

City of

COUNCIL WORKSHOP

February 1, 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

Due to a joint special meeting of the City Council and Planning Commission scheduled just prior to the workshop, Mayor Robert Young called the February 1st Council Workshop to order at 5:58 p.m.

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

Staff members attending were Administrative Services Coordinator (ASC) Don Morrison, Finance Director John Weidenfeller, Public Works Director Daniel Grigsby, Interim Police Chief Buster McGehee, Planning Manager Steve Ladd, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

Councilmember King moved to excuse Councilmember Rackley's absence. Councilmember Johnson seconded the motion.

Motion approved 6 – 0.

Agenda Items

1. Open Discussion

Larios' Silt Fencing. Councilmember Noble asked about the silt fencing at the Larios' property. Planning Community Development Director Leedy said that he would follow-up and provide information to the City Council tomorrow.

February Newsletter. Councilmember Noble asked when the February Newsletter would go out. City Clerk Edvalson said that the newsletter was anticipated to go out February 2nd or 3rd. He said the Council Corner will be combined with the Bonney Lake Reporter and distributed with the utility bills.

Quarterly Reports. Councilmember Noble asked about the availability of quarterly reports. Mayor Young responded that he will provide a quarterly report including updates from the departments so that Council is aware of the status of projects in the City.

Investigation of Planning Commission Chairman. Councilmember Johnson asked about the investigation of Chairman Burnham. Mayor Young responded that the City Attorney investigated the complaints that there is a conflict of interest between Chairman Burnham's position on the Planning Commission and his position with a major development company in the area. He said the City Attorney has determined that there is no legal conflict because the Planning Commission

is only an advisory body, not a quasi-judicial body. Mayor Young added that there may be a political concern about public perception, but that there is no legal issue at present.

Old Sheriff's Office. Councilmember Hamilton said he received a call from a future business owner that wanted to open for business in the old Sheriff's Office location in Bonney Lake Village. He said that apparently an asbestos inspection is required even though the owner says the buildings were built after asbestos was outlawed. Councilmember Hamilton asked why they would have to go through that inspection process. Director Leedy said he would look into it.

Kiwanis Golf Tournament. Councilmember DeLeo announced that the Kiwanis Club of Bonney Lake will hold its first annual golf tournament on June 7th at Tapps Island as a fund-raiser for the Bonney Lake High School Scholarship Fund. He invited participation and donation of silent auction and door-prize items. Councilmember Johnson offered to raise the topic with other businesses at the Chamber of Commerce meeting.

Community For Families Coalition Summit. Councilmember DeLeo reminded Council of the March 31st date for the Summit. He said they are looking to recognize unsung heroes from the participating communities. He invited Council to contact him if they have nominees for the recognition.

Windermere Fencing and Buffering. Deputy Mayor Swatman asked about the fencing and buffering around the new Windermere project. Director Leedy said the project has not yet completed its landscaping and fencing requirements. He added that there will be adequate screening provided between the project and adjacent properties.

AM/PM Sidewalk. Deputy Mayor Swatman called attention to a missing piece of sidewalk associated with the AM/PM Mini-mart renovation. Director Leedy said he will follow up on it.

Blockbuster Blockade. Deputy Mayor Swatman said that although this is a private property dispute, he believes the City should recognize there is a hazardous condition developing. He described the extra efforts drivers have to take to enter the Taco Time off of SR410. He said more caution is required to use the appropriate turning lanes.

Finance Department Review. Deputy Mayor Swatman said he had an opportunity to speak with the consultants conducting the review of the Finance Department. He asked that, as the Finance Committee Chairman, he be allowed to review the raw data on the study. Councilmember Johnson noted that he was informed the Mayor and Director Weidenfeller would have an opportunity to comment on the consultant's rough draft. He asked that the Council receive at least one copy of the rough draft to allow comparison to the final draft. Deputy Mayor Swatman emphasized that the draft will not be a public document.

PCRC Annual Membership Meeting. Councilmember King reminded the Council of the coming PCRC Annual Membership Meeting on February 16 at the Tacoma Convention Center. Councilmember Noble noted that the meeting conflicts with the 2005 AWC Legislative Action Conference in Olympia. Councilmember King said he will represent the Council at the PCRC meeting.

Sign Code Enforcement. Councilmember King said there has again been a proliferation of non-standard litter-causing homemade signs on the road sides. He asked if Code Enforcement could make the rounds again of businesses to explain the City's Sign Code. Councilmember DeLeo added that there are countless realtors and sign-placers putting out small signs on the weekend.

Director Leedy said that Code Enforcement is gearing up for a weekend blitz, or a few weekends as needed.

Neighborhood Cleanup Program. Councilmember Johnson asked if Director Weidenfeller had completed the risk assessment on the proposed neighborhood cleanup program. Director Weidenfeller said he has spoken with the Washington Cities Insurance Authority and will try and have a response from them by the next workshop.

