

CITY COUNCIL MEETING

July 23, 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 7:00 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 Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Facilities & Special Projects Manager Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, and Administrative Specialist II Renee Cameron.

C. Announcements, Appointments and Presentations:

1. Announcements: None.
2. Appointments:
 - a. **AB13-92** – A Motion Of The Bonney Lake City Council Ratifying The Appointment Of Shannon Thompson To Position #7 On The Bonney Lake Design Commission With A Term Expiring April 6, 2015.

**Councilmember McKibbin moved to approve motion AB13-92.
Councilmember Watson seconded the motion.**

Mayor Johnson said Community Development Director Vodopich interviewed Shannon Thompson and she is very excited to join the Design Commission. Mayor Johnson welcomed Shannon and thanked her for her service.

Motion AB13-92 approved 7– 0.

3. Presentations: None

D. Agenda Modifications:

Councilmember McKibbin requested that the agenda be changed to move Community Development Committee Issues Item B., Resolution 2313, to Finance Committee Issues, Item B. He advised this issue did not come out of the Community Development Committee and instead came out of the Finance Committee.

Councilmember Lewis moved to amend the agenda to move Resolution 2313 from

**Community Development Issues, Item B., to Finance Committee Issues, Item B.
Councilmember Watson seconded the motion.**

Motion to amend the agenda approved 7- 0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

1. **AB13-84** – A Public Hearing To Consider Proposed Resolution 2311, Adopting The 2014-2019 Six-Year Transportation Improvement Plan (2014-2019).

Mayor Johnson opened the public hearing at 7:04 p.m.

Winona Jacobsen, 9100 189th Ave Ct E, Bonney Lake, stated that Bonney Lake has a newly formed Fennel Creek Habitat Team which is an affiliate of the National Wildlife Federation. The Fennel Creek Habitat Team is dedicated to protecting wildlife and the Fennel Creek Habitat. She said she is in favor of the 2014-2019 Six-Year Transportation Improvement Plan which supports the building of the Fennel Creek Trail.

Shawnta Mulligan, 11329 177th Avenue E, Bonney Lake, stated her concerns regarding Map 9 of the 2014-2019 Six-Year Transportation Improvement Plan which showed an extra 10' right of way included in the proposed plan. She respects the proposed plan, but is concerned about families whose property she feels will be affected by the Renwood Development. She said she believes the properties affected should have been posted with notice of the proposed land use.

John Maddox, 18426 89th Street E, Bonney Lake, stated he is concerned about the easements and roads that the City believes it has for a right of way along 186th Avenue and 88th Street, which he does not believe exists. He said he does not believe the City has the right to eminent domain of property and that only the federal government has that right. He advised if the City wants any portion of his families' property he stated it has been appraised at \$900,000.

James Kelly McClimans, 19025 68th Street E, Bonney Lake, stated he has been reviewing the agendas and issues before Council and advised that the Transportation Improvement Plan was on it. He was concerned when he reviewed the meeting packet that there is additional right of way included in an area that has been well established. He stated that he believes the Council has a precedent for exercising the right to condemn property and he doesn't feel it is appropriate for the City to do in a well-established area. He encouraged the Council to understand the difference between what the City can versus what it should do.

Dan Decker, 20407 70th Street E, Bonney Lake, stated he had a concern regarding the intersection of SR 410 and Sumner Buckley Highway (Veteran's Memorial Drive) for the right turn lane, even though he realizes that this is really a State Department of Transportation issue and not a City issue, however it affects City residents. He encouraged the City to talk with the State to get a right turn lane to help with that intersection.

Seeing no other speakers, Mayor Johnson closed the public hearing at 7:17 p.m.

2. **AB13-88** – A Public Hearing To Review Community Development And Housing Needs, Inform Citizens Of The Potential Availability Of Planning Grant Funds For The State Community Development Block Grant (CDBG) Program, And Receive Public Input On Proposed Activities, Particularly From Lower And Middle Income Persons.

Mayor Johnson opened the public hearing at 7:17 p.m.

