The City Council may act on items listed on this agenda, or by consensus give direction for future action. The Council may also add and take action on other items not listed on this agenda.

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

I. **Call to Order:** Mayor Neil Johnson

II. **Roll Call:**
Elected Officials: Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

III. **Agenda Items:**
A. **Council Open Discussion.**

B. **Recognition:** Presentation of Athletic and Academic Awards to Students from Bonney Lake, Sumner, and White River High Schools.


D. **Discussion:** AB12-53 – Ordinance D12-53 – Amendment of BLMC Related to Civil Permitting.

IV. **Executive Session:** Pursuant to RCW 42.30.110(b), the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

V. **Adjournment**

For citizens with disabilities requesting translators or adaptive equipment for listening or other communication purposes, the City requests notification as soon as possible of the type of service or equipment needed.
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Item III. B. Recognition: Presentation of Athletic and Academic Awards to Students from Bonney Lake, Sumner, and White River High Schools.

There are no advance materials for this item.
Location: Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

I. CALL TO ORDER – Mayor Neil Johnson, Jr. called the meeting to order at 7:02 p.m.

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

B. 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 Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, City Engineer John Woodcock, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Interim Police Chief Dana Powers, Administrative Services Director/City Clerk Harwood Edvalson, City Attorney Jim Dionne, and Records & Information Specialist Susan Duis.

C. Announcements, Appointments and Presentations:

1. Announcements: None.

2. Appointments: (see C.3.b.)

3. Presentations:


      Mayor Johnson read the proclamation aloud and thanked staff for their hard work on issues such as the past winter’s wind and ice storms.


      Mayor Johnson said Mr. Baus is interested in a position on the Planning Commission, but since no position is currently available he appointed him to the Design Commission so he could become involved.

      Councilmember Rackley moved to approve AB12-74. Councilmember Hamilton seconded the motion.

      Motion AB12-74 approved 7 – 0.
D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: None.

B. Citizen Comments:

Quinn Dahlstrom, 6527 193rd Ave E, Bonney Lake, thanked the Mayor for addressing her recent concern about the Senior Center. She said she attended the Parks Summit on May 7th, and she would like to see the City finish the Fennel Creek Trail. She provided a written copy of her statement to the City Clerk to enter into the record.

Kelly Kahne, Enumclaw, said he owns 17 acres in the Eastown area off 219th Ave E, which is leased by C&D Topsoil. He said he has been trying to connect to City sewer for six years, but his neighbor will not agree to an easement so he can install a line across the neighbor’s property. He said he and his joint venture partners want to start development, which would be good not only for them but for the city. He said he hopes the City has an idea for what can be done next, such as condemnation, so they can move forward. He said 40 acres of property would have access to sewer service if this line were installed.

Councilmember Rackley asked why the neighbor is not cooperating. Mr. Kahne said the neighbor has agreed verbally in the past but keeps backing out and will not communicate. Deputy Mayor Swatman said the Council is very interested in the development of Eastown. He said a fair amount of time has been taken to resolve this issue and it may be time to try something else. Mayor Johnson said he would work with staff in Public Works to get more information to the Council on this issue.

Doug Babcock, 20310 Church Lake Dr, Bonney Lake, said he represents the Babcock family, who has been working with Mr. Kahne to resolve the sewer connection issue with their neighbor, Chet Morris. He said they met with Mr. Morris in December 2011 and thought everything was worked out for the sewer connection. However, he said Mr. Morris backed out of the proposed contract and would not return calls. Mr. Babcock said he wants to move forward to get sewer service on his and Mr. Kahne’s properties.

Don Stevenson, Bonney Lake, said he is a member of the Bonney Lake Lions Club and is also known as the “Pacing Parson”. He said starting on June 7th he will complete a three-month, 1,400 mile walk to benefit the blind and sight-impaired. He said he has walked for charity since he retired, and will do part of this walk blindfolded. He asked the Council for moral support and said he will do his best to represent the City of Bonney Lake. Councilmember Watson said he is a Lions Club member and is very proud of the project and Mr. Stevenson’s hard work. Councilmembers thanked Mr. Stevenson for his work and said they would like to be kept informed of his progress.

Bruce Endicott, Bonney Lake Lions President, said Mr. Stevenson will be walking from Rugby, North Dakota to Auburn, Washington, and people can follow his progress and make donations online at www.thepacingparson.com. He said donations can also be made directly to the Bonney Lake Lions club or at any Wells Fargo bank. He said Mr. Stevenson is dedicating this walk to Nicholas Primo, who was born blind.
Dan Decker, 20701 70th St E, Bonney Lake, said he understands there will be a ceremony for the road name change from Sumner-Buckley Hwy E to Veterans Memorial Dr E on May 25th. He said he expects the Councilmembers will attend. He also noted that red light cameras have caused 167,000 accidents according to a report on the internet.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS

A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:30 p.m. earlier in the evening and reviewed meeting notes, an agreement for the use of the Cedarview ball fields, and first quarter financial data. He said the committee also reviewed water rate proposals, which are on the current agenda for consideration.

