

**CITY COUNCIL WORKSHOP**

**October 2, 2012  
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)*

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

**I. CALL TO ORDER** – Mayor Neil Johnson called the workshop to order at 5:34 p.m.

**II. ROLL CALL:**

Records and Information Specialist Susan Duis called the roll. Elected officials attending were Mayor Neil Johnson, Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Interim Police Chief Dana Powers, Assistant City Attorney Kathleen Haggard, Records and Information Specialist Susan Duis, and Administrative Specialist II Renee Cameron.

**III. AGENDA ITEMS:**

**A. Council Open Discussion:**

Local Newspapers: Mayor Johnson said he attended the Newspaper Association Convention in Yakima where the State's annual weekly newspapers awards are given out. The Bonney Lake Courier Herald received 3<sup>rd</sup> Place in General Excellence, and individual reporter awards went to Brian Beckley, Daniel Nash and Dennis Box. He said some of the local ads were also recognized. He said it was a great to see what the local papers throughout the State do and highlighted headlines throughout the different communities.

Public Safety Open House: Councilmember Minton-Davis attended the Public Safety Open House hosted by East Pierce County Fire & Rescue on Saturday, September 29<sup>th</sup> at the Public Safety Building. She said there was great attendance but believes it may have been down from last year. She said Maris Farms made a generous donation to the East Pierce County Fire Foundation of \$1,200 in tickets to Maris Farms. Councilmember Rackley said he was pleased with the attendance and it appeared that every parking spot was full.

Tehaleh Open House: Councilmember Watson said he attended the Tehaleh Open House, as well as some of the other Councilmembers. He said there was a great turnout with a very nice reception.

Naches Trail Tour: Councilmember Watson attended the tour with Councilmember Hamilton and said he learned a lot about the trail and the history of the Naches Trail.

Park Summit II: Councilmember Watson said he attended the Park Summit II and said attendees attended based on their individual interests. He said the Council needs to know what is necessary to create a Metropolitan Park District (MPD). Mayor Johnson said he doesn't think the City is ready to establish a MPD yet. He suggested an advisory vote to get a better sense of where everyone stands, how to accomplish these projects, and to educate the voters before it is put on the ballot. Councilmember Hamilton said he

attended the Summit and has the same sense. He said the public thinks all of the options need to be in the first vote, which is not the case. He said it could take 20 years for the City to complete all of the planned projects. The current Park Plan is the City's 6-year plan and not all of the City's needs are being addressed in this plan.

Mayor Johnson said a MPD is the same as passing the maximum levy, and voters need to identify projects so the City can consider how to list them on the ballot, otherwise the City should consider a park bond. Councilmember Hamilton said he thinks too much detail was considered at the Summit. Councilmember McKibbin said he thinks the basic plans have been bypassed, and the Council is still trying to lay a foundation for a MPD. Councilmember Watson said he felt frustration from the Park Board and he is anxious to attend the upcoming Park Board meeting. He said Council and the Mayor want to hear the Board's ideas. Mayor Johnson said he plans to attend the Park Board on Monday and to figure out the best strategy for a MPD, or another option. Councilmember Lewis said Council needs to decide what is really needed, the cost of the projects, and then work out the details as the projects progress. Councilmember Watson said he doesn't want Council to lose momentum. Mayor Johnson agreed and reiterated his desire to hold an advisory vote to see what projects are of interest and could be completed.

Deputy Mayor Swatman said the attendees who attended in the Park Summit II are very interested in participating in the City, and he did not think that those who attended the were average residents. He said he is interested in an MPD. He said another option is a Special Parks District, but that option is much more limited. Councilmember Hamilton said the City has previously had a tough time getting positions filled for Park Districts. Councilmember Rackley said with a Special Park District ran by a Commission, rather than the Council, a lot of the City's priorities may not get taken into account. Deputy Mayor Swatman said the MPD is dedicated money and can only be used for that purpose. Councilmember Lewis said as the City is growing he thinks it would be good for the Council to set a good basis for the plan, especially if it is a 30 year plan. He said the City needs to study the plan before it is locked in. He said since it is a growing plan it should be completed in phases. Mayor Johnson said he will see what is discussed at the Park Board meeting on October 8<sup>th</sup> and consider postponing placing the Park Plan on the ballot for an April 2013 election. Deputy Mayor Swatman asked the Council if they would be interested in meeting with the Park Board for a joint meeting. Councilmembers agreed and asked that a special joint meeting be scheduled to discuss the Park Plan.

