

## CITY COUNCIL WORKSHOP

March 19, 2013  
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** – Deputy Mayor Dan Swatman called the workshop to order at 5:35 p.m.

**II. ROLL CALL:**

Administrative Services Director/City Clerk Harwood Edvalson called the roll. Elected officials attending were Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Randy McKibbin, Councilmember Mark Hamilton, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, Councilmember Donn Lewis, and Councilmember Tom Watson. Mayor Johnson arrived at 5:47 p.m.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Assistant Police Chief Kurt Alfano, City Attorney Kathleen Haggard, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

**III. AGENDA ITEMS:**

**A. Review of Council Minutes:** March 5, 2013 Workshop, and March 12, 2013 Meeting.

The March 5, 2013 Workshop, and March 12, 2013 Meeting minutes were forwarded to the March 26, 2013 Council Meeting for action, with corrections noted by Councilmembers Lewis and Hamilton of the March 5, 2013 meetings related to Agenda Item III.C, Mandatory Refuse Collection Enforcement Issue.

**B. Council Open Discussions:**

Chamber of Commerce Luncheon. Councilmember Watson said he attended the Chamber Luncheon last Thursday and reported that Cascade Regional Blood Services provided a great presentation. He said the annual Chamber Awards are coming up and encouraged everyone to vote to nominate their favorite home based businesses, best new business, Citizen of the Year, Chamber volunteer, and Excellence in Customer Service. He said you can vote on-line.

Community Summit. Councilmember Watson said the Community Summit will be on Thursday and he will be on the panel with supporting businesses in the community session. He said pre-registration is available on-line, and there will be some great giveaways.

Death by Chocolate Event. Councilmember Watson said that the Lion's Club "Death by Chocolate" event is on March 23<sup>rd</sup> and he has reserved a table. He said if others wish to attend they can pay for tickets on-line.

Council Retreat Date. Deputy Mayor Swatman noted that the Council Retreat is on March 30<sup>th</sup>, which is on Easter weekend and unfortunately Council will be unable to attend the annual Easter Egg Hunt as they normally do.

**C. Discussion:** Finalize Council Retreat Agenda

City Administrator Morrison said the Workshop agenda packet included a discussion draft agenda for the March 30, 2013 Council Retreat about issues the Council wanted to talk about. He said a copy of the draft agenda has been given to the facilitator and asked if Council had any concerns or additions. Councilmember Lewis asked about what the definition of the "Economic Development Vision" means. He said he did not understand the phrase "EDC focuses on attracting sustainable business to the view corridor." Councilmember Hamilton said it relates to businesses along SR 410 and that have a view of Mt. Rainier. Councilmember Minton-Davis advised that this language is, and has been, in the Council's current vision statement. City Administrator Morrison said the agenda reflects a majority opinion from the survey he sent out of what Council wants to discuss at the retreat. He said the Retreat facilitator has already had contact with some of the Councilmembers and has already had some great discussions.

**D. Discussion:** AB13-49 – Resolution 2294 - Amending Resolution 1695 Designating and Appointing the City Clerk and/or City Administrator as Agents of the City of Bonney Lake to Receive Claims for Damages Under the Provisions of RCW 4.96.020.

City Administrator Morrison said the proposed resolution is a housekeeping item due to the recent move to the Justice & Municipal Center. He said that the street address for both of the officers designated as the City's designated agents to receive claims for damages has now changed. This resolution will approve the change of address and it will be filed with the County Auditor, as required by law.

This item was forwarded to the March 26, 2013 Council Meeting for action.

**E. Discussion:** AB13-32 – Ordinance D13-32 - Amending Section 13.12.130 And Repealing Sections 13.12.140 13.12.150 Of The Bonney Lake Municipal Code Related To Temporary Private Sewer Connections.

Deputy Mayor Swatman said the Community Development Committee (CDC) reviewed this item and did extensive work on this issue, as did the City Attorney. City Attorney Haggard said these proposed amendments provide for some specific issues related to the zoning in Eastown, as well as provisions that apply City-wide.

