

CITY COUNCIL MEETING

November 22, 2011
7:00 P.M.

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 – 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 Neil Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, and Councilmember Randy McKibbin.

Deputy Mayor Swatman moved to excuse Councilmember Rackley. Councilmember Lewis seconded the motion.

Motion approved 6 – 0.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Acting Police Lieutenant Kurt Alfano, 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:
 - a. **AB11-159** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Appointing Todd Haueter As A Member Of The Park Board With A Term Expiring April 2013.

Mayor Johnson said Facilities & Special Projects Manager Gary Leaf has met with and supports Todd Haueter as a Park Board candidate. City Clerk Edvalson confirmed the Park Board has one remaining vacancy, and another recommendation will come forward to the Council soon.

Councilmember Decker moved to approve motion AB11-157. Councilmember Lewis seconded the motion.

Motion approved 6 – 0.

- 3. Presentations: None.

- D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.

- B. Citizen Comments:

Joy Hill, 18323 77th St E, Bonney Lake, asked that proposed Ordinance D11-158 be tabled for further review. She said she has spoken with staff about grinder pumps in the past and was told there are 93 grinder pumps in the City, not 89 as is represented in the agenda materials. She said the map provided in the agenda packet is incorrect. She said the grinder pump on her property has only needed service once for an electrical repair.

Director Grigsby confirmed that there were originally 91 grinder pumps in the City, which has been reduced to 89 at this date. He said the map was provided to give an idea where the grinder pumps are located around the City. He noted that 130 or more utility customers use grinder pumps, since several houses can use a single grinder pump. He said the Community Development Committee reviewed the issue and felt the proposed \$2.00 fee increase was reasonable.

Ms. Hill questioned the reasoning for increasing fees further. She said she believes the City is raising fees to push residents to take over the maintenance of their grinder pumps. Deputy Mayor Swatman said he recognizes Ms. Hill's concerns, as she and others pay a surcharge for a service. He said from his recollection, the rate approved by Council in 2010 was actually lower than the originally proposed rate. He said the City is responsible for keeping the grinder pumps working and must allocate resources for staff time and maintenance costs. He noted that new home builders do not have the option of a city-maintained grinder pump, and homeowners on existing grinder pumps do have the option of transferring ownership from the City so they can handle maintenance themselves. He said if the service rate does not cover the actual cost of the service, other rate payers would be subsidizing those who have grinder pumps. Councilmember Carter suggested the item needs further discussion and she would move it from the Consent Agenda to Full Council Issues.

Winona Jacobsen, 9100 189th Ave Ct E, Bonney Lake, said she is pleased the Council seems to support a Cultural Resources Plan. She said it is best to have a separate arts commission and cultural heritage commission, with volunteers and professionals from the community taking part. She said though the arts and history overlap, they have separate interests. She said the commissions should not fall under the purview of the Park Board or Design Commission. She said though budgets are tight, she felt the City could depend on interested people to volunteer and help make Bonney Lake a destination for arts and culture, and be a source of community pride.

Mandi Collins, 11124 184th Ave Pl E, Bonney Lake, spoke about an incident she experienced with the Bonney Lake Police Department. She said she was pulled over on November 17, 2011 after dropping her children off at school. The officer told her she had expired tabs and had failed to transfer the title for her vehicle. The officer then asked her to give him her cell phone, and when she refused said he would arrest her if she did not do so. She said she felt intimidated and afraid, and gave the officer her phone. She said she later went to the Police Department to report the incident, and learned that officers do

not have any video cameras. She said she thinks all officers should have a recording device. The officer told her he took her phone because she was using it illegally, but she feels her rights were violated and had to get records from her phone provider to prove she was not on her phone at the time of the traffic stop. Mayor Johnson asked Mrs. Collins if she had submitted a report to the Police Department; she confirmed that she had already done so.