B. Community Development Committee: Councilmember McKibbin said the committee met on May 1, 2012 and forwarded one item to the current agenda as a Consent Agenda item.

C. Public Safety Committee: Councilmember Hamilton said the committee met on May 7th and forwarded Ordinances D12-64 and D12-65 to the current Consent Agenda. The committee reviewed proposed contracts for jail services with the cities of Enumclaw and Buckley. A citizen spoke to the committee about a dangerous street crossing at 182nd Ave E and Main Street East, and requested another crosswalk in this area where children wait to catch the bus. Public Works staff will attend the next meeting to discuss this issue.

The Committee also discussed a request for ‘deaf child’ signs. He said per the committee’s past minutes, there was an issue with the spacing requirements for street signs, but he plans to follow up with the City Engineer. Also at the meeting, Interim Police Chief Dana Powers expressed concerns about the safety of personnel working at the Police Station. The committee also discussed an ordinance amending BLMC Chapter 9 and a proposal for a Traffic School. Councilmember Hamilton said the Police patrol boat was moved to the new police dock at Allan Yorke Park, which will be fenced and monitored by video. He said the SWAT Team is using the Reed Property on Barkubein Rd for training. He said Interim Chief Powers is planning to set up the grant-funded mock car accident for DUI prevention at Bonney Lake High School on May 24th.

D. Other Reports:

Community Events: Councilmember Lewis said he attended the Sumner/Bonney Lake Area Communities For Families meeting on May 3rd. Special Events Coordinator Wells attended and described city events. The group also discussed library services, and funding for drug and alcohol prevention programs in November 2012.

Puyallup Police Chief: Councilmember Rackley said Brian Jeter, a past Bonney Lake Police Department employee, was named Chief of Police for the City of Puyallup. Mayor Johnson said it is great to have chiefs in Bonney Lake and Puyallup who know the area very well and who work well together.

Community Updates: Mayor Johnson thanked city staff members who helped with the Family Fun Fest on May 5, 2012, including Debbie McDonald, Gary Leaf, David Wells,
and Dana Powers. He said staff are working on a summary from the Park Summit on May 7th. He said the summit was well attended and got a lot of people engaged in the process. Mayor Johnson said staff are preparing to install a sign for the Bonney Lake Lions at the city limits, near Ascent Park and the Kiwanis sign. Councilmember Rackley said it would be nice to have a population sign for the City as well.

IV. CONSENT AGENDA:


B. Approval of Accounts Payable and Utility Refund Checks/Vouchers: Accounts Payable checks/vouchers #63425-63497 (includes wire #9168551, 20120416, 38156773) in the amount of $558,639.46. Accounts Payable checks/vouchers #63498-63582 in the amount of $253,580.25. Check void 62327 wrong vendor, reissued 63549. Check void 63410 incorrect amount, reissued 63548.

C. Approval of Payroll: Payroll for April 16-30th, 2012 for checks 30433-30463 including Direct Deposits and Electronic Transfers in the amount of $620,232.46.


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

Consent Agenda approved 6 – 1. Deputy Mayor Swatman voted no.

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

Councilmember Rackley moved to approve Ordinance D12-57. Councilmember Watson seconded the motion.

Mayor Johnson said the Council received an email from resident Maryanne Zukowski about the proposed rate changes. Councilmember Hamilton noted that the ordinance before the Council proposes a $2.67 reduction in water base rates, rather than the $5 reduction that was discussed previously. City Administrator Morrison said the proposed reduction is split between consumption and availability charges.

Mayor Johnson said the Council could reduce water rates and increase sewer rates, or delay any rate changes by transferring funds from the water utility to the sewer utility. He said he has received input from the public, and feels the proposed ordinance is a good compromise.

Deputy Mayor Swatman said he supports the proposed ordinance. He said it is important to give the public adequate time to comment on the proposed water and sewer rate changes. He said although a public hearing is not required to amend utility rates, he suggested the Council table these items to allow for a public comment period.

Councilmember Rackley moved to table Ordinance D12-57 to the May 15, 2012 Workshop. Councilmember Watson seconded the motion.

Motion to table Ordinance D12-57 approved 6 – 1. Councilmember Minton-Davis voted no.


