

CITY COUNCIL WORKSHOP

**June 15, 2010
5:30 p.m.**

MINUTES



"Where Dreams Can Soar"

The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

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Audio Time Stamp ↓

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

I. Call to Order: Mayor Neil Johnson, Jr. called the workshop to order at 5:31 p.m.

II. Roll Call: [A1.3]

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

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

Councilmember Hamilton moved to excuse Councilmember Randy McKibbin. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

III. Agenda Items:

Mayor Johnson asked the Council to consider moving Item F. and Item E. to the top of the agenda in order to allow East Pierce Fire & Rescue staff to present information earlier so they could attend another meeting.

Councilmember Decker moved to place Item F., AB10-104, as Item A. on the agenda. Councilmember Carter seconded the motion.

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

Councilmember Carter moved to place Item E., AB10-98, as Item B. on the agenda. Councilmember Lewis seconded the motion.

Motion approved 6 – 0.

5:31:53

A. (Originally Item F.) AB10-104 – Ordinance D10-104 – An Ordinance Amending Chapter 15.16 Of The BLMC Related To Automatic Fire Extinguishing Systems.

Assistant Chief John McDonald reviewed the proposed changes to the chapter, including reducing the threshold for automatic sprinkler systems from 8,000 square feet to 5,000 square feet in new construction for residential and commercial

buildings. The ordinance would also require sprinklers in canopies over 4 feet in width for buildings that require sprinklers. He said additional amendments provide guidance on plan submittals and the appeal process.

Chief McDonald noted that the City Attorney's Office has reviewed the proposed amendments and suggested several minor changes, mostly related to formatting. He apologized that the revised version was provided after Council agenda packets were printed.

Councilmember Rackley said he is concerned about protecting adjacent properties. Chief McDonald said the 5,000 square foot size threshold was selected based on the state and other cities' code, and will be further addressed in the proposed building code ordinance (AB10-98). He said Sumner and Pierce County already use this threshold, and other cities in the area plan to take action on similar code changes soon. He said it is helpful for East Pierce Fire & Rescue if all the cities in their service area have the same code requirements.

Councilmember Hamilton asked how systems are installed and maintained. Chief McDonald said installation is normally handled by a certified fire system contractor, and State law requires sprinkler systems to be serviced annually by a certified contractor. The contractors then send copies of their report to the Fire District to ensure systems are being checked.

The proposed ordinance was forwarded to the June 22, 2010 Council Meeting for action.

5:46:30

- B. (Originally Item E.) **AB10-98 – Ordinance D10-98** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 15.04, 15.08, And 15.24 Of The Bonney Lake Municipal Code And Ordinance Nos. 700, 711, 778, 826, 851 And 885, Relating To Adoption Of Revised International Codes Of Building And Related Regulations.

Building Official Jerry Hight reviewed the proposed updates to the City's building code. He said the proposed ordinance clarifies specific sections, and adopts the State's code with certain exceptions. One exemption would not require sprinklers in single-family residences under 5,000 square feet in size.

Councilmember Rackley expressed concern in the potential for fires spreading between houses built close together. Mr. Hight said the City has three-foot setbacks, which means houses could potentially be built at a minimum of six feet apart. Chief McDonald said the Fire Department proposed the exemption for 5,000 square feet detached homes, but a different standard may be appropriate for developments with more closely packed homes, such as cottage developments. He said density is more of an issue than square footage in preventing fires from spreading from one building to another. He said he was not prepared to make a recommendation on the minimum distance between homes for fire prevention.

Deputy Mayor Swatman said sprinklers save lives and he feels sprinklers should be required in all new homes. He said studies show that the cost to install sprinklers in new construction homes is negligible compared to saving lives and property. Chief McDonald said the 5,000 square foot threshold was recommended in response to

concerns about driving up the cost of residential development. Councilmember Carter referred to a recent deadly house fire in Seattle and agreed that sprinklers should be required in all new homes, not just very large homes. Deputy Mayor Swatman said according to Planning Department data, only about 0.5% of the houses in Bonney Lake are over 5,000 square feet in size, and about 6% are over 3,000 square feet. Councilmember Rackley said he disagrees with the Master Building Association's assertion that requiring sprinklers has negative effects on affordable housing costs.

