

City of

COUNCIL WORKSHOP

November 16, 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, Finance Director John Weidenfeller, Planning and Community Development Director Bob Leedy, Public Works Director Daniel Grigsby, Planning Manager Steve Ladd, Assistant Public Works Director Gary Leaf, Information Technology Coordinator Chuck McEwen, Senior Accountant Barbara Barth, City Attorney Jim Dionne and City Clerk Harwood Edvalson. Planning Manager Steve Ladd joined the meeting in progress.

Agenda Modification:

Councilmember Rackley moved to amend the agenda by replacing Agenda Item #2 with AB04-153 – Ordinance 1044 and AB04-172 – Ordinance 1045; and by inserting AB04-276 – Ordinance 1085 as Item 13, and renumbering the agenda items that follow. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

Agenda Items

1. Open Discussion

Police Department Review. Councilmember Johnson asked if the Police Department review was completed. Mayor Young responded that he had received a draft which was being reviewed. He anticipated the completed report would be available to the City Council next week.

Councilmember DeLeo asked if the Mayor would be making changes to the draft. Mayor Young replied that the consultants had asked for review of the draft and that corrected references to the Municipal Code and the Revised Code of Washington are being supplied.

Three-way stop sign. Councilmember DeLeo said that he had attended a recent forum at Sumner High School. He said he had been approached about the need for a three-way stop sign at the intersection of Church Lake Drive and Kelly Lake Road. Mayor Young noted that this intersection is in the County. Deputy Mayor Swatman asked that staff relay the City's concerns about the intersection to the County. Mayor Young agreed.

Developer's Sewer Extension Agreement. Deputy Mayor Swatman asked the Council if they would support placing one of the tabled extension agreements that reportedly deals strictly with sewer on the next Council meeting's agenda. Councilmember Johnson asked if there was allocated capacity for the project. Deputy Mayor Swatman said that staff apparently shows availability. There was general consensus to consider this item on the Council meeting agenda if it exists.

Special Workshop – November 30, 2004. Deputy Mayor Swatman suggested that the Council use the fifth Tuesday in November for a special workshop to work on the budget. Public Works Director Grigsby asked if the Council would be willing to consider the design contract for the Eastside Pipeline, Phase I and the Tacoma Water Agreement. Deputy Mayor Swatman said the pipeline agreement had been cleared by the CDC to go directly to the next Council meeting. Councilmember Johnson advised holding the Tacoma Water Agreement to the first workshop in December, so that the Council might concentrate the special workshop on the budget. There was general consensus to hold the discussion of the Tacoma Water Agreement until the first workshop in December.

Budget questions. Mayor Young noted that Finance Director Weidenfeller would not be available for the November 30 workshop. Deputy Mayor Swatman suggested that Council approach Director Weidenfeller before the Thanksgiving vacation with individual budget questions.

Beautification programs. Councilmember Johnson asked Chairman Rackley if the Community Development Committee (CDC) had yet considered recommendations on appropriate neighborhood beautification programs. Councilmember Rackley said he would put it back on the CDC agenda for discussion.

Valuation of water system. Councilmember Johnson asked how Director Weidenfeller would value a water system. Director Weidenfeller said he would use the MAI approach. He said he would consider what the system would generate in terms of revenue, what it would cost to build the system from scratch and what the fair market value of the system would be.

Junk vehicle removed. Councilmember King expressed appreciation for the removal of a junk vehicle previously located near 68th. He said the process was lengthy but apparently working as per the ordinance. He encouraged abatement of vehicles on properties near SR410 and Albertsons. He added that he looked forward to Code Enforcement's goals for next year.

Seeding of property. Councilmember Rackley expressed appreciation for the grass seed placed on the property across from the Public Safety Building on Old Sumner Buckley Highway.

Teen Late-Night Activity. Councilmember DeLeo read from a flyer advertising a Teen Late-Night activity sponsored by the Sumner parks and recreation department at the Robert Miller Gym.

Rhodes Lake Road Corridor. Councilmember King asked if staff has had recent contact with any of the interested parties in the Rhodes Lake Road Corridor improvements. Director Grigsby said staff would be attending a meeting in Sumner on the topic on Wednesday and a meeting with the County on Friday. Councilmember King asked to be provided any updated information that he might use at the Pierce County Regional Council (PCRC) meeting on Thursday. He added that the PCRC has recently been a successful venue to advocate issues for the cities.

Bonney Lake Elementary School and Schuur Bros. Properties. Mayor Young said the City would shortly have title to the property purchased from the school district adjacent to the Bonney Lake Elementary School. He added that the city now had use of the Schuur Bros. property and that staff has determined that buildings on the property will be useful for storage. He added that the house appears to be repairable for lease, but that the house on 96th would be abated for asbestos and given to the fire department for practice.

