

**COUNCIL WORKSHOP**

**April 19, 2011  
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 ↓

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

**I. Call to Order:** Deputy Mayor Dan Swatman called the Workshop to order at 5:31 p.m.

**II. Roll Call:** [A 1.3]

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Dan Swatman, elected officials attending were, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Randy McKibbin and Councilmember James Rackley. Mayor Johnson 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, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist Shawn Campbell.]

**III. Agenda Items:**

5:32:18

**A. Council Open Discussion:**

Boston Marathon: Councilmember Rackley reported that thirteen people on the plateau finished the Boston Marathon: Kurtis Alfano of Buckley, Ben Clark of Enumclaw, Richard Cockrell of Sumner, Paul Morrison of Bonney Lake, David Spooner of Buckley, Steven Yee of Bonney Lake, Kristine Borden of Lake Tapps, Melanie Faulkner of Bonney Lake, Tammy Tudlow of Lake Tapps, Marian Nash of Lake Tapps, Deidre Tarkany of Lake Tapps, and Janna Theriault from Bonney Lake. He suggested the City send those four finishers from Bonney Lake a letter of congratulations. Chief Mitchell noted that Officer Alfano finished the race two minutes under his goal time.

Swiss Sportsman's Club: Councilmember Rackley said the Council cannot make an exception for the Swiss Park fire hydrant requirement. He said it is an issue of safety for the surrounding area. Councilmember Lewis said there is a fire hydrant closer to the proposed structure, but fences and obstacles prevent the Fire Department from using it in an emergency. He said the City needs to consider whether fires could be put out in the worst possible conditions. Councilmember Hamilton said the Public Safety Committee considered this item and the consensus was the proposed building did not meet the standard for requiring a fire hydrant. He said the older building next to the proposed building does not have a fire suppression system. The Public Safety Committee said it would be a good idea for the park to have an additional fire hydrant. He said Assistant Fire Chief Jim McDonald said the shower/bathroom facility would not need a fire hydrant. Councilmember Rackley said he spoke with

the assistant fire chief and his understanding is that the fire department would not object to the City waiving the fire hydrant requirement, but the assistant chief would not sign a waiver himself. Councilmember Rackley said the Swiss Park should negotiate with the City to trade their unused water connections for a fire hydrant. Deputy Mayor Swatman said the staff is currently working on this. He said the Council is not looking to amend the Municipal Code. Councilmember Hamilton said the City and Swiss Park have negotiated a development agreement, which includes the fire hydrant requirement. Councilmember Decker said in the letter from 1949, Mayor Ken Simmons said part of the original purchase of water hook-ups includes a fire hydrant. He said the City needs to pay for the fire hydrant. Deputy Mayor Swatman said staff found no evidence of Council action to support the letter that Councilmember Decker is referring to. Councilmember Lewis said the Swiss Park could be designated as a non-profit for the development agreement, but the structure is either residential or commercial. He said the area is obviously not residential so the park must conform to the commercial building requirements. Councilmember Hamilton asked about changing the existing agreement, and said he would not be interested in making changes to the existing municipal code. Deputy Mayor Swatman said all agreements come from the administration. City Attorney Dionne said the City could amend the existing development agreement, but the City would have to bring it before Council and allow public comment again. Councilmember Decker asked of what the proposed structure would be made. Director Grigsby said the code does not differentiate on building material. He said a development agreement could not override the code. Councilmember Carter asked if the Swiss Park and Kelly Farm could work together to save money on the requirements for each development. Director Grigsby said the two projects could not combine their efforts. Director Grigsby said the hydrant will cost approximately \$35 per foot or \$15,000. Councilmember Hamilton clarified that the consensus of the Council is, the Swiss Park will need to install a fire hydrant for the development, whether the park or the City pays for it. Deputy Mayor Swatman said he does not believe the City should pay for a private fire hydrant. Councilmember Decker made a motion to bring forward all paperwork the City has on this issue. The motion died for lack of a second. Deputy Mayor Swatman stated the administration has reviewed the records and that the records are all open to the public.

Easter Egg Hunt: Councilmember Carter said prizes are needed for the City Easter Egg Hunt.

