

CITY COUNCIL WORKSHOP

**January 21, 2014
5:30 p.m.**

AGENDA



“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*

*The City Council may act on items listed on this agenda, or by consensus give direction for future action.
The Council may also add and take action on other items not listed on this agenda.*

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

I. Call to Order: Mayor Neil Johnson

II. Roll Call:

Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

III. Agenda Items:

p. 3 A. **Presentation:** Sumner School District Capital Facilities Plan – Mary Urback, School District Representative.

B. **Council Open Discussion.**

p. 9 C. **Review of Council Minutes:** January 7, 2014 Workshop and January 14, 2014 Council Meeting.

p. 19 D. **Discussion:** AB14-02 – Resolution 2297 – Stating City’s Intent to Adopt the Shoreline Master Plan (*Previously AB13-55*).

p. 25 E. **Discussion:** AB14-13 – 2014 Council Retreat.

p. 29 F. **Discussion:** AB14-18 – Fairweather Cove/Painter Residence Grinder Pump Issue.

IV. Executive Session: Pursuant to RCW 42.30.110, the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

V. Adjournment

For citizens with disabilities requesting translators or adaptive equipment for listening or other communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.

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Sumner School District

...a great place to learn!

Assistant Superintendent

Administrative Services

1202 Wood Ave.
Sumner, WA 98390
(253) 891-6084
Fax (253) 891-6101

September 19, 2013

John Vodopich
Community Development Director
PO Box 7380
Bonney Lake, WA 98391

Dear Mr. Vodopich:

Enclosed is the Sumner School District's 2013 Capital Facilities Plan which addresses District planning through 2019. This plan was presented to the Board and adopted September 18, 2013.

Sumner School District hired consultant, Jeff Greene, Greene Gasaway Architects, again this year to help with updating the Capital Facilities Plan. Mr. Greene's consulting services are used by many surrounding school districts with their Capital Facilities Plan. Mr. Greene did a thorough inventory of Sumner School District, which included reviewing residential development data, preparing a new enrollment forecast, preparing a new enrollment driven needs forecast and preparing a district capacity analysis. Also included in this plan is the District's calculation for impact fees for 2014 which Pierce County Council will use to establish their School Impact Fee Ordinance for 2014.

If you need any further information, please feel free to call.

Sincerely,

Craig Spencer
Assistant Superintendent

Enclosures: 2013-2019 Capital Facilities Plan

cc: Don Morrison, City Administrator
Lauren Hines
Jen Francis

SSD Impact Fee Calculation

School Site Acquisition Cost:						CALCULATIONS	
<i>((Acres X Cost per Acre)/Facility Capacity) X Student Generation Factor</i>							
	Facility Acreage	Cost per Acre	Facility Capacity	SGF SFH	SGF MFH	Cost per SFH	Cost per MFH
Elementary	29.10	\$ 146,067	1100	0.260	0.080	\$ 1,004.68	\$ 309.13
Middle	25.00	\$ 150,000	750	0.126	0.030	\$ 630.00	\$ 150.00
High	40.00	\$ 150,000	1250	0.153	0.035	\$ -	\$ -
						\$ 1,634.68	\$ 459.13
* Elementary school sites include Eismann site and future site.							
School Construction Cost:							
<i>((Facility Cost/Facility Capacity) X Student Generation Factor) X (Permanent/Total Sq. Ft.)</i>							
	Facility Cost	Facility Size	SGF SFH	SGF MFH	Cost per SFH	Cost per MFH	
Elementary	\$ 25,000,000	550	0.260	0.080	\$ 11,818.18	\$ 3,636.36	
Middle	\$ -	750	0.126	0.030	\$ -	\$ -	
High	\$ 3,596,720	200	0.153	0.035	\$ 2,751.49	\$ 629.43	
					\$ 14,569.67	\$ 4,265.79	
Temporary Facility Cost:							
<i>((Facility Cost/Facility Capacity) X Student Generation Factor) X (Temporary/Sq. Ft.)</i>							
	Facility Cost	Facility Size	SGF SFH	SGF MFH	Cost per SFH	Cost per MFH	
Elementary	\$ 300,000	110	0.260	0.080	\$ 709.09	\$ 218.18	
Middle	\$ -	30	0.126	0.030	\$ -	\$ -	
High	\$ -	30	0.153	0.035	\$ -	\$ -	
					\$ 709.09	\$ 218.18	
State Match Credit							
<i>Area Cost Allowance X SPI Sq. Ft X State Match X Student Generation Factor</i>							
	Area Cost Allowance	SPI Footage	State Match %	SGF SFH	SGF MFH	Cost per SFH	Cost per MFH
Elementary	\$194.26	90.00	61.01%	0.260	0.080	\$ 2,773.32	\$ 853.33
Middle	\$194.26	108.00	61.01%	0.126	0.030	\$ -	\$ -
High	\$194.26	130.00	61.01%	0.153	0.035	\$ 2,357.32	\$ 539.26
						\$ 5,130.65	\$ 1,392.59
Tax Payment Credit							
						SFH	MFH
Average Assessed Value						\$ 209,042.00	\$ 105,505.00
Capital Bond Interest Rate						3.46%	3.46%
Years Amortized						10	10
Property Tax Levy Rate						\$2.15	\$2.15
						\$3,745.36	\$1,890.31
FEE SUMMARY						SINGLE FAMILY	MULTIPLE FAMIL
	School Site Acquisition Cost					\$ 1,634.68	\$ 459.13
	Permanent Facility Cost					\$ 14,569.67	\$ 4,265.79
	Temporary Facility Cost					\$ 709.09	\$ 218.18
	State Match Credit					\$ (5,130.65)	\$ (1,392.59)
	Tax Payment Credit					\$ (3,745.36)	\$ (1,890.31)
	Subtotal Unfunded Need					\$ 8,037.43	\$ 1,660.20
						\$ -	\$ -
						\$ 4,018.71	\$ 830.10

ORDINANCE NO. 1431

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 19.08 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NO. 1420 RELATING TO SCHOOL IMPACT FEES

WHEREAS, the City Council has adopted school impact fees based upon study and recommendation of the various school districts within the City limits; and

WHEREAS, Pierce County has adopted a 2012 school impact of \$3,005 for each single family unit and \$0 for each multi-family unit for the unincorporated area of Pierce County served by the Sumner School District; and

WHEREAS, the City of Sumner likewise follows the District recommended school impact of \$3,005 for each single family unit and \$0 for each multi-family unit for the Sumner School District; and

WHEREAS, the School District has asked the City to amend the impact fee to fit the School District's current recommended fee amount and be consistent with those school impact fees adopted by Pierce County and authorized by the City of Sumner for those areas served by the Sumner School District; and

WHEREAS, the City Council acknowledges that the School District Capital Facilities Plan and accompanying impact fee study recommended an impact fee of \$4,488 per single family residence, and desires to set the fee at that amount;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. BLMC Section 19.08.120 and Section 1 of Ordinance No. 1420 is hereby amended to read as follows:

19.08.120 School impact fees.

The school impact fee schedules set forth in this section are generated from the formula for calculating impact fees set forth in the district's capital facilities plan. Except as otherwise provided in BLMC 19.08.040, 19.08.050 and 19.08.140, all new residential developments in the city will be charged the school impact fees in accordance with the appropriate schedule below. The fee payer shall pay the school impact fee based on the schedule for the school district in which the development is located.

