

**CITY COUNCIL MEETING**

**April 22, 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"*

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**I. CALL TO ORDER**

A. Flag Salute

B. Roll Call [A1.3]

Mayor Bob Young - Deputy Mayor Dan Swatman; Councilmembers Stephen Bricker, Neil Johnson, Dave King and Jim Rackley. Councilmember DeLeo joined the meeting just before the Citizen Comments portion of the meeting.

Staff Present: Administrative Services Coordinator Tom Reber, Finance Director John Weidenfeller, Planning & Community Development Director Bob Leedy, Judge Jim Helbling, Police Chief Bryan Jeter, Associate Planner Dave Renaud, Deputy City Attorney Jeff Ganson, and Pro Tem City Clerk Harwood Edvalson.

C. Announcements, Appointments and Presentations

1. Announcements [A3.6.9] – None.
2. Appointments [A3.8.3] – None.
3. Presentations [O3.6.1.2, O3.6.5.4] – None.

D. Agenda Modifications [A3.6.6]

**Councilmember Rackley moved to reorder the agenda by placing the executive session immediately following the Council Committee reports. Councilmember Bricker seconded the motion.**

**Motion approved 5 – 0.**

**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 [A3.6.4]

Chris Colom, 9825 183<sup>rd</sup> Ave. E., said that he was interested in participating in the deliberation process for the off-road vehicle ordinance. He provided a historical perspective on attempts with both Pierce County and the City of Bonney Lake to deal with a motorcycle track located below his property. He added that he shouldn't have to close his windows in order to try and reduce the noise levels, which can still be heard in the house.

Deputy Mayor Swatman asked if there had been success with complaints to the police department. Mr. Colom responded, no, that they had told him it was private property and that he needed 3 complainants. Deputy Mayor Swatman invited him to contact Councilmember Bricker about the Public Safety Committee meetings where this proposed ordinance would be further discussed.

Councilmember DeLeo explained the current noise ordinance. He said that a city-wide ordinance to address a localized noise complaint was unreasonable. Councilmember Johnson asked if a 4-stroke engine was better. Mr. Colom responded, yes. Councilmember King, again, invited Mr. Colom to participate at the Public Safety Committee meeting.

John Welsh, 10019 Angeline Rd., said that he had met the demands of the County in the operation of the practice track on his property. He said there are never more than 4 bikes at a time on the track. He also said that their interest in the track kept his children at home and involved rather than out loitering in the community. He added that he wanted to continue the use until there were more homes in the area, at which time he imagined he would no longer be able to operate the track. Mr. Welsh said that his immediate neighbors had no problem with his track.

Councilmembers asked various questions. Councilmember King advised Mr. Welsh that a citation under the noise ordinance could result in a misdemeanor conviction.

Grant Sulham, 10005 183<sup>rd</sup> St., said that despite all the calls and complaints, no one is getting down there to address the problem. He said that he's seen six motorcycles at a time and bulldozers on the property. He reported that his wife who work's nights as a nurse was sometimes unable to sleep during the day due to the motorcycle noise. He related how supporters of the track had laughed at his concerns over the noise.

Dan Decker, 20401 70<sup>th</sup> St. E., suggested that the motorcycle owner's should talk to a shop for noise retraining mufflers. He felt that should resolve the issue.

C. Correspondence – None.

**III. COUNCIL COMMITTEE REPORTS:**

(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman said the work on the agreement with DM Disposal was nearly completed. He said a draft agreement would soon be part of a Council workshop.

B. Community Development Committee

Councilmember Rackley said the Committee had forwarded six items that are on the agenda.

C. Public Safety Committee

Councilmember Bricker said that the Committee had not held its optional 2<sup>nd</sup> meeting for the month.

D. Other Reports

Mayor Young mentioned that Bonney Lake resident, Angie Voiles had been named Daffodil Queen. He invited Louisa Smith to report on Ms. Voiles activities.

Louisa Smith, 20112 Church Lake Road, said that Angie Voiles is coordinating for her senior project a charity dinner and auction for the American Cancer Society. She said the catered dinner would be May 10 at the Puyallup Elks Club, time to be determined. The cost is \$15 per person or \$25/couple.

**EXECUTIVE SESSION:**

Pursuant to RCW 42.30.140 (4)(b) and RCW 42.30.110 (1)(h) the City Council held an executive session to discuss collective bargaining and the qualifications of candidates for appointment to elective position. At 7:28 p.m., Mayor Young announced the executive session would last 25 minutes. At 7:55 p.m., the City Clerk announced for the City Council that the executive session would be extended for another 20 minutes. Mayor Young announced that the Council was back in open session at 8:16 p.m.

