

**CITY COUNCIL WORKSHOP**

City of

September 2, 2008  
5:30 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](http://www.ci.bonney-lake.wa.us)

**MINUTES**

*"Where Dreams Can Soar"*

Audio Time Stamp ↓

**Call to Order:**

Mayor Neil Johnson, Jr. called the meeting to order at 5:31 p.m.

**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 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, Director of Planning and Community Development John Vodopich, Police Chief Mike Mitchell, Chief Financial Officer Al Juarez, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

**Agenda Items:**

5:31:53

1. **Discussion:** YMCA Feasibility Study Summary.

City Administrator Morrison summarized the feasibility study for the Council. The study showed very strong interest in the Bonney Lake market for a YMCA. The key factors identified were location, convenience, swimming pool, family activities, and cost. He said the majority of respondents were not opposed to or were supportive of a park bond issue for YMCA funding. He said YMCA President/CEO Bob Ecklund plans to give a presentation at a future Council Workshop. Councilmembers discussed possible site locations, funding, and joint efforts with the City of Sumner. Mayor Johnson said because there are different interests between Sumner and Bonney Lake citizens, the cities may consider building two separate facilities with a common membership.

Councilmember King said the City should not make any commitments or move on a bond proposition until after the February 2009 special election. He also suggested that the City consider the WSU Demonstration Forest as a possible site, as it is already zoned for Public Facilities. Mayor Johnson said the City will keep open lines of communication with all parties involved and the Council will continue discussions in the future.

6:00:01

2. **Discussion:** AB08-168 – Motion to Approve Updates to the 2008 Planning Commission Work Plan.

Director Vodopich explained that three items were added to the work plan to reflect amendments being reviewed by the Planning Commission currently. The added items include the proposed Church Lake rezone (R-2 to R-1) and Comprehensive Plan

amendment; rezoning the city-owned property on 192<sup>nd</sup> St (former proposed City Hall site) from R-3 to PF zoning; and updating the table of Transportation Improvement Projects.

**Councilmember Decker moved to table the item to the Community Development Committee for review. Councilmember Bowen seconded the motion.**

**Motion failed 2 – 5. Deputy Mayor Swatman and Councilmembers Carter, Hamilton, King and Rackley voted no.**

Councilmember Decker said he has heard from citizens who are opposed to changing to R-1 zoning on Church Lake. Mayor Johnson, Councilmember Hamilton and Deputy Mayor Swatman said they have heard from other citizens who are in favor of the rezone. Mayor Johnson said the purpose of the public hearing process is to give all interested parties a chance speak to the Council about the proposed rezone. Councilmember Bowen asked how citizens have been notified. Director Vodopich said a notice has been placed on the City web site, a physical sign was placed in the neighborhood, and a notice was published in the newspaper. Mayor Johnson encouraged councilmembers to provide interested citizens with this information as well.

Councilmember Hamilton asked about the proposed rezone of the city-owned property on 192<sup>nd</sup> St. Director Vodopich explained the property was previously rezoned from R-1 to R-3, and is now being considered for PF zoning. Mayor Johnson said the City is looking at options to use the site, as the City will have to give back the property next year if it is not used. He said there will be more discussion on this issue in the future. Seeing no further discussion, the proposed work plan was moved forward to the September 9, 2008 Meeting.

6:16:23

3. **Discussion:** Review of Council Rules.

Councilmembers reviewed the list of prospective changes and additions to the Council rules, which were provided in the agenda packet. City Administrator Morrison noted that the City uses Sturgis' "Standard Code of Parliamentary Procedure" rather than "Robert's Rules of Order" for basic Council guidelines, and the policies and procedures adopted by the Council are clarifications and exceptions to the standard rules. Councilmembers discussed the following items:

*2.04.040 Right of floor:*

Councilmembers discussed whether the rules should limit how many times a councilmember can speak on a particular issue, noting the more fluid conversations in Workshop versus Meetings. Deputy Mayor Swatman said the Chair needs to be able to keep the meeting moving forward without limiting debate. City Attorney Dionne said the proposed rule would give firm guidance to the Chair for 'normal' speaking, rather than having the Chair rule on what is appropriate debate on a case by case basis. Councilmembers Bowen, King and Decker said the "Rules of Parliamentary Procedure" covers this issue well, but it does not specify how many times a person can speak on a single issue.

