

City of

COUNCIL WORKSHOP

February 15, 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 February 15th Council Workshop to order at 5:32 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, Public Works Director Daniel Grigsby, Planning and Community Development Director Bob Leedy, Interim Police Chief Buster McGehee, Planning Manager Steve Ladd, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

Agenda Items

1. Open Discussion

Fluoridation. Councilmember Rackley distributed a packet of information from the Oral Health Committee of the Tacoma-Pierce County Health Department on alternative fluoridation programs. He said he should report back some consensus of the Council by March 31st. He noted that the program calls for a contribution from Bonney Lake of \$33,500 per year for five years. Deputy Mayor Swatman said this appears to be the cheapest, most viable option available to the City. Councilmember King asked how the programs effectiveness will be evaluated. He predicted that inconclusive data will indicate after five years that maybe the program worked. Councilmember Rackley replied that data collection will be a component of the program. The Council discussed the projected population of children to be served in the City's service area. There was a majority consensus to bring the item back for further discussion and action by the Council.

Ascent Gateway Monument. Administrative Services Coordinator (ASC) Morrison presented some alternatives for signage at the Ascent Gateway Monument. He said proposed improvements would be broken into phases. There appeared to be consensus to have the wording on the monument read "Welcome to Bonney Lake" with no additional slogans. Councilmember Johnson asked for a published schedule of the phased-work on the monument.

Council Retreat. ASC Morrison distributed a draft agenda for the planned Council planning retreat in March. He noted that the consultant used in the past was not available to facilitate this retreat. He asked for Council input about their expectations for staff participation in the retreat. The City Council discussed a desire to provide an opportunity for staff members to provide comment on Council performance and for Council to comment on departments' performance. ASC Morrison agreed to propose a mechanism to provide this 360° type of review.

Sky Island Division 5 Final Plat. Councilmember Johnson apologized to Director Leed for his statements on service levels at the last Council meeting. He said his comments were a way to vent his frustration over a lot of little things at City Hall. He added that he did find the trail sign in Sky Island Division 5. He said it was in a little cul-de-sac—one sign and no trail. He asked when striping and reflectors would be installed on Sky Island Drive. Director Grigsby said it is in process and the center line will be painted as soon as possible. Councilmember Johnson asked for an emailed schedule for the painting.

City Pole Banners. Councilmember Hamilton thanked staff for the installation of the new pole banners. Administrative Services Coordinator Morrison added that Councilmembers Johnson and Hamilton helped pick out the design. He said there were a couple of more around City Hall and the Senior Center that needed to be installed.

Sidewalk at AM/PM Station. Deputy Mayor Swatman noted that the missing sidewalk at the AM/PM Mini-mart is now installed.

Cedarview Park Project. Deputy Mayor Swatman thanked the Administration and Public Works Department for the great weekend project at Cedarview Park. Director Grigsby singled out Assistant Public Works Director Leaf for his contributions. Deputy Mayor Swatman said there were several from the community that spent a couple of days on the project.

Falling Waters. Deputy Mayor Swatman reported that Mr. Diamond wants a meeting to discuss the Council's issues with allowing the Falling Waters Development to annex into the City. Councilmember King replied that there is no indication that Pierce County has committed to develop the roadway. He added that the City was waiting on the County to determine what roads would receive priority for development to provide access from the plateau to the valley. He said that Falling Waters wants to put in half of the road with the County to install the other half. He concluded that it is not likely the County will have much incentive to complete their half of the roadway if the area is first annexed into the City of Bonney Lake. Councilmember King added that Falling Waters is not within the City's Urban Growth Area (UGA).

Mayor Young said the Falling Water's developers want to know why the City will not consider them further as an addition to the City's UGA. Councilmember King said the primary issue is the sewer capacity and protection of our water source. Deputy Mayor Swatman said this is an issue that might be better discussed at the Council retreat.

Area 41. Deputy Mayor Swatman said he noted the attendance of property owners in Area 41 at this evening's meeting. He said he hoped the City was still participating in the process of finding a solution to access issues in the area. Mayor Young said that a developer needs to come forward with a proposed design for access. He said the process is developer driven. Director Grigsby added that staff would have no objection to access from 100th St. He said the question is what kind of development will occur and is the proposed access suitable for the developer. He added that the frontage road option was still available as well. Mayor Young said the City's commitment is to work with any developer that comes in and has a bona fide plan for the City to consider.

Paying for New City Hall Today. Deputy Mayor Swatman asked if the Council realizes that the City and its citizens are still paying today for the New City Hall. He said he wants to emphasize that it is ridiculous to hold back on the development of the New City Hall, when it is still being paid for by the residents. Councilmember King agreed that the project should move forward.

Closure of Bonney Lake Supermarket. Councilmember Rackley reported the pending closure of the Bonney Lake Supermarket. Mayor Young added that he understands that there is already an option on the property and plans for development of the whole triangle there. He added that the developer is considering going to the Design Commission to help with the design of the whole area.

Floor in Target. Councilmember DeLeo said he had received a constituent email reporting that the floor in Target is cracking due to settling of the soil beneath the store. Councilmember Rackley noted that Target built their own store. Director Grigsby added that the soil preparation was the ultimate responsibility of Target.

Dieringer School Board. Councilmember DeLeo read from a letter from Corey Pawlak, Dieringer School District Board Chairperson. The letter expresses concern with Bonney Lake's development charges. The letter disputes the water connection fees required for the new district school, and the increased fees required due to a perceived miscommunication of the date that increased fees took effect.

Director Grigsby summarized the issues from the City's perspective and reported that the City has had to hire independent counsel due to a conflict of interest for the City Attorney's Office that also represents Dieringer School District as well as the City. Councilmember DeLeo put forth the opinion that City residents pay twice for system development charges (SDC) -- once through their own bills and again through taxes supporting the school district. Director Grigsby said that any government entity, including the City, pays the SDC fees. He noted that there are two meters involved in this dispute. He added that the district is expected to pay the SDC for the new irrigation meter and not the other existing meter.

Councilmember DeLeo asked about the sewer connection. Director Grigsby replied that Auburn provides sewage treatment, while Bonney Lake maintains the line. He said he could research the topic further and provide a report. Councilmember Hamilton said he would like a copy of the report as well.

Volumetric Charges. Councilmember Johnson said he has received a number of calls about the volumetric charges on the utility bill. He said that all 13 of those he spoke with would prefer a flat rate for personal budget purposes. Councilmember Hamilton asked if there was any conclusion that an error in the billing had occurred. Director Grigsby replied that the error occurred by applying the volumetric charge to water that had been consumed in 2004 before the effective date of the new rates. There was additional Council discussion