

**CITY COUNCIL MEETING**

*April 9, 2002  
7:00 P.M.*

**MINUTES**

City of



*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.*

*"Where Dreams Can Soar"*

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**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, and Maureen Palecek. Councilmember Jim Rackley was absent.

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, City Attorney Jim Dionne, Police Lt. Mike Strozyk and Assistant Planner David Renaud and City Clerk Gayle Butcher. City Engineer John Woodcock arrived after roll call.

C. Announcements, Appointments and Presentations

1. Announcements - None (A3.6.9)
2. Appointments None (A3.8.3)
3. Presentations - None (A3.6.4)

D. Agenda Modifications (A3.6.6)

Deputy Mayor Swatman noted claim corrections into the record indicating the total amount didn't change but that there were two voided checks not one, and he requested an Executive Session to discuss potential litigation. Council consensus reached to note the claims corrections and to conduct an Executive Session.

**II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE**

(A3.6.11, A3.6.12, A3.6.4, 3.6.5)

A. Continued Public Hearing

To receive public testimony on the proposed 6-Year Transportation Improvement Plan from Year 2002 to Year 2007. [O4.8.4]

Mayor Young reconvened the continued open public hearing (from the March 26, 2002 meeting) at 7:04 p.m. Public Works Director Seth Boettcher gave a brief

overview of the Transportation Improvement Plan (TIP) for years 2002-2007. He noted the major increases are a result of growth and some of the items might qualify for grant dollars.

There were no requests from the public to speak on the TIP.

Councilmember DeLeo asked about the status of a pedestrian corridor connecting Fennel Creek and Angeline Road to SR 410. Public Works Director Boettcher stated he would speak with the consultant about placing these pathways on the TIP, too, as they are on the Parks Trail Plan.

Councilmember DeLeo expressed grave concern about the South Island Drive project completed last year that has been patched and that the roadway is becoming a washboard. After a brief discussion regarding warranty and bonding issues from the construction firm that is no longer in business Mayor Young noted further discussion should be at next week's workshop.

Mayor Young closed the public hearing at 7:11 p.m.

B. Citizen Comments - None

C. Correspondence - None

### III. COUNCIL COMMITTEE REPORTS

(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman stated the Committee did not meet this evening due to lack of quorum.

B. Community Development Committee

Councilmember Palecek stated the Committee did not meet due to lack of business.

C. Public Safety Committee

Councilmember Bricker stated the Committee met April 1, 2002 and reviewed the Reserve Officer Program, discussed the policy related to clothing allowance, and fire hydrant maintenance and the when's and how's to surplus the fire engines.

D. Other Reports

Deputy Mayor Swatman stated the ad hoc city hall committee met on April 2, 2002 and that 8,500 square feet are available at the Public Safety Building. Cal Jordan will be working with staff on space needs and an amendment to their contract for extra work would be forthcoming.

Councilmember DeLeo expressed concern with a code enforcement issue that has gone on for so long, the resident has put his home up for sale. City Attorney James Dionne was asked to look into the situation to see what additional enforcement policies could be implemented.

**IV. MINUTES (A3.6.2)**

- A. March 2, 2002
- B. March 19, 2002

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

Motion Carried Unanimously 6-0.

**V. VOUCHERS AND PAYROLL (F4.9)**

A. Vouchers

- 1. Claims:  
Accounts payable checks #031173-0312589, voiding check #031173 **and 31217** in the amount of \$270,576.59.
- 2. Payroll:  
Payroll for March 16-31, 2002 for checks 019218 - 19282 including Direct Deposits and Electronic Transfers in the amount of \$252,269.88.

Motion by Councilmember Palecek, second by Councilmember King, to authorize as presented.

Motion Carried Unanimously 6-0.

**VI. UNFINISHED BUSINESS**

**VII. NEW BUSINESS**

- A. Request Council set a public hearing April 23, 2002 to receive public testimony on the proposed rate increases for water and sewer services as proposed by Ordinance Nos. 907 and 916. [A 3.6.12]

Motion by Councilmember Palecek, second by Deputy Mayor Swatman, to set the hearing as presented.

Motion Carried 5-1 with Deputy Mayor Swatman dissenting.

