

**CITY COUNCIL MEETING**

**June 22, 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"*

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**I. CALL TO ORDER** – Mayor Young called the meeting to order at 7:06 p.m.

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

B. Roll Call [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Bob Young, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Neil Johnson, Councilmember Cheryle Noble and Councilmember Jim Rackley. Councilmember Dave King was absent.

Staff present were Administrative Services Coordinator Don Morrison, Finance Director John Weidenfeller, Planning & Community Development Director Bob Leedy, Police Chief Bryan Jeter, City Attorney Jim Dionne, Interim Public Works Director Bill Gilbert, Judge James Helbling, Court Administrator Kathy Seymour, Information Technology Coordinator Chuck McEwen and City Clerk Harwood Edvalson.

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

1. Announcements:

Mayor Young reminded Council of the special workshop on Saturday, June 26, 2004 at 8:00 a.m. for a presentation from the utility rate consultant.

Councilmember DeLeo reminded the Council that there would also be a work party at the WSU Forest that same morning. He urged those interested in helping with the forest project to call ahead so that WSU can plan for the number of volunteers.

2. Appointments:

Mayor Young announced that offers have been made to candidates for the Senior Human Resources Analyst and Public Works Director positions.

3. Presentations:

A. **AB04-131** – Results of Planning Commission Research Into Home Occupations. Mayor Young observed that Planning Commission Chairman Steve Burnham was not at the meeting to make the presentation. Director Leedy agreed that the issue was not pressing and could wait for another opportunity to make the presentation.

D. Agenda Modifications [A3.6.6]:

Mayor Young explained that the proposed modifications to the agenda were discussed earlier in the evening by the Finance Committee who recommends their inclusion on the agenda.

Deputy Mayor Swatman moved to modify the agenda as presented (See below).  
Councilmember Rackley seconded the motion.

**IX. FINANCE COMMITTEE ISSUES:**

C. **AB04-135 – Resolution 1281** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract Amendment With Eden Systems In The Amount Of \$42,144.00 For The Purchase Of 3 Inform Gold Cashiering Stations. [F11]

D. **AB04-136** – A Motion of the City Council of the City of Bonney Lake to approve the payment of retention to Pacific Keystone Technologies outside of the normal voucher approval system in the amount of \$7,804.80. [A3.6.10]

**Motion approved 6 – 0.**

**II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:**

[A3.6.11, A3.6.12, A3.6.4, 3.6.5]

A. Public Hearings [A3.6.12]: None.

B. Citizen Comments [A3.6.4]:

Quinn Dahlstrom, 6527 193<sup>rd</sup> Ave. E., read from a prepared statement submitted to the City Clerk. She addressed the need for a formal Senior Advisory Board separate from the 501 C3 organization that raises money for the Senior Center. She suggested possible membership of a formal board to include residents, business representatives and at least one member from unincorporated Pierce County.

Dan Decker, 20401 70<sup>th</sup> St. E., submitted an 85 page Pierce County Sheriff's report on the alleged theft of services by Mayor Young, and asked that it be made a part of the record. He referenced his recently submitted petition regarding the Moriarty property and stated that he had expected it also to be put in the record of the meeting. He also referred to his petition submitted in January 2003. He said that by taking no action regarding that destroyed petition the Mayor is an accessory to the crime of destruction of public records.

Mr. Decker complained that Director Leedy was refusing his requests to meet. He insisted that as a citizen of Bonney Lake he has a right to meet with Director Leedy. At the conclusion of his allotted time, Mr. Decker complained that he had not received the customary one minute warning, and insisted on having an additional minute added to his time to speak. City Clerk Edvalson apologized for the oversight, but informed him that he had used all of his allotted five minutes. Mayor Young concurred and informed Mr. Decker that his time had expired.

C. Correspondence – None.

**III. COUNCIL COMMITTEE REPORTS:**

[A3.6.4]

A. Finance Committee

Deputy Mayor Swatman reported on the Committee's meeting from earlier in the evening. He said the Committee discussed Resolution 1281, the proposed contract amendment with Eden for three cashiering stations, and the proposed motion to pay retainage to Pacific Keystone. He added that the Committee also discussed the policy for billing condominiums for sewer services and a proposed boat launch fee update ordinance.

B. Community Development Committee

Councilmember Rackley said the Committee met on June 7<sup>th</sup> and June 21<sup>st</sup>. He said they had forwarded Resolution 1270 to the Council agenda this evening. Councilmember Noble noted that the next CDC meeting will be on July 7<sup>th</sup> due to the City recognition of the July 4<sup>th</sup> Holiday on Monday, July 5<sup>th</sup>.

C. Public Safety Committee

Councilmember DeLeo said the Committee met last Monday, June 14<sup>th</sup>. He added that the two items on the agenda this evening came from their discussion at that meeting. He noted that the Public Safety Committee would also meet on July 7<sup>th</sup> rather than the 5<sup>th</sup>.

