

**CITY COUNCIL
WORKSHOP**

**March 15, 2016
5:30 P.M.**

MINUTES



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** –Mayor Neil Johnson, Jr. 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 Councilmember Dan Swatman, Councilmember Justin Evans, Councilmember Katrina Minton-Davis, Councilmember Donn Lewis, and Councilmember Tom Watson. Deputy Mayor Randy McKibbin and Councilmember James Rackley were absent.

Councilmember Lewis moved to excuse Deputy Mayor McKibbin and Councilmember Rackley. Councilmember Watson seconded the motion.

Motion approved 5 - 0.

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, Chief of Police Dana Powers, City Attorney Kathleen Haggard, City Attorney Jeff Ganson, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist II Renee Cameron.

III. Agenda Items:

A. Council Open Discussion

Death by Chocolate. Councilmember Watson said the March 12th Death by Chocolate was a huge success and he thanked Council for their support and attendance.

Communities for Families Meeting. Councilmember Watson said he and Councilmember Evans attended the Communities for Families meeting at the YMCA in Sumner, and that he did a presentation regarding the Lions Club, and the Death by Chocolate fundraising event.

62nd Pothole Flooding Update. Councilmember Watson asked for an update regarding the flooding on 62nd Avenue. City Administrator Morrison said the City Engineer is recommending that the water level get down to a foot below the top surface of the subbase before they quit pumping, which could take another week. Mayor Johnson said this issue needs to be further reviewed and discussed to confirm who owns the pothole, as well as other risk and liabilities so the facts are known about what the City can and cannot do to assist these properties.

Irrigation Leak Adjustments. Councilmember Swatman addressed the issue and Council's input regarding irrigation leak adjustments and wants Council to address what the issues are that are allowing customers to incur large water irrigation bills. Councilmember Lewis asked if the upcoming legislation addresses Councilmember Swatman's concerns, and Councilmember Swatman said that legislation is a separate issue. Councilmember Lewis said

he knows the City notifies customers when the customers have a larger volume of water usage. Councilmember Minton-Davis stated her concerns regarding hardships for large water/irrigation bills and options that may be available for payment. Mayor Johnson said he would like to find a way to monitor usage and options to consider.

Councilmember Contact. Councilmember Swatman addressed concerns regarding developers contacting individual councilmembers, and not communicating with all councilmembers. City Attorney Haggard addressed Councilmember Swatman's concern and reminded the Council of the Open Public Meetings Act and Appearance of Fairness Act. She advised councilmembers to keep both of these acts in mind, but at this point no application has been written/submitted by Tarragon, so she advised that all council be aware of the acts. Councilmember Watson expressed concern that a developer may have been attempting to stack the deck by communicating with only 4 of the 7 councilmembers. Mayor Johnson expressed his expectations regarding information provided to council. Councilmember Minton-Davis did not agree with Councilmember Swatman's concerns and called his concerns premature. Councilmember Swatman said he is concerned. City Attorney Haggard reiterated that she did not have a concern at this point with discussions between Council and Tarragon.

Mayor Johnson's absence. Mayor Johnson advised that he will need to leave the Workshop in approximately five (5) minutes. In both Mayor Johnson and Deputy Mayor McKibbin's absence, Councilmember Minton-Davis nominated Councilmember Swatman as acting Deputy Mayor, and Councilmember Watson seconded the nomination.

Kiwanis Prayer Breakfast. Councilmember Minton-Davis distributed a flyer regarding the Kiwanis Club of Bonney Lake Prayer Breakfast to be held on March 22, 2016 at Cedar Ridge Retirement & Assisted Living Community.

These items were for discussion purposes only, no action was taken.

B. Review of Council Minutes: March 1, 2016 Workshop, and March 8, 2016 Meeting.

Councilmembers Lewis had minor corrections to the minutes, and the minutes were forwarded to the March 22, 2016 Meeting for action.

C. Action: AB16-38 – Ordinance D16-38 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Granting A Non-Exclusive Telecommunications Franchise And Authorizing The Mayor To Execute A Franchise Agreement With Astound Broadband, LLC.

Councilmember Swatman advised that Christopher Mantel, Fiber Construction Lead III with Astound/wave was available for questions from the Council. Council had no questions.

**Councilmember Watson moved to approve Ordinance D16-38 (1540).
Councilmember Lewis seconded the motion.**

Ordinance 1540 approved 5 – 0.

D. Discussion: AB16-40 – Resolution 2517 – Acknowledgement of Puget Sound Regional Council's Conditional Certification of the City's Comprehensive Plan.

Senior Planner Jason Sullivan summarized the agenda bill and the briefing memorandum which acknowledges Puget Sound Regional Council's (PSRC) conditional certification of *Bonney Lake 2035* stating the City's intent to update *Bonney Lake 2035* in order to meet the compliance requirements of the Puget Sound Regional Council. He advised that many cities are affected by this requirement, and it is region wide. He said one of PSRC's conditions is that the City adopt a resolution acknowledging the conditional certification and agreeing to amend *Bonney Lake 2035* to address the conditions by December 30, 2017. Councilmember Evans asked what level the City is at for activity units and Mr. Sullivan advised that the City is at the upper end of the small cities category. This item was forwarded to the March 22, 2016 Meeting Consent Agenda for action.

