

CITY COUNCIL MEETING

February 23, 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](http://www.ci.bonney-lake.wa.us)

MINUTES

"Where Dreams Can Soar"

Audio Time Stamp ↓

I. **CALL TO ORDER** – Mayor 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:

Administrative Services Director/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 and Councilmember Randy McKibbin. Councilmember Jim Rackley was absent.

[Staff members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Development Director John Vodopich, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson and City Attorney Jim Dionne.]

**Councilmember Hamilton moved to excuse Councilmember Rackley from the Council meeting. Councilmember Decker seconded the motion.**

Mayor Johnson explained that Councilmember Rackley went home ill this evening.

**Motion approved 6-0.**

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments: None.

3. Presentations: None.

D. Agenda Modifications: None.

7:01:52

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

A. Public Hearings: None.

B. Citizen Comments:

Lora Butterfield, Bonney Lake Chamber of Commerce, reviewed with Council the recipients of the annual Chamber awards. She also thanked the Mayor for his State of the City speech, which included an explanation of the circumstances surrounding the recent temporary sign-sweep conducted last week. She said the Chamber

understands the need for enforcement of the City's ordinances, and asks that the Council listen to the business owners who have come this evening to express their concerns. She offered the Chamber as a facilitator for further discussion.

Tom Watson, 6809 183<sup>rd</sup> Ave E, Bonney Lake, said he feels removal of all the A-boards in the City is very detrimental to the small businesses. He made several suggestions for changing the sign code: 1) to allow small businesses with under seven employees and with off-street access or setbacks to display one 24x36" professional designed/made A-board; 2) one sign allowed at each access per street; 3) sign display limited to between 8 a.m. and 6 p.m. and removed each night; 4) City to charge a small fee for application and approval of signs. He concluded by encouraging the City to do all it can in this difficult economy to help small business prosper and have a plan to allow A-boards throughout the City.

Roberta Sollustio, 21107 83<sup>rd</sup> Street Ct E, Bonney Lake, said she was the winner of the Chamber of Commerce small home business of the year. She spoke in support of the small businesses in the City and suggested the City look into how Buckley regulates its A-boards. She said that city is very protective of their historic values and beauty, and yet allows A-boards for business advertising.

Jeff Ward, 18207 Old Sumner Buckley Highway, thanked Councilmember Rackley for attending the grand opening of his State Farm Insurance Agency. He said he supports what Tom Watson said and understands the need for codes. He suggested an amendment during these difficult times that would allow him to draw traffic from SR410. He said he would support removal of the signs at night.

Brandon Frederick, 21201 82<sup>nd</sup> St Ct E, Bonney Lake, spoke on behalf of the Greater Bonney Lake Historical Society. He urged the Council to add a comprehensive plan historic preservation element to the Planning Commission's work plan. He asked the Council to make this topic a priority for their upcoming retreat. He described the Historical Society's efforts to preserve the community's history. He also asked the Council to plan for the preservation of historical sites as the City plans for expansion into the Comprehensive Urban Growth Area.

Larry Dever, 19102 SR410, Bonney Lake, said he is the owner of Larry's Classic Quality Brake and Muffler. He spoke in support of A-board signage and to express his hope that the City will continue to support the location and use of his reader board sign. He noted how the sign has been used over the years as a community notice board as a service to the community.

John Mergens, 4842 N Island Dr E, Bonney Lake, spoke in favor of the City making efforts to preserve history. He noted that history is made every day and must be recorded. He added the City and historic society need a museum.

Shandor Collins, representing Gamebreakerz, 20611 SR410 E, Bonney Lake, thanked Chief Mitchell for the support of the Police Department to resolve issues in the shopping center where the store is located. He also spoke in support of the use of A-boards. He said they are extremely useful for businesses that cannot afford to pay for signage on the monument signs for the shopping centers. He also spoke in support of reader boards and noted that his reader board had been confiscated in the

recent sign violation sweep. He noted as well the existence of a 'for lease' sign advertising the availability of the space he has occupied now for nearly two years. He suggested this sign should have been abated in the sign sweep as well to be equitable to all.

Michelle Gunn, 8708 188<sup>th</sup> Ave E, noted that temporary signs advertising the Sumner High School band fundraiser were confiscated in the sweep as well. She said they were posted within the allowed timeframe for advertising an event, and asked for clarification on the timeframe within which temporary event signs must be retrieved.

Director Vodopich said he thought the time was 48 hours. He added that no temporary sign permit was obtained for display of the fundraiser signs. Ms. Gunn expressed appreciation for the fact that the signs could be immediately retrieved and replaced in Sumner.

Ms. Gunn also addressed the proposed change in the downtown overlay map. She reviewed the history of the consideration for commercial zoning and the application of the downtown overlay and asserted that it had been made clear that the properties at 8708A/B, 8710 188<sup>th</sup> and 8801 Old Sumner Buckley Highway should not be included in the overlay. She urged the Council to consider the errors in the maps that have occurred over time.

Finally, Ms. Gunn spoke to the proposed changes to maintenance of trees and slopes in critical areas. She described how her property has been maintained by topping trees and removing undergrowth since 1974. She asked that the ordinance clearly differentiate and allow for maintenance, as opposed to clear cuts and ground clearing.

Izzy, 9910 233<sup>rd</sup> E, Bonney Lake, said he is the owner of A&S Auto Repair. He said being a small business owner is tough, and even tougher with all the sign regulations. He asked the Council to give small businesses a break for a year or two in this difficult economy. He said he was told to take down his reader board a couple of years ago, so he complied. He said enforcement of the sign code should be uniform.

Stu Bowen, 18409 Sumner Buckley Highway, spoke representing the local food banks. He said he had participated with a committee that met twice with the Park Board to recommend a community garden. He said their initial recommendation was for a patch on the Moriarty extension of Allan Yorke Park. He asked the Council to please consider support for a community garden and to allow collaboration to determine a place for the garden.

John Merz, 3829 90<sup>th</sup> Avenue E, Puyallup, spoke as the owner of Impressive Signs & Graphics in Puyallup, WA. He said he understands the need to have a balance with signs, but noted the recent sign sweep had a disproportionate share of small business owners impacted by the recent sign sweep. He volunteered to be on any committee established to review the sign code.

Doug McCoy, 18218 84<sup>th</sup> St E, Bonney Lake, said he is a recent member of the historical society. He said the committee could use all the support the City can give it. He added that Bonney Lake has a lot of history that should be captured.

Winona Jacobsen, 9100 189<sup>th</sup> Avenue Ct E, Bonney Lake, spoke in favor of adding a historic preservation element to the City's Comprehensive Plan. She said such an element would not take away from property rights, but would allow for recognition of historic structures, sites, views or resources. She noted that heritage tourism is a revenue source the City of Bonney Lake has overlooked, and there is much to be preserved. She urged the Council to make it a topic of their upcoming retreat.

Fred Jacobsen, 9100 189<sup>th</sup> Avenue Ct E, Bonney Lake, noted that as a Park Board member, he was aware the Board had approved a recommendation regarding community gardens. He was surprised the recommendation had not been passed along to the Council.

Mr. Jacobsen also addressed the Council as a member of the Greater Bonney Lake Historical Society. He urged the Council to include a historic preservation element to the Comprehensive Plan. He also encouraged the Council to consider Michelle Gunn's statements regarding maintenance of properties in critical areas. He said without proper maintenance, property values would deteriorate and reduce the City's tax revenues.

Leota Musgrave, 9308 202<sup>nd</sup> Avenue E, Bonney Lake, said she hopes to live long enough to see a history museum in Bonney Lake. She said the City even had whiskey runners at one time, when none of the other communities did. She urged the City to create a history museum.

Andy Gomen, 19006 Bonney Lake Blvd E, Bonney Lake, said he owns Bonney Lake Adult Family Home located at that same address. He asked if there had been a flood of citizen complaints regarding signs. Mayor Johnson responded that he receives complaints everyday and has received complaints about the signs. Mr. Gomen thought it was hypocritical of the Council to remove the signs of the small businesses in the area, but will participate in placing many election campaign signs during the election season. Deputy Mayor Swatman pointed out that political free speech is a completely different issue from business signage.

Pat Miller, 19205 79<sup>th</sup> St Pl E, Bonney Lake, said the City should remedy the sidewalk approaches in its new construction on the eastside of Old Sumner Buckley Highway. He pointed out that the curb cuts and ramps are not compliant with the current requirements for the Americans with Disabilities Act. He said just because the City does not perhaps have to be compliant, he suggested it is in the City's interest to make the changes now while unit costs are low. He noted that America is graying and there may be many more that are mobility impaired and need these improved facilities. He urged the Council to walk the improvements and observe for themselves what is being constructed.

Councilmember Hamilton asked Director Vodopich to confirm that the City does allow A-board signs in its code. Director Vodopich said the signs are allowed. He said the issue is their placement. Mayor Johnson allowed Shandor Collins to comment again. Mr. Collins said the business-owners need help to understand where the right-of-way is.

Mayor Johnson offered to have himself and staff meet with business owners to explain the right-of-way location and answer questions about business advertising signs.

David Bowen, 22523 SR 410 E, Bonney Lake, said he wanted to mention there are three families represented here this evening that have long-standing ties with Bonney Lake. They are the Maury, Bowen and McCoy families. He said the Hamiltons have been here a long time as well. He added that he could build the still for the historical society's display regarding whiskey runners. He said he can produce documentation to show that he at one time made alcohol from Twinkies.

George Brown, 18313 Old Sumner Buckley Highway, Bonney Lake, said he is the owner of Thian Thai Restaurant. He expressed concern that the City may be considering the elimination of reader board signs. He said his business depends heavily on his signs.

Mr. Brown submitted a letter to the City Clerk and summarized the content for the Council. He said that while he supports the historical society, he feels the name of one of the City's thoroughfares, Old Sumner Buckley Highway, no longer holds significance to the residents and is confusing to perspective business clients for addresses located on this road. He suggested such names as Town Center Blvd. or Town Center Parkway.

C. Correspondence: None.

7:58:28

### III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and discussed a proposed resolution to allow the use of bankcards to pay for utility bills and planning services. He said they also discussed a proposal to use a fleet card under the state contract for fuel purchases rather than the Pacific Pride fuel, which is currently used. Deputy Mayor Swatman also reported the committee addressed a proposed utility meter obstruction ordinance, committee minutes and repairs or replacement of the police boat.

Councilmember Hamilton explained that the Public Safety and Finance committees are considering a replacement of the boat, which is an expensive proposition. He said, however, the public expects police patrol of the lake and the committees are exploring methods to replace the boat rather than prolong the potential maintenance issues with the existing boat.

B. Community Development Committee: Councilmembers Lewis and McKibbin reported there had been no meeting since the last Council meeting.

C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council meeting.

D. Other Reports:

Annual Plateau Health Summit: Mayor Johnson said he will have staff members participate in the Health Summit in Enumclaw on March 2, 2010.

Cascade Water Alliance: Mayor Johnson said he met with Cascade Water Alliance to review the agreement and become better acquainted with the members. He announced that it is the intent of CWA to keep the water level fairly high year-round. He believes the City and CWA will have a good partnership.

Middle School Youth Forums: Mayor Johnson thanked Councilmember Lewis and Assistant Public Works Director Charlie Simpson for participating as moderators for the Bonney Lake middle school youth forums at Mountain View Middle School. He said it was interesting to note that middle school youth seem more willing to discuss drugs and alcohol impacts to the schools than are high school youth. Mayor Johnson encouraged the business community to involve themselves in the youth forums. He noted the youth again identified a YMCA, Red Robin, increased trails and a bowling alley as their top priorities for improvement to the City.

Pierce County Regional Council General Assembly – Councilmember Carter announced that she and Councilmember Rackley had attended the PCRC General Assembly meeting last Thursday. She said it is being broadcast on Channel 22. She added that Councilmember Rackley was recognized for his work on the Growth Management Policy Board.

White River Communities Families First Coalition: She said she attended this meeting last night and noted it is similar to the one held in the Sumner School District. She added some parts of the City are in the White River School District and encouraged participation in their youth forums occurring in the next few weeks.

Level Three Sex Offender: Chief Mitchell said a public service notification was being distributed notifying the community that a Level III registered sex offender is moving into the City. He cautioned against any activity that would infringe on that person's rights, but wants the community to be aware of who it is. The person will be released and living in the 8100 block of 185<sup>th</sup>. There is likely to be a public meeting at one of the schools to explain the situation. Councilmember Decker asked for clarification about what a Level III offender is. Chief Mitchell responded it indicates a person who is most likely to reoffend.

7:29:53

#### IV. CONSENT AGENDA:

- A. **Approval of Minutes:** February 2, 2010 Council Workshop and February 9, 2010 Council Meeting.
- B. **Accounts Payable Checks/Vouchers:** Accounts Payable checks/vouchers #57892 thru 57945 in the amount of \$205,946.83; Accounts Payable checks/vouchers #57946 thru 57962 for Utility Refunds in the amount of \$1,463.01; and Accounts Payable checks/vouchers #57963 thru 58031 (including wire transfer #'s 1052010, 2012010, 2032010, 2102010, 2162010, 2172010 & 11520101 in the amount of \$2,277,376.54. (\* Check numbers changed due to a typographical error. Minutes corrected 8/25/10)

- C. **Approval of Payroll:** Payroll for January 16-31st 2010 for checks 28747-28814 including Direct Deposits and Electronic Transfers in the amount of \$ 585,588.74.
- D. **AB10-32 – Resolution 2010** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Personal Services Agreement with Puget Sound Collections to Provide Professional Collection Services in Collecting Unpaid Accounts Receivable and Utility Accounts.
- E. **AB10-33 – Resolution 2011** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign an Amendment to Our Original Agreement with Portland Energy Conservation Inc. for the Wash Wise Water Conservation Program.

