

CITY COUNCIL WORKSHOP

**November 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

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

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the Workshop to order at 5:34 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 Mark Hamilton, Councilmember Donn Lewis, Councilmember Katrina Minton-Davis, Councilmember Randy McKibbin, Councilmember James Rackley, and Councilmember Tom Watson.

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

III. AGENDA ITEMS:

A. Council Open Discussion:

Food Bank Donation Challenge: Councilmember Watson provided Laurie Carter with a cash donation toward her challenge for the Food Bank Donation. Mayor Johnson said he will provide Mrs. Carter with his donations, and he has a food bin outside of his garage for donations. He encouraged everyone to participate to help the Food Bank.

Reader Board for City Events: Councilmember Watson said he would like to see a reader board providing information about all City events. He believes the different City departments could pay for it out of their respective budgets.

Council Retreat: Councilmember Minton-Davis inquired about the next Council retreat and would like to see it get scheduled early. Councilmember Watson said he thinks getting the retreat scheduled early will help the Council to keep focused on their priorities. Deputy Mayor Swatman said he too thinks getting a retreat scheduled on the calendar will be beneficial for Council to discuss issues and options.

Re-Appointment of Judge Heslop: Mayor Johnson said he sent out information regarding re-appointing Judge Heslop for another four-year appointment. He said the re-appointment will be on next week's Council meeting agenda. He said since he has heard no feedback from Council he is hopeful that the re-appointment will be approved. Councilmember Hamilton said his only concern was the bad publicity the City received due to Judge Heslop's outside business, but those concerns have been resolved.

Shoreline Master Plan Issues: Deputy Mayor Swatman said he attended the meeting at Dieringer School District with Senator Pam Roach regarding concerns with the Shoreline Master Plan regulations that the Department of Ecology (DOE) is considering. He said he

wanted to make everyone aware of the issues involving the shoreline regulations the residents will be facing in dealing with DOE.

Election Costs: Deputy Mayor Swatman spoke regarding concerns with costs associated with elections and wanted to make Council aware of the costs.

Council Committees: Deputy Mayor Swatman said with the new year he would like the Council to evaluate and make determinations regarding the various Committees and Commissions.

Election Results: Councilmember Hamilton congratulated those who won re-election and reminded all that there will always be future opportunity to run for positions. Councilmember Rackley said one of the issues he would like to have Council focus on during the retreat is how to get voters to participate in the democratic process.

B. Review of Council Minutes: November 5, 2013 Council Workshop and November 12, 2013 Council Meeting.

The November 5, 2013 Council Workshop and November 12, 2013 Council Meeting minutes were forwarded to the November 26, 2013 Meeting for action.

C. Discussion: AB13-127 – Public Comments from Public Hearing Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Consider Revenue Sources And Possible Property Tax Increases Before Setting The Ad Valorem Property Tax Rate For 2014.

Councilmember Watson said he has a concern with raising the taxes. Chief Financial Officer Juarez provided Council with an explanation of the proposed tax rate and where the money comes from due to new construction. Councilmember Rackley inquired about the banked capacity and the maximum 1% rate. Councilmembers Hamilton and Watson said they would like to see the Council review and discuss this issue when in next year's budget. Councilmember Minton-Davis spoke regarding one of the workshop sessions she attended at the Association of Washington Cities conference, and recalled that cities who do not make small incremental increases eventually have to raise the tax rate dramatically. Councilmember Rackley said he believes the drop in the rate is due in large part to the incentives developers have received. The continued public hearing on this issue is scheduled for November 26, 2013.

D. Presentation: Tehaleh Update - Newland.

Scott Jones, Vice President and General Manager of the Tehaleh, provided an update and slideshow of the Tehaleh development(s). Councilmember Lewis inquired about the 198th Avenue improvements and Mr. Jones advised that those improvements should be completed in 2015. Councilmember Hamilton inquired about the increased employment rate and Mr. Jones responded. Deputy Mayor Swatman inquired about the free trade zone and Mr. Jones again responded. Deputy Mayor Swatman then asked why Tehaleh isn't considering annexing into the City of Bonney Lake. Mr. Jones stated that is up to the residents of Tehaleh and the registered voters. Deputy Mayor Swatman asked Mr. Jones if

Tehaleh would be willing to provide a letter to the County regarding Tehaleh's desire to annex into the City of Bonney Lake. Councilmember Watson told Mr. Jones he is concerned with the pressure that Tehaleh residents will put on Bonney Lake's roadways. Mr. Jones spoke regarding the mitigations measures tied to the development and that the future phases will be identified as development progresses. Mayor Johnson asked Mr. Jones about a previous proposal regarding widening Rhodes Lake Road. Mr. Jones advised that the Plateau 465 project team is working to discuss that proposal, as well as other issues. No action was taken.