Councilmember Hamilton asked whether the intent of the ordinance is to start requiring sprinklers in some homes now, and to reduce the exemption slowly over time. Chief McDonald said the ordinance exempts most single-family homes now, but includes duplexes and townhomes, which is a major fire safety concern. He said the exemption can be reduced over time to include more single-family residences, and he does not oppose changing the exemption to include more single-family residences.

Councilmember Hamilton said all the cities in East Pierce Fire & Rescue's jurisdiction should pass the same requirements. He said that otherwise, Bonney Lake will be attacked by developers and others who feel the requirements are too restrictive. Councilmember Decker asked if sprinkler systems would reduce the need for Fire Department services. Chief McDonald said though staffing needs and taxes would not be decreased, sprinklers can help reduce demand on the water system, the amount of equipment and resources needed to fight fires, and the impact of fires on life and property.

After continued discussion, Deputy Mayor Swatman and Councilmembers Carter, Decker, Lewis, and Rackley spoke in favor of requiring sprinkler systems in all new single-family residential homes. Mayor Johnson said he has spoken with Councilmember McKibbin, who also expressed support for requiring sprinkler systems in single-family residences. Councilmember Rackley said requiring sprinklers in all new construction would ease his concerns about fire risk in cottage developments.

Mayor Johnson asked how many cities require sprinklers in all new homes. Mr. Hight said some cities require it in all, and others require it only in houses over 5,000 square feet. Mr. Hight and Chief McDonald said the 5,000 square foot exemption for single-family residences was included because of the poor economy and concerns that the requirement would negatively impact housing development. Both agreed that they personally think sprinklers should be required in all new homes.

Councilmember Carter said that other cities in the State require sprinklers in all new homes. Deputy Mayor Swatman said State and County legislators face much greater political pressures, and are less likely to impose strict requirements for sprinklers. He said developers can choose to build elsewhere if they feel it is too expensive to build in Bonney Lake, but there are other ways to lower building costs in the City, like reducing other development fees.

Councilmember Hamilton suggested the Council wait to vote on the 5,000 square foot exemption until after the Association of Washington Cities conference during the following week. Chief McDonald said a number of other issues in the proposed ordinance are time-sensitive, and encouraged the Council to vote on the overall

ordinance at its next meeting so it becomes active in July. Director Vodopich said staff found an error in the proposed ordinance where the 2009 building code is not referenced. He will correct the error in the revised version that comes before Council for action. The item was forwarded to the June 22, 2010 Meeting for action.

At 6:37 p.m. Councilmember Decker moved for a five-minutes break. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

The Workshop reconvened at 6:43 p.m.

6:43:38

- C. (Originally Item A.) **Presentation:** Hazard Mitigation Plan – Diane Schurr, Program Coordinator, Pierce County Emergency Management.

Diane Schurr thanked Building Inspector Scott Fielding for his assistance preparing the draft plan, and provided a brief overview of the proposed plan. She said Bonney Lake has very low risk from floods and lahar flows, but does have areas that are at risk for landslides. She explained the Community Rating System (CRS), which provides discounts for citizen flood insurance in cities that reduce flood risks. She said Bonney Lake is not a CRS community, but noted the low flood risk makes this less of a concern.

Ms. Schurr said Section 6 – Infrastructure includes details about all city facilities, and is not released by the County unless the City chooses to disclose this information. She said in addition to the mitigation plan, the City needs to develop and maintain its own continuity of operations and government plans. She said the City must continually review and revise its Hazard Mitigation Plan every five years.

