

CITY COUNCIL MEETING

**May 24, 2011
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: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. 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 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, Public Works Director Dan Grigsby, Public Works Assistant Engineer Andrew Fonda, Community Development Director John Vodopich, Assistant Police Chief Dana Powers, Chief Financial Officer Al Juarez, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne, and Administrative Specialist Shawn Campbell.

C. Announcements, Appointments and Presentations:

1. Announcements:

a. **Proclamation:** Paint the Town Purple Day – Relay for Life – June 9, 2011.

Mayor Johnson read the proclamation aloud, and proclaimed Thursday, June 9, 2011 as Paint the Town Purple Day in Bonney Lake. He thanked Katrina Minton-Davis for all her hard work and dedication.

Katrina Minton-Davis thanked the Mayor and Council for their continued support of Relay for Life. She said Team Bonney Lake has always been a big Relay for Life supporter. She said this year's theme is Night at the Movies. She presented the Council with Relay for Life Mugs.

2. Appointments: None.

3. Presentations:

a. **Presentation:** AB11-55 – Stormwater Pollution Prevention Art Contest Winners.

Assistant City Engineer Andrew Fonda gave a brief description of the Stormwater Pollution Prevention Project. He said one of the criteria of the grant is public education. He said the City met this criteria with the calendar contest. Mayor Johnson and Mr. Fonda presented the awards to the contest winners. The twelve

winners are - Friendly Vehicle Washing: Natalie Gleason and Baylee Littlefield, Household Hazardous Waste Disposal: Breanna Zirnbelman and Julia Medrano, Pet Waste Disposal, Megan Body and Zach Lewandowski, Pollution / Illegal Dumping Reporting: Makenna Pope and Anna Gomez, Used Oil Recycling: Whuckara Jensen and Emma Sulkosky, Water Conservation: Tristan Glivar and Jacob Bohl.

Mayor Johnson thanked Mr. Fonda for his hard work and dedication to this project.

At 7:14 p.m. Councilmember Rackley moved for a ten-minute break. Mayor Johnson reconvened the Meeting at 7:23 p.m.

D. Agenda Modifications: None.

7:23 p.m.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Keith Martin, 5202 Rainier Drive E., Bonney Lake, said he is concerned about an article he read in the Courier Herald regarding updates to the City ordinance for recreational vehicles. He said this ordinance could have a huge impact on a large number of citizens in Bonney Lake. He said he does not feel for a lakeside community these restrictions are practical and this ordinance will be a hardship on many citizens. He asked about the definition of adjacent. He said some citizens choose not to live in a neighborhood with a homeowners association and this ordinance needs to be revised.

Community Development Director Vodopich clarified this ordinance has been on the books since 1967. He clarified the regulations for Recreational Vehicles and the setbacks required. Mayor Johnson said the City is not actively looking for violations of this ordinance. He said it would take a complaint to have code enforcement come to investigate. He said each case would be reviewed individually. Councilmember Carter said the only update to this ordinance is in the penalty portion. She said this ordinance was meant to dovetail with the City's nuisance ordinance.

Debbie McDonald, PO Box 7125, Bonney Lake, she thanked Council for signing the Paint the Town Purple proclamation. She said Pierce County Relay for Life is in the top ten in the nation for raising money and Pierce County is number one per capita. She presented Council with a framed certificate for their continued support.

Shawn Hoey, MBA Pierce County, He said the Master Builders Association would like to share two concerns with proposed Ordinance D11-58, the restrictions and design standards being placed on the residential builders instead of commercial developers and the 500 foot buffer requirement. He said 500 feet is a substantial amount of land. He said this requirement would have a large impact on builders.

- C. Correspondence:
A letter from Lance and Patricia Davis, dated May 23, 2011, regarding a commercial nightclub property adjacent to residential property and the associated noise, was received for the meeting and entered into the record.

7:27p.m.

