

**CITY COUNCIL MEETING**

**May 25, 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](http://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, City Engineer John Woodcock, Police Chief Mike Mitchell, Chief Financial Officer Al Juarez, Community Development Director John Vodopich, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson and Executive Assistant Brian Hartsell.]

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments:

a. **AB10-97** – A Motion of the Bonney Lake City Council Confirming the Mayor's Re-appointment of Darren Proctor to the Park Board.

**Councilmember Rackley moved to confirm the appointment.  
Councilmember Carter seconded the motion.**

**Motion approved 7-0.**

3. Presentations:

a. **AB10-91** – 2010 Stormwater Pollution Prevention & Water Conservation Art Contest Award Presentation.

Deputy Mayor Swatman presented \$50 award checks to Kelsie Moore, Jamie Frees, Samantha Leader, Marisa Cella, Kyrie Owen, Macymarie Hagwood, Kortni Anderson, Liz Wetham, Andrew Johnson, Dominic Yorio, Jake Ayers and Ethan McElderry. Engineering Technician Andrew Fonda assisted Deputy Mayor Swatman with the awards and explained the timeline for production of a calendar featuring the winning artwork. He said the calendar should be available by the end of this year for the 2011 calendar year.

- D. Agenda Modifications: Councilmember Lewis asked that Item F on the Consent Agenda be pulled and considered under Full Council Issues. Deputy Mayor Swatman said it would be added as an item under that section of the meeting.

7:08:00

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

- A. Public Hearings: None.
- B. Citizen Comments:

Winona Jacobsen, 9100 189<sup>th</sup> Ave Ct E, addressed the need for a historic preservation element to the Comprehensive Plan. She reviewed past efforts to have the element acted on as an item on the Planning Commission's 2009 Workplan and added to the 2010 Workplan when the Commission was unable to address the element in the previous year. She acknowledged that a cultural resources element, which was intended to include historic preservation, was discussed at the Council retreat. She noted, however, it is still not included on the Commission's workplan for 2010.

The City Council briefly discussed the status of this issue for the Commission workplan. Several spoke in favor of its inclusion in the Comprehensive Plan. City Administrator Morrison explained that most cities do not include this issue as a formal element in their Comprehensive Plan as it is not one mandated under the Washington State Growth Management Act. He explained the administration further understands it was Council's intent to have the issue framed as the basis for a set of regulations imposing standards on developers. Deputy Mayor Swatman noted this topic is perhaps better discussed under the Planning Commission Workplan later on the agenda.

Fred Jacobsen, 9100 189<sup>th</sup> Ave Ct E, said GMA Goal #13 is Historic Preservation. He said it is not a mandatory item, but one that is recommended. He added he would like to see the City move forward following that option.

Sue Fredrickson, 2520 208<sup>th</sup> Ave. E., Lake Tapps, addressed her concern about the possible closure of the Sumner High School swimming pool. She said there are a number of unnecessary deaths in our community each year, adding that the pool is the only place in the area offering swimming lessons for our youth. She encouraged Bonney Lake, Sumner and Orting to work together with the school district to ensure the continued operation of the pool.

Deputy Mayor Swatman informed her that Mayor Johnson is working on this issue, and that several of the Councilmembers agree it is important.

Darcie Severson, 9920 192<sup>nd</sup> Ave. E., said she wished to address two issues. The first issue is to revise Chapter 6.04 of the Bonney Lake Municipal Code to make a distinction between fowl and humans as it relates to dangerous dogs. She said her second issue is to secure the immediate release of her family dog, which she believes is being illegally held by the Bonney Lake Police Department. She reviewed some of

the history behind the issues relating to the impoundment of her dog. She expressed her dismay that based on her understanding of the code, the City improperly impounded her dog for over 5 months.

Councilmember Hamilton noted the Public Safety Committee is already working on Chapter 6.04. He expressed appreciation for making the Council aware of her concerns and congratulated her on her level of research and preparation. He invited her to appear before the Committee with her research.

