

CITY COUNCIL MEETING

City of

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.

**November 23, 2010
7:00 P.M.**



AGENDA

"Where Dreams Can Soar"

Website: www.ci.bonney-lake.wa.us

SIGN-UP TO SPEAK FOR SPECIFIC ACTION ITEMS ON THE AGENDA: *If you have signed-up prior to the Council meeting to speak with respect to a particular ordinance or resolution appearing on the agenda, you will be recognized to address the Council for up to one minute before the Council takes action on that item. Those wishing to address such items on the "Consent Agenda" should do so during the "Citizen Comments" portion of the Agenda. If the Council chooses to discuss the item further after taking comments, they may restrict additional public comment before taking action. Please look for the sign-up sheets near the Council Chamber doorway. (See Item II B. for Citizen Comments on other items of City business.)*

I. CALL TO ORDER – Mayor Neil Johnson, Jr.

A. Flag Salute – Mayor Neil Johnson, Jr.

B. Roll Call:

Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember James Rackley.

[Management Staff expected to be in attendance: City Administrator Don Morrison, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Administrative Services Director/City Clerk Harwood Edvalson, Community Services Director Gary Leaf, and City Attorney Jim Dionne.]

C. Announcements, Appointments and Presentations:

1. Announcements: None.
2. Appointments: None.
3. Presentations: None.

D. Agenda Modifications:

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

1. **2011 – 2012 Proposed Biennial Budget. (Continued from 11/16/10)**
*****Please Bring Copy of Budget Previously Distributed*****

B. Citizen Comments:

You may address the City Council on matters of City business for up to 5 minutes. Those commenting about ordinances or resolutions on the "Consent Agenda" should limit their comments to one minute per item. When recognized by the Mayor, please state your name and address for the official record. Designated representatives speaking on behalf of a group may take up to 10 minutes on matters of general City business.

C. Correspondence: [A 1.2]

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee
- B. Community Development Committee
- C. Public Safety Committee
- D. Other Reports

IV. CONSENT AGENDA:

The items listed below may be acted upon by a single motion and second of the City Council. By simple request to the Chair, any Councilmember may remove items from the Consent Agenda for separate consideration after the adoption of the remainder of the Consent Agenda items.

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A. **Approval of Corrected Minutes:** November 2, 2010 Council Workshop and November 16, 2010 Council Meeting.

B. **Accounts Payable Checks/Vouchers:** Total = \$792,483.09. (See full agenda packet for details.)

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C. **Approval of Payroll:** Payroll for November 1 - 15, 2010 for Payroll for November 1-15, 2010 for checks **29421-29444** including Direct Deposits and Electronic Transfers in the amount of **\$ 387,854.28**.

V. FINANCE COMMITTEE ISSUES:

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A. **AB10-184 – Resolution 2085** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Memorandum Of Understanding With The Bonney Lake Police Guild For Police Officers And Support Services

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

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A. **AB10-177 – Ordinance D10-177** – An Ordinance of the City of Council of the City of Bonney Lake, Pierce County, Washington, Setting The Amount Of The Annual Ad Valorem Tax Levy Necessary For The Fiscal Year 2011.

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B. **AB10-150** – An Ordinance of the City of Council of the City of Bonney Lake, Pierce County, Washington, Amending R-1 Zoning To Allow Accessory Dwelling Units As A Conditional Use.

IX. EXECUTIVE SESSION: Pursuant to RCW 42.30.110, the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

X. ADJOURNMENT

For citizens with disabilities requesting translators or adaptive equipment for communication purposes, the City requests notification as soon as possible of the type of service or equipment needed. THE COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA

COUNCIL WORKSHOP

November 2, 2010

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

Audio Time Stamp ↓

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd, Bonney Lake.

I. Call to Order: Mayor Neil Johnson, Jr. called the Workshop to order at 5:29 p.m.

II. Roll Call: [A1.3]

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember James Rackley.

[Staff members in attendance were Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Development Director John Vodopich, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist Shawn Campbell.]

III. Agenda Items:

5:29:41

A. Council Open Discussion:

Bonney Lake Food Bank: Councilmember Rackley commented on a letter to the editor in the Bonney Lake Courier Herald regarding the Food Bank floor. He inquired to the safety of the floor and the building as a whole. Councilmember McKibbin asked if the rental agreement stated who was to maintain the building. Councilmember Hamilton inquired to the City’s responsibility to the public if the building as a whole was unsafe. Community Services Director Leaf explained that the floor at the Food Bank is concrete and is not considered unsafe at this time. He said the building as a whole would not meet current building codes and that the Food Bank is only to use the second floor for storage. Councilmember Decker stated that the building met code when it was built. City Administrator Morrison stated that a building official has not inspected the building in several years. Mayor Johnson clarified that the Food Bank has not approached the City to do any repairs or request funds, and his understanding is that the building is safe. He asked Community Services Director Leaf to meet with Mr. Bowen and check into this issue.