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, minutes review, and a utility latecomer agreement, which is being referred back to legal council to clear up language. He said they also discussed how utility taxes are assessed on wireless telecommunications.
- B. Community Development Committee: Councilmember Rackley said the committee met on May 17, 2011 and discussed water system backflow testing, and forwarded AB11-62 – Resolution 2125 – Cottage Housing extension, AB11-60 – Resolution 2123 – Agreement with Parametrix for design of VFD Installation Project, AB11-61 – Resolution 2124 – Agreement with Parametrix for design of 97th Street and 208th Ave Improvement Project, and AB11-59 – Resolution 2122 – 2011 Street Striping and Pavement Marking to the May 24, 2011 Council Meeting.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council Meeting.
- D. Other Reports:

Pierce County Regional Council: Councilmember Hamilton said he attended the May 19, 2011 meeting. He noted there was not a quorum. He said they discussed the amount each jurisdiction pays to belong to the PCRC. He said the Port District is currently only paying \$100. He said the discussion indicated they should pay closer to the amount the City of Tacoma pays.

White River Families First Coalition: Councilmember Carter said she, Councilmember Lewis, and David Wells attended the May 23rd meeting. She said they have nomination forms for acknowledging the behind the scenes people. She said the Buckley activities center has dovetailed their summer program with the City of Bonney Lake's. She invited people to the Pierce County Council meeting on May 31, 2011 at the Bonney Lake Justice Center and to the Pierce Transit Save our Buses meeting in June. She said the Franciscan Foundation may have grant money available for future use in the area.

Rainier School: Councilmember Lewis said the Mayor of Buckley said the Rainier School will have funding through the end of the 2011. He said they will need to find additional funding for next year.

Pierce Transit: Mayor Johnson said he attended the Pierce Transit Board meeting. He said Pierce Transit is looking to eliminate service in Bonney Lake but keep the tax revenue from the City. He said the City would need to have Pierce Transit give up the area as a taxing district for the small cities in the area to set up their own transportation district. He added the Sounder service will not be affected.

Eastown Steering Committee Report: Councilmember Carter requested a Steering Committee report. Councilmember McKibbin stated one will be available at the end of the process.

7:42 p.m.

IV. CONSENT AGENDA:

- A. ~~Approval of Corrected Minutes: May 3, 2011 Council Workshop and May 10, 2011 Council Meeting.~~
- B. **Approval of Accounts Payable Checks/Vouchers:** Accounts Payable checks/vouchers #61056 thru 61100 (including wire transfer #'s 5032011 & 5042011) in the amount of \$269,899.82; Accounts Payable checks/vouchers #61101 thru 61121 in the amount of \$5,304.89; Accounts Payable checks/vouchers #61122 thru 61154 (including wire transfer #'s 5052011, 5132011, 20110516 & 20110517) in the amount of \$318,109.03 for a grand total of \$593,313.74.
- C. **Approval of Payroll:** Payroll for April 16-30th 2011 for checks 29739-29769 including Direct Deposits and Electronic Transfers in the amount of \$ 579,574.28. Payroll for May 1st-15th 2011 for checks 29770-29792 including Direct Deposits and Electronic Transfers in the amount of \$ 404,042.73.
- D. **AB11-59 – Resolution 2122** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Professional Services Agreement With Strip Ripe Rite, Inc. For The 2011 Street Striping And Pavement Markings Project.
- E. **AB11-60 – Resolution 2123** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Paramatrix Engineering For The Design Effort Of The VFD Installation Grant Project.

Councilmember Carter requested that Item A., Approval of Corrected Minutes be moved for consideration as Full Council Issues, Item E.

Consent Agenda approved as amended 7 – 0.

V. FINANCE COMMITTEE ISSUES: *None.*

7:43 p.m.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB11-61 – Resolution 2124** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Paramatrix Engineering For The 97th Street And 208th Avenue Sidewalk, Watermain, And Sewermain Improvements.

Councilmember Rackley moved to approve Resolution 2124. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman said it is very important to connect open spaces within the City. He said even though Cerderview is zoned R2, residents cannot build duplexes until the City puts in sewers. He asked Public Works Director Grigsby to give some background information on the sewers. Director Grigsby said the City will place a dry line sewer in the area since the road will already be under construction. He said the septic systems in this area are old and the area needs to be connected to the City sewer system. He said part of the funding for this project will be used to make a priority list for adding sewers.

