

COUNCIL WORKSHOP

August 19, 2003

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.

"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, Councilmember Phil DeLeo, Councilmember Neil Johnson, Councilmember Cheryle Noble and Councilmember Jim Rackley.

Staff members attending were Administrative Services Coordinator Tom Reber, Planning & Community Development Director Bob Leedy, Public Works Director Seth Boettcher, City Attorney Jim Dionne and Pro Tem City Clerk Harwood Edvalson. Judge Jim Helbling joined the meeting in progress.

Agenda Items

1. Presentation: David Peterson, Regional Manager - National Sign Plazas.

Mr. Peterson said that he had met several Councilmembers at the AWC Annual Conference in Spokane. He made a PowerPoint presentation demonstrating his company's product to provide removable monument signage aimed at combining the location of directional signage for multiple developers. He said the program works by the City changing its sign code to require this type of signage. The developer then leases the signs based on the City's code for the period necessary to advertise the development. He added that the City would receive free directional signage to its important services. The benefits to the program are summarized as providing uniformity in directional signage, installation and maintenance at no cost to the community, elimination of sign clutter, simplification of sign enforcement and equal exposure to all builders.

The Council asked questions and discussed the elements of the signage program. Councilmember DeLeo noted that the company's success in working with the State on their right-of-way would determine the company's overall success in Bonney Lake. Mayor Young suggested that the program be reviewed by the Design Commission. Deputy Mayor Swatman expressed concern that the Design Commission already had a lot on their plate. Planning and Community Development Director Leedy said that he feels consideration of the program could fit well into the work that the Design Commission is doing. He said he would like to check some of the references that Mr. Peterson could provide. Council agreed to give the Design Commission 60 days to look at the program and make recommendations.

2. Comprehensive Water & Sewer System Plan Update.

Pursuant to the current water situation, Mayor Young asked Public Works Director Boettcher and Geoff Dillard of RH2 to provide an update on the water and sewer systems. Mr. Dillard gave a PowerPoint presentation summarizing some of the elements that impact the City's comprehensive water system planning. He reviewed what the City

had accomplished since the Water Comprehensive Plan's last update in 1996, and discussed the major current needs of the system, such as supply and storage.

Director Boettcher said that the Ball Park Well was now the last water resource used in the system to meet demand. He said that demand had dropped, and that the well would soon be off-line. Deputy Mayor Swatman suggested that the public be provided percentages of use for the well to quantify the decreased use of the Ball Park Well. Mr. Dillard said that the City was preparing to test Ball Park Well #2, and that a press release and email would be sent out to notify people of the test. He also said that the City had looked into the use of an emergency filtration system for the Ball Park Well, but that a 12 mo. lease was the minimum at a cost of approximately \$100,000/mo. He discussed why a new filter plant would not reasonably be on line before next summer. Several scenarios and options were discussed about how to deal with next summer's demand.

Councilmember Rackley asked for a 10 minute break. Mayor Young announced a 10 minute break in the session.

3. AB03-214 - Appointment of Committees "For" and "Against" Proposition 1 to Change the Form of Government to a Council-Manager Plan.

The City Council briefly discussed the formation of committees for the voter's pamphlet. Councilmember Rackley said that Councilmember King had indicated a strong interest in being appointed to the "Against" Committee. Mayor Young noted that the City had received one person, Patrice Jacobson, who had also indicated an interest in being appointed to the same committee. He suggested that the originator of the initiative should be appointed to the "For" committee. With no further discussion, Mayor Young forwarded the item on to the next regular meeting.

4. Inspector Qualifications for Contract Inspection Services.

Public Works Director Boettcher said that none of their professional agreements had requirements for whom they hire to do the work. He said that the professional competency of the company and their key staff are evaluated as a part of the proposal review process. Mayor Young added that the liability exposure to the consultant also helps control their professionalism. Councilmember Rackley said that it seemed strange to have no specific qualifications for such an important service for the City.

Councilmember DeLeo pointed out that Mr. Gould did not have an engineering degree, and asked why the City should require anyone hired by the contractor to have one. Director Boettcher replied that an engineering degree is not typically required for an inspector. Their qualifications are generally based on construction knowledge and experience. He added that Mr. Gould, having been the City's previous Public Works Director, had an invaluable background and insight into the City's infrastructure. City Attorney Dionne concurred, and said that contractors must meet a professional standard of care exhibited by similarly situated contractors. Failure to meet that standard constitutes a breach of contract. Director Boettcher discussed the hallmarks of a good inspector which include the details and issues reported. Deputy Mayor Swatman questioned why the City did not do the service in-house since the contractor becomes so well integrated into the City's system. Councilmember Johnson asked about the types of reports filed. Deputy Mayor Swatman said that the firm he works for has a professional set of standards and required competencies before a contractor can be hired. He said the Community Development Committee wondered if perhaps the same process should be

used in the City, but agreed that perhaps it is not applicable under the current circumstances.

5. AB03-176 – Ordinance 1000 – Amending Ordinance No. 981, Relating To The Non-Union Salary Scale – Human Resource Generalist Position.

