

COUNCIL WORKSHOP

**February 4, 2003
5:30 p.m.**



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.

MINUTES

"Where Dreams Can Soar"

Roll Call

Mayor Young called the workshop to order at 5:33 p.m.

Also in attendance were Deputy Mayor Dan Swatman, Councilmembers Stephen Bricker, Phil DeLeo, Neil Johnson, Dave King, and Jim Rackley. Staff members attending were Finance Director John Weidenfeller, Judge James Helbling, Planning & Community Development Director Bob Leedy, Public Works Director Seth Boettcher, Police Chief Bryan Jeter, City Engineer John Woodcock, City Attorney Jim Dionne, Senior Center Director JoAnne Barkley, Technology Coordinator Chuck McEwen and Kerri Murphy.

Deputy Mayor Swatman moved to excuse Councilmember Palecek from the meetings of January 28 and February 4. Councilmember Rackley provided a second.

Motion approved 6 – 0.

Agenda Items

1. Open Discussion.

Mayor Young introduced Chuck McEwen, the new Information Technology Coordinator. Mayor Young also announced that Steve Willadson was called up for military service and is reporting to Turkey. He said the world national affairs clearly affect the City. He also said that a sign-up sheet was used for the first time for people to sign-up to speak for the good-of-the-order. He asked Council if they wished to use it on a regular basis. Deputy Mayor Swatman said that as long as it was clear that those in attendance were not required to sign-up in order to speak, he thought it might be useful to have the information available to the City, particularly if there was a space for people to put their email addresses.

Councilmember King said he appreciated the acquisition and setup of the new tables that Councilmember DeLeo had suggested for the Workshop. Mayor Young said that Debbie Crosier and Toni Bernetskie did the research and purchasing.

Councilmember DeLeo reminded staff that he had requested a copy of the sign-up sheet be forwarded to the planning department to provide notification of the hearing before the Hearing Examiner on the cut-through road between Panorama Heights and Sky Island. Mayor Young asked that the letters received last week be attached also. Deputy Mayor Swatman and Planning and Community Development Director Leedy clarified that there is no hearing on the issue. They said that the Hearing Examiner in this case would render an administrative determination based on the record and information submitted by the applicant and the City. Director Leedy said that Associate Planner David Renaud would explain in his follow-up mailing that there was no further opportunity for public input on the issue.

Councilmember Johnson noted recent receipt of another email on the topic and asked that their address be included in those receiving the letter. Councilmember Rackley asked that he be reassured of the City's official position. Mayor Young responded – no road, if anything a gate, but the City is not pressing for it.

Councilmember King asked if a Council retreat had been scheduled for the year. Deputy Mayor Swatman responded that Councilmember Johnson had been working with several consultants on the issue. Councilmember Johnson said that he and Finance Director Weidenfeller had interviewed three different facilitators and had narrowed it down to one that would be introduced at the next Workshop. He said the main topic would be long-range planning and the immediate steps needed to move forward. Council discussed briefly who would attend, what the goals would be and the tentative dates.

Deputy Mayor Swatman said the lake did not look any lower. Mayor Young said that he had understood the lake would be drained one more foot to allow work on penstocks.

Deputy Mayor Swatman reminded Council that they were supposed to meet with the Planning Agency bi-annually. He asked for staff and the Planning Agency to recommend some dates for the meetings. Mayor Young said he would be ready to appoint two new Planning Commissioners next week. He said he had received four applications.

Mayor Young asked City Attorney Dionne about the status of the lawsuit. City Attorney Dionne said motions were set for summary judgment, briefs were still being exchanged and an amicus filing by the American Dental Association was denied. A hearing for summary judgment is scheduled for February 14. Councilmember Bricker said that a bill was introduced in the legislature on Monday that if passed would resolve the issue if the City were unsuccessful in its legal effort.

Deputy Mayor Swatman thanked the Municipal Court for the annual report and update. Finance Director Weidenfeller thanked Councilmember DeLeo for the correction on the voucher discrepancy at the prior meeting. He said the Senior Accountant did research and it was determined to be a nothing more serious than clerical error.

Councilmember Rackley said the Community Development Committee is working on street lighting as a policy issue. He invited input from other Councilmembers. Councilmember Bricker asked if there was movement on the School Resource Officer. Mayor Young said no, that it's not dead, but nothing yet to report. Councilmember Rackley asked what had happened to the street sweeper. Deputy Mayor Swatman said it was not in the capital budget. He said the service was being contracted currently. Mayor Young said that staff was tracking the costs to determine if the regular sweeping schedule could be done more cost-effectively in-house. Public Works Director Boettcher said that all curbed streets and SR410 are swept monthly, and the ditched streets are swept as needed.

Councilmember Rackley said the memorial markers and crosses on the street side at the location of a fatality such as Myers Road become morbid at some point. The Council discussed the safety concerns of unattended lit candles and collections of personal effects. There was general consensus that some time for such things to exist was reasonable, but that at some point the debris should be cleared away for public safety concerns. Mayor Young said staff would look at the issue.

