

CITY COUNCIL MEETING

**February 25, 2003
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 Bob Young called the meeting to order at 7:01 p.m. and led the audience in the flag salute.

B. Roll Call [A1.3]

Attending: Mayor Young, Deputy Mayor Dan Swatman and Councilmembers Stephen Bricker, Phil DeLeo, Neil Johnson, Dave King, and Jim Rackley. Councilmember Maureen Palecek was absent.

Staff members attending: Finance Director John Weidenfeller, Planning & Community Development Director Bob Leedy, Public Works Director Seth Boettcher, City Engineer John Woodcock, Deputy City Attorney Jeff Ganson, and Pro Tem City Clerk Harwood Edvalson.

C. Announcements, Appointments and Presentations

1. Announcements [A3.6.9] – Mayor Young read a letter of resignation from Councilmember Maureen Palecek. The Mayor and Council expressed regret at her resignation and expressed appreciation for Ms. Palecek's service to the City of Bonney Lake. The City Council discussed the process for filling the vacancy. By consensus, direction was given to advertise the vacancy in the *Bonney Lake Reporter*, and to discuss the topic in detail at the next workshop on March 4.

Mayor Young announced that ATT/Comcast would make broadband service available to residents of Bonney Lake by the end of May 2003.

2. Appointments [A3.8.3] – Councilmember DeLeo noted that with Ms. Palecek's resignation a vacancy was created on the Rainier Communications Board. He offered to represent the in this capacity. Mayor Young received Council consensus for Councilmember DeLeo to fill this vacancy.
3. Presentations [O3.6.1.2, O3.6.5.4] – None.

- D. Agenda Modifications [A3.6.6] – None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

[A3.6.11, A3.6.12, A3.6.4, 3.6.5]

- A. Public Hearings - None

- B. Citizen Comments

Louisa Smith, 20112 Church Lake Road

Ms. Smith announced the Bonney Lake Police Department sponsorship of a hypnotist to perform at Sumner High School on March 7. The proceeds to go to Special Olympics. She also announced the Sumner Boosters fund raiser on March 29. Proceeds go to the Sumner athletic programs.

Dan Decker, PO BOX 7733, 20401 70th Street E.

Mr. Decker expressed regret at Councilmember Palecek's resignation. He felt that the Council collectively had done a good job in the past seven or eight months.

- C. Correspondence – None.

III. COUNCIL COMMITTEE REPORTS:

(A3.6.4)

- A. Finance Committee

Deputy Mayor Swatman reported that the Finance Committee had discussed the following topics:

1. Current Business Licensing – He said a survey was done of practices in other cities. Discussions would continue at the committee level with a possible recommendation for an adjustment of fees.
2. Reproduction of Meeting Audio – He said the committee would probably be recommending a new fee for copies of meeting audio.
3. Resolution 1073 – Police out-of-state travel was included in the police budget and is being moved forward to the next Council meeting.
4. Resolution 1074 – Contract with firearms simulator for citizens academy training is being moved forward to the next Council meeting.
5. Resolution 1076 – Boating Safety Program Agreement with Pierce County is also being moved forward to next Council meeting.
6. Internet Access Services – Internet services and provider. Item is on the current meeting agenda because it represents cost savings to the City.
7. Surplus of Ludwig Building & Locust property – will be moving forward for discussion with full council.
8. Contract for storage with Centennial Storage will remain in Finance Committee for further discussion.

B. Community Development Committee

Councilmember Rackley said the Committee did not meet last week. He noted the proposed approval of the Panorama Heights PUD, Phase V on the Council meeting agenda and said the Committee recommended approval.

C. Public Safety Committee

Councilmember Bricker said the Committee did not hold its optional second meeting this month.

D. Other Reports

Councilmember Bricker reported that the Water Supply Committee met at City Hall on Monday night and discussed such issues as supply and demand, the status of strategies for new water sources, transferring existing water rights, peaking storage development and other projects scheduled for later this year.

Councilmember Johnson reported on the legislative meetings in Olympia that he and Mayor Young attended. He commented specifically on the transportation issues discussed.

Mayor Young and Public Works Director Boettcher described a recent meeting at the Washington State Department of Transportation attended by City, State and legislative representatives about SR410 between 214th and 234th. WSDOT disagreed with the City's study that reasonable traffic flows could be maintained even with the installation of three traffic signals. Staff is considering how to proceed with this issue.

Mayor Young mentioned that he would be testifying at a senate hearing on fluoride. He added that the City's efforts in court to block implementation had so far failed. Councilmember Rackley asked if the Council felt this was an item that should be on the November ballot. Deputy Mayor Swatman spoke in support. Mayor Young directed that discussion be placed on an upcoming workshop agenda.

Deputy Mayor Swatman reported on the Lake Tapps Task Force meeting. He said they were waiting for the National Marine Fisheries Service (NMFS) to come out with their draft biological opinion. He added that many agencies are waiting on that opinion due out next month. The opinion should give them some direction about future water levels.

