

City of

COUNCIL WORKSHOP

July 20, 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

Deputy Mayor Dan Swatman called the workshop to order at 5:33 p.m. Also in attendance were Councilmember Mark Hamilton, Councilmember Neil Johnson, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley. Mayor Bob Young and Councilmember Phil DeLeo were absent.

Staff members attending were Administrative Services Coordinator (ASC) Don Morrison, Finance Director John Weidenfeller, Police Chief Bryan Jeter, Planning and Community Director Bob Leedy, City Engineer John Woodcock, Judge James Helbling, and City Clerk Harwood Edvalson. City Attorney Jim Dionne joined the meeting a few minutes after the roll call.

Councilmember Noble moved to excuse Councilmember DeLeo from the meeting. Councilmember Hamilton seconded the motion.

Motion approved 6 – 0.

Agenda Items

1. AB04-63 – Salary Commission – Interview of Peter Carrington. [A3.6.10] [A 4.3.1]

Deputy Mayor Swatman noted that Peter Carrington was not in attendance at the meeting. Citing the protracted effort to interview and confirm candidates, Deputy Mayor Swatman proposed that the Mayor be allowed to gather a committee to consider the Mayor's and Council's salaries and then have the results reported to the Council for action. He said the difference between this proposal and the salary commission method previously approved by the Council is that the Council would not receive any salary increases until the end of their current terms. He added that under this proposal, the Mayor's salary could increase immediately with Council approval. He noted that under the salary commission model, the commission could recommend increases that the Council would then be bound to implement. He objects to the loss of Council control over its own salaries.

Councilmembers Rackley and King spoke in favor of continuing the process of interviewing and confirming the commission appointments. They noted that summer is often a difficult time for people to attend council meetings and noted that there is no rush to complete the process. Councilmember Noble voiced fatigue with the process and concern over the amount of time already spent on the issue. She said there are much more important things on which the Council should be spending its time. There was a majority consensus to table the issue to the next workshop.

2. AB04-162 – A Motion Of The City Council Of Bonney Lake, WA Confirming The Mayor's Appointment Of Daniel L. Grigsby As Public Works Director And Authorizing Reimbursement Of Moving Expenses In Accordance With Resolution 1021.

The City Council discussed some of the terms of the proposed employment agreement with Mr. Grigsby, including salary, the proposal to reimburse a portion of Mr. Grigsby's moving expenses and the time-in-job commitment attached to the reimbursement. Councilmember Johnson expressed concern that one year was not a sufficient commitment for the reimbursement of moving expenses. He favored at least two years. Deputy Mayor Swatman was concerned that Mr. Grigsby would be appointed at the top of his range, and that there would be no further salary growth to encourage longevity.

Finance Director Weidenfeller noted that Mr. Grigsby would yet have to give notice to his current employer and wanted to move up and get his son established before the start of the school year. He urged the Council to take action this evening to approve the employment agreement. Councilmember Rackley felt action would be appropriate with a two-year commitment from Mr. Grigsby and an offer of \$10,000 toward his relocation expenses.

Noting that many had not yet met Mr. Grigsby, Deputy Mayor Swatman suggested the City fly Mr. Grigsby in for the weekend. He asked Director Weidenfeller to contact Mr. Grigsby and see if he would be available. Further discussion was tabled until Director Weidenfeller could speak with Mr. Grigsby.

3. Open Discussion

Ascent Park. Councilmember Johnson objected to the Park Board determination that improvements to Ascent Park are a low priority. He said he feels Ascent Park should be under the purview of the Image Committee because it is the gateway to the City and contains no recreational facilities. Administrative Services Coordinator (ASC) Morrison said that Assistant Public Works Director Leaf would provide a site plan for review by the Image Committee. Councilmember Noble asked if the Image Committee is designing the new signs to replace the old ones. Councilmember Johnson said that the administration needs to take a more proactive lead in the City's public relations and in developing action plans to address such things as the signs.

Police Department Review. Councilmember Hamilton asked if there will be an overview given or workshop to be informed on the consultants approach and ground rules. ASC Morrison said the scope of work includes a kickoff meeting which could be used for that purpose. Councilmember Rackley suggested that all the Council would want to be involved.

Draft County-wide Planning Policies. Councilmember King reported on his recent attendance at a Pierce County Regional Council (PCRC) meeting where the draft County-wide planning policies were discussed. He said that, for the most part, most of what has been proposed so far is non-controversial to the City of Bonney Lake. He said the hang-up for that committee is on the subject of tiering, defined as what has priority for allowing building within proximity to city services. He said the PCRC opinion is that this concept, employed by the County since 1997, is not working because it allows too much to happen in unincorporated Pierce County that then impacts the incorporated

cities. He said the next PCRC meeting will be in September. He said the County's new plans to address shorelines and wetlands will require study by the PCRC to understand the impact on the County-wide Planning Policies.

Old Fire Station on Locust. Councilmember King expressed concern that the old fire station on Locust is an attractive nuisance with broken doors and windows and has an abandoned boat and car on the property. He asked that the property be posted and appropriately abated. Planning and Community Services Director Leedy said that the Code Enforcement Officer is working with the City Attorney's Office to pursue abatement of the violations. He added that the abandoned vehicle is in process, and that there is still a prospective buyer negotiating on the purchase of the property. He said the property was mis-advertised as being divisible into four lots. He said the zoning only allows for two lots.

Urban Densities in Non-urban Areas. Deputy Mayor Swatman asked Councilmember King about the status of prior PCRC discussions related to the development of urban densities where urban services don't exist. Councilmember King responded that the concept is tied up in the current tiering discussion.

