

CITY COUNCIL MEETING

City of

**December 13, 2005
7:00 P.M.**

MINUTES



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"

Audio Time
Stamp ↓

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 7:07 p.m.

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

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

Staff members present were Administrative Services Coordinator Don Morrison, Finance Director John Weidenfeller, Planning and Community Development Director Bob Leedy, Public Works Director Daniel Grigsby, Interim Police Chief 'Buster' McGehee, Judge James Helbling, City Attorney Jim Dionne, Planning Manager Steve Ladd, Court Administrator Kathy Seymour and City Clerk Harwood Edvalson.

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

- 1. Announcements: None
- 2. Appointments: None.
- 3. Presentations:

- a. Proclamation – Healthy Youth Awareness Year – 2006.

Deputy Mayor Swatman read a proclamation from Mayor Young proclaiming 2006 as the Health Youth Awareness Year. Fred Whang, representing the American Leadership Forum, said that this non-profit organization looked at the problems associated with childhood obesity and developed a program to help the youth lead and mentor one another to a healthier lifestyle. He expressed hope that youth from Bonney Lake would have the opportunity to participate in the program in the coming year or two. He thanked the City for the proclamation of support.

- b. Oaths of Office.

City Clerk Edvalson administered the Oath of Office to Judge James Helbling for his next four year term on the Bonney Lake Municipal Court

7:08:22

7:12:55

Bench. Judge Helbling praised Court Administrator Seymour and the other court staff for their dedicated work. Judge Helbling then administered the Oath of Office to Mayor-elect Neil Johnson and Councilmembers-elect David Bowen, David King and Daniel Swatman.

At 7:20 p.m., Deputy Mayor Swatman called for a 15 minute break for a small reception honoring Judge Helbling for his twenty-years of service with the Bonney Lake Court. The meeting resumed at 7:36 p.m.

7:36:39

D. Agenda Modifications

1. **Deputy Mayor Swatman moved to add AB05-313 – Resolution 1516 to the agenda under Finance Committee Issues, V(A) and AB05-303 – Final Plat Approval for Woodland Meadows under Community Development Issues VI(B). Councilmember Rackley seconded the motion.**

Motion approved 7 – 0.

7:37:54

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

A. Public Hearings: [A3.6.12]

1. **AB05-249** - Final Public Hearing for the 2006 Budget.

Deputy Mayor Swatman opened the public hearing at 7:38 p.m. There were no speakers. Deputy Mayor Swatman closed the public hearing at 7:38 p.m.

2. **AB05-296** – Surplus and Disposal of Utilities Equipment.

Deputy Mayor Swatman opened the public hearing at 7:38 p.m. There were no speakers. Deputy Mayor Swatman closed the public hearing at 7:39 p.m.

7:39:22

B. Citizen Comments:

Keith Stanley, 10900 193rd Ave. E., President of the Bonney Lake Manor Homeowners Association, identified several residents of his neighborhood in attendance. He urged the Council to support the connection of 189th Ave. E. to the 192nd Ave. E. corridor. He cited public safety response times and access in support of his position. He noted that 189th Ave. E. was designed as a through street once 192nd Ave. E. is developed. He said this connection would reduce the current traffic conditions at 192nd Ave. E and 109th St. E. He urged the installation of sidewalks as an additional safety consideration.

Councilmember Hamilton asked if the same congestion at 109th St. E. existed at the intersection of 192nd and 111th. Mr. Stanley responded that he did not know, but observed that there is no cross traffic at that intersection. He reiterated his and the neighbors concerns for speeding and the need for sidewalks.

Louisa Smith, 20112 Church Lake Road, spoke of the increased work load of the

court staff over the years and expressed support for the current staffing level. She also discussed the Christmas Tree at Ascent Park. She reminded the Council that the tree was purchased with the Council discretionary funds of former Councilmember Diane Marshall for the benefit of the community.

Councilmember Rackley said that he has heard comments from others that the City of Bonney Lake has one of the most professional court systems in the state.

Jamie Brennan, 11014 193rd Ave. E., spoke in support of the installation of sidewalks or paved walking paths on 192nd Ave. E. He said he obtained a quote for an asphalt sidewalk of about \$18,000. He said there is a lot of foot traffic that is trying to safely negotiate the street's shoulders.

Deputy Mayor Swatman said the Council will be working with residents on a sidewalk plan.

Dan Decker, 20401 70th St. E., expressed congratulations to Mayor-elect Johnson and Councilmembers-elect Bowen, King and Swatman. He said he is looking forward to the New Year. He said he is contemplating one recall of a Councilmember who has violated the law.