Mayor Young suggested that the agenda be modified to allow Rebecca Giles to address the Council on the topic of the Metropolitan Park proposal. There was consensus from the Council to take this item next on the agenda.

2. Discussion: AB04-273 – Resolution 1349 – Metropolitan Park District.

Mayor Young introduced Becky Giles as the Community Recreation and Education Coordinator. He said he sits on the Board that oversees the Recreation Department, and that they have been working on a metropolitan park district to include Bonney Lake, Sumner, the Sumner and Dieringer School Districts and Pierce County. He said the result would be a metropolitan park district like the one recently approved in Gig Harbor. He added that it is estimated the district would have between \$.17 and \$.21 per thousand of assessed value in taxing authority. Mayor Young said the district would replace the aging Sumner School District swimming pool and incorporate it into a regional recreation/community center complex. He noted that a public vote would be required to form the district.

Ms. Giles noted that parts of the Sumner School District in Edgewood and Pacific would not be included in the park district boundaries. She said the park district would generate about \$9 million in initial funds for construction with an annual revenue stream of approximately \$645,000 for maintenance and operations. She said it is anticipated that the pool would be phase one for the district construction. She added that the initial board composition would probably be two Councilmembers from Bonney Lake, two from Sumner and one from Pierce County.

Councilmember Hamilton said he does not favor creation of a new district. He said he feels it is the school district shunning its responsibility and looking for an additional resource to provide a pool for its program. He expressed disappointment with the County as well. He noted that they now have three golf courses, and suggested that they should put some money towards a pool. He added that he thought the election on the issue would fail, be a waste of time and confuse the public. Councilmember Johnson added that perhaps the City should hire Ms. Giles and start its own recreation program. Councilmember Hamilton said the City is under pressure to build a parks system. He said that most of the available property will be purchased for development and then the City will have to pay even more to obtain it. He asked where the regional park is that the County promised the taxpayers.

Ms. Giles noted that the current pool is used approximately 90% of the time for public purposes. She added that the School District is only teaching one class in the pool at present. She said that Interlocal cooperation is the best thing to team up and combine resources for recreation projects. She said the park district would be a benefit to the community. She added that Phase I could exclude a pool if that's what the park district board wants. She said, however, that she believes the public will support the district and a pool. Councilmember Johnson commented that Sumner is an older city and has parks all over. He asked how Bonney Lake can move forward with development of a park system and also support a park district. Councilmember King agreed. He noted that Councilmembers DeLeo and Noble and he participated in negotiations with the County on a regional park, and that Bonney Lake was the last one to remain at the table. He said this

proposal doesn't get the City where it needs to go in terms of a parks concept. He said that Bonney Lake's needs appear to be athletic fields and sports complexes. Ms. Giles said that the park district could provide more of these types of facilities as well. She said the district board could make such determinations. She said the school district walked away from the regional park discussions because the proposed sites had little benefit to the school district. Councilmember Noble said she can see that happening with the park district.

Deputy Mayor Swatman said he sees the park board as another governmental entity adding another layer of expense. He suggested that perhaps a solution can be reached between the school district, Sumner and Bonney Lake. Ms. Giles said that many people have been involved in the discussion and that a metropolitan park district is the best solution they were able to devise. Councilmember King advocated study of a possible synergistic effort with Weyerhaeuser for park property resulting from the sale of the WSU Demonstration Forest. Mayor Young said staff is reviewing some of the parks concepts before the City to provide the Council with a bigger picture. He said there has been discussion about offering 50 acres to the City for a regional park.

At 6:48 p.m., Mayor Young declared a five minute break in the meeting. The meeting resumed at 6:59 p.m.

3. Discussion: AB04-153 – Ordinance 1044 – 2005 Annual Budget.

Director Weidenfeller referred to his November 12 memo to the Council and summarized the recommended changes to the budget and the policy guidance Council has provided so far in the budget review process. Director Weidenfeller explained the Police Chief's plan to juggle the vehicle replacement funds and purchase a new traffic enforcement motorcycle this year and to retain some of the older vehicles in the fleet that might otherwise been replaced. He noted that there are two undercover vehicles scheduled for replacement this year as well.

Councilmember King asked that Director Weidenfeller explain the jump in the budget from a \$55 million budget this year to a \$96 million projected budget in 2005. Director Weidenfeller responded that the main change is in the capital projects the Council anticipates in the coming year. He listed the New City Hall, payments for the sewer plant upgrade, the ball park well treatment plant, the at-grade storage project, the Tacoma water purchase and improvements associated with that project. Councilmember Johnson noted some errors in the documents provided Council. Director Weidenfeller said they would be corrected before the November 30 special workshop.

4. Discussion: AB04-172 – Ordinance 1045 – Non-Union Salary Ordinance

Director Weidenfeller distributed a marked-up draft copy of the ordinance to help Council see where the proposed ordinance differed from the current ordinance. He explained that the Council had given direction at the time the salaries for the Police Chief and the Public Works Director were raised that the next salary ordinance should be prepared based on the AWC survey information for cities in the next higher population category than where Bonney Lake currently falls. He continued that the proposed ordinance authorizes an automatic cost-of-living increase for non-union employees based on the Consumer Price Index. Deputy Mayor Swatman said he would need to see the CPI data before considering the proposal. Councilmember King noted that the information for October and November has not even been published. He expressed his preference for reviewing the data and inserting a hard number rather than tying an increase to a yet to be determined amount.

Deputy Mayor Swatman asked about a proposed language change in the health benefits. Director Weidenfeller said he thought the language would more closely fit all the non-union employees, but agreed that the language should remain as it is currently. Deputy Mayor Swatman and Councilmembers Hamilton and Noble spoke in favor of increasing the employee contribution to health benefits by \$5 per month.

The Council discussed proposed changes in the titles of the Information Systems Coordinator and the Public Works Maintenance and Operations Supervisor. There was general consensus to support the change in the Public Works title to Operations Manager, but not for the title change to Information Systems Manager. Discussion about the proposed salary range for the Administrative Services Coordinator (ASC) followed. Deputy Mayor Swatman asked for an updated Organizational Chart for the City. Director Weidenfeller explained that because there were few comparable positions in the AWC survey, that the proposed ASC salary range was developed as an average of the other department directors ranges. Councilmember King suggested that, with the long and checkered history of the city administrator position in the City, the City Council carefully review the proposal for this position and the proposed compensation for the Mayor's position. Mayor Young said the staff would show the Council the nearest comparables available to the ASC position.

Councilmember DeLeo announced his intended departure at 8:30 p.m. He asked if the City Council would agree to consider Ordinance 1081 before the next item on the agenda. There was general consensus to consider Ordinance 1081 next on the agenda.

5. Discussion (Previously Tabled): AB04-266 – Ordinance 1081 - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 14.10 Of The Bonney Lake Municipal Code And Ordinance Nos. 988 And 1025, Relating To Rezone Applications.

Councilmember DeLeo reminded the Council that he had been the one to table this ordinance from the last meeting. He said he was prepared to adopt the ordinance if the WSU Demonstration Forest is added to the areas identified as sensitive areas. Director Leedy noted that this proposed ordinance should go through the review process of the Planning Commission with comments from the State Department of Community, Trade and Economic Development (CTED). Deputy Mayor Swatman asked why this ordinance must be handled differently than the other ordinances approved by Council at the last regular meeting. City Attorney Dionne said there is a large distinction. He said this proposed ordinance is much more substantive. He said this ordinance completely changes the process. He said the other two ordinances were simply changing ambiguities. Councilmember Johnson said that there is some urgency to this ordinance just as there was for the other two. City Attorney Dionne responded by saying that urgency means taking risks. He said the ordinance now under consideration will incur greater risk. He said it could reasonably be argued that the City did not follow its own process for adoption of this ordinance, which could very well lead to an appeal to the Growth Management Hearing Board.

Councilmember Noble cautioned the Council to remember the impact on this issue of the 300 ft. transitional zone that can be interpreted by staff. Councilmember DeLeo asked for an estimate of time to get this proposed ordinance through the consideration process. Director Leedy said it would take between 90 and 120 days. Planning Manager Ladd explained that the critical areas ordinance being considered by the Council has a process to designate an area of local significance. He suggested adopting this ordinance before trying to designate the WSU property as a sensitive area. Mayor Young said he will direct staff to take Ordinance 1081 back through consideration process.

6. Review of Minutes: November 2 Council Workshop, November 4 Special Council Workshop, November 9 Regular Council Meeting.

Councilmember Noble suggested that in the November 9th minutes, on page 5, that Mr. Armenios did not say the City is loosing revenues, but “losing” revenues. With no further comments, Mayor Young indicated the change would be made and the minutes moved forward for Council approval.

7. Introduction: AB04-262 – Ordinance 1077 – Transitional Rezone – R-2 to C-2 (Qualey).

Deputy Mayor Swatman noted that this was just on the agenda to follow the Council’s procedures of introducing an issue at the workshop and to discuss the procedure for dealing with this item at the next regular meeting. City Attorney Dionne advised the Council to just review the material and wait for a motion at the meeting before discussing it further.

