

City of

COUNCIL WORKSHOP

August 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 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, Police Chief Bryan Jeter, Planning and Community Director Bob Leedy, Maintenance and Operations Supervisor Rick Shannon, Finance Director John Weidenfeller and City Clerk Harwood Edvalson. City Attorney Jim Dionne joined the meeting at approximately 5:40 p.m.

Agenda Items

1. AB04-172 – Res. 1296 – Award of Contract for Facilities Planning for Community Recreation Center & City Hall Complex and Design of New City Hall – ARC Architects.

Mayor Young introduced Rex Bond, a principal with ARC Architects. Director Leedy provided background information related to the selection of ARC. Mr. Bond said that their goal in the design of the new city hall is to express what it means to be part of the Bonney Lake Community. He said that the design of city halls and community centers is the mainstay of his firm. He described Phase I of the project as focused on the preliminary planning and gathering of information that will influence the design. He said this phase includes two community workshops. He added that the second phase of the project is the standard design and building process.

The City Council discussed briefly the inclusion of the Police Department facilities in the new City Hall. Several Councilmembers spoke favorably about retaining the Police Department headquarters at the Public Safety Building. Mayor Young said the consultants would report back with recommendations for the location of the Police Department. He added that a dialogue for the future of the building has been initiated with Eastside Fire and Rescue, who currently shares the building.

2. AB04-63 – Salary Commission – Interview of Peter Carrington.

Mr. Carrington introduced himself saying that he owns a mortgage business, and his wife, a dance studio in Auburn. Responding to Council questions, he said that he had no experience with elected boards or commissions, and that he was working on the campaign for Representative Dan Roach. He said that he had contributed to Mayor Young's campaign. He said he wants to be active in the community and eventually to get into politics.

Concern was expressed that Mr. Carrington might find service with the salary commission injurious to his political aspirations. When asked if he thought he could be open, fair and impartial, he responded, yes. Mayor Young thanked Mr. Carrington for his willingness to participate in the meeting this evening.

Deputy Mayor Swatman reiterated his proposal made at the last Council workshop. He invited the Mayor to form a citizen body to study the issue and make recommendations to the Council for their action. He said any change in the Mayor's salary would be immediate, but changes to the Councilmembers' salaries would not be effective until the start of their next term. After additional discussion, Mayor Young announced that he would bring the item back for confirmation of the Commissioners on an individual basis. He assured the Council that he would not encourage the Commission to begin work until three members of the Commission had been confirmed.

3. Open Discussion

Progress in 2004. Mayor Young took the opportunity to outline some of the successes and facts and figures about the City that are encouraging.

He noted that during July, comparing the figures from the Ball Park Well last year with the amount of Tacoma water used this year, the City used 4 million gallons less this year while the temperature has been hotter. He said the voluntary conservation of the citizens and the City's planning will allow the City to get through the summer. He said that a legal challenge to the City's plan to construct a new water storage facility would set the City's water master plan back almost a full year. He complimented the Council on a good, well conceived plan.

Mayor Young said the annexations have done a lot to square up the City's boundaries. He predicted the U-8 area would yet be annexed because of the City's greater environmental restrictions than the County's. He said that the work from the Foster-Wheeler study for the preservation and restoration of Fennel Creek has already begun, and that some of it can be done for much less than predicted by one of the conservation groups.

He added, the City has complied with the laws pertaining to development growth, and that the commercial base has been enhanced and is still growing. He said it will help buy more park land and develop community facilities. He noted that the City has shortened permit timelines and increased permit fees. He added that the City has some of the highest park and transportation mitigation fees in the area. He said the City has added new water sources and fought for its right to determine the fluoridation of the City's water—all the way to the Supreme Court, and the City won. He said zoning guidelines are being considered for change and that the City's sewage capacity is being doubled. He said the City needs to do the difficult and look twenty years down the road.

Mayor Young said that the City's storm drainage systems are being upgraded and water is being filtered before entering the lakes and streams. He noted that the citizens are helping in that process. He said that last week the Council approved a five year garbage contract—the best the City's ever had. He said the design team has been selected for the new City Hall. He said he's challenged his staff to come up with a creative and innovative plan to unite the Downtown and Mid-town business areas of the City.

He said the new Eden financial system is in place for the City. He added that the staff continues to implement and work with the new modules. He said it is an incredible system with great potential. He noted that the City departments are, percentage-wise, right on with their historical targets for expenditures, and that he's pleased with that. He said he has tried to keep a tight-rein on department expenditures, and monitors their spending on a regular basis as his prerogative and responsibility. He added that if the City can find a better way to do the job, then they will do it.

