

CITY COUNCIL MEETING

October 23, 2012
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 7:02 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 Mark Hamilton, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, and Councilmember Tom Watson. Councilmember Donn Lewis and Councilmember Jim Rackley were absent.

Deputy Mayor Swatman moved to excuse Councilmember Lewis and Councilmember Rackley's absences. Councilmember Watson seconded the motion.

Motion approved 5–0.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Interim Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, Assistant City Attorney Kathleen Haggard, and Records & Information Specialist Susan Duis.

C. Announcements, Appointments and Presentations:

A. Announcements:

a. **Proclamation:** Veterans Day.

Mayor Johnson read the proclamation aloud and presented the proclamation to Robin Wittenberg, Treasurer of the Greater Bonney Lake Veterans Memorial Committee. Ms. Wittenberg thanked the Council and invited all to a ceremony on November 11th, when the Memorial Committee will raise the flag at sunrise and lower it at sunset at the planned Veterans Memorial site on Main St E and SR 410.

B. Appointments: None.

C. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Winona Jacobsen, 9100 189th Ave Ct E, Bonney Lake, spoke on behalf of the Greater Bonney Lake Historical Society. She thanked the City for providing space in the Justice Center for the first annual Milotte Film Festival, which was held on October 20th. She particularly thanked Councilmember and Historical Society member Mark Hamilton. She said Mr. Hamilton first suggested the idea of a film festival, helped through the process of acquiring films to show, and answered questions at the festival. She said a wide range of people attended the film festival, and all enjoyed the films. She presented Councilmember Hamilton the first ever 'Millie Bear Award' for his work to enhance the community and educate the public. Councilmember Hamilton said he wanted to share the award with the entire Historical Society. He thanked the Mayor for supporting the event and assisting the Historical Society.

Lillian McGinnis, 11002 203rd Ave E, Bonney Lake, also spoke as a member of the Historical Society. She shared excerpts from the society's minutes from February 2011 to the present as the group worked towards the first annual film festival. She thanked Winona Jacobsen for her work to publish a book on the history of the area in May 2011. She said the film festival was successful due to support from many people. She also thanked Councilmember Hamilton for being a driving force behind the festival, and presented him with a card and gift in appreciation from the Historical Society.

Dan Decker, 20401 70th St E, Bonney Lake, asked the Council how much is spent on P-Cards (purchasing cards) each month by City staff. He provided the City Clerk with a written copy of his public disclosure request for information on the reasons for all P-Card expenditures, who authorized each expenditure, and whether each was reviewed. He said a lot of money is being spent that has not been justified.

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 upcoming AFSCME union negotiations. The committee reviewed its minutes. The Committee discussed the City's contract with Dionne and Rorick for legal services in lieu of Jim Dionne's upcoming retirement. The Committee discussed the City's banking services contract, and Eastown sewer services. He said a sewer service concept should be ready for the next Council workshop for review. The Committee had no action items.

B. Community Development Committee: Councilmember McKibbin said the committee met on October 16th and forwarded one item 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 County Regional Council: Councilmember Hamilton attended Pierce County Regional Council on Thursday, October 18th. The group discussed the second phase of funding distribution for transportation projects in Pierce County. He said Bonney Lake

received funding this year. He provided the Council with a handout that was distributed at the Regional Council meeting outlining the award ranking per capita for agencies in Pierce County. He said Bonney Lake is ranked 13th on the list, at about \$20 per capita. He noted that other cities received much more per capita. He said it is important to work to better-distribute federal funding throughout the County. He said the Bonney Lake City Council is considering ordinances to stimulate economic development and to be competitive, and it is difficult to compete when Bonney Lake does not receive its fair share of federal funds. He said he wants to work with the Mayor and staff to make the City fare better in the scoring system that is used to distribute funds. He noted that the City of Sumner does not have to charge impact fees because they have received large amounts of transportation funding. Mayor Johnson said he has spoken with a representative who works on rural transportation funding, and he wants to get small cities working together to be more competitive for funding in the future.

