

**CITY COUNCIL  
WORKSHOP**

**February 2, 2010  
5:30 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](http://www.ci.bonney-lake.wa.us)*

**WORKSHOP MINUTES**

*"Where Dreams Can Soar"*

**I. Call to Order:**

Mayor Neil Johnson, Jr. called the workshop to order at 5:32 p.m.

**II. Roll Call:** [A13]

Administrative Services Director/City Clerk 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 City Administrator Don Morrison, Chief Financial Officer Al Juarez, Community Development Director John Vodopich, Police Chief Mike Mitchell, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, City Attorney James Dionne, Planning Manager Heather Stinson, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.

5:32:56

**III. Agenda Items:**

**A. Presentation:** Public Officials Training - Washington Cities Insurance Authority - Lisa Roberts, Risk Services Deputy-Director.

Risk Services Director Lisa Roberts provided the Councilmembers with information about WCIA services, and offered guidance for risk management. She highlighted issues and actions that can put the City or individual councilmembers at risk for claims or litigation, such as arbitrary and capricious decisions, moratoriums, sharing information provided in executive sessions, using personal computers for City business, etc. She said that the City's WCIA member delegate, Harwood Edvalson, will assist Councilmembers with questions or concerns. Mayor Johnson thanked Ms. Roberts for attending and providing information to the Council.

**B. Council Open Discussion:**

Pierce County Regional Council: Councilmember Rackley encouraged the Council to attend the PCRC Annual Meeting on February 18, 2010 at 6:00 p.m.

Pancake Breakfast and Town Hall: Deputy Mayor Swatman thanked staff for their help at the Pancake Breakfast on January 30, 2010. Councilmember Rackley said he is interested in the results of the focus group surveys taken during the event. Mayor Johnson said the survey worked well but the City needs to get a large group of citizens to get useful data from these surveys. He said he is working on options to survey students during a Bonney Lake High School forum later in the year.

Senior Travel Policy: Deputy Mayor Swatman said the current Senior Center Travel policy does not allow the van to be used for out-of-state travel, and asked whether

the policy should be revised. Community Services Director Leaf said the policy was enacted in part due to concerns about mileage put on the van each year and potential risks if the van breaks down far away from the City. City Administrator Morrison said the policy allows Senior Center trips out-of-state, but they cannot use the van for those trips (they can carpool or charter bus instead). Councilmembers discussed alternative policies, such as setting a maximum mileage per trip or per year, or requiring the Senior Center to get Council approval for out-of-state trips, like the current employee travel policy.

Boat Launch Pass: Deputy Mayor Swatman asked Council to consider options to limit the number of boat launches at Lake Tapps, especially as the City considers future annexations. He said the State's boat launch on the north side of the lake is closed once the trailer lot is full, and something similar could be done in Bonney Lake. Mayor Johnson said the current code does not speak to limiting the number of people using the lake, and he is interested in public opinion. Councilmember Decker asked for information on how many people use the boat launch each day.

Local School Districts: Councilmember Carter, Councilmember Rackley and City Administrator Morrison attended the 'coffee with the superintendent' recently and discussed the upcoming school levy election on February 9, 2010. Councilmember Carter said the Sumner School District is looking into how the upcoming census will affect districts, and whether schools will be combined, moved, etc.

Public Safety Issues: Councilmember Carter said at the February 1, 2010 meeting, the Public Safety Committee discussed organizing a group of residents to discuss boat speed and noise issues. They also suggested the City recognize Assistant Fire Chief Dave Wakefield, who is retiring soon. The committee discussed contract negotiations with Metro Animal Services, and options to increase pet licensing fees to bring them in line with other cities' fees. Councilmember Hamilton said Bonney Lake's fees are about 30% lower than other cities. The Committee suggested the animal control ordinance be amended to be in line with other cities that contract with Metro Animal Services. The Committee also considered an option to have the Police Chief make determinations on vicious dogs, rather than an administrative law judge. Council consensus was to continue these discussions in committee.