**Councilmember Rackley moved to make the appointment of the new councilmember the next item of business. Deputy Mayor Swatman seconded the motion.**

**Motion approved 6 – 0.**

AB03-129 - Appointment of Council Candidate to At-Large 2 Vacancy. [A3.9.10]

**Councilmember Rackley nominated Cheryle Noble to fill the At-Large 2 Council position vacancy. Deputy Mayor Swatman made the second.**

**Councilmember Bricker nominated Richard Davidson. Councilmember King seconded the motion.**

**Councilmember King nominated William J. Frederic. Councilmember Bricker seconded.**

Mayor Young declared the nominations closed, and proposed that a hand vote be taken in the order that nominations were made.

**Voting for Cheryl Noble were Deputy Mayor Swatman and Councilmembers Rackley, De Leo and Johnson. Voting for Richard Davidson were Councilmembers King and Bricker. No votes were registered for William Frederic.**

Mayor Young declared a majority vote for Cheryl Noble.

Mayor Young announced a ten minute recess to complete preparations for the swearing-in of Ms. Noble.

At 8:31 p.m., Judge Helbling administered the Councilmember Oath-of-Office to Cheryl Noble. Councilmember Noble then took her place on the Council dais.

Councilmember DeLeo noted that both Councilmember Noble and he serve on the diversion board for 1<sup>st</sup> and 2<sup>nd</sup> time juvenile offenders. He said they are looking for more help on that board so they can have more council's per month. He asked that the Council and audience talk to neighbors and acquaintances about volunteering service on that board.

Mayor Young invited the City Council to come prepared for a group picture at the next meeting.

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

- A. Approval of Corrected Council Meeting and Workshop Minutes – January 28, 2003; March 28-29, 2003; April 1, 2003; and April 8, 2003.

**Councilmember Rackley moved to consider and approve all four sets of minutes with one motion. Councilmember Bricker made the second.**

**Motion approved 7 – 0.**

**V. VOUCHERS AND PAYROLL:**

(F4.9)

- A. Vouchers

- 1. Claims:

Accounts payable checks #034010 thru 034119 (voiding check no. 34012) in the amount of \$191,048.17. In orally reading the claims information, Pro Tem City Clerk Edvalson noted that the information had been amended from that provided in the agenda.

2. Payroll:  
Payroll for April 1-15, 2003 for checks 20855-20908 including Direct Deposits and Electronic Transfers in the amount of: \$198,867.89.

**Councilmember King moved the approval of claims and payroll as presented. Councilmember Rackley seconded the motion.**

**Motion approved 7 – 0.**

## **VI. FINANCE COMMITTEE ISSUES**

- A. **AB03-121 – Resolution 1084** – A Resolution of the City of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Centennial Storage for Rental Of A Storage Facility. [A2.4.8]

**Councilmember Rackley moved to approve Resolution 1084. Councilmember Bricker offered a second.**

Councilmember King asked what was being stored and about the capacity of the storage unit. Finance Director Weidenfeller replied that the city stores a variety of records there. He said it provides additional space that is unavailable in City Hall. He also said it provided secure and dry storage for some of the city's records. He did not immediately recall the square footage, but stated there was plenty of additional capacity in the unit.

**Motion approved 7 – 0.**

- B. **AB03-124 – Resolution 1103** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Memorandum Of Understanding With The Washington State Council Of County And City Employees, AFSCME, Local No. 120. [A4.3.3]

**Councilmember Bricker moved approval of Resolution 1103. Councilmember King seconded the motion.**

Councilmember Rackley reminded Councilmember Noble that according to Council policy her silence during a vote on an issue was interpreted as an affirmative vote. Mayor Young advised her that she would have to verbally abstain if she desired. Councilmember Bricker added that the Council Policies and Procedures required her to state a reason for abstaining from a vote.

Councilmember Johnson said he was concerned with employees doing out-of-class work because of the potential to have others identify out-of-class situations that would also require additional pay. He felt perhaps the department needs review to make sure the work flow is appropriate and more evenly distributed.

Finance Director Weidenfeller responded that this was a 28-year employee who found over the years that her responsibilities had increased beyond those identified in her job description. He said her reclassification was a self-initiated action. Director Weidenfeller provided further background on this proposed action. Mayor Young added that Department Heads have been generally instructed not to work employees out-of-class without his authorization.

Deputy Mayor Swatman said that he did not understand the need for multiple supervisory positions in a department of nine people. Director Weidenfeller responded that this was more of a lead-worker position. Understanding that the proposed action is a change of salary range, not a reclassification, Councilmember DeLeo said he would support the resolution. Councilmember King said he felt the employee and staff deserved closure on the issue. He said he would support the resolution. Councilmember Rackley also offered his support. He said that no job is static over a long period of time—things change.

