

CITY COUNCIL MEETING

**September 14, 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 ↓

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

- 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:**
Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, 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, Police Chief Mike Mitchell, Public Works Director Dan Grigsby, Planning Manager Heather Stinson, Community Services Director Gary Leaf, 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:** Beautify Bonney Lake Day - September 18, 2010
Mayor Johnson proclaimed Saturday, September 18, 2010 as Beautify Bonney Lake Day, and presented the proclamation to Beautify Bonney Lake board member Lillian McGinnis. She thanked the Mayor, Council and staff for their support and leadership, and presented the City with a certificate of appreciation from BBL. Mayor Johnson encouraged citizens to participate in this year's event.
 - b. **Planning Commission Recommendation:** AB10-149 - Ordinance D10-149 - Amending the Bonney Lake Municipal Code to Clarify Uses Allowed in the Downtown Core and Downtown Mixed Zones.
Planning Commissioner Chas Rawlings offered to answer Council questions about the proposed ordinances. Deputy Mayor Swatman asked how the Commission developed its list of allowed uses, and whether it allows flexibility to allow other uses that are not included. Chairperson Grant Sulham said the Commission felt it is better to provide a list of

approved uses to guide staff, rather than using vague language about uses that generally benefit the City. Councilmember McKibbin said the ordinance defers to the Director’s discretion when approving similar uses, but he does not favor this wording. The item was forwarded for discussion at a future Council workshop.

- c. **Planning Commission Recommendation:** AB10-152 - Ordinance D10-152 - An Ordinance Amending the Bonney Lake Municipal Code and Bonney Lake Downtown Design Standards to Exempt Accessory Buildings Associated with Existing Single Family Uses from the Standards.

The item was forwarded for discussion at a future Council workshop.

- D. Agenda Modifications:

Deputy Mayor Swatman moved to add AB10-154, setting a public hearing, to the agenda under Finance Committee Issues, Item B. Councilmember Rackley seconded the motion.

Motion to modify the agenda approved 7 – 0.

7:13:01

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.

- B. Citizen Comments:

George Brown, 8410 Locust Ave, Bonney Lake, asked when the Council will discuss the ordinances recommended by the Planning Commission. He said he wants to review the ordinance and make comments for the Council. Mayor Johnson said they should appear on the September 21, 2010 Workshop agenda.

Brad Doll, 20212 101st St E, Bonney Lake, is president of the Ponderosa Estates HOA. He said HOA members have asked when the City will start holding town hall style meetings for residents to get information about annexation. He said he would be happy to participate and get information out to residents. Deputy Mayor Swatman asked Mr. Doll to find out from his neighbors what dates and times would work best for them so the City can plan informational meetings.

- C. Correspondence: None.

7:16:07

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 and the upcoming WCIA Human Resources audit, and forwarded Resolution 2069 and Resolution 2071 to the current agenda. He said he continues to monitor the budget carefully. The committee

also reviewed its minutes and reviewed options for phones in the Interim Justice Center as presented by Information Services Coordinator Chuck McEwen.

- B. Community Development Committee: Councilmember Rackley said the committee has not met since the last Council meeting.
- C. Public Safety Committee: Councilmember Hamilton said the committee met on September 13th and Deputy Police Chief Powers presented a proposed change to the property crimes ordinance based on new State legislation. Assistant City Attorney Sarah Hale reviewed the City's nuisance code and possible changes. The Committee is using the City of Sumner's dangerous dog ordinance as a template for revisions to the Bonney Lake code. The committee also discussed a proposed helmet law that would require bicyclists and skateboarders to wear helmets. The Committee is working on a proposal to use grant funds to turn a part-time Community Services Officer position into a full-time officer, so she would spend about 20 hours per week on the Washington State Auto Theft task force. Finally, the Church Lake Boating Advisory Committee is working on a proposed boat noise ordinance.
- D. Other Reports:

Shoreline Management Master Plan: Councilmember Carter said the Shoreline Management Master Plan Advisory Committee is hosting a public meeting on October 18th at 6:30 p.m. at the Senior Center. She encouraged councilmembers and the public to attend so they can meet committee members and learn more about proposed updates to the plan.

Dog Park Opening: Mayor Johnson said the Viking Dog Park ribbon cutting ceremony has been scheduled for Saturday, September 25, 2010 at 9:00 a.m.

Futures Conservation Grant: Mayor Johnson said the City's application for grant funding is currently ranked 2nd for the Fennel Creek Property project. He said the City applied for \$750,000 and he is hopeful the City will be awarded funds.

Census 2010: Mayor Johnson said the City received a plaque for its participation in the 2010 Census. Councilmember Rackley said the Census Bureau was able to complete the 2010 census under budget, which saved federal funds.

Pierce Transit Update: Mayor Johnson said the Pierce Transit Board voted to increase regular adult transit fares to \$2.00, but did not raise rates for seniors, disabled people and youth. He said he led the push to keep rates for seniors and disabled persons lower, and he will update the Council on any new information.

