

CITY COUNCIL MEETING

City of

**December 12, 2006
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 – Mayor Neil Johnson called the meeting to order at 7:00 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 Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley.

Staff members present were City Administrator Don Morrison, Planning & Community Development Director Bob Leedy, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, Judge James Helbling, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe, City Engineer John Woodcock, Associate Planner Heather Stinson and Special Events Coordinator David Wells.

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

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

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

7:01:25

III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

A. Finance Committee

Deputy Mayor Swatman said the Finance Committee met earlier in the evening and discussed several items on this evening's agenda:

1. A budget amendment to the 2006 Annual Budget;
2. An agreement with the Missoula Children's Theater for a local workshop;
3. Completion of the Senior Center Addition project; and
4. A quarterly maintenance copier agreement.

B. Community Development Committee

Councilmember Rackley said the Community Development Committee met on December 4th. He said the following items were discussed and moved forward for Council consideration:

1. Resolution 1622 – related to an interlocal agreement between the City and Pierce County for post-annexation permit processing in Annexation Area 1-A; and
2. Resolution 1635 – proposing a sewer and water developer extension agreement.

C. Public Safety Committee

Councilmember DeLeo said the Public Safety Committee met on December 4th, but has no action items on this evening's agenda.

D. Other Reports: None.

7:03:09

IV. CONSENT AGENDA: [A3.6]

A. Approval of Corrected Meeting Minutes: November 21st Council Workshop, November 28th Regular Council Meeting.

B. Checks/Vouchers: Accounts Payable checks/vouchers #45737 thru #45915 in the amount of \$1,555,497.31. [F4.9]

C. Payroll: Payroll for November 16-30, 2006 for checks 25516-25560, including Deposits and Electronic Transfers in the amount of \$408,926.95. [F4.9]

D. AB06-378 – Ordinance D06-378 [1213] – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington Dissolving And Reconstituting The Parks Board, Planning Commission, And Design Commission, And Amending Ordinance Nos. 236, 236a, 411, 875, 893, 1009 And Chapter 2.20 And Sections 2.26.010 And 2.60.040 Of The Bonney Lake Municipal Code Related To Boards And Commissions. [A 3.5.5] [A 3.8.2] [A 3.8.3]

E. AB06-387 – Resolution 1641 – 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 Carryover Annual Vacation In Excess Of The 30 Days Maximum Allowed. [A 4.1.7]

- F. **AB06-385** – A Motion Of The Bonney Lake City Council, Authorizing The Finance Director To Approve Payment Of Accounts Payable Between The Dates Of December 13 And December 29, 2006 And Payroll Between The Dates Of December 1 And December 31, 2006. [A 3.6.10] [F 4.8]
- G. **AB06-370** – A Motion Of The Bonney Lake City Council, To Set A Special Meeting Of The Bonney Lake City Council And Planning Commission For A Joint Public Hearing To Receive Testimony On The Proposed Annexation And R-1 Zoning For The “Angeline Road Annexation” On Tuesday, January 9, 2007 At 6:30 P.M. [A 3.6.10] [A 3.6.12] [O 3.2.2]
- H. **AB06-392** – A Motion Of The Bonney Lake City Council, Canceling The Regular December 19, 2006 Council Workshop. [A 3.6.10] [A 1.1.2]

Councilmember Rackley moved to approve the Consent Agenda. Councilmember Hamilton seconded the motion.

Motion approved 7 – 0.

7:03:35

V. FINANCE COMMITTEE ISSUES:

- A. **AB06-391 – D06-391 [1215]** – An Ordinance Of The City Of Bonney Lake, Pierce County, Amending Ordinance No. 1178 And The Annual Budget For The Calendar Year 2006. [F 3.9]

Deputy Mayor Swatman moved to adopt Ordinance D06-391 [1215]. Councilmember Noble seconded the motion.

City Administrator Morrison asked if the Council intended to include the amendment sheet included in the Council packet. There was general agreement it was their intent to include the amendment sheet.

Motion approved 7 – 0.

- B. **AB06-375 – Resolution 1638** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With LeMay, Inc For Secure Document Shredding. [A 2.4.13]

Councilmember DeLeo moved to approve Resolution 1638. Councilmember King seconded the motion.

Councilmember Bowen asked about the number of boxes scheduled for destruction and if the City has a regular schedule for records destruction. Administrative Services Director Edvalson said the records covered by this contract have accumulated over more than a decade. He added the City is currently working on a yearly cycle for appropriate records destruction, but

may consider a more frequent schedule as the City catches up on the lawful destruction of its older records.

Motion approved 7 – 0.

