

COUNCIL WORKSHOP

**May 3, 2011
5:30 p.m.**

AGENDA

City of



“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

The City Council may act on items listed on this agenda, or by consensus give direction for future action. The council may also add and take action on other items not listed on this agenda.

Call to Order: Mayor Neil Johnson @ Bonney Lake Justice Center – 9002 Main Street East

Roll Call:

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

Expected Staff Members: City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Police Chief Mike Mitchell, Chief Financial Officer Al Juarez, Community Services Director Gary Leaf, Administrative Services Director/City Clerk Harwood Edvalson and City Attorney Jim Dionne.

Agenda Items

Page
Number

1. **Discussion:** AB11-55 - 2011 Stormwater Pollution Prevention Art Contest.
2. **Council Open Discussion.**
3. **Review of Council Minutes:** April 19, 2011 Council Workshop and April 26, 2011 Council Meeting.
4. **Executive Session:** RCW 42.30.110 – the City Council may adjourn to executive session. Should an executive session be held, the Mayor will announce the general purpose and expected duration of the session.
5. **Adjournment.**

For citizens with disabilities requesting translators or adaptive equipment for listening or other communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.

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**City of Bonney Lake, Washington
Council Agenda Bill Approval Form (C.A.B.)**

<u>Department/Staff Contact:</u> Andrew Fonda	<u>Meeting/Workshop Date:</u> May 3, 2011	<u>Agenda Bill Number:</u> AB11-55
<u>Agenda Item Type:</u> _____	<u>Ordinance/Resolution Number:</u>	<u>Councilmember Sponsor:</u>

Agenda Subject: 2011 Stormwater Pollution Prevention Art Contest

Proposed Motion: A ____ of the City Council of the City of Bonney Lake, Pierce County, Washington,

Administrative Recommendation:

Background Summary: The City of Bonney Lake’s National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Stormwater Permit is a federal permit authorized under the Federal Clean Water Act of 1972 that regulates stormwater discharges to waters of the State.

One of the major requirements under the Municipal NPDES Permit is that all affected municipalities create and implement a Stormwater Management Program (SWMP) which addresses five required program elements: 1) Public Education & Outreach, 2) Public Involvement & Participation, 3) Illicit Discharge Detection & Elimination, 4) Construction Site Run-Off, and 5) Operations & Maintenance of Post Construction Stormwater Facilities. While the permit went into effect in February of 2007, the permit phases program implementation requirements through 2012.

As a Stormwater Management Program Public Education & Outreach event, the City invited local K-12 students to participate in an art contest depicting the following stormwater pollution prevention and water conservation messages;

1. Pollution / Illegal Dumping Reporting
2. Friendly Vehicle Washing
3. Water Conservation
4. Pet Waste Disposal
5. Used Oil Recycling
6. Household Hazardous Waste Disposal

Two winning drawings from each of the six messages are to be selected at Council Workshop. The selected drawings will be utilized to develop a calendar to promote stormwater pollution prevention and water conservation practices. To encourage student participation, the City will award a \$50 cash prize to each of the twelve winning artists. Funding is paid for with an NPDES grant.

Attachments:

<u>Budget Informaton</u>			
Budget Amount	Required Expenditure	Budget Impact	Budget Balance
\$3500		\$600	\$2900
Budget Explanation: NPDES 114K Grant			

Committee, Board & Commission Review

Council Subcommittee Review:

Commission/Board Review Date:

Hearing Examiner Review Date:

Council Action

Workshop Date(s):

Public Hearing Date(s):

Meeting Date(s):

Tabled to Date:

Approvals

Director:

Mayor:

Date Reviewed
by City Attorney
(if applicable):

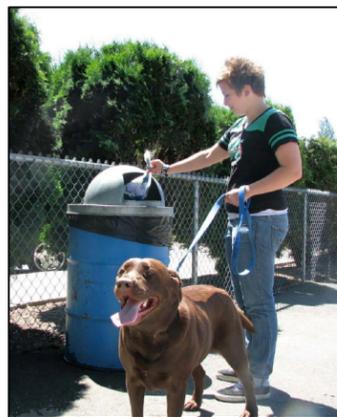
Good Practices For the Residence

Our actions within our watersheds have a direct impact on our lakes, streams, and wetlands. These Best Management Practices help conserve water and prevent pollution from going down the storm drain and into our water bodies.



Properly dispose of household chemicals. Never wash or pour chemicals, cleaners, or solvents into the storm drain. Take hazardous substances to an approved location. Two approved locations include Hidden Valley Transfer Station Hazardous Waste Facility located at 17925 Meridian Street East, Puyallup WA (253) 847-7555 and Tacoma Hazardous Waste Facility located at 3510 South Mullen, Tacoma WA (253) 591-5543. There is no fee to dispose of household hazardous waste at the Hidden Valley Transfer Station Hazardous Waste Facility and Tacoma Landfill Hazardous Waste Facility, but you must show proof of Pierce County residency (driver's license).

Properly recycle used oil at one of the following locations in the Bonney Lake area; Bonney Lake Auto Parts (253) 863-0466, Schuck's Auto Supply (253) 891-8856, Jiffy Lube (253) 891-2494, or South Prairie Transfer Station (253) 862-1704. Jiffy Lube and Schuck's accept up to 5 gallons. Tacoma Landfill and transfer station sites accept larger volumes. Most sites are self-serve and you will empty your own container into the tank. Use 5 gallon or smaller oil containers (No drums or barrels). Puncture used oil filters and let the oil drain out for at least 24 hours. Then place the oil filter in the garbage. Never mix oil with any other substance. Use dry methods for drip and spill cleanup (For example, absorb spills with cat litter and sweep it up). Don't hose down driveways.



