

**CITY COUNCIL MEETING**

**March 9, 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** – Deputy Mayor Swatman called the meeting to order at 7:01 p.m.

- A. Flag Salute - Deputy Mayor Swatman led the Pledge of Allegiance.
- B. Roll Call [A1.3]

City Clerk Edvalson called the roll. Elected officials attending were Deputy Mayor Dan Swatman, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Neil Johnson and Councilmember Jim Rackley. Mayor Young was out-of-town at the National League of Cities Meeting in Washington, D.C.

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

**Councilmember Rackley moved to excuse Councilmember King who was absent on business. Councilmember Johnson seconded the motion.**

**Motion approved 5 – 0.**

- C. Announcements, Appointments and Presentations [A3.6.9]
  - 1. Announcements: None.
  - 2. Appointments: None.
  - 3. Presentations: 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.

Councilmember Noble joined the Council meeting at 7:04 p.m.

- B. Citizen Comments [A3.6.4]

Dan Decker, 20401 70<sup>th</sup> St. E., expressed concern for the proposed ordinance before the Planning Commission allowing for zero lot line and lots less than 6,000 sq.ft. in R-2 zones. He said those changes may be acceptable in R-3 and commercial zones. He also suggested that the Moriarty property be purchased as an addition to Allan Yorke Park. He said this would help reduce traffic congestion at the park.

Betty Erdahl, 20630 Church Lake Dr. E., said she would also like to see Allan Yorke Park expanded. She added that she was against the loss of the 6,000 sq. ft. minimum lot size, and that her concern was for density. She said she felt that the 300 ft. radius for planning action notification was insufficient. Ms. Erdahl expressed concern that the ad hoc Ethics Committee was disbanded. She said she had done some investigation and felt there was some conflict between what was reported to her and what the Mayor said. She felt there should have been some effort to interview the employees involved with the malfeasance complaint leveled against the Mayor.

Councilmember Rackley reported it had been determined there was little the Ethics Committee could do. He said the Committee had advised the complainants what process they could go through to further pursue their allegations. Councilmember DeLeo said he had informed the Council that the Municipal Research Services Center had advised him to have the employees invited to address the Council in open session. He said he felt the Ethics Committee had been disbanded prematurely. Councilmember Johnson said the Ethics Committee had little practical power. He said he would like an employee to address the Council and felt that their public appearance would provide adequate employment protection.

Deputy City Attorney Ganson reminded the Council that what his office had advised was that the Council had no authority to compel testimony. He said the City has a "whistleblower" policy that protects employees who report wrongdoing. Councilmember Johnson invited Ms. Erdahl to give him the names of the employees and he would invite them to address the Council. Councilmember Noble said she had voted against closing the Ethics Committee, but felt it would be difficult to get someone to come forward. Councilmember Johnson added that the complainant could always go to the prosecutor. Councilmember DeLeo said he had taken the allegation to the Sheriff's Department for investigation and appropriate follow-up.

Pat Miller, 10929 108<sup>th</sup> St. SW., said he feels the proposed leak detection work should be done in-house. He said the equipment cost would be approximately the same as the contract cost this year to do the work. He acknowledged there would be additional cost to train the employees, but felt it would be a benefit to the employees to have the additional variety in their work. He also suggested that the equipment sits idle part of the time in those cities that already have in-house leak detection programs.

Councilmembers Rackley and Hamilton expressed interest in any further information Mr. Miller might provide.

Louisa Smith, 20112 Church Lake Rd., said she listened with interest to the Park Boards comments at the last Council Workshop. She said she supports the separation of the recreation program from Sumner. She said she hopes the Council will take note that a Fennel Creek trail would run through swamp from Kelly Creek Road to 214<sup>th</sup>. She said that the survey that she had conducted had been mentioned at the last Workshop, and advised other avenues in addition to a web-based survey. She noted that she had set flyers for the audience advertising the March 27 fundraiser for the Sumner Boosters.

