

COUNCIL WORKSHOP

February 3, 2004

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 5:32 p.m.

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

Staff members attending were Finance Director John Weidenfeller, Planning and Community Development Director Bob Leedy, Assistant Public Works Director Gary Leaf, Judge Jim Helbling, Building Official Jerry Hight, Associate Planner Shannon Mayfield-Porter and City Clerk Harwood Edvalson.

Mayor Young introduced Interim Public Works Director Bill Gilbert and Water Resources Manager Tom Dozal.

Deputy Mayor Swatman announced that Councilmember Cheryle Noble was ill and moved to excuse her from the meeting. Councilmember Johnson seconded the motion.

Motion approved 6 – 0.

Agenda Items

1. Falling Waters Development

Bill Diamond of Larson & Associates and Dave Ray of Dave Ray & Associates provided the City Council an update on the development of the Falling Waters Project. In response to the interest expressed in future annexation and sewer service, Councilmembers expressed concern about the project's current and potential densities, protection for the City's well-head protection and recharge area; and the impacts of a potential by-pass transportation corridor.

2. Open Discussion

Staff at Council Retreat. Councilmember Rackley suggested that it may be appropriate to invite Water Resources Manager Tom Dozal to the Council Retreat to hear the discussion on water policy and goals. There appeared to be consensus from the Council that there would not be sufficient benefit to justify the cost of Mr. Dozal's attendance.

Speed limit for Sky Island Drive. Councilmember DeLeo reported that during the recent Public Safety Committee meeting the police chief and fire marshal had discussed a possible increase in speed limit on Sky Island Drive. He asked Mayor Young if there was substance to that discussion regarding a possible increase. Mayor Young responded that he was unaware of any plans to increase the speed and that such a topic had not yet been before the Council for discussion. Councilmember DeLeo said that the protection of school children is

particularly important.

Code Enforcement Issues. Councilmember DeLeo asked about the enforcement of the issues raised at the last Council workshop. He asked if the Code Enforcement Officer was overburdened and unable to address the issues. Mayor Young responded that he had recently met with the Code Enforcement Officer and Director Leedy. He said that pursuing the appropriate due process is the apparent cause for a slow down in many of these issues. Councilmembers DeLeo and King advocated discussion about the need for additional enforcement personnel. Mayor Young said that the enforcement officer had developed a good working relationship with other departments in the City and was getting the assistance he needs. Mayor Young read a list of perpetual code enforcement violations that occupy the enforcement officer, e.g., sign/business banners, vehicles, garbage and debris, animals, illegal grading & filling, land-clearing, fences and setback encroachments. Councilmember Johnson stated that the City should be proactive in its enforcement program. Mayor Young said that he would invite the City's Code Enforcement Officer to address the Council at the next workshop. Councilmember Johnson asked City Attorney Dionne if it would be appropriate for Councilmembers to approach their neighbors and point out the need to correct code violations. City Attorney Dionne replied, yes.

Annexations. Deputy Mayor Swatman reported that the Supreme Court has ruled that the previous methods for annexation by petition are valid.

Water Resource. Deputy Mayor Swatman encouraged a close watch on the potential water resource that the City is paying for monthly. Mayor Young indicated that Water Resources Manager Dozal is monitoring the situation. He added that a monthly update would be provided to the Council.

Joint Advisory Committee for Waste Water Treatment Facility. Deputy Mayor Swatman reported his attendance at this committee's meeting on January 29th in Sumner. He said they received a report on construction and that there may be some excess capacity over what was originally anticipated. He said the next meeting of the committee will be April 29th.

Naches Terrace Skystone. Deputy Mayor Swatman informed Council that he had met with two archeologists involved with the "Skystone" research and preservation. He said the latest suggestion was that the stone needed to be protected from the elements.

