

**CITY COUNCIL
WORKSHOP**

**May 4, 2010
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 ↓

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd., Bonney Lake.

I. Call to Order: Mayor Neil Johnson, Jr. called the workshop to order at 5:34 p.m.

II. Roll Call: [A13]

Administrative Services Director/City Clerk Harwood Edvalson 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 Donn Lewis, Councilmember Randy McKibbin and Councilmember James Rackley.

[Staff members in attendance were City Administrator Don Morrison, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Mike Mitchell, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, Assistant City Attorney Kathleen Haggard, Records & Information Specialist Susan Duis and Engineering Technician Andrew Fonda. Judge Ron Heslop and Court Administrator Kathy Seymour were present during discussion of agenda item A.]

III. Agenda Items:

5:34:39

A. Discussion: AB10-83 - Council/Court Chambers Design and AV Options.

City Administrator Morrison said four layout options are presented for review, and staff prefer option C for Court and Council use. He said this option works for both Court and Administration, holds the most people, and allows the Council to see each other more easily. Councilmembers were in favor of layout option C. Rex Bond from ARC Architects provided details, noting that the raised dais has an ADA-accessible ramp and is raised about as high as the current chambers dais. City Administrator Morrison said the tall ceiling (15'6") allows a projector screen to be placed behind the Council for audience members, with monitors on the dais for the Council and Judge to view.

Mr. Bond offered general information on the proposed audio, video, and broadcasting options as BRC Acoustics' Tom Mullan was unable to attend the Workshop. The proposal includes a digital audio system, video displays, projection screen, and a basic 'request to speak' system for Councilmembers. Mr. Bond said the chambers can be wired for broadcasting capabilities during the initial setup without installing broadcasting equipment, which reduces the initial project cost.

Councilmember Carter said the proposed setup allows the Court to do video arraignments. Court Administrator Kathy Seymour said wireless microphones are used for juror selection, and a portable TV cart is not necessary if a projector is

installed. Council consensus was to use Option 1 for the audio/visual options, and to install wiring so broadcasting equipment can be added at a later date.

Councilmember Carter said though this is an 'interim' city building, it will be used until a new Civic building is completed. Mayor Johnson said the IJC building may be needed for anywhere from a few years to 10 years or more, depending on how quickly the City moves forward with the downtown civic campus. Mr. Bond said he and Mr. Mullan will refine their designs and provide the Council with detailed estimates so the City can prepare an advertisement for bids.

5:54:30

B. Discussion: AB10-54 – Storm Water Pollution Prevention Art Contest.

Engineering Technician Andrew Fonda said the State's storm water program includes a requirement for public education and outreach. The City invited area K-12 students to submit drawings for specific categories: friendly vehicle washing; household hazardous waste disposal; pet waste disposal; pollution/illegal dumping reporting; used oil recycling; and water conservation. He asked the Council to select two drawings per category, which will be included in a calendar promoting storm water pollution prevention. He presented the 56 entries received and asked the Council to turn in their votes after the workshop to be tallied. Director Grigsby said at the end of the month, the winning students will be invited to attend a Council Meeting to receive awards and recognition.

6:00:22

C. Discussion: AB10-16 - Review of Planning Commission 2010-2012 Workplan.

Community Development Director Vodopich said the revised work plan includes new items and items carried over from 2009. Councilmembers discussed nightclub standards, which relates to noise from businesses located near residential areas. Councilmember Carter said as the City develops, noise from nightclubs located near residential areas will continue to be a problem. Councilmember Decker suggested that when homes are built adjacent to commercial areas, they must be designed with better noise abatement. He said if a nightclub is built near an existing residential area, the nightclub should similarly be required to have better noise abatement built-in. Councilmembers Carter and McKibbin expressed interest in researching this option.

Deputy Mayor Swatman asked about revisions to Title 16; Director Vodopich said a WCIA land use audit in 2009 suggested the City remove language about 25% tree retention from BLMC Chapter 16. Assistant City Attorney Haggard said this stems from a 2008 court case in King County, which stated that cities cannot set a flat percentage for open space. She said Bonney Lake's code limits the City, not the developer, and she does not feel the City's code is illegal. She said the Council may still want to consider eliminating this language for other reasons, and to consider tree removal requests on a case-by-case basis. Council consensus was to remove Title 16 from the work plan, noting that if the Council wishes to consider it at a later date it will come before the Planning Commission for review.

Director Leaf addressed updates to the Parks Element of the Comprehensive Plan, noting that three Park Board members have formed a subcommittee to work on updates. He said he and Planning Manager Heather Stinson are also working on updates and there are no plans to hire a consultant at this time.

Councilmember Lewis suggested discussion of a Midtown plan be added to the work plan. Council consensus was to add this item as a medium-priority issue.