Nuisance Ordinance: Deputy Mayor Swatman noted the Council received email correspondence from Maryanne Zukowski suggesting changes to the City's nuisance ordinances. He urged Councilmembers to observe the basis for her concerns on McGhee Road. Councilmember Hamilton added the Public Safety Committee will look into this. Deputy Mayor Swatman encouraged the Committee to bring appropriate information back to a future workshop where the Council can determine whether this issue needs to be forwarded to the Planning Commission.

- C. Correspondence: None.

7:31:07

### 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 personnel updates, an agreement for installation of additional fiber optic cable for communications, purchase of a paving compactor, an interlocal agreement with the Town of Ruston for services, the amendment of a water agreement with the Fesslers, and an application for a Pierce County Conservation Futures Grant.
- B. Community Development Committee: Councilmember Rackley said the committee met on May 17<sup>th</sup>. He said the content of their discussion items is available in the Committee's minutes on the City website. He added that AB10-85 and AB10-89 were considered by the Committee and forwarded to the Consent Agenda for this meeting.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since their last report.
- D. Other Reports:

Councilmember Carter reported that she and Deputy Mayor Swatman, Councilmembers Lewis and Rackley and City Administrator Morrison attended the Families First Key Leaders Conference at White River School District. She said the topics discussed were the Buckley Youth Center, Bonney Lake YMCA, community planning and business development, tackling drugs and alcohol, community safety and crime prevention and school environment and student voice. She added that a lot of the information shared was similar to information gathered in the Sumner School District youth forums. She said the kids in both school districts share many of the same concerns and interests.

7:34:09

**IV. CONSENT AGENDA:**

- A. **Approval of Minutes:** May 4, 2010 Council Workshop and May 11, 2010 Council Meeting Minutes.
- B. **Accounts Payable Checks/Vouchers:** Accounts Payable checks/vouchers #58570 thru 58614 (including wire transfer #'s 5032010) in the amount of \$572,198.87. Accounts Payable checks/vouchers #58615 thru 58617 for hydrant meter deposit refunds in the amount of \$864.22. Accounts Payable checks/vouchers #58618 for earnest money in the amount of \$5,000.00. Accounts Payable checks/vouchers #58619 thru 58671 (including wire transfer #'s 5132010 & 5142010 in the amount of \$211,471.39. Accounts Payable checks/vouchers #58672 for a Utility Refund in the amount of \$399.29.
- C. **Approval of Payroll:** Payroll for May 1-15th 2010 for checks 28985-28920 including Direct Deposits and Electronic Transfers in the amount of \$ 396,621.12.
- D. ~~AB10-85 – Resolution 2037 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The City To Purchase A Used Paving Compactor From NC Machinery For \$33,627. (Moved as Item C under Full Council Issues.)~~
- E. **AB10-89 – Resolution 2040 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contractor Agreement With Doolittle Construction, LLC For The 2010 Chip Seal Application.**
- F. ~~AB10-95 – A Motion of the Bonney Lake City Council to Approve the 2010 Planning Commission Workplan. (Moved as Item B under Full Council Issues.)~~

Deputy Mayor Swatman reminded the Council that AB10-85 – Resolution 2037 was moved to the Full Council Issues portion of the meeting where it would most likely be tabled. Councilmember Lewis asked for clarification on the ordering of the Full Council Issues. Deputy Mayor Swatman said AB10-85 would become Item B and AB10-95 would become Item C.

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

**Consent Agenda as modified approved 7-0.**

7:35:22

**V. FINANCE COMMITTEE ISSUES:**

- A. **AB10-93 – Resolution 2043 – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement To Amend Agreement For Water Service With Joseph And Stephanie Fessler.**

**Councilmember Decker moved to approve Resolution 2043. Councilmember Lewis seconded the motion.**

**Resolution 2043 approved 7-0.**

- B. **AB10-96** – A Motion of the Bonney Lake City Council Authorizing the City to Submit a Grant Application to Pierce County for a Pierce County Conservation Futures Grant.