2. Review of Minutes: January 17 Special Meeting, January 18 Council Workshop and January 25 Council Meeting.

Councilmember Noble noted that the word “lose” should replace the word “loose” used in the January 18th Council Workshop minutes in the middle of page 5.

3. & 4. Public Hearing (Continued from 01/25/05): AB05-14 – Street Addressing and Proposed Ordinance Regulating Issuance of Street Names and Addresses.

Fire Marshal John McDonald apologized for his absence from the last meeting. He said that addressing concerns generally arise through development, complaints and the observations of responding fire crews. He said he recognizes the inconvenience for residents to change addresses, but is most concerned with the safety response for an area. He said that the proposed address change on 185th is the largest yet identified in the City. He did note, however, that all of the tenants of the Market at Lake Tapps were required to change their business addresses.

Fire Marshal McDonald said that the current situation arose from the construction of a new home on a vacant lot. He said the effort is to try and make the new address fit in with what is surrounding. He added that when staff attempted to do so, they noticed that some addresses on the street were several blocks off of the standard addressing grid. He apologized for the abrupt notice sent to residents asking them to change their addresses. He said he was concerned for the potential safety impacts of delaying the corrections. The Council and Fire Marshal McDonald discussed different schemes to resolve the addressing concerns. There was general consensus that the issue would become more prevalent with infill home construction and the replacement of land-line telephones with cellular phones.

Councilmember King asked that Fire Marshal McDonald and the Planning staff be prepared to discuss canvassing neighborhoods so that subsequent contact can be made to advise residents that proper display of street numbers is required. Councilmember DeLeo suggested that, at the next community pancake breakfast, the City might offer house numbers to the public. Councilmember King suggested an article in the next Council Corner on the topic. Fire Marshal McDonald also offered to provide an article for the newsletter.

Terry Murray, 6804A 185th Ave. E., described the difficulties she’s had with delivery of services to her home. She urged Council’s action on the immediate addressing issues.

Mary Ellen Bowers, 6816 185th Ave. E., expressed her concerns with the proposed address changes and with the proposed ordinance. She suggested that 68th St. be changed to Lake Debra Jane Drive. She urged the Council to be cautious in this change and resolve the issues correctly and not have to repeat the process in the future.

Lee Lepper, 6813 185th Ave. E., also expressed concern for having to change his address. He suggested that, once the issue has been resolved, more street signs in the area are needed to direct

the public.

Martin Felix, 19905 99th St. Ct. E., chose not to address the Council, saying that the issue does not directly affect him.

Michelle Gunn, 18102 85th St. E., said that she does have buildings addressed with an A and B. She suggested that the proposed ordinance be structured to resolve both current and future needs for new addresses. She asked if Allan Yorke Park has an address assigned. She urged the assignment of addresses to all public facilities.

Councilmember King said he believes there are two separate issues to be resolved. One is the immediate need to correct the addresses on 185th. The other is the proposed ordinance to deal with street addressing policy in the future. The Council discussed separating the issues. There was common consent of the Council to refer the proposed ordinance back to the Public Safety Committee for further discussion and to refer the immediate addressing issue back to staff for further consideration and an administrative determination.

4. Action: AB05-18 – Sky Island Final Plat, Division 5.

Director Leedy said that Deputy City Attorney Ganson has determined that the conditions imposed on Division 5 at the preliminary plat stage are those that should be complied with. He said that staff has concluded that the applicant is doing what the preliminary plat calls for. He added that Deputy City Attorney Ganson does not believe the City can require additional improvements in Division 1 as a condition of final plat approval for Division 5. Director Leedy responded to Council questions and added that Pierce County was the approving authority on earlier plats. He said the staff intends to review the prior approvals, depending on access to the County records, and see if there is a basis in fact for seeking cooperation between the homeowners' association and the developer on improvements that might not have been completed in prior plats. He concluded by saying that staff does know that the developer has completed all the requirements of Division 5.

Deputy Mayor Swatman noted that this agenda item was listed as an action item to give notice to residents that the Council might take action this evening. There was a majority consensus to hold action until the regular Council meeting of February 11.

At 7:27 p.m., Mayor Young called for a ten minute break. The meeting was reconvened at 7:41 p.m.

Director Grigsby announced that the "Big Toy" will be assembled and installed at Cedar View Park on February 12th. He invited volunteers to assist with the park improvement. Deputy Mayor Swatman said the project may extend into the next day. He applauded the tremendous amount of work already accomplished at the park.

