

CITY COUNCIL MEETING

**July 13, 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 – Deputy Mayor Dan Swatman called the meeting to order at 7:00 p.m.

A. Flag Salute: Deputy Mayor Swatman led the audience in the Pledge of Allegiance.

B. Roll Call:

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

[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:

- a. **Administration of Oath of Office:** Community Service and Reserve Officers.

Judge Ron Heslop administered the oath of office to Officers Kristine Yanez, Ryan Harberts, and Lance Panush. The Council congratulated the officers on their achievement.

3. Presentations: None.

D. Agenda Modifications: None.

7:04:19

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings:

1. **Public Hearing:** AB10-112 – Resolution 2050 – Annexation of a Portion of the CUGA.

Deputy Mayor Swatman opened the hearing at 7:05 p.m.

Blaine Wesner, 20609 Bonanza Dr E, Bonney Lake, spoke in favor of annexation. He said he looks forward to being able to vote on local issues and improved police response times. He said annexation provides the City with a wider tax base and opportunities to add to park spaces, such as Ponderosa Park. He thanked the Council and said he hopes they will approve the resolution.

Brad Doll, 20212 101st St E, Bonney Lake, is president of the Ponderosa Estates HOA, located south of S Prairie Rd across from the WSU Forest. He said residents have been interested in annexation for several years. They want improved police and code enforcement services and a voice in local issues. He said the HOA is interested in deeding their 4-acre park to the City, similar to the agreement that made Cedarview Park a public park. He said his fellow residents already feel like part of the City, as they participate in activities and shopping in town. He said he hopes the Council will move forward with annexation.

Robert Tansey, 19617 94th St E, Bonney Lake, said he does not support annexation because he does not feel the City adequately serves existing Bonney Lake citizens. He said his neighborhood was recently rezoned to R-3, but the area is filled with single-family homes. He said he cannot sell his home due to the rezoning, and his property value is going down.

Bob Howard, 20618 108th St E, Bonney Lake, said he opposes annexation because he has concerns about plans to widen S Prairie Rd E and about another road that was recently improved. Director Grigsby said a lane will be added to S Prairie Rd at the WSU Medical Office Building site to accommodate a traffic signal, but there are no plans to widen other parts of the road at this time. Councilmember Rackley responded to Mr. Howard's concerns about the City's ability to take property by eminent domain, and said City residents have a better chance to be heard by the City Council as opposed to the County Council.

Shane Dahlman, 14410 215th Ave E, Bonney Lake, spoke against annexation. He said he owns property in the Cedarview area, which was recently rezoned to R-3. He said the area does not have sewer service and it is not feasible for single-family homeowners to develop sewer connections on their own. He said he is against annexation until the City provides sewer service in Cedarview.

Larry Duncan, 10606 202nd Ave E, Bonney Lake, lives in Ponderosa Estates and is undecided about annexation. He expressed concerns about improvements to roads and parking issues after annexation, though he would be happy to have improved police services the City provides. He said he did not receive any notices about the public hearing and had hoped more people would attend.

Councilmember Rackley said if the area was annexed the City would handle maintenance of public roads. Councilmember Hamilton asked how public notifications occur during the annexation process. City Administrator Morrison said the Council can continue the Public Hearing or offer information meetings and open houses to provide people with information on annexation and pre-zoning issues. He said residents can speak before the Council, attend open houses, speak before the Boundary Review Board, and eventually vote in the

election in 2011. Councilmember Hamilton said the City should host additional information meetings and invite all residents to attend.

Seeing no additional speakers, Deputy Mayor Swatman closed the public hearing at 7:22 p.m.

Deputy Mayor Swatman explained that the Council will consider Resolution 2050 at a future meeting. If the Council approves the resolution, he said the annexation would likely be included in the February 2011 election ballot.

B. Citizen Comments:

Jody Kerth, 18302 103rd St Ct E, Bonney Lake, urged the Council to ban fireworks in the City. He said fireworks use has become excessive, and on July 4th he had to call the police after a neighbor's fireworks landed on his roof. He said wind blew debris and sparks onto his property. He said he used to enjoy fireworks, but he now thinks the City should ban fireworks as other cities have done.

Deputy Mayor Swatman said he has asked several homeowner's associations to let the Council know how residents feel about fireworks laws. He noted that residents in neighborhoods with homes built close together may feel differently about fireworks issues than those in less developed areas or on the lake.

Debbie McDonald, P.O. Box 7125, Bonney Lake, thanked Councilmembers who attended and participated in the first annual Relay for Life Sumner vs. Bonney Lake softball game, including Councilmembers Carter and Rackley and Mayor Johnson. Councilmember Rackley said the event was a lot of fun even though Bonney Lake's team did not win.

