

CITY COUNCIL MEETING

**March 22, 2005
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 pm.

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

B. Roll Call: [A1.3]

Deputy City Clerk Harstad-Everett 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, and Councilmember Cheryle Noble. Councilmember Jim Rackley was absent.

Deputy Mayor requested the Clerk not call the staff roll:

[Staff attending Finance Director John Weidenfeller, Public Works Director Daniel Grigsby, Planning & Community Development Director Bob Leedy, Interim Police Chief Buster McGehee, City Attorney Jim Dionne, Judge Jim Helbling; Court Administrator Kathy Seymour; and Deputy City Clerk Cathy Harstad-Everett.]

Councilmember DeLeo moved to excuse Councilmember Rackley. Councilmember Johnson seconded the motion.

Motion approved 6 – 0.

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

1. Announcements:

Councilmember DeLeo spoke on the Community Summit being held on Thursday March 31st, 2005. He said this is a chance for citizens, parents, legislators and students to meet and work together to help make the community a better place for all to live in.

2. Appointments:

Mayor announced the re-appointment of Jamie Bandon to a full term and the appointment of James Mills to the Design Commission.

3. Presentations: None.

D. Agenda Modifications:

Mayor Young read the proposed Motion of the City Council to Suspend the Council Rules and Procedures to allow a modified agenda format to regroup approval of specific items into a consent agenda and asked the council for a motion to adopt.

Deputy Mayor Swatman moved to approve the motion to allow a consent agenda. Councilmember Johnson seconded the motion.

Motion approved 6 – 0.

Councilmember Noble stated the CDC would like to pull Resolutions #1408 and #1413 under the Community Development Section of the agenda for further discussion at the committee level. Mayor Young said that those items are now pulled from the consent agenda.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: [A3.6.12]

1. **AB05-84 – Resolution 1415** – Disposal of surplus utilities equipment.

Mayor Young opened the Public Hearing at 7:09 pm and asked for any speakers to the issue of surplus equipment. Councilmember DeLeo asked if the refrigerators are operational. Finance Director Weidenfeller answered that he did not believe they are. Mayor Young made three requests for speakers. Hearing none, he closed the Public Hearing at 7:12 pm.

B. Citizen Comments: [A1.5]

Barbara Bledsoe – 7711 191st AVE E – spoke with Mr. Heckert who is working on the Wetlands study and stated he was doing as requested “the NE corner only”. She is concerned that she is not being told all of the facts. She wants the whole area to be studied not just a corner. She was under the impression that the wetlands study would include her property. She is baffled as to what is going on.

Deputy Mayor Swatman asked Director Leedy to provide the whole Council with the Wetlands Study for their review.

David Luce – 7711 191st AVE E – spoke in regards to the Larios short plat. He said the residents are aware that this is a wetland and have been coming to Council meetings to discuss this problem for the last six months. He added that still nothing has been done. He asked what about the whole area. He said that no one seems to understand what the residents want and asked for another study to include the whole area.

Mayor Young asked if the following directions were given to Mr. Heckert “to look at the whole wetlands area (up and down) and to make specific mitigation directions on the Larios property in question”. Director Leedy stated yes those were the directions given and that is what he did. Deputy Mayor Swatman asked the status of the short plat. Director Leedy stated he is not prepared to respond at this time. Mayor Young asked that a full report be given to each councilmember.

Denise Robinson – 7713 191st AVE E – passed out pictures of water standing in her yard and stated she has water in her yard that has not been there for 15 years. She does not feel she created this problem and she does not feel that she should be required to fix the problem. She said the problem goes farther than just the Larios short Plat, and she feels she has been lied to concerning the whole project. She asked the council what they were going to do and if the citizens of the area going to get the survey they want.

Mayor Young stated the problem is much bigger than just the mitigation of the Larios short plat and asked Director Leedy if some action is being taken.

Mayor and Councilmember’s discussed the impact of storm drains and what they will accomplish. The Council requested that the Public Works Director bring recommendations to the

Council. Councilmember Hamilton spoke on the issue and asked for answers as to the stormwater issue.

Grant Sulham – 1005 183rd St – Passed out to the Council a report on the success of the Radar Unit on Sky Island. He also gave thanks to the Police Department for their helpfulness and for the use of the radar unit on Sky Island. He wanted the council to know he is a strong advocate of having stop signs on Sky Island.

