

CITY COUNCIL MEETING

**November 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 - Mayor Young called the meeting to order at 7:01 p.m.

A. Flag Salute - Mayor Young led the Pledge of Allegiance.

B. Roll Call [A1.3]

Oath of Office and Seating of Newly-elected Councilmembers [A3.10.5.1] – Judge Jim Helbling administered the oath of office to Councilmember Phil DeLeo, Councilmember Mark Hamilton and Councilmember Cheryle Noble.

City Clerk Edvalson called the roll. Elected officials attending were Mayor Bob Young, Deputy Mayor Dan Swatman, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Neil Johnson, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember James Rackley.

Staff present were Administrative Services Coordinator Tom Reber, Finance Director John Weidenfeller, Public Works Director Seth Boettcher, Planning & Community Development Director Bob Leedy, Police Chief Bryan Jeter, Judge Jim Helbling, City Attorney Jim Dionne, Senior Center Director JoAnne Barkley and City Clerk Harwood Edvalson.

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

1. Announcements: Director Leedy announced an information meeting regarding the potential annexation of Annexation Area #1 – Lakeview Terrace area – to be held on December 1 at 6:00 p.m. at the Public Safety Building Training Room.

Councilmember DeLeo announced that the City Council and Senior Center would be putting on a Christmas Dinner for the homeless, or for those with no where else to go for a Christmas Dinner, on December 26.

Mayor Young introduced and welcomed members of Boy Scout Troop 510 in attendance at the meeting.

2. Appointments: None.

3. Presentations: Mayor Young delayed the presentation of the Marine Services Unit Award until later in the meeting.

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:

1. **AB03-171 - Ordinance 997** - An Ordinance Of The City Council Of The City Of Bonney Lake, Washington, Adopting The Annual Budget For The Calendar Year 2004. [F3.7]

Mayor Young opened the public hearing at 7:09 p.m. Director Weidenfeller gave a brief overview of the Council's budget deliberations to date.

Dan Decker, 20401 70th St. E., encouraged the Council to eliminate the "City of Character" program from the budget. He recommended the hiring of two more police officers and the purchase of police cars. He also suggested that the Council purchase the Moriarty property adjacent to Allan Yorke Park. He said the State Auditor's office was interested to learn that the City of Bonney Lake does not have vehicle use logs in its cars. He suggested that vehicle logs be set up for all vehicles.

Quinn Dahlstrom, 6527 193rd Ave. E., asked the Council why the City did not have seven officers for every shift. She questioned the good behind hiring a part-time Senior Aide and the proposed building of a city hall. She advocated the establishment of a multi-family/senior center rather than a new city hall. She asked why the City did not implement the study that suggested moving the municipal court to the Public Safety Building.

Leota Musgrave, 9830 202nd Ave. E., said she was sent by the Senior Board to correct the record. She said the seniors' current need is for more storage. She expressed concern for the supplies and equipment that are being removed from the building. She concluded by saying that the additional space should be provided at ground level to save the seniors from going up and down stairs.

Councilmember DeLeo said he thought he had understood there was need for bingo storage and an office for the senior's president as well as for the kitchen. He said he had most recently heard that a modular building was contemplated as an addition to the back of the building. Deputy Mayor Swatman thanked Ms. Musgrave for providing a direct report from the senior board. Councilmember Noble said she had been privileged to attend a meeting of the senior board and was glad that Ms. Musgrave came to address the Council in person. Mayor Young noted that Administrative Services Coordinator (ASC) Reber and Director Barkley were working on a matching grant to provide for an expansion of the senior center facility. Councilmember Noble added that the senior center was not used exclusively for the seniors, but is also used by boy scouts, girl scouts, family-night/bingo night, and in general by the community as a community center.

Sharilyn Anderson, 18207 74th St. E., said she was a resident living on Lake Bonney. She expressed appreciation to City Engineer Woodcock for addressing the storm drainage concerns during the paving of the road around the lake, and for providing maps of the local drainage. She acknowledged the visit of Deputy Mayor Swatman and Councilmembers Noble and Rackley who walked around the lake to observe the residents' concerns. She presented the signatures of 49 citizens who supported the inclusion of a line item in the budget for water quality assessment, restoration and maintenance of Lake Bonney.

