

CITY COUNCIL MEETING

August 23, 2011
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"

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

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. attended via video-conference.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Chief Financial Officer Al Juarez, Police Chief Mike Mitchell, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne, and Records & Information Specialist Susan Duis.

C. Announcements, Appointments and Presentations:

1. Announcements:

- a. **Proclamation**: Beautify Bonney Lake Day – September 17, 2011.

Mayor Johnson read the proclamation aloud and proclaimed Saturday, September 17, 2011 as Beautify Bonney Lake Day in Bonney Lake. He encouraged citizens and business owners to participate in the yearly event. Lillian McGinnis accepted the proclamation on behalf of Beautify Bonney Lake and thanked Mayor Johnson for his participation since the organization's beginning eight years ago.

2. Appointments:

- a. **Administration of Oath of Office**: Sergeant James Keller.

Judge Heslop administered the oath of office to Sergeant James Keller. Mayor Johnson, Councilmembers, staff, and family members in attendance congratulated Sgt. Keller on his accomplishment.

3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.

- B. Citizen Comments: None.
- C. Correspondence: None.

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 franchise agreement with Comcast, an amendment to the cable utility tax ordinance, and a proposed public hearing related to the franchise agreement. The committee also reviewed a proposed modification to the City's legal services agreement with Dionne & Rorick. The committee forwarded Resolution 2148, an agreement for employee background investigations, and approved its meeting notes.
- B. Community Development Committee: Councilmember Rackley said the committee met on August 16, 2011 and reviewed the 2011 CIP project status report. The committee forwarded Resolution 2144 and Resolution 2145 to the current agenda.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council meeting.

- D. Other Reports:

Pierce Transit: Mayor Johnson said he will be forwarding correspondence to Councilmembers related to issues between Pierce Transit agency management and the employee union. He said it is not clear how these issues might affect transit services in Bonney Lake in the future.

Community Events: Councilmembers Carter and Lewis attended the White River Families First coalition meeting in August. She said White River School District wants to get more information out to Bonney Lake residents about events and services, and asked that the City help provide information online and in newsletters. She added that the 4th annual Health Summit is on September 1st, and will include drug and alcohol abuse and domestic violence awareness education.

Women's Equality Day: Councilmember Carter said that August 26, 2011 is Women's Equality Day, and the anniversary of the passage of the 19th Amendment to the U.S. Constitution, which gave women the right to vote.

IV. CONSENT AGENDA:

- A. **Approval of Corrected Minutes**: July 16, 2011 Special Council Meeting; July 19, 2011 Council Workshop, July 26, 2011 Council Meeting, and the August 9, 2011 Council Meeting.
- B. **Approval of Accounts Payable Checks/Vouchers**: Accounts Payable checks/vouchers #61728 thru 61764 (Including Wire Transfer #s 20010803, 20110802, 35271069) in the amount of \$209,886.08; Accounts Payable checks/vouchers #61765 thru 61797 in the amount of \$6,281.03; Accounts Payable

checks/vouchers #61798 thru 61833 (including Wire Transfer # 8122011) in the amount of \$364,051.10 for a grand total of \$580,218.21.

- C. **Approval of Payroll:** Payroll for August 1-15th 2011 for checks 29939-29967 including Direct Deposits and Electronic Transfers in the amount of \$ 432,058.72.
- D. **AB11- 84 – Resolution 2133** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A Six-Year Transportation Improvement Program (2012-2017).
- E. **AB11-90 – Resolution 2139** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Renewal Agreement With Qwest To Provide ISDN PRI Circuit For A Term Of 36 Months With A Monthly Charge Of \$580.00.
- F. **AB11-93 – Resolution 2142** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The City To Submit An Application For The FY2013 Transportation Improvement Board Grant Programs In Connection With The State Route 410 & Sumner Buckley Highway Intersection Improvement Project.
- G. ~~**AB11-97 – Resolution 2145** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With RH2 Engineering For The On-Site Sewer Abatement Master Plan.~~

Deputy Mayor Swatman requested that Item G., Resolution 2145, be moved to Community Development Issues, Item B.

Consent Agenda approved as amended 7 – 0.

V. FINANCE COMMITTEE ISSUES:

- A. **AB11-82 – Ordinance 1394 [D11-82]** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Modifying Bonney Lake Municipal Code Chapter 15.14 Relating To Funding Of The City’s Stormwater Utility.

Councilmember Decker moved to approve Ordinance 1394. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman noted that the Finance Committee has reviewed this item extensively.

Ordinance 1394 approved 7 – 0.

- B. **AB11-92 – Resolution 2141** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Amendment To The Purchase And Sale Agreement With The Sumner School District To Provide Right-Of-Way For The Safe Routes To School Project.

Councilmember Decker moved to approve Resolution 2141. Councilmember Lewis seconded the Motion.

Deputy Mayor Swatman said staff members have worked very hard to get this contract completed. Facilities & Special Project Manager Gary Leaf said the plans still have to be approved by WSDOT but this is a big step in the process. The School Board plans to approve the agreement at their next meeting.

Resolution 2141 approved 7 – 0.

- C. **AB11-100 – Resolution 2147** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding A Contract To Wesco Cascade Controls For The Purchase And Installation Of Variable Frequency Drives.

Councilmember Rackley moved to approve Resolution 2147. Councilmember Decker seconded the motion.

Deputy Mayor Swatman said the Finance Committee reviewed the agreement, and although he has technical questions, he feels this is a good project. Councilmember Lewis noted the CDC also discussed the item.

Resolution 2147 approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB11-96 – Resolution 2144** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Awarding The Contract With Northwest Concrete Waterproofing For The Sewer Manhole Rehabilitation Services.

