

CITY COUNCIL WORKSHOP

**February 17, 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.

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Audio Time
Stamp ↓

Call to Order:

Mayor Neil Johnson, Jr. called the Workshop to order at 5:32 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 David King. Councilmember James Rackley was absent.

Deputy Mayor Swatman moved to excuse Councilmember Rackley. Councilmember Carter seconded the motion.

Motion approved 6 – 0.

[Staff Members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Planning Manager Heather Stinson, Police Sergeant Kelly Maras, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

Agenda Items:

5:33:02

1. **Council Open Discussion:**

SR 410 Highway Classification

Public Works Director Grigsby provided Councilmembers with a handout including information and a history of the SR 410 highway classification in Easttown. He said in 1997, the state initially allowed only two access points in the area now known as Easttown. The City requested a review when the area was annexed. At that time WSDOT said they would not re-classify the highway but approved a variance for future left-turns on SR 410 at 219th Ave E and 229th Ave E, and realignment of 234th and 233rd Ave E. He said current detailed maps of the proposed road widening and left-turns are available on the City website currently.

Director Grigsby also explained the process of changing highway classifications. He said requests for highway classification review can only be accepted from a regional transportation planning organization, metropolitan planning organization, or local government or city that has jurisdiction over the highway. WSDOT staff said the process of submitting a request is similar to creating or revising a subarea plan (like the Easttown subarea plan). He said he did not have a cost estimate, but submitting a reclassification request would likely include hiring a consultant, as well as holding public hearings and creating a document similar to the subarea plan. Director Grigsby added that WSDOT does not normally downgrade highway classifications, making it

unlikely that WSDOT would reclassify the highway in Eastown even if the City requested a review.

Councilmember Bowen said the related WAC 468-52-070 allows other interested persons to initiate a review through their local entity, such as the local government. He said he believes this was the intent of Eastown Resident Roger Watt when he spoke to the Council on February 10, 2009. He said residents feel the State and City are treating Eastown differently, as the highway is classified differently there than in the rest of the City and includes more restrictions.

Director Grigsby said the highway classifications were determined based on the level of development when WSDOT first reviewed the area. At that time, the downtown and midtown areas were already developed, so SR 410 is a Class 3 highway there. Since the Eastown area had not been developed, the highway was described as rural-urban and was designated Class 2.

Deputy Mayor Swatman said all individuals in Eastown can access the highway from their property currently. He said reclassifying the highway would allow more ingress and egress routes when the area is developed, which seems to go against the mapped streets plan. He said citizens have expressed concern about the area having development and traffic issues similar to the South Hill area. Councilmember King said one concept in the Eastown Subarea Plan is to keep local traffic to businesses on the mapped frontage roads and off 410. Councilmember Decker said he felt more positive about the frontage roads from Director Grigsby's input.

Councilmember Bowen said Eastown residents seem concerned about 'big box' stores who want to develop the area and cannot get additional access points. Another concern is that one property owner could keep a small parcel and limit the marketability of other grouped parcels for development. Mayor Johnson said developers can always come to the City to discuss their interests and try to work together. He said developers gave input when the City wrote the Eastown Subarea Plan and they seemed to like it then. Councilmember Bowen said area residents are pleased about the road widening and removing the middle turn lane. He thanked Director Grigsby for providing more information and said he would share it with Mr. Watt.

Mayor Johnson noted the State legislature is working on Resolution 1513, which would allow cities to participate in latecomer's agreements for water and sewer services. Deputy Mayor Swatman said this may give the City more options for the future.

Charter Election

Deputy Mayor Swatman said a lot of citizens have asked whether the initiative process can be changed, such as by requiring more votes to move forward, so every issue doesn't come to the ballot and be a cost to taxpayers. City Attorney Dionne said the right of initiative is either available or not, and citizens cannot be burdened in any way that violates their right to the process. He said requiring someone to pay the costs for an initiative-based election is not legal, but increasing the number of signatures required on a petition might be viable. He said he would review the legal issues for the Council. He said elections must go through the State and could not be run by the City.

County Executive

Councilmember Hamilton asked if the Mayor has been able to meet with the new

County Executive, Pat McCarthy. He said he wanted to be sure the County Executive understands the issues that are important to Bonney Lake, including preserving Fennel Creek, the Cascadia development, sewer service for the plateau, and transportation issues. Mayor Johnson said he was waiting for confirmation on a meeting time and would get input from the Council before the meeting. He said he intends to meet with Senators Maria Cantwell and Patty Murray and Congressman Dave Reichert as well.

Real Estate Code Violations

Deputy Mayor Swatman asked if the City can intervene when real estate agents advertise a nonconforming use of a property. He expressed concern that if a property is sold to the buyer and they did not realize the use was not allowed, they could face code enforcement issues. City Attorney Dionne said a person who purchased a property under false pretenses could sue the seller. He said if the City learns of nonconforming use or false advertising by real estate agents or sellers, the Code Enforcement Officer could contact the owner/seller. He said this documentation would be important if the seller did not provide full disclosure to the buyer.