Councilmember King said that at this last official Council meeting of the year, it would be appropriate to recognize the 100 or so employees who have been involved in an incredibly busy year for the City of Bonney Lake. He noted the hard work of all the appointed Boards and Commissions as well. He asked that department heads express the Council's appreciation to their fellow employees.

C. Correspondence: None.

7:57:29

III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

A. Finance Committee

Deputy Mayor Swatman said the Finance Committee met earlier in the evening and discussed the following:

1. Resolution 1516 for payment or carryover of excess vacation time for Judge Helbling and Court Administrator Kathy Seymour;
2. Resolution 1515 for the surplus of equipment;
3. Ordinance 1168 which is a substitute ordinance for 2005 Budget Amendment;
4. AB05-310 accepting a \$2700 Local Records Grant; and
5. Resolution 1517 regarding a retail lock-box service.
- 6.

B. Community Development Committee

Councilmember Rackley said the Committee met on December 5th. He noted that their regular meeting of December 19th is canceled. The Committee discussed the following:

1. Latecomer payments for Crystal Meadows;
2. A developer extension agreement with Vanderhoek;
3. The City Hall Roof Replacement Project;
4. An annexation and utilities extension agreement with Forest Canyon Estates;
5. Completion of the refurbishing of the Tacoma Point Wells; and
6. The final plat approval for Woodland Meadows.

C. Public Safety Committee

Councilmember DeLeo said the Public Safety Committee met on Monday, December 5th. He said the one item coming forward from the meeting to the Council agenda is the agreement with Sumner for animal control.

Other Reports:

Councilmember Rackley distributed a newsletter from the Puyallup River Watershed Council. He said he will keep the Council informed, and has been attending the Council meetings for about one year.

8:01:00

IV. **CONSENT AGENDA:** [A3.6]

Councilmember Noble moved to approve the Consent Agenda. Councilmember Rackley seconded the motion. Councilmember DeLeo asked that agenda items G and K be removed for further discussion. Deputy Mayor Swatman said the items would be added as Items G and H under the Full Council Issues section of the agenda.

City Clerk Edvalson read the titles of the ordinances remaining on the Consent Agenda.

- A. **Approval of Corrected Minutes:** November 15 Council Workshop and November 22 Council Meeting.
- B. **Checks/Vouchers:** Accounts payable checks/voucher #42347 thru #42487 and Wire Transfer #110405123 in the amount of \$1,741,853.94. Utility Refund checks/vouchers #42488 thru # 42545 in the amount of \$4,398.44. Accounts payable checks/voucher #42546 in the amount of \$9912.50. [F4.9]
- C. **Payroll:** Payroll for November 16-30, 2005 for checks #24390-24440, including Deposits and Electronic Transfers in the amount of \$348,319.83. [F4.9]
- D. **AB05-270 – Ordinance 1172** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance No. 1090, Relating To The Acquisition Of Real Property By Purchase Or Condemnation. [A3.13.3.3]
- E. **AB05-82 – Resolution 1413** – A Resolution Of The City Council 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]
- F. **AB05-196 – Resolution 1472** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Disposal Of Surplus Materials In Accordance With The Provisions Outlined By Ordinance 872. [F4.6.3]

- ~~G. **AB05-306 – Resolution 1513** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing And Directing The Hearing Examiner To Determine Whether A Violation Of The BLMC Has Occurred And Whether Abatement By The City Should Proceed. [06.9]~~
- H. **AB05-307** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Authorizing The Finance Director To Approve Payment Of Accounts Payable And Payroll Between The Dates Of December 14 And December 31, 2005. [A3.6.10] [F4.8]
- I. **AB05-308 – Resolution 1514** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Fields Roof Service, Inc. For The City Hall Mansard Roof Replacement. [04.4.1]
- J. **AB05-309** – A Motion of the City Council Of the City of Bonney Lake, Pierce County, Washington Accepting The Tacoma Point Control Retrofit Project As Complete. [A3.6.10] [04.10.1]
- ~~K. **AB05-310** – A Motion Of The Bonney Lake City Council Authorizing The Mayor To Accept A Local Records Express Grant In The Amount Of \$2,700. [F5.2.12] [A3.6.10]~~
- L. **AB05-314** – A Motion Of The Bonney Lake City Council To Waive Council Policies And Procedures (BLMC 2.04.710) To Allow Action On The Same Agenda Following A Public Hearing For Agenda Bills AB05-249 And AB05-296. [A1.1.2][A3.6.10]

Amended motion approved 7 – 0.

