

CITY COUNCIL MEETING

**August 27, 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 7:02 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, Maureen Palecek and Jim Rackley.

Staff members attending were: Finance Director John Weidenfeller, Public Works Director Seth Boettcher, Police Chief Bryan Jeter, Police Lt. Mike Strozyk, Labor Counsel Bruce Disend, City Attorney Jim Dionne, and City Clerk Gayle Butcher.

C. Agenda Modifications, Announcements, Appointments and Presentations

1. Agenda Modifications (A3.6.6)

Mayor Young requested the following agenda modifications: to add a second discussion item "Potential Litigation" under Executive Session, to conduct the Labor Negotiations Executive Session after Appointments, and to add manual check number 32197 to the accounts payable.

Deputy Mayor Swatman requested Resolution No. 917 be pulled from consideration until a public hearing is conducted.

Motion by Deputy Mayor Swatman, second by Councilmember Rackley, to amend the agenda as presented.

Motion Carried Unanimously 7-0.

2. Announcements (A3.6.9)

3. Appointments - None (A3.8.3)

Mayor Young called for an Executive Session at 7:06 p.m. to discuss Labor Negotiations for approximately 15 minutes. Mayor Young reconvened the meeting at 7:19 p.m. Council took no action.

4. Presentations - (O3.6.1.2, O3.6.5.4)

Planning Agency Presentation on proposed Ordinance No. 931, relating to regulations of Sensitive Wetlands was not conducted due to absence of a Planning Agency Representative.

Public Works Director Boettcher briefed Council on the SEPA Checklist related to fluoridation. He requested Council to authorize \$4,000 for professional services that specializes in fisheries to review the Environmental Impact Statement and prepare a response by the September 4th deadline. He explained the assistance could raise questions so that the City would become a party of record and may pave the path for an appeal. Directory Leedy also noted that if the City does not respond during the SEPA comment period, the City would not have future avenues to state concerns.

Councilmember King expressed concern that there wasn't adequate time to review or assess the Environmental Impact Statement.

Motion by Councilmember Rackley, second by Councilmember Bricker, to authorize the funds.

Motion Carried 6-1 with Councilmember King dissenting.

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 expressed concern that the City did not have its own zip code. He noted he had sent a letter to the editor to publish the concerns he has with the City. Mr. Decker also read excerpts from RCW 29.82.023 and Bonney Lake Municipal Code 2.52.060 which relate to recall.

Louisa Smith, 20112 Church Lake Road

Ms. Smith stated that as a representative of the Chamber of Commerce, the Chamber has been attempting to secure a zip code for the City of Bonney Lake for over 10 years. She highlighted the efforts and believes that eventually the City will have its own zip code.

Dan Decker, II, 20401 70th Street E.

Mr. Decker noted his frustrations with code interpretations and legal opinions that have been issued for almost one year regarding his building permit and accessory dwelling permit.

Laura VanHuizen, 6210 207th Avenue E.

Ms. VanHuizen noted she had presented a petition and a copy of her comments to the City Clerk prior to this evening's meeting. She read her comments into the record, which relate to consideration of changing the R-2 zone designation on Inlet Island to R-1 through the Comprehensive Plan Amendment process this year. (Petition and Comments are attached as exhibits to the original minutes.)

Polly Jones, Inlet Island (she did not state her address)

Ms. Jones presented her comments to the City Clerk prior to this evening's meeting. She read her comments into the record, which relate to quality of life issues on Inlet Island and support of changing the R-2 zone designation on Inlet Island to R-1 through the Comprehensive Plan Amendment process this year. (Comments are attached as an exhibit to the original minutes.)

Dave King, 6516 187th Avenue E.

Mr. King presented his comments to Mayor Young, Chamber of Commerce Representative Louisa Smith, and City Clerk Butcher. His comments relate to the Sign Code and enforcement provisions per BLMC 15.28.270. (Comments and examples of violations are attached as an exhibit to the original minutes.)

Deputy Mayor Swatman, Councilmember Bricker and Councilmember Rackley expressed support for Councilmember King's concerns and noted Council had requested more emphasis on enforcement by the Code Enforcement Officer and assistance of Police Officers by issuing infractions and taking digital pictures.

Louisa Smith, 20112 Church Lake Road

Ms. Smith spoke in support of a sign code that benefits businesses, especially large corporations, such as Wal Mart, who bring much into the community. She believes the permitting process must welcome businesses to the City of Bonney Lake.

In responding to Deputy Mayor Swatman's questions, Planning and Community Development Director Leedy stated that the sign permit for a building mount sign for Wal Mart was resolved and conforms to the Sign Code.

C. Correspondence - None

III. COUNCIL COMMITTEE REPORTS

(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman reviewed the Committee's discussion items this evening, emphasizing that a salary range offer for the Senior Accountant position would be reviewed by the full Council at next week's workshop.

B. Community Development Committee

Councilmember Rackley stated the Committee did not meet.

C. Public Safety Committee

Councilmember Bricker said the Committee did not meet.

D. Other Reports

Noting that next week was the Labor Day Holiday, Councilmember DeLeo asked if the Committees would meet. Councilmember Rackley said the Community Development Committee would meet at 4:30 p.m. prior to next week's workshop. Councilmember Bricker said the Public Safety Committee would meet at 4:30 p.m. prior to next week's workshop at the Public Safety Building.