*2.04.260 Points of order:*

Councilmember Hamilton said if a councilmember brings up a point of order, they must be recognized, but they must also explain what procedures they feel have been broken. He said the point of order is sometimes being used to interrupt a speaker, to get attention, or to serve like a filibuster. Councilmember King spoke in favor of adding the proposed new language, which clarifies the purpose of points of order.

*2.04.420 Agenda order of business:*

Deputy Mayor Swatman suggested the correspondence section should go toward the end of the Council meeting, after citizen comments and action items, to make the meeting more efficient. Councilmember King spoke in favor of keeping correspondence early in the meeting, so letters or emails related to action items on the agenda can be entered into the record. Councilmember Decker said it was brought to his attention that he had misunderstood the purpose of correspondence previously. He said in the past, the Clerk has read or paraphrased correspondence and added it into the record.

Councilmembers were in favor of a rule that correspondence must be provided to the Clerk prior to the meeting. The Clerk can then work with the Chair to determine if the correspondence should be brought forward at the meeting. If possible, copies will be distributed to the Council and the correspondence would be entered into the record, otherwise it will be included in materials for the next meeting.

Councilmembers discussed whether items submitted as correspondence must relate to action items on the agenda. Councilmember King suggested the citizen comments period could become a time for citizen comments and correspondence.

Councilmember Carter suggested the Council Committee Reports be included as copies in the agenda packet rather than summarized at the meeting. Councilmember Carter asked what is appropriate during the Other Reports period of the meeting. City Administrator Morrison said the current rules limit Other Reports to boards, commissions, etc. that councilmembers have been appointed to, or when they are reporting as a liaison to the City. Reminders about events or information on other groups can be given during Open Discussion at a workshop or during Announcements at a meeting.

**At 7:07 p.m. Mayor Johnson called for a five minute recess. The meeting was brought back to order at 7:18 p.m.**

Councilmembers discussed whether agenda modifications should be set at a particular point on the agenda. Councilmembers appeared to favor not amending the current policy, noting that the Council can suspend its rules to modify the agenda at any time with a majority vote.

In regards to Citizen Comments, Councilmember Bowen asked what rights councilmembers have to step down and speak as a citizen during meetings. City Attorney Dionne said councilmembers should not give up any rights because they were elected, but he would need to research whether the Council can forbid a member from speaking as a citizen or set other restrictions. He said citizens get five minutes to speak, while the chair can limit councilmember comments. In addition, councilmembers have legislative immunity and are covered by the City's insurance when they act as councilmembers.

Councilmembers discussed how the chair can intervene if a citizen is disruptive. City Administrator Morrison noted that some cities limit citizen comments to prohibit solicitations, including donation requests or offering tickets.

For the Other Reports section, councilmembers said the first suggested revision was good but the language needed some revision for clarification.

*2.04.540 Councilmembers*

Councilmember King suggested the additional suggested language is redundant and could be condensed. The City Attorney noted that Sturgis has good standard language, and said he would work on proposed revisions to this section. Councilmember Carter suggested the last line in this section, about no member leaving while a question is being put or a count taken, not be added. She said a Councilmember may need to leave abruptly for a personal issue or other reason. A majority of councilmembers agreed that this language should be removed.

*2.04.550 Chair*

Councilmember Hamilton asked what enforcement authority the chairperson has to maintain meeting decorum. City Clerk Edvalson noted that this section states the chair "shall preserve order at all times during council meetings" and, if necessary, can assign a sergeant at arms to maintain order. Councilmembers spoke in favor of the proposed changes to this section.

*2.04.685 Conduct and decorum when addressing council*

Councilmember Decker said the added language in sections F. (a) and (b) should be deleted, as anyone should have the right to speak on any issue they choose for five minutes. Councilmember Bowen said councilmembers should be allowed to respond to someone who is besmirching their character. He said citizens should be encouraged to come forward to the Council with any concerns, but that meetings should not break down into name-calling.

