

COUNCIL WORKSHOP

**December 7, 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 5:30 p.m.

II. Roll Call: [A1.3]

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 Donn Lewis, Councilmember Randy McKibbin and Councilmember James Rackley. Councilmember Mark Hamilton was absent.

[Staff members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Police Chief Mike Mitchell, Community Development Director John Vodopich, Community Services Director Gary Leaf, Building Official Jerry Hight, Public Works Assistant Engineer Andrew Fonda, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist Shawn Campbell.]

Deputy Mayor Swatman moved to excuse Councilmember Hamilton from attendance at the meeting. Councilmember Carter seconded the motion.

Motion approved 6-0.

City Staff presented Councilmember Carter with 141 jars of peanut butter that had been collected by staff for the Bonney Lake Food Bank. Councilmember Carter said she will match each jar collected. She thanked staff for their effort and presented staff with the Golden Squirrel Award. Councilmember Carter showed the 100 pounds of candy that had been donated by Molen Orthodontics for the Giving Tree. She reminded Council about the Giving Tree program and the various ways to participate.

III. Agenda Items:

5:34:30

A. Public Hearing: 2011-2012 Biennial Budget

Mayor Johnson opened the public hearing at 5:34 p.m. Seeing no speakers, the public hearing was closed at 5:35 p.m.

5:35:15

B. Council Open Discussion:

2011 Christmas Parade: Councilmember Rackley stated he had read in the Patch the City would have a Christmas Parade next year. Mayor Johnson said he does intend to have a Christmas Parade in 2011 in conjunction with the Tree Lighting Ceremony.

Buckley Youth Center: Councilmember Carter attended the Youth Center’s Fall Auction. She said the auction raised over \$4,000. She noted that a number of businesses in Bonney Lake donated to the auction.

Council Meeting: Deputy Mayor Swatman asked Council their intentions for meeting during the remainder of 2010. Councilmembers indicated after the next regular meeting on December 14th, the two remaining meetings could be cancelled.

White River Families First Collection: Councilmember Lewis attended a meeting in Buckley on November 29, 2010. He said Rainer Foothills Community Health Network presented a survey given to area schoolchildren by the Rainer Plateau Task Force, to track trends in drug use. He said the survey showed the Enumclaw and White River School Districts both have problems with drug use. One way to help the problem is to offer students activities and places to go other than drinking and parties, such as a YMCA or a youth center.

Sumner Bonney Lake Area Communities for Family: Councilmember Lewis said he attended the December 2, 2010 meeting. He said the Sumner and Bonney Lake High School students are providing a free holiday dinner for families in the area on Saturday, December 11th from 12:00 pm to 4:00 pm at Sumner High School. He said every kid gets a toy and the students provide families with groceries. He said the students raise funds all year long for this event.

YMCA: Councilmember Decker asked for a status update on the Bonney Lake YMCA. Mayor Johnson said things are status quo at this time. He said once the 2011 -2012 budget passes, the City will have more information on how to proceed. He said the projected build date is still 2018, but if funds become available, the YMCA would build a facility in Bonney Lake sooner.

Costco: Councilmember Rackley said he read in the Bonney Lake Courier Herald and the Patch that Costco has been approved to purchase land in Bonney Lake. Director Vodopich said he contacted Costco, and they are not aware of the person mentioned in the article. Director Vodopich said the City continues to have meetings with Costco and still hopes to have them in the City.

5:50:18

- C. **Review of Council Minutes:** November 16, 2010 Special Meeting; November 16, 2010 Council Regular Workshop; November 18, 2010 Special Joint Meeting and November 23, 2010 Regular Council Meeting.

The corrected minutes were forward to the December 14, 2010 Meeting for Council action.

5:50:46

- D. **Discussion: Tabled from 11/23/10 - AB10-150 – Ordinance D10-150 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Updating R-1 Zoning To Allow Accessory Dwelling Units As A Conditional Use.**

Councilmember Lewis said he wanted to carry this ordinance over to another meeting to provide citizens more opportunity to comment. He said he is not in favor of allowing conditional use permits in the R-1 zones for ADU’s. Deputy Mayor

Swatman asked what the value to the homeowner is in getting permits to add an ADU inside their existing structure. Director Vodopich said a homeowner can rent a room or space in their home without getting permits. Councilmember Lewis said the difference is the ADU is established as a separate residence. Councilmember Decker stated that sewer capacity and parking are a concern when homeowners add rooms to their existing structure. By consensus, Council will not move this item forward for further discussion or action at this time.

Assistant Engineer Andrew Fonda presented the Council with the 2011 Stormwater Pollution Prevention and Water Conservation Calendar. He shared that the project was funded with grant dollars. Councilmember Lewis asked if the City planned to continue with the calendar project in 2012. Mr. Fonda said if funding could be secured by February 2011, they could continue the project. Council asked to be informed of the funding status as they would like to continue the project. Council thanked Mr. Fonda.