E. Character Presentation

City Engineer John Woodcock recognized Deputy City Attorney Jeff Ganson for the character quality of thriftiness. In recent land acquisition negotiations for a critical signal installation project Mr. Ganson saved the City of Bonney Lake several thousand dollars. He stated that Mr. Ganson's actions were an example and assurance to Bonney Lake citizens that the City is concerned with how their money is spent. Mr. Ganson was presented a certificate of recognition.

IV. MINUTES (A3.6.2):

A. None.

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

A. Vouchers

1. Claims:

Accounts payable checks #033514, and 033516-033596 in the amount of \$233,870.69.

Deputy Mayor Swatman offered a correction from the Finance Committee. He said that voucher no. 33594 was pulled changing the approved amount to \$233,291.12.

Motion To Correct Vouchers Numbers on 2/11/03 agenda:

Approve the claims checks nos. 33416 - 33513 and 33515 (voiding check nos. 33416, 33417, and 33506) in the amount of \$ 245,912.32.

Note: (Check number 33515 replaced check no. 33506 that was issued to the wrong vendor, not check number 33414 as previously approved by Council.)

2. Payroll:

Payroll for February 1-15, 2003 for checks 20618 - 20677 including Direct Deposits and Electronic Transfers in the amount of: \$205,319.01.

Councilmember Rackley moved to approve the claims and payroll as corrected. Deputy Mayor Swatman seconded.

Motion approved 6-0.

VI. UNFINISHED BUSINESS: None

VII. NEW BUSINESS:

A. **AB03-68** – Motion to Set a Public Hearing for the February 11, 2003 Council Meeting to Surplus Real Property and Hire a Realtor to Assist in this Process. [A3.13.3.3]

Deputy Mayor Swatman moved to set the public hearing for the regular Council meeting of March 11, 2003. Councilmember Rackley seconded the motion.

Motion approved 6-0.

- B. **AB03-82** – Approve and Accept the Final Plat for the Panorama Heights PUD, Phase V. [03.7.2]

Motion to approve by Councilmember Rackley. Deputy Mayor Swatman made the second.

Councilmember King introduced questions about a key intersection where Sky Island Drive intersects 176th Ave. E. Council and staff discussed these concerns. City Engineer Woodcock provided some history on the developments in this area. Public Works Director Boettcher presented a possible solution that could be made a part of the Phase IV development. He said staff would discuss this potential solution with the developer's engineer for that phase. Councilmember DeLeo verified that the radius indicated for cul-de-sacs meets the fire department's standards.

Motion approved 6 – 0.

VII. ORDINANCES:

- A. **AB03-50 Ordinance 984** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Adding A New Chapter 19.04 To The Bonney Lake Municipal Code, Relating To Transportation Impact Fees. [F4.3] [A3.5.5]

Deputy Mayor Swatman moved to approve Ordinance 984. Councilmember King seconded the motion.

Councilmember DeLeo noted that there was consensus at the workshop to exempt park-n-rides from the ordinance.

Councilmember DeLeo moved to amend the motion to remove the fees for park-n-rides. Councilmember King made the second.

Motion to amend approved 6 – 0.

Councilmember Swatman said this ordinance may not help today, but it will help in the future. He added that it was needed to correct the actions of past councils, and needs to be done now. Councilmember King noted asked the Clerk to attend to a typo in paragraph G, the word "jurisdiction."

Councilmember DeLeo asked if Mr. Decker wanted to speak to this item. Mr. Decker responded that he had wished to address a prior item on the agenda. Mayor Young commented that the meeting chair chose not to recognize Mr. Decker on that earlier issue.

Motion to adopt the amended ordinance was approved 5 – 1. Councilmember Bricker voted no.

- B. **AB03-52 Ordinance 928** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.56 Of The Bonney Lake Municipal Code And Ordinance No. 742, Relating To Credit Cards. [F4.8] [A3.5.5]

Moved by Councilmember Rackley to approve Ordinance 928. Second by Councilmember Bricker.

Councilmember DeLeo said he feels that \$7500 is exorbitant for credit card limits, and would be voting no on the ordinance.

Motion approved 5 – 1. Councilmember DeLeo voted no.

- C. **AB03-81 Ordinance 985** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.04 Of The Bonney Lake Municipal Code And Ordinance No. 890, Relating To City Council Policies And Procedures. [A3.5.5, A3.6]

Councilmember Johnson moved to approve Ordinance No. 985. Councilmember King made the second.

Councilmember Bricker moved to reword Section 2.04.670, the 3rd paragraph of the 2nd page of the proposed ordinance to read, “Any person making personal, impertinent or slanderous remarks or becoming boisterous while...”. Councilmember King seconded the motion to amend.

Motion to amend approved 6 – 0.

Councilmember DeLeo moved to allow Mr. Decker to speak. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

Dan Decker, 20401 70th Street E, said that in Section 2.04.670, citizens are encouraged to attend – it is not mandatory. He said Council has not straightened out meeting participation in this section. He said he would speak on it again at another time. He

added the document needs correcting. He said the meeting chair had violated Bonney Lake Ordinance by failing three times to recognize his request to speak.