Just Doo It; clean up after your pet. Cleaning up after your pet can be as simple as taking plastic bags along with you on your next walk. Then choose one of the following disposal options; When Walking - Bag It! Bring plastic bags with you when you walk your dog. Use a bag to pick up the pet waste. Tie bag closed and place in the trash. Options at Home; Trash It - Double bag dog waste or kitty litter, tie securely and place in garbage. Flush It - Flush dog and cat waste down the toilet if you are on a sewer system (not on a septic system). Kitty litter should not be flushed because it can clog your toilet. Bury It - Dig a hole in your yard at least one foot deep and 100 feet from any well, ditch, stream, or lake. Cover pet waste with plenty of soil.

Conserve water at home - wasted water is wasted money. Water your lawn only when it needs it. If you leave footprints on the grass, it is usually time to water. Apply as little fertilizer to your lawn as possible and always sweep up excess fertilizer from the street, sidewalk, and driveway. Applying excess fertilizer increases water consumption and creates more mowing. Use iron-based fertilizers to simply "green-up" your lawn instead. Pay attention to your water bill and become familiar with your water meter - use them to track your water use and to detect leaks. Try to keep showers under 5 minutes and switch to an ultra low-flow showerhead. Turn faucets off while shaving, lathering hands, and brushing teeth. In the kitchen, let pots and pans soak instead of letting the water run while you clean them. Thaw foods in the refrigerator or in a bowl of water instead of using running water.



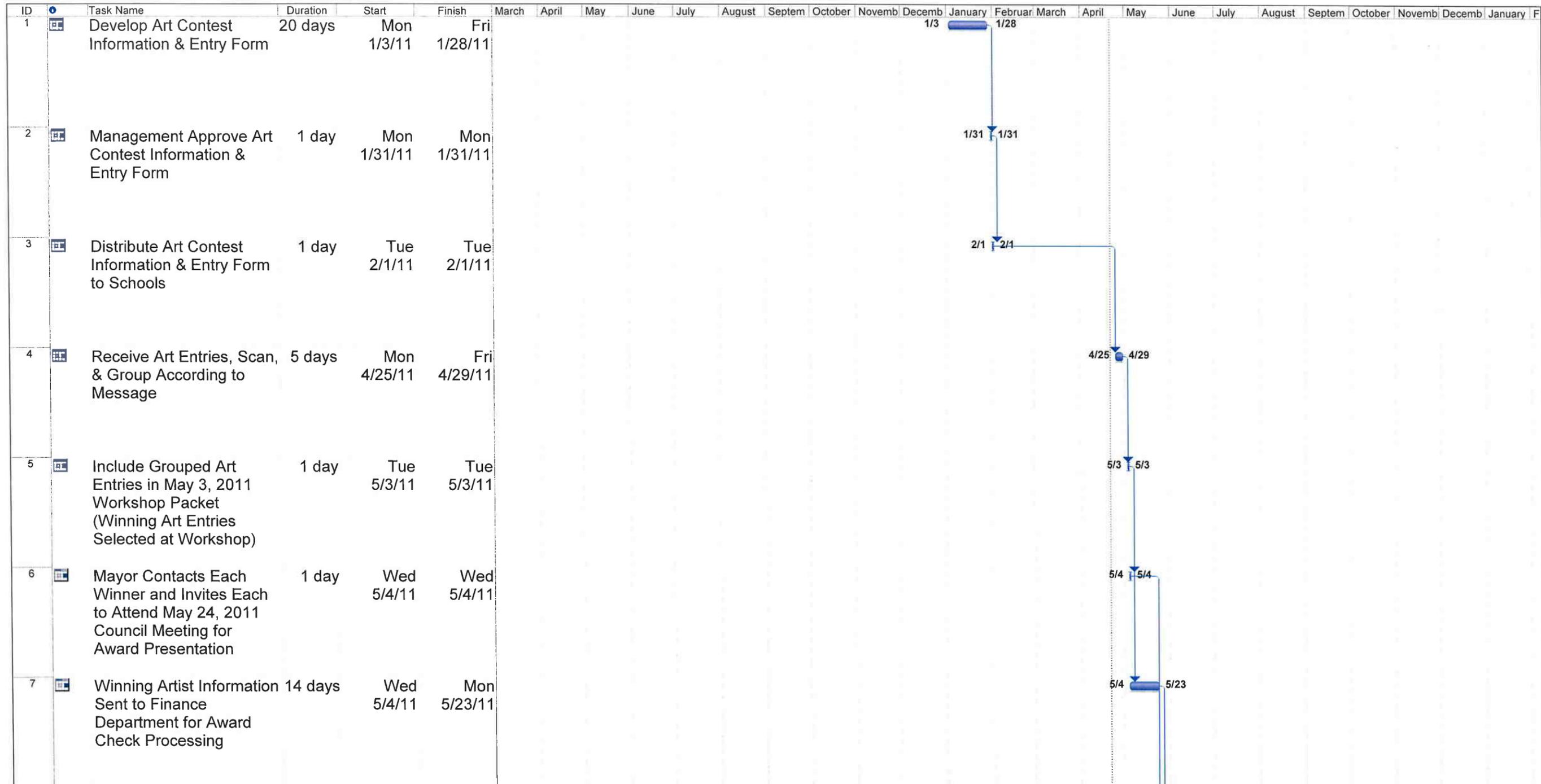
Wash your vehicle on a lawn or at a licensed facility. Car wash water contains dirt, road grime, heavy metals, oils, and soaps which are toxic to fish and aquatic life. Sending soap runoff down the driveway and into a storm drain is not only harmful to the environment, it is a violation of state, local, and federal laws. Use a broom to sweep up debris instead of hosing off or pressure washing your driveway. Not only is the sediment harmful, but there can also be residue from vehicles on the driveway. Use kitty litter, sawdust, or commercial absorbent pads to dry up any spilled oils or hazardous liquids, then sweep it up and place it in the garbage. Don't wash it into the street or storm drain. Inspect your vehicle and driveway for leaks and repair all leaks as soon as they are discovered.

Please report pollution. It is illegal to dump oils, hazardous wastes, and other materials. If you notice a spill, call the City of Bonney Lake Spill Hotline at (253) 447-4320 or Bonney Lake 311 during business hours or call (253) 841-5538 to report a spill after hours and on weekends. Pick up litter and clean up any trash to reduce the chance of litter or contaminants entering the stormwater system. Share the importance of adopting water conservation and stormwater pollution prevention practices with your neighbors.