Mayor Young reminded the Council that this item had been before the Council previously and was tabled. He asked if there were any questions about the proposed changes. Councilmember Rackley said he liked the change in requirements for the Human Resources Generalist that now requires a BA degree. Councilmember DeLeo asked about the allowance for a related field in the educational requirement. He said he wanted to see the employee have a BA in Human Resources.

Councilmember Noble asked why a decision was needed now. She asked if it could wait until the Finance Department has its organizational review. Deputy Mayor Swatman said that he believes the administration should be able to change job descriptions when they need to. He said that what the Council adopts will be the salary grid. Mayor Young said that Staff had attempted to follow the guidelines the Council had suggested and with which they would be comfortable. Councilmember Johnson said he felt the City needed someone dedicated to Human Resources now.

Mayor Young asked if the item could be moved forward. Deputy Mayor Swatman said that he did not feel the majority's issues had been resolved. Mayor Young said that without Council support, the Administration would handle HR through the currently approved organizational structure, with no requirement for a degree. He asked Council what could be done to address their concerns. Councilmember DeLeo reiterated that he wanted the position description to require a Bachelor's degree in Human Resources. Councilmember Johnson said that he felt like the current effort was premature. He said it should be part of the budget process and part of a bigger plan as the City looks at staffing in other departments. Administrative Services Coordinator Reber said that there was in fact a plan, that the proposed plan accomplished what needed to be done at nearly the same cost, but added an individual with some real background and qualifications in Human Resources. Deputy Mayor Swatman said that he was not comfortable in general when personnel changes are proposed, because he supports small government, and although he has no specific objections, did not have a good feeling about the proposal. Mayor Young said the Council should move on with their business. He said he was pulling the item and that the issue is now off the table.

6. AB03-203 – Resolution 1154 – General Services Agreement – Gould Construction

Mayor Young said this item was indicated as an action item in error. Director Boettcher said that this is an amendment to an existing agreement. He said the new agreement is more formal and includes termination clauses and insurance requirements. He added that the agreement will allow Mr. Gould to work on an interim basis to assist with the coordination and oversight of private development within the City. He said this will free City Engineer Woodcock to focus more time on the City's capital projects.

Councilmember Noble asked why the City would do this when more police officers are needed to provide adequate backup for officer safety. Mayor Young responded that there is never a time when an officer is without backup. Responding to the assertion that this type of situation occurs almost every night, Mayor Young added that there are non-

uniformed officers in the station during those times available to respond.

Councilmember Noble said the department is stretched to the limit. She said that she felt this was more of a priority than work on this professional services agreement and on the reorganization discussed in the prior agenda item. Mayor Young said the Civil Service Commission is moving ahead with the recruitment of the officers. He said the Public Works effort and the recruitment of officers was unrelated. Councilmember Noble said her frustration came from not knowing the status of the officer recruitments.

Deputy Mayor Swatman asked how much of Mr. Gould's time would be spent on private developer extensions, and how much of it would be charged to the City. Director Boettcher said that the idea was to have Mr. Gould provide the oversight and coordination between the City and private developers. He said the charges would be a direct pass-through to the developer. Mayor Young said this item would be moved on for Council action.

7. Open Discussion

Bonney Lake Days. Mayor Young asked Councilmember Johnson to comment on Bonney Lake Days. Councilmember Johnson said he was unable due to medical concerns to spend all the time at the event he had wanted. He said that based on conversations with many individuals representing vendors, sponsors, participants, etc., he feels confident that it was a success and a prelude to a bigger and brighter event next year. He expressed appreciation to Councilmembers and Staff for their efforts. Mayor Young said that he had received quite a number of positive comments about the event. Mayor Young presented Councilmember Johnson with one of the gift baskets from the celebration. Administrative Services Coordinator Reber distributed a preliminary spreadsheet on expenditures for Bonney Lake Days. Councilmember Johnson said the target for City expenditures was between Five and Ten Thousand Dollars. Mayor Young noted that it looked like expenditures would be closer to Five Thousand Dollars. Administrative Services Coordinator Reber distributed a copy of the comments submitted through the suggestion box in the City's booth. Mayor Young summarized the discussion by saying that all indications were that it was positive and that the City should pursue it again next year.

Excused Absence for Councilmember King. **Councilmember Noble moved to excuse Councilmember King from the meeting. Councilmember Rackley seconded the motion.**

Motion approved 5 – 0.

Landscape at Public Safety Building. Councilmember DeLeo asked about the landscape maintenance at the Public Safety Building. He said that a beautiful ten-year old white-barked birch tree appears to be no longer living, and the lawn is very brown. Director Boettcher said the police and fire personnel have their own hoses and have watered the shrubs and bushes.

Falling Waters. Councilmember DeLeo said that he had inquired about the City's potential response to the County's public comment period on the proposed Falling Waters project. He said he was concerned that the development was in the City's water recharge area for the aquifer. Mayor Young said that City Engineer Woodcock was reviewing the situation, and that the City would make official comment.

