

CITY COUNCIL MEETING

April 9, 2013
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 & Municipal 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, Councilmember Jim Rackley, and Councilmember Tom Watson. Councilmember Donn Lewis was absent.

Councilmember Rackley moved to excuse Councilmember Lewis from the Meeting. Councilmember Watson seconded the motion.

Motion approved 6 – 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, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, and Records & Information Specialist Susan Duis. Development Review Engineer Cole Elliot and Senior Planner Jason Sullivan were also in attendance.

C. Announcements, Appointments and Presentations:

1. Announcements:
 - a. Mayor Johnson said he received notification from the Arbor Day Foundation that the City of Bonney Lake was named "Tree City USA" again for 2012.
2. Appointments:
 - a. **AB13-58** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Confirming The Mayor's Reappointment of Park Board Member Todd Haueter (#7) And Appointment Of Park Board Member Scott Anderson (#6) With Terms Ending April 6, 2016.

Councilmember Rackley moved to approve motion AB13-58. Councilmember Watson seconded the motion.

Mayor Johnson said these appointments bring the Park Board to full membership. He said Darren Proctor is stepping down and thanked him for his service.

Motion approved 6 – 0.

- b. **AB13-59** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Confirming The Mayor’s Reappointment Of Planning Commissioners Dennis Poulsen (#6) and L. Winona Jacobsen (#7); Reappointment Of Design Commissioner Thomas Kennedy (#3); and Appointment Of Design Commissioner Darci McConnell (#4), With Terms Ending April 6, 2016.

**Councilmember Watson moved to approve motion AB13-59.
Councilmember Rackley seconded the motion.**

Mayor Johnson said this action fills all the current commission vacancies.

Motion approved 6 – 0.

3. Presentations:

- a. **Proclamation:** Care-A-Lot Day for Bonney Lake – April 12, 2013.

Mayor Johnson said this proclamation is different from most, and explained that it came from talking to a member of the community whose daughter suggested Bonney Lake change its name to “Care-A-Lot”. Mayor Johnson proclaimed Friday, April 12, 2013 as “Grace Colbeth Care-A-Lot Day” for Bonney Lake. He invited everyone to celebrate service and participation in the community. David Colbeth, Grace’s father, explained how Grace came up with the idea, and said he hoped it would foster youth participation in the community.

- D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.

- B. Citizen Comments:

James Kelly McClimans, Sr, 19025 68th St E, Bonney Lake, congratulated the City on the great Easter Egg Hunt event on March 30th. He spoke about the proposed Metropolitan Parks District (MPD) on the April ballot. He said he has spent a lot of time and energy on this issue, and is opposed to the MPD. He said he does not want the City to take any more tax dollars or property from citizens. He said in 2004, the City seized the ‘Moriarty Property’ for a parks addition. He said it is wrong for the City to take property, and asked if the City had paid off the \$5 million bill for this acquisition. He said it is difficult to find information to answer his questions. He asked the Council to consider taking action to suspend the taking of property for park purposes. He said the pro-MPD side has accused his group of being paranoid for suggesting that the MPD could use eminent domain. He said the Moriarty Property seizure shows a history of this happening.

Mayor Johnson asked Mr. McClimans to provide any questions he has to the City Clerk.

Shawnta Mulligan, 11329 177th Ave E, Bonney Lake, said the Council’s decisions to take the Moriarty Property were costly to citizens and have not benefited the people of Bonney Lake. She said the Justice & Municipal Center is another example, as the City

took out a \$10 million bond which has not benefited people. She said the Council is willing to take out bonds without public input, but goes to a special election for parks issues or a recreation center. She said she believes the City's priority on building trails is not in line with what people in the community want most – ballfields. She noted that a new MPD would still need to take out bonds to complete big-ticket projects. Ms. Mulligan also questioned whether the Council should serve as the initial MPD board. She said it could cause a conflict if someone had a complaint about eminent domain being used for parks, and their councilmember representative is also a MPD board member. She said when the MPD fails, she hopes the Council will look for alternative ways to fund City parks.

Teresa McClimans, Bonney Lake, asked to cede her time to Kelly McClimans. The Mayor and City Attorney discussed the Council rules regarding citizen comment periods and time allowances. The City Attorney noted that someone representing a group as the sole speaker can speak for up to 10 minutes, and the assumption in this case is that both Mr. McClimans and Ms. Mulligan, who are on the MPD 'Con' Committee, represent their group. Mayor Johnson said other attendees could not 'give' their time to another speaker to provide them more time to speak beyond the 5 minutes for individuals or 10 minutes for a group.

