

CITY COUNCIL WORKSHOP

**September 16, 2008
5:30 p.m.**

MINUTES



"Where Dreams Can Soar"

The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

Website: www.ci.bonney-lake.wa.us

Audio Time
Stamp ↓

Call to Order:

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

Roll Call: [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Neil Johnson, elected officials attending were 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 in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Director of Planning and Community Development John Vodopich, Building Official Jerry Hight, Assistant Police Chief Dana Powers, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

Agenda Items:

5:32:47

1. **Council Open Discussion:**

Cascade Land Conservancy Luncheon

Councilmember Carter reminded Councilmembers to sign up for the Cascade Land Conservancy luncheon on September 25, 2008.

Beautify Bonney Lake

Councilmember Carter said Beautify Bonney Lake's annual event is this Saturday, September 20, 2008. The final planning meeting will be held September 17th at 7:45 a.m. at the Cedar Ridge Retirement Community board room.

Councilmember Absence

Councilmember Carter informed the Council that she will not be present at the September 30, 2008 Special Meeting.

Church Lake/Inlet Island Rezone

Councilmember Decker summarized the annexation and zoning history of the Church Lake area, which is part of Ward 5. He said the areas were brought into the City in 1961 and zoned R-2 at that time. He thanked the Clerk's office for work researching this information. He also said several citizens spoke to him at the Ward 5 Open House about the Church Lake area rezone issue. He said he wants the Church Lake area to stay zoned R-2, but that he supports a rezone on Inlet Island to R-1, based on input from citizens. Mayor Johnson said the rezone issue is coming before the Planning

Commission soon, and encouraged concerned residents to attend and make their feelings on the issue known.

Stop Work Order

Councilmember King asked Building Official Hight about a recent stop work order at a property on Bonney Lake Boulevard and Locust Ave. Mr. Hight said the City contacted the property owner, and the security guard who had been living in the unfinished home will move into a trailer in the yard, which is allowed during construction.

Bonney Lake Blvd. Reconstruction

Mayor Johnson said there was an error in rebuilding two approaches to homes on 183rd Ave E and Locust Ave during the Bonney Lake Blvd. improvements. He said City Staff and the Attorney's office are working with the property owners to resolve any issues. He said he will keep Councilmember King informed of any updates, as the property owners concerned are his constituents.

Project Mitigation

Councilmember Hamilton asked whether any mitigation measures will apply to development on a property near West Tapps Hwy and Church Lake Rd E. He said he has concerns about traffic flow due to the busy intersection and curve. Director Grigsby said he is not aware of mitigation requirements for that particular property. He noted that the developer, GMG, also owns property at the intersection which is not yet in development. He said there may be mitigation requirements when the other property is developed. He also noted that GMG has partnered with the City on the sidewalk grant application.

Tree Clearing

Councilmember Hamilton asked about the cleared land outside City limits off Kelly Lake Rd and 214th Ave E. He said he is concerned that the plastic skirting installed by the creek appears to have been removed. Mayor Johnson said he would check on the issue with the County.

Inlet Island Rezone Petition

Deputy Mayor Swatman said the Council received copies of a letter from Charles and Sharon Kirkdoffer, including a petition signed by residents of Inlet Island. He said the letter was received September 16, which is past the Public Hearing deadline for the issue. Director Vodopich said copies would be provided to the Planning Commissioners.

5:48:01

2. **Review of Council Minutes:** August 26th Council Meeting, September 2nd Council Workshop, September 9th Council Meeting.

By consensus of the Council, the minutes were forwarded to the September 23, 2008 Council meeting with the following corrections: In the August 26, 2008 Minutes, p. 1., correct the coach's name to "Franz"; and on p. 2, change the second citizen speaker's name to "Grant Sulham." In the September 2, 2008 minutes, p. 5, correct Councilmember Carter's comment to "six months" instead of "weeks." In the September 9, 2008 minutes, p. 3, motion AB08-173, correct the first sentence of discussion to, "received one bid, but it was not complete."

Councilmember Rackley asked Councilmember Decker about his announcement that he was circulating a petition to lower utility bills. Councilmember Decker said he was not doing so presently, but planned to in the future.

5:51:23

3. **Discussion:** AB08-169 – Resolution 1878 – City Park and Facility Naming Policy.

City Administrator Morrison explained the Municipal Code addresses street naming, but not naming of parks or facilities. He said the proposed policy offers guidelines and criteria for naming, and exempts minor items like benches, trees, etc. He asked for Council input on the criteria offered in the draft resolution.

Councilmember King said the policy should address how memorial tiles, donor bricks, etc. can be installed at a facility or memorial. He noted examples such as the ‘donor wall’ at the Gig Harbor YMCA and plans for a Bonney Lake Veteran’s Memorial. Councilmembers Carter and Decker supported adding some language to address this.

Councilmember Bowen questioned whether the City should rescind the honor of naming a facility after someone who has fallen out of favor with the City or Council. He said if a person’s name is taken off the facility, their money should be returned. Councilmember King said the City should take care to notify donors of its policy before accepting donations. Mayor Johnson said the draft resolution would be reworked based on Council input and brought back to the October 7, 2008 workshop for further discussion.

6:12:46

4. **Discussion:** AB08-141 – Ordinance D08-141 – Building Height.

Building Official Hight said the draft ordinance concerns how building heights are measured. He said the intent is to create consistency and ease interpretation for staff and developers. The proposed revisions, based on the International Building Code, require building height to be measured based on the average grade around the building, versus from the front yard grade. He said the change would mainly affect the design of buildings that are built into a hill with a steep grade.

Councilmembers discussed how the change might affect buildings based on current height limits (35 feet in most zones). They asked for more information on how many building projects would actually be affected by the code change. Mayor Johnson said more information would be prepared for continued discussion at the Special Joint Council and Planning Commission Meeting on September 30, 2008.

6:29:25

5. **Discussion:** AB08-151 – Ordinance D08-151 – Permit Extension.

Building Official Hight explained his office has received many requests to extend permits recently, but the current ordinance allows permits to be extended only once for a 180 day period. Director Vodopich said the slowdown in the housing market and economy issues are affecting builders. He said only one single-family home permit was received in August. He said people have contacted his department asking how they can get an extension. He said the proposed ordinance gives staff more flexibility in accommodating homeowners.

Councilmember Rackley said the one extension limit was put in place in the past because of permit backlogs and extensions that went on for years. He said he was opposed to any change that would cause the same problems. Councilmember King expressed concern that building plans that are extended over a year will not be in compliance with current building and design codes. Director Grigsby said he shared these concerns. He also noted that System Development Charges and other fees could be impacted, as developers often rush to submit permits just before SDC rates change to lock in a lower rate, and then delay starting the project. Director Grigsby suggested the ordinance include a provision that plans must comply with current design standards to be extended past a certain point. Building Official Hight said the international code cycle is three years. Councilmember King noted that staff time is required to review plans, and unless additional fees are charged, staff time will be given away.

Deputy Mayor Swatman said builders have up to 360 days after one extension under the current code, and asked how additional extensions would help builders. Councilmember Decker said those building their own homes need more time and may have financial difficulties, and extensions will help these people.

Councilmembers expressed interest in extensions, but asked for more information on the consequences of changing the code. Mayor Johnson said the item will be added to the Planning Commission work plan so they can review and provide input.

At 6:50 p.m., Mayor Johnson called for a ten-minute break. The workshop was brought back to order at 7:04 p.m.

7:04:56

6. **Discussion:** (Continued from 9/2/08 Workshop) Review of Council Rules.

City Administrator Morrison said the current draft is based on Councilmember comments from the previous workshop. At the start of the workshop, the City Administrator distributed a suggestion to revert to using "Robert's Rules of Order" rather than Sturgis' "Standard Code of Parliamentary Procedure." He asked for Councilmember input on the draft rules.

Deputy Mayor Swatman, Councilmember Decker and Councilmember King spoke in favor of continuing to use Sturgis, rather than changing to a different standard. Councilmember Bowen said the language in 2.04.420, B. (3.) Correspondence, "No action or discussion is to be taken at the Council Meeting," is confusing. Council consensus was to change the sentence to read as follows: "No action or discussion is to be taken ~~at the Council meeting~~ during the Correspondence segment."

Councilmembers discussed how correspondence received from constituents prior to meetings will be handled. Deputy Mayor Swatman said if the correspondence relates to an item on the agenda, it will be read into the record at the appropriate point on the agenda. He said if the correspondence is not related to action items the Council should not create new action items for that night's agenda. He said citizens must be notified of new action items and have time to review issues before votes are taken. Council consensus was to deal with future correspondence in this manner. Deputy Mayor Swatman said the Council can suspend its rules at any time with a majority vote.

Councilmember Bowen discussed the wording of proposed new rule 2.04.575, Motions Generally. He said the last two sentences could be improperly used to prohibit Councilmembers from making additional motions. The City Attorney said he would review the source material and offer more information at the next workshop.

Councilmembers discussed proposed new rule 2.04.655, Reconsideration. Councilmember Bowen said if a Councilmember feels they voted in error, the rule does not allow them to correct their mistake at the same meeting. Deputy Mayor Swatman spoke against reconsideration during the same meeting. He said if a vote is taken earlier in a meeting and then reconsidered at the very end of the meeting, citizens will likely have left and therefore will not hear councilmembers' reasons for changing their votes. He said important issues should be put on the following agenda for reconsideration so the public can be aware and involved. City Administrator Morrison said under the draft rule, it could take up to three meetings to resolve a motion to reconsider – one meeting for the original vote, a second meeting to move for reconsideration, and a third meeting to reconsider the vote. Councilmember Rackley asked whether a motion to reconsider would stop an action from being taken, such as a contract or work order.

City Attorney Dionne said the proposed reconsideration rule may cause conflicts when the Council approves contracts or agreements, which are normally signed by the Mayor and mailed the following day. He said the proposed rule is also the reverse of Sturgis, which states that anyone can move for reconsideration (not only those in the majority), and that the motion for reconsideration must be made at the same meeting as when the original action was taken (not at the following meeting). He said the proposed rule could be revised to require the motion to reconsider be made at the same meeting as the original action, but that the actual reconsideration will not occur until the next meeting.

Councilmembers continued discussions, and expressed concern that councilmembers could use the rule to delay decisions or contracts. As consensus was not reached on the proposed rule, Mayor Johnson asked the City Attorney to work on revised language for discussion at the next workshop.

The Council also considered proposed new rule 2.04.1010, Candidate Background Checks. City Attorney Dionne said background checks must be voluntary, not required. Councilmember Hamilton said candidates should not be asked to meet requirements beyond what is required of elected councilmembers. Councilmember Carter said she viewed the issue as an employee situation, adding that she has been through several background checks in the past for her job and volunteer activities. Deputy Mayor Swatman said citizens have time during an election to get information about candidates, but when someone is appointed by the Council that is not possible. He said the Council should interview and ask these background questions before appointing someone to the Council. A majority of the Councilmembers spoke against requesting background checks of Council candidates.

City Administrator Morrison said the Finance Committee would review other potential rules related to gifts, travel, and discretionary fund guidelines, and bring options to the Council for discussion. Councilmember Carter spoke in favor of adding these guidelines. She also suggested the Council consider a dress code rule for those representing the City at public meetings. Mayor Johnson asked her to work on a draft rule. He said discussion of all the draft Council Rules will continue at the October 7, 2008 Workshop.

7. **Executive Session:** None.

8:28:34

8. **Adjournment.**

**At 8:28 p.m., Councilmember Bowen moved to adjourn the meeting.
Councilmember Carter seconded the motion.**

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Items submitted to the Council meeting of September 16, 2008:

- City of Bonney Lake – *Additional Proposed Council Rule Change* – City Administrator Don Morrison.