

City of

COUNCIL WORKSHOP

May 18, 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 5:36 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, Planning and Community Development Director Bob Leedy, Interim Public Works Director Bill Gilbert, Assistant Public Works Director Gary Leaf, Purchasing Coordinator Deborah Crosier, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

Agenda Items

1. AB04-113 – Allan Yorke Park Trail Project – June 5, 2004.

Mayor Young invited Purchasing Coordinator Debbie Crosier to explain about the Washington Cities Insurance Authority's provisions for volunteers. Coordinator Crosier provided handouts from the WCIA Liability Resource Manual including the recommended policy for cities and an individual agreement for volunteers. She said that organizations that can provide liability insurance naming the City as additional insured will be able to supervise the work of their covered volunteers. Otherwise, each volunteer will need to sign an agreement and supervision will be provided by the City. Coordinator Crosier added that a lead time of at least two weeks would be useful to facilitate the coverage issues.

Councilmember DeLeo asked questions about the Allan Yorke Trail Project scheduled for June 5th. It was clarified that the Mayor would authorize some overtime to have an employee present to take care of some of the more dangerous duties and to drive a truck. Mayor Young said that Councilmember DeLeo could use his chain saw, but advised against loaning it to someone else to perform the work. Mayor Young also agreed that the City would cover the cost of food provided for the volunteers during the project. Assistant Public Works Director Leaf agreed to meet Councilmember DeLeo in the park to further discuss the project. He added that the wetlands areas would require special care and treatment. Councilmember DeLeo asked that planting plans incorporate the Council's original goal of including exercise stations along the trails.

2. Executive Session.

Mayor Young announced that pursuant to RCW 42.30.110(1)(b)(i) the City Council will hold an executive session to discuss issues dealing with property acquisition and potential

litigation. He said the session would last ten minutes. The session commenced at 5:58 p.m. At 6:08 p.m., a ten minute extension was announced. The regular Council session was reconvened at 6:21 p.m.

3. Open Discussion.

Cascadia Report. Director Leedy reported that staff had assembled materials and were developing an outline. He said they are trying to fill in the gaps and would report to the Planning Commission and City Council next week.

Bonney Lake Plaza II. Deputy Mayor Swatman asked about the work being done. Director Leedy explained that they were doing a fill and grade to bring the property up to level with SR410. He said he was unaware of a specific buyer or any development plans. He added that staff could provide a sketch of the grading plan. Members of the City Council expressed interest.

Fire Department emergency responses. Deputy Mayor Swatman described an incident where a 9-1-1 cell phone call was placed at 8:04 p.m. from Myers and SR410 regarding a car on fire. He said he was told the fire department didn't respond until 8:20 p.m. and then it was only the Sumner Fire Department that responded. He said he had heard that Fire Comm. had erred on the dispatch.

Councilmember DeLeo related a similar problem occurring about three weeks ago. He said a participant in the Citizen's Academy had passed-out in the Public Safety Building parking lot. Police officers called 9-1-1 immediately to get the fire department to respond from next door. He said about ten minutes later a fire truck from the Inlet Island station responded, and at the same time the ambulance pulled out of the fire station and came around the corner into the parking lot. He questioned if there is a problem with response time. Mayor Young said he will look into it.

Pennants and balloons for advertising. Councilmember King said he had previously addressed the use of non-permitted pennants and balloons for advertising. He said he had identified one location in particular, and was assured that action would be taken. He said he noticed this past weekend that this was again a problem. He added that in inclement weather, the winds can cause these advertising devices to be a hazard to the public. Director Leedy said the issue had been referred to the prosecutor.

Operational review of Police Department. Councilmember King asked about the status of the Police Department review. ASC Morrison said that four proposals had been received. He said he would provide the Public Safety Committee with copies. He advised that he would soon establish a review committee.

Allan Yorke Park Boat Launch. Councilmember King asked if the Boat Launch was now staffed for launch fee collection. Mayor Young and Assistant Director Leaf responded that an employee has been hired and is collecting fees. Councilmember Noble asked how late the launch was staffed. Assistant Director Leaf said he thought it was about 7:00 p.m.

Councilmember King asked about the overflow parking for the Boat Launch. Councilmember Johnson noted there are conflicts at times with those using the adjacent ball fields. Un-coupled parking for vehicle and trailers was discussed as a possible

solution. Assistant Director Leaf said that a survey had been done and a plan was being prepared. He said that the shift in priorities between this, the ball fields and the woodland trails in Allan Yorke Park had placed this project on the back burner. Councilmember King encouraged the staff to plan ahead to expedite the improvements before the end of summer. Councilmember DeLeo asked about emergency contact for the boat launch employee. Assistant Director Leaf said the employee has a radio capable of contacting Sumner Dispatch.