Fennel Creek: Councilmember Carter said she was pleased to see the Fennel Creek report. Public Works Director Grigsby said that per Federal regulations, the City does not test or monitor for actual levels of contaminants in storm water; rather, they focus on Best Management Practices or BMP's. He said the City has designed a six-point program based on the BMP's. He said the City has a series of BMP's in each of the six categories set by the Federal Government. He said this is how the City ensures contaminants are not added into the storm water, which runs directly into Fennel Creek.

Council Sub-Committees: Councilmember Carter asked for the City policy regarding a councilmember who is not serving on a subcommittee attending a subcommittee meeting. City Administrator Morrison said the meetings are advertised as subcommittee meetings and if the meeting has a quorum of councilmembers, it would need to be advertised as a special meeting. City Attorney Dionne said because the

meetings are advertised as open public meetings a councilmember could attend and not speak or interact with the other members in any way, but he does not recommend it. He said there is a problem inherent with subcommittees where the full Council does not participate in all of the discussions on an issue. He said if the Council feels additional councilmembers need to be in the subcommittee meetings then the Council should review the need for subcommittees.

Comprehensive Plan Amendment: Councilmember Lewis proposed a resolution to authorize the City to process an area-wide Comprehensive Plan Amendment and rezone for C2/C3 or C1 in the Midtown Area to be added to the next Council meeting. He said it is in the best interest of the City to designate unique zoning between Midtown and Eastown. Councilmember Hamilton said the City would only be changing the zoning from one commercial designation to another.

WSU Forest: Director Vodopich said the City now has the lock combination to the “Green Gate”, which restricts access to the storm water pond owned by Pierce County in the WSU Forrest. Director Leaf said the City must get a permit each time they want access through the “Green Gate”. He said the City has received a permit for 2011 Beautify Bonney Lake and 2012 Parks Appreciation Day. Councilmember Hamilton asked if he could get Council consensus for the City to try to take over the storm water pond. He said it would benefit the City for access to the area and a cost savings to the County in not having to maintain the pond. He said the storm water pond would be important to include in the development plans for the area. Director Grigsby said the pond was designed before new regulations were in place, if the City were to use this pond there would be additional requirements and upgrades. He said the pond would not be adequate for a development. City Administrator Morrison said the County might have difficulty separating the storm water pond from the right of way. He said taking over the road maintenance would be burdensome to the City before the area is annexed.

Eastown Steering Committee: Councilmember McKibbin said the Committee had their first meeting and they voted Councilmember Lewis as vice-facilitator. He said the next meeting will be April 28, 2011 at 2:30pm. He said they went through all the discussion items, and each member has homework to bring back to the next meeting. Councilmember Lewis said the Committee is working well together, and will have the report ready for Council by the deadline.

6:34:07

**B. Review of Council Minutes:** April 5, 2011 Council Workshop, and April 12, 2011 Council Meeting

Councilmember Lewis said in the April 5, 2011 Council Workshop minutes p. 1 under Justice Center Chamber change “to” to “for”. The corrected minutes were forwarded to the April 26, 2011 Meeting for Council action.

6:35:00

**C. Discussion:** AB11-49 – Draft Ordinance D11-49 – Updating the BLMC for ULA’s.

Director Grigsby said the main reason for updating this section of the Municipal Code is to make administering Utility Latecomer Agreements, (ULA’s) easier. Deputy Mayor Swatman thanked staff for their hard work on this ordinance. Councilmember Rackley said he is still confused about the amount required for participation. He asked if the City truly needed a “substantial partner”. City

Attorney Dionne said the City must have joint participation and it must be meaningful. Councilmember Hamilton said according to this ordinance the maximum the City will put forward is 95% of the construction cost. In addition, the total cost must be greater than \$10,000. Director Grigsby suggested several edits to the ordinance regarding the difference between construction cost and total costs. Deputy Mayor Swatman said the changes would make it less burdensome on property owners. Councilmember Hamilton said this ordinance would only be the baseline and each individual ULA would be negotiated separately. By consensus, Council moved this item forward to the April 26, 2011 Council Meeting for action.

