

CITY COUNCIL MEETING

**July 13, 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 7:06 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 Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley.

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, Operations and Maintenance Supervisor Rick Shannon, City Engineer John Woodcock, Judge James Helbling and City Clerk Harwood Edvalson.

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

1. Announcements: None.

2. Appointments:

Mayor Young advised the City Council that Roy Nishiyori had been appointed and sworn-in on the Civil Service Commission.

3. Presentations: None.

D. Agenda Modifications [A3.6.6]:

Mayor Young explained that an agenda modification sheet had been distributed earlier in the evening.

Councilmember Rackley moved to modify the agenda as presented (See below).

Councilmember DeLeo seconded the motion.

DELETE THE FOLLOWING ITEMS FROM THE JULY 13, 2004 AGENDA:

I. CALL TO ORDER:

C.

2. Presentations

~~A. AB04-131 – Planning Commission Presentation~~**VI. FINANCE COMMITTEE ISSUES:**

~~B. AB04-142 – Resolution 1286 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With William R. Gilbert. [04.14.1]~~

ADD THE PROPOSED ITEMS TO THE FOLLOWING SECTIONS OF THE AGENDA:**IX. FINANCE COMMITTEE ISSUES:**

B. **AB04-143** – A Motion of the City Council of the City of Bonney Lake, To Set A Public Hearing For July 27, 2004 During The Regular Council Meeting Starting At 7:00 P.M. On A Proposal To Declare Certain Materials And Equipment To Be Surplus.

VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

C. **AB04-136** – A Motion of the City Council of the City of Bonney Lake, To Set A Public Hearing For July 27, 2004 During The Regular Council Meeting Starting At 7:00 P.M. On A Proposed Latecomer Agreement With Lauren Tuggle For 192nd Ave. E. Sewer Improvements.

Motion approved 7 – 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]:1. **AB04-123 – Resolution 1272** – Proposed Six Year Transportation Improvement Plan

Mayor Young opened the public hearing at 7:10 p.m. and introduced City Engineer Woodcock. Engineer Woodcock said the proposed plan has five categories dealing with intersection improvements; arterial roadway major improvements; roadway reconstruction, overlay and chip seal; transportation studies and trail projects. Mayor Young said that many of these projects are unfunded, but that if they appear on the plan, then they may be eligible for future grants and loans. Engineer Woodcock affirmed that the Plan is in some respects a wish list.

Louisa Smith, 20112 Church Lake Rd., predicted that the next major traffic snafu would be at the intersection of Church Lake Road and Old Buckley Sumner Highway. She said the traffic generated by the completed Target store will make it nearly impossible to turn across traffic onto Church Lake Road.

Deputy Mayor Swatman remarked that when 192nd is opened, there will be the option of using the signalized intersection to make a left onto Old Buckley Sumner Highway, then a right onto Church Lake Road. Councilmember Hamilton asked for confirmation that the intersections with 192nd at SR410 and Old Buckley Sumner Highway will be completed by the opening of Target. Engineer Woodcock affirmed that is the current plan.

John Leddy, 91204 214th Ave. E., chose not to address the Council at this time.

Mary Charron, 10425 Wilderness Ct., President of the Brookfield Home Owners Association, said she had earlier submitted a petition expressing her association's concern for the potential cut-through traffic in her neighborhood from the new Brookside Development to the new Bonney Lake High School. She asked for assistance and consideration for the development of traffic deterrence and calming measures for the Brookfield Development.

Councilmember King noted that a recent radar trailer survey indicated an average speed of 16.24 mph in that development. Ms. Sharon responded that the trailer was placed such that it measured speeds of vehicles decelerating to make a turn. Councilmember King said that the Public Safety Committee would discuss the neighborhood concerns at their next meeting. Deputy Mayor Swatman said that the residents were wise to look ahead to the growing traffic pressures from development to the south. He added that the Council will look at an ordinance to limit high school parking in the residential neighborhoods.

Don Yeats, 18018 45th St., chose not to address the Council.

Jim Grob, 10404 Springwood Dr., reprised the history of the association's environmental appeal of the Brookside Development's impacts. He said the association is using the radar trailer to track volumes of traffic as a baseline for future study. He encouraged the City to obtain more traditional traffic counters for use around the City. He further encouraged the City to update its maps to show the high school and other developments in this rapidly changing area.

