

**CITY COUNCIL WORKSHOP**

**February 3, 2009  
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](http://www.ci.bonney-lake.wa.us)*

Audio Time  
Stamp ↓

**Call to Order:**

Mayor Neil Johnson, Jr. called the Workshop to order at 5:30 p.m.

**Roll Call:** [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton and Councilmember James Rackley. Councilmember David King was absent.

[Staff Members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Community Development Director John Vodopich, Police Chief Mike Mitchell, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson, Building Official Jerry Hight, Special Event Coordinator David Wells and Records & Information Specialist Susan Duis.]

**Councilmember Rackley moved to excuse Councilmember King's absence.  
Councilmember Decker seconded the motion.**

**Motion approved 6 – 0.**

**Agenda Items:**

5:33:52

1. **Council Open Discussion:**

Cascade Water Alliance

Mayor Johnson attended a meeting in Bellevue on January 29, 2009 with the Cascade Water Alliance board and the representatives from Buckley, Bonney Lake, Sumner and Auburn. He said the meeting went very well and that he thinks Bonney Lake will have a role in developing governing principles and arrangements with the group. He said the Department of Energy wants all parties to work together, and CWA seems willing to work with the cities. Councilmember Bowen thanked the Mayor for spending a lot of his time on the important issue.

Rick Shannon's Retirement

Mayor Johnson said Rick Shannon retired on January 31, 2009. About 140 people attended his going-away party, where he received a plaque from the City.

Eastown Development & Sewer Updates

Councilmember Bowen said a developer in Eastown is trying to coordinate their Traffic Impact Analysis (TIA) with the road widening. He understands the TIA was rejected last week, and citizens in Eastown asked him whether the City is being flexible with Eastown development options. Mayor Johnson said he asked the state in May 2008 for input on whether they would support the developer's TIA. He said the State cited the

WAC and the Eastown Subarea Plan and said it would not approve of the developers proposal, noting the issue with a right-in/right-out access. Councilmember Bowen said a highway official told a resident that the State was willing to accept the TIA if the City requested it. Mayor Johnson asked for more information, as it differed from what he had received in writing from the state previously. Mayor Johnson said if the Council wants to modify the ordinances and Eastown plan to allow the developer's plans, they can do so.

Councilmember Rackley said the City made concessions for the Lowe's and Home Depot developments, but does not seem to be flexible for this issue. Director Grigsby noted the entrance at Home Depot is 150' from the intersection, whereas the proposed access in Eastown is about 50' from the stoplight. He also noted that SR 410 is a Class 3 highway in Eastown, and a Class 2 highway at these other developments. He said the only time a variance for access to SR 410 could apply is if there is no access to frontage or if the site cannot comply with standards due to topography or some other issue. He said the Eastown development can meet standards and has two access points. He said the decision to deny is consistent with State requirements and the Eastown Plan, and noted that the State legislature directed State agencies to enforce the related WACs in 2008. Mayor Johnson said if the City did change the Municipal Code, only the State has the power to give permits. He said the City can only go by what is received in writing.

Director Grigsby said the State plans to put in a double left-turn lane and will need to widen the road at the signal intersection. The State wrote in its letter that it would approve the TIA if the third lane was removed in front of the planned Compass Pointe development. He said if a third lane is allowed it would defeat the purpose of having a frontage road to keep local traffic off SR 410. He said he cannot know what the State might do, but feels the DOT would enforce their standards. Mayor Johnson asked why the TIA decision took so long. Director Grigsby said the TIA was submitted in July 2008 and the response came in January 2009, which seems long. Per the Mayor's request, Director Grigsby will draft a letter to the DOT asking what caused the delayed response and whether the DOT would accept the TIA if the City amended its own code.

Deputy Mayor Swatman asked for an update on Eastown sewer issues. Councilmember Bowen said he and Mr. Geinger recently discussed options, and Mr. Geinger suggested the State might purchase real estate to get the road widening started. Councilmember Bowen suggested he might donate a portion of his land for the road widening if the sewer is built. He said Eastown plans have stalled and something must happen to get it moving. Director Grigsby said the DOT still plans to advertise for the road widening in August 2009 and complete the project by the end of the 2010 construction season.

