

CITY COUNCIL WORKSHOP

April 16, 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

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

I. CALL TO ORDER –Mayor Neil Johnson, Jr. called the workshop to order at 5:30 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 Donn Lewis, and Councilmember Tom Watson. Councilmember Jim Rackley was absent.

Planning Commissioners in attendance were Chairperson Grant Sulham, Commissioner David Baus, Commissioner Brad Doll, Commissioner Brandon Frederick, Commissioner Richards Rawlings, Commissioner Dennis Poulsen, and Commissioner Winona Jacobsen.

Deputy Mayor Swatman moved to excuse Councilmember Rackley from the Workshop. Councilmember Lewis seconded the motion.

Motion approved 6-0.

Staff members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief of Police Dana Powers, City Attorney Kathleen Haggard, Senior Planner Jason Sullivan, Facilities and Special Projects Manager Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

III. AGENDA ITEMS:

A. AB13-60 – Review and Amendments to the Planning Commission Work Plan.

Senior Planner Jason Sullivan said he has prepared a draft Work Plan for the Planning Commission for the 2013-2014 Biennium. He said while the Work Plan is short it focuses on two big projects: The first is the completion of the Shoreline Master Plan (SMP), which is scheduled to be presented to the Council in June. He said the other big item is the 20 year update to the Comprehensive Plan. He said unlike the annual updates, this is a review of the entire Comprehensive Plan, to envision what the City will look like in 2040. He said as part of the review there is a substantial checklist that the Department of Commerce has prepared to make sure the City is consistent with all of their guidelines. He said if the Plan is declared inconsistent then the City would no longer be eligible for grants and funds from the State. He said the City is currently authorized by the Puget Sound Regional Council for a conditional approval while the City works through the issues to be addressed.

Senior Planer Sullivan said staff are also working on some minor issues on the Urban Growth Areas for pre-annexation, if that is what Council desires. He said when Council adopted approval of the pre-annexation for the County Urban Growth Are they identified it all R-2 zoning, which does not allow for single-family homes, but the entire area is single family homes. Senior Planner Sullivan said the amendment would correct the matrix so these homes are not considered non-conforming. Senior Planner Sullivan said this is the overview of the Planning Commission's Work Plan.

Councilmember Lewis asked if the SMP is on schedule and will be completed on time. Senior Planner Sullivan said they are working on both the SMP and the 20 year Comprehensive Plan Update., but the priority is the SMP Update. He said both items need to be completed together otherwise Department of Ecology (DOE) will not approve the SMP.

Commissioner Jacobsen asked if there are or will be funds available to hire consultants for the SMP Update. City Administrator Morrison advised that it will be staff driven. Mayor Johnson said that if there are any funds at all that it will have to be from the general fund. Senior Planner Sullivan said staff will prepare a scoping document showing what is mandatory versus what is optional and he said that any necessary hiring of consultant(s) has already been approved for the Comprehensive Transportation Element portion. Councilmember McKibbin said cities can work together on their submittals, and the DOE can offer leniency of the timeline as long as they know that cities are working on finalizing their updates.

Councilmember Minton-Davis said that the Planning Commission did a lot of work on the Eastown zone and Midtown zone and she said there is one small parcel that may need to be revisited. She said she sees the Neighborhood Commercial zone being a small pocket of property and asked whether the Planning Commission should review it for rezoning. Senior Planner Sullivan said as part of updating the City's Land Use Plan, review staff will look at it when they review all of the land uses throughout the city and can then make a specific recommendation on that topic, so it would not be included in the Planning Commission's Work Plan.

Deputy Mayor Swatman asked if there are areas the Planning Commission would like to work on so they can discuss with Council. Mayor Johnson asked if the Planning Commission is okay with the proposed Work Plan. Commission Jacobsen said she is wondering if the Planning Commission Work Plan should take a look at the overlap between the Planning Commission and the Community Development Committee (CDC). She wants to know if there should be some type of liaison or more communication between the Planning Commission and the CDC. Mayor Johnson said Council Committees need to be very specific as to what they are working on. Commissioner Jacobsen asked that the Planning Commission be better advised as to what the CDC is working on so they may have the opportunity to be better informed and notified as to what the Commission needs to be involved in. Councilmember Hamilton said what came out of the retreat was to find a way to take some of the load off of the CDC so they can focus on the economic development portion, and if there is a land use policy issue then it should go to the Planning Commission. Deputy Mayor Swatman said if the Planning Commission makes a recommendation he believes that the recommendation should come back to full Council and not to the CDC, unless there needs to be some fine tuning done to the recommendation by the CDC. He said if there are time sensitive issues though that they may still go to the CDC to get them acted on timely.

