

# CITY COUNCIL MEETING

May 24, 2016  
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, WA.

**I. CALL TO ORDER** – Deputy Mayor Randy McKibbin called the Meeting to order at 7:00 p.m.

- A. Flag Salute: Deputy Mayor McKibbin led the audience in the Pledge of Allegiance.
- B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor McKibbin, elected officials attending were Councilmember Justin Evans, Councilmember Donn Lewis, Councilmember James Rackley, Councilmember Dan Swatman, and Councilmember Tom Watson. Mayor Neil Johnson, Jr. and Councilmember Katrina Minton-Davis were not in attendance.

**Councilmember Watson moved to excuse Councilmember Minton-Davis.  
Councilmember Lewis seconded the motion.**

**Motion approved 6 – 0.**

Staff members in attendance were City Administrator Don Morrison, Administrative Services Director/City Clerk Harwood Edvalson, Chief Financial Officer Cherie Gibson, Community Development Director John Vodopich, Public Works Director Dan Grigsby, Public Works Operations Engineer Andrew Fonda, City Attorney Kathleen Haggard, and Administrative Specialist II Renee Cameron.

- C. Agenda Modifications: None.
- D. Announcements, Appointments and Presentations:
  - 1. Announcements: None.
  - 2. Appointments: None.
  - 3. Presentations:
    - a. **AB16-67** – Stormwater Pollution Calendar Art Contest Award Ceremony.

Public Works Operations Engineer Andrew Fonda provided information regarding the Stormwater Pollution Program and the Calendar Art Contest. He said the intent of the program is to turn polluted stormwater runoff to clean stormwater runoff and displayed a sample of polluted water and compared it to a sample of clean water taken from Fennel Creek. Mr. Fonda thanked art teacher Jessica Emery from Mountain View Middle School, Chris Steiner and Carla Banks from Lakeridge Middle School, and Karen Zelenak from Victor Falls Elementary School for their support and continued

participation in the art contest. He recognized and presented the 2016 Stormwater Pollution Calendar Contest Winners with their checks. The winning artists were:

- Serena Chun, Mountain View Middle School, Grade 8
- Isaac Jueschke, Mountain View Middle School, Grade 6
- Elizabeth O'Brien, Mountain View Middle School, Grade 8
- Kayla Chapman, Mountain View Middle School, Grade 6
- Edie Markquart, Mountain View Middle School, Grade 6
- Olivia Beringer, Mountain View Middle School, Grade 8
- Matthew Wilhite, Mountain View Middle School, Grade 8
- Makenna Parmer, Mountain View Middle School, Grade 7
- Avery Blake, Mountain View Middle School, Grade 8
- Bailey Saultman, Lakeridge Middle School, Grade 6
- Iris Rogel, Victor Falls Elementary School, Grade 5
- Taylor Swensen, Mountain View Middle School, Grade 7

## II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

### A. Public Hearings:

1. **AB16-70 – Resolution 2532** – Fennel Creek Sewer Lift Station Assessment Reimbursement Area Formation.

#### **Deputy Mayor McKibbin opened the Public Hearing at 7:15 p.m.**

Public Works Director Grigsby provided a summary of the Fennel Creek Sewer Lift Station Assessment Reimbursement Area (ARA) Formation proposal, how the assessments are calculated, and the requirements of connecting.

Councilmember Swatman asked for clarification regarding a dry sewer line constructed at 208<sup>th</sup> Ave and Director Grigsby clarified that it was installed when the street was rebuilt in anticipation that sewer would one day reach this area.

Ronald K. Nicholes, 9508 203<sup>rd</sup> Ave E, Bonney Lake, spoke regarding water usage and traffic impacts from future development, increases in property taxes, service fees, and costs to him and his family. He expressed concern with the costs of development and feels that bigger is not better. He suggested the Council look into studies regarding homelessness due to government cost increases.

David Lorence, 9103 204<sup>th</sup> Ave E, Bonney Lake, said he was speaking on behalf of the Kelly Glade Homeowner's Association Board of Directors. Council provided Mr. Lorence with 10 minutes to speak for the group. Mr. Lorence said the proposed assessment does not benefit Kelly Glade homeowners and presented information on the maintenance of the elaborate septic system in Kelly Glade. He stated Kelly Glade should be exempt from the assessment, that Kelly Glade residents would not provide the City with easements for the proposed lift station project, and asked that the financing term be clarified before the Council approves this assessment. He urged the Council to consider other options for this project.