Low Income Housing: Councilmember Rackley shared that a developer of a manufactured home park informed him that in order for the manufactured homes to meet the new City code regarding sprinkler systems it would cost approximately \$6,000 per unit. Councilmember Carter asked how much the actual mortgage would increase. She said these homes need the fire sprinklers. Councilmember McKibbin asked about making exceptions based on mortgage prices. Councilmember Rackley said the cost is for new construction not a retro fit. Councilmember Decker asked Councilmember Rackley to check into the \$6,000 figure. Councilmember Lewis said

he does not want to sacrifice safety. Councilmember Rackley will do research and report to Council.

Fennel Creek Wetlands Mitigation: Councilmember Hamilton asked if Council has interest in getting a briefing from the State on the Fennel Creek Wetlands Mitigation project. Public Works Director Grigsby stated they are building habitats, putting in new trees and adding natural vegetation. He will set up a tour for the City.

Park Board Meeting: Councilmember Carter said the Fennel Creek Trail Committee will be in attendance at the next Park Board meeting on Monday, November 6th at 6:00pm. Councilmembers could attend and learn new information about Fennel Creek.

Kelly Farm Event Center: Councilmember Carter asked for clarification on the Mayor's Newsletter regarding the Kelly Farm Event Center. Director Vodopich said staff met with the owner's representative to discuss options for connecting to the City's water system to meet fire flow requirements to the site's existing barn. The developer is proposing to use the existing barn structure as a wedding/meeting hall. Councilmember Hamilton asked if the City checks on the status of permits before extending water service. Director Grigsby stated this property is in the County and the City does not get involved in the permitting process in the County. Mayor Johnson stated the City does communicate with the County on these issues. Director Grigsby said since the property is in the City's water service area the property owners will be required to get all the proper permits and provide information to the City in regards only to the water.

Planning Commission Work Plan: Councilmember Carter asked if Council would like to add a motion to the Planning Commission Work Plan for a planning and land use change for commercial and residential compatibility. City Administrator Morrison shared that this is an outgrowth of a current part of the work plan as design standards for nightclubs. He shared several issues that are a concern. He said the City could have two basic approaches: amend all codes to add soundproofing measures; or require each builder to submit a plan for each individual property that includes soundproofing. Councilmember McKibbin suggested having developer agreements for each development. Councilmember Carter stated Council needs to consider peaceful coexistence between commercial and residential uses. She said it is not economical for property owners to have to continue renting properties due to high turnover because of noise in the area. Mayor Johnson said if Council agrees to make these changes it should be an exhaustive effort. By consensus, this item was added to the Planning Commission Work Plan.

Interim Justice Center: Councilmember Carter asked about Edward Jones occupying the second floor of the Interim Justice Center. City Administrator Morrison said that the tenant improvement cost would be too high unless Edward Jones wanted an open-air ceiling, and that signage placement was still a concern. He also stated if the City uses the IJC for employees from the Annex there will not be space to lease on the second or third floor. He asked for Council's direction on pursuing tenants or moving forward with plans for employees from the Annex occupying the space. Councilmember Rackley stated he would rather have City employees in the new building. Councilmember Hamilton said he is in support of having the employees at the IJC. He asked about revenue lost from not having a tenant in the IJC. Mayor

Johnson stated part of the cost would be recouped with not paying the lease on the modular building at the Annex. Council asked that Edward Jones be given the option to lease the Annex building. Council agreed by consensus to have the employees from the Annex move into the IJC and make the Annex building available to lease. Council asked for a tour of the IJC. The Council Workshop scheduled for November 16, 2010 Workshop will begin at 4:45pm at the IJC for a tour. Mayor Johnson asked Council for approval of the layout for the IJC dedication plaque. By consensus, Council chose to approve the larger plaque.

County Flood Control District: Councilmember Carter said the Tacoma News Tribune reported that the flood control plan will cost \$725 million. She said people can attend one of the future Open Houses for more information. City Administrator Morrison attended a City Administrator's lunch where they discussed the Boundary Review Board's preliminary decision not to allow exclusions from the Flood Control District. He stated that the final vote will be on November 12, 2010, and the County is not receptive to separate zones within the district. The County said they are not sure if it is legal to have varying rates, though the County currently has varying rates for Transportation Impact Fees. City Administrator Morrison said after the final decision is made on November 12th the City has 30 days to appeal the decision which will cost \$15 - 20,000 thousand. The cost may be spread between all the Cities that are part of the appeal. If the City does not appeal, the cost for the citizens of Bonney Lake is \$1 million per year. Councilmembers Rackley and McKibbin stated they felt it was irresponsible not to appeal.

Community Events: Councilmember Carter shared there will be a Veteran's Monument Dedication ceremony on Sunday, November 7, 2010 in Buckley. Buckley Youth Center will hold a Spaghetti Feed on November 20, 2010 at 5:00pm at the Buckley Eagles. She said she attended the Bonney Lake High School drama department play and complimented them on the performance. She was a judge in the Bonney Lake Chamber of Commerce decoration contest, and noted all the great costumes in the Citywide trick or treat. She attended the City of Sumner Council Meeting to listen to the public comments on the changing of the UGA for the Orting Crossing. She has a check for \$100 to give to the Mayor to add to the YMCA fundraising account. Councilmember Rackley said the Bonney Lake High School had a Trick-or-Treat event for the Bonney Lake Food Bank. He attended the Bonney Lake High School football game. Mayor Johnson shared that Bonney Lake High School will have two assemblies honoring Veterans on Tuesday, November 9, 2010 at 7:30am and 8:30am.