City Administrator Morrison said issues arise when the Planning Commission has primarily been focused on land use issues, but with the GMA adding additional elements it becomes difficult to try to integrate non-traditional land use type elements. He said with the optional

elements versus the mandatory elements these elements have not necessarily been issues to be reviewed by the Planning Commission.

Mayor Johnson said when the CDC Chair sees that there is an issue to be given to the Planning Commission for a recommendation that the two Chairs can communicate so that issues are not being duplicated by both the CDC and the Planning Commission.

Commissioner Jacobsen said it would be helpful to have the CDC forward any information or presentations on to the Planning Commission so they can determine if they should attend the meetings and see if the Planning Commission's assistance is needed. They asked to be included in the distribution of each CDC agenda for review.

Mayor Johnson adjourned the Special Joint Planning Commission / City Council Meeting at 5:54 p.m., and called the City Council Workshop to order at 5:55 p.m.

B. Council Open Discussion.

Beyond the Borders Connector. Councilmember Minton-Davis introduced Lyle Bates who is working on the transportation for the City of Sumner and has been working with Sumner Councilmember Nancy Dumas regarding transportation issues in the Sumner area. Mr. Bates said he owns Local Motion Transportation, who won the bid from Pierce County for transportation services that was left void when Pierce Transit left the area. He said the 4 month pilot project has been going for six weeks and they have until July 1st to be able to show that the program works and will be beneficial to the area. He detailed the one hour routes and said riding is free due to trial passes that Department of Transportation (DOT) has allowed them to use. Councilmember Watson asked about any restrictions of transporting minors from the ages 12-18. Mr. Bates said he also does "Wheels on the Ground," and certain parts of the grant allow transporting minors, while others do not, and they are working to resolve this. He confirmed that they are wheelchair equipped and they can transport anyone as long as they are sanctioned to do so. Mr. Bates said he would put Council in touch with the Project Manager at Pierce County and she could better inform Council of any restrictions. Councilmember Watson said he was glad to hear about the stop at the Bonney Lake Target, but he had heard there was an issue at the Bonney Lake Walmart location because they did not have permission from the property owner(s) to be parked on the property. Mr. Bates said he spoke with the Walmart store managers earlier in the day and they are now working on a proposal to serve both the Target and Walmart locations, however, he has to have approval from both the State and the county for all stops. He said riders can call 211 or the 800 number on the flyers to be put on the list for a ride. He said they are trying to track quantities of rides and want to make sure the recorded information is correct.

Councilmember Watson asked if they have taken their flyers to the Lions for Kids and the Library. Mr. Bates said he has made numerous contacts including Stew Bowen who runs the Bonney Lake Food Bank. Mr. Bates said he is working on getting a stop in front of the Bonney Lake Food Bank. City Administrator Morrison asked if school age children need to request a pass for transportation. Mr. Bates said there are regulations as to who has custody of a person/minor and unless it is the Superintendent of Public Instruction (SPI) then they are not sanctioned to provide transportation to minors. He is concerned about how many children he sees walking long distances along the roadways. He said they design their routes depending on the rider's request, which will include handicap riders as well. Councilmember Hamilton asked about the possibility of picking up and delivering riders to/from the Bonney Lake Food Bank, and asked if the Council needs to approve such an agreement. City Attorney Haggard said some type of agreement would need to be reached to offer pickup and delivery of persons on City property. Councilmember Hamilton said obviously property owners are going to have to

give permission to allow pick up and delivery on individual properties. He said the parking at the Bonney Lake Food Bank is already very limited and parking a bus there could cause issues within the parking lot.

Councilmember McKibbin asked about the possibility of utilizing the previous Pierce Transit bus stops. Mr. Bates reminded Council that this is a pilot project and they will need to see what happens after July 1st if the program will be able to continue. He said the program is offered Monday through Saturday from 7:00 a.m. – 6:00 p.m. and on Sundays from 9:00 a.m. – 2:00 p.m. He said if the pilot project is allowed to continue then they will see if the routes need to be revised and what options are available for stops. Councilmember Hamilton said he thinks the best approach would be to utilize the old Pierce Transit stops, as the cutouts are already there, and to find out what transportation easements may be available. Public Works Director Grigsby said he is uncertain as to what type of agreements would need to be reached for stops on the City's properties, as well as with WSDOT for routes along SR 410. Councilmember McKibbin said he would like to talk further with Mr. Bates about his service. The Council thanked Mr. Bates for taking the time to come to the Workshop and for providing information regarding the Beyond the Borders Connection pilot program.