Councilmember Hamilton moved to approve Ordinance D12-58. Councilmember Lewis seconded the motion.

Councilmember Rackley moved to table Ordinance D12-58 to the May 15, 2012 Workshop. Councilmember Watson seconded the motion.

Motion to table Ordinance D12-58 approved 7 – 0.

Deputy Mayor Swatman asked if the Council needs to suspend its rules to allow public comment at a Workshop. The City Attorney confirmed that the Council rules would need to be suspended to include a public comment period, either at the current meeting or during the Workshop.

Deputy Mayor Swatman moved to suspend the Council rules to take public comment at the May 15, 2012 Workshop on proposed Ordinances D12-57 and D12-58. Councilmember Rackley seconded the motion.

Councilmembers discussed appropriate time limits for the special public comment period; consensus was to allow five minutes for comments similar to the Citizen Comment period at Meetings. Mayor Johnson said staff will post the Workshop agenda as usual, and will reply to all those who have sent comments about this issue letting them know about the
public comment period. He said it would likely also be highlighted by local media and online.

Motion to suspend the Council rules approved 7 – 0.

C. **AB12-67** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Appointing Three Voting Delegates To The 2012 AWC Annual Conference.

Councilmember Lewis said he and Councilmember McKibbin have served as delegates for the past two year and he thinks this is a good experience for new Councilmembers.
Councilmember Minton-Davis said she does not wish to serve as a delegate.
Councilmembers Watson, McKibbin, Rackley, and Lewis said they are willing to serve.

**Deputy Mayor Swatman moved to appoint Councilmembers Lewis, Rackley, and Watson** as voting delegates to the 2012 AWC Annual Conference.

Motion approved 7 – 0.

IX. **EXECUTIVE SESSION:**

Pursuant to RCW 42.30.110(1)(b) and RCW 42.30.110(1)(i) the Council adjourned to an executive session with the City Attorney at 8:01 p.m. for 15 minutes to discuss potential litigation and property acquisition, with no action anticipated after the session. The session was extended for 5 minutes at 8:16 p.m. The session was extended again for 5 minutes at 8:24 p.m. The Council returned to chambers at 8:30 p.m.

X. **ADJOURNMENT:**

At 8:30 p.m., Councilmember Rackley moved to adjourn the Council Meeting.
Councilmember Watson seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, CMC  
City Clerk

Neil Johnson, Jr.  
Mayor

Items presented to Council at the May 8, 2012 Meeting:

I. ORDER OF BUSINESS

A. Call to Order: Mayor Neil Johnson, Jr. called the Special Meeting to order at 5:00 p.m.

Elected Officials in attendance were Mayor Johnson, Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

B. Eastown Gateway Sign Unveiling.

Mayor Johnson welcomed the citizens, staff members, and media representatives who were in attendance. He thanked the staff members who had a significant role in the gateway sign project, including Gary Leaf, David Wells, Pete Spain, Jim Miracle, and Keith Proctor. The Council unveiled the new sign, and stood for photographs.

C. Adjournment.

The Special Meeting was adjourned at 5:12 p.m., and was followed by the regular City Council Workshop at 5:30 p.m. at the Bonney Lake Justice Center, 9002 Main Street East, Bonney Lake, Washington.

Items presented to Council at the May 15, 2012 Special Meeting: None.
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CALL TO ORDER – Mayor Neil Johnson, Jr. called the workshop to order at 5:32 p.m.

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 Jim Rackley, and Councilmember Tom Watson.

Staff members in attendance were City Administrator Don Morrison, City Engineer John Woodcock, Community Development Director John Vodopich, Chief Financial Officer Al Juarez, Interim Police Chief Dana Powers, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson, and Records & Information Specialist Susan Duis.

AGENDA ITEMS:

A. Council Open Discussion:

Eastown Gateway Sign Unveiling: Mayor Johnson thanked the Councilmembers and others who attended the Special Meeting for the Eastown gateway sign unveiling at 5:00 p.m. earlier in the evening.

Senior Boards: Councilmember Lewis reminded staff members and Councilmembers who are participating in the Senior Boards this year that the format has changed for the Sumner School District. He said he and others are volunteering again this year.

Sign Permits: Councilmember Watson said he received a letter from a citizen about issues related to the sign permit process. The citizen said staff members at the Permit Center counter were helpful, but the process was not clear, which caused delays. He said because the paperwork did not identify Downtown zoning requirements, the applicant had to redesign his proposal. In addition, the inspection was scheduled when the business owner was not on site, and when the inspector could not find the hole (which had been covered for safety reasons) he marked the inspection as ‘failed’ rather than calling the applicant for more information. Councilmember Watson said better communication could have resolved these issues more quickly. Mayor Johnson said the department is looking at ways to improve customer service currently.