Food Bank: Councilmember Carter stated the Council should start early on collecting food this year. She has challenged everyone to bring jars of peanut butter to Council Meetings. She will match every jar of peanut butter brought in. Mayor Johnson confirmed he is doing his Turkey Bowl again this year. Council agreed to not exchange gifts this year but to donate the funds locally.

Board and Commission Minutes: Councilmember Lewis requested access to the various City board and commission minutes in a timely manner. This would allow Council to be aware of items and issues going on in the City. Councilmember Rackley stated he would like to have notes from every board and commission on the City website. City Administrator Morrison stated the City recently adopted a new administrative policy regarding publication of minutes and asked to be informed if

this was not rectified after the next meeting. Mayor Johnson asked Councilmembers to let him know if they are getting timely response from City staff.

County Economic Stimulus: Councilmember McKibbin asked if the City is looking to implement a City economic stimulus plan. Deputy Mayor Swatman said developers are going to build in the most economical places and if the County provides incentives, they will chose to build in the County as opposed to inside City limits. Councilmember Carter read a Wall Street Journal article that stated developers are charging additional costs at the time of closing in other parts of the country.

Tacoma News Tribune: Mayor Johnson said he met with Sarah Schillings, a new reporter for the News Tribune. They discussed various City events and activities.

6:43:31

- B. **Review of Council Minutes:** October 19, 2010 Workshop and October 26, 2010 Regular Meeting.

Councilmember Lewis noted that on the October 19, 2010 minutes, p.3, states “20 to 40 million-dollar cost savings from having Eismann Elementary”, and asked that it read “20 to 40 million-dollar cost savings from remodeling and using Eismann Elementary”.

The corrected minutes were moved forward to the November 9, 2010 Meeting for Council action.

6:46:13

- C. **Discussion: From Public Hearing (10/26/10) - AB10-167 - Resolution 2080 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Development Agreement With Swiss Sportsman’s Club Of Tacoma.**

Community Development Director Vodopich said this property is zoned Public Facilities. Deputy Mayor Swatman shared there are different requirements that apply to Public Facilities zones versus Commercial zones. Councilmember Hamilton said if the City sewer system was available for this property, they would be required to tie into the sewer system. He also confirmed if another developer came forward that was in a similar situation, the City would consider a similar agreement. Councilmember McKibbin stated the development requested to change the term from 12 to 18 months for financing reasons. Councilmember Hamilton asked about the requirement for residential property owners to tie into the City sewer system and whether there would be a similar requirement for this property. Director Vodopich stated the agreement is tightly tied to only this one shower facility. If the property owners wanted to develop anything more at a later date, they would need to tie into the City sewer, if it is available. Council consensus was to forward the proposed resolution to the November 9, 2010 Meeting for action.

6:55:31

- D. **Discussion:** Updated City Financial Model and Proposed 2011-2012 Biennial Budget.

Mayor Johnson presented his proposed budget to Council. City Administrator Morrison and Chief Financial Officer Juarez reviewed the financial planning model and summarized the 2011 – 2012 Biennial Budget. Mayor Johnson confirmed this budget does not address the impact of the proposed annexation.

Councilmember Carter asked if the City uses a schedule for sending out “Request for Bids” for City services such as utility billing, public defender and fleet maintenance, since the City has saved significant amounts on each contract that has gone out to bid. City Administrator Morrison stated the City does not currently have such a schedule.

IV. Executive Session: None.

7:39:18

V. Adjournment:

At 7:39p.m. Councilmember Rackley moved to adjourn the Workshop. Councilmember Lewis seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items submitted to Council at the November 2, 2010 Workshop:

City of Bonney Lake – *Financial Model for 2011- 2012 Biennial Budget* – Al Juarez.
City of Bonney Lake – *Highlights Mayor’s Proposed 2011-2012 Biennial Budget* – Don Morrison.
City of Bonney Lake – *Proposed Dedication Plaque for Interim Justice Center* – Don Morrison.

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CITY COUNCIL MEETING

**November 9, 2010
7:00 P.M.**



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

MINUTES

"Where Dreams Can Soar"

Audio Time Stamp ↓

Location: City Hall Council Chambers, 19306 Bonney Lake Blvd., Bonney Lake.

I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 7:00 p.m.

A. Flag Salute: Deputy Mayor Swatman led the audience in the Pledge of Allegiance.

B. Roll Call:

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Swatman, elected officials attending were Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin and Councilmember Jim Rackley. Mayor Neil Johnson, Jr. was absent.

[Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Mike Mitchell, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments: None.

3. Presentations:

a. **Proclamation:** Great American Smoke Out.