Larry Ingraham 18023 Hwy 99, Suite I, Lynwood, presented Councilmembers with a packet about economic stimulus via Council action. He said it is very difficult for developers to secure funding in the current economy. He asked the Council to review the informational he provided and to use it during their discussions on TIF fees and economic stimulus at the July 20, 2010 Workshop. He gave examples of properties whose values have decreased dramatically and instances where fee changes impacted project funding. He said high fees pose an impediment to development, and the City's rates are higher than the state average. Mr. Ingraham said his colleague, Raymond Frey, plans to attend the July 20th Workshop and can provide more information if the Council wishes. He asked the Council to contact him if they have additional questions. Councilmember Hamilton asked about the current lending market. Mr. Ingraham said the market has not improved and there is virtually no funding available for small businesses to build new buildings or start new projects.

Shane Leahy, 19616 94th St E, Bonney Lake, expressed concern about the Cedarview area. He said that without adequate sewer utilities, property owners cannot develop their own land and they are being left behind other parts of the City. He said the area rezone requires property owners to connect to City sewer before they can build a new home, but most people cannot afford to extend the sewer or build multi-family homes themselves. Deputy Mayor Swatman said Councilmember Carter is working on a draft Midtown Plan, which may help address some of these issues.

Robert Tansey, 19617 94th St E, Bonney Lake, said other lots in his neighborhood (Cedarview) are duplexes, but City staff told him he could not build a duplex on his property even though it is a larger lot. He said the City told him he would have to install a sewer connection in order to develop his land.

Shane Dahlman, 14410 215th Ave E, Bonney Lake, asked why the City is installing a sewer system in Eastown but not in the Cedarview neighborhood. He said it is difficult to get a developer interested in their land since there is no sewer service, and it would cost \$250,000 to install a sewer system. He said property owners cannot do anything with their vacant land, because they were required to remove mobile homes from their lots but now cannot build single-family homes.

- C. Correspondence: None.

7:47:52

III. COUNCIL COMMITTEE REPORTS:

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and forwarded the following items to the current agenda: Resolution 2044, Resolution 2052, Ordinance D10-115, Ordinance D10-117, and Ordinance D10-123. The committee forwarded the following items to the July 27th Meeting for action: Resolutions 2053, 2054 and 2055 (related to the Conservation Futures Grant Program), Resolution 2057 (amending Resolution 2012), and Resolutions 2047 and 2048 (for network cabling in the Interim Justice Center and Public Safety Building). The committee also received an update on the boat launch.
- B. Community Development Committee: The Committee's July 5th meeting was cancelled due to the Independence Day holiday and will meet next on July 19th.
- C. Public Safety Committee: The Committee's July 5th meeting was cancelled due to the Independence Day holiday and is scheduled to meet next on July 19th.
- D. Other Reports: None.

At 7:50 p.m., Councilmember Rackley moved to recess the meeting for 10 minutes. Councilmember Decker seconded the motion.

Motion approved 7 – 0.

Deputy Mayor Swatman brought the meeting back to order at 8:02 p.m.

8:02:31

IV. CONSENT AGENDA:

- A. **Approval of Minutes**: June 15, 2010 Workshop Minutes and June 22, 2010 Meeting Minutes.
- B. **Accounts Payable Checks/Vouchers**: Accounts Payable checks/vouchers #58881 thru 58936 (including wire transfer #'s 6044008, 6152010, 6172010) in the amount of \$2,034,245.38. Accounts Payable checks/vouchers #58937 thru 58975 (including

wire transfer #'s 6222010, 61720101) in the amount of \$53,051.76. Accounts Payable checks/vouchers #58976 thru 59015 in the amount of \$294,880.56. Accounts Payable checks/vouchers #59016 thru 59042 for utility refunds in the amount of \$2,717.39.

- C. **Approval of Payroll:** Payroll for June 16-30 2010 for checks **29097-29142** including Direct Deposits and Electronic Transfers in the amount of **\$624,464.81**.
- D. **AB10-108** - A Motion Of The Bonney Lake City Council To Accept As Complete The Downtown Improvements Project With Johansen Excavating, Inc.
- E. **AB10-109** - Motion Of The Bonney Lake City Council To Accept As Complete The Interlake Islands, W Tapps Hwy & 194th Ave E Water Main Project With A & A Excavating Inc.
- F. **AB10-121** – A Motion of the Bonney Lake City Council Setting a Public Hearing for 6-Year Transportation Improvements Program (2011 - 2016) on July 27, 2010 at 7:00 p.m.