George Boyko, 20218 90<sup>th</sup> St Ct E, Bonney Lake, said he is the current president of the Kelly Glade Homeowners Association and one of the original residents. Council advised that Mr. Lorence had already spoken on behalf of the Kelly Glade Homeowners Association Board of Directors, and additional speakers from this group could provide comments during the Citizen Comment period of the meeting. Mr. Boyko said Kelly Glade will provide no easements to the City and the community does not want this project, which will affect their properties.

James Greenfield, 20315 91<sup>st</sup> St Ct E., Bonney Lake, stated he is a Kelly Glade resident and would speak during Citizen Comments. He said the Council should let each person speak for 5 minutes.

Council explained that they were following the procedures outlined for a public hearing, and advised that additional Kelly Glade residents wishing to speak should do so during Citizen Comments.

Scott Tague, 9102 203<sup>rd</sup> Ave E, Bonney Lake, said he is a Kelly Glade resident and was already represented by Mr. Lorence.

Kristy Benedict, 20215 90<sup>th</sup> St Ct E, Bonney Lake, said she is a Kelly Glade resident and was represented by Mr. Lorence.

Dan Benedict, 20215 90<sup>th</sup> St Ct E, Bonney Lake, said he is a Kelly Glade resident and was represented by Mr. Lorence.

Jessica Martin, 9103 203<sup>rd</sup> Ave E, Bonney Lake, said she is a Kelly Glade resident and was represented by Mr. Lorence.

Ruth Miller, 8010 211<sup>th</sup> Ave E, Bonney Lake, said she lives in Springhaven and asked whether this assessment affected her property. She expressed concern about her increasing water bill and asked for additional senior citizen reductions. Councilmembers asked Ms. Miller to speak during Citizen Comments, as her water bill concerns did not address the public hearing topic.

Mary Parmer, 13630 193<sup>rd</sup> Ave E, Bonney Lake, was signed up for the Public Hearing, but did not come forward when called to speak.

Elizabeth O'Brien, 19708 99<sup>th</sup> St Ct E, Bonney Lake, was signed up for the Public Hearing, but did not come forward when called to speak.

**Deputy Mayor McKibbin closed the Public Hearing at 7:41 p.m.**

**B. Citizen Comments:**

Chris Lunn, 18503 74<sup>th</sup> E, Bonney Lake, spoke regarding the Bonney Lake Community Garden. He said the garden plots are taken and there is a waiting list. He invited all to attend an Open House at the Bonney Lake Community Garden on June 11<sup>th</sup> from 11:00 a.m. to 2:00 p.m. with live music, food, and a tour of the garden. He thanked the City and the Council for their support.

Nanci Lien, 4601 N Island Drive, Bonney Lake, spoke on behalf of Inlet Island residents. She expressed concern about safety and speed limits on the lake, and a lack of accountability for those violating the boating safety rules and speed limits. She said she appreciates the Bonney Lake Marine Services Unit and the Pierce County Sheriff's staff and asked for proactive community outreach to educate boaters. Councilmember Watson invited Ms. Lien to attend the June 28<sup>th</sup> Public Safety Committee Meeting to address her concerns further.

Jeff Lincoln, 4601 N Island Drive, Bonney Lake, provided handouts to the Council on Speeds and Reckless Operation of Vessel of the Inlet-Interlake Island Channel. He expressed concern about boating safety and speeds through the channel. He said a buoy has been relocated and asked the Bonney Lake Marine Service Unit to enforce speed limits on the lake and reduced speeds around buoys. He said he plans to attend the June 28<sup>th</sup> Public Safety Committee Meeting.

Ruth Miller, 8010 211<sup>th</sup> Ave E, Bonney Lake, expressed concern about her increasing water bills and asked the Council to consider additional senior discounts. Community Development Director Vodopich advised that he previously spoke with Ms. Miller and she already receives a senior discount on her utility account as authorized by the Bonney Lake Municipal Code. Councilmember Swatman said that Council and staff can look at the code and determine if additional discounts can be considered.

Chris Nelson, 4607 N Island Drive, Bonney Lake, provided handouts including "Exhibit "B" to Pierce County Ordinance No. 2005-34A Lake Tapps Boat Management Plan and a Google Earth Map showing the channel between Inlet Island and Interlake Island. He presented the City with a speed limit buoy that he purchased and asked that the City place it in the channel. He said he is willing to purchase another buoy if the City will install it. He said he spoke with Joe Michaelson from Cascade Water Alliance, but Mr. Michaelson did not want to accept liability for placing the buoy. City Administrator Morrison accepted the buoy as a donation to the City and said he would have the Marine Service Unit place it in the channel. Mr. Nelson said he plans to attend the June 28<sup>th</sup> Public Safety Committee Meeting.

