

CITY COUNCIL MEETING

**March 26, 2002
7:00 P.M.**

MINUTES

City of



"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.

I. CALL TO ORDER

A. Flag Salute

Mayor Young called the meeting to order at approximately 7:00 p.m. and led those in attendance in the pledge of allegiance.

B. Roll Call (A1.3)

In attendance with Mayor Young were Deputy Mayor Swatman, Councilmembers Stephen Bricker, Phil DeLeo, Neil Johnson, Dave King, Maureen Palecek, and Jim Rackley.

Staff members attending were: Finance Director John Weidenfeller, Public Works Director Seth Boettcher (arrived after roll call), Interim Planning & Community Development Director Bob Leedy, Police Chief Bryan Jeter, Deputy City Attorney Jeff Ganson, and City Clerk Gayle Butcher.

C. Announcements, Appointments and Presentations

1. Announcements - None (A3.6.9)

2. Appointments - None (A3.8.3)

3. Presentations (A3.6.4)

a. Planning Agency Recommendation related to proposed Ordinance No. 908, C-2/C-3 Zoning Amendment. [03.5.2]

Planning Agency Chair Steve Burnham noted the proposed amendment relates to manufactured/mobile homes as a permitted use in the C-2/C-3 zones. The Planning Agency recommendation was approved by a 4-3 vote.

b. Planning Agency Recommendation related to proposed Ordinance No. 927, Nonconforming Text Amendment. [03.5.2]

Planning Agency Chair Steve Burnham noted the proposed amendment relates to the 25-year/2-year nonconforming

compliance rule. The Planning Agency recommendation was approved by a 4-3 vote.

D. Agenda Modifications – None (A3.6.6)

**II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE
(A3.6.11, A3.6.12, A3.6.4, 3.6.5)**

A. Public Hearings

1. To receive public testimony on the proposed 6-Year Transportation Improvement Plan from Year 2002 to Year 2007. [04.8.4]

Mayor Young opened the public hearing at 7:09 p.m.

Deputy Mayor Swatman noted there was some material missing from the proposed plan and asked for a motion to continue the hearing.

Motion by Councilmember Bricker, second by Councilmember Rackley, to continue the public hearing at the next Council meeting.

B. Citizen Comments

Matthew L. Sweeney, P. O. Box 7935, Tacoma

Mr. Sweeney stated he is representing his client, Rick Gienger, regarding his client's 9-lot short plat and water availability. Of particular concern is the change in opinion related to initial water availability, subsequent application and financial investment, and recent change by the City's determination that water is no longer available. Mr. Sweeney distributed copies of the concern to Mayor, Council and City Clerk.

Council consensus to discuss this at the next workshop.

Louisa Smith, 20112 Church Lake Road

Ms. Smith expressed her disappointment with some recent emails that involved a discussion she had with one of the members of the Council.

Peggy Koch, 6339 South Island Drive

Ms. Koch's primary concern involved the historical zoning for Inlet Island, and what steps needed to be taken to change the zoning.

Tony Dalgarne, 6302 207th Avenue E.

Mr. Dalgarne asked about the legal postings related to the Comprehensive Plan Amendment and 6-year TIP. Deputy Mayor Swatman responded notices are posted at the Post Office, Library, City Hall, and published in the official newspaper.

Lucille Ellis, 4714 No. Island Drive

Ms. Ellis asked for specific actions and steps she needed to take to apply for a Comprehensive Plan Amendment. Interim Planning and Community Development Director Leedy noted he was aware that appropriate advice had been given to Ms. Ellis and he pointed out that staff couldn't initiate applications. Deputy Mayor Swatman confirmed the processes.

C. Correspondence

Mayor Young asked Deputy City Attorney Ganson to brief the Council on the Amicus briefing related to the request by AWC for cities to join them in appealing the Supreme Court's ruling on the petition method of annexation. After the briefing, Council Consensus reached not to participate.

III. COUNCIL COMMITTEE REPORTS

(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman presented a briefing of the Finance Committee's agenda discussions.

B. Community Development Committee

Councilmember Palecek reviewed the Community Development Committee's agenda discussion from last week, noting several items are on this evening's agenda.

C. Public Safety Committee

Councilmember Bricker stated the Committee did not meet.

D. Other Reports

Mayor Young stated a Hearing Examiner meeting was held yesterday on a variance application related to building a water tank. He is aware that members of the City Council have been invited to ongoing community meetings. Mayor Young cautioned members of the Council about attending these meetings because Hearing Examiner decisions can be appealed to the City Council as a quasi-judicial meeting. Deputy City Attorney Ganson confirmed that it is good idea to avoid potential appearance of fairness issues that could arise in a quasi-judicial setting.

IV. MINUTES (A3.6.2)

- A. February 5, 2002 Workshop
- B. February 7, 2002 Joint City of Bonney Lake/Sumner Workshop
- C. February 19, 2002 Workshop
- D. March 5, 2002 Workshop
- E. March 12, 2002 Council

Motion by Councilmember Bricker, second by Councilmember Palecek to adopt the minutes as presented.

Motion Carried Unanimously 7-0.

V. VOUCHERS AND PAYROLL
(F4.9)

A. Vouchers

1. Claims:
Accounts payable checks #031073-031172, voiding check #031073 in the amount of \$178,603.90.
2. Payroll:
Payroll for March 1-March 15, 2002 for checks 019155 - 19217 including Direct Deposits and Electronic Transfers in the amount of \$192,074.16.

