

**CITY COUNCIL MEETING**

**July 23, 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 7:01 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 (arrived after roll call), Neil Johnson, Dave King, Maureen Palecek and Jim Rackley.

Staff members attending were: Finance Director John Weidenfeller, Public Works Director Seth Boettcher, Planning & Community Development Director Bob Leedy, Police Chief Bryan Jeter, Senior Center Director JoAnne Knecht, Deputy City Attorney Jeff Ganson, and City Clerk Gayle Butcher.

C. Agenda Modifications, Announcements, Appointments and Presentations

1. Agenda Modifications - None (A3.6.6)
2. Announcements (A3.6.9)
3. Appointments - None (A3.8.3)
4. Presentations - (O3.6.1.2)

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

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

A. Public Hearing

Mayor Young opened the public hearing at 7:03 p.m. to receive public testimony on the surplus of equipment purchased for public utility purposes. There were no requests to speak for or against the surplus. Mayor Young closed the hearing at 7:04 p.m.

B. Citizen Comments

Dan Decker, 20401 70<sup>th</sup> Street E.

Mr. Decker spoke of his concerns regarding an ADU permit legal interpretation and his building permit. He also objects to city staff notifying the police whenever he comes to city hall.

Linda Youngberg, 18112 85<sup>th</sup> St.

Ms. Youngberg revealed timing problems with two tenant improvement permits as well as for her daughter's building permit, which is now entering into an 11-week review.

A lengthy question and answer session was held among Ms. Youngberg, Mayor, Council and staff. Mayor Young noted he was not aware of these problems and that he would investigate and get a report to Council next week.

Dan Decker, Jr, 20401 70<sup>th</sup> Street E.

Mr. Decker noted his ADU/Building permit process was in its 9<sup>th</sup> month, and he shared his objections related to the permitting division. He requested to yield some of his time to his father for additional comments.

Deputy City Attorney Ganson noted protocols and Mayor Young advised Mr. Decker he was out of order and asked that he be seated.

- C. Correspondence - None

**III. COUNCIL COMMITTEE REPORTS**  
(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman presented several issues that the Finance Committee is reviewing and that the ad hoc space needs committee is meeting this Thursday at 4:30 p.m.

B. Community Development Committee

Councilmember Rackley said the Committee met on the 15<sup>th</sup> and reviewed Resolution Numbers 1012 and 1013 that are on this evening's agenda.

C. Public Safety Committee

Councilmember Bricker noted the Public Safety Committee discussed the Reserve Officer Program, Marine Patrol, and that an ordinance would be forthcoming to adopt the new RCW's regarding fireworks.

D. Other Reports

Councilmember Palecek stated she had attended a Rainier Cable Commission meeting last week and that it looks like broadband would be coming to Bonney Lake during the first quarter next year. She will address privacy issues at next week's workshop.

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

- A. June 25, 2002

- B. July 2, 2002
- C. July 9, 2002

Motion by Councilmember King, second by Councilmember Johnson, to approve the minutes.

Councilmember King requested the following correction to the July 2 minutes on page 4: "Councilmember King requested of staff that a written response from the City of Tacoma accepting the water responsibility be gained." and Councilmember DeLeo changed "at" to "from" on page 1.

Motion Carried Unanimously 7-0.

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

A. Vouchers

1. Claims:  
Accounts payable checks #031943-032055, voiding checks #31943, in the amount of \$346,917.27.
2. Payroll:  
Payroll for July 1st through July 15th 2002 for checks 019663 – 019721 including Direct Deposits and Electronic Transfers in the amount of \$193,374.90.

Motion by Councilmember Rackley, second by Councilmember Bricker, to authorize claims and payroll as presented. Councilmember DeLeo asked whether insurance would cover damages under Voucher No. 240470, and Finance Director John Weidenfeller stated the city's deductible is \$1,000, so it would not be covered.

Motion Carried Unanimously 7-0.

**VI. UNFINISHED BUSINESS - None**

**VII. NEW BUSINESS**

- A. Request Council to authorize by motion, the attached Building Inspector II job description, to authorize negotiation of the salary range of this position, and hire. (Discussed 7/16/02 Workshop)

Motion by Councilmember Bricker, second by Councilmember Rackley, to authorize as presented.

Motion Carried Unanimously 7-0.