Scott Tague, 9102 203<sup>rd</sup> Ave E, Bonney Lake, said he is one of the original residents of Kelly Glade. He said he appreciates the growth in the community, but is opposed to the Fennel Creek Sewer Lift Station ARA formation. He said Kelly Glade has a self-sustaining septic system and believes their subdivision should be exempt from this assessment.

James Greenfield, 20315 91<sup>st</sup> St Ct E, Bonney Lake, spoke against the proposed Fennel Creek ARA, and said City should seek assessments from future developers, which is why the lift station is needed. He asked for reimbursement from the City, if this assessment is approved.

Daniel Pass, 9123 203<sup>rd</sup> Ave E, Bonney Lake, said he is one of the original residents of Kelly Glade. He said he did not receive a certified notice regarding the Fennel Creek Lift Station ARA Formation meeting and public hearing. He asked that he not be left out of any future notices affecting his property.

C. Correspondence:

Administrative Services Director/City Clerk Edvalson indicated two pieces of correspondence were submitted for the May 24<sup>th</sup> Council Meeting, and the Councilmembers received copies.

1. Mark Hamilton, Friends of Fennel Creek – *Correspondence dated May 24, 2016 Regarding Low Impact Development and Best Management Practices;*
2. William T. Lynn, Esq., Gordon Thomas Honeywell, on behalf of Skystone LLC – *Corresponded dated May 24, 2016 Regarding Public Hearing – Establishment of an Assessment Reimbursement Area for Fennel Creek Sewer Lift Station.*

**III. COUNCIL COMMITTEE REPORTS:**

- A. Finance Committee: Deputy Mayor McKibbin said the Finance Committee met earlier in the evening and discussed AB16-78 which is on the current agenda under Full Council Issues, and reviewed the first quarter budget analysis.
- B. Community Development Committee: Councilmember Lewis said the Committee met on May 17, 2016 at 4:00 p.m. and forwarded several items to the current agenda for action including AB16-71, AB16-74, AB16-66, and AB16-72.
- C. Economic Development Committee: Councilmember Evans said the Committee has not met since the last Council meeting.
- D. Public Safety Committee: Councilmember Watson said the Committee met earlier in the day and discussed summer drought concerns, a possible ban on fireworks, and public education regarding changes to the fireworks ordinance regarding violations. The Committee also discussed driving under the influence (DUI) and marijuana, and issues the police are facing. He said the Committee plans to bring two ordinances forward, one related to the unlicensed practice of massage and one for aggressive solicitation, to the June 14<sup>th</sup> Council Meeting for action.
- E. Other Reports: None.

**IV. CONSENT AGENDA:**

- A. **Approval of Corrected Minutes:** May 3, 2016 Workshop, and May 10, 2016 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:**  
Accounts Payable checks/vouchers #73687-73721 (including wire transfer number's 20160501, 20160502, and 20160503) in the amount of \$663,578.94.  
Accounts Payable checks/vouchers #73721-73827 (including wire transfer number 20160505) in the amount of \$2,467,065.13; and Accounts Payable wire transfer #201605171 in the amount of \$38,065.69 for p-card purchases.
- C. **Approval of Payroll:** May 1<sup>st</sup>-15<sup>th</sup>, 2016 for checks #32971-32984 including Direct Deposits and Electronic Transfers is \$ 526,076.33

- D. **AB16-68 – Ordinance D16-68** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Amending Chapter 2.04 Of The Bonney Lake Municipal Code And Ordinance No. 1474 Relating To Regular Council Meeting Times.
- E. **AB16-69 – Resolution 2531** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Resolution No. 2523 Establishing Regular Meeting Dates And Times For Council Standing Committees.
- F. **AB16-71 – Resolution 2533** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Nicholas Markham For 18<sup>th</sup> Street East Water Extension.
- G. **AB16-74 – Resolution 2536** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Wholesale Water Supply Agreement With The City Of Tacoma, Department Of Public Utilities-Water Division.

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

**Consent Agenda approved 6 – 0.**

**V. FINANCE COMMITTEE ISSUES:**

- A. **AB16-78 – Resolution 2538** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding the 186<sup>th</sup> Corridor Improvement Project to Sanders General Construction.

**Councilmember Lewis moved to approve AB16-78 – Resolution 2538.  
Councilmember Watson seconded the motion.**

**Resolution 2538 approved 6 – 0.**

**VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:**

- A. **AB16-66 - Resolution 2530** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Myers Road South Overlay Project Design by KPG Engineering.