Motion by Deputy Mayor Swatman, second by Councilmember Palecek, to authorize claims and payroll as presented.

Motion Carried Unanimously 7-0.

VI. UNFINISHED BUSINESS - None

VII. NEW BUSINESS - None

VIII. ORDINANCES

- A. Ordinance No. 949. An Ordinance of the City of Bonney Lake, Pierce County, Washington, amending Chapter 12.04 of the Bonney Lake Municipal Code and Ordinance Nos. 589, 589B and 798, relating to the Bonney Lake Development Policies and Public Works Design Standards. (Reviewed at the March 18, 2002 Community Development Committee meeting.) [04.2]

Motion by Councilmember Rackley, second by Councilmember Palecek, to adopt the ordinance as presented.

Motion Carried Unanimously 7-0.

IX. RESOLUTIONS

- A. Resolution No. 947. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an interlocal agreement with Pierce County, thereby amending the Pierce County Countywide Planning Policies to amend the Joint Planning Policies as recommended by the Pierce County Regional Council. (Reviewed at the March 19, 2002 Council Workshop.) [A3.22.1]

Motion by Councilmember Rackley, second by Councilmember Palecek, to adopt the resolution as presented.

Councilmember DeLeo expressed concern that some of the policy criteria was missing. Motion by Councilmember Rackley, second by Councilmember Bricker to table. Councilmember Rackley amended his motion to table Resolution No. 947 and agenda items B-E. Councilmember DeLeo noted each resolution related to a different topic. There was no second to the amendment.

Motion to Table Carried Unanimously 7-0.

- B. Resolution No. 948. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an interlocal agreement with Pierce County, thereby amending the Pierce County Countywide Planning Policies to amend the Buildable Lands Policies as recommended by the Pierce County Regional Council. (Reviewed at the March 19, 2002 Council Workshop.) [A3.22.1]

Motion by Councilmember DeLeo, second by Councilmember Rackley, to adopt the resolution as presented.

Motion by Councilmember Bricker, second by Deputy Mayor Swatman, to table Resolution No. 948 and Resolution Nos. 949, 950, and 951.

Motion to Table Carried 5-2
with Councilmember King and Councilmember DeLeo dissenting.

- C. Resolution No. 949. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an interlocal agreement with Pierce County, thereby amending the Pierce County Countywide Planning Policies to address the Endangered Species Act as recommended by the Pierce County Regional Council. (Reviewed at the March 19, 2002 Council Workshop.) [A3.22.1]

This agenda item was tabled as noted under Agenda Item No. B.

- D. Resolution No. 950. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an interlocal agreement with Pierce County, thereby amending the Pierce County Countywide Planning Policies to address the elimination of tiering as recommended by the Pierce County Regional Council. (Reviewed at the March 19, 2002 Council Workshop.) [A3.22.1]

This agenda item was tabled as noted under Agenda Item No. B.

- E. Resolution No. 951. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an interlocal agreement with Pierce County, thereby amending the Pierce County Countywide Planning Policies to address a general update Policies as recommended by the Pierce County Regional Council. (Reviewed at the March 19, 2002 Council Workshop.) [A3.22.1]

This agenda item was tabled as noted under Agenda Item No. B.

- F. Resolution No. 965. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a Franchise Agreement with the City of Auburn. (Reviewed at the March 4 and 18, 2002 Community Development Committee meetings.) [4.1.8]

Motion by Councilmember Rackley, second by Councilmember Palecek to adopt the resolution as presented.

Motion Carried Unanimously 7-0.

- G. Resolution No. 973. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an agreement with Terminix for pest control at City Hall. (Reviewed at the March 18, 2002 Community Development Committee meeting.) [04.14]

Motion by Councilmember Palecek, second by Deputy Mayor Swatman, to adopt the resolution as presented.

Mayor Young asked whether there was any discussion related to the length of the contract term. Councilmember Palecek stated yes. Public Works Director noted the Community Development Committee discussed giving authority to the Mayor next year to renew the contract as a means to save administrative time.

Motion Carried Unanimously 7-0.

- H. Resolution No. 974. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a Latecomer's Agreement between

Morgan and McCoy and 183rd Avenue East. (Reviewed at the March 18, 2002 Community Development Committee meeting.) [A3.13.5.1]

Motion by Councilmember Bricker, second by Councilmember Rackley, to adopt the resolution as presented.

Motion Carried Unanimously 7-0.

- I. Resolution No. 975. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an easement for William's Gas Pipeline to work at a location that crosses City of Bonney Lake property at the Tacoma Point Tank site. (Reviewed at the March 18, 2002 Community Development Committee meeting.) [A3.13.2]

Motion by Councilmember Bricker, second by Councilmember Palecek, to adopt the resolution as presented.

Motion Carried Unanimously 7-0.

- J. Resolution No. 972. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an agreement for Public Works Trust Fund Loan No. PW-02-691-006. (Reviewed at the March 12, 2002 Finance Committee meeting.) [F4.12.16]

Motion by Councilmember Palecek, second by Councilmember Rackley, to adopt the resolution as presented.

A brief discussion was held related to the deadline of the loan and the terms for receiving and returning the funds.

Motion Carried 6-1 with Deputy Mayor Swatman dissenting.

X. EXECUTIVE SESSION - None

XI. ADJOURNMENT

There being no further business to come before the Council, Motion by Councilmember Rackley, second by Councilmember Bricker to adjourn at 8:04 p.m.

Bob Young, Mayor

Gayle Butcher, City Clerk