

CITY COUNCIL MEETING

City of

**March 14, 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 7:02 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 Deputy Mayor Swatman, elected officials attending were Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Cheryl Noble and Councilmember Jim Rackley.

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 and City Clerk Harwood Edvalson.

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

1. Announcements:

- a. Mayor Johnson read a proclamation declaring Wednesday, April 12, 2006 as Arbor Day.

7:02:54

2. Appointments:

- a. An Oath of Office was administered to Officer Anthony G. Rice by Judge James Helbling.

7:04:20

3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

- A. Public Hearings: [A3.6.12] None.
- B. Citizen Comments:

7:06:57

Keith Stanley, 10900 193rd Ave. E., said at the last Council meeting the Council voted to just study the 192nd Ave. E. Corridor and not include the connection to 189th Ave. E. He began to ask individual Councilmembers why they had voted in support of that position.

Mayor Johnson informed Mr. Stanley that although the Council could respond to his questions if they liked, the Citizen Comment portion of the meeting was not intended to be a Question and Answer session, but rather an opportunity for citizens to make comments or pose questions which the Council might consider and respond to at a later date. City Attorney Dionne added that the Council could respond to his questions if they wanted to do so, but Mr. Stanley's questions should really be directed to the Council as a whole.

Councilmember Bowen responded, saying he believes 192nd Ave. E. will become a major traffic corridor and side street connections should be minimized to better handle the traffic flow. He said that was his motivation for voting to not connect 189th Ave. E. to 192nd Ave E.

Russ Rudolph, 7515 191st St. E., spoke about errors in his utility bills and the lengths to which he has gone to receive the appropriate adjustments to his bills. He noted that he had been spoken to condescendingly by one employee and politely helped by another. He asked for assistance in getting his bills adjusted correctly.

Mayor Johnson said the staff will look into it right away and provide a response before the end of the week.

Don Sangesand, 5616 195th Pl. E., asked the Council if they had received his emailed comments. He offered copies to anyone interested in his written text. He asked that his letter of March 6th be put on the record. He spoke in protest about the Design Commission process of consideration for the proposed Park Place Condominiums adjacent to Allan Yorke Park and Lake Tapps. He gave his opinion that those involved in the decision process for the project have already planned for the project's approval. He questioned the adequacy of the streets near the development, as well as other design elements of the project. Mr. Sangesand praised the employees who helped the residents during the February Windstorm, but chided the Councilmembers and Mayor who were out of town at a planning retreat.

Responding to Council's invitation to address the permitting and consideration process for the Park Place Condominiums, Director Leedy explained that the Design Commission has twice met to consider many facets of the proposed design. He noted that the property has been zoned for high-density residential for years. He offered the possibility of staff coordinating a neighborhood meeting to more fully inform those interested in the proposed private development. He explained that there will be an opportunity for the public to testify at a public hearing before the Hearing Examiner on the Substantial Shoreline Permit associated with this project.

Councilmember Hamilton asked that copies of the traffic mitigation study be shared with the Councilmembers. Director Leedy said the date for the public hearing on the Substantial Shoreline Development Permit has not yet been set.

Mr. Sangesand expressed displeasure with the way the City has made the public aware of the proposed development. Councilmember King asked if Mr. Sangesand believes a vote is required on every development proposed in the City. Mr. Sangesand responded that he believes the public should have an opportunity to comment on development.

Norm Coates, 10709 181st Ave. E., said he appreciated the sensitivity and concern the Council has exhibited in dealing with the public this evening. He said he feels the City has encroached on his property over the past thirty years by approving development which has impacted his viewshed. He expressed frustration that the City would now be pursuing enforcement of its sign code against his property. He asked if there is some fair compromise which can be reached.

Councilmember Rackley said the Council Community Development Committee would consider the issues and see if there is a compromise position. Deputy Mayor Swatman questioned why such a process should be entertained. He said he believes the majority of Councilmembers and Planning Commissioners have made it clear that neither body wishes to reconsider the elements of the sign code. Councilmember King said he believes it inappropriate for a Council committee to negotiate on an enforcement issue which is currently pending.

