

CITY COUNCIL MEETING

**February 10, 2004
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 7:00 p.m.

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

B. Roll Call [A1.3]

City Clerk Edvalson called the roll. Elected officials attending were Mayor Bob Young, Deputy Mayor Dan Swatman, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember James Rackley. Councilmember Neil Johnson joined the meeting in progress at 7:11 p.m.

Staff present were Finance Director John Weidenfeller, Planning & Community Development Director Bob Leedy, Police Chief Bryan Jeter, Interim Public Works Director Bill Gilbert, Judge Jim Helbling, Acting Police Lieutenant Tom Jenkins, Deputy City Attorney Jeff Ganson and City Clerk Harwood Edvalson.

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

1. Announcements:

2. Appointments:

a. Planning Commission, Design Commission, Civil Service and Park Board

Mayor Young announced the appointment of Ron Rasmussen to the Planning Commission, Debbie Strous-Boyd and Tyler Gazecki to the Design Commission, Timothy Jacobson to the Civil Service Commission and Carol Ujick and Dan Totten to the Park Board. He explained that the appointments to the Park Board require Council confirmation.

Deputy Mayor Swatman moved to confirm the appointment of Carol Ujick and Dan Totten to the Park Board. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

Mayor Young informed the Council that he would have additional appointments to make at the next Council meeting. He added that another Civil Service Commissioner had announced his intent to move and resign his position, and that

Bill Sweatman had recently resigned from the Design Commission. Mayor Young said that notice of the vacancies would be published.

3. Presentations: None.

D. Agenda Modifications [A3.6.6] :

(An agenda modification occurred late in the meeting. See Section X. – Executive Session.)

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]

Maureen Palacek, 7716 190th Ave. E., said that because she is a former Councilmember, she is receiving many calls and visits about the Bonney Lake Elementary School property. She said the property has many good qualities. She encouraged its retention as open space for park uses.

Councilmember Noble said that she, too, had received calls regarding the property. She said that although the topic is not on the agenda, citizens need to get to the Council meetings and express their concerns. Councilmember King said that the City's draft park plan assigns value to the schools recreation facilities and may address the property in question. Deputy Mayor Swatman said the Council's recent action clarified the residential designation on the property. He added that the action did not preclude development of a park.

Pat Boswell, 8010 Locust., asked that the school property be retained as a greenbelt. She said she did not want town homes built there. She also complained of speeding on Locust and asked the Council to see to its enforcement. Ms. Boswell said she had heard of the City's water concerns and complained that the water in Rooms 16 & 17 of the school looked like apple juice. She said the children had been told not to drink it. She also asked the Council to look into the expansion of bus service on Route 407 to the weekends. She concluded by asking the Council to look into the amount of its contribution to Pierce Transit.

Councilmember King noted that he had seen an officer using radar on Locust at 5:00 p.m. this evening.

Steven May, former resident of 68th St., asked the Council to stop the building in the City to preserve the wildlife. He asked what he can do to help save the environment.

Louisa Smith, 20112 Church Lake Rd., told Council that the Pierce County Director of Parks and Recreation had recently addressed the Kiwanis Club, where he said the more parks in an area, the better the quality of life. She encouraged the City to take a close look at its parks. Ms. Smith also encouraged the Council to review its policy of allowing the public to speak for one minute on the agenda's action items. She encouraged them to consider granting two minutes. As a final item, she encouraged the installation of some pre-warning device or signage to alert motorists to the activation of the emergency signal in front of the Public Safety Building. She said she understands it is a frequent source of accidents.

Dan Decker, 20401 70th St. E., asked the Council if they still felt his questions about the Mayor's education were not City-related business. Responding for the Council, Mayor Young told him that nothing had changed. Mr. Decker then suggested that the Salary Commission should review the elected official's salaries every two years. He also suggested the Commission have five members rather than three. In conclusion, Mr. Decker encouraged the City to consider the purchase of the Moriarty property to add to Allan Yorke Park.

Alex Henke, 20309 96th St. E., asked if there was a plan to remove the woods next to the Skate Park to make a parking lot. Mayor Young said there were no such plans.

Debbie Eastman, 19105 79th St. E., complained that 410 is turning into another South Hill. She expressed concern for the potential loss of trees at Bonney Lake Elementary School. She said that additional multi-family housing in Bonney Lake was bad for the City. She said the crime rate in her neighborhood has noticeably increased.

Deputy Mayor Swatman said that parks had been a major topic of the Council's recent planning retreat. Councilmember Hamilton asked audience members to indicate by hand if they would support a property tax increase to fund parks.