Clean Waters Start Here

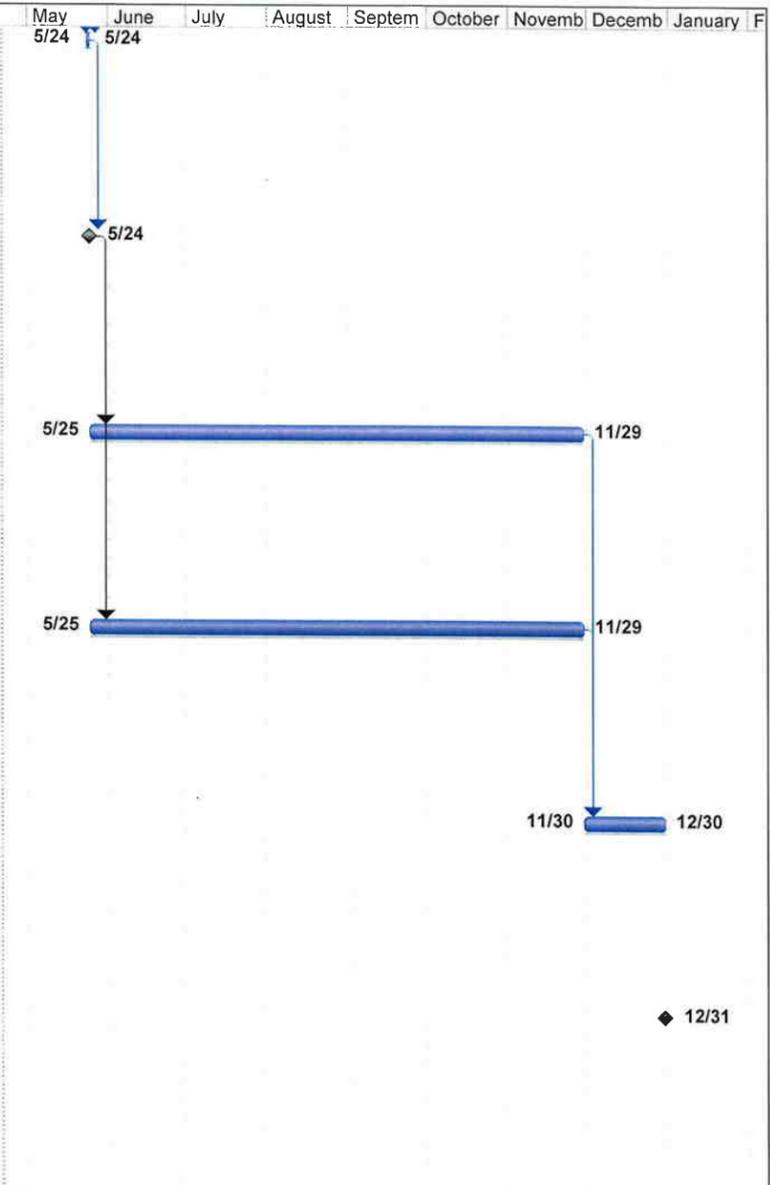




Project: 2011 Stormwater Pollution Prevention Calendar Schedule.mpp
 Date: Thu 4/21/11

Task		Summary		Rolled Up Progress		Project Summary	
Progress		Rolled Up Task		Split		Group By Summary	
Milestone		Rolled Up Milestone		External Tasks		Deadline	

ID	Task Name	Duration	Start	Finish	March	April	May	June	July	August	Septem	October	Novemb	Decemb	January	Februar	March	April	May	June	July	August	Septem	October	Novemb	Decemb	January
8	Winning Artists, Artwork, and Award Checks Included in May 24, 2011 Council Meeting Packet	1 day	Tue 5/24/11	Tue 5/24/11															5/24	5/24							
9	Mayor and Council Present Awards to Artists at May 24, 2011 Council Meeting	0 days	Tue 5/24/11	Tue 5/24/11															5/24	5/24							
10	Display All Submitted Artwork on the City Website	135 days	Wed 5/25/11	Tue 11/29/11															5/25	11/29							
11	Develop Calendars	135 days	Wed 5/25/11	Tue 11/29/11															5/25	11/29							
12	Distribute 2011 Calendars to Mayor, Council, Staff, Schools, Local Businesses, and Residents	23 days	Wed 11/30/11	Fri 12/30/11																							
13	Project Complete	0 days	Sat 12/31/11	Sat 12/31/11																							



Project: 2011 Stormwater Pollution Prevention Calendar Schedule.mpp
Date: Thu 4/21/11

Task		Summary		Rolled Up Progress		Project Summary	
Progress		Rolled Up Task		Split		Group By Summary	
Milestone		Rolled Up Milestone		External Tasks		Deadline	



2011 Art Contest Information & Entry Form

The City of Bonney Lake is developing a calendar to promote pollution prevention and water conservation practices. To help us convey this message, we are conducting an art contest open to all students in grades K-12 attending schools or home schooled in the City of Bonney Lake. Twelve drawings will be selected to develop the calendar. From the entries submitted, the City will select drawings depicting each of the following messages (one message per drawing please):

1. **Pollution / Illegal Dumping Reporting**
2. **Friendly Vehicle Washing**
3. **Water Conservation**
4. **Pet Waste Disposal**
5. **Used Oil Recycling**
6. **Household Hazardous Waste Disposal**

Qualifying Schools:

- Bonney Lake Elementary School
- Emerald Hills Elementary School
- Mountain View Middle School
- Bonney Lake High School
- Bonney Lake Home Schools

How Do I Enter The Contest?

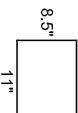
Draw or paint an original picture depicting one of the six messages above (each student may submit one drawing only).

Deadline:

Entries shall be sent to:
City of Bonney Lake
8720 Main Street East
Bonney Lake, WA 98391
Entries must be received by:
April 25, 2011

CRITERIA: PLEASE READ - THIS IS VERY IMPORTANT!

