

CITY COUNCIL MEETING

**January 26, 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 ↓

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:02 p.m.

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

B. Roll Call:

Records & Information Specialist Susan Duis called the roll. In addition to Mayor Neil Johnson, Jr., elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis and Councilmember Jim Rackley. Councilmember Randy McKibbin was absent.

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

**Councilmember Decker moved to excuse Councilmember McKibbin.
Councilmember Lewis seconded the motion.**

Motion approved 6 – 0.

By Council consensus, Presentations Item E., Ordinance D10-21, was moved to Full Council Issues, Item B. for action at the current meeting. Mayor Johnson explained that the item was not included as an action item on the agenda due to an administrative error in preparing the agenda.

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments: None.

3. Presentations:

a. **Proclamation:** Pierce County Reads – Representatives from Pierce County Libraries.

Clare Murphy from Pierce County Library introduced Bonney Lake Managing Librarian Lynne Zeiher and Senior Librarian Lauren Murphy. They are replacing Clare, who now works at the Library System headquarters. Ms. Zeiher read the proclamation for Pierce County READS 2010 aloud, which Mayor Johnson signed. She said this year's book is Ruth Reichl's "Garlic and Sapphires." She invited citizens to

take part in the various events during Pierce County READS, including one at the Bonney Lake Branch on January 30, 2010 at 2:00 p.m.

Councilmembers asked how the Interim Justice Center and Downtown road construction projects are affecting the library. Lauren Murphy said they face some challenges with parking and construction vehicles, but the City is working with library staff on these issues.

- b. **Recommendation:** Planning Commission Chairman Grant Sulham - AB10-18 – Ordinance D10-18 – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Relating to an Interim Zoning Ordinance to Regulate Cottage Housing.

Planning Commission Chair Grant Sulham said in the past, the Chair regularly updated Council on Commission business, and he plans to resume the practice. Councilmembers thanked him and suggested he bring updates to Council Workshops so items can be discussed in depth.

Commissioner Sulham said the Commission voted 5 – 1 in favor of recommending approval of the proposed Ordinance D10-18, which creates an interim zoning code for cottage developments. He said the Commission researched the concept and toured several cottage developments in the area. He said the dissenting commissioner was concerned about adding another layer of housing regulations.

Councilmembers discussed the proposed ordinance, including the square footage for cottages, minimum setbacks, and the length of the interim ordinance. Commissioner Sulham said cottage housing is normally targeted at single adults, such as ‘empty-nesters’, childless professionals, and seniors, and are not intended to be starter homes. Deputy Mayor Swatman questioned whether there was a market for this type of expensive niche housing in Bonney Lake, and said he wanted to be sure only high-quality developments are allowed in the City. The item was forwarded to the February 2, 2010 Council Workshop for discussion.

- c. **Recommendation:** Planning Commission Chairman Grant Sulham - AB10-19 – Ordinance D10-19 – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Updating the Downtown Design Standards Boundary Map.

Commissioner Sulham said the proposed ordinance clarifies the Downtown boundaries. He said some area property owners were unsure whether their properties are in the official Downtown area, and one owner, Linda Youngberg, did not realize that a portion of her property is included on the Downtown area map. Commissioners voted unanimously to recommend approval of the proposed ordinance.

Planning Manager Stinson said the Comprehensive Plan includes a general ‘downtown area’ map with no street names or specific boundaries. The Downtown Design Standards adopted by Ordinance

1250 in 2007 do include a detailed map that defines the Downtown area. She said this map included part of Ms. Youngberg's property when it was originally adopted. Proposed Ordinance D10-19 was forwarded to the February 2, 2010 Council Workshop for discussion.

- d. **Recommendation:** Planning Commission Chairman Grant Sulham - AB10-20 – Ordinance D10-20 – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Updating the Critical Areas to Require Arborist's Reports when Trees are Removed, Topped or Trimmed in Critical Areas.