Shirley Atwell, 7726 190th Ave., asked why she had not been notified further of the Planning Commission and Council's actions on the school district's Application for Comprehensive Plan Amendment impacting Bonney Lake Elementary. Director Leedy explained that there was no other notice required by law after the notice given in September 2003. Ms. Atwell said that a park in that area would benefit everyone. Deputy Mayor Swatman explained that the school district is having the property appraised, and that they've offered to share the results of the appraisal with the City. She asked if a trail that has been used by the public for 34 years has by default become a public byway. She also charged that the school district is filling in the area in the woods adjacent to the school.

Lou Keliher, 7220 190th, said he has lived in the City since 1988. He was concerned to hear that the City is holding \$3.1 Million for a new City Hall. He asked that the issue be put to a vote of the people. He suggested the money be used to address the City's water and sewer concerns.

Councilmember DeLeo asked if Mr. Kelleher would support an additional tax to fund a community center that would house the seniors, a food and clothing bank with a gym and multi-purpose room for youth activities. Mr. Kelleher suggested that if a partnership with the schools cannot help provide the services needed, then he would have no problem with a proposal that the citizens voted on.

Deputy Mayor Swatman said that he believes the general feeling on the Council is to put the building of a city hall to the voters. Finance Director Weidenfeller said the City has been scrimping and avoiding purchases to build a fund to finance a city hall rather than putting an additional tax burden on the residents. Deputy Mayor Swatman and Councilmember King pointed out that nothing in the current budget has been appropriated for a City Hall. Mayor Young said that previous city hall studies have indicated that the City should not rebuild or enlarge its existing facility. He said that a prior Council had suggested setting aside funds for a new city hall, and that's what he's done.

Councilmember Johnson said the Bonney Lake Reporter is the Mayor's message. He said that the Council is planning on the monthly publication of its Council Corner to give timely news and insights into the thoughts of each Councilmember. He said a distinction is necessary because the Mayor represents the executive viewpoint and the Council the legislative viewpoint.

Pat Miller, 10929 108th St. SW, asked if the City had calculated the cost of the latest Eyman initiative and the point-of-sales sales tax proposal. Director Weidenfeller said that the Association of Washington Cities was estimating the impacts, and that the point-of-sales tax proposal would probably have a positive impact to the City of about \$72,000. Councilmember Johnson said that estimate was based on year 2000 dollars and that the benefit to the City might be even more now.

Kenneth Atwell, 7726 190th Ave., said an October 2003 report to the Council from the school district indicated there would be 14-19 houses with 6,000 sq. ft. lots each built next to Bonney Lake Elementary. He said the building noise and ensuing residential noise would be distracting to the school children. He complained that new apartments on Locust had no recreation facilities included in the development. He suggested the excess school property next to Bonney Lake Elementary be used as park property.

Councilmember Johnson asked if the Design Commission would have input on the types of facilities required of new apartment developments. Director Leedy said that the Design Commission would probably have more to do with façade

treatments and appearance than with the facilities provided within the development. Deputy Mayor Swatman encouraged the Council to carefully review the future ordinance that would assign the commission's review authority. Councilmember King noted that the City is trying to acquire park properties and had set aside \$100,000 for the protection of its waterways. He added that the State of Washington was appealing the City's protection plan for the Fennel Creek Corridor because it was stricter than the State's standards. Mayor Young noted that if the State is successful, one of the property owner's has indicated his intent to sell off his property for residential development. Councilmember Hamilton reminded the citizens that the State mandates that residential development be as dense as possible.

Tina Storrs, 7715 191st Ave. E., asked about the impact to her property if the school's property is built on. She said that her property is already flooding and asked what she could do. Mayor Young said that she should contact the City Engineer.

Councilmember Noble said that the people appearing this evening wanted to be heard on the Council's Phase I Comprehensive Plan action dealing with the Bonney Lake Elementary School Property.

Councilmember King said that the park plan comprehensive plan amendment will be addressed by the Council after the Park Board has completed its work. He encouraged the audience to watch for the item on the Council's agenda and reminded them that the agendas are posted on the City's website at www.ci.bonney-lake.wa.us.

Ms. Debbie Eastman presented the City Clerk with a copy of a petition with signatures opposing development of the forest next to Bonney Lake Elementary for the purpose of single-family homes.

C. Correspondence – None.

III. COUNCIL COMMITTEE REPORTS:

(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman reported that the Committee is still discussing options for televising City Council meetings. He said they also discussed the Committee's work plan for 2004 and a late entry request for out of state travel for the Mayor and Councilmembers to attend the National League of Cities Congressional City Conference in Washington, D.C.

B. Community Development Committee

Councilmember Rackley said the Committee met on February 2. He said that two items were brought forward to this meeting—accepting the Victor Falls/Grainger Springs CT Piping project and approving the project to revise the City’s Design Manual.