Citizen's Academy. Deputy Mayor Swatman asked who among the Council had signed up for the Citizen's Academy besides himself. He said he thought Councilmember Noble had also signed up. Councilmember DeLeo said he had signed up. Councilmember Johnson said he would be dropping by from time-to-time. Councilmember Rackley said he may attend the next one.

PCRC Representation. Deputy Mayor Swatman said that Sumner Councilmember Mike Connor had expressed appreciation for Bonney Lake's additional representative on the Pierce County Regional Council (PCRC)—Councilmember King.

Police Boat Storage. Councilmember DeLeo noted that the Fire Department's Zodiac was out of commission. He said that with the City's police boat virtually inaccessible in its storage locker, emergency response on Lake Tapps was questionable. He suggested the purchase of a canvas-covered parking shelter for the boat and placing it in the public works corporate yard behind Allan Yorke Park. He added that with the lake anticipated to be full

year-round for the next four years that the City should reassess its current policy of de-commissioning the boat for the winter. Mayor Young said he would ask the new interim public works director to look into an appropriate place to shelter the boat.

Lakeridge Youth Forum. Councilmember Johnson reminded the Council that he and Councilmembers DeLeo and Noble attended the Lakeridge Junior High Youth Forum last November. He reviewed some of the results of that forum and the things of greatest interest to the youth. He said a common concern seemed to be growth and the need for good restaurants. He said he would provide Councilmembers with copies of the response summary. Mayor Young noted that another forum will be held on March 18.

Ad Hoc Ethics Investigation Committee. Councilmember King asked the Council to discuss their expectations for this ad hoc committee. He said the Committee felt there were no clear-cut directions for their investigation. Councilmember DeLeo said the committee envisioned their investigation to be open to the public like a senate committee. Councilmember King said that the committee would have access to any public records, and expressed hope that the committee's results would be made in a public venue. City Attorney Dionne advised that the committee had no inherent authority to subpoena witnesses, compel testimony or interview employees on City time. He said that provided sufficient information by the Council, he was empowered to make an independent investigation if he felt it to be warranted. When asked by Councilmember Johnson the best way for the Council to proceed, he responded that there would be less procedural problems for the Council if the issues were referred to the prosecutor and auditor. He advised that censure is the most severe action available for a Council to take against a fellow councilmember. Councilmember King asked the Council to consider what direction they would now give the committee based on the evening's discussion. He noted that Councilmember Noble has not been able to hear the evening's discussion. Councilmember Rackley said he would like more time to consider the request. Councilmember DeLeo said he had consulted an attorney at the Municipal Research and Services Center, who had advised him that the Council bring the employees before the full Council to be questioned on the record. City Attorney Dionne said that the employee's could not be compelled, and that a Council majority is required to invite the employees' participation. Councilmember DeLeo asked if lying on the record was malfeasance. City Attorney Dionne said he did not know. Councilmember King concluded the discussion by saying that the Committee wanted to do what's best for the people against whom the allegations have been made and for the City as a whole. He said perhaps additional thought is required before the Committee proceeds.

Acting upon the request of Councilmember Rackley and with Council consent, Mayor Young declared a ten-minute recess at 7:42 p.m. The meeting was reconvened at 7:56 p.m.

3. Review of Minutes: January 20th and 27th Meetings.

Councilmember King asked that the Freedom Flag presented to the City at the last meeting be mounted for public viewing in the Council Chamber. Referencing the minutes of January 20, Councilmember DeLeo asked that the wording on the bottom of page six be changed from, "The Council discussed..." to "The Council requested...". Councilmember King asked that the minutes from January 27 be corrected on page 11. He asked that the minutes read, "He said that a tree fell in the street...", not "in the yard."