Councilmembers expressed concern for impacts on Bonney Lake neighborhoods from the opening of the high school and work on Falling Waters and Cascadia Developments to the south. Engineer Woodcock noted that Cascadia is responsible for the signalization of the 200th and 104th intersection after the development of a certain number of homes.

Dan Decker, 20401 70th St. E., encouraged the installation of a three-way stop now at the intersection of Church Lake Drive and West Tapps Highway. He also complained of the condition of the roadway on Church Lake Drive just after the intersection with Old Buckley Sumner Highway. He said the traffic turtles have been destroyed and the grade is still a problem. He asked the City to fix the problems.

Deputy Mayor Swatman noted that the intersection of Church Lake Drive and West Tapps Highway is currently controlled by the County and that the City cannot install stop signs at this time. He said the intersection appears on the plan because it is assumed the area will be part of the City in the future.

Wayne Hathaway, 19805 101st St. E., said he lives in Brookwater and has concern that the road they have put in will be a bypass road for the high school. He said he understands the

road will incorporate roundabouts, but said the devices will impede fire trucks using the road. He asked if there was intent to also use stop signs or a four way stop on the road to reduce traffic speeds.

Deputy Mayor Swatman asked about traffic planning in the area. Engineer Woodcock said the traffic circles are the only measures currently being considered for calming the traffic. He said the circles will allow fire apparatus to pass, but at a reduced speed.

With no other members of the public indicating a desire to speak, Mayor Young closed the public hearing at 7:48 p.m.

B. Citizen Comments [A3.6.4]:

Quinn Dahlstrom, 6527 193rd Ave. E., said she doesn't like the idea of a Salary Commission and that apparently Kent, WA did not either. She said the Council should be in charge of the salaries in the City. She distributed a statement and information regarding fluoridated water. She gave a copy of a book to Councilmember DeLeo and asked him to share it with other Councilmembers.

John Leddy, 9105 214th Ave. E., of Anderson Hydroseeding, said he received a call from Code Enforcement to remove a sign on private property along SR410. He said he has permission from the property owner to locate his sign there along with several others. He encouraged Council to support local business and pointed out what he feels is unequal treatment between signs for realtors, contractors and other businesses in the City. He encouraged the Council to not force the abatement of the tractor on the property saying that it has become a landmark.

Deputy Mayor Swatman advised Mr. Leddy that there is an appropriate process for permitting a sign on private property. He encouraged Mr. Leddy to contact the Code Enforcement Officer for further information. Councilmember King said the Council has talked a lot about signs. He said every businessperson from the smallest to the largest wants a sign. He said businesses have an obligation to inform themselves of the City's sign code before placing signs without permits. Mr. Leddy encouraged a positive approach to signage to stimulate growth and the economy.

Pat Miller, 19205 79th St. Pl. E., asked the Council to reconsider the current restriction on two driveways per lot. He urged the Council to consider allowing at least two driveways through a proper permitting system. He said the number of people with RVs, boats, jet skis, etc. makes the proper storage and access to their lots more important than ever before.

Deputy Mayor Swatman and Councilmember King discussed the potential impacts to drainage and concerns with changing environmental regulations. Councilmember Rackley said he would put the topic on the agenda for the Council Community Development Committee.

Wayne Hardaway, 19805 101st St. E., encouraged Council to consider a deduct-meter for water to reduce the current sewer charges. He noted that under the present system, residents pay for water that does not enter the waste stream because it's used on lawns, in pools, etc.

Deputy Mayor Swatman said this issue will be part of the comprehensive rate study the City is currently conducting. He said there may be less costly alternatives to determining usage than installing additional meters.

Louisa Smith, 20112 Church Lake Rd., encouraged the City to study West Lake Tapps Highway now even if it is not in the City. She also advised the Council to remember that the Planning Commission is an advisory panel and not to assume that their recommendations must be implemented.

Councilmember King said that the Public Safety Committee would look at the current data available from the Police Department on West Lake Tapps Highway. He added that he was sure the City would study the intersection issue again for more current data when it becomes part of the City. Deputy Mayor Swatman said the City has done a traffic modeling study for the whole region, not just within the City limits. He added that the Council always takes seriously the recommendations of its advisory boards and commissions.

Dan Decker, 20401 70th St. E., believes that the Church Lake Road and West Tapps Highway intersection is a community problem and encouraged the City to partner with the County to remedy the problem. He then commented on the enforcement of illegal signs and noted that there were still campaign signs about Proposition 1 from the last general election located in the City's right-of-way. He challenged Mayor Young as the former chairman of the committee sponsoring the signs to see to their removal. He also continued his questions about the tree removal incident of January 2003.

