

CITY COUNCIL MEETING

July 22, 2014

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.

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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, 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:

Mayor Johnson noted that several of the new Arts Commissioners were in attendance and asked the Council to consider taking action on the motion confirming their appointment as the first item on the agenda.

Councilmember Rackley moved to amend the agenda to move motion AB14-102 under Appointments, Item a. Councilmember Watson seconded the motion.

Motion approved 7 – 0.

Mayor Johnson asked the Council to consider making a motion to replace proposed Ordinance D14-100, Full Council Issues, Item D., with a substitute draft Ordinance D14-100, which was provided to the Councilmembers at the meeting.

Councilmember Watson moved to amend the agenda to consider substitute Ordinance D14-100. Deputy Mayor Swatman seconded the motion.

Motion to consider substitute Ordinance D14-100 approved 5 – 2. Councilmembers McKibbin and Rackley voted no.

- a. **AB14-101** – A Motion Of The City Of Bonney Lake, Pierce County, Washington, Confirming The Mayor's Appointment Of Arts Advisory

Commissioners Alison Hudson, JoAnn Taylor, Suzy Fontaine, Valerie Foucart, Melissa Deckman-McVicker, Tyler Ussery, Beverly Birmele, and Sarah Strickler To Terms Ending April 6, 2017.

Moved from Full Council Issues, Item C.

Councilmember Lewis moved to approve AB14-101, a motion to confirm the Mayor's Arts Commission appointments. Councilmember Watson seconded the motion.

Councilmembers congratulated and thanked the new commissioners. Mayor Johnson welcomed the new members and said he is excited to see what the new commission will accomplish.

Motion approved 7 – 0.

3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Chris Crew, 525 W Elma Hicklin Rd, McCleary, spoke as an attorney representing his client (Saranjit Singh Bassi, 4Ever Healing, LLC). He presented the Council and City Attorney with a claim and legal complaint. He spoke about recreational marijuana retail sales laws and tax revenues. He referred to previous Council meetings where he has spoken to the Council but he has received no feedback, and addressed specific parts of the legal complaint.

Dan Decker, 20401 70th St E, Bonney Lake, spoke in favor of the proposed salary commission ordinance and said he supports raising Councilmember salaries.

Fred Jacobsen, 9100 189th Ave Ct E, Bonney Lake, spoke representing the Greater Bonney Lake Historical Society (GBLHS). He encouraged people to join the GBLHS and provided the application.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee: Deputy Mayor Swatman said the Committee met as the Committee as a Whole at 5:00 p.m. earlier in the evening and heard presentations from two vendors for financial data sharing websites, and discussed personnel updates and other items.

B. Community Development Committee: Councilmember Lewis said the committee met on July 15, 2014 and forwarded one item to the current agenda as a Consent Agenda Issue. Economic Development Committee: Councilmember Minton-Davis said the Committee has not met since the last Council Meeting.

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

D. Other Reports:

Pierce County Regional Council: Councilmember Hamilton said he attended the PCRC meeting on July 17, 2014. He said Bonney Lake has been awarded \$638,000 in funds towards the Veterans Memorial Drive & SR 410 intersection project. He said Public Works Director Grigsby and Engineer Doug Budzynski were largely responsible, and they did a lot of work to make this happen. He said the City of University Place deferred a project which also allowed Bonney Lake's project to receive this funding. Public Works Director Grigsby said the full intersection improvements project costs are over \$5 million, a portion of which is being paid by mitigation for the Tehaleh community project. This funding will cover some of the \$1.4 million remaining to fund the project. He said staff are moving forward with design, have acquired right of way, and plan to advertise the project in March 2015. City Administrator Morrison noted that the savings for this project would return to the street capital improvement fund.

Councilmember Hamilton said the PCRC reviewed Pierce County's new Buildable Lands Report, which shows the City of Bonney Lake needs 2,200 additional units.

IV. **CONSENT AGENDA:**

A. **Approval of Minutes**: July 1, 2014 Workshop Minutes and July 8, 2014 Meeting Minutes.

B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**: Accounts Payable checks/vouchers #69036-69066 (Including wire transfer # 2014070101) in the amount of \$230,724.54.
Accounts Payable checks/vouchers #69067 in the amount of \$125.49 for Accounts Receivable refunds.
Accounts Payable checks/vouchers #69068-69082 in the amount of \$1,275.84 for Utility refunds.
Accounts Payable checks/vouchers #69083-69118 in the amount of \$229,109.10.

