

CITY COUNCIL WORKSHOP

November 15, 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

Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 5:33 p.m.

II. ROLL CALL:

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 Donn Lewis, Councilmember Randy McKibbin, and Councilmember Jim Rackley. Deputy Mayor Swatman said Mayor Neil Johnson Jr. would be arriving late.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Planning Manager Heather Stinson, Chief Financial Officer Al Juarez, Interim Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne, and Administrative Specialist II Shawn Campbell.

III. AGENDA ITEMS:

A. Public Hearing: AB11-149 –Public Hearing on Ordinance D11-141 – Ad Valorem Tax Rate for Fiscal Year 2012 (continued from November 8, 2011).

Deputy Mayor Swatman declared the public hearing open at 5:34 p.m. No one came forward to speak. The public hearing was closed at 5:34 p.m.

B. Council Open Discussion.

Bonney Lake Elementary Open House: Councilmember Lewis said the Bonney Lake Elementary open house is scheduled for November 16, 2011 at 4:00 p.m. and the dedication will follow at 5:30 p.m. Councilmember Rackley said he has toured the school and it is very nice.

Rainier Cable Commission: Councilmember Rackley said he would like the Council to decide if they want Council Meetings to be on television or not. He said it would cost the City an additional \$1,100 a month to have the Council meetings televised, on top of the \$24,000 annually the City currently pays to belong to Rainier Cable Commission (RCC). He said this issue is time sensitive and must be decided by January 1, 2012 to avoid paying the annual membership fee. He said unless the Council wants the meetings to be televised, the City should withdraw from the commission. He said the City could save money and post the videos on the internet if the Council wanted. He clarified the City could still collect the franchise fee and utility tax from the cable franchise agreement. Deputy Mayor Swatman said he does not see the value in staying in the RCC, unless the Council wishes to have the meetings televised. Administrative Services Director/City Clerk Edvalson said State law does not require the meetings be recorded. He said the official record of meetings is the approved minutes. He said staff time loading the video online would not be a great deal more than loading the audio.

Councilmember Lewis said he would like to give the citizens the opportunity to view the Council Meetings. Councilmember Hamilton said there are vendors that will record the meetings and post them online from a remote location. He said they can link the video to the agenda. He said he would like to ensure the funding is fair to all citizens. He said RCC does streaming video also but they are more expensive. He added the RCC has an in-house program to promote your city, at an additional cost. Councilmember Carter said if the meetings are posted on the website people can watch them any time. She said the video is archival so people could watch older videos also. City Administrator Morrison said RCC also handles customer service complaints that the City does not currently have staff available to handle.

Deputy Mayor Swatman tabled the open discussion until the Mayor arrived at the meeting.

C. Review of Council Minutes: November 1, 2011 Council Workshop and November 8, 2011 Council Meeting.

Councilmember Carter asked for the November 1, 2011 minutes to be amended on p. 3 to "~~Council~~ Councilmember Carter". Councilmember Rackley asked for the November 8, 2011 minutes to be amended on p. 3 "none of the bids from recent project ~~bids did not come~~ came in under engineer's estimates"

D. Discussion: Veterans Memorial Site.

Deputy Mayor Swatman said the Mayor has worked with the Greater Bonney Lake Veterans Memorial Committee to come up with a memorandum of Understanding (MOU).

Councilmember Hamilton asked if an agreement will come back to Council before action is taken. He asked if the Memorial Committee could put up a sign based on this MOU and who would pay for the sign. City Administrator Morrison said a full agreement would come back to Council for review. Public Works Director Grigsby said the placement of a sign at the construction site would fall under the City project exemption of the sign code and that the Veterans Memorial Committee would pay for the sign. By Council consensus, the item was forwarded to the November 22, 2011 Council Meeting for action.

At 6:01 p.m., Councilmember Rackley moved to take a ten-minute recess. Councilmember Decker seconded the motion. Deputy Mayor Swatman called the meeting back to order at 6:11 p.m.

Council agreed to amend the original order of items on the agenda, and to discuss the Cultural Resources Element and the Land Use Matrix next, as Planning Commissioner Sulham was in attendance to present both plans to Council.

E. Discussion: AB11-137 – Ordinance D11-137 – Cultural Resources Comprehensive Plan Amendment.

Planning Commission Chair Grant Sulham said the Cultural Resources Plan was a combination of the staff plan and changes made by the Planning Commission. He said the Planning Commission voted 5-1 to recommend the plan to Council. He added the one dissenting vote was due to that commissioner wanting more public input on the plan. He said the public hearing did have a large number of people in attendance. He confirmed the plan would stay on the Planning Commission's work plan for 2012. Council thanked the Planning Commission for their hard work. Councilmember Carter said she would like to add the establishment of a new commission to the plan. She said it is important to have citizens with interest and knowledge of the area's history. Councilmember Hamilton said this plan is important in keeping the City's

history and culture preserved. He said this is a good way for citizens to know where the City has been and plans for the future. Councilmember Rackley said it would be a good fit to add the Cultural Resources Element to the Park Board's duties. City Administrator Morrison said the board or commission must be created by resolution at a later date. He said the Council could state its intent to do so as part of the plan.