Gnomes in City Parks. Councilmember Watson reported on the growing “gnomes activity” in City parks. He said there has been quite a following on Facebook and a lot of interest for the City's parks.

Parks Appreciation Day. Councilmember Hamilton asked for confirmation of the date for Parks Appreciation Day. Mayor Johnson confirmed that Parks Appreciation Day is scheduled for April 20, 2013 at 9:00 a.m. Councilmember Hamilton encouraged everyone to go out and take care of play at the parks.

C. Review of Council Minutes: March 30, 2013 Council Retreat, April 2, 2013 Council Workshop, and April 9, 2013 Council Meeting.

Councilmember Lewis provided some minor corrections. Deputy Mayor Swatman said he is concerned about the minutes where a citizen can sign up to speak but Council does not have an opportunity to respond to public comment. Administrative Services Director/City Clerk said that staff can be more broad in their summary. City Administrator Morrison said Council could return to using “action” minutes. City Administrator Morrison suggested that the minutes regarding citizen comments be brief and if someone is interested in the comments made then they could listen to the audio for further detail. Mayor Johnson said if Council would like staff to take broader minutes, they can request that. City Administrator Morrison said his previous experience on citizen comments is to list the name and topic(s) in which citizens comment on.

Deputy Mayor Swatman commented on a separate subject in which a citizen made comments regarding condemnation actions. Deputy Mayor Swatman said citizens tend to mix definitions of taking property and he said clearly the Washington State Constitution prohibits public entities from taking property and individuals have to be fairly compensated, unless a jury is necessary to determine the compensation. Mayor Johnson also referred to the citizen comments regarding the Moriarty property at the April 9th City Council meeting. He said a developer owned the property at the time, not a private individual, and he does not remember an offer of \$800,000 being made. Mayor Johnson said he remembers the discussion on that piece of property, and it was seen as being a good investment for the future, the developer made money on selling the property, the City saved the property from being developed, and the majority of the citizens were in favor of the City purchasing the property.

The minutes were forwarded to the April 23, 2013 Meeting for action, with revisions.

- D. Tabled from 4/9 for Discussion/Action: AB13-31 – Ordinance 1459 [D13-31] – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 12.12 Of The Bonney Lake Municipal Code And Corresponding Portions Of Ordinance Nos. 1338, 1232, 1037, 826, And 669 Relating To Boat Launch Fees.**

City Attorney Haggard said the item went to the full Council on April 9, 2013, and this version makes a correction to clarify the \$100 administrative fee for a lost or stolen pass applies to both residents and nonresidents. She said the only other issue is if Council believes the \$100 administrative fee for a lost or stolen pass is an adequate amount. Facilities and Special Projects Manager Leaf said some of the Park Board members felt the \$200 fee for nonresidents was too high and he said that Park Board Chair Jim Bouchard was present to comment. Councilmember Hamilton said this amount was selected by comparing what the County charged, or otherwise just leaving the amount as proposed. Manager Leaf said the Park Board is aware of the previous discussion in 2004. Mayor Johnson said he thinks residents of the City should get the benefit of being a City resident, and he does understand the City's need to be competitive with the County. Councilmember Hamilton said the Council and Mayor all reside in Pierce County and pay County taxes that. He said the citizens of Bonney Lake pay for that park and he thinks they should be the ones to benefit from the taxes they pay. Councilmember Minton-Davis said the City and County fees are comparable. Councilmember Watson said citizens are the Councils' priority. Manager Leaf said the grant used to originally build the launch does allow for the City to offer the pass to residents and nonresidents. Councilmember Minton-Davis said she doesn't think they will be a lot of nonresident boat launch passes will be issued. Mayor Johnson said if they choose not to purchase a pass then they can still launch by paying at the launch.

Councilmember Watson moved to approve Ordinance 1459. Councilmember Lewis seconded the motion.

Ordinance 1459 approved 6-0.