Councilmember King said he is an adamant supporter of the sign code and, as a member of the committee sponsoring the election signs previously mentioned, asked Mr. Decker to disclose the location of the signs. He added that he would personally see to their removal.

C. Correspondence – None.

Councilmember Rackley moved that the Council take a five-minute recess. Deputy Mayor Swatman seconded the motion.

At 8:25 p.m., with common consent, Mayor Young declared a five-minute recess.

III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

A. Finance Committee

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

- Contract for ATS Voyager Software allowing motorcycle officers to look up license plates using their Nextel Units; and
- An ordinance to accept donations to the Senior Center; and
- A request to set a public hearing to surplus certain materials; and
- 95th Street Local Improvement District (LID); and
- Resolution 1291 for a contract to finance bonds and LIDs in the community; and
- An ordinance to amend multi-unit sewer charges; and

- Discussion of financial policies for the rate-setting program currently underway.
- B. Community Development Committee
Councilmember Rackley said the Committee met on July 7th and has three items on the agenda this evening for Council consideration.
- C. Public Safety Committee
Councilmember DeLeo said the Committee met last Wednesday, July 7th. He said there were no items forwarded for Council review. He noted that the next Committee meeting would be on August 2nd.
- D. Other Reports: None.

IV. MINUTES: [A3.6.2]

- A. Approval Of Corrected Meeting Minutes: June 22 Council Meeting, June 26 Special Workshop, June 29 Joint Council/Planning Special Workshop.

Councilmember King moved to combine the minutes for approval and accept them as presented. Councilmember Johnson seconded the motion.

Deputy Mayor Swatman called attention to the Minutes of June 22nd. He noted Councilmember King's absence and asked that the votes taken accurately reflect the number of Councilmembers present at the meeting. The amendment was accepted by common consent of the Council.

Motion approved 7 – 0.

V. VOUCHERS AND PAYROLL: [F4.9]

- A. Vouchers – City Clerk Edvalson read the claims and payroll as follows:
- Claims: Accounts payable Checks/Vouchers #37680 thru 37856 (voiding checks # 37747 and 37824) in the amount of \$1,207,670.14.
 - Payroll: Payroll for June 30, 2004 for checks 22559-22620, including Deposits and Electronic Transfers in the amount of \$323,613.35.

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

Motion approved 7 – 0.

VI. FINANCE COMMITTEE ISSUES:

- A. **AB04-134 – Resolution 1280** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Interlocal Agreement Between The State Of Washington Department Of Printing And The City Of Bonney Lake. [A3.2.2]

Councilmember Rackley moved to approve Resolution 1280. Deputy Mayor Swatman seconded the motion.

Councilmember Johnson asked about the purpose of this agreement beyond the trash bags the City is having printed with its logo. Finance Director Weidenfeller said the state seemed to have good prices and would serve as another resource for the City. Councilmember Johnson cautioned that the State brokers much of their printing and suggested the City carefully compare other vendors before using the State.

Motion approved 7 – 0.

- B. **AB04-145** – A Motion of the City Council of the City of Bonney Lake, To Set A Public Hearing For July 27, 2004 During The Regular Council Meeting Starting At 7:00 P.M. On A Proposal To Declare Certain Materials And Equipment To Be Surplus.

Councilmember Rackley moved to set the public hearing as stated. Councilmember Johnson seconded the motion.

Director Weidenfeller noted that the items from the utilities require a public hearing before declaring them surplus. Councilmember King asked if the Senior Center could use some of the computer equipment on the surplus list. Director Weidenfeller responded that the Senior Center was well-equipped and that some of the surplus equipment was expensive to operate.

Motion approved 7 – 0.

VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB04-121** – A Motion Of The City Council Of The City Of Bonney Lake Accepting the Ludwig Building Roof Replacement Project by Fields Roof Service As Complete And Authorizing The Release Of Retainage At The Conclusion Of The Waiting Period. [A3.6.10] [O4.4.1]

Councilmember Rackley moved to approve the motion as stated. Councilmember Hamilton seconded the motion.

Motion approved 7 – 0.

- B. **AB04-122** – A Motion Of The City Council Of The City Of Bonney Lake Accepting the Allan Yorke Park Fencing Project As Complete And Authorizing The Release Of Retainage Once Contract Closeout Documents/Requirements Are Met. [A3.6.10] [O5.10]

Councilmember Rackley moved to approve the motion as stated. Councilmember Hamilton seconded the motion.