D. Other Reports: None.**IV. MINUTES** [A3.6.2]A. Approval Of Meeting Minutes: June 1<sup>st</sup> Workshop and June 8<sup>th</sup> Council Meeting.

**Councilmember Rackley moved to combine the approval of the minutes. Councilmember Noble seconded the motion.**

Councilmember DeLeo asked that his comments on page 6 of the June 8<sup>th</sup> minutes be changed to reflect that parcels of land for the Auburn Game Park and Mt. Rainier National Park were acquired through foresight, not through the process of condemnation as the City Clerk had worded the statement. He also noted that the name, Schuur, had been incorrectly spelled as "Schurr." By common consent, the Council accepted the corrections as proposed.

**Motion approved 6 – 0.**

**V. VOUCHERS AND PAYROLL:** [F4.9]A. Vouchers – City Clerk Edvalson read the claims and payroll as follows:

- Claims: Accounts payable Checks/Vouchers #37548 thru 37679 and Wire Transfer #737862 (voiding ck# 37551) in the amount of \$488,461.75.
- Payroll: Payroll for June 15, 2004 for checks 22509-22558, including Deposits and Electronic Transfers in the amount of \$211,165.97.

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

**Motion approved 6 – 0.**

**VI. FINANCE COMMITTEE ISSUES:**

- A. **AB04-116 – Resolution 1271** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Designating The Tacoma News Tribune As The Sole Source Official Newspaper For A Period Of One Year. [A3.20.8]

**Councilmember Rackley moved to approve Resolution 1271. Councilmember DeLeo seconded the motion.**

Daniel Decker, 20401 70<sup>th</sup> St. E., asked the Council to reconsider this proposed action. He asked them to look at other options. He said he feels the other two papers publishing in the City are being singled out and denied an opportunity. He noted that it had not been a topic of discussion at a previous workshop or Council meeting. He added that he felt the Council's proposed action is inappropriate.

Councilmember DeLeo explained that the issue was discussed at the Finance Committee meeting. He added that the reason the Council was selecting the Tacoma News Tribune is because it is published daily, whereas the other two papers are only published weekly.

**Motion approved 6 – 0.**

- B. **AB04-132 – Resolution 1279** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving An Agreement With Pierce County Emergency Management To Assist With Advanced Hazard Mitigation Planning For The City Of Bonney Lake. [A1.22.2]

**Deputy Mayor Swatman moved to approve Resolution 1279. Councilmember Noble seconded the motion.**

Deputy Mayor Swatman noted that the public hearing for the plan was currently being held in the Public Safety Building. He said that when the Finance Committee reviewed the proposal, he had questioned why the Fire District's share should be less than that of the participating City's. He said the amount was not significant, but that he wanted his objection noted.

Daniel Decker, 20401 70<sup>th</sup> St. E., asked about the purpose of such a plan.

Administrative Services Coordinator (ASC) Morrison said that Sumner School District had been the lead agency to obtain a planning grant to include the School District, the Cities of Bonney Lake and Sumner, and East Pierce Fire and Rescue. He said the plan dovetails with the County's plan which is currently under development. He said the grant helped pay for the mapping and technical work of the hazard mitigation plan. He said the value of the plan is to identify and plan for the hazards that may impact the City of Bonney Lake. He said another

benefit to the participating agencies is that with plans in place, they will have a higher priority for state and federal mitigation funds in the event of a disaster. He added that having a plan in place also qualifies the city to apply for funds to retrofit its facilities and infrastructure to meet some of the identified hazards.

Councilmember Johnson asked if the County had already covered the City in its plans. ASC Morrison responded that this plan was more focused on the City and other participating agencies. Councilmember Noble asked if Sumner has already bought into the plan. ASC Morrison answered that Bonney Lake is the last of the group to take action on participation.

**Motion approved 6 – 0.**

- C. **AB04-135 – Resolution 1281** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract Amendment With Eden Systems In The Amount Of \$42,144.00 For The Purchase Of 3 Inform Gold Cashiering Stations. [F11]

**Deputy Mayor Swatman moved to approve Resolution 1281. Councilmember Rackley seconded the motion.**

Deputy Mayor Swatman explained that the Finance Committee discussed the issue earlier in the evening. He said the purchase is time sensitive and will help facilitate the use of the new financial software being implemented.

Dan Decker, 20401 70<sup>th</sup> St. E., asked if the \$43,000 expense was for a program, and who brought it to the City's attention.

Information Technology (IT) Coordinator McEwen explained some of the benefits of the proposed purchase. He explained it will help those dealing with receipt of money be more efficient. He said it would add the capacity to make digital copies of checks and drivers' licenses for fraud protection. In response to other Council questions about the benefits, he assured them that the benefits would outweigh the expense.

