

**COUNCIL WORKSHOP**

*August 16, 2011  
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.*

*Website: [www.ci.bonney-lake.wa.us](http://www.ci.bonney-lake.wa.us)*

**Location:** Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

**I. Call to Order:** Deputy Mayor Swatman 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 Deputy Mayor Dan Swatman, elected officials attending were Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Donn Lewis Councilmember Randy McKibbin and Councilmember James Rackley. Mayor Neil Johnson Jr. was absent.

Staff members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief of Police Mike Mitchell, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson, and Facilities & Special Project Manager Gary Leaf, Administrative Specialist Shawn Campbell.

**III. Agenda Items:**

**A. Presentation:** Proposed Flood Control Zone District from Pierce County.

Brian Ziegler from Pierce County thanked Council for allowing him to come and share the current County Proposed Flood Control District Plan with the City. He introduced Jeff Cox, Legal Counsel for Pierce County Council and Kjrystine Lund, Executive Director for the King County Flood Control District. He gave a brief history of the Flood Control District that Pierce County established last year. He said he would like the Council to consider supporting the proposed Flood Control District. He said just because the District was disbanded did not mean the risk went away. He gave a synopsis of risks the County has identified, and the mitigation of flooding options. He gave a brief description of what a Flood Control District is, how it is funded, and outlined the benefits of creating a district to the County as a whole and to each partner. He added the district could charge every property owner in the County up to 50 cents per thousand dollars of property value, or charge in subzones according to Water Resource Inventory Area (WRIA). He gave a timeline for the District and said the collecting of funds could not start before 2013. He added the County is only considering 10 cents per thousand dollars of property value. He said the County has collaborated with the federal government to do a 6-year study of the issues in Pierce County. He added when the study is complete the recommended projects will be federally funded at 65%.

Councilmember Rackley asked if the City would be reimbursed for the construction of a floodwall to protect the Sumner/Bonney Lake Sewer Treatment Plant. Mr. Ziegler said if the wall is not completed, the district could pay for it but there would not be retroactive funds available, so if the City paid for the wall before the District, the funds that would otherwise be allocated to the floodwall project would fund other projects. Deputy Mayor Swatman noted the City of Bonney Lake is in the same WRIA zone as the City of Sumner and Orting. He said the

City of Bonney Lake does not have the same flooding concerns as the cities in the valley. Bonney Lake should not have the same contribution amount. He added it is nice to hear the County is only planning to take 10 cents per thousand but that is approximately 1/10 of the City of Bonney Lake's entire levy amount. Deputy Mayor Swatman said citizens bought property on the hill to protect themselves from flooding and he does not feel it is fair to ask the citizens of Bonney Lake to pay to protect development in the valley. He added assets should no longer be placed in the valley knowing the flooding concerns. He asked about restrictions for jurisdictions expanding their UGA into the flood zones. Mr. Jones said Washington State law restricts jurisdictions from expanding into flood plains. Councilmember Hamilton noted the advisory committee from last year was made up primarily of people in the valley. He feels more representation from the plateau is needed. He added development on the hills affects the land below and he does not see any projects planned for the plateau. Mr. Ziegler said an urban area can be 10 times more likely to flood than a forested area. City Administrator Morrison said much of the City's water is retained in the City's storm water retention ponds. He asked if Pierce County followed the King County model of putting aside 10 - 20% of the total funds for the local jurisdictions to deal with their local flood control projects, and if the percentage would be the same for the cities who benefit from the direct flood control projects. Mr. Ziegler said the district has not yet been formed so those decisions have not been made. Councilmember Carter asked why the city would want to join the Flood Control District if there are no projects planned that will benefit the City. She would like to see equitable amounts for the City.

Mayor Johnson joined the meeting by speakerphone.

**At 6:47pm, Councilmember Rackley moved to have a 10-minute recess. Councilmember Decker seconded the motion.**

**Motion approved 7 – 0.**

**The Workshop reconvened at 6:58pm.**

**B. Council Open Discussion:**

Collective Gardens: Councilmember Carter asked Council if they wanted to consider an ordinance establishing a moratorium for Collective Marijuana Gardens. City Attorney Dionne said his office could draft an ordinance for consideration at the next Council Meeting. Councilmember Lewis asked for the ordinance to be forwarded to Council as soon as possible so they could review it and possibly act on it at the next meeting.

Lighting Ordinance: Deputy Mayor Swatman asked if the Council is interested in considering a light pollution ordinance. He said he could present sample ordinances for council review. Councilmember Decker said this is an issue the Council needs to consider.