- B. Request Council to accept Notice of Completion of Public Works Contract No. 045 003 for the McGhee Drive Overlay Projected authorized under Resolution No. 919 and to authorize the release of the retainage upon receipt of all the required paperwork. [O 4.8.2]  
Motion by Councilmember Palecek, second by Councilmember King, to authorize as presented.

Motion Carried Unanimously 6-0.

- C. Request Council to accept Notice of Completion of Carpeting for the Public Safety Building authorized under Resolution No. 929 and to authorize the release of retainage upon receipt of all the required paperwork. [ O 4.4.3]

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

Motion Carried Unanimously 6-0.

- D. Request the Council formally accept the final plat for Panorama Heights PUD, Phase II, and authorize the Mayor to sign the Mylar for recording. (Hearing Examiner 3/8/00 and Community Development Committee 4/1/02.) [ O 3.6.2]

Motion by Councilmember Bricker, second by Deputy Mayor Swatman, to authorize as presented.

Councilmember Palecek expressed concern with some lots that had been filled, and asked Public Works Director Boettcher if the City was assuming potential future liability or whether liability was on the engineer who certified the fill. Public Works Director Boettcher explained the gravel fill and inspection, noting that the Geotechnical Engineer has certified the lots are stable and sound. He also indicated if there were a future problem it would probably rest with the contractor or the Geotechnical engineer. City Attorney Jim Dionne stated Public Works Director Boettcher was correct.

Motion Carried Unanimously 6-0.

## VIII. ORDINANCES

- A. Ordinance No. 946. An Ordinance of the City of Bonney Lake, Pierce County, Washington, adding a new chapter to the Bonney Lake Municipal Code Book, Chapter 5.15, Parades and Special Events. (Reviewed at the 3/5/02 and 4/2/02 Council Workshops.) [ A 3.5.5.5]

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

Motion Carried Unanimously 6-0.

- B. Ordinance No. 950. An Ordinance of the City of Bonney Lake, Pierce County, Washington, amending Chapter 2.32 of the Bonney Lake Municipal Code and Ordinance No. 678, relating to holidays. (Reviewed at the 3/26/02 Finance Committee Meeting.) [ A 3.5.5.2]

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

Motion Carried Unanimously 6-0.

- C. Ordinance No. 951. An Ordinance of the City of Bonney Lake, Pierce County, Washington, adding Section 2.34.040 of the Bonney Lake Municipal Code relating to Exempt Employee Benefits. (Reviewed at the 4/2/02 Council Workshop.) [A 3.5.5.3]

Motion by Councilmember Bricker, second by Deputy Mayor Swatman, to adopt the ordinance as presented.

Motion Carried Unanimously 6-0.

- D. Ordinance No. 908. An Ordinance of the City of Bonney Lake, Pierce County, Washington, amending Chapter 18.29 of the Bonney Lake Municipal Code and Ordinance No. 748 and Ordinance No. 788 relating to C-2/C-3 Combined Retail Commercial, Warehousing, and Light Manufacturing District. (Reviewed at the 4/2/02 Council Workshop, the 3/26/02 Council Meeting, the 11/7/01, 12/5/01, 11/19/01, 12/5/01, 2/6/02, 2/20/02 and 3/6/02 Planning Agency Meetings) [O 3.5.2.2]

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

Motion Carried Unanimously 6-0.

- E. Ordinance No. 927. An Ordinance of the City of Bonney Lake, Pierce County, Washington, amending Chapter 18.38 of the Bonney Lake Municipal Code relating to Nonconforming Uses. (Reviewed at the 4/2/02 Council Workshop, the 3/26/02 Council Meeting, 1/9/02, 2/20/02 and 3/6/02 Planning Agency Meetings) [O 3.5.2.2]

Motion by Councilmember Bricker, second by Deputy Mayor Swatman, to adopt the ordinance as presented.

Motion Carried Unanimously 6-0.

## 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 3/19/02 and 4/2/02 Council Workshops.) [A3.22.1]

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

Councilmember King stated Council had recently received a copy of Mayor Young's letter to Pierce County Councilman Cal Goings. Councilmember King noted his concern that the Pierce County Council appears to be changing the Comprehensive Plan/UGA cycle.