Mayor’s Updates: Mayor Johnson said he met with the mayors of Sumner and Puyallup at Windmill Gardens. Auburn Mayor Pete Lewis said they plan to reduce speed limits on Lakeland Hills Way and East Valley Hwy, and hope to push Pierce County to support widening the Stewart Street bridge. Sumner Mayor Dave Enslow explained that the Chief of Police is serving as an interim City Administrator, and may be appointed to the position. He said Mayor Lewis plans to retire after his current term. Mayor Johnson said he and the other mayors plan to meet once per month to chat and share information.
Pierce Transit: Councilmember Lewis asked about the Pierce Transit redistricting process. Mayor Johnson said the redistricting will go into effect in June 2012. He said he is no longer on the Pierce Transit board as the new board has been seated. He said the City of Bonney Lake sales tax will be reduced from 9.4% to about 8.8% once the Pierce Transit tax is removed. He said staff are waiting for official notification from Department of Revenue of when the change will go into effect.


Councilmembers Lewis and Watson noted typographical errors in the April 17th minutes. The Council forwarded the minutes to the May 22, 2012 Meeting for action as corrected.

C. Special Public Comment Period: Proposed Sewer and Water Rate Changes.

Maryanne Zukowski, 18716 McGhee Dr E, Bonney Lake, said she purchased a house in Bonney Lake in 2002. She said she has worked for 6 different cities over fifteen years, including roles in public works and engineering. She said she was laid off in 2010 with 40 other employees. She said she applies for jobs every week but is still out of work, and times are tough for many people in Pierce County.

Ms. Zukowskski said from viewing past City records she can see there have been issues with the utility funds for some time. She asked whether the Council knows what utility rates are used to pay for, and whether the rates are justified based on updated operations and maintenance, LID figures, and planned projects. She said she reviewed the City’s 2008 water study, and at that time the Public Works director suggested the Council review rates every four to five years. She said the Council considered increasing utility rates in 2009 but did not do so. An article in the Courier Herald from 2011 stated the Council had no interest in raising sewer rates. She said the Public Works department has added staff since 2006, unlike other cities that have laid employees off. She said she does not want anyone to be laid off, but wanted to offer the Council some comparisons. She said two other cities that are similar to Bonney Lake have half the staff and much lower utility rates than in Bonney Lake. She said she is concerned the Council needs to look more closely at projects and staffing, and how long water rates can be decreased. She thanked the Council for their time.

Seeing no others coming forward to speak, Mayor Johnson closed the comment period.

D. Discussion: (Tabled from May 8, 2012)

- AB12-57 – Ordinance D12-57 – Water Rate Reduction.
- AB12-58 – Ordinance D12-58 – Sewer Rate Increase.

Deputy Mayor Swatman said the Council recognizes that not all residents in the City are connected to the sewer system, and the proposed reductions are to water rates only. Councilmember Lewis said he feels the water and sewer funds should be kept separate and not combined. He said the rates should be based on actual costs to run the system, and although it is justified to lower rates now, customers should understand the rates could go back up in the future due to water supply issues or other concerns. He said he feels the proposed rate changes are justified.

Councilmember Minton-Davis said the City requires new homes to have sprinkler systems installed. She noted that these systems require 1” pipes. She said that therefore, the base rate should be the same for 5/8” to 3/4” pipes as it is for homes with 1” pipes and
fire sprinklers. She suggested the availability rate be reduced to $14.00 for both types of customers. City Administrator Morrison said the suggestion is appropriate. Deputy Mayor Swatman said he agrees with this proposed change.

Councilmember Hamilton asked how the ordinance presented at the workshop differs from the original proposal to reduce water rates by $5.00. He said the original water rate reduction was intended to balance out the sewer rate increase. Mayor Johnson said the revised ordinance lowers the availability rate by $2.69 instead of $5.00, but also decreases the volumetric (use) rates. City Administrator Morrison added that the consumption rates are split into several blocks with a higher conservation rate for the highest usages. Mayor Johnson said customers can also benefit on their sewer rates, which are tied to water volumetric usage.

Councilmember Watson said a study by FCS Group in 2010 advised the Council to increase utility rates. He asked if there is excessive spending for public works staff or projects. Mayor Johnson said all departments are evaluated to be sure the City is on par with other similar cities. He noted that Bonney Lake’s utilities are somewhat unique due to the number of customers outside city limits. He said these are complex issues and he will continue to evaluate staffing and other budget concerns in preparation for the next biennial budget. City Administrator Morrison said based on the numbers from the State Auditor, Bonney Lake is in line with other cities for utility spending per capita.