City Attorney Dionne said currently, councilmembers do respond to citizens during the comment period, though the current rules say they normally should not. He said there is an issue of losing control of the meeting. He said there could be an issue when the council engages in debate with one group, but not with another. He said citizen comments are limited and are supposed to be related to city business. Deputy Mayor Swatman said the Council repeatedly lets citizens have extra time, and then enforces the rules when angry citizens come to speak. He said the Council must be fair on time allowances. Councilmember King spoke in favor of the addition of section F., for citizen complaints and suggestions.

In addition, the following proposed new rules were also discussed:

*Seating Arrangement*

Councilmember King was opposed to the new rule, and said councilmembers can find their own seats. City Administrator Morrison said the majority of cities he reviewed do assign seating, either by the Mayor or Deputy Mayor or by the council ward number. Council consensus was to remove this item from the proposed Council Rules changes.

*Reconsideration (2.04.655)*

Councilmembers spoke in favor of changing the rule for 'reconsideration' of an agenda item. Councilmembers King and Bowen spoke in favor of the proposed new rule. Councilmember Decker said not allowing reconsideration at the same meeting did not seem sound, and denies councilmembers the option to try to persuade others to change their votes. The City Attorney said if the new rule was adopted, Council could still vote to suspend its rules to reconsider a vote during the meeting. Councilmembers said any reconsideration would need to happen within 1-2 weeks so City business is not affected.

*Photographs, motion pictures, video tape*

Councilmember Hamilton said the proposed new rule could negatively affect news organizations that should have the right to come to report on Council meetings. Several councilmembers noted that bright lights or other behavior can distract from the meeting. Councilmember King spoke against including the proposed new rule. He said the Chair always has the option to remove disruptive people or things from a meeting. He said the new rule might also prohibit people taking pictures of loved ones without special permission. Council consensus was to remove this proposed new rule.

The Council also reviewed potential changes and considerations that were presented in the agenda packet, including the following:

*Open Council Discussion*

Council consensus was to keep open discussion at workshops toward the start of the meeting, rather than moving it to the end.

*Joint Meeting Requirements*

Deputy Mayor Swatman said the meetings are often very brief and not necessary. Councilmember Hamilton said the rule is important, and though there is healthy communication between the commissions and the Council today, things could change in the future. Mayor Johnson agreed, but noted that the new Planning Commission agenda was developed to help with communication. He suggested further discussion on this item at the next workshop.

*5<sup>th</sup> Week Meetings*

Councilmembers debated whether to add wording to state that meetings in the 5<sup>th</sup> week are not standard. Councilmember Carter said she has to request vacation six months in advance, and adding meetings on the 5<sup>th</sup> Tuesday is problematic. City Attorney Dionne said he would provide sample language at the next workshop that opposes meetings on the 5<sup>th</sup> Tuesday except in the case of emergencies.

*Standing Committees*

Standing committees were discussed, including how members are nominated and selected. City Attorney Dionne said in the past, these meetings were not formal and were not open to the public. He said things have changed a lot and now are more formal, and open with committees determining what will be on the agenda. He said some formal rule should be added on selection of members. He added that councilmembers should not caucus outside of a public meeting to select committee members. He advised that the Deputy Mayor ask councilmember's their preferences when assigning committees.

*Agenda Modifications*

This item was discussed previously in the workshop.

*Requiring Seconds*

Council consensus was to include a formal rule requiring a motion to be seconded.

*Council Vacancies*

Councilmembers debated whether background checks should be run on those who apply for vacancies. Councilmember Bowen questioned whether those appointed should be held to a higher standard than other councilmembers. Deputy Mayor Swatman pointed out that they are not elected, but are appointed. Councilmember King noted that a convicted felon cannot hold an elected office. City Attorney Dionne said he would research the options and provide more information at the upcoming workshop.

*Citizen Comments*

Councilmembers discussed whether a certain number of people from a group must be in attendance in order for someone to receive 10 minutes to speak for a group. Councilmember Rackley said the purpose of time limits is for efficiency, not to prevent someone from speaking. Councilmember Bowen suggested that someone speaking for a group could either have others from their group in the audience or could provide a list of names. Councilmembers asked for continued discussion of this item at the next workshop, and for suggested wording to be provided.

*Gifts and Gratuities, Council Travel, and Discretionary Fund*

By consensus of the Council, these three items were referred to the Finance Committee for further review and consideration. City Administrator Morrison said the City is researching guidelines from the State Auditor and possible changes to meet those requirements.