C. **AB14-97 – Resolution 2402** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract Amendment No. 2 To Resolution 2286, Awarding The Professional Services Agreement For The Design SR 410 Sidewalk Improvements From Angeline Bridge To 192nd Avenue East Project To Shea, Carr, Jewell Alliance.

D. **AB14-93** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Out Of State Travel For The City's Financial Operations Supervisor To Attend A Government Finance Officers Association (GFOA) Training Class Titled "Budget Training Academy".

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

Consent Agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES:

- A. **AB14-90** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Supporting The Award By The City Of Sumner Of The Construction Management Services Contract For The Wastewater Treatment Facility (WWTF) Expansion To Gray & Osborne, Inc.

Deputy Mayor Swatman moved to approve motion AB14-90. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman noted that the Finance Committee was unable to review this item at its meeting, and asked staff for additional information. PW Director Grigsby said the complexity and size of the \$12 million construction project for the Sumner treatment plant is beyond the capability of either city to manage by themselves. The cities requested and received qualifications from four companies and selected Gray & Osborne. Sumner plans to award the construction contract for this project soon; the Bonney Lake Council has already reviewed and supported this award.

City Administrator Morrison noted that although this is a City of Sumner contract, the City of Bonney Lake is paying a substantial portion and therefore is able to provide input on the contract awards.

Motion AB14-90 approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. ECONOMIC DEVELOPMENT COMMITTEE ISSUES: None.

VIII. PUBLIC SAFETY COMMITTEE ISSUES:

- A. **AB14-98 – Ordinance 1486 [D14-98]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 6.04 Of The Bonney Lake Municipal Code Relating To The Animal Appeals Hearing Examiner.

Councilmember Watson moved to approve Ordinance 1486. Councilmember Lewis seconded the motion.

Councilmember Watson said this revision will help the City save money, as when appeals come up the sitting Municipal Judge can handle them.

Ordinance 1486 approved 7 – 0.

IX. FULL COUNCIL ISSUES:

- A. **AB14-70 – Ordinance 1485 [D14-70]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.20 Of The Bonney Lake Municipal Code And Ordinance No. 1213 Relating To The Park Commission.

Councilmember Watson moved to approve Ordinance 1485. Deputy Mayor Swatman seconded the motion.

City Administrator Morrison said amendments were made based on input provided at the Council Workshop.

Ordinance 1485 approved 7 – 0.

- B. **AB14-102 – Resolution 2403** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Resolution 2356 To Increase The Number Of Members Of The Arts Advisory Commission.

Councilmember Lewis moved to approve Resolution 2403. Councilmember Watson seconded the motion.

Councilmember Minton-Davis thanked the Council for considering the amendment, as the City received many strong applications for commissioners, including student members. City Administrator Morrison said one position remains available and will probably be filled by existing applicants.

Resolution 2403 approved 7 – 0.

- C. **AB14-101** – A Motion Of The City Of Bonney Lake, Pierce County, Washington, Confirming The Mayor’s Appointment Of Arts Advisory Commissioners Alison Hudson, JoAnn Taylor, Suzy Fontaine, Valerie Foucart, Melissa Deckman-McVicker, Tyler Ussery, Beverly Birmele, and Sarah Strickler To Terms Ending April 6, 2017.
Moved to Appointments, item a.

- D. **AB14-100 – Substitute Ordinance D14-100** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Repealing Chapter 2.68 Of The Bonney Lake Municipal Code, Ordinance No. 629, And Ordinance No. 1014 §§ 2-6, And Amending Ordinance No. 802 Relating To The Compensation Of The Mayor And Council Members.

Councilmember Watson moved to approve Ordinance D14-100. Deputy Mayor Swatman seconded the motion.

City Attorney Haggard explained the substitute ordinance amendments, including language about the effective date, and adding a section to repeal BLMC chapter 2.68. She said repealing this section would be necessary to remove salary-setting authority from the Commission and returning it to the Council, so the proposed ordinance would dissolve and repeal the salary commission.

Councilmember Rackley asked how actions taken by the Salary Commission could be amended by the Council if need be. The City Attorney said a citizen referendum is one option, or the Council could remove authority from the Salary Commission by ordinance and amend salaries, but it would not be effective until the next Council terms began.

Deputy Mayor Swatman said this has been a contentious issue and he worked with the Mayor and City Administrator to develop this revised ordinance as a compromise. He said the Council has not gotten a raise for many years, and although he is not interested in an increase personally, he proposes the Council repeal the Salary Commission, set the salary at a particular level, and be done with the issue. He cautioned that whatever the Salary Commission selects for salaries will go into place and will impact the budget.

