

CITY COUNCIL WORKSHOP

April 21, 2015
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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Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

- I. CALL TO ORDER** – Deputy Mayor Dan Swatman called the meeting to order at 5:30 p.m.
- II. ROLL CALL:** Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Community Development Director John Vodopich, Senior Planner Jason Sullivan, Chief Financial Officer Cherie Gibson, Assistant Police Chief Kurt Alfano, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jay Schulkin, and Administrative Specialist II Renee Cameron.

III. Agenda Items:

A. Presentation: East Pierce Fire & Rescue Chief Jerry Thorson – Inlet Island Fire Station

East Pierce Fire & Rescue (EPFR) Chief Jerry Thorson presented EPFR's update regarding the Inlet Island Fire Station and the agreement between the City and EPFR regarding its use. EPFR said they are considering two options for the Inlet Island Fire Station, depending on the City's wishes. The first option is to not utilize the station as an operational fire response station, however, utilize it for housing equipment and logistics. He said the second option would be to turn the station back over to the City for the City to utilize it as it pleases. He asked Council about any concerns they have about the station. Councilmember Watson asked about the delay in response time from the other operating stations, should they choose to no longer utilize it as an operational station. Mayor Johnson asked what EPFR's desires for the station are. Chief Thorson said he thinks the EPFR Board would accept the City's recommendation to close the station, as it is about operational needs, and that station does not provide a lot of benefit, especially as it lacks volunteers in the area to man it. He advised that if the station is closed for operational use, then the engine housed at this location would be relocated to another station, and an older engine would likely be surplus. He said his preference would be to convert it to logistics for supplies and equipment. Council consensus was to continue to allow EPFR to use the Inlet Island Fire Station for housing equipment and logistics.

B. Council Open Discussion:

Email regarding door to door sales. Councilmember Rackley said he received an e-mail regarding door-to-door sales. Mayor Johnson advised that he and Director Vodopich have already responded and they have not heard any response back.

Youth Commission. Councilmember Minton-Davis said she attended a meeting last week in

Federal Way for a Relay for Life and she said that part of the meeting was discussion about forming a Youth Commission. She would like the City to consider a youth program like this to connect with the youth in the community. Mayor Johnson he has considered and looked into forming such a program, however, there is an issue/concern with youth/students who are not over 18 years old, if the school district is involved, and staff availability. The age concern would require the meetings to be limited and chaperoned. Councilmember Minton-Davis said it was exciting to see the interest in the youth, and getting a better understanding of what they would focus on and how the commission would conduct itself. Mayor Johnson said he thinks such a commission would be great though to have in the community. Councilmember McKibbin said many local youth and students are looking at groups like this to participate in for their college and scholarship applications.

Safety Presentation. Councilmember Watson said he would volunteer to present a safety presentation on how to handle tools safely.

Daffodil Queen Recognition. Councilmember Hamilton said he would like to see the City recognize the City's first crowned Daffodil Queen, Ashley Becker, during a Council meeting. He wants to see her recognized and celebrated.

Parks Appreciation Day. Councilmember Hamilton reminded everyone that this Saturday is Parks Appreciation Day at Midtown Park from 9 a.m. – Noon. Mayor Johnson said he will be attending. Councilmember Hamilton also said that the Shred-a-thon event will also be happening.

Master Builders Association Meeting. Deputy Mayor Swatman spoke regarding Councilmember McKibbin's attendance at a recent presentation where Master Builders Association consultant stated that Bonney Lake is not the place to build houses, even though the City has a significant amount of available lots. He believes the consultant needs to have the facts before he continues with his numerous presentations, instead of using arbitrary fees. City Administrator Morrison said he believes the argument that he was trying to make was that the average household cannot afford to build a house in Bonney Lake. Councilmember McKibbin said he would like staff to send to him the actual costs to build a home within City limits. Councilmember Hamilton also said he attended a Pierce County Regional Council (PCRC) meeting last Thursday, where PCRC gave the City the go ahead on an amendment to include Tehaleh in the City's urban growth area (UGA). He said it would still be a long time before the City would have Tehaleh under the City's jurisdiction. He said the County Planning Commission opposed the amendment, but Dan Roach supported the amendment. He also advised that the City's other amendments did not pass out of the PCRC.