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

Consent Agenda approved 7 – 0.

8:03:15

V. FINANCE COMMITTEE ISSUES:

- A. **AB10-99 - Resolution 2044** - A Resolution Of The City Council Of The City of Bonney Lake, Pierce County, Washington, Authorizing The City To Accept A \$10,000 2010 Community Forestry Grant From The Washington State Department Of Natural Resources.

Councilmember Decker moved to approve Resolution 2044. Councilmember Lewis seconded the motion.

Resolution 2044 approved 7 – 0.

- B. **AB10-114 – Resolution 2052** – A Resolution Of The City Council Of The City of Bonney Lake, Pierce County, Washington, Authorizing A Professional Services Agreement With KPG Consultants For Construction Services and Survey For The TWD Intertie S. Prairie Road E Waterline Project.

Councilmember Lewis moved to approve Resolution 2044. Councilmember Rackley seconded the motion.

Councilmember Rackley said this contract for survey services is separate from the previously awarded construction project. Deputy Mayor Swatman noted that Attachment B is incorrect and asked if this affects the cost of the agreement. Director Grigsby said the costs are accurate in the information provided.

Resolution 2052 approved 7 – 0.

- C. **AB10-117 – Ordinance 1357** – 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, And Repealing Ordinance No. 1354, Relating To Adoption Of Revised Regulations Related To The Installation Of Automatic Fire Extinguishing Systems.

Councilmember Decker moved to approve Ordinance 1357. Councilmember Lewis seconded the motion.

Deputy Mayor Swatman explained that proposed Ordinances AB10-117, AB10-123 and AB10-115 clarify and correct the effective dates of recently approved Ordinances 1353 and 1354. Councilmember Hamilton said he plans to vote against these ordinances, based on the same reasons he gave at the previous meeting. He said the City of Sumner recently passed their building and fire code ordinances with the 5,000 square foot exemption left in place. He said sprinkler systems save lives but he does not feel the City should impose these requirements during the current economic downturn, and should instead phase the requirements in over time. He said property owners and developers in the potential annexation areas may oppose annexation due to the City's sprinkler requirements. Councilmember Rackley said the cost of a fire is far greater than the cost to install a sprinkler system.

**Ordinance 1357 approved 5 – 2.
Councilmembers Decker and
Hamilton voted no.**

- D. **AB10-123 – Ordinance 1358** – 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, And Repealing Ordinance No. 1353, Relating To Adoption Of Revised International Codes Of Building And Related Regulations.

Councilmember Rackley moved to approve Ordinance 1358. Councilmember Decker seconded the motion.

**Ordinance 1358 approved 6 – 1.
Councilmember Hamilton voted no.**

- E. **AB10-115 – Ordinance 1356** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 13.04 Of The Bonney Lake Municipal Code Relating To Adoption Of Revised Water Regulations To Implement Installation Of Residential Fire Sprinkler Systems.

Councilmember Rackley moved to approve Ordinance 1356. Councilmember Decker seconded the motion.

Deputy Mayor Swatman said the proposed ordinance clarifies substantial portions of the code and makes water rates reasonable for residents who have to install sprinkler systems in their new homes. He noted that the proposed ordinance was revised to reflect current base rates, which are calculated each year based on CCI and CPI

adjustments. He stressed that the proposed ordinance does not include a rate increase, but simply reflects the current rates that became effective in January 2010.

**Ordinance 1356 approved 5 – 1 – 1.
Councilmember Hamilton voted no.
Councilmember Decker abstained.**

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

8:16:13

VIII. FULL COUNCIL ISSUES:

A. **AB10-111 – Ordinance 1355** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Updating R-2 And R-3 Zoning.

Councilmember Lewis moved to approve Ordinance 1355. Councilmember Decker seconded the motion.

Director Vodopich explained that the proposed ordinance brings criteria for R-2 zones in line with the other zoning areas in the municipal code, which used density rather than lot size. Councilmember Decker said he favors keeping the 10,000 square feet minimum lot size and is concerned that the ordinance will increase the maximum density allowed. Councilmember McKibbin said the Planning Commission discussed the proposed changes in depth, including density calculations.

Ordinance 1355 approved 7 – 0.

IX. EXECUTIVE SESSION: None.

8:22:37

X. ADJOURNMENT:

At 8:22 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Decker seconded the motion.

Motion approved 7 – 0.


Harwood Edvalson, CMC
City Clerk


Neil Johnson
Mayor

Items submitted to the Council Meeting of July 13, 2010:

- Developer – *Creating Economic Stimulus through Council Action via Fee Reductions & Deferments* – Larry Ingraham, CCIM, Emerald Properties.