Community Updates: Councilmember Watson said he and Councilmember Lewis attended the Families First Coalition meeting on October 22nd. He said Lions 4 Kids has a program to provide eyeglasses to local children. Big Brothers and Big Sisters of Puget Sound is working with Joint Base Lewis-McChord to identify families in the community that may need support. He said there will be a Harvest Party at the Prairie Ridge Recreation Hall on October 28th, and a 'Time Machine' fundraiser for the Buckley Youth Center on October 28th.

IV. CONSENT AGENDA:

- A. **Approval of Minutes:** October 2, 2012 Workshop, October 9, 2012 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #64703-6478 (including wire transfers (20121003, 20121015, 2012101701) in the amount of \$84,417.41.
Void Checks: Check #64570 replaced with Check #64758.
- C. **Approval of Payroll:** Payroll for October 1-15th, 2012 for checks #30736-30757 including Direct Deposits and Electronic Transfers in the amount of \$ 422,545.40.
- D. **AB12-140 – Resolution 2247** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The City Of Bonney Lake Justice Center Tenant Improvement Phase 2 Project Contract To JB Construction Consulting, Inc.
- E. **AB12-145 – Resolution 2248** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Intergovernmental Cooperative Purchasing Agreement With Vancouver School District No. 37 For The Purchase Of Office, Printer, Art, Health Supplies And Furniture.
- F. **AB12-144** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The 2012 Chip Seal Project With Doolittle Construction LLC.

Councilmember Hamilton moved to approve the Consent Agenda. Councilmember Watson seconded the motion.

Consent Agenda approved 5–0.

V. FINANCE COMMITTEE ISSUES:

- A. **AB12-139 – Ordinance 1438 [D12-139]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Attachment A-1 Of Ordinance No. 1400 Relating To The Position Classification And Salary Grades Of Non-Represented Employees.

Councilmember Hamilton moved to approve Ordinance 1438. Councilmember Watson seconded the motion.

City Administrator Morrison noted that ordinances must be approved by a majority of the full Council, and since two councilmembers were absent, the upcoming ordinances would need at least four votes in favor to be approved at the current meeting.

Deputy Mayor Swatman said the proposed ordinance was reviewed by the Finance Committee, and represents a compromise between the Committee and City administration to make it clear how positions are laid out. Deputy Mayor Swatman said some positions listed are not currently filled, and there are no plans to fill them at this time. He said these positions should not be filled without the Council’s approval.

Ordinance 1438 approved 5-0.

VI. COMMUNITY DEVELOPMENT ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB12-133 – Ordinance 1437 [D12-133]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.08.080(B) Of The Bonney Lake Municipal Code And Section One Of Ordinance No. 1399 Relating To Police Position Exempt From Civil Service.

Councilmember Hamilton moved to approve Ordinance 1437. Councilmember Watson seconded the motion.

Mayor Johnson said the proposed ordinance has been discussed at a previous Council Workshop and hoped the Councilmembers’ questions had been answered. Deputy Mayor Swatman asked the City Attorney about changes to the language in the ordinance since the Workshop. Assistant City Attorney Haggard said the changes in the current version are not substantive, and were made to remove the word ‘grandfathering’ (which is not accurate for this ordinance), and to update references to the RCW to ensure any and all procedures that would govern the chapter are referenced appropriately.

Councilmember Watson spoke in favor of the proposed ordinance and said the Police Chief needs assurance that she can retain her job. Deputy Mayor Swatman said he plans to vote against the ordinance. He said the City has an outstanding candidate for Police Chief today, but he feels that the Mayor should have authority to be accountable to the people who voted for him. He said any high-end position in the City needs protection, but

that protection should be provided in an employment agreement, not as this ordinance proposes. He added that the proposed ordinance covers three positions, not just the Chief. He said he has read articles showing that many Police Departments are considering removing all staff from civil service protection, and only one 1st Class city in Washington State includes its Police Chief under civil service (he also noted that Bonney Lake is a 2nd class city). He said some of the most difficult issues in employment law are ‘soft’ issues like insolence and insubordination, or incompetence and poor performance. He said these cases are more difficult to deal with when they are protected under civil service. He said he does not want to create a buffer to prevent the Mayor from doing his job.

