

CITY COUNCIL MEETING

September 13, 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

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 Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, and Councilmember Randy McKibbin. Councilmember Lewis and Councilmember Jim Rackley were absent.

Councilmember McKibbin moved to excuse Councilmembers Lewis & Rackley. Councilmember Decker seconded the motion.

Motion approved 5 – 0.

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**: Proclaiming September 15, 2011 as Mike Mitchell Day in Bonney Lake.

Mayor Johnson read the proclamation aloud, and thanked Police Chief Mike Mitchell for his years of service to the City. He presented Chief Mitchell with a plaque and congratulated him on his upcoming retirement.

2. Appointments: None.

3. Presentations: None.

D. Agenda Modifications:

Councilmember Decker requested that Consent Agenda Items B. and C. be moved to Full Council issues for consideration.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

1. **Public Hearing Pursuant to Declaration of a Moratorium:** AB11-102 – Ordinance 1396 – Declaring A Moratorium On Collective Medical Marijuana Gardens.

Mayor Johnson opened the hearing at 7:05 p.m. Seeing no one coming forward to speak, the public hearing was closed at 7:05 p.m.

B. Citizen Comments:

Quinn Dahlstrom, 6527 193rd Av E, Bonney Lake, thanked the City for awarding the Lake Debra Jane water main project contract to Jennings Northwest. She said they provided great customer service when working on the project in her neighborhood. She also thanked Chief Mike Mitchell for his service as Police Chief in Bonney Lake and wished him well. Ms. Dahlstrom also thanked Mayor Johnson for appointing Dana Powers as Interim Chief, who has served in the community for many years.

Fire Chief Jerry Thorsen, East Pierce Fire & Rescue, presented a Certificate of Appreciation to Chief Mitchell from the Fire Department. He said the department wishes him a happy and well-deserved retirement.

Katrina Minton-Davis, 19004 107th St E, spoke on behalf of Relay for Life. She thanked the Mayor and Council and staff for their support and said the group exceeded its fundraising goal by raising \$205,000 this year. She said the event will be held at Bonney Lake High School in 2012, as the Sumner track will be under construction. She said the organization is already planning for next year's event and looks forward to continued support.

Marilee Hill-Anderson, Sumner School District, spoke about issues regarding youth and marijuana use. She said she did not want to speak specifically for or against the proposed moratorium on collective gardens but wanted to share information so the Council can get a full picture of what they see as the full impact of marijuana use amongst youth. She provided the Council and staff with a graph showing the change in perception of harm trends for graduating high school students. Councilmember Hamilton welcomed staff to share information with the Public Safety Committee.

Monica Gaub, 20720 127th St E, Bonney Lake, is the Prairie Ridge Community Coalition coordinator and spoke about how ongoing drug use impacts local communities. She thanked the Council for their thoughtfulness and strategic actions moving forward, and said her group is available to help provide information.

HaeMan Song, Pierce County Community Connections, is a Chemical Dependency Prevention Specialist, and shared information with the Council on the number of youth in treatment for drug use in recent years. He said in 2007, 57% of youth in drug treatment programs said marijuana was their 'drug of choice'; that number has increased to 75% in 2010 (over 7,000 youth). He said marijuana use has increased amongst youth for the first time in 10 years. He responded to questions regarding these statistics and forms of treatment. He said in Pierce County, 11% of 10th graders and 23% of 12th graders report current marijuana use, based on a recent survey. Councilmember Hamilton asked if research shows a correlation between decriminalization of marijuana by the State with increased drug use in youth. Mr. Song said that more data needs to be

gathered, but there has been an increase in the number of youth using marijuana recently. He said that based on anecdotal information, it seems very easy to obtain a medical marijuana prescription, and school nurses and others are not sure how to deal with these issues. Councilmember Carter suggested Councilmembers read the recent article in the MRSC newsletter that discusses issues related to marijuana.

- 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 personnel updates and forwarded the following items to upcoming meetings and workshops: a proposed ordinance for land use fees, a resolution for property acquisition at Dike 13, and an ordinance updating BLMC Chapter 2.08. He said the committee also reviewed meeting minutes and discussed options to broadcast council meetings.

- B. Community Development Committee: Councilmember McKibbin said the committee met on September 6th and forwarded Resolutions 2149 and 2150 and motions to approve projects as complete to the current Consent Agenda for consideration.

- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council meeting.

- D. Other Reports:

Business Opening: Mayor Johnson said he attended the grand opening of the new BECU Bank earlier in the day, and the bank is excited to move in a larger new building. He said BECU also presented a donation check to Beautify Bonney Lake.

Police Chief's Retirement: Mayor Johnson said he and a large number of staff members attended the Chief's going-away luncheon earlier in the day.