Public Works Director Grigsby said per the proposed ordinance, when a developer builds their septic system they would also construct the dryline for the future sewer system. The dry line would not be activated, nor would they pay an SDC or latecomer fee until they actually connect to an active sewer line. Deputy Mayor Swatman thanked staff for the consideration and preparation of these amendments.

Deputy Mayor Swatman said he does recognize that it will basically be impossible to collect a sewer development charge from a property owner that has a septic system and believes it would be a major uphill battle trying to collect. He said a large development will not be interested in applying for a large septic system when they are so close to being able to connect to sewer.

Councilmember Rackley said if the proposed ordinance allows property owners and developers to expand their septic systems it should be fine. He said if they invest in a large septic system then that will be their individual decision to spend the money. Councilmember McKibbin said that at the CDC meeting property owners said that they at least wanted the ability to have a septic system, but that they would not be required to should they choose to wait for the sewer extension to be installed.

Deputy Mayor Swatman said he is trying to minimize the risk to the sewer utility and asked about pushing out the effective date a couple of months to apply for a temporary septic system making it less likely that applicants would consider this approach, versus waiting until the sewer system is installed. Councilmember Lewis said some property owners have already waited patiently for this opportunity to hook up to private septic. He asked for clarification about sewer connection being mandatory for all new developments. Community Development Director Vodopich clarified that this requirement applies to all new development in the Eastown area. Public Works Director Grigsby said the lift station should be ready next fall.

This item was moved to the March 26<sup>th</sup> City Council meeting for action.

**F. Discussion:** AB13-39 – Resolution 2286 – Authorizing the Contract with Shea, Carr, Jewell Alliance for the Completion of the Design Effort of the SR410 Sidewalk Improvements from Angeline Bridge to 192<sup>nd</sup> Ave E.

Public Works Director Grigsby said this project will design the missing link between 192<sup>nd</sup>, essentially crossing the Angeline Road Bridge, and build a retaining wall on the north side for the sidewalk to get to 192<sup>nd</sup>. He said the adopted budget only had \$40,000+ available for this year and now that an actual estimate has been received they are asking Council to increase the dollar amount for this project so the contract can be awarded. Mayor Johnson said this has been a long-missing link and hopes to see this project get done.

Councilmember Lewis asked how much money is needed to fund the project. Public Works Director Grigsby confirmed that an additional \$92,276 is needed for the design phase. He said it is to build a concrete sidewalk on the bridge crossing Angeline Road on the north side of SR 410. He said a retaining wall will have to be built to build the sidewalk on.

Councilmember Minton-Davis said during the discussion at the Community Development Committee (CDC) meeting the Committee members were all in concurrence to forward this project, but because it was an unbudgeted expense the CDC wanted to make sure the Council approved this agreement. Councilmember Rackley said it makes better sense to add a budget amendment. Councilmember Lewis said he believes this is a safety item and pedestrians need to have this project completed to provide a safer route for everyone. He said coming up with the \$92,276 is an issue, but he thinks the project cost can be resolved and is most concerned with the safety of those utilizing the roads and sidewalks along this route.

Mayor Johnson said at the Youth Forum at the Bonney Lake High School, students routinely mention that safe sidewalks are an extremely important priority.

Councilmember Watson asked where funds can be found if this item is forwarded on. City Administrator Morrison said the budget is adopted by fund total, and staff will look at a project that is a lesser priority and move it to next year to allow the City to complete this project at a higher priority. Councilmember Lewis said this project should be moved up on the list of priorities to get it done.

Mayor Johnson said staff will look at the current Public Works project list and their priority status and make a recommendation as to how the Council wants to proceed, whether by delaying another project or something else.

This item was forwarded to a future Council meeting for action.

**G. Discussion:** AB13-43 – Resolution 2288 – Amending the WSU Property Development Agreement Relating to a New Traffic Signal at 204<sup>th</sup> Ave E and SR410.