Deputy Mayor Swatman said he received a letter from a resident in Falling Water, which uses a dry line septic system and is not on City sewer, though the City maintains their system. The resident said Falling Water is a special situation and should not pay higher sewer rates. Deputy Mayor Swatman said he does not want to create any special classes of customers. He said the residents in this area will eventually connect to City sewer when it is available. Councilmember Lewis agreed that these customers should not be separated out.

Councilmember Watson asked whether the Council will evaluate the sewer rate increases each year before they go into effect. Mayor Johnson said it is up to the Council but the rates could be reviewed yearly or whenever the Council desires. Deputy Mayor Swatman asked when the new rates would go into effect. City Administrator Morrison said proposed ordinances put the new rates in effect on July 1, 2012. The new rates would impact the next billing cycle. He said staff need time to make changes to the billing system but this timeline should work if the Council adopts the ordinances as planned.

Council consensus was to forward Ordinance D12-57 and Ordinance D12-58 to the May 22, 2012 Meeting for action.


Planning Manager Heather Stinson said this ordinance corrects unintended deletions and an incorrect reference that occurred when the Council adopted a zoning matrix for Eastown per Ordinance 1416. She said it was not the Council’s intent to make these changes, and the proposed ordinance brings the code back in line. Council consensus was to forward Ordinance D12-68 to the May 22, 2012 Meeting for action.
F. **Discussion:** AB12-75 – Ordinance D12-75 – Amending BLMC Chapter 19.08 Related to School Impact Fees.

City Administrator Don Morrison said the proposed ordinance revises School Impact Fees to the same rate used by other cities in Pierce County. He said Sunner School District Superintendent Craig Spencer and Attorney Mary Urback were in attendance to answer questions.

Ms. Urback said the City Council lowered the School Impact Fee from $2,780 to $1,300 per Ordinance 1420 in March 2012. She said the School District did not intend to request this lower fee amount. She said the error was due to communication issues and the district is now requesting the fee be raised to $3,005. She said this is the amount set by other cities and Pierce County for the school district and is based on the district’s current capital improvement plan.

Councilmembers noted that the district initially requested a school impact fee of $4,488 per single family residence, and asked why the proposed fee in this ordinance is lower. Ms. Urback said other agencies in the school district, including Pierce County, have set their fees to the $3,005 rate, which provides consistency for builders. Councilmembers discussed the proposed impact fee and the actual costs to the district. Deputy Mayor Swatman said the fee should be set at a rate that actually covers the costs for adding homes to the district. Mayor Johnson said he wants to fully support the school district.

Consensus of the Council was to forward proposed Ordinance D12-75 with a fee of $4,488 to the May 22, 2012 Meeting for action. Councilmembers requested a copy of the capital improvement plan from the district prior to the upcoming meeting.

IV. **EXECUTIVE SESSION:**

Pursuant to RCW 42.30.110(1)(b), the Council adjourned to an Executive Session with the City Attorney at 7:55 p.m. for 10 minutes to discuss property acquisition. The Council returned to Chambers at 8:06 p.m. No action was taken.

V. **ADJOURNMENT:**

At 8:06 p.m., Councilmember Rackley moved to adjourn the Council Meeting. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor

Items presented to Council at the May 15, 2012 Workshop: None.
CITY COUNCIL SPECIAL MEETING  
Veterans Memorial Drive E  
Road Renaming Ceremony  
May 25, 2012  
4:30 P.M.  

DRAFT MINUTES  

Location: Northeast Corner of Veterans Memorial Drive E (Historic Sumner-Buckley Hwy E) and Main Street East, Bonney Lake, Washington.

I. ORDER OF BUSINESS  

A. Call to Order: Deputy Mayor Dan Swatman called the Special Meeting to order at 4:30 p.m.

Elected Officials in attendance were Mayor Neil Johnson, Jr., Deputy Mayor Dan Swatman, Councilmember Mark Hamilton, Councilmember Donn Lewis, Councilmember Randy McKibbin, Councilmember Katrina Minton-Davis, Councilmember James Rackley, and Councilmember Tom Watson.

Also in attendance were State Representative Christopher Hurst, American Legion State Commander Jacob Cabaug, and the 4th Landing Support Battalion Marine Corps Color Guard. Staff members in attendance included City Administrator Don Morrison, Facilities & Special Projects Manager Gary Leaf, Executive Assistant Brian Hartsell, and Special Events Coordinator David Wells.