- C. **AB06-382 – Resolution 1640** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract For Missoula Children’s Theater To Conduct A Week Long Theatrical Camp. [A 1.10]

**Deputy Mayor Swatman moved to approve Resolution 1640.
Councilmember DeLeo seconded the motion.**

Special Events Coordinator Wells explained that the traveling group holds local auditions to select 50 to 60 children to participate in a week-long teaching and rehearsal process culminating in the performance of the Wizard of Oz. He said the program is intended to be a catalyst for the development of the Arts in Bonney Lake. He added there are local financial contributions that are well on the way to covering the \$2600 contract cost.

Councilmember King questioned why this group was selected and if there was local experience with the group. He asked about the impact on other groups trying to develop a performing arts program in the Bonney Lake area. Coordinator Wells explained the group is a nationally recognized group and brings in all the costumes, props and sets for the production. He noted the City of Tacoma and some local school districts have successfully used the group in the past. He said support of the local groups for the project could be invited. City Administrator Morrison said this program is not intended to compete with the local groups programs. He said the Missoula Children’s Theater product is a different experience than what the local groups are prepared to offer.

**Motion approved 6 – 1;
Councilmember King voted no.**

- D. **AB06-389 – Resolution 1642** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract For Quarterly Maintenance Agreement With Copiers Northwest To Support A Cannon C-5870u Copier. [A 2.6]

**Deputy Mayor Swatman moved to approve Resolution 1642.
Councilmember Noble seconded the motion.**

Motion approved 7 – 0.

- E. **AB06-386** – A Motion Of The Bonney Lake City Council, Accepting the Senior Center Project As Complete. [O 4.4.2]

Councilmember Rackley moved to accept the Senior Center Project as complete. Councilmember DeLeo seconded the motion.

Councilmember King asked if arrangements had been made to replace the steam table. City Administrator Morrison said it is part of the 2006 budget and is on order. Councilmember King praised the quality and utility of the expansion to the Senior Center. Deputy Mayor Swatman noted that most of the construction was financed through a Community Development Block Grant.

Motion approved 7 – 0.

7:17:25

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB06-333 – Resolution 1622** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Interlocal Agreement Between The City Of Bonney Lake And Pierce County Relating To Post-Annexation Processing Of Building And Related Permits And Land Use Applications For Annexation Area 1-A. [A 3.22.3] [O 6.1]

Councilmember Rackley moved to approve Resolution 1622. Deputy Mayor Swatman seconded.

Councilmember Hamilton asked if development in this area is mostly vested. Director Leedy replied much is vested, but developers of several parcels are waiting specifically for annexation to occur. He said those parcels will go through the development process completely within the City of Bonney Lake.

Motion approved 7 – 0.

- B. **AB06-388 – Resolution 1635** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water And Sewer Developer Extension Agreement With Legacy Land Management LLC For The Sajjadi Property. [A3.13.7]

Councilmember Rackley moved to approve Resolution 1635. Councilmember Hamilton seconded.

Deputy Mayor Swatman asked that better maps be provided to the Council in the future. Councilmember Rackley said the Community Development Committee will ask for better maps as these items go through the committee.

Motion approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

7:19:52

VIII. FULL COUNCIL ISSUES:

- A. **AB06-360 – D06-360** - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting The Biennial Budget For Calendar Years 2007 And 2008. [F 3.10]

Councilmember Rackley moved to adopt Ordinance D06-360 [1211]. Councilmember Noble seconded the motion.

Councilmember King moved to amend the Ordinance to exclude the proposed \$52,000 increase in professional services for a lobbyist. Councilmember Hamilton seconded.

Councilmember King explained he felt the Council was not in a position to make a valid decision on this issue without further discussion. He said a lobbyist should not be needed to provide access to elected representatives and government employees. Councilmember Rackley said he philosophically supports that position, but feels the realities of politics may require the services of a lobbyist.

Mayor Johnson said it is his intent to have the proposed lobbyist make a presentation to the Council before their approval of the contract. He said although he understands the reservations, he feels the City needs to do whatever is necessary to help receive its share of federally earmarked dollars. Councilmember DeLeo supported the use of a lobbyist, noting the Mayor and Council are part-time elected officials and don't have the time to effectively lobby the various levels of the state and federal legislatures.

Motion to amend the ordinance failed 2 – 5. Deputy Mayor Swatman and Councilmembers DeLeo, Hamilton, Noble and Rackley voted no.

Councilmember Hamilton asked if the City's enterprise funds are in good shape. He noted that an earlier finance director had predicted revenue shortfalls and asked if conditions had changed. He asked about the status of a report on the City's water utility revenues in light of the increased rates. Chief Financial Officer Wroe said her attention has been focused on development of the budget, but she would now return to the report on water revenues.

Councilmember Hamilton asked if money had been set-aside for purchase of additional water resources. Financial Officer Wroe said that \$650,000 had been set aside in 2008 and projected into the future to cover the costs of an additional water source. Director Grigsby added this is a place-holder until a decision on future water sources can be determined. Councilmember Rackley asked to have the issue placed on the Community Development

Committee work schedule for the New Year. Mayor Johnson added that a report on relative costs for water resources will be available for discussion at the January 16th Council Workshop.