Councilmember Rackley thanked Ms. Anderson for the training he received through his visit with the citizens. Ms. Anderson said there are lots of environmental groups and agencies that can provide input into the process. Deputy Mayor Swatman said that monies had been allocated and that an RFP for services would be developed. He invited citizen participation in the development of the RFP. Mayor Young said that City Engineer Woodcock would be at the next Community Development Committee meeting to start these discussions. Councilmember DeLeo thanked Ms. Anderson for the grassroots expression of concerns. He asked Ms. Anderson about the traffic revisions that had been implemented around the lake. Ms. Anderson said that the improvements were wonderful, but that there is a concern for speed now that traffic has been limited to one-way around the lake. Councilmember Noble said that education is the key to improving the situation with the lake. She said that the line item in the budget includes the study of streams and lakes across the City. Ms. Anderson noted that resident John Holstrand, a science teacher in Enumclaw, wants to bring his classes out to do an ongoing water assessment of the lake.

Roy Corn, 18309 77th St., said that the street improvements around the lake went well. He encouraged the improvement of the fish habitat in Lake Bonney. He said a woman from the Stream Team/Pierce Conservation District said that it may take seven years of monitoring to determine the health of the lake. He said the City should enhance the lake and be good partners. He expressed concern for the surface water run-off and asked if low-impact processes could be used to improve the run-off infiltration. He was also concerned for the loss of vegetative cover around the lake. He suggested the purchase of native plants to replace that which has been lost.

Matt Headland, 7511 185th Ave. E., suggested the need for speed bumps to reduce the speed of drivers along with a reduction of the speed limit to 15 mph. He also suggested the addition of street lighting. He expressed concern for the loss of trees during development of private property. He suggested that the property owners and developers be encouraged to retain as many trees as possible.

There being no further comment, Mayor Young closed the hearing at 7:45 p.m.

Presentation: Marine Services Unit Award

Police Chief Jeter introduced Mark Kenney from Washington State Parks. Mr. Kenney said he is responsible for the programs for boating safety, education and enforcement. He said the Bonney Lake Police Department was nominated in 2003 to receive the Boating Education Merit Award. He said the award is presented to a nominee who has demonstrated a high level of achievement in an effort to teach people in the community about boating safety practices. He noted that the City established a boating safety program in 1992, and has acquired a patrol vessel, educated its officers and has instituted boating safety presentations in local schools to potential young boaters. He added that the department has given 26 presentations to 1900 students this year in the schools. He presented a plaque to police department representatives—Chief Jeter, Sergeant Longtine and Officer Sainati.

B. Citizen Comments [A3.6.4]

Don Sangesand, 5616 195th PL E., continued his comments and questions about the Bonney Lake 2004 Summer Water Supply Potential Strategies that he started on November 3. He expressed concern for all the things that could delay the new filtration plant for the Ball Park Well. He also expressed concern for what he feels was a delay in planning for the City's water needs. He asked for a monthly update on the status of water projects. He also asked why the Mayor ignored Councilmembers DeLeo and Noble at the November 18 meeting when they discussed the televising of Council meetings. In conclusion, Mr. Sangesand also asked about the discussion of a "Bonney Lake Pamphlet" in executive session. He asked if the City Attorney kept a legal eye on issues discussed under guise of executive session. He asked about the outcome of the "pamphlet" discussion.

Deputy Mayor Swatman said that in his opinion, the City would clean the Ball Park Well water long before building a city hall. He added that he assumed the Mayor would have no problem with Director Boettcher communicating a monthly update. Mayor Young affirmed that Director Boettcher is the keeper of the schedule, and would be able to communicate a monthly status report. Councilmember Rackley asked if all the City projects could be put on the website for scheduled start dates, etc. Councilmember DeLeo asked if it was true that the construction schedule called for the start of construction to occur after school lets out next summer. Director Boettcher responded that the major construction would commence after the close of school.

Dan Decker, 20401 70th St. E., addressed the Council about a well in the County that produces five to eight thousand gallons per minute with water that does not require the filtration required at the Ball Park Well. He said the owner would sell it to the City for \$2.5 Million. Mr. Decker said he has the name and phone number of the current owner. He added that the water rights on the property date back to 1860. He encouraged the City to purchase the property.