Deputy Mayor Swatman read the proclamation aloud, which proclaims November 18, 2010 as 'Great American Smoke Out' Day in the City of Bonney Lake.

b. Planning Commission – **AB10-150 – Ordinance D10-150** – Accessory Dwelling Units in R-1 Zone as a Conditional Use.

Planning Commissioner Brad Doll said the commission developed this ordinance from a citizen's request. The commission recommends that the Council adopt the ordinance to allow accessory dwelling units (ADUs) as a conditional use in R-1 zones. Commissioner Doll said this gives property owners more flexibility and allows them to get extra income from their homes. He said no one from the public spoke at the meetings when the commission discussed the item. Deputy Mayor Swatman said the Council would want more public input before making a decision. Councilmember

Decker said residents in his ward are disappointed that they cannot have ADUs in the R-1 zone. Director Vodopich confirmed for the Council that residents in ADUs are included in buildable lands report calculations.

- c. Planning Commission – **AB10-172 – Ordinance D10-172** – Amending the Transportation Improvement Element of the Comprehensive Plan.

Planning Commission Chair Grant Sulham said the proposed ordinance corrects an inconsistency in the plan that affects the City’s ability to qualify for certain grant and loan programs. He said the ordinance helps get the City’s Transportation plan closer to meeting the Puget Sound Regional Council’s recommendations. City Administrator Morrison said staff worked with the PSRC to help make the City eligible in the interim for grants that the PSRC oversees. He said the City has budgeted funds to update the Transportation element over the next year. Commissioner Sulham said the Planning Commission also encourages the Council to allocate funds to revise and correct inconsistencies in the Comprehensive Plan overall.

- d. Planning Commission – **AB10-174 – Ordinance D10-174** – Amending the Eastown Subarea Plan Element and BLMC in regards to the Eastown Design Standards.

Planning Commission Chair Sulham said the current design guidelines conflict with zoning regulations. He said the proposed ordinance makes several changes, keeping in mind the Council’s desire to encourage development. Amendments include modulated store fronts, requirements for drive-throughs, lighting restrictions, and requirements for pedestrian plazas. He said the Commission did not receive any public comments on this item.

The Council thanked the Commissioners for their input. The proposed ordinances will be discussed at the November 16, 2010 Workshop.

- C. Agenda Modifications: None.

7:17:38

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings:

- 1. **AB10-177 – Ordinance D10-177** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting The Amount Of The Annual Ad Valorem Tax Levy Necessary For The Fiscal Year 2011.

Deputy Mayor Swatman opened the public hearing at 7:17 p.m. Seeing no speakers, the public hearing was closed at 7:18 p.m.

- B. Citizen Comments:

Katrina Minton-Davis, 19004 107th St E, Bonney Lake, presented the City with a plaque for participating in Relay for Life as a Gold Sponsor. She recognized City staff who participate on the Relay for Life committee, particularly David Wells and

Debbie McDonald. She also thanked Chief Mitchell for providing security and the City and Council for their participation and support.

Roger Watt, 22719 SR 410 E, Bonney Lake, said he was not aware of the proposed changes to the Eastown Design Standards (Ordinance D10-174) until he saw it on the Council's agenda. He said he and other Eastown property owners would like to get the opportunity to talk about these proposed changes.

David Bowen, 22523 SR 410, Bonney Lake, said he also did not know about the proposed Eastown Design Standards changes earlier, and plans to keep a closer watch on issues affecting Eastown. He said he plans to attend future workshops and meetings so he can learn more and give input. Councilmember Decker asked how the City could better inform residents about issues. Mr. Bowen said this information is normally published in the newspaper, but it would help if the City emailed residents to let them know about issues that affect them. Councilmember Rackley said information such as Planning Commission agendas are posted online for the public. Councilmember Carter said people can also sign up to receive Council and Planning Commission agendas via email newsletters through the City website.

Director Vodopich said the proposed ordinances presented by the Planning Commission will be discussed at the November 16th Workshop. He said the amendments would be included in the bundle of Comprehensive Plan amendments to be acted on by the end of 2010, otherwise they would have to be delayed until 2011 Comprehensive Plans are adopted at the end of 2011.

C. Correspondence: None.

7:30:21

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and discussed personnel updates, requests for complimentary boat launch passes and proposed property taxes.
- B. Community Development Committee: Councilmember Rackley said the committee met on November 1st and forwarded Resolution 2075 and Resolution 2081 to the current agenda.
- C. Public Safety Committee: Councilmember Hamilton said the committee met on November 1st. Councilmember Decker discussed how the sign code relates to campaign signs. The committee spoke with Jason Wilson from Metro Animal Control about proposed revisions to the animal control contract, and recent changes to the fees and dangerous dog ordinance. Councilmember Carter suggested that the City ask lakefront property owners to post their street address on the lakeshore or docks so people on the lake know their location in case of emergencies. The committee forwarded proposed amendments to the nuisance ordinance to the November 16th Workshop for discussion.
- D. Other Reports:

7:37:28

IV. CONSENT AGENDA:

- A. **Approval of Corrected Minutes:** October 19, 2010 Council Workshop and October 26, 2010 Council Meeting.
- B. **Accounts Payable Checks/Vouchers:** Accounts Payable checks/vouchers #59817 thru 59878 (including wire transfer # 6433216) in the amount of \$133,331.44; Accounts Payable checks/vouchers #59879 thru 59883 for utility refunds in the amount of \$6,510.50.
- C. **Approval of Payroll:** Payroll for October 16 - 31, 2010 for checks 29395-29420 including Direct Deposits and Electronic Transfers in the amount of \$568,595.47.
- D. **AB10-158 – Resolution 2075 -** A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign an Agreement to Amend the Agreement for Water Service With Gary and Carol Thieman.
- E. **AB10-167 – Resolution 2080 -** A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign a Development Agreement with Swiss Sportsman’s Club of Tacoma.
- F. **AB10-168 – Resolution 2081 –** A Resolution of the City of Bonney Lake, Pierce County, Washington, Awarding the North Lake Debra Jane Water Main Replacement Project to Jennings Northwest LLC.

**Councilmember Rackley moved to approve the Consent Agenda.
Councilmember Decker seconded the motion.**

Consent Agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: *None.***VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:** *None.***VII. PUBLIC SAFETY COMMITTEE ISSUES:** *None.*

7:30:15

VIII. FULL COUNCIL ISSUES:

- A. **AB10-179 –** A Motion of the Bonney Lake City Council Setting a Joint Special Meeting with the Planning Commission and Design Commission for 5:30 p.m. on November 18, 2010 in the City Council Chambers.

Councilmember Lewis moved to approve AB10-179. Councilmember Decker seconded the motion.

Motion approved 7 – 0.

IX. EXECUTIVE SESSION: *None.*

7:38:33

X. ADJOURNMENT:

At 7:38 p.m., Councilmember Lewis moved to adjourn the meeting. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

Items presented to Council at the November 9, 2010 Meeting: *None.*

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**ACCOUNTS PAYABLE, UTILITY REFUND AND ACCOUNTS
RECEIVABLE REFUND CHECKS/VOUCHERS**

11/23/2010

<u>TYPE</u>	<u>Check Numbers</u>	<u>Amount</u>
11/5/2010 Accounts Payable Checks	59884 - 59963	\$ 696,416.05
11/5/2010 Accounts Receivable Refunds	59964 - 59966	\$ 6,108.80
11/12/2010 Accounts Payable Checks	59967 - 60001	\$ 81,719.38
11/12/2010 Utility Refunds	60002 - 60011	\$ 2,761.96
<u>Voids</u>		
59733 (replaced by 59924)		\$ (794.50)
59436 (replaced by 59887)		\$ -
59449 (replaced by 59904)		\$ -
<u>Electronic Transfers</u>		
11/1/2010 Merchant E-Solutions	110110	\$ 413.79
10/15/2010 Bank of America	10152010	\$ 1,344.56
11/1/2010 Hasler Mail Machine	11012010	\$ 1,000.00
11/11/2010 American Express	11112010	\$ 2,718.55
Total Amount		\$ 792,483.09

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City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: ASD / Jenna Young	Meeting/Workshop Date: 23 November 2010	Agenda Bill Number: AB 10-184
Agenda Item Type: Resolution	Ordinance/Resolution Number: 2085	Councilmember Sponsor:

Agenda Subject: A Memorandum of Understanding (MOU) between the City of Bonney Lake and the Bonney Lake Police Guild for the 2011 contract opener in the 2009-2011 Collective Bargaining Agreement.

Full Title/Motion: A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Memorandum Of Understanding With The Bonney Lake Police Guild For Police Officers And Support Services.

Administrative Recommendation: Approve

Background Summary: The labor agreement with the Bonney Lake Police Guild for Police Officers and Support Services has an opener for Wages (Appendix A) and Article 17.4 (Benefits) for 2011. The City met with the Guild's Executive Team and have Tentatively Agreed to a MOU, which will have no changes for 2011 from the 2010 wage table and all benefits will remain as previously bargained through the expiration of the agreement on December 31, 2011.

Attachments: Memorandum of Understanding between the City of Bonney Lake and the Bonney Lake Police Guild for Police Officers and Support Staff.

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
N/A	0	0	0
Budget Explanation: Memorandum of Understanding between the City of Bonney Lake and the Bonney Lake Police Guild for Police Officers and Support Staff.			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Finance Committee Date: 23 November 2010	<i>Approvals:</i> Chair/Councilmember Swatman Councilmember Hamilton Councilmember Rackley	Yes No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Forward to: November 23, 2010 Council Meeting		Consent Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Commission/Board Review:			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): November 23, 2010	Tabled to Date:

APPROVALS		
Director: <i>HTE</i>	Mayor:	Date Reviewed by City Attorney: (if applicable):

RESOLUTION NO. 2085

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE BONNEY LAKE POLICE GUILD FOR THE OPENER IN THE 2009-2011 COLLECTIVE BARGAINING AGREEMENT COVERING THE POLICE OFFICERS AND SUPPORT SERVICES

The City Council of the City of Bonney Lake, Washington, does hereby resolve that the Mayor is authorized to sign the Memorandum of Understanding attached hereto and incorporated herein by this reference.

PASSED by the City Council this 23rd day of November, 2010.

Neil Johnson Jr., Mayor

ATTEST:

Harwood T. Edvalson, City Clerk

APPROVED AS TO FORM:

James Dionne, City Attorney

Memorandum of Understanding
by and between
The City of Bonney Lake (City)
and the
Bonney Lake Police Guild (Guild)

Recital:

This Memorandum of Understanding (MOU) is entered into by and between the City of Bonney Lake (“City”) and the Bonney Lake Police Guild for Law Enforcement and Support Staff (“Guild”) and only applies to such parties. It is understood and agreed by the parties signatory to the MOU that the language referenced herein has been negotiated.

The 2009 – 2011 Collective Bargaining Agreements for the Law Enforcement and Support Staff have an opener in the contracts for 2011, which states in Appendix A.5 of each contract, “The Guild and the City agree to open Appendix A (Wages) and Article 17 Section 4 (medical contributions) only in October, 2010 to determine amounts for remainder of contract.”

It is understood and agreed by the parties’ signatory to this agreement that the City has agreed to maintain the Guild’s 2010 current rate of pay for 2011 as described in the table below and that all benefits as described in 17.4 will remain as described in the current contract throughout 2011 and all other Articles of the collective bargaining agreement shall remain in effect as previously bargained through the expiration of the agreement on December 31, 2011.

2011 Wage Table for Guild Employees

Classification	Step A 00-06 mo	Step B 07-12 mo	Step C 13-24 mo	Step D 25-36 mo	Step E 37-48 mo	Step F 48 + mo
Police Sergeant	6942	6942	6942	6942	6942	6942
Patrol Officer	4847	5068	5304	5527	5759	5988
Records Clerk	3343	3538	3629	3763	3875	3980
Community Service Officer	4160	4288	4422	4558	4700	4844
Department Assistant	3188	3258	3357	3456	3560	3649

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding this _____ day of _____, 2010.

CITY OF BONNEY LAKE

Neil Johnson, Jr., Mayor

Mike Mitchell, Chief of Police

Jenna Young, Human Resources Officer

BONNEY LAKE POLICE GUILD

Bob Kocher, President

James Keller, Vice President

Kris Yanez, Vice President of
Support

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Fin / Al Juarez	Meeting/Workshop Date: 23 November 2010	Agenda Bill Number: AB10-177
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D10-177	Councilmember Sponsor:

Agenda Subject: Set the amount of the annual AD VALOREM tax levy to be collected in 2011

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting The Amount Of The Annual Ad Valorem Tax Ley Necessary For The Fiscal Year 2011.

Administrative Recommendation:

Background Summary: Pursuant to Revised Code of WA (RCW) 84.52.020 the Mayor of the City of Bonney Lake must certify to the Pierce County Office of the Assessor-Treasurer that the City Council requests the following levy amounts be collected in year 2011 as provided in the city's budget and said property taxes will be adopted following a public hearing held on November 9, 2010.
Attachments: Ordinance D10-177

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation: 2011 Budget Amounts: Regular Levy Property Tax Revenue = \$2,512,400.22; Excess Ley Property Tax Revenue for 1997 GO Bond = \$359,750.00; Combined Total = \$\$2,872,150.22.			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	Finance Committee Date: 9 November 2010	<i>Approvals:</i> Chair/Councilmember Deputy Mayor Swatman Councilmember Hamilton Councilmember Rackley	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
Commission/Board Review:	Forward to:	Consent Agenda: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): Meeting Date(s): November 23, 2010	Public Hearing Date(s): November 9, 2010 Tabled to Date:

APPROVALS		
Director: <i>Al Juarez</i>	Mayor:	Date Reviewed by City Attorney: Standard (if applicable):

ORDINANCE NO. D10-177

AN ORDINANCE OF THE CITY OF BONNEY LAKE, WASHINGTON, SETTING THE AMOUNT OF THE ANNUAL AD VALOREM TAX LEVY NECESSARY FOR THE FISCAL YEAR 2011 FOR THE PURPOSES SET FORTH BELOW:

WHEREAS, the City Council of the City of Bonney Lake is meeting and discussing the biennial budget for the calendar years 2011 and 2012; and

WHEREAS, the City Council held a public hearing on November 9, 2010 to discuss the feasibility of an increase in property tax revenues for collection in year 2011; and

WHEREAS, the City Council of the City of Bonney Lake after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Bonney Lake requires a regular levy in the amount of \$2,512,400.22 and a special levy in the amount of \$359,750.00, which includes an increase in property tax revenue from the previous year, and amounts resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the City and in its best interest;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The City Council of the City of Bonney Lake, Washington, does hereby resolve the city's actual levy amount from the previous year was \$2,469,659.74; and, the population is more than 10,000; and now therefore, that an increase in the regular property tax levy is authorized for the levy to be collected in the 2011 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be a percentage factor of .952% from the previous year. This increase is exclusive of \$23,510.37 additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

SECTION 2: That this Ordinance also provides funds for the General Obligation Bonds previously issued to construct the public safety building as a result of the vote of the people authorized as the Tax Levy Limit of 2010 to be collected in 2011 in the amount of \$359,750.

