

CITY COUNCIL MEETING

**June 22, 2010
7:00 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.

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 7:00 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 Neil Johnson, Jr., elected officials attending were Deputy Mayor 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, Chief Financial Officer Al Juarez, Community Development Director John Vodopich, Community Services Director Gary Leaf, Building Official Jerry Hight, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments: None.

3. Presentations:

a. **Proclamation:** 2010 Relay for Life.

Mayor Johnson proclaimed Wednesday, June 30, 2010 as "Paint the Town Purple Day" in support of Relay for Life. He invited citizens to participate in upcoming fundraisers on June 26, 2010, including a charity softball game between City of Bonney Lake and City of Sumner employees at 2:30 p.m. at Allan Yorke Park. Councilmember Rackley will umpire the game. In addition, Applebee's Restaurant in Bonney Lake will donate 15% of their proceeds to the local Relay for Life team on June 26 between 4:00 and 7:00 p.m.

b. **Planning Commission Recommendation:** AB10-111 – Ordinance 10-111 – An Ordinance of the City of Bonney Lake, Pierce County, Washington, Updating R-2 and R-3 Zoning.

Planning Commission Chair Grant Sulham and Commissioner Brad Doll presented information to the Council on recommended changes to the zoning code. He said the City needs to increase density on buildable

lands per the Growth Management Act. He said the Council applied an R-3 overlay to a portion of the WSU Forest, which requires a minimum of 10 units per acre. He said the Commission unanimously recommended applying a 10-unit minimum to all R-3 zoned areas.

Deputy Mayor Swatman asked about deletion of the 10,000 square foot minimum lot size. Director Vodopich said the intent was to clarify the density in R-2 zoning from 5-9 units. Mayor Johnson said Council would discuss the proposed ordinance in depth at a future Council workshop.

- D. Agenda Modifications: Councilmember Rackley asked to move Community Development Issues, Item A. (Resolution 2045) to Consent Agenda, Item F. Councilmember Decker seconded the motion.

Motion to modify the agenda approved 7 – 0.

7:08:58

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

- A. Public Hearings: None.
- B. Citizen Comments:
Katrina Minton-Davis, 19004 107th St E, Bonney Lake, is the co-chair of the Bonney Lake Relay for Life team and thanked the council for their support of Relay for Life fundraisers. She said this year's Relay for Life event is on July 30-31st.
- C. Correspondence: None.

7:09:57

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening. The committee met in the Mayor's office due to an ongoing jury trial and discussed personnel updates.
- B. Community Development Committee: Councilmember Rackley said the committee met on June 21, 2010 and discussed storm water credits and options for including artwork on retaining walls in Downtown and Easttown. The committee forwarded the following items for action on the current agenda: Resolution 2036 and Resolution 2045 (with both bids well below engineer's estimates), and Resolution 2049 for a greenhouse gas emissions policy. He said AB10-108 and AB10-109, accepting projects as complete, was forwarded to the July 13 Meeting for action.
- C. Public Safety Committee: Councilmember Hamilton said the committee has not met since the last Council meeting.
- D. Other Reports:
Church Lake Boating Advisory Committee: Councilmember Hamilton said the advisory committee met for the first time on June 21. He said this is a citizen's

committee, and though Councilmembers are involved in coordinating meetings, they are not voting members. He said the committee had productive initial discussions and identified their primary concerns: safety and noise issues on the lake.

7:14:14

IV. CONSENT AGENDA:

- A. **Approval of Minutes:** June 1, 2010 Council Workshop and June 8, 2010 Council Meeting Minutes.
- B. **Accounts Payable Checks/Vouchers:** Accounts Payable checks/vouchers #58748 thru 58783 (including wire transfer # 60110) in the amount of \$82,220.57; Accounts Payable checks/vouchers #58784 thru 58833 (including wire transfer's #5152010, 6022010) in the amount of \$369,187.31; Accounts Payable checks/vouchers #58834 thru 58880 for utility refunds in the amount of \$6,416.76.
- C. **Approval of Payroll:** Payroll for June 1-15 2010 for checks 29062-29096 including Direct Deposits and Electronic Transfers in the amount of \$418,327.29.
- D. **AB10-74 – Ordinance 1351** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 15.28 BLMC.
- E. **AB10-82 – Resolution 2036** – A Resolution of the City of Bonney Lake, Pierce County, Awarding Fennel Creek Trail and 192nd Avenue Sidewalks Projects Phase 1 contract to Titan Earthwork, LLC.
- F. **AB10-102 – Resolution 2045** – A Resolution of the City of Bonney Lake, Pierce County, Washington, Awarding the Contract for TWD Intertie S Prairie Road E Waterline Project to Mountain West Construction. (*Moved from Community Development Committee Issues, Item A.*)

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

Consent Agenda approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.

7:14:23

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. ~~**AB10-102 – Resolution 2045** – A Resolution of the City of Bonney Lake, Pierce County, Washington awarding the contract for TWD Intertie S. Prairie Road E Waterline Project to Mountain West Construction. (*Moved to Consent Agenda, Item F.*)~~
- B. **AB10-110 – Resolution 2049** – A Resolution of the City of Bonney Lake, Pierce County, Washington, Adopting Policies to Reduce Greenhouse Gas Emissions as Required Under RCW 70.235.070.

Councilmember Decker moved to approve Resolution 2049. Councilmember Lewis seconded the motion.

Director Grigsby explained that the State now requires the City to adopt a greenhouse gas emissions policy in order to apply for funding opportunities.

