

COUNCIL WORKSHOP

February 5, 2008

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.

"Where Dreams Can Soar"

Audio Time
Stamp ↓

Call to Order:

Mayor Johnson called the Council Workshop to order at 5:32 p.m.

Roll Call:

Elected Officials in attendance were Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Dave King, and Councilmember James Rackley.

[Staff members attending were City Administrator Don Morrison, Planning and Community Development Director John Vodopich, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, Chief Financial Officer Al Juarez, Administrative Services Director/City Clerk Harwood Edvalson, Police Chief Mike Mitchell, Assistant Chief Dana Hubbard, City Attorney Jim Dionne, and Records & Information Specialist Susan Duis.]

Agenda Items:

5:32:50

1. Presentation: Councilmember Liability, Lew Leigh – Washington Cities Insurance Authority.

Mr. Leigh offered general information about the WCIA Municipal Risk Pool, the city's risk profile, and the Mayor's and councilmembers' liability issues. He stressed the need for clear processes and that councilmembers must not step outside their roles and become entangled in City employee issues. He also suggested that the City provide councilmembers with an official city email address and, if possible, laptops to be used for council business. He also discussed issues of executive sessions, noting that if something is discussed in executive session and later 'leaked' it can be a major issue in litigation. He warned against creating special relationships between individuals and the council in regards to complaints, services, etc., and encouraged councilmembers to pass issues on to appropriate city staff to deal with rather than taking up the issue themselves. Councilmembers were particularly interested in setting up official city emails, and asked for more information about this and the cost of obtaining laptops for councilmembers' use.

6:00:10

2. Discussion: Police Dispatch Services Options.

Police Chief Mitchell and Assistant Chief Hubbard provided Councilmembers with the 2007 Crime Statistics Report, and noted that dispatch services were discussed at the Council retreat on February 1 and 2, 2008. They confirmed that it appears better dispatch services can be obtained through the City of Puyallup. Councilmembers expressed support to move forward; Chief Mitchell said a draft agreement should be available for review within about a week.

Councilmember Rackley noted that the last time the City switched dispatch services, several employees were angered; he asked if the City can avoid personnel disruptions with this switch. Chief Mitchell said his personnel are asking for this change, and are excited and anxious to move forward. He and Mayor Johnson added that joint meetings have been held

with the cities of Sumner and Buckley; they said those cities are interested but may join at a later date.

3. Council Open Discussion.

6:03:46

Councilmember Rackley said he would like to look into laptops and separate city emails for the councilmembers. Mayor Johnson noted Councilmember Decker had suggested laptops for the Council previously. Councilmembers discussed concerns for separating personal and city business. Councilmember King noted that councilmembers have published other contact information and will need to get the new contact information out somehow. He asked that Information Services Coordinator Chuck McEwen brief the council on the options available. Councilmember Decker noted that email is not the only issue to consider, and that the council could receive agenda packets electronically versus picking up paper packets, and the cost of laptops would be worthwhile. City Clerk Edvalson told councilmembers that an email could be set up for them immediately if they wished, and that anything sent to a City email address comes through the City server, and therefore can be provided for public records requests by the City administration, rather than via the councilmembers themselves. Councilmembers planned to continue the discussion at a future meeting or workshop.

Councilmember Carter noted that she will not be able to attend the Council Meeting on February 12, 2008 as she will be out of town.

4. Review of Minutes: January 15, 2008 Council Workshop, January 22, 2008 Council Meeting, January 29, 2008 Special Joint Council/Planning Commission Meeting.

Councilmember Carter noted that Eastown was misspelled in the January 15, 2008 minutes.

6:13:03

5. Discussion: AB08-22 – Ordinance D08-22 – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Applying Public Facilities (PF) Zoning to Parcel Nos. 5640001541, 5640001470, 5640001480, 5640001514, 5640001513, 5640001500, 5640001490, 5640001576, 5640001575, 5640001592, 5640001620, 5640001550, and 5640001561 Through An Area Wide Rezone (BLMC 14.140) (Selected Parcels in Downtown Area). [O 3.7.1]

Councilmembers discussed the proposed rezone, confirming that it had gone through the Planning Commission. Councilmember Hamilton asked about the potential for commercial use in the area, and asked why it was all being zoned for Public Facilities at this time. Planning & Community Development Director Vodopich and City Administrator Morrison explained that the area was being zoned PF to bring it in line with the revised Comprehensive Plan, and noted that zoning can be modified as plans for the area are further developed. Planning & Community Development Director Vodopich confirmed that the rezone would not affect any active businesses in the area, as they would be 'grandfathered' in.

Councilmember Decker noted he had some legal questions regarding the proposed ordinance, and asked if the Council would like to go into an Executive Session to receive legal advice. Councilmembers asked what the proper procedure would be as the request was not specific. City Attorney Dionne said legal questions from individual councilmembers are normally brought to the City Administrator so he can request legal advice with the City Attorney, if necessary. He added that the Council could go to Executive Session during the workshop if a majority of members wished to hear the issue and to receive legal advice.

Councilmember Bowen moved to hold an Executive Session to discuss potential litigation. Councilmember Rackley seconded the motion.

After general discussion about whether an Executive Session was needed and about proper procedures, Mayor Johnson suggested the Council take a vote and move forward.

Motion approved 5 – 2. Deputy Mayor Swatman and Councilmember King were opposed.

6:29:01

6. Executive Session: Pursuant to RCW 42.30.110(1)(b) the City Council announced an Executive Session at 6:29 p.m. for 20 minutes to discuss potential litigation. The meeting reconvened at 6:41 p.m.

6:41:10

5. Discussion: AB08-22 – Ordinance D08-22 Continued

Councilmembers returned to Council Chambers. There was consensus to move proposed Ordinance D08-22 forward to the upcoming Council Meeting.

6:41:20

7. Discussion: AB08-06 – D08-06 – Ordinance to Authorize Mayor to Acquire Property by Negotiation or Condemnation.

Deputy Mayor Swatman asked if any more information about the other property owners was available since the issue was last discussed. City Administrator said some offers were pending, and said if the Council wanted to postpone the ordinance until negotiations have broken down, that was an option. Councilmember Hamilton said he hoped that in future property purchases, condemnation not be included in the wording until negotiations have broken down. He said he preferred this particular ordinance be delayed until the City had worked more with the property owners. He added that it may not be the best time to purchase land, and that the City may not use some of the property for 5-10 years. Finally, he said he felt very strongly about the use of condemnation and that if a property is condemned, the Council must know it will be used for public use and not sold for another use several years down the line.

Deputy Mayor Swatman asked that if the City could still meet the notification laws if the Council decides to wait six months before taking action. City Attorney Dionne confirmed that the notification standards could still be met if action is taken at a later date. Councilmembers discussed the process of whether to vote against the item or to simply not move it forward by consensus, and confirmed that a consensus by the council was all that would be needed. By consensus the Council chose to take no further action on the proposed ordinance.

6:53:23

8. Adjournment.

Councilmember King moved to adjourn the workshop at 6:53 p.m. Councilmember Carter seconded the motion.

Motion approved 7 – 0.