B. Veterans Memorial Drive E Road Renaming Ceremony.

The 4th Landing Support Battalion Marine Corps Color Guard posted the colors. Deputy Mayor Swatman led the attendees in the pledge of allegiance.

State Representative Christopher Hurst and American Legion State Commander Jacob Cabaug each spoke briefly. Councilmember Hamilton provided a brief history of the road name change. Mayor Johnson revealed the new sign for Veterans Memorial Drive East and ceremonially removed the Sumner-Buckley Hwy E sign. He presented a commemorative sign to Greater Bonney Lake Veterans Memorial Committee Chair David Colbeth. City Administrator Don Morrison played taps. After the ceremony, the Special Meeting moved to the Public Safety Building training room due to inclement weather. Mayor Johnson thanked all for attending, and refreshments were served.

C. Adjournment.

The Special Meeting was adjourned at 5:30 p.m.

Harwood Edvalson, CMC  
City Clerk

Neil Johnson, Jr.  
Mayor

Items presented to Council at the May 25, 2012 Special Meeting: None.
City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: CD / Heather Stinson
Meeting/Workshop Date: 5 June 2012
Agenda Bill Number: AB12-53

Agenda Item Type: Ordinance
Ordinance/Resolution Number: D12-53
Councilmember Sponsor:

Agenda Subject: Adoption of a new Chapter 15.36 of BLMC related to Civil plan review.

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A New Chapter 15.36 And Amending Sections 3.68, 15.16 And 15.20 Of The Bonney Lake Municipal Code Related To Civil Construction Permitting.

Administrative Recommendation:

Background Summary: City Council added this as an item on the Planning Commission workplan in December, 2010. Prior to adopting set fees, staff review of Civil plans was covered through the deposit system and billing to the applicant. Also, there was no codified process for reviewing these plans or articulation of expiration dates, etc. this ordinance establishes the Civil plan review process as well as items related to permit review such as expiration dates of plans.

Attachments: Ordinance D12-53

BUDGET INFORMATION

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<th>Required Expenditure</th>
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Budget Explanation:

COMMITTEE, BOARD & COMMISSION REVIEW

Council Committee Review: Approvals: Yes No
Date: Chair/Councilmember
Councilmember
Councilmember

Forward to: Consent Agenda: Yes No
Commission/Board Review: 6 Apr 2011
Hearing Examiner Review:

COUNCIL ACTION

Workshop Date(s): Public Hearing Date(s):
Meeting Date(s): 24 Apr 2012 Tabled to Date:

APPROVALS

Director: Mayor: Date Reviewed
John P. Vodopich, AICP by City Attorney:
(if applicable):

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ORDINANCE NO. D12-53

AND ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ENACTING
A NEW CHAPTER 15.36 AND AMENDING SECTIONS 3.68, 15.16
AND 15.20 OF THE BONNEY LAKE MUNICIPAL CODE,
RELATED TO CIVIL CONSTRUCTION PERMITTING

Whereas, the City Council wishes to make additions and amendments to the
Bonney Lake Municipal Code to clarify permitting and construction standards for civil
improvements to the transportation, water, sewer, and stormwater systems.

NOW, THEREFORE, the City Council of the City of Bonney Lake do hereby
ordain as follows:

Section 1. A new Chapter 15.36 is hereby added to the Bonney Lake Municipal Code to
read as follows:

Chapter 15.36
CIVIL CONSTRUCTION PERMITTING

Sections:
15.36.010 Purpose
15.36.020 Definitions
15.36.030 Permits Required
15.36.040 Applicable Civil Improvements
15.36.050 Permit Process
15.36.060 Financial security
15.36.070 Construction completion - Permit Closeout
15.36.080 Due Diligence Toward Construction Required
15.36.090 Exemptions and Emergencies

15.36.010 Purpose
The purpose of this chapter is to:

A. Establish a permit process for submittal, review and issuance of permits for
construction of civil improvements which have been designed in accordance with
Chapters 12, 13, 14, 15, 16, 17 and 19 of the BLMC.
B. Provide for inspection of civil construction activities to ensure an effective and
functional water system, wastewater system, transportation system and
stormwater drainage and treatment system.
C. Establish provisions for the recording of civil construction activities.
D. Establish appropriate fees.

