

CITY COUNCIL MEETING

November 24, 2009
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 ↓

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:00 p.m.

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

B. Roll Call:

City Clerk Harwood Edvalson called the roll. In addition to Mayor Neil Johnson, Jr., elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley.

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

C. Announcements, Appointments and Presentations:

1. Announcements:

Mayor Johnson congratulated Information Services Coordinator Chuck McEwen on his recent completion of his Master of Science Degree from the Florida Institute of Technology.

2. Appointments: None.

3. Presentations: None.

D. Agenda Modifications: None.

7:01:40

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

1. Public Hearing: Proposed Comprehensive Plan Amendments - WSU Forest, Woodyard Property, and Utilities Element.

a. **AB09-168 – Ordinance D09-168** – An Ordinance of the City Council of the City of Bonney Lake Amending the Comprehensive Plan Land Use Designation and Zoning for Tax Parcel Nos. 0519032005, 0519031000, 0519034002, also Known as the WSU Forest.

Mayor Johnson opened the public hearing at 7:01 p.m.

Ron Weigelt, 17701 101st St E, Bonney Lake, lives in Sky Island. He said although development helps the City by creating jobs and tax revenues, forested land and open space is limited and the WSU forest is a unique property that should be preserved. He said he would like to see the parcel saved for public use and parks to preserve as much of the area as possible.

Jen Aalgaard, 407 14th Ave SE, Puyallup, spoke on behalf of Glenn Kasman, from MultiCare's Good Samaritan Hospital. She spoke in support of the proposed amendment and said Good Samaritan plans to participate in the development of a medical office on the Southwest portion of the site. She said the offices will provide jobs, business and tax revenues and services to residents as the City grows.

Winona Jacobsen, 9100 189th Ave Ct E, Bonney Lake, described how the Growth Management Act requires cities to manage growth by identifying and protecting land by reducing sprawl, protecting open space and the environment. She said one goal in the City of Bonney Lake Comprehensive Plan is to enhance the city's small town character, and to preserve scenic views. She said the city should balance the commercial value of the site with its value as open space in the center of the city. She suggested that special zoning could be put in place to protect as much of the land as possible.

Fred Jacobsen, 9100 189th Ave Ct E, Bonney Lake, read aloud a letter written by Dennis Tompkins, who was unable to attend the hearing. The letter spoke in favor of saving trees on the WSU site and was submitted to the Council for the record.

Ray Frey, 12356 Northrup Way, Suite 119, Bellevue, spoke on behalf of the Eastown development and property owners. He said the city plans for big box retail to be developed in Eastown. He said though the current plan is to build medical offices and smaller retail, the site could be developed for a big box retailer. He said the City can guide development in specific areas through regulations and suggested that Eastown is the appropriate place for large retailers and industrial uses.

Brad Doll, 20212 101st St E, Bonney Lake, lives across from the WSU forest. He voiced concern that developers will clear-cut trees on the residentially zoned portion if the amendment passes but will not start construction for many years. He suggested the City set a timeline between when developers can begin cutting trees and when they will complete construction, so residents do not have to look at dead stumps for years.

Betsy Schultz, 12319 234th Ave Ext E, Bonney Lake, spoke against the proposed amendment. She said zoning changes should add value to citizens and do no harm. She said the area is not open for residents to walk through and there is no guarantee that specific types of businesses will be built on the site. She asked the City to give citizens more time to seek conservation funding or grants to try and save the property.

David Schultz, 12319 234th Ave Ext E, Bonney Lake, spoke in opposition of the amendment. He used to walk and bike in the WSU forest, and said the forest is irreplaceable. He asked the City to leave the site forested and live up to its 'Tree City' title. He said development can occur elsewhere in the city and developing the WSU site will not benefit anyone.

Tim Turner, 1706 S Meridian, Puyallup, is the CEO of Woodcreek Healthcare and spoke in favor of the amendment. He said the rezone will allow construction of a new building with much-needed Class A office space. The building would offer expanded primary care and specialty services to Bonney Lake residents, and would provide employment opportunities for residents. He said the rezone also offers new housing and recreation facilities for the City.

Mark Aversa, 1419 18th Ave Ct SE, Puyallup, is the Medical Director for Sound Family Medicine and spoke in favor of the proposed amendment. He said he shares space with Woodcreek Pediatrics and they have run out of space in their current facility. He said a new medical building will provide one-stop shopping for medical services in Bonney Lake and will help integrate and improve care for residents.

Bob Ecklund, 1614 S Mildred St, Tacoma, is the President and CEO of the YMCA of Pierce and Kitsap Counties, and spoke in favor of the amendment. He said a 2008 survey of residents in and around Bonney Lake showed extremely strong interest in a recreation facility including a pool in Bonney Lake. He said the proposed site development plan includes a location for a recreation center, complimented by open space trails. He said the YMCA envisions building a 30,000-50,000 square foot facility in Bonney Lake, with fundraising starting in 2015 and a goal to open a facility in 2018.