Resolution 2124 approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: *None.*

7:49 p.m.

VIII. FULL COUNCIL ISSUES:

- A. **AB11-57 – Ordinance 1389 [D11-57]** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Title 14 Of Bonney Lake Municipal Code.

Councilmember Hamilton moved to approve Ordinance 1389. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman asked the City Attorney if this ordinance would give citizens increased ability to challenge the regulations. City Attorney Dionne said this should reduce the challenges.

**Ordinance 1389 approved 6-1.
Councilmember Decker voted no.**

- B. **AB11-58 – Ordinance D11-58** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Bonney Lake Municipal Code Chapter 18.22 And 18.31 To Provide Performance Standards For Commercial And Residential Zones And Uses Within 500 Feet Of Each Other.

**Councilmember Swatman moved to approve Ordinance D11-58.
Councilmember Carter seconded the motion.**

Mayor Johnson said two citizens signed up to speak on the proposed ordinance. Kirk Tower, 8416 182nd Ave E, Bonney Lake, He said he believes this ordinance needs to add a section regarding buffers between R1 and R3 as well.

Deputy Mayor Swatman asked if Mr. Tower would like to have similar buffers between R1 and R3 that are proposed between commercial and R1. Mr. Tower said the City needs to have similar buffers.

Shawn Hoey, Master Builders Association of Pierce County, reiterated his concern with the 500 foot requirement and asked Council to consider changing the requirement. Deputy Mayor Swatman asked if Mr. Hoey has a different number in mind. Mr. Hoey said the regulation is normally put on the commercial builders and not the residential builders.

Councilmember Carter said the commercial property already exists in the area. She said it would be difficult to require existing commercial businesses to retrofit to the new requirements.

Councilmember Lewis moved to table Ordinance D11-58 to the June 7, 2011 workshop. Councilmember Decker seconded the motion.

Motion approved 7-0.

- C. **AB11-62 – Resolution 2125** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Extending The Submittal Period For Cottage Housing Proposals Per Ordinance No. 1347.

Councilmember Rackley moved to approve Resolution 2125. Councilmember Decker seconded the motion.

Councilmember Rackley said the only change is extending the deadline by two years. Councilmember Carter asked if the City was only going to accept one application. She referenced the section in the ordinance that states the City will choose from a pool of applications. Councilmember Rackley said the City has not had one application to date. He said the City needs to get one to be able to move forward. Community Development Director Vodopich said all extensions need to be approved by Council. Deputy Mayor Swatman said the City of Puyallup is also looking at Cottage Housing options. He said they have not had much interest either.

**Resolution 2125 approved 6-1.
Councilmember Decker voted no.**

- D. **AB11-63** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Appointing Three Voting Delegates To The 2011 AWC Annual Conference.

Mayor Johnson asked for volunteers. Deputy Mayor Swatman, Councilmember McKibbin, and Councilmember Lewis volunteered to be the voting delegates.

Councilmember Rackley moved to approve motion AB11-63 to include the three volunteers. Councilmember Decker seconded the motion.

Motion approved 7-0.

- E. **Approval of Corrected Minutes:** May 3, 2011 Council Workshop and May 10, 2011 Council Meeting.

Councilmember Carter noted that Council received a corrected set of the May 3, 2011 minutes. She said the only change is on p. 1, removing Regional in the section titled Pierce County Regional Council.

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

Motion approved 7-0.

8:04p.m.

- I. EXECUTIVE SESSION:** Pursuant to RCW 42.30.110(1)(i) the Council recessed to an executive session with the City Attorney at 8:04 p.m. for 10 minutes to discuss potential litigation. The Council returned to Chambers at 8:16 p.m.

8:17p.m.

- X. ADJOURNMENT:**

At 8:17 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.



Harwood Edvalson, CMC
City Clerk



Neil Johnson
Mayor

Items presented to Council at the May 24, 2011 Meeting:

- City of Bonney Lake – *May 3, 2011 Council Workshop Minutes* – Harwood Edvalson.
- Letter – *Noise Concern between Commercial and Residential* – Lance and Patricia Davis