

**COUNCIL WORKSHOP**

**December 2, 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"*

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**Roll Call**

Mayor Young called the workshop to order at 5:39 p.m.

Also in attendance were Deputy Mayor Dan Swatman, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Neil Johnson, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley.

Staff members attending were Administrative Services Coordinator Tom Reber, Finance Director John Weidenfeller, Public Works Director Seth Boettcher, Police Chief Bryan Jeter, Judge Jim Helbling, Court Administrator Kathy Seymour and City Clerk Harwood Edvalson.

Mayor Young reported that he had been attending a County Council meeting being held in the City of Sumner. He had an opportunity to greet the County Council and thanked them for passing the Urban Growth Area (UGA) amendments. He said the City looked forward to working with the County on the preservation of Fennel Creek and in looking at the County Urban Growth Areas (CUGA).

Mayor Young asked Council to consider moving the Executive Session up in the meeting between Items 2 and 3 on the agenda. He said the topic of property acquisition for the executive session may impact the discussion on other items during the meeting.

**Agenda Items**

1. Open Discussion

House on Wheels. Councilmember DeLeo asked Director Leedy for information regarding the house on wheels. He added that Director Leedy had said the permit was good through November, and that it was now December, but the house still sits unmoved. Director Leedy said he would follow up on the issue.

Dinner for the needy. Councilmember Noble asked for further information on the dinner at the Senior Center. Councilmember DeLeo said that the four Councilmembers working on the dinner would get together with Senior Center Director Barkley to work out the arrangements.

AWC conferences. Councilmember Rackley encouraged City Clerk Edvalson to make arrangements for the Council's housing for the AWC conference in June. Councilmember King suggested that the proposed date for the Council retreat conflicted with the New Councilmember Workshop to be held on February 6. Councilmember Noble mentioned that she had emailed the City Clerk to register her for the session in Lacey.

Councilmember Residency. Councilmember Rackley asked that Deputy Mayor Swatman clarify his residency. He said it was common knowledge that the Deputy Mayor had moved from his former residence. Deputy Mayor Swatman responded that he lives within his ward boundaries. Deputy Mayor Swatman said that he would address the issue, because he

understands that the Mayor has been recruiting people to initiate action around this issue. Mayor Young said that was incorrect, but that he had been responding to citizens complaining that Mr. Swatman no longer lives in their ward. He added that he further told them that if anything needs to be done then they would have to do it; it's nothing he will do. Deputy Mayor Swatman said he had heard otherwise. Mayor Young said the only thing that had come from City Hall was that someone had asked for RCW or municipal codes about Councilmember residency. Deputy Mayor Swatman said that he had moved out of his former residence in Ward 4, but that he had another residence in Ward 4 as well as one in Ward 1. He said that although he spent time in Ward 1, his primary residence is in Ward 4. Councilmember King added that it was not illegal to own more than one home. Mayor Young said it was good to address the issue, because the City has received a lot of questions from residents. Deputy Mayor Swatman said it should be obvious that he must reside in his ward or give up his position.

Council name badges. Councilmember Johnson said that he was going to order additional name badges for Councilmembers if there were any interested, and if there were no objection from the finance department. Director Weidenfeller said that staff would be glad to take over the responsibility at any time.

Lower CUGA. Deputy Mayor Swatman asked about the agreement for the lower CUGA. Mayor Young said he spoke with County Councilmember Bunney who said his first priority was a committee to work on zoning and the Fennel Creek area. Mr. Bunney said they committee would provide options for the City to consider. He said the County would propose further meetings on the CUGA after the first of the New Year. Councilmembers King, DeLeo and Rackley expressed interest in serving on the committees for Fennel Creek and/or the CUGA.

Embroidery of city logo. Councilmember Johnson mentioned that the Sports Connection has the City logo for use in embroidering the City logo on apparel for Councilmembers. He said that Cindy was the contact person.

Spa City sign. Deputy Mayor Swatman asked about the Spa City sign. Councilmember King said that Spa City was required to submit an action plan by December 7 or the issue turned over to the prosecutor. Director Leedy said that staff had been led to understand that the owner and the sign company had agreed on responsibility for moving the sign. Staff followed up on the inaction of the owner and sign-company and told them they had to submit a specific plan or face potential prosecution. Councilmember King said he feels it reprehensible that the parties can not resolve this issue without forcing legal action by the City.

2. Review of Minutes: November 18 Council Workshop.

Councilmember Noble asked that the minutes on page five regarding the removal of the Character First program from budget state that Councilmember Noble did agree with Councilmember DeLeo on the issue.

3. Executive Session – At 6:02 p.m. and pursuant to RCW 42.30.110(1)(b), Mayor Young announced an executive session of the City Council to discuss property acquisition. He said the session would take approximately 20 minutes. The extensions were announced at 6:22, 6:37, 6:47 and 6:57 p.m.

The City Council took a five minute break at 7:20 p.m.

4. Ordinance 998 - Year 2004 Non-union salaries & benefits.

Mayor Young said that it was his proposal to increase these salaries by 1.8% based on the change in the Consumer Price Index (CPI). The City Council discussed this proposal. Director Weidenfeller and Administrative Services Coordinator(ASC) Reber responded to Deputy Mayor Swatman's questions about the range and step system common in government pay systems. Director Weidenfeller explained the City's history with limiting the number of steps in the salary ranges. Mayor Young invited Police Chief Jeter to address the Council. Chief Jeter spoke on behalf of the non-union employees. He explained that without adjusting the benchmark established last year inflation would continue to reduce the value of the employees' salaries. He also noted that wage compression becomes an issue, particularly in the positions where premium pay and overtime apply, making filling higher rank vacancies difficult.

Councilmember King said that civilian labor market concepts do not translate well into the governmental labor setting. He said that in his estimation, government employees do not take their skills into the business sector and are willing to accept government wage rates, because they appreciate the stability of the government wage system and benefits. He added that he felt a cost-of-living increase of 1.8% was warranted at this time.

Councilmember Noble initiated discussion about the Senior Center Director's salary. When Mayor Young indicated that a better understanding of comparable Senior Center Director salaries would be achieved through the center evaluation. Deputy Mayor Swatman responded that the Council had rejected the earlier proposal to do an evaluation of the center. Mayor Young responded that the Council had said that staff should go further afield in locating the expertise to do the evaluation. He said that the administration was proceeding with that understanding to advertise an RFP more widely. City Staff discussed with Council the results of a survey done of the position. Councilmember Johnson observed that the salary survey results were difficult to interpret. He suggested that the Senior Center Director and the Information Technology Coordinator need to be better compensated. Councilmember Rackley said that the Council could change a particular range if they feel it's warranted. Councilmember King reminded Council that the salary scale should be set on the basis of the position, and not the individual. Councilmember Hamilton advised that the Council consider what it would take to replace lost skills and what it would cost to induce the public into these positions.

Deputy Mayor Swatman asked about the employee share of the cost for medical benefits. Chief Jeter asked that Council understand that the non-represented employees shared in the cost for medical benefits a year before the represented employees agreed to do so. He said the non-represented employees hoped the Council would leave the contribution level the same for the coming year. Director Weidenfeller noted that the majority of cities in the AWC benefits comparison did not require non-represented employees to participate in the cost of benefits. Deputy Mayor Swatman reminded employees not to underestimate the value of the benefits they receive. Mayor Young noted a consensus on the Council to move this item forward.

5. AB03-171 – Ordinance 997 – 2004 Annual Budget.

Councilmember Rackley said that the Community Development Committee had a conference

call with consultants at RH2 about the Lake Bonney environmental review. He said the consultant said that it would not be unexpected to spend \$70,000 in the first year. He recommended the addition of \$50,000 to the money already earmarked for the management of the City's lakes, streams and wetlands. There was a majority opinion to add this amount to the General Fund from the Contingency Fund. Councilmember Noble mentioned the possibility of making matching grants available to homeowner's associations. Councilmember Rackley suggested that the seasonal streams be named to help residents develop ownership of the streams.

Councilmember DeLeo asked how much the City expended on the Character First Program. Mayor Young responded that the City spent \$2,000 last year for this program. Councilmember DeLeo asked if money was set aside for repair of the irrigation system at the Public Safety Building. Director Boettcher said there was \$50,000 set aside for improvements to the building and grounds.

Deputy Mayor Swatman addressed the Senior Center Building and storage needs. ASC Reber said that the City has applied for a grant to make an extension to the building. Mayor Young said that the grant was for \$89,000 with a match of \$20,000 from the City and \$10,000 from the Seniors non-profit organization. Councilmember Noble asked about the grant applied for last year. ASC Reber said the application was for an automatic front door, a building to house the freezers and new freezers. He said the grant for the building was denied, so the application was modified to do some floor work and install the front door. He added that part of the grant was approved. Mayor Young said it was hoped that with matching funds, there would be a greater likelihood of approval for the building addition. There was consensus to set aside \$30,000 from the Contingency Fund for the work on the Senior Center.

Councilmember Johnson asked about the need for speed bumps or lighting around Lake Bonney. Councilmember Rackley mentioned that the Community Development Committee was working on a lighting standard for the City. Council also briefly discussed the anticipated police department staffing level and the delivery of new police vehicles.

At 8:29 p.m., the City Council took a 10 minute break.

6. Water Supply Options for Summer 2004.

Mayor Young suggested that this item be moved to the first workshop in January for discussion. He said there was nothing immediately pressing to require the discussion to occur this evening. There was general agreement to postpone discussion of this item.

7. AB03-288 – Resolution 1206 – Neighborhood Traffic Control Program.

Councilmember Johnson said that he had corrected the typographical errors and had Deputy City Attorney Ganson review the other changes recommended by the Council. At Deputy Mayor Swatman's suggestion, there was consensus to change the eligibility criteria so that one-way streets are not excluded from the program. Councilmember DeLeo recommended changing the name of the program to include street lighting. Councilmember Johnson suggested that the program be established first, then reviewed at a later date to determine if it should include street lighting and perhaps sidewalks. Councilmember Hamilton noted that the program does not address arterials. He said he feared that the fixes to one neighborhood will just force traffic into another. Councilmember Johnson responded that the City Engineer

would help gauge and avoid those conditions. Councilmember King spoke in favor of the program saying it would help keep the City from making precipitous infrastructure changes based on simple anecdotal evidence. Councilmember Hamilton asked if a traffic flow analysis had been done. Director Boettcher said that an analysis had been done when the traffic impact ordinance was developed. He said it did not, however, include detail on the minor streets. There was general consensus to move the program forward for Council action.

8. Strategic Budget Presentation.

Director Weidenfeller provided a brief visual demonstration of a new computerized strategic budgeting model. He said it would help the Council project future impacts of various decisions in six year increments. Councilmember Johnson asked that a copy be provided to Councilmembers. Director Weidenfeller agreed to make it available for Council use. Councilmember King expressed gratitude to have a finance director that was intensely interested in using this type of tool.

9. Phase I Major Comp. Plan Update – Falling Water UGA.

Director Leedy said this issue goes back to the 2002 annual update process for the Comprehensive Plan. He said Council acted to pass along five urban growth areas (UGA) for action, but not the Falling Waters UGA. He said the Planning Commission has proposed an Urban Growth Area designation for Falling Waters in the 2004 Major Comprehensive Plan update. He said staff wanted to gauge whether the Council was interested in including this in the Phase One update. Deputy Mayor Swatman suggested that there were other issues that Council should discuss before contemplating adoption at the next meeting. He noted for example the 300 plus or minus allowance between land uses for administrative designation of zoning. There was consensus among the Council to again exclude the proposed UGA for Falling Waters.

Councilmember DeLeo asked that Council allow Mr. Noland of the Sumner School District to address a question Councilmember DeLeo raised at the last Comprehensive Plan discussion. Mr. Noland said that the district would consider selling the surplus property at Bonney Lake Elementary School, but urged the Council to approve the proposed rezoning of the property to allow for the greatest degree of flexibility in accomplishing the districts goals for improvement of the facilities. He outlined the process for disposal of the property by the school district. Council discussed the potential for purchasing the surplus property for park purposes and the timeline for the Park Board and Planning Commission development of a strategic park plan. Mayor Young said the Major Comprehensive Plan Update would be brought forward next week for Council consideration.

10. AB03-282 – Appeal of Hearing Examiner Decision – Qwest Wireless Facility.

Deputy City Attorney Ganson reminded the City Council that this appeal had the same impact as a rezoning. He said that it will be a quasi-judicial decision and that the Appearance of Fairness rules apply. He said Council should disclose any ex-parte discussions that have occurred after the appeal was filed. Council concluded to make a determination solely on the written record compiled by the Hearing Examiner without additional new testimony. Deputy City Attorney Ganson said that parties of record can submit additional written materials, but not new evidence. He added that Cingular Wireless has raised a procedural issue about the lack of any further hearing process before the Council makes its determination. He said that he felt State Law does not require another hearing, but the Council could hold one at its

discretion regarding the merits of the appeal. Council again affirmed its decision to hold no further hearings. Mayor Young asked what would happen in the event of a 3-3 vote by Council. Deputy City Attorney Ganson said the Mayor could break the tie.

David Hall clarified that Cingular did not request an additional hearing but that they had not even been made aware that additional written arguments would be accepted. He agreed that the opportunity to submit written materials on the merits of the appeal would be adequate to meet State law. Council concluded to make a determination solely on the written materials without further hearing.

13. Adjournment

With Council's consent, Mayor Young adjourned the meeting at 10:24 p.m.

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Harwood T. Edvalson, City Clerk

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Robert Young, Mayor