Louisa Smith, 20112 Church Lake Rd. E., complained that the information meeting on Annexation Area #1 was planned for a Monday night. She reported

on her attendance at the County Council meeting on growth management issues and the County Urban Growth Areas. She encouraged greater attendance at the meetings where issues impacting Bonney Lake are discussed. She also encouraged the City to organize a cleanup party for Fennel Creek. She informed the audience that the Bonney Lake and Sumner Police Departments are sponsoring a Giving Tree for disadvantaged youth. She said a food drive is also being incorporated to help senior food banks in the area. Ms. Smith also recognized Larry Anderson in the audience, the local artist who created the Ascent Statue in the City's park.

Deputy Mayor Swatman noted that without Shawn Bunney's help, none of the urban growth area amendments would have been approved. Councilmember Rackley thanked Ms. Smith and Director Leedy for speaking at the hearing.

Ray Corn, 18309 77th St., asked the Council to consider what the face of Bonney Lake would look like in ten years. He invited the Council to be visionaries and to convey that vision to the world. He encouraged the increase and preservation of outdoor recreation for families and youth. He asked that the Council act to preserve the local history and the City's roots.

Anne McQuade, 7511 185th Ave. E., said that she has experience with teaching children about water safety and how to enjoy the water.

The City Council took a five minute break.

C. Correspondence – None.

III. COUNCIL COMMITTEE REPORTS:

(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman said that the committee met earlier in the evening, and reminded the audience that the meetings are open to the public. He said the Committee discussed the proposed buy-out of unused vacation above the allowed limits for Judge Helbling. He reported that the second item discussed was Resolution 1205 dealing with a proposal for property management. He said the item would not be moved forward at this time. He said the third item discussed was the Public Safety Bond and the possibility of refinancing or defeasing that bond in 2007.

B. Community Development Committee

Councilmember Rackley stated that the Committee met on November 17th. He said they discussed items related to the ball park well design, the Public Works Trust Fund loan for Sewer/Water Comprehensive Plan updates, proposed sewer boundaries with Auburn and the abandonment of a telemetry contract.

C. Public Safety Committee

Councilmember DeLeo said that the Public Safety Committee did not meet.

D. Other Reports

Councilmember King said that on November 20 at 6:30 p.m. he attended the Pierce County Regional Council meeting on behalf of the City. He reported that Mike Conner, City Councilman of Sumner, was elected Chairman of the PCRC and Mike Lonergan of the Tacoma Council was elected vice-chair. He said the County-wide planning proposals were discussed. He said the Bonney Lake City Council's first look at the proposals was in February 2003. He added that the Council had determined not to ratify the policies until the City had received additional information and concluded its work on several issues. He said that the policies would be coming back around after the first of the New Year and that they deserved a close look, again, by the City Council. Councilmember King concluded by reporting that he had disabused Chip Vincent, the principal planner of the Planning and Land Services Department of Pierce County of his opinion that the cost to the City of the County Council's acceptance of the City's proposed growth management amendments was the acceptance of the County's Urban Growth Areas (CUGA) into the incorporated City of Bonney Lake. He said he informed Mr. Vincent that that was not the understanding received by the City and that long and hard discussions would be required before the City ever considered incorporating the CUGA.

Deputy Mayor Swatman informed the Council of the recent Lake Tapps Task Force meeting. He said there was uncertainty as to whether Puget Sound Energy has pulled the plug on their version of the hydro project for Lake Tapps. He said they claim to be able to divert some water into the lake, just not enough to maintain the economic viability of the hydro project. He said the key issue to watch is the drinking water and the Cascade Water Alliance. He said this issue would be going to court in October 2004. He added that if the opposing cities prevail and the water right does not go through, then the lake is in deep trouble. He said that by January 15, 2004, it would be seen what kind of interim agreement Puget Sound Energy has to fill the lake.

Deputy Mayor Swatman also reported his attendance at Representative Shabro's educational forum for "No Child Left Behind." He said the discussion was basically about the WASL.

Deputy Mayor Swatman concluded his report by describing his further thoughts about the union negotiations. He said the basic premise of these negotiations is bargaining in good faith. He continued by saying that the Mayor's selected team is not the one he would choose to bargain in good faith. He wanted to give notice to the Mayor that he would find it difficult to support any forthcoming agreement because it could not possibly represent his best interests.

Councilmember DeLeo reported that the Rainier Communications Commission had elected new officers—Ron Lucas, President, from Steilacoom and Shawn Bunney, Vice-president, from Pierce County Council. He also mentioned arts awards received by the Rainier Communications Commission. He concluded with the report of a new start-up

cable company.

