

CITY COUNCIL MEETING

**April 27, 2010
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 ↓

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd., Bonney Lake.

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 7:00 p.m.

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

B. Roll Call:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Swatman, elected officials attending were Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember Jim Rackley. Mayor Neil Johnson, Jr. 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, Assistant City Attorney Kathleen Haggard, 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: None.

D. Agenda Modifications: None.

7:01:03

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Winona Jacobsen, 9100 189th Ave Ct E, said an application for the City's second heritage tree was submitted on June 8, 2009 but has still not been considered. She said the application is complete, the arborist has made an assessment and the Park Board has recommended approval, but now the Mayor must give consent since the tree is on City property, and the Council must take action. She said the tree is in a great grove of trees and should be preserved. She asked the Council to continue the

process to help the City earn its title as 'Tree City USA'. City Administrator Morrison said he will research the issue and send information to the Council.

- C. Correspondence: None.

7:03:31

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 2034 to the current agenda. The committee discussed a request for out of state travel and possible revisions to the proposed peddler's ordinance, and reviewed the financial model and utility billing. He noted that the City is now working with a new utility billing contractor based in Idaho. The committee also discussed a timetable for sewer rate changes, which will be discussed at a future workshop.
- B. Community Development Committee: Councilmember Rackley reported that the committee met on April 19th and discussed Resolution 2031, claims, use of the Reed property, and committee priorities. They forwarded Resolution 2030 and AB10-72 to the current agenda.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council meeting. The next meeting is scheduled on May 3, 2010.
- D. Other Reports:

Parks Appreciation & Arbor Day: Councilmember Hamilton said the City held a Parks Appreciation and Arbor Day event on Saturday, April 24th. He said residents participated in planting trees, and working in the WSU forest to clean up trash and remove 'no trespassing' signs. He said the forest is now clean, open and ready for use. He said the best access place to enter the forest is from the parking lot between Regal Cinemas and Fred Meyer. He said the City may need to add directional signs inside the forest. He said the area looks great, though some additional brush and broken limbs need to be removed.

Family First Coalition: Councilmember Carter attended the Family First Coalition meeting for White River School District on April 26th. Their Community Summit is on May 24th. She said she helped judge senior projects on April 27th, and additional judges were needed for the 28th. She said she received a community resource guide and suggested the City get copies to provide at the Court, Police Department, and other City facilities.

7:10:42

IV. CONSENT AGENDA:

- A. **Approval of Minutes**: April 6, 2010 Workshop and April 13, 2010 Meeting.
- B. **Accounts Payable Checks/Vouchers**: Accounts Payable checks/vouchers #58384 thru 58385 in the amount of \$125.00. Accounts Payable checks/vouchers #58386 thru 58445 (including wire transfer #'s 4122010, 4162010, 5791569 & voided check

#'s 53478, 56432, 58304) in the amount of \$509,606.41. Accounts Payable checks/vouchers #58446 thru 58467 for Utility Refunds in the amount of \$1,284.02.

- C. **Approval of Payroll:** Payroll for April 1-15th 2010 for checks 28928-28952 including Direct Deposits and Electronic Transfers in the amount of \$ 386,027.93.
- D. **AB10-60 – Resolution 2023** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington Authorizing the Mayor to Sign an Interlocal Agreement with Pierce County for Certain Amendments to the Pierce County Countywide Planning Polices as Recommended by the Pierce County Regional Council.
- E. **AB10-62 – Resolution 2024** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington Approving An Agreement Between The Cities Of Auburn, Bonney Lake, And Sumner, Washington; The Valley Regional Fire Authority; And Pierce County Fire District No. 22 Regarding Municipal Annexation.
- F. **AB10-68 – Resolution 2027** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington Authorizing the Mayor to Sign an Amendment to the 2009 Agreement with Portland Energy Conservation Inc. for the High Efficiency Toilet Rebate Program.
- G. **AB10-69 – Resolution 2028** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington Authorizing the Mayor to Sign an Agreement with Dunbar Armored, Inc. for Armored Courier Service.

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

Consent Agenda approved 7 – 0.

7:10:57

V. FINANCE COMMITTEE ISSUES:

- A. **AB10-80 – Resolution 2034** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Intolight Contract to Install Twelve (12) Street Lights for the 90th Street Project.

Councilmember Decker moved to approve Resolution 2034. Councilmember Lewis seconded the motion.

Councilmember Rackley said the agreement extends street lighting down 90th St E near the library, and is related to the larger downtown improvement projects.

Resolution 2034 approved 7 – 0.

7:11:54

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB10-73 – Resolution 2030** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Replace Existing Emergency Water System Intertie Agreement Between the City of Bonney Lake and the City of Auburn.

Councilmember Rackley moved to approve Resolution 2030. Councilmember Decker seconded the motion.

Public Works Director Grigsby said he and Auburn Public Works Director Dennis Dowdy have worked together on the proposed agreement. He said they decided to draft a completely new agreement rather than continuing to amend the old version, due to the number of changes. Director Grigsby said the new agreement is well written and will be better for staff.