8. Discussion: AB04-246 – Ordinance 1069 – Adopting The Phase 3 Comprehensive Plan Amendment And Certifying Compliance With The Seven-Year GMA Update Requirement.
[03.5.2]

Director Leedy said that this ordinance was pulled from the agenda at the last meeting because staff had received an 11th hour letter from CTED which staff had not had time to analyze. Planning Manager Ladd said that staff feels that Council should move ahead with adoption of the ordinance. He said the CTED comments were not substantive with respect to this phase of the Comprehensive Plan process. He said some of their comments have caused staff to prepare the ordinance and accompanying resolution differently, and that those changes will appear in the Council’s packet for the next regular meeting. Director Leedy said the water and sewer comprehensive plans will lag behind the transportation element which is ready for adoption. He said that the ordinance will note the delay in the completion of the utilities element.

Deputy Mayor Swatman asked when the inconsistencies between the land use map and property zoning will be corrected. Planning Manager Ladd said the Planning Commission will begin discussion immediately. He anticipated that it will be presented for Council action sometime in February. He added that there is a different schedule to deal with the remainder of the Growth Management Hearing Board’s Order.

9. Discussion: AB04-248 – Ordinance 1071 – Amending Chapter 18.18 Of The Bonney Lake Municipal Code And Ordinance Nos. 747, 746, And 740, Making Group Housing For Handicapped Persons A Permitted Use In The R-3 Zone. [03.6.1.2]

Planning Manager Ladd said this ordinance would be presented to Council at their next meeting with one small change. He said a letter from the State said that the City must not only allow for group handicapped facilities the same as it would for multi-family housing, but that it must also allow for group housing for wards of the state.

10. Discussion: AB04-247 – Ordinance 1070 – Proposed New Critical Areas Code In Place Of BLMC 16.20 and 15.12.

Planning Manager Ladd said the comments from the State have resulted in some minor changes. He said that Councilmember DeLeo’s suggestion to designate a sensitive area can be handled once the Critical Areas Ordinance is adopted.

Deputy Mayor Swatman asked to see the map that demonstrates the area impacts of the stream buffers. The map was produced and Council discussed the map. Deputy Mayor Swatman asked for clarification on how the ordinance impacts property within the setbacks. He asked if grass can be cut, small structures erected, etc. Planning Manager Ladd said that the letter of the law would permit very little activity in the setback areas. He said the ordinance defines what you can do. He added, however, that enforcement would be difficult, and handled largely on a complaint basis. City Attorney Dionne added that violations would be enforced only if the violation is viewable. He added that it would be a violation of an ordinance that, therefore, has civil or criminal remedies that would allow abatement. The Council requested that detailed maps by ward be provided. Planning Manager Ladd said that such a map could be posted on the City's website for public use. Mayor Young said the ordinance will be moved ahead to the Council's next meeting.

11. Discussion: AB04-257 – Ordinance 1079 – Elected Officials Salaries.

Deputy Mayor Swatman said that several have been working on this ordinance, although the ordinance in the packet has not been updated since the last time the Council discussed it. He suggested that the Council focus on the budget and asked if the Council wanted to put this ordinance off until next year. Councilmember King said that the Council needs to come up with something reasonable and simple. He thought it should be a component of the Council's budget deliberations. He added that he preferred a flat salary rather than a "per meeting" rate. Councilmember Rackley noted that this process was started last fall. He suggested that since its taken this long with little result, then it could wait until the start of next year. The City Council discussed \$1600 per month for the Mayor's salary as a starting point for discussion. Councilmember King asked for clarification on the Council's last effort to table this issue. City Attorney Dionne said he thought the effort to table failed, and that he was to bring back a revised ordinance.

Deputy Mayor Swatman moved to table the item. Councilmember Johnson seconded the motion. There was a majority consensus to table the item to the first workshop in January.

Councilmember King said that he will work on a proposal to bring forward at the workshop.

12. Presentation: 2005 Budget Part III.

Deputy Mayor Swatman suggested that more detailed discussion would occur at the November 30 Special Council Workshop. The City Council chose not to continue the staff budget presentations.

