

CITY COUNCIL MEETING

**October 22, 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 7:06 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, Neil Johnson, Dave King, Maureen Palecek, and Jim Rackley. Councilmember Phil DeLeo was absent.

Staff members attending were: Finance Director John Weidenfeller, Public Works Director Seth Boettcher, Planning & Community Development Director Bob Leedy, Police Lt. Mike Strozyk, Deputy City Attorney Jeff Ganson, and City Clerk Gayle Butcher.

Motion by Councilmember King, second by Councilmember Bricker, to excuse Councilmember DeLeo this evening.

Motion Carried 5-1 with Deputy Mayor Swatman dissenting.

C. Agenda Modifications, Announcements, Appointments and Presentations

1. Agenda Modifications (A3.6.6)

Mayor Young announced that Ordinance Nos. 942 and 943 and Resolution No. 1001 were pulled from this evening's agenda and that an Executive Session would be conducted to discuss potential litigation and labor negotiations.

2. Announcements (A3.6.9)

3. Appointments - None (A3.8.3)

4. Presentations (03.2, 03.5.2)

- a. Member Julia Bowen presented the Planning Agency's recommendation for Annexation Area 5 annexation and zoning, pending the ballot measure passes next month. (Ordinance Nos. 963 and 965 were presented as part of the agenda packet for reference only this evening.)
- b. Member Julia Bowen presented the Planning Agency's recommendation for Lake Debra Jane area-wide zoning. (Ordinance No. 964 was presented as part of the agenda packet for reference only this evening.)
- c. Member Julia Bowen presented the Planning Agency's recommended Year 2002 Comprehensive Plan Amendments (Ordinance No. 966 was presented as part of the agenda packet for reference only this evening.) In reviewing the amendments, she noted that all but one application was approved 5-0. The School District's proposal had one dissenting vote because one parcel is slated for surplus and sale for development, and the voting member believed it should be classified as Public Facility.

Deputy Mayor Swatman asked if there were further comments regarding the Falling Waters application, and Ms. Bowen was not aware of any. Councilmember Bricker asked about the Inlet Island application and Ms. Bowen noted there were many negative comments during the Agency's public hearing.

In responding to Councilmember King's concern about the Office of Community Development's objection that the City is not meeting the state's density recommendation, Planning and Community Development Director Leedy said that cities exist for other things besides development and that it is in the City's best interest to shape the City's destiny rather than the state.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE
(A3.6.12, F4.3, F3.6)

A. Public Hearing

1. To receive citizen comments on the increase in garbage collection rates on or about December 1, 2002 to incorporate an aggregate 4% rate increase by D. M. Disposal.

Mayor Young opened the public hearing at 7:20 p.m.

Dan Decker, 20401 70th Street E.

Mr. Decker asked about rate comparisons with other neighboring jurisdictions, in particular, the City of Sumner.

Mayor Young explained how the City of Sumner's tax structure worked and the recent transfer of billing garbage services from the City of Sumner to D. M. Disposal. Deputy Mayor Swatman noted a Council ad hoc committee consisting of Councilmember Rackley, Councilmember Bricker and himself, were reviewing a franchise that was similar to the City of Sumner.

There were no further requests from the audience to speak. Mayor Young closed the hearing at 7:28 p.m.

2. To receive citizen comments on fixing the Year 2003 budget, revenue sources/property taxes.

Mayor Young opened the public hearing at 7:25 p.m.

Dan Decker, 20401 70th Street E.

Mr. Decker expressed concern with the proposed potential property tax cut, which would lessen revenues by about \$90,000, because he believes it would harm community services such as stop signs and road repairs. He gave an example of the pothole at 183rd near the Arco Station.

There were no further requests from the audience to speak. Mayor Young closed the hearing at 7:28 p.m.

B. Citizen Comments

Jeremy Camel, 11601 188th Ave. Court E.

Mr. Camel noted his concern that replacement workers brought in from out-of-state to cover garbage pick up service during the labor strike were not familiar with the routes and were not driving the trucks safely.

Dan Decker, 20401 70th Street E.

