

**CITY COUNCIL WORKSHOP**

**August 21, 2012  
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 Dan Swatman called the workshop to order at 5:30 p.m.

**II. ROLL CALL:**

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Deputy Mayor Swatman, elected officials attending were Councilmember Mark Hamilton, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember Jim Rackley, and Councilmember Tom Watson. Mayor Johnson and Councilmember Lewis were not in attendance.

Councilmember McKibbin moved to excuse Councilmember Lewis. Councilmember Watson seconded.

**Motion to excuse  
Councilmember Lewis  
approved 6-0.**

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, Assistant City Attorney Kathleen Haggard, Facilities & Special Projects Manager Gary Leaf, and Administrative Specialist II Renee Cameron.

**III. AGENDA ITEMS:**

**A. Council Open Discussion:**

Bonney Lake Days: Council member Hamilton said it was great to see the participation at Bonney Lake Days. Councilmembers asked City Administrator Morrison to report back with any feedback from the vendors who participated. Deputy Mayor Swatman said it was great to see all of the vendors who participated, the participation in the Les Schwab car show, and the fireworks show. Councilmember Watson said he received letters and comments and he thought there should be more sign boards or notification regarding the fireworks for citizens and animals affected by fireworks. City Administrator Morrison said he thought they had it staged for the larger and louder fireworks later in the show. Also, there was some comment regarding the sound from the stage of the music performers and if it was well received. Councilmember McKibbin said he thought the vendors did well and it was a good sign that the vendors were still there late in the evening. Councilmember Hamilton asked why the event was shifted from Saturday and Sunday to Friday and Saturday; staff replied that these days are preferred by vendors.

Nighthawk Stryker Brigade: Councilmember Watson said he spent earlier today with the Nighthawk Stryker Brigade at Joint Base Lewis McChord and he said the Nighthawk Stryker Brigade would be eager to help out with Beautify Bonney Lake or Bonney Lake Days next year, as long as the City provided them enough advance notice. They told him they would be willing to do a flyover. He said they do a great job in assisting soldiers and their families however possible and are always willing to help out cities and communities.

Pierce County Flood Control Plan: City Administrator Don Morrison said in Mayor Johnson's absence, yesterday he attended the first Pierce County Flood Control District Advisory Committee meeting. He said Sumner Councilmember Mike LeMaster was elected as Chair and Orting's Building Official was elected as Vice-Chair. The Committee discuss the past twelve years of history. He said the Committee will review the rate the cities charge and that this is something to keep an eye on the next few months. Councilmember Hamilton asked about the Flood Control District and the fees the residents pay in their property taxes. City Administrator Morrison said residents pay \$0.10-\$0.15 per \$1,000. Also, the Flood Control District can levy a special assessment for parties who benefit from more than the norm. Councilmember Hamilton said his understanding is that part of that money comes out of the stormwater funds and it is all paid for by unincorporated County property owners, not citizens from the cities. City Administrator Morrison said either he or Mayor Johnson will attend these monthly committee meetings and they will provide a monthly report. Councilmember Rackley said he is curious why the County doesn't have a systems development charge for construction in the flood zone.

Reed Property Well Site Update: Deputy Mayor Swatman asked City Administrator for an update for well water rights. City Administrator Morrison said the City may be able to get more geological data and studies and possibly drill some more sites. Councilmember Hamilton said he thinks the City was anxious to drill after purchasing the Reed property. Councilmember Rackley said he thinks that when the economy improves, the value of the property will hopefully increase. Councilmember Hamilton asked about the archeological dig that was done on the property. City Administrator Morrison said it is a registered site, located close to the road and covers the house, part of where the old barn was, and the pasture and milk house. He said the City has recently communicated with the Department of Historical Geology. Councilmember Hamilton wanted to know if the City knew that an archeological dig had occurred on the property in the 1960s or 1970s, and, if so, he believes it should have been disclosed. City Attorney Kathleen Haggard said it should have been disclosed if it was relevant to the purpose of the purchase. City Administrator Morrison said he had to sign a confidentiality agreement from the State last week to review official records. Councilmember Hamilton said he would have had reservations about purchasing the property if the City could have been denied the option of drilling further for water rights. Deputy Mayor Swatman said if we had known about the well itself then we probably wouldn't have made the decision to purchase the property. Councilmember Hamilton said he thought there was plenty of water and asked how much time was spent inquiring about the water. Councilmember Hamilton said this property is a huge part of the Mayor's Park Plan. He questioned whether the City can plan to build ball fields on the property if there is concern about Indian artifacts. He added that the City would still need water for ball fields.