8:04:57

V. FINANCE COMMITTEE ISSUES:

- A. **AB05-313 – Resolution 1516** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Judge Jim Helbling And Court Administrator Kathy Seymour To Be Paid For Or To Carryover Leave In Excess Of The 30-Days Maximum Authorized Vacation Carryover.

Councilmember DeLeo moved to approve Resolution 1516. Councilmember Rackley seconded the motion.

The City Council discussed the accumulation of excess vacation for these two employees. Councilmember Rackley indicated that the Finance Committee had expressed hope that a working solution to this continuing situation would be reached during the First Quarter of 2006. After further discussion, there was consensus to pay-off the excess accumulation of vacation for Court Administrator Seymour and to carry-over Judge Helbling's vacation for another year. The Council strongly encouraged the use of vacation by these two employees.

Motion approved 7 – 0.

8:08:46

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB05-300 – Resolution 1512** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developer Extension Agreement With Vanderhoek, LLC. For Tapps Meadows. [A3.13.7]

Councilmember Hamilton moved to approve Resolution 1512. Councilmember King Rackley seconded the motion.

Motion approved 7 – 0.

- B. **AB05-303** – A Motion Of The Bonney Lake City Council Approve And Accept The Final Plat For The Woodland Meadows.

Councilmember Rackley moved to approve and accept the final plat for Woodland Meadows. Councilmember Hamilton seconded the motion.

Councilmember Rackley explained that this is a 20-unit development within the City limits.

Motion approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

8:10:34

VIII. FULL COUNCIL ISSUES:

- A. **AB05-251 – Ordinance 1168** – An Ordinance Of The City Of Bonney Lake, Washington, Amending The Annual Budget For The Calendar Year 2005. [F3.8]

Councilmember Rackley moved to adopt substitute Ordinance 1168. Councilmember Noble seconded the motion.

Director Weidenfeller explained that the substitute ordinance addresses the adjusted expenditures, appropriations and encumbrances for the Drug Fund. He said the other budget amendments reflect the various changes made by Council throughout the year.

Motion approved 7 – 0.

- B. **AB05-252 – Ordinance 1169** – An Ordinance Of The City Of Bonney Lake, Washington, Adopting The Annual Budget For The Calendar Year 2006. [F3.9]

Councilmember Rackley moved to adopt Ordinance 1169. Councilmember Noble seconded the motion.

Deputy Mayor Swatman challenged the new mayor to review and revise this adopted budget. Councilmember King asked for confirmation that this proposed budget has not been modified from the last workshop. Director

Weidenfeller said it was not. Councilmember DeLeo asked about the General Fund and the differences in the figures between 2005 and proposed for 2006. Director Weidenfeller explained that the figures in the 2005 budget were amended by the Council at their meeting of March 8, 2005.

Motion approved 7 – 0.

- C. **AB05-253 – Ordinance 1170** – An Ordinance Of The City Of Bonney Lake, Washington, Establishing The Non-Union Salary Scale For 2006. [A4.3.1]

Councilmember Rackley moved to adopt Ordinance 1170. Councilmember Noble seconded the motion.

Deputy Mayor Swatman discussed the differences between the ordinance found in the Council packet and a substitute ordinance that was distributed late last week. Councilmembers Rackley and Noble agreed to the substitution of the proposed ordinance in place of the one in the packet. The ordinance title remained unchanged. Deputy Mayor Swatman challenged Mayor-elect Johnson to go back through the compensation scheme for the exempt employees and recommend changes to the Council.

Councilmember Rackley moved to amend the ordinance by adding the following, “Employee Don Morrison shall receive the dollar equivalent of six additional days of pay in January 2006 for the work he performs in January.” Deputy Mayor Swatman seconded the motion.

**Motion to amend approved 6 – 1.
Councilmember Hamilton voted no.**

Amended main motion approved 7 – 0.

- D. **AB05-311 – Ordinance 1177** - An Ordinance Of The City Of Bonney Lake, Washington, Adopting Certain Group I Year 2005 Comprehensive Plan Amendments. [O3.5.2]
1. Bart Tracy Change of Future Land Use Map (FLUM) designation to Multi-Family; and
 2. Deletion of the 300-foot FLUM gradations; and
 3. ~~UGA Expansion for Falling Water, Creekridge Glen and nearby lands~~ (Withdrawn);
 4. Changing FLUM designation and zoning for Clearwater from C-2/C-3 to R-2; and
 5. UGA expansion for 96th St. E. right-of-way and the Peaking Storage Tank site; and
 6. Economic Development Plan; and
 7. Eastown Plan; and
 8. Include 104th St. improvement as a Traffic-Impact-Fee fundable project; and
 9. Include acquisition of Moriarty Property as a Parks-Impact-Fee fundable project.