Resolution 2049 approved 7 – 0.

7:15:37

VII. PUBLIC SAFETY COMMITTEE ISSUES:

- A. **AB10-94 – Ordinance 1352** – An Ordinance of the City Council of the City of Bonney Lake, Pierce County, Washington, Repealing Chapter 6.04 of the Bonney Lake Municipal Code and Ordinance Nos. 584.A, 584b, 764, 1986, and 1989, and Replacing it with a New Chapter 6.04.

Councilmember Decker moved to approve Ordinance 1352. Councilmember Carter seconded the motion.

Councilmember Hamilton thanked Councilmember Carter for her work developing the proposed ordinance, which has been in progress for some time. He said the proposed ordinance increases fees to put Bonney Lake in line with other communities that contract with Metro Animal Services. He noted the importance of micro-chipping pets to help return lost pets to their owners.

Ordinance 1352 approved 7 – 0.

7:17:37

VIII. FULL COUNCIL ISSUES:

- A. **AB10-98 - Ordinance 1353** - 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.

Deputy Mayor Swatman moved to approve Ordinance 1353. Councilmember Rackley seconded the motion.

Deputy Mayor Swatman said the proposed ordinance presented to Council includes an exception for new homes under 5,000 square feet. He said the attachments in the agenda packet include a proposed amendment to remove this exemption. He said he wanted the ordinance to apply to all new construction, without the exemption.

Deputy Mayor Swatman moved to amend Ordinance 1353, Section 15.040.020(B), to delete the language: “with the exception of detached one-family and two-family dwellings under 5,000 square feet”. Councilmember Lewis seconded the motion.

Councilmember Hamilton spoke in favor of keeping an exemption for single-family homes under 5,000 square feet. He said removing the exemption makes Bonney Lake's code different from others in the East Pierce Fire & Rescue service area, and will increase the cost of building new homes in the City. He said requiring sprinklers is equivalent to doubling traffic impact fees or park impact fees, and in the current economic climate, raising these costs is not practical. He said he feels the originally proposed ordinance allows cities to increase sprinkler requirements, and wait for the building market to improve before requiring them in all new construction. He said he would support lowering the minimum square foot exemption, but not eliminating it.

Councilmember Decker expressed concern that requiring sprinklers will encourage builders to build houses very close together, and spoke against removing the exemption for 5,000 square foot homes. He expressed concern that houses in cottage developments could have a 'zero-foot' lot line.

Councilmembers Rackley, Carter, Lewis, and McKibbin spoke in favor of the proposed amendment to remove the exemption for homes under 5,000 square feet. Councilmember Rackley said he does not believe this change will encourage builders to build homes closer together, and requiring sprinklers in all homes eases his concerns about fires spreading in densely built areas. Councilmember Carter said research shows that sprinklers reduce the cost of property damage, injury, and insurance rates, and provide jobs for installers and inspectors. She said sprinklers help stop fires before they spread, and cost about as much as renovations like installing new carpets. Councilmember Lewis said safety is his main concern, and referred to a recent deadly fire in Seattle.

**Motion to amend Ordinance
1353 approved 6 – 1.
Councilmember Hamilton voted no.**

Councilmember Hamilton noted that the proposed ordinance adopts the 2009 Washington State Energy Code, but the Governor placed a moratorium on this code due to an ongoing lawsuit and review by the State. He suggested that the Council wait to adopt this portion of the code until issues are resolved at the State level. Building Official Jerry Hight confirmed that the moratorium was put in place last week, meaning the 2006 Energy Code will remain in force for 8 months while the 2009 revisions are being reviewed.

Councilmember Hamilton moved to strike Section G. from the proposed ordinance. Councilmember Rackley seconded the motion.

Councilmember Hamilton said striking this section would keep the 2006 code in effect. City Attorney Dionne suggested that rather than striking the section entirely, the Council simply amend this section to change references to the 2009 Energy Code to the 2006 version.

Councilmember Hamilton revised his motion to amend 15.04.020 (G.) as follows: "The Washington State Energy Code, 2006 2009 Edition, ... is adopted by this reference". Councilmember Rackley seconded the revised motion.

**Motion to amend Ordinance
1353 approved 7 – 0.**

**Motion to approve Ordinance 1353
as amended approved 6 – 1.
Councilmember Hamilton voted no.**

- B. **AB10-104 - Ordinance 1354** - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 15.16 Of The Bonney Lake Municipal Code And Ordinance Nos. 700, 711, 778, 826, 851, and 885, Relating To Adoption Of Revised Regulations Related To The Installation Of Automatic Fire Extinguishing Systems.

Councilmember Rackley moved to approve Ordinance 1354. Councilmember Lewis seconded the motion.

Mayor Johnson noted the Council discussed this proposed ordinance in depth during the previous workshop.

Motion approved 7 – 0.

Mayor Johnson congratulated Building Official Jerry Hight for receiving his 'Master Code Professional' certification recently.

IX. EXECUTIVE SESSION: None.

7:37:42

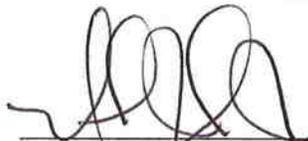
X. ADJOURNMENT:

At 7:37 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Lewis seconded the motion.

Motion approved 7 – 0.



Harwood Edvalson, CMC
City Clerk



Neil Johnson
Mayor

Items submitted to the Council Meeting of June 22, 2010: None.