Mark McKullor, 10210 NE Pts Dr, Kirkland, spoke in favor of the proposed amendment. He said his real estate investment trust is working with six medical groups to develop a medical building plan for the WSU site. He said the groups are working to align their plans to increase services to the area, but need assurances of the rezone and plan approvals before moving forward. He said delaying the proposed amendment could jeopardize completion of the medical office project.

Pete Lymberis, P.O. Box 130, Bellevue, spoke on behalf of Quadrant Homes, who applied for the Comprehensive Plan amendment. He said he is working with the City on a developer's agreement that outlines rules of development for the site. He said the proposed development plan includes 47 acres public land, medical offices and high-density residential units. The site would provide open space and trails, a site for a new recreation center, and increased tax revenues and job opportunities for the City. He said the planned stormwater ponds will provide additional sites for trails or fields, and stormwater will not be released downstream. He assured the Council that Quadrant will not clear-cut the site with no plans for immediate development. He said if the amendment is adopted, the City would still

approve each step of development to ensure it complies with the Comprehensive Plan and developer's agreement.

The public hearing was continued to the December 8, 2009 Meeting at 7:00 p.m.

- b. **AB09-170 – Ordinance D09-170** – An Ordinance of the City Council of the City of Bonney Lake, Pierce County, Washington, Amending the Comprehensive Plan Land Use Designation of the Woodyard Property, Parcel No. 4910000330.

Mayor Johnson opened the public hearing at 7:40 p.m.

Wendi Woodyard, 9606 192nd Ave E, Bonney Lake, submitted the application for this Comprehensive Plan amendment. She said she lives in Bonney Lake and owns the 'Dinners Done Right' in the city. She said if the amendment is approved, she does not plan to sell the property. She hopes to move her business to the site with a building that blends well with the surrounding area. She thanked the Council for considering the amendment.

Seeing no further speakers, Mayor Johnson closed the public hearing at 7:41 p.m.

- c. **AB09-171 – Ordinance D09-171** – An Ordinance of the City Council of the City of Bonney Lake, Pierce County, Washington, Adopting the 2009 Comprehensive Sewer Plan, the 2008 Comprehensive Water Plan, and Amending the Utilities Element of the Comprehensive Plan Referencing these Plans.

Mayor Johnson opened the public hearing at 7:42 p.m.

Public Works Director Grigsby said the plans constitute several years of work each, and provide a plan for the city's future utility needs.

Seeing no speakers, Mayor Johnson closed the public hearing at 7: 42 p.m.

- 2. **AB09-174 – Ordinance D09-174** – Proposed Mid-biennial Budget Modifications.

Mayor Johnson opened the public hearing at 7:42 p.m. Seeing no speakers, the public hearing was closed at 7:43 p.m.

B. Citizen Comments:

Winona Jacobsen, 9100 189th Ave Ct E, Bonney Lake, said Arcadia Publishing has approached the Bonney Lake Historical Society to work on a photo history book for Bonney Lake. The publisher has created photo histories for several communities in the area. She asked anyone who has original or high-quality photos from around the

city from 1980 or prior to contact a member of the Historical Society. She said the publisher contacted the City after seeing the historical note on the City's website.

At 7:45 p.m. Councilmember Bowen moved for a five-minute break. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

Mayor Johnson brought the meeting back to order at 7:54 p.m.

C. Correspondence: None.

7:54:58

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 proposed Resolutions 1974 (solid waste contract renewal), 1987 (purchasing street lights), 1988 (sewer main repair design), 1989 (Court equipment reimbursement agreement), and 1990 (leasing services), as well as proposed Ordinances D09-182 (banking levy capacity) and D09-187 (ad valorem taxes). The committee also reviewed funding options for the Eastown sewer system.

B. Community Development Committee: Councilmember Rackley said the committee met on November 16, 2009 and discussed Eastown sewer options, proposed Resolution 1985, and proposed Ordinance D09-181 which were forwarded to the Consent Agenda.

C. Public Safety Committee: Councilmember King said the committee's next meeting is scheduled on Monday, December 7, 2009.

D. Other Reports:

Food Bank Donations: Mayor Johnson said D.M. Disposal donated a refrigerated truck to the Bread for Life food bank, which is associated with the Bonney Lake Food Bank. The Food Bank now has two refrigerated vehicles for transporting donated food. Councilmember Bowen said both trucks are 18' long.

Sewer Subcommittee: Deputy Mayor Swatman said the subcommittee met with Sumner councilmembers on November 19, 2009 in Sumner. The group discussed options to expand the Sumner Wastewater Treatment Plant. He said Sumner has less need for expanded capacity than Bonney Lake. He said the Mayor is also working with other groups on the plateau on other options for sewer treatment options.

Rainier Cable Commission: Councilmember Rackley attended the RCC meeting on November 18, 2009. He said they approved the 2010 budget and he was elected Vice Chair for the Commission.