Mr. Decker encouraged Council to consider purchasing an 8-acre parcel near Allan Yorke Park as part of the Pierce County Park Real Estate Tax (REET) proposal as noted in the newspaper.

Councilmember King asked Planning and Community Development Director Leedy if there were pending permits on the parcel. Planning and Community Development Director Leedy said there were no current permits on file. Councilmember Bricker said that several months ago a presentation had been made to Council on this parcel for a possible hi-end condo development. Planning and Community Development Director Leedy confirmed again that no permits have been received, but he would inform Council as soon as possible on any application.

Mayor Young explained Pierce County's \$8M proposal for Pierce County parks using REET funds, i.e., \$1.4M is earmarked for a regional park in the Bonney Lake/Buckley area.

Mr. Decker commented that the condo developers had attempted to get an R-3 rezone without going through the process and that the location could not support the type of traffic such a development would bring to the area.

C. Correspondence - None

III. COUNCIL COMMITTEE REPORTS
(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman said the Committee did not meet this evening.

B. Community Development Committee

Councilmember Rackley said the Committee met October 14, 2002 and reviewed a developer extension agreement.

- C. Public Safety Committee
Councilmember Bricker said the Committee did not meet last week, but at its next meeting, the Committee would be reviewing stop sign and speed bump issues.
- D. Other Reports
Deputy Mayor Swatman presented a copy to the City Clerk of the Biological Opinion from the National Marine Fisheries Service in response to the White River Project No. 2494 (Lake Tapps). He said it was a very interesting read with lots of factors impacting the fish. Mayor Young asked if netting was one of the factors and Deputy Mayor Swatman said that there was nothing referenced about netting in the report.

IV. MINUTES (A3.6.2)

- A. October 1, 2002
- B. October 8, 2002

Motion by Councilmember King, second by Councilmember Rackley, to adopt the minutes.

Motion Carried Unanimously 6-0.

V. VOUCHERS AND PAYROLL (F4.9)

- A. Vouchers
 - 1. Claims:
Accounts payable checks #032591-0327711 in the amount of \$557,737.06, voiding checks #032633 and 32694.
 - 2. Payroll:
Payroll for October 1st through October 15th 2002 for checks 20079 - 20132 including Direct Deposits and Electronic Transfers in the amount of: \$196,728.50.

Motion by Deputy Mayor Swatman, second by Councilmember Rackley, to authorize claims and payroll.

Motion Carried Unanimously 6-0.

VI. UNFINISHED BUSINESS – None

VII. NEW BUSINESS

- A. Request City Council set Tuesday, October 29, 2002, for a special workshop to conduct a meeting with the Planning Agency and to discuss water rate structure, garbage rate increase, garbage contract and other budget items. (Discussed Council Workshop 10/15/02) [F3.6]

Motion by Councilmember Rackley, second by Councilmember Palecek, to set a joint Council/Planning Agency special workshop October 29, 2002.

Finance Director John Weidenfeller asked Council to consider a different day for the workshop since Mayor Young and Public Works Director Boettcher have scheduling conflicts. Deputy Mayor Swatman noted a joint meeting with the Planning Agency is a Council policy and that moving the rate and garbage contract discussions to a different workshop would be in order. Councilmember Rackley and Deputy Mayor Swatman responded to Mayor Young's question about agenda topics saying the discussions would relate to the proposed Year 2002 Comprehensive Plan and commercial/residential zoning/buffer issues.

Motion Carried Unanimously 6-0.

- B. Request City Council set Saturday, November 9, 2002 for a special workshop to receive various department presentations and discuss various budget funds for the Year 2003 budget. (Discussed Council Workshop 10/15/02) [F3.6]

Motion by Councilmember Rackley, second by Councilmember King, to set the special workshop as presented.

Motion Carried Unanimously 6-0.

- C. Request City Council to set a public hearing for Tuesday, November 12, 2002 to receive citizen comments related to the Year 2002 Comprehensive Plan Amendments. [O3.5.2]

Motion by Councilmember Bricker, second by Councilmember Rackley, to set the public hearing as presented.

Motion Carried Unanimously 6-0.