Mayor Young said that as a result of citizen initiatives, the traditional funds for the City's streets programs are no longer there. He urged the Council to keep this in mind as the budget is prepared. He reminded them that the traffic mitigation fees are for new projects, not for maintaining the existing streets. He said the newspaper reported 40% growth in the City during the last four years. He added that people want to come to Bonney Lake and there are good reasons for it. He said the Council's common-sense decisions have allowed the City to grow and encouraged them to use common-sense and innovation to meet the community's needs.

He said we live in a difficult and interesting time. He said the police and fire departments seem to be well trained in homeland security and emergency preparedness. He said the City has hired a new Senior HR analyst, which has brought the City to 100 full-time employees. He noted that this number of employees has placed the City in a new category of reporting requirements.

Mayor Young reflected on the Council's efforts to meet the needs of the City and believes they have the citizens' well-being in mind. He said the City struggles with incredible growth outside the City's borders which causes additional problems. He expressed appreciation for the talented City staff, and pledged their efforts to help meet the challenges of growth and change. He noted the future build-out of the City's commercial areas and cautioned the Council to be careful with land purchases and how the money is spent to expand the City's parks.

He said he hears from a lot of citizens as part of his job. He says that they are generally pleased with what's taken place in the community. He advised against allowing the whiney voices and the complaints of the few to mar the delight and satisfaction of the many. He noted that the Council Chamber is generally not full, because the citizens are by-and-large happy with their community and they like living here. He thanked the Council for their indulgence this evening and encouraged them to move on.

New HR person. Councilmember Rackley asked why the new HR person was not present to be introduced. Mayor Young explained that although she has started work for the City of Bonney Lake, she had a few things to complete in her old position and he had agreed to allow her to finish them up.

Bonney Lake Conservation Association. Councilmember Rackley noted that he attended a meeting of the Bonney Lake Conservation Association. He said they will have a work day at the City and County park on 9/11 from 9:00 a.m. to Noon with a bar-b-cue afterwards.

Name-the-Street Contest. Councilmember Rackley asked Councilmember DeLeo if he had any submittals on the Name-the-Street Contest. Councilmember DeLeo said he'd

received several proposals. He said the program would be run a couple of weeks into the school year to encourage greater participation.

One-minute comments. Councilmember Rackley suggested the Council reconsider the one-minute opportunity for citizens to address the Council before action on resolutions and ordinances. He said that they are generally non-productive. He noted that the public already has time allotted under the public comments portion of the meeting. Deputy Mayor Swatman agreed, and suggested that the change should be made as part of the regular review of the Council's Policies and Procedures. Councilmember Rackley asked that the review be scheduled for discussion at the next workshop.

New HR person. Councilmember Johnson noted the new organizational chart distributed to the Council and asked about the reporting structure for the new HR person. Mayor Young said she reports to the Mayor. He added that she will be working with Cathy Harstad and Annette Maab. He said that she has been asked to make no real changes for six months unless they were of an urgent nature. He said this would allow her to learn the current system before recommending changes. He said that department directors will work directly with her with respect to HR issues. He said she's really a director in nature. Councilmember Johnson asked if Director Weidenfeller will continue to be involved in personnel. Mayor Young responded that Director Weidenfeller deals with money and the HR person with personnel. He added that John will not work in HR, that the HR person will report to the Mayor.

Appreciation expressed. Councilmember Hamilton expressed appreciation for the work of Code Enforcement Officer Denney Bryan in having the commercial signs removed across from Ascent Park. He also thanked Administrative Services Coordinator (ASC) Morrison and City Attorney Dionne for their work on the DM Disposal agreement.

School Impact Fees. Councilmember Hamilton asked about the status of school impact fees. He also asked if the City will recover an amount for administration of the fee collection. Director Leedy said the fee is waiting for the capital facilities plan under the Phase II Comprehensive Plan Update. He said it was in the SEPA review stage. He added that he hoped the school district would collect its own fee and report the results to the City.

Bonney Lake Elementary and Schuur Bros. Properties. Deputy Mayor Swatman asked City Attorney Dionne if there was an update on the City's efforts to acquire these two parcels. City Attorney Dionne replied that he had no update on the Bonney Lake Elementary parcel. He said that the City is waiting for an appraisal on the Schuur Bros. parcel and that the City had received a counter to the stipulation the City had offered. He said that title does not transfer until the last dollar is paid for the property, but that the City may take possession of the property. He said, however, that the order of possession is reversible.