- 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 received a report that 57 entry-level police officer applicants took the physical examination, and 46 passed on to the written exam. The committee also reviewed a proposed VFD contract, reviewed meeting notes, and had a detailed discussion of the budget.
- B. Community Development Committee: Councilmember Lewis said the committee met on November 15th and discussed the proposed grinder pump rate increase. He said staff explained that the current rate does not cover the service costs, which is why they have proposed an increase to \$18 per month. He said the committee requested confirmation that property owners may take ownership of city-owned grinder pumps at any time, and would then no longer incur the monthly fees. The committee also forwarded Resolutions 2163, 2169, and 2170 to the current agenda for action.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council Meeting.
- D. Other Reports:

Pierce County Regional Committee: Councilmember Hamilton said he attended the PCRC Meeting on November 17th in Tacoma. Puget Sound Clean Air Agency Executive Director Craig Kenworthy presented information on pollution in Puget Sound. He said the majority of air pollution comes from residential wood heating stoves, and a program is available to help homeowners, most of whom are low-income, replace wood stoves with more efficient heaters. The agency is considering a county-wide program that would subsidize the replacement of 15,000 wood stoves, at a cost of \$6-7,000 per home. Mr. Kenworthy said if the County does not take action, the EPA could find it in violation of air quality standards, which could result in the loss of federal funding. He said while the main problem areas are not located on the plateau, residents should be aware of the issue and that they may be asked to help pay for a program. Councilmember Hamilton said the PCRC also elected its chair and co-chair for 2012.

Community News: Councilmember Carter said councilmembers and directors have pledged to match up to \$800 in conjunction with the employee canned food drive. She said 'Shop With A Cop' had a fundraiser on November 15th and reportedly raised \$1,700 in donations so far. She noted the Senior Center provided two holiday dinners this year based on high demand. The Senior Center is seeking donations for their lunch program and to purchase a new van. City Clerk Edvalson said staff have collected 336 cans of food to date.

IV. CONSENT AGENDA:

- A. **Approval of Corrected Minutes:** November 1, 2011 Council Workshop and November 8, 2011 Council Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #62378 thru 62416 (Including Wire Transfer # 20111103) in the amount of \$101,921.43; Accounts Payable checks/vouchers #62417 thru 62449 in the amount of \$160,993.64 for a grand total of \$262,915.07.
- C. **Approval of Payroll:** Payroll for November 1-15th 2011 for checks 30111-30135 including Direct Deposits and Electronic Transfers in the amount of \$412,222.94.
- D. **AB11-141 – Ordinance 1402 [D11-141]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting The Amount Of The Annual Ad Valorem Tax Levy Necessary For The Fiscal Year 2012 For The Purposes Set Forth Below.
- E. **AB11-148 – Ordinance 1403 [D11-148]** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance No. 1299 Relating To Salaries For Non-Represented Employees.
- F. **AB11-153 – Ordinance 1404 [D11-153]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance No. 1379 And BLMC 8.48 Relating To False Alarms.
- G. ~~**AB11-158 – Ordinance D11-158**~~ – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 13.12.082 And 13.12.090 Of The Bonney Lake Municipal Code And Ordinance No. 1350 Relating To Monthly Sewer Charges. *Moved to Full Council Issues, Item C.*
- H. **AB11-128 – Resolution 2163** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Purchase Of Surplus Real Estate Purchase Of Land From The Washington State Department Of Transportation.
- I. **AB11-150 – Resolution 2169** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water And Sewer Developer Extension Agreement With FMP Bonney Lake, LLC For The Franciscan Medical Pavilion.
- J. **AB11-154 – Resolution 2170** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The Six-Year Transportation Improvement Program (2012-2017).

Mayor Johnson noted that Councilmember Carter requested Item G., Ordinance D11-158, be moved to Full Council Issues, Item C.

**Councilmember Decker moved to approve the Consent Agenda as amended.
Councilmember Lewis seconded the motion.**

Consent Agenda approved 6 – 0.

V. FINANCE COMMITTEE ISSUES:

- A. **AB11-67 – Resolution 2128** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Hire A Full Time Grant Funded Child Passenger Safety Program Manager To Be Part Of The Bonney Lake Police Department Organization. The Child Passenger Safety Program Director Salary And Benefit Package Of Up To \$100,200.00 Per Year Will Be Reimbursed By The Washington Traffic Safety Commission Grant Funding Source As Well As Receiving \$24,300.00 For Indirect Costs.

Councilmember Decker moved to approve Resolution 2128. Councilmember Carter seconded the motion.

Acting Police Lieutenant Kurt Alfano said this is an excellent grant program, and the person who accepted the position is experienced and will be a great asset to the department. Councilmember Carter said retired Police Chief Mike Mitchell worked on this grant program, and it continued forward with Interim Chief Dana Powers.

Resolution 2128 approved 6 – 0.

VI. COMMUNITY DEVELOPMENT ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

- A. **AB11-116 – Ordinance 1401 [D11-116]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Renaming That Portion Of Summer-Buckley Highway East That Lies Within The City Limits.

