

CITY COUNCIL MEETING

**October 11, 2016
6:00 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 – Mayor Neil Johnson, Jr. called the Meeting to order at 6:00 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 Randy McKibbin, Councilmember Justin Evans, Councilmember Donn Lewis, Councilmember Katrina Minton-Davis, Councilmember James Rackley, Councilmember Dan Swatman, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Administrative Services Director/City Clerk Harwood Edvalson, Chief Financial Officer Cherie Gibson, Assistant Police Chief Kurt Alfano, Public Services Director John Vodopich, City Attorney Kathleen Haggard, Deputy City Clerk Susan Haigh, and Planning & Building Supervisor Jason Sullivan.

- C. Agenda Modifications: None.
- D. Announcements, Appointments and Presentations:

1. Announcements:

- a. **Proclamation:** Domestic Violence Awareness Month – October 2016.

Mayor Johnson read the proclamation aloud.

2. Appointments: None.

3. Presentations: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

- 1. **AB16-107** – A Public Hearing To Consider The Second Amendment To The WSU Development Agreement And Related Three Party Agreement With Visconsi Land Co., Ltd And Costco Wholesale Corporation (Proposed Resolution 2552).

Mayor Johnson opened the public hearing at 6:02 p.m.

Mayor Johnson explained the ‘quasi-judicial’ hearing process. He outlined the background of the original development agreement and the provisions of proposed Resolution 2552, which would include a second and third amendment. Revised copies of the proposed amendments were provided to Council and citizens at the Meeting.

Mayor Johnson asked whether any members of the Council have had discussions with the developer. Deputy Mayor McKibbin said he met with Brad from Visconsi earlier in the afternoon and they generally discussed what had been presented at the September 6, 2016 Workshop, but did not discuss any new information. Mayor Johnson asked whether any councilmembers had spoken with citizens or groups since September 6; Councilmembers said ‘no’.

Mayor Johnson opened the floor to public comment on the proposed agreements. The City Clerk noted no one had signed up to speak. No Councilmembers had questions. [The City Clerk noted for the record that the city received a letter from the Friends of Fennel Creek dated October 10, 2016 regarding the Public Hearing.]

Seeing no speakers, Mayor Johnson closed the public hearing at 6:07 p.m.

Mayor Johnson said there was a request to move this item for discussion and action at the October 18, 2016 Workshop. He said the Council’s normal procedure would have this item for discussion on October 18 and action on October 25. Council consensus was to forward proposed Resolution 2552 for action at the October 18, 2016 Workshop.

2. **AB16-109** – A Public Hearing To Consider The Proposed 2017-2018 Biennial Budget (Proposed Ordinance D16-110).

Mayor Johnson opened the public hearing at 6:08 p.m. Seeing no one coming forward to speak, the public hearing was closed at 6:08 p.m. and will be continued at the October 25, 2016 Meeting at 6:00 p.m.

B. Citizen Comments:

Gwendolyn Fullerton, 9611 183rd Ave E, Bonney Lake, spoke about retail marijuana stores and requested the City continue its ban on retail marijuana sales in Bonney Lake.

Saranjit Bassi, 1219 224th Ave E, Bonney Lake, spoke in favor of the City lifting the ban on the sale of recreational marijuana. He said he received a retail marijuana license from Washington State but has had difficulty relocating his license. He provided information on retail marijuana and asked the City to consider allowing retail marijuana sales in Bonney Lake.

Councilmember Rackley asked the City Attorney about the status of the city's ban. City Attorney Haggard said the city's ban was challenged in court, but the City prevailed. She said there have been no changes at the State level to prohibit local bans, and until that occurs the City's ban is still viable.

C. Correspondence:

The City Clerk noted for the record that the Council received a letter from Mark Hamilton on behalf of Friends of Fennel Creek; the letter was submitted for the Public Hearing on the proposed WSU Development Agreement amendments.

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor McKibbin said the Committee met at 5:00 p.m. earlier in the evening and discussed bids for the City's official newspaper and Art Commission membership.
- B. Community Development Committee: Councilmember Lewis said the Committee has not met.
- C. Economic Development Committee: Councilmember Minton-Davis said she had nothing of significance to report.
- D. Public Safety Committee: Councilmember Watson said the Committee has not met.
- E. Other Reports:

International Council of Shopping Centers (ICSC): Mayor Johnson said the Public Services Director and Permit Center Lead will attend the ICSC's "Washington State P3 Retail Program" event in Tukwila on October 25, 2016. He said since the event is on a Council meeting night, staff will attend and provide a report. Councilmembers Watson and Evans said they are attending the ICSC Pacific Northwest Idea Exchange in Portland, Oregon on October 12-13, 2016.