SR 410 Road Widening

Councilmember Carter asked if WSDOT had finished checking Fennel Creek for artifacts, which was required for the road widening project. Director Grigsby said he is unsure, but WSDOT still plans to advertise and do the work on schedule. He said WSDOT is purchasing part of the creek to make it a permanent wetland, to replace wetland in Eastown that will be affected by the road widening. He confirmed that the process would protect the creek long-term, unless the area was downgraded from wetland status.

High School Boards

Councilmember Carter said she attended a spaghetti feed fundraiser at the Senior Center recently, and reminded Councilmembers to volunteer for the Senior Boards on March 19th and 20th. She said the Community Summit is March 26, 2009 and asked Councilmembers to think of area residents to nominate for unsung hero awards.

Cedarview Water Main Project

Director Grigsby said the low bidder for the Cedarview water line replacement project found errors in their calculations and requested to withdraw their bid. The City allowed the withdrawal and will award the bid to the second lowest bidder, Les Russell. He said Les Russell's bid was \$590,000, which is still far below the engineer's estimate of \$943,000.

Council Retreat

Councilmember Bowen asked when the retreat might be held. Mayor Johnson said it would likely not happen until sometime in March, when the final 2008 budget numbers are available. Councilmember King said more information on the stimulus package and state budget should be available in March as well. Councilmembers were in favor of an all-day session on a Saturday in mid to late March. Potential topics for the retreat will be discussed in early March. Mayor Johnson said the budget is the most immediate concern but the Council should also consider plans and programs for the years ahead.

6:16:48

2. **Review of Council Minutes:** February 3, 2009 Council Workshop and February 10, 2009 Council Meeting.

Councilmember Carter requested a correction to the February 10, 2009 minutes, p. 3, noting the Public Safety Committee met on February 9, 2009 and not February 2, 2009. By Council consensus, the minutes were moved forward with this correction to the February 24, 2009 Meeting.

6:17:36

3. **Discussion:** AB09-21 – Planning Commission Annual Workplan.

Planning Manager Stinson said Director Vodopich was ill and unable to attend the Workshop. She said the proposed work plan consolidates the previous draft and the Council's suggested additions. She asked the Council for input on the draft items and priority levels. Councilmember Carter said she requested adding incentives for 'green' buildings and incentives for accessible/shared housing to the list. She said the intent would be to help get houses built and have less inactive building or vacant properties. Consensus was to add the items suggested by Councilmember Carter and apply medium priority; in addition, the 'Pre-Zone CUGA subareas 1, 2 and 3' was changed to medium priority. Planning Manager Stinson said the majority of the workplan items should not require significant costs or consultants. The exceptions are the item to consider hiring a consultant to review the permit process (which is low priority and tied to the budget), and the Shoreline Master Plan Update, which would require a consultant. She said the City expects some grant assistance for the shoreline plan, however.

Mayor Johnson noted he is working with the City Administrator on other development incentives, such as an employment-based incentive. He said he has received feedback from a restaurant owner who said Bonney Lake's sewer and water rates are competitive, but the traffic impact fees are higher than other states and other cities in Washington. He said he is working on a report and wants to ensure there is a balance between incentivizing development and building the City for the future.

Council consensus was to forward the amended Planning Commission Annual Workplan to the February 24, 2009 Council Meeting.

6:26:40

4. **Discussion:** AB09-07 – Chamber of Commerce Services Agreement.

Mayor Johnson said the Council received an email from Chamber Executive Director Lora Butterfield responding to questions about the agreement. City Administrator Morrison said the 12-month agreement is for \$15,000 and requires deliverables from the Chamber, including a marketing brochure and business directory. He said the Chamber will staff and maintain a visitor's center and facilitate discussions between business owners and the City. He said the agreement has been budgeted for many years but never came forward. He said the contract is for one year only and the Council could review it after a year. In response to questions from Councilmember Hamilton, the City Administrator said the agreement will help the Chamber of Commerce serve the City by providing economic development services. Councilmember Hamilton said he would normally support the agreement, but wants to scrutinize any items that affect the budget in the current budget climate. City Administrator Morrison said his hope is that the benefits of the Chamber's work with existing businesses and recruiting new businesses will equal or exceed the contract costs. Deputy Mayor Swatman said he shares Councilmember Hamilton's concerns, but is willing to give it a try. Mayor Johnson said the City needs economic development, especially as it begins competing with other areas. He said the City needs to see results and will stay involved. Councilmembers

Bowen, Decker, Carter, and King expressed support for the agreement. Councilmember Carter said she has attended Chamber events and has seen Ms. Butterfield at various community events. Councilmember King said small businesses that serve the community are very important and deserve help and coordination from the government. Council consensus was to forward the agreement to the February 24, 2009 Meeting.

5. **Executive Session:** None.

6:39:22

6. **Adjournment:**

At 6:39 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councilmember King seconded the motion.

Motion approved 6 – 0.



Harwood T. Edvalson, CMC
City Clerk



Neil Johnson, Jr.
Mayor

Items submitted to the Council Workshop of February 17, 2009:

- City of Bonney Lake – *Highway Classification History and Procedure Information* – Public Works Director Dan Grigsby.