**Councilmember Rackley moved the adoption of Ordinance 1177.
Councilmember Hamilton seconded the motion.**

The City Council discussed with the City Attorney the appropriate way to discuss and approve this ordinance dealing with multiple amendments to the Comprehensive Plan. There was a general consensus to discuss the ordinance as a whole and make any appropriate amendments.

Councilmember King spoke in favor of the staff recommendation to deny the Bart Tracy Application. He also suggested additional emphasis to the exclusion of Falling Waters and Creekridge Glen from the City's Urban Growth Area. There was general consensus on the part of the Council.

Councilmember King moved to amend Section 3 to read as follows: "The City denies the proposal to expand the urban growth area to include Falling Waters, Creekridge Glen and other rural lands." Councilmember Noble seconded the motion.

Motion to amend approved 7 – 0.

Amended original motion approved 7 – 0.

- E. **AB05-263 – Resolution 1501** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Interlocal Agreement With The City Of Sumner For Animal Control Services For The Period Of One Year (January 1, 2006 – December 31, 2006). [01.1]

The item was put on the floor for consideration by common consent of the Council. Deputy Mayor Swatman encouraged the City to be its own and perhaps a regional provider of animal control services. Councilmember King thanked Interim Chief McGehee for his successful negotiation of this transition in service from the Humane Society to the City of Sumner. He suggested there may be a better way to provide for the service in the future and encouraged the City to reach out to local veterinarians in Bonney Lake for assistance. Councilmember Johnson said that this item will be on the administration's agenda for 2006.

Motion approved 7 – 0.

- F. **AB05-312 – Resolution 1515** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Disposal Of Surplus Materials In Accordance With The Provisions Outlined By Ordinance 872. [F4.6.3] (Utilities Items.)

Councilmember Noble moved to approve Resolution 1515. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

- G. **AB05-306 – Resolution 1513** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing And Directing The Hearing

Examiner To Determine Whether A Violation Of The BLMC Has Occurred And Whether Abatement By The City Should Proceed. [O6.9]

Councilmember Noble moved to approve Resolution 1513. Councilmember Johnson seconded the motion.

Councilmember DeLeo explained that he didn't feel the action was appropriate for the consent agenda. He thanked Code Enforcement and the Planning and Community Development staff for the work done on this issue.

Motion approved 7 – 0.

- H. **AB05-310** – A Motion Of The Bonney Lake City Council Authorizing The Mayor To Accept A Local Records Express Grant In The Amount Of \$2,700. [F5.2.12] [A3.6.10]

This item was put on the floor by common consent of the Council. Councilmember DeLeo said he asked that this item be moved from the Consent Agenda because the Council had not had an opportunity to consider it. Deputy Mayor Swatman reported that it had been discussed in the Finance Committee Meeting earlier in the evening. Councilmember King said he was pleased the state was granted funds to preserve records in the microfilm format. Councilmember DeLeo asked how the funds would be expended. City Clerk Edvalson said the grant will be used to microfilm commercial building permit records for preservation in the State Archives. He added that the Department of Planning and Community Development had agreed to dedicate the appropriate staff time to prepare the documents for filming.

Motion approved 7 – 0.

8:43:29

- IX. EXECUTIVE SESSION:** Pursuant to RCW 42.30.40(4)(a), Deputy Mayor Swatman announced the Council will meet in executive session for 30 minutes to discuss labor negotiations. The executive session commenced at 8:45 p.m. At 9:19 p.m., the Council extended their executive session for another 5 minutes.

- X. ADJOURNMENT**

At 9:25 p.m., Councilmember Noble moved to adjourn the meeting. Councilmember Johnson seconded the motion.

Motion approved 7 – 0.

Documents submitted for or at the Council Meeting of December 13, 2005:

- City of Bonney Lake – *AB05-303 Approval of Woodland Meadows Final Plat* – Harwood Edvalson, City Clerk.
- City of Bonney Lake – *AB05-313 – Resolution 1615* – John Weidenfeller, Finance Director.
- City of Bonney Lake – *AB05-251 – Ordinance 1168(Amended)* – John Weidenfeller, Finance Director.