

**CITY COUNCIL MEETING**

**February 22, 2011  
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](http://www.ci.bonney-lake.wa.us)*

**MINUTES**

**"Where Dreams Can Soar"**

Audio Time  
Stamp ↓

**Location:** City Hall Council Chambers, 19306 Bonney Lake Blvd., Bonney Lake.

**I. CALL TO ORDER** – Mayor Neil Johnson, Jr. called the meeting to order at 7:00 p.m.

A. Flag Salute: Mayor Johnson led the audience in the Pledge of Allegiance.

B. Roll Call:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, and Councilmember Jim Rackley.

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

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments: None.

3. Presentations: None.

D. Agenda Modifications:

**Councilmember Rackley moved to amend the agenda by tabling AB11-28 - Ordinance D11-28 from Full Council Issues, Item A. to the March 1, 2011 Workshop for discussion. Councilmember Decker seconded the motion.**

**Motion to table approved 7 – 0.**

7:00:42

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

A. Public Hearings: None.

B. Citizen Comments:

Jonathan Kohl, 4825 79<sup>th</sup> St, Tacoma, and Mary Wisner, 10406 56<sup>th</sup> Ave E, Puyallup, updated the Council on their plans to open a youth center called 'Club 101' in

Bonney Lake. They said they have identified property in the downtown area (the former Diamond Lounge and an adjacent building) that are available, and are talking with the owner about a lease-to-own option. They said they are working to secure funding sources, and asked what the next steps are to get their project going. Mayor Johnson asked Mr. Kohl and Ms. Wisner to contact Community Development Director Vodopich to learn about the permitting process. He said he would be pleased to see a youth center in the City, but if the group is seeking financial support from the City, they must submit a proposal for the Council to review. Ms. Wisner and Mr. Kohl thanked the Council for their time and for the information.

Phil DeLeo, 4610 N Island Dr, Bonney Lake, spoke in opposition to Ordinance D11-28, which would make all Council positions 'at-large' positions. He said the ward system offers better representation for residents, and when he was a councilmember he primarily heard from people living in his ward. He said the City is geographically large and residents in different areas have different needs. He said a change to the ward system should be decided by a vote of the people. Councilmember Hamilton noted that the proposed ordinance was tabled to the March 1<sup>st</sup> Workshop for discussion during agenda modifications.

Dean Ogle, 22318 SR 410, Bonney Lake, said he has been in discussion with a large business that is interested in developing on his property. He said the City needs to move forward on construction of the sewer lift station in Eastown so it does not miss opportunities for development like this. He said he and other property owners in the area are willing to sign a latecomers agreement to ensure completion of the sewer system. Mayor Johnson said the Council will discuss the Eastown sewer system at the retreat on March 5<sup>th</sup>, and encouraged Mr. Ogle to attend. Public Works Director Grigsby confirmed that the lift station design is underway and the City is acquiring easements. Deputy Mayor Swatman said he supports the extension of sewer services to Eastown, and encouraged property owners to tell their Councilmembers what they want for the area. He said this project will require partnerships between the City and developers and property owners, and they should keep communicating with the City.

C. Correspondence: None.

7:15:42

### 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 options to moor the Police patrol boat and the need for a boat lift. The committee also discussed options for prosecutor's services.
- B. Community Development Committee: Councilmember Rackley said the committee has not met since the last Council Meeting, and will hold a special meeting on February 28<sup>th</sup> at 5:00 p.m. in the City Hall Annex.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council Meeting.
- D. Other Reports: None.

7:17:10

**IV. CONSENT AGENDA:**

- A. **Approval of Corrected Minutes:** February 1, 2011 Council Workshop; and February 8, 2011 Council Meeting.
- B. **Approval of Accounts Payable Checks/Vouchers:** Accounts Payable checks/vouchers #60460 in the amount of \$1,202.71 for 2011 expenses; Accounts Payable checks/vouchers #60461 thru 60487 in the amount of \$125,362.52 for 2010 expenses; Accounts Payable checks/vouchers #60488 thru 60531 in the amount of \$418,148.59 for 2011 expenses; Accounts Payable checks/vouchers #60532 thru 60533 in the amount of \$830.04 for hydrant meter deposit refunds; Accounts Payable checks/vouchers #60534 thru 60535 in the amount of \$1,314.86 for utility refunds; Accounts Payable checks/vouchers #60535 thru 60546 in the amount of \$21,988.47 for 2010 expenses; Accounts Payable checks/vouchers #60547 thru 60579 (including wire transfer's #20211, 2032011, 2042011) in the amount of \$301,983.92 for 2011 expenses; Accounts Payable checks/vouchers #60580 thru 60604 in the amount of \$1,977.25 for utility refunds for a grand total of \$355,332.87.  
VOIDED CHECKS: 60333 – wrong vendor name. Replaced with check number 60534.
- C. **Approval of Payroll:** Payroll for February 1-15th 2011 for checks 29614-29635 including Direct Deposits and Electronic Transfers in the amount of \$ 397,142.25.
- D. **AB11-04 – Ordinance D11-04** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington Adding A New Section 5.08.065, Repealing Chapter 8.48, And Adding A New Chapter 8.48 To The Bonney Lake Municipal Code, Relating To False Alarms.
- E. **AB11-05 – Resolution 2092** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With ATB Services To Administer The City's False Alarm Ordinance.
- F. **AB11-17 – Resolution 2098** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With The Washington State Department Of Transportation For Real Estate Services.
- G. **AB11-18 – Resolution 2099** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With Cascade Right Of Way Services LLD For Real Estate Services.
- H. **AB11-30 – Resolution 2105** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With Bonney Lake Community Resources For Operation Of The Bonney Lake Community Garden.

