

COUNCIL WORKSHOP

April 6, 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 Robert Young called the workshop to order at 5:35 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 (ASC) Don Morrison, Finance Director John Weidenfeller, Planning and Community Development Director Bob Leedy, Interim Public Works Director Bill Gilbert, Judge Jim Helbling, Court Administrator Kathy Seymour, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

Mayor Young commented on the length of the agenda and asked the Council if they would like to set 8:00 p.m. as a working time limit to the meeting. There was general consensus to try and conclude the workshop discussion by 8:00 p.m. and carry over unfinished business to the next workshop. Mayor Young acknowledged that an executive session would also be necessary.

Agenda Items

1. AB04-76 – Park and Facilities Bonds – Dan Gottlieb, Bond Attorney and Jim Nelson, Bond Financial Consultant.

Finance Director Weidenfeller introduced Jim Nelson, a bond financial consultant with Martin Nelson, Inc. and Dan Gottlieb, Bond Counsel with Gottlieb, Fischer and Andrews, PLLC. Jim Nelson distributed an outline of his remarks. He discussed the steps of a bond process, and the City's current debt capacity. He presented scenarios for the sale of bonds to finance the purchase of park property and the construction of facilities. Members of the Park Board were in attendance. Darren Proctor spoke on behalf of the Board and advised the Council that the Board recommends the purchase of property and development of trails as a priority over the construction of a community center. He added that the Board would like to see the property and facilities issues split. He also said the Council needs to consider staffing for the new properties and facilities.

Councilmember Rackley suggested that the voters be presented with two measures—one for parks property acquisition, and the other for the community center. Mr. Gottlieb discussed some of the pros and cons of splitting the bonds into two measures. Councilmember Noble asked about funding for the proposed city hall, and suggested that the City's existing funds be put toward the community center. Deputy Mayor Swatman noted that the current funding scenarios for city hall showed it could be done without a voter approved issuance of debt. Director Weidenfeller added that a three million dollar issuance of councilmanic bonds would be required to complete the construction. Councilmember King said that the Council issuance of three million dollars in general obligation debt seemed entirely reasonable. He expressed concern, however, for the limited time available to inform the public on the needs and plans for parks and facilities before the November election.

Councilmember Johnson mentioned the continued economic growth of the City and asked if a dedicated revenue stream could be identified to pay for the bonds. Mr. Gottlieb responded that internal to its own budget, the City could designate certain revenues, but that a general obligation bond means that the full faith and credit of the City guarantees the bond payments. He explained that if a dedicated revenue stream dries up, the City is still obligated to use its other revenues to meet the bond payments. Councilmember Hamilton expressed concern that the bond measures not provide sufficient funds for the projects. He did not want to have an additional bond measure in the future to meet an unanticipated shortfall.

Mayor Young summarized the Council discussion by observing the majority seemed to favor two separate bond measures. With Council concurrence, he said resolutions, including facts and figures, would be prepared for discussion at the next workshop.

Councilmember Rackley requested a five minute break. Mayor Young announced a five minute break at 6:55 p.m. Mayor Young brought the meeting back to order at 7:07 p.m.

2. AB04-40 – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Setting A Public Hearing To Discuss The 10% Petition To Commence Annexation Proceedings For The 33-Acre Bohemian Estates Tract. [03.2.2].

Discussion of this item was tabled from the Council Meeting of March 23, 2004. Deputy Mayor Swatman said that he felt little more discussion was needed. He said that the Council indicated support for using the standard developer extension agreement with waiver of annexation protest. He added that it was assumed the increased value of the property would be enough to allow annexation of the whole area. The City Council examined data showing the potential for lost impact fees with the development being initiated in the County. Associate Planner Mayfield-Porter commented that with the increased value of platted lots, the annexation could still be timed to capture perhaps half of the permit fees. Wayne Potter of Barghausen, Inc., representing the developer, said that the development's infrastructure was intended to be built to Bonney Lake's standards. Councilmember Noble asked if this meant that the wetlands buffer would be the 200 ft. required by Bonney Lake rather than the 100 ft. required under the County standards. She asked if the developer would be willing to do the larger buffer under an agreement with the City.