**Motion approved 4 – 2 - 1. Deputy Mayor Swatman and Councilmember Johnson voted no. Councilmember Noble abstained. She said she lacked adequate background on the issue.**

## VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES

- A. AB03-114 – Resolution 1096** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developers Extension Agreement With Country Creek Estates For Water Improvements At 21315 16<sup>th</sup> Street E. [A3.13.7]

**Motion by Councilmember Rackley to adopt Resolution 1096. Second made by Deputy Mayor Swatman.**

**Motion approved 7 – 0.**

- B. AB03-116 – Resolution 1098** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Interlocal Agreement And Easements For Stormwater And Wellhouse With Sumner School District. [A3.13.2.2] [O4.7.1]

**Councilmember Rackley moved to approve Resolution 1098. Councilmember King seconded the motion.**

Mayor Young said this was an excellent agreement that would result in savings to both agencies.

**Motion approved 7 – 0.**

- C. **AB03-117 – Resolution 1099** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Award Of The Paving Of The North Parking Lot At Allan Yorke Park To Lakeridge Paving Company. [05.3]

**Councilmember Rackley moved the approval of Resolution 1099. Deputy Mayor Swatman offered the second.**

Mayor Young said that Public Works Director Boettcher had negotiated about a \$7,000 savings to the City on this agreement.

**Motion approved 7 – 0.**

- D. **AB03-120 – Resolution 1101** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Gould Construction Services, Inc. For General Inspection Services. [04.14.1]

**Councilmember Rackley moved to approve Resolution 1101. Councilmember Johnson seconded the motion.**

Councilmember Bricker asked if this agreement stipulated the required qualifications to perform the inspections, or if the contractor could hire just anyone to do the work. Public Works Director Boettcher responded that the contract did not specifically address qualifications. He said if the work was not being performed to the City's needed standards, they were not bound to use that contractor. Councilmember King asked if the contractor would be enforcing the City's construction standards. Director Boettcher said that the contractor does not direct the performance of work, but reports directly on the compliance with city standards and contract performance on construction projects. He likened the contractor to a quality control representative. Councilmember Bricker felt this agreement should give the City some control over the quality of employees hired by the contractor. He concurred that it may be a good deal, but that it left the City with a lot of liability.

Councilmember Bricker moved to table consideration of the resolution and refer it back to Public Works for further discussion at the next workshop. Councilmember DeLeo seconded the motion.

**Motion to table defeated 3 – 4.  
Deputy Mayor Swatman and  
Councilmembers Johnson, King and  
Rackley voted no.**

**Original motion approved 5 – 2.  
Councilmembers Bricker and DeLeo  
voted no.**

- E. **AB03-127 – Resolution 1105** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Award Of The Edwards Road Water Main Improvements To James A. Guess, Inc. [05.7]

**Councilmember Rackley moved to approve Resolution 1105. Councilmember Johnson seconded the motion.**

Councilmember Bricker said that the company he works for provided a bid on materials to the contractor. He said he would abstain from the vote.

Mayor Young said this completes the City's responsibility for the water link up north on Edwards Road.

**Motion approved 6 – 0 – 1.  
Councilmember Bricker abstained for  
reasons noted above.**

- F. **AB03-123** – Set Public Hearing for Spring Haven Latecomer Agreement. [A3.6.12]

**Councilmember Rackley moved to set the public hearing for May 27. Councilmember King made the second.**

Deputy Mayor Swatman asked that the record reflect his concern that there may be a problem with the service area for the proposed agreement that will require close scrutiny.

**Motion approved 7 – 0.**

**VIII. PUBLIC SAFETY COMMITTEE ISSUES** – None.

**IX. FULL COUNCIL ISSUES**

- A. **AB03-126 – Resolution 1104** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Rejecting Proposals For A New City Hall Solicited And Received In 2001.

Mayor Young said that this proposed resolution was to just clear out the old proposals before giving consideration to the new ones due next week.

**Councilmember Bricker moved the approval of Resolution 1104. Councilmember DeLeo seconded the motion.**

**Motion approved 7 – 0.**

**X. EXECUTIVE SESSION – Moved on the Agenda after Item III.**

**XI. ADJOURNMENT**

**At 9:14 p.m., Councilmember King moved to adjourn. Councilmember Rackley seconded the motion.**

**Motion approved 7 – 0.**

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Robert Young, Mayor

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Harwood T. Edvalson, Pro Tem City Clerk