

CITY COUNCIL WORKSHOP

March 17, 2009
5:30 p.m.

MINUTES

City of



"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]

Records & Information Specialist Susan Duis called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember David King and Councilmember James Rackley. Councilmember David Bowen was absent.

Councilmember Decker moved to excuse Councilmember Bowen's absence from the Workshop. Councilmember Carter seconded the motion.

Motion approved 6 – 0.

[Staff Members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Community Development Director John Vodopich, Police Chief Mike Mitchell, Public Works Director Dan Grigsby, Building Official Jerry Hight, Community Services Director Gary Leaf, Deputy City Attorney Jeff Ganson and Records & Information Specialist Susan Duis.]

Agenda Items:

Councilmember King moved to amend the agenda to add a presentation by local real estate agent Ken Freed as item 3 on the agenda. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

5:35:44

1. **Action: AB09-45 – Ordinance 1312** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Relating to the Permit and Permit Application Extensions and Amending Section 15.04.081 of the Bonney Lake Municipal Code and the Corresponding Sections of Ordinances 1308, 1230, and 1035.

Councilmember Rackley moved to approve Ordinance 1312. Councilmember Decker seconded the motion.

One person signed up to speak on the proposed ordinance.

Louisa Smith, 20112 Church Lake Rd, Bonney Lake, said she wanted to provide some information about Councilmember Decker's building permit history, saying he does have a personal interest in the ordinance. She said many years ago, Mr. Decker got a building permit to build an accessory dwelling unit on his property, which would be

used as the main residence once it was finished. She said the permitting became complicated. She said her house is behind Mr. Decker's, and she has watched the house being built. She said the building has taken a very long time to complete. Ms. Smith said the revised permit ordinances are a good thing, but they will not change the situation with Mr. Decker's ongoing building permit. She said Mr. Decker should recuse himself from voting on the ordinance as he has a personal interest in this issue.

Councilmember Decker said the ordinance does not affect permits he already has, and the City Attorney previously confirmed that there is no conflict of interest in his voting on the original ordinance. He added that he has spoken to the Municipal Research Services Center about the ordinance and feels the ordinance may open the City up to lawsuits as it is written. Deputy City Attorney Ganson confirmed that the original and proposed ordinances are not quasi-judicial and there is no conflict of personal interest for councilmembers. He said his office has reviewed the proposed ordinance and found no legal issues, and has not received any information on any potential legal liability from Mr. Decker or MRSC.

City Administrator Morrison said this proposed ordinance only changes a small portion of Ordinance 1308, which Council passed on March 10, 2009. It revises the ordinance to ensure that permits expire after the maximum time period of four years. Deputy City Attorney Ganson said the intent of the new permit code is to benefit existing permit holders, not negatively affect them, and should not increase costs for permit holders. Building Official Jerry Hight said this revision ordinance ensures the maximum life of a permit will not be over four years, and if an existing permit is extended it could last four additional years. Deputy City Attorney said his reading of the ordinance is that all permits, including existing permits, may not remain active beyond four years total, which differs from the Building Official's interpretation. Mr. Ganson noted the draft ordinance now under consideration does not change the original ordinance related to the maximum life of existing permits.

Mayor Johnson asked the City Attorney and Building Official to review the language in the municipal code to ensure their interpretations of this chapter are in agreement. He said if additional amendments are needed to further clarify the language in the code, staff should bring proposed revisions to the ordinance to the Council.

Motion approved 6 – 0.

5:49:09

2. **Action: AB09-40 – Resolution 1921** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing a Contract with RH2 Engineering for the Design of the Leaky Water Main Replacement Project, Phase 2B.

Councilmember Rackley moved to approve Resolution 1921. Councilmember Decker seconded the motion.

Public Works Director Grigsby said the proposed contract includes costs for the design of 500' of sidewalks in the area where repairs would be done. The revised agenda bill shows how the cost for the project design and sidewalk design will be applied to the budget. Deputy Mayor Swatman noted that the larger area is listed in the Non-Motorized Transportation Plan as a future sidewalk project. However, that area is listed for 'moderate' need on the plan. He asked whether designing a small portion of the

sidewalk in this area would cost more or less to the City, and whether sidewalk construction for the area should be made a higher priority. Director Grigsby said staff included sidewalk design in the proposed project based on lessons learned in the Church Lake park stormwater construction, where there was a safety concern with people walking over the ditch. Councilmembers discussed the project’s relation to the overall non-motorized transportation plan, safety concerns, and costs.

Councilmember Rackley moved to amend the contract to remove sidewalk design from the scope of work and cost. Councilmember Decker seconded the motion.

Director Grigsby confirmed that removing sidewalk design from the scope of work would reduce the cost for Resolution 1921 by about \$4,500. These funds could be applied to other sidewalk projects around in the City that have higher priority.

Motion to amend approved 6 – 0.

Original main motion approved 6 – 0.