Council Corner. Councilmember Johnson informed the Council that articles for the Council Corner Newsletter are due Friday, May 21st. He said that proofs would then be sent out Monday or Tuesday.

Fast-track for approval of agreements. Councilmember Rackley said that the Community Development Committee had placed the Snack Shack Agreement and the Ball Park Well Treatment Facilities on a fast track for approval. He said they support the items being placed on the Council's agenda for action.

Inlet Island traffic calming. Councilmember DeLeo thanked the Council and staff that participated in the effort to resolve a traffic concern on Inlet Island. He said the addition of a four-way stop has made the road much safer. Councilmember Johnson said this was a good test of the Neighborhood Traffic Control Program. He noted that although the location ultimately did not fit the program, that the suggestion by Councilmember DeLeo for a stop sign provided an acceptable solution.

House-on-wheels. Councilmember DeLeo noted that next month marks the one year anniversary of the house-on-wheels issue. He asked about its status. Director Leedy said the issue is in the prosecutor's hands.

Used cars at old Bank of America property. Deputy Mayor Swatman said he had been in contact with the property manager about the number of used cars advertised for sale in the parking lot. The representative in Portland told him the property would be posted.

Change of Public Safety Committee meeting. Councilmember DeLeo and Committee members agreed that the Public Safety Committee meeting would be changed from June 7th to June 14th.

Voting delegates to AWC Annual Conference. Mayor Young reminded Council that voting delegates must be decided for the AWC Annual Conference. Deputy Mayor Swatman said the item would be on the next meeting agenda.

Bonney Lake decorations. Councilmember King said he was again mentioning the decorations on utility poles celebrating the City's 50th Anniversary. He suggested they be replaced with some newer decoration to enhance the City's image.

4. Review of Minutes: May 4th Workshop and May 11th Council Meeting.

The City Council offered no corrections to the minutes as presented.

5. AB04-111 – Ord. 1033 – Authorization to Purchase or Condemn – Schurr Bros. Property.

Mayor Young introduced the discussion by saying that the acquisition of this property is not

in the Park Plan. He said the Park Board considered the cost, but did not recommend this project. He added that they felt the money would be better used where the price per acre was not so high, and the parks could be more evenly distributed throughout the City. Assistant Director Leaf confirmed that was his recollection of the Park Boards discussion on the topic as well.

Councilmember Noble said she spoke to a couple of Park Board members who liked the idea of acquiring this property. Councilmember King said he also spoke to a couple of Board members who did not. Deputy Mayor Swatman said the property is uniquely located to expand Allan Yorke Park. He said that the condemnation process, if it goes to court, is the most equitable way to settle the cost issue, because the court and jury will determine the fair market value of the property. Councilmember DeLeo noted the lake has the third highest recreational demand of the lakes in the state. He said the land acquisition would be a good solution to the crowded conditions now occurring in Allan Yorke Park.

Mayor Young said he did not oppose the property's use for a park, he objected to the high cost of the property. Councilmember King expressed concern that the five usable acres on the property will come at great expense and take a large piece out of the funds potentially available if the bond measure passes in November. He asked what the City will do if an even better piece somewhere else in the City becomes available in the future. He doubted the City would have the funding to acquire that piece, as well.

Councilmember Rackley thinks the proposal is wonderful, but is concerned that the City will not be able to put parks where the Park Board has recommended. He said the Park Board has recommended spreading the parks out. He said he can't support the acquisition of this property because the City will not be following the plan the City is asking the citizens to support through the bond measure. Councilmember Hamilton said he feels the issue must be looked at in the long-run. He asked if future Council's will look back and be glad that the property developed. Councilmember Johnson said that Allan Yorke Park has not been developed properly. He said the park will be improved with the acquisition of this property, and that it will be a mistake not to acquire it. He said it will enhance the City's image. Deputy Mayor Swatman said he was pleased to announce that the four-acre Cedarview Park will soon become a part of the City's park system. Mayor Young said he had no problem with the Council's vision for parks, only on the amount spent for that piece of property. He said the issue will be moved forward for action at the next Council meeting.

