

**CITY COUNCIL MEETING**

**June 10, 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** - Mayor Young called the meeting to order at 7:02 p.m.

- A. Flag Salute - Mayor Young led the Council and audience in the Pledge of Allegiance.
- B. Roll Call [A1.3] - Pro Tem City Clerk Edvalson called the roll.

Attending were Mayor Bob Young and Deputy Mayor Dan Swatman, Councilmember Phil DeLeo, Councilmember Neil Johnson, Councilmember Dave King and Councilmember Cheryle Noble. Councilmember James Rackley and Councilmember Stephen Bricker were absent.

Staff present were Administrative Services Coordinator Tom Reber, Finance Director John Weidenfeller, Planning & Community Development Director Bob Leedy, Police Chief Bryan Jeter, Deputy City Attorney Jeff Ganson and Pro Tem City Clerk Harwood Edvalson.

**Councilmember King moved to excuse Councilmember Rackley who was on vacation with his family. Deputy Mayor Swatman seconded the motion.**

**Motion Approved 5 – 0.**

**C. Announcements and Appointments and Presentations** [A3.6.9]

- 1. Announcements – Mayor Young said that there were announcements to be made by staff.

Planning & Community Development Director Leedy reported on developments with the Angeline Heights PUD landscape improvements. He said that they were having no success in getting the developer to make the required improvements. He added that the fencing had been done, but the remaining landscape work remained unfinished. Mr. Leedy said his department was turning the matter over to the City Attorney for further action.

Director Leedy also reported that two stop work notices had been issued. One for non-permitted grading being done on the T&S property and one for non-permitted fill being done at a residence on Locust.

Public Works Director Boettcher advised the Council that the City's Facilities Group had been relocated from the Building Department to the Public Works Department. He said the two staff members would be under the direction of Gary Leaf, Assistant Public Works Director.

Director Boettcher also said that the new docks had been ordered and would be installed shortly. He said they would be installed one at a time. He added that a list of installation dates would be provided to the Council. Councilmember King asked about the disposition of the old docks. Director Boettcher said they would probably be sold as surplus.

2. Appointments – None.

3. Presentations:

Mayor Young presented a proclamation to Officer Greg Cantrell of the Bonney Lake Police Department. Mayor Young noted Officer Cantrell's 15 years of service to the department, as well as his numerous contributions to the Police Department and community. He wished him well in his future endeavors. Officer Cantrell received a standing ovation from those present in the meeting.

D. Agenda Modifications [A3.6.6]

Addition to agenda:

1. **XI. FULL COUNCIL**

**C. AB03-156 – Resolution 1119** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Encouraging The Preservation Of The WSU Demonstration Forest And Youth Programs In The Bonney Lake Area Of Pierce County, Washington.

2. **Executive Session**

Five Minute Executive Session to discuss pending litigation (RCW 42.30.110 (i)).

**Councilmember King moved to add Resolution 1119 and the Executive Session to the agenda. Deputy Mayor Swatman 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]

Dan Decker – 2041 70<sup>th</sup> St. E., said he had observed the number of over-due notices sent out during the month and suggested that with lower costs, the residents may be able to pay their utility bills. He also said that the pay should be reduced for anyone working for the City earning more than \$60,000 per year. He asked why employees allowing asbestos to be released in the air were still employed, and not facing criminal charges. Mr. Decker then commented on previous references to a lawsuit. He said the City should consider the potential for \$250,000 for a wrongful termination. Referring back to asbestos, he suggested the City verify the training of those with certificates and the applicability of those certificates to the work being done. He said if the residents of Bonney Lake were aware of what was going on, there would be a class action lawsuit.

Councilmember King questioned Mr. Decker about his opinion that asbestos was released into the air of Bonney Lake and his knowledge concerning the degree of contamination and the type of asbestos. Mr. Decker responded that the reports on the incident described the potential for exposure as did the reporting from the Puyallup Herald.

Upon invitation of the Mayor, Public Works Director Seth Boettcher offered information to clarify the record. He said the City did have some procedural violations of which they were initially unaware. He added that a professional survey of the asbestos identified paint on the roof of the building as having asbestos and that this was the only portion disturbed by City crews. He said that this material was impregnated with asphalt and was later reported to be non-friable. He noted that the work was done on a rainy day that also greatly reduced the potential for asbestos to be transmitted through the air. He concluded by saying that the experts were saying there really was no risk to the City's employees or the public. He said that other occurrences of asbestos in the buildings were handled properly by a professional abatement company.

Jack Shaw, 4135 N. Vista Dr. E., complained of a three-story framed building on a lot at 4931 N. Vista Dr. E. that appeared to be an extreme fire hazard. He said he was in the construction industry and knew when a building was in violation. He said the building's power was being fed through a system of power strips and extension cords.