School Impact Fee Schedules (applies to residential development only)

Sumner School District No. 320:

Single-family – detached (including manufactured homes and mobile homes on individual lots)	<u>\$1,300</u> <u>\$3,005</u>
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Multifamily per dwelling unit (including townhouses)	\$0
White River School District No. 416:	
Single-family – detached (including manufactured homes and mobile homes on individual lots)	\$0
Multifamily per dwelling unit (including townhouses)	\$0

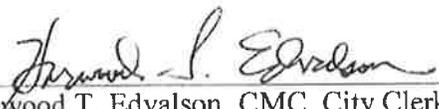
Section 2. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as required by law.

PASSED by the City Council and approved by the Mayor this 22nd day of May, 2012.



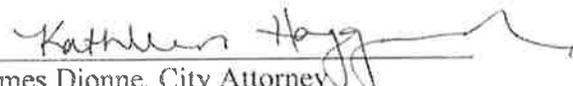
Neil Johnson, Jr., Mayor

ATTEST:



Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:



James Dionne, City Attorney

Passed: 5/22/2012
Valid: 5/24/2012
Published: 5/30/2012
Effective Date: 6/4/2012
This Ordinance totals 2 page(s)

AB12-75

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 22 May 2012	Agenda Bill Number: AB12-75
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D12-75	Councilmember Sponsor:

Agenda Subject: Sumner School District Impact Fee

Full Title/Motion: A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting Ordinance No. D12-75, Relating To School Impact Fees.

Administrative Recommendation: Approve

Background Summary: The Sumner School District has recommended that the Bonney Lake school impact fee be consistent with that adopted by Pierce County and the City of Sumner for their respective territory within the Sumner School District boundaries. Pierce County has adopted a 2012 school impact of \$3,005 for each single family unit and \$0 for each multi-family unit for the unincorporated area of Pierce County served by the Sumner School District. The City of Sumner has likewise follows the County adopted amount of \$3,005 for each single family unit and \$0 for each multi-family unit for the Sumner School District. The School District recommended that the City Council adopt the same fee schedule as the other jurisdictions. At the May 15th Council Workshop, however, the majority of councilmembers recommended to set the fee at the amount determined by the District's impact fee study (\$4,488).

Attachments: Ordinance D12-75

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: NA			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Finance Committee Date: 8 May 2012	Approvals:	Yes No
		Chair/Councilmember Dan Swatman	<input type="checkbox"/> <input type="checkbox"/>
		Councilmember Mark Hamilton	<input type="checkbox"/> <input type="checkbox"/>
		Councilmember Randy McKibbin	<input type="checkbox"/> <input type="checkbox"/>
	Forward to:	Consent Agenda:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): May 15, 2012	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director:	Mayor:	Date Reviewed by City Attorney: (if applicable):

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**SPECIAL JOINT CITY
COUNCIL / PLANNING
COMMISSION AND CITY
COUNCIL WORKSHOP**

**January 7, 2014
5:30 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

DRAFT MINUTES

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

I. CALL TO ORDER –Mayor Neil Johnson, Jr. called the workshop to order at 5:31 p.m.

II. ROLL CALL:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. Elected officials attending were Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Jim Rackley, and Councilmember Tom Watson. Councilmember Katrina Minton-Davis arrived at the Workshop at 5:47 p.m.

Planning Commissioners in attendance were Chairperson Grant Sulham, Commissioner Brad Doll, Commissioner Dennis Poulsen, and Commissioner Winona Jacobsen.

Staff members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Assistant Chief of Police James Keller, City Attorney Kathleen Haggard, Senior Planner Jason Sullivan, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

III. AGENDA ITEMS:

A. Discussion: AB14-01 – Resolution 2347 – Planning Commissions 2014-2015 Work Plan.

Mayor Johnson welcomed everyone and wished a Happy New Year. Councilmembers Lewis and Rackley requested corrections to the Plan. Mayor Johnson advised he is reviewing the resolution for the Arts Commission and that it is moving forward. Commissioner Jacobsen inquired about the number of commissioners to be appointed for the Arts Commission and Mayor Johnson said he would like to start with five. Councilmember Hamilton asked if the Arts Commission members will have to resident within city limits. Mayor Johnson offered for it to be within the 98391 zip code.

Planning Commissioner Chair Sulham asked about the Shoreline Master Plan (SMP) and asked about the Council's concerns regarding the streamline setbacks. Councilmember Hamilton spoke regarding the effects of streamline setbacks and Commissioner Jacobsen said the Commission supports the setbacks. Deputy Mayor Swatman spoke about the consequences of streamline setbacks and how property owners are affected. Councilmember Rackley spoke about a compromise if certain properties views and development were limited. Commissioner Poulsen said there is no guarantee to property owners for view property.

Senior Planner Sullivan said staff reviewed all of the setbacks affecting lake properties and stated there are only a few properties where neighboring properties could affect each

other. Deputy Mayor Swatman said Council will be reviewing the SMP Update at the January 22nd Workshop.

Commissioner Sulham asked about the marijuana moratorium and whether the Planning Commission should do any research and make a recommendation before the moratorium expires. Chair Sulham asked if it would be better for the City to start planning for it, or what is the Council's focus. Deputy Mayor Swatman said the overall plan for zoning for retail marijuana would likely be for these businesses to be located in the Easttown area. City Attorney Haggard said the City has the right to limit/restrict these businesses based on zones, and the City can plan ahead on where they would allow it and the restrictions the City will impose. Commissioner Jacobsen spoke regarding an incident and fire that occurred in Seattle related to a marijuana retail business. Deputy Mayor Swatman expressed concern about how elected officials can permit these businesses when under federal law it is illegal. Councilmember Rackley said once the issues goes to the Washington State Supreme Court then cities will have a better understanding how to handle it. Councilmember Watson said he doesn't believe it should be discussed until the moratorium is lifted and the City is required to permit a business. Councilmember Hamilton said he thinks it would be prudent for the Planning Commission to review and recommend a place that this type of business would be allowed, so to review the zoning aspect of it. Mayor Johnson asked how much discussion on this issue could be discussed during Executive Session. City Attorney Haggard said for the Council to discuss at Executive Session there would have to be a potential threat of litigation. She said she thinks Councilmember Hamilton is correct in allowing the Planning Commission to start reviewing and make a recommendation. She said that unless the moratorium is renewed every six months it will expire, however, to continue it requires that the City have a work plan in progress. City Attorney Haggard said the Attorney General's Office is expected to make a decision within the next month, however this opinion or decision will not be appealable. Mayor Johnson said he would like the Council to have a workshop item to detail what the Planning Commissions role will be in this regard.

Councilmember Hamilton spoke about transportation issues and the issue of a traffic signal at SR410 and WSU. He said he could be more supportive if there were more interconnections between South Prairie and SR410 and the residential neighborhoods. He said he would like to see the road infrastructure be reviewed and a recommendation made from the Planning Commission. He would like to see some pro-planning, and realizes that it could affect some of the WSU forest. Councilmember Minton-Davis asked if these future roads are part of the Transportation Plan. Councilmember Lewis said he thinks a 20-30 year transportation plan would be good to get traffic flowing with good linkage through the City, and stated that developers don't plan for this city-wide. Senior Planner Sullivan said that staff are currently working on a transportation plan and expect to have it to PSRC by June of next year for certification.

Councilmember Hamilton spoke regarding multi-family housing and Mayor Johnson spoke regarding the development agreement with WSU. Deputy Mayor Swatman and Chair Sulham spoke about the effects that the County traffic places on our roads and streets. Mayor Johnson asked about the mitigation that the Tehaleh development has to complete throughout their development. City Attorney Haggard said Tehaleh has only gone through Phase 1 of their development and they will be required to do mitigation as they are obtaining their permitting. Commissioner Chair Jacobsen asked if the City could have a representative at the County level to constantly remind them of the impacts to the traffic that affect the City, as she believes it makes a difference having a presence there. Councilmember Lewis agreed that presence is felt and it does make a difference. Mayor Johnson said staff and Council are constantly making the County aware of the impacts

the City faces and Councilmember Hamilton spoke about the County's concerns for the City.