Councilmember Carter said residents often complain to her about the lack of notification on planning actions. Director Vodopich said the code requires notification for specific types of land use and planning actions, and can be revised if the Council desires. Mayor Johnson suggested that staff can put together an informational piece to send out with utility bills and/or to publish in the newsletter. Director Vodopich said the main consideration is what type of issue rises to the level of justifying formal notifications. Councilmember Rackley said the Council had similar discussions when it changed the notification range from 300' to 600'. He said this is an ongoing issue and the City simply has to keep trying to keep people informed. The revised work plan was forwarded to the May 11th Meeting for action.

6:29:12

D. Council Open Discussion:

WSU Forest: Councilmember Rackley said 'no trespassing' signs are still posted in the WSU forest and residents are concerned about entering the forest. Director Leaf said the forest is open. He said volunteers removed about half the signs and when temporary summer hires start work this month this will be a priority project.

Glass Recycling: Councilmember Decker said several residents have complained that D.M. Disposal no longer offers glass recycling pick-up. Director Grigsby said residents can drop off glass containers at the South Prairie Transfer Station. Mayor Johnson said glass recycling is no longer cost effective for recycling companies. City Administrator Morrison said D.M. Disposal is willing to place a large glass recycling bin somewhere in the City. However, he said businesses and the City are not interested in placing a bin on their property because the bins result in broken glass and illegal dumping on the property. Director Grigsby said the transfer station accepts separated glass, since brown bottles in particular are more cost-effective to recycle.

Flood Control District: Councilmember Hamilton said the County will vote on whether to create a flood control district this evening, and he opposes it. He said the City of Bonney Lake did not cause the risks in the valley related to flooding and lahar flows. He said the flood risk stems from uncontrolled development in the valley, and the City should attempt to opt-out of the district if possible and should not be asked to help subsidize uncontrolled development in the valley. Councilmember Hamilton said the cities and county have their own storm water utilities and collect taxes, and he believes the new district will attempt to levy an additional tax. He said cities on the plateau should demand to be placed in a separate sub-district that is not assessed the same level of taxes as those in the flood plain.

Deputy Mayor Swatman and Councilmembers Carter and Rackley agreed that cities like Bonney Lake should not be required to pay for areas that are at risk in the valley. Mayor Johnson said he and Deputy Mayor Swatman sent letters to the County Council relating their concerns about the proposed Flood Control District. He said their response was that they would figure out details about financing and other issues after the district is formed. Councilmember Rackley said the Council should pass a resolution expressing their concerns. Mayor Johnson asked Director Vodopich to research what was approved at the County Council's meeting to provide to Council for further discussion.

Interim Justice Center Tour: Deputy Mayor Swatman thanked staff for giving a tour of the IJC building currently under construction. He reminded Councilmembers that the new court/council chambers room is about the same size as the existing chambers.

Eastown Sewer: Deputy Mayor Swatman asked for updates on easements for sewer in Eastown. Mayor Johnson said he has set a general deadline of August 1, 2010 to receive easements from all property owners, so the Council can make a determination on the project and move forward.

Milfoil Meeting: Deputy Mayor Swatman said Cascade Water Alliance has scheduled a second meeting on May 11th to discuss milfoil treatment on Lake Tapps. He said the Council should move its meetings to Mondays to avoid scheduling conflicts like this.

Pierce Transit: Deputy Mayor Swatman congratulated the Mayor on being named to the Pierce Transit Board, which meets on Monday, May 10th at 4:00 p.m. to discuss service options. He said he, Councilmember Rackley, Councilmember Hamilton, City Administrator Morrison, and possibly Councilmember Lewis plan to attend. Assistant City Attorney Haggard said they can attend without danger of violating the open meetings act as long as they do not conduct City business. Mayor Johnson said he understands a Pierce Transit attorney will be on hand to discuss cities' options to de-annex from the transit agency. He said he will attend a work session May 5th and report back to the Council. He said he wants to talk with the board on the importance of meetings between the small cities and Pierce Transit staff.

Kudos: Councilmember Carter congratulated Director Leaf on his progress on the Safe Routes to School project.

Heritage Trees: Councilmember Carter said the City needs to take action on current Heritage Tree applications.

Reed Property: Councilmember Carter said she has found a report on artifacts and the historic value of the recently purchased Reed Property. Mayor Johnson asked her to provide a copy of the report to the City Administrator to review.

Walkable Cities: Councilmember Carter said she has read several articles on walkable communities, including one about supermarkets in walkable communities. She said good transit is essential to help residents get training and get to their jobs.

School District: Mayor Johnson said the Sumner School District notified him that they are working on a request for proposals to manage the swimming pool. They said that otherwise, the pool could be shut down by August 28, 2010. Mayor Johnson said he is seeking more details and will give a report to the Council soon.

7:06:23

- E. **Review of Draft Council Minutes:** April 20, 2010 Council Workshop, April 27, 2010 Special Council Meeting and April 27, 2010 Council Meeting.

Councilmember Carter asked that the April 20th Workshop minutes reflect that historical photographs were provided by Fred and Winona Jacobsen, and that the Families First Coalition meeting is on May 24th at 4:00 p.m. (not April 19th). The corrected minutes were forwarded to the May 11, 2010 Meeting for action.