15.36.020 Definitions.
In the event of conflict between the following definitions and other definitions given in this municipal code, the following shall prevail in this chapter:

A. “Clearing” means any activity which removes the vegetative ground cover including, but not limited to, root removal or top-soil removal.
B. “Civil construction activity” means manmade action to install or create civil improvements.
C. “Civil engineer” means a professional engineer licensed to practice in the state of Washington in civil engineering.
D. “Civil improvements” includes, but is not limited to, motorized and nonmotorized ways of travel, street lighting and traffic signaling, stormwater facilities, water and sewer facilities and overhead utilities, both private and public.
E. “Development” means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, utilities, placement of manufactured home/mobile home, mining, dredging, clearing, filling, grading, paving, excavation, drilling operations, or subdivision of property.
F. “Director” means the director of Community Development Department of the city or the director’s designee.
G. “Erosion” means the wearing away of land by the action of wind, water, gravity, or a combination thereof.
H. “Erosion and Sediment Control Plan or Plan” means a set of measures designed to control runoff and erosion, and to retain sediment on a particular site during pre-construction, construction, and after all permanent improvements have been erected or installed.
I. “Grading” means any excavating or filling of earth materials or any combination thereof.
J. “Land Disturbance/Land Disturbance Activity” means any activity that changes the physical conditions of landform, vegetation, or hydrology. Such activities include, but are not limited to, clearing, removal of vegetation, stripping, grading, grubbing, excavating, filling, logging, and storing of materials.
K. “Land Fill” means any human activity depositing soil or other approved earth materials.
L. “Improvement Inspection” means any observation, testing, measurements or other actions by the City to assure that the work, materials, progress rate and quantities comply with the City’s Municipal Code, Development Standards and Comprehensive Plans.
M. “Infrastructure” means the technical structures that support a society such as roads, water supply, sewer conveyance, storm water systems, electrical supply and telecommunications.
N. “Road Maintenance” means work done to extend the service life or functional condition of a road without extending or increasing the structural capacity.

15.36.030   Permits Required

Work Without Permit. No person, firm or corporation may disturb, change or reshape existing topography, begin site grading or clearing, or perform any development or
other work requiring a permit under this Chapter without first obtaining a permit from
the Director or designee. “Any” work started without first obtaining a permit shall
have all application, review and permitting fees doubled. The Director shall have the
authority to issue a Stop Work Order pursuant to BLMC 14.130.050 for any work
performed in violation of this Chapter.

15.36.040 Applicable Civil Improvements
The following is a list of the civil construction activities for which a civil improvement
permit is required.

A. Grading and Filling (Chapter 15.20 BLMC)
B. Underground infrastructure for Automatic Fire Extinguishing Systems (Chapter
15.16 BLMC)
C. Grease Interceptors (Chapter 13.12 BLMC)
D. Sanitary Sewer System Extension within Rights-of-Way (Chapter 13.12 BLMC)
E. Water System Extension within Rights-of-Way (Chapter 13.04 BLMC)
F. Stormwater System Extension within Rights-of-Way (Chapter 15.13 BLMC)
G. Roadway Extension (Chapter 12.30 BLMC)
H. Short Plat 1-3 Lots (Chapter 12.04, 17.36, 17.40, 17.44, 17.48, 17.52 BLMC)
I. Short Plat 4-9 Lots (Chapter 17.36, 17.40, 17.44, 17.48, 17.52 BLMC)
J. Preliminary Plats (Title 17 BLMC)
K. Improvement Inspection (Chapter 17.24 BLMC)

15.36.050 Permit Process
The permitting requirements for the civil improvements are a three stage process:
A. Civil review application and fee.
B. Inspection fee establishment.
C. Civil permit fee and construction.

The director shall establish requirements for the submittal for civil permits, subject to the
following criteria:

A. Civil Review Application and Fee
1. Prior to performing any civil improvement work, each applicant shall first
complete and submit a permit application on a form furnished by the City for
that purpose. All submissions shall include engineering plans for the civil
improvement, completed by a civil engineer licensed in the State of
Washington, and a non-refundable plan review fee established pursuant to
Chapter 3.68 BLMC.
2. All submissions shall be reviewed for conformance with the applicable
provisions of BLMC Titles 12, 13, 14, 15, 16, 17 and 19; Bonney Lake
Development Policies and Public Works Standards; and the latest edition of
the Pierce County Stormwater Manual.
3. Applicants shall be required to submit further information necessary to
process the application, as required by the Director. Failure to supply
requested information, or otherwise pursue issuance of the permit, shall result
in the application expiring 180 days after submission if no permit has been
issued. The Director may grant a one-time extension for an additional 180 days if the Applicant is diligently pursuing the application. In order to renew action on an application after expiration, the applicant shall submit new plans and pay a new plan review fee.

B. Inspection Fee
1. After civil improvement plans have been reviewed and approved, the City will provide the Applicant a spreadsheet to estimate the cost of construction, so that the inspection fee associated with the civil improvement can be determined.
2. The applicant shall fill out the spreadsheet and return for city review and approval. Upon receipt of the inspection fee spreadsheet the City will calculate the Civil Permit and Inspection fee to be paid by the applicant. The inspection fee shall be a percentage of the total construction costs as determined by Chapter 3.68 BLMC.
3. The Community Development Director may authorize refunding of not more than 50 percent of the permit and inspection fee paid when no work has been done under the issued permit and the Applicant requests to withdraw the application.

C. Preconstruction conference
1. The City will schedule a pre-construction conference after applicant has paid the Permit and Inspection fee.
2. Construction permits will be issued once the pre-construction conference has been held and all applicable bonding has been submitted.
3. Applicable civil fees shall be in accordance with BLMC 3.68

15.36.060 Financial security
The City may require the provision of a performance bond or other acceptable security to secure completion of the improvements whenever weather conditions require delay or to guarantee installation of critical infrastructure in a timely manner. Financial security shall be in the form of:
1. A performance bond issued by an established surety company, for 150% of the City-approved cost of project, conditioned upon the final completion of the improvement, as final completion is defined by the City; or
2. An assignment of funds account with an approved financial institution, guaranteeing the City access to the funds until the City grants a release, for 150% of the City-approved cost of project.

15.36.070 Construction completion - Permit Closeout
The following forms, affidavits, bonds, or information shall be required prior to closing out the civil permit at the completion of construction:
A. “As-Built” drawings completed and approved. “As-Builts” shall be tied to the current vertical and horizontal data used by the City. Drawings shall be submitted on Mylar. Electronic copy shall be prepared in AutoCAD format which is compatible for import into the City’s GIS system.
B. Affidavit of No Liens shall be completed and received by the City.
C. Bill of Sale shall be received, reviewed and approved by the City for utilities and infrastructure conveyed to the City.  
D. Easements shall be reviewed, recorded by Developer and received by the City.  
E. Maintenance Bond shall be received by the City.

15.36.080 Due Diligence Toward Construction Required.  
Applicants with approved civil permits shall be required to pursue construction with due diligence, completing construction within 180 days of the issuance of the permit unless the Director grants a 180 day extension for good cause. Construction extending beyond 180 days, or beyond an approved extension, shall incur additional fees as established in Chapter 3.68 BLMC.

15.36.090 Exemptions and Emergencies.  
A. The following are exempt from the requirements of this Chapter:
   1. Development that is undertaken by the Washington State Department of Transportation in state right-of-way is exempt from this Chapter, but shall comply fully with the technical requirements contained within the Bonney Lake Municipal Code and Public Works Standards.
   2. Road maintenance activities undertaken by the Bonney Lakes Public Works Department shall be exempt from the administrative requirements of this Chapter, but shall comply fully with the technical requirements contained within the Bonney Lake Municipal Code and Public Works Standards.
   3. A single family structure authorized by a valid building permit. This shall not exempt the placement of civil infrastructure improvements 5 feet beyond the limits of the basement or footing excavations of structures.

B. Property owners and agents may perform emergency civil construction activities to protect life or property without undergoing the permitting process of this Chapter, but shall apply for a civil permit no later than one month after commencing the work.

Section 2. Subsection 3.68.010.F.3.c of the Bonney Lake Municipal Code is hereby amended by adding the following provisions:

3.68.010.F.3.c

   a. Outside City of Bonney Lake $1,000
   b. Outside City of Bonney Lake $1,000
   c. Outside City of Bonney Lake $500
Section 3. A new subsection 15.16.105 is hereby added to the Bonney Lake Municipal Code, to read as follows:

15.16.150 - City Permit and Inspection

Underground automatic fire extinguishing systems which are part of a water system extension will be permitted and inspected as part of the water system extension permit. Underground automatic fire extinguishing systems installed as part of a remodel, retrofit or change of use will be permitted in accordance with the Chapter 15.36 BLMC.

Section 4. BLMC § 15.20.120.B is hereby amended to read as follows:

A. An application for a permit shall be made, in writing, and filed with the Bonney Lake planning and community development department and will be valid for 210 days.

B. The applications for permits shall be on a form approved by the Director in accordance with Chapter 15.36 BLMC.

Section 5. This Ordinance shall take effect thirty (30) days after its passage, approval, and publication as required by law.

PASSED by the City Council and approved by the Mayor this _____ day of ______, 2012.

________________________________________
Neil Johnson, Mayor

ATTEST:

________________________________________
Harwood Edvalson, CMC, City Clerk

APPROVED AS TO FORM:

________________________________________
James Dionne, City Attorney