Page Orientation:



Artwork MUST be ORIGINAL & HORIZONTAL on an 8.5" x 11" sheet of white paper with no lamination or protruding parts.

Medium:

Drawings are created on WHITE paper with crayons, paint, color pencils, and/or magic markers. For calendar production purposes, full color drawings are preferred (but not required) over black and white drawings. No computer-generated artwork please.

Official 2011 Entry Form is required:

Each entry must have a copy of the Entry Form filled out entirely. Tape the Entry Form to the back of the drawing - no staples please. Submitted artwork becomes property of the City of Bonney Lake and may not be copyrighted. The City also reserves the right to accept or reject any submittal. Artwork and artist's name may appear in newspapers, on the City Website, and in other communications.

Attention: Artists

If you wish to have your artwork returned; all submitted artwork will be available for pick up after June 1, 2011.

Cash Prize:

The artists of the selected drawings will be contacted and awarded a \$50 cash prize.

City of Bonney Lake
Official Drawing Contest Entry Form
2011 Pollution Prevention & Water Conservation Calendar

Student Name: _____

Student or Parent/ Guardian (if under 18) Signature _____

Please indicate drawing message (Circle One)

- Pollution / Illegal Dumping Reporting
- Friendly Vehicle Washing
- Water Conservation
- Pet Waste Disposal
- Used Oil Recycling
- Household Hazardous Waste Disposal

Age: _____

School: _____

Grade: _____

Teacher: _____

Home Address: _____

Home Phone #: _____

Home Email: _____

Pollution Prevention & Water Conservation

City of Bonney Lake
Stormwater Management Program
Public Education Component

2011 Stormwater Pollution Prevention & Water Conservation Art Contest

Voting Form

May 3, 2011 Council Workshop

Art Messages

Pollution / Illegal Dumping Reporting
Friendly Vehicle Washing
Water Conservation
Pet Waste Disposal
Used Oil Recycling
Household Hazardous Waste Disposal

1. Pollution / Illegal Dumping Reporting (Circle Two)

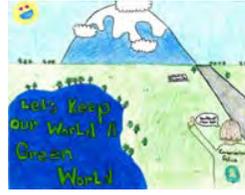
a. Drawing 1



h. Drawing 8



o. Drawing 15



v. Drawing 22



b. Drawing 2



i. Drawing 9



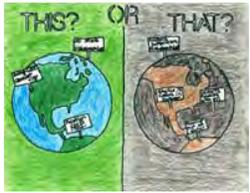
p. Drawing 16



w. Drawing 23



c. Drawing 3



j. Drawing 10



q. Drawing 17



x. Drawing 24



d. Drawing 4



k. Drawing 11



r. Drawing 18



y. Drawing 25



e. Drawing 5



l. Drawing 12



s. Drawing 19



z. Drawing 26



f. Drawing 6



m. Drawing 13



t. Drawing 20



aa. Drawing 27



g. Drawing 7



n. Drawing 14



u. Drawing 21



2. Friendly Vehicle Washing (Circle Two)

a. Drawing 28



b. Drawing 29



c. Drawing 30



d. Drawing 31



3. Water Conservation (Circle Two)

a. Drawing 32



h. Drawing 39



o. Drawing 46



v. Drawing 53



b. Drawing 33



i. Drawing 40



p. Drawing 47



w. Drawing 54



c. Drawing 34



j. Drawing 41



q. Drawing 48



d. Drawing 35



k. Drawing 42



r. Drawing 49



e. Drawing 36



l. Drawing 43



s. Drawing 50



f. Drawing 37



m. Drawing 44



t. Drawing 51



g. Drawing 38



n. Drawing 45



u. Drawing 52



4. Pet Waste Disposal (Circle Two)

a. Drawing 55



h. Drawing 62



b. Drawing 56



i. Drawing 63



c. Drawing 57



d. Drawing 58



e. Drawing 59



f. Drawing 60



g. Drawing 61



5. Used Oil Recycling (Circle Two)

a. Drawing 64



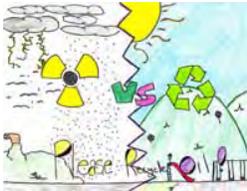
h. Drawing 71



o. Drawing 78



b. Drawing 65



i. Drawing 72



p. Drawing 79



c. Drawing 66



j. Drawing 73



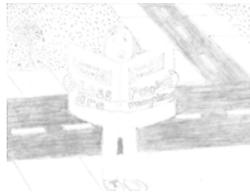
q. Drawing 80



d. Drawing 67



k. Drawing 74



r. Drawing 81



e. Drawing 68



l. Drawing 75



f. Drawing 69



m. Drawing 76



g. Drawing 70



n. Drawing 77



6. Household Hazardous Waste Disposal (Circle Two)

a. Drawing 82



b. Drawing 83



c. Drawing 84



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COUNCIL WORKSHOP

*April 19, 2011
5:30 p.m.*

DRAFT 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: Deputy Mayor Dan Swatman called the Workshop to order at 5:31 p.m.

II. Roll Call: [A1.3]

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

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

III. Agenda Items:

5:32:18

A. Council Open Discussion:

Boston Marathon: Councilmember Rackley reported that thirteen people on the plateau finished the Boston Marathon: Kurtis Alfano of Buckley, Ben Clark of Enumclaw, Richard Cockrell of Sumner, Paul Morrison of Bonney Lake, David Spooner of Buckley, Steven Yee of Bonney Lake, Kristine Borden of Lake Tapps, Melanie Faulkner of Bonney Lake, Tammy Tudlow of Lake Tapps, Marian Nash of Lake Tapps, Deidre Tarkany of Lake Tapps, and Janna Theriault from Bonney Lake. He suggested the City send those four finishers from Bonney Lake a letter of congratulations. Chief Mitchell noted that Officer Alfano finished the race two minutes under his goal time.