The City Council allowed Ms. Smith additional time to address them with an update on the Bonney Lake Days Committee. She said the entertainment was lined up and vendor applications prepared for distribution by April 1. She said that a classic car show was in the works and that a pancake breakfast had been finalized for Saturday. She added that the proceeds would go to fund materials for the new Bonney Lake High School. She said that fireworks had been discussed last year, but the idea dropped due to the drought. She said the topic would be discussed further.

C. Correspondence – None.

### III. COUNCIL COMMITTEE REPORTS:

(A3.6.4)

#### A. Finance Committee

Deputy Mayor Swatman reported that the Committee discussed the following items:

- The video camera for the Public Safety Building-- remanded for further consideration by the Public Safety Committee.
- Audio amplification for the Council Chambers-- being pursued by the IT Coordinator.
- Improvements to the concession stand at Allan Yorke Park.
- Commissioning a study for the proposed community center.
- Ongoing work on an investment policy.
- A budget amendment to accommodate the potential park impact fees.
- The feasibility of Kiwanis advertising on the senior bus.

#### B. Community Development Committee

Councilmember Rackley said the Committee met on March 2 and moved forward for Council approval the six items on the current agenda.

- C. Public Safety Committee  
Councilmember DeLeo said the Committee met on March 1. He said the Committee had moved forward the three items on the current agenda for Council action .

D. Other Reports

Councilmember DeLeo noted that he left information for the public about the Starr Project's Summit to be held on March 18. He encouraged all interested people to attend.

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

- A. Approval Of Meeting Minutes: February 17 Workshop and February 24 Council Meeting.

**Councilmember Rackley moved to approve the minutes as a whole with no further corrections. Councilmember Johnson seconded the motion.**

**Motion approved 6 – 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 #36712 thru 36847, in the amount of \$369,091.23.
2. Payroll:
  - Payroll for February 16th-29th 2004 for checks 22137-22191 including Deposits and Electronic Transfers in the amount of \$268,370.20.

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

**Motion approved 6 – 0.**

**VI. FINANCE COMMITTEE ISSUES:**

- A. **AB04-29 – Ordinance 1017** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.56 Of The Bonney Lake Municipal Code And Ordinance Nos. 742 And 928, Relating To City Use Of Credit Cards. [F4.8] [A3.5.5]

**Councilmember Rackley moved to adopt Ordinance 1017. Councilmember Hamilton seconded the motion.**

Councilmember DeLeo said he would be voting against the ordinance. He said he saw no reason to double the current limit on the cards. Councilmember Rackley said that with the amount of business the City does it is quite possible to exceed the current \$7500 limit. He added that an increase in the limit is not an authorization to spend more. Responding to Councilmember Johnson's question, Director Weidenfeller reported that the City had five cards on one account. He said that the \$15,000 limit was for the account, not each individual card.

Deputy Mayor Swatman noted that Daniel Decker had signed up to speak to the issue. Mr. Decker said he withdraws his request to speak.

**Motion approved 4 – 2.  
Councilmembers DeLeo and Noble  
voted no.**

**VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:**

- A. **AB04-33 – Resolution 1228** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Hughes Supply To Perform Water Leak Detection. [04.10.1]

**Councilmember Rackley moved to approve Resolution 1228. Councilmember Hamilton seconded the motion.**

Deputy Mayor Swatman and Councilmember Rackley assured Mr. Miller that they appreciated his input on the issue and hoped to follow-up with him, but felt it important to move forward for now with the current process. Mr. Miller replied that he supported the current action for the benefit of the water system. He said he would supply information to the Council on leak detection equipment and training.

**Motion approved 6 – 0.**

- B. **AB04-34 – Resolution 1229** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With RH2 Engineering For The Peaking Storage Water Tank And Booster Pump Station Design. [04.10.2]

**Councilmember Rackley moved to approve Resolution 1229. Councilmember Hamilton seconded the motion.**

**Motion approved 6 – 0.**

- C. **AB04-35 – Resolution 1230** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With RH2 Engineering For The Peaking Storage Facility Off-Site Water Main Design. [04.10.2]

**Councilmember Rackley moved to approve Resolution 1230. Councilmember Noble seconded the motion.**

**Motion approved 6 – 0.**

- D. **AB04-36 – Resolution 1231** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Buckley Nursery Co., Inc. For The Allan Yorke Park Ball Field Renovations. [05.10]

**Councilmember Rackley moved to approve Resolution 1231. Councilmember DeLeo seconded the motion.**

Councilmember Johnson questioned the provision for testing and minor contouring of the infields. Interim Director Gilbert responded that the objective of the scope of work was to remove the rocks in the area and level the infields on all the ball fields.