Deputy Mayor Swatman also suggested the Council consider whether a supermajority should be required to suspend the rules of the Council. The current rules require a simple majority vote. City Attorney Dionne said the Council should consider amending the rules to allow the Mayor or Deputy Mayor to excuse the City Attorney from regular meetings and workshops, rather than by a majority of the Council.

Mayor Johnson said the provisional changes would be revised based on Council comments, and discussions would continue at the September 16, 2008 Workshop.

9:14:00

4. **Council Open Discussion:**Fire Department Lease

Councilmember Rackley asked for an update on the Fire Department's lease agreement for the Public Safety Building. Mayor Johnson said a letter was sent to the Fire Department Chair and he is awaiting a reply.

Utility Rate Petition

Councilmember Rackley asked Councilmember Decker about the petition he described at the August 26, 2008 Council Meeting, which would lower utility rates in general, as well as rates for seniors and disabled persons. Councilmember Decker said he is not circulating a petition at this time. Councilmember Rackley said there are state regulations on water rates.

Correction of a Quote

Councilmember Bowen said he quoted Winston Churchill incorrectly at the last meeting. He read, "No one pretends that democracy is perfect or all-wise. Indeed it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time."

#### Youth and Government

Councilmember Bowen asked for updates on opportunities for student involvement in City government. Mayor Johnson said he is working on programs with area schools. He said he met with Superintendent Mendoza about involving 3<sup>rd</sup> and 4<sup>th</sup> grade students. He also spoke with Ann Cook about middle school and high school programs. He said he would ask councilmembers for their support in these projects in the future.

#### Bark in the Park

Councilmember Carter said she was interested to learn more about a possible off-leash dog area, which was discussed at a recent Park Board meeting.

#### Street Improvements

Councilmember Carter said she would like to get more information on the downtown drainage storm pond that went out to bid recently. She asked how it will affect stormwater retention ponds in the area.

#### Ken Simmons Park Swale

Councilmember Carter asked for an update on the park swale. Mayor Johnson said he had responded to her questions via email prior to the workshop. Director Grigsby said he planned to work on evaluating the swale later in the month. Councilmember Carter asked how the lake treatment went. Director Leaf said the treatment was successful and inexpensive. He said he planned to follow up with the vendor on the project and was considering another treatment next year.

#### 184<sup>th</sup> Ave Extension

Councilmember Hamilton asked when the street would be renamed and the extension opened. City Administrator Morrison said the developer is probably waiting until the road is transferred to the City, which cannot occur until all their obligations are met. Mayor Johnson said the City has new banners and is waiting for the project to be completed to have a renaming ceremony.

#### Melanie Roach Pep Rally

Deputy Mayor Swatman said there will be a pep rally for returning Olympian Melanie Roach at 11:00 a.m. on September 13, 2008 at Allan Yorke Park. The Ward 5 Council Open House will begin at Noon the same day.

9:26:36

5. **Review of Council Minutes:** August 19, 2008 Council Meeting.

By consensus of the Council, the minutes were forwarded to the September 9, 2008 Council meeting with the following correction: in the second paragraph of item 5., change the sentence to read "should not be included" to "should be included" (p. 5).

9:27:12

6. **Discussion:** AB08-169 – Resolution 1878 – City Park and Facility Naming Policy.

**Councilmember King moved to table the item to the September 16, 2008 Workshop due to the late hour. Councilmember Decker seconded the motion.**

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

7. Executive Session: None.

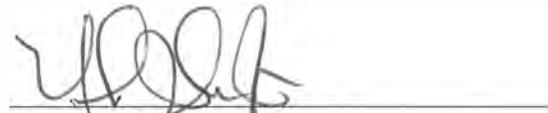
9:28:12

8. Adjournment.

**At 9:28 p.m., Councilmember Bowen moved to adjourn the meeting. Councilmember Rackley seconded the motion.**

**Motion approved 7 – 0.**

  
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Harwood T. Edvalson, CMC  
City Clerk

  
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Mayor Neil Johnson, Jr.

Items submitted to the Council meeting of February 19, 2008:

- Bonney Lake Staff – “Summary of YMCA Feasibility Study” – Don Morrison, City Administrator.
- Citizen – “For Tuesday’s 9/2/08 Council meeting” – Quinn Dahlstrom