Councilmember Decker moved to approve Resolution 2144. Councilmember Rackley seconded the motion.

Director Grigsby confirmed that the City Attorney's office has reviewed the proposed agreement extensively. Deputy Mayor Swatman asked why some manholes have needed rehabilitation relatively quickly, and questioned the quality of the original equipment and the value of this project. Councilmembers Lewis and Rackley said staff keep records on each individual manhole and can identify which ones need rehabilitation. Councilmember Carter asked how the project is funded and prioritized. Director Grigsby said per the contract, staff and contractors will evaluate each manhole to determine which ones need work, and how much work each one needs, so the budgeted funds will be used as fully as possible. He added that this is a CIP project that has been in the budget for several years.

**Resolution 2144 approved 6 – 1.
Councilmember Decker voted no.**

- B. **AB11-97 – Resolution 2145** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With RH2 Engineering For The On Site Sewer Abatement Master Plan.

Councilmember Decker moved to approve Resolution 2145. Councilmember Rackley seconded the motion.

Deputy Mayor Swatman asked if approval of this project implies that the City will continue funding future sewer abatement projects. Director Grigsby said the City has a recurring CIP project in the budget to reduce septic systems in the City limits. This proposed project would be the third project in the program. He said Community Development Committee members requested a master plan be created to better understand the project status and identify future project priorities. He said the City is currently working to install dry lines in the Cedarview development. He said the project is not yet complete, but the City will do a little more each year to extend sewer to the development. Councilmember Decker noted the area is zoned R-2 and he feels the residents do not want duplexes in the area, and therefore may not want sewer to be extended. Deputy Mayor Swatman said these projects increase rates for utility customers.

Councilmember Rackley said the Community Development Committee felt that having a plan would help the City save money by planning for future projects, and would provide additional background for how projects are selected. Director Grigsby confirmed that homeowners in Cedarview would have to hook up to the sewer line, once it is available, if their septic system fails or at the time they sell their house. Director Grigsby said the City provides an agreement for realtors which includes the cost for sewer hookup in the closing costs for home sales.

Resolution 2145 approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: *None.*

VIII. FULL COUNCIL ISSUES:

- A. AB11-101 – Ordinance 1395 [D11-101] – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 13.12 BLMC.**

Councilmember Decker moved to approve Ordinance 1395. Councilmember Lewis seconded the motion.

Councilmember Carter said this chapter needs additional amendments, and asked if this item could be tabled until the entire chapter has been reviewed. Mayor Johnson said the proposed amendments are time-sensitive and relate to a specific property owner who has been working with the Community Development Department to make improvements to his business, the Midtown Grill. He said the proposed ordinance helps small businesses by not requiring property owners to pay additional System Development Charges (SDC) when completing tenant improvements under a certain size limit. Mayor Johnson said Community Development Director Vodopich, who determined the calculations, was not in attendance to offer more details. Councilmember Lewis said based on committee discussions, the 50% threshold was based on other municipalities, as this level does not usually require additional sewer system upgrades. Councilmember Rackley noted that for the business in question, the City will not lose any fees because the business is expanding into another existing business space. Councilmember Hamilton expressed concern that the ordinance is too narrowly focused to a particular business owner and may not work

for others, and could present unforeseen issues in the future. Mayor Johnson said Director Vodopich drafted the ordinance with various types of businesses in mind, to allow other owners to expand into neighboring vacant spaces.

City Administrator Morrison said that the adjacent business paid a lower SDC rate than a restaurant, as it was only a video game store. He added, however, that the original Chinese restaurant in the Midtown Grill space had more seats than the later restaurants that have taken its place, so the proposed tenant improvements even out the total seating.

Deputy Mayor Swatman said he supports the ordinance as it provides flexibility for different types of businesses, and noted that different restaurants can have very different impacts even when they are in the same class. Councilmember Lewis said other businesses have made inquiries to the City about similar improvements, so there is interest in this option for more than one business owner.

Councilmember Carter said the Council discussed a similar ordinance a year or two ago but did not act on it. She said this proposed ordinance came to Council very quickly, and said she has concerns that it is too site-specific. Councilmember Decker said he supports the ordinance but feels the whole chapter should still be reviewed for amendments in the future.

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

- B. AB11-102 – Ordinance 1396 [D11-102] – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A Temporary Zoning Moratorium On The Establishment, Maintenance Or Continuation Of Medical Marijuana Collective Gardens.**

Councilmember Rackley moved to approve Ordinance 1396. Councilmember Decker seconded the motion.

City Administrator Morrison said the Council needs to select a date for a Public Hearing to complete Section 4 of the ordinance. City Attorney Dionne suggested that the Council set an open hearing at the next regular meeting.

Councilmember Carter moved to set a Public Hearing for the next regular Council Meeting, September 13, 2011, at 7:00 p.m. Councilmember Decker seconded the motion.

Motion to amend Ordinance 1396 approved 7 – 0.

Ordinance 1396 approved as amended 7 – 0.

- C. AB11-104 – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Joint Special Meeting Of The City Council And Planning Commission For August 30, 2011 At 5:30 p.m.**

Councilmember Lewis moved to approve AB11-104. Councilmember Rackley seconded the motion.

Deputy Mayor Swatman said Planning Commissioners are eager to meet with the Council and asked if anyone would be unable to attend. All the Councilmembers said they should be able to attend the special meeting.

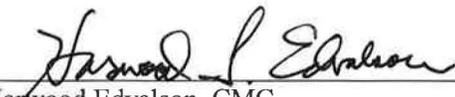
Motion approved 7 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT:

At 7:50 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 August 23, 2011 Meeting: *None.*