Community Art: Deputy Mayor Swatman asked whether the City had more information on the glass art available from Pierce County, which was originally created by area students for use in bus stalls. City Administrator Morrison said Councilmember Carter has information on the designs. Councilmember Carter said the art could be installed in the Interim Justice Center, and said she provided information on design to David Wells.

**At 6:49 p.m., the Workshop recessed for a 10-minute break. The Workshop reconvened at 7:03 p.m.**

Eastown Utilities: Mayor Johnson met with the Compass Pointe developers last week to discuss their concerns with constructing utilities in Eastown. He described several options available to the City. First the City could set up a Utility Latecomer Agreement (ULA) for a lift station in Eastown north of SR 410 and under-crossings under the highway. Secondly, the City could opt to build the entire system on the north side, including the lift station, water and sewer lines. He offered a third option,

where the City would build one lift station north of SR 410 and plan to build a second lift station in Eastown south of SR 410 at a later date. He gave rough estimates for each option, and said the project cost could be decreased if the City does not purchase right-of-way as part of the ULA. He said he is trying to eliminate any road blocks to moving forward on Eastown development, and the developer has concerns about being compensated for their right-of-way.

Director Grigsby said all property owners to the east of the proposed lift station property have agreed on the path of the sewer line and frontage road. He said they have all signed easement paperwork, and are ready to send them to the City once the Council is ready to take action. He confirmed that Compass Pointe has asked the City to compensate them for the right-of-way needed to connect properties to the lift station. He said property owners west of the proposed lift station are currently working to determine where to place sewer lines so they can hook into the system. He said property owners south of SR 410 Eastown are not as far along in the process, but have also offered to draft a letter saying they would work on similar agreements as the property owners north of SR 410.

Councilmembers discussed the options and whether the City should consider purchasing right-of-way under a ULA. Deputy Mayor Swatman said the City does not normally purchase right-of-way for other developments and did not support the purchase in this case. Councilmember Rackley agreed. Councilmember Hamilton said the City must focus on public service and getting utility service to the area, and the ULA represents a risk to the city and its ratepayers. He said if one property owner is holding up the project, they should be bypassed. He said if the developer can show the burden to their property is exorbitant compared to other property owners, however, he would be more willing to consider it. He noted that the developer is also required to make other improvements, including a stop light, which could be part of the consideration.

Councilmember Lewis said he supports a phased approach to construction, starting with utilities in northern Eastown and working on southern Eastown later. Director Grigsby said the City's bonding agent feels the City could have a single bonding package for a multi-phased project.

Based on Council input, Mayor Johnson directed staff to work on details for a ULA for northern and southern Eastown, not including the expense for right-of-way purchase. He said the developer will have time to provide information on right-of-way compensation before the Council returns to discussions at a future workshop.

Zoning Overlay Ordinance: Councilmembers discussed Ordinance 1342, passed at the January 26, 2010 Meeting, regarding the WSU zoning overlay. Councilmember Rackley noted that the zoning overlay description does not delineate an eastern boundary, and asked whether the ordinance should be revised. Planning Manager Stinson said the ordinance applies only to areas zoned R-3, which would not affect most parcels to the east in Eastown, which are zoned C-2/C-3. Councilmembers said they have received questions about what areas are covered by the zoning overlay. City Attorney Dionne said the Council could consider a revision ordinance to change the overlay area.

- C. **Review of Draft Council Minutes:** January 19, 2010 Workshop and January 26, 2010 Meeting.

The January 19, 2010 Workshop minutes were revised on page 4 to reflect that the Lake Bonney Conservation Association will meet on "February ~~13~~14, 2010," and a misspelled word was corrected. The January 26, 2010 Workshop minutes, p. 8 were revised to read "south of SR 410 and northeast of South Prairie Rd, with no ~~western~~ eastern delineation." The corrected minutes were moved forward to the February 9, 2010 Meeting for approval.