Planning Commission Agenda Items. Deputy Mayor Swatman spoke regarding items that Council sends to the Planning Commission and would like to see some items streamlined, versus what actually requires the Planning Commission's review. Director Vodopich clarified the RCWs as to which development regulations require Planning Commission review and recommendations. He said any changes to the municipal code regarding the Planning Commission's role would come to the Council for consideration.

Construction Accident Update. Deputy Mayor Swatman asked for an update on the SR 410/Angeline Road construction accident that occurred on April 13th. Assistant Chief of Police Alfano said the incident is still being investigated. Mayor Johnson advised that the construction project has currently been suspended.

C. Review of Draft Minutes: April 7, 2015 Workshop.

The April 7, 2015 Workshop minutes were forwarded to the April 28, 2015 Meeting for action, with minor corrections.

D. Discussion: AB15-17 – Resolution 2432 – Comprehensive Plan Update – Economic Vitality Element.

Senior Planner Sullivan summarized the agenda bill. He said this resolution is the next step in the process. He said this update incorporates a lot of the recommendations from the Berk Study and how the items are interrelated. He said the next three Comprehensive Plan elements will come to Council in May, and the overall amendment needs to be completed by June 30th. He said it is a tight schedule, but he anticipates making the June 30th deadline. Council had various questions regarding the Berk Study, zoning code, and the land use matrix, which Mr. Sullivan responded to. Deputy Mayor Swatman inquired about items reviewed by the Planning Commission. Mr. Sullivan stated he agrees that there is a significant missing component, and this update will create an implementation chapter to assist with following the work plan. He said the language added will help in the future with grants. Councilmember Hamilton asked if new businesses in Tehaleh would affect City businesses. Mr. Sullivan discussed types of businesses that will bring development on the plateau, and the Berk Study has also assisted with that. He compared potential Tehaleh businesses to those of Lakeland. This item was forwarded to the April 28th Council meeting for action on the Consent Agenda.

E. Discussion: AB15-43 – Resolution 2447 – Notice of Intent to Adopt an Amendment to the Shoreline Master Plan Regarding Critical Areas.

Planning Commissioner Chair Grant Sulham introduced the Planning Commission's new Vice Chair, David Baus. He summarized the agenda bill, and said the amendments are housekeeping because of the new rating system for wetlands, amendments to the flood plan management regulations, designation of fish and wildlife conservation, and an amendment to the shoreline code to incorporate the amendments. He said the Council needs to consider the notice and intent to adopt these amendments. Mr. Sullivan clarified the reason this was a resolution, instead of an ordinance. This item was forwarded to the April 28th Council meeting for action on the Consent Agenda.

F. Discussion: Setting public hearings.

City Administrator Morrison discussed the process for setting public hearings by cities. He said occasionally due to timelines or cancelled meetings, there are issues on noticing and scheduling public hearings. He said at other cities the city clerks would just schedule the public hearings, as a routine process. He said the Council Rules hearing process, Rule 2.0.710, states that the Council will set the public hearing. He believes though that for efficiency's sake he would like the Council to consider amending that rule to allow the City Clerk to publish the public hearing date and time, which could save two weeks in the process of not having the Council having to set the public hearing. Council consensus was to amend Council Rules and allow the City Clerk to set public hearings.

G. Motion: Motion to waive Council rules to take action on the following agenda items brought forward from the cancelled April 14, 2015 regular Council meeting.

Councilmember Watson moved to waive the Council rules to take action on the agenda items brought forward from the cancelled April 14, 2015 regular Council Meeting. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

H. Citizen Comments:

George Brown, 8410 Locust Ave E, Bonney Lake, said he was concerned about building permits for homes. He stated his concern is about impact fees on developers. He said he thinks it is too expensive to build and develop in Bonney Lake. He also spoke about the City's proposed downtown development, and said he believes that until the current property owners in downtown want to participate with the City, it is going to be difficult to get cooperation on downtown development.

