

CITY COUNCIL MEETING

**August 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 7:05 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 Mark Hamilton, Councilmember Neil Johnson, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley. Councilmember Phil DeLeo was absent.

Staff present were Administrative Services Coordinator Don Morrison, 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 Court Administrator Kathy Seymour and City Clerk Harwood Edvalson. Finance Director John Weidenfeller joined the meeting in progress.

Deputy Mayor Swatman moved to excuse Councilmember DeLeo from this evening's proceedings. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

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

- 1. Announcements:
Mayor Young introduced new employees—Karen Meeks, Senior Human Resources Analyst and Barbara Barth, Senior Accountant.
- 2. Appointments:
Mayor Young announced his appointment of Grant Sulham to the Planning Commission.
- 3. Presentations:
 - a. Character First – Certificate of Appreciation – Mark Calvert and Kira Oliansky
Mayor Young presented certificates of appreciation to these individuals recognizing their efforts in the apprehension of murder suspects.
 - b. AB04-131 – Results of Planning Commission Research Into Home Occupations.
A member of the Planning Commission will make a presentation to the City Council. The Planning Commission Chairman was not present to make this presentation.

Deputy Mayor Swatman asked if another Planning Commissioner might be briefed to make the presentation at the next meeting. Planning and Community Development Director Leedy said that appropriate arrangements will be made.

- 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 [A3.6.12]: None.

- B. Citizen Comments [A3.6.4]:

Randy Hynek, 1640 Washington St., Sumner, expressed appreciation to the Council for their brave stand on the fluoride issue that gave the City of Sumner a second chance to consider their position and stop the addition of fluoride to their water.

Louisa Smith, 20112 Church Lake Rd., said that preparations for Bonney Lake Days are progressing. She noted the addition of a classic car show to this year's event, and thanked the Kiwanis Club for assisting with the show's organization. She commended the volunteer group helping to organize Bonney Lake Days and thanked the City for their backing of the event. Both Ms. Smith and Councilmember Rackley mentioned that a covered stage and some covered seating would be provided for the event.

Dan Decker, 20401 70th St. E., said that a good choice has been made in the appointment of the Public Works Director. He added that the City should complete its allowed reimbursement of the director's moving expenses after the first year of his service. He said he had been informed the director would be given an automobile. He noted that a IRS 1099 form should be issued so that the additional compensation to the employee would be appropriately taxed. Mr. Decker complained that he has several times been denied the opportunity to speak when he has signed-up to do so. He feels it is deliberate and cautioned about the liability exposure to the City of such action. He mentioned Councilmember Rackley's comments at the last Council meeting about "being prepared". He said it's important that the Councilmembers know the answers before they act.

Councilmember Rackley said that Council meetings are not the place to ask questions. He said that questions should be asked of the representative Councilmembers before the meeting. He added that reporting additional information would be appropriate, but that questions should be asked before the Councilmembers are ready to act. Councilmember King said that opportunities for public comment are opportunities for citizens to make comment and be heard on the issues before the Council votes on them. He added that, if citizens choose to ask questions, that's fine. He said the Council Rules and Procedures do not obligate Councilmembers to respond to those questions.

- C. Correspondence – None.

III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

A. Finance Committee

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

- A resolution with Liebert Systems for the Public Safety Building's emergency backup system, which will be moving forward; and
- A Pierce County request to help pay for HUD monies. He said he understands the Mayor may have some non-profit organizations lined-up to help; and
- A resolution with Steve Gaidos for financial consulting services on bonds and local improvement districts. He said additional discussion will occur on this topic.

B. Community Development Committee

Councilmember Rackley said the Committee met on August 2nd and has four items on the agenda this evening for Council consideration:

- The Tuggle Latecomer Agreement; and
- \$2,000 for the Elhi Creek Salmon Habitat Restoration Project; and
- The Emergency Intertie Agreement; and
- Completion of the Ball Park work.

C. Public Safety Committee

Councilmember King said the Committee met on August 2nd and has forwarded to this evening's meeting a recommendation to approve the TNET Narcotics Task Force agreement.

D. Other Reports:

Councilmember Johnson reported that residents of Sky Island spoke at the Public Safety Committee meeting about Sky Island Drive. Councilmember King said their presentation was very professional and the people in attendance evidently highly care about the issue. Councilmember Johnson advised Operations and Maintenance Supervisory Shannon that City Engineer Woodcock had committed him to review the situation by August 13th.

Councilmember Johnson reminded the Council and audience of the Beautify Bonney Lake project on August 28th. He asked if notice could be added to the City's website. Administrative Services Coordinator (ASC) Morrison said that staff would post it soon.

Deputy Mayor Swatman asked if preparations were complete for the Council budget priorities special meeting at 5:30 pm on August 12th. Mayor Young responded that there would be presentation from staff.

Councilmember Rackley asked Chief Jeter to give a report on the National Night Out Celebration. Chief Jeter said there was a surprising amount of people in support of the event given the inclement weather of the evening. He thanked Mayor Young and Councilmember Johnson for organizing teams, and Councilmembers Hamilton and Rackley for umpiring the

games. He noted that reporter Brian Beckley of the Puyallup Herald volunteered to fill in on the Chaplain's team. Councilmember King noted that the evening was his wedding anniversary and apologized for not being able to participate.

IV. MINUTES: [A3.6.2]

- A. Approval Of Meeting Minutes: July 20 Council Workshop and July 27 Council Meeting.

