

CITY COUNCIL MEETING

**January 28, 2003
7:00 P.M.**

MINUTES

City of



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.

"Where Dreams Can Soar"

I. CALL TO ORDER

A. Flag Salute

Mayor Young called the meeting to order at 7:05 p.m. and led those in attendance in the Flag Salute.

B. Roll Call (A1.3)

In attendance with Mayor Bob Young, Deputy Mayor Dan Swatman, Council Members Stephen Bricker, Phil DeLeo, Neil Johnson, Dave King, and Jim Rackley.
Maureen Palecek – absent.

Staff members attending were: Finance Director John Weidenfeller, Public Works Director Seth Boettcher, Planning & Community Development Associate Planner David Renaud, Police Chief Bryan Jeter, City Attorney Jim Dionne, and Kerri Murphy.

C. Agenda Modifications, Announcements, Appointments and Presentations

1. Announcements – None (A3.6.9)

2. Agenda Modifications – (A.3.6.6)

Motion by Deputy Mayor Swatman to move the executive session to the end of the agenda. Councilmember Johnson made the second .

Motion approved 6 – 0.

3. Appointments – None (A3.8.3)

4. Presentations (A3.64)

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE (A3.6.12, F4.3, F3.6)

A. Citizen Comments

For the Good of the Order:

Mayor Young asked Associate Planner David Renaud to give a brief follow-up from the Council Workshop on January 21st.

Mr. Renaud said that the topic of the meeting last week was access between the Sky Island and Panorama Heights PUDs. He said that citizen concerns had been previously expressed regarding emergency response for the Panorama Heights PUD. He added that at the last meeting, staff indicated their recommendation to the Hearing Examiner on a plat extension for the Sky Island Development would include a condition that a road connection is made. Mr. Renaud said that subsequent to the last meeting City staff had further considered the safety implications of such a connection. He said Sky Island Drive was not built out and would not be until Phase V. Any connection at this time would be through Phase IV along 181st St., a residential street not designed as a major thoroughfare. Mr. Renaud said the revised staff recommendation to the Hearing Examiner will be that the developer/developers connect the two roads, and install an Opticom-triggered emergency services gate.

Deputy Mayor Swatman asked if it would be a private road built by Sky Island if the Hearing Examiner requires the connection to be made. Mr. Renaud responded that it could be one developer or both that would have to bear the expense. He said that the issue of private or public road would have to be researched.

Councilmember Rackley asked if the Fire Department had already bought off on the response times to that area? Mr. Renaud explained that based on calculations from the Fire Department, the response time could be reduced from approximately five minutes to a little over two minutes.

Councilmember King asked about the time frame on the Hearing Examiner's decision. Mr. Renaud explained that this is the eighth annual time extension for Sky Island. He said that anytime after the fifth extension the Hearing Examiner may impose additional conditions. He added that the examiner's decision could be rendered in a fairly short time frame. The hearing will be in February.

Councilmember King asked how the examiner's decision would effect more than one developer. Mr. Renaud explained that the paved portion is complete in Panorama Heights. He said that Sky Island could be conditioned to complete their portion, and felt that the emergency gate should be the responsibility of both developers. He further described some of the features of the proposed gate.

Responding to Council questions, Fire Marshal John McDonald said that the fire department requires an all-weather road surface for its vehicles. He said that if access could be engineered with a gravel surface for all-weather use then that would be technically adequate for their equipment. Their interpretation under the fire code of an all-weather surface is a paved surface. He further described an Opticom emergency gate system and said that a keypad is suggested to accommodate police department emergency access. Fire Marshal McDonald said that their recommendation was to pave the 140 remaining feet in Sky Island and the emergency gate installed. He said until that occurs his department would continue to use the 181st Ave. E. access.

Deputy Mayor Swatman asked if there were examples in the City of public street access being restricted by emergency gates. Fire Marshal McDonald said that they are generally used on private streets in the City. Councilmember Rackley asked if the right-of-way was public or private. Mayor Young responded that it is still private.

Mayor Young summarized the discussion stating that unless Council otherwise directed, the administration position to the Hearing Examiner will be that the road not be opened, that at most the restriction for emergency vehicles be placed.

Deputy Mayor Swatman asked for clarification on the use of sign-up sheets for those wishing to speak under this portion of the agenda. Mayor Young responded that the sign-up sheets would help provide a measure of order with so many desiring to speak. He said that comments would be limited to five-minutes per person.

Chris Heminger, 9923-183rd Ave E, Bonney Lake, WA – He supports both the staff and the Fire Departments recommendation for a crash gate with Opticom control. He opposed developing the street for public access until the entire arterial can be completed.

Tim Smith, 18009-95th St E, Bonney Lake, WA – Commended the council for their consideration of safety. He said he lives on the corner of Sky Island Drive and 95th and has witnessed several near miss accidents. He has complained often to police about speeding on Sky Island Drive. He expressed concern about the potential for developers allowing construction access through an emergency gate.

Shirley Craig, 9302-180th Ave E, Bonney Lake, WA – Said she was closely associated with Sky Island for the last 15 years. She said that no thought was given at the time of Panorama Heights' development for emergency access and asked that the circumstances be investigated. She said that children play in the local streets and feels that it is a mistake to bring any additional vehicles through there including emergency vehicles. She asked again why proper consideration wasn't given when Panorama Heights was developed rather than now after the fact.

Grant Sulham, 10005-183rd Ave E, Bonney Lake, WA – Thanked the Council for their recommendation. He suggested that earlier public involvement in the issue could have resulted in better input to the decision. He expressed particular concern about 97th St. and the staff preference for minimal stop signs and traffic signals in the area. He was concerned that traffic calming methods would be insufficient to keep the speed at reasonable and sane levels.

Deputy Mayor Swatman said that speeding throughout the City was a concern. He encouraged Mr. Sulham and others to get involved in the discussions at the Council Community Development Committee and Public Safety Committee meetings. Councilmember DeLeo reminded Mr. Sulham that input was still possible at the hearing before the Hearing Examiner. Councilmember King observed that part of the issue was having to retrofit traffic calming measures into developments that were planned originally in the County. He said part of the Council struggle was balancing the needs and traffic impacts between old and new neighborhoods.

William Frederick, 9828-181st Ave E, Bonney Lake, WA – Supports the decision to restrict traffic. He said there are 34 children that live in that 500-yard section of 181st Ave. and recommended that the traffic calming measures be installed now so that they do not have to be retrofitted.

Ruth Landers, 9609-181st Ave E, Bonney Lake, WA – said there are six school bus stops right now in Sky Island and four actual stops on 181 Ave E. She said the worst is 95th and Sky Island Dr. She added that junior and senior high school students cross the road there at 6:50 a.m. with no crosswalk or stop sign. She said her kindergarten-aged son was nearly struck by an inattentive driver. She feels the gate should remain even after the development is completed.

Johnathan Gwinner, 17914 Panorama Blvd. E., Bonney Lake, WA – he works with the Panorama Heights Homeowners Association. He would like to have the road finished and would like to

know when it is likely to happen. He displayed a 1997 map of the planned development of Sky Island with access to Angeline Road. He said that Panorama Heights' residents would like to see the thoroughfare completed so they don't have to drive on the side streets.

Arthur Smith, 9212-180th Ave E, Bonney Lake, WA – Pleased to hear the decision to place a gate. He said there was a greater need to notify residents of meetings. He said there was only one pedestrian crossing and that at the park-n-ride. He added that efforts to control traffic on Sky Island Drive should be made now. He said that he would like to see more controlled crossings with striping and warning lights.

Stephen Sumerall, 9820-181st Ave E, Bonney Lake, WA – mentioned that for a major arterial Sky Island Drive has no striping. He said the fog is so bad at times that they have had to roll down the window and follow the gravel edge. He asked that striping be added for safety.

Councilmember King asked if there is a requirement for striping on this street by the developer? Public Works Director, Seth Boettcher replied that for residential streets there are no requirements for striping. Once the road becomes an arterial, then striping will be done. He said that Public Works would look into striping at this time through the first intersection, past 96th.