Stewart Bowen, Bonney Lake Food Bank - Bread of Life, 12116 193rd Avenue E, Bonney Lake, said he is the Executive Director of the Bonney Lake Food Bank and they have two distribution centers. He said the City's attempt to obtain a grant for a new building for the Food Bank was close, however, unfortunately the City and/or the Food Bank was not the recipient of the grant. He said there is now an opportunity to acquire a grant to do some planning and get a strategic plan moving forward to try again for a grant for housing. He said last fiscal year the Food Bank served 1,711 homes which is a huge impact. He said effectively what they are doing is impacting the economics of the community by putting the money back in the budget that those families don't have to spend on essential items they provide to these families to help them, and to assist them to better themselves. He begged the Council to please continue to help the Food Bank, and make the City of Bonney Lake a better place to live.

Seeing no other speakers, Mayor Johnson closed the public hearing at 7:21 p.m.

B. Citizen Comments:

Sherry Creson, 12606 216th Avenue Ct E, Bonney Lake, spoke regarding the City's proposal to sell the Senior Center back-up van, as well as her and her husband's proposal to purchase the van from the City, and then donate it back to the City. She pleaded with the Council to assist the seniors and said it is important to them to help others who are in need. City Administrator Morrison said the last direction of Council was for the City to sell the surplus van to the Senior Advisory Board. He said a meeting is planned to meet with Senior Center Manager Sue Hilberg. Mayor Johnson said the City will meet with the Senior Center Advisory Board regarding the City's intentions whether to keep or surplus the old van. Mayor Johnson said if a change of the Council's intention is determined necessary, then this issue will be brought back to Council.

Linda Youngberg, spoke regarding the proposed Renwood Development and stated her concern regarding notices of the application for the properties that are affected along 88th and the potential 10' right of way. Mayor Johnson advised Ms. Youngberg that a meeting could be set up for her to ask questions regarding the Renwood Development project and the notices issued. City Administrator Morrison said proper notices were given to the affected property owners. Public Works Director Grigsby said the Six Year Transportation Improvement Plan which is required to be submitted to the State does not set priorities or encumber money, it is strictly based on what the City Engineer and Development Engineer are aware of what could happen regarding where future roads could be built.

Ms. Youngberg also said she would like to have the City do something about the intersection of Main Street and 182nd as she believes it is dangerous and she was recently involved in an accident at that location. Councilmember Watson said this intersection has been reviewed by the Public Safety Committee.

Shawnta Mulligan, 11329 177th Avenue E, Bonney Lake, WA, spoke regarding the 2014-2019 Six-Year Transportation Improvement Plan and the Renwood Development. She stated she believes there is an intentional connection between the 2014-2019 Six Year Transportation Plan and the Renwood Development.

Ms. Mulligan also commented regarding Resolution 2312, Section 3, which relates to investments of City monies in the Local Government Investment Pool and stated that it appears there is no representative to hold accountable for the decisions made in this regard and she would like to see citizens involved in the decision making process. City Attorney Haggard said a quorum of the Council represents the citizens. Ms. Mulligan asked Council to look at revising the language in Section 3 of the proposed resolution and not to take action on Resolution 2312 tonight.

Marilyn Warren, 21514 145th Street E, Bonney Lake, requested that the Senior Center have use of the back-up van for transportation of its wheelchair senior citizens.

Amy Burnhard, 18208 56th Street Ct E, Lake Tapps, spoke on behalf of her mother Phyllis Griffith, and stated that her mom truly enjoys attending the Senior Center and it lifts her spirits to attend events at the Senior Center and that the old Senior Center van, with wheelchair access, is crucial to get her there.

Dan Decker, 20407 70th Street E, Bonney Lake, spoke about Allan Yorke Park and the crosswalk along Tapps Highway. He said the fence blocks vision of smaller people by the stairway as they enter the crosswalk. He stated he observed a young child come out of the fenced area right into the crosswalk and he would like to see the speed limit reduced for that area.

Lee Davidson, 8803 180th Avenue E, Bonney Lake, spoke regarding the 2014-2019 Six Year Transportation Improvement Plan and the widening of the street should the Renwood Development go in. He would like to see the roads improved, but not at the risk of the children and would prefer four way stop signs to funnel the Renwood Development traffic.