Roadway Improvements and Sidewalk project. Deputy Mayor Swatman expressed appreciation for the striping on the roads. He said the City had received good comments from one of its more vocal critics and others for the speed signs placed on the pavement. He asked about the sidewalk connection project by the library. Mayor Young said the seemingly little project turned into a \$17,000 project and was pulled at that point. Director Boettcher said it involved some engineering for retaining walls and the bids came in higher than anticipated. Deputy Mayor Swatman asked about the intersection of Church Lake and Sumner-Buckley and a solution to keep the gravel from being sprayed across the roadway. Director Boettcher said that upon examination the most cost effective solution appeared to be to glue large traffic buttons on the roadway to make drivers uncomfortable if they cut the corner.

Police Dispatch. Deputy Mayor Swatman asked about the status of the police dispatch services. City Attorney Dionne said that they had met with the Police Guild, but still had some distance to go before reaching an agreement. He said he had confidence that most of those dispatchers who wanted to keep working would be hired. He said they were working on a format for an agreement with Puyallup to allow that to happen. Councilmember DeLeo asked about the 24 hr. requirement to process warrants. City Attorney Dionne said that Puyallup did not want to provide that service to the City. He said it would be handled through another vendor. Deputy Mayor Swatman asked if Puyallup was providing a good service level. Mayor Young replied that Puyallup was providing as good or better dispatch service than we had been able to provide. He added that it had been the Police Chief's first recommendation for an alternative service provider.

Citizen Complaint. Deputy Mayor Swatman said that a citizen had given him a bunch of paperwork for a complaint. He said he had talked to some Councilmembers about it. He said there was quite a bit of information. Identifying it as a public records issue, he asked if Council thought it was something that should have third party review. Mayor Young asked if it should go to staff first. Deputy Mayor Swatman said it was something that had been discussed before, but that now Brian Sontag was making opinions about certain actions. Councilmember DeLeo said he thought it was a Pierce County Court issue. Councilmember Noble clarified that he meant Pierce County Prosecuting Attorney's Office, and said that she would say it should go to that office. Mayor Young said he had no idea with what Deputy Mayor Swatman was dealing. Deputy Mayor Swatman said it's a complaint about the destruction of a public record. He said he felt an obligation to be responsive to the complaint. He asked City Attorney Dionne what should be done when citizens document complaints and present them to Councilmembers. City Attorney Dionne said that the Council should get its own legal opinion on the issue. When asked how the Council obtained its own legal opinion, he said he thought the Prosecuting Attorney could advise them on the current issue. Deputy Mayor Swatman asked if it required Council action. City Attorney Dionne said it could be done individually or by Council action. Councilmember Rackley suggested that the individual initiating the complaint should have taken it to the Prosecuting Attorney. Deputy Mayor Swatman agreed, but said that he now felt an obligation to act. Mayor Young said he can't advise the Council, because he's not seen with what their dealing.

8. Review of Minutes: July 15, July 29, August 5.

Councilmember Noble asked that the minutes of August 5th be amended. She said on page three that her comment was not-- "probably" a rate adjustment would not be needed,

but that a rate adjustment “will not be needed.” Mayor Young said he would have the Pro Tem City Clerk go back and look at it.

9. AB03-133 – Ordinance 988 – Unified Development Code.

Mayor Young reminded Council that concern had been expressed about the Accessory Dwelling Unit (ADU) portion of the proposed ordinance. Deputy Mayor Swatman asked if the language was the same as found in the current municipal code. He noted that the ordinance did not address the ADU changes recommended by the Planning Commission regarding conditional use in residential zones. Planning and Community Development Director Leedy said that the ordinance had been changed to reflect the Council’s majority position in previous meetings. Deputy Mayor Swatman said that he still had the same objections as expressed before. Mayor Young said the ordinance would be moved forward to the next Council agenda.

10. AB03-191 – Ordinance 1002 – Making Municipal Offices a Conditional Use in Residential Zoning Districts.

Deputy Mayor Swatman asked Councilmember Noble why she had voted no the last time this issue was considered. Councilmember Noble said that she was concerned about the traffic and noise impacts of having a municipal office built right next door to a residence. Director Leedy said that by processing a conditional use permit, the burden is placed upon the City to consider and take into account potential impacts. He said the Hearing Examiner’s decision could be appealed to the City Council if someone felt the decision was improper. Councilmember DeLeo expressed concern with leaving the decision to the Hearing Examiner, who was paid by the City. Deputy Mayor Swatman said he understood the concern, but that in this instance the Council would have had to give prior approval in order to have the proposed conditional use even go before the Hearing Examiner. Director Boettcher reminded Council of a hearing where the City had proposed a water tank, but was denied by the Examiner who acted on behalf of both City residents and County residents. Mayor Young said it would be moved forward.

11. Executive Session.

Mayor Young said the executive session would not be needed. He said it had been listed as a contingency.

Councilmember Rackley asked the Mayor to provide an update to the Council about the Hearing Examiner’s decision on the cell tower. Director Leedy reminded Council that the comment period had been extended to August 15, and that a ruling may take up to 10 days to prepare.

Adjournment

Mayor Young adjourned the Council Workshop by common consent at 8:57 p.m.