

CITY COUNCIL WORKSHOP

**February 19, 2013
5:30 p.m.**

AGENDA



“Where Dreams Can Soar”

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.

Website: www.ci.bonney-lake.wa.us

*The City Council may act on items listed on this agenda, or by consensus give direction for future action.
The Council may also add and take action on other items not listed on this agenda.*

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. Call to Order: Mayor Neil Johnson

II. Roll Call:

Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

III. Agenda Items:

A. Council Open Discussion.

Pg. 3 **B. Review of Draft Minutes:** February 5, 2013 Workshop, and February 12, 2013 Meeting.

Pg. 15 **C. Discussion:** Changes to City Building Names.

D. Discussion: Park Board Work Plan. (No advance materials provided)

Pg. 23 **E. Discussion: AB13-23** –Resolution 2249 – Emergency Phone for Allan Yorke Park.

Pg. 27 **F. Discussion: AB13-35** – Ordinance D13-35 – Amending the Municipal Code related to Fireworks.

Pg. 35 **G. Discussion: AB13-36** –Resolution 2284 - Refinancing the Municipal Debt.

IV. Executive Session: Pursuant to RCW 42.30.110(b), the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

V. Adjournment

For citizens with disabilities requesting translators or adaptive equipment for listening or other communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.

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CITY COUNCIL WORKSHOP

**February 5, 2013
5:30 P.M.**

DRAFT MINUTES



“Where Dreams Can Soar”

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.

Website: www.ci.bonney-lake.wa.us

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the workshop to order at 5:33 p.m.

II. ROLL CALL:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. Elected officials attending were Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Randy McKibbin, Councilmember Mark Hamilton, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, Councilmember Donn Lewis, and Councilmember Tom Watson. Mayor Johnson arrived at 5:44 p.m.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, City Attorney Kathleen Haggard, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

III. AGENDA ITEMS:

A. Council Open Discussions:

Association of United States Army Membership. Councilmember Watson said he is currently a member of the Association of United States Army (AUSA). AUSA provides services to the military and their families to make sure they receive a welcome homecoming and to assist military families while a family member is serving overseas. Councilmember Watson said that the membership fee is \$150 a year for two members to be on the Board. He said that he and Mayor Johnson are currently on the Board and the Association meets once a month. He asked if the City is willing to continue their membership donation. Mayor Swatman said Council will forward it on to Administration for their review and consideration.

B. Presentation: Refinancing Municipal Debt – Jim Nelson, D.A. Davidson & Co.

Finance Advisor Jim Nelson, Senior Vice President of D.A. Davidson and Co., provided a presentation regarding the opportunity to refinance the City’s current municipal bonds debt. Mr. Nelson discussed the advance refinancing of the City’s 2008 Limited Tax-Liability General Obligations Bonds, and the current refinancing of the 2008 Motorola 800 MHz loan, which he said is payable at any time. He said that the most net savings would occur in the first two years by combining the two loans together. Councilmember McKibbin asked City Administrator Morrison about the partnership with Sumner for the 800 MHz loan and whether that would affect the interest if a partnership was in effect. Mr. Nelson discussed the estimated sources and uses of funds for refunding bonds, how that is calculated, and how the sources of funds and uses of funds match up.

Mr. Nelson said the next issue for the Council to consider is whether to take advantage of a money bond. He said the benefit of a money bond is that the money can only be spent for a capital improvement project.

Mr. Nelson provided a background of D.A. Davidson and Co.'s and their local presence in the State of Washington and the northwest, and said they ranked 4th in the County in 2012 for the number of municipal transactions completed. He then discussed a potential timeline for a financing schedule for a presentation to Standard & Poor's and for marketing the bonds to potential investors.

City Administrator Morrison suggested the Council make a decision at the March 12, 2013 meeting on whether to approve these refinancing options, and whether to consider a money bond and the amount.

Councilmember Rackley asked Mr. Nelson what the difference may be in interest rates in April and Mr. Nelson said that if interest rates were to spike up that Council could consider how they would proceed, however, Mr. Nelson said the fact that investors are approaching tax time and are looking for good investments that he believes it would be a good time to refinance the bonds.

Mayor Johnson said he would like to have Council consider the refinancing options and come back to a future meeting to discuss their intent. Councilmember Hamilton said he would like to know what projects the additional monies would be used for before Council considers borrowing it. Council agreed to bring this matter back for further discussion at the next Council workshop.

C. Discussion: AB13-16 – Ordinance D13-16 – Amend the BLMC to allow home occupations to attach a sign to their fence and to allow temporary businesses to have signage.

Planning Commission Chair Grant Sulham presented the amendment to the Bonney Lake Municipal Code to allow home occupations to attach a sign to their fence and to allow temporary businesses to have signage. Community Development Director Vodopich said this amendment only applies to home occupations.

This proposed ordinance amendment was forwarded to the February 12, 2013 Council Meeting for action.

D. Review of Council Minute: January 15, 2013 Workshop and January 22, 2013 Meeting.

The January 15, 2013 Workshop and January 22, 2013 Meeting minutes were forwarded to the February 12, 2013 Council Meeting for action, with three minor corrections noted by Councilmember Lewis.

E. Discussion: AB13-20 – Council appointments to MPD Pro and Con Committees.

Deputy Mayor Swatman discussed the process to select applicants for the Metropolitan Park District's Pro and Con Committees. Administrative Services Director Edvalson had previously forwarded to the Mayor, City Administrator, and all of the Councilmember all applications which have been received to date. Per State law three applicants must be selected for each Committee. Councilmembers discussed their reasoning and individual thoughts on the selection process. Councilmember Minton-Davis then made a motion to appoint Scott Anderson, Laurie Carter, and Fred Jacobsen to the MPD Pro Committee, and James "Kelly" McClimans, Sr., John Millan, and Shawnta Mulligan to the MPD Con Committee. The other Councilmembers agreed with Councilmember Minton-Davis' selections. The formal motion to appoint the selected Metropolitan Park District Pro and Con Committee members was forwarded to the February 12th Council Meeting for action.

F. Discussion: AB13-15 – Resolution 2270 – Orchard Grove II Final Plat.

Community Development Director Vodopich said that Benjamin Ryan Communities is seeking final plat approval for the "Orchard Grove II" 18-lot single-family residential subdivision which received preliminary plat approval from the City November 27, 2006. The application was heard and considered by the Hearing Examiner and all conditions of approval have been met. Director Vodopich said the Applicant has obtained the necessary/required bonds and/or assignments of funds for maintenance of the infrastructure, streetlights and landscaping. The Bonney Lake Municipal Code 17.16.040 requires the City Council to make written findings that the criteria for final plat approval have been met. He said that Councilmember Watson addressed a concern about the storm water issues on the plat, and staff had reviewed his concerns and felt all issues have been addressed. Mayor Johnson said he was pleased to see this plat completed. Proposed Resolution 2270 was forwarded to the February 12, 2013 Council Meeting for action.

G. Discussion: Council retreat topics, location, facilitators, etc.

City Administrator Morrison reviewed the calendar with the Councilmembers and suggested that they move the Council Retreat to Saturday, March 30, 2013 on Harstine Island. He said Councilmember McKibbin has reserved a room and made a deposit. Mayor Johnson asked Administrative Services Director Edvalson about whether they could have interested citizens and residents the ability to watch the retreat via Skype or a webcam. Administrative Services Director Edvalson said he would speak with the City's Information Services Manager and see what could be available. Councilmember Minton-Davis said she thinks recording it and having it available for the public would be sufficient. City Administrator Morrison said he is still working to find a facilitator for the retreat so that he may participate. He said retreats normally are designed to focus on and discuss the Council's 10 long range vision/strategic plans.