- E. Discussion:** AB13-135 – Public Comments from Public Hearing Of The City Of Bonney Lake, Pierce County, Washington, Regarding Ordinance 1468, Declaring A Moratorium Prohibiting The Production, Processing, And Retail Sales Of Recreational Marijuana And Prohibiting Granting Of Any City License Or Permit Related To Such Activities.

Deputy Mayor Swatman spoke regarding the public comments received at the November 12, 2013 Public Hearing. He said the speakers clearly stated that they do not want marijuana retail businesses and he believes it is Council's decision to not allow these businesses in the City. Councilmember Hamilton asked if the City can just reject the State's recommendation. City Administrator Morrison said he asked the State Liquor Control Board to remove the City off the list of potential cities to offer marijuana retail businesses, but the State said 'no'. Councilmember Rackley said he attended a Chamber of Commerce meeting last week and the question was raised as to which businesses would want a marijuana retail business next to theirs. City Attorney Haggard stated that these types of businesses are not still not regulated. Councilmember Watson said he is glad to see that Council is working together in supporting the philosophy that marijuana will not be allowed in the City. Councilmembers Lewis and Minton-Davis agreed.

Councilmember Minton-Davis asked about whether any applicants will go through the permitting process and City Attorney Haggard said the City's current moratorium will not allow any applications to be processed. She said if the City lifts the moratorium, then the applicant would have to be in compliance with zoning regulations and building approvals, and if the City did not approve the permitting then the applicant would not have the right to operate a business. City Attorney Haggard stated she would recommend the City have their regulations in place before the moratorium expires, a valid application is received, and the process begins. City Administrator Morrison stated if more than one application is received then a lottery would be held to see which applicant would be permitted to go through the permitting process. Councilmember Hamilton asked if the City can regulate these type of businesses like they do for adult entertainment. Mayor Johnson said the City is going to work with the other cities as a coalition to not permit these types of businesses. City Attorney Haggard said the biggest issue is determining the zoning regulations and getting them approved. No action was taken on this agenda item.

- F. Continued Discussion:** AB13-105 – Resolution 2322 – A Sewer Development Financing Contract and Utility Latecomer Agreement with Kahne Properties, LLC Re: Eastown Southern Sewer Development.

Public Works Director Grigsby noted that Council discussed this issue on October 1, 2013 and summarized his memo that was included in the agenda packet. Councilmember

Watson asked about the Swift property. Director Grigsby addressed the two different options regarding the Swift property. Councilmember Watson asked about the Shepard/Morris property, and Director Grigsby said the construction easement can be on the same side of their parcel so it will not affect their future development. Deputy Mayor Swatman said there is an impact to the Shepard/Morris property, but they cannot come to an agreement as to what the impact is when they all want sewer. Director Grigsby said staff did look at other options, but those would have involved more than one property owner. Director Grigsby said if the City choose to build the sewer system along SR 410 then another lift station would have to be built and maintained.

Councilmember Minton-Davis thanked everyone that worked on the agreement and said it has been explained very well. She asked about the Chan property; Director Grigsby said the Chan property owners have been notified of the public hearings but they have not responded. Bill Moffitt (developer with Kahne, LLC) and Councilmember Hamilton spoke regarding the easements and the issues if the property owners do not allow access onto their property. Councilmember Hamilton asked for confirmation that the City would have the same rights as the County did before it was annexed, since these easements are from 1982. Councilmember Lewis asked about the potential road that would be put through to SR 410. The item was forwarded for action at the November 26, 2013 Council Meeting.

G. Discussion: AB13-140 – Mid-Biennial Budget Amendments.

City Administrator Morrison provided detail about the 2013-2014 Mid-Biennial Budget Amendments. He said the public hearing regarding the budget amendments is scheduled for November 26, 2013. Mayor Johnson said he wants to make sure that the monies for the crosswalks that Councilmember Lewis spoke about during the November 5, 2013 Council Workshop are addressed. Councilmember Rackley said he would like to see the Council find funds for public outreach via the internet. Mayor Johnson and Councilmember Hamilton proposed putting together an ad hoc committee to discuss and review the future of the City's website to provide increased public outreach. Councilmember Watson suggested adding this item to next year's retreat. A public hearing on this item is scheduled for the November 26th Council meeting.

H. Discussion: AB13-128 – Resolution 2337 – Requesting the WA Secretary of Transportation reduce the speed limit on SR410 to 35mph in Downtown Bonney Lake.

Councilmember Minton-Davis proposed postponing this topic to a future workshop for discussion. City Administrator Morrison provided a brief explanation of this item. He said he is concerned with the downtown landscape median that is required on SR 410 for areas in a 45 mph speed zone. He said City staff have met with the Washington State Department of Transportation (WSDOT) regarding the speed limits along SR 410 between Veterans Memorial Drive and Main Street. Director Grigsby said WSDOT did a study that said 15% of the vehicles were exceeding 40 mph. Mayor Johnson said he has seen numerous requests from citizens to reduce the speed limit to 35 from Veterans Memorial Drive to 214th. Director Grigsby said WSDOT has approved the design as proposed. Deputy Mayor Swatman asked staff to check with WSDOT to determine what the minimum median height would be. Councilmember Hamilton said he is more concerned with safety issues than aesthetic issues. He suggested the issue be sent to the

Public Safety Committee for review and a recommendation. Councilmember Watson moved to table the issue to the Public Safety Committee and Councilmember Minton-Davis seconded.

- I. Discussion:** AB13-146 – Pierce County Wide Planning Policy Amendment and Comprehensive Amendment T-1 relating to methodology for expanding Urban Growth Areas within the County.

Senior Planner Sullivan provided a summary of the three proposed amendments. Councilmember Rackley said the Council should support these amendments as presented. Councilmember Lewis said he keeps up to date with Puget Sound Regional Council and he recommends approval of the proposed amendments. He said the issue regarding the T-1 Amendment relating to methodology for expanding the Urban Growth Area within the County requires that the two documents are consistent. He said in order to expand the Urban Growth Area capacity in Bonney Lake, the City would have to demonstrate the need throughout the County. Senior Planner Sullivan said the County Council will not consider the City's Comprehensive Plan Amendment without the interlocal agreement.

Councilmember Hamilton said if the City seeks to expand the Urban Growth Area the Friends of Washington group will bring concerns forward. He said the County is in a difficult situation and need this amendment to be passed. Council consensus was to support the amendments.

The Pierce County Wide Planning Policy Interlocal Agreement was forwarded to the November 26, 2013 Meeting for action.

- I. Executive Session:** Pursuant to RCW 42.30.110(1)(b), the Council adjourned to an Executive Session at 8:01 p.m. for 20 minutes to discuss potential property acquisition. The Council returned to chambers at 8:14 p.m.

Mayor Johnson asked for a motion to amend the agenda and add an action item.

Councilmember Rackley moved to suspend the Council rules to amend the agenda and add Resolution 2349 as an action item. Deputy Mayor Swatman seconded the motion.

**Motion to add Resolution 2349
to the agenda approved 7 – 0.**

Administrative Services Director/City Clerk Edvalson read the action item, which was a resolution ratifying an agreement between the City and Union Bank for a purchase and sale agreement for the property located at 22405 SR 410 E in Bonney Lake. Deputy Mayor Swatman thanked the staff and Council for all of their work on this item. Councilmember Watson said he thinks it is a great opportunity for the City to move forward with this property acquisition. Councilmember Hamilton said he too thinks it is a great opportunity for the City to move forward towards building a new Public Works Center on the property. Councilmember Lewis said he thinks it is a great investment of the City's utility funds to benefit the City for an easily-accessible Public Works Center. Mayor Johnson thanked staff and Councilmember McKibbin for all of their hard work on this property acquisition.

Councilmember Rackley moved to approve AB13-148 – Resolution 2349 – A Resolution Of The City Council Of the City Of Bonney Lake, Washington, Ratifying A Purchase And Sale Agreement To Purchase One (1) Parcels of Land In Eastown, To Wit Pierce County Parcel #0591021032 Located at 22405 SR 410 E, Consisting of 20.83 Acres, In Order to Further Implement the Development of a Public Works Center. Councilmember Lewis seconded the motion.

Resolution 2349 approved 7 – 0.

IV. ADJOURNMENT:

At 8:17 p.m., Councilmember Lewis moved to adjourn the Council Workshop. Councilmember Watson seconded the motion.

Motion to adjourn approved 7 – 0.



Harwood Edvalson, MMC
City Clerk



Neil Johnson, Jr.
Mayor

Items presented to Council for the November 19, 2013 City Council Workshop:

- Scott Johns, Newland Communities - *PowerPoint Presentation Re: Tehaleh.*

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.