

CITY COUNCIL MEETING

**July 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"

I. CALL TO ORDER

A. Flag Salute

Mayor Young called the meeting to order at 7:00 p.m. and led those in attendance in the Flag Salute.

B. Roll Call (A1.3)

In attendance with Mayor Young were Deputy Mayor Dan 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, Interim Planning & Community Development Director Bob Leedy, Police Chief Bryan Jeter, Senior Center Director JoAnne Knecht, City Attorney Jim Dionne, and City Clerk Gayle Butcher.

Motion by Councilmember Bricker, second by Councilmember King to excuse Councilmember Rackely's absence.

Motion Carried Unanimously. 6-0.

C. Announcements, Appointments and Presentations

1. Announcements (A3.6.9) None

2. Appointments (A3.8.3)

Motion by Councilmember Bricker, second by Councilmember DeLeo to confirm Mayor's appointment of Bob Leedy to the position of Planning and Community Development Director.

Deputy Mayor Swatman thanked Mayor Young for allowing him to be part of the interview panel. Deputy Mayor Swatman said when Council authorized the interim position last fall, Council did not expect the interim to apply. He said Mr. Leedy was clearly the most qualified candidate and the panel was unanimous in its panel recommendation.

Motion Carried Unanimously 6-0.

3. Presentations - (03.6.1.2)

Mayor Young presented a Certificate of Appreciation to Florence Massey, President, Senior Center Advisory Board and to all Senior Center volunteers for their donations that have enriched the Center's operations.

D. Agenda Modifications (A3.6.6)

Motion by Councilmember Bricker, second by Councilmember Palecek, to enter into the record the new legal description for Resolution No. 1007, Notice of Intent to Annex.

Motion Carried Unanimously 6-0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

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

A. Public Hearing - None

B. Citizen Comments

Dan Decker, 20401 70th Street E.

Mr. Decker protested his and his wife's treatment regarding a deed restriction, Accessory Dwelling Unit (ADU) and building permit. He stated the process steps he wants taken by the City.

C. Correspondence - None

III. COUNCIL COMMITTEE REPORTS

(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman reviewed this evening's Committee agenda, noting that review of arbitrage and the voucher committee ordinance would be reviewed at the next meeting.

B. Community Development Committee

Councilmember Johnson spoke on behalf of Chair Rackley. The Committee discussed easements, fluoridation, street sweeping and an update on the design phase of the sewer treatment facility upgrade.

C. Public Safety Committee

Councilmember Bricker noted the Committee could not meet due to lack of quorum.

D. Other Reports - None

IV. MINUTES (A3.6.2)

- A. April 30, 2002
- B. June 3, 2002
- C. June 4, 2002
- D. June 11, 2002

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

Motion Carried Unanimously 6-0.

V. VOUCHERS AND PAYROLL (F4.9)

A. Vouchers

- 1. Claims:
Accounts payable checks #031833-031940, voiding checks #31834. In the amount of \$339,609.90
- 2. Payroll:
Payroll for June 1st through June 30th 2002 for checks 019587 – 019662 including Direct Deposits and Electronic Transfers in the amount of \$257,046.01

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

Motion Carried Unanimously 6-0.

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

- A. Motion to set a date for continuing the June 25, 2002 public hearing related to traffic impact fees.

Motion by Councilmember Bricker, second by Councilmember Palecek, to set the continued public hearing date as presented.

Public Works Director Boettcher briefed the Council on the issues and work that must be accomplished.

Motion by Councilmember Bricker, second by Councilmember Palecek, to table setting a date for the continued public hearing indefinitely.

Motion Carried 5-1 with Deputy Mayor Swatman dissenting.

- B. Motion to set public hearing regarding surplus of equipment purchased for public utility purposes.

Motion by Deputy Mayor Swatman, second by Councilmember Palecek, to set a public hearing for July 23, 2002 regarding the surplus of equipment purchased for public utility purposes.

Motion Carried Unanimously 6-0.

VIII. ORDINANCES

- A. Ordinance No. 952. An ordinance of the City Council of the City of Bonney Lake, Pierce County, Washington, adding a new Chapter 18.12 and amending Chapters 18.02, 18.36, 18.50 and Division VI Land Use and Dimensional Tables I and II of the Bonney Lake Municipal Code and Ordinance Nos. 515, 740, 746, and 786 relating to the addition of R-1(A) Very Low Density Zoning District. (Discussed Council Workshop 7/2/02 and Planning Agency recommendation 6/25/02)

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

Motion Carried Unanimously 6-0

- B. Ordinance No. 954. An ordinance of the City Council of the City of Bonney Lake, Washington, adjusting the non-union salary scale for 2002. (Discussed at the June 25, 2002 Finance Committee.)