6:08:14

- E. **Discussion: AB10-174 – Ordinance D10-174(A)** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapters 4 And 6 And Repealing Chapter 7 Of The Eastown Subarea Plan Of The Bonney Lake Comprehensive Plan; **Ordinance D10-174(B)** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A New Chapter 18.33 Of The Bonney Lake Municipal Code Relating To Eastown Development Standards; **Ordinance D10-174(C)** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Section 16.14.100 Of The Bonney Lake Municipal Code Relating To Landscaping Requirements For Parking Lots.

Community Development Director Vodopich stated the ordinance has been broken into three separate ordinances per the legal department's recommendation. City Attorney Dionne said if the Council enacts Ordinance D10-174 (A), it would repeal the Eastown Area Design Standards. He said there would be no design standards until the City enacted another ordinance with new design standards. Councilmember Lewis asked if there is a need to add this to the Comprehensive Plan now or wait until Eastown is further developed. He said the City would have a clearer vision of what they would like to see for design standards in the future. Councilmember McKibbin said development agreements are an interim solution. Councilmember Decker stated the standards are very restrictive. Director Vodopich said until the City sewers are extended to Eastown there is no urgency to adopt the three ordinances. Councilmember Lewis said the City is able to do other developments with current processes in place, and it would be better to wait to develop new standards when the City has a clearer vision for the area. Mayor Johnson said the City could come up with a development agreement to be used if a developer came to the City wanting to develop Eastown. City Attorney Dionne said until the Council agrees on the design standards for Eastown and puts them in the Municipal Code the City is at risk. He said it is hard to enforce regulations that are not part of the Municipal Code. Deputy Mayor Swatman stated that until the Council has clarity of what the standards should be they cannot put the standards into the Comprehensive Plan. City Administrator Morrison said Ordinance D10-174(A) also addresses the road networks and sewers. He said the Council could delete the development standards section and pass the other sections. He encouraged the Council to refine their vision for Eastown and then develop standards for that vision. Director

Vodopich stated if Council passes Ordinance D10-174(A), the maps for roads and sewers would be added as part of the Comprehensive Plan.

By Council consensus, amended Ordinance D10-174(A) was forward to the December 14, 2010 Council Meeting for action. By Council consensus, Ordinance D10-174(B) and Ordinance D10-174(C) were not moved forward for further discussion or action at this time.

6:28:21

- F. **Discussion: AB10-180 – Ordinance D10-180** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 15.04 Of The Bonney Lake Municipal Code And Ordinance Nos. 700, 711, 778, 826, 851 And 885, Relating To Adoption Of Revised International Codes Of Building And Related Regulations.

Building Official Hight said the 2009 Energy Code was updated by the State of Washington effective January 1, 2011. He said the City is required to adopt the Energy Code by reference to be compliant with State standards. Deputy Mayor Swatman asked if other cities in the state are adopting the code and if it will affect the workload of the City inspectors. Mr. Height said it is a statewide requirement and it will increase the inspectors' workload. By Council consensus, the item was forward to the December 14, 2010 Meeting for action.

6:31:00

- G. **Discussion: AB10-192 – Ordinance D10-192** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County ,Washington, Amending Water Service Definitions And Regulations.

City Administrator Morrison said there are instances where property owners are interpreting the water service codes differently than the City. He said this ordinance clears up the areas of concern and ambiguity. Councilmember Rackley asked if this would help billing concerns. Councilmember Decker asked if each unit is required to have their own water meter, and why these concerns were not addressed during permitting. He asked if property owners pay more because of higher consumption. Councilmember McKibbin said the City cannot guess if a property owner has an ADU on their property. Director Vodopich said in one instance the inspectors have been to the home and there are three separate address placards. Councilmember Lewis stated this needs to be clear before the City annexes any more citizens to avoid confusion in the future. Deputy Mayor Swatman said this ordinance specifically addresses the issue of ADU's to make them clear. City Administrator Morrison said the City can proceed in two ways: charge separate base fees for properties with multiple residences, or require a meter for each residence. Finance Director Juarez said it would be cost prohibitive to require meters for each residence on a property. Councilmember Rackley said the City needs to have clear billing procedures. By Council consensus, this item will move forward to the December 14, 2010 Meeting for action.

6:50:46

Discussion: AB10-191 - Resolution 2090 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding The City Of Bonney Lake Interim Justice Center Tenant Improvement Project Contract To JB Construction Consulting, Inc.

Community Development Director Vodopich provided Council with the bid tabulation for the project. He said the apparent low bidder is JB Construction Consulting, Inc. He explained items this contractor would be responsible for and the other items still to be completed. He said the ductwork will remain exposed on the second and third floor. He said the building should be finished and ready for occupants by April 1, 2011. Councilmember Decker asked about the cleaning of the ductwork. Community Services Director Leaf said that was not addressed in the scope of work for the cleaning contract. Council asked for "interim" to be removed from the name of the new building in the documents. City administrator Morrison said on the dedication plaque, the name will be "Justice Center". Deputy Mayor Swatman asked if this contract was the City's standard contract. City Administrator Morrison explained the contract is the standard contract that references the bid documents.