- D. Request Council to make a motion to purchase a backhoe from the state contract. (Discussed Community Development Committee 10/14/02) [F4.6]

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

Councilmember King requested clarification on how the expenditure and impact to the budget was reflected on the agenda bill. To clarify future agenda bills, discussion centered on using the budget amount for the item versus the fund total.

Motion Carried Unanimously 6-0.

- E. Request Council to make a motion to purchase playground equipment. (Discussed Park Board 10/1/02 and Community Development Committee 10/14/02) [F4.6]

Motion by Councilmember Rackley, second by Councilmember Palecek, to authorize the purchase.

Councilmember King commended the Public Works staff for their efforts in obtaining safe equipment for the children.

Motion Carried Unanimously 6-0.

VIII. ORDINANCES

- A. Ordinance No. 968. An ordinance of the City of Bonney, Pierce County, Washington, amending chapters 13.04 and 13.12 of the Bonney Lake Municipal code and ordinance NOS. 561, 571C, 588, 692, 692A, 763, 787, 828 and 919, relating to water and sewer connection charges applicable to accessory dwelling unit. (Discussed Council Workshop 10/15/02) [F4.3]

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

Councilmember King stated he would not support modifying the connection charges ordinance because the Accessory Dwelling Unit (ADU) ordinance modification had been referred on to the Planning Agency for its review and recommendation. He believed the ADU specifications should be refined first since these structures could impact water and sewer usage. Councilmember Bricker supported Councilmember King's assessment. Councilmember Palecek emphasized the original intent of the ADU ordinance. Deputy Mayor Swatman

noted a system development charge is a purchase into the system and that fees are not based upon per person in the household.

Motion by Councilmember Rackley, second by Councilmember Bricker, to table Ordinance No. 968 for further discussion.

The Council vote was a tie. (Voting yes for further discussion were Councilmember Bricker, Councilmember King, and Councilmember Rackley. Dissenting votes were Councilmember Palecek, Deputy Mayor Swatman, and Councilmember Johnson.)

Mayor Young broke the tie by casting a yes vote to further discuss and move to workshop.

IX. RESOLUTIONS

- A. Resolution No. 1019. A resolution of The City of Bonney Lake, Pierce County, Washington, authorizing out of state travel. (Discussed Council Workshop 10/15/02) [F3.5]

Motion by Councilmember Bricker, second by Councilmember Johnson, to adopt.

Motion Carried Unanimously 6-0.

- B. Resolution No. 1038. A resolution of the city council of The City of Bonney Lake, Pierce County, Washington, authorizing the hiring of an assistant planner. (Discussed Council Workshop 10/15/02) [F3.5]

Motion by Councilmember Rackley, second by Councilmember Bricker, to adopt.

Motion Carried Unanimously 6-0.

- C. Resolution No. 1037. A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing the purchase of a dump truck. (Discussed Finance Committee 10/8/02) [F4.6.2]

Motion by Councilmember Palecek, second by Councilmember King, to adopt.

Motion Carried Unanimously 6-0.

- D. 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 Council Workshop 10/15/02) [A3.13.5.1]

Motion by Councilmember Rackley, second by Councilmember Bricker, to adopt.

Motion Carried Unanimously 6-0.

- E. Resolution No. 1040. A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing a developers extension agreement for water with Pacific Resources Development for the Quiet Water Development. (Discussed Community Development Committee 10/14/02) [A3.13.7]

Motion by Councilmember Rackley, second by Councilmember Bricker, to adopt.

Motion Carried Unanimously 6-0.

X. EXECUTIVE SESSION

Mayor Young called for an Executive Session at 8:24 p.m. to discuss potential litigation and labor negotiations for approximately 20 minutes. At 8:45 p.m. Clerk Butcher announced the Executive Session needed another 10 minutes. At 8:55 p.m. Clerk Butcher announced the Executive Session needed another 5 minutes.

XI. ADJOURNMENT

Council meeting was reconvened at 8: 57 p.m. and motion by Councilmember Rackley, second by Councilmember Johnson to adjourn.

Bob Young, Mayor

Gayle Butcher, City Clerk