Mayor Johnson joined the meeting at 6:24 p.m.

City Administrator Morrison said the Council can decide at a later date what the requirements would be for a historical commission. Mayor Johnson said this plan is still in the early stages and the City can work with the existing boards and get people excited so the City can move the plan forward. By Council consensus the Cultural Resources element will be moved forward to the December 13, 2011 Meeting for action with the other Comprehensive Plan Amendments.

F. Discussion: AB11-152 – Ordinance D11-152 – Land Use Matrix.

Planning Commissioner Sulham said the commission examined the allowed uses in C-2 and C-3 zones. He said the matrix is a combination from the Eastown Planning Committee and the Planning Commission. Councilmember Carter asked about agricultural uses allowed. She wanted confirmation the code does not allow medical marijuana. Deputy Mayor Swatman asked about planned communities and why specific businesses are only allowed conditionally. Planning Manager Stinson said the City cannot add zoning for areas that are not currently in the City limits. She said conditional uses do not prohibit the business, they only add some additional criteria the developer must meet. Planning Commissioner Sulham said the conditional uses are based on the Eastown area being for "big box" stores. Deputy Mayor Swatman said the City has design criteria that covers those concerns. He said he would like the Eastown area to have less restrictive zoning than the Downtown and Midtown areas. Councilmember Hamilton said the lots in the Eastown are not large and he would not want the restrictive zoning to stand in the way of development. Councilmember Rackley said he would like to make the area customer friendly and not limit what the developers can imagine for the area. Councilmember Lewis said the Eastown Planning Committee's intent for the area was to leave it wide open and make changes as the area developed. Mayor Johnson said the Council will need to decide how much control to have in Eastown. He said if the Council wants to see the area develop then the conditional uses need to be changed to permitted uses. Council asked to change the conditional uses in the Eastown area to permitted uses. Planning Commissioner Sulham said the Council would need to look at the items because there are some uses they do not want to allow. By Council consensus AB11-152 – Land Use Matrix was moved forward to the December 13, 2011 Meeting for action.

Open Discussion: (continued)

City-owned Property on 192nd Ave and Sumner-Buckley Hwy E: Councilmember Hamilton said the City purchased this property in 2004 to build a new City Hall. He said part of the agreement was putting a community center on the land and if the City does not use the land to build a new City Hall within 5 years, the seller has the option to buy back the property at the original sale price plus 3% interest. He said the City should consider surplusing the property and using the money to benefit the citizens today. Councilmember Rackley said the City is just coming out of a recession and believes the Council should wait until the property values go up. Councilmember Lewis asked about the investment the City has in the property beyond the purchase price. Mayor Johnson said he has renewed the option for the last several years but

will not be allowing a renewal for 2012. He said the previous property owners have until December 31, 2011 to repurchase the property. He said the Council can consider what to do with the property after the end of the year. Councilmember Decker said the City is still in a recession and should hold onto the property for an additional 3 to 8 years. Deputy Mayor Swatman said if the property is not bought back then the City could put the property up for sale and make a decision later.

Canned Food Drive Challenge: Councilmember Carter challenged all City staff to a canned food drive. She said she would donate \$0.25 cents for each can donated by City staff by December 9th up to \$100. Mayor Johnson, Councilmember Rackley and Councilmember Lewis also said they would match Councilmember Carter's donation.

Donation Opportunities: Councilmember Carter said the Police Department is facilitating the Giving Tree again for children in the area starting November 29, 2011. The Food Bank is in need of donations for Thanksgiving, and a donation box will be available at the Christmas Tree lighting on December 3, 2011. The Police Department is accepting donations for Shop With A Cop, and the Lions for Kids are also accepting donations.

Council Subcommittees: Councilmember Rackley asked if it is time to discontinue the Council subcommittees. He said when the Council decided to create the subcommittees the Council had a great deal of work. He said now Council meetings are not as long and he feels it is time for the issues to be brought before the whole Council. Councilmember Decker said citizens are able to speak at the Public Safety Committee and the Community Development Committee, and if Council does away with the Subcommittees, he would like to see a public comment period added to the Workshops.

Pierce Transit: Mayor Johnson said Pierce Transit has officially passed a resolution to convene a meeting of the membership to review the boundary lines of the Transit Authority. He said the Council will need to elect a representative to represent the City in this process. Councilmember Hamilton said this is a tragedy as citizens need transit.

G. Discussion: AB11-147 – Ordinance D11-147 – Proposed 2011-2012 Mid-Biennial Budget Amendment.

Deputy Mayor Swatman said staff did a very good job holding the line with the 2011 budget. He said the Council needs to make some difficult decisions on whether to cut services or spend a portion of the fund balance. He said he is looking at the trends and he wants to make sure the City adjusts to the "new normal". He said the Council needs to look at the future, prioritize programs and ensure the City has sufficient revenue to cover expenses.