Councilmember Rackley moved to suspend Council Rules and add Resolution 2090 to the agenda as an action item. Councilmember McKibbin seconded the motion.

Motion approved 6 – 0.

Councilmember Rackley moved to approve Resolution 2090. Councilmember Decker seconded the motion.

Resolution approved 6 – 0.

At 7:02 p.m. Councilmember Rackley moved for a ten-minute break. Mayor Johnson reconvened the Workshop at 7:13 p.m.

7:13:29

- H. **Discussion: AB10-188 – Ordinance D10-188 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending The Biennial Budget For Calendar Years 2009 And 2010.**

Chief Financial Officer Juarez explained that the proposed ordinance will amend the 2009 - 2010 budget to match the budget to actions taken by Council over the year 2010. He said state statute requires the City to have a balanced budget in the general fund. He explained the exhibit in the packet, and said the use of fund balances are inferred in the funds besides the general fund. He explained the City had to use existing fund balances to balance the budget. City Administrator Morrison said the ordinance amends the budget to include expenditures and grants that have come in through the year. He said it also amends the actual expenditures so the City has a balanced budget. Council asked for the full details for the amendment. By Council consensus, the item was forward to the December 14, 2010 Meeting for action.

7:25:35

- I. **Discussion: AB10-189 – Ordinance D10-189 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting The Biennial Budget For Calendar Years 2011 And 2012.**

Chief Financial Officer Juarez explained the changes from the original proposed budget. City Administrator Morrison said the revenue is less than expenditures in the Utility and Capital funds, which indicates a use of new revenue not yet collected such as SDC funds, impact fees, or carry over project funds. He explained how the City has used the proceeds from the bond fund to reimburse funds used for land acquisitions and the civic center. He said the proceeds of the bond have been spent. He said the City will zero out the 325 fund and finish the Justice Center with general funds. He suggested that council move money to the general government CIP from the bond fund to be able to finish the Justice Center. He said the ER&R fund will need additional funds to replace detective cars that have been leased in the last budget cycle, as the lease expires at the end of the year. He said the guild agreement requires that the City provide assigned vehicles to officers or give them 6% of their monthly wage as a vehicle allowance, and still provide a vehicle for them to drive at work. Chief Mitchell said it will cost more to buy out the lease than it would to purchase new vehicles. He said the lifetime of an administration vehicle is about 10 years. Councilmember Carter said used vehicles also have higher repair costs. Councilmember Rackley said the money should be moved into the ER&R fund for the vehicles. Councilmember Carter asked if it would be better to fill the frozen police sergeant position with Chief Mitchell retiring next year. Mayor Johnson stated that he and the Chief have discussed this and the plan is to wait for the annexation vote. City Administrator Morrison pointed out the sergeant position is actually an under-filled lieutenant position. Councilmember Carter reminded Council of the Council goal of succession planning. She voiced her hope that the position would be opened internally first. She asked about promoting an officer on a temporary basis. Chief Mitchell said the Civil Service rules allow an officer to be promoted temporarily for up to 4 months. By Council consensus, this item was forward to the December 14, 2010 Meeting for action.

- I. Executive Session:** Pursuant to RCW 42.30.110(1)(i) the Council recessed to an executive session with the City Attorney at 7:53 p.m. for 30 minutes to discuss potential litigation. The Council returned to Chambers at 8:09 p.m.

Councilmember Rackley moved to amend the Agenda to add AB10-193 – A Motion To Appeal the Boundary Review Board’s Ruling To Create A Flood Control District. Councilmember Decker seconded the motion.

Motion approved 6-0

Councilmember Lewis moved to approve the Motion to Appeal the Boundary Review Board’s Ruling To Create A Flood Control District. Councilmember Decker seconded the motion.

Councilmember Decker called for the question.

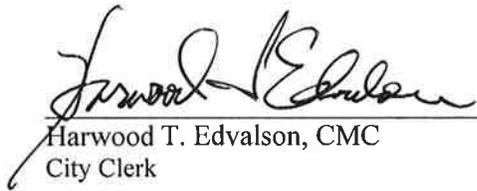
Motion approved 6-0

8:10:49

A. Adjournment:

At 8:10 p.m. Councilmember Rackley moved to adjourn the Workshop. Councilmember McKibbin seconded the motion.

Motion approved 6 – 0.



Harwood T. Edvalson, CMC
City Clerk



Neil Johnson, Jr.
Mayor

Items submitted to Council at the December 7, 2010 Workshop:

- City of Bonney Lake Citizen – *Email: Eastown Design Standards* – Dean Ogle.
- City of Bonney Lake – *2011- 2012 Biennial Budget Exhibit "A"* – Don Morrison