Mayor Young asked Mr. Potter if the developer would be willing to withdraw the 10% petition for annexation. Mr. Potter responded that the developer would indeed withdraw the petition, if the Council wanted to move forward with a pre-annexation agreement. He suggested a meeting with staff to outline an agreement for Council consideration. There was general consensus of the Council to accept the withdrawal of the petition and consider an appropriate agreement.

Deputy Mayor Swatman noted that Daniel Decker wished to address the Council on this proposed action item. Mayor Young responded that there is no action on this item this evening. Mr. Decker withdrew his request.

3. AB03-72 – Res. 1242 – Courts Work Crew Agreement.

Judge Helbling described changes from the previous year's agreement. He said the

suggested changes by the County made for a better agreement for both parties. He said the agreement gives the court a useful tool.

After some brief Council comments, Mayor Young said the item would be moved to the next regular meeting for Council action.

4. AB04-70 – Resolution 1241 – A Resolution Of The City Of Bonney Lake, Washington, Declaring The City’s Intent To Reimburse Certain Capital Expenditures From The Proceeds Of Tax-Exempt Bonds Or Other Obligations.

Councilmember DeLeo suggested that Agenda Item 11 be moved up to be considered next. There was general consensus among the Councilmembers.

Councilmember DeLeo moved to adopt Resolution 1241. Councilmember Hamilton seconded the motion.

Councilmember King discussed the ability of the Council to purchase land with an expectation that a future bond measure would reimburse the City’s initial outlay. He expressed concern for the City’s position in the event a bond measure was not supported by the electorate.

Because the Resolution was presented for action, Deputy Mayor Swatman asked that Daniel Decker be recognized to address the Council’s proposed action.

Daniel Decker, 20401 70th St. E., said that he felt this item should have been dealt with at a regular Council meeting rather than a workshop. He said the item was out-of-order and discussion should be tabled.

Deputy Mayor Swatman described the Council’s sense of urgency for adopting this resolution.

**Motion approved 6 – 1.
Councilmember King voted
no.**

5. AB04-67 – Resolution 1240 – DM Disposal Contract.

Director Weidenfeller introduced Eddie Westmoreland with DM Disposal. In turn, Mr. Westmoreland introduced Keith Kovalenko and Irmgard Wilcox. He said that proposed in the contract extension was the transfer to the City’s billing rolls of 581 customers currently billed directly by DM Disposal under annexation agreements. He briefly discussed with Council options for dealing with future annexations, stabilization of rates through March 2005 and the startup of a commingled recycling program. Councilmembers DeLeo and Johnson asked about the possibilities of a roadside or neighborhood trash pickup program. Mayor Young said that additional work would be done on the proposed contract, and that it would be brought back for further discussion at another workshop. He acknowledged the work of Gary Leaf and John Weidenfeller with DM Disposal on the draft agreement.

5. Executive Session: Pursuant to RCW 42.30.110(1)(b), Mayor Young announced that the City Council will hold an executive session to discuss issues dealing with property

acquisition with an anticipated duration of twenty minutes. The executive session commenced at 8:31 p.m. At 8:46 p.m., a ten minute extension was announced.

The Council reconvened the regular meeting at 8:50 p.m.

Councilmember Rackley moved to amend the agenda to add an action item.

Councilmember King seconded the motion.

Motion approved 7 – 0.

Councilmember Rackley moved to discontinue all payments to Mr. Reed for the well and potential water rights from the well. Councilmember Hamilton seconded the motion.

Motion approved 7 – 0.

7. Adjournment

With the common consent of the Council, Mayor Young adjourned the meeting at 8:51 p.m.

Harwood T. Edvalson, City Clerk

Robert Young, Mayor