The Council, Mayor Johnson and City Administrator Morrison discussed who would be in attendance, who would be taking minutes/notes, and Mayor Johnson asked Council to let him know as soon as possible whether they plan to stay overnight so arrangements could be made.

IV. Executive Session: Pursuant to RCW 42.30.110(b), the Council adjourned to an Executive Session with the City Attorney at 6:41 p.m. for 11 minutes to discuss pending litigation. The Council returned to chambers at 6:52 p.m.

V. ADJOURNMENT:

At 6:53 p.m., Councilmember Rackley moved to adjourn the Council Workshop. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7-0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council for the February 5th Workshop: Jim Nelson – City of Bonney Lake Refunding & New Money Discussion Power Point Presentation – D.A. Davidson & Co.

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CITY COUNCIL MEETING

February 12, 2013
7:00 P.M.

DRAFT MINUTES

City of



“Where Dreams Can Soar”

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.

Website: www.ci.bonney-lake.wa.us

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. 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: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Engineer John Woodcock, City Attorney Kathleen Haggard, Senior Planner Jason Sullivan, and Records & Information Specialist Susan Duis.

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments:

- a. **AB13-20** – A Motion Of The Bonney Lake City Council Appointing Scott Anderson, Laurie Carter And Fred Jacobsen To The Pro Committee And James “Kelly” McClimans, John Millan And Shawnta Mulligan To The Con Committee Associated With The April 23, 2013 Special Election Regarding Establishment Of A Metropolitan Park District.

Councilmember Rackley moved to approve motion AB13-20 appointing Pro and Con Committee members. Councilmember Lewis seconded the motion.

Mayor Johnson noted that the proposed appointees were considered and nominated by the Council during the February 5, 2013 Council Workshop.

Motion AB13-20 approved 7 – 0.

3. Presentations: None.

D. Agenda Modifications:

Mayor Johnson asked the Council to consider amending the agenda to add an item to the agenda for action under Full Council Issues.

Councilmember Watson moved to amend the agenda to add the following item for action under Full Council Issues, Item B: AB13-34 – Resolution 2283 – Urging The Washington State Legislature To Fund The Completion Of SR 167 From East Pierce County To The Port Of Tacoma. Councilmember Lewis seconded the motion.

Motion to amend the agenda to add AB13-34 approved 7 – 0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Scott Anderson, 9901 197th Ave E, Bonney Lake, referred to a recent article in the Courier Herald newspaper regarding extension of 198th Ave E to serve the Tehaleh development. He said the project will also extend 200th Ave E between Mountain View Middle School and Bonney Lake High School. He said he is concerned because he lives in the area and there is already a major traffic bottleneck in this area in the morning and afternoons due to school traffic. He asked if 200th Ave E would be expanded to help mitigate the additional traffic coming from Tehaleh. He said he expects this will cause problems for residents in the future when traffic increases.

City Engineer John Woodcock explained the mitigation agreement between Pierce County and the developers of Tehaleh (formerly Cascadia). He said initially 198th Ave E will be extended, and at Phase 2 of the Tehaleh project the road will be widened to four lanes as part of the mitigation requirements for the project.

Councilmember Rackley noted that the mitigation agreement is between Pierce County and Tehaleh and the City was not involved in the negotiations. He said the 198th Ave E project will not alleviate the traffic problems. He said the City has a proposed project to extend 192nd St E, though a funding source must be found for that project to move forward. He said the City and Councilmembers are very aware of the potential traffic issues as development begins in Tehaleh.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS

A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and discussed personnel updates, the tri-agency recreational agreement; awarding the official newspaper contract; and review of committee minutes. He said the Committee will continue discussing language for a resolution about open hiring and recruitment processes. Mayor Johnson said the City's process is open, but this would provide a written policy to that effect.

B. Community Development Committee: Councilmember McKibbin said the Committee met on February 5, 2013 and forwarded two items to the current Consent Agenda.

- C. Public Safety Committee: Councilmember Hamilton said the committee met on February 4, 2013 and discussed solid waste services (garbage and recycling). He said about 300-400 residents in Bonney Lake do not have garbage service currently, and it is a public safety concern. He said some residents report they dispose of their garbage themselves using the County landfills, but the City cannot be sure that all garbage is being properly disposed of. He said the City's contract has a clause that requires all residents to sign up for garbage services. However, he said there is no good way to force compliance, since the garbage utility is contracted out and not tied to other utilities. He said the Committee will continue discussions and reviewing options in the future.

Councilmember Rackley asked if DM Disposal offers an exception for vacant homes. Councilmember Hamilton said DM Disposal has the authority to determine which properties are charged, and noted they offer short-term service disconnection for 'snow birds' who are out of town for several months at a time. He added that garbage collection is an important issue for the City that needs to be addressed.

- D. Other Reports:

Community Updates: Councilmember Lewis said that he attended the White River Families First Coalition meeting on January 28th, and the next meeting is on February 25th at Glacier Middle School in Buckley. He said the same groups that regularly attend the Summer FFC meetings also attended this meeting, including area churches, the library, school district, and health department. The group heard a briefing on housing resources such as Olive Crest and Vadis, which provide short-term fostering for homeless children.

Councilmember Watson reported that he, Councilmember Lewis and Special Events Coordinator David Wells attended the Communities for Families meeting in Summer on February 7, 2013. He said over 50 people attended. The group discussed the 20th Annual Summit scheduled on March 21st at Bonney Lake High School. They are seeking nominations for the 'Unsung Hero' award now through February 27th. The group heard from the Drug Free Communities group, Project Homeless Connect, and about the 'Expect Respect' course offered at the Summer Library. He reminded the Council of the upcoming Bonney Lake High School youth forum.

Park Board: Councilmember Watson said he attended the Park Board meeting on February 11, 2013. The Board discussed the upcoming Allan Yorke Park/Dike 13 project, which would add volleyball courts, additional space, sidewalks, and better fencing to the area. The Safe Routes to School trail project will begin soon and the Park Board suggested a groundbreaking event be held. Mayor Johnson said he plans to schedule an event as soon as the construction timeline is determined. Councilmember Watson said the Board also discussed the upcoming special election on whether to form a Metropolitan Parks District and reviewed a fact sheet. The Board also discussed proposals for the boat launch, which were forwarded to the Public Safety Committee.

Pierce County Regional Council: Mayor Johnson said he and Councilmembers Hamilton, Lewis, and Watson, and Senior Planner Jason Sullivan attended the PCRC dinner meeting on February 7, 2013. He said the event was well-attended and guest speaker Col. Chuck Hodges from Joint Base Lewis-McChord gave a very interesting speech. He commended Councilmember Hamilton and Lewis for their good work with the PCRC and networking with other cities.

County Executive: Mayor Johnson said he and City Administrator Morrison presented information on behalf of Bonney Lake to Pierce County Executive Pat McCarthy's team on February 6, 2013. They highlighted issues including social services partnerships, the 800 MHz communications system, equity in PCRC funding distribution, and the Lake Tapps safety group.

Lake Tapps Safety: Mayor Johnson said a group including area school districts, cities, the police and fire departments, Pierce County Parks, and Cascade Water Alliance (CWA) are part of a group discussing ways to improve safety on Lake Tapps. The group's tagline is "Swim Safe", and they are working on a comprehensive plan of education and events. CWA is hosting an open house at North Tapps Middle School on May 22nd. He said all those involved are engaged and serious about the project to make it safer at the lake.

Youth Forums: Mayor Johnson said he and members of the management team will attend the Bonney Lake High School Youth Forum again this year. He thanked staff members for stepping up to participate.