C. Public Safety Committee

Councilmember DeLeo said the Committee also met on February 2. He said they had recommended approval for out of state travel in the police department to be placed on tonight’s agenda.

D. Other Reports

Councilmember Johnson said that he had driven by the Falling Waters Development and was depressed by the amount of change occurring in the topography and landscape.

Councilmember King reminded Council of the invitation to attend the Pierce County Regional Council’s General Assembly. He said it will be held at Bates College on South 78th in Tacoma on February 19 at 6:30 p.m. He encouraged all Councilmembers to be there.

Councilmember DeLeo reported on his attendance at a Committees for Families meeting at the Sumner School District Administration Offices where the establishment of an East Pierce County Habitat for Humanity program was discussed. He said there will be a breakfast meeting on March 3rd at the University Place Presbyterian Church at 7:30 a.m. to discuss support for this proposed program. He said there was hope expressed that elected officials of Bonney Lake would be represented. Councilmember DeLeo also reported that on April 29th there would be a “Dine-out for Life” program, put together by the Pierce County AIDS Foundation. He said this program is where participating restaurants put 25% of their proceeds for that day toward fighting AIDS in Pierce County. He said the organization expressed a desire for greater participation from restaurants in Bonney Lake. Mayor Young reminded the Council of the Community Summit on March 18th where one session will be discussing concepts for a Bonney Lake Community Center. He encouraged Council and the public to attend the meeting at the Presbyterian Church in Sumner.

Acting on Councilmember Rackley’s request, Mayor Young declared a five-minute break at 8:24 p.m. The Council reconvened at 8:33 p.m.

IV. MINUTES (A3.6.2) -

- A. Approval Of Corrected Meeting Minutes: January 20th Workshop and January 27th Council Meeting.

Councilmember King moved to approve the minutes as a whole with no further corrections. Councilmember DeLeo seconded the motion.

Motion approved 7 – 0.

V. VOUCHERS AND PAYROLL: (F4.9)

A. Vouchers – City Clerk Edvalson read the summary of Claims and Payroll as follows:

1. Claims:

- Accounts payable checks/voucher #36512 thru 36606 in the amount of \$342,541.88.

2. Payroll:

- Payroll for January 16th-31st 2004 for checks 22033-22088 including Deposits and Electronic Transfers in the amount of \$270,215.61.

Councilmember Rackley moved the approval of the claims and payroll as read. Councilmember Johnson seconded the motion.

Motion approved 7 – 0.

VI. FINANCE COMMITTEE ISSUES:

Deputy Mayor Swatman moved to add a motion to the agenda to approve out-of-state travel for Councilmembers and the Mayor to attend the Washington D.C. National League of Cities (NLC) Congressional City Conference. Councilmember DeLeo seconded the motion.

Councilmember DeLeo said the motion was worded to allow any number of Councilmembers to participate in the conference. The City Council discussed the merits of approving this out-of-state travel. Councilmember Johnson noted that some of his travel expenses will be covered by business travel to the area. He said that the conference offered some great educational sessions dealing with economic development, leadership and governance. Mayor Young said that he had attended the conference previously and found it to be of great benefit. Responding to Councilmember King's question about the proposed cost and available budget for travel, Mayor Young said a cost of \$2,750 had been estimated. Director Weidenfeller said that although the Council's travel and training budget was currently set at \$7,000 there would be sufficient savings in other areas of the budget to cover the additional expense. Councilmember King reminded Council that many of them would also be seeking to attend the Association of Washington Cities Annual Meeting in Ocean Shores. Councilmember Johnson said his travel costs to Washington, D.C. would already be paid and that his additional expense would be for the NLC portion of his trip.

Motion approved 6 – 1.

Councilmember King voted no.

VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

A. **AB04-15** – A Motion Of The Bonney Lake City Council, Accepting The Victor Falls/Grainger Springs CT Piping Project And Authorizing The Release Of Retainage

After The Appropriate Waiting Period. [A3.13.2.2]

Councilmember King moved to approve the motion to accept the project and release the retainage after the appropriate waiting period. Councilmember Johnson seconded the motion.

Motion approved 7 – 0.

- B. **AB04-16** – A Motion Of The Bonney Lake City Council, Authorizing The Update Of The Design Standards Manual Under The Existing Professional Services Contract With Parametrix. [O4.2]

Councilmember Rackley moved to approve the motion to authorize the update of the Design Standards Manual. Councilmember Noble seconded the motion.

Council sought clarification on the scope of the changes to the Design Manual. Interim Director Gilbert provided information. Responding to Councilmember DeLeo's questions about street lighting standards and standards for the emergency stop light in front of the Public Safety Building, Councilmember Rackley invited Council input on street lighting standards for the next Community Development Committee meeting. Interim Director Gilbert said that the issues raised by Councilmember DeLeo were probably outside the scope of the Design Standards Manual and should be addressed through Council policy.

