

CITY COUNCIL MEETING

City of

**January 24, 2006
7:00 P.M.**



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.

MINUTES

"Where Dreams Can Soar"

Audio Time
Stamp ↓

I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:01 p.m.

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

City Clerk Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley. Councilmember Mark Hamilton was absent.

Staff members present were Administrative Services Coordinator Don Morrison, Planning and Community Development Director Bob Leedy, Public Works Director Daniel Grigsby, Interim Police Chief 'Buster' McGehee, Judge James Helbling, City Attorney Jim Dionne, Senior Human Resources Analyst Jennifer Young and City Clerk Harwood Edvalson.

Councilmember Noble moved to excuse Councilmember Hamilton who was absent from the meeting due to illness. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

- C. Announcements, Appointments and Presentations [A3.6.9]
 - 1. Announcements: None.
 - 2. Appointments: None.
 - 3. Presentations: None.

7:02:50

D. Agenda Modifications:

Deputy Mayor Swatman moved to remove Item VA. from the Council agenda. Councilmember Noble seconded the motion.

Asked for an explanation, Deputy Mayor Swatman said that the administration had decided during the Finance Committee that further review of the issue was needed.

Motion approved 6 – 0.**II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE**

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

B. Citizen Comments:

7:03:55

Kathleen Edmund, 10705 189th Ave. E., thanked the Mayor and Council for the Town Hall meetings. She said it is a great way to get citizens involved and encouraged more meetings in the future. She suggested a quarterly update of Council actions and issues in the Bonney Lake Courier-Herald. She also expressed concern for the design of the 192nd Ave. corridor with only one turn lane. She said the corridor needs lighted crosswalks, sidewalks, street lights, etc.

Dan Rattenbury, 18406 Old Sumner-Buckley Hwy., speaking on behalf of a Chamber of Commerce Committee, proposed sign code changes with respect to the length of time for banners and the number of times per year, as well as, offsite signage. He asked Council for background behind the prohibition against offsite signage and for direction on how to proceed with recommended changes.

Councilmembers DeLeo, King and Rackley referred to the proliferation of sandwich board signs on SR410 as an example of undesirable impacts of offsite signs. Mr. Rattenbury said that inconsistent enforcement of the sign code is a problem. He said at times the code is fully enforced, while at other times there is no enforcement. There was general consensus of the Council to invite Mr. Rattenbury to propose any sign code changes to the Planning Commission for initial consideration.

Victoria Divis, 18941 109th St. Ct. E., spoke in opposition to the proposed connection of 189th Ave. E. to 192nd Ave. E. She pointed out that there are many dead end streets in Bonney Lake and questioned the need to connect this one. She emphasized the family and pedestrian oriented neighborhood that would be negatively impacted by the connection. She said the traffic signal contemplated in the 192nd Ave. corridor will divert traffic through her neighborhood. She suggested that money intended to fund the connection be used for sidewalks and lighted crosswalks to increase the safety for walking school-aged children.

Councilmember King asked Ms. Divis to clarify whether her neighborhood already has sidewalks. Ms. Divis responded that her request was that the money be used for sidewalks in the general area where they would best serve the pedestrians. Councilmember Rackley and Director Grigsby clarified that no signal is currently contemplated at the 104th and 192nd Ave. E. intersection. He said there will be a stop sign and turn lane, but no signal.

Ken Johnson, 10813 189th Ave. E., spoke against the additional connection for 189th Ave. E. He said drivers are like water that seeks the path of least resistance. He said the connection through the cul-de-sac would open a new path for traffic-frustrated

drivers right through his neighborhood. He asked to see any study that showed the number of cars anticipated to use 189th Ave. E. He invited the Council to come out to his neighborhood and see the area. He encouraged the use of funds to light crosswalks, streets and school zones on 192nd.

Tom Kennedy, 10206 200th Ave. Ct. E., spoke as the President of the Brookwater Homeowners Association. He said the developers looking at a big box store on an adjacent property are exploring the use of a roundabout at the intersection of 200th Ave. Ct. E. and 100th Ct. E. He said his research has indicated that a roundabout that meets proper design criteria can be very effective. He urged the City to allow such uses. He presented the covers of reports he had obtained about roundabouts, including email addresses if the Council would like to read them online.

Deputy Mayor Swatman asked if the roundabouts can handle multiple lanes, and if the proposed developer is funding the study. Mr. Kennedy responded yes to both questions. Councilmember Rackley said he has observed well-functioning roundabouts in Gig Harbor and Europe.

C. Correspondence: None.

7:34:55

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 1517, which was pulled from the Council agenda;
2. Preliminary recommendations from Finance Department consultants; and
3. Introduction of an administrative reorganization proposed by Mayor Johnson.

Deputy Mayor Swatman explained that the consultants were pleased with the current Finance Department staff. He said they are proposing a restructuring of the City's budget. Administrative Services Coordinator Morrison said the administrative reorganization will be discussed at the next Council workshop. He added that he intends to provide Council with materials a week before the workshop. Mayor Johnson explained that this is a first phase of reorganizations, and that Finance and Police proposals will be brought forward after full-time regular managers of those areas are determined and can provide input.

B. Community Development Committee

Councilmember Rackley said the Committee met on January 18th and forwarded four items to the Council agenda. He said the most controversial item may be the water developer extension agreement for Lakeland Area 20. He said the committee urged approval of all the items.

C. Public Safety Committee

Councilmember DeLeo said the Public Safety Committee has not met since the last Council meeting.

D. Other Reports:

Councilmember Noble said she attended the grand opening of the Crystal Judson Domestic Violence Center on January 18th. She added that the Public Safety Committee could look forward to her bringing forward some domestic violence issues for the Committee to consider.

Deputy Mayor Swatman said the Water Resources Committee, including himself, Mayor Johnson and Councilmembers Rackley and DeLeo met for a two hour session with consultants and staff. Director Grigsby said he, City Engineer Woodcock, Assistant City Engineer Budzynski, Maintenance, Operations Manager Shannon and consultant Geoff Dillard were also in attendance. Deputy Mayor Swatman said that after further analysis, development of the large water storage tank seems appropriate. He asked Director Grigsby to comment on the current survey of the sewer interceptor.

Director Grigsby reported that the sewer lines from Meyers Road to the treatment plant are being video-surveyed. He said some problems have been identified, and more may be located before the survey is complete. Councilmember King thanked the Public Works Department for the presentation. He said a fresh look at the issues was important. He said he is glad the City adopted a rate plan for water and sewer fees that can deal with these unforeseen repair needs. He thanked the City staff and DDJ Construction for their rapid reaction to the repair emergency. Director Grigsby said the repairs at the emergency site have been completed and done so well that it is difficult to tell there was a repair made. Councilmember Rackley invited the Council to go to the Annex to see the sections of pipe and corrosion issues being identified.

Councilmember King reported on his attendance at the Pierce County Regional Committee meeting on January 19th. He informed the Councilmembers of the upcoming PCRC General Assembly meeting on February 16th at Bates Technical College South Campus. He outlined some of the topics of the meeting and encouraged all Councilmembers to attend. Councilmember King also called the Council's attention to the Puget Sound Regional Council's Vision 2020+20 brochure and suggested it was a reference worth retaining.

Mayor Johnson said that reports of the Town Hall meetings have been very positive. He thanked the Council and staff for their participation and support. He added that there will be similar meetings in the future.

7:51:12

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

Councilmember DeLeo asked to have Items D, E, F and G removed from the Consent Agenda. He explained that he believes the Consent Agenda should not include agreements

and contracts so that the public can hear and speak about these. He suggested the items be moved to the Community Development Committee portion of the meeting.

**Deputy Mayor Swatman moved to approve the Consent Agenda as modified.
Councilmember King seconded the motion.**

- A. **Approval of Corrected Minutes:** January 3rd Council Workshop and January 10th Council Meeting.
- B. **Checks/Vouchers:** 2005 Expenditures: Accounts payable checks/voucher #42744 thru #42828, and 42865 and Wire Transfer #1684639 in the amount of \$632,411.97. 2006 Expenditures: Accounts payable checks/voucher #42829 thru #42864 in the amount of \$267,055.80. [F4.9]
- C. **Payroll:** Payroll for January 1st-15th, 2006 for checks 24526-24569, including Deposits and Electronic Transfers in the amount of \$273,904.95. [F4.9]
- ~~D. **AB06-05 Resolution 1520** — A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Annexation And Utilities Agreement With Vanderhoek LLC For Tapps Meadows. [A3.13.12]~~
- ~~E. **AB06-07 Resolution 1522** — A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With RH2 Engineering For The Water Model Calibration Required By State Of Washington Department Of Health. [04.10.1]~~
- ~~F. **AB06-08 Resolution 1523** — A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With RH2 Engineering For The Design Of The South Prairie Water Main Replacement Project. [04.10.1]~~
- ~~G. **AB06-12** — A Motion Of The City Council Of The City Of Bonney Lake, Setting A Public Hearing For The Home Depot Latecomer Agreement For The Council Meeting Of February 7, 2006 At 7:00 P.M. Or As Soon Thereafter As Possible. [A3.6.10][A3.6.12]~~

Motion approved 6 – 0.

V. FINANCE COMMITTEE ISSUES:

- ~~A. **AB06-16 Resolution 1517** — A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Databar, Inc. for Utilities Lock Box Services. [F4.5.4]~~

This item was removed earlier in the meeting during Agenda Modifications.

7:52:20

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB06-06 – Resolution 1521** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developer Extension Agreement With Lakeland South Homes, LLC For Lakeland Area 20. [A3.13.7]

Councilmember Rackley moved to approve Resolution 1521. Councilmember DeLeo seconded the motion.

Councilmember Rackley urged approval of this resolution. He said a refusal to serve may lead to the loss of the City's right to serve this area. Deputy Mayor Swatman questioned whether we should even serve this area. He said he objects to the lack of planning in this area by the County with respect to future governance. He said the jurisdictional boundaries in this area need to be adjusted and reviewed.

Councilmember Rackley said it will not impact the County if Bonney Lake refuses service. He said he is pushing for resolution of the boundary issues with the County, Sumner, Auburn and Bonney Lake. He added that it is not the right time to back off from serving this area.

Motion approved 4 – 2. Deputy Mayor Swatman and Councilmember Noble voted no.

The following items were removed from the Consent Agenda for consideration at this point in the meeting.

- D. **AB06-05 – Resolution 1520** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Annexation And Utilities Agreement With Vanderhoek LLC For Tapps Meadows. [A3.13.12]

Councilmember Rackley moved to approve Resolution 1520. Deputy Mayor Swatman seconded the motion.

Motion approved 5 – 1. Councilmember Noble voted no.

- E. **AB06-07 – Resolution 1522** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With RH2 Engineering For The Water Model Calibration Required By State Of Washington Department Of Health. [O4.10.1]

Councilmember Rackley moved to approve Resolution 1522. Deputy Mayor Swatman seconded the motion.

Councilmember Rackley said this item gives a reality check to the City's water system by comparing actual flows against estimated flows. Councilmember DeLeo asked how often this work is required. Director Grigsby surmised it will be required each time the City does a Water Comprehensive Plan update. Councilmember King observed that this is another unfunded mandate by the State, but said it is probably in the City's best interest for planning purposes.

Motion approved 6 – 0.

- F. **AB06-08 – Resolution 1523** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With RH2 Engineering For The Design Of The South Prairie Water Main Replacement Project.
[04.10.1]

Councilmember Rackley moved to approve Resolution 1523. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

- G. **AB06-12** – A Motion Of The City Council Of The City Of Bonney Lake, Setting A Public Hearing For The Home Depot Latecomer Agreement For The Council Meeting Of February 7th, 2006 At 7:00 P.M. Or As Soon Thereafter As Possible.
[A3.6.10] [A3.6.12]

Councilmember Rackley moved to set the public hearing. Deputy Mayor Swatman seconded the motion.

Director Grigsby said this project will provide for adequate fire-flow for the Home Depot Store and allow them to be reimbursed by those developments that come along later. Councilmember DeLeo noted that the public hearing should be set for the regular Council meeting of February 14th, not during the workshop of February 7th.

Councilmember DeLeo moved to amend the motion to set the public hearing for the Council meeting of February 14th. Deputy Mayor Swatman seconded the motion.

Motion to amend approved 6 – 0.

Councilmember King asked if the Home Depot change in plans to provide adequate fire-flow would impact the store's opening date. Director Grigsby said Home Depot is still negotiating with Investco over an alternate method of providing the water. He said the latecomer agreement allows future developers to share in the cost of the water improvements if Home Depot is required to install them on their own. He said in the interim period, the City's water system has sufficient capacity during the winter season. He said Home Depot will be required to file a performance bond for the improvements as well as provide sufficient indemnity to the City to mitigate any potential liability for the City.

Motion approved 6 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

8:04:20

VIII. FULL COUNCIL ISSUES:

- A. **AB06-13 – Resolution 1525** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Agreements By And Between The City Of Bonney Lake, Washington And The Bonney Lake Police Guild For Law Enforcement Employees And Support Employees For The Period Of January 1st, 2006 Through December 31st, 2008 And A Memorandum Of Understanding By And Between City Of Bonney Lake And Bonney Lake Police Guild For Law Enforcement Employees And Support Employees. [A3.9.1]

Councilmember Rackley moved to approve Resolution 1525. Deputy Mayor Swatman seconded the motion.

Councilmember King expressed appreciation to the negotiators on both sides of the table. He complimented City Attorney Dionne and the other City staff for conducting the negotiations in a far less acrimonious manner than has occurred in the past. He said he believes these agreements will result in better law enforcement for the City of Bonney Lake. Mayor Johnson also extended thanks to Senior Human Resources Analyst Jennifer Young and Interim Police Chief “Buster” McGehee for their hard work.

Motion approved 6 – 0.

- IX. EXECUTIVE SESSION:** Pursuant to RCW 42.30.110(1)(i), Mayor Johnson announced that the City Council will meet in executive session for ten minutes to discuss potential litigation. The executive session began at 8:10 p.m. At 8:20 p.m., a five minute extension to the executive session was announced to the public. The executive session concluded at 8:22 p.m.
- X. ADJOURNMENT**

At 8:23 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Noble seconded the motion.

Motion approved 6 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

- Bonney Lake Resident – *Modern Roundabouts for Oregon-ODOT-June 1998* – Tom Kennedy, President – Brookwater Homeowners Association.
- Bonney Lake Resident – *Roundabouts: An Information Guide- USDOT/FHWA* – Tom Kennedy, President – Brookwater Homeowners Association.