Swiss Sportsman’s Club: Councilmember Rackley said the Council cannot make an exception for the Swiss Park fire hydrant requirement. He said it is an issue of safety for the surrounding area. Councilmember Lewis said there is a fire hydrant closer to the proposed structure, but fences and obstacles prevent the Fire Department from using it in an emergency. He said the City needs to consider whether fires could be put out in the worst possible conditions. Councilmember Hamilton said the Public Safety Committee considered this item and the consensus was the proposed building did not meet the standard for requiring a fire hydrant. He said the older building next to the proposed building does not have a fire suppression system. The Public Safety Committee said it would be a good idea for the park to have an additional fire hydrant. He said Assistant Fire Chief Jim McDonald said the shower/bathroom facility would not need a fire hydrant. Councilmember Rackley said he spoke with

the assistant fire chief and his understanding is that the fire department would not object to the City waving the fire hydrant requirement, but the assistant chief would not sign a waiver himself. Councilmember Rackley said the Swiss Park should negotiate with the City to trade their unused water connections for a fire hydrant. Deputy Mayor Swatman said the staff is currently working on this. He said the Council is not looking to amend the Municipal Code. Councilmember Hamilton said the City and Swiss Park have negotiated a development agreement, which includes the fire hydrant requirement. Councilmember Decker said in the letter from 1949, Mayor Ken Simmons said part of the original purchase of water hook-ups includes a fire hydrant. He said the City needs to pay for the fire hydrant. Deputy Mayor Swatman said staff found no evidence of Council action to support the letter that Councilmember Decker is referring to. Councilmember Lewis said the Swiss Park could be designated as a non-profit for the development agreement, but the structure is either residential or commercial. He said the area is obviously not residential so the park must conform to the commercial building requirements. Councilmember Hamilton asked about changing the existing agreement, and said he would not be interested in making changes to the existing municipal code. Deputy Mayor Swatman said all agreements come from the administration. City Attorney Dionne said the City could amend the existing development agreement, but the City would have to bring it before Council and allow public comment again. Councilmember Decker asked of what the proposed structure would be made. Director Grigsby said the code does not differentiate on building material. He said a development agreement could not override the code. Councilmember Carter asked if the Swiss Park and Kelly Farm could work together to save money on the requirements for each development. Director Grigsby said the two projects could not combine their efforts. Director Grigsby said the hydrant will cost approximately \$35 per foot or \$15,000. Councilmember Hamilton clarified that the consensus of the Council is, the Swiss Park will need to install a fire hydrant for the development, whether the park or the City pays for it. Deputy Mayor Swatman said he does not believe the City should pay for a private fire hydrant. Councilmember Decker made a motion to bring forward all paperwork the City has on this issue. The motion died for lack of a second. Deputy Mayor Swatman stated the administration has reviewed the records and that the records are all open to the public.

Easter Egg Hunt: Councilmember Carter said prizes are needed for the City Easter Egg Hunt.

Fennel Creek: Councilmember Carter said she was pleased to see the Fennel Creek report. Public Works Director Grigsby said that per Federal regulations, the City does not test or monitor for actual levels of contaminants in storm water; rather, they focus on Best Management Practices or BMP's. He said the City has designed a six-point program based on the BMP's. He said the City has a series of BMP's in each of the six categories set by the Federal Government. He said this is how the City ensures contaminants are not added into the storm water, which runs directly into Fennel Creek.

Council Sub-Committees: Councilmember Carter asked for the City policy regarding a councilmember who is not serving on a subcommittee attending a subcommittee meeting. City Administrator Morrison said the meetings are advertised as subcommittee meetings and if the meeting has a quorum of councilmembers, it would need to be advertised as a special meeting. City Attorney Dionne said because the

meetings are advertised as open public meetings a councilmember could attend and not speak or interact with the other members in any way, but he does not recommend it. He said there is a problem inherent with subcommittees where the full Council does not participate in all of the discussions on an issue. He said if the Council feels additional councilmembers need to be in the subcommittee meetings then the Council should review the need for subcommittees.

Comprehensive Plan Amendment: Councilmember Lewis proposed a resolution to authorize the City to process an area-wide Comprehensive Plan Amendment and rezone for C2/C3 or C1 in the Midtown Area to be added to the next Council meeting. He said it is in the best interest of the City to designate unique zoning between Midtown and Eastown. Councilmember Hamilton said the City would only be changing the zoning from one commercial designation to another.

WSU Forest: Director Vodopich said the City now has the lock combination to the “Green Gate”, which restricts access to the storm water pond owned by Pierce County in the WSU Forrest. Director Leaf said the City must get a permit each time they want access through the “Green Gate”. He said the City has received a permit for 2011 Beautify Bonney Lake and 2012 Parks Appreciation Day. Councilmember Hamilton asked if he could get Council consensus for the City to try to take over the storm water pond. He said it would benefit the City for access to the area and a cost savings to the County in not having to maintain the pond. He said the storm water pond would be important to include in the development plans for the area. Director Grigsby said the pond was designed before new regulations were in place, if the City were to use this pond there would be additional requirements and upgrades. He said the pond would not be adequate for a development. City Administrator Morrison said the County might have difficulty separating the storm water pond from the right of way. He said taking over the road maintenance would be burdensome to the City before the area is annexed.

Eastown Steering Committee: Councilmember McKibbin said the Committee had their first meeting and they voted Councilmember Lewis as vice-facilitator. He said the next meeting will be April 28, 2011 at 2:30pm. He said they went through all the discussion items, and each member has homework to bring back to the next meeting. Councilmember Lewis said the Committee is working well together, and will have the report ready for Council by the deadline.

6:34:07

B. Review of Council Minutes: April 5, 2011 Council Workshop, and April 12, 2011 Council Meeting

Councilmember Lewis said in the April 5, 2011 Council Workshop minutes p. 1 under Justice Center Chamber change “to” to “for”. The corrected minutes were forwarded to the April 26, 2011 Meeting for Council action.