Update on Justice Center Occupancy: City Administrator Morrison said the City got the electrical/mechanical plans and it should be ready to bid by Labor Day. He said he is hopeful that the City will get some good bids. He said the project will require funds for a key lot and a back up generator. Facilities and Special Projects Manager Gary Leaf said the rest of the building should be complete in three months after we get the bids back, which will be approximately January. Community Development Director Vodopich said the City had the tenant improvement bids out in January 2010 for Phase I and the Executive Department moved in April or May 2011. Councilmember Hamilton inquired about what will happen with the modular and the Annex building once Community Development and Public Works Administration staff move. Deputy Mayor Swatman said the City can sell the modular building and sell or lease out the Annex.

**B. Review of Draft Council Minutes:**

The July 17, 2012 Workshop, July 24, 2012 and August 14, 2012 minutes were forwarded to the August 28, 2012 meeting for action with corrections.

**IV. EXECUTIVE SESSION:** Pursuant to RCW 42.30.110(1)(b), the Council met with the City Attorney for Executive Session regarding property acquisition at 6:05 p.m. Council returned from Executive Session at 6:21 p.m.

**III. (Cont'd.)**

**C. Discussion: Options for Easttown Development Needs/Sewer & Water Fund Project Forecasts:**

Deputy Mayor Swatman said that City Administrator Morrison prepared a financial analysis and said the City needs bonds to do the sewer funding. He said this financial analysis is based on sewer funds only. City Administrator Morrison said if the City proceeds with the Easttown sewer development he is concerned the City may not have enough money for the wastewater treatment plant and the public works building. He said this analysis is basically a second cut of a long range financial plan for sewer, which was prepared by City Administrator Morrison and Finance Director Al Juarez. City Administrator Morrison explained the Sewer Financial Model Schedule. He said according to this schedule, after all of the projects which would be scheduled for completion from 2012 through 2017, there would still be \$3.7 million in the bank. Deputy Mayor Swatman asked if that assumes that the City would be doing the Easttown sewer project. He said if the City constructs the lift station, then the City cannot receive latecomer fees. Councilmember Hamilton said in looking at the numbers he wonders why the City had increase sewer rates.

Deputy Mayor Swatman asked what the Council's thinking is for Easttown and its future. He said the Council needs to find some way to get sewer to Easttown as the City has invested a lot of time and money, unless they want to let the property owners develop on septic systems. Councilmember Hamilton said if the French property decides to develop they could come in with a utility latecomers agreement and Council would be deciding the same issue as it did with the Easttown LLC. Deputy Mayor Swatman said a private developer could come in and do it on their own, however, he feels that is less likely. Deputy Mayor Swatman and Councilmember McKibbin questioned how a developer's share would be charged. Councilmember Rackley explained how it would be charged. Councilmember Watson asked how long it would take to complete the backbone of the sewer project. Public Works Director Grigsby said it could be done by the middle of next

summer. Councilmember Watson said the City has worked for some time trying to get the area developed, but, he feels that \$4 million is too much for the City to pay. He said he would like to see a start of a system, but wants to see more interest in Eastown before he could support that amount of funding. Councilmember Rackley said if the City only invested \$2 million in a sewer backbone then the City would not receive any money back as it would not be in a partnership under a utility latercomer agreement. He said that it is sewer money which cannot be used for other city projects. Deputy Mayor Swatman said if the idea is to get back 80% of the City's money and the City only loses 20% why would the City consider spending half of the original proposal and not enter into a utility latercomer agreement and get nothing back. Councilmember Hamilton said if the City developed a sewer extension to the French property, the cost of development would only be \$2.5 million. Public Works Director Grigsby said that if the City started at the new lift station to the existing Lift Station 18, then the French property would have an immediate sewer connection from right across the street, which could cost the City about \$2 million.

Councilmember Minton-Davis said she still has the same concerns that it's a big risk. She questioned whether putting in sewers will spur development. She said she wants economic development but the way to do that is to lower fees. She asked why the City needs to develop Eastown when the City could infill into the rest of the City before spreading out. Deputy Mayor Swatman said if the City has less commercial space available to developers, then other cities are more appealing to them. He said if Bonney Lake has more commercial land on the market then it can drive down the cost of the land. Councilmember Minton-Davis asked why the WSU property isn't developing. Deputy Mayor Swatman said that is why the City has done so much planning and improvements toward Eastown. Councilmember Watson said that if the City wants to grow and can show that the City is retail friendly, then the City can get developers in the future. With sales tax going down, then the City will be a better place for car dealerships, call centers, etc. He said if the City has put in some sewer, then it is a start. He said the City has widened the streets and the area looks good and needs to continue to move forward. Deputy Mayor Swatman inquired about how the City will respond to properties that want to develop.

Public Works Director Grigsby compared the length of the sewer project between the \$4 Million project versus the \$2 Million project. He said the City would save \$2 million by only building to the French property. Deputy Mayor Swatman asked about the other properties that the sewer system would not extend to. Councilmember Minton-Davis asked whether it is the City's responsibility, or even the taxpayer's responsibility. Councilmember Hamilton said the property was zoned commercial and they could use septic before, but since the City annexed it, they can't use a septic system. He said the City has never installed the pipe on the hopes that the City will get paid back. He said when those properties were in the County they had the right to develop. However, now that they are in the City, they must have a sewer connection to develop. Councilmember Hamilton said he feels more comfortable with his decision to vote against the ULA now knowing the City cannot afford it and a lot depends on the economy. He said it's always been about the French property. He said once things start, projects can develop pretty quickly, but, if no one buys then he is not sure what will happen. Councilmember Watson said the property owners need to help advertise and publicize their properties to developers.

Public Works Director Grigsby advised that he didn't advertise this workshop item to the Eastown property owners, which could explain why they were not in attendance. Councilmember Minton-Davis said you would think Eastown LLC would be here participating and hiring a consultant to assist them. Councilmember Watson said the Council is not here to take care of the property owners, but to assist them in getting development started. Deputy Mayor Swatman pointed to the participation in Summer for the Orton Junction project and the advertising they received. He thinks that if the Eastown property owners were really interested there would be more participation on their part. Councilmember Hamilton said if the Council were making a decision on annexing Eastown today, then the Council probably wouldn't do it, however, now that it is part of the City all can agree that sewer is the best way to develop the property. However, he said who and when it is done is still to be determined. He said the City can wait for the economy to turn around, or wait for the French property to be sold.

Deputy Mayor Swatman said sewer is definitely a key to development, but some think that septic is better because property owners cannot develop their properties as much. Regardless, he said they will eventually be able to develop. He believes there would likely be some undercapitalized, underfunded improvements by allowing septic and the City wants to see nice developments. Councilmember Hamilton said it appears the City is not allowing development of these properties because we don't allow septic. He asked if the property owners could put a house in a commercial zone. Assistant City Attorney Kathleen Haggard said property owners could put a house on a property as long as they don't change the use.

Deputy Mayor Swatman inquired if City staff have spoken with the Eastown LLC about entering into an agreement at the \$2 million project level. Public Works Director Grigsby said he has not because he was waiting to get guidance from Council. Community Development Director Vodopich advised that single family residences are not allowed in Eastown. Councilmember Hamilton said the main issue is that there is not a lot property owners can do with their properties.

Deputy Mayor Swatman suggested the City proposed the \$2 million project to extend the sewer to the French property lift to the Eastown LLC. Public Works Director Grigsby said he will contact the LLC. Councilmember Minton-Davis said she is concerned about the LLC's previous comment that they have nothing legally binding on their agreements with the City and that the LLC's representative stated on the record that his signature as the LLC's representative is not legally binding. Public Works Director Grigsby said he doesn't know if that was what he meant to say. Councilmember Rackley said that if the City has any hope of collecting its money back, it needs a partner. If the City collects enough money to make it legally binding then it can expend the money. Councilmember Minton-Davis wanted to know why the LLC would sign an agreement if they don't see a benefit. Public Works Director Grigsby said he feels Roger Watt was trying to say was that until both parties have signed the contract that his signature wasn't legally binding, not that his signature would never be legally binding. The Council agreed that the City needs a partner. Councilmember Hamilton said the Council is switching sides by putting it on the City's time table. Once the City signs the agreement then it's up to the LLC. He said it bothers him that most of the property owners don't live in the City and the City does not know what they plan to do with their property. Public Works Director Grigsby said one piece of feedback that he has heard is that if just a portion of the property owners develop their property then the payback would be over \$1 million of the \$1.8 million the City would invest in just the next three years. He said he will contact the Eastown LLC

to see if they are interested in an agreement for a \$2 Million project, however, he will not discuss a partnership percent. Councilmembers Hamilton and McKibbin said they do not want Public Works Director Grigsby to discuss numbers or percent of partnership contributions. Public Works Director will contact the Eastown LLC to gauge their interest.