Commissioner Sulham said the proposed ordinance was developed to offer a way to prevent property owners from improperly removing trees in critical areas. The commission voted 6 to 1 to recommend approval of the proposed ordinance, which requires property owners to submit an arborist report before cutting trees in critical areas. Commissioner Sulham said the dissenting vote came from a commissioner who was concerned about owners having to go through this process to cut down a tree that grows on a previously cleared site. Planning Manager Stinson said she will remove 'interim ordinance' language, which was included in error. She said the City's municipal code includes provisions for mitigating tree clearing. Proposed Ordinance D10-20 requires owners to submit an arborist report to cut trees in critical areas, just as they would need geologist reports for steep slopes or wetland reports for wetlands on the property. Proposed Ordinance D10-20 was forwarded to the February 2, 2010 Workshop for discussion.

- e. ~~**Recommendation:** Planning Commission Chairman Grant Sulham - AB10-21 – Ordinance D10-21 – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Adding a New Chapter 18.19 to Title 18 of the Bonney Lake Municipal Code, Creating a High Density Residential Overlay Zone and Applying it to the Residentially Zoned Portion of the WSU Forest. Moved to Full Council Issues, Item B.~~

D. Agenda Modifications: None.

7:35:27

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Linda Youngberg, 8507 82nd St E, Bonney Lake, addressed proposed Ordinance D10-19. She described her experience with the Downtown plan and map as it relates to her property. She said she was surprised to learn her property was included on the map, but was not allowed to speak at the September 16, 2009 Planning Commission Meeting. She said she submitted a letter to be read into the record in October, but she said it was not read aloud and is unsure whether it was distributed to the Planning Commissioners. She also attended the Planning Commission meeting on October 21, 2009 but arrived after the public comment period and was not allowed to speak. She

read portions of the email she sent in October 2009 aloud, and presented a copy for the record. She said the City did not include her property before, and she would like it to be removed from the 'Downtown' designation. She said the City is welcome to make an offer on her property if it would like the site to serve as a gateway for the Downtown area. Mayor Johnson thanked Ms. Youngberg for her comments and said the item will be discussed at the February 2, 2010 Workshop and probably will be considered for action at the February 9, 2010 Council Meeting.

Raymond Frey, Halsen-Frey, Greenwood Partners, Eastown LLC, spoke on proposed Ordinance D10-18. He said the Planning Commission and staff members did a great job drafting the ordinance, basing it on the best parts of other cities' ordinances. He said the draft ordinance includes a requirement that a cottage development cannot be within 1 mile of another development. He said he did not notice this earlier and feels this is too restrictive. He suggested the Council consider restrictions of ½ mile or 1,000 feet instead, to allow more than two or three cottage developments in the entire city. Councilmembers discussed the intention behind cottage developments and the current market.

Councilmembers asked Mr. Frey about the status of the Greenwood development in Downtown. Mr. Frey said they are building units for rental townhomes now, but the units could be converted into condominiums in the future, if the market changes. He said he believes he could get financing for some cottage housing this year, and has already identified potential sites in the City.

Michelle Gunn, 8708 188th Ave E, Bonney Lake, spoke about proposed Ordinance D10-19. She said she attended meetings through 2007 when the City was developing its Downtown Design Standards. She said she was surprised at the time when her property and Ms. Youngberg's property, which is next door, were not included in the 'downtown' map. She said they met with Ms. Stinson and Community Services Director John Vodopich to discuss the issue. She said their properties are not eligible to use the Downtown Stormwater facility due to topography, and they were told they would get no benefit from being included in the Downtown Design standards. She said she was not notified until September 2009 that the map had changed to include part of Ms. Youngberg's property. She said the City should focus on the other end of Downtown and get projects done there before focusing on the other end of Downtown. In response to Councilmember questions, Planning Manager Stinson reiterated that the Downtown Design Standards adopted in 2007 include a map that shows part of Ms. Youngberg's property as being included in the 'Downtown area.'