Eastown: Councilmember Watson asked for a status update. Councilmember Rackley handed out an e-mail from City Engineer John Woodcock regarding using the sewer development charges fees to pay for the project and said Council needs to move ahead and get the system started. Councilmember Watson said he is still supportive of the \$2 million project with Eastown LLC. Councilmember McKibbin said Eastown needs to be marketed it before it can be developed and he is working on a proposed plan. Councilmember McKibbin said his plan does not include a utility latercomer agreement (ULA). Councilmember Rackley said he just wants to know that Council is moving forward with a plan to get sewer out to Eastown. Deputy Mayor Swatman said he is willing wait to hear more about Councilmember McKibbin's plan. He said sewer development charges (SDC) are still being considered. City Administrator Morrison said he is waiting on a SDC study until he gets direction to do so, as it would cost \$10,000. Councilmember Hamilton said his concern is the ability of the utility to pay for the project without raising rates and that the City would not get all of its money back through a partnership. He said if the estimate from City Engineer John Woodcock is correct, then he thinks this is a good plan. He said if the City pay for the project with SDC surcharges,

then the City could eventually get its money back through rates. He said he would vote for the partnership with the LLC, but wants to know that the utility will not be heavily impacted. Councilmember Lewis said he just wants to see the project completed, but he wants to make sure the Council considers all of the options before just making a choice. Mayor Johnson clarified the different plans: the \$2 million plan with a ULA partnership; the \$4 million plan with a ULA partnership; and a \$2 million plan with no partnership, funded entirely by the City. An alternate plan would include conducting a study, which the Council was not interested in pursuing. Councilmember McKibbin said he would provide more info on his plan at the next Council workshop.

Greater Bonney Lake Historical Society: Councilmember Watson inquired about the request from the Greater Bonney Lake Historical Society for relocation assistance, as the City has received the bids for the Justice Center Tenant Improvements. Mayor Johnson said City staff are working on the issue and hope to have a plan in a week or two to assist the Historical Society in their relocation.

Food Bank: Councilmember Rackley said he had heard that the Bonney Lake Food Bank – Bread of Life was going to be evicted from its current location. Mayor Johnson said there are no imminent plans to relocate the Food Bank, but he would eventually like to tear down the building that the currently houses the Food Bank and find a new location for them. Mayor Johnson also said Lions 4 Kids is not being relocated.

*Council Open Discussion continued on page 6.*

**B. Presentation:** County Executive Pat McCarthy.

County Executive Pat McCarthy presented her yearly presentation, which she referred to as her “Budget on the Road,” regarding County issues. County Executive McCarthy was available for questions and answers from the Councilmembers and Mayor Johnson.

**At 7:10 p.m. Mayor Johnson recessed the Workshop for a short break. The Workshop resumed at 7:21 p.m.**

**C. Review of Draft Council Minutes:** September 18, 2012 Workshop, and September 25, 2012 Meeting.

The minutes were forwarded to the October 9, 2012 meeting for action, with one minor correction.

**D. Discussion:** AB12-133 – Ordinance D12-133 – Retention of Civil Service Status for Police Personnel Promoted to Civil Service Commission Exempt Positions.

Mayor Johnson advised it was his intent to appoint Interim Chief of Police Dana Powers as Chief of Police following her successful year of service as the Interim Chief. He said Interim Chief Powers requested “bumping rights” (reassignment back to Assistance Chief of Police) should the Mayor decide to change chiefs in the future. Both the Mayor and Council had concerns regarding this proposal, and an acceptable alternative is to “grandfather” Chief Powers under her current civil service status to assure that any adverse future employment action is based on just cause. The ordinance would allow internal police personnel who are promoted to a Civil Service exempt position to retain their civil service status. Councilmember Hamilton said he has always recognized the Civil Service Code and he wants to preserve the process, and Councilmember Watson agreed. Councilmember Minton-Davis asked if there was a reason that it was done away with in the past. Councilmember Rackley said he recalls the reasoning why it was

protected was because every department head is responsible to report to the Mayor. He doesn't believe the Chief of Police should be entitled to protection under the Civil Service, as none of the City's department heads have protection and that they are all accountable to the Mayor and the City to do their job. Mayor Johnson said he thinks all department heads do their job and are accountable. Councilmember McKibbin reminded the Council that they all took an oath that they must uphold. Deputy Mayor Swatman reminded the Mayor and Council that the wanted an elected Mayor not a City Council run government. This proposal would allow a buffer for the Chief of Police which is not given to all of the department heads. He said the City needs to have a Mayor who has the ability to control the City. He doesn't believe that Civil Service protection is necessary. All employees have to perform for their employers, not have a buffer of protection.