Councilmember King noted that the person using the radar trailer is also able to note the license numbers and phone them in. Deputy Mayor Swatman asked if the trailer could be modified to be made a “Stealth” model. Mayor Young said staff will have this researched. Mayor Young asked Director Leedy to check into a solution to the problem in regards to this stormwater issue.

Jessica Larios – 7720 – 190th Ave E - Stated the drainage problem was there before she cut a tree. She spoke in regards to the stormwater issues within her proposed short plat and the need for storm drainage for the impervious surface. She spoke about tree buffers and feels that an impartial study of the wetlands should be done to prepare for the storm drainage issue. She stated she only has 5,000 sq. ft. of impervious surface that she is responsible for stormwater on.

Debbie Eastman - 19105 - 79th ST E – spoke on the stormwater issue and the infiltration trenches. She feels the tree buffer had been broken with the trees being cut on the Larios property. She added that all the lands surrounding will be flooded until something is done. She said the trees are a natural absorption of the water, and that now they are gone, the water has to go somewhere. She said she is not affected yet, but being downstream, will be in the future if the continued stripping of the trees is allowed.

Sharilyn Anderson – 18207 - 74 ST E – said she had no idea fellow citizens were having problems, but that this is the perfect night to talk about a “Tree Ordinance”. She said she is here with the Lake Bonney Conservation Association. She said the Association has partnered with the Stream Team in planting trees which will provide a buffer. She expressed thanks to the City for Resolution 1406, and spoke on the education needed and the need to create a pamphlet. She also spoke about Earth Day and the need to have an attendee at the WAPA Conference on April 29th.

Councilmember King asked about the arborist the city is going to employ. Director Leedy stated the RFP’s have been sent.

Winona Jacobsen – 9100 -189th AVE CT E – Stated she was here in regards to “Area-56” specifically the area of 8710 188th AVE E owned by Michelle Gunn. She is very concerned in the City’s lack of concern with the destruction of the neighborhood’s property by allowing a commercial venture to destroy the neighborhood. She provided the Council with a petition signed by the surrounding neighbors of this proposed expansion of a commercial business. She said the petition urges the Planning Commission, the Mayor and the Council to vote to re-zone “Area 56” from C2 commercial to R2 residential as stated in the Bpnney Lake Comprehensive Plan. The area in question is located at 188th Avenue East and 88TH Street.

Councilmember’s Hamilton and DeLeo both spoke about the tree issue on personal property.

Dana McCauley – 18211 74th St E – said she is here with the Lake Bonney group to request the council take a look again at developing a park on the site, possibly with interpretive signage.

Mayor will inform the Park Board and ask them to consider the request. Councilmember Johnson asked that the Stream Team be informed of the Park Board meetings. Councilmember Johnson asked her to get information to him for the "Council Corner" he also asked for the use of the "Trash bags" for the Earth Day cleanup.

Michelle Gunn – 8710 – 188th Avenue E – handed out packets to the council and spoke with regards to the tree cutting on her property. She said she was first informed no tree cutting permit was required. But in making sure, she asked again, and was told that a permit was needed with a letter from the person doing the work, no arborist was required, as this was a commercial venture not a residential cutting. She said these trees were considered dangerous and needed to be removed with possible replacement of trees of other types. She wants to know why the Stop Work Order is still in place?

Councilmember Hamilton asked if the Stop Work was still in place. To which director Leedy replied, No.

Councilmember King asked for a 10 minute break following Council Committee Reports; Noble seconded the motion.

C. Correspondence: NONE

III. COUNCIL COMMITTEE REPORTS: [A3.6.4]

A. Finance Committee

Deputy Mayor Swatman reported on the items before the Finance Committee to include substitute Resolution #1402 and the proposed Master Business Licensing partnership program with the state; Cellular Towers; the Community Summit; and a \$500.00 contribution to the STARR program.

B. Community Development Committee

Councilmember Noble reported that Resolution #1412 is before the Council this evening and that the other two Resolutions, #1408 and # 1413 have been pulled from the agenda.

C. Public Safety Committee

Councilmember DeLeo reported that the Committee has not met since the last council meeting He added, however, that Resolution #1113 is before the Council tonight.

D. Other Reports

Councilmember King reported that the PCRC has not received the City's ratification of the County-wide Planning Policies. Mayor Young said he will check on the matter.

