

## COUNCIL WORKSHOP

October 4, 2011  
5:30 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](http://www.ci.bonney-lake.wa.us)*

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

**I. Call to Order:** Mayor Johnson called the Workshop to order at 5:37 p.m.

**II. Roll Call:** [A1.3]

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Neil Johnson, Jr. 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 James Rackley.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Interim Police Chief Dana Powers, Chief Financial Officer Al Juarez, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist Shawn Campbell.

**III. Executive Session:** Pursuant to RCW 42.30.140(4)(a) the Council recessed to an executive session with the City Attorney at 5:37 p.m. for 15 minutes to discuss labor relations. The Council returned to chambers at 5:55 p.m.

**IV. Agenda Items:**

**A. Council Open Discussion:**

Sumner School District: Mayor Johnson asked Council if they would like to join him in signing a letter to the Sumner School District supporting the new school district boundaries. The full Council indicated support of the letter.

Cascadia: Mayor Johnson said he and Deputy Mayor Swatman met with the new owners of Cascadia. He said they discussed the developer's plans for Cascadia and sewers for the development. He said the developer is very organized and wants to work with the City.

Franciscan Medical Pavilion: Mayor Johnson said he wanted to share the proposed mitigation agreement for traffic impact fees for the Franciscan Medical Pavilion with the full Council as soon as possible so they could review it at their leisure. He said this agreement would go to the Finance Committee at the October 11, 2011 meeting and then either straight to the next meeting or workshop.

Easttown Sewers: Mayor Johnson said he met with Easttown Representative Roger Watt. He said the property owners have formed a LLC and he anticipates receiving the Memorandum of Agreement back by Wednesday. He said he would then bring the agreement back to full Council for consideration.

State Representative Roach: Councilmember Hamilton said he read that State Representative Roach was meeting with cities affected by Pierce Transit's reduction in service. Mayor Johnson said he has a meeting scheduled on Wednesday, October 5 and he will report to Council at the next meeting.

- B. **Review of Council Minutes:** September 20, 2011 Council Workshop Minutes and September 27, 2011 Council Meeting.

Councilmember Lewis asked for the September 20, 2011 Workshop to be amended on P. 2 "~~erew~~ project leaders" and Councilmember Carter asked to add "She asked if a permit is required for a garden."

Councilmember Lewis asked for the September 27, 2011 Meeting minutes to be amended on p. 3 to "the group is ~~invested~~ interested." Councilmember Carter asked for p. 3 to be amended to "WSU Forest and Franciscan Medical Building; "youth and ~~national~~ reports"; "annual Franciscan fundraising gala". She also noted typographical errors.

The corrected minutes were forwarded to the October 11, 2011 Meeting for action.

- C. **Discussion:** (Tabled from 9/13 Council Meeting and 9/20 Council Workshop): AB11-99 – Resolution 2146 – A Resolution of the City of Bonney Lake, Pierce County, Washington Authorizing the Mayor to Sign a Contract Amendment with Dionne and Rorick for Legal Services.

City Administrator Morrison said the amendment to the legal services contract with Dionne and Rorick is to update the rate of pay for the City Attorney and removes the prosecuting attorney duties from the agreement. He added there is a slight increase to the fee for Public Works hours but the rest of the fees will remain the same as they are at present and is to be adjusted yearly with the CPI. Councilmember Decker asked how the resolution relates to the Bonney Lake Municipal Code and the current City Attorney duties. He asked if the City is paying for the services twice since a City Prosecutor has already been hired and the City still has a current agreement with Dionne and Rorick for the prosecutor services. City Administrator Morrison explained the Municipal Code could be interpreted to include the City Prosecutors but does not necessarily need to. He said the hiring of a prosecutor does not have to do with the portion of the code that has to do with outside legal counsel. He said the agreement with Dionne and Rorick is for services requested. He said the City has sent Dionne and Rorick a letter stating the City would no longer need prosecuting attorney services. City Attorney Dionne said that was not the interpretation that was agreed to in the original agreement. City Administrator Morrison said the City is also trying to clean up the municipal code to reflect the change in moving the City Prosecutor office out of the City Attorney's duties.

Deputy Mayor Swatman said the City needs to approve the change in the contract with Dionne and Rorick because the City is currently paying for the services twice. He wants to ensure the Councils' authority to hire and release employees is maintained. Councilmember Hamilton said the City is cleaning up language in the BLMC to allow a new City employee to assume the duties of the prosecuting attorney. Councilmembers questioned why the Prosecuting Attorney is not a position that requires Council confirmation. The City Administrator listed the positions that require Council confirmation per the BLMC. He added that all items regarding personnel and finance are sent to the finance committee not to individual Councilmembers. Councilmember Decker said he felt the administration purposely left out the full Council and

he believes the process should be stopped and started over from scratch to correct all the errors. Mayor Johnson confirmed that his intent was not to mislead the Council. He said he did bring it to the Finance Committee, but in the future, the administration has developed a process to ensure the full Council is kept informed. Councilmember Carter questioned if the City considered going out for bid on all attorney services. Mayor Johnson said the City is happy with the current City Attorney. Council discussed the desire to be kept informed by the administration and the individual Council Committees. By Council consensus Resolution 2146 was forwarded to the October 11, 2011 Council Meeting for action.

- D. **Discussion:** (Tabled from 9/20 Council Workshop): AB11-112 – Ordinance D11-112 – An Ordinance of the City of Bonney Lake, Pierce County, Washington Amending Chapter 2.08 of the BLMC Relating to the Departments and Offices of the City.