SR410 Road Widening Ribbon Cutting Ceremony: Mayor Johnson said he, Councilmembers Lewis, Swatman and Rackley, and members of the City staff attended the ribbon-cutting ceremony for the SR410 road-widening project last week.

Local Sports: Councilmember Decker noted that the Bonney Lake High School Panthers beat the Sumner High School football team last weekend.

IV. CONSENT AGENDA:

- A. **Approval of Corrected Minutes**: August 16, 2011 Council Workshop; August 23, 2011 Council Meeting; and August 30, 2011 Special Joint Council/Planning Commission Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**: ~~Accounts Payable checks/vouchers #61834 thru 61878 (Including Wire Transfer #s 7932127, 8082011) in the amount of \$460,925.39; Accounts Payable checks/vouchers #61879 thru 61881 in the amount of \$148.00; Accounts Payable checks/vouchers #61882 thru 61833~~

in the amount of \$212.88; Accounts Payable checks/vouchers #61884 thru 61885 in the amount of \$1,350.00; Accounts Payable checks/vouchers #61886 thru 61933 (Including Wire Transfer # 9012011) in the amount of \$569,149.01; Accounts Payable checks/vouchers #61934 thru 61972 in the amount of \$86,759.36; Accounts Payable checks/vouchers #61973 thru 61974 in the amount of \$938.31; Accounts Payable checks/vouchers #61975 thru 61975 in the amount of \$134.62, for a grand total of \$1,119,617.57. **VOIDED CHECKS:** Accounts Payable checks/vouchers #61910 in the amount of \$900.00 and Accounts Payable checks/vouchers #61926 in the amount of \$500.00. *Moved to Full Council Issues, Item B.*

- C. **Approval of Payroll:** Payroll for August 16-31st 2011 for checks 29968-29997 including Direct Deposits and Electronic Transfers in the amount of \$ 608,421.38. *Moved to Full Council Issues, Item B.*
- D. ~~**AB11-99 – Resolution 2146**~~ – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Contract Amendment With Dionne And Rorick For Legal Services. *Moved to Finance Committee Issues, Item B.*
- E. ~~**AB11-103 – Resolution 2148**~~ – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Updated Client Services Agreement With Pinnacle Investigations For Pre-Employment Background Checks For Applicants Considered For A Regular Or Temporary Position Of Employment With The City. *Moved to Finance Committee Issues, Item C.*
- F. **AB11-108 – Resolution 2149** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Awarding The Contract With Henderson Partners LLC For The Construction Of The West Tapps Sidewalk And Watermain Improvements.
- G. **AB11-109 – Resolution 2150** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The Prairie Ridge Booster Pump Station and Wholesale Intertie Project To Waunch Construction And Trucking, Inc.
- H. **AB11-105** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Interim Justice Center With M.J. Takisaki Inc.
- I. **AB11-106** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Angeline Force Main Project With Archer Construction, Inc.
- J. **AB11-107** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The North Debra Jane Lake Watermain Replacement Project With Jennings NW LLC.

Deputy Mayor Swatman requested that Items D. and E. be moved to Finance Committee Issues for consideration. Items B. and C. were moved to Full Council Issues during Agenda Modifications (above).

**Councilmember Decker moved to approve the Consent Agenda as amended.
Councilmember Carter seconded the motion.**

Consent Agenda approved as amended 5 – 0.

V. FINANCE COMMITTEE ISSUES:

- A. **AB11-80** – 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 27, 2011 For The Renewal Of A Cable Television Franchise Agreement With Comcast Of California / Colorado / Washington I, Inc; And For The Establishment Of A Franchise Fee Of Five Percent.

Councilmember Decker moved to approve AB11-80. Councilmember Hamilton seconded the motion.

Councilmember Decker asked if the proposed ordinance will change the franchise fee. Deputy Mayor Swatman said the combined franchise and utility tax would be the same amount for customers. He said the Council has not yet decided whether to broadcast Council meetings, and that issue is separate from the franchise agreement. Councilmember Carter said per the staff memo, only Comcast customers would have access to a public access channel for Council meetings, but it would require an additional cost to residents. Deputy Mayor Swatman confirmed that broadcasting is not part of the proposed franchise agreement, and this motion is simply to set the public hearing to move forward through that process.

Motion AB11-80 approved 5 – 0.

- B. **AB11-99 – Resolution 2146** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Contract Amendment With Dionne And Rorick For Legal Services.

Councilmember Decker moved to approve Resolution 2146. Deputy Mayor Swatman seconded the motion.

Deputy Mayor Swatman said the Finance Committee reviewed this item previously. He said the firm of Dionne & Rorick currently provides the City's prosecuting services, and the City has recently hired an internal Prosecuting Attorney. He said staff at Dionne & Rorick have made a case for keeping this position as a non-City employee. He said it's the Council's authority to approve or deny this proposed amendment.