Stormwater Calendar: City Engineer Woodcock said in the past the City received grant funds through the Department of Ecology that went toward creating a stormwater awareness calendar. Though the funds have run out, the program is so popular that the department was asked to find a way to keep it going. This year the City will pay for the costs, about \$3,000, to create a calendar again for 2014. All school-age children in the City are encouraged to submit artwork for the contest; the application form is posted on the City website.

Mayor Johnson said this program has been important to educate kids and is very popular. He said the City will reach out to local businesses for prizes and supporting funds. Councilmember Lewis said this program is very popular with kids from elementary to high school ages, as well as with teachers who can incorporate it into their classes. He said many people asked him how they could be involved in the program, and he was concerned when he heard the grant funding was gone. He thanked the Mayor and staff for supporting the program that encourages young artists and is great for the community.

IV. CONSENT AGENDA:

- A. **Approval of Minutes:** January 15, 2013 Workshop and January 22, 2013 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #65364 thru 65399 (and wire transfer #'s 10597317, 20130115, 2013011701) in the amount of \$964,830.19 out of the 2012 budget; Accounts Payable check/voucher #65400 thru 65400 in the amount of \$1,189.28 for a water leak adjustment refund out of the 2012 budget; Accounts Payable checks/vouchers #65401 thru 65427 in the amount of \$1,133,971.04 out of the 2013 budget; Accounts Payable checks/vouchers #65428 thru 65445 in the amount of \$1,957.20 for utility refunds out of the 2013 budget; Accounts Payable checks/vouchers #65446 thru 65454 in the amount of \$87,566.01 out of a combination of budget years 2012 and 2013; Accounts Payable checks/vouchers #65455 thru 65471 in the amount of \$4,129.22 out of a combination of budget years 2012 and 2013; Accounts Payable checks/vouchers #65472 thru 65484 for utility refunds in the amount of \$1,887.30 out of the 2013 budget; Accounts Payable checks/vouchers #65485 thru 65497 in the amount of \$66,412.81 out of the 2012 budget; Accounts Payable checks/vouchers #65498 thru 65522 in the amount of \$52,285.83 out of the 2013 budget;

Accounts Payable checks/vouchers #65523 in the amount of \$230.08 for Accounts Receivable deposit refund out of the 2013 budget; Accounts Payable checks/vouchers #65524 in the amount of \$73.16 for a utility refund check replacement out of the 2012 budget; Accounts Payable checks/vouchers #65525 thru 65539 in the amount of \$1,069.11 for utility refunds out of the 2013 budget for a grand total of \$2,315,601.23.

VOIDED CHECKS: Check #63774 – replaced with #65400; Check #65138 – replaced with #65524; Check #65175 – credited as we used our own training facility; Check #64768 – replaced with #65497.

- C. **Approval of Payroll:** Payroll for December 16th - 31st 2012 for checks #30847-#30869 including Direct Deposits and Electronic Transfers in the amount of \$ 679,677.36. Payroll – Uniform Allowance per CBA paid January 15th 2013 for checks #30870 - #30907 including Direct Deposits and Electronic Transfers in the amount of \$ 30,528.44. Payroll for January 1st - 15th 2013 for checks #30908 – #30930 including Direct Deposits and Electronic Transfers in the amount of \$ 431,934.33. Payroll for January 16-31st 2013 for checks #30932 - #30958 including Direct Deposits and Electronic Transfers in the amount of \$ 629,653.15.
- D. **AB13-16 – Ordinance D13-16** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 14.100 And 15.08 Of The Bonney Lake Municipal Code Relating To Home Occupation Signage And Temporary Signage In Conjunction With Temporary Permits.
- E. **AB13-15 – Resolution 2270** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving The Orchard Grove II Final Plat.
- F. **AB13-21 – Resolution 2274** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The Allan Yorke And West Tapps Highway Improvements Project To Hoffman Construction Inc.
- G. **AB13-22 – Resolution 2275** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The Services During Construction Contract For The Allan Yorke And West Tapps Highway Improvements Project To KPG Engineering.
- H. **AB13-25 - Resolution 2278** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Settlement Agreement Between The City Of Bonney Lake And Cingular Wireless In The Amount Of \$9,661.21.
- I. **AB13-27** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Special Council Meeting (Retreat) For March 30, 2013 At The Harstene Pointe Clubhouse ~~Harstine Island Community Hall~~.

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

Consent Agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES:

- A. **AB13-24 – Resolution 2276** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Interlocal Agreement With The City Of Sumner And The Sumner School District For Recreation Services.

Councilmember Lewis moved to approve Resolution 2276. Councilmember Watson seconded the motion.

Mayor Johnson said he meets with representatives from the school district and recreation program quarterly. He said this is a similar agreement as in past years and commented that this program does a lot with a small budget.

Resolution 2276 approved 7 – 0.

VI. COMMUNITY DEVELOPMENT ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB13-03 – Resolution 2265** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Establishment Of The Eastown Utility Latecomer Agreement.

Councilmember Rackley moved to approve Resolution 2265. Councilmember Lewis seconded the motion.

Roger Watt, 12029 225th Ave Ct E, Bonney Lake, read a portion of a statement on behalf of the Eastown Sewer Development Association, LLC. He said this is a potentially historic moment, and the scaled-down agreement makes the most sense. He said the Eastown area was annexed into the City with the purpose to develop it as a commercial area. He said this ULA satisfies the City's requirement that developers pay for the cost of development. He thanked the Council for revisiting the ULA and encouraged the Council to approve the resolution. He provided a large written statement to the City Clerk for the record as his time to speak had expired.

Mayor Johnson said staff members have followed through on a proposal presented by Councilmember McKibbin and Deputy Mayor Swatman to move the project forward. The staff searched for additional partners for a ULA, and has found one in the Eastown owner's LLC.

Deputy Mayor Swatman thanked staff and Mayor Johnson for all the work they have done, and to the Eastown property owners for their patience. He said Eastown has potential for commercial development, which would benefit the owners who sell their land and the City, which would see long-term tax revenues. He said the proposed ULA is a good partnership, and the City cannot complete the project alone. He said he hopes the ULA would be approved so the project can move forward. He said the ULA is not the last step, and there is a lot more to be done. Councilmember Hamilton reiterated that the ULA is just one piece of the process for Eastown.

Councilmember Minton-Davis said from the Council's past actions and discussions, she understands that a ULA is optional to develop sewer. She said she appreciates the work that has been done and that the Eastown property owners have stepped up. However, she

said the ULA adds a road block to development, and simply trades money back and forth between the City and the ULA group. She said she is not in favor of the proposed ULA.

Mayor Johnson said as Eastown develops, the Council will still have the ability to set up developer agreements, similar to what was done with the Franciscan's development. He said these are important tools to address the Council's concerns in the future.

**Resolution 2265 approved 5 – 2.
Councilmembers McKibbin
and Minton-Davis voted no.**

- B. **AB13-34 – Resolution 2283 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Urging The Washington State Legislature To Fund The Completion Of SR 167 From East Pierce County To The Port Of Tacoma.**
Added to agenda during Agenda Modifications.

Councilmember Rackley moved to approve Resolution 2283. Councilmember Lewis seconded the motion.

Councilmember Rackley moved to amend the resolution to remove the word “tolls”. Councilmember Watson seconded the motion.

Councilmember Rackley said he does not want to encourage the state in any way to add new tolls to the highway, which is why he proposed striking the word from the proposed resolution. Deputy Mayor Swatman said that toll funding is simply listed as one of the options for statewide funds for the project. He said he understands Councilmember Rackley's sentiment, but doesn't think the project funding should be limited to not include toll funds gathered from around the state.