7:08:46

- F. **Discussion** (Tabled from 4/27/10): AB10-74 – Ordinance D10-74 – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Updating the Sign Code to Allow Nonpolitical Campaign Signs in the Right-of-Way.

Director Vodopich summarized the draft ordinance, which incorporates Council input and suggestions from the Attorney. Deputy Mayor Swatman said 7 days is too long after an event to allow signs to stay up. Assistant City Attorney Haggard said the State laws about campaign signs are probably uniform, and the City may not be able to apply tighter restrictions for taking down campaign signs. She said the City can regulate non-political signs, however. She said the proposed ordinance includes definitions for the type of groups and events that can post signs.

Deputy Mayor Swatman said the proposed ordinance will cause new problems and clutter in the right-of-way. He noted that while the City can manage time, place and manner of placing signs, it cannot control the content of these signs. He feels the existing code should be left alone. Councilmember Rackley said he is concerned with enforcing timely clean-up after events. Director Vodopich said the code allows the City to assess costs for removing signs, which could be enforced if Council wishes.

Deputy Mayor Swatman and Councilmember Carter spoke in favor of designating specific areas in the City where non-political campaign signs can be posted. They said this would make it easier for staff to enforce the code and clean up expired or unapproved signs. Councilmember Decker agreed, noting that staff could provide groups with a map of designated areas when they request a permit. Director Vodopich said staff can provide civic groups with stickers or labels, which must be placed on each to show they are permitted and when they 'expire' and must be removed.

Councilmember Hamilton suggested staff take a deposit when giving out permits, which can be used for the cost of collecting signs if they are not removed. Director Vodopich said there is no fee or permit process currently, and Finance Director Juarez said taking deposits would be cumbersome to manage financially. Mayor Johnson suggested that groups simply be notified that if the signs are not removed by the deadline, the City can impose a fee for sign removal.

Councilmembers discussed possible locations for designated signage areas. Director Vodopich noted that the State does not allow any signs on its right-of-way, such as along SR 410. Councilmember Carter said Special Events signs are posted currently. The item was continued to the May 18, 2010 Workshop for further discussion.

Councilmember Decker moved to add item AB10-88, amending the Public Works Trust Fund Loan application, to the current agenda. Councilmember Rackley seconded the motion.

**Motion approved 5 – 2.
Deputy Mayor Swatman and
Councilmember McKibbin voted no.**

- G. **Added to Agenda: AB10-88** – A Motion of the City of Bonney Lake, Pierce County Washington, Amending the Public Works Trust Fund Loan Application for the Sumner/Bonney Lake Wastewater Treatment Plant Upgrade Phase II Project Approved by Council on April 27, 2010 (AB10-72).

Director Grigsby said the engineering group Gray and Osborne, who provided initial cost estimates for the grant application, realized that the designed flood wall was not tall enough. Increasing the height by two feet, which meets FEMA standards, increases the estimated project cost by about \$200,000, which increases Bonney Lake's cost by about \$100,000. He said the grant application must be submitted by May 11, 2010 in order to be considered for 2011 funds, so the Council must take action to amend the application at the Workshop. He said if the City is awarded PWTL funds, it does not have to spend them. He said if the application is not amended and the project goes over budget, those cost would have to be made up with SDC funds or other resources. He asked the Council to consider amending the city's loan application by an increase of \$100,000.

Deputy Mayor Swatman said he feels the floodwall project is the type of project a group like the new Flood Control District should consider funding. He said Sumner receives all the profits from the sewer treatment plant and Bonney Lake has no control in the operations or plans for the plant. He and Councilmember Hamilton said the City needs to consider long-term plans for sewer treatment within Bonney Lake. Deputy Mayor Swatman said the Council must carefully monitor incoming SDC funds and costs for future projects. Director Grigsby said the State requires the City to have a plan in place once it reaches 85% of its current sewer capacity, which is why upgrades to the Sumner plant must start soon.

Councilmember Lewis moved to take action on the motion amending the Public Works Trust Fund Loan application. Councilmember Rackley seconded the motion.

**Motion approved 6 – 1.
Deputy Mayor Swatman voted no.**

IV. **Executive Session:** None.

7:49:21

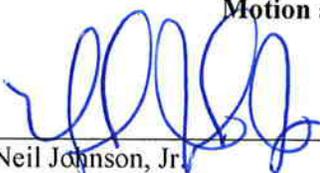
V. **Adjournment:**

At 7:49 p.m., Councilmember Rackley moved to adjourn the workshop. Councilmember Lewis seconded the motion.

Motion approved 7 – 0.



 Harwood T. Edvalson, CMC
 City Clerk



 Neil Johnson, Jr.
 Mayor

Items submitted to the Council Workshop of May 4, 2010:

- City of Bonney Lake – *Storm Water Pollution Prevention Art Contest Voting Form* – Andrew Fonda.
- City of Bonney Lake – *Eastown – Easements for Sanitary Sewer Utilities* – Public Works Director Dan Grigsby.
- City of Bonney Lake – *Why We Need a Midtown Plan* – Councilmember Laurie Carter.