Dave Hogley, 11204 193rd Av E, Bonney Lake, read aloud a portion of the Revised Code of Washington (RCW) about people holding more than one commission or council position and the receipt of per diem pay. He said the Council could pass a resolution allowing them to receive per diem pay as both a councilmember and as a park commissioner. He urged the Council to make a motion prohibiting Councilmembers from receiving per diem payments for both positions. He said the Council should not be paid twice for the same job.

Councilmember Rackley said the Council has not raised its salary for many years. Mr. Hogley said the Council should prohibit this possibility, otherwise it would be a breach of trust with citizens. He said he believes this is the main reason the MPD came forward.

Dan Decker, 20407 70th St E, Bonney Lake, spoke against the installation of more traffic lights on SR410, which would cause traffic jams. He also spoke about the Moriarty Property. He said he spoke to the Council years ago when this property was available for \$800,000 but the Council and Mayor at the time did not take action. He said eventually, the City took the property from the Schuur Brothers which cost the City \$5 million. He asked the City Clerk to provide him with public records showing whether this debt had been paid off. He also spoke against the proposed MPD, and said it would hurt people who cannot afford it.

Fred Jacobsen, 9100 189th Ave Ct E, Bonney Lake, said Councilmembers receive a \$400 per month salary for all the work they do and time they spend. He said he wanted to put this fact on the record due to the statements by other speakers.

Shawn Hoey, Master Builders Association of Pierce County, spoke on behalf of the Master Builders Association of Pierce County. He said the MBA supports proposed Ordinances D12-149 (landscaping code) and D13-50 (Traffic Impact Fees). He said the MBA also appreciates the Council's work to pass temporary fee reduction ordinances. Councilmember Rackley thanked him for his positive comments.

Jim Bouchard, 20303 108th St Ct E, Bonney Lake, is the current Park Board Chair and thanked the Council for filling the Park Board appointments. He said the Board reviewed proposed Ordinance D13-31 for boat launch fees, and asked that this item be pulled from the Consent Agenda for discussion. He noted that the ordinance does not include language about fees for lost resident cards. Further, he said the Park Board feels the \$200 fee for a non-residents card is exorbitant.

Mr. Bouchard thanked Public Works Director Grigsby for speaking to the Board about work to improve parking and traffic flow at the boat launch and Allan Yorke Park. Mr. Bouchard invited all to attend the groundbreaking ceremony on April 13th for the Fennel Creek Trail "Safe Routes" project. He said the Park Board has urged the City to use its electronic reader board to remind citizens to vote in the April elections. Finally, he referred to the gnome 'sightings' at City parks and suggested the City set up a geocaching project around City parks as a community activity.

City Attorney Haggard said she had reviewed the proposed boat launch fee ordinance and recommended it be pulled from the agenda as the language regarding fees for lost cards needed to be revised.

C. Correspondence:

Mayor Johnson said he received letters from the State Auditor recognizing Accountant Terrina Marchant and Accounting Specialist Mona Musgrave for their work on the audit. He thanked staff for doing a great job.

III. COUNCIL COMMITTEE REPORTS

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening. They discussed personnel updates and hiring of a new Senior Accountant. He noted that in the Council Retreat, a decision was made to funnel more routine project items to the Finance Committee rather than sending them to the CDC. He said the Finance Committee reviewed a motion for a replacement sign at the GMG Plat; reviewed Accounts Receivables and collections; bond refinancing options; and the funding sources used for the Moriarty Property acquisition.
- B. Community Development Committee: Councilmember McKibbin said the committee met on April 2, 2013 and forwarded one item to the current agenda.
- C. Public Safety Committee: Councilmember Hamilton said the committee met on April 1, 2013. East Pierce Fire & Rescue Chief Jim McDonald provided a brief on the City's sprinkler requirements. Councilmember Hamilton asked other Councilmembers to keep his Committee informed of issues related to sprinkler systems, as this is a public safety issue. Chief McDonald explained the upcoming election to annex the City of Milton into the EPFR district. EPFR is also still working on options to add address or identification markers for lakeshore homes to assist in emergency response on the lake. Police Chief Powers discussed water safety programs to the Committee, including April Pools Day on April 6th and upcoming 'Splashtacular' events on Lake Tapps in July and August.
- D. Other Reports:

