

CITY COUNCIL MEETING

**September 24, 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 6:59 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 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, Records & Information Specialist Susan Haigh, and Senior Planner Jason Sullivan.

C. Announcements, Appointments and Presentations:

- 1. Announcements: None.
- 2. Appointments: None.
- 3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

- 1. **AB13-111** – A Public Hearing To Consider Proposed AB13-105 – Resolution 2322, To Authorize Establishment Of A Sewer Development Financing Contract And Utility Latecomer Agreement For Eastown Sewers With Kahne Properties, LLC/ Landmark Development.

Mayor Johnson opened the hearing at 7:01 p.m.

Pat Swift, 21711 S Prairie Rd, Buckley, spoke on behalf of herself and her husband Warren. She said several years ago Pierce County created a Utility Local Improvement District (ULID) to construct a sewer line on 214th Ave E and assessed a fee to their property at that time. She said the proposed Bonney Lake Utility Latecomer Agreement (ULA) will assess another fee to their parcel, and they will not

benefit from the project since their property has existing access to sewer from the sewer stubs on 214th Ave E.

Bill Moffit, 2144 West Lake Ave, Seattle, spoke on behalf of Kahne Properties, LLC in support of the proposed ULA. He described the history of the developer's attempts to extend sewer to the property. He provided the Council with a copy of a letter sent by Landmark Development Group to the City. Mr. Moffit said that Mr. Kahne and their partners want to move forward with the development. He said they are willing to enter into a developer's agreement with the City after the ULA is approved and the easements have been secured, but not before.

Ed Morris, 17301 159th Ave SE, Renton, spoke on behalf of the owners of parcel number 0519022007, through which the proposed ULA sewer line would be constructed. He said they object to the proposed resolution and ULA as presented. He said their property has the topography to connect via a gravity line to the existing system and they will not benefit from the proposed ULA system. He said they have concerns about the proposed project and its impact on their property. He said the property owners of this parcel request to be excluded from the ULA.

Mayor Johnson closed the public hearing at 7:14 p.m.

Deputy Mayor Swatman noted that those who did not sign up for the hearing have an opportunity to speak during the Citizen Comment period.

B. Citizen Comments:

Valerie McKnight-Smithers, 4710 N Island Dr, Bonney Lake, spoke on behalf of herself and her husband Claude. She spoke about the recent chip seal completed on Inlet Island. She requested that the City do something to clean up the sticky gravel left on the road and driveways.

Public Works Director Grigsby described the chip seal process, and said the contractor, Doolittle Construction, has done a good job on chip seal projects in the past. He said the street sweeper cleans up the roads several times after the chip seal after the process is done, so there should not be leftover material on the roadway. Mayor Johnson asked Public Works staff to check when the street was last swept and report back.

James Kelly McClimans, 19025 68th St E, Bonney Lake, thanked City Councilmembers and staff who supported Beautify Bonney Lake on Saturday, September 21st. He spoke about the proposed ULA, and questioned why the Council is considering the condemnation of property as part of the project. Mr. McClimans also spoke about proposed Resolution 2327, for a lift station in Eastown, and said if the City has extra funds available for this project, they should be rolled over to the next budget cycle and not spent.

In response to a question from Mayor Johnson, Public Works Director Grigsby confirmed that the funds designated for the lift station project come from the sewer fund, and could not be allocated to other general projects.

Lillian McGinnis, 11002 203rd Ave E, Bonney Lake, spoke about the Beautify Bonney Lake event on September 21st. She said this was the 10th annual event, with volunteers working at 22 sites around the city, coordinated by 35 team leaders, and supported by 46

sponsors. She said it was a very successful event and thanked the City and Council for being a great partner. She said the 11th annual event is scheduled for September 20, 2014. Mayor Johnson said he toured all the sites and that volunteers did a fantastic job, noting in particular the work on the Fennel Creek Trail, Cimmer property, and Ascent Park. Councilmember Rackley added that it was a very well-organized event.

- 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; close-out of the Resource Conservation Management Grant for energy conservation; maintenance and replacement of equipment in city facilities; proposed Resolution 2331 for an Interlocal agreement with AWC; and review of committee meeting notes.

- B. Community Development Committee / Economic Development Focus Group: Councilmember Rackley said the Committee met on September 16, 2013 and forwarded Resolutions 2329 and 2330 to the current agenda, as well as agenda bills AB13-112 and AB13-113 for acceptance of complete projects.

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

- D. Other Reports:

Community Updates: Councilmember Lewis said he attended the White River Communities for Families meeting in Buckley. The group discussed the upcoming year's goals and projects, and their new Facebook page.

Councilmember Watson thanked councilmembers and staff who participated in Beautify Bonney Lake to make it a very successful event. He said a lot of businesses participated and provided equipment.

Councilmember Rackley reminded the Council that the East Pierce Fire & Rescue annual Open House event is scheduled on Saturday, September 28, 2013 from 1:00 to 4:00 p.m. at the Public Safety Building in Bonney Lake.

Mayor Johnson noted that Senator Pam Roach is hosting an open meeting about fishing in Lake Tapps on September 25, 2013 at 7:00 p.m. at the Public Safety Building in Bonney Lake. He said representatives from the Department of Fish and Wildlife will also be in attendance.

IV. CONSENT AGENDA:

- A. **Approval of Minutes**: September 3, 2013 Council Workshop Minutes and September 10, 2013 Council Meeting Minutes.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**: Accounts Payable checks/vouchers #66990-67023 (including wire transfer #'s 20130903, 201309031, 201309032, and 201309033) in the amount of \$540,009.99.

Accounts Payable checks/vouchers #67024-67026 in the amount of \$5,807.38 for Accounts Receivable deposit refunds.
Accounts Payable checks/vouchers #67027-67063 (including wire transfer # 11898433) in the amount of \$571,752.34.
Accounts Payable checks/vouchers #67064-67070 for Accounts Receivable deposit refunds in the amount of \$13,865.65.

- C. **Approval of Payroll:** Payroll for September 1-15th 2013 for checks #31326-31351 including Direct Deposits and Electronic Transfers is \$453,666.88.
- D. **AB13-114 – Resolution 2326** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The Locust Avenue Extension Water Main Construction Project To Northwest Cascade, Inc.
- E. **AB13-117 – Resolution 2329** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding A Professional Services Agreement To Utility Services Associates For The 2013 Fall Leak Detection Program.
- F. **AB13-118 – Resolution 2330** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding A Professional Services Agreement To TMG Services For The Tacoma Point Onsite Generation Upgrade.
- G. **AB13-112** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Justice & Municipal Center Tenant Improvements – Phase 2 Project With JB Construction Consulting, Inc.
- H. **AB13-113** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Ponderosa Estates Waterline Replacement Project With Pape & Sons Construction, Inc.

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

Consent Agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES:

- A. **AB13-115 – Resolution 2327** – A Resolution Of The City Council Of The City Of Bonney Lake, Washington, Awarding The Eastown Sanitary Sewer Main (Phase 2 – Lift Station) Construction To Road Construction Northwest, Inc.

Councilmember Rackley moved to approve Resolution 2327. Deputy Mayor Swatman seconded the motion.

**Resolution 2327 approved 6 – 1.
Councilmember McKibbin voted no.**

VI. COMMUNITY DEVELOPMENT ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB13-97 – Ordinance 1466 [D13-97]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Bonney Lake Municipal Code Sections 14.20.010, 14.20.020, 14.140.020, 14.140.120, And 18.52.030 Relating To Site-Specific Comprehensive Plan Amendments And Site-Specific Zoning Reclassifications.

Councilmember Lewis moved to approve Ordinance 1466. Councilmember Watson seconded the motion.

Ordinance 1466 approved 7 – 0.

- B. **AB13-98 – Ordinance 1467 [D13-98]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Bonney Lake Municipal Code Section 17.16.010 To Change The Timeframes For The Submittal Of Final Plats.

Councilmember Rackley moved to approve Ordinance 1467. Councilmember Lewis seconded the motion.

Community Development Director Vodopich said this ordinance will bring the City's municipal code into accordance with State law, which changed the timeframe for final plats to ten years.

Ordinance 1467 approved 7 – 0.

- C. **AB13-116 – Resolution 2328** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Establishing The Vision And Goal Statements Of The City's Economic Vitality Element Of The Comprehensive Plan.

Councilmember Watson moved to approve Resolution 2328. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman thanked the staff and councilmembers who worked on the statement. Councilmember Watson said this provides a clear, concise vision of the Council's goals for businesses. Councilmember Minton-Davis thanked Senior Planner Jason Sullivan in particular for his work researching and gathering information for this element.

Resolution 2328 approved 7 – 0.

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110(1)(b), the Council adjourned to an Executive Session at 7:36 p.m. for 30 minutes to discuss potential property acquisition, with possible action after the session. The City Council returned to Chambers at 8:01 p.m.

Councilmember Rackley moved to amend the Council's rules to amend the agenda. Deputy Mayor Swatman seconded the motion.

Motion to amend the agenda approved 7 – 0.

Mayor Johnson said he would like the Council to consider adding a resolution to the agenda to ratify a purchase and sale agreement signed on September 17, 2013 by himself and Ken Love, who owns property at Victor Falls.

Councilmember Rackley moved to approve AB13-123 – Resolution 2333 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Ratifying A Purchase And Sale Agreement To Acquire The Ken Love Property At 18212 Rhodes Lake Rd E, Pierce County Parcel Number 0519092005. Councilmember Watson seconded the motion.

Deputy Mayor Sawtman congratulated all those who helped work on this agreement. He said the property is adjacent to Victor Falls and the City-owned property for the water source at Victor Falls. He said the property is a possible terminus for the Fennel Creek Trail, and Mayor Johnson has been working with the owner, Mr. Love, who approached the City with an offer to sell the property. The Deputy Mayor said this property is not yet ready for public access, but it will be used for years to come and is one of the best actions done in his time as a Councilmember.

Mayor Johnson said the property is being purchased at the market price of \$375,000 with the City paying the excise tax, and allowing the current owner to live on the property for six months. He said this acquisition will give the City ownership of Victor Falls, and it is a great opportunity for the City.

Councilmember Hamilton said he has had concerns for public safety at the falls for years, and congratulated the Mayor and Deputy Mayor for their work to negotiate with Mr. Love for this property. Councilmember Rackley added that the property will provide a viewpoint for the falls.

Resolution 2333 approved 7 – 0.

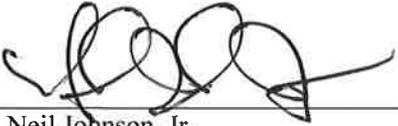
X. ADJOURNMENT:

At 8:06 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.

Motion to adjourn approved 7 – 0.



Harwood Edvalson, MMC
City Clerk



Neil Johnson, Jr.
Mayor

Items presented to Council at the September 24, 2013 Meeting:

- Pat and Warren Swift, Bonney Lake Property Owners – *Statement re: Public Hearing AB13-111.*
- Bill Moffit, Kahne Properties, LLC – *Letter from Landmark Development Group, LLC to John Vodopich re: Easttown – Kahne Multifamily (September 18, 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.