Councilmember King asked about the status of the situation regarding DM and the trash

increase. Finance Director Weidenfeller said that the issue was being pursued through the Finance Committee. He said that Gary Leaf and Mona Musgrave were doing the background work and preparing some options. Councilmember King voiced concern about the tactic being used by DM to limit or almost eliminate any locations in Bonney Lake where plastics can be recycled. He said the lack of plastics recycling forces residents to place them in their regular garbage, thus raising the potential for residents being forced to increase the number of garbage cans for which they pay service fees. He suggested that DM place plastic collection dumpsters at various locations in the City, such as near Starbucks, the Bonney Lake Supermarket, or Allan Yorke Park. Finance Director Weidenfeller suggested that it could be part of the contract negotiations.

2. Draft Minutes – January 7, January 14 and January 21.

Deputy Mayor Swatman called attention to page three of the January 7 draft minutes. He asked that Mr. Bricker's name be spelled correctly. Mayor Young noted that on the January 21 meeting, page two at the bottom, under Number 2—credit card usage, the motion did not include the name of the Councilmember making the second. There consensus was that it was Councilmember Rackley that seconded the motion. Councilmember Bricker said that the minutes for January 14, page three, paragraph C, second to last sentence, the word “training” should be replaced with the word “academy”. He also said that the January 21 minutes, first page under open discussion, third sentence—he was inquiring about the status of the SRO not the street sweeper. Deputy Mayor Swatman said the January 21 meeting agenda items asked about the asterisks in the document. There was consensus that they had probably referred to documents distributed at the meeting, but the use should be clarified. Deputy Mayor Swatman said under open discussion, second paragraph, last sentence should probably read that the Council has final say on contract approval, not the issues negotiated. He added that the last sentence should have the word “was” inserted—“the CDC was reminded”. He also said that in these minutes he had asked that the minutes reflect his personal opinion that the Mayor should not use John Weidenfeller or Debbie Crosier in future negotiations. He continued by saying that on page two, the Targon site plan should not be described as “binding,” and that for clarification of the issues, a different paragraph should describe the application meeting for the Mazatlan restaurant. Councilmember Johnson asked that it be corrected that he did not ask about remodels, only new businesses coming to Bonney Lake. He also asked that the words “up in” be removed. Deputy Mayor Swatman asked that the statement about Council feeling that the fees of Ordinance 984 were too high be changed to read that some Councilmembers feel the fees are too high. Councilmember King asked that the minutes be more consistent in their use of language and format. Deputy Mayor Swatman asked that on page three of the January 21 meeting, under New Business—2004 Comprehensive Plan Update, it be noted that the reason the item was tabled was because appropriate staff was unavailable for the discussion. He added that the January 14 minutes should reflect that extensions to the executive session were announced. Mayor Young said that extensions were announced, but that the minutes should delete the time reference and just say that he had called for an executive session to discuss labor negotiations.

Old Business

1. Discussion - AB03-50 – Ordinance 984 – Transportation Impact Fees.

Deputy Mayor Swatman asked about an agenda modification proposing to change Section Two to read 30 days rather than the normal 5 days.

Councilmember King moved to adopt the textual change submitted for Section Two of proposed Ordinance 984. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

Public Works Director Seth Boettcher provided a response to some of the issues previously raised. He reported that Sumner was considering around \$1500 for fees on single-family dwellings, although they could justify much higher impact fees. He said that Pierce County was considering approximately \$1500 as well. It was noted that Puyallup has developed a mitigation requirement under SEPA in the South Hill area for single-family development that ranges from several hundred to \$4,000 for roadway improvements. Director Boettcher said that the staff direction to the consultant had been to look at an across-the-board impact that did not give preference to any specific area of the City. He distributed a handout giving an example of what an existing commercial development would have paid if this impact fee had been in place. Wal-Mart was used as the example. The traffic impact fee would be based on the additional demand placed on the road system in the instance where a new tenant moved into an existing development. Traffic impact fees to developments where lots remain to be permitted will be charged. Impact on the developers was discussed. It was noted that SEPA fees would be credited to the developer toward their traffic impact fee. Staff was asked to return with information on how many lots are impacted by the proposed change. Mayor Young said that a public hearing on the Traffic Impact Ordinance was scheduled for next week and further discussion scheduled for the next workshop.

Councilmember Rackley moved for Council to take a ten minute recess. Deputy Mayor Swatman seconded the motion. Mayor Young ordered a ten minute recess.