Italian Restaurant and Harborstone Bank. Deputy Mayor Swatman asked about the payment of traffic impact fees on the Italian Restaurant. Director Leedy said he would have to report back, but that the project has been a challenging one. He said he would also report back on the Harborstone Bank development. Responding to the Deputy Mayor's question, he said there would be circulation from the property through the Midas Muffler parcel as well as direct access to SR410.

Fluoride in Sumner. Councilmember Rackley said he wanted to inform Council that Sumner has discontinued putting fluoride in their water.

City gateways. Councilmember Johnson asked about the status of the gateway plans. He explained that the consultant who did the ball park design has submitted plans for the City's gateways. ASC Morrison suggested that the plans be discussed at the next workshop.

Planning Commission. Councilmember Johnson asked for confirmation that the Mayor is preparing to appoint people to the vacancies. Mayor Young responded that he had at least one person ready to appoint.

Revenue status report: Councilmember Johnson asked for clarification on the revenue status report recently provided to the Council. Director Weidenfeller explained that there is a difference in the traffic mitigation fee item and the transportation impact item. He said the first is reporting SEPA mitigation fees received, the latter is reporting the impact fee receipts. Mayor Young added that some of the impact fees are received in kind, such as the new road being constructed by the Target development. Councilmember Johnson noted that retail sales revenue is ahead of projections. He said the City's departments are within budget, but that park expenditures are under budget. He added that the City's streets department needs help and suggested that Council focus attention there.

Chip seal program. Councilmember Rackley noted that the City's chip seal program would soon be under way, but that there was little opportunity to add to the scope of the program this year. Mayor Young added that the contractors are booked well in advance and most are now unavailable until late September when the weather may be more questionable. Councilmember Rackley suggested doubling the program in the coming year.

Neighborhood trash program. Councilmember Johnson asked about the status of the CDC's consideration of a neighborhood trash cleanup program. Councilmember Rackley said he would report back.

Organizational chart. Councilmember Johnson asked that the organizational chart be corrected to properly reflect the title of his position.

Council consideration of Hearing Examiner. Councilmember DeLeo said he was sorry to have missed the discussion of his proposed ordinance. He said another instance of the Hearing Examiner misrepresenting the Council's intentions had been reported. He said he would not drop the issue.

Boat launching. Councilmember DeLeo requested the placement of ecology blocks on both sides of the causeway to Inlet Island. He said he received two calls about people launching boats off of the causeway because the other boat ramps were full or closed. Mayor Young responded that Council is already looking at the situation.

Nuisance vehicle abatement ordinance. Councilmember DeLeo reported that Code Enforcement Officer Bryan has been at the Public Safety Committee meeting to discuss the nuisance vehicle abatement ordinance and the difficulties with enforcement of the ordinance. He asked that City Attorney Dionne send him a copy of the same email that went from the prosecutor to Code Enforcement Officer Bryan.

Public Safety Building. Councilmember DeLeo said that when the building was originally constructed, a shortfall of funds precluded an automated sprinkling system. He noted that last year the Council allocated \$3,000 for installation of a system. He said that now is the time to spend the money to protect what landscaping is left. He noted the existence of a debris pile left behind the Public Safety Building and expressed concern that it may pose a fire hazard.

Domestic violence court fee. Councilmember DeLeo said he had received an email from Ardith DeRaad of the Alliance Against Domestic Violence (AADV). He said she asked if the city could direct the court fee approved last month toward training through her organization. City Attorney Dionne said the City could contract her for domestic violence abuse training, but that it could not just direct the court fees to her organization.

Officer meals. Councilmember DeLeo asked how officers who are working the scene of a crime or an emergency situation are fed. He noted that during the child drowning on Inlet Island, Chief Jeter provided food to his officers but was denied reimbursement for the expense. Director Weidenfeller said he had sought input from the State Auditor's Office and was directed to an Attorney General's opinion that said this was not a proper use of City funds without pre-authorization for such situations by the City Council. Several Councilmembers expressed concern. City Attorney Dionne said he would look at the City's current policy to see if it can be revised to address the situation.

Old fire department building. Councilmember King said he has had contact with Chief Building Official Hight, who informed him that a new purchase and sale agreement is pending for the old fire department property. He expressed hope that the nuisance conditions on the property would soon be resolved.