**Motion approved 6 – 0.**

- D. **AB04-136** – A Motion of the City Council of the City of Bonney Lake to approve the payment of retention to Pacific Keystone Technologies outside of the normal voucher approval system in the amount of \$7,804.80. [A3.6.10]

**Deputy Mayor Swatman moved to approve this payment outside of the normal voucher approval system. Councilmember Rackley seconded the motion.**

Finance Director Weidenfeller explained that the Council had previously authorized release of the funds to Pacific Keystone. He added that the accounts payable process had broken down, and the vendor was not paid. He said he believed the error would not be repeated.

**Motion approved 6 - 0.**

**VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:**

- A. **AB04-115 – Resolution 1270** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Waiving Competitive Bidding Requirements For A Sole Source Purchase From Biocube LS 100 For Odor Control At LS 17. [O4.5.2]

**Councilmember Rackley moved to approve Resolution 1270. Councilmember Noble seconded the motion.**

Councilmember Johnson asked why the City should declare a sole source vendor. Interim Director Gilbert explained that this was the only solution they deemed satisfactory that did not require the disposal of hazardous waste as a bi-product of the process. Councilmember Johnson noted that it has been some time since the City did this. He expressed concern that it may become a convenient habit. Councilmember DeLeo asked why there was no contract for Council approval. Mayor Young responded that staff would return with a negotiated contract after the sole source vendor was approved.

Dan Decker, 20401 70<sup>th</sup> St. E., said he was concerned that the bidding process was being waived.

**Motion approved 5 – 1. Councilmember Johnson voted no.**

- B. **AB04-123** – A Motion Of The City Council Of The City Of Bonney Lake Setting A Public Hearing At The July 13, 2004 Regular Council Meeting For The Proposed 6 Year Transportation Improvement Plan. [A3.6.12]

**Councilmember Rackley moved to set the public hearing at the July 13, 2004 regular Council meeting. Councilmember Noble seconded the motion.**

Councilmember DeLeo asked about the extension of 184<sup>th</sup> to 192<sup>nd</sup>. Director Leedy said the options are open to the Council to amend the proposed plan. Councilmember DeLeo asked if the information could be presented in a matrix and on a map as has been done in years past. Director Gilbert said he would look into it.

**Motion approved 6 – 0.**

**VIII. PUBLIC SAFETY COMMITTEE ISSUES:**

- A. **AB04-130 – Ordinance 1036** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Adding A New Section 9.23.120 To The Bonney Lake Municipal Code, Relating To Domestic Violence. [A3.5.5]

**Councilmember Noble moved to adopt Ordinance 1036. Councilmember DeLeo seconded the motion.**

Councilmember Noble noted that once the money is collected, it is intended for education. She asked what kind of educational program will be created. Court Administrator Seymour and Judge Helbling responded that no program had yet been designed. They indicated the funds will be banked until an appropriate program is implemented. Councilmember DeLeo said the ordinance is the result of a recent change in the law allowing the collection of these funds for use in domestic violence advocacy, prevention and prosecution.

Dan Decker, 20401 70<sup>th</sup> St. E., said that he is withdrawing his request to speak on this issue.

**Motion approved 6 – 0.**

- B. **AB04-129 – Resolution 1278** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Out of State Travel. (For Court Administrator Katheryn Seymour.) [A4.7]

**Councilmember Noble moved to approve Resolution 1278. Councilmember Johnson seconded the motion.**

Councilmember DeLeo noted that this is an honor for Court Administrator Seymour to be selected from among all the courts in the state to represent them in this national education program. Councilmember Noble expressed her congratulations, as well.

Dan Decker, 20401 70<sup>th</sup> St. E., said he totally supports Court Administrator Seymour's adventure and hopes that the Council will also support it.

**Motion approved 6 – 0.**

#### **IX. FULL COUNCIL ISSUES:**

- A. **AB04-52 – Ordinance 1027** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapters 14.90 Of The Bonney Lake Municipal Code And Ordinance No. 988, Relating To Mailing Of Certain Public Notices. [A3.5.5]

**Councilmember Rackley moved to adopt Ordinance 1027. Councilmember DeLeo seconded the motion.**

Councilmember Hamilton said this is a great idea. He asked if other jurisdictions are also extending their notice areas. Director Leedy responded that there are a handful that are.

Dan Decker, 20401 70<sup>th</sup> St. E., asked that the Council reconsider the 600 ft. radius and change it to ¼ mile. He said there is a need for more notice to residents.

**Motion approved 6 – 0.**

#### **X. EXECUTIVE SESSION:**

Mayor Young announced that pursuant to RCW 42.30.110(1) the City Council will hold a fifteen minute executive session to discuss issues dealing with property acquisition. The executive session started at 8:08 p.m.

**XI. ADJOURNMENT**

At 8:17 p.m., the Council reconvened their regular session.

**Councilmember Rackley moved to adjourn. Councilmember Noble seconded the motion.**

**Motion approved 6 – 0.**

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Harwood T. Edvalson, City Clerk

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Robert Young, Mayor