**** End of Special Joint City Council/Planning Commission Meeting ****
Followed by Regular Council Workshop Items.

Mayor Johnson adjourned the Special Joint Planning Commission / City Council Meeting at 6:33 p.m., recessed for 5 minutes and called the City Council Workshop to order at 6:42 p.m.

B. Council Open Discussion.

Public Safety Committee. Councilmember Rackley said he attended his first Public Safety Committee Meeting last night and enjoyed it.

Council Retreat Agenda. Councilmember Watson asked about draft agenda for the upcoming Council Retreat. Deputy Mayor Swatman said it will be forthcoming soon.

SMP Update. Deputy Mayor Swatman said he and staff met with the Lake Tapps Councilmembers regarding the upcoming Department of Ecology regulation updates. He said they were impressed with what City staff have done regarding the SMP.

C. Review of Council Minutes: December 3, 2013 Council Workshop, and December 10, 2013 Council Meeting.

The minutes were forwarded to the January 14, 2014 Council Meeting for action, with minor corrections.

D. Discussion/Action: AB14-05 – Resolution 2354 – Establishing Council Standing Committee Meeting Dates and Times.

Deputy Mayor said he wanted to make sure Council are clear with all of the proposed revisions to the committee meeting dates and times. Councilmember Lewis asked that the current chairs of the committees attend the meetings until the new chairs are elected. Deputy Mayor Swatman said the next Finance Committee / Committee Meeting of the Whole (COW) will be next Tuesday at 5:30 p.m. Councilmember Watson inquired about open discussion opportunities and Deputy Mayor Swatman advised that open discussion would still occur during Council Workshops. Councilmember Hamilton said Council will have to be aware of how they cover the COW and to follow the rules and procedures. City Administrator Morrison said the ordinance states that the Deputy Mayor will appoint the standing committee chairs. Administrative Services Director/City Clerk Edvalson reminder Council that the Finance Committee/COW agenda items need to be submitted by Thursday.

Councilmember Rackley moved to approve Resolution 2354, Councilmember Watson seconded.

Resolution 2354 approved 7 - 0.

~~**E. Discussion:** AB14-06 / Ordinance No. D14-06 Amending Sections 13.04.070, 13.12.100, and the Bonney Lake Municipal Code Related to Applications for Water and Sewer Service.~~

This item was removed from the agenda prior to the workshop.

F. Action: AB14-07 – Setting a Public Hearing on January 28, 2014 for Appeal to Establishment of Southern ULA.

Councilmember Rackley moved to approve setting the public hearing for January 28, 2014 on configuration of the southern utility latercomer agreement assessment map and calculation of assessment, Councilmember Watson seconded.

Motion approved 7 - 0.

7-0

IV. EXECUTIVE SESSION: None.

V. ADJOURNMENT:

At 7:09 p.m., Councilmember Watson moved to adjourn the Council Workshop. Councilmember Rackley seconded the motion.

Motion to adjourn approved 7 - 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council for the January 7, 2014 Special Joint City Council/Planning Commission Workshop: *None*

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.

CITY COUNCIL MEETING

January 14, 2014
7:00 P.M.

DRAFT MINUTES



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 & Municipal 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 Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, City Engineer John Woodcock, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Kathleen Haggard, and Records & Information Specialist Susan Haigh.

C. Announcements, Appointments and Presentations:

1. Announcements: None.
2. Appointments: None.
3. Presentations:
 - a. Presentation: Police Department Recognition Ceremony.
 - 30-Year Service Award: Art Spahr
 - DUI Award: Rob Hoag
 - MSU Boating Award: Ryan Boyle
 - 2013 Officer of the Year: Ryan Harberts
 - 2013 Support Officer of the Year: Laura Miller
 - 2013 Reserve Officer of the Year: Nate Alvord
 - 2013 Outstanding Service Award: Bob Kocher
 - Service Recognitions: 5 year – Eric Alfano, Sean Scott, Tobie Johnston, Todd Green; 10 year – James Larsen, Daron Wolschleger, Scott Kreider, Steve Flaherty; 15 year – Dave Thaves.

Police Chief Powers said the department holds an award ceremony each year in December to recognize years of service and awards that are voted on by staff. She and Assistant Chief Keller announced and introduced each of the recipients, and the Council recognized them for their achievements.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Jim Bouchard, 20303 108th St Ct E, Bonney Lake, provided a report from the Park Board as its Chair. He said the Board made a recommendation at the January 13, 2014 Meeting to forward a proposal for an 18-hole disc golf course in Midtown Park (also known as the WSU Forest). He said the City has considered several uses for the property but nothing has been done to date. The proposed course would cost about \$19,000 to build, would be free to the public and could be used for events such as tournaments. He said the park is underutilized and the City may not have funds to develop a park or other uses for some time, and this will be a good use of the land.

Mayor Johnson said staff are working on a report based on the Park Board's recommendation, and it will be an item of discussion at a future workshop.

Chris Waugh, 18815 65th St E, Bonney Lake, is a board member of the Pierce County Disc Golf Players Association. He spoke in support of the proposed disc golf course in Midtown Park and offered to answer questions. He noted that other members of the Players Association were in attendance at the meeting. He said this would be a positive use for Midtown Park which is not being used currently.

Scott Anderson, 9901 197th Ave E, Bonney Lake, is a Park Board Member. He spoke in support of the proposed disc golf course. He said the Park Board has discussed the issue for several months, and his understanding is the course does not need to be a permanent fixture and could be moved or modified if needed in the future. He said it is important that any installation would not impede the use of other open space in the Midtown Park area. He said there is strong support for the proposal, which led the Park Board to move it forward to the Council.

Darin Adams, 2325 185th Ave E, Bonney Lake, spoke about water utilities. He said he has had two water leaks on his property and fixed both, but the Municipal Code allows for only one leak adjustment in a 24-month period, and he is ineligible to apply for another leak adjustment on his utility bill.

City Administrator Morrison noted that Mr. Adams has met with both himself and Chief Financial Officer Juarez, and they encouraged him to bring his issue before the Council. He said the Council can authorize a waiver to allow Mr. Adams to receive a leak adjustment, since the current code does not allow staff to make this determination.

Councilmembers Watson and Minton-Davis spoke in support of authorizing a waiver. Mayor Johnson asked the Council to amend the agenda during the action items period for any proposed action.

Dan Decker, 20401 70th St E, Bonney Lake, spoke about the Sumner YMCA, the YMCA's mission as a religious organization, and its tax-exempt status in other states.

Carrie and Darren Painter, 17710 16th St Ct E, Bonney Lake, spoke about sewer issues they have had at the home they purchased in Fairweather Cove in 2013. They said they have had to do substantial repairs because the sewer system was improperly constructed,

and the City of Bonney Lake approved the inspections for the system and grinder pump for the home. They asked the City to provide them with assistance with the repair costs. They have spoken with the City Engineer previously, and said they would like to work with the Council on the issue.

Councilmember Hamilton asked if the Painters have filed a claim against the City. Mrs. Painter said they have not because they wanted to work with the City first. Mayor Johnson explained that the Council will review the information provided and discuss the issue, and then will respond to them.