Ms. Schurr explained the process going forward, and asked the Council for authorization to submit the plan to FEMA for approval. She said once her agency receives a response from FEMA (probably in September 2010), the Council can vote on a Resolution to adopt the plan. She asked Councilmembers and staff to contact her any time with questions about continuity planning or the draft plan. Councilmembers thanked Ms. Schurr for presenting the information.

7:08:21

- D. **Council Open Discussion:**

Utility Rates: Councilmember Rackley said he would like the Council to discuss the city's rebate program in depth. City Administrator Morrison said he can provide more information for the Council's discussion at the next workshop. Deputy Mayor Swatman said the Council can help reduce fees by reducing the number of proposed projects on the CIP plan project list.

Property Development: Councilmember Hamilton said a resident asked him about a property that appears to be under development in the City. Director Voodich said the property owner is clearing and grading the property in question, and has plans to grow an orchard.

Corliss Property Logging: Councilmember Hamilton asked when the Corliss property, which lies outside City limits and was recently logged, will be replanted. Director Vodopich said he will ask for a timeline from the owner and report back.

Safe Routes to School Meeting: Councilmember Carter attended the Safe Routes to School open house event on Saturday, June 12th. She said staff presented great informational materials and she has seen a positive response from citizens and in the newspaper.

Upcoming Events: Councilmember Carter said staff from Bonney Lake and Sumner will compete in a fundraiser softball game supporting Relay for Life. The game is on Saturday, June 26th at 2:30 p.m. at Allan Yorke Park. She said residents can find information on events, city cost-saving measures, projects, and other updates in the Bonney Lake Reporter, available in the Courier-Herald Newspaper and online.

Reed Property Tour: Councilmember Carter asked when the Council will tour the newly purchased Reed property. City Administrator Morrison said the tour will probably be scheduled prior to a regular Workshop date in July.

Midtown Plan: Councilmember Carter said the Planning Commission plans to discuss the Midtown Plan element at its July 7th meeting, which she plans to attend. She said Councilmembers can send her input to include in the discussion.

Fennel Creek: Councilmember Carter said Cindy James from the Department of Ecology contacted Councilmembers and City staff about setting up a group to discuss reducing fecal coliform bacteria levels in Fennel Creek, but had not received a sufficient response. Public Works Director Grigsby asked Councilmember Carter to send the information to him so he can reply. He said based on his understanding, the Department of Ecology's main areas of concern are located in the County, and in Bonney Lake the major issues relate to the use of fertilizers near the creek and leaky septic systems.

Cascadia: Councilmember Lewis said the Pierce County Planning Commission plans to discuss several projects related to the Cascadia Development at their June 22, 2010 Meeting at 8:30 a.m. He said these projects may be of interest to the City, and suggested someone attend.

Phone System: Deputy Mayor Swatman said at the last Finance Committee meeting, he asked staff to provide more information on quotes submitted by vendors for the City's new phone system, but had not yet received it. Administrative Services Director/City Clerk Harwood Edvalson said he would make sure the information is forwarded.

Nuisance Ordinance: Deputy Mayor Swatman asked if the Public Safety Committee has discussed a complaint made by Maryanne Zukowski about the City's nuisance code. Councilmember Hamilton said he will include this discussion on the committee's next meeting agenda.

Countywide Flood Control District: Deputy Mayor Swatman asked if City can comment on the proposed Flood Control District before it comes before the Boundary Review Board (BRB). City Administrator Morrison said if the City is interested in being removed from the new district, now is the time to submit comments. He said the draft mitigation plan presented earlier in the evening can be presented as one piece of evidence to the BRB. Councilmembers asked for more information on the

options to request a boundary revision. Councilmember Hamilton said he would not oppose a Flood Control District if it charged different areas more or less based on their risk level. Deputy Mayor Swatman said if even portions of Bonney Lake were removed from the proposed district, it would still save City taxpayer’s money.