Swimsafe: Mayor Johnson said a Swimsafe community meeting is scheduled on May 22,

2013 at 6:00 p.m. at North Tapps Middle School. He said the group is finalizing informational materials to provide to the public. He said the Police and Fire Departments are doing swim safety courses at area elementary schools during April and May. He said upgrades at Allan Yorke Park, including a safety phone and memorial, are being worked on now. He said students are working on a potential LED sign that will show the water temperature in Lake Tapps.

Community Updates: Councilmember Watson said he and Special Event Coordinator David Wells attended the Communities for Families meeting on April 4, 2013. Sumner Councilmember Nancy Dumas gave a presentation on a grant-funded transportation service available through June to seniors, disabled persons, and youth who qualify. He said a 'Project Homeless' event is scheduled on May 17th in Sumner, and a parenting workshop on April 20th. He said the Communities for Families 20th annual event went very well and they are asking for feedback from attendees.

Park Board: Councilmember Watson said he attended the Park Board meeting on April 9, 2013. Board members had concerns about changes to boat launch card fees. They received information on the Dike 13 improvements project at Allan Yorke Park, and the re-submitted bids for the Safe Routes Trail. The Board heard a presentation from Director Grigsby about strategies to improve traffic flow and parking at the park.

IV. CONSENT AGENDA:

- A. **Approval of Minutes:** March 19, 2013 Council Workshop and March 26, 2013 Council Meeting Minutes.
- B. ~~**Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #65841 in the amount of \$978.00. Accounts Payable check/voucher #65842-65928 (including wire transfers #20130211, 20130315) in the amount of \$770,716.37. Accounts Payable checks/vouchers #65929-65931 in the amount of \$5,281.28 for accounts receivable deposit refunds. For a grand total of \$776,975.62. VOIDS: Check #65652—replaced with check #65930; Check #65257—replaced with check #65929; Check #65685—replaced with check #65841; Check #65255—replaced with check #65925. Moved to Full Council Issues, Item B.~~
- C. **Approval of Payroll:** Payroll for March 16th – 31st 2013 for checks #31021-31049 including Direct Deposits and Electronic Transfers in the amount of \$ 684,961.01.
- D. **AB12-149 – Ordinance 1454 [D12-149]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting New Landscaping Standards, Amending Bonney Lake Municipal Code Sections 18.33.040 And 18.39.040, Adding A New Section To Chapter 18.35 Of The Bonney Lake Municipal Code, And Repealing All Or Portions Of Ordinances 1171, 1230, 1348, And 1416
- E. ~~**AB13-31 – Ordinance D13-31** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 12.12 Of The Bonney Lake Municipal Code And Corresponding Portions Of Ordinance Nos. 1338, 1232, 1037, 826, And 669 Relating To Boat Launch Fees. Moved to Full Council Issues, Item C.~~
- F. **AB13-40 – Ordinance 1455 [D13-40]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Changing The Zoning Classification Of Properties Within The Easttown Neighborhood.

- G. **AB13-41 – Ordinance 1456 [D13-41]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Adding A New Chapter To Title 18 Of The Bonney Lake Municipal Code Entitled “Map” Adopting The Official Zoning Map For The City Of Bonney Lake
- H. **AB13-53 – Ordinance 1458 [D13-53]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 2.08.010 Of The Bonney Lake Municipal Code Relating To Appointive Officers.
- I. **AB13-54 – Resolution 2296** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Establishing Policies Regarding The Recruitment And Selection Of The Appointed Officers Of The City.

Councilmember Watson asked that Item B. and E. be pulled to Full Council Issues.

Councilmember Rackley moved to approve the Consent Agenda as amended. Councilmember Watson seconded the motion.

**Consent Agenda approved
as amended 6 – 0.**

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT ISSUES:

- A. **AB13-50 – Ordinance 1457 [D13-50]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 19.04 Of The Bonney Lake Municipal Code And Ordinance Nos. 984, 1282, 1316, 1318, And 1424 Relating To Traffic Impact Fees.

Councilmember Rackley moved to approve Ordinance 1457. Councilmember Watson seconded the motion.