Mayor Young called for a break in the meeting at 8:33 p.m. The meeting was reconvened at 8:48 p.m.

IV. CONSENT AGENDA: [A3.6] -

Councilmember Noble moved to approve Items A – J on the Consent Agenda. Deputy Mayor Swatman seconded the motion.

Councilmember DeLeo asked for item “G” to be pulled for further discussion. Councilmember Hamilton asked for clarification on item “D”. Director Leedy replied this contract is needed for the expertise and resources to dispose of property no longer needed. He added that these situations arise from time to time. Councilmember Hamilton inquired if this could be for the acquisition of Park Lands. Director Leedy responded, yes, that this would be one use. Swatman asked for item D to be pulled and brought to the next workshop. Councilmember Johnson questioned item “F” and the fact that it is a private lake;

Councilmember King stated we can’t use Public Monies for Private issues although an aquatic control plan would ultimately affect all waterways in an environmental way. Councilmember DeLeo said he feels we should use public funds to educate the public. Councilmember King agreed that the educational effects should be for all but not the public monies. He suggested that item “F” be pulled and brought to the workshop after further review by the City Attorney. Deputy Mayor Swatman countered that if the Council wishes to do something cooperatively with the Lake Debra Jane Homeowner’s, then another contract would be appropriate. Mayor Young suggested that this agreement go forward and the topic discussed further at a future workshop.

- A. **Approval Of Corrected Meeting Minutes:** March 1st Council Workshop and March 8th Council Meeting. [A3.6.2]
- B. **Claims:** Accounts payable checks/voucher #39944 thru 40061 and Wire Transfer #1151783 in the amount of \$532,075.68. [F4.9]
- C. **Payroll:** Payroll for March 1-15, 2005 for checks 23490-23539, including Deposits and Electronic Transfers in the amount of \$234,517.90. [F4.9]
- D. **AB05-42 – Resolution 1384** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Viewpoint Realty For Professional Services. [A3.14]
- E. **AB05-68 – Resolution 1404** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With The Sumner School District And The City Of Bonney Lake Relating To The Joint Funding Of The Coordinator/Community Organizer Position Of The Sumner Family Center. [O5.7]
- F. **AB05-74 – Resolution 1406** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Northwest Aquatic Eco-Systems. [O4.10.1]
- G. **AB05-79 – Resolution 1411** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Award Of The 190th Ave. E. Water Main Replacement Project To Nova Contracting, Inc. [O4.10.1]
- H. **AB05-87 – Resolution 1416** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With The Washington State Administrative Office Of The Courts. [A3.16.3]
- I. **AB05-88 – Resolution 1417** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Change Order To The Contract With HDR/EES To Develop A Methodology For Calculating Stormwater System Development Charges. [O4.7.1]
- J. **AB05-96** – A Motion Of The Bonney Lake City Council Setting A Public Hearing For April 19, 2005 During The Regular Council Meeting Held At 19306 Bonney Lake Blvd., Which

Starts At 7:00 P.M., For The Purpose Of Receiving Public Input On The Formation Of Local Improvement District 2005-1. [A3.6.10][A3.6.12]

Mayor Young asked for council approval of the consent agenda with the exception of items “D” and “G” which will be dealt with later.

Motion approved 6 – 0.

Councilmember DeLeo moved to provide the STARR program with \$500.00 in support of the Community Summit. Councilmember Noble seconded the motion.

Motion approved 6 – 0.

ITEM D:

AB05-42 – Resolution 1384 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Viewpoint Realty For Professional Services. [A3.14]

Councilmember Hamilton moved to adopt Resolution 1384. Deputy Mayor Swatman seconded the motion.

Deputy Mayor Swatman said he feels this is proposed action is overkill and possibly a conflict of interest. Councilmember DeLeo said he feels it should be more specific and include a description of the fees. Councilmembers DeLeo and Johnson suggested that a RFP be sent to all realtors with established parameters. Councilmember Hamilton asked how this realtor was selected. Director Leedy responded that this realtor has done work for the City in the past and has a strong knowledge of the area.

Councilmember King moved to table Resolution 1384 to the next workshop. Councilmember Noble seconded the motion.

Motion approved 6 – 0.

Councilmember King suggested that Mr. Stratton be invited to the workshop.

ITEM G:

AB05-79 – Resolution 1411 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Award Of The 190th Ave. E. Water Main Replacement Project To Nova Contracting, Inc. [O4.10.1]

Councilmember Hamilton moved to adopt Ordinance 1411. Councilmember Noble seconded the motion.