Councilmember King noted the City's budget in 1991 was \$19 million. He observed the budget for the 2007-2008 biennium is approximately \$140 million. He said this is yet another indication of the City's continued growth. He praised the staff for development of an excellent budget document. Mayor Johnson thanked staff as well.

Original motion approved 7 – 0.

- B. **AB06-367 – D06-367 [1212]** - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance No. 1180 Relating To Salaries And Benefits For Non-Represented Employees. [A4.3.1]

Councilmember Rackley moved to approve Ordinance D06-367 [1212]. Deputy Mayor Swatman seconded the motion.

Deputy Mayor Swatman said he appreciates the great work of the City's employees. He said they should remember that this 3.5% COLA comes in addition to the regular step increase which they see annually. He said this amounts to a 6.5% increase in the coming year for most of the non-represented employees.

Motion approved 7 – 0.

- At 7:43 p.m., Deputy Mayor Swatman moved to take a five minute break. Councilmember Rackley seconded the motion.**

Motion approved 7 – 0.

The meeting was called back to order by Mayor Johnson at 7:58 p.m.

- C. **AB06-381 – D06-381 [1214]** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance Nos. 950 And 678, And Chapter 2.32 Of The Bonney Lake Municipal Code Relating To Holiday, Vacation, And Sick Leave Benefits For Non-Represented Employees. [A 3.5.5]

Councilmember Rackley moved to adopt Ordinance D06-381 [1214]. Deputy Mayor Swatman seconded.

Councilmember King asked for an explanation of a "floating" holiday. City Administrator Morrison said the two holidays occurring in February would be combined for recognition of the President's Day holiday. He said the lost holiday would be given to employees as a "floating" holiday for them to schedule and use at some time during the year. He said the benefit to the citizens is that City Hall will be open one more day of the year, rather than being closed for two holidays in February. Councilmember DeLeo asked if the holiday is lost if not used before December 31st. City Administrator Morrison said employees are counseled to use the floating

holiday as their first day of leave in the New Year. He added there is provision to carry the holiday over to the next year if the employee is denied the opportunity to use their floating holiday.

Motion approved 7 – 0.

- D. **AB06-364** – A Motion Of The Bonney Lake City Council Approving The Preliminary Plat For Berkshire Estates Subject To The Recommended Conditions Of The Hearings Examiner. [A3.6.10] [O 3.7.1]

Councilmember Noble moved to approve the preliminary plat for Berkshire Estates. Councilmember Rackley seconded.

Councilmembers had questions about access to Angeline Road, the orientation of the internal street to the plat and the inclusion of Lot #12 in the plat. They questioned whether the provisions of the plat conform to the Bonney Lake Municipal Code. City Attorney Dionne advised them if they had reservations about the plat's conformance to the municipal code, then the Council could table the item to have additional information provided, or remand the plat back to the hearing examiner to address the perceived deficiencies.

Councilmember Rackley moved to table AB06-364 to the first workshop in January 2007. Deputy Mayor Swatman seconded.

**Motion to table approved 6 – 1;
Councilmember Bowen voted no.**

- E. **AB06-383** – A Motion Of The Bonney Lake City Council Approving The Preliminary Plat For Church Lake Subject To The Recommended Conditions Of The Hearings Examiner. [A3.6.10] [O 3.7.1]

Councilmember Rackley moved to approve the preliminary plat for Church Lake. Councilmember Noble seconded.

Director Leedy advised the Council that staff has discovered some discrepancies within the materials provided for the Council to consider and recommends tabling the item to the next workshop.

Councilmember Rackley moved to table AB06-383 to the first workshop in January 2007. Deputy Mayor Swatman seconded.

Motion to table approved 7 – 0.

- F. **AB06-384** – A Motion Of The Bonney Lake City Council Approving The Preliminary Plat For Orchard Grove II Subject To The Recommended Conditions Of The Hearings Examiner. [A3.6.10] [O 3.7.1]

Councilmember Rackley moved to approve the Preliminary Plat for Orchard Grove II. Councilmember DeLeo seconded.

Director Leedy again advised the Council to table the item to allow for additional information to be gathered.

Councilmember Rackley moved to table AB06-384 to the first workshop in January 2007. Councilmember King seconded the motion.

Motion approved 7 – 0.

- G. **AB06-393** – A Motion Of The Bonney Lake City Council Approving The Final Plat For Garden Meadows. [A 3.6.10] [O 3.7.2]

Councilmember Rackley moved to approve the final plat for Garden Meadows. Councilmember DeLeo seconded.

Motion approved 6 – 1. Deputy Mayor Swatman voted no.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT

At 8:24 p.m., Councilmember Noble moved to adjourn the meeting. Deputy Mayor Swatman seconded.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.