6:35:00

C. Discussion: AB11-49 – Draft Ordinance D11-49 – Updating the BLMC for ULA’s.

Director Grigsby said the main reason for updating this section of the Municipal Code is to make administering Utility Latecomer Agreements, (ULA’s) easier. Deputy Mayor Swatman thanked staff for their hard work on this ordinance. Councilmember Rackley said he is still confused about the amount required for participation. He asked if the City truly needed a “substantial partner”. City

Attorney Dionne said the City must have joint participation and it must be meaningful. Councilmember Hamilton said according to this ordinance the maximum the City will put forward is 95% of the construction cost. In addition, the total cost must be greater than \$10,000. Director Grigsby suggested several edits to the ordinance regarding the difference between construction cost and total costs. Deputy Mayor Swatman said the changes would make it less burdensome on property owners. Councilmember Hamilton said this ordinance would only be the baseline and each individual ULA would be negotiated separately. By consensus, Council moved this item forward to the April 26, 2011 Council Meeting for action.

At 6:49 p.m. Councilmember Rackley moved for a ten-minute break. Deputy Mayor Swatman reconvened the Workshop at 6:59 p.m.

7:00:39

D. **Discussion:** Eastown Property Owners ULA Partnership Letter.

Deputy Mayor Swatman said the City must put forward an offer letter to the Eastown property owners to be able to start negotiations. Councilmember Hamilton said he wants the Eastown area to have sewers as soon as possible. He said his main goal is to get the sewer built without a surcharge to other utility customers. He suggested several budget amendments to the City's five-year Capital Facilities Plan to help pay for the bond. He said the total cost of the Eastown sewers is estimated at \$3.5 million. He proposed the City pay \$2.5 million and the property owners to pay \$1 million of the cost. This would be approximately a 30% contribution from the property owners. He said the property is currently assessed at approximately \$27 million. He said the sewer system would greatly increase the value of the property and the property owners need to have a true investment in the project. Deputy Mayor Swatman asked if the reason for the adjustment to the capital improvement projects was a worst-case plan if no property owners develop their land. He said when the land is developed the City-funded portion of the debt would be reduced. Councilmember Rackley said the City is only asking the property owners to put forward 1/30 of the value of their land. He said he would like to study the tax revenue from the Wal-Mart development to see what kind of revenue could be generated from the area. Deputy Mayor Swatman said if the offer is unacceptable to property owners, they might not respond. He said the group of property owners is different from a big developer. Councilmember Decker said \$300,000 is only 1% of the property value and that does not seem substantial.

7:22:00

E. **Discussion:** Police Training Center with a Pistol and Rifle Range.

Police Chief Mitchell laid out a plan to build a Police Training Center with Pistol and Rifle Range at the City owned Reed property, located at 7109 Barkubein Rd. He said the City could lease the facility out to other jurisdictions as a revenue source for the City. He said he has been contacted by other jurisdictions with interest in partnering with or leasing the range from the City. He said the City could build the center in three stages to help cover costs. He said the major cost would be a bullet trap. He said if the City would like to move forward the first upfront cost would be for permitting.

Councilmember Rackley said he would like to see cost estimates for each of the three phases. Councilmember Lewis asked if the City has spoken with the neighbors and about the liability to the City in operating a gun range. Chief Mitchell said he had not spoken with the neighbors and the City would need an additional insurance

policy. He said one concern the City would need to continue to monitor is lead seeping into the ground from ammunition. Councilmember Carter said various uses have been proposed for the Reed property, and asked Director Grigsby if any of them would affect the wells planned for the property. Director Grigsby said they could, and the process for placing a well takes two to three years, and the City does not currently know where those wells will be placed. Deputy Mayor Swatman asked Director Grigsby to start the process to find the best placement for the wells. Deputy Mayor Swatman said the Council is not opposed to exploring other uses for the Reed property but the primary use of the property is as a water source and that needs to be kept in the forefront. Councilmember Lewis asked if the City chose to put in a gun range would it be difficult to return the property to an agricultural use later. Chief Mitchell said the City would only have to remove dirt berms and the bullet trap. Councilmember Lewis asked if the City paid property taxes. City Administrator Morrison said the City does not pay property taxes for the Reed Property, but if the City leases the property, it would pay a 12.5% tax on the lease revenue.

IV. Executive Session: None

7:45:32

V. Adjournment:

At 7:45p.m. Councilmember Rackley moved to adjourn the Workshop. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items submitted to Council at the April 19, 2011 Workshop:

- City of Bonney Lake – *Five-Year Capital Projects Reductions* – Councilmember Hamilton.
- City of Bonney Lake – *Resolution XXX – Comp Plan Amendment* – Councilmember Lewis

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CITY COUNCIL MEETING

**April 26, 2011
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.

DRAFT MINUTES

"Where Dreams Can Soar"

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 meeting to order at 6:59 p.m.

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

B. Roll Call:

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 Jim Rackley.

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

C. Announcements, Appointments and Presentations:

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

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Roger Watt, Bonney Lake, spoke on behalf of a group of property owners in the northeast part of Easttown. He said the group objects to the proposed changes to the municipal code related to Utility Latecomer Agreements (ULAs) that is proposed in Ordinance D11-49. He said that the ordinance limits the current and future councils by setting a criteria that there be at least a 5% contribution from a partner for a ULA. He said the City's existing code is consistent with State laws and does not need to be changed. He said he consulted with the Municipal Research and Services Center of Washington, and they confirmed that cities can fully-fund ULAs, and are not

7:00:31

required to partner with another person or group to form a ULA. Mr. Watt said the proposed change is based on the Council's discretion, and is not needed to be compliant with State law. He cited past Council discussions, news articles, and the easement forms provided to property owners, which say that the City would front the funds for a sewer system in Eastown.

A group of Eastown property owners on the South side of SR 410 asked that Mr. Watt be allowed to use their 10 minute time to speak, as his time had expired. The Council gave Mr. Watt an additional 10 minutes to speak.