Park Board Chair Jim Bouchard said there was discussion at the April 9, 2013 Park Board Meeting. He said it is his perception that Council are trying to avoid nonresident's usage of the boat launch. He said by not encouraging nonresidents to use the boat launch he believes it pushes away sales from local restaurants, gas stations, and grocery stores. He said he did some calculations and figures that the City would be getting their money if a nonresident uses the pass 4-5 times. He asked staff to track the use of the passes, both residents and nonresidents. Mayor Johnson said he will make sure the City is getting the information it needs to track the passes. Deputy Mayor Swatman asked how the City can determine if usage at the boat launch is a resident or nonresident and Chief Financial Officer Juarez said the Finance Department has the ability to track the usage and provide reports.

- E. Discussion/Action: AB13-45 – Resolution 2290 – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Awarding the Fennel Creek Trail and 192nd Avenue Sidewalks Project Phase 2 Contract to Pivetta Brothers Construction, Inc.**

Councilmember McKibbin moved to place Agenda items E, F, and G on the table for action. Councilmember Watson seconded the motion.

Motion approved 6-0.

Public Works Director Grigsby said the City was awarded a Safe Routes to School Federal Grant for \$1,098,000 on June 1, 2007. Phase 1 comprised of sidewalk improvements along the 192nd Avenue E corridor and several side streets. Phase 1 was designed in 2008 and constructed in the summer of 2010. Phase 2 is the trail portion of the program that will

connect the Willowbrook subdivision community to the sidewalks completed in 2010 and ultimately to the schools on the east side of Fennel Creek. He said the project had to go to rebid because the previous highest two bidders contracts were not approved. He said the project and contract has now been approved by WSDOT. Councilmember McKibbin asked if these agenda items could have been forwarded to the Planning Commission for recommendation. Deputy Mayor Swatman said they would not because they are mainly approving the financing of the project and contracts.

Councilmember Watson moved to approve Resolution 2290. Councilmember Lewis seconded the motion.

Resolution 2290 approved 6-0.

- F. Discussion/Action: AB13-46 – Resolution 2291** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Awarding the Professional Services Agreement with Bruce Dees & Associates for Construction Engineering Services for the Fennel Creek Trail and 192nd Avenue Sidewalks Project Phase 2.

Councilmember Hamilton said Bruce Dees does great work.

Councilmember Lewis moved to approve Resolution 2291. Councilmember McKibbin seconded the motion.

Resolution 2291 approved 6-0.

- G. Discussion/Action: AB13-47 – Resolution 2292** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Awarding the Local Agency Agreement with Parametrix for Construction Surveying Services for the Fennel Creek Trail and 192nd Avenue Sidewalks Project Phase 2.

Councilmember Watson moved to approve Resolution 2292. Councilmember Lewis seconded the motion.

Resolution 2292 approved 6-0.

- H. Discussion: AB13-52 – Resolution 2295** – Conversion of Water Supply Purchase from Cascade Water Alliance to Tacoma Public Utility.

Public Works Director Grigsby summarized the contents of the items contained in the agenda packet relating to the conversion of the water supply purchase from Cascade Water Alliance to Tacoma Public Utility. Director Grigsby said that rather than having Cascade be a middle man, it is more efficient for the City to purchase water directly from Tacoma Water in the future and that the first step in this conversion process is for the Mayor to sign a Confirmation Notice to be sent to Cascade requesting a SDC Credit.

He summarized that the proposal to purchase 2MGD for a year round supply, since the City has been unable to find a year round supply on the east side of Lake Tapps, would be a substantial savings for the City. Councilmember McKibbin about whether this item could have been referred to the Planning Commission, or possibly the Finance Committee for review prior to coming to the Workshop. He said it sounds like this agreement sets the City up for the future. Director Grigsby said that RH2 advised him in 2005 that this type of conversion would be adequate for the City's needs.