In response to a question from Councilmember Hamilton, Community Development Director Vodopich provided clarification on how the rate levels are determined. He also noted that rate reductions are currently in effect through August 2014. Councilmember Hamilton said he did not vote for reductions in the past, and does not support this ordinance.

Mayor Johnson said the previous fee reduction ordinances were reviewed by the Attorney’s office. City Attorney Haggard said while she did not personally review the ordinances, she assumed they went through her office and were reviewed for form and to ensure they are consistent with State law.

**Ordinance 1457 approved 4 – 2.
Deputy Mayor Swatman and
Councilmember Hamilton voted no.**

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB13-39 – Resolution 2286** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The Professional Services Agreement For The SR 410 Sidewalk Improvements From Angeline Bridge To 192nd Avenue East Project To Shea, Carr, Jewell Alliance.

Councilmember Watson moved to approve Resolution 2286. Councilmember Rackley seconded the motion.

Councilmember Watson said he not comfortable moving this project to the top of the priority list. He asked whether the City had considered adding a walking route on Sumner-Buckley Hwy / Veterans Memorial Hwy from 192nd St E to downtown. Mayor Johnson said the Council can re-prioritize projects based on its goals and objectives. He added that the route on Sumner-Buckley Hwy may be more difficult as right-of-way would need to be acquired to add sidewalks. Councilmember McKibbin suggested the Public Safety Committee discuss walking routes from Midtown to Downtown.

Public Works Director Grigsby explained that the City has received a \$450,000 grant from the Transportation Improvement Board, which requires a matching amount from the City. He said it is good to use this type of grant funding when it is available. He noted that the City's non-motorized transportation plan includes priorities for sidewalks such as this. Deputy Mayor Swatman said the City will not receive the grant funds unless they're used for this project and it is a good opportunity. He said he understands other councilmembers' concerns about moving other projects lower on the priority list, but now is a good time to get this project started.

**Resolution 2286 approved 5 – 1.
Councilmember Watson voted no.**

- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #65841 in the amount of \$978.00. Accounts Payable check/voucher #65842-65928 (including wire transfers #20130211, 20130315) in the amount of \$770,716.37. Accounts Payable checks/vouchers #65929-65931 in the amount of \$5,281.28 for accounts receivable deposit refunds. For a grand total of \$776,975.62. VOIDS: Check #65652 – replaced with check #65930; Check #65257 – replaced with check #65929; Check #65685 – replaced with check #65841; Check #65255 – replaced with check #65925. *Moved from Consent Agenda Issues, Item B.*

Councilmember Watson said he had questions for staff on expenses related to the Justice & Municipal Center and repair costs. He also asked why the City is paying homeowner's association dues to the Victor Falls HOA. Mayor Johnson said staff are working with the original builder of the JMC building on remedies for some of the issues. Director Grigsby explained that the City owns property in the Victor Falls HOA, and the dues are used to maintain a gravel road to access the City's and other properties close to the Victor Falls Springs water source. He said the City pays its share, which is one tenth of the total maintenance costs, and he personally attends the regular HOA meetings.

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

Motion approved 6 – 0.

- C. **AB13-31 – Ordinance D13-31** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 12.12 Of The Bonney Lake Municipal Code And Corresponding Portions Of Ordinance Nos. 1338, 1232, 1037, 826, And 669 Relating To Boat Launch Fees. *Moved from Consent Agenda Issues, Item E.*

Councilmember Rackley moved to table Ordinance D13-31 to the next Workshop. Councilmember Watson seconded the motion.

Motion to table Ordinance D13-31 approved 6 – 0.

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110(1)(b), the Council adjourned to an Executive Session with the City Attorney at 8:20 p.m. for 20 minutes to discuss property acquisition. The Executive Session was extended for 5 minutes at 8:44 p.m. The Council returned to Chambers at 8:48 p.m. No action was taken.

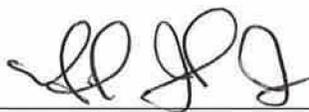
X. ADJOURNMENT:

At 8:48 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Hamilton seconded the motion.

Motion to adjourn approved 6 – 0.



 Harwood Edvalson, MMC
 City Clerk



 Neil Johnson, Jr.
 Mayor

Items presented to Council at the April 9, 2013 Meeting: None.

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.