**D. Discussion:** AB12-112 – Ordinance D12-112 – Rezone of Conn Property from R-1 to R-2.

Community Development Director John Vodopich discussed the Conn Rezone and stated that the property has met all of the conditions for the rezone which has been approved by the Hearing Examiner. Public Works Director Grigsby showed a map indicating the location of the property and explained the continuation of 192<sup>nd</sup> Street. The rezone of the Conn Property from R-1 to R-2 was forwarded to the full Council for approval.

**E. Discussion:** AB12-110 – Park Project Options.

City Administrator Morrison and Facilities & Special Projects Manager Gary Leaf presented information for the Mayor's Park Project Option. As previously requested by the Council, Project Manager Leaf providing information for rope courses and rock climbing walls to possibly be installed and utilized as part of the Parks Plan Options at the WSU Forest.

Councilmember Minton-Davis inquired if the City received any public comment during Bonney Lake Days. Deputy Mayor Swatman said a lot of people he spoke with during Bonney Lake Days said they really like the idea of a Metropolitan Parks District and he said he wanted to confirm that this money is dedicated money for Parks. Councilmember Hamilton said he thinks the strongest argument Council has is that this money is devoted to Parks. He said, however, he had a difficult time explaining the use/purpose of the proposed pavilion. Councilmember Watson said he would rather see a community center or multi-purpose facility than just a pavilion. Project Manager Gary Leaf gave his definition of a pavilion and that it could include a pavilion as well as an enclosed community center. Councilmember Minton-Davis said she sees the pavilion as more a beginning of a community center, not necessarily a recreation facility. Project Manager Leaf said the Parks Board was concerned about providing meetings space for non-profit groups, or municipal purposes,.

Project Manager Leaf said he was not prepared to discuss the Reed property archeological issues. Deputy Mayor Swatman said he thinks the Reed property is actually in an odd spot for a public use. Project Manager Leaf said he doesn't know where else the Park Plan Option for ball fields could go. Councilmember Minton-Davis said she thinks it would be great to put the fields on the flat land that is located right in the middle of the City, at Kelly Farms, but that property does not belong to the City. Councilmember Hamilton inquired about a long term lease for Kelly Farms. Councilmember Watson inquired about the property behind Marshall's and how much acreage was there. Project Manager Leaf said land is a difficult issue and at the Parks Summit the most popular item was the ball fields, which requires acreage.

Project Manager Leaf said at last month's Council Workshop, Council asked him to look at some ropes course options for the WSU Forest. He provided two options for ropes courses which were submitted from Scott Andrews, who works for a consulting firm from Bellevue. He said the two options provided for the WSU Forest would also be a

great way to use the infiltration areas. The ropes course could be amongst trees, but it doesn't have to be. He advised that City Clerk/ Administrative Service Director Woody Edvalson contacted WCIA about liability issues they advised that so long as the operation of the courses are contracted out by a certified organization then the City would have no liability issues. They would have the skills to not only operate it, but also to market it. The course would be seasonal and would employ approximately 15 people throughout the year. Councilmember Hamilton inquired whether the City would build and maintain the course. Project Manager Leaf said the certified contractor would inspect it and maintain it. Councilmember Hamilton said people could still walk around the courses and walk the trails. Councilmember McKibbin asked if the City plans to work on the ropes course before the Metropolitan Park District. Project Manager Leaf said it would be part of the total Park Plan Option. Councilmember McKibbin asked how much detail the City needs to provide for a Metropolitan Park District.

Project Manager Leaf explained another option for a playground that looks like a ropes course. It has a zip line, climbing rocks, fitness training with exercise equipment, with equipment for both kids and adults. Councilmember Watson asked what else would be planned for the WSU Forest. Project Manager Leaf explained there would be playgrounds and trails, and that the rope course options would take up 1 to 2 acres. Councilmember Watson asked if the Park Plan Option for the Reed property could be moved to the WSU Forest. Project Manager Leaf advised that there is not 20 acres available in the WSU Forest which is what is needed for the ball fields, parking, etc. Councilmember Minton-Davis said she thinks both of the rope course options should be added to the Park Plan. Project Manager Leaf said that the cost would be approximately \$250,000.