- D. **Discussion:** 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 was in attendance. Planning Manager Stinson answered questions Councilmembers had at the previous meeting. She said the Commission considered whether the ordinance should be written as an interim or demonstration ordinance, which lasted for a certain amount of time or until a project is completed, or as a regular ordinance. She said the maximum size and open space allowances come from the City of Kirkland's ordinance. She answered questions about vesting, irrigation, neighborhood meetings, notification, and permit extensions. She said cottage developments would ideally not be placed in the Downtown core, but they could be on the edge of the core area, since it is important to place these developments near shops and transit. She reiterated that cottage developments are not built as low-income housing or starter homes.

Councilmembers discussed the purpose for allowing cottage developments, potential sites, marketing, and the desire for the cottages to be high-quality homes. Several Councilmembers spoke in favor of presenting the item as a demonstration ordinance, rather than an interim ordinance, so the City could allow one cottage development to be built and then decide whether to make the ordinance permanent. Proposed Ordinance D10-18 was forwarded to the February 16, 2010 Workshop for discussion.

- E. **Discussion:** AB10-19 – Ordinance D10-19 – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Updating the Downtown Design Standards Boundary Map.

Planning Manager Stinson said the proposed boundary map differs slightly from the map originally approved in the Downtown Design Standards. She said a small portion of a parcel owned by Linda Youngberg was not included in the Downtown boundary originally; on the revised map the entire parcel is included in the boundary area. She said staff initiated this proposed change to make the map easier to read and use for planning purposes. The Planning Commission reviewed other parcels, but in the end recommended to only amend the map to include all of the Youngberg parcel, and not to add or remove any other parcels to the boundaries at this time. The Planning Commission also suggested the Council consider whether parcels that are currently in the Downtown Zone should be rezoned if they are not included in the Downtown Design Standards boundaries.

Councilmembers discussed whether other parcels should be included in the Design Standards map. Several councilmembers said properties along main thoroughfares (Sumner Buckley Hwy, Main St, etc.) should be covered by the Downtown Design

- Citizen – *Email re: Cottage Ordinance (2/2/2010)* – Raymond Frey.

Standards. Mayor Johnson said the map could be revised to reflect the future land use map in the Comprehensive Plan, to be consistent with the City’s long-term plans. Planning Manager Stinson confirmed that properties in the Downtown Design Standards boundaries must comply with Downtown Design standards if they rebuild or substantially remodel buildings.

Councilmembers discussed the purpose of the Downtown boundary map. Deputy Mayor Swatman suggested adding the parcel on the northeast corner of Locust Ave and Old Sumner Buckley Hwy in the Downtown boundaries, since it is a highly visible property on the main corridor. City Attorney Dionne said though not required by law, the City may want to contact the owners to notify them of the proposed change. Community Development Director Vodopich said his department would send a letter to the property owner at Locust Ave & Old Sumner Buckley Hwy. Council consensus was to forward the proposed ordinance to the February 23, 2010 Meeting for action.

- F. **Discussion:** AB10-20 – Ordinance D10-20 – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Updating the Critical Areas Ordinance to Require Arborist’s Reports when Trees are Removed, Topped or Trimmed in Critical Areas.

Planning Manager Stinson said the proposed ordinance includes a small revision to the existing critical areas ordinance. Councilmember Hamilton expressed concern for property owners who have weed trees grow up and block their view. He said they would not be able to cut them down, even if the land was previously cleared for development. Commissioner Sulham said he had this concern, and was the dissenting vote on the Planning Commission. Planning Manager Stinson said the Council originally asked the Commission to consider ways to prevent people from cutting trees in critical areas without permits. She said after review, it appears to be more an issue with enforcement and education than with the code itself. Councilmembers discussed the public safety concerns and whether the proposed ordinance would prevent tree removal, trimming or topping in the future. Councilmember Carter said many citizens, tree cutting services, and staff are unaware of the restrictions and locations of critical areas in the City. Council consensus was to table the proposed ordinance indefinitely.

IV. **Executive Session:** None.

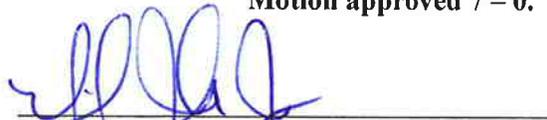
8:56:02

V. **Adjournment:**

At 8:56 p.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 the Council Workshop of February 2, 2010: