

CITY COUNCIL MEETING

November 26, 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 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, 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 Haigh.

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments:

a. **AB13-150** – Reappointment of Ronald Heslop as Bonney Lake Municipal Court Judge.

Mayor Johnson said Judge Heslop is highly rated amongst his peers, works well with staff, and has done good service for the City in the past.

Councilmember Rackley moved to approve motion AB13-150, re-appointing Ronald Heslop as Bonney Lake Municipal Court Judge. Councilmember Watson seconded the motion.

Motion AB13-150 approved 7 – 0.

Administrative Services Director/City Clerk Edvalson administered the oath of office to Judge Heslop. Judge Heslop thanked the Council and staff for their support, and said he appreciates the opportunity to serve. He said the City has great quality staff who are essential, and he has received many compliments from customers about their experience working with staff in the Court and Police Department, and the City Prosecutor.

3. Presentations: None.

D. Agenda Modifications:

Mayor Johnson said the City Attorney has presented a proposed agenda modification to the Council for consideration at the current meeting.

Councilmember Lewis moved to amend the agenda to add AB13-153 – Ordinance D13-153 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Reaffirming And Revising The Moratorium Enacted Under Ordinance No. 1468, Prohibiting The Production, Processing, And Retail Sales Of Marijuana And Prohibiting Granting Of Any City License Or Permit Related To Such Activities, to the current agenda as Full Council Issues, item C. Councilmember Watson seconded the motion.

Motion to amend the agenda to add Ordinance D13-153 approved 7 – 0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

1. **AB13-127** – [Continued from November 12, 2013] A Public Hearing Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Receive Citizen Comment In Reference To Ordinance D13-139, Which Sets The Amount Of The Annual Ad Valorem Tax Levy For Fiscal Year 2014.

Mayor Johnson re-opened the public hearing at 7:08 p.m. Seeing no one coming forward to speak, Mayor Johnson closed the public hearing at 7:08 p.m.

2. **AB13-138** – A Public Hearing Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Consider Ordinance D13-140, Amendments To The 2013 - 2014 Biennial Budget That Was Adopted On December 11, 2012 Via Ordinance 1447.

Mayor Johnson opened the public hearing at 7:08 p.m. Seeing no one coming forward to speak, Mayor Johnson closed the public hearing at 7:08 p.m.

B. Citizen Comments:

Marian Betzer, 19812 82nd St Ct E, Bonney Lake, congratulated the City on receiving the “Forever Green Trails Council” award. She explained the history of the “Forever Green” program in Pierce County, and said the City of Bonney Lake was recognized at their 2013 Trails Conference, which she, Don Pardington, Terry Reid, and Gary Leaf attended. She said Forever Green is participating in a Russell Family Foundation grant and the City and the Fennel Creek Habitat Team are working together on a joint grant application to be submitted in December. She and other members of the Fennel Creek Habitat Team presented the award to Mayor Johnson.

Laurie Carter, 9418 184th Ave E, Bonney Lake, provided an update on her Food Drive challenge to the Council and Mayor, and encouraged others to donate through December 7, 2013. Mayor Johnson said he is taking donations and has received several food and cash donations to include in the drive.

Ed Morris, 17301 159th Ave SE, Renton, said he represents the owners of parcel 0519022007, also known as the “Shepard/Morris property”. He spoke against proposed Resolution 2322 to approve the Easttown Southern Utility Latecomer Agreement (ULA)

with Kahne, LLC. He said the property owners are expected to support the project based on a preliminary design, and trust that the City will mitigate any impacts to their property. He said the proposed sewer line will impact how they will be able to develop their property, and his group does not support the ULA presented.

Aaron Babcock, 11107 176th Ave E, Bonney Lake, spoke in favor of the proposed Eastown Southern ULA (Resolution 2322). He said property owners have been waiting for years to extend sewer to the area, and have worked especially hard in the past three years on this project. He said he cannot develop his property until sewer is available and encouraged the Council to approve the proposed resolution.

Bill Moffit, 2144 West Lake Ave, Seattle, spoke on behalf of the Kahne LLC. He spoke in favor of the proposed Kahne ULA (Resolution 2322). He thanked the Council for their discussion and careful deliberation of this issue.

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. The Committee forwarded the yearly salary ordinance for action at an upcoming Council Meeting; discussed planning for a Council retreat with a proposed date of January 25, 2014; and discussed potential revisions to the Council rules for further Council discussion.

B. Community Development Committee / Economic Development Focus Group: Councilmember McKibbin said the Committee met on November 19, 2013 and forwarded two items to the Consent Agenda and one item to Community Development Committee Issues.

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 said the PCRC met on November 25, 2013. The PCRC discussed the proposed amendment to the Pierce County planning policies (amendment T-1) and he learned that the County pulled the amendment and is now in violation of its own policies. He said a County Councilmember has requested review and consideration of reducing the County Urban Growth Areas (CUGA). The PCRC also discussed regional transportation projects and funding.

Community Updates: Councilmember Lewis said he attended the White River Families First Coalition in Buckley on November 25, 2013 at 3.30 p.m. The group's next meeting is in January. The Coalition heard from the White River School District Superintendent Janel Keating, who explained proposed levies for the School District on the February 2014 ballot. The Coalition also discussed concerns about sexual abuse and ways to educate youth. They also discussed area Food Bank needs and the upcoming lighting event in Buckley on December 1, 2013.

Councilmember Watson said the Bonney Lake Lions Club will be providing gifts of cookies and candies to local first responders this week to thank the police and fire staff

for their service throughout the year.

IV. CONSENT AGENDA:

- A. **Approval of Minutes:** November 5, 2013 Council Workshop and November 12, 2013 Council Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #67430-67462 (including wire transfer #'s 20131021, 20131104, 20131105, 2031106, and 2013110601) in the amount of \$828,570.03.
Accounts Payable checks/vouchers #67463-67467 in the amount of \$10,357.64 for Accounts Receivable deposit refunds.
Accounts Payable checks/vouchers #67468-67479 in the amount of \$2,933.41.
Accounts Payable checks/vouchers #67480-67497 (including wire transfer # 11042013) in the amount of \$286,732.20.
Accounts Payable checks/vouchers #67498-67502 in the amount of \$2,477.35.
VOIDS: Check #66639 – check lost/missing.
- C. **Approval of Payroll:** Payroll for October 16-31, 2013 for checks #31443-31468 including Direct Deposits and Electronic Transfers is \$ 442,332.64.
- D. **AB13-129 – Resolution 2338** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With KPG Engineering For Services For The 30% Design Of The 186th Corridor Improvements Project
- E. **AB13-130 – Resolution 2339** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With KOG Engineering For Services To Provide The 30% Design Effort For The Church Lake Road Culvert Replacement Project.
- F. **AB13-134 – Resolution 2341** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Supply Capacity Credit Agreement With Cascade Water Alliance To Substitute Tacoma Public Utilities As The Water Supplier.
- G. **AB13-141 – Resolution 2343** – A Resolution Of The City Council Of The City Of Bonney Lake, Washington, Authorizing A Contract With KPG Engineering For Services To Design The 24th Street – 25th Street Watermain Replacement Project.
- H. **AB13-149 – Resolution 2350** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Authorizing The Mayor To Sign An Interlocal Agreement With Pierce County For Certain Amendments To The Pierce County Countywide Planning Polices As Recommended By The Pierce County Regional Council.

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

Consent Agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT ISSUES:

- A. **AB13-145 – Resolution 2346** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The Angeline Road Sidewalk Improvement Project To Hoffman Construction Inc. [Previously AB13-142]

Councilmember Lewis moved to approve Resolution 2346. Councilmember Watson seconded the motion.

Mayor Johnson noted this is the ‘missing link’ sidewalk that citizens brought forward as a concern. He thanked staff for their work to move this project forward. Councilmember Watson said he is glad this project could be added, and he hopes that funds will be available in the future to complete similar projects that come up.

Resolution 2346 approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB13-139 – Ordinance 1470 [D13-139]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting The Amount Of The Annual Ad Valorem Tax Levy Necessary For The Fiscal Year 2014 For The Purposes Set Forth Below.

Councilmember Rackley moved to approve Ordinance 1470. Councilmember Lewis seconded the motion.

City Attorney Haggard noted that because there were no comments during the continued public hearing, the Council does not need to suspend its rules to take action on this item at the current meeting. Deputy Mayor Swatman noted that a citizen commented during the hearing on November 12th that the ordinance should provide information on the impact to property owners’ tax rates. He said this information has been included in the ordinance background summary. He noted that the tax rate for individual property owners will decrease from 2013 to 2014, but the City will actually take in slightly more in tax revenues due to an increase in the number of taxable properties in the City.

Ordinance 1470 approved 7 – 0.

- B. **AB13-105 – Resolution 2322** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Establishment Of A Sewer Development Financing Contract And Utility Latecomer Agreement For Eastown Sewers With Kahne Properties, LLC/~~Landmark Development.~~

Councilmember Watson moved to approve Resolution 2322. Councilmember Lewis seconded the motion.

Councilmember Watson thanked staff for their work on this item. He said he still has concerns for land owners who will be impacted and about alternatives to this project.

Councilmember Hamilton spoke in favor of the proposed agreement. He said the Growth Management Act (GMA) dictates that the City have a certain amount of multi-family housing. He said Bonney Lake needs additional multi-family housing and the proposed Kahne Multifamily project will help facilitate this.

Deputy Mayor Swatman agreed about the need for multi-family housing. He said concerns remain about how the ULA will impact property owners. He said though he does not like the proposed action, from a sewer standpoint for the City he will support it. He said the City has tried to work on a pre-agreement with the Morris/Shepard property owners and believes they will be able to come to an agreement in the end. He said the ULA will set a time frame for the process, and a way to determine the quantifiable financial impacts for each property affected.

Mayor Johnson thanked Director Grigsby for his work on the agreement, and his time spent answering questions from the Council, property owners and developers.

Resolution 2322 approved 7 – 0.

- C. **AB13-153 – Ordinance 1469 [D13-153] – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Reaffirming And Revising The Moratorium Enacted Under Ordinance No. 1468, Prohibiting The Production, Processing, And Retail Sales Of Marijuana And Prohibiting Granting Of Any City License Or Permit Related To Such Activities.** *Added to the agenda during Agenda Modifications.*

Councilmember Watson moved to approve Ordinance 1469. Councilmember Lewis seconded the motion.

Councilmember Rackley noted that the Pierce County Council is dealing with this issue currently as well.

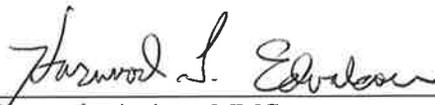
Ordinance 1469 approved 7 – 0.

IX. **EXECUTIVE SESSION:** None.

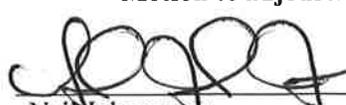
X. **ADJOURNMENT:**

At 7:39 p.m., Councilmember Rackley 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 November 26, 2013 Meeting:

- Ed Morris – *Comments re: Resolution 2322.*
- Kathleen Haggard, City Attorney – *Additional Agenda Item – Proposed Ordinance D13-153.*

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.