Councilmember DeLeo noted a tripping hazard associated with one of the fences in the park. Operations & Maintenance Supervisor Shannon said they would look into it.

Motion approved 7 – 0.

- C. **AB04-138** – A Motion of the City Council of the City of Bonney Lake, To Set A Public Hearing For July 27, 2004 During The Regular Council Meeting Starting At 7:00 P.M. On A Proposed Latecomer Agreement With Lauren Tuggle For 192nd Ave. E. Sewer Improvements.

Councilmember Rackley moved to approve the motion as stated. Councilmember Hamilton seconded the motion.

Councilmember DeLeo noted that the amended agenda had misidentified this item as AB04-136. He asked that the reference be corrected for the record. Mayor Young acknowledged the error and re-identified the item as AB04-138. Deputy Mayor Swatman inquired about the exact location of the improvement. Councilmember Rackley noted that it is the second or third property beyond the commercial properties.

Motion approved 7 – 0.

VIII. PUBLIC SAFETY COMMITTEE ISSUES: None.

IX. FULL COUNCIL ISSUES:

- A. **AB04-137 – Resolution 1282** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Enter Into An Agreement With MGT of America To Conduct A Review Of The Police Department In The Amount Of \$34,500. [01.9]

Councilmember King moved to adopt Resolution 1282. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman and Councilmember Noble said they feel this is a bad idea.

Dan Decker, 20401 70th St. E., noted that he had not been afforded the opportunity to speak before the Council's vote on the previous resolution. He also said the City of Bonney Lake Police Department does their job well and questioned the need to spend \$34,500 to study the department.

Councilmember Johnson said he feels these outside reviews are very good to look for improvements. He said he hopes the Finance Department review will be on the agenda in the next three months.

Referring to Mr. Decker's complaint that he had not been afforded the opportunity to comment on an earlier resolution, Councilmember King asked for the City Clerk's more stern

attention to making sure the sign-up sheets are placed before the Mayor to allow him to call upon the citizens for their comments.

Commenting on proposed Resolution 1282, Deputy Mayor Swatman said he has seen many examples of this type of review within the company he works for. He said it is his experience that these reviews are often biased to say what the company wants to hear. Councilmember Rackley said he strongly supports the reviews. He added that he has been through many operational audits in his business and has found them to be instructional and of great value.

Motion approved 4 – 3. Deputy Mayor Swatman and Councilmembers DeLeo and Noble voted no.

- B. **AB04-117 – Resolution 1290** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Appointing “For” Committees To Prepare Statements On The Bond Resolutions To Be Included In The November 2004 General Election Voters Pamphlet. [A3.10.7.1]

Councilmember Hamilton moved to approve Resolution 1290. Councilmember Johnson seconded the motion.

Mayor Young confirmed that no one from the City had been contacted from persons wanting to represent the “Against” position. Councilmember DeLeo asked if anyone had contact with Casey Stanley, a proposed member of the “For” Committee on the Parks & Trails Bond. Administrative Services Coordinator Morrison said Mr. Stanley is on the parks staff for the City of Burien.

Motion approved 7 – 0.

- C. **AB04-63** – A Motion Of The City Council Of The City Of Bonney Lake Confirming the Mayor’s appointment of Scott Spanier, Paul Qualey and Don Weber to the Salary Commission provided for in BLMC 2.68. [A3.6.10] [A 4.3.1]

Mayor Young asked the person making the motion to remove from consideration the name of Paul Qualey and substitute the name of Peter Carrington. He explained that Mr. Carrington was currently out-of-town and unavailable for interview this evening.

Councilmember Rackley moved to table the motion to a workshop. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 1. Councilmember Hamilton voted no.

X. EXECUTIVE SESSION:

Mayor Young announced that pursuant to RCW 42.30.110(1)(b) and RCW 42.30.140(4)(a) the City Council will hold a thirty minute executive session to discuss issues dealing with property acquisition

and collective bargaining. The executive session started at 9:02 p.m.

Mayor Young reconvened the regular Council meeting at 9:27 p.m.

Councilmember King moved to amend the agenda and include a new action item considering a motion to approve a collective bargaining agreement with the City's dispatchers. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

Councilmember King moved to approve the collective bargaining agreement presented in executive session.

Motion approved 7 – 0.

XI. ADJOURNMENT

At 9:28 p.m., Councilmember Rackley moved to adjourn. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, City Clerk

Robert Young, Mayor