4. Pierce County Planning Policies– Use Centers.

Councilmember King thanked Director Leedy for his preparation of the staff memo. He said that the proposed Urban Growth Area Centers concept of the Countywide Planning Policies (CWPP) was probably the least objectionable to the City of Bonney Lake. He said that the PCRC had been working approximately three years to harmonize the planning policies of the various constituent municipalities and Pierce County. Director Leedy shared some background as to the Council's previous concern with the proposed "centers" policy, adding that the Council had at one time thought Bonney Lake should be designated as an urban center. Councilmember King read the list of cities and areas now designated as Urban and Manufacturing/Industrial Centers in the proposed policy. He also read a list of cities in the County that have ratified the policy and suggested that the City take action to ratify this proposed policy. There was consensus to bring forward a resolution to ratify the "centers" policy of the CWPPs.

5. Zoning Text Amendment.

Director Leedy reported that it was a private application that had initiated the work on this proposal, and that its current form was the result of staff work on the proposal. He said the staff goal in expanding the proposal was to help the City comply more completely with the Growth Management Act and respond to the more frequently occurring criticism of the City of Bonney Lake regarding housing densities. He said the effect of the proposed change is to let the density for each planned unit development (PUD) stand on its own merits as it moves through the review and approval process.

Deputy Mayor Swatman said his concern was the ability of private individuals to initiate, through an application, the expenditure of staff time and resources to process a text amendment. He said it seemed to make more sense that an individual get Councilmembers to sponsor the change. Director Leedy informed the Council that the municipal code allows for applications to amend the zoning text upon payment of the appropriate fee. Deputy Mayor Swatman expressed concern that time and resources may be wasted if the Council has a contrary position to the one represented by the application and subsequent staff work. City Attorney Dionne said that anybody has the right to request an amendment, but that the real test is whether the administration judges that the proposal has sufficient interest for the City to support it. Councilmember Johnson said there is some concern that this process may be distracting the staff from working on the Council's priorities for the City. The Council had additional comments and questions on the proposed text amendment. Director Leedy advised them that he was not prepared this evening to respond to their questions about the content of the proposed amendment, and that the issue to which he was responding was the text amendment process. He said that other members of his staff would be available to respond to specific questions about the proposal's content at the Planning Commission's and Council's future meetings.

6. Elected Officials Salary Commission.

Councilmember Rackley reminded the Council that they were divided the last time this topic was discussed. He said that with a full Council now on board, he would like this issue reconsidered. The City Council discussed the issue. Deputy Mayor Swatman articulated his position against the appointment of a commission. There was a majority consensus to move the issue forward and have an ordinance prepared that would require the commission to convene not less than every five years.

7. AB04-05 – Ordinance 1012 – Amending the Non-Union Salary Scale for 2004.

Councilmember Johnson said the proposed amendment was to address the Information Technology Coordinator's position. He said he feels that this is one of the top two most critical positions for the City in terms of training, investment in the person and in keeping things moving forward. He said he feels the current salary range is too low to retain the excellent employee the City now has in this position. He proposed an increased salary range, or giving the Mayor authorization to give the incumbent a two or three step increase in salary.

During the Council discussion, there was general consensus that the current salary was too low. Deputy Mayor Swatman took the position that a solution was already in the Mayor's hands and that he was already able to propose a multiple step increase in the employee's salary. Councilmember Rackley said that the proposed change in salary range is a good way to attract and retain a key employee. Councilmember King encouraged the Council to look to the future and retain good employees to address the City's changing needs. Mayor Young said the change in the salary range will allow for additional future growth in the position. Councilmember Johnson said that another position to which the City should give salary consideration for retention is the Police Chief. Additional discussion about the salary of the Information Technology Coordinator resulted in the Mayor assuring Council that he would place the incumbent at Step 2 of the new range. There was a majority consensus to implement the new salary range with the incumbent at the second step of the range.

8. Adjournment

Before adjourning, Mayor Young informed the Council that a new alarm system had been installed at City Hall and that their security codes would still be operative. He also announced that there would be no executive session, but that the Council should plan on one at next week's meeting.

By common consent, Mayor Young adjourned the meeting at 8:58 p.m.

Harwood T. Edvalson, City Clerk

Robert Young, Mayor