Councilmember DeLeo advised the Council that as a city employee, he has been driving the senior van. He said that he drives for a program that takes seniors to the Super Mall for walking exercise twice a week.

IV. MINUTES (A3.6.2) -

- A. Approval of Corrected Minutes: Nov. 3 Council Workshop, Nov. 8 Special Council Meeting and Nov. 10 Council Meeting.

Councilmember Rackley moved to approve the minutes as a whole. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

V. VOUCHERS AND PAYROLL: (F4.9)

- A. Vouchers: City Clerk Edvalson read an amended version of the summary of Claims and Payroll as follows:

1. Claims:
Accounts payable checks/voucher #35911 thru 36035, and 37797 (voiding check #35966), in the amount of \$703,073.13.
2. Payroll:
Payroll for November 1-15th for checks 21752-21815 including Direct Deposits and Electronic Transfers in the amount of \$217,815.39.

Councilmember Rackley moved the approval of the claims and payroll amounts. Councilmember DeLeo seconded the motion.

Motion approved 7 – 0.

VI. FINANCE COMMITTEE ISSUES:

- A. **AB03-278 – Resolution 1198** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Personal Services Agreement With Gregg Christenson As A Plan Review Consultant. [03.1]

Councilmember Rackley moved approval of Resolution 1198. Councilmember Johnson seconded the motion.

Councilmember Johnson asked about Mr. Christenson's credentials. Director Leedy responded that Mr. Christenson had been selected from the professional services list, that he had provided services to the City previously and had a good track record with the City. Councilmember Hamilton asked if the City would be collecting employment taxes

from Mr. Christenson. Director Leedy responded no. City Attorney Dionne said that Mr. Christenson would be paid the amount identified in the agreement. Councilmember King asked if there was a standard for timeliness in the agreement. Deputy Mayor Swatman responded that if Mr. Christenson is slow, then the City won't use his services. Councilmember DeLeo asked if the agreement had been reviewed by the City Attorney. City Attorney Dionne responded that Deputy City Attorney Ganson had reviewed the agreement.

Motion approved 7 – 0.

VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB03-267 – Resolution 1191** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With RH2 For The Design Of The Ball Park Well Off-Site Water Main Improvements. [04.10.1]

Councilmember Rackley moved to approve Resolution 1185. Councilmember Noble seconded the motion.

Councilmember King expressed appreciation for the inclusion of color maps with the agenda item.

Dan Decker, 20401 70th St. E., asked about the RH2 design costs and potential over-runs. He also asked if RH2 would implement the design once it is completed. Deputy Mayor Swatman responded that the actual cost of design is \$81,366. He said selection of who will do the work is another process. Mayor Young said the entire project cost is anticipated to be \$3.5 Million. Councilmember King clarified that the \$3.5 Million is for all the facets of the project with all its sub-parts.

Motion approved 7 – 0.

- B. **AB03-286 – Resolution 1201** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With RH2 For The Design Of The Ball Park Well Pump Station And Treatment Facility. [04.10.1]

Councilmember Rackley moved to approve Resolution 1201. Councilmember Noble seconded the motion.

Deputy Mayor Swatman said he was not excited about a design document that will cost \$300,000 just for the design. He said his background check indicates that the amount is standard, but seems a lot of money for plans. Councilmember King said that a good size portion of the expense is required to help the City meet SEPA requirements and other federal and state mandates in the planning process.

Daniel Decker withdrew his request to speak saying that Councilmember King had answered his questions.

Motion approved 7 – 0.

- C. **AB03-287 – Resolution 1202** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A PWTf Loan With The Washington State Public Works Board For The Water And Sewer Comprehensive Plan Updates. [04.12.19]

Councilmember Rackley moved to approve Resolution 1202. Councilmember King seconded the motion.

Motion approved 7 – 0.

- D. **AB03-284 – Resolution 1200** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Interlocal Agreement Between The City Of Auburn And The City Of Bonney Lake For The Establishment Of Sanitary Sewer Service Boundaries. [04.5.1]

Councilmember Rackley moved to approve Resolution 1200. Councilmember Noble seconded the motion.

Deputy Mayor Swatman said this is outside the City's sewer service area. He said the Committee reviewed the proposal and supports this action to help get the school moving, etc. Director Boettcher said that he concurred with Deputy Mayor Swatman's statements.