Deputy Mayor Swatman asked Mayor Young if this was the same building that was complained of some weeks ago. Mayor Young said that it was and that there would be some action and a report back to Mr. Shaw and the Council.

Fred Demmel, 4933 N. Vista Dr. E., said that he had been the original one to bring the complaint to the City Council. He said he had spoken with Denney Bryan and the Fire Marshal who said that there was nothing they could do.

Councilmember King noted that the Unified Development Code, now under discussion

by the Council, would give the code enforcement officer more tools with which to deal with situations like this.

Louisa Smith, 20112 Church Lake Rd. E., expressed her pleasure with the presentation to Officer Cantrell. She also expressed hope that the proposal to name the skate park after Jack Kobelin would be accepted without opposition. She said he was dedicated to service in the City.

Councilmember Johnson asked if there were any appointments made to the Park Board. He said there was at least one vacancy and thought that applications had been submitted. Mayor Young said that if applications had been made he had not yet seen them.

C. Correspondence – None.

### III. COUNCIL COMMITTEE REPORTS:

(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman said that the Committee met but was missing one committee member. He reminded the Council that it was their individual responsibility to arrange for an alternate when they were to be absent from a Council committee meeting. He said they discussed revisions to the business licenses and proposed to hold the item in committee until after the public hearing. He said they also discussed a proposal by the public works consultant to implement the Eden accounts receivable module at a cost of approximately \$47,000. He said this item was also scheduled for further discussion in committee after receipt of information on the department's organizational study. The final topic reported by Deputy Mayor Swatman was a biannual budget. He concluded by saying that there did not appear to be significant advantages to the City for this possible budget cycle.

B. Community Development Committee

Councilmember Johnson reported that the Committee met on June 2 and forwarded on Council Agenda Bills AB03-153 and AB03-160.

C. Public Safety Committee

Councilmember King reported that the Committee met on June 2, and a short synopsis had been presented at the Council Workshop on June 3. He said that the proposed junk vehicle ordinance had been passed on for comment and review by staff, and that the Committee intended to hold it in committee until after a future public hearing. Councilmember King concluded with mention that discussion occurred regarding the possible co-location of dispatch services with the City of Sumner.

D. Other Reports

Councilmember DeLeo asked if staff could present a brief synopsis of the move to the City Hall Annex. Planning and Community Development Director Leedy said that the

move was accomplished in two stages due to delays in the completion of improvements on the building. He said that they were settling in and that the environment was better and less crowded than it had been in City Hall. He said some coordination was required with the fire and police departments at times to assure adequate parking for guests at the various facilities.

Public Works Director Boettcher said the facilities were a great improvement over their previous offices. He said having conference and restroom facilities in the same building was a great advantage. He also said there were advantages to being in close proximity to the planning staff.

Mayor Young announced that there was a PCRC meeting on Thursday night, the same night as the Lake Tapps meeting, and that he also had another engagement that would prevent him from attending either meeting. He asked if there was a Councilmember that would be interested in serving as his alternate to the PCRC. Councilmember King volunteered to act as alternate with the understanding that he was unavailable for a July meeting.

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

- A. Approval of Corrected Council Meeting and Workshop Minutes – May 20 Workshop and May 27 Council Meeting.

**Councilmember Johnson moved to approve the two sets of minutes as presented. Deputy Mayor Swatman seconded the motion.**

**Motion approved 5 – 0.**

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

A. Vouchers

1. Claims:  
Accounts payable checks #034387 thru 034544 in the amount of \$451,168.41.
2. Payroll:  
Payroll for May 16-31, 2003 for checks 21016-21070 including Direct Deposits and Electronic Transfers in the amount of: \$289,843.71.

**Deputy Mayor Swatman moved the approval of claims and payroll. Councilmember Noble seconded the motion.**

**Motion approved 5 – 0.**

**VI. FINANCE COMMITTEE ISSUES**

- A. **AB03-135 – ORDINANCE 990** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Title 5 Of The Bonney Lake Municipal Code And The Corresponding Portions Of Ordinance Nos. 305, 305c, 305d, 305e, 305f, 305m, 305n, 307, 307a, 317, 368, 508, 508a, 513, 521, 521a, 646, 704, 734a, 735, 762, 826, 829, 837, 847, 851, 894, 935 And 946, Relating To Business Licenses And Regulations. -- Request For A Motion To Set A Public Hearing To Be Held At The Regular Council Meeting Of June 24, 2003. [F4.3]

**Deputy Mayor Swatman moved to set a public hearing for June 24, 2003. Councilmember Noble seconded the motion.**

**Motion approved 5 – 0.**

- B. **AB03-146 – Resolution 1113** - A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Out Of State Travel. (Travel for Senior Accountant, August 14 - 15 to Portland, OR.) [F3.5]

**Deputy Mayor Swatman moved the adoption of Resolution 1113. Councilmember Johnson seconded the motion.**

**Motion approved 5 – 0.**

Councilmember Johnson mentioned that the topic of Mr. Papandrew’s seminar sounded interesting and asked if he could give a recap to Council upon his return. Finance Director Weidenfeller responded— yes.