Mayor Johnson asked the Council for their input. Councilmember Lewis said he understands both sides. Councilmember Minton-Davis said she is undecided and would like to consider the issue more. Deputy Mayor Swatman asked how many civil service staff would be protected. City Administrator Morrison said the proposed ordinance would protect the Chief and Assistant Chief, or those already in the City's civil service. He gave a quick history of civil service and how this request came about. Councilmember Watson said he wants to know the Chief of Police is making decisions on behalf of the department, not necessarily about their job as Chief of Police. Mayor Johnson said the City has a track record of continuity with its department heads and he feels the previous Chief, and Interim Chief Powers have been able to have their voice and positions. His main concern is that when a new mayor comes into office, they could clean house and the chief of police would at least have protection under Civil Service. Assistant City Attorney Kathleen Haggard said a future Council could revise the ordinance, but there would be an expectation that those given that protection would still be afforded it. Councilmember Minton-Davis inquired about the requirements of the Civil Service Commission. Councilmember Lewis spoke in favor of the proposed ordinance. Council Minton-Davis said she remained undecided and needed additional time for consideration. The proposed ordinance was forwarded to the October 9, 2012 Meeting for action.

**E. Discussion:** AB12-138 – Ordinance D12-138 – Adoption of alternative civil infraction process for code enforcement.

City Administrator Morrison advised that current City process for nuisance abatement and general code enforcement can be cumbersome, slow, and expensive. He said the proposed ordinance would provide staff with an alternative process to levy civil fines and provides another tool to achieve code compliance. Councilmember Rackley said he knows of other cities which have adopted something similar and it has worked well for them. Councilmember Hamilton said it may actually save the City some money. Assistant City Attorney Kathleen Haggard said it would provide for faster resolution and improved process, and not necessarily save money. She advised that fines can be elevated to a misdemeanor and lower level nuisances can be taken care of more efficiently. City Administrator Morrison said the code enforcement officer can issue infractions himself, send them to the court, or give them to the prosecutor for service. Councilmember Watson commended Assistant City Attorney Haggard for her work on this matter. Councilmember McKibbin asked about illegal signs and how they would be handled. Assistant City Attorney Haggard said signs would not be dealt with under this ordinance. City Administrator Morrison and Community Development Director Vodopich said the code enforcement officer is supportive of this ordinance and will be trained accordingly. The proposed ordinance was forwarded to the October 9, 2012 Meeting for action.

**A. Council Open Discussion:** *Continued from page 3*

Justice Center Tenant Improvements Bid: City Administrator Morrison provided an update regarding the Justice Center Tenant Improvement Phase II project. He said the City opened bids on October 1<sup>st</sup> and all of the needs are included in the bid. He proposed using either the \$100,000 from the feedback signs and/or \$100,000 from the funds set aside for the YMCA to help pay for the project. Mayor Johnson asked if the City could use some of the ending fund balance. City Administrator Morrison said the cash flow is down to 11% and the City cannot use it, but believes there are ways the City could accomplish the necessary improvements.

City Budget: City Administrator Morrison said he is concerned about the Cost Allocation Study he received. He said the general fund is not cutting into utilities and that the utilities will be going up which will help the budget, but the revenues projected for next year will not cover basic operations. He discussed the debt service bond and the 800 MHz bond and the cost to the City. He said there appears to be a budget shortfall of approximately \$900,000, which he believes can be reduced to \$500,000 by eliminating vacant positions, but it will be a challenge. He said that this amount includes no cost of living allowance for employees, except for the police guild, which is included in the guild contract. He said health insurance changes are not considered into this and he cannot give more options until he has met with the AFSCME union to start negotiations.

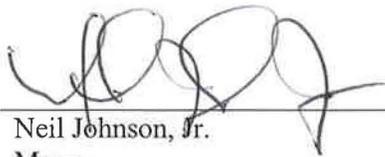
Mayor Johnson said he will present a proposed budget list to Council soon, but he did not want the shortfall to come as a surprise to the Council. He said he wants to give Council time to consider the plan and make suggestions. Councilmember Hamilton asked about revenues being considered. City Administrator Morrison said some new revenue will come from the Town of Eatonville court services contract, but no new taxes are being considered. Councilmember Lewis asked about the 911 Dispatch. City Administrator Morrison said Pierce County grossly underestimated the costs of the system and the dispatch centers, and he believes the County will be assuming a large portion of the City's next system upgrade. He said there is a possible revenue opportunity for leasing the microwaves on the tower, but there will be no actual payback from the County. He said the City's debt on the tower would still continue, but future improvements to the system would likely be paid by the County. City Administrator Morrison said over time it will pay the City back.

#### IV. ADJOURNMENT:

**At 8:10 p.m., Councilmember Watson moved to adjourn the Council Workshop. Councilmember Rackley seconded the motion.**

**Motion to adjourn approved 7-0.**

  
 Harwood Edvalson, MMC  
 City Clerk

  
 Neil Johnson, Jr.  
 Mayor

Items presented to Council at the October 2<sup>nd</sup> Workshop:

- Councilmember James Rackley – *October 1, 2012 Email from City Engineer John Woodcock regarding sewer development charges.*
- Pierce County Executive Pat McCarthy – *Budget Presentation.*