**Motion approved 6 – 0.**

- E. **AB04-38 – Resolution 1232** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Rainier Fencing For The Allan Yorke Park Fencing Project. [05.10]

**Councilmember Rackley moved to approve Resolution 1232. Councilmember DeLeo seconded the motion.**

Councilmember Johnson asked for clarification on the fencing work. He also asked for some metal trash cans that might be chained to the fences to help with litter control. Interim Director Gilbert said the fencing work was being done on fields 2 and 3. He said the fencing was fine on fields 1 and 4.

**Motion approved 6 – 0.**

- F. **AB04-32** – A Motion Accepting The Work Performed By DDJ Construction On The Lake Bonney Improvements Project And Authorizing Release Of The Retainage Once Contract Closeout Documents And Requirements Are Met. [04.8.2][04.10.2]

**Councilmember Rackley moved to accept the work performed by DDJ Construction on the Lake Bonne Improvements and authorize the release of retainage once contract closeout documents and requirements are met. Councilmember Johnson seconded the motion.**

**Motion approved 6 – 0.**

**VIII. PUBLIC SAFETY COMMITTEE ISSUES:**

- A. **AB04-22 – Resolution 1223** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With Pierce County For The Boating Safety Program Revenues. [O1.8.13]

**Councilmember Noble moved to approve Resolution 1223. Councilmember DeLeo seconded the motion.**

**Motion approved 6 – 0.**

- B. **AB04-23 – Resolution 1224** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Out-Of-State Travel. [A 4.7]

**Councilmember Noble moved to approve Resolution 1224. Councilmember Johnson seconded the motion.**

Councilmember Rackley asked for further information on the type of training involved. Police Chief Jeter responded that one of the important elements is anti-terrorist training. Deputy Mayor Swatman added that although Bonney Lake is not believed to be a terrorist target, it is possible that terrorists may be harbored or living in the community. He said the training would help the Police Department be better able to identify potential suspects.

**Motion approved 6 – 0.**

- C. **AB04-24 – Resolution 1225** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With AIS/PRISM For The Use Of The Firearms Simulator On May 22, 2004 For The Citizen’s Academy. [O 1.9]

**Councilmember Rackley moved to approve Resolution 1225. Councilmember Johnson seconded the motion.**

**Motion approved 6 – 0.**

**IX. FULL COUNCIL ISSUES:** None.

- X. **EXECUTIVE SESSION** – Deputy Mayor Swatman announced that pursuant to RCW 42.30.110(1)(c), the City Council will hold an executive session to discuss issues dealing with property acquisition. It was announced the session would last 30 minutes. The session commenced at 8:07 p.m. At 8:32 p.m., the executive session was extended for five minutes. At 8:34 p.m., the City Council reconvened in open session.

**Councilmember Rackley moved to amend the agenda to include consideration of a motion to approve a purchase and sales agreement. Councilmember DeLeo seconded the motion.**

**Motion approved 6 – 0.**

**Councilmember Rackley moved to authorize a purchase and sales agreement with T&S properties. Councilmember DeLeo seconded the motion.**

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

Councilmember DeLeo encouraged contact by the audience and Council with their state representatives to defeat SSB 6442 – The Disabilities Trust Fund. He said that it had been reported to him that WSU was working to move their challenge course to their farm property in Buckley and sell the Demonstration Forest in Bonney Lake. He said he feels the forest and programs are vital to the youth of Bonney Lake.

**XI. ADJOURNMENT**

**At 8:36 p.m., Councilmember Johnson moved that the meeting be adjourned. Councilmember Rackley seconded the motion.**

**Motion approved 6 – 0.**

---

Harwood T. Edvalson, City Clerk

---

Robert Young, Mayor