- C. **AB03-158 – Resolution 1121** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Transfer Of Funds From The Contingency Fund To The Street Fund. (Installation of Traffic Calming Devices.) [F4.7.2].

**Deputy Mayor Swatman moved the adoption of Resolution 1121. Councilmember King seconded the motion.**

**Motion approved 5 – 0.**

- D. **AB03-159 – Resolution 1122** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Transfer Of Funds From The Contingency Fund To The Park Fund. (Investigation of Regional Park.) [F4.7.3].

**Councilmember DeLeo moved to approve Resolution 1122.**

**Councilmember Johnson seconded the motion.**

Councilmember DeLeo asked if the motion should be amended to make the funds available, but not expended if not necessary. Administrative Services Coordinator Reber responded that the resolution just transferred the funds, that they would only be expended if needed.

**Motion approved 5 – 0.**

**VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES**

- A. **AB03-153 – Resolution 1118** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Award Of The Victor Falls & Grainger Springs CT Piping To DDJ Construction. [A3.13.2.2]

**Councilmember Johnson moved to approve Resolution 1109. Councilmember King seconded the motion.**

Deputy Mayor Swatman asked why there was such a wide variance in the bids. Councilmember Johnson said that the topic had been discussed in Committee and that this appeared to be a particularly aggressive bid. Public Works Director Boettcher said the difference was largely in the pipe bid, but that they would be required to meet the City's specifications. He added that the City of Sumner was pleased with their performance.

**Motion approve 5 – 0.**

- B. **AB03-160 – Resolution 1123** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Adopting a Six Year Transportation Improvement Plan (2004-2009). -- Request for a motion to set a public hearing to be held at the regular Council Meeting of June 24, 2003. [O4.8.4]

**Councilmember Johnson moved to set the public hearing for the regular Council Meeting of June 24, 2003. Councilmember King seconded the motion.**

**Motion approved 5 – 0.**

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

**IX. FULL COUNCIL ISSUES**

- A. **AB03-152 – Resolution 1117** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Officially Naming The Jack Kobelin Memorial Skate Park. [05.9]

**Councilmember DeLeo moved the approval of Resolution 1117. Councilmember Noble seconded the motion.**

In response to questions from Councilmember DeLeo and Councilmember Noble, Administrative Services Director Reber said that a plaque was being prepared similar to the one used near the boat launch. He also said that plan's were being made to unveil the plaque during the Bonney Lake Days celebration, and that an invitation was in the works for Mr. Kobelin's widow and daughter.

**Motion approved 5 – 0.**

- B. **AB03-161 – Resolution 1124** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Supporting A Six Month Extension Of Stay For The White River Project – FERC No. 2494.

**Councilmember DeLeo moved the approval of Resolution 1124. Deputy Mayor Swatman seconded the motion.**

Deputy Mayor Swatman asked that the resolution and letter of transmittal be prepared for the Thursday meeting of the Lake Tapps Task Force. Mayor Young said it would be ready.

**Motion approved 5 – 0.**

- C. **AB03-156 – Resolution 1119** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Encouraging The Preservation Of The WSU Demonstration Forest And Youth Programs In The Bonney Lake Area Of Pierce County, Washington.

**Councilmember DeLeo moved the approval of Resolution 1119. Councilmember Noble seconded the motion.**

**Motion approved 5 – 0.**

Councilmember DeLeo said that he met with Brian Brandt, Coordinator for the WSU Demonstration Forest who said that they were interested in a partnership with the City where they would supply the land. Mr. Brandt said that they had approval to pursue the study and clearing of 10 - 20 acres for future use as ball fields and learning activities. Mayor Young said the City would be very interested to talk further. Councilmember DeLeo said that there also may be service opportunities at the forest for juvenile

offenders. He concluded by saying that he was preparing an article for the next newsletter to encourage community participation in the activities of the Demonstration Forest.

- X. EXECUTIVE SESSION** – Pursuant to RCW 42.30.110 (i) the City Council held an executive session to discuss pending litigation. Mayor Young announced a five minute session, which was extended another five minutes.

**XI. ADJOURNMENT**

**At 8:18 p.m., Councilmember DeLeo moved to adjourn the Council meeting. Councilmember Johnson seconded the motion.**

**Motion approved 5 – 0.**

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Harwood T. Edvalson, Pro Tem City Clerk

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Robert Young, Mayor