Sandi Lauer, 9221-181 Ave E, Bonney Lake, WA – Has called several times regarding speeding in Sky Island. She would like to see more police officers in the area for traffic control, speed bumps, crosswalks and lighted intersections. Would like to see the gate remain as long as possible. She is concerned about construction workers causing the gate to fail in an open position for their convenience. She would like for the City to pay for the streetlights without further burden to the homeowners association for roads that should be maintained by the City. She welcomes the speed trailer in front of her house and would like to see it remain into the evening hours.

Councilmember King recommended a Citizen Radar program to train citizens that could provide information to the Police department for warning letters to be issued.

Chris Colom, 9825-183rd Ave E, Bonney Lake, WA – Supports the gate but asks why it should be a cost burden to the developer. He feels it should be the responsibility of Panorama Heights, and doesn't want an additional assessment. He supports installation of a stoplight on the corner of 97th Ave. E. and Sky Island Dr. He mentioned another intersection into what was called the Wagon Wheel Division II that should have stop signs. He also said the new stop signs in the area were installed too high and should be lowered. He agreed that the street needs striping. He asked for support in the enforcement of the noise ordinance in response to the motorcycle track located at the base of the ridge.

Mayor Young asked that the Police Department be called so that the complaint is logged. Councilmember DeLeo suggested that three complaints of the same event would trigger a police department response.

John Sholseth, 10205-181st Ave E, Bonney Lake, WA – Agrees with what everyone has been saying about the gate. If it has to go in he feels it does not have to be a paved road. A crushed rock road would be just fine for the fire department. He doesn't see why the Sky Island developer should pay. He said the entire benefit goes to Panorama Heights.

Bill Lynn, PO Box 1157, 2200 Wells Fargo Plaza, Tacoma, WA – Attorney representing NW Heritage Group, Developer/ Owner of Sky Island. The Hearings Examiner, Mr. Coseau said that because it was intended to address a Panorama Heights impact he could not force a Sky Island developer to pay for that road. The emergency impacts are Panorama's emergency impacts. Sky Island provided temporary emergency access during development until the street network was constructed. He said it was likewise Panorama Heights' responsibility to provide for emergency access. He added that the road is scheduled for completion in 2004 in conjunction with Phase 5. He suggested that the road be downgraded in nature to correspond with the approved portion in Panorama Heights to help with traffic calming.

Peggy Sholseth, employee for the N.W. Heritage Group, explained that the engineered plans for roads, stormwater, sewer, water and silt fencing have been submitted to the City of Bonney Lake, and that Sky Island Drive would have to be completed before any building in Division V.

Hans Korten, 10208-181st Ave E, Bonney Lake, WA – ditto to what's been said.

Janelle Roberts, 9610-180th Ave E, Bonney Lake, WA – Advocate for the children and families of Sky Island and Panorama Heights. She said there will be a lot of traffic through the streets, which would be detrimental to the families in both developments. She said the convenience of driving to the highway did not warrant the risk to the children and families.

Curt Roberts, 9610-180th Ave E, Bonney Lake, WA – Ditto to what was just said.

Dan Decker, 20401-70th St E, Bonney Lake, WA – Reminded the audience that the meeting is not a public hearing. He invited all the speakers to return when a hearing is held to have their concerns entered into the record. He mentioned a petition of no confidence and asked about the educational attainments of Mayor Young. He also inquired after Gayle Butcher, and asked about the use of credit cards for City purchases. He concluded with an inquiry about William or Bill Chelis (sp?).

Dave Jetton, 9808-182nd Ave E, Bonney Lake, WA – would like to understand the basis for the issue and what a temporary gate would solve. When the people purchased their homes they knew what the planned access points were. He asked for greater police enforcement of the speed limits. He added that street lighting is very poor in the area. He said that in the fog and dark he almost hit some children on bikes in the street. He feels the development plans should be pursued as designed.

Susan Noe, 17907-110th St Ct E, Bonney Lake, WA – said she spoke on behalf of Panorama Heights residents. She said the best way to keep this from becoming a battle is for the road to be completed as planned. She would like to see emergency vehicles have quicker access to Panorama Heights in the meantime. She supported a gate if that was the only way to make it work. She said other concerns were for the traffic safety along Angeline Road and the sight distance turning onto Angeline from Panorama Heights.

Ron Holbrook, 10024-181st Ave E, Bonney Lake, WA – feels the City needs to look very seriously before they connect that road. He said there will be a higher density of housing in Panorama Heights, which will mean more children. He thanked the police department for their efforts. He noted that they had recently informed him late at night that he had left a garage door open.

Steve Wozombie, 9918-181 Ave E, Bonney Lake, WA – President of Sky Island Homeowners Assn., said that they had mobilized friends and neighbors to make sure Council had both sides of the story. He expressed concern for the amount of traffic generated by the Street of Dreams and builders that would travel down his street if the link between Sky Island and Panorama Heights were completed at this time. He hoped the public exchange has helped the Council see both sides of the public safety issue.

Mayor Young reiterated that the recommendation to the Hearing Examiner is that the street does not go through, and that at most a temporary emergency gate for emergency vehicles be installed. He said the other streets should be built as platted out.

Councilmember DeLeo suggested that all those who have a passion about the issue get on a mailing list from the City and go to the Hearing Examiner meeting. In response to a question about how they could get on a mailing list, Mayor Young said that all those signed up to speak this evening would be on the list. He also said that people could call city hall with an address, or mail or email an address. Public Works Director, Seth Boettcher said that the department would plan an “Open House” so that citizens would have an idea of traffic plans before the street was opened.

Mary Clark, 99261 – 181 Ave Ct E., Bonney Lake, WA. – Asked what is the issue with emergency service getting to Panorama Heights on Angeline versus using Sky Island. She said both distances are very close to the same amount of time.

Fire Marshall, John McDonald said that he performed the route test himself. With the criteria he selected, drive distance via Angeline Rd. route through Panorama Heights is 2.6 mi., via Sky Island over existing streets is 1.5 miles. By having the access go through, it saves approximately 2.5 minutes in response time. He added that about 70% of the responses that they have are for emergency medical and that a 2.5-minute difference in response time can be the difference between life and death. He said there are four stations responding within the City and the average response time is 5-6 minutes. The Fire Rating for Bonney Lake is Class 5 ISO rating across the jurisdiction.

Mayor Young called for a 10-minute recess. (8:40 p.m.) Mayor Young called the meeting to order at 8:53 p.m. and asked for any further comment from the public.

Larry Womzombie, 9918-181 Ave E, Bonney Lake, WA – said that he was speaking on behalf of the other children on his block that the traffic and speeding is already problem. He was concerned about the impacts of even more traffic on his street.

IX. EXECUTIVE SESSION

Mayor Young asked Council to entertain a motion to amend the agenda to have the executive meeting to discuss labor negotiations with the attorney.

Councilmember Bricker, so moved. Councilmember King, Seconded the motion.

Motion approved 6 – 0.

At 8:56 p.m., Mayor Young announced a 20-minute executive session to discuss labor negotiations. No council action taken as a result of the executive session.

Mayor Young called the meeting to order. (9:30 p.m.)

**III. COUNCIL COMMITTEE REPORTS
(A3.6.4)**

A. Finance Committee

Deputy Mayor Swatman reported that the Finance Committee discussed Resolution 1065 - purchasing additional licenses for the Eden System and Resolution 1066 - an amendment to the Cal Jordan contract for additional funds for the space needs study and construction administration for the new City Hall.

B. Community Development Committee

Councilmember Rackley said the Committee discussed a franchise agreement between Pierce County and Bonney Lake for sewer services the City is committed to provide. He added that street lighting was also on the agenda.

C. Public Safety Committee

Councilmember Bricker noted that the Public Safety Committee did not have its optional second meeting this month.

D. Other Reports

Deputy Mayor Swatman asked Councilmember Bricker if the Public Safety Committee is still looking at speed control devices. Councilmember Bricker said that they will be bringing a presentation to the next council workshop.

Deputy Mayor Swatman said he attended the Lake Tapps task force meeting January 23. He said discussion mainly hinged on the National Marine Fisheries Report and this will direct the economics of the projects. The lake is at a very low level, approx. 515 feet above sea level. He also said that Puget Sound Energy would allow the lake level to drop to 510 feet for inspection and repair of facilities.

Mayor Young announced the Pierce County Regional Council meeting of February 20, 2003 at 6:30 p.m. He said topics of discussion will be transportation and funding and the annual work plan.

Councilmember DeLeo asked that the Mayor give the Council a breakdown of the criteria he uses to define the expectations of the City Clerk. He added that this would help the Council in their future confirmation of an appointment to this position. Mayor Young said that he could provide them some information.

IV. MINUTES (A3.6.2)

November 26, 2002; December 3, 2002; December 10, 2002

**Councilmember Rackley moved to group all of the minutes together for approval.
Councilmember Bricker seconded the motion.**

Councilmember DeLeo asked that on the December 3rd minutes a change be made on page 3, bottom of paragraph to read,
“ Assistant Public Works Director Gary Leaf said it was added so that the revenues and expenses would balance”.

Motion to adopt as corrected was approved 6 – 0.

V. VOUCHERS AND PAYROLL (F4.9)

A. Vouchers

1. Claims:

Accounts payable checks #033294-033368. Check number 033294 was a pre-write in the amount of \$ 13,600.00. In the amount of \$169,820.06 for the year 2002.

Accounts payable checks #033369-033415. In the amount of \$164,888.50 for the year 2003.

2. Payroll:

Payroll for January 1 –15 2003 for checks 20502-20557 including Direct Deposits and Electronic Transfers in the amount of \$205,323.13.

**Councilmember Johnson moved to approve the claims and payroll.
Councilmember King seconded the motion.**

Councilmember DeLeo said that the vouchers seem to have the same cover sheet and that there was also a gap in the checks. Finance Director, John Weidenfeller said that he would check into the missing check numbers and the cover sheets.

Motion approved 6 - 0.

VI. UNFINISHED BUSINESS – None

VII. NEW BUSINESS

A. Motion to set a Public Hearing for Traffic Impact Fee proposed ordinance. (F 4.3)

**Motion by Councilmember Rackley to set a public hearing for February 11.
Councilmember King provided second.**

Deputy Mayor Swatman asked if the Council would like to discuss the issue at its next workshop before the 11th. There was general agreement. Councilmember King asked Public Works Director Boettcher if there were issues that the Transpo Group would be

reporting on at the meeting. Director Boettcher replied that there was additional information the Council had requested. He said he would try and provide what information had been prepared.

Motion approved 6 – 0.

- B. Motion to set Public Hearing for Disposal of Surplus Property. (A3.13.3.3)

Motion by Councilmember Bricker to set a public hearing for February 11. Motion seconded by Councilmember Rackley.

Motion approved 6 – 0.

VIII. ORDINANCES – None.

VIII. RESOLUTIONS

- A. Resolution No. 1057 A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Franchise Agreement Amendments Between The City Of Bonney Lake And Pierce County Expanding The Franchise Boundary Area For The City Of Bonney Lake’s Sanitary Sewer Franchise. [A 3.15]

Motion by Councilmember Rackley. Councilmember King provided a second.

Councilmember Rackley explained that the City was legally obligated to serve White Water and White River Estates. He said these set up the rules by which we will serve them.

Motion approved 6 – 0.

- B. Resolution No. 1058 A resolution of the City Council of the City of Bonney Lake, Pierce County, Washington, authorizing the disposal of surplus property in accordance with the provisions outlined by Ordinance 872. [A 3.13.3.3]

Motion made by Councilmember King; second by Councilmember Rackley.

Motion approved 6 – 0.

- C. Resolution No. 1059 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A One Year Agreement With The Pierce County Sheriff’s Department For Providing Jail Facilities For Male And Female Prisoners On An “As Needed” Basis. [O 1.7]

Motion by Councilmember Bricker. Seconded by Councilmember Rackley.

Motion approved 6 – 0.

- D. Resolution No. 1061 A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Microsoft Products Purchase Agreement With The State Of Washington Department Of Information Service. [A 2.7]

Motion by Councilmember Rackley; second by Councilmember King.

Motion approved 6 – 0.

- E. Resolution No. 1062 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Carryover Of Excess Vacation Hours By Certain Employees From 2002 To 2003. [A 4.1.7]

Motion by Councilmember Rackley; second by Councilmember Johnson.

Motion approved 6 – 0.

IX. ADJOURNMENT

At 9:40 p.m. Councilmember Rackley moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

Bob Young, Mayor

Harwood T. Edvalson, Pro Tem City Clerk