E. Discussion: Tarragon Development Agreement Proposal

Community Development Director Vodopich spoke regarding the legislative development agreement previously entered between the City of Bonney Lake and WSU. He summarized conditions of the development agreement and the number of acres developable, parks to be allocated, etc. He said the City has been contacted by Tarragon regarding a new proposed development on the WSU property, fees associated with it, and lift station requirements. He said particular to this site is Lift Station 18, which would need to be reconstructed, and to build a new lift station, which would then decommission the old lift station. He said this would be a large cost that would impact any future development in that area, and particular to this site there is a shallow sewer line which will need to be lowered to accommodate any future development of the WSU property. He summarized the proposal submitted by Tarragon, which is included in the Workshop agenda packet for the proposed development. He said there are representatives from the Tarragon in attendance at the Workshop, if Council has questions.

Councilmember Watson asked why the City cannot do the two bottleneck projects and the lift station on their own and have Tarragon pay their required fees. City Administrator Morrison advised what the costs would be and the amount of work that would be required. Councilmember Lewis asked about options that could be available. Director Vodopich addressed the gravity/lift station options that could be available, or what options the City would not consider.

Councilmember Evans said he would like Tarragon to provide more information regarding low impact development plans that are projected to take place. Director Vodopich said low impact development techniques were contemplated in the initial development agreement, so there is a section dedicated to stormwater treatment specifically to incorporating low impact development techniques and reducing stormwater runoff.

Councilmember Watson expressed concern with a proposal that would cause the city to adversely affect any future development in the near future of other areas of the City. He said the City bent over backwards on the Renwood development to get Tarragon the lowered fees. He thinks a 30% reduction of sewer development charges would make sense, so the City can work with other developers, and so they are not handicapped by these larger developers.

Councilmember Swatman said it is important to remember that development of the Eastown area is affected by Lift Station 18, and the current property owners in that area are first come

first serve. He also expressed former Councilmember Hamilton's concern about zoning of this property and whether this is the best use of this property. He asked if commercial development or a 55+ living development would be a better fit. He doesn't want to assume this particular proposal is the only option. He said this is a big public investment for the community. Councilmember Watson spoke regarding future growth, whether this project, another multi-family project, or commercial purposes. City Administrator said the big question is whether this project would work for both the city and the developer, and what the charges could/should be to cover SDC charges for future improvements. He said all future developments would likely request the same rate reductions, so it could cost the City money, as there would be less revenue as the systems age.

Councilmember Minton-Davis said this proposal is complicated, and she would like to see the City's proposal to Tarragon separately. She was concerned with the proposed reduction of fees, as well as the slowdown in the building.

Councilmember Evans asked what aspects to a development agreement can amend our code which would allow the City to reduce fees. Mr. Sullivan provided an example of reduced or waived fees. He advised that the Washington Administrative Code allows cities to make amendments if they are within their municipal code.

Councilmember Swatman spoke stating lowering impact fees could shortcut the future. Director Grigsby summarized the costs for sewer development charges and the three part charge. He stated concerns about when fees are reduced, especially regarding projects that don't get built, or get deferred because of reduced fees. He spoke regarding the rates of growth, traffic impact fees, and sewer development charges. Councilmember Swatman said though cities want to see projects like this being built, they don't want them to cost the city money by reducing rates. Director Grigsby talked about fairness between residential and commercial, and everyone paying their fair share of the fees.

Councilmember Watson asked about road improvements for 214th and SR410 needing to be upgraded due to the growth and the additional traffic in the near future. Director Grigsby said yes, and responded regarding the traffic impact analysis that would need to be done and the impacts fees and improvements that would need to be made. Director Vodopich spoke regarding requirements of traffic impact fees and surcharges that would need to be calculated, and that they would need clarification of traffic impact fees for Pierce County, which were part of the mitigation agreement with the Development Agreement with WSU. Mr. Vodopich summarized what would be required of Tarragon per the first WSU Development Agreement.

Councilmember Swatman asked City Administrator Morrison what direction Administration is looking for from Council and Mr. Morrison said they are still awaiting the requested information from Tarragon. He said they have an option that expires the end of April. Council consensus was to have Tarragon provide a presentation with their current proposal at the April 5th Workshop. Councilmember Lewis said he is pleased with the Renwood property, and he is encouraged that this proposed development would be a good fit.

F. Discussion: Park Impact Fees for Multi-family Development

Councilmember Minton-Davis said this came out of Economic & Community Development, as was presented by Senior Planner Jason Sullivan. Councilmember Minton-Davis summarized the memorandum, and asked for Council to approve sending this item for review and a recommendation to the Planning Commission. Councilmember Lewis said he thinks it

is a great idea to forward this issue to add it to the Planning Commission Work Plan. Councilmember Minton-Davis added that these proposed fees would have no impact to the Tarragon proposal. This item was summarized and was for discussion purposes only.

IV. EXECUTIVE SESSION: None.

V. ADJOURNMENT:

Councilmember Watson moved to adjourn the Workshop at 6:52 p.m. Councilmember Lewis seconded the motion.

Motion to adjourn approved 5 - 0.



Harwood Edvalson, MMC
City Clerk



Neil Johnson, Jr.
Mayor

Items presented to Council for the March 15, 2016 Workshop:

- Councilmember Katrina Minton-Davis – *2016 Kiwanis Club of Bonney Lake Prayer Breakfast Flyer.*

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.