- 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 and discussed Eden module upgrades.
- B. Community Development Committee: Councilmember McKibbin said the Committee has not met since the last Council Meeting.
- C. Economic Development Committee: Councilmember Minton-Davis said the Committee met earlier in the afternoon, and she was elected as the Chair. She said Planning staff have put out a Request for Proposals (RFP) for a market analysis. The Committee also had an initial discussion about forming a Downtown Redevelopment Agency.
- D. Public Safety Committee: Councilmember Watson said the Committee met on January 6, 2014 and he was appointed as Chair. East Pierce Fire & Rescue Deputy Chief McDonald reported on a grant the City received to install AED units in Police patrol cars and at the Public Safety Building, and to provide training. Public Works Director Grigsby provided information on lowering speed limits and median heights in the City. Police Chief Powers provided crime statistics for 2013, and also reported that a sign dedication ceremony for Gary Slick will be held on January 24, 2014 along with DUI emphasis patrols.
- E. Other Reports:
- Park Board: Councilmember Watson said he attended the Park Board meeting on January 13th. The Board forwarded the proposed disc golf course in Midtown Park to the Council; discussed closing an underused park, which failed to move forward; reviewed boat launch revenues; and discussed plans for future review of the Fennel Creek Work Plan.
- Communities for Families: Councilmember Watson said he attended the Communities for Families meeting in Sumner on January 9, 2014. The group heard a presentation from City of Sumner Planning Manager Ryan Windish; heard a presentation on the Sumner School District levy ballot items; and discussed the upcoming Bonney Lake High School production of the play "Beauty and the Beast" on March 7-9, 2014, with proceeds benefiting Sumner-Bonney Lake Family Center.

IV. CONSENT AGENDA:

- A. **Approval of Minutes**: December 3, 2013 Council Workshop and December 10, 2013 Council Meeting.

- B. Approval of Accounts Payable and Utility Refund Checks/Vouchers:**
Accounts Payable checks/vouchers #67574-67620 (including wire transfer #'s 11252013, and 20131202) in the amount of \$772,750.96.
Accounts Payable checks/vouchers #67621-67623 in the amount of \$1,434.36 for Accounts Receivable deposit refunds.
Accounts Payable checks/vouchers #67624-67643 in the amount of \$1,853.66 for utility refunds.
Accounts Payable wire transfer #1201201301 for Bank of New York in the amount of \$473,050.00.
Accounts Payable checks/vouchers #67644-67682 (including wire transfer #'s 12364167, 20131203, 20131204, 112220131, and 2013120301) in the amount of \$595,317.36.
Accounts Payable checks/vouchers #67683 in the amount of \$1,539.00 for Accounts Receivable deposit refunds.
Accounts Payable checks/vouchers #67684-67702 in the amount of \$1,774.64 for utility refunds.
Accounts Payable checks/vouchers #67703-67767 (including wire transfer #'s 2013121601) in the amount of \$518,265.36.
Accounts Payable checks/vouchers #67768-67770 in the amount of \$1,847.24 for Accounts Receivable deposit refunds.
Accounts Payable wire transfer #2013121701 for P-Cards in the amount of \$41,694.48.
Accounts Payable checks/vouchers #67771-67797 (including wire transfer #'s 2014011101) in the amount of \$125,399.38.
Accounts Payable wire transfer #20131216 for Bank of America in the amount of \$1,973.28.
Accounts Payable checks/vouchers #67798-67816 in the amount of \$1,229.17 for utility refunds.
Recorded but not approved on 10/22/2013: Accounts Payable checks/vouchers #67174-67235 in the amount of \$231,459.55.
Recorded but not approved on 9/10/2013: Accounts Payable checks/vouchers #66947-66977 in the amount of \$211,745.84.
Accounts Payable checks/vouchers #66978-66989 for utility refunds in the amount of \$829.68.
Recorded but not approved on 7/8/2013: Accounts Payable checks/vouchers #66524-66527 in the amount of \$7,025.00.
Wire not approved from 2/12/2013: Accounts Payable wire transfer #2013021201 for Comdata in the amount of \$18,444.66.
Check/Voucher not approved from 2/19/2013: Accounts Payable checks/vouchers #65668 in the amount of \$1,264.49.
VOIDS: Check #66488 – check lost/missing

- C. Approval of Payroll:** Payroll for December 1st-15th, 2013 for checks #31500-31525 including Direct Deposits and Electronic Transfers is \$ 443,435.07.
Payroll for December 16th-31st, 2013 for checks #31526-31552 including Direct Deposits and Electronic Transfers is \$ 726,167.68.

Councilmember Rackley moved to approve the Consent Agenda. Councilmember Watson seconded the motion.

Consent Agenda approved 7 – 0.

Councilmember Watson moved to amend the agenda to add a motion authorizing a waiver of the 24-month waiting period for a water leak adjustment as Finance Committee Issues, Item B. Councilmember Lewis seconded the motion.

Motion to amend the agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES:

- A. **AB13-136 – Resolution 2342** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Requesting Approval Of The State Of Washington Department Of Ecology Grant Agreement G1400244 For A \$170,000 2013-15 Municipal Stormwater Capacity Grant.

Councilmember Watson moved to approve Resolution 2342. Councilmember Lewis seconded the motion.

Resolution 2342 approved 7 – 0.

- B. **AB14-17** – A Motion Authorizing a Waiver of the 24-Month Waiting Period for a Water Leak Adjustment (BLMC 13.04.100(G)). *Added to agenda by Council Motion.*

Councilmember Lewis moved to approve the motion. Councilmember Minton-Davis seconded the motion.

Deputy Mayor Swatman said Mr. Adams has brought up an issue that should be fixed in the Municipal Code. Councilmembers Minton-Davis and Watson agreed. Councilmember Rackley questioned whether the homeowner has replaced enough of the pipe to ensure it will not need additional repairs. City Administrator Morrison explained Mr. Adams' repairs. He said the Council may want to consider amending the Municipal Code, and there is precedent for the Council to consider such waivers.

Councilmember Minton-Davis said she is pleased the current code is strong, but wants the Council to discuss possible amendments to the amount of time required between leak adjustments. Councilmember Hamilton said any revision to the code must ensure that property owners make sufficient repairs before additional leak adjustments will be considered, or require them to get insurance for their pipes. Councilmember Lewis said there will be more issues like this due to the age of most homes, and additional criteria should be considered such as technology to test the water lines.

Deputy Mayor Swatman recommended the Council table the item to Workshop to allow staff time to gather information, estimate the amount of the adjustment, and provide proposed changes to the code language. Councilmember McKibbin noted that the customer's water will not be turned off in the meantime as he has made arrangements with the Utility department.

Deputy Mayor Swatman moved to table the motion to a future Workshop for discussion. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman said this will give staff time to provide more information.

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

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. ECONOMIC DEVELOPMENT COMMITTEE ISSUES: None.

VIII. PUBLIC SAFETY COMMITTEE ISSUES: None.

IX. FULL COUNCIL ISSUES:

A. **AB14-01 – Resolution 2347** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting The Planning Commission Workplan For The 2014-2015 Biennium.

Councilmember Lewis moved to approve Resolution 2347. Councilmember Hamilton seconded the motion.

Mayor Johnson said the workplan was discussed at the special Joint Meeting of the Council and Planning Commission at the January 7th Workshop.

Resolution 2347 approved 7 – 0.

X. EXECUTIVE SESSION: None.

XI. ADJOURNMENT:

At 8:18 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, MMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the January 14, 2014 Meeting: None.

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.

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Community Development / Jason Sullivan - Senior Planner	Meeting/Workshop Date: 21 January 2014	Agenda Bill Number: AB14-02 (Formerly AB13-55)
Agenda Item Type: Discussion	Ordinance/Resolution Number: 2297	Councilmember Sponsor: Councilmember McKibbin

Agenda Subject: Notice of Intent to Adopt an updated Shoreline Master Program

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Expressing The Intent To Adopt An Update Of The Shoreline Master Program And Authorizing The Submittal Of The Proposed Shoreline Master Program To The Washington State Department Of Ecology.

