

CITY COUNCIL MEETING

January 13, 2015  
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.*

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

**I. CALL TO ORDER** – Deputy Mayor Dan Swatman called the meeting to order at 7:00 p.m.

- A. Flag Salute: Austin Skidmore of Boy Scout Troup #532 led the audience in the Pledge of Allegiance.
- B. Roll Call: Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Dan Swatman, elected officials attending were Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson. Mayor Neil Johnson, Jr. was absent.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Cherie Gibson, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, Senior Planner Jason Sullivan, and Records & Information Specialist Susan Haigh.

C. Announcements, Appointments and Presentations:

- 1. Announcements: None.
- 2. Appointments:
  - a. **AB15-12** – A Motion Of The City Council Of The City Of Bonney Lake Confirming The Mayor's Re-Appointment Of Civil Service Commissioner David King To A Six-Year Term Ending April 6, 2020.

**Councilmember Watson moved to approve motion AB15-12, confirming the re-appointment. Councilmember Lewis seconded the motion.**

**Motion approved 7 – 0.**

- 3. Presentations: None.

D. Agenda Modifications: None.

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

- A. Public Hearings: None.
- B. Citizen Comments:

George Brown, 8410 Locust Ave, Bonney Lake, spoke about walking on the trails in the WSU Forest (Midtown Park) and his concerns about garbage, safety on the trails, and

evidence that the forest is used for parties and homeless camps. He described issues he has experienced with dogs in the park and asked what rights park visitors have to protect themselves. Deputy Mayor Swatman asked Mr. Brown to contact the Police Department to discuss these concerns and questions.

Dan Packer, 2101 170<sup>th</sup> Ave E, Bonney Lake, spoke on behalf of the Church of Jesus Christ of Latter Day Saints and Andrew Leer. He invited all to a meeting on January 21<sup>st</sup> at 7:00-9:00 p.m. in the Bonney Lake Public Safety Building regarding child human trafficking issues. He said attendees will include community leaders and local politicians.

Todd Crouch, 22421 124<sup>th</sup> St E, Bonney Lake, spoke in favor of allowing a retail marijuana store in Bonney Lake.

Arthur Tsyachuk, 12515 224<sup>th</sup> Ave E, Bonney Lake, spoke in favor of having a recreational marijuana store in Bonney Lake.

Brenda Howick, 8004 183<sup>rd</sup> Ave E, Bonney Lake, spoke in favor of allowing a retail marijuana store in Bonney Lake.

Jeff Grassman, 6405 158<sup>th</sup> Ave E, Bonney Lake, said he is not in favor of retail marijuana stores in Bonney Lake or the surrounding area.

Patrick King, 21261 SR 410, Bonney Lake, spoke in favor of allowing a retail marijuana store in Bonney Lake. He said he works at a local smoke shop and customers simply drive to other cities or use the black market to purchase marijuana.

Austin Skidmore, 9123 189<sup>th</sup> Ave Ct E, Bonney Lake, spoke against selling marijuana in local stores, as it would pose a safety risk to children.

Gwendolyn Fullerton, 9611 183<sup>rd</sup> Ave E, Bonney Lake, spoke against allowing retail marijuana sales in Bonney Lake. She said the profits of selling marijuana are not worth the costs and safety risks for children and the community.

Zakaria Hazrat, 2224 SE 3<sup>rd</sup> St, Renton, said he and his business partner, Mr. Bassi, are interested in opening a retail marijuana business in Bonney Lake. He thanked the Council for meeting with them to discuss the issues. He spoke in favor of the Planning Commission's recommendation to allow retail marijuana businesses in Bonney Lake.

Saranjit (Roger) Bassi, 12519 224<sup>th</sup> Ave E, Bonney Lake, thanked the Council for working with him and Mr. Hazrat over the past months. He asked the Council to reconsider their plan to ban marijuana businesses and said if a ban is put in place, they plan to file a lawsuit against the City.

Dan Roach, 9616 180<sup>th</sup> Ave E, Bonney Lake, said he is the leader of Scout Troop #532 and a Pierce County Councilmember. He described the history of Pierce County's decision to ban marijuana sales and unsuccessful lawsuits against other cities and counties that chose to ban marijuana sales. He spoke against allowing retail marijuana sales in Bonney Lake.

Chris Crew, 210 W Main St, Elma, said he is the attorney for Mr. Bassi and Mr. Hazrat (4ever Healing, LLC). He spoke about legal issues related to banning marijuana businesses, the history of areas that have made marijuana sales legal and the lack of

evidence that it causes harm to communities. He spoke in favor of allowing retail marijuana sales in Bonney Lake.

- C. Correspondence: None.

### III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee/Committee of the Whole: Deputy Mayor Swatman said the Committee met at 5:30 p.m. earlier in the evening as the Committee of the Whole and reviewed meeting minutes, discussed options for bond refinancing with Jim Nelson, discussed a proposed employee recognition resolution, and held a Closed Session regarding labor negotiations.
- B. Community Development Committee: Councilmember Lewis said the Committee met on January 6, 2015. The Committee has requested staff updates on the 186<sup>th</sup> Avenue corridor project, the Sumner Wastewater Treatment Facility project, and has requested quarterly updates from staff on the Public Works Center project proposal. The Committee forwarded Items D. (Resolution 2430) and E. (motion AB15-10) to the current Consent Agenda for action.
- C. Economic Development Committee: Councilmember Minton-Davis said the Committee met earlier in the afternoon and heard a presentation from Jeffrey Oliphant.
- D. Public Safety Committee: Councilmember Watson said the Committee met on January 5, 2015 and heard a report from East Pierce Fire & Rescue Chief McDonald on staffing cuts and furloughs due to budget cuts. The Committee also discussed the use and alternatives for a city vehicle (Mercedes) and heard updates from the Court on the probation program. The Committee will hear a report from Metro Animal Services at their March meeting.
- E. Other Reports: None.