Mr. Watt provided a brief history of the past attempts to extend sewer service to Eastown. He said property owners signed a petition for a ULID, but then the Compass Pointe developers offered to take on the project. The City worked with them until those plans fell through, and now is working to create a ULA. He said property owners are giving land for easements and that the value should be considered as a contribution. He said Councilmembers expect property owners to provide a portion of the cost based on their property values, but property owners do not have that kind of cash on hand, and it is unrealistic.

Mr. Watt said the City has not allowed property owners to develop their land with temporary septic systems. He noted that the Council did recently approve a variance for Kelly Kahne to install a temporary lift station as part of a commercial development in the area. He said the City's denial of temporary septic permits has caused a hardship for property owners, particularly the Taheri family, who cannot develop their land without sewer service. Mr. Watt said that he personally feels that the City has an obligation to provide sewer service to the property owners. Finally, he said he fully supports the City's proposed UGA expansion, though he questioned why property owners in the proposed expansion would be interested in annexing since there is still no sewer service in Eastown. He said he hopes the City and owners can find a workable solution to get sewer lines installed in Eastown.

Bill Stinson, 10005 201st Avenue Pl E, Bonney Lake, lives in the Brookside development and said the Council should exclude the Bethany Baptist Church at 2112 S Prairie Rd from proposed Resolution 2120, initiating a Comprehensive Plan Amendment and area-wide rezone for the Midtown neighborhood. He presented the City Clerk with a petition signed by himself and other property owners. He said if the church property is not excluded, it might constitute a site-specific land use change. He said the resolution language suggests that the Council has predetermined its decision to apply site-specific zoning without going through a public process. He said the action would give economic benefit to a particular property owner and not others. He said he opposes the change in zoning from C-1 to C-2, as the area is near single-family homes. He said there have been many changes in the area, including the development of the WSU forest, and commercial zoning should be limited.

Helen Mullins, 10003 201st Ave E, Bonney Lake, also spoke about Resolution 2120. She said when she bought her home 10 years ago there were homes between her house and the Lowe's store, but the houses were purchased by the Lowe's developer to build a road. She said the houses have not been moved and are abandoned, and she can hear noise from the Lowe's parking lot every day. She said she is concerned that the proposed zoning change will create more noise and problems for residents.

Mayor Johnson noted that proposed Resolution 2120 is the start of the process for changing zoning and land use. The item will be reviewed by the Planning Commission, public hearings, and then back to the Council for consideration, and the public will have a chance to voice their concerns. He thanked Mr. Stinson and Ms. Mullins for speaking and submitting the petition, and encouraged them to continue taking part in the public process.

Dave Henline, 1903 Channel Rd, Bonney Lake, spoke to the Council about the planned restroom facility at Swiss Park. He showed a drawing of the property, planned structure, and existing hydrants in the area. He said the Planning Department classifies the structure as commercial, and is requiring that they install a fire hydrant. He said the previous Developer's Agreement between the City and Swiss Park states that it is in a Public Facilities zone and does not allow commercial structures. He said City staff and the Fire Department have latitude to consider real safety risks when reviewing a proposed structure. He noted other structures that do not meet current hydrant requirements, including the restroom facilities and Snack Shack at Allan Yorke Park. He said these structures, like Swiss Park, do not need to be upgraded because there is no real risk to the public. He said in other cities, the restroom structure would be considered a 'group U' occupancy for utilities use and would not have the same requirements as a commercial structure. He asked the Council to request that staff reconsider their decision.

Mayor Johnson said he would ask staff to review the development agreement and continue working to find a solution, and get in touch in a few days.

Winona Jacobsen, 9100 189th Ave Ct E, Bonney Lake, said the Bonney Lake Plateau historical book is completed and available for sale for \$21.99 from the Historical Society. She said the book includes 200 images, many from private collections, and a history of the area from the 1850s to the 1970s.

Doug Osgaard, P. O. Box 7545, Bonney Lake, spoke about the Swiss Park restrooms. He works as an engineer in the aerospace industry and understands safety considerations. He said there is no real risk of fire in the proposed structure. He said a fire hydrant is unnecessary, too expensive, and will not benefit the community.

Mayor Johnson said the City must evaluate all the risks and ensure the project is done right. He thanked Mr. Osgaard for his comments.

C. Correspondence: None.

7:52:29

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, summer hires, and the City's 2011 Well City Award, which gives the City a discount on health insurance. The committee also discussed an ordinance changing meeting times and dates for consideration at the meeting and Finance staff's work on a 6-year budget model.

- B. Community Development Committee: Councilmember Rackley said the committee met on Tuesday, April 19, 2011. A number of people came to talk about the Swiss Park hydrant requirement. The committee also discussed geotechnical reports and reviewed an ordinance on truck routes, which was forwarded to the Public Safety Committee for review. The committee forwarded Resolutions 2118 and 2119 to the current agenda for consideration.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last regular Council meeting.
- D. Other Reports:
- Pierce County Regional Council: Councilmember Hamilton attended the PCRC meeting on April 21st. They discussed the Growth Management Committee report and a final review of Countywide Planning Policies. Councilmember Hamilton gave a summary of a presentation he wants to present to the PCRC. He noted that Tacoma was tenth of the 10 largest cities for growth, and Lakewood's population actually decreased, while Bonney Lake grew fastest. He noted that the top four fastest-growing areas are not in cities, but in unincorporated areas in Pierce County. He said he feels the County opposes the City's proposed annexation because they will lose the fee revenue for development. He asked Councilmembers to review the presentation and provide him with comments.
- Community Events: Councilmember Carter said she and Councilmember Lewis attended the Families First Coalition meeting on Monday, April 25th at White River High School. They discussed housing, teaching kids how to save money, and mobile dental services. She said the coalition will hold a town hall summit later in the year, and plans to hold a drug and alcohol awareness summit next year. Councilmember Lewis said City of Buckley Mayor Pat Johnson presented information about Rainier School and attempts to keep it open during budget cuts.
- Relay for Life: Councilmember Carter said she is starting to collect pennies for the Relay for Life penny drive and encouraged everyone to participate.