Administrative Recommendation:

Background Summary: At the December 3, 2013 City Council Workshop the City Council began discussing the City’s draft Shoreline Master Plan (SMP) as part of the required Notice of Intent to Adopt.

At the December 3rd Workshop, one of the primary questions was how much more property would be placed within setback areas, reducing the developable area of the lot, as compared to the current SMP. Following the meeting, staff completed an analysis to determine the net change in developable area and determined that with the required minimum sixty foot setback, measured from the Ordinary High Water Mark, the amount of developable area on a lot would increase when compared to the 1975 SMP. Staff was unable to determine the impact of the string-line setback given very site specific nature of the string-line setback. A copy of the analysis is attached to this Agenda Bill.

At the meeting, Councilmembers also questioned whether or not the City should implement the optional string-line setback. Staff is still waiting to receive direction regarding the string-line setback from the City Council. The issue of the string-line setback is also addressed in the attached analysis.

The other questions asked by the City Council at the December 3rd Meeting related to the likelihood of the redevelopment of the existing housing stock and the age of the existing homes around Lake Tapps. These questions are also address in the attached memorandum.

The purpose of Resolution 2297 is to for the City Council to formal notify the Department of Ecology (DOE) of the City's intent to adopt the required comprehensive update of the City's 1975 SMP as required by 90.58.080(2)(a)(iii). If the Council approves Resolution 2297, a copy of the draft SMP (Ordinance D13-56) will be forwarded to DOE for review and approval. Once DOE approves the draft SMP, the City Council will take final action on Ordinance D13-56. DOE's review is expected to be a minimum of six months from the date that it is submitted to DOE.

NOTE: Please bring AB13-55 to the January 21, 2014 Workshop. Electronic copies of the materials are available at the following link:
http://www.ci.bonney-lake.wa.us/UserFiles/AB13-55_DraftShorelinePlan.pdf

Attachments: Memo Regarding Shoreline Setbacks and Housing Stock dated December 10, 2013

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
n/a			
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review:	Community Development	<i>Approvals:</i>	Yes	No
	Date: 21 May 2013	Chair/Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember	<input type="checkbox"/>	<input type="checkbox"/>
	Forward to:		Consent Agenda:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Commission/Board Review:	Planning Commission			
Hearing Examiner Review:				

COUNCIL ACTION

Workshop Date(s):	3 December 2014	Public Hearing Date(s):	
Meeting Date(s):		Tabled to Date:	

APPROVALS

Director: <i>JPV</i>	Mayor:	Date Reviewed by City Attorney: (if applicable):
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Memo

Date : December 10, 2013
To : Mayor Johnson and Councilmembers
From : Jason Sullivan – Senior Planner
Re : **Councilmember Questions Regarding SMP – December 3, 2013**

PURPOSE:

The purpose of this memo is to provide a response to the questions raised by the City Council regarding the draft SMP at the December 3, 2013 City Council Workshop.

QUESTIONS:

- 1. How much more property will be within required setbacks under the new SMP compared to the setbacks under the old SMP, if the City choose not to adopt a mandatory string-line setback?**

None. The result of the adoption of the new SMP will actually decrease the total area of the required setbacks, even with increasing the minimum shoreline buffer from thirty feet to sixty feet.

One reason for the increase in developable area under the proposed SMP is that three setbacks established by the 1975 SMP not related to shoreline protection have not been included in the proposed SMP. The first of these setbacks is the required side yard setback of eight feet on both sides of the residential structure;¹ as compared to five feet side year setbacks in the R-1 District. The second and third setbacks are the thirty-five foot and twenty foot front yard setbacks dependent on whether or not the lot is adjacent to

¹ City of Bonney Lake. (1975) *The City of Bonney Lake Shoreline Master Program* – Residential Development Regulations (Section III A. 3. b.).

an arterial street;² as compared to a ten foot front yard setback for residential structures and a twenty foot setback for garages in the R-1 District.

Additionally, BLMC 18.14.060.E requires residential structures adjacent to Lake Tapps to be setback thirty feet from the rear property line which does not continuously align with the OHWM or the bulkheads; as compared to twenty feet for other residential structures in the R-1 District. The requirement to have a thirty foot rear yard will be removed as part of the Ordinance D13-56 which adopts the draft SMP.

Under the current regulatory structure approximately 71.54 acres of property are within areas designated as setbacks: either from the OHMW or the property lines. Under the proposed regulatory structure 65.79 acres of property are within areas designated as setbacks: either from the OHMW or the property lines. As a result the net developable area around Lake Tapps increases by 5.75 acres. This translates into a reduction in the total setback area from an average of 6,373 square feet per lot to an average of 5,861 square feet per lot.³

2. How much more property will be within required setbacks under the new SMP compared to the setbacks under the old SMP, if the City choose to adopt a mandatory string-line setback?

The amount is unknown. While under the string-line approach the front, side, and rear setbacks would be decreased resulting in increase in developable area, the setback from the shoreline could be significantly higher than sixty feet which may reduce the overall developable area on a given lot. Given the site-specific nature of the string-line setback, it is not possible to predict the total amount of the setback area.

If the City Council chooses not to adopt a mandatory string-line setback, staff would recommend that the string-line setback still be used as part of the vegetative incentive program which allows up to a twenty foot reduction of the sixty foot shoreline setback. Given the allowable reduction in the shoreline setback and the reduced rear setback, homes could be built significantly closer to the water than currently allowed under the 1975 SMP and the current R-1 zoning regulations. This approach would prevent the most egregious view impacts on neighboring property owners and would not result in a mandatory increase area of the setback. Only those property owners who choose to take part in the optional incentive program, which allows a property owner to reduce the sixty

² City of Bonney Lake. (1975) *The City of Bonney Lake Shoreline Master Program – Residential Development Regulations* (Section III A. 3.c.).

³ The average is based on the total area within all the required setbacks divided by 489 which is the total number of parcels within the Residential Shoreline Environmental Designation. Results on a given lot may be more or less than the average.

foot setback and moves closer to the water further increasing the developable area of the lot, would be required to apply a string-line setback.

3. How many homes around Lake Tapps are likely to redevelop over the next twenty years?

While it is impossible to give an exact number, we can identify properties with a high potential to be redeveloped based on a comparison of the value of the land and the homes. This approach is typically referred to as the Land to Improvement Value Ratio which divides the value of the land by the value of the improvement. Under this methodology, properties with a ratio greater than 2:1 are considered highly likely to redevelop as the value of the land is twice as valuable as the improvements and properties with a ratio of 0.99:1 or less are considered very unlikely to redevelop since the improvements are more valuable than the land. Vacant properties do not have a ratio as there are no improvements on the property. In order to assess the potential for redevelopment, residential structures (including 31 mobile/manufactured homes and 2 duplexes) around Lake Tapps were categorized into five groups based on the current Land to Improvement Value Ratio as provided below:

Land to Improvement Ratio	Redevelopment Likelihood	Number of Properties	Percentage
N/A	Undevelopable ⁴	25	5.1%
N/A	Vacant	36	7.4%
Greater than 2.0	Highly Likely	70 ⁵	14.3%
1.75 to 2.0	Likely	15	3.1%
1.50 to 1.75	Possible, but unlikely	36 ⁶	7.4%
1.0 to 1.50	Unlikely	143	29.2%
Less than 1.0	Very Unlikely	164	33.5%

4. How old are the homes adjacent to Lake Tapps within the City of Bonney?

The homes adjacent to Lakes Tapps within the City of Bonney Lake were constructed between 1950 and 2013 with the median year of construction being 1983. A breakdown

⁴ These properties have parcels numbers, but are either the water access from properties located on the other side of West Tapps Highway (22), are owned by the County(2) or are too small to be developed (1).