- I. **AB11-31 – Resolution 2106** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting An Updated Hazard Mitigation Plan For The City.

**Councilmember Decker moved to approve the Consent Agenda.  
Councilmember Rackley seconded the motion.**

**Consent Agenda approved 7 – 0.**

7:17:19

**V. FINANCE COMMITTEE ISSUES:**

- A. **AB11-29 – Resolution 2104** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Resolution No. 2065, Relating To The Annexation Of A Portion Of The CUGA.

**Councilmember Rackley moved to approve Resolution 2104. Councilmember Lewis seconded the motion.**

City Attorney Jim Dionne asked the Council to consider tabling the proposed resolution to the March 1, 2011 Workshop as an action item.

**Councilmember Rackley moved to table Resolution 2104 to the March 1, 2011 Workshop as an action item. Councilmember Lewis seconded the motion.**

**Motion to table approved 7 – 0.**

- B. **AB11-32 – Ordinance 1382 (D11-32)** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 12.12.080 Of The Bonney Lake And Ordinance No. 561 Relating To Establishment Of The Sewer Schedule.

**Councilmember Rackley moved to approve Ordinance 1382. Councilmember Lewis seconded the motion.**

City Administrator Morrison said the proposed ordinance is a ‘housekeeping’ ordinance that clarifies how sewer rates are changed and when people must connect to the sewer system.

**Ordinance 1382 approved 7 – 0.**

**VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: *None***

7:20:05

**VII. PUBLIC SAFETY COMMITTEE ISSUES:**

- A. **AB11-24 – Ordinance 1380 (D11-24)** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Repealing Chapters 8.20, 8.24, 8.28, 8.32 And 8.40 Of The Bonney Lake Municipal Code And Corresponding

Portions Of Ordinance Nos. 244, 389, 454 And 1338, And Enacting A New Chapter 8.20 Entitled "Public Nuisances."

**Councilmember Lewis moved to approve Ordinance 1380. Councilmember Carter seconded the motion.**

Councilmember Carter said the proposed ordinance makes it easier to find information on public nuisances by including them in the same area of the code, and allows for stronger code enforcement. Deputy Mayor Swatman thanked the Public Safety Committee for working on these revisions and making the code better for citizens. City Attorney Dionne said a revision to the proposed ordinance was not included in the draft presented for approval. He asked them to consider amending Section 8.20.020 (X) to replace the section with the following language: "Outdoor storage of fuel containers and construction materials, unless screened from view of the adjacent property by a fence, green belt, or wall. Construction materials stored outside for up to 60 days as part of an active construction project are excluded from this provision."

**Councilmember Lewis moved to amend the Ordinance with the language provided by the City Attorney. Councilmember Carter seconded the motion.**

Councilmember Hamilton said this language was previously reviewed by the Public Safety Committee and is acceptable. Councilmember Decker said he feels this language should be removed from the ordinance. He said property owners should be allowed to have building materials on their property for the entire time that their building permits are active, and should not be required to move or screen them. Councilmember Hamilton said the ordinance does not say people cannot keep building materials on their property, but that they must simply keep them out of public view after a period of time. He said these items can become a detriment to the neighborhood when left in view for long periods of time, and it is important to set standards for all property owners.

**Motion to amend Ordinance 1380 approved 6 – 1.  
Councilmember Decker voted no.**

**Ordinance 1380 approved as amended 6 – 1.  
Councilmember Decker voted no.**

- B. **AB11-25 – Ordinance 1381 (D11-25)** - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Portions Of Chapters 6.04 And 18.22 Relating To The Regulation Of Animals, Livestock, And Poultry.

**Councilmember Lewis moved to approve Ordinance 1381. Councilmember Carter seconded the motion.**

City Administrator Morrison said he received an email from a resident living in the CUGA that notes that the County code allows for 1 fowl per 1,000 square feet of property, minus the building footprint. He said the proposed ordinance would limit residents to no more than 3 fowl on their property, whereas the County would allow

up to 12 fowl in a 12,000 square foot yard. He said a staff member also suggested that roosters be excluded and not allowed. Councilmember Rackley noted that most homeowner's associations do not allow livestock, so this will not be an issue for most residents. Councilmember Carter said she has spoken with residents who have had problems with loose chickens damaging yards and causing other issues. She noted that the ordinance also includes important changes to the animal code, including licensing fees and a new 'pooper scooper' law.

City Clerk / Administrative Services Director Edvalson noted that the proposed ordinance excludes livestock and poultry from being constituted as a nuisance, which may be problematic. Mayor Johnson said the ordinance could be amended in the future to remove any conflicts.

**Ordinance 1381 approved 7 – 0.**

**VIII. FULL COUNCIL ISSUES:** *None*

- A. ~~AB11-28 Ordinance D11-28~~ An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving Ordinance No. D11-12 Providing For An At Large System Of Council Representation.

*This item was tabled to the March 1, 2011 Workshop for discussion during Agenda Modifications.*

**IX. EXECUTIVE SESSION:** *None*

7:38:36

**X. ADJOURNMENT:**

At 7:38 p.m., Councilmember Lewis moved to adjourn the meeting. Councilmember Rackley seconded the motion.

**Motion to adjourn approved 7 – 0.**

  
 Harwood Edvalson, CMC  
 City Clerk

  
 Neil Johnson  
 Mayor

Items presented to Council at the February 22, 2011 Meeting: *None.*