2. Discussion – AB03-51 – Resolution 1021 – Purchasing & Bidding Policies.

Finance Director Weidenfeller noted that the item had been before the Council three times and he was prepared to answer questions. Councilmember Bricker asked about the proposed guidelines for obtaining verbal or on-line quotes. Director Weidenfeller noted that the law proscribed dollar amounts between \$7500 and 10,000 to have three verbal quotes, but that the Mayor had expanded the lower end of the range to anything over \$500. Councilmember Johnson asked about the apparent practice of purchasing similar office supply items from three different vendors. Director Weidenfeller said that when the HR, bargaining and Mayor-support duties are moved from the Purchasing Coordinator, then she will be better able to focus on coordinated purchasing of those types of supplies.

Councilmember DeLeo asked about the City's response to the Bank for signature information on the credit cards issued to the City. Some confusion was expressed about what information the bank was requesting. Councilmember DeLeo asked that the Mayor contact the bank for information on credit card expenditures for the months of October, November and December 2001. He expressed concern that there appears to have been a point where the limits were raised from \$2500 to \$7500 in order to pay for airline tickets. He wanted to verify which airline tickets were paid for during that period. Director Weidenfeller said he authorized the increase. The Mayor said that staff would provide the information, which is what they routinely receive on those accounts. Councilmember DeLeo noted that existing ordinance sets the limit at \$2500. Mayor Young described circumstances where a department head on an authorized trip did not have sufficient balance on the credit card to check into the hotel. He said the account had been used the previous week on expenses for police training travel,

and the limit had been reached. The limit was temporarily increased to allow the department director to conclude her trip and was to be reduced again by the bank. The bank forgot to lower the limit, and sent a letter acknowledging their error. Councilmember DeLeo expressed his preference that the City use the voucher system to pay for expenditures rather than using credit cards. Mayor Young said that additional information would be provided as had been requested.

Councilmember DeLeo moved to table Resolution 1021 and Ordinance 928 until the next workshop. Deputy Mayor Swatman seconded the motion.

**Motion approved 5 – 1.
Councilmember King voted
no.**

New Business

1. Discussion – AB03-72 – Resolution 1069 – Interlocal Agreement with Valley Water System.

Councilmember Johnson asked if this had gone through committee. Director Boettcher said that it was a timing issue, and probably should have been on the CDC agenda for yesterday. He said that Adrian Taylor has a project on a short timeline that impacts the delivery of the buildings. The Council discussed the fact that the property was within the City limits but not in its service area. Director Boettcher explained that Valley Water would eventually be able to meet fire flow requirements for the commercial development on SR410 through an intertie with City of Tacoma Water. The City's participation in the effort would only be temporary until the other facility was constructed later in the summer. He added that there would be no physical connection between Bonney Lake's water system and Valley Water. A valve controlled by the City would provide water at a single point and would be shut when Valley Water completed their fire flow improvements.

Fire Marshal John McDonald said that East Pierce County Fire and Rescue was enforcing the appropriate fire flow pressure of 1500 gallons per minute. He said maximum spacing for fire hydrants in a commercial district is 300 ft. He said the improvements were needed to meet those safety requirements. City Attorney Dionne explained the indemnification language being proposed by Valley Water. Councilmember Bricker asked for clarification about the language that the intertie will be disconnected and abandoned. He asked why the City would bear the cost for abandonment when the benefit was to the developer. City Attorney Dionne suggested that Section 4 of the agreement include additional language, "The cost of disconnect shall be paid by the Water District."

Council briefly discussed water and sewer service to the subject property. Deputy Mayor Swatman suggested that official notification be provided to Valley Water that the City intends to take over their services in the future. Mayor Young suggested that this be a policy topic for the Council retreat.

2. AB03-54 – Traffic Calming Measures.

Councilmember Bricker reported that the Public Safety Committee and an ad hoc committee had discussed and established the general scope of the recommended improvements. He said that more time was needed to estimate costs, and suggested that the item be tabled for two

weeks.

Councilmember Bricker moved to table the item to the next workshop under Old Business. Councilmember Johnson seconded the motion.

Motion approved 6 – 0.

3. AB03-55 – Current Public Meeting Recording/Public Access Process.

Mayor Young reported that the meetings were now recorded digitally on CD-ROM. Deputy Mayor Swatman said he wanted the public and Council to know how the process worked. He asked if the City was limited to using the FTR formatted compact discs. Court Administrator Kathy Seymour responded that the system did not require the FTR discs and that cheaper generic discs could be used as well. Deputy Mayor Swatman noted that a free download program was required to play the discs, but that it seemed to work quite well. He said that the proprietary format could be converted to a native CD audio format that could be posted on the web. He suggested staff look at this. Mayor Young said that we could make copies of the CDs available, and if there is demand in the future, place them on the website. Deputy Mayor Swatman asked about the appropriate fee. Councilmember King suggested that the fee be adjusted when the entire fee schedule is revisited. City Attorney Dionne said that in the absence of an established fee, the City should charge its actual cost.

Without objection, Mayor Young adjourned the workshop at 8:29 p.m.

Robert Young, Mayor

Harwood T. Edvalson, Pro Tem City Clerk