- B. Request Council to authorize by motion, the attached Department Assistant II job description, to authorize negotiation of the salary range of this position, and hire. (Discussed 7/16/02 Workshop)

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

Councilmember Rackley, Councilmember DeLeo, and Deputy Mayor Swatman questioned why a reclassification process was not pursued. Finance Director John Weidenfeller stated a reclassification was not the methodology selected to achieve administration's goal. He noted further union negotiations could not be done until after Council authorized the Department Assistant II position, and the union was aware of the management rights chapter in the contract. Finance Director John Weidenfeller emphasized to the Council that if Council does not pass or the Information Services Specialist chose not to apply the administration would be put in a position to consider management options, such as a reduction in force (RIF) process. Finance Director John Weidenfeller further noted that the Information Services Specialist position is no longer a fit for the City and that administration would seek the advice of the City Attorney should the individual affected not apply for the Department Assistant II position. Finance Director John Weidenfeller indicated it was his hope that a (RIF) process would not occur.

Council sought understanding as to why the job description of the Information Services Specialist was so similar to the proposed Department Assistant II position (in addition to the same pay scale). Council questioned why the affected person couldn't be laterally transferred or reclassified to the proposed Department Assistant position, especially since someone is already performing the job duties. Council also wondered why the employee needed to participate in an application and hiring process. Finance Director re-emphasized that the person affected could apply for the proposed Department Assistant II position and that it was management's right to reorganize.

Councilmember DeLeo expressed grave concern for what is being proposed. Deputy Mayor Swatman was displeased that a RIF could occur without Council's consideration. Councilmember Rackley asked if it was possible that if the Council authorized the Department Assistant II position and the affected employee applied for the position, but was not the selected candidate, could the affected employee then be let go. Finance Director John Weidenfeller confirmed that could happen.

Councilmember Rackley called for the vote. Councilmember King stated based upon the concerns expressed, he requested to withdraw his motion. Councilmember Bricker noted the policies did not allow for the motion to be withdrawn and supported the call for the vote.

Motion Failed 0-7.

### VIII. ORDINANCES

- A. Ordinance No. 932. An Ordinance establishing a Wellhead Protection Program as part of the Sensitive Areas Regulations for the City of Bonney Lake; amending BLMC Sections 14.40.031 and 14.40.040 and corresponding portions of Ordinance 745 and Ordinance 851; and BLMC Sections 16.20.530; 16.20.050; 16.20.540; and Ordinance 639, Section 6; and adding new sections to BLMC Title 16. (Reviewed at Council meetings of 4/23/02 and 5/28/02; Council workshops 5/7/92, 5/14/02, 5/21/02, 7/2/02) [O3.6.5.5]

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

Councilmember DeLeo questioned why language to include the city hiring a hydrologist was not included. Planning and Community Development Director Leedy responded that neither the consultant nor staff supported the language because of the professional certifications required and reviews in place.

Deputy Mayor Swatman noted the timeline required for this ordinance to become effective and suggested Council could re-visit some of the parameters.

Motion Carried 6-1 with Councilmember DeLeo dissenting

- 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, to include a senior accountant. (Discussed 7/16/02 Workshop) [A4.3.1 and F3.5]

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

Motion Carried Unanimously 7-0.

- C. Ordinance No. 957. An ordinance of the City Council of the City of Bonney Lake, Washington, adjusting the non-union salary scale for 2002, to include a computer support specialist. (Discussed 7/16/02 Workshop) [A4.3.1 and F3.5]

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

Motion Carried Unanimously 7-0.

**IX. RESOLUTIONS**

- A. Resolution No. 1010. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an interlocal joint purchasing agreement with the City of Tacoma. (Reviewed at the 7/9/02 Finance Committee) [F4.8]

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

Motion Carried Unanimously 7-0.

- B. Resolution No. 1012. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an agreement with John Tevis for on-call services for grant application preparation. (Reviewed at the 7/15/02 Community Development Committee) [O4.9.1]

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

Motion Carried Unanimously 7-0.

- C. Resolution No. 1013. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing an interagency agreement with Washington State Department of Transportation for South Prairie Road signal design. (Reviewed at the 7/15/02 Community Development Committee) [A3.22.11 ]

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

Motion Carried Unanimously 7-0.

- D. 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 Finance Committee 6/25/02 and Council Workshop 7/16/02) [F9.1]

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

Motion Carried Unanimously 7-0.

- E. Resolution No. 1014. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a standard service agreement establishing Water Utility Service Area Boundaries with Pierce County. (Discussed 6/11/02 Council and 7/2/02 Workshop) [O4.10.5]

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

Motion Carried Unanimously 7-0.

**X. EXECUTIVE SESSION**

At 8:10 p.m. Mayor Young called for a 10-minute recess before going into Executive Session for approximately 20 minutes to Discuss Labor Negotiations & Property Acquisition. Mayor Young reconvened the meeting at 8:45 p.m. Council took no action.

**XI. ADJOURNMENT**

Motion by Councilmember Rackley, second by Deputy Mayor Swatman, to adjourn at 8:45 p.m.

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Bob Young, Mayor

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Gayle Butcher, City Clerk