Mayor Johnson said that he wanted Council to know how this discussion item was placed on the agenda. He said with all of the discussion the City has had in the past couple of years with economic development and the changes occurring in Eastown he took it upon himself to reach out to Pete Lymberis who represents Weyerhaeuser Real Estate Development Company and Washington State University to find out the status of what is happening economically with the development of the WSU commercial piece. He said he is thinking of economic development and trying to make sure Eastown and Midtown continue to grow and provide sales tax base to the City. He said he discussed with Mr. Lymberis if anything has changed as far as possible traffic analysis numbers for the highway and what a new traffic signal would do for the City. He said the feedback from Mr. Lymberis, and the information he gained at the ICSC conference, is that the traffic signal is critical in developing this commercial property, for either big box companies or retailers. He said he asked Chairman McKibbin to take it to the CDC for their review, consideration, and recommendation. Councilmember McKibbin said the CDC received a great presentation from a traffic analysis representative.

Councilmember Minton-Davis said the presentation to the CDC made by Pete Lymberis and his staff on their request to have the City support the addition of a new traffic signal at this intersection was very well presented and it showed the Committee members how the traffic signal would actually improve the traffic flow and not further impede it. She said she was hoping to have a presentation in front of the entire Council, however, it appears that is not planned to occur.

Deputy Mayor Swatman said he didn't understand why City resources are being spent to undo a previous Council decision. He said the previous Council was adamant that there would not be a light at this location on SR410. He said he does not want to try to overturn a decision that was previously made. He said although things can change, he will always try to make the best with previous decisions made. He said the entire development agreement was accepted and approved based on the understanding that a traffic signal would not be placed here. He asked legal counsel to advise the Council. He said whether it increases or decreases traffic he feels it was already considered in the process, so he doesn't understand how the City can propose to come back and do a comprehensive plan amendment.

Mayor Johnson said City resources and staff were not used on this presentation. He used his own time to research this, in the City's best interest, and he is the one who asked to bring it forward. He said he remembered that initially there was a condition regarding traffic signals in the original development package, but his memory is that the condition was taken out.

Deputy Mayor Swatman said communications dated February 11, 2013, addressed to the Mayor and the Council were included in the agenda packet, however, he doesn't recall previously receiving a copy of this communication. He said if there is mail addressed to the Council then he wants to know that Council is receiving it too.

City Attorney Haggard advised that she would have to do some research to determine what may have occurred in previous years, however, the only way to make a change is to go through a comprehensive plan amendment process. She said there would not be an automatic deletion of the amendment to the comprehensive plan amendment merely by amending the development agreement. She said that parties to a developer agreement may make an amendment to the agreement if the parties choose to. She said that in regards to the specific traffic signal, it still needs to be approved by WSDOT. She said her understanding is that such a signal would be permitted on a state highway, and secondly it would need to satisfy the City from an engineering standpoint that it could work.

Councilmember Watson said he is surprised this item has even come forward. He said the developer is not bringing any new money to the City and they want the City to bring money forward. He asked what is different now, and why this should even be considered. Mayor Johnson said if it could help improve traffic and bring commercial development to that area then he would like to consider it. He asked if Council wished to have an official presentation. He said things change, even if a previous Council was not in support of an issue in previous years. He said if Council don't revisit some of these things then there may not be necessary improvements. He said he will continue to bring things forward that are in the best interest of the City.

Deputy Mayor Swatman said he doesn't see that other options have been explored. He would like to see options for connectivity, such as bypasses. He said other areas and intersections could be considered vital intersections while still giving great connectivity to the forest area.

Councilmember Rackley said he would be amenable to take this item back to the CDC to consider other options if the Council so desires. He asked about the 25% cost to the City for construction of this proposed intersection and traffic signal. Public Works Director Grigsby said there is a 25% transportation impact fee reduction only.