8:02:45

IV. **CONSENT AGENDA:**

- A. **Approval of Corrected Minutes**: April 5, 2011 Council Workshop and April 12, 2011 Council Meeting.
- B. **Approval of Accounts Payable Checks/Vouchers**: #60899 thru 60927 (including wire transfer #'s 4042011 & 40420111) in the amount of \$502,259.97; Accounts Payable checks/vouchers #60928 thru 60980 (including wire transfer #'s 4142011 & 41420111) in the amount of \$332,187.00 for a grand total of \$834,446.97. Voided Checks: #60697 – wrong amount. Replaced with check # 60943.
- C. **Approval of Payroll**: Payroll for April 1st-15th 2011 for checks 29714-29737 including Direct Deposits and Electronic Transfers in the amount of \$ 403,015.45.
- D. **AB11-44 – Resolution 2115** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An

Agreement With Bonney Lake Community Resources For Operation Of The Concession Stand At Allan Yorke Park.

- E. **AB11-46 – Resolution 2117** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Extension To The Agreement With Coldwell Banker Commercial/Offenbecher For Leasing Agent Services For Interim Justice Center.
- F. ~~**AB11-50 – Resolution 2118** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The City To Award A Contract To Cannon Construction Inc. To Construct The Utility Trench And Conduit Installation Project. Moved to Full Council Issues, Item C.~~
- G. ~~**AB11-51 – Resolution 2119** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Paramatrix Engineering For The Surveying Effort For The Utility Trench & Conduit Contract For Charlotte Kontos. Moved to Full Council Issues, Item D.~~
- H. **AB11-52 – Resolution 2120** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Initiating A Comprehensive Plan Amendment And Area-Wide Rezone For The Midtown Neighborhood.

Councilmember McKibbin requested that Item F., Resolution 2118, and Item G., Resolution 2119, be moved for consideration as Full Council Issues, Item C. and Item D., respectively.

Consent Agenda approved as amended 7 – 0.

V. FINANCE COMMITTEE ISSUES: *None.*

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: *None.*

8:03:54

VII. PUBLIC SAFETY COMMITTEE ISSUES:

- A. **AB11-48 – Ordinance 1385 [D11-48]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington Revising Chapter 10.16 Of The Bonney Lake Municipal Code With Regards To The Regulation Of Recreational Vehicles.

Councilmember Decker moved to approve Ordinance 1385. Councilmember Lewis seconded the motion.

Ordinance 1385 approved 7 – 0.

8:04:11

VIII. FULL COUNCIL ISSUES:

- A. **AB11-49 – Ordinance 1386 [D11-49]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 13.16 of The Bonney Lake Municipal Code and Ordinance Nos. 898 and 1327 Relating to Developer Extensions and Latecomer Agreements.

Councilmember Rackley moved to approve Ordinance 1386. Deputy Mayor Swatman seconded the motion.

Public Works Director Grigsby noted that the City Attorney had suggested an amendment to 13.16.030 (G).

Councilmember Rackley moved to amend Ordinance 1386, Section 13.16.030 (G), to “No latecomer agreement may be approved in which the City participation amounts to more than ninety-five percent (95%) of the total direct construction cost.” Councilmember Lewis seconded the motion.

Amendment approved 7 – 0.

Deputy Mayor Swatman said the Council heard testimony from residents about this ordinance, and said he believes the City is on its way to a solution for sewer services in Eastown. He said as he understands it, the City must have a partner for a ULA and this ordinance helps to clean up and clarify the Council’s desires and application of the State law. He said he hopes the process will go well and offered to speak to Eastown property owners after the meeting to answer questions.

David Bowen, 22523 SR 410, Bonney Lake, said property owners in Eastown are serious about the process, but are frustrated and worry the Council does not feel any urgency to move the project forward. He said he could provide up to \$50,000 but it is not enough to meet the Council’s expectations for a partnership. He said he understands the Council’s intentions to clarify the code with this ordinance, but it is frustrating for property owners. He said Eastown has a plan to deal with development and traffic to build a better community, and the Council and residents need to find a way to get to the future they envision.

**Ordinance 1386 approved as amended 5 – 2.
Councilmembers Decker and McKibbin voted no.**

- B. **AB11-53 – Ordinance 1387 [D11-53]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Editing Bonney Lake Municipal Code Chapter 2.04 To Change The Regular Meeting Location Of The Council Finance Committee Meetings And Regular Council Meetings And Workshops.

Councilmember Decker moved to approve Ordinance 1387. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman moved to amend Section 2.04.022 to, “The finance committee voucher and payroll reviews shall be held at the Justice Center on the second and fourth Tuesdays of each month at the hour of 5:30 ~~4:30~~ p.m.” Councilmember Lewis seconded the motion.

Amendment approved 7 – 0.

Councilmembers discussed whether regular meetings should be held earlier in the evening for convenience. Councilmembers felt the meetings should continue to be held at 7:00 p.m. to allow people time to get home from work.

Ordinance 1387 approved as amended 7 – 0.

- C. **AB11-50 – Resolution 2118** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The City To Award A Contract To Cannon Construction Inc. To Construct The Utility Trench And Conduit Installation Project.

Councilmember Rackley moved to approve Resolution 2118. Councilmember Decker seconded the motion.

**Resolution 2118 approved 6 – 1.
Councilmember McKibbin voted no.**

- D. **AB11-51 – Resolution 2119** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Paramatrix Engineering For The Surveying Effort For The Utility Trench & Conduit Contract For Charlotte Kontos.

Councilmember Lewis moved to approve Resolution 2119. Councilmember Decker seconded the motion.

**Resolution 2119 approved 6 – 1.
Councilmember McKibbin voted no.**

IX. EXECUTIVE SESSION: *None*

X. ADJOURNMENT:

At 8:17 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

8:17:20

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

Items presented to Council at the April 26, 2011 Meeting:

- Bonney Lake Citizen – *Email re: “Ordinance D11-49 – Update BLMC 13.16”* – Roger Watt.
- Bonney Lake Citizen – *Petition Against Resolution 2120* – Bill Stinson.