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

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 #37962 thru 38102 (voiding check # 38003) in the amount of \$2,994,432.29
- Payroll: Payroll for July 31, 2004 for checks 22674-22732, including Deposits and Electronic Transfers in the amount of \$294,902.64.

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

Motion approved 6 – 0.

VI. FINANCE COMMITTEE ISSUES:

- A. **AB04-145 – Resolution 1287** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Disposal Of Surplus Property In Accordance With The Provisions Outlined By Ordinance 872. [F4.6.3]

Councilmember Rackley moved to approve Resolution 1287. Councilmember Johnson seconded the motion.

Motion approved 6 – 0.

VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB04-138 – Resolution 1283** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Latecomer Agreement With Lauren Tuggle For The 192nd Ave E. Sewer Improvements.

Councilmember Rackley moved to approve Resolution 1283. Councilmember Hamilton seconded the motion.

Motion approved 6 – 0.

- B. **AB04-163 – Resolution 1295** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Amendment To The Interagency Agreement With The Department Of Natural Resources. [04.7.1]

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

Councilmember King asked Finance Director Weidenfeller if the Council had budgeted funds for lake and stream preservation and protection. Director Weidenfeller replied that \$100,000 had been budgeted for this purpose, but that to date, only \$20,000 had been expended. Councilmember King asked that the additional request for \$2,000 be charged to the lake and stream protection line item in the Parks Budget. Director Weidenfeller said that it would be done. Deputy Mayor Swatman reminded the Council that they budget on a fund basis. He noted that the Council had budgeted the project for \$8,000 and that another \$2,000 would not have a large impact on the General Fund Budget.

Motion approved 6 – 0.

- C. **AB04-175 – Resolution 1297** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Emergency Intertie Agreement Between The City Of Bonney Lake And The City Of Tacoma Water Division. [04.10.1]

Councilmember Rackley moved to approve Resolution 1297. Councilmember Hamilton seconded the motion.

Mayor Young said this action formalizes interties between Bonney Lake and the City of Tacoma on 209th and 112th. Deputy Mayor Swatman asked about the standby charges in the agreement. Operations and Maintenance Supervisor (O&M) Shannon reported that the City of Bonney Lake would be charged \$650 for each month the intertie is used, and that the City of Tacoma, because their connection is through an automatic valve, would be charged an ongoing fee of \$210 per month. He added that the fee charged by Bonney Lake was established in the municipal code. He said that the intertie is a 4 inch line, and the amount of the allowed draw is 450 gpm.

Councilmember Johnson expressed concern that the intertie might be abused to provide for water to the Falling Waters project. Deputy Mayor Swatman added that he feared the intertie would turn into a long-term issue of supply for Falling Waters. He noted that the City of Tacoma has not developed the facilities yet to service this development.

Mayor Young and Councilmember Rackley reminded the Council that this is a temporary,

short-term agreement. They urged Council support as good neighbors. Council discussed some of the technical details of the intertie and were informed by O&M Supervisor Shannon that Tacoma would use telemetry to determine when the automatic valve was opened into their system. As a compromise, Councilmember Hamilton urged the use of a manual valve similar to the valves on the other interties. Councilmember Noble expressed concern with the potential duration of emergency conditions. She reminded Council of the situation last year when Tapps Island declared an emergency and obtained Bonney Lake water, while keeping their golf course watered. O&M Supervisor Shannon said that the intertie agreement is really only to help assure proper fire flow while Tacoma builds its pump station. Mayor Young urged the Council's support for the agreement. He noted that the City of Tacoma is providing the City of Bonney Lake water to meet its needs this summer. He said he would instruct O&M Supervisor Shannon to place the appropriate telemetry on the intertie.

Motion failed 2 – 4. Deputy Mayor Swatman and Councilmembers Johnson, King and Noble voted no.

- D. **AB04-176** – A Motion Of The City Council Of The City Of Bonney Lake Approving And Accepting The Allan Yorke Ball Field Renovation Project by Buckley Nursery Co., Inc. As Complete And Authorizing The Release Of Retainage Upon Completion Of All Closeout Documents. [05.10] [A3.6.10]

Councilmember Noble moved to approve the motion as read. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

VIII. PUBLIC SAFETY COMMITTEE ISSUES: None.

- A. **AB04-167 – Resolution 1294** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Addendum To The Agreement To Participate In The TNET Narcotics Task Force. [01.10]

Councilmember Johnson moved to approve Resolution 1294. Councilmember King seconded the motion.

Mayor Young noted that one of the participants in the original agreement, Sumner, had withdrawn, requiring the other participants to resign the agreement.

Motion approved 6 – 0.

IX. FULL COUNCIL ISSUES:

- A. **AB04-172 – Resolution 1296** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With ARC Architects. [04.4.1]

Mayor Young asked that the Council agree to substitute a revised copy of the agreement for the one included in the packet. He said the attorney had changed some of the technical

provisions dealing with insurance. City Clerk Edvalson noted that the revised agreement had been included the Council's mail boxes on Monday.

Councilmember Rackley moved to adopt Resolution 1296 with the substitute agreement. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman noted that the fee was a flat rate. He asked what would be the effect if the Council chose not to include the Police Department in the new City Hall planning.

Rex Bond, ARC Architects, responded that if they received notice of the change early enough, they would then remove that part of the programming from their efforts. He said the savings would be approximately \$3,000.

Motion approved 6 – 0.

X. EXECUTIVE SESSION

No executive session was held.

XI. ADJOURNMENT

At 8:16 p.m., Councilmember Johnson moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

Harwood T. Edvalson, City Clerk

Robert Young, Mayor