**Councilmember Rackley moved to approve Resolution 2530. Councilmember Lewis seconded the motion.**

**Resolution 2530 approved 6 – 0.**

- B. **AB16-72 – Resolution 2534** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding the Fennel Creek Sewer Lift Station Project to Award Construction, Inc.

**Councilmember Watson moved to approve Resolution 2534. Councilmember Rackley seconded the motion.**

Councilmember Swatman said it was unfortunate that the Kelly Glade residents did not stay for the remainder of the meeting because this resolution for construction of the lift station is important to them.

He said the City determined financing based on prospective developers, including multi-family (apartment) developments and future commercial developments, who would be subject to the latecomer fees. He believes that if Kelly Glade is not included in the benefitting area it will change the financing for this project. He said it is a complicated issue and important to clarify who is paying what portion of the sewer expansion. He said every lot in the City should have access to sewer service.

Councilmember Rackley said the homes in Kelly Glade are in the city's sewer service area, and if a septic system fails it is a public health risk. He said he opposes having the public pay to finance the lift station project. He said those benefiting from a utility should have to contribute.

He said the Community Development Committee or the full Council should consider the ARA further to ensure the assessments are justified. He said he does not want the lift station project to be delayed, however. He asked about the City's process of forming an ARA prior to awarding a construction contract. Director Grigsby said ARAs or ULAs can be formed up until the end of construction, and/or when someone connects to the system.

Councilmember Watson said he supports the proposed resolution for construction, but wants the full Council to review the ARA details at a future Workshop to address who is affected. He said he wants to consider all the details and relay more information to the residents.

**Resolution 2534 approved 6 – 0.**

**VII. ECONOMIC DEVELOPMENT COMMITTEE ISSUES:** None.

**VIII. PUBLIC SAFETY COMMITTEE ISSUES:** None.

**IX. FULL COUNCIL ISSUES:**

- A. **AB16-73 – Resolution 2535** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Lease Agreement With Bennett Music Studios, LLC For The Former City Hall Annex Building.

**Councilmember Rackley moved to approve AB16-73 – Resolution 2535.  
Councilmember Watson seconded the motion.**

Councilmember Lewis said the city has been looking for a tenant to lease the former City Hall Annex and he thinks the proposed tenant is a good fit. Deputy Mayor McKibbin advised that the Lessees have agreed to the mutual options for a possible future extension to the lease. City Administrator Morrison said the Lessors have signed the lease and the guarantee.

**Resolution 2535 approved 6 – 0.**

**B. AB16-75 – A Motion Appointing Voting Delegates to the 2016 AWC Annual Conference Business Meeting.**

Council consensus was for Deputy Mayor Randy McKibbin and Councilmembers James Rackley and Donn Lewis to serve as the City’s Voting Delegates.

**Councilmember Watson moved to approve the appointment of Deputy Mayor Randy McKibbin, Councilmember James Rackley and Councilmember Donn Lewis as the voting delegates to the 2016 AWC Annual Conference Business Meeting. Councilmember Rackley seconded the motion.**

**Motion AB16-75 approved 6 – 0.**

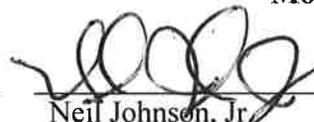
**X. EXECUTIVE/CLOSED SESSION: None.**

**XI. ADJOURNMENT:**

**At 8:24 p.m. Councilmember Evans moved to adjourn the meeting. Councilmember Watson seconded the motion.**

**Motion approved 6 – 0.**

  
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Harwood Edvalson, MMC  
City Clerk

  
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Neil Johnson, Jr.  
Mayor

Items presented to Council at the May 24, 2016 Meeting:

- Mark Hamilton, Friends of Fennel Creek – *Correspondence dated May 24, 2016 regarding Low Impact Development and Best Management Practices.*
- William T. Lynn, Esq. – Gordon Thomas Honeywell, on behalf of Skystone LLC – *Correspondence dated May 24, 2016 regarding Public Hearing – Establishment of an Assessment Reimbursement Area for Fennel Creek Sewer Lift Station.*
- Chris Lunn, Bonney Lake Community Gardens – *June 11, 2016 Grand Opening flyer.*
- Jeff Lincoln, Inlet Island Resident – *Speeds and Reckless Operation of Vessel of the Inlet-Inter Island Channel handout, dated May 24, 2016.*
- Chris Nelson, Inlet Island Resident – *Exhibit “B” to Pierce County Ordinance No. 2005-34A Lake Tapps Boat Management Plan; Google Earth Map.*

*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.*