City Administrator Morrison said this ordinance is mostly a housekeeping issue to clean up department and job titles in the BLMC that have been established administratively or by Council. Mayor Johnson said the administration got ahead of itself with changing some positions and job duties, but the changes have been very effective. Councilmember Decker suggested removing the City Administrator as the supervising staff for the City Prosecutor's office. Deputy Mayor Swatman confirmed with the passage of this ordinance the Council would be deleting the Community Services Department. He said he wants to ensure the City is doing business legally. He expressed a concern about how the state auditors would interpret paying for a position that has not legally been created. He reiterated that the Mayor and administration do not have the authority to create a new position. City Administrator Morrison said a new position was not created; instead, a position was simply reclassified. Councilmember Carter said if an item goes to a Council subcommittee, it does not constitute council approval. She said items must be brought before the full Council for approval. By Council consensus Ordinance D11-112 was forwarded to the October 11, 2011 Council Meeting for action.

**Councilmember Decker moved to take a five-minute recess at 7:15 pm. Councilmember Rackley seconded the motion. Mayor Johnson called the meeting back to order at 7:20 pm.**

- E. **Discussion:** (Tabled from 9/20 Council Workshop): AB11-113 – Ordinance D11-113 – An Ordinance of the City of Bonney Lake, Pierce County, Washington Updating the Position, Classification and Grade Table of Non-Represented Employees.

City Administrator Morrison said this ordinance is necessary to add the City Prosecutor position and reclassify the Community Services Director to Facilities and Special Events Manager. Councilmember Carter asked if the reclassification includes a pay cut. City Administrator Morrison said the two pay scales overlap and the individual employee's current salary falls within the new range. Therefore, there is no pay cut to the employee. He said the table is not a position authorization table. He said the administration gets the authority to fill a position through the budget. He said this table only sets the title of the position and the salary range. Deputy Mayor Swatman said the budget is adopted at the fund level and the Council does not have the authority at the line item level. He said he wants to confirm and maintain the Council's authority to add and delete positions as they see fit. He added he thinks the administration and the Council need to be made clear on the separation and the roles of each body. Councilmember Carter said she would like a policy on how subcommittee minutes are disseminated to the full Council. She said it is important for each Councilmember to do their own research and to educate themselves on the issues. Councilmember Rackley suggested the

*Items Submitted to the October 4, 2011 Council Workshop:*

- *City of Bonney Lake – Mitigation Agreement for Traffic Impacts Caused by Construction of Franciscan Medical Pavilion” – Mayor Neil Johnson*

Council could adopt new rules and procedures for this issue. By Council consensus Ordinance D11-113 was forwarded to the October 11, 2011 Council Meeting for Action.

- F. Discussion:** (Tabled from the 9/27 Council Meeting): AB11-116 – Ordinance D11-116 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Renaming That Portion Of Sumner-Buckley Highway East That Lies Within The City Limits.

Mayor Johnson read informal poll results from the Patch blog. Councilmember Hamilton said when the Veteran’s Committee presented the idea they suggested Sumner-Buckley Highway E. He added he believes they suggested this road because it has a military history. Councilmember Rackley said they need to consider alternative locations. Deputy Mayor Swatman said the survey is not scientific and was poorly written. He added not many cities have one of their main roads named after a neighboring city. He said there would be some cost to property owners but they would be nominal. He said it would cost more to rename the street in the future and it would be short sighted to not rename the road at this time. Councilmember Carter said she met with many citizens over the last week in various community events. She said not one person she spoke to was in favor of changing the name of the Sumner-Buckley Hwy E. She said people are in favor of honoring the veterans but not on that road. She suggested the City use a new street that would be built during construction of a civic campus. She said she spoke to two Veteran’s Memorial Committee members and they do not want the memorial connected with this controversy. Councilmember Decker said the citizens he spoke with are not in favor of the change. Councilmember Hamilton said the Council could change the name now and not make it effective for a year or two. Mayor Johnson suggested talking to the Veterans Committee again to confirm their intentions. Councilmember Rackley moved to table the issue to a workshop in the future.

- G. Discussion:** AB11-77 – Ordinance D11-77 - Renewing a CATV Franchise Agreement with Comcast and Establishing a Franchise Fee.  
**Discussion:** AB11-78 – Ordinance D11-78 – Amending the BLMC 5.04.030F to reduce CATV utility tax.

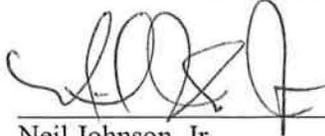
Deputy Mayor Swatman said these two items need to be discussed together. He said the items have come through Finance Committee but wanted to make sure the full Council is completely informed. He said the City’s franchise agreement with Comcast has expired and The Rainier Cable Commission has negotiated a new model agreement. He said the two ordinances will make it so the change is revenue neutral to the citizens. City Administrator Morrison said if the Council intends to broadcast meetings the funds needed to make the conversion could come from an increase in this source. By Council consensus Ordinance D11-77 was forwarded to the October 11, 2011 Council Meeting for action.

**IV. Adjournment:**

**At 8:16 p.m. Councilmember Rackley moved to adjourn the Workshop. Councilmember Lewis seconded the motion.**

**Motion to adjourn approved 7 – 0.**

  
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 Harwood T. Edvalson, CMC  
 City Clerk

  
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 Neil Johnson, Jr.  
 Mayor