⁵ Includes 29 mobile/manufactured homes.

⁶ Includes 2 mobile/manufactured homes.

of the number of homes per decade along with average Land to Improvement Value Ratio for the homes in that period is provided below⁷:

Decade	Number of Homes	Average Land to Improvement Value Ratio⁸
1950 – 1959	5	2.48:1
1960 – 1969	74	1.63:1
1970 – 1979	99	1.43:1
1980 – 1989	68	1.18:1
1990 – 1999	86	0.98:1
2000 – 2009	53	0.79:1
2010 – 2013	12	1.38:1 ⁹
Total	397	1.23:1

⁷ The 31 mobile/manufactured homes adjacent to Lake Tapps were not included in this analysis.

⁸ A property with a land value to improvement ratio greater than 2 means that the land is twice as valuable as the improvements and the property is considered highly likely to redevelop.

⁹ Based on the review of the data, there are two homes built in 2013 that have significantly higher land to improvement ratios which are outliers and skewing the average. When the outliers are removed the average is 0.83:1.

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Executive / Don Morrison	Meeting/Workshop Date: 21 January 2014	Agenda Bill Number: AB14-13
Agenda Item Type: Discussion	Ordinance/Resolution Number:	Councilmember Sponsor:

Agenda Subject: 2014 Council Retreat Agenda

Full Title/Motion: n/a

Administrative Recommendation:

Background Summary: The City will hold its annual retreat on Saturday January 25th. Council retreats normally focus on council goals, significant issues, and long range/strategic planning. Attached is the draft retreat agenda for Council discussion and approval.
Attachments: Draft Retreat Agenda

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>	Yes	No
Date:	Chair/Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): January 21, 2014	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director:	Mayor:	Date Reviewed by City Attorney: (if applicable):

Agenda

Council Retreat

Saturday, January 25, 2014, 8:30am -4:00pm
CI Shenanigans, Tacoma, WA

- 8:30am Breakfast
- 9:00am Call to Order and Roll Call
- 9:05am Expectations/Hopes for Retreat (3 min. max. per member)
- 9:30am Pick a Project(s)

Council allocated \$75,000 to undertake a park project(s). The Administration had originally proposed a covered roof over the AYP stage. Candidates for the project include:

- Covered stage at AYP
- Entrance/Picnic area at Mid-Town Park
- Frisbee Golf at Mid-Town Park
- Portable field lighting at AYP
- Dugouts w/roof at Ballfield #4
- BMX Track at AYP (Moriarty) or Storm pond
- Mobile Fences
- Other

- 10:15 Rest Break
- 10:30am Short Term Council Goals (1-3 years)
1. "Around the Horn" Individual Councilmember Input: What one thing would you most like the City to accomplish in the next 2-3 years (This year plus next biennial budget)?
 2. Roundtable discussion: What is most important for the City to accomplish in the next 2-3 years (This year plus next biennial budget)? – Add to Short Term Council Goal List. May include discussion on funding options.
 3. Review and Update Council Goal List in view of previous discussion (Add/delete goals and prioritize)
- 12:30pm Lunch Break
- 1:30pm Review and Update Council long term goals

- 2:30pm Public Works Center (timing, funding, etc.)
- 3:00pm Parks – Where Do We Go from Here?
1. MPD Election Feedback
 2. How do we obtain consensus on park development: Moriarty, Mid-Town, Victor Falls
 3. Park Financing issues and options
- 3:45pm General Discussion: Governance Structure (council committees, agenda format, agenda bills)
- 4:00pm Open Council Discussion
- Communicating with the Public (BL Reporter, Social Media, smart phone apps, broadcasting council meetings)
 - AWC Conference
- 4:45pm Adjourn

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Public Works / John Woodcock	Meeting/Workshop Date:	Agenda Bill Number: AB14-18
Agenda Item Type: Discussion	Ordinance/Resolution Number:	Councilmember Sponsor:

Agenda Subject: Discussion: Fairweather Cove/Painter Residence Grinder Pump Issue

Full Title/Motion: n/a .

Administrative Recommendation:

Background Summary: Mr. & Mrs. Painter purchased a foreclosed property in Fairweather Cove. When they moved in, the grinder pump system did not work, and they are seeking relief from the City for the failure of the system. The grinder pump system was installed in 2008. While the builder may have put in an inferior system (as was his right to do), it passed tests at the time. The property subsequently fell into foreclosure, and the system remained, possibly under water, for the past 5 years with no use or maintenance until the Painters moved in and tried to get it to work. This appears to be a "buyer beware" issue, and is not the result of any negligence on the part of the City. The grinder pump is privately owned and not the responsibility of the City. The Council may consider granting some relief on the sewer bill (base charge) for the months the residence had no sewer service.

Attachments: Staff Report

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>		Yes No
Date:	Chair/Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	Consent		
	Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): January 21, 2014	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director:	Mayor:	Date Reviewed by City Attorney: (if applicable):



**Public Works
Department**

Memo

Date : January 15, 2014
To : Mayor Neil Johnson Jr.
From : John Woodcock, City Engineer
CC : Don Morrison, City Administrator, Dan Grigsby, Public Works Director
Re : Grinder Pump Issue at Daren and Karie Painter Residence – 17710 16th Street Court E

History:

Fairweather Cove is a development located just south of the Auburn city limits at the intersection of Sumner-Tapps Hwy and 16th Street E. The subdivision was finalized in April of 2005 and has 28 lots in the development. The water and sewer systems inside the development are in the Bonney Lake utility service areas. When Fairweather Cove was built the City of Bonney Lake agreed to allow Auburn to provide sewer services to this sub-division. The sewer is pumped through individual privately owned grinder pumps out of the plat and into a gravity sewer main that is owned and maintained by the City of Auburn. Auburn charges the residents for sewer based on the amount of Bonney Lake water that is consumed, essentially a pass through billing from Bonney Lake to the City of Auburn.

This particular lot (parcel 7002030160) pulled a Sewer Permit Application from the city on November 2, 2007 (see first attachment) and the portion the city inspects (side sewer and alarm was completed and passed on August 8, 2008 (see second attachment). The City inspector follows a Standard Operating Procedure (SOP) as shown on the third attachment. Sometime after construction was completed, the home went into foreclosure and set empty for several months.

The Painter's recently (March 13, 2013) purchased this repossessed home from a bank and they moved in November 2013. Their water and sewer billing starting on that date. Mrs. Painter states that after being in the home for approximately six weeks she noticed that the grinder pump wasn't working. She has done extensive work researching the history of this installation, made a Public Disclosure Request (PDR) at the city on December 9, 2013 and obtained the information provided in the first two attachments. She has also called in at least two companies to help her fix the current problem (see attachments 4 and 5).

Kari Painter called me on December 10, 2013 and left a message for me to contact her. We made contact on December 11, 2013 and she went over the issues of her grinder pump situation. I told her I would research this issue and get back to her with the results.

Meeting with Public Works:

On morning of December 18, 2013, Mrs. Painter and I talked again after I had obtained records of the inspection from August 2008. I explained that while the city does inspect the operation of the system to be used to ensure it functions properly at that time, we do not direct the contractor on how to build the grinder pump system. The grinder pumps are privately owned and maintained by the home owner after construction is completed. Her complaint was that if the city inspected the system it should work. I told her that our records from 2008 state that the system worked and if our inspector was still here (King Cooper passed away May 1, 2013) I would be able to have a more accurate account of the inspection effort.