Councilmember Hamilton asked whether the developer has worked on a latecomer agreement, which would allow the developer to recoup his costs. He said if a Local Improvement District (LID) had been used, the City would put up the funds and be repaid. He said he recalls the initial plan was to do a LID but the developer felt it could complete the project more quickly. Now, he said, nothing is happening and the developer says he is being 'hung out to dry.' He said if the LID process had started the City would be well on its way to having sewer in Eastown. Councilmember Bowen said he feels some responsibility, and property owners ask him whether he is looking out for their interests. He said not much has changed since two or three years ago, and asked why the City didn't impose a time limit on the developer. Councilmember Rackley said

Mr. Frey told him the plans continue and work is progressing. Mayor Johnson said he would work on getting answers to Council's questions and discussions would continue.

Budget Contingency Plan

Deputy Mayor Swatman said the Finance Committee will review contingency plans for the budget, in case revenues continue to decrease and/or expenditures increase. Mayor Johnson said he is working with the management team on ideas and the goal is to have no layoffs.

6:13:02

2. **Review of Council Minutes:** January 6, 2009 Council Workshop, January 13, 2009 Council Meeting, January 20, 2009 Special Joint Council/Planning Commission Meeting and January 27, 2009 Council Meeting.

By Council consensus, the minutes were moved forward without correction to the February 10, 2009 Meeting with no corrections.

6:13:33

3. **Discussion:** AB09-11 – D09-11 – Building Height Definition.

Building Official Jerry Hight explained the proposed ordinance, which revises the way building height is measured to match the current International Building Code. He said it does not change any other portions of the code, and will ease interpretation and administration of the code for staff and the public. Deputy Mayor Swatman asked if there were any exceptions for specific areas of the City, etc. Building Official Hight said there are existing provisions in the code for exceptions to the 35' limit for buildings up to 50' high. By consensus the item was forwarded to the February 10, 2009 Council Meeting.

6:18:10

4. **Discussion:** AB09-12 – D09-12 – Permit Extensions.

Building Official Hight said the permit deadline has become prohibitive in the current economic climate. He said staff discussed and debated various options. The proposed ordinance would revise the deadline for permit applications from 180 days to one year, with one-180 day extension. In addition, the expiration of building permits was changed from one year to two years, with one two-year extension. The proposed ordinance would not allow permits to be active beyond one code cycle. These changes would extend the permit life to 5.5 years maximum (1.5 year maximum for permit applications, and 4 years maximum for active permits). The ordinance was first presented to Council in July 2008, when permits and building activity were dropping off. He said there is still a need for the proposed ordinance, though the situation has leveled off since last summer.

Councilmembers discussed how the proposed ordinance would affect builders and homeowners in the City. Mr. Hight reminded Council that permits may only remain active if required inspections occur every 180 days, so the builder must be actively working in order for permits to continue and receive an extension. Councilmembers Bowen and Decker expressed concern about how the four year limit would affect those who are building their own homes, and take many years to complete the process. Mr. Hight said the vast majority of homes are built within 4-6 months, and individuals might take 1-2 years to build their own homes. The few who take longer than 4 years

are an exception. He added that the Master Builder's Association supports the proposed ordinance.

Councilmembers discussed the affect of building code cycles. Building Official Hight said it is important not to let permits extend beyond one code cycle to ensure public safety and compliance. He said the current City code technically allows permits to extend indefinitely, so long as they remain active. He said while codes do not normally change a lot each cycle, they can be drastically altered after an event such as an earthquake, and it is important to use the most current codes for permitting. He said setting the four-year limit also protects builders, because if a permit expires the builder must re-apply and the new application must meet the current codes. If the City allows a permit to extend two cycles, it could be very costly for a builder to bring the project up to code.

Deputy Mayor Swatman said extending the life of permits could encourage speculative building, though that should not be an issue in the current economy. Councilmember Rackley said the Community Development Committee would review possible exceptions at an upcoming meeting, and spoke in favor of passing the proposed ordinance now. Councilmember Hamilton said he supported anything that will help people in the building trade get back to work. Council consensus was to bring the proposed ordinance forward to the February 10, 2009 Meeting, and for the CDC to discuss options for exceptions or other revisions to the code.