Councilmember DeLeo said he asked for discussion because the spreadsheet budgeted amount is not the same figure before the Council and as reviewed by the City Attorney. Director Grigsby explained the budgeted amount as being in portions. He said this is not all of the budgeted amount, but usage to date. He added that the bid packet has been reviewed by City Attorney.

Motion approved 5-1. Councilmember DeLeo voted no.

V. FINANCE COMMITTEE ISSUES:

- A. **AB05-85 – Ordinance 1111** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Transferring Funds. [F4.7] (Transferring Funds From The Garbage Utility To The Street Fund Per Council Direction.)

Councilmember King moved to adopt Ordinance 1111. Councilmember Johnson seconded the motion.

Motion approved 6 - 0.

- B. **SUBSTITUTE - AB05-66 – Resolution 1402** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With The Transpo Group For The 20-Year Transportation Plan and authorizing the use of reserve amounts from the transportation impact fee fund to pay for this expenditure. [O4.8.1]

Councilmember Johnson moved to approve this resolution. Councilmember Hamilton seconded the motion.

Councilmember DeLeo asked if the resolution should reflect the impact fee amount. Director Grigsby stated that it should. Councilmember Noble reminded the Council of their decision to not spend fund balance without the Council approval. Director Grigsby responded that the reserve from the TIP will be used. Councilmember King spoke on the Vision 2030 Transportation Plan and the need to be consistent, and to include players from all levels of the government.

Motion carried 6- 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

- A. ~~**AB05-76 – Resolution 1408** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developer Extension Agreement With Buffington Development Company For The Forest Canyon Estates Development. [A3.13.7]~~
This item was pulled from the agenda. (See Agenda Modifications above.)

- B. **AB05-80 – Resolution 1412** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Parametrix For The 192nd Corridor Study. [O4.8.2]

Councilmember Hamilton moved to approve Resolution 1412. Councilmember Noble seconded the motion.

Public Works director Grigsby spoke on the issue explaining some of the problems and solutions for the connection of 192nd Ave.

Motion carried 6 - 0.

- C. ~~**AB05-82 – Resolution 1413** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Annexation And Utilities Agreements With Renae Carnay For Parcels~~

~~0520074028 And 0520074029 And With Kenneth Atkinson For Parcels 0520074015, 0520074030, 0520074031, And 0520074033 For Forest Canyon Estates Development. [A3.13.12]~~
This item was pulled from the agenda. (See Agenda Modifications above.)

VII. PUBLIC SAFETY COMMITTEE ISSUES:

- A. **AB05-89 – Ordinance 1113** - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Adding A New Section 9.42.040 Of The Bonney Lake Municipal Code, Relating To Offenses To School Property And Personnel. [A3.5.5] [O1.8.16]

Councilmember Hamilton moved to adopt Ordinance 1113. Councilmember Johnson seconded the motion.

Motion approved 6 – 0.

VIII. FULL COUNCIL ISSUES:

- A. **A Motion** of the Bonney Lake City Council To Waive The Council Policies And Procedures To Consider An additional Resolution.

Councilmember King moved to waive the Council policies and procedures and add Resolution #1415 for Council Consideration. Councilmember Johnson seconded the motion.

Motion carried 6 – 0

- B. **AB05-84 – Resolution 1415** - 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 DeLeo moved to adopt Resolution 1415. Councilmember Johnson seconded the motion.

Motion carried 6 - 0

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT –

Councilmember Hamilton motioned to adjourn at 9:20 pm; Councilmember Noble Seconded.

Motion carried 6 - 0

Documents submitted for or at the Council Meeting of March 22, 2005:

- City of Bonney Lake – *Copy of Community Summit Brochure.*
- Bonney Lake Citizen – *Standing Water Pictures* – Denise Robinson.
- Bonney Lake Citizen – *Letter re: Radar Trailer* – Grant Sulham.

- Bonney Lake Citizen – *Tree Cutting Information Packet* – Michelle Gunn
- Bonney Lake Citizen – *Two Plat Maps – Larios Property* – Lynn Storrs
- Bonney Lake Citizen – *Petition Regarding Rezone of Area 56* – Winona Jacobsen

Cathy Harstad-Everett
Deputy City Clerk

Robert Young, Mayor