Mayor Johnson said the language in this resolution is 'boilerplate' and is being adopted by other member cities in the Pierce County Regional Council. He said he believes the representative who drafted the resolution is also against tolling, and the intention is not to support tolling on the SR 167 project.

**Motion to amend Resolution 2283 failed 2 – 5.
Deputy Mayor Swatman and Councilmembers
Hamilton, Lewis, Minton-Davis,
and Watson voted no.**

Councilmember Hamilton said it is very important that the highway be completed. He said the project will be a huge economic stimulus for Bonney Lake as well as other cities in the area and the Port of Tacoma. He encouraged the Council to unanimously support the proposed resolution so all the cities in the PCRC can speak with one voice. He said there is political momentum to move the project forward. Councilmember Rackley said the project could create thousands of jobs and he has no objection to the proposed project, but simply did not want to encourage the use of new tolls. Councilmember Hamilton said if the project does move forward, the City will have future opportunities to voice its opinion on potential tolling.

Resolution 2283 approved 7 – 0.

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.140(4)(b), the Council entered a closed session with the Human Resources Manager at 7:50 p.m. to discuss labor negotiations for 20 minutes. At 8:12 p.m. the closed session was extended for 10 minutes. At 8:25 p.m. the session was extended for 5 minutes. The Council returned to chambers at 8:30 p.m. No action was taken.

X. ADJOURNMENT:

At 8:31 p.m., Councilmember Hamilton moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the February 12, 2013 Meeting:

- Roger Watt – *Statement at 2/12/2013 Council Meeting re E'town ULA* – Eastown Sewer Development Association, LLC.
- Don Morrison – *AB13-34 – Resolution 2283 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Urging The Washington State Legislature To Fund The Completion Of SR 167 From East Pierce County To The Port Of Tacoma* – City of Bonney Lake.



Agenda Placeholder

For the Council Workshop of February 19, 2013

Item III. C. Discussion: Changes to City Building Names.

No Agenda Bill provided for this agenda item.

City Building Names - Employee Survey



1. Please rank your choices for a new name for the Justice Center once the other departments have moved in. Click the box and enter "1" for your first choice, and so on. The numbers will repopulate once you have entered a number choice.

	1	2	3	4	5	6	RatingAverage	RatingCount
Justice Center and Municipal Building (JCMB)	3.4% (2)	22.4% (13)	22.4% (13)	27.6% (16)	19.0% (11)	5.2% (3)	3.52	58
Justice and Municipal Center (JMC)	13.8% (8)	19.0% (11)	31.0% (18)	22.4% (13)	12.1% (7)	1.7% (1)	3.05	58
Justice Center (JC)	13.8% (8)	8.6% (5)	3.4% (2)	15.5% (9)	19.0% (11)	39.7% (23)	4.36	58
City Hall (CH)	43.1% (25)	12.1% (7)	10.3% (6)	8.6% (5)	10.3% (6)	15.5% (9)	2.78	58
Municipal Services Center (MSC) / Municipal Services Building (MSB)	15.5% (9)	17.2% (10)	19.0% (11)	13.8% (8)	20.7% (12)	13.8% (8)	3.48	58
Municipal Building (MB)	10.3% (6)	20.7% (12)	13.8% (8)	12.1% (7)	19.0% (11)	24.1% (14)	3.81	58
AnsweredQuestion								58
SkippedQuestion								0

2. Please rank your preferred name for the current City Hall once public works moves there and everyone else moves out. Click the box and enter "1" for your first choice, and so on. The numbers will repopulate once you have entered a number choice.

	1	2	3	4	RatingAverage	RatingCount
Public Works Center (PWC)	51.7% (30)	32.8% (19)	15.5% (9)	0.0% (0)	1.64	58
Public Works Administration & Operations Center (PWAOC)	31.0% (18)	27.6% (16)	29.3% (17)	12.1% (7)	2.22	58
Public Works Building (or Complex) (PWC)	10.3% (6)	29.3% (17)	55.2% (32)	5.2% (3)	2.55	58
Old City Hall (OCH)	6.9% (4)	10.3% (6)	0.0% (0)	82.8% (48)	3.59	58
AnsweredQuestion						58
SkippedQuestion						0

3. Comments:

	ResponseCount
	14
AnsweredQuestion	14
SkippedQuestion	44

Q3. Comments:

1	The name needs to reflect the use in order to properly serve the citizens. Justice Center excludes the majority uses. Many courts are contained within a city hall, as it has been for most of the City's life (until the JC was constructed). The name clearly should be City Hall, or Municipal Building.	Jan 15, 2013 11:05 AM
2	Keep it clear and simple to not confuse the public.	Jan 11, 2013 7:01 AM
3	Again with the expense to change signage ? It's a BAD idea. It's the Justice Center - Clearly!	Jan 10, 2013 6:05 PM
4	It should remain the Justice Center. This is what was voted on when the building was named to begin with and it was also agreed to remove the Interim to Justice Center Why do we need to put out more costs to change it, the street signs, forms, and staff time to make changes, etc. In addiiton, google searches, etc would all have to be updated and it was quite a job to get it on Map Quest etc. the first time.	Jan 10, 2013 5:39 PM
5	Change Public Safety Building to Public Safety Center	Jan 10, 2013 4:14 PM
6	Justice and GIS Center (JGC)	Jan 10, 2013 3:58 PM
7	#1. Trailer Without Wheels	Jan 10, 2013 3:57 PM
8	Big Red Barn for Justice Center.	Jan 10, 2013 3:39 PM
9	The Justice Center should remain "Justice Center." The costs are too great to change the name. City residents are already associated the name of the Justice Center, internet direction sites (google maps, mapquest, etc) already have the name of the Justice Center as its current location. However, the costs of changing the name of City Hall to Public Works Center should be lower, since the departments in City Hall will have to change their information anyway. But in reality, what ever we call City Hall...it will always be referred to as "Old City Hall."	Jan 10, 2013 3:10 PM
10	In my opinion the name should stay the same. The city has paid for information signs on 410 already indicating Justice Center. There has been lots of negative comments from citizens over the name change of Old buckley highway because of the costs to the city. I.e changing letter head for PD fire dept etc. This is ridiculous and seems to be a total waste of money!!!! There is already going to be costs involved with moving in changing forms, business cards etc. During this time of budget cuts and contract issues does this even seem appropriate to consider this? The survey would not allow me to leave it blank that is the only reason there are numbers up above.	Jan 10, 2013 2:50 PM
11	Instead of Public Works Center (PWC) I'd like to use Interim Public Works Center.	Jan 10, 2013 12:13 PM
12	I dont believe there will be staff in the Old City Hall that are part of the PW-Operations	Jan 10, 2013 11:56 AM
13	As long as we still use the bldg at 19306 BL Blvd for city services, I think it would be confusing to name any other bldg 'City Hall', which is why I made that my last choice on the 1st question. We can still refer to 'old city hall' in descriptions of the Public Works Center/Complex (like "the Public Works AOC at Old City Hall")	Jan 10, 2013 11:54 AM

Q3. Comments:

- | | | |
|----|--|-----------------------|
| 14 | I believe I have heard that the land that the current City Hall building is on was donated by a citizen and it was specified that this space needed to be either used as City Hall or a park. Some research may need to be done to make sure that we can actually call the building at 19306 Bonney Lake Blvd by another name. | Jan 10, 2013 11:51 AM |
|----|--|-----------------------|

1. Please rank your choices for a new name for the Justice Center once the other departments have moved in. Click the box and enter "1" for your first choice, and so on. The numbers will repopulate once you have entered a number choice.