Mayor Johnson said he and Director Leedy would speak with Mr. Coates about the issue and report back to the Council.

Marilee Hill-Anderson, Starr Project Director, reminded the Council of the upcoming 13th Annual Summit on March 30th at Bonney Lake High School. She said a Town Hall meeting on underage drinking will start at 3:30 p.m. She thanked Mayor Johnson and Chief McGehee for their participation in the event planning. She invited the participation of the Council and staff and urged immediate registration before the dinner capacity is reached. She distributed materials promoting the event.

Councilmember DeLeo suggested that the event could be used to collect surplus cell phones for use in local domestic violence programs.

Dan Decker, 20401 70th St. E., spoke in favor of the Park Place Condominium Project as an improvement over the existing duplexes. He urged the Council to consider allowing a six-story building to allow for underground parking which could provide additional parking for Allan Yorke Park. He said the upscale project could be an enhancement to the City, providing residential density and needed parking. He agreed with Mr. Sangesand that another traffic lane could be used in that area.

At 8:01 p.m., Councilmember Rackley moved that the Council take a ten minute break in the meeting. Councilmember King seconded the motion.

Motion approved 7 – 0.

At 8:15 p.m., Mayor Johnson brought the meeting back to order.

- C. Correspondence: None.

8:16:00

III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

A. Finance Committee

Deputy Mayor Swatman said the Finance Committee met earlier in the evening and discussed three items. He said the first was a staff recommendation to pull Resolution 1544 dealing with employment background checks for further work by the City Attorney. The second item was a proposed contract for an EIS on the Fennel Creek Trail. The third item was a proposed change in the residency requirements of the Civil Service Secretary and Examiner to more closely conform to current state law.

B. Community Development Committee

Councilmember Rackley said the Committee met on March 6th. He listed six items which had been forwarded to the Council meeting for consideration on the current agenda. He said that five were on the Consent Agenda and one was under the Community Development Issues section of the agenda.

C. Public Safety Committee

Councilmember DeLeo said the Public Safety Committee met on March 9th and forwarded a recommendation on a contract for distribution of the Boating Safety Program revenues.

D. Other Reports:

Councilmember Noble noted that she and Mayor Johnson attended the March 3rd meeting of the Lake Bonney Conservation Association. She reported that the new president is Dana McCauley. She added that the Association would be discussing new ideas for the Council to consider regarding conservation efforts on the lake.

Councilmember King notified the Council that he will not be in attendance at the March 21st Council Workshop. He said his employment will take him out-of-town the entire week. He asked that he be excused from the meeting.

Councilmember Rackley reported that he, Councilmember Hamilton and Director Grigsby met with the Rhodes Lake Road Leadership Team. He said the estimate from that meeting for improvements to the Rhodes Lake Road Corridor is for completion in 2015.

Councilmember Noble informed the Council that she and Mayor Johnson had attended the kick-off event for the Relay for Life. She said the main event will be held August 11th-12th.

8:20:37

IV. CONSENT AGENDA: [A3.6]

Councilmember DeLeo asked that items D – I be pulled from the Consent Agenda and placed as items A – F in Council Agenda Section VIII. He noted further that Item J should be pulled at the Administration’s request.

Deputy Mayor Swatman moved to approve Consent Agenda Items A – C and K - M. Councilmember Rackley seconded the motion.