6:01:06

3. **Presentation:** Real Estate Data from Ken Freed

The Council heard a brief presentation on residential housing data by real estate agent Ken Freed. He described the difference between short sales and bank-owned homes and provided data of the types of homes available for sale in Bonney Lake today. He said pending sales have gone up while the number of sales per month has slowed down. There are more short sales on record, and about 230 homes are currently listed as in pre-foreclosure or foreclosure status in the Bonney Lake zip code. He said real estate lists show about 200 homes available in Bonney Lake are currently vacant, some of which are new construction homes.

Councilmember Hamilton expressed concern about public safety related to abandoned and foreclosed homes. Mr. Freed said he could provide the Police Department with lists of vacant homes if they wanted. He said most banks hire companies to look over and secure vacant homes, and residents should report problems to the City, who can then notify whoever is responsible for the property. Councilmember King said banks are responsible for homes they have foreclosed on, and the City needs to communicate with banks, realtors and homeowner’s associations to help monitor vacant homes.

Councilmembers thanked Mr. Freed. Deputy Mayor Swatman said the Finance Committee plans to schedule a special meeting for a full presentation from Mr. Freed.

6:24:02

4. **Council Open Discussion:**

Local Doctor Issue

Councilmember Rackley asked for an update on an issue regarding a local doctor. Mayor Johnson said he is reviewing a draft ordinance that should be available soon.

Youth Forum

Councilmember Rackley said he was impressed by the results of the Bonney Lake High

School Youth Forum. He said he has read many of these reports over the years and the City received a good 'grade.' Mayor Johnson said the students were engaged and offered great comments. Councilmember Carter suggested the Mayor share the report with the Chamber of Commerce, Park Board and other groups.

Water Rebate Program

Councilmember Carter said Cascade Water Alliance offers a rebate program for toilet replacements. She noted Bonney Lake is involved with the 'Washwise' rebate program for clothes washers and asked about this other program. Deputy Mayor Swatman said the Finance Committee will review this item. Councilmember Rackley noted that there are many newer homes in Bonney Lake that already have higher efficiency toilets.

Veteran's Memorial Roadway

Councilmember Carter said the naming of a Memorial Highway is on the draft agenda items for the Council Retreat on March 28, 2009. She said the Council should focus and make a commitment to this project, and to identify possible City-owned sites for a memorial. She said this will help the Greater Bonney Lake Veteran's Memorial Committee with fundraising and site selection. Mayor Johnson said the Council will discuss this item and view maps at the upcoming retreat.

Park and Facility Naming Ad Hoc Committee

Councilmember Carter asked for an update on the ad hoc committee. Deputy Mayor Swatman said the ad hoc committee is nearly done working on a draft ordinance.

60th Anniversary Celebration

Councilmember Carter suggested a 60th Anniversary image be incorporated into the City logo this year for special events and signs. She suggested if councilmembers are interested, they could purchase commemorative pins to hand out at events.

Eminent Domain

Mayor Johnson said he traveled to Olympia on March 13, 2009 to testify against proposed House Bill #1332, which would grant eminent domain powers to entities like Cascade Water Alliance inside city limits. He attended with Pierce County Councilmember Shawn Bunney and others from the Farm Bureau and the Lake Tapps HOA. He said CWA has pushed for such a bill for several years, and local representatives are working to stop the bill from moving forward. He said the parties had agreed not to testify or push the bill but CWA took an active role, so he went to testify as well. Councilmember Hamilton said an agreement must be put in place soon, and the County has not stepped up to do their job. Councilmember King said local and city officials need to keep state and national representatives aware and informed of the impacts of their actions. He expressed concern with the lack of support for cities from state and federal government.

6:45:50

5. **Review of Council Minutes:** March 3, 2009 Council Workshop and March 10, 2009 Council Meeting.

Councilmember Carter noted there is an incomplete sentence on p. 4 of the March 3, 2009 minutes. Consensus was to move the minutes forward to the March 24, 2009 Meeting with corrections.

6:44:38

6. **Discussion:** March 28th Council Retreat Topics and Location.

Councilmembers discussed items on a draft agenda list. Council consensus was to forward the following items from the retreat agenda to a future workshop for discussion: Bonney Lake Municipal Code revisions, code enforcement issues, and Interim Justice Center updates. The draft agenda items for the retreat are budget contingency planning, CUGA discussion, long-range park and recreation goals, council vision and goal setting and open discussion. Mayor Johnson said the location of the retreat would be confirmed in the coming week.

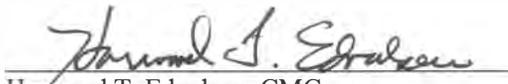
7. **Executive Session:** None.

6:57:51

8. **Adjournment:**

At 6:57 p.m., Councilmember Rackley moved to adjourn the workshop. Councilmember Carter seconded the motion.

Motion approved 6 – 0.


Harwood T. Edvalson, CMC
City Clerk


Neil Johnson, Jr.
Mayor

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

- Bonney Lake Citizen – *Bonney Lake Real Estate Data* – Ken Freed.