Deputy Mayor Swatman said the City is not going to pay to construct an intersection for nothing. He said the City has no surety of anything under this proposal. He said he has no problem considering all options, but once a traffic signal is in they will not take it away.

Community Development Director Vodopich said regarding the 25% transportation impact fee, that the amount is included in the agenda packet materials regarding a traffic signal at 204th Avenue E. and SR 410 and that the City would amend the traffic impact fee list at 25% of the total project cost, so when the traffic signal was built and completed they would receive a 25% credit of the traffic impact fee of the total project cost, upon WSDOT's approval.

Mayor Johnson said he agrees with Deputy Mayor Swatman that the project has to be in the best interest of the City, and the assurances need to be there. He said first they have to be brought forward, and this is one way to start the process.

Councilmember Hamilton said he remembers in the approved development agreement stated that the developer would have to demonstrate to the City's full satisfaction that it would improve traffic flow. He said he thinks the only way to improve traffic flow is to increase capacity to SR 410. He said he is skeptical about this proposal and would like to see a demonstration showing the Council that it would offer increased capacity on to SR 410. He said it is a sensitive area already and he thinks it would be a bottleneck. He also would like to get feedback or approval from WSDOT that this would indeed improve traffic flow. He said the City needs to be very conservative on this issue.

Councilmember Lewis said he has thoroughly studied this item and provided a variety of alternative routes trying to figure out why they would or wouldn't be sufficient. He thinks the Council needs to weigh what is being proposed and whether this proposal would provide jobs and what it would do to the environment.

Councilmember Rackley said if a traffic signal is placed in this location it will attract certain sized business, otherwise he believes businesses will not be attracted to that area. Deputy Mayor Swatman said why not put a traffic signal out at Eastown, where the area is already designed.

Councilmember Rackley asked to invite Mr. Lymberis and his staff to come back once Council has had the opportunity to make a list of major questions to be answered and to allow the Council the opportunity to understand the traffic engineers numbers and why having a road within the development would not be feasible.

Councilmember Hamilton said he remembers that Council did not want a light at the 204<sup>th</sup> intersection in order to give an advantage to Easttown so when sewer and development began a traffic signal could be placed in Easttown. He said that was a huge element because the City was already investing millions of dollars in Easttown.

Mayor Johnson asked whether Council would like to have this item come back to the full Council, or to the CDC for further review. Councilmember Hamilton said he sees the advantage of the full Council receiving all of the information, especially the engineering side of it. He said the only thing that he didn't have an opportunity to review in 2009 was the inner connections and the increased capacity, however, he said he doesn't see any of that occurring just by placing a light at 204<sup>th</sup> Ave.

Deputy Mayor Swatman said the CDC could take another look at the other options presented and drill into more of the details so eventually it can be brought back to the full Council for further discussion. Councilmember Lewis said he too would like a full presentation so the entire Council can get a full understanding of the issue as the CDC was afforded.

This item was sent back to the Community Development Committee for further review and ultimately will be sent back to the full Council for further discussion.

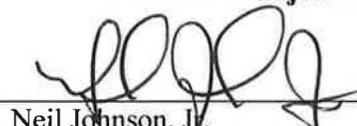
**IV. Executive Session:** Pursuant to RCW 42.30.140(4)(b), the Council entered a closed session with the Human Resources Manager at 6:38 p.m. to discuss labor negotiations for 15 minutes. The Council returned to chambers at 6:53 p.m. No action was taken.

**V. ADJOURNMENT:**

**At 6:54 p.m., Councilmember Watson moved to adjourn the Council Workshop. Councilmember Hamilton seconded the motion.**

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

  
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 Harwood Edvalson, MMC  
 City Clerk

  
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 Neil Johnson, Jr.  
 Mayor

Items presented to Council for the March 19th Workshop: *None*

Note: Unless otherwise indicated, all documents submitted at City Council meetings are on file with the City Clerk. For detailed/background information on agenda items, please see Agenda Bills on file with the City Clerk or the City website..