Because several years had passed since the city was involved (over 5 years ago), here is a summary of what we know:

- A Sewer Permit was requested in November of 2007 from applicant Andrew Kowalski for Owner Greg & Teresa Johnson.
- We know our inspector approved the side sewer inspection and pump alarm test on August 8, 2008 per our SOP (attachment 3).
- Without King being available we have to assume that the system was fully operational at that time. I mentioned that since neither she nor I was actually there this is all we can deduce from the paperwork we have on record.

She mentioned that she has talked to several city employees over the past 10 days and had a PDR submitted on her property.

She is seeking compensation for the failed grinder pump based on her opinion that the city is responsible for the systems viability. She requested compensation in the form of a credit to her sewer and water bills. At that point I told her that I did not have authority to pay her the compensation she was requesting so she mentioned that I was her first stop then she would go to the Mayor and Council. She asked when the Council next met and I provided her with the dates of January 14th and the 28th as the next two dates that there was a forum to address the elected officials. Meeting adjourned after that information was provided.

Conclusion:

The grinder pump system is a privately owned and the responsibility of the property owner.

Since the sewer service was not used from March 2013 to December 2013 it may seem reasonable to Mr. and Mrs. Painter to receive compensation for services not received. However, as with all utility bills, there is a fixed price and variable price component to each bill. While the service may not have been provided, the fixed costs of operating the sewer system did occur and should be paid for. The

variable costs based on amount of water consumption and subsequent sewer treatment service may be negotiable.

Since all money paid for sewer service was paid to the City of Auburn, the Painters would have to seek compensation from the City of Auburn.

Attachments:

- 1 – Sewer Permit Application
- 2 – Permit Action Report
- 3 – SOP Sewer Grinder Pump
- 4 – FloHawk letter
- 5 – Advanced Septic Services Letter



"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"

FOR STAFF USE ONLY	
Date:	11-2-07
Project Description:	
Permit Number:	PWD 2007-07064 J/S

SEWER PERMIT APPLICATION

A COMPLETE AS-BUILT DRAWING MUST BE INCLUDED WITH THIS APPLICATION

City of Bonney Lake City Limits? Inside City Limits or Outside City Limits (circle one)

Use: Residential or Commercial (circle one)

No. of dwelling units?
No. of commercial units?

Project Name / Description: Sanborn Residence

Tax Parcel Number: 7002030160

Site Address: 17710 16 St NE East

Lot Number: 16

General Location: Fairweather Cove Estates

Block:

Site Information:

Section: 08 Township: 20 Range: 05 1/4: 1 1/4

Subdivision:

Applicant: Teresa Sanborn

Phone: 253-839-1319

Street Address: 17710 16th St NE East City State/Zip: 98002 WA 98003

Fax #:

Property Owner: Teresa & Gary Sanborn City State/Zip: 98002 WA 98003

Phone:

Street Address: Same as above City State/Zip: 98002 WA 98003

Fax #:

Contact Person: Andrew Kowalski City State/Zip: 98002 WA 98003

Phone: 253-228-6377

Street Address: 110 S Stevens St City State/Zip: 98002 WA 98003

Fax #:

Contractor: N/A City State/Zip: 98002 WA 98003

Phone:

Street Address: State Contractor's License #: City State/Zip: 98002 WA 98003

Fax #:

Expiration Date:

City of Bonney Lake Business Registration:

Legal Description: SEC - Plat

Information:

Type of Service: _____ Type of Sewer Pipe: _____ Tenant Improvement? Y or N

Tap Required? Y or N _____ Pipe Size: _____ Grease Interceptor? Y or N

Work in Right of Way? Y or N *If yes a separate Right of Way permit is required for any encroachment into the right of way.* Grease Trap? Y or N

ALL SEWER LINES TO BE TESTED FULL LENGTH AND APPROVED PRIOR TO BUILDING CONNECTION. EXISTING SEPTIC TANK(S) TO BE PUMPED AND FILLED WITH INERT MATERIAL.

APPROVED PIPING MATERIALS: Ductile Iron, ABS (SCH 40), P.V.C. (SDR-35)

I agree to comply with all City ordinances and design standards, State laws, and lawful orders of the inspector. I further agree to reimburse the City for any charges incurred from outside agencies (State, County, etc.)

By leaving the contractor section blank, I hereby certify that I am the owner, or agent of the owner, of the subject property and contractors will not be hired to perform any work in association with this permit. I acknowledge that in leaving the contractor section blank, I do not intend to perform work for selling purposes without being a registered contractor by the State of Washington (RCW 18.27.090). I also verify that if I do choose to hire a contractor, general or subcontractor, I will only hire those which are licensed by the State of Washington (RCW 18.27.110).

Submitted by: Andrew Kowalski Date: 10-20-07

City of Bonney Lake, P.O. Box 7380, Bonney Lake, WA 98390
Permit Center (253) 862-8602
Rev. 03/21/03

V:



City of Bonney Lake

0730602-2 0006 11/05/2007 002 2
SWR CONN FEES-DUE TO AUBURN 002295 \$935.00

19306 Bonney Lake Blvd, P.O. Box 7380, Bonney Lake, WA 98390
(253) 862-8602 Call (253) 447-4357 for Inspections

FAIRWEATHER COVE SEWER APPLICATION

Sub-Permit No.: PWD-2007-07064 Master Permit No.: PWD-2007-07005 Status: PENDING
Description: COUNTY WATER PERMIT
Project: FAIRWEATHER COVE ESTATES
Location: 17710 16 ST CT E
Parcel No.: 7002030160
Applied: 11/2/2007
Issued:
Expires: 11/2/2007

Applicant	Owner	Lender
ANDREW KOWALSKI 1610 S STEVENS ST TACOMA, WA 98405 Phone: (253) 228-6377	GREG & TERESA JOHNSON 17710 16 ST CT E LAKE TAPPS, WA 98391	N/A
Contractor L & I License No.:		

Custom Fields		Fees	Calc Amt	Paid Amt	Due Amt
Sewage Source	Aub	Auburn Sewer SDC	935.00	0.00	935.00
Sewer RE Use Class Multiplier	1	ADMIN FEE FOR	93.50	0.00	93.50
Sewer Use Class	sgfm	FAIRWEAHTER COVE			
Total:			1,028.50	0.00	1,028.50

0730602-2 0006 11/05/2007 002 2
SEWER ADMIN FEES 002295 \$935.00

Applicant: Teresa Johnson Date: 12/10/07

pmpPermitActions

12/10/2013 9:04:53AM

Permit Action Report
CITY OF BONNEY LAKE

Permit #: PWD-2007-07064
Master permit #: PWD-2007-07005

Permit type: wsfai - FAIRWEATHER COVE SEWER
Routing queue: pw12 - Public Works Sewer
Address: 17710 16 ST CT E
LAKE TAPPS, WA 98391

Group # - Name	Action Code	Action Description	Completion Date	Completion Code	Completed By	Comments
1 - COUNTER	1340	ACCEPT SEWER APPLICATION	11/2/2007	COMP	laurens	
1 - COUNTER	3500	OBTAIN PERMIT FROM CITY OF AUE	12/4/2007	COMP	jenf	
1 - COUNTER	1060	ISSUE PERMIT	12/10/2007	COMP	christym	
2 - PUBLIC WORKS INSPEC	9520	SIDE SEWER INSP.	8/8/2008	APP	kingc	
2 - PUBLIC WORKS INSPEC	9521	PUMP ALARM TEST	8/8/2008	APP	kingc	
3 - FINANCE	1180	ASSIGN UTILITY ACCOUNT NUMBER	2/25/2009	COMP	christyc	
3 - FINANCE	1351	SET UP UTILITY ACCOUNT	2/25/2009	COMP	christyc	
3 - FINANCE	1024	ACTIVATE ACCOUNT	2/25/2009	COMP	christyc	

SOP for Sewer Grinder Pump Installation Inspections

1. When called for inspection of grinder pump the inspector obtains paperwork from CDD Permitting.
2. When arriving on site for inspection, do a visual of the installation to verify the system is hooked up from the house to the grinder pump and from the grinder pump to the sewer stub at the right of way. All piping should be visible.
3. Require pressure test of the pressure line (from grinder to sewer stub) to hold a minimum of 10 psi for 15 minutes.
4. Inspect a water test of the line coming from the house to the grinder pump tank verifying that the line holds water and all joints are water tight.
5. Have the installer of the grinder tank shut off the breakers in the control panel to the pump and fill the tank (mimicking a power outage) with water until the alarm signals an overflow situation. Warning light and alarm horn must activate.
6. Have the installer reenergize the breakers for the grinder pump tank and check to see if the pumps draw down the water level and the alarms deactivate.
7. Repeat last two steps two or three times.
8. Require the installer to submit an as-built drawing of the plumbing from the house, to the grinder pump system to the right of way line.
9. Record as-built information at the Public Works Operation and Maintenance facility.