	1	2	3	4	5	6	RatingAverage	RatingCount
Justice Center and Municipal Building (JCMB)	0.0% (0)	66.7% (4)	0.0% (0)	16.7% (1)	0.0% (0)	16.7% (1)	3.00	6
Justice and Municipal Center (JMC)	66.7% (4)	0.0% (0)	16.7% (1)	0.0% (0)	16.7% (1)	0.0% (0)	2.00	6
Justice Center (JC)	0.0% (0)	0.0% (0)	33.3% (2)	16.7% (1)	33.3% (2)	16.7% (1)	4.33	6
City Hall (CH)	33.3% (2)	0.0% (0)	16.7% (1)	16.7% (1)	0.0% (0)	33.3% (2)	3.50	6
Municipal Services Center (MSC) / Municipal Services Building (MSB)	0.0% (0)	33.3% (2)	33.3% (2)	0.0% (0)	33.3% (2)	0.0% (0)	3.33	6
Municipal Building (MB)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (3)	16.7% (1)	33.3% (2)	4.83	6
AnsweredQuestion								6
SkippedQuestion								0

2. Please rank your preferred name for the current City Hall once public works moves there and everyone else moves out. Click the box and enter "1" for your first choice, and so on. The numbers will repopulate once you have entered a number choice.

	1	2	3	4	RatingAverage	RatingCount
Public Works Center (PWC)	83.3% (5)	16.7% (1)	0.0% (0)	0.0% (0)	1.17	6
Public Works Administration & Operations Center (PWAOC)	16.7% (1)	66.7% (4)	0.0% (0)	16.7% (1)	2.17	6
Public Works Building (or Complex) (PWC)	0.0% (0)	16.7% (1)	83.3% (5)	0.0% (0)	2.83	6
Old City Hall (OCH)	0.0% (0)	0.0% (0)	16.7% (1)	83.3% (5)	3.83	6
AnsweredQuestion						6
SkippedQuestion						0

3. Comments:

	ResponseCount
	2
AnsweredQuestion	
	2
SkippedQuestion	
	4

Q3. Comments:

- | | | |
|---|---|-----------------------|
| 1 | If we are going to rename buildings does it make sense to take it a step further and honor a person or Bonney lake history on the name? I'm not sure if that's common for city buildings... | Jan 16, 2013 2:27 PM |
| 2 | Recommend dropping the "and": Justice/Municipal Center (JMC) | Jan 10, 2013 12:38 PM |

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: ASD/Chuck McEwen	Meeting/Workshop Date: 19 February 2013	Agenda Bill Number: AB13-23
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2249	Councilmember Sponsor:

Agenda Subject: Authorization of unbudgeted expenditures for an emergency phone at Allan Yorke Park swim area.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Unbudgeted Purchase In The Amount Of \$3,379.00+Freight+Tax For An Emergency Phone Installation At The Swim Area In Allan Yorke Park.

Administrative Recommendation: Discussion and support to move forward for Council action.

Background Summary: At Mayor Johnson’s request, staff has conducted research for the installation of an emergency phone near the swim area of Allan York Park. Both Talk-A-Phone and Code Blue emergency phones were researched. Talk-A-Phone is a national company that manufactures emergency phones. The quoted system is for the Tower and phone. This system will consist of a single emergency button which will call 911-emergency and display the swim area location of Allan Yorke Park. The information was discussed by the Finance Committee in November of last year as AB12-146. The Committee felt it should be presented to the full Council at a workshop.

Attachments: Graybar quote and Talk-A-Phone list price and product data sheet.

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a		\$3,379.00+freight+tax	
Budget Explanation: Use of Parks CIP funds for this unbudgeted item. Staff will need to check with Garybar to verify current pricing. Any changes will be noted on an updated agenda bill and resolution.			

COMMITTEE, BOARD & COMMISSION REVIEW											
Council Committee Review:	Finance Committee Date: 27 November 2012	Approvals: Chair/Councilmember Dan Swatman Councilmember Mark Hamilton Councilmember Randy McKibbin	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <th style="font-size: small;">Yes</th> <th style="font-size: small;">No</th> </tr> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>	Yes	No						
Yes	No										
Forward to: Council Workshop		Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No									
Commission/Board Review:											
Hearing Examiner Review:											

COUNCIL ACTION	
Workshop Date(s): 2/19/13	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: <i>HTE</i>	Mayor: <i>NHJ</i>	Date Reviewed by City Attorney: N/A (if applicable):



Price Quote

Talk-A-Phone Co.
 7530 N. Natchez Ave.
 Niles, IL 60714
 Phone: 773.539.1100
 Fax: 773.539.1241
 email: info@talkaphone.com
 website: http://www.talkaphone.com

Date: 24 October 2012
Issued By: Don Strauch
Quote No.: Q27303

Customer: _____

Project Description: City of Bonney Lake
Project ID: _____

Graybar Electric
 Michael Wyble
 1414 Center St.
 Tacoma, WA 98409

Comments:
 Kathy,
 As requested, kindly provide Chuck with revised final pricing for this project.
 Thanks again.
 Don

Phone/Fax: _____
Email: Michael.Wyble@graybar.com

F.O.B.: Factory Niles, IL

Line	Quantity	Model Name	Description
1	1	ETP-MT/R	Radius Tower mount with blue light/strobe (10" x 12" x 9 1/2")
2	1	ETP-400V	ADA compliant, hands-free indoor/outdoor emergency phone, flush mounted with Voice Location Identifier.

\$ 2856⁰⁰ EA

\$ 523⁰⁰ EA



Quote Terms: Good for 30 Days

Total: 3379⁰⁰

Talk-A-Phone Co. has compiled this quotation based on our best interpretation of the information furnished to us, either written or verbal. It change without notice. Talk-A-Phone Co. assumes no liability for the use or correctness of this quotation. Estimated lead time for delivery can only be given in writing and is only valid at time of estimation.

**ETP-MT/R – Radius
 Emergency Phone Tower**

Description

Talk-A-Phone's ETP-MT/R Emergency Phone Tower is an ideal security solution for remote and high-risk areas. Standing over nine feet tall, this vandal-resistant tower serves as a great deterrent to crime. An always-lit LED Blue Light mounted atop the tower provides high visibility and gives passers-by a sense of security. Emergency call can be placed with a simple push of a button. At the same time, the LED Blue Light begins to flash, attracting attention to the location. The Emergency Phone faceplate is illuminated at all times for clear visibility during the night.

Talk-A-Phone's ETP-MT/R Emergency Phone Towers offer greater deployment flexibility with wireless, solar, surveillance and day/night charge options. They are often used at university and college campuses, parking facilities, shopping malls, medical centers, industrial campuses, transit facilities and remote areas.