7:26:41

IV. CONSENT AGENDA:

- A. **Approval of Minutes**: August 17, 2010 Workshop; August 24, 2010 Adjourned Workshop; August 24, 2010 Regular Meeting; and August 31, 2010 Special Meeting.
- B. **Approval of Accounts Payable Checks/Vouchers**: Accounts Payable Checks/Vouchers #59275 thru 59320 (including wire transfer #2010716) in the

amount of \$680,520.81; Accounts Payable checks/vouchers #59321 for a utility refund in the amount of \$70.75; Accounts Payable checks/vouchers #59322 thru 59372 (including wire transfer #s 7022010, 7082010, 8032010, 8042010, 8172010 and 20100816) in the amount of \$151,995.15; Accounts Payable checks/vouchers #59373 thru 59382 (including wire transfer # 6263428) in the amount of \$49,684.70; Accounts Payable checks/vouchers #59383 thru 59384 in the amount of \$10,259.99; Accounts Payable checks/vouchers #59385 thru 59435 (voiding check #59396 and including wire transfer #'s 71152010, 8152010, 8182010 and 9012010) in the amount of \$1,000,518.53; Accounts Payable checks/vouchers #59436 in the amount of \$1,058.70; Accounts Payable checks/vouchers #59437 (replacing check #59396) in the amount of \$373.95; Accounts Payable checks/vouchers #59436, and #59438 thru #59495 in the amount of \$284,130.71.

- C. **Approval of Payroll:** August 16-31 2010 for checks 29257-29302 including Direct Deposits and Electronic Transfers in the amount of \$ 591,497.00.
- D. **AB10-106 - Resolution 2048** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Powercom To Install Network And Cable TV Cabling In The Interim Justice Center For \$10,700.74 Plus Tax.

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

Consent Agenda approved 7 – 0.

7:26:46

V. FINANCE COMMITTEE ISSUES:

- A. **AB10-146 - Resolution 2069** - 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 Town of Wilkeson For Planning Services.

Councilmember Decker moved to approve Resolution 2069. Councilmember Lewis seconded the motion.

Mayor Johnson said this is the City's third interlocal agreement to provide staff services to another city. He said these agreements are a great way to best utilize Bonney Lake staff time while helping other cities meet their staffing needs.

Resolution 2069 approved 7 – 0.

- B. **AB10-154** – A Motion of the City Council of the City of Bonney Lake, Pierce County, Washington, Setting a Public Hearing at 7:00 p.m., or as soon thereafter as possible, During the Regular Council Meeting of September 28, 2010, for the Development Agreement Between the City and MCA Investments, LLC, Bonlak Investors, LLC, and Bonney Lake Capitol Investors, LLC for the Bonney Lake Retail Center. *Added to the agenda during Agenda Modifications, above.*

Deputy Mayor Swatman said the Finance Committee discussed the proposed motion at its meeting earlier in the evening, and unanimously recommended scheduling the Public Hearing. He said the proposed agreement will come forward for Council discussion and action at a future Workshop and Meeting after the hearing.

Motion approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: *None.*

VII. PUBLIC SAFETY COMMITTEE ISSUES: *None.*

7:28:41

VIII. FULL COUNCIL ISSUES:

- A. AB10-125 – Resolution 2058** – 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 The Eastown Sewer Service Area Study, Eastown Sewer Lift Station Design And Lift Station 18 Improvements.

Councilmember Lewis moved to approve Resolution 2058. Councilmember Rackley seconded the motion.

Mayor Johnson said the Council has been working on the system design for some time. Deputy Mayor Swatman said it is unfortunate that a private group was unable to move forward with the project, which might have been simpler and less expensive overall. He said it is important to extend sewer services to Eastown so it can begin to develop, and the City has stepped in to get it done. He thanked Director Grigsby for his efforts to coordinate sewer development in Eastown, answering questions from Council and residents, and taking care of the details. Councilmember Hamilton said he supports the proposed project, which shows the City's commitment to Eastown. Councilmember Lewis also spoke in support of the project and said he hopes timing works well so the area can start developing as the economy improves.

**Resolution 2058 approved 6 – 1.
Councilmember McKibbin voted no.**

- B. AB10-142 - Resolution 2067** - A Resolution Of The City Council Of The City of Bonney Lake, Pierce County, Washington Authorizing The Mayor To Sign The Eastown Sewer Lift Station 26 Site Utility Easement And Access Agreement With Charlotte Kontos.

Councilmember Decker moved to approve Resolution 2067. Councilmember Rackley seconded the motion.

Councilmember Hamilton moved to amend the agreement language to the version reviewed at the August 24, 2010 Council Meeting. Councilmember Rackley seconded the motion.

Councilmember Rackley said he supports the amendment and asked City Attorney Dionne if he has any concerns with the previous version reviewed by Council. The City Attorney said he has no legal concerns about the agreement, but noted that the Council had expressed concerns about the two year timeline and other language. He said Director Grigsby seems confident that the work will be completed within two years.

Councilmember Hamilton said the changes he had requested are not critical and the prior version of the agreement was already signed by the property owner. Deputy Mayor Swatman suggested the Council wait to act on the resolution at the next Workshop so they can review the proposed language. Councilmember Hamilton said the Council already reviewed this version of the agreement at a previous Workshop and he does not feel it is necessary to delay action for another week.

Amendment approved 7 – 0.

Deputy Mayor Swatman reiterated his interest in tabling the item to the September 21st Workshop for action. Councilmember Lewis said he asked to table the item at the August 24th Workshop, but is now comfortable with approving the agreement as presented. Councilmember Rackley said the Council previously reviewed this version of the agreement, and he is comfortable taking action.

**Resolution 2067 approved as amended 5 – 2.
Councilmember McKibbin and
Deputy Mayor Swatman voted no.**

IX. EXECUTIVE SESSION: *None.*

7:39:56

X. ADJOURNMENT:

At 7:39 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 September 14, 2010:

- City of Bonney Lake Staff –AB10-154 (*Motion to set a Public Hearing on September 28, 2010 at 7:00 p.m. for the Bonney Lake Retail Center Development Agreement*) – Executive Assistant Brian Hartsell.