Panther Day: Mayor Johnson said Sonic Drive-In has offered to donate a free drink to each Bonney Lake High School student who shows their ASB card on Panther Day, June 21st. He said he hopes other businesses will make similar offers in future years.

Senior Projects: Mayor Johnson said an area Eagle Scout did a lot of work at Camp Corliss, located outside the City, shortly before the area was clear cut. The Mayor said he is working to identify locations in Bonney Lake that scout troops can use now that Camp Corliss is no longer available.

Pierce Transit: Mayor Johnson said he attended the Pierce Transit Board meeting on Monday, June 14th, and heard testimony about whether to propose a ballot measure to raise bus rates. He said most attendees were from the County and lived outside the core areas in downtown Tacoma. He said he plans to vote against fee increases, and is frustrated that Pierce Transit represented employees do not seem to think their benefits should be cut to reduce costs.

Eastown Updates: Mayor Johnson said he sent a letter to Compass Pointe requesting a response by June 14th, but had not yet received a response. He said there has been no movement on the Eastown sewer lift station so far. He said he was approached by former Councilmember David Bowen with an option to locate the lift station on his property and staff are reviewing the option. He said unless Councilmembers have objections, he plans to move forward with studying the new site.

Deputy Mayor Swatman expressed concern that Compass Pointe is still working on a plan simultaneously and staff time will be wasted. Mayor Johnson said he feels that the City has done all it can to keep the lift station plans moving forward and gave the developers plenty of time, but now it is time to try another option.

Public Works Director Grigsby presented a map to Council showing the proposed location and direction of sewer flows to adjacent properties in Eastown. He said the sewage lines would run under SR 410 at the Faust property, at the future planned road 226th Ave E. He said the Faust Trust administrator and property owner located North of Mr. Bowen’s property is receptive to the idea. He said he has received easements from other property owners, and only two property owners have expressed reluctance to sign easements so far. He added that Eastown LLC has not yet submitted an acceptable, completed easement for their property. Mayor Johnson said he will keep Councilmembers informed of any future updates.

7:38:33

- E. **Review of Council Minutes:** June 1, 2010 Workshop and June 8, 2010 Meeting Draft Minutes.

The minutes were forwarded to the June 22, 2010 Meeting for action as presented.

7:38:54

- F. **AB10-74 – Ordinance D10-74 – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 15.28 BLMC.**

City Attorney Dionne asked for input from Council for the proposed sign code ordinance. Deputy Mayor Swatman asked that the final version that comes before Council be a clean copy with all changes incorporated. Councilmember Hamilton said the ordinance does not address the desire of community groups to advertise their events, or the concerns brought forward by the Chamber of Commerce. City Attorney Dionne said the proposed ordinance only clarifies code enforcement issues, and does not include language specific to civic groups or commercial entities. He said that under the code, any entities promoting a service or business must do so on-site. Councilmember Carter asked for clarification about real estate signs. Director Vodopich said the current code says open house signs can be posted from “dawn to dusk” and was changed to “during daylight hours” in the proposed ordinance. City Attorney Dionne said this language can be amended if Council wishes. He emphasized that the ordinance is intended to clarify code enforcement for staff members. The proposed ordinance was forwarded to the June 22, 2010 Meeting for Council action.

IV. Executive Session: None.

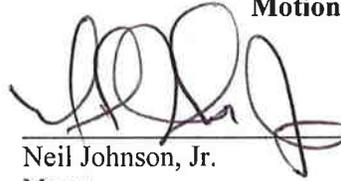
7:44:03

V. Adjournment:

At 7:44 p.m. Councilmember Rackley moved to adjourn the workshop. Councilmember Carter seconded the motion.

Motion approved 6 – 0.


Harwood T. Edvalson, CMC
City Clerk


Neil Johnson, Jr.
Mayor

Items submitted to the Council Workshop of June 15, 2010:

- City of Bonney Lake – “Bowen Property Lift Station Concept” – Public Works Director Dan Grigsby.