- A. **Checks/Vouchers:** Accounts payable checks/voucher #43201 thru 43296 and wire transfer #3012006 in the amount of \$436,131.40. Accounts payable checks/voucher #43297 thru #43380 for utility refunds in the amount of \$5,995.87. [F4.9]
- B. **Payroll:** Payroll for February 16-28, 2006 for checks 24662-24709, including Deposits and Electronic Transfers in the amount of \$373,176.79. [F4.9]
- C. **Approval of Minutes:** February 7, 2006 City Council Workshop and February 14, 2006 City Council Meeting, February 17-18, 2006 Special Meeting, February 21, 2006 Council Workshop, February 27, 2006 Special Meeting and February 28, 2006 Council Meeting.
- ~~D. **AB06-32 – Resolution 1534** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With Pierce County For The Boating Safety Program Revenues. [O1.8.3]~~
- ~~E. **AB06-49 – Ordinance 1183** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Relating To The Installation Of Manufactured Homes Inside Mobile Home Parks Within The City Of Bonney Lake. [A3.5.5]~~
- ~~F. **AB06-36 – Resolution 1536** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Cascade Design Collaborative For IAC Grant Application Assistance. [O5.10]~~
- ~~G. **AB06-37 – Resolution 1537** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Bruce Dees & Associates For IAC Grant Application Assistance. [O5.10]~~
- ~~H. **AB06-45 – Resolution 1541** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Water & Wastewater Automation, LLC For The SCADA System Upgrade. [O4.3]~~
- ~~I. **AB06-54 – Resolution 1543** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With All Points Media To Display Anti Tobacco Posters At Allan Yorke Park’s Skateboard Park On Behalf Of The State Department Of Health. [O5.9]~~
- ~~J. **AB06-55 – Resolution 1544** – Authorizing A Client Services Agreement With Pinnacle Investigations For Pre-Employment Background Checks. [A4.7]~~
- K. **AB06-46** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Accepting the Stump Grinding Project Performed By West Coast Stump Grinding As Complete. [A3.6.10][O4.14.1]

- L. **AB06-47** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Accepting the Cedarview Park Concrete Sidewalk Project Performed By Aggregate Construction As Complete. [A3.6.10] [O4.11.2]
- M. **AB06-48** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Accepting The Peaking Storage House Demolition Project By WM. Dickson Co. As Complete. [A3.6.10] [O4.10.1]

Motion approved 7 – 0.

8:22:02

V. FINANCE COMMITTEE ISSUES:

- A. **AB06-67 – Resolution 1545** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Personal Services Agreement With Tetra Tech EC, Inc. For Preparation Of An Environmental Impact Statement For The Fennel Creek Trail Plan. [O5.10]

Councilmember Rackley moved to approve Resolution 1545. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

8:23:37

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB06-53 – Resolution 1542** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developer Extension Agreement With Lakeland Townhomes, LLC For Lakeland Area 19. [A3.13.7]

Councilmember Rackley moved to approve Resolution 1542. Councilmember Hamilton seconded the motion.

Councilmember Rackley asked Director Grigsby to comment on a recent meeting regarding service boundaries at the north end of Lake Tapps. Director Grigsby reported that he met with representatives of adjacent jurisdictions to discuss the boundary issues and propose a technical solution to the boundary issues in that area. He said they will meet next week to discuss recommendations.

Motion approved 5 – 2. Deputy Mayor Swatman and Councilmember Noble voted no.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

8:24:53

VIII. FULL COUNCIL ISSUES:

- A. **AB06-32 – Resolution 1534** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With Pierce County For The Boating Safety Program Revenues. [01.8.3]

Councilmember King moved to approve Resolution 1534. Councilmember Noble seconded the motion.

Councilmember DeLeo noted that this agreement authorizes the disbursement of over \$12,000 to the City for use in its Boating Safety Program.

Motion approved 7 – 0.

- B. **AB06-49 – Ordinance 1183** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Relating To The Installation Of Manufactured Homes Inside Mobile Home Parks Within The City Of Bonney Lake. [A3.5.5]

Councilmember Noble moved to adopt Ordinance 1183. Deputy Mayor Swatman seconded the motion.

City Attorney Dionne said that he has presented Council this evening with an alternative which uses existing state law to define which manufactured homes will be accepted in the City's mobile home parks. He said the 1976 HUD standards describe health safety improvements to the design of manufactured homes that can be used for the City's regulation purposes.

Councilmember DeLeo moved to amend Ordinance 1183 by substituting in the language of the proposed ordinance by the City Attorney. Councilmember Rackley seconded the motion.

Motion to amend approved 7 – 0.

Amended motion approved 7 – 0.

- C. **AB06-36 – Resolution 1536** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Cascade Design Collaborative For IAC Grant Application Assistance. [05.10]

Councilmember Rackley moved to approve Resolution 1536. Councilmember Hamilton seconded the motion.

Director Grigsby explained that the contractor will be used to help the City apply for IAC grants. Councilmember DeLeo asked if there is a time limit for the agreement. Director Grigsby noted that the grant application deadline is rapidly approaching and the contract is to help them meet this deadline.

Motion approved 7 – 0.

- D. **AB06-37 – Resolution 1537** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Bruce Dees & Associates For IAC Grant Application Assistance. [05.10]

Councilmember Rackley moved to approve Resolution 1537. Councilmember Noble seconded the motion.

Councilmember DeLeo asked about the apparent change in contract amount between the agreement and the Agenda Bill. Councilmember Rackley said there had been an error in the tabulation of the scope of work.

Motion approved 7 – 0.

- E. **AB06-45 – Resolution 1541** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Water & Wastewater Automation, LLC For The SCADA System Upgrade. [04.3]

Councilmember Rackley moved to approve Resolution 1541. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman said the next time a similar agreement comes before the Council, he would like to see all the projected costs for the project included. He noted there will be additional expense for the City to purchase the software and hardware necessary for the installation of the upgrade. Councilmembers had additional questions about the provisions of the agreement. Mayor Johnson said the Community Development Committee will be provided additional information on the equipment which the City will be required to purchase.

Motion approved 7 – 0.

- F. **AB06-54 – Resolution 1543** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With All Points Media To Display Anti-Tobacco Posters At Allan Yorke Park’s Skateboard Park On Behalf Of The State Department Of Health. [05.9]

Councilmember Noble moved to approve Resolution 1543. Councilmember DeLeo seconded the motion.

Based earlier discussion related to the sign code, Councilmember King questioned whether the proposed signs or banners would violate the City’s code. Other Councilmembers questioned the agreement’s provisions for the City to maintain the signs during the contract period. Councilmember Noble pointed out that the agreement provides the City \$300 to mount and maintain the signs during the period of the agreement. Director Leedy pointed out that if the signs are not visible from a public street then they are technically not a sign according to the Municipal Code.

Councilmember Rackley moved to table the proposed Resolution.

Motion to table failed 3 – 4. Deputy Mayor Swatman and Councilmembers DeLeo, King and Noble voted no.

Original Motion failed 3 – 4. Councilmembers Bowen, Hamilton, King and Rackley voted no.

IX. EXECUTIVE SESSION: Mayor Johnson announced that pursuant to RCW42.30.110(g) the City Council would meet for ten minutes in executive session to review the performance of a public employee. The session started at 8:43 p.m. and concluded at 8:54 p.m.

X. ADJOURNMENT

At 8:54 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Documents submitted for or at the Council Meeting of March 14, 2006:

- Bonney Lake Resident – *Email to Mayor Johnson, Councilmembers and Elizabeth Chamberlain – Dated March 10, 2006 – Don Sangesand.*
- Bonney Lake Resident – *Bonney Lake City Council Meeting Remarks – Dated: 3-14-06 – Don Sangesand.*
- Starr Project Coordinator – *Town Hall Meeting and 13th Annual Community Summit Notices – Marilee Hill-Anderson.*
- City of Bonney Lake – *Ordinance 1183 – James Dionne, City Attorney.*
- City of Bonney Lake – *Boating Safety Program Agreement – Arthur W. McGehee, Interim Police Chief*