Amended main motion approved 6 – 0.

IX. RESOLUTIONS

- A. **AB03-51 Resolution 1021** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Relating To Purchasing And Bidding. [F4.8]

Councilmember Rackley moved the approval of Resolution 1021. Councilmember King provided the second.

Motion approved 6 – 0.

- B. **AB03-70 Resolution 1072** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Waldron Associates For The Services Of Jack Pittis Not To Exceed \$10,000. [A2.11]

Councilmember Bricker moved to approve Resolution 1072. Councilmember Johnson seconded the motion.

Deputy Mayor Swatman said he could not support hiring an outside consultant to review an organization that already has a manager in it that should be accountable for the department's operations. Councilmember DeLeo said that he agreed with the Deputy Mayor. Councilmember Bricker said he felt it a healthy process for a growing city to get an outside opinion on its operations. He also asked that the Mayor place an item soon on a future agenda to discuss review of other departments in the City. Mayor Young said some of it was already in process, but time had not permitted moving ahead. He also noted that this is the amount allocated in the budget this year for this type of service. Councilmember King said he supported the need for the study. He hoped that the consultant would examine carefully the possible need for a traffic engineer. Councilmember Johnson also spoke in support of the study. He hoped it would be used to good effect.

Motion approved 4 – 2 with Deputy Mayor Swatman and Councilmember DeLeo voting no.

- C. **AB03-79 Resolution 1081** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Berk & Associates For The Services Of Marty Wine. [A2.12]

Councilmember Bricker moved the approval of Resolution 1081. Councilmember Johnson seconded the motion.

Councilmember Johnson said that a Council retreat would be useful to assist the Council with its long range planning. He felt there was unanimous support from the Council to participate in the retreat. Deputy Mayor Swatman said he felt there was need for the retreat and that it may be a tool to help the Council work together more effectively. Councilmember King spoke in support of the retreat as well and reminded Council of an upcoming AWC workshop to improve Council communications. He noted that the cost savings of the next agenda item would more than cover the contract costs for the retreat.

Motion approved 6 – 0.

- D. **AB03-83 Resolution 1080** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With QWEST For Various Internet Access Services For \$945.17 Per Month And One-Time Install Fee In The Amount Of \$363.00 For A Minimum Subscriber Service Term Of 36 Months. [A2.1]

Councilmember King moved to approve Resolution 1080. Deputy Mayor Swatman made the second.

Mayor Young noted that this was moved forward from the Finance Committee. Councilmember King expressed discomfort with QWEST, but also wanted to understand that the T-1 connection was better than the broadband connection that would be available through ATT/Comcast. Deputy Mayor Swatman responded that the T-1 connection would be a dedicated line to the City. It will be more stable with speeds more reliable than available with broadband. Councilmember King noted that the T-1 connection would also be of assistance to the police department.

Motion approved 6 – 0.

- E. **AB03-85 Resolution 1078** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Award Of The Locust/Summer Buckley Highway Intersection Improvement Project To J.J. Sprague, Inc. [O4.12.5]

Councilmember Rackley moved to approve Resolution 1078. Councilmember King provided the second.

Councilmember Bricker stated that because his company provided a material quote on the project, he would be abstaining from voting on the motion. There was no further discussion on the motion.

**Motion approved 5 – 0 with
Councilmember Bricker not voting.**

X. EXECUTIVE SESSION

- A. Pursuant to RCW 42.13.140(4)(b) and 42.30.110(I) – The City Council Will Hold an Executive Session to Discuss Collective Bargaining Negotiations and Litigation. [A3.6.13]

Mayor Young stated the Council would go into executive session to discuss labor negotiations and litigation for 20 minutes starting at 8:35 p.m. Announcement was made at 8:55 p.m. that the session would be extended for 5 minutes. Another announcement was made at 8:58 p.m. that the session would be extended for 10 minutes. The executive session concluded at 10:08 p.m.

XI. ADDITIONAL BUSINESS

Councilmember Rackley moved to make an agenda modification to consider two motions. Councilmember King seconded the motion.

**Motion was approved 5 – 1 with
Deputy Mayor Swatman voting no.**

- A. Councilmember King moved that the mayor be authorized to reinstate holiday time or equivalent pay for 16 hours of holiday time for Rose Kesner and former CSO Laura Miller of the Bonney Lake Police Department. Councilmember Johnson seconded the motion.**

**Motion was approved 5 – 1. Deputy
Mayor Swatman voted no.**

- B. Councilmember Bricker moved to Approve Resolution 1083 Of The City Of Bonney Lake, Pierce County, WA Authorizing The City Attorney To Commence And Prosecute An Appeal Relating To Tacoma Pierce County Board Of Health Resolution No. 2002-3366A-2. Deputy Mayor Swatman seconded the motion.**

Motion approved 6 – 0.

XII. ADJOURNMENT

Deputy Mayor Swatman moved to adjourn the meeting at 9:13 p.m. Councilmember King made the second.

Motion approved 6 – 0.

Robert Young, Mayor

Harwood T. Edvalson, Pro Tem City Clerk