

CITY COUNCIL MEETING

City of

April 22, 2008
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.
Website: www.ci.bonney-lake.wa.us

MINUTES

"Where Dreams Can Soar"

Audio Time
Stamp ↓

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

A. Flag Salute: Zach Brown from Boy Scout Troop 304 led the audience in the Pledge of Allegiance.

B. Roll Call: [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Neil Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember James Rackley.

[Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Planning & Community Development Director John Vodopich, Assistant Police Chief Dana Powers, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, Chief Financial Officer Al Juarez, City Attorney Jim Dionne and Records & Information Specialist Susan Duis.]

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

1. Announcements: None.

2. Appointments: None.

3. Presentations:

a. 2007 Tree City Achievement Award

Mayor Johnson displayed the City of Bonney Lake's 2007 Tree City achievement plaque, which was given to him at the Parks Appreciation Day and Arbor Day event held at Viking Park on April 19, 2008. The 2008 Robert Ceola Award was presented to Fred Jacobsen, and Jackie Ceola was presented with a replica of the award. Mayor Johnson distributed Tree City hats to all the Councilmembers.

D. Agenda Modifications:

Councilmember King moved to remove AB08-89, Item A in Full Council Issues, from the agenda. Councilmember Bowen seconded the motion.

Deputy Mayor Swatman explained that the agenda item needed further work and should be rescheduled for a future Council meeting date.

Motion approved 7 – 0.

7:05:54

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

A. Public Hearings:

1. **AB08-34 – Public Hearing for the Ptarmigan Ridge Street Vacation**

Paul Green, 409 E Pioneer, Puyallup, represents Azure Green Consultants and offered to answer the Council's questions. Councilmember Hamilton said his main concern was future access to properties to the north of the development. Mr. Green said the adjacent property owner is willing to grant a portion of their right of way.

John Bennett, 20405 Church Lake Rd E, Bonney Lake, owns property to the west of the Ptarmigan Ridge development. He said he is in favor of the street vacation. He said he has been talking with Azure Green Consultants for a couple of months, and has property that could be used for an access road going north. He noted that the current right of way setback has affected his plans to build a garage.

Seeing no other speakers, the Public Hearing was closed at 7:13 p.m.

B. Citizen Comments:

Les McCluggage, 19624 96th St E, Bonney Lake, said he had been subpoenaed in a suit his neighbor has brought against the City. He asked to be provided with records and information. He said he had spoken with the attorney's office representing the City recently and had an appointment to meet with them soon. Mayor Johnson asked Director Vodopich to provide the Code Enforcement Officer's contact information to Mr. McCluggage.

David Passmore, P.O. Box 1962, Auburn, presented the Council with a presentation on behalf of Eastown property owners. He said nineteen representatives from Eastown attended the Community Development Meeting on April 21, 2008 as requested. He said at least one 'big box' tenant had gone to Sumner and another was likely to go elsewhere. He said Eastown developers are doing what they can but face obstacles from the City. He said he will provide a report outlining what needs to be done to achieve goals together with the City.

Councilmember Rackley said he had requested that Eastown send a representative to the CDC on a monthly basis to keep the Council up to date on any developing problems. He also asked them to provide suggested remedies to problems that he could share with the Council at upcoming workshops.

Jeffrey Oliphant, P.O. Box 1294, Auburn, offered an update on the Lowe's development. He said work on- and off-site is on schedule. He said the parking lot should be two-thirds paved by the end of next week, and work on Prairie Road and SR 410 completed by the end of May, with some minor work through the first week of June. He said the overall project represents a \$40 million investment, including \$2 million in public improvements and mitigation costs. He thanked City Planning and Public Works staff for their help.

Steve Fox, 9225 227th Ave, Buckley, is the store manager for the new Lowe's. He said over 50% of the staff came from the Bonney Lake area. He said the company is very involved in communities with Habitat for Humanity and Red Cross. He said the Grand Opening was scheduled for June 12, 2008, and said he would send invitations out soon.