Deputy Mayor Swatman expressed his appreciation for a job well done to Shannon Mayfield for the Comprehensive Plan Amendment Open House.

Mayor Young said he had attended two meetings last week regarding the 167 corridor. Noting the issues for King County are moving "people" traffic and for Pierce County are "commerce" traffic, improvements would not come to fruition for 7-10 years, and that is if Referendum 51 passes during the General Election this year.

IV. MINUTES (A3.6.2)

- A. July 16, 2002
- B. August 6, 2002
- C. August 13, 2002

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

Motion Carried Unanimously 7-0.

V. VOUCHERS AND PAYROLL (F4.9)

A. Vouchers

1. Claims:

Accounts payable checks #032198-032286, voiding check #032198, and manual check numbers 32058, and 32197. In the amount of \$166,911.97.

2. Payroll:

Payroll for August 1st through August 15th 2002 for checks 019787 – 019847 including Direct Deposits and Electronic Transfers in the amount of: \$ 197,969.17.

Motion by Councilmember Rackley, second by Deputy Mayor Swatman, 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. 948. An ordinance of the City of Bonney Lake, Pierce County, Washington, accepting donations for National Night Out. (Discussed at the 8/13/02 Finance Committee Meeting.) [F4.6.7]

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

Motion Carried Unanimously 7-0.

- B. Ordinance No. 961. An ordinance of the City of Bonney Lake, Pierce County, Washington, amending Chapter 9.44 of the Bonney Lake Municipal Code and Ordinances No. 876 and 703, relating to Public Disturbance Noises. (Discussed at the 8/5/02 Public Safety Committee.) [O1.8.5]

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

Motion Carried Unanimously 7-0.

- C. Ordinance No. 960. An ordinance of the City of Bonney Lake, Pierce County, Washington, amending Chapter 2.08 of the Bonney Lake Municipal Code and Ordinance No. 886, relating to use of City vehicles. (Discussed at the 8/20/02 Council Workshop.) [F4.6.1]

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

Motion Carried Unanimously 7-0.

IX. RESOLUTIONS

- A. Resolution No. 1018. 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 8/13/02 Finance Committee.) [F4.6.3]

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

Motion Carried Unanimously 7-0.

- B. Resolution No. 1021. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, relating to purchasing and bidding. (Discussed at the 8/13/02 Finance Committee.) [F4.8]

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

Motion Carried Unanimously 7-0.

- C. Resolution No. 1022. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, out-of-state travel. (Discussed at the 8/13/02 Finance Committee.) [for Police Chief to attend FBI National Academy] [O4.14]

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

Motion Carried Unanimously 7-0.

- D. Resolution No. 1023. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, formally expressing its request that Pierce County include in its General Election, a ballot measure to annex a territory of approximately 54.55 acres located adjacent to the current City Limits. This irregularly shaped area is south of the City Urban Growth Boundary in proximity to the Fennel Creek Corridor. The southern border is SR-410 with its western border generally following Fennel Creek to the northern border which is Sumner-Buckley Hwy. E. and extending east to the current City boundary. The City requests an election date of November 5, 2002 be submitted to the Pierce County Auditor in order to certify that request to conduct an election within the annexation area as required by state law. (Discussed at the 8/20/02 Workshop.) [O3.2.1]

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

Director Leedy explained the “For and Against Committee” process. Council consensus was not to appoint the committees and leave it up to the Auditor. Deputy Mayor Swatman noted this annexation has the potential of being a landmark case because several jurisdictions believe an annexation cannot be voted upon with only one voter. He hoped others would vote for this annexation. Director Leedy noted that the annexation area has only one registered voter.

Motion Carried Unanimously 7-0.

- E. Resolution No. 1024. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, sponsoring, along with other community institutions, September 11, 2002 as 9-11: A Day of Memory, Hope and Action. (Discussed at the 8/20/02 Workshop) [A1.10]

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

Motion Carried Unanimously 7-0.

- F. Resolution 1025. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing the Mayor and Chief of Police to sign a mutual aid agreement with the Pierce County Sheriff's Office and other law enforcement agencies in Pierce County. (Discussed at the 8/5/02 Public Safety Committee Meeting) [O1.10]

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

Motion Carried Unanimously 7-0.

- G. Resolution No. 917. A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a Latecomer's Agreement with Dale Fonk. (Discussed 5/14/02 Council Meeting.) [A3.13.5]

Mayor Young noted the resolution was pulled under agenda modifications and asked for a motion to set a public hearing.

Motion by Deputy Mayor Swatman, second by Councilmember Rackley, to set a public hearing for September 10, 2002.

Motion Carried Unanimously 7-0.

X. EXECUTIVE SESSION – To discuss Labor Negotiations

Mayor Young called for an Executive Session at 8:31 p.m. to discuss potential litigation. Mayor Young reconvened the meeting at 8:54 p.m. Council took no action.

XI. ADJOURNMENT

Motion by Councilmember Bricker, second by Councilmember Rackley to adjourn at 8:54 p.m.

Bob Young, Mayor

Gayle Butcher, City Clerk