Features

- ETP-MT/R tower offers contemporary architectural styling and even greater visibility than standard tower due to it's larger size and radius corners
- Attention-getting LED Blue Light is included and mounted atop the unit. The LED Blue Light is continuously lit and flashes for duration of a call when "EMERGENCY" button is pressed to draw attention to the unit
- LED Blue Light is housed in a protective polycarbonate housing (except OP4, OP5)
- Emergency Phone faceplate is illuminated at all times by an LED Panel Light
- Vandal-resistant structure and coating designed to resist extreme weather conditions
- A variety of signage, graphics and color choices are available
- ADA-compliant

Specifications

Dimensions (W x D x H):	12.0 x 10.0 x 108.0 in. (305 x 254 x 2743 mm) with 2 in. radius corners				
Weight:	340 lbs. (154 kg)				
Construction:	0.25 in. steel				
Coating:	High-gloss, multi-layer, corrosion-inhibitive system with resistance to UV-fade and graffiti protection				
Colors:	Safety Blue is standard. Available in custom colors.				
Signage:	3.25 in. high reflective white "EMERGENCY" lettering with wide-angle visibility is standard. Available in custom colors, lettering and graphics.				
Lighting:	<table border="0"> <tr> <td>LED Blue Light:</td> <td>209 lumens peak, 78 flashes per minute, 70% of initial lumens after 50,000 hours of operation</td> </tr> <tr> <td>LED Panel Light:</td> <td>Ultra bright LEDs, 50,000 hour lifetime</td> </tr> </table>	LED Blue Light:	209 lumens peak, 78 flashes per minute, 70% of initial lumens after 50,000 hours of operation	LED Panel Light:	Ultra bright LEDs, 50,000 hour lifetime
LED Blue Light:	209 lumens peak, 78 flashes per minute, 70% of initial lumens after 50,000 hours of operation				
LED Panel Light:	Ultra bright LEDs, 50,000 hour lifetime				
Power:	<table border="0"> <tr> <td>LED Blue Light:</td> <td>7.8 watts, 120VAC 7.8 watts, 12-24VDC/24VAC</td> </tr> <tr> <td>LED Panel Light:</td> <td>1.2 watts, 12-120VAC/DC</td> </tr> </table>	LED Blue Light:	7.8 watts, 120VAC 7.8 watts, 12-24VDC/24VAC	LED Panel Light:	1.2 watts, 12-120VAC/DC
LED Blue Light:	7.8 watts, 120VAC 7.8 watts, 12-24VDC/24VAC				
LED Panel Light:	1.2 watts, 12-120VAC/DC				
Mounting:	Mounts into concrete foundation using included hardware (shipped in advance). Mounting options available for pre-poured parking decks.				
Compliance:	CSA Certified to UL Standard 60950				
Warranty:	5-year warranty on tower (2-year warranty on electronics)				



ETP-MT/R – Radius Emergency Phone Tower

Options

ETP-MT/R Configuration	Emergency Phone Options	Tower Options
Analog Connectivity	ETP-400 Series Phone	ETP-MT/R-OP2 includes a housing for mounting your own fixed CCTV camera inside the tower at average face height.
		ETP-MT/R-OP3 includes a Honeywell fixed day/night CCTV camera inside the tower at average face height.
IP Connectivity	VOIP-500 Series Phone	ETP-MT/R-OP4 includes an arm for mounting your own CCTV dome camera above the tower.
		ETP-MT/R-OP5 includes an arm for mounting an AD Speed-Dome Ultra camera above the tower.
		ETP-MT/R-OP-PCS includes accommodations for an ETP-CI cellular interface kit and a PCS-1 Power Charging System when only switching power is available. For use with ETP-400 series emergency phones only. ETP-CI and PCS-1 are purchased separately.
		ETP-MT/R-OP-SOLAR includes solar panels and batteries for stand-alone applications when local power is not available.

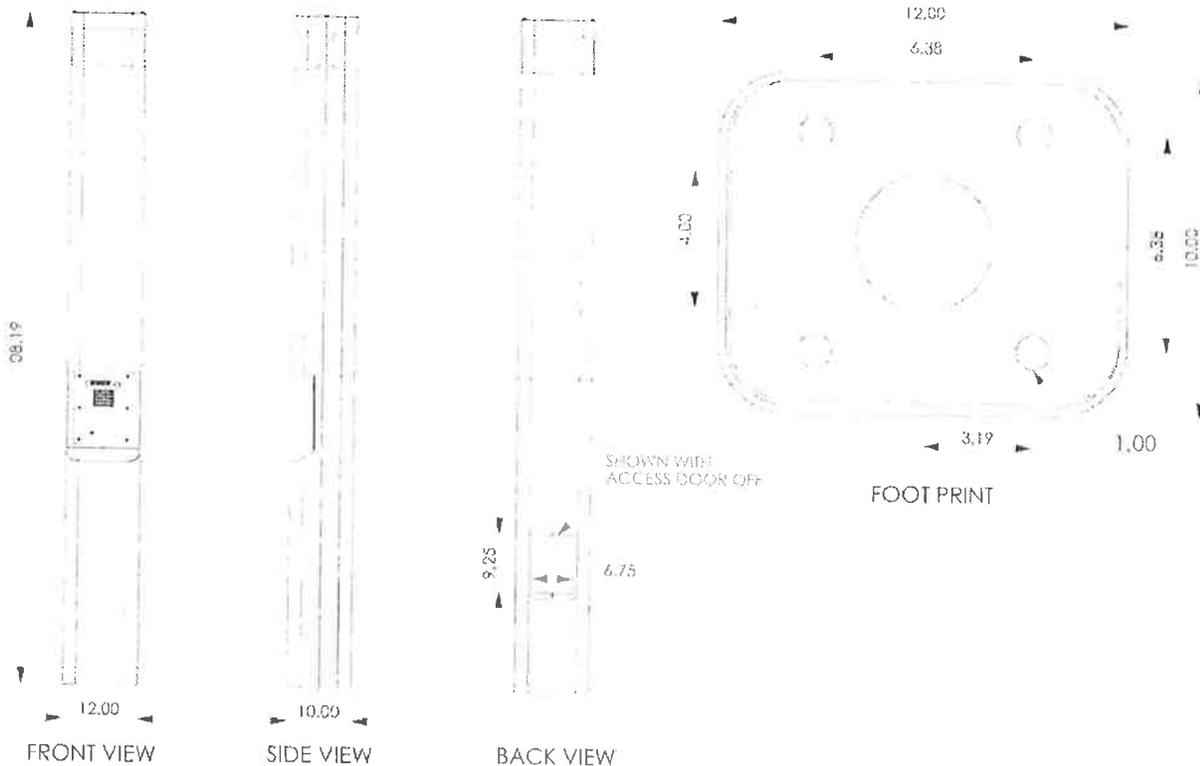
ETP-MT/R tower includes a LED Blue Light, a LED Panel Light and an Anchor Bolt Kit. Emergency Phone is purchased separately.

Accessories

Parking Deck Mounting Kit:

Order model **ETP-PDMK-4** to mount on pre-poured parking deck.

Dimensional Diagram



All dimensions are in inches and are provided for reference only.

Rev. 10/26/11

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Community Development / John P. Vodoipch, AICP	Meeting/Workshop Date: 19 February 2013	Agenda Bill Number: AB13-35
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D13-35	Councilmember Sponsor:

Agenda Subject: Ordinance Related to Permit Applications to Sell Fireworks

Full Title/Motion: An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 5.14 Of The Bonney Lake Municipal Code And The Corresponding Portions Of Ordinance No. 1235 (2007) Related To Permit Applications To Sell Fireworks.

Administrative Recommendation: Approve

Background Summary: The City Attorney has drafted an Ordinance to clarify the permit application process and procedures for the sale of fireworks within the City limits.

Attachments: Ordinance D13-35

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>	Yes	No
Date:	Chair/Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	Consent Agenda:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: <i>John P. Vodopich, AICP</i>	Mayor:	Date Reviewed by City Attorney: 2/1/2013 (if applicable):

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ORDINANCE NO. D13-35

**AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY,
WASHINGTON, AMENDING CHAPTER 5.14 OF THE BONNEY LAKE
MUNICIPAL CODE AND THE CORRESPONDING PORTIONS OF ORDINANCE NO.
1235 (2007) RELATED TO PERMIT APPLICATIONS TO SELL FIREWORKS**

WHEREAS, the Bonney Lake City Council wishes to clarify the permit application process for the sale of fireworks within the City limits.