Karen Allen, 9902 200th Ave E, Bonney Lake, asked the Council to approve the resolution to vacate 200th Ave E so the homes could be purchased. She said the new Lowe's looks beautiful but she would rather not live in the parking lot.

Pat Miller, 19205 79th St Pl E, Bonney Lake, asked whether the Council had approved three people to travel to Arizona to view photo enforcement programs; Mayor Johnson confirmed that the motion was passed on April 8, 2008. Mr. Miller asked why the City is

paying to send people there when the companies will come here to present their products. He said both companies are operating in other cities in the state currently. Mayor Johnson said the previous vendor used by the City gave a presentation and seemed to be a good choice, but the organization and customer service was not good. He said a main reason for the visit is to view the organizations directly. Mr. Miller also asked that the City signs a proper franchise agreement. He said the equipment can cause a hazard and said traffic control plans and equipment monitoring are needed.

Councilmember King stressed that the group is not going with the intent of signing a contract. He said the programs are being considered specifically for school zones, not red lights as other cities have done. Councilmember Decker encouraged Mr. Miller to contact him after the meeting.

- C. Correspondence: None.

7:32:56

III. **COUNCIL COMMITTEE REPORTS:** [A3.6.4]

- A. Finance Committee: Deputy Mayor Swatman said the Committee met at 5:30 p.m. this evening and discussed: personnel updates; a proposed pedestrian access grant for sidewalks; a personal service agreement for financial services; minutes; water surcharges; traffic impact fee adjustments for Eastown and Downtown; DM Disposal delinquent customers; and sanitary sewer and water CPI adjustments.
- B. Community Development Committee: Councilmember Rackley said the CDC met on April 21, 2008. They were joined by many developers from Eastown, and discussed their concerns. He asked the developers to forward a list of problems and possible solutions so the Council can address them in Workshop, and invited a representative to meet with the CDC monthly. Action items discussed included: AB08-97 (2008 Seal Coat Contract); AB08-54 (Universal Field Services, 192nd Right of Way Acquisition Services); AB08-58 (95th St Septic System Reduction Program Design Contract Award); AB08-106 (Burrill Hollow water extension agreement).
- C. Public Safety Committee: Councilmember King said the Public Safety Meeting had not met since the last Council Meeting.
- D. Other Reports:

Eastown Concerns

Councilmember Hamilton asked Councilmember Rackley if it seemed that City staff knew about the concerns of Eastown developers and if the concerns had been communicated. Councilmember Rackley said it is a combination of communication problems amongst the developers and with the City. Mayor Johnson said many issues seem to stem from perceptions, with completion of a sewer build-out complicated by WSDOT requirements, and developers anxious to build. He said Director Grigsby would provide more information to the Council at the May 6, 2008 meeting.

Food For Thought

Mayor Johnson said the City's Food For Thought lunch was earlier in the afternoon. After the lunch all staff and department heads participated in a spring clean-up. Staff were asked to set aside potentially historic items that could be shared with the Historical Society. Mayor Johnson thanked Jenna Young, Melissa Johnson and others who set up the lunch and helped plan the event.

Pierce County Regional Council

Councilmember Rackley attended the PCRC meeting on April 17, 2008, where a summary of the Buildable Lands program report was presented. He plans to attend an upcoming PCRC meeting in Seattle on Vision 2040 plan and will report back to Council. Councilmember King said he had reviewed the Vision 2040 draft and encouraged the rest of the Council to read it and attend future meetings. He said the plan is long on vision, but does not offer details for individual communities.

WCIA Health Academy

Councilmember Decker said he had attended the 3-day Health Academy. He said it was a great program and hoped the City would do it again next year. Mayor Johnson thanked City staff members Jenna Young, Joel Thompson and Sue Hilberg, who also attended the event. He said the City received a Well City Award for its staff-initiated wellness program. He thanked staff for their efforts and for making the City a better place to work.