I. Correspondence:

Administrative Services Director Edvalson said he believes all Council received correspondence from Quinn Dahlstrom, and she would like to have her correspondence noted in the minutes. Mayor Johnson said he doesn't believe a citizen should be allowed to include correspondence into the minutes, as he believes that a Council member needs to submit it to be included in the minutes. City Attorney Schulkin advised that the City's process is appropriate. Councilmember Lewis said that as a matter of public record, Council only notes that they received this correspondence.

J. PROPOSED ACTION ITEMS: The following items are were forwarded as action items at the April 21st Workshop due to Cancellation of the April 14, 2015 Council Meeting.

APPOINTMENTS:

1. **AB15-58** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Nominate Terry Reid As Bonney Lake's Representative To the Pierce County Conservation Futures Citizens' Advisory Board.

Councilmember Watson moved to approve Motion AB15-58, Councilmember Lewis seconded the motion.

Motion approved 7 - 0.

CONSENT AGENDA:

2. **Approval of Minutes:** March 17, 2015 Workshop and March 24, 2015 Meeting.
3. **Approval of Accounts Payable and Utility Refund Checks/Vouchers:** Accounts Payable checks/vouchers #70722-70793 (including wire transfer # 20150306) in the amount of \$515,098.46.
Accounts Payable wire transfer #2015031701 for p-card purchases in the amount of \$33,558.28.
Accounts Payable checks/vouchers #70794-70834 (including wire transfer # 15150064) in the amount of \$327,943.04.
Accounts Payable checks/vouchers #70835-70868 in the amount of \$274,739.94.

Voids: 70855 – Multiple page remittance to Pierce County for Property Tax Payment,
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4. **Approval of Payroll:** Payroll for March 1st – 15th, 2015 for checks #32303-32320 including Direct Deposits and Electronic Transfers is \$ 456,981.24.
Payroll for March 16th – 31st, 2015 for checks #32321-32347 including Direct Deposits and Electronic Transfers is \$ 74,573.64.
5. **AB15-36 – Ordinance 1514 [D15-36]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 5.08 Of The Bonney Lake Municipal Code And The Corresponding Portions Of Ordinance Nos. 1236 And 1256, Related To Business Licenses.
6. **AB15-42 – Ordinance 1515 [D15-42]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Portions Of Section 3.68.010 Of The Bonney Lake Municipal Code Related To Planning Department Services And Fees.
7. **AB15-54 – Ordinance 1517 [D15-54]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County Washington, Amending Sections 13.04.070 And 13.12.100, Bonney Lake Municipal Code, Related To Applications For Water And Sewer Service.
8. **AB15-56 – Ordinance 1518 [D15-56]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County Washington, Amending Section 15.14.035, Bonney Lake Municipal Code, Related To Applications For Storm Water Service.
9. **AB15-28 – Resolution 2443** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Amended Scope Of Work Attached To An Interagency Agreement With The Department Of Enterprise Services For Conservation Services.
10. **AB15-57 – Resolution 2454** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign Amendment 2 To The Stormwater Mitigation Agreement For Eastown Properties With WSDOT.
11. **AB15-46** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County Washington, To Accept As Complete The Eastown Sanitary Sewer Mains – Phase 2 (Lift Station) Project With RCNW, Inc

Deputy Mayor Swatman moved to approve the Consent Agenda. Councilmember Watson seconded the motion.

Consent Agenda approved 7 - 0.

FINANCE COMMITTEE ISSUES:

- 12. AB15-52 – Resolution 2452** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Professional Services Agreement With The Law Office Of Donna L. Johnston To Provide Public Defender Services For The City Of Bonney Lake.

Councilmember Watson moved to approve Resolution 2452. Councilmember Lewis seconded the motion.