**Councilmember Decker moved to approve the motion. Councilmember Carter seconded the motion.**

Executive Assistant Brian Hartsell explained this grant would be used to acquire 97 acres of property along Fennel Creek adjacent to the 20 acres recently acquired by WSDOT for mitigation of the SR410 widening project. He said the County will review applications in July, and any grant awarded to the City will be returned for Council consideration. Responding to Council questions, Mr. Hartsell explained that limited active recreation can be negotiated up-front in the grant program; otherwise the City would be limited with passive uses on the property. Director Gary Leaf pointed out that no advance planning has been done for use of the parcels, but the staff wanted to preserve the option for active recreation uses for master planning purposes later on. He assured Council that the conservation restrictions would be recorded with the land and continues in perpetuity. At Council's request, he said he would look into whether the property could be used for wetlands banking.

**Motion approved 7-0.**

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

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

**VIII. FULL COUNCIL ISSUES:**

7:44:30

- A. **AB10-59 – Ordinance 1350** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 13.12.090 Of The Bonney Lake Municipal Code And Ordinance No. 561 Relating To Grinder Pump Service Charges.

Deputy Mayor Swatman said he supports this ordinance because the City provides a very specific identifiable service to repair and service grinder pumps during emergencies. He said this action will provide a more equitable recovery of the service costs for the City. He added that individuals could avoid this fee altogether if they wish to take over the ownership and service of their grinder pumps.

**Councilmember Lewis moved to approve Ordinance 1350. Councilmember Decker seconded the motion.**

**Ordinance 1350 approved 7-0.**

- B. **AB10-95** – A Motion of the Bonney Lake City Council to Approve the 2010 Planning Commission Workplan.

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

**Councilmember Decker moved to substitute the version of the Council Workplan distributed at this meeting as the version under Council consideration. Councilmember Lewis seconded the motion.**

**Motion to substitute approved 7-0.**

The City Council discussed the changes between the version provided in the Council packet and the one distributed for Council consideration this evening. Councilmember Decker observed that the topic of Title 16 was removed as Council directed at the May 4<sup>th</sup> Workshop, and the Mid-town plan was added as requested. He noted the Cultural Resource Plan was moved from year 2011 to 2010. Director John Vodopich said the standards for nightclubs were also clarified regarding the need for standards regarding acoustics and barriers adjacent to residential areas. Councilmember Lewis asked if the cultural resources plan needs a priority on the workplan. Councilmember McKibbin said a priority should be assigned. Councilmembers Hamilton, Rackley, Carter and Lewis spoke in favor of having the cultural resource plan to be part of the Comprehensive Plan.

**Councilmember Lewis moved to modify the workplan to show the cultural resources plan as scheduled for completion in the third quarter and assigned a medium priority and that the notes should include the statement “historical significant items.” Councilmember Decker seconded the motion.**

**Motion to amend approved 7-0.**

**Councilmember Hamilton moved that the cultural resource element be made a part of the City’s Comprehensive Plan. Councilmember Decker seconded the motion.**

**Motion to amend approved 7-0.**

**Main motion on the substitute workplan as amended approved 7-0.**

- C. **AB10-85 – Resolution 2037** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The City To Purchase A Used Paving Compactor From NC Machinery For \$33,627.

Deputy Mayor Swatman noted the administration requests the item be tabled to the next full meeting of the Council.

**Councilmember Decker moved to table Resolution 2037 to the June 8, 2010 Council meeting. Councilmember Lewis seconded the motion.**

**Motion to table approved 7-0.**

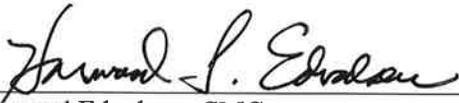
**IX. EXECUTIVE SESSION:** None.

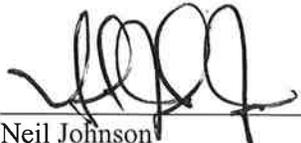
7:58:44

**X. ADJOURNMENT:**

**At 7:58 p.m., Councilmember Hamilton 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 May 25, 2010:*

- Citizen of Bonney Lake – Email Correspondence: *City Council Meeting May 25, 2010 – Public Comment Planning Commission Work Plan Nuisance Ordinance Revisions* – Maryanne Zukowski
- Citizen of Bonney Lake – *Printed Public Comments: Revise Chapter 6.04* – Darcie Severson.