### IV. CONSENT AGENDA:

- A. **Approval of Minutes**: November 25, 2014 Meeting, December 2, 2014 Workshop, and December 9, 2014 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers**: Accounts Payable checks/vouchers #70085-70130 (including wire transfer #'s 14369049, 20141107) in the amount of \$268,280.48.  
Accounts Payable checks/vouchers #70131-70137 for utility customer refunds in the amount of \$372.54.  
Accounts Payable wire transfer #2014112001 for p-card purchases in the amount of \$31,419.65.  
Accounts Payable checks/vouchers #70138-70162 (including wire transfer #'s 20141201, 20141202, 20141203, 20141204, 20141205, and 20141206) in the amount of \$660,966.74.  
Accounts Payable checks/vouchers #70163-70214 (including wire transfer #'s 11242014, 20141207, and 20141208) in the amount of \$1,006,998.93.  
Accounts Payable wire transfer #2014121701 for p-card purchases in the amount of \$32,687.30.

Accounts Payable checks/vouchers #70215-70286 (including wire transfer #'s 14564443, 20141209, 20141210, and 20141211) in the amount of \$631,842.13.

- C. **Approval of Payroll:** Payroll for December 1-15th, 2014 for checks #32130-32152 including Direct Deposits and Electronic Transfers is \$ 445,985.65.  
Payroll for December 16-31st, 2014 for checks #32153-32177 including Direct Deposits and Electronic Transfers is \$ 748,822.84.
- D. **AB15-09 – Resolution 2430** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Sewer Developer Extension Agreement With Isola Capital Management, LLC For The Park Place Multi-Family Project.
- E. **AB15-10** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Accept As Complete The Sewer Manhole Rehabilitation – 2013/2014 Project With NWCW, LLC.

**Councilmember Watson moved to approve the Consent Agenda. Councilmember Lewis seconded the motion.**

**Consent Agenda approved 7 – 0.**

V. **FINANCE COMMITTEE ISSUES:** None.

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

VII. **ECONOMIC DEVELOPMENT COMMITTEE ISSUES:** None.

VIII. **PUBLIC SAFETY COMMITTEE ISSUES:** None.

IX. **FULL COUNCIL ISSUES:**

- A. **AB15-08 – Ordinance 1502 [D15-08]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Sections 18.04.030, 18.04.130, And 18.08.030 Of The Bonney Lake Municipal Code, Relating To The Production, Processing, And Retail Sales Of Marijuana. (Previously AB14-129)

**Councilmember Watson moved to approve Ordinance 1502. Councilmember Rackley seconded the motion.**

Councilmember Watson spoke about safety concerns related to marijuana use by youth. He provided the Council with a report about recreational marijuana legalization and reviewed some of the statistics about use and public safety issues in Colorado and Washington State. He spoke in favor of banning recreational sales of marijuana.

Councilmember Minton-Davis thanked those who came to speak during citizen comments on this topic. She said she was initially opposed to retail marijuana sales, but after talking with residents, getting her questions answered by the proponents, and spending more time for consideration, her position has changed. She said the State did a

disservice in forcing cities to deal with this issue. She said although she is personally not in favor of marijuana use, she supports the Planning Commission's recommendation to provide zoning for marijuana retail stores, and plans to vote against the proposed ordinance.

Councilmember Hamilton said his opinion has shifted back and forth on this issue, but he has concerns that marijuana sales are against Federal laws, and that a retail marijuana store is not a fit for the community. He said he plans to vote in favor of the proposed ordinance banning retail marijuana sales. He said if marijuana is legalized at the federal level in the future, his opinion will likely change on the issue of retail sales.

Councilmember Lewis spoke of his experience in the military and as an educator, and said he has had conversations with the proposed retail marijuana business owners. He said the State legislature needs to take action to align state and federal laws. He said he does not feel a retail marijuana store is a good fit for the community and he plans to vote in favor of banning retail marijuana sales.

Councilmember Rackley said it is important to control accessibility to drugs and alcohol and he plans to vote in favor of the ban.

Councilmember Hamilton confirmed with the City Attorney that a 'yes' vote on the proposed ordinance is a vote in favor of banning marijuana retail sales.

**Ordinance 1502 approved 6 – 1.  
Councilmember Minton-Davis voted no.**

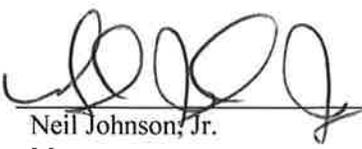
**X. EXECUTIVE SESSION:** None.

**XI. ADJOURNMENT:**

**At 7:49 p.m., Councilmember Watson moved to adjourn the Council Meeting.  
Councilmember Lewis seconded the motion.**

**Motion to adjourn approved 7 – 0.**

  
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Harwood Edvalson, MMC  
City Clerk

  
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Neil Johnson, Jr.  
Mayor

Items presented to Council at the January 13, 2015 Meeting:

- City of Bonney Lake Councilmember Tom Watson – “Lessons After Two Years of Marijuana Legalization (1/5/2015)” handout by Smart Approaches to Marijuana.

*Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.*