**Councilmember Decker moved to approve the Consent Agenda.  
Councilmember Lewis seconded the motion.**

**Consent Agenda approved 6-0.**

8:06:59

**V. FINANCE COMMITTEE ISSUES:**

- A. **AB10-10 – Resolution 2000** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the City to Enter into an Interlocal Agreement with the City of Sumner, the City of Buckley, and the Sumner School District for Sharing Resource Conservation Management Services.

Executive Assistant Brian Hartsell explained the Resource Conservation Management Grant program is funded with Recovery Act funds. The grant is an Interlocal agreement between Bonney Lake, the cities of Sumner and Buckley and the Sumner School District, and is designed to change the use of energy and other resources to reduce waste and increase efficiency. He said the City of Bonney Lake will take the lead role in administering the grant, and the cost savings initiated under the program should more than recontributions of member agencies should be more than recovered by the cost savings initiated under the program.

Mayor Johnson thanked Mr. Hartsell for his hard work on this program and said that the City of Sumner and the school district expressed particular appreciation.

**Deputy Mayor Swatman moved to approve Resolution 2000. Councilmember McKibbin seconded the motion.**

**Resolution 2000 approved 6-0.**

- B. **AB10-11** – A Motion of the Bonney Lake City Council authorizing the City to submit an application for a Resource Conservation Manager Grant through the Washington State Department of Commerce and Washington State University Extension Program.

**Councilmember Decker moved to approve motion associated with AB10-11.  
Deputy Mayor Swatman seconded the motion.**

**Motion approved 6-0.**

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

**VII. PUBLIC SAFETY COMMITTEE ISSUES:** None.

8:11:06

**VIII. FULL COUNCIL ISSUES:**

- A. **AB10-19 – Ordinance 1344** – An Ordinance of the City of the Bonney Lake, Pierce County, Washington, Updating the Downtown Design Standards Boundary Map.

**Councilmember Decker moved to adopt Ordinance 1344. Councilmember Carter seconded the motion.**

Mayor Johnson invited Michelle Gunn to address this issue for one minute before the Council takes action. Ms. Gunn reiterated that she represents the properties at 8708 A/B and 8710 188<sup>th</sup> St E and 18801 Old Sumner Buckley Highway and the property owners do not want to be included in the overlay district. She said they have not received the benefits suggested from participation up to this point and have no current interest in being included in the overlay district.

The Council briefly discussed the appropriate manner to adopt this ordinance with the designation of the appropriate map from the three alternatives presented with the agenda bill.

**Deputy Mayor Swatman moved to amend Ordinance 1344 to include Map Alternative #2 as the official map for the ordinance. Councilmember McKibbin seconded the motion.**

**Motion approved 6-0.**

**Mayor Johnson called for the vote on the amended original motion.**

**Amended ordinance approved 6-0.**

8:16:09

**IX. EXECUTIVE SESSION:**

Pursuant to RCW 42.30.110 (1)(b), Mayor Johnson announced an executive session wherein the Council would discuss the acquisition of real estate where public knowledge regarding such consideration would cause a likelihood of increased price. The time for the executive session was announced as ten minutes.

The session commenced at 8:17 p.m. and concluded at 8:27 p.m.

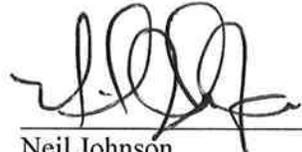
8:27:09

**X. ADJOURNMENT:**

At 8:27 p.m., Mayor Johnson resumed the regular meeting. **Deputy Mayor Swatman moved to adjourn the meeting. Councilmember Lewis seconded the motion.**

**Motion approved 6-0.**

  
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Harwood Edvalson, CMC  
City Clerk

  
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Neil Johnson  
Mayor

*Items submitted to the Council Meeting of February 23, 2010:*

- Bonney Lake Citizen – *Email: FW: Sign Sweep* – Linda Youngberg.
- Bonney Lake Citizen – *Letter: Street Name Change* – George and Thianthong Brown