Interim Planning and Community Development Director Leedy noted the Countywide Planning Policies that are before the Council this evening establish language that provides for better coordination between County and City staff. He did not believe the resolutions would be subject to the policy and discussions being held at the County level. He noted he would be attending the County hearing tomorrow to discuss the impacts to developers and cities should the County wish to proceed with a change in the Comprehensive Plan cycle.

Mayor Young suggested that the countywide resolutions continue to be discussed at a Council workshop next week, and that Council retain their copies of the resolutions for next week.

Motion by Councilmember Bricker, second by Councilmember Palecek to table Agenda Items IX.A through E. on this evening's agenda.

Motion Carried Unanimously 6-0.

- 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 3/19/02, and 4/2/02 Council Workshops.) [A3.22.1]

This resolution was tabled under IX.A

- 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 3/19/02, and 4/2/02 Council Workshops.) [A3.22.1]

This resolution was tabled under IX.A

- 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 3/19/02, and 4/2/02 Council Workshops.) [A3.22.1]

This resolution was tabled under IX.A

- 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 3/19/02, and 4/2/02 Council Workshops.) [A3.22.1]

This resolution was tabled under IX.A

- F. Resolution No. 940. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an Intertie Agreement between the City of Bonney Lake and the City of Auburn. (Reviewed at the Community Development Committee meetings of 1/8/02, 2/15/02, 3/4 & 18/02 and 4/1/02) [O 4.10.1]

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

Motion Carried Unanimously 6-0.

- G. Resolution No. 971. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a contract with Pierce County Human Services for the period January 1, 2002 to December 31, 2002 in a grant amount of \$5,820 for the Senior Center's Stone Soup Program. (Reviewed at the 3/26/02 Finance Committee meeting) [F 5.3.3]

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

Motion Carried Unanimously 6-0.

- H. Resolution No. 976. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an amendment to Loan Agreement No. L9900035 to the Department of Ecology for the Wellhead Education and Nitrate Investigation Project. (Reviewed at the 3/26/02 Finance Committee meeting.) [F 5.2.6]

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

Motion Carried Unanimously 6-0.

- I. Resolution No. 977. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an award of the Driftwood Drive Water Main Project No. PW 034 010 to Buno Construction. (Reviewed at the 4/1/02 Community Development Committee meeting.) [O 4.10.2]

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

Motion Carried 5-1 with Deputy Mayor Swatman dissenting.

- J. Resolution No. 985. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing the reclassification of a position from Planning Assistant to Associate Planner. (Reviewed at the 4/2/02 Council Workshop) [A 4.3.3]

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

Motion Carried Unanimously 6-0.

- K. Resolution No. 982. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a contract with RH2 for Peaking Storage Siting and Project Report. (Reviewed at the 4/1/02 Community Development & Planning Committee) [O 4.10.1]

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

Mayor Young noted he had received an email from Councilmember Rackley who wanted Councilmembers to know that he encouraged authorization of the contract.

Motion Carried Unanimously 6-0.

- L. Resolution No. 981. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a contract with RH2 for Ballpark Well & Treatment Facility. (Reviewed at the 4/1/02 Community Development & Planning Committee) [O 4.10.2]

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

Motion Carried Unanimously 6-0.

- M. Resolution No. 980. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a contract with RH2 for Certificate of Water Availability Policy. (Reviewed at the 4/1/02 Community Development & Planning Committee) [O 4.10.1]

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

Motion Carried Unanimously 6-0.

- N. Resolution No. 983. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a contract with RH2 for Water Supply investigation. (Reviewed at the 4/1/02 Community Development & Planning Committee) [O 4.10.1]

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

Motion Carried Unanimously 6-0.

**X. EXECUTIVE SESSION**

Mayor Young called for an executive session at 7:44 p.m. for about 5 minutes to discuss potential litigation. Mayor Young reconvened the meeting at 7:54 p.m. There was no Council action taken as a result of the Executive Session.

**XI. ADJOURNMENT**

Motion by Councilmember Bricker, second by Councilmember Johnson, to adjourn at 7:54 p.m.

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Bob Young, Mayor

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Gayle Butcher, City Clerk