Motion approved 7 – 0.

VIII. PUBLIC SAFETY COMMITTEE ISSUES:

- A. **AB04-18 – Resolution 1221** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Out Of State Travel for Sergeant Ron Sasaki and Officer Brian Byerley. [A4.7]

Councilmember Noble moved to approve Resolution 1221. Councilmember DeLeo seconded the motion.

Motion approved 7 – 0.

IX. FULL COUNCIL ISSUES:

- A. **AB04-05 – Ordinance 1012** – An Ordinance Of The City Council Of The City Of Bonney Lake, Washington, Amending Ordinance 998, Relating To The Non-Union Salary Scale For 2004. [A4.3.1]
Councilmember King moved to adopt Ordinance 1012. Councilmember Johnson seconded the motion.

Deputy Mayor Swatman said that he felt the Information Technology Coordinator should be compensated within the existing salary range. He noted that approximately \$8,000 per year is available within the range to compensate the current employee for his excellent performance. Councilmember King encouraged the Council to look at this proposed salary range change in light of the importance of rapidly changing technology. He added his feeling that the position was rated too low in the past. Councilmember DeLeo said the Council intentionally kept the salary range low in the beginning. He said that with a better understanding of the impacts of this position, the proposed salary range is appropriate. Mayor Young said the proposed action does what should be done for the Information Technology Coordinator.

Motion approved 6 – 1. Deputy Mayor Swatman voted no.

- B. **AB04-17 – Ordinance 1014** – An Ordinance Of The City Council Of The City Of Bonney Lake, Washington, Amending Chapter 2.04 Of The Bonney Lake Municipal Code And Ordinance No. 890, And Adding A New Chapter 2.68 Of The Bonney Lake Municipal Code, Relating To Elected Officials’ Salaries. [A4.3.1]

Councilmember Rackley moved to adopt Ordinance 1014. Councilmember King seconded the motion.

Deputy Mayor Swatman spoke against adoption of the ordinance. The City Council considered an amendment to the language to more closely reflect their discussion at the previous Council Workshop.

Councilmember Rackley moved to amend Ordinance 1014 Section 4. A. to read, “The salary commission shall set the salaries for elected officials of the City. The commission shall convene and review the salaries of the city’s elected officials once every five years.” Councilmember Johnson seconded the motion.

Amendment to the main motion approved 7 – 0.

Amended main motion approved 6 – 1. Deputy Mayor Swatman voted no.

Mayor Young said that he would immediately release an announcement of openings on the commission.

- C. **AB04-19 – Resolution 1195** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Beth Jensen For Evaluation Of The Bonney Lake Senior Center. [A4.7]

Councilmember Johnson moved to approve Resolution 1195. Councilmember Rackley seconded the motion.

Councilmember Johnson asked why this resolution was not first brought to a Council workshop for discussion. Deputy Mayor Swatman said there had been considerable discussion on this issue, and the conclusion had been reached to go ahead and place it on the agenda. He added that it could easily be tabled to the next workshop. Director Weidenfeller explained that the Council's instruction last November was to more widely advertise the Request for Proposal (RFP) and to include the Senior Center Director in the selection process. He said that despite a broader advertising of the RFP, there had been no more respondents than the original two. He said that Senior Center Director Barkley had indicated acceptance of the proposed contractor, and did not feel there was need for additional interviews. Senior Center Director Barkley spoke in agreement with Director Weidenfeller.

Motion approved 5 – 2. Deputy Mayor Swatman and Councilmember Noble voted no.

- D. **AB04-21 – Resolution 1222** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Execute The Pierce County Regional Council Interlocal Agreement Relating To The Pierce County County-Wide Planning Policies. [A3.22.3]

Councilmember King moved to approve Resolution 1222. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

Deputy Mayor Swatman expressed appreciation to Councilmember King on this issue. He said that he continues to hear good things about Councilmember King's participation as an alternate representative to the PCRC.

- X. **EXECUTIVE SESSION** – Mayor Young announced that pursuant to RCW 42.30.110(1)(c)(i), the City Council will hold an executive session to discuss issues dealing with property acquisition and potential litigation. It was announced the session would last approximately 10 minutes. The session commenced at 9:20 p.m. At 9:30 p.m., the Council reconvened in open session.

Deputy Mayor Swatman moved to authorize legal counsel to intervene in the 1000 Friends UGA appeal. Councilmember DeLeo seconded the motion.

**Motion approved 6 – 1.
Councilmember Noble voted no.**

- XI. **ADJOURNMENT**

By common consent, Mayor Young adjourned the meeting at 9:32 p.m.

Harwood T. Edvalson, City Clerk

Robert Young, Mayor