Councilmember Decker moved to table Resolution 2146 to the September 20th Workshop. Councilmember Carter seconded the motion.

Councilmember Decker noted that two councilmembers were not in attendance and should have the chance to discuss this item.

Motion to table approved 5 – 0.

- C. **AB11-103 – Resolution 2148** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Updated Client Services Agreement With Pinnacle Investigations For Pre-Employment Background Checks For Applicants Considered For A Regular Or Temporary Position Of Employment With The City.

Councilmember Decker moved to approve Resolution 2148. Deputy Mayor Swatman seconded the motion.

Deputy Mayor Swatman said the City runs background checks on all city employees, including temporary summer hires. He said the proposed contract is a renewal for services only. City Administrator Morrison said the City does not do background checks on elected or appointed officials such as Councilmembers. Administrative Services Director/City Clerk Edvalson said the City can select different levels of background check services, and normally uses the 'Bronze Star' report level, with an expanded reporting time frame. City Administrator Morrison said the City can request a higher level background check for specific positions.

Resolution 2148 approved 5 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: *None.*

VII. PUBLIC SAFETY COMMITTEE ISSUES: *None.*

VIII. FULL COUNCIL ISSUES:

- A. AB11-110 – Resolution 2151** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With Swiss Sportsman's Club Of Tacoma Regarding Fire Hydrant Installation And Water Connections.

Councilmember Decker moved to approve Resolution 2151. Councilmember Carter seconded the motion.

City Administrator Morrison said per this agreement, the Swiss Sportsman's Park will exchange a number of connections for a hydrant installation. He said it seems to be a mutually acceptable and practical resolution to the issues between the City and Swiss Park. He said if the property is later sold and developed, the City would recoup its costs for the hydrant installation. Deputy Mayor Swatman thanked the administration and Swiss Sportsman's Club for working through this issue to find a solution. Councilmember Decker thanked the Club for working with the City.

Resolution 2151 approved 5 – 0.

- B. Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #61834 thru 61878 (Including Wire Transfer #s 7932127, 8082011) in the amount of \$460,925.39; Accounts Payable checks/vouchers #61879 thru 61881 in the amount of \$148.00; Accounts Payable checks/vouchers #61882 thru 61833 in the amount of \$212.88; Accounts Payable checks/vouchers #61884 thru 61885 in the amount of \$1,350.00; Accounts Payable checks/vouchers #61886 thru 61933 (Including Wire Transfer # 9012011) in the amount of \$569,149.01; Accounts Payable checks/vouchers #61934 thru 61972 in the amount of \$86,759.36; Accounts Payable checks/vouchers #61973 thru 61974 in the amount of \$938.31; Accounts Payable checks/vouchers #61975 thru 61975 in the amount of \$134.62, for a grand total of \$1,119,617.57. **VOIDED CHECKS:** Accounts Payable checks/vouchers #61910 in the amount of \$900.00 and Accounts Payable checks/vouchers #61926 in the amount of \$500.00. *Moved from Consent Agenda Issues, Item C.*

Councilmember Decker moved to approve Accounts Payable and Utility Refund Checks/Vouchers. Deputy Mayor Swatman seconded the motion.

Councilmember Decker said he plans to approve the item but would like to receive more information on the items included in voucher review, in particular a brief description for larger expenditures. Chief Finance Officer Al Juarez said additional information is available and could be distributed prior to meetings if the Council desires. Deputy Mayor Swatman said the current amount of information shared with the full Council was determined for specific reasons in the past. Mayor Johnson suggested the Council discuss this item at a future Workshop if there is interest. He said he wants to ensure staff are meeting Councilmembers' expectations.

Accounts Payable and Utility Refund Checks/Vouchers approved 5 – 0.

- C. Approval of Payroll:** Payroll for August 16-31st 2011 for checks 29968-29997 including Direct Deposits and Electronic Transfers in the amount of \$ 608,421.38. *Moved from Consent Agenda Issues, Item B.*

Councilmember Hamilton moved to approve Payroll. Councilmember Carter seconded the motion.

Councilmember Decker said he felt the information provided on the agenda may seem vague, as it lists a small number of checks for the entire payroll, but many employees are paid by direct deposit or electronic transfer. Mayor Johnson suggested the presentation of payroll be discussed at Workshop along with checks and vouchers.

Payroll approved 5 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT:

At 7:52 p.m., Councilmember Hamilton moved to adjourn the meeting. Councilmember Carter seconded the motion.

Motion to adjourn approved 5 – 0.



Harwood Edvalson, CMC
City Clerk



Neil Johnson
Mayor

Items presented to Council at the September 13, 2011 Meeting:

- Quinn Dahlstrom – *Letter to Council* – Bonney Lake Resident.
- Merrily Hill-Anderson – “Graduating Class of 2010-11 Perception of Harm Trends” – Sumner School District.