Nuisance Vehicle Abatement Ordinance II. Councilmember King complimented Code Enforcement Officer Bryan for his calm demeanor in reporting and responding to Council's questions at the Public Safety Committee meeting. Additional conversation between the Council and the City Attorney ensued about the possible inadequacies of the ordinance. Councilmember King expressed dismay that the ordinance had been touted as a model ordinance, but still had apparent difficulties with enforcement. He encouraged corrections to be submitted by the City Attorney's office to make the ordinance more effective.

House-on-wheels. Councilmember DeLeo reported that the previous house-on-wheels issue has been resolved. He said the home is now on blocks and a foundation has been poured.

At 7:25 p.m., Mayor Young declared a 10 minute recess. The meeting was reconvened by Mayor Young at 7:39 p.m.

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

No corrections to the minutes as submitted were put forward by the Council.

5. **AB04-168 – Ordinance 1052** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Granting An Exclusive Franchise To Provide For Collection And Disposal Of Solid Waste, Recyclables, And Yard Waste; Establishing A Franchise Fee; And Terminating The City Garbage Service Utility.

Councilmember DeLeo moved to adopt Ordinance 1052. Councilmember Rackley seconded the motion.

Councilmember DeLeo questioned the need to adopt the ordinance during a workshop. City Attorney Dionne explained that the franchise and approved agreement with DM Disposal is scheduled to start on September 1. He said Council action is important to meet the timelines. He said the Council could wait until the next regular meeting, but advised against waiting any longer than that. He added that this ordinance only decides who does the billing and whether or not the City retains a refuse utility or allows it to become a franchised service. Responding to Councilmember Hamilton's question about the franchise fee, City Attorney Dionne said that the franchise fee is an amount established by the Council and is passed through to the customer. He said DM and the public need notice of the increase before the September 1 date.

Motion approved 7 – 0.

6. **AB04-173 – Ordinance 1054** – An Ordinance Of The City Of Bonney Lake, Pierce County, Amending Chapter 8.04 Of The Bonney Lake Municipal Code And Ordinance Nos. 925 § 1, 828 § 1, 803 § 1, 622C § 1, 622B § 1, 622B § 1, 622A § 1, 622 § 1, 389D § 1, 389B § 1, 389A § 2, 389 § 11, Relating To Rates For Solid Waste Collection. .

Councilmember Rackley moved to adopt Ordinance 1054. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

7. AB04-138 – Res. 1283 – Tuggle Latecomer Agreement for sewer improvements.

Mayor Young noted that if approved, this agreement would allow Ms. Tuggle to be reimbursed by the other four adjacent lots for her initial outlay to extend the sewer. There was no further discussion. Mayor Young said the item would be moved forward to the next regular meeting.

8. AB04-145 – Res. 1287 – Authorizing the Disposal of Surplus Property.

Deputy Mayor Swatman asked about ASC Morrison's comments about an easier process for the disposal of surplus property. ASC Morrison explained that some Citys establish a value below which triggers an administrative process for disposal of the surplus items. Deputy Mayor Swatman said he thought this might be a better process rather than having Council review items with a nominal value. Councilmember Noble said she has no problem with such items being listed for review with those of more substantial value. Councilmember DeLeo asked if the AADV would be allowed to purchase the surplus items at the value listed by the City. Director Weidenfeller said he would try to have a response by the next meeting. Mayor Young said the item would be moved ahead for Council action.

9. AB04-174 – Street Tree Ordinance and Tree Board.

Councilmember Hamilton said a tree program promotes community awareness of the importance of trees. He said, generally, programs such as Tree City USA are more educational than regulatory. He said the program would be good for helping to build the City's image. Deputy Mayor Swatman said he had obtained a sample ordinance from Woodinville. He questioned the need to establish a separate tree board. He suggested the Mayor establish an ad hoc committee, like the original design commission, to study the issue and make recommendations. There was consensus to invite Ben Thompson with the Department of Natural Resources to address the Council at a workshop on September 21st. In selecting a date, Deputy Mayor Swatman noted that August 31st was a fifth Tuesday and would make a good opportunity for a joint special meeting with the Planning Commission to receive a presentation on and discuss the Cascadia Development.

9. Adjournment.

With no objection, Mayor Young declared the Council Workshop to be adjourned at 8:07 p.m.

Harwood T. Edvalson, CMC
City Clerk

Robert Young, Mayor