Motion by Deputy Mayor Swatman to adopt. Mayor Young called for a second. Councilmember King asked for clarification on this ordinance and agenda item IX.A (Resolution No. 865). Councilmember King stated a concern that Ordinance No. 954 had not been discussed at a workshop, and that this ordinance and Resolution No. 865 appear to affect the same individual.

Motion by Councilmember King to table VIII.B (Ordinance No. 954) and IX.A (Resolution No. 865) for discussion at the next workshop. Second by Deputy Mayor Swatman.

Motion Carried Unanimously 6-0.

IX. RESOLUTIONS

- A. Resolution No. 865. A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a contract with Dave Papandrew, CPA, for professional accounting and financial services. (Discussed at the June 25, 2002 Finance Committee.)

This resolution was tabled under discussion with Ordinance No. 954.

- B. Resolution No. 989. A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an agreement with Cook Paging Services for the period of one and one-half years (July 10, 2002-December 31, 2003). (Discussed at the June 25, 2002 Finance Committee.)

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

Motion Carried Unanimously 6-0.

- C. Resolution No. 1004. A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing the disposal of surplus property in accordance with the provisions outlined by Ordinance No. 872. (Discussed at the June 25, 2002 Finance Committee.)

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

Motion Carried Unanimously 6-0.

- D. Resolution No. 1003. A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington authorizing easements for water mains & appurtenances with Young, Pratt and Kiliz for the Locust signal project, Project No. PW045 002. (Reviewed Community Development Committee 7/1/02.)

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

Motion Carried Unanimously 6-0.

- E. Resolution No. 1005. A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington authorizing a contract for comprehensive planning services with AHBL Consultants. (Discussed at the June 25, 2002 Finance Committee.)

Planning & Community Development Director Bob Leedy presented a brief timeline of the comprehensive plan update, and he noted funds for the senior planner position were plugged into the Contingency Fund. Finance Director John Weidenfeller stated there remained a significant Contingency Fund balance. Councilmember Bricker concurred that this contract was a good use of funds.

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

Motion Carried Unanimously 6-0.

- F. Resolution No. 1007. A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, formally expressing its intent to annex a territory of approximately 54.44 acres located adjacent to the current City Limits including an irregularly shaped area south of the city Urban Growth Boundary in proximity to the Fennel Creek Corridor. The area's northern border is the Sumner-Buckley Hwy. E. The southern border is northerly of SR-410 with its western border generally following Fennel Creek to the northern border which is old Sumner-Buckley Hwy. E. and extending east to the current City boundary. The City is directing that a Notice of Intent be filed with the Pierce County Boundary Review Board. (Discussed 7/2/02 Workshop)

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

Planning Chair Steve Burnham presented a Planning Agency recommendation to proceed with an election method for the area known as Annexation Area 5. He noted this annexation would create an odd shape, and to keep the area contiguous, he requests a commitment to annex the other nearby 6 parcels as allowed by statutes. Deputy Mayor Swatman asked whether acceptance of indebtedness was included, and the language was not part of the Notice of Intent. Council discussed election costs, indebtedness language, and potential benefits the Annexation Area 5 would bring to the city.

Motion by Deputy Mayor Swatman to amend the motion to include language that city indebtedness is to be assumed. Second by Councilmember Palecek.

Councilmember Bricker noted concern that the property owner is not aware of this language and that as a voter, the owner would pay in the future.

Mayor Young called for a show of hands on the amendment to add indebtedness language to the motion.

Voting in favor of the amendment were Deputy Mayor Swatman, Councilmember Palecek, and Councilmember King.

Dissenting votes were Councilmember Bricker, Councilmember DeLeo, and Councilmember Johnson.

Motion Failed 3-4 with Mayor Young providing his tie-breaking vote against the amendment.

Councilmember Bricker called for the question. Mayor Young requested a show of hands.

Voting in favor of the motion to adopt Resolution No. 1007 were Councilmember Palecek, Councilmember DeLeo, and Councilmember Bricker

Dissenting votes were Deputy Mayor Swatman, Councilmember King, and Councilmember Johnson.

Motion Carried 4-3 with Mayor Young providing his tie-breaking vote for adopting Resolution No. 1007.

City Attorney Dionne noted Council could discuss at a later date a separate ballot item related to assumption of city indebtedness.

X. EXECUTIVE SESSION – None

XI. ADJOURNMENT

There being no further business to discuss, Motion by Councilmember Bricker, second by Councilmember Palecek to adjourn at 7:50 p.m.

Bob Young, Mayor

Gayle Butcher, City Clerk