NOW, THEREFORE, the City Council of the City of Bonney Lake do hereby ordain as follows:

Section 1. Bonney Lake Municipal Code § 5.14.010 and the corresponding portions of Ordinance No. 1235 (2007) are hereby amended to read as follows:

5.14.010 Adoption of sections of Revised Code of Washington by reference.

The following laws contained within the Revised Code of Washington (RCW) are hereby adopted by reference as currently enacted and as hereafter amended from time to time, and shall be given the same force and effect as if set forth herein in full; provided, that any provision in the RCW dealing solely and exclusively with the investigation, prosecution, or sentencing of a felony crime is not adopted herein.

RCW

- 70.77.126 Definitions – “Fireworks.”
- 70.77.131 Definitions – “Display fireworks.”
- 70.77.136 Definitions – “Consumer fireworks.”
- 70.77.138 Definitions – “Articles pyrotechnic.”
- 70.77.141 Definitions – “Agricultural and wildlife fireworks.”
- 70.77.146 Definitions – “Special effects.”
- 70.77.160 Definitions – “Public display of fireworks.”
- 70.77.165 Definitions – “Fire nuisance.”
- 70.77.170 Definitions – “License.”
- 70.77.175 Definitions – “Licensee.”
- 70.77.180 Definitions – “Permit.”
- 70.77.182 Definitions – “Permittee.”
- 70.77.190 Definitions – “Person.”
- 70.77.200 Definitions – “Importer.”
- 70.77.205 Definitions – “Manufacturer.”
- 70.77.210 Definitions – “Wholesaler.”
- 70.77.215 Definitions – “Retailer.”
- 70.77.230 Definitions – “Pyrotechnic operator.”
- 70.77.236 Definitions – “New fireworks item.”
- 70.77.241 Definitions – “Permanent storage” – “Temporary storage.”

- 70.77.255 Acts prohibited without appropriate licenses and permits – Minimum age for license or permit – Activities permitted without license or permit.
- 70.77.260 Application for permit.
- 70.77.265 Investigation, report on permit application.
- 70.77.270 Governing body to grant permits – ~~State-wide~~ Statewide standards – Liability insurance.
- 70.77.280 Public display permit – Investigation – Governing body to grant – Conditions.
- 70.77.285 Public display permit – Bond or insurance for liability.
- 70.77.290 Public display permit – Granted for exclusive purpose.
- 70.77.295 Public display permit – Amount of bond or insurance.
- 70.77.345 Duration of licenses and retail fireworks sales permits.
- 70.77.381 Wholesalers and retailers – Liability insurance requirements.
- 70.77.386 Retailers – Purchase from licensed wholesalers.
- 70.77.401 Sale of certain fireworks prohibited.
- 70.77.405 Authorized sales of toy caps, tricks, and novelties.
- 70.77.410 Public displays not to be hazardous.
- 70.77.415 Supervision of public displays.
- 70.77.420 Permanent Storage storage permit required – Application – Investigation – Grant or denial – Conditions.
- 70.77.425 Approved permanent storage facilities required.
- 70.77.435 Seizure of fireworks.
- 70.77.440 Seizure of fireworks – Proceedings for forfeiture – Disposal of confiscated fireworks.
- 70.77.480 Prohibited transfers of fireworks.
- 70.77.485 Unlawful possession of fireworks – Penalties.
- 70.77.488 Unlawful discharge or use of fireworks – Penalty.
- 70.77.495 Forestry permit to set off fireworks in forest, brush, fallow, etc.
- 70.77.510 Unlawful sales or transfers of ~~special~~ display fireworks – Penalty.
- 70.77.515 Unlawful sales or transfers of consumer fireworks – Penalty.
- 70.77.517 Unlawful transportation of fireworks – Penalty.
- 70.77.520 Unlawful to permit fire nuisance where fireworks kept – Penalty.
- 70.77.525 Manufacture or sale of fireworks for out-of-state shipment.
- 70.77.535 Articles pyrotechnic, ~~Special~~ special effects for entertainment media.
- 70.77.540 Penalty.
- 70.77.545 Violation a separate, continuing offense.
- 70.77.547 Civil enforcement not precluded.
- 70.77.580 Retailers to post list of consumer fireworks.

(Ord. 1235 § 2, 2007).

Section 2. Bonney Lake Municipal Code § 5.14.050 and the corresponding portions of Ordinance No. 1235 (2007) are hereby amended to read as follows:

5.14.050 State license and city permit required.

A. Pursuant to Chapter 70.77 RCW and this chapter, a permit issued by the Community Development Director of planning and community development or his or her designee shall be required for any activity enumerated in RCW 70.77.255(1).

B. No permit for the activities set forth in RCW 70.77.255(1) shall be issued until:

1. A license issued by the Chief of the Washington State Patrol pursuant to RCW 70.77.305-.375 is filed with the local fire official or his or her designee; and
2. A certificate of insurance as required by BLMC 5.14.070 and Chapter 70.77 RCW is filed. (Ord. 1235 § 2, 2007).

Section 3. Bonney Lake Municipal Code § 5.14.060 and the corresponding portions of Ordinance No. 1235 (2007) are hereby amended to read as follows:

5.14.060 Copy of license and permit to be filed.

Any person who obtains a license and permit as required by this chapter shall file with the police and local fire official a copy of each license and permit for such activity required by Chapter 70.77 RCW. (Ord. 1235 § 2, 2007).

Section 4. Bonney Lake Municipal Code § 5.14.090 and the corresponding portions of Ordinance No. 1235 (2007) are hereby amended to read as follows:

5.14.090 Permit required for sales – Application.

A. An application for a permit to sell fireworks shall be made in writing to the Community Development Director of planning and community development (normally processed at the permit center, on forms provided for that purpose) ~~no later than March 15th~~ from January 2 through January 31 of the year for which the permit is sought. Permit fees, inspection, and site plan review charges shall be charged as required by resolution of the city council. The applicant shall include with the application the following:

1. A completed Bonney Lake business license application and fee (nonprofit entities are exempt from this requirement), and
2. A copy of the signed and approved State License Application for Retail Firework Temporary Structure Permit, and

3. A copy of the signed and approved Washington State Patrol Fire Protection Bureau, Office of the State Fire Marshal-issued Fireworks Temporary Structure License Permit (with printed permit number), and
4. A copy of the lease agreement or permission from the property owner for the site location, and
5. A site plan diagram of the proposed sale location, and
6. A certificate of insurance as required by BLMC 5.14.070, and
7. A performance bond or cleaning damage deposit of \$50.00.

The Community Development Director of planning and community development or his or her designee shall deny or grant any such application in writing ~~no more than 30 days after receipt of an application~~ by March 10 of the year for which the permit is sought. The Community Development Director of planning and community development or his or her designee may place reasonable conditions on any permit issued. The person applying for a permit may ask in writing that the Community Development Director of planning and community development reconsider the denial of the permit or the conditions of the permit. Reconsideration shall be based solely upon written information provided by the applicant and information obtained or held by the Community Development Director of planning and community development, and no hearing shall be required. The determination of the Community Development Director of planning and community development on the request for reconsideration shall be final.

B. Corporations, firms, groups, clubs, and organizations applying for a permit to sell fireworks shall designate an individual sponsor to complete the application and ensure that all applicable regulations and permit conditions are followed. No person, corporation, firm, group, club, or organization, as an applicant or sponsor, shall receive more than one permit from the city for the sale of fireworks during any one calendar year. The permit application shall contain the address of the applicant and sponsor and be signed by the sponsor. The maximum number of permits that may be issued pursuant to this chapter shall not exceed one permit for each 2,500 residents of the city, according to the last official census or the last estimate of the state's census board. A permit granted pursuant to this chapter shall entitle the permittee to maintain only one retail fireworks stand.