IV. CONSENT AGENDA:

- A. **Approval of Minutes:** September 20, 2016 Workshop and September 27, 2016 Meeting.
- B. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #74823-74901 in the amount of \$559,642.61. Accounts Payable checks/vouchers #74903-74926 (including wire transfer #'s 20160905, and 20160906) in the amount of \$95,114.55.
VOIDS: Check #74819 replaced with check #74902.

- C. **Approval of Payroll:** September 1st -15th, 2016 for checks #33146-33160 including Direct Deposits and Electronic Transfers is \$ 538,341.73. September 16th-30th, 2016 for checks #33161-33182 including Direct Deposits and Electronic Transfers is \$ 741,949.29.
- D. **AB16-114** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Parking Stall License With Renwood, LLC For Night-Time Use Of The Justice & Municipal Center Overflow Parking Lot.

Councilmember Watson moved to approve the Consent Agenda. Councilmember Evans 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. **AB16-95 – Ordinance 1556 [D16-95]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 5.04.030 Of The Bonney Lake Municipal Code, And The Corresponding Portions Of Ordinance No. 1398 Relating To Utility Tax.

Councilmember Watson moved to approve Ordinance 1556. Councilmember Lewis seconded the motion.

Mayor Johnson noted the Council has discussed this item several times.

**Ordinance 1556 [D16-95] approved 4 – 3.
Councilmembers Evans, Rackley,
and Swatman voted no.**

- B. **AB16-104 – Ordinance 1557 [D16-104]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 13.02.100 Of The Bonney Lake Municipal Code And Corresponding Sections Of Ordinance No. 1477 Relating To Sewer System Development Charges [Fennel Creek Lift Station Service Area].

Councilmember Lewis moved to approve Ordinance 1557. Councilmember Watson seconded the motion.

Mayor Johnson said this item has been under discussion for some time, and thanked Councilmember Minton-Davis for gathering additional information for the Council's consideration.

Ordinance 1557 [D16-104] approved 7 – 0.

- C. **AB16-116 – Resolution 2559** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving The Ptarmigan Ridge Plat Alteration.

Councilmember Lewis moved to approve Resolution 2559. Councilmember Watson seconded the motion.

Public Services Director Vodopich said proposed Resolutions 2559 and 2553 amend the face of two plats for language that was not a condition of approval. He said the alteration removes notes about building setbacks, so any new construction on the plats would defer to the City's current setbacks. Planning & Building Supervisor Sullivan said the plats listed the Pierce County setbacks that were current when the plat was recorded, and State law requires construction to comply with both City and County setbacks, if they are listed on the face of the plat. He said this will revise the setbacks for future construction slightly.

Councilmember Swatman asked about the process for a plat alteration. Public Services Director Vodopich said it is similar to the plat approval process, which goes to the Hearing Examiner, then to the Council for approval. City Attorney Haggard explained the State laws that govern plat amendments. She noted that the houses previously built on the plats were already built to the City's code, and these alterations ensure future homes are consistent with those previously built.

Resolution 2559 approved 7 – 0.

- D. **AB16-117 – Resolution 2553** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving The Highland Ridge Phase I Plat Alteration.

Councilmember Lewis moved to approve Resolution 2553. Councilmember Watson seconded the motion.

Resolution 2553 approved 7 – 0.

- X. **EXECUTIVE/CLOSED SESSION:** None.

XI. ADJOURNMENT:

At 6:24 p.m. the Meeting was adjourned by common consent of the City Council.



Harwood Edvalson, MMC
City Clerk



Neil Johnson, Jr.
Mayor

Items presented to Council at the October 11, 2016 Meeting:

- *Revised Resolution 2552 (for Public Hearing)* – Public Services Director John Vodopich, City of Bonney Lake.
- *Letter re: Comment for the Record - Public Hearing: Proposed WSU Development Agreement Amendments* – Mark Hamilton, Friends of Fennel Creek.

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.