Lora Butterfield, Chamber of Commerce, said the Chamber had its first luncheon at Swiss Hall, with over 50 attendees. Special Events Coordinator David Wells presented information on 2010 events and sponsorships. Councilmember Rackley also attended. The new Chamber website will be available soon. She said each luncheon in 2010 will focus on a specific issue or topic, with an overall focus on building businesses.

C. Correspondence: None.

8:10:08

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:00 p.m. earlier in the evening and discussed personnel updates and utility billing/lockbox services. Rex Bond from ARC Architects presented information on the proposed Public Works maintenance facility on 96th Street, including general design, costs and funding options.
- B. Community Development Committee: Councilmember Rackley said the committee has not met since the last Council meeting.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council meeting.

D. Other Reports:

Pierce County Regional Council: Councilmember Rackley attended the PCRC meeting last week. Pierce County will receive \$75 million in additional federal stimulus funding; specific requirements for funding will be available in early February, for projects ready to bid by June 1, 2010.

SCADA Sources: Councilmember Rackley met with Public Works staff to discuss SCADA resources and water loss in the City water system. He said this ongoing project researches costs to remedy water loss, and he will provide more information to the Council as it becomes available.

Recycling: Councilmember Carter said staff informed her that the City saved over \$6,000 last year by recycling metal and equipment.

Bonney Lake Restaurants: Councilmember Carter highlighted a recent article in the News Tribune about restaurants in Bonney Lake, with a review of the new Zato Grill.

Prescription Discount Cards: Mayor Johnson spoke with Auburn Mayor Pete Lewis about the National League of Cities prescription discount card program. Mayor Lewis said it is a great program and is sending more information to Mayor Johnson.

Eastown Utilities: Mayor Johnson said he met with the Compass Pointe developers last week and will provide a full report to the Council at the February 2, 2010 Workshop. He said it was a positive meeting overall.

Sumner Sewer Treatment: Mayor Johnson spoke with Sumner Mayor Dave Enslow regarding the Sumner Wastewater Treatment Facility updates. He said Sumner is prepared to start on Phase 1 of the updates. He asked Council to think about costs, particularly if Bonney Lake is asked to pay more than 50%. He said this will be an issue for discussion at the Council Retreat in February. Councilmember Rackley said he spoke with Buckley Mayor Pat Johnson recently, and Buckley is interested in considering sewer treatment facility options with Bonney Lake.

8:16:14

IV. CONSENT AGENDA:

- A. **Approval of Corrected Minutes:** Approval of Corrected Minutes: January 5, 2010 Workshop and January 12, 2010 Meeting Minutes.
- B. **Accounts Payable Checks/Vouchers:** Accounts Payable checks/vouchers #57666 thru 57717 (including wire # 12302009) in the amount of \$271,208.23; Accounts Payable checks/vouchers #57718 thru 57774 (including wire #'s 1152010 & 12152009) in the amount of \$994,690.14; Accounts Payable checks/vouchers #57775 for a Utility Refund in the amount of \$436.61.
- C. **Approval of Payroll:** Payroll for January 1-15th 2010 for checks 28721-28746 including Direct Deposits and Electronic Transfers in the amount of \$ 388,681.45.
- D. **AB10-17 – Resolution 2004 –** A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign an Amendment and Extension to the Agreement with Pierce County for Emergency Management Services.
- E. ~~**AB10-29 –** A Motion of the Bonney Lake City Council Authorizing the City to Submit a Grant Application to the Plum Creek Foundation. Moved to Finance Committee Issues, Item B.~~

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

Consent Agenda approved 6 – 0.

8:16:49

V. FINANCE COMMITTEE ISSUES:

- A. **AB10-12 – Resolution 2001 –** A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the City to Contract with Billing Document Specialists (Caldwell, ID) for Utility Billing and Lock Box Services.

Deputy Mayor Swatman said this item was discussed during Finance Committee earlier in the evening and should be pulled back to Committee for further review.

**Councilmember Rackley moved to table Resolution 2001 to Finance Committee.
Councilmember Decker seconded the motion.**

Motion to table approved 6 – 0.

