION:

Pursuant to 42.30.110 (1)(b), the Council recessed to an executive session with the City Attorney at 8:31 p.m. to discuss property acquisition for fifteen minutes. The Council returned to Chambers at 8:49 p.m. No action was taken.

8:49:48 X. ADJOURNMENT:

At 8:49 p.m. Councilmember Rackley moved to adjourn the meeting. Councilmember Lewis seconded the motion.

Motion approved 7 – 0.



Harwood Edvalson, CMC
City Clerk



Neil Johnson
Mayor

Items submitted to the Council Meeting of January 12, 2010:

- Bonney Lake Citizen – *Letter re: "Please answer these questions for me"* – Charlotte Kontos.
- Bonney Lake Citizen – *Photograph of Culvert* – Charlotte Kontos.
- Bonney Lake Citizen – *Letter re: "Eastown Stormwater Management"* – Marian Betzer.