Emergency Service No Extra Charge 24/7

P.O. Box 73399 Puyallup, WA 98373 800-444-2371 FAX 253-848-2399 or visit us at www.flohawks.com

PROPOSAL AND CONTRACT

Customer's Name: Darren & Kerry Painter

Date: 12-3-2013
Phone: 253-224-4532
E-mail:
Job Address: 17710 16th St Ct E
Lake Tapps Wa 98391
\$ 4941.33 Plus Tax

Dear Sir or Madam:

We propose to furnish all materials and perform all labor necessary to complete the following work;

This work is in addition to the emergency work performed on the evening of 12-2-2013.
Pump tank for repair access. Remove and repair plumbing and electrical on existing septic pumps. Install new plumbing for proper access through new riser. Install new 36 inch riser and lid to grade. Test all new connections. Back fill with onsite soils. Dispose of old plumbing materials.

NWC is not responsible for any previous plumbing and tank installation on this job.
No landscape restoration is included in this proposal.
No export of spoils.

****ADDITIONAL PERMITS and FEES NOT INCLUDED****
PROPOSAL VALID 15 DAYS FROM ABOVE DATE

Note: Retroactive backcharges will not be allowed as a credit on this contract.

Respectfully submitted,
NORTHWEST CASCADE, INC.

Contractor's registration expires: 10/14

By: Carl Evanson
Carl Evanson 425-471-1555

ACCEPTANCE

Northwest Cascade, Inc. is hereby authorized to furnish all materials and labor required to complete the work described above for the price and upon the terms and conditions stated above and upon those ADDITIONAL TERMS that are printed on the REVERSE SIDE of this proposal. Customer acknowledges having read, understood, and received a copy of the ADDITIONAL TERMS (which include an INDEMNITY PROVISION relating to HAZARDOUS SUBSTANCES) as well as the statutory NOTICE TO CUSTOMER that is also printed on the REVERSE SIDE.

Acceptance of changes, if any, made by Customer:
Northwest Cascade, Inc.

By: _____
Date: _____

X _____
Customer Date
Contractor's Registration Expires _____



January 10, 2014

Re: Karie & Daren Painter
17710 16th ST CT E
Bonney Lake, WA 98391

To Whom it May Concern;

We recently participated in the troubleshooting of an existing force main side sewer at the Painters' residence, referenced above.

Shortly after occupancy, the alarms sounded and sewage surfaced. The system is a duplex system (2 pumps) that were running non-stop; frequent high temperatures generated so much heat that the discharge pipes melted off the pumps. This process resulted in Northwest Cascade (Flohawks) being called out to service the pumps. It was determined by them that the pumps were incorrect and unable to discharge!

We were then invited to the residence by the Painters for a second opinion and took the position to say that "that did not make sense in that the system had been inspected and proven by the installer to the Bonney Lake Inspector that it was correctly installed as per code and specs, and, in fact, able to perform the task; evidence being the signed off permit."

After many dollars and extensive exploratory work and jetting, we discovered the following:

- A) Pumps, in fact, are not able to discharge sewage! They did not have enough lifting capability,
- B) No check valve was installed at property line to prevent others sewage from entering Painters' property
- C) 2" discharge pipe from the pumps was reduced to 1-1/4" at the connection point (highly likely to cause future problems).

These are the facts!

11603 Canyon Rd E * Puyallup, WA 98373 * 253-435-9999 * 253-848-4306 Fax
www.aadvancedservices.com * guniagroup@comcast.net

Northwest Cascade Flohawks has replaced the pumps with pumps that have proper discharge capabilities at the Painters' expense and system can now work for the first time since its original construction.

Also, the Painters' did the right troubleshooting steps to confirm that the system had been correctly installed to discover that, in fact, it was incorrect. This troubleshooting was, of course, very expensive and, unfortunately, should not have been necessary.

The City of Bonney Lake's position that the inspector who signed off is no longer alive should not result in an exclusive financial burden to the Painters. In our opinion, at least, consider that the property was not physically able to send any sewage to the sewer until now.

Please feel free to call with any questions.

Sincerely,



Andrew Gunia
President

Don Morrison

From: Christy Carter
Sent: Wednesday, January 15, 2014 3:19 PM
To: Don Morrison
Cc: Al Juarez; Neil Johnson
Subject: RE: Daren Adams Leak Adjustment

Hi Don,

Here are some details for this utility account:

Balance on account: \$1,224.23
Previous leak adjustment amount in March 2012: \$322.24
Proposed leak adjustment (if approved) for 2014: \$522.21

Please let me know if I can provide any additional information.

Thank you,

Christy Carter

Accounting Specialist II
City of Bonney Lake
9002 Main Street East, Suite 250
P.O. Box 7380
Bonney Lake, WA 98391
Phone: 253.447.4333 | Fax: 253.447.3181
carterc@ci.bonney-lake.wa.us

 *Find us on Facebook*

From: Don Morrison
Sent: Wednesday, January 15, 2014 11:15 AM
To: Al Juarez
Cc: Christy Carter; neiljohnsonjr@comcast.net
Subject: RE: Daren Adams Leak Adjustment

I will take the lead on amending the ordinance and review the draft with you. If you and Christy would gather the particulars regarding Mr. Adams account, including amount of leak adjustment (first and proposed), outstanding balance, etc. for us to review, that would be helpful. Thanks. Don

Don Morrison, City Administrator
City of Bonney Lake
9002 Main Street E, P.O. Box 7380
Bonney Lake, WA 98391
Email: morrisond@ci.bonney-lake.wa.us
Office: (253) 447-4307; Fax: (253) 862-4208; Cell: (253) 988-6032
Find us on [Facebook](#) and [Twitter](#), and at www.citybonneylake.org

From: Al Juarez
Sent: Wednesday, January 15, 2014 10:47 AM
To: Don Morrison; neiljohnsonjr@comcast.net
Cc: Christy Carter
Subject: Daren Adams Leak Adjustment

Neil & Don;

After discussion last night on the above topic what is the direction we will be taking? I believe I heard that Council would like to discuss this particular case at next week's work shop, which would be 1/21/2014. I will have Christy gather the facts about this account, including a potential leak adjustment for you review.

Don, as far as a revision to the Municipal code, who would be taking the lead on that topic. I assume that the particular changes that would or could be made to the code will be discussed at next week's workshop.

Sincerely,

Al

*Al Juarez, MBA
Chief Financial Officer
City of Bonney Lake
9002 Main Street East,
P.O. Box 7380
Bonney Lake, WA 98391-0944
juarez@ci.bonney-lake.wa.us
253/447-4314*