6. AB04-96 – Resolution 1262 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing the Mayor to Make Use Of The Emergency Intertie With City Of Tacoma. [04.10.1] *Tabled from the Council Meeting of May 11, 2004.*

This issue was tabled from the May 11, 2004 Council meeting for discussion at this meeting. Councilmember Johnson asked if the resolution should include a plan for public communication. Mayor Young said there should be no problem with providing a 2 week notice to the public this summer. He cautioned that emergencies may still require immediate turn-on of the intertie. The City Council continued discussion about the merits of using Tacoma water over water from the Ball Park Well. Deputy Mayor Swatman expressed concern that the City spent \$116,000 on a lawsuit to fight the introduction of fluoride into the City's water and would now turn around and allow its introduction for the summer. Councilmember Johnson said he was concerned for prolonged use of fluoridated water, but would support the Mayor in his decision to use the water temporarily to meet the summer's

demands. Mayor Young said the issue would be brought forward for a vote again at the next Council meeting.

7. **AB04-108 – Resolution 1266 – Contract With Berk & Associates To Facilitate An Economic Development Summit.**

Councilmember Johnson moved to approve Resolution 1266. Councilmember Rackley seconded the motion.

Councilmember DeLeo asked why action was required this evening. Mayor Young explained that the work to prepare for the Summit would be needed prior to the next Council meeting.

Motion approved 7 – 0.

8. **AB04-104 (Ordinance 1031)– Motion To Set A Public Hearing For May 25th During The Regular Council Meeting To Receive Input On A 4% Refuse Rate Increase.**

Councilmember Rackley moved to set a public hearing for May 25th during the regular Council Meeting. Councilmember King seconded the motion.

Councilmember DeLeo questioned the need to set a public hearing at the workshop this evening. Mayor Young said that action was needed to expedite the approval of the agreement because of the 45 day noticing requirement of the City's proposed change of rates.

**Motion approved 6 – 1.
Deputy Mayor Swatman voted
no.**

9. **AB04-102 – Annexation Area 7 – 10% Petition to Commence Annexation Proceedings – Ashton Woods/WoodBriar.**

Annexations Planner Mayfield-Porter reviewed the past history of failed annexation for this area. She described how changing conditions may now make annexation of this area successful. She urged action to resolve the question so that the developers would have some resolution about what jurisdiction they will develop under. The City Council discussed the proposed motion. Mayor Young said it would be brought forward for Council action at the next Council meeting.

10. **AB04-67 – Resolution 1240 – DM Disposal Agreement.**

Councilmember King asked about the provisions for recycling in the agreement and the ability to adjust rates. Assistant Director Leaf said that DM was looking to implement a county-wide program and that they would come back to the City with any increased costs due to the recycling program implementation. Councilmember King asked if a county-wide plan would pre-empt any plan initiated by the City. Councilmember Johnson expressed concern that the contract term was too long. The Council discussed the pros and cons of opening up the service to competitive bid if an agreement with DM could not be reached. Mayor Young said the item would be on the next Council meeting's agenda.

11. AB04-95 – Ord. 1030 – Adjustment of Ward 2 Boundaries to Include Annexed T&S properties.

Councilmember DeLeo noted that the proposed ordinance identifies property south of SR410, when it should really say “north” of SR410. Mayor Young said it would be corrected and moved forward for action.

12. AB04-55 Proposed Ordinance Dealing With Personal Wireless Communications Facilities.

Mayor Young said the proposed ordinance deals with tower definitions and spacing. Councilmember Hamilton asked Councilmember DeLeo if he had obtained information on the issue from the Rainier Communications Commission. Councilmember DeLeo said he did not remember offering to contact them. Councilmember Hamilton expressed concern that the ordinance decreased the incentive for companies to use camouflaged towers. Councilmember Rackley asked if the Council desired to take the approval of cell towers out of the hands of the Hearing Examiner. City Attorney Dionne advised the Council that there are legal advantages to the use of a hearing examiner. Mayor Young suggested dealing with the location issues in this ordinance and bringing the discussion about Council review to another meeting. He said staff would look at the impacts of removing the Hearing Examiner from the process. To provide greater clarity to the ordinance, Councilmember DeLeo asked that the words, “In no case...”, be removed from Section 1 of the ordinance. There was general consensus for the change. Mayor Young said the ordinance would be brought forward for Council action.

13. June 29 Joint Workshop with Planning Commission.

Mayor Young said the Planning Commission has requested a joint workshop with the City Council on June 29th. There was general consensus for the special meeting.

14. Adjournment.

With no objection from the Council, Mayor Young adjourned the meeting at 8:09 p.m.

Harwood T. Edvalson, City Clerk

Robert Young, Mayor