Councilmember Decker moved to approve Ordinance 1401. Councilmember Lewis seconded the motion.

Mayor Johnson noted the Council has discussed the item at multiple meetings and workshops in the past.

**Ordinance 1401 approved 4 – 2.
Councilmembers Carter
and Decker voted no.**

- B. **AB11-157 – Resolution 2172** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Appointing A Representative And Alternate To The Pierce Transit Public Transportation Improvement Conference.

Councilmember Decker moved to approve Resolution 2172. Councilmember Carter seconded the motion.

Mayor Johnson said he will serve as the primary representative, and asked a Councilmember to serve as the alternate. Councilmember Hamilton volunteered to serve as the alternate representative.

Resolution 2172 approved 6 – 0.

- C. **AB11-158 – Ordinance 1405 [D11-158]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 13.12.082 And 13.12.090 Of The Bonney Lake Municipal Code And Ordinance No. 1350 Relating To Monthly Sewer Charges. *Moved from Consent Agenda, Item G.*

Councilmember Decker moved to approve Ordinance 1405. Councilmember Lewis seconded the motion.

Mayor Johnson noted the Community Development Committee recommended approval of this item. Councilmember Hamilton asked what analysis was done to justify the increased grinder pump rate. Councilmember Lewis said staff reviewed actual maintenance costs, which increased in the past two years and will likely continue to increase due to rising labor and equipment costs. He said the committee felt that maintenance costs for grinder pumps should be covered by fees, and need be raised now and reviewed again in a couple of years. Councilmember Lewis noted that the committee asked staff whether homeowners had another option, and staff explained that homeowners could take ownership of the pumps at any time. Councilmember Lewis said the fee increase is not intended to force homeowners to take ownership of grinder pumps.

Councilmember Carter said the current grinder pump fee was set 2010 and questioned why an increase is already needed. Councilmember Lewis said the rate set in 2010 was a compromise, since it was a large increase over past fees but it still did not cover the actual maintenance costs for grinder pumps. Councilmember Lewis said no citizens spoke at the recent CDC meetings where this item was discussed. Councilmember Carter said the item was listed on the CDC calendar for review in November, and was discussed in October and at the November 15th CDC meeting. She asked if the committee considered options to ‘grandfather’ in those already on city-owned grinder pumps or provide alternatives for those on fixed income. Deputy Mayor Swatman said the City offers reduced rates for low-income residents, Director Grigsby explained that the discount is available to those who qualify for a Pierce County tax exemption.

Councilmember Decker asked whether grinder pumps are mandatory. Director Grigsby explained why grinder pumps are needed for houses below the elevation of the sewer line, and noted that many properties with grinder pumps are located near the lakeshore. Councilmember Decker stated that if grinder pumps are required for people to connect to the sewer system, they should be free. Deputy Mayor Swatman said residents can choose whether to purchase or build a home that requires a grinder pump to connect to the City system. He said that sewer lines on private property are the responsibility of the owner up to the point where they connect to the City system. He said the City does not pay for repairs to private sewer lines in other cases and does not maintain or install grinder pumps for new homes.

Councilmember Carter said from her attendance at Shoreline Management Committee meetings, she learned the City provides sewer service around all the lakes to avoid potential issues with septic drainfields near the lakeshore. She said people who want to live on these properties must use grinder pumps. Director Grigsby confirmed that this is why the City installed grinder pumps with federal funds when the sewer system was first installed. Of the original 91, about 89 are still owned and maintained by the City.

**Ordinance 1405 approved 4 - 2.
Councilmembers Carter
and Decker voted no.**

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.110(1)(i), the Council adjourned to an Executive Session with the City Attorney at 7:48 p.m. for 10 minutes to discuss potential litigation. The executive session was extended at 8:01 p.m. for five minutes and again at 8:07 for five minutes. The Council returned to Chambers at 8:13 p.m.

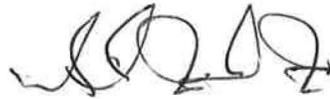
X. ADJOURNMENT:

At 8:13 p.m., Councilmember Lewis moved to adjourn the Council Meeting. Deputy Mayor Swatman seconded the motion.

Motion to adjourn approved 6 – 0.



Harwood Edvalson, CMC
City Clerk



Neil Johnson, Jr.
Mayor

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