Public Disclosures

Councilmember Decker said it had been reported to him that public disclosure paperwork was not being presented properly. He said that when pages are redacted it should be noted and explained, so people cannot say the City is trying to hide something. Mayor Johnson asked him to share any specific information with the City Clerk. Councilmember King discussed his experience with redacted records as a federal employee and asked about the City's standard practices. City Clerk Edvalson said that rather than inserting a blank page showing the page was redacted, the page is deleted and the response includes a statement outlining how many pages were excluded and reasons for the exclusions.

7:51:22

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

- A. **Corrected Meeting Minutes:** March 18, 2008 Council Workshop, March 25, 2008 Council Meeting, April 1, 2008 Council Workshop, April 5 Special Council Meeting and April 8, 2008 Council Meeting.
- B. **Checks/Vouchers:** Accounts Payable checks/vouchers #50841 thru #50924 in the amount of \$268,748.99; Accounts Payable checks/vouchers #50925 thru 50956 in the amount of \$2,159.61 for Utility refunds; Accounts Payable checks/vouchers #50957 thru 51040 (and wire transfer #3310, 7089434 and 7089482) in the amount of \$689,832.64. [F 4.9]
- C. **Payroll:** Payroll for April 1-15th, 2008 for checks 27071-27076, including Deposits and Electronic Transfers for **\$ 109,558.68 (Police Department)**
Payroll for April 1-15th, 2008 for checks 27077 - 27097, including Deposits and Electronic Transfers for **\$ 240,541.51 (AFSCME and Non-represented)** [F 4.9]
- D. **AB08-90 – Resolution 1830** – A Resolution Of The City of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Le May Mobile Shredding For Secure Record Destruction. [A 3.2.4.13]
- E. **AB08-92 – Resolution 1832** – A Resolution Of The City of Bonney Lake, Pierce County, Washington, Ratifying A Purchase And Sale Agreement To Acquire The Ferretti Property At 18424 89th Street East. [A 3.13.3.3]
- F. **AB08-94 – Resolution 1834** – A Resolution Of The City of Bonney Lake, Pierce County, Washington, Authorizing A Professional Services Agreement With Stripe Rite Inc. For The 2008 Street Striping Project. [O 4.8.1]
- G. **AB08-95 – Resolution 1835** – A Resolution Of The City of Bonney Lake, Pierce County, Washington, Authorizing A Professional Services Agreement With Apply-A-Line Inc. For The 2008 Street Pavement Markings Project. [O 4.8.1]

- H. **AB08-100 – Resolution 1839** – A Resolution Of The City of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With The Association Of Washington Cities To Join The Drug And Alcohol Consortium. [A 1.1.4]
- I. **AB08-55 – A Motion** Of The Bonney Lake City Council Accepting the SR 410 Sanitary Sewer Interceptor Repair Contract With E. J. Rody & Sons, Inc. As Complete. [A 3.6.10]

Councilmember Rackley moved to approve the Consent Agenda. Deputy Mayor Swatman seconded the motion.

Motion Approved 7 – 0.

7:51:31

V. FINANCE COMMITTEE ISSUES:

- A. **AB08-103 – Resolution 1825** – A Resolution Of The City of Bonney Lake, Pierce County, Washington, Granting Authority To The City’s Auditing Officer To Release Checks On A Weekly Basis In Accordance With The WA State Auditors Office Budgeting Accounting And Reporting System (Bars) Manual. [F 1.2]

Councilmember Rackley moved to approve Resolution 1825. Councilmember Decker seconded the motion.

Motion approved 7 – 0.

7:52:08

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB08-101 – Resolution 1840** – A Resolution Of The City of Bonney Lake, Pierce County, Washington, Declaring An Intent To Vacate 200th Avenue East And Surplus The Storm-Water Pond At Tract L Of The Brookwater Subdivision Phase 2. [A 3.13.3.3]

Councilmember Rackley moved to approve Resolution 1840. Councilmember Bowen seconded the motion.

Deputy Mayor Swatman said the proposal makes sense but asked why the street is being vacated before the houses are gone. He also asked whether the City would be compensated for the street vacation. City Administrator Morrison confirmed that the right of way was dedicated over 25 years ago. If the right of way is vacated it will go to the adjoining property owner without cost. Jeff Oliphant spoke on behalf of the Lowe’s development. He said the proposed resolution declares only the Council’s intent to vacate the street, and is not an actual street vacation. He said approval of Resolution 1840 will trigger the release of Homeowner Association restrictions and will release funds to purchase the properties. He said the homeowners are all interested in going ahead. Deputy Mayor Swatman confirmed that the homes are zoned residential and the site would require a Comprehensive Plan Amendment and rezone to be used as commercial property. Mr. Oliphant confirmed that the existing stormwater pond is being used by the houses only, and that other stormwater ponds would be ready before removing the residential stormwater pond. Councilmembers Hamilton, King, Rackley and Decker said they supported the proposed resolution. Mayor Johnson said he was impressed with Mr. Oliphant’s work to make the project happen and negotiating with the HOA and residents.

Motion approved 7 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

8:09:32

VIII. FULL COUNCIL ISSUES:

- A. ~~AB08-89 – D08-89 – Water System Development Charge Update.~~ [O 3.5.2]
- B. **AB08-74 – Resolution 1821** – A Resolution Of The City of Bonney Lake, Pierce County, Washington, Approving The Greenwood Preliminary Plat, Acres Abutting The North Side Of The Sumner-Buckley Highway And 184th Avenue East. [O 3.7.1]

Councilmember Rackley moved to approve Resolution 1821. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

- C. **AB08-98 – Resolution 1838** – A Resolution Of The City of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With Triangle2 Partners To Conduct A YMCA Feasibility Study. [F 2.12]

Councilmember Carter moved to approve Resolution 1838. Councilmember Decker seconded the motion.

Mayor Johnson thanked those who were able to attend the tour of the Gig Harbor YMCA, and hoped the resolution would get unanimous approval. Councilmember Hamilton said the Council has been pushing for a community center for many years. Councilmember King complimented the Mayor and others for their work, and said the facility will benefit several other communities in the area. Deputy Mayor Swatman also thanked the Mayor for his hard work and vision. Councilmember Hamilton said he received many phone calls from people who read about the study in the Courier-Herald and wanted a YMCA right away. He and Councilmember Carter said they were also approached by citizens who said they would help raise money for a YMCA facility.

Motion approved 7 – 0.

- D. **AB08-114 – Resolution 1845** – A Resolution Of The City Council Of The City Of Bonney Lake, Washington, Approving An Assignment Of Funds To Assure The Installation Of A Required Traffic Light On 214th Ave. E. And Kelly Lake Road For A Period Of Not More Than Three Years Or At The Final Plat Of Highland Ridge Phase 2, Whichever Occurs First. [O 4.9.3]

Councilmember Decker moved to approve Resolution 1845. Councilmember Bowen seconded the motion.

Councilmember Decker expressed his support for the proposed resolution. City Administrator Morrison said funds will be reserved in an account to guarantee the project is installed within the time frame. The fund cannot be released until the City signs off to show the project is done.

Motion approved 7 – 0.

IX. EXECUTIVE SESSION: None.

8:16:35

X. ADJOURNMENT

At 8:16 p.m. Councilmember Rackley moved to adjourn the meeting. Councilmember Carter seconded the motion.

Motion approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

Items submitted to the Council meeting of April 22, 2008:

- Bonney Lake Marketplace Developer – *Overhead Photos of Lowe's/Bonney Lake Marketplace* – Jeff Oliphant.