City Administrator Morrison said it has been a long process. He said the Law Office of Donna Johnston was the low bidder and she is respected. He said this is a 2-year contract. Councilmember Hamilton asked, as the former Chair of the Public Safety Committee, whether the City can look outside to other jurisdictions, and would like to see these services shared with surrounding jurisdictions. Deputy Mayor Swatman agreed. City Administrator said the budget amendment for the increased contract will be reviewed at the end of 2015. Councilmember Minton-Davis asked for clarification of the Eatonville Municipal Court contract, and recouping the increased costs. City Administrator Morrison said negotiations with Eatonville will be addressed.

Resolution 2452 approved 7 - 0.

- 13. AB15-55 – Resolution 2453** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting Lodging And Meal Rates For City Employees And Officials While On City Business, And Replacing Resolutions 1787 And 1902

Councilmember Rackley moved to approve Resolution 2453. Councilmember Watson seconded the motion.

Deputy Mayor Swatman moved to amend the breakfast rate from \$12.00 to \$15.00 to match appropriately with the State. Councilmember Lewis seconded the motion.

Councilmember Lewis clarified the Agenda Bill and said Councilmember McKibbin approved this item, on behalf of Councilmember Minton-Davis, out of the Finance Committee.

Motion to amend Resolution 2453 approved 7 – 0

Resolution 2453 approved 7 – 0.

FULL COUNCIL ISSUES:

- 14. AB15-53 – Ordinance 1516 [D15-53]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Acquisition Of Property By Purchase Or Condemnation (21704 SR 410 E).

Councilmember Watson moved to approve Ordinance 1516. Councilmember Lewis seconded the motion.

Councilmember Hamilton asked what the status is now to move forward. Director Grigsby advised that this ordinance authorizes the City Attorney to initiate legal

proceedings and ideally the City would settle with a dollar amount. If an agreement cannot be reached with the property owners, then the condemnation process would occur, which could take some time. The City could move forward with the project, as soon as the property owners agree to possession and use. He said the City's agent has made an offer at least three times, and the property owners have not responded to those offers. City Attorney Schulkin advised that with a condemnation process the City would not be required to receive consent. Councilmember Minton-Davis asked if there is any concern about this property being in foreclosure. Director Grigsby advised that they have until November to pay their past due taxes, which they have done in past years. Deputy Mayor Swatman asked if this is the last piece of right of way acquisition for the City's sewer project. Director Grigsby advised that this action is for a utility easement only, which will allow the City to advertise the contract to build the sewer project.

Ordinance No. 1516 approved 7 - 0.

- 15. AB15-59** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Public Hearing At 7:00 P.M., Or As Soon Thereafter As Possible, During The Regular Council Meeting Of April 28, 2015, To Consider The Proposed Surplus of Utility Property (Proposed Resolution 2455).

Councilmember Rackley moved to approve motion AB15-59. Councilmember McKibbin seconded the motion.

Motion AB15-59 approved 7 - 0.

IV. EXECUTIVE\CLOSED SESSION:

Pursuant to RCW 42.30.110(1)(i), the Council adjourned to an Executive Session with the City Attorney at 6:48 p.m. for 45 minutes to discuss potential litigation. At 7:42 the Executive Session was extended for 10 additional minutes. At 7:50, pursuant to RCW 42.30.140(b), the Council adjourned to a Closed Session for 20 minutes to discuss labor negotiations. The Council returned to Chambers at 8:10 p.m. No action was taken.

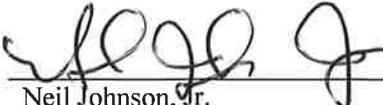
V. ADJOURNMENT:

At 8:10 p.m., Councilmember Hamilton moved to adjourn the Council Meeting. Councilmember Watson seconded the motion.

Motion to adjourn approved 7 - 0.



Harwood Edvalson, MMC
City Clerk



Neil Johnson, Jr.
Mayor

Items presented to Council at the April 21, 2015 Workshop: None

Note: Unless otherwise indicated, all documents submitted at City Council meetings and workshops are on file with the City Clerk. For detailed information on agenda items, please view the corresponding Agenda Packets, which are posted on the city website and on file with the City Clerk.