Councilmember Rackley said it will take some time for the salary commission to make any decision and it has already been 15 years since the last increase; he said action is long overdue. He said the Commission would allow citizens to make a determination and place a value on Councilmember services.

Councilmember Watson said he was not aware Councilmembers received a paycheck when he ran for election. He spoke in favor of the current ordinance and said salaries need to be reviewed periodically. He expressed concern that a Salary Commission will drastically increase salaries all at once, instead of implementing incremental increases over a period of several years.

**Ordinance D14-100 failed 3 – 4.
Councilmember Lewis, McKibbin,
Minton-Davis and Rackley voted no.**

- E. **AB14-96** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Confirming The Mayor’s Appointments of Jennifer Ferrell, Douglas Collins, And Steve Riggs To The Salary Commission.

Councilmember Rackley moved to approve Motion AB14-96. Councilmember Minton-Davis seconded the motion.

Councilmember Hamilton said he opposes the Salary Commission, as it defers decision-making for this budget issue to a citizen commission instead of the Council. He said the issue is political and if Councilmembers think the position is underpaid they should discuss it and take action. Deputy Mayor Swatman agreed and noted that the applicants provided no information on their qualifications or interest on their applications. He said raising council salaries will take funds from elsewhere in the budget. Councilmember Watson also said it is wrong for the Council to give this decision authority to a commission instead of making a decision itself, especially given how closely the Council has been monitoring the budget.

Councilmember Lewis spoke in favor of the Salary Commission. He said the Commission was put in place years ago but should have been repealed if the Council did not intend to use it. He said other cities have salary commissions and the City should use it for what it was created for. Mayor Johnson said he will make a recommendation to the Salary Commission to consider adopting the salaries proposed by the City Administrator.

Councilmember Watson said he opposes a big increase in Council salaries all at once to ‘make up’ for 15 years without an increase. He spoke in favor of incremental raises.

Councilmember Minton-Davis agreed that the Salary Commission should be used; she also spoke in favor of incremental salary increases. She questioned whether councilmembers are valued for their service, and whether citizens will consider running for office given the small salary for the amount of time devoted to the position. She said Bonney Lake is the 5th largest city in Pierce County and Council salaries do not measure up. She said the Salary Commission should be appointed and kept in place in the future.

Councilmember Hamilton said the ordinance was never used and should not be revived simply because it is on the books. Deputy Mayor Swatman said it is easier to determine a reasonable salary for the Mayor based on his time, than it is for Councilmembers. He said there is no correlation between city size and councilmember pay in Washington. He said

he hopes a Salary Commission will accept the Mayor's recommendations.

**Motion AB14-96 approved 4 – 3.
Deputy Mayor Swatman and Councilmembers
Hamilton and Watson voted no.**

F. Presentation: Financial Model Update and Budget Projection Discussion.

City Administrator Morrison said staff recently finished closing the books and providing last-minute revisions to this presentation. He provided a brief synopsis of the current budget status and projections for the 2013-2014 biennial budget and beyond. He noted that the sales tax projection has been reduced 9% based on revenue categories that are under historical averages. He outlined departments that are projected to be at or under budget, and those that are projected to exceed budget allocations.

City Administrator Morrison noted that the City has seen a drastic increase in credit card payments, and staff anticipate that the budgeted funds for credit card service fees will be exceeded. He suggested the Finance Committee investigate options for accepting payments by credit card and how to cover the costs for service fees.

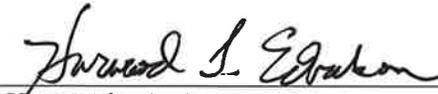
Councilmembers discussed specific questions about departmental budgets and revenue sources. City Administrator Morrison said additional information and various options are outlined in his memo. Mayor Johnson suggested Councilmembers spend time reviewing these items and continue discussions at the next Council Workshop.

X. EXECUTIVE SESSION: None.

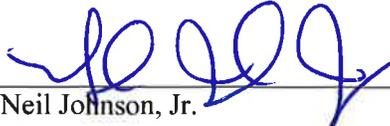
XI. ADJOURNMENT:

**At 8:11 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 July 22, 2014 Meeting:

- Chris Crew, Attorney for Saranjit Singh Bassi (4Ever Healing, LLC) – *Standard Tort Claim Form and Superior Court Complaint.*
- City Administrator Don Morrison, City of Bonney Lake – *Substitute Ordinance No. D14-100.*
- City Administrator Don Morrison, City of Bonney Lake – *Budget Status Report and 2015-2016 Biennial Forecast.*

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.