Councilmember Lewis asked about the 2005 figures and how they are different than the 2007 figures and the growth projections that had happened up to that point. He said the City needs a water supply to keep growing. He said water and sewer are important factors, and he thinks it is a good deal. Councilmember Watson asked Director Grigsby if he anticipates a time in the future when water may not be available from TPU. Director Grigsby said the only constraint from pipeline one, which runs through Buckley and Bonney Lake and then off the plateau, is that sometimes in approximately September they have had issues with turbidity, however that usually occurs after the City's peak demand period, which is in the months of June through August, so he does not have any concerns. Deputy Mayor Swatman asked what will happen to the water rights for the Reed property/White River Drainage Basin if the Council proceeds with this agreement. Director Grigsby said the City still has the option to explore new wells, or could decide this new 4MGD is sufficient. Deputy Mayor Swatman confirmed with Director Grigsby that the City will still have the ability to explore water right options at the White River Drainage Basin. Director Grigsby said that even if the City was to find a 2MGD aquifer that the City would still have to be concerned about the quality of the water and the cost of the treatment plant. Councilmember Hamilton spoke about the concerns water developers experienced in the past and he thinks it is important to have the capacity. Director Grigsby said the peak months supply is what the City builds its growth on. He said if a well or spring was contaminated or the aquifer dried up for some reason then the City would have the 8MGD would be available as the fresh surface water and ground water run off from the mountains would guarantee the water supply. Councilmember Hamilton said in 20-30 years the City will have the lake as a water resource, but will not need to utilize that resource.

Resolution 2295 was forwarded to the April 23, 2013 Meeting for action.

I. Discussion: AB13-61 – Resolution 2299 – Eastown Improvement Design Updates Contract with RH2.

Public Works Director Grigsby said this contract accomplishes three things. He said the City needs to update the plans and specifications before advertising the contract. The City has also found a way to improve the communication system in the lift station, but because RH2 is the designer when the City awards the construction contract they will also be the 5% for engineering services. He said instead of having a separate contract with RH2, this contract includes all three, which is why the contract amount is larger than just updating the specifications.

Councilmembers and the Mayor discussed whether matters involving Eastown should go to the CDC, or whether they should be brought to the full Council at Workshop for approval at a Council Meeting.

Councilmember Minton-Davis asked if this adds additional costs to the project and Director Grigsby said the costs are within the amount approved.

Director Grigsby said that the design contract needs to be complete before the City can contract for the construction. He said the City also needs to get approval from the Army Corps of Engineers. Resolution 2299 was forwarded to the April 23, 2013 Meeting for action.

J. Discussion: Council Retreat Follow-up Report from Retreat Facilitator Martha Bryan.

Councilmember McKibbin said that the facilitator was very consistent. Deputy Mayor Swatman asked if any Council items were not covered at the retreat. Councilmember Watson said at the earlier CDC meeting they discussed the Economic Development Committee (EDC) group and he thinks they maybe should have discussed that during open discussions.

Councilmember Minton-Davis said CDC will meet twice a month, and one of those meetings will focus on EDC. Councilmember McKibbin said the agendas will be built to reflect the specific focuses. Mayor Johnson asked if this will capture what they discussed with Martha Bryan at the retreat. Councilmember McKibbin said with City Administrator Morrison's help they will focus on creating and implementing policies starting as the base. Councilmember Minton-Davis noted that the Economic Development Plan is part of the Comprehensive Plan and the CDC/EDC will work on it and when complete will forward it on to the Planning Commission for their review and recommendation. Councilmember Hamilton asked what the EDC focus committee is going to work on first. Councilmember McKibbin said they will first focus on the policies and the Comprehensive Plan. Councilmember Hamilton asked if the CDC/EDC will discuss the light at 204th Avenue E. Councilmember McKibbin encouraged Councilmember Hamilton to let the CDC/EDC know.

Councilmember Watson said he hopes to have an update on the budget in the first week of May. Mayor Johnson asked Council if they were happy with the recap provided by the facilitator. Councilmember Lewis said he was impressed with the way the retreat had gone, but he was surprised to see the misspellings in the recap. Councilmember Watson said he thought it was a successful retreat, as did Councilmember Hamilton.

IV. EXECUTIVE SESSION: None.

V. ADJOURNMENT:

**At 7:23 p.m., Councilmember Lewis moved to adjourn the Council Workshop.
Councilmember Watson seconded the motion.**

Motion to adjourn approved 6-0.



Harwood Edvalson, MMC
City Clerk



Neil Johnson, Jr.
Mayor

Items presented to Council for the April 16th Special Joint City Council/Planning Commission Workshop:

- Lyle Bush – (2) *Beyond the Borders Connector Handouts* – Beyond the Borders Connector.
 - Free Transportation in Bonney Lake - 1-hour Service Loop “on the hour”
 - Free Transportation Linking Bonney Lake & Sumner - The Connector Express

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.