SECTION 3: That the taxes to be collected from the levies hereby fixed and made, together with the estimated revenues from sources other than taxation which constitutes the appropriation of the City of Bonney Lake for the fiscal year 2011, are hereby approved.

SECTION 4: A certified copy of this Ordinance shall be transmitted to the Pierce County Assessor's Office and to the Clerk of the Pierce County Council and such other governmental agencies as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF BONNEY LAKE
and approved by the Mayor this 23rd day of November, 2010.

Mayor Neil Johnson, Jr.

AUTHENTICATED:

Harwood T. Edvalson, CMC
City Clerk

APPROVED AS TO FORM:

James Dionne, City Attorney



Pierce County

Dale Washam, Assessor-Treasurer

2401 South 35th Street
Tacoma, WA 98409-7498
(253) 798-6111 FAX (253) 798-3142
ATLAS (253) 798-3333
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PRELIMINARY TAX LEVY LIMIT 2010 FOR 2011

BONNEY LAKE
> 10,000

REGULAR TAX LEVY LIMIT:

2009

A. <u>Highest regular tax which could have been lawfully levied beginning with the 1985 levy</u> [refund levy not included] times limit factor (as defined in RCW 84.55.005).	2,468,485.26
	1.01
	2,493,170.11
B. Current year's assessed value of new construction, improvements and wind turbines in original districts before annexation occurred times last year's levy rate (if an error occurred or an error correction was made in the previous year, use the rate that would have been levied had no error occurred).	15,959,981.00
	1.107168014342
	17,670.38
C. Current year's state assessed property value in original district if annexed less last year's state assessed property value. The remainder to be multiplied by last year's regular levy rate (or the rate that should have been levied).	18,594,720
	18,594,720
	0.00
	1.107168014342
	0.00
D. REGULAR PROPERTY TAX LIMIT (A + B + C)	2,510,840.49

ADDITIONAL LEVY LIMIT DUE TO ANNEXATIONS:

E. To find rate to be used in F, take the levy limit as shown in Line D above and divide it by the current assessed value of the district, excluding the annexed area.	2,510,840.49
	1,965,057,585.00
	1.277743976685
F. Annexed area's current assessed value including new construction and improvements times rate found in E above.	0.00
	1.277743976685
	0.00
G. NEW LEVY LIMIT FOR ANNEXATION (D + F)	2,510,840.49

LEVY FOR REFUNDS:

H. RCW 84.55.070 provides that the levy limit will not apply to the levy for taxes refunded or to be refunded pursuant to Chapters 84.68 or 84.69 RCW. (D or G + refund if any)	2,510,840.49
	1,559.73
	2,512,400.22
I. TOTAL ALLOWABLE LEVY AS CONTROLLED BY THE LEVY LIMIT (D,G,or H)	2,512,400.22
J. Amount of levy under statutory rate limitation.	1,965,057,585.00
	1.600000000000
	3,144,092.14
K. LESSER OF I OR J	2,512,400.22

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: CD / Heather Stinson	Meeting/Workshop Date: 23 November 2010	Agenda Bill Number: AB10-150
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D10-150	Councilmember Sponsor:

Agenda Subject: Allowing Accessory Dwelling Units in R-1 as a conditional use.

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending R-1 Zoning To Allow Accessory Dwelling Units As A Conditional Use.

Administrative Recommendation:

Background Summary: In 2009 when those properties zoned R-2 on Inlet Island and the Church Lake area were downzoned to R-1, the main complaint heard by property owners in that area was that R-1 no longer allowed them to build Accessory Dwelling Units (ADU's). In May of 2010, City Council added an item to the Planning Commission workplan to consider allowing ADU's in R-1. The Planning Commission recommends that ADU's be allowed in R-1 as a conditional use only.
Attachments: Draft Ordinance; Planning Commission recommendation memo

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW			
Council Committee Review:	<i>Approvals:</i>	Yes	No
Date:	Chair/Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember NAME	<input type="checkbox"/>	<input type="checkbox"/>
Forward to:	Consent		
	Agenda: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Commission/Board Review: 20 October 2010			
Hearing Examiner Review:			

COUNCIL ACTION	
Workshop Date(s): 16 November 2010	Public Hearing Date(s): 20 October 2010
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: JVP	Mayor:	Date Reviewed by City Attorney: (if applicable):

ORDINANCE NO. D10-150

AN ORDINANCE OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, UPDATING R-1 ZONING TO ALLOW ACCESSORY DWELLING UNITS AS A CONDITIONAL USE

WHEREAS, The purpose of this ordinance is to allow for accessory dwelling units in the R-1 zone as a conditional use; and

WHEREAS, the State Environmental Policy Act was complied with through the issuance of a DNS on October 4, 2010; and

WHEREAS, the Planning Commission conducted a public hearing on October 6, 2010; and