City Administrator Morrison said the 80 acre park in Pierce County could be an ideal place for ball fields. City Administrator Morrison and Project Manager Leaf met with the County and they have no money to develop it. Councilmember McKibbin asked the City can still use the Reed property after forming a Metropolitan Park District since it's not in the City limits. Project Manager Leaf said the City can use it, but may not get grants for building the Parks District. Councilmember Hamilton inquired if the City were to use part of the County park, whether County residents would get to vote on the Park District. Project Manager Leaf said in that case at least one County councilmember would sit on the board of the Park District. He said the County Parks Director was not enthusiastic about the City taking over the 80 acre park. City Administrator Don Morrison said during their meeting with the County the County would want paid back the \$275,000 the County paid toward property, the and then buy the property at fair market value

Councilmember Watson inquired about a teen center. Project Manager Leaf said there was not much interest in a teen center. Councilmember Watson said maybe part of a larger community center could be used for a teen center. Project Manager Leaf advised that for the proposed timeline to work for an April election that the City needs to have it narrowed down, now. He said he is aware there are some concerns with the Reed property and he will talk more with the City Administrator. He said if the City doesn't have the Reed property to utilize then the City will need to find a property to purchase and the options are limited. Deputy Mayor Swatman said there are properties available. Project Manager Leaf said the City needs at least 10 acres for ball fields, parking and a maintenance facility. The WSU Forest is about 20 acres, he said, but the shape is not ideal. City Administrator Morrison said it takes about 2 acres for one football field with

parking. Project Manager Leaf said the City would need a 58% approval for the bond to be approved by voters.

Councilmember Rackley said he would like to do a survey of interest. Councilmember Minton-Davis asked what the alternatives are as a professional survey costs as much as an election. Project Manager Leaf said the Parks Board did a survey, but they didn't ask residents what they would be willing to spend their money on. City Administrator Morrison said the YMCA survey cost approximately \$35,000. Councilmember Minton-Davis said if the City is going to spend money, it should be spent on promoting the Park Plan. Councilmember Watson said the City should provide the voters a proposed plan and see what interest they have.

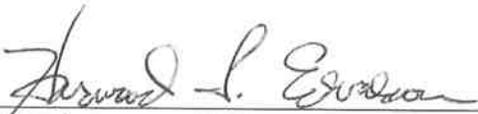
Project Manager Leaf said the City must have a plan with specific parcels in mind. He said that at the Park Summit there was some skepticism if this Park Plan would really happen. Councilmember Hamilton asked if the City could develop a park on the Reed property if the issues there were resolved, or on the WSU property, as long as it was done within three years. Councilmember Minton-Davis said she would vote in favor of a plan for the WSU Forest. Councilmember McKibbin that if the City takes the issue to the ballot and it doesn't pass then the City may need to wait another 5 years before considering it again. The Council expressed support in promoting it, putting it to the voters to see their interest, but not to spend money on surveys. Project Manager Leaf advised that City staff completed the Park Plan at the end of last year and the Mayor sponsored a Parks Summit in which the Park Board was involved. He said there has been a lot of discussion as to how to implement the plan. He said he prepared an option which would focus funds on the items that got the most support at the Parks Summit (trails and ball fields) and would also include some other features which were not so high dollar items, like sport courts and playgrounds. He said staff prepared a draft timeline to put the measure on a ballot for next April, which would require the City to follow a fairly rigorous timeline to determine what would be included in the Plan, the For/Against Committees, ballot resolutions, and keeping it all in line and organized.

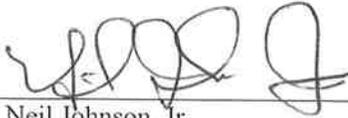
Council consensus was that, due to the timeline to put it on the ballot in April, the City needs to move forward and seek voters input and interest. The matter was forwarded to an upcoming Council meeting for public comment and input.

**V. ADJOURNMENT:**

**At 8:09 p.m., Councilmember Rackley moved to adjourn the Council Workshop.  
Councilmember Watson seconded the motion.**

**Motion to adjourn approved 7-0.**

  
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Harwood Edvalson, CMC  
City Clerk

  
\_\_\_\_\_  
Neil Johnson, Jr.  
Mayor

Items presented to Council at the August 21st Workshop:

- Don Morrison – Sewer Financial Model Schedule E&E2 2012-2017-City of Bonney Lake