- 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 two items of business including a water developer extension agreement for a developer on Snag Island, and a Lease Modification for T-Mobile at the Ponderosa Tank. They also reviewed some budgetary documents and meeting notes.
- B. Community Development Committee / Economic Development Focus Group: Councilmember McKibbin said the Community Development Committee last met on June 18, 2013, 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 provided a report on the

Pierce County Regional Council (PCRC). He said they met on July 18th in Tacoma and there was a presenter who gave a presentation on the 2015 U.S. Open that will occur in University Place. He said the U.S. Open is asking for many volunteers, however it is \$175 to volunteer. He said there was a public hearing regarding updating the 2013 Comprehensive Plan Amendments. He said there was a strict focus on not expanding any growth areas in the County. Another amendment was regarding the U1 for the City of Bonney Lake, which would simply transfer the existing County urban growth area and making it a City urban growth area. He said some members were concerned about Area 465. He said Senior Planner Jason Sullivan did a good job explaining that under the rules it can't be brought into the urban growth area. The group passed the amendment unanimously and will now go to the County Community Development Committee and then onto the full County Council if it passes out of Committee. He said the City should know by the end of October if they have authority to proceed.

Fennel Creek Habitat Team: Councilmember Lewis said he attended a meeting at the Library on July 22, 2013, for the Fennel Creek Habitat Team. He said the Fennel Creek Habitat Team will have a booth at Bonney Lake Days to educate all citizens about Fennel Creek and the trail, and the opportunities for future interests. He plans to attend future meetings to stay informed.

IV. **CONSENT AGENDA:**

- A. **Approval of Minutes:** June 4, 2013 Workshop, June 11, 2013 Meeting, and July 9, 2013 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #66529-66597 (including wire transfers #20130703, and 20130702) in the amount of \$804,113.04. Accounts Payable checks/voucher #66598 for Accounts Receivable deposit refund in the amount of \$364.67. Accounts Payable checks/vouchers #66599-66605 for Utility account refunds in the amount of \$431.76. Accounts Payable checks/vouchers #66606 in the amount of \$116,106.83. Accounts Payable checks/vouchers #66607-66609 in the amount of \$2,535.00. VOIDS: Check #59242 replaced with check #66597; Check #59285 replaced with check #66548; Check #63532 replaced with check #66601; Check #66069 replaced with check #66568; Check #65702 replaced with check #66568.
- C. **Approval of Payroll:** Payroll for July 1 – 15th 2013 for checks #31215-31239 including Direct Deposits and Electronic Transfers is \$ 462,197.05.
- D. ~~**AB13-86 – Resolution 2312** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Deposit And Withdrawal Of Governmental Entity Monies In The Local Government Investment Pool (LGIP) In The Manner Prescribed By Law, Rule, And Applicable Policies And Procedures For The LGIP. Moved to Finance Committee Issues, Item A.~~
- E. **AB13-90 – Resolution 2314** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The Professional Services Agreement For The Church Lake Road Overlay To Parametrix Engineering.
- F. **AB13-69** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Ratify Accounts Receivable Policy 200.030.
- G. **AB13-89** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Allan Yorke & West Tapps Hwy

Improvements Project With Hoffman Construction, Inc.

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

**Motion approved 5 – 2.
Councilmember McKibbin and
Councilmember Rackley voted no.**

Councilmember Rackley stated he had an issue with AB13-86, Resolution 2312, and wanted to have it removed from the Consent Agenda. City Attorney Haggard advised removal of the approval of the Consent Agenda could be done by a Councilmember who voted 'yes' for approval.

Councilmember Watson moved to reconsider approval of the Consent Agenda. Councilmember Hamilton seconded the motion.

**Motion to reconsider the Consent Agenda approved 5 – 2.
Councilmember McKibbin and
Councilmember Rackley voted no.**

Councilmember Rackley asked that Consent Agenda Item D., Resolution 2312, be tabled for further review at the next Council Workshop on August 20, 2013. City Administrator Morrison said this resolution was revised slightly and they had requested that this item be removed from the Consent Agenda and placed on the Finance Committee.

Councilmember Watson moved to approve the Consent Agenda, as amended, to move AB13-86 to Finance Committee Issues, Item A. Councilmember Lewis seconded the motion.