13. Discussion: AB04-276 – Ordinance 1085 – Dedicated Increase in Utility Tax – Streets.

Director Grigsby said this action would raise the utility tax from its current 8% to 10% and dedicate the new portion to the City's Street Fund. Responding to Councilmember Johnson's question, he noted that the tax on refuse would also go up to 10%. Director Weidenfeller said the increased tax would generate approximately \$120,000 of new revenues for the Street Fund. Councilmember Rackley noted that the Council has discussed transferring the \$250,000 remaining in the refuse fund for use in the Street Fund. He questioned if an increased utility tax is needed, particularly with anticipated increases in water and sewer rates. Director Weidenfeller responded that the Council has been asking for options to permanently fund needed street improvements. Councilmember Noble asked for confirmation that these funds would only be

used for streets and not for the new City Hall. Director Weidenfeller said the money would go directly to the Street Fund, and nothing for the new City Hall. Councilmember King noted that this is another in a series of hard decisions for the Council. He added that the Council is talking about a metropolitan park district, water and sewer rate increases, and has recently bragged about the lower refuse rates to its citizens. He questioned the advisability of raising utility taxes now, and suggested it is an idea whose time has not yet come. Director Grigsby said the rate would stabilize the Street Fund revenues. He said that voter initiatives have impacted the City's revenue sources. He noted that the City's streets increase by the mile, but that funding has not kept pace. He advised that it cannot be ignored. Councilmember Johnson said if there is a dire need for streets and sidewalks, perhaps the City should cut back on its plans for a new City Hall. He suggested that perhaps Bonney Lake should be a smaller city, and that the Council should shrink government, not grow it. He suggested finding solutions within what the City already has. Councilmember Hamilton said it is an issue of timing. He suggested looking at the proposal again next year. There was general consensus to move on to the next agenda item.

14. Discussion: AB04-268 – Resolution 1347 – Adopting a Hazard Mitigation Plan

Councilmember King said the plan looks like it is mostly boilerplate language with a few specific statistics interjected. ASC Morrison explained that the school district got a grant to prepare a joint plan for four jurisdictions including Bonney Lake and the Sumner School District. He said there are a lot of commonalities between the jurisdictions. He added that the plan doesn't obligate action, but does identify projects for which the jurisdictions can get funding for mitigation. Councilmember King noted that the plan is not coordinated with the water system vulnerability plan. ASC Morrison replied that it would be better if they were coordinated, but that the funding, timing and different focus results in a different document. Councilmember King warned that the plan identifies many areas to be fleshed out that will require additional funds. There was general consensus to move the plan forward for Council adoption.

15. Discussion: AB04-156 – Ordinance 1046 – Water Rates.

Assistant Public Works Director Leaf distributed updated versions of the water, sewer and system development charge ordinances. Director Grigsby said the purpose of this evening's discussion is to choose from among the rate-setting options presented at the public hearing last week. Councilmember Johnson expressed concern for the impacts of conservation on the anticipated revenues. Mayor Young said that the consultant had taken conservation into account when he proposed rates for Council consideration. There was general consensus for rate plan #3 that will have an increased charge for excessive water use in the summer.

16. Discussion: AB04-269 – Ordinance 1082 – Sewer Rates.

Director Grigsby noted that the text for Ordinance 1082 should be corrected to reference the sewer rate increase of 2%. There was general consensus to move the item forward.

17. AB04-270 – Ordinance 1083 – Water And Sewer Connection Charges.

Assistant Public Works Director Leaf reviewed the comments received today from RH2 on the connection charge ordinance. He said the water connection fee is proposed to go up from \$4700 to \$6500. He said the sewer connection fee change is quite a dramatic increase from the current \$4500 to \$8000. There was general consensus that the connection fees should be set as recommended. Councilmember Noble asked if any of these fees would go toward the new City Hall. Assistant Director Leaf replied, no. He added that they would only be used for utility

purposes. Deputy Mayor Swatman reminded that the Sewer Committee is meeting on Thursday at 5:15 p.m. He added that there is a tour of the facility offered at 4:00 p.m. before the meeting.

18. Adjournment.

With Council consent, Mayor Young adjourned the meeting at 9:24 p.m.

Documents submitted at the Council Workshop of November 16, 2004:

- *City of Bonney Lake – Amended Agenda for 11/16/04* – Woody Edvalson, City Clerk.
- *City of Bonney Lake – Draft Ordinance 1045* – John Weidenfeller, Finance Director.
- *City of Bonney Lake – AB04-156 - Draft Ordinance 1046* – Gary Leaf, Assistant Public Works Director.
- *City of Bonney Lake – AB04-269 - Draft Ordinance 1082* – Gary Leaf, Assistant Public Works Director.
- *City of Bonney Lake – AB04-1083 - Draft Ordinance 1083* – Gary Leaf, Assistant Public Works Director.

Harwood T. Edvalson, CMC
City Clerk

Robert Young, Mayor