Councilmember Minton-Davis said she was previously undecided about the proposed ordinance, but has done research and now agrees with the Mayor and is in favor of the ordinance. She said the ordinance is for staff who have gone through the ranks, and are already through the probationary period with the City.

**Ordinance 1437 approved 4 – 1.
Deputy Mayor Swatman voted no.**

- B. **AB12-142 – Ordinance 1439 [D12-142]** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 19.04 Of The Bonney Lake Municipal Code And The Corresponding Portions Of Ordinance No. 1282 Related To Transportation Impact Fees.

The City Clerk presented the Council with a proposed amended version of the ordinance that was different from the item provided in the Agenda Packet. He said the Council would need to make a motion to consider the revised ordinance as presented.

**Councilmember Watson moved to consider the amended ordinance as presented.
Deputy Mayor Swatman seconded the motion.**

Director Vodopich said minor changes were made to page two of the proposed ordinance, to update language for current zoning designations of Easttown zone (previously “Easttown combined retail commercial”) and the Midtown Core zone (previously “C-3”) which is gone; section 4 special criteria for ... added “which is expected to generate”.

**Deputy Mayor Swatman moved to approve amended Ordinance 1439.
Councilmember Watson seconded the motion.**

Councilmember Hamilton spoke in support of the ordinance. He said it protects the TIF program and distributes general funds into the program as needed. Deputy Mayor Swatman said it is a targeted and limited time ordinance, and the Council will revisit it again in the future. He said it is a step in the right direction and will hopefully capture new retail investment for the City. Mayor Johnson said the Administration will keep the Council updated on any new economic activity. Director Vodopich said he plans to notify his business contacts the following morning if the ordinance is approved.

Ordinance 1439 approved 5–0.

- C. **AB12-143 – Ordinance 1440 [D12-143]** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Sections 13.04.070 And 13.12.100 Of The Bonney Lake Municipal Code Relating To Water And Sewer System Development Charges.

Councilmember Watson moved to approve Ordinance 1440. Deputy Mayor Swatman seconded the motion.

Mayor Johnson said this ordinance corresponds with the TIF reduction ordinance the Council approved per Ordinance 1439. Councilmember Watson said he supports the ordinance. Councilmember Hamilton said he is apprehensive about the ordinance, but he plans to vote for it. He said he appreciates that it is a temporary ordinance. He said the City must closely monitor revenues to ensure costs do not fall on the rate payers, who should not pay for development. Mayor Johnson said staff will monitor the program closely. Deputy Mayor Swatman said he shares Councilmember Hamilton’s concerns, but noted it is a limited time ordinance and the Council can revise it if it does not work as expected. He said the City is trying to find something that works to spur economic development.

Ordinance 1440 approved 5–0.

- D. **AB12-150** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting Public Hearings On November 6, 2012 At 5:30 P.M. And On December 11, 2012 At 7:00 P.M., Or As Soon Thereafter As Possible, For Proposed Ordinance D12-148, Establishing Pre-Annexation Zoning For Falling Water Subdivision And Identifying The Falling Water Subdivision And The Tehaleh Planned Community As “Proposed UGA” On The City’s Future Land Use Map.

Councilmember Watson moved to approve motion AB12-150. Councilmember Hamilton seconded the motion.

Community Development Director Vodopich said the proposed motion is simply to set public hearings. He said the Planning Commission will present details on the proposed ordinance at the next Council Workshop on November 6th.

Motion AB12-150 approved 5–0.

IX. EXECUTIVE SESSION: None.

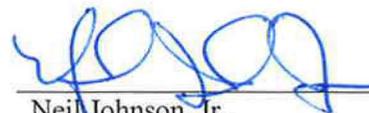
X. ADJOURNMENT:

At 7:47 p.m., Councilmember Watson moved to adjourn the Council Meeting. Deputy Mayor Swatman seconded the motion.

Motion to adjourn approved 5–0.



 Harwood Edvalson, MMC
 City Clerk



 Neil Johnson, Jr.
 Mayor

Items presented to Council at the October 23, 2012 Meeting:

- Councilmember Mark Hamilton – *Pierce County Award History Ranked Per Capita.*
- Dan Decker – *“Bonney Lake Facing Big Shorrtfall for 2013” (Public Records Request).*