Councilmember Rackley said the Council should look at downsizing. He asked where the revenue came from to cover the \$400,000 that was budgeted for 2011. He said he believes the Council should plan on adopting a \$0 base budget for 2013 budget. City Administrator Morrison said revenues came in a little better than expected and the City spent less on supplies and services. He said the City staff has economized where possible without cutting services. Mayor Johnson said staff projected a deficit in 2011 and worked very hard to not spend the money. He said the administration will continue to look at places for cost savings. He said the Council could reevaluate the budget after the first quarter of 2012 and then the Council could require some adjustments. He said the Council has done a good job in the past so there is a surplus available. He added the City of Bonney Lake has not had to make the same hard decisions other jurisdictions have had to make.

Councilmember Decker said the City is still in a depression and it will get worse before it gets better. He does not believe the Council should look at the future with blinders on.

Councilmember Hamilton said the 6% sales tax increase is aggressive. He said he does not want to wait and hope for the best. He said it would be a big advantage to the citizens to have a Metropolitan Park District, as it would give the City more flexibility with the general fund. He said the Council's priority needs to be public safety. Councilmember Carter asked about the drug seizure fund, the 911 tax, money sent to Pierce Transit, and money budgeted to move staff to the Justice Center. Councilmember Decker asked about expenditures to the Eastown ULA. Chief Financial Officer Juarez said the financial model is a dynamic tool that is continuously updated. He said from 2010 to 2011, sales tax increased by 5%. Councilmember Hamilton said the financial model was designed during boom times and needs to be adjusted to the "new normal". He said commercial property is still in a recession and the City needs to make adjustments to live within its means. Mayor Johnson said creating a balanced budget would be a great goal for the 2013 -2014 biennial budget. Councilmember Carter noted the City will pay off a bond from 1997 at the end of the year. Councilmember Decker asked for the total fund balance in the general fund not earmarked; City Administrator Morrison replied it is between 3.5 and 4 million.

Deputy Mayor Swatman asked about the exhibits connected to the budget amendment. He questioned if they represented a line item budget. Chief Financial Officer Juarez said the City uses a fund level budget. He said the administration has the authority to transfer money within a fund. City Attorney Dionne said the Administration has the authority but Council could restrict that authority if they want to. Chief Financial Officer Juarez explained the budget amendment process. He said the proposal is not a whole new budget, but simply adjustments to the existing biennial budget.

H. Discussion: Comprehensive Plan Amendments.

- a. AB11-130 – Ordinance D11-130 – Eastown Subarea.
- b. AB11-131 – Ordinance D11-131 – Eastown Design Standards.
- c. AB11-132 – Ordinance D11-132 – CUGA Comprehensive Plan Amendment and Zoning.
- d. AB11-133 – Ordinance D11-133 – Midtown Plan.
- e. AB11-134 – Ordinance D11-134 – Midtown Design Standards.
- f. AB11-135 – Ordinance D11-135 – Midtown Land Use.
- g. AB11-136 – Ordinance D11-136 – Park Element.

Mayor Johnson suggested Council email staff with any suggested changes to these documents. Councilmember Hamilton suggested adding a statement of support to the Park Plan regarding Ponderosa Estates deeding a park to the City if the area is annexed. He said it would not be a binding agreement. Councilmember Rackley said it may influence the citizens about annexation and it should be left out. By Council consensus, the Comprehensive Plan Amendments were moved forward to December 13, 2011 Council Meeting for action.

I. Discussion: AB11-151 – Ordinance D11-151 – Midtown Zoning.

Deputy Mayor Swatman said the Planning Commission did a good job on this Comprehensive Plan amendment. Councilmember Carter asked why two properties were left out. Planning Manager Stinson said two properties were not included because they changed properties that are currently zoned commercial not high density residential or public facilities. By Council consensus Ordinance D11-151 was moved forward to the December 13, 2011 Council Meeting for action.

J. Discussion: AB11-148 – Ordinance D 11-148 – 1.5% COLA for Non-represented Employees.

Deputy Mayor Swatman said this item is recommended for approval by the Finance Committee. He said in addition to the step increases, the non-represented employees will receive a 1.5% cost of living increase in 2012. By Council consensus, AB11-148 was forwarded to the November 22, 2011 Council meeting for action.

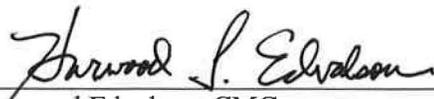
K. Discussion: AB11-153 – Ordinance D11-153 - Amendment to Alarm Ordinance – Active Systems.

Councilmember Lewis said he would like the ordinance to be amended to “active alarms only”. He said he would like to clarify this ordinance for future Councils. By Council consensus, AB11-153 was forwarded to the November 22, 2011 Council meeting for action.

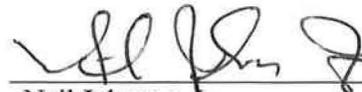
IV. ADJOURNMENT:

At 8:44 p.m., Councilmember Rackley moved to adjourn the Council Workshop. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7-0.



Harwood Edvalson, CMC
City Clerk



Neil Johnson, Jr.
Mayor

Items presented to Council at the November 15, 2011 Workshop:

- Planning Manager Stinson – *page 18 to Ordinance D11-131* – City of Bonney Lake.