5. Discussion: City Hall Facilities.

Mayor Young said that he recognizes that this is a political year with Mayor and Council elections on the horizon. He said there appears to be some hesitancy to "drop the hammer" and make some decisions. He expressed appreciation for Councilmember Rackley pushing the City to look at the Rainier Plaza Building as another option for City Hall. He recommended not going with the Rainier Plaza Building, and suggested tabling the discussion until after the elections, rather than making a bad decision now. He added that he believes the City's architects, ARC, should continue to work on those items that can continue until the Council can make its final

decisions after the election. Responding to Councilmember Johnson's question about which site is best, Mayor Young said he still believes Fennel Creek is the better site, especially with the availability of connecting trails. He said the Council has looked at sites in the Downtown and rejected them. He added that in their retreat last year, the Council agreed to look at the Fennel Creek site, and that the price was good. Councilmember Hamilton explored the advantages of both the Fennel Creek site and the Downtown area. He urged the Council to do something that will last a long time.

Deputy Mayor Swatman urged the Council to dismiss the Fennel Creek site. He said that the site could be better used for commercial purposes. Councilmember King thanked the owner of Rainier Plaza for working with the City and postponing his potential leases. He advocated the public ownership of City Hall. He said he has learned that to make a decision and face the consequences is better than facing the consequences of indecision. He urged the Council to move forward, and noted that the money and bond capacity are available now for a City Hall on the Fennel Creek site capable of serving a population of 30,000. He said he does not concur with the Mayor's recommendation to delay. He urged the Council to move forward.

Councilmember Noble said she also believes it is unwise to lease space. She said she supported the Fennel Creek site primarily for a civic center. She said the Critical Areas Ordinance has now reduced the usable land on the site so that it can no longer be used as a civic center, but as a City Hall. She said she likes a Downtown location, and doesn't believe the Council should hold off until after the election. She noted the number of people in the audience and said a larger Council Chamber is needed. Councilmember DeLeo concurred that leasing is a waste of money. He observed that the City will probably not be in any better position than it is now to build a City Hall. He observed that once the City runs out of building space, it will be difficult to build a new City Hall. He urged the Council to move ahead. Councilmember Johnson said he has no problem making a tough choice. He said the Fennel Creek site is perhaps appropriate for a Performing Arts Center with proper sidewalk connectivity. He added that the Council needs to follow up on a City Hall. He added that he favors a Downtown location and urged research of building sites.

Mayor Young suggested that this topic be scheduled as a prime topic of the Council retreat. There was a general consensus to discuss the topic further at the retreat.

6. Discussion: AB04-287 – Ord. 1090 – Condemnation Authority for South Prairie Road / South Prairie Road and 200th Ave CT E intersection improvements.

Director Grigsby introduced the topic by reviewing the discussion from the last meeting. He noted that the Council put off a decision in favor of allowing residents in Area 41 to present information on a traffic study they have commissioned to address accessibility issues to their commercial property.

Cynthia Clark, 97122 33rd Ave. E., Buckley, said she owns two lots in Area 41. She distributed and read a letter addressed to the Council. She described the accessibility issues now facing the property owners in this area. She noted that the group has retained the services of Transportation Engineering Northwest. She said that the engineer has determined there are feasible options to addressing traffic flow on South Prairie while also providing reasonable access to the properties. She suggested that access be arranged off of 100th St. Ct. E.

Councilmember Hamilton asked if the study looked at a frontage road along SR410. Ms. Clark observed that there are significant engineering costs involved with that solution. She questioned

its feasibility, but said the official results of their traffic study are yet to come. Councilmember King noted the impacts to the residential neighborhood that a commercial access on 100th may impose. Mayor Young said he appreciated Ms. Clark's comments, but suggested that the discussion before the Council is the improvement project on South Prairie Road. Deputy Mayor Swatman said a representative of the residential neighborhood is present and invited him to address the Council.

Todd Olson, 19803 103rd St. E., reported that the area homeowners association met the previous night and determined that for the better good of the community, they would not close the door to consideration of offers regarding access across their property on 100th St. E.

Deputy Mayor Swatman applauded the Brookwater residents for being willing to look at the broad picture. He agreed with the Mayor that the South Prairie Road project represents the best solution for now to ease traffic congestion. He said his interest in delay had been to make sure that the City was not going to construct something that was soon going to be ripped up. He asked Mayor Young to engage staff in a joint effort with the Area 41 residents and the Brookwater residents to find a solution to the access concerns in the area. Mayor Young agreed to authorize the City staff to work with area residents and interests. He noted that one of the traffic engineers said that even if the City pursued radical solutions in the future, the current improvements will not have been done in vain.

Councilmember DeLeo encouraged the development of a frontage road on SR410 as part of the solution. Mayor Young added that anyone wanting to buy the commercial property will see its value and put it in. Councilmember Noble agreed and said she believes that development should pay for development, and that City funds should not be involved in such an improvement.

Vera Lockwood, 199th St. Ct. E., said the Area 41 residents and a potential developer were told by the City that there was no chance of access to their property across 100th St. E. Director Grigsby responded that the City had said access was possible, but that access was controlled by another property owner. He added that whether one property owner will give another access is another issue.

Todd Olson said the homeowners association has never been approached about selling a portion of their property to provide access on 100th St. E.

There was Council consensus to put the South Prairie Road Condemnation Ordinance on the next Council meeting's agenda for action.

Michelle Gunn, 18102 85th St. E., described the development history of parcels in the area of South Prairie Road and SR410 and said the access to the property on the west side of South Prairie Road was limited at the time that development occurred on the east side. She urged the rezoning of residential properties on 200 St. Ct. E. to commercial, allowing them to sell their properties at a higher market rate and potentially improving access to the rest of the commercial property.

7. Discussion: AB05-39 – Proposed Amendments to County-wide Planning Policies.

Councilmember King described the Council's past history with the County-wide planning policies and their decision to not ratify them in the past. He said the cities' representatives at the Pierce County Regional Council (PCRC) have been trying to take a flawed document and make it less flawed. He said the Bonney Lake staff has done a good job at pointing out reservations. He

suggested the Council must decide whether to ratify the policies and live with them, or leave it up to others to decide if we will abide by them if we choose not to ratify.

Planning Manager Ladd said he imagined the policies could be discussed forever. He said they are intended to coordinate how the Growth Management Act (GMA) will be implemented for the local governments of Pierce County. He said the staff working group for the cities did not have access to the political concerns of the cities and, therefore, he has no recommendation to the Council on ratification. Councilmember King said the policies take away some of the autonomy currently enjoyed by cities, but suggested that the cities might have much less autonomy anyway in the face of growing pressures to implement the GMA. He said that many of the policies are applied de facto by the County and State. He suggested that although the policies are pedantic, the Council should probably not ignore them. Director Leedy concurred and said that it probably does more harm than good for the City to ignore the policies as it did several years ago. Councilmember King noted that consensus on the Sumner Council appears to disfavor ratification.

Councilmember Hamilton said he suspects Pierce County doesn't really care if the City ratifies the policies. He said he proposed last year to adopt an ordinance whereby areas desiring sewer extensions would develop to the City's standards. He suggested this is the only way that those areas that will later be annexed to the City, are developed to the City's standards rather than the County's. He said the County wants to collect development fees, but when it comes time to providing police protection, they tell residents to annex to the City. Deputy Mayor Swatman concurred, and thanked Councilmember King for his work on the PCRC. He said he hopes the cities efforts are not in vain.

Responding to Deputy Mayor Swatman's question, Councilmember King explained the ratification process. He said the approving vote must represent a majority of cities and 75% of the population in the County for ratification. He said there has been some discussion at the PCRC about the weighted voting method, but said it will have no impact in this situation. He said it appears to make sense for Bonney Lake to ratify the policies for now.

Mayor Young thanked Councilmember King for his work representing the City of Bonney Lake. Councilmember King said the PCRC is a great venue for municipalities to discuss common issues and think outside the box for potential solutions.

8. & 9. Discussion: AB05-37 – Ordinance 1100 – System Development Charges for Multi-family Dwellings and AB05-38 – Ordinance 1101 - Water Rates for Multi-Family Dwellings.

Director Grigsby said that the first ordinance addresses the SDC charge of multi-family dwellings and the second ordinance addresses the recurring use charges for the water. He explained that the ordinance taking effect on December 26, 2004 failed to adequately deal with multi-family dwellings. He said that based on the current ordinance, the SDC charges for a multi-family dwelling were far in excess of what was intended. He added that Ordinance 1100 will assess SCD charges for the first unit based on the size of the water meter, but that all subsequent units will be charged at the single-family rate. He said that in the interest of fairness, Section 2 of the Ordinance makes the calculation method retroactive to December 23rd.

Director Grigsby said the same argument applies to the water services to a multi-family dwelling. He said it became apparent under the current ordinance that it might be in the owner's best interest to install multiple water meters. He added that this would be a burden on the City. He said the Finance Committee recommended that the ordinance be amended to allow only one

meter per multi-family dwelling. There was consensus to move the ordinances forward to the next Council meeting.

9. Report: Legislative Update—Mayor Young said that a proposal coming out of King County would allow areas proposing to annex to a city to agree to an additional property tax levy for a fixed period of time to assist the City in providing public services to the newly annexed area. Mayor Young said this is an effort by King County to divest itself of unincorporated high density areas. Councilmember King said he believes the extra cost to provide services should come out of the county's coffers.

10. Adjournment

With the Council's general consent, Mayor Young adjourned the meeting at 9:02 p.m.

Documents submitted at the Council Workshop of February 1, 2005:

- *Letter from Joel and Cynthia Clark to Bonney Lake City Council – Cynthia Clark, Property Owner.*

Harwood T. Edvalson, CMC, City Clerk

Robert Young, Mayor