

City of

**COUNCIL WORKSHOP**

**January 4, 2005**

**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 5:32 p.m.

Also in attendance were Deputy Mayor Dan Swatman, , Councilmember Mark Hamilton, Councilmember Neil Johnson, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley. Councilmember Phil DeLeo was absent.

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, Judge James Helbling, Planning Manager Steve Ladd, Senior Human Resources Analyst Karen Meeks, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

**Agenda Items**

1. Open Discussion

Oral Health Meeting. Councilmember Rackley said he attended a meeting with the Board of Health. He said they provided statistics for the jurisdictions regarding the estimated number of children at risk for dental caries. He said the statistics show that there are about 40 children that the Health Department considers "at risk" for dental caries. Councilmember King pointed out that the Board of Health wanted the City to spend \$750,000 to fluoridate the City's water to benefit 40 children. Both he and Councilmember Rackley agreed that there must be more cost-effective ways to help these "at-risk" children.

Excuse Councilmember DeLeo. **Councilmember Noble moved to excuse Councilmember DeLeo's absence from the meeting. Councilmember Rackley seconded the motion.**

**Motion approved 6 – 0.**

Status of City Hall Planning. Councilmember Rackley asked about the status of City Hall. Mayor Young said it had been the intent to have the City's architects, ARC, discuss City Hall and the new leasing alternative at this workshop. He added, however, that they were not available and will be at the next workshop. Councilmember Rackley urged continued motion on the lease-option. He feared the owner will be forced to lease the space before the City is ready to act.

Flags at Half-staff. Councilmember Rackley noted that the flag at Ascent Park is not being flown at half-staff. Mayor Young said he had given direction that all the City's flags should fly at half-staff in response to President Bush's same direction for federal offices. Mayor Young said he would follow-up with staff to make sure the flag is displayed appropriately.

Address Changes. Councilmember King expressed concern about the letters that went out from

the planning staff informing some residents in Ward 1 just before Christmas that their addresses were being changed. He felt the notice was ill-timed. He asked the Council to set a public hearing to allow residents to express their concerns about the process and make suggestions regarding the appropriate policy of the City on changing street addresses. Councilmember King distributed a memo from Planning Manager Ladd explaining the need for the change of addresses. Planning and Community Development Director Leedy said he regretted the letters were sent notifying the residents of an immediate change. He said the need for address changes occurs in most cities and is needed to address growth and development. Councilmember King agreed that the issue may become even more important as contemplated zoning changes may allow for greater infill of already developed areas. He encouraged the establishment of a consistent policy for changing and assigning addresses. There was general consensus to include a motion on the next Council meeting's agenda to set a public hearing. Mayor Young said that the affected property owners would be given direct notice of the hearing.

AM/PM Project. Deputy Mayor Swatman said the commercial lighting of the AM/PM Market appears to be done very well. He said the lighting does not produce significant glare to motorists. He asked about the final lift of asphalt and connection of the sidewalk. Mayor Young said they were allowed to open for business, but still have some items to complete before their work is complete.

Applebee's and 192<sup>nd</sup> Street-Opening. Deputy Mayor Swatman asked for reassurance that the traffic signal at Old Buckley-Sumner Highway and 192<sup>nd</sup> St. is installed before the Applebee's Restaurant opens for business. Director Leedy replied that the agreement with the City requires completion before the restaurant opens. Councilmember Johnson said that East Pierce County Fire and Rescue is urging completion of the road, as well, for public safety purposes. Councilmember King noted that the completion of that signal and opening of the road in conjunction with the completion of Sky Island Drive may significantly alter the traffic patterns in the area.

Senior Center Improvements. Deputy Mayor Swatman asked about an email noting potential funding gaps in the Senior Center improvement project. Mayor Young said the City is negotiating on some updated expenditure projections. Administrative Services Coordinator (ASC) Morrison said that once the City knows the magnitude of the gap, then the Block Grant program may be able to allocate additional funds. Deputy Mayor Swatman said it is his intent that the City fund whatever gap remains to complete the project.

WSU Demonstration Forest. Deputy Mayor Swatman said that he and Councilmembers Hamilton and Rackley met with Quadrant and Weyerhaeuser representatives about the use of the Demonstration Forest property. He said that Quadrant has indicated they will seek a comprehensive plan amendment next year. He expressed hope that they will generate a project that will benefit and be supported by the public.

Council Corner Deadline. Councilmember King asked Councilmember Johnson for the submission deadlines for the Council Corner Newsletter. Councilmember Johnson said he would soon make the dates for 2005 available to the Council.

Interim Police Chief Contract. Deputy Mayor Swatman asked if the issues related to a contract for the Interim Police Chief have been resolved. Finance Director Weidenfeller said the Mayor has offered compensation within the allowed guidelines. He said the Mayor will bring forward a proposed ordinance to the next Finance Committee meeting allowing for some additional benefits for the Interim Chief. Deputy Mayor Swatman asked if the Police Chief is currently under Civil

Service. Mayor Young said, yes. Deputy Mayor Swatman said that he understood the Mayor did not want the Chief covered by Civil Service and suggested that, with the permanent position vacant, now would be the appropriate time to recommend a change. Mayor Young said he intends to bring forward information and an appropriate recommendation. Mayor Young said the Civil Service Board was very open to this concept. Councilmember Rackley asked about the allowed duration of the interim contract. Director Weidenfeller replied that, while the position is under Civil Service, the contract is for four months, and can be authorized for renewal by the Civil Service Board.

Neighborhood Cleanup. Councilmember Johnson asked if the Council Community Development Committee is considering a neighborhood cleanup program. Councilmember Rackley said the topic is on the Committee's next agenda. Councilmember Johnson said that Director Weidenfeller is looking at possible programs to make sure the City does not incur additional liability with a cleanup program.

Sky Island Drive. Deputy Mayor Swatman asked if there are any details on the opening of Sky Island Drive. Director Grigsby said all the major issues on the checklist have been resolved and the street should be open by the end of the month. Deputy Mayor Swatman urged staff to keep an eye on the traffic and vehicle speeds when the street is opened.

Parking Around New High School. Deputy Mayor Swatman asked if the Public Safety Committee is working on the parking restrictions around the New High School. Councilmember King said Bonney Lake High School will have 500 plus parking spaces. He said they are concerned about the impacts of the South Prairie Road Project and the timing for the intersection. He said there may be temporary challenges in the area. He added that the Committee is learning from Sumner's experience with overlay parking zones.

Traffic Round-about. Deputy Mayor Swatman noted that 100<sup>th</sup> through the new Brookfield Development was designed on the westerly end for a round traffic island. He said he would provide Director Grigsby with additional information by email.

## 2. Discussion: Larios Property Development.

Planning Manager Steve Ladd distributed a memo responding to the various complaints received regarding the Planning and Community Development Department's handling of the Larios Short-plat and Tree Removal Permit. He said the Department had received nine documents of complaints, and all were taken seriously. He noted that 24 trees had been removed from the Larios property. He acknowledged two errors on the part of City Staff. One was that a tree removal permit should not have been issued before the short-plat process was completed. The other was the failure to discover a small wetland on the site that should have been regulated. When asked about the applicability of the State Environmental Protection Act (SEPA) to the project, Planning Manager Ladd said the requirement in this project was on the borderline, but had finally been required.

The City Council expressed concern over the Department's ability to identify wetlands. Deputy Mayor Swatman and Councilmember Noble encouraged independent study by a City consultant to provide objectivity to the development applicant's consultant-prepared studies. Planning Manager Ladd said the staff intends to search out and compile all of the existing studies on record into a GIS layer for overlay on the properties in the City. He added that his staff needs more training in wetlands identification. He added that the tree retention ordinance is on the City's

work plan for review.

3. Discussion: AB05-04 – Interim Water SDC Agreement.

Public Works Director Grigsby said that the Council had approved ten Developer Extension Agreements at the December 14<sup>th</sup> Council meeting. He said that implementation had become a problem in some instances, and asked for clarification of Council's intent. City Attorney Dionne advised that the Council's adopted language can still apply to the ten developers as well as additional ones that come along. He said that Council could consider another resolution for those adversely affected by the delay. The proposed resolution would authorize an additional agreement allowing payment of the current system development charge and any increase approved as a result of Tacoma Water's anticipated rate increase. Councilmember Noble asked what would happen if a developer builds homes and sells them before paying the later rate increase. City Attorney Dionne said he doesn't believe that will be a concern. He said the homeowner would have a cause for action against the developer if the property was sold without disclosure of the impending additional fee. Mayor Young said that City Attorney Dionne will bring forward the resolution for Council's consideration.

4. Review of Minutes: December 7 Workshop And December 14 Council Meeting.

Councilmember Noble asked if the Council would hold off reviewing the minutes of December 14<sup>th</sup>. She said she had wanted to compare some of the minutes to the meeting audio, but had technical difficulties listening to the recording of the meeting. Mayor Young suggested that the Council move forward with the minutes and that Councilmember Noble request any corrections at the Council meeting. Councilmember Noble agreed.

At 6:56 p.m., Councilmember Rackley asked for a break in the meeting. Mayor Young declared a ten minute break. The meeting reconvened at 7:10 p.m.

5. Tabled from 12/14/04 – AB04-287 – Ord. 1090 – Condemnation Auth. For S. Prairie Road.

Director Grigsby reported that the Council had tabled action on the ordinance until maps could be provided for their review. He described the four maps included in the Council's agenda packet. He told the Council that the proposed ordinance authorized condemnation of the described properties only if purchase negotiations failed. Responding to Councilmember King's question, Director Grigsby said he would provide additional information about the piece adjacent to Albertson's. Mayor Young said the ordinance would be moved forward for action.

6. Discussion: AB05-01 – Res. 1360 – Eastown Planning Consultant – Parametrix.

Planning and Community Development Director Leedy said that the Council had asked staff to move ahead with utility planning and addressing general infrastructure issues for the Eastown area. He said that circulated proposals came back ranging in cost from \$150,000 up to \$500,000. He said that Parametrix was the selected provider and that subsequent negotiations have covered the essential items with an agreement coming in at about \$81,000. Councilmember King said that Parametrix has some familiarity with the area. He added that this plan is a major step to ensure consistency and forward motion to convince the State that widening of SR410 is necessary. Councilmember Johnson asked Director Leedy to make sure that property owners in the area were contacted for their input. Director Leedy said there would be opportunities provided for input. Director Leedy estimated a six month timeline on the project, which should start as soon as the agreement is approved by the Council. Deputy Mayor Swatman spoke to clarify for the

consultant's sake that the Council has had a policy of requiring development to pay for extension of sewer services. Mayor Young said the professional services agreement would be brought forward for Council action.

7. Discussion: AB05-05 – A Proposed Ordinance Imposing A Moratorium On Development Applications For Properties Zoned Inconsistently With The Comprehensive Plan.

Councilmember Rackley asked if there is a map displaying the designated properties. Planning Manager Ladd distributed a map, but explained that the map has been reduced from the 65 properties displayed to about 35 properties. He said the issue of inconsistencies is on the Planning Commission's agenda for Wednesday night, January 5<sup>th</sup>. He said he assumed there would be public comment during the citizen comments portion of that meeting. Councilmember Noble said the proposed moratorium is intended to protect the City from inconsistent development while the resolution process works through the Planning Commission and the Council.

At 7:50 p.m., Mayor Young declared a ten minute break to resolve a technical issue with the meeting's recording. The meeting was reconvened at 8:00 p.m.

Continuing with the discussion, Director Leedy was asked for the staff recommendation on the proposed moratorium. Director Leedy responded that he preferred to see the issue go through the public hearing process of the Planning Commission and then on to the City Council before any further action is contemplated. He said if a moratorium is indicated, then the Council could consider it at that time. Deputy Mayor Swatman said that the longer the City waits to resolve the inconsistencies, the greater chance there will be a problem with development of one of the properties. Planning Manager Ladd said that once the Planning Commission gives additional direction to staff, then a new map will be prepared showing the Commission's recommendations. He added that the Commission's recommendations will probably not be completed until March. Councilmember King advocated allowing the established process to continue its course.

Unidentified members of the audience complained that the land use designation on their properties was changed in the Comprehensive Plan review process this past year, and that they were not given notification. Director Leedy explained that State law does not require specific notice to property owners in this instance. He added, however, that the Comprehensive Plan review and update process was publicly noticed and public hearings were held. Councilmember Noble suggested that the Community Development Committee look at a recommendation for an administrative notice as was done for short-plats. Mayor Young said the established process for this issue includes a public hearing before the Planning Commission, and that more information would be forthcoming. He suggested the Council move ahead with its meeting agenda.

8. Discussion: AB05-02 – Ordinance 1091 – Designating A Chief Law Enforcement Officer.

Councilmember Noble said the proposed ordinance to name the Police Chief as the City's chief law enforcement officer is consistent with the recommendations of the consultants reviewing the Police Department. Councilmember King agreed, and added that the proposed ordinance clarifies some inconsistencies between the Revised Code of Washington and the Bonney Lake Municipal Code. Mayor Young said the issue would be brought forward for Council action.

9. Discussion: AB05-06 – Ordinance 1056 – Relating to Elected Officials' Salaries.

Deputy Mayor Swatman said that he feels the ordinance should include an increase in Councilmembers' compensation to \$600 per month. Councilmember King said he feels the proposed salary for the Mayor is justified because there is no city administrator to share the administrative burden of the chief executive. Councilmember Hamilton said he can accept the salary, but asked if it would be adjusted if the City appoints a city administrator. Councilmember Noble said she feels the sticking point on the ordinance is the effective date. Deputy Mayor Swatman and Councilmembers Noble and Johnson spoke in favor of delaying the effective date of the salary increase until after the election of the Mayor's position. Councilmember Johnson said he favors appointment of a city administrator and asked Mayor Young his position on the issue. Mayor Young responded that he does not need an administrator right now. He said the number of hours he works in a week has not changed, but that they are now spent in specific locations.

**Councilmember Rackley moved to table the discussion to the next Council Workshop. Councilmember Johnson seconded the motion.**

Motion approved 4-2. Deputy Mayor Swatman and Councilmember Noble voted no.

10. Adjournment.

With the Council's general consent, Mayor Young adjourned the meeting at 8:50 p.m.

Documents submitted at the Council Workshop of January 4, 2005:

- *City of Bonney Lake – Ordinance 1091 – Designation of Chief Law Enforcement Officer – Harwood Edvalson, City Clerk*
- *City of Bonney Lake – Memo to Mayor and Council: Relating to Proposed Address Changes Around the West End of Debra Jane Lake – Stephen Ladd, Planning Manager.*
- *City of Bonney Lake – Memo: Larios Short Plat/Tree Removal Permit – Stephen Ladd, Planning Manager.*

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Harwood T. Edvalson, CMC, City Clerk

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Robert Young, Mayor