Sumner/Bonney Lake Sewer Treatment Plant: Deputy Mayor Swatman asked why the City is paying for part of the flood protection wall. He said the City owns capacity in the treatment plant, but does not own any part of the plant. Councilmember Hamilton said the two cities do not have a current agreement, and both City Councils must sign off on the agreement before it is final. Director Grigsby said the City agreed to move forward with the design of the expansion due to time constraints. The City of Sumner must expand the plant by 2014. City Administrator Morrison said when he spoke to the City of Sumner they presented three governance models: the City could buy capacity in the plant, become a wholesale customer, or

join a joint sewer district. He said regardless of which option the City chooses a completely new agreement must be written. Councilmember Decker asked about the option of partnering with the City of Buckley for sewer treatment capacity. Director Grigsby said the option was cost prohibitive. Councilmember Hamilton said a letter of understanding from County Executive Ladenburg stated the City and the County would work together to develop a sewer treatment plant on the plateau. He said the City could petition the County to work with the City to develop a sewer treatment plant together. He said it does not make sense to have two sewer treatment plants close together. City Administrator Morrison said Director Grigsby is working on a letter requesting the County work with the City on this issue. Deputy Mayor Swatman said he feels it is important to have Council input on the negotiations with Sumner. Mayor Johnson said it may work best to have two councilmembers from both cities participate in the negotiations. He said the Councilmembers could then report to the remainder of the Council.

Heritage Garden: Mayor Johnson suggested removing several of the rhododendrons from the Moriarty Property and placing them in current City parks as an alternative to the Heritage garden plan Winnona Jacobsen presented to Council at the August 9, 2011 Council meeting. He said he is concerned about creating a larger Heritage Garden on the Moriarty Property because there is currently no park development plan for the property.

**Councilmember Rackley moved to add a draft ordinance regarding amending Bonney Lake Municipal Code 12.13 as item “F” to the Workshop Agenda. Councilmember Decker seconded the motion.**

**Motion approved 7 – 0.**

- C. **Review of Council Minutes** : July 16, 2011 Special Council Meeting; July 19, 2011 Council Workshop; July 26, 2011 Council Meeting; and August 9, 2011 Council Meeting.

Councilmember Lewis asked for p.3 of the August 9, 2011 minutes to be amended to “29<sup>th</sup> & 30<sup>th</sup>, ~~giving-given~~, and ~~for-of~~”. The corrected minutes were forwarded to the August 23, 2011 meeting for action.

- D. **Discussion**: Pursuant to Public Hearing on 8/9/11 – AB11-83 – Resolution 2133 – 6-year Transportation Improvement Program (2012-2017).

Director Grigsby said the City is required to submit this report every year but it does not obligate the City to spend the funds allocated to each project. He outlined the changes from the report last year. He added this report allows the City to apply for some grant funds. Councilmember Carter said she is disappointed in not seeing any trails included in the plan. She would like to see a trail that connects Angeline Road to Midtown. Director Grigsby said the trails are a part of the Non-Motorized Transportation plan, which is funded by the General Fund. City Administrator Morrison said the funds are currently allocated to Safe Routes to School and future Fennel Creek property acquisitions. Deputy Mayor Swatman asked if these are the same type of funds citizens were discussing at the Public Hearing during the August 9<sup>th</sup> Council Meeting. Director Grigsby said the Citizens were requesting a Transportation Impact Fee fund credit. Councilmember Lewis noted the Eastown property owners still have not formed a group or come to Council with a proposal for the sewers in Eastown.

- E. **Discussion**: Metropolitan Park District

**Councilmember Rackley moved to table the Metropolitan Park District discussion to the September 6, 2011 Council Workshop. Councilmember Decker seconded the motion.**

**Motion approved 6 – 1.  
Councilmember Hamilton voted no.**

**F. Discussion:** Amending BLMC 12.13.

Director Vodopich stated the idea behind this proposed ordinance is to help small businesses by eliminating the System Development Charges (SDC) on small tenant improvements that are accessory to an existing commercial business. Councilmember Rackley stated the City had already collected SDC's from these businesses. Mayor Johnson said if a business wants to expand, the current fee structure is cost prohibitive and this ordinance will help small businesses expand in the City. Councilmember Lewis said if some of the current successful businesses are able to expand into the vacant spaces, it will be good for the City of Bonney Lake. Councilmember Hamilton asked why the City is charging SDC's if the business is only expanding. Director Grigsby said the expansion would create more use of the City sewer. City Administrator Morrison said the Mayor has suggested passing this ordinance and then sending the issue back to the Community Development Committee to completely rework the chapter of the municipal code. Councilmember Carter asked if this would affect several businesses that have proposed tenant improvements in the area. Director Vodopich responded if their improvements fall into the parameters of the ordinance it would benefit them.

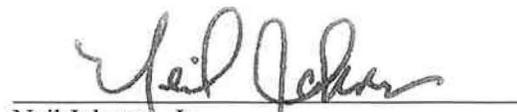
**IV. Executive Session:** None.

**V. Adjournment:**

**At 8:10 p.m. Councilmember Rackley moved to adjourn the Workshop. Councilmember Lewis seconded the motion.**

**Motion to adjourn approved 7 – 0.**

  
Harwood T. Edvalson, CMC  
City Clerk

  
Neil Johnson, Jr.  
Mayor

*Items Submitted to the August 16, 2011 Council Workshop:*

- City of Bonney Lake –*Draft Ordinance* – Community Development Director Vodopich.
- City of Bonney Lake – Creation of a Metropolitan Park District – Gary Leaf.
- Pierce County – Potential Pierce County Flood Control Zone District – Brian Zeigler.
- Pierce County – Power Point Presentation – Brian Zeigler.