Councilmembers discussed other intertie agreements between the City and other agencies, such as Tacoma Public Utilities. Deputy Mayor Swatman suggested that the City could draft a generic wholesale agreement that any party could sign if they want to have an intertie with Bonney Lake. Director Grigsby said the City's wholesale agreement with Tacoma is a complicating factor and it makes more sense to use this specific agreement.

Councilmember Hamilton said this is an improved agreement, and asked whether the agreement is reciprocal. Director Grigsby confirmed that the agreement provides a rate structure if Bonney Lake needs to use Auburn water in the future. He said Auburn does not currently have excess capacity, but it would be an option if they have capacity in the future. He noted that the proposed contract has a new stipulation for emergency water use beyond 7 days, charging 10% above what Auburn charges their customers. Councilmember Hamilton expressed concern that other agencies will not do their due diligence to increase their water resources if they know Bonney Lake water is available. Director Grigsby said the agreement has gone through Auburn Council committees and will be considered at an upcoming Auburn Council meeting.

**Resolution approved 6 – 1.
Deputy Mayor Swatman voted no.**

7:11:54

- B. **AB10-72** – A Motion of the City of Bonney Lake, Pierce County, Washington to Submit the PWTL Application for the Sumner/Bonney Lake WWTP Upgrade Phase II Project.

Councilmember Rackley moved to approve the motion. Councilmember Lewis seconded the motion.

Director Grigsby said the proposed project is to construct a third aerator, a third clarifier, new grid classifier, new floodwall, improved head works and ultraviolet treatment banks to the Sumner Wastewater Treatment Plant. The cities of Sumner and Bonney Lake would split the \$10.9 million total project costs at 50% each. He noted that there is no funding available in the Public Works Trust Fund Loan

program currently, but the Governor has asked the PWTF Board to accept and review applications, so if funding can be distributed if it becomes available later.

Director Grigsby said if the Bonney Lake and Sumner do not receive PWTF loans, they could use SDC funds or revenue bonds to pay for their share of the project. Councilmember Hamilton asked whether Sumner has funds available to pay for 50% of the project without a PWTF loan; Director Grigsby said he will ask Sumner for more information.

Deputy Mayor Swatman expressed frustration that Bonney Lake has no say in the management of the Sumner Treatment Plant. Director Grigsby said Sumner communicates regularly with Bonney Lake and the City can challenge any costs that appear unreasonable. He said he has not had any concerns about Sumner's cost estimates to date. He said if the City is offered a PWTF loan, the City would receive agreement forms for signature, and if the Council does not want to accept the funds it could turn down the loan at that time and not sign the paperwork.

Deputy Mayor Swatman said he does not think the City will expand as quickly as originally projected, and SDC and other funds will not grow as predicted. He expressed concern that the Council will need to increase utility rates dramatically to meet future demands. Director Grigsby said the City has no choice but to improve the Sumner plant to meet capacity needs. He said demand on the Sumner plant will continue to grow as areas like Eastown, WSU and Downtown develop and build out. Councilmember Hamilton said the City should work on a plan to build its own membrane treatment plant. Councilmember Rackley said the City can turn down PWTF loans if the economy does not improve by that time, and resubmit later. He said improving the Sumner plant is still the cheapest option for the City.

**Motion AB10-72 approved 6 – 1.
Deputy Mayor Swatman voted no.**

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

7:36:57

VIII. FULL COUNCIL ISSUES:

- A. **AB10-74 – Ordinance D10-74** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Updating the Sign Code to Allow Nonpolitical Campaign Signs in the Right of Way.

Deputy Mayor Swatman said several versions of the proposed ordinance have been presented, and asked which version the Council should act on. Community Development Director Vodopich said the ordinance provided in the agenda packet includes revisions based on both Council input and the Attorney's suggested revisions. He provided versions of the proposed ordinance that show the Council's changes and the Attorney's changes separately. He noted that this version includes Section N., which was inadvertently omitted from the previous draft.

Councilmember Rackley moved to approve Ordinance D10-74, "Council Changes" version. Councilmember Hamilton seconded the motion.

Director Vodopich said the proposed ordinance allows nonpolitical signs to be placed on private property for up to 14 days prior to the event and up to 48 hours after the event. He said the City Attorney suggested revisions to correct an incomplete sentence and to correct an inconsistency about removal of political signs (within 7 days), as is stated in the current municipal code. He said he feels the City Attorney's changes were appropriate but wanted to be sure Council had a chance to discuss these changes fully. Councilmember Rackley removed his original motion from the floor.

Councilmember McKibbin moved to table the item to the May 4, 2010 Workshop. Councilmember Lewis seconded the motion.

**Motion approved 6 – 1.
Councilmember Carter voted no.**

IX. EXECUTIVE SESSION: None.

7:43:12

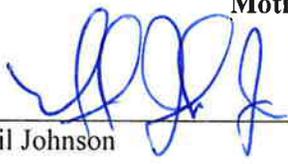
X. ADJOURNMENT:

At 7:43 p.m., Councilmember Decker 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 April 27, 2010:

- City of Bonney Lake – D10-74 to CC 4-20-10 - Attorney Changes, and D10-74 to CC 4-20-10 - Council Changes – Community Development Director John Vodopich.