Council Proclamations. Councilmember Rackley asked City Attorney Dionne if the Council can make a proclamation. City Attorney Dionne said the Council is free to make proclamations because such an action will not impact anyone's rights. Councilmember Rackley proposed that the Council recognize the Police Department for their good work. Councilmembers Noble and King said they liked the idea.

Financial Reports. Councilmember Noble asked about the date on the quarterly expenditure reports. Director Weidenfeller clarified that the reports only include data through July 15. Councilmember Rackley asked about receipt of revenue. Director Weidenfeller explained that revenue from construction and building related permits are slow this year. He added that the receipt of revenues is not linear throughout the year. He said the City receives property taxes twice yearly and that sales tax receipts lag behind actual sales by two months. Responding to Councilmember Johnson's inquiry about the 2003 Annual Financial Statements, Director Weidenfeller said they would be available by July 23rd.

Exit Interviews. Councilmember Johnson asked about Dave Papandrew's separation from employment. He asked if an exit interview had been conducted and if the results would be available to the Council. City Attorney Dionne explained that exit interviews are an administrative function, and that the detailed report would not be available to the Council. He said that the Council could ask for an annual report that would summarize trends in separations from City employment.

Senior Human Resource Analyst. Councilmember Johnson asked when the new human resources person would be working. ASC Morrison said the new employee would start August 2nd.

Cascadia Update. Deputy Mayor Swatman said that he and others had met with Patrick Quo. He said he understood that Cascadia would be coming to a Council workshop in the near future. He added that his main concern continues to be about the impacts to the City of Bonney Lake. He expressed concern for needed improvements to 192nd Avenue East. Director Leedy said that the City had earlier conceded that the amount Cascadia

paid to the County in mitigation was sufficient for their impact on this street. He added that Cascadia and the County are in control of scheduling the improvements. City Engineer Woodcock said the Public Works Department is working to recoup some of the funds spent on projects already constructed by the City and County for which Cascadia was obligated to build in the future.

Visit by Daniel Grigsby: Director Weidenfeller reported that Mr. Grigsby would be willing to visit again in the City. The Council determined it would be inappropriate to pay for his wife's fare to travel with him. After discussing further the offer to Mr. Grigsby, there was a majority consensus to offer \$10,000 in moving expenses in exchange for a two year agreement to stay on the job.

4. Review of Minutes: July 6 Council Workshop and July 13 Council Meeting.

Councilmember Noble asked that the City Clerk check for and correct the spelling of Mr. Leddy's name on page 13 of the July 13 minutes. Deputy Mayor Swatman asked that the reference to a deduct meter be corrected on page 5 of the same minutes. He also asked that the use of the word "here" be corrected to "hear" on page 9.

5. AB04-123 – Resolution 1272 – 6 Year TIP.

The City Council reviewed the proposed plan. Discussion included the area around the new high school, anticipated contributions from Cascadia toward transportation improvements, a proposed corridor study for the area and the chip seal program. There was general consensus that more emphasis should be placed on funding to maintain an effective chip seal program to preserve the City's streets. The need for a street striping and signage plan was discussed. The request was made to place upcoming schedules in the City newsletter.

At 7:03 p.m., Deputy Mayor Swatman responded to the request by Councilmembers Rackley and King by calling for a 10 minute recess. The meeting was reconvened by Deputy Mayor Swatman at 7:19 p.m.

6. Proposed Draft Ordinance Re: Hearing Examiner.

The City Council discussed this issue and expressed regret that Councilmember DeLeo, the author of the proposed ordinance, was not present to participate in the discussion. Director Leedy and City Attorney Dionne were convincing in their explanation of why the Hearing Examiner process should not be abandoned. They said that if the Council or Planning Commission took over the Hearing Examiner's role, they would have to make essentially the same findings and conclusions because the Hearing Examiner renders his decision on the basis of law and the intent of the law as contained in the codes. To vary broadly from that process would be a liability to the City. City Attorney Dionne likened the process to the Supreme Court and the legislature. He said the Supreme Court makes rulings based on the law and the intent of the law. He added that when the legislature feels the court has erred, they then take a legislative action to change the law. He encouraged the Council to be cautious about participating in the hearings before the Hearing Examiner, explaining that those who do may have to recuse themselves from further deliberations at the Council level. City Attorney Dionne referenced an annual report from the Hearing Examiner where he notes inconsistencies or concerns with the code that have impacted his decisions. The Council asked to see the report and

concluded that the proposed ordinance was not viable.

7. Proposed Draft Ordinance Re: Sewer Service to Property Outside City Limits.

Councilmember Hamilton introduced the discussion of this proposed ordinance. He said the ordinance would have the advantage of securing the developers approval of future annexation and development according to City codes. He added that there was an escape mechanism for the developer if the County requires development to their code rather than the City's. He added this type of agreement will help the City with its future planning. The Council discussed this proposed ordinance and found sufficient merit to ask the City Attorney to flesh out the ordinance for their further consideration.

8. Return to Open Discussion:

Business Licenses. Councilmember Rackley asked about collecting business license fees from businesses participating in Bonney Lake Days. He suggested that those doing business, for Bonney Lake Days only, should not have to pay the fee for a full year. ASC Morrison said he would check to see what the past practice has been and report back.

9. Executive Session.

Deputy Mayor Swatman announced a thirty-minute executive session. Pursuant to RCW 42.30.110(1)(i), he said the Council will discuss issues dealing with potential litigation. Deputy Mayor Swatman announced that no official action would be taken resulting from the executive session. Consequently, the audience left. The session commenced at 8:20 p.m. and concluded at 9:00 p.m.

10. Adjournment.

At the conclusion of the executive session, Deputy Mayor Swatman adjourned the meeting based on the motion and second of Councilmembers Rackley and King. The meeting ended at 9:00 p.m.

Harwood T. Edvalson, City Clerk

Daniel Swatman, Deputy Mayor