**Consent Agenda Approved as amended 6 – 1.
Councilmember McKibbin voted no.**

V. FINANCE COMMITTEE ISSUES:

- A. **AB13-86 – Resolution 2312 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Deposit And Withdrawal Of Governmental Entity Monies In The Local Government Investment Pool (LGIP) In The Manner Prescribed By Law, Rule, And Applicable Policies And Procedures For The LGIP.** *Moved from Consent Agenda Issues, Item D.*

Councilmember Watson moved to adopt Resolution 2312. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman moved to replace Resolution 2312 with the revised Resolution 2312 as revised July 23, 2013. Councilmember Hamilton seconded the motion.

**Motion to consider revised
Resolution 2312 approved 7 – 0.**

Councilmember Watson said he would like to table Resolution 2312 to the August 20,

2013 Council Workshop for further discussion and clarification as to what it authorizes.

Councilmember Watson moved to table Resolution 2312 to the August 20, 2013 Council Workshop. Councilmember Lewis seconded the motion.

**Motion to table Resolution 2312 Approved 4 – 3.
Councilmembers McKibbin and Minton-Davis
and Deputy Mayor Swatman voted no.**

- B. **AB13-87 – Resolution 2313** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The Eastown Sanitary Sewer Main (Phase 1 – Core Downstream System) To Pape And Sons Construction. *Moved from Community Development Committee Issues, Item B.*

Councilmember Rackley moved to approve Resolution 2313. Councilmember Watson seconded the motion.

**Motion to approve Resolution 2313 approved 6 – 1.
Councilmember McKibbin voted no.**

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB13-85 – Resolution 2311** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A Six-Year Transportation Improvement Program (2014-2019).

Councilmember Rackley moved to approve Resolution 2311. Deputy Mayor Swatman seconded the motion.

Administrative Services Director Edvalson stated that Council rules state that normally a public hearing that has comments will be tabled and then discussed at the next Council Workshop. Councilmember Watson said he would like to see it tabled to the next Workshop.

Deputy Mayor Swatman moved to table Resolution 2311 to the August 20, 2013 Council Workshop. Councilmember Lewis seconded the motion.

**Motion to table Resolution 2311 approved 5 – 2.
Councilmembers McKibbin
and Rackley voted no.**

- B. ~~**AB13-87 – Resolution 2313**~~ – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The Eastown Sanitary Sewer Main (Phase 1 – Core Downstream System) To Pape And Sons Construction. *Moved to Finance Committee Issues, Item B.*

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB13-94 – Ordinance 1464 [D13-94]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Issuance And Sale Of Limited Tax General Obligation And Refunding Bonds Of The City In The Aggregate Principal Amount Of Not To Exceed \$9,800,000 To Refund Certain Outstanding Obligations Of The City And To Pay Costs Of Further Development Of The City’s Civic Campus; Delegating Authority To The City Administrator And Chief Financial Officer To Approve Final Terms Of The Bonds; Providing For The Disposition Of The Bond Proceeds; Appointing An Escrow Agent And Execution Of An Escrow Agreement To Accomplish The Refunding; And Providing For The Annual Levy Of Taxes To Pay The Principal Of And Interest On The Bonds.

Councilmember Rackley moved to approve Ordinance 1464. Councilmember Watson seconded the motion.

Deputy Mayor Swatman asked where in the ordinance the expiration notice is stated. Chief Financial Officer Juarez stated it is in Item 10, on Page 15. Deputy Mayor Swatman asked for an administrative correction to the date on Page 21, from July 9, 2013, to July 23, 2013. He then asked about the net present value of 3.9%. Chief Financial Officer referred him to Page 4 of the ordinance, under the heading Savings Target.

**Ordinance 1464 approved 5 – 2.
Councilmember McKibbin and
Deputy Mayor Swatman voted no.**

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110(1)(b), the Council adjourned to an Executive Session with City Attorney Kathleen Haggard to discuss property negotiations at 8:20 p.m. for 15 minutes. The Council returned to Chambers at 8:35 p.m. No action was taken.

X. ADJOURNMENT:

At 8:36 p.m., Councilmember Watson moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.



 Harwood Edvalson, MMC
 City Clerk



 Neil Johnson, Jr.
 Mayor

Items presented to Council at the July 23, 2013 Meeting:

- City Administrator Don Morrison – *Amended Resolution 2312 (Revised July 23, 2013).*

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.