- B. **AB10-29 –** A Motion of the Bonney Lake City Council Authorizing the City to Submit a Grant Application to the Plum Creek Foundation. *Moved from Consent Agenda, Item E.*

Councilmember Rackley moved to approve AB10-29. Councilmember Decker seconded the motion.

Deputy Mayor Swatman said he pulled this item from the Consent Agenda because the agenda packet did not include a Finance Committee review page. He said this item did come before the Committee and was recommended unanimously. Executive

Assistant Brian Hartsell said the grant will supplement \$500 from the Senior Advisory Board with \$2,700 in grant funds to purchase automatic external defibrillators (AEDs) for the Senior Center and shuttle van. The grant does not require a financial obligation from the City, though staff must maintain their training certifications and check the equipment regularly. Deputy Mayor Swatman encouraged the City to consider purchasing AEDs for other City buildings.

Motion approved 6 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

8:20:44

VIII. FULL COUNCIL ISSUES:

- A. AB10-30 – Resolution 2009** – A Resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Sign the 2010 Lake Tapps Area Water Resources Agreement.

Councilmember Lewis moved to approve Resolution 2009. Councilmember Decker seconded the motion.

Mayor Johnson said the ‘Four Cities’ of Auburn, Bonney Lake, Buckley and Sumner worked together with Cascade Water Alliance (CWA) to create the proposed agreement. He said it is very positive item for Bonney Lake and hopes the cities will have a good partnership with CWA in the future. Deputy Mayor Swatman said the agreement includes two options for the City to acquire water: to purchase water from CWA from Tacoma Public Utilities (TPU) at a low price, or to purchase water rights in the White River Basin from CWA. The City would have to drill for and treat water it accessed from the White River Basin at an additional cost. He said this is a good option for the City, with lower fees to purchase TPU water and an option for new water source rights. Director Grigsby said the City’s agreement with TPU is from 2005 and includes an annual fee once the City starts purchasing water. The CWA agreement does not include these fees.

Director Grigsby said several small changes would probably be made to the draft agreement before the Mayor signs the final version. He said these changes will not affect Bonney Lake substantively, and the only major change affects the City of Buckley. Mayor Johnson assured the Council that if he finds any substantive changes affecting Bonney Lake appear in the final version, he will bring the agreement back to the Council for further review. Councilmember Carter noted that this version of the draft letter and agreement have been amended in several sections since the Council reviewed the item on January 19, 2010.

Motion approved 6 – 0.

- B. AB10-21 – Ordinance 1342** – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Adding a New Chapter 18.19 to Title 18 of the Bonney Lake Municipal Code, Creating a High Density Residential Overlay Zone and Applying it to the Residentially Zoned Portion of the WSU Forest. *Moved from Presentations, Item E.*

Councilmember Decker moved to approve Ordinance 1342. Councilmember Hamilton seconded the motion.

Planning Manager Stinson said the proposed ordinance follows up with the WSU Development Agreement the Council approved on December 22, 2009 (Resolution 1991). The Planning Commission unanimously voted against recommending changes to R-3 zoning, and suggested consideration of a zoning overlay instead. Councilmember Carter said the description of the area covered by the overlay remains incomplete, and only includes the area south of SR 410 and northeast of South Prairie Rd, with no eastern delineation. She expressed concern about fire safety requirements and setbacks of only 10' to 15'. Planning Manager Stinson confirmed that setbacks in other parts of the City are 20'.

**Motion approved 5 – 1.
Councilmember Carter voted no.**

IX. EXECUTIVE SESSION: None.

8:32:

X. ADJOURNMENT:

At 8:32 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Lewis seconded the motion.

Motion approved 6 – 0.



Harwood Edvalson, CMC
City Clerk



Neil Johnson
Mayor

Items submitted to the Council Meeting of January 26, 2010:

- Bonney Lake Citizen – Email: "FW: Downtown," October 6, 2009 – Linda Youngberg.