Motion approved 7 – 0.

- E. **AB03-285** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving the Closeout of the Telemetry Upgrade Contract with Clearwater Controls and Automation and Authorizing Release of the Retainage. [04.3]

Councilmember Rackley moved to approve the closeout of the Telemetry Upgrade Contract with Clearwater Controls and Automation and to release the retainage. Councilmember Johnson seconded the motion.

Councilmember Rackley asked for verification that this is just a paperwork cleanup action. Director Boettcher said that this step is needed to formally close out this portion of their work and start the thirty day waiting period for release of the retainage.

Motion approved 7 – 0.

VIII. PUBLIC SAFETY COMMITTEE ISSUES: None.

IX. FULL COUNCIL ISSUES:

- A. **AB03-171 - Ordinance 997** - An Ordinance Of The City Council Of The City Of Bonney Lake, Washington, Adopting The Annual Budget For The Calendar Year 2004. [F3.7]

Deputy Mayor Swatman noted that this was the largest amount of input received at a public hearing on the budget. He suggested that the Council discuss the input at its next workshop rather than adopting the budget at this time. Mayor Young asked City

Attorney Dionne for guidance regarding the discussion of the budget. City Attorney Dionne suggested that a motion and second should be offered to place the issue on the floor for discussion. Councilmember Rackley said he was of a similar mind as Deputy Mayor Swatman.

Councilmember Rackley moved to table the item to the next workshop of the City Council. Councilmember Johnson seconded the motion.

Motion approved 5 – 2. Voting no were Councilmembers Hamilton and King.

Mayor Young asked for input from the Council as to items that they would like discussed at the workshop. He added that the Senior Center had been mentioned. Councilmember Rackley said he wanted a little more time to review what the Council has done. Councilmember DeLeo asked how much the City spends annually for the City of Character program.

- B. **AB03-283 – Ordinance 1009** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.20 Of The Bonney Lake Municipal Code And Ordinance Nos. 411 And 411A, Relating To The Park Board. [A3.8.2]

Councilmember King moved to adopt Ordinance 1009. Councilmember Noble seconded the motion.

Deputy Mayor Swatman asked the Mayor if he would fill the additional positions contemplated in the ordinance. Mayor Young said that if the ordinance is adopted, the City would immediately advertise the vacancies. He said he had already received applications from some who have already worked with the Park Board.

Motion approved 7 – 0.

- C. **AB03-293 – Resolution 1204** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Submit A Bid For The Purchase Of Property, And Authorizing Such Action.
Councilmember Rackley moved to approve Resolution 1204. Councilmember Johnson seconded the motion.

Councilmember King said that Councilmember Hamilton had not been privy to the information on the property purchase prior to his swearing in on the Council. He asked if the Council would like to take some time to provide Councilmember Hamilton with the information before voting. City Attorney Dionne said the action has already been taken, and is no longer confidential. Deputy Mayor Swatman said the action is a great thing, and is a good opportunity. He said it has been studied for years for use in developing a road. Councilmember King said he is also very much in favor of this item.

**Motion approved 6 – 0 – 1.
Councilmember Hamilton abstained.**

- D. **AB03-292** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting a Public Hearing for December 9, 2003 to Receive Input on Proposed Revisions and Increases of BLMC 3.90.020 – 040 – Miscellaneous Fees. [F4.3]

Councilmember Johnson moved to set the public hearing for December 9, 2003 to receive public input on the proposed revisions and increases to the City’s miscellaneous fees. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

Councilmember DeLeo asked that two additional items be added to the workshop discussion on the budget—the cost of the property next to Bonney Lake Elementary School and the cost of the Moriarty property.

- X. **EXECUTIVE SESSION** – Mayor Young announced that pursuant to RCW 42.30.110(1)(b)(f)(i) and RCW 42.30.140(4)(b) the Council would adjourn to executive session to deal with issues of property acquisition, personnel, potential litigation and labor negotiations. He estimated the session would last 30 minutes. At 9:59 p.m., the executive session was extended for another 15 minutes. At 10:15 p.m., the session was extended another ten minutes.

XI. **ADJOURNMENT**

At 10:27 p.m., Councilmember Rackley moved to adjourn the Council meeting. Councilmember Johnson seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, City Clerk

Robert Young, Mayor