Elections: Councilmember Decker congratulated Randy McKibbin, Dan Swatman, Donn Lewis and Neil Johnson on their success in the 2009 local elections.

8:01:11

IV. CONSENT AGENDA:

- A. **Approval of Corrected Minutes:** October 20, 2009 Workshop, October 27, 2009 Meeting, and November 10, 2009 Meeting Minutes.
- B. **Approval of Payroll:** Payroll for November 1-15, 2009 for checks 28615-28639 including Direct Deposits and Electronic Transfers in the amount of \$ 374,053.85.
- C. **Accounts Payable Checks/Vouchers:** Accounts Payable checks/vouchers #57228 for Utility Refund in the amount of \$1,498.16; Accounts Payable checks/vouchers #57229 thru 57287 (including wire #11172009) in the amount of \$642,848.04; Accounts Payable checks/vouchers #57288 thru 57326 (including wire #27673994) in the amount of \$195,058.92.
- D. **AB09-181 – Ordinance 1335** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Amending Chapter 12.04 of the Bonney Lake Municipal Code and Ordinance Nos. 589, 589B, 798, 949, and 1261, Relating to Public Works Design Standards.
- E. **AB09-180 – Resolution 1985** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Awarding the City of Bonney Lake Downtown Improvements Private Utilities Conversion Contract to Transportation Systems, Inc.
- F. **AB09-186 – Resolution 1989** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing an Agreement with the Washington State Administrative Office of the Courts.

Councilmember Rackley made a motion to approve the Consent Agenda. Councilmember Decker seconded the motion.

Motion approved 7 – 0.

8:01:23

V. FINANCE COMMITTEE ISSUES:

- A. **AB09-182 – Ordinance 1336** – An Ordinance of the City Council of the City of Bonney Lake, Pierce County, Washington Preserving Levy Capacity for Future Use Pursuant to RCW 84.55.092.

Deputy Mayer Swatman moved to approve Ordinance 1336. Councilmember King seconded the motion.

Chief Financial Officer Al Juarez said this ordinance is common practice and is also known as ‘banking levy capacity.’ He explained that the ordinance allows the City to roll excess levy capacity forward to use for future needs. The City must follow specific RCWs to access the funds. Councilmember Decker asked if the citizens vote on how excess funds are used. Councilmember King said though the City is not required to hold a vote of the people to access these funds, the Council could choose to bring it forward as a referendum to the people.

Motion approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

8:04:23

VIII. FULL COUNCIL ISSUES:

- A. **AB09-187 – Ordinance 1337** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Setting the Amount of the Annual Ad Valorem Tax Levy Necessary for the Fiscal Year 2010 for the Purposes Set Forth Below.

Councilmember King moved to approve Ordinance 1337. Councilmember Decker seconded the motion.

Mayor Johnson said the proposed ordinance implements a reduction in property taxes to 99.152% of 2009 taxes. He noted that many other cities are not decreasing their tax rates due to budget issues, though the implicit price deflator used to calculate taxes decreased. Deputy Mayor Swatman said the ordinance will result in a small decrease in people’s taxes, and every bit helps.

Motion approved 7 – 0.

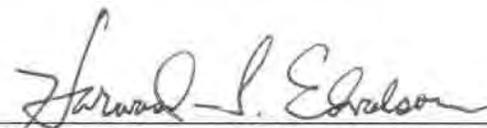
IX. EXECUTIVE SESSION: None.

8:05:33

X. ADJOURNMENT:

At 8:05 p.m. Councilmember Decker moved to adjourn the meeting. Councilmember King seconded the motion.

Motion approved 7 – 0.



 Harwood Edvalson, CMC
 City Clerk



 Neil Johnson
 Mayor

Items submitted to the Council Meeting of November 24, 2009:

WSU Forest Public Hearing Submittals:

- Bonney Lake Citizen – *Letter regarding WSU Forest* – Dennis Tompkins.
- Bonney Lake Citizen – *Email re: WSU* – Laurie Carter for Elizabeth Olsen.

- Washington State University – Letter re: *WSU Forest Comprehensive Plan Amendment and Rezone* – Pete Lymberis for Mel Taylor, Executive Director of Real Estate Operations & External Relations, WSU.
- City of Bonney Lake – News Articles: *"Weyerhaeuser under pressure for more change," "Barking up the Tree of Weyerhaeuser's Future," "Weyerhaeuser freezes 401k Payments," "Weyerhaeuser news release offers a surprise," "Weyerhaeuser may lose tax credit," "Weyerhaeuser breaks even in third quarter."* – Mayor Neil Johnson.
- Bonney Lake Citizen – Re: *WSU Forest – City Council Public Hearing – 11-24-2009* – Fred Jacobsen.
- Woodcreek Healthcare – *Testimony Presented to the City Council of Bonney Lake, Washington, November 24, 2009* – Timothy Turner, CEO.
- Bonney Lake Citizen – *Email re: WSU Forest Development Plan* – Laurie Carter for Marian Betzer.