**At 6:49 p.m. Councilmember Rackley moved for a ten-minute break. Deputy Mayor Swatman reconvened the Workshop at 6:59 p.m.**

7:00:39

D. **Discussion:** Eastown Property Owners ULA Partnership Letter.

Deputy Mayor Swatman said the City must put forward an offer letter to the Eastown property owners to be able to start negotiations. Councilmember Hamilton said he wants the Eastown area to have sewers as soon as possible. He said his main goal is to get the sewer built without a surcharge to other utility customers. He suggested several budget amendments to the City's five-year Capital Facilities Plan to help pay for the bond. He said the total cost of the Eastown sewers is estimated at \$3.5 million. He proposed the City pay \$2.5 million and the property owners to pay \$1 million of the cost. This would be approximately a 30% contribution from the property owners. He said the property is currently assessed at approximately \$27 million. He said the sewer system would greatly increase the value of the property and the property owners need to have a true investment in the project. Deputy Mayor Swatman asked if the reason for the adjustment to the capital improvement projects was a worst-case plan if no property owners develop their land. He said when the land is developed the City-funded portion of the debt would be reduced. Councilmember Rackley said the City is only asking the property owners to put forward 1/30 of the value of their land. He said he would like to study the tax revenue from the Wal-Mart development to see what kind of revenue could be generated from the area. Deputy Mayor Swatman said if the offer is unacceptable to property owners, they might not respond. He said the group of property owners is different from a big developer. Councilmember Decker said \$300,000 is only 1% of the property value and that does not seem substantial.

7:22:00

E. **Discussion:** Police Training Center with a Pistol and Rifle Range.

Police Chief Mitchell laid out a plan to build a Police Training Center with Pistol and Rifle Range at the City-owned Reed property, located at 7109 Barkubein Rd. He said the City could lease the facility out to other jurisdictions as a revenue source for the City. He said he has been contacted by other jurisdictions with interest in partnering with or leasing the range from the City. He said the City could build the center in three stages to help cover costs. He said the major cost would be a bullet trap. He said if the City would like to move forward, the first upfront cost would be for permitting.

Councilmember Rackley said he would like to see cost estimates for each of the three phases. Councilmember Lewis asked if the City has spoken with the neighbors and about the liability to the City in operating a gun range. Chief Mitchell said he had not spoken with the neighbors and the City would need an additional insurance

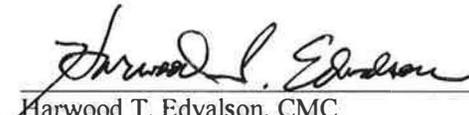
policy. He said one concern the City would need to continue to monitor is lead seeping into the ground from ammunition. Councilmember Carter said various uses have been proposed for the Reed property, and asked Director Grigsby if any of them would affect the wells planned for the property. Director Grigsby said they could, and the process for placing a well takes two to three years, and the City does not currently know where those wells will be placed. Deputy Mayor Swatman asked Director Grigsby to start the process to find the best placement for the wells. Deputy Mayor Swatman said the Council is not opposed to exploring other uses for the Reed property, but the primary use of the property is as a water source and that needs to be kept in the forefront. Councilmember Lewis asked if it would be difficult to return the property to an agricultural use later the City chose to put in a gun range. Chief Mitchell said the City would only have to remove dirt berms and the bullet trap. Councilmember Lewis asked if the City paid property taxes. City Administrator Morrison said the City does not pay property taxes for the Reed Property, but if the City leases the property, it would pay a 12.5% tax on the lease revenue.

**IV. Executive Session:** None

**7:45:32 V. Adjournment:**

**At 7:45p.m. Councilmember Rackley moved to adjourn the Workshop. Councilmember Lewis seconded the motion.**

**Motion to adjourn approved 7 – 0.**

  
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Harwood T. Edvalson, CMC  
City Clerk

  
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Neil Johnson, Jr.  
Mayor

Items submitted to Council at the April 19, 2011 Workshop:

- City of Bonney Lake – *Five-Year Capital Projects Reductions* – Councilmember Hamilton.
- City of Bonney Lake – *Resolution XXX – Comp Plan Amendment* – Councilmember Lewis