C. If there are more applications for permits than the maximum number of permits that may be issued pursuant to this chapter, the Community Development Director or his or her designee shall issue permits in the order received with priority given to nonprofit organizations, service clubs, school groups, religious, or charitable organizations located in the city. For the purpose of this chapter, "nonprofit organizations, service clubs, school groups, religious, or charitable organizations" shall be defined as an organization designated as a nonprofit entity by the United States Internal Revenue Service, a primary organization with an identified and accepted public

purpose, and/or an organization created under the auspices of a primary organization with an identified and accepted public purpose. For the purposes of this chapter, separate chapters of an organization shall be considered the same person, firm, or corporation.

E. Transfer to any other person, corporation, firm, group, club, or organization by the permit holder of the permit issued by the city shall be deemed void and a violation of this chapter.

~~B.F.~~ The applicant shall post with the city a performance bond or cash deposit in an amount of \$50.00, conditioned upon the prompt removal of the temporary structure and the cleaning up of all debris from the site of the temporary structure. The removal of the temporary structure and the required cleanup shall be performed no later than five days after termination of the temporary structure's permitted operation. In the event that the required cleanup is not performed to the satisfaction of the inspecting official of the city, the entire amount of the bond shall be forfeited to the city. Extraordinary expenses in excess of the bond amount in addition to all other remedies, if suffered by the city in cleanup or site remediation, shall be billed to the permit holder. Failure of the permit holder to pay such a billing, in full and within 30 days, may result in refusal of the city to grant a future fireworks temporary structures permit to the same person, ~~charity, or business corporation, firm, group, club, or organization.~~ (Ord. 1235 § 2, 2007).

Section 5. Bonney Lake Municipal Code § 5.14.100 and the corresponding portions of Ordinance No. 1235 (2007) are hereby amended to read as follows:

5.14.100 Retail fireworks temporary structures.

The following requirements shall apply to the operation of retail fireworks temporary structures:

A. Prior to opening for business, a temporary retail sales fireworks structure must be inspected and approved by the fire marshal.

B. Inspections of temporary structures shall not be conducted until the local fire official is notified by the temporary structure operator that the temporary structure is configured in the manner intended for opening for business.

C. Temporary structures shall comply with all requirements of WAC 212-17-21505, 212-17-21509, 212-17-21511, 212-17-21513, 212-17-21515 and 212-17-21517. Where there are practical difficulties in achieving compliance, and alternatives are sought that do not compromise public safety, the permit holder shall fully inform the police and fire chiefs in writing of the noncompliance issue and seek a written approval of the alternative proposed.

~~D. No person, firm, corporation, or charitable organization shall receive more than one permit from the city for the sale of fireworks during any one calendar year. The maximum number of permits that may be issued pursuant to this chapter shall not exceed one license for each 2,500 residents of the city, according to the last official census or the last estimate of the state's census board.~~

~~E. Transfer to any other person, firm, corporation, or charitable organization by the permit holder of the permit issued by the city shall be deemed void and a violation of this chapter.~~

F D. Retail temporary fireworks structures shall be allowed only in the C-2, ~~C-3 and C-2/C-3 combined commercial zones~~ Downtown Core, Downtown Mixed, Midtown Core, and Easttown Zoning Districts. (Ord. 1235 § 2, 2007).

Section 6. This ordinance shall take effect and be enforced one (1) year after passage, approval, and publication as required by law.

Passed by the City Council this ____ day of _____, 2013.

Neil Johnson, Jr., Mayor

ATTEST:

Harwood Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 19 February 2013	Agenda Bill Number: AB13-36
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2284	Councilmember Sponsor:

Agenda Subject: A Resolution declaring the City's intent to reimburse expenditures from the proceeds of tax-exempt bonds or other obligations

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Declaring The City's Intent To Reimburse Certain Capital Expenditures From The Proceeds Of Tax-Exempt Bonds Or Other Obligations.

Administrative Recommendation: Approve

Background Summary: It would be fiscally prudent to refinance the current civic center bonds. This Resolution would give the City the flexibility to reimburse itself, from any "new" money included in the upcoming bond refinance issuance, for recent civic center improvements and acquisitions, such as the purchase of the Tidball property, or recent improvmeents made to the Justice Center. The Council would not necessarily have to include "new" money in the bond refinance, but if it chose to, it would have the added flexibility to reimburse Fund 320 for recent expenditures for land acquisition and Justice Center tenant improvements.

Attachments: Approve

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: N/A			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>	Yes	No
Date:	Chair/Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	Consent Agenda:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): February 19, 2013	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director:	Mayor:	Date Reviewed by City Attorney: (if applicable):

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RESOLUTION NO. 2284

A RESOLUTION OF THE CITY OF BONNEY LAKE,
WASHINGTON, DECLARING THE CITY'S INTENT TO
REIMBURSE CERTAIN CAPITAL EXPENDITURES FROM
THE PROCEEDS OF TAX-EXEMPT BONDS OR OTHER
OBLIGATIONS.

WHEREAS, in 2007 the City Council issued bonds to finance a portion of the land acquisition and development of the civic center, including the Justice Center; and

WHEREAS, the City Council finds it desirable and economically prudent that the City refinance that bond issue, and to undertake certain additional capital projects, land acquisitions, or improvements for the civic center campus and to further implement the City's Downtown Plan (the "Project").

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE,
WASHINGTON HEREBY RESOLVES AS FOLLOWS:

For the purpose of complying with the provisions of the Treasury Regulation Section 1.150-2 with respect to qualification of reimbursement allocations as expenditures of bond proceeds, the City Council hereby declares the City's intent to finance all or part of the Project through the issuance of tax exempt bonds in a maximum principal amount not to exceed \$10,000,000 (the "Bonds"). Pending the issuance of the Bonds, the City may make capital expenditures in furtherance of the Project, in anticipation of reimbursement for such expenditures from the proceeds of the Bonds, when issued.

PASSED BY THE CITY COUNCIL this _____ day of March, 2013

Neil Johnson, Jr., Mayor

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney

Civic Center Bond Refinance
Potential Uses of Additional New Money

1. \$90,000 Reimbursement for recent acquisition of civic center property
2. \$200,000 Installation of backup generator for Justice Center
3. \$25,000 Key card system for Justice Center
4. \$80,000 Justice Center ancillary parking lot improvements
5. \$1,147,000 to acquire the remaining five (5) parcels needed to complete civic center land acquisition (18416 and 18420 90th St E, 8804 and 8806 Main St E, 18426 89th St E)
6. \$200,000 Reimbursement for a portion of “unfunded” Phase II JC Tenant Improvements.
Note: funds currently intended to come from utility rental of old city hall as PW Center
7. \$250,000 General Fund (street dept) share of new public works center on 96th St.
(possibly for additional land acquisition)

Example of Timeline for the Financing

<u>Steps</u>	<u>Target Dates</u>	<u>Action</u>
1	2/15/2013	Release draft Preliminary Official Statement (POS) for review and comments.
2	2/27/2013	Receive comments and remaining information from the City & Bond Attorney.
3	2/27/2013	Receive draft Bond Ordinance and Legal Opinion from the Bond Attorney.
4	3/11/2013	Release information package to the rating agency (Standard & Poor's ("S&P")).
5	3/12/2013	City Council decides on the new money bond and the amount.
6	3/19 & 3/20	Practice conference call and rating presentation (via conference call) with S&P.
7	3/28/2013	Receive rating grade from S&P, release the POS, and begin marketing the Bonds to prospective investors.
8	4/3/2013	Review market conditions/pre-pricing call with City staff.
9	4/8/2013	Set the final interest rates for the Bonds.
10	4/9/2013	Presentation of final interest rates, sign bond purchase contract.
11	4/23/2013	Closing and Delivery of Bond proceeds.