6:53:30

5. **Discussion:** AB09-23 – Resolution 1878 – Naming Policy for City Parks and Facilities.

City Administrator Morrison said the item came to the Park Board in January. Some changes were added since that time, including adding wording in C.2. about fundraisers and paving bricks, and revising B.4 to read "significant contribution" rather than \$1 million." Councilmember Hamilton spoke in favor of the proposed resolution. Councilmember Rackley asked whether the Historical Society would have input in the naming process. Mayor Johnson suggested the Historical Society could participate, such as when the Park Board begins their review. Deputy Mayor Swatman spoke in favor of requiring a recommendation from the Park Board as part of the naming process. He also spoke against naming any facility or park after an elected official. Councilmember Carter noted that public school students were involved in naming Viking Park. She suggested that Section D. could be revised to address the Deputy Mayor's concerns, by allowing specific features to be named, rather than an entire park or facility.

Mayor Johnson asked for volunteers to form an ad hoc committee to review the issues for all groups involved. Deputy Mayor Swatman, Councilmember Carter and Councilmember Rackley volunteered and were named to the ad hoc committee by Council consensus. Mayor Johnson asked that the proposed naming of Miller's Corner (Resolution 1899) be delayed until the naming policy is in place. Councilmember Bowen noted that Ray Miller passed away in 2008 but was very happy to have the City recognize his work. Mayor Johnson said he felt the plaque would not be removed from the site. He asked the ad hoc committee to work on the naming policy and bring the item back for discussion at a future workshop.

- 6. **Discussion:** ~~AB09-10 – Resolution 1899 – Naming the City-Owned Right-of-Way at the Intersection of Church Lake Rd, Sumner-Buckley Hwy and Locust Ave as Miller's Corner.~~

*This item was pulled from the agenda by Council consensus (see above).*

7:08:10

- 7. **Discussion:** AB09-25 – D09-25 – Adoption of New Parking Stall Dimensions.

Community Development Director John Vodopich said the Council asked the Planning Commission to review parking stall sizes at their joint meeting on January 20, 2009. The proposed ordinance includes sizes for various uses, including standard, compact and motorcycle stalls. Deputy Mayor Swatman said the Council should consider different stall sizes in Downtown versus other areas. Director Vodopich said the proposed dimensions cover the entire City. Planning Commission Chair Randy McKibben spoke from the audience, saying the Commission discussed different sizes for different uses, such as retail areas where people will have bags versus industrial areas. Councilmember Rackley asked whether mixed-use zones were considered; Mr. McKibben said that was not addressed specifically.

Councilmember Hamilton asked if the proposed ordinance would help reduce the amount of impervious surfaces and increase green spaces. Director Vodopich said it was not designed for this purpose, and if parking lot sizes were reduced the building size would likely be increased to use that space. Deputy Mayor Swatman asked if the stall sizes could be applied to a specific part of town or zone, such as Downtown, where a developer is trying to work on a project currently. City Attorney Dionne said he could provide options for a more targeted ordinance at the upcoming meeting. Consensus was to bring the item forward and ask the Planning Commission to review possible standards for other areas.

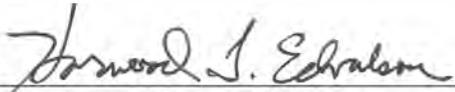
- 8. **Executive Session:** None.

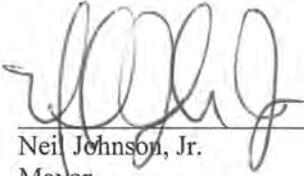
7:20:59

- 9. **Adjournment:**

**At 7:21 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councilmember Rackley seconded the motion.**

**Motion approved 6 – 0.**

  
 Harwood T. Edvalson, CMC  
 City Clerk

  
 Neil Johnson, Jr.  
 Mayor

No items were submitted to the Council Workshop of February 3, 2009.