WHEREAS, the Planning Commission issued a recommendation for passage of this Ordinance on November 3, 2010; and

WHEREAS, a letter requesting review of this ordinance by the Washington State Department of Commerce was mailed on September 7, 2010.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. BLMC Chapter 18.14.040 is hereby amended to read as follows:

18.14.040 Conditional uses.

The following conditional uses are permitted on a lot in this district:

A. Educational Facilities.

1. Junior high, high schools and junior colleges, public or private.

B. Commercial Uses.

1. Hospitals; provided the criteria in BLMC 18.22.040 are met.

C. Municipal offices.

D. Single-family residences, attached, on lots within subdivisions.

E. Lots with reduced dimensional requirements per BLMC 18.14.060(H) within subdivisions.

F. Accessory Dwelling Units: provided that on properties within 200 feet of a shoreline of statewide significance, the development must meet the provisions of the City's Shoreline Master Plan, and provided the criteria in BLMC 18.22.090(C) are met.

Section 2. If any portion of this Ordinance shall be invalidated by a court of competent jurisdiction, the remainder shall remain in full force and effect.

Section 3. This Ordinance shall take effect thirty (30) days after its passage, subject to prior approval by the Mayor and prior publication for five days as required by law.

PASSED by the City Council and approved by the Mayor this _____ day of _____, 2010.

Neil Johnson, Mayor

ATTEST:

Harwood T. Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

James J. Dionne, City Attorney

Passed:
Valid:
Published:
Effective Date:



Memo

Date : November 3, 2010
To : Mayor, City Council
From : Grant Sulham, Chair, Planning Commission
CC :
Re : **Accessory Dwelling Units as a Conditional Use in R-1**

In 2009 when those properties zoned R-2 on Inlet Island and the Church Lake area were downzoned to R-1, the main complaint heard by property owners in that area was that R-1 no longer allowed them to build Accessory Dwelling Units (ADU's). In May of 2010, City Council added an item to the Planning Commission workplan to consider allowing ADU's in R-1.

Currently Accessory Dwelling Units (ADU's) are defined by BLMC 18.04.010 as:

A second dwelling unit either in or added to an existing single-family detached dwelling, or in a separate structure on the same lot as the primary dwelling for use as a complete, independent living facility with provision within the accessory unit for cooking, eating, sanitation, sleeping and entry separate from that of the main dwelling. Such a dwelling is an accessory use to the main dwelling. Accessory units are also commonly known as "mother-in-law" units or "carriage houses."

The requirements of ADU's are regulated by BLMC 18.22.090 which in summary require:

1. Only one ADU per lot.
2. A minimum of 300 square feet and a maximum of 1,200 square feet.
3. Shall not exceed 45 percent of the total square footage of the primary and accessory residences, excluding any related garage and stair areas.
4. Have one parking space in addition to those required by the main residence.
5. Be designed to be compatible with the existing residence.

ADU's are currently allowed in all of the residential zones except R-1 including RC-5, R-2 and R-3. They are not factored into density calculations.

The pros and cons of allowing ADU's in R-1 include the following:

Pros	Cons
- Allows property owners to house aging parents and adult children just starting out.	- Creates a situation in which all residential zones essentially become multi-family zones except in those areas with Covenants that prohibit ADU's. While this may not be a downside in and of itself, it may be perceived as such.
- Affords property owners extra income	- Potential for parking issues if not regulated.
- Provides affordable housing options	
- Helps the City meet its Comprehensive Plan and Buildable Lands housing and density goals.	
- Infill development takes advantage of existing infrastructure so new lines don't have to be extended. (i.e. does not create suburban sprawl)	
- Potential for increased revenue to the City for infrastructure maintenance and improvement	
- Has the potential for providing more affordable housing options for local workers.	
- "Landlord" resides on the premises so is more likely to maintain the property.	

In any situation where zoning allows increased density and more than one family on a lot, there is often a perception by the single-family home owners that property values will be affected negatively by the allowance of Accessory Dwelling Units. Also, the perception of rental properties is that they are not taken care of as well as those properties where the property owners reside.

In regards to the latter, there are some zoning codes that try to remedy this situation by requiring that the primary residence be occupied by the property owner. This attempts to prevent both the primary residence and ADU from being rented out, and keep the property owner on site to perform property maintenance. BLMC currently does not have this provision and that may be because this provision is difficult to enforce. The City is not informed when a property owner rents out a property.

In terms of property values, an Accessory Dwelling Unit typically increases the property value of the property that the Unit is on.

The Planning Commission finds that ADU's may be beneficial in R-1 but we are concerned with the negative impacts that an ADU might create in a single-family neighborhood. Making ADU's subject to the requirements of a Conditional Use permit gives the City the opportunity to condition site-specific issues.

In addition, the Planning Commission recognizes that the Shoreline Master Plan may be more restrictive in terms of allowing ADU's and that these regulations should be followed on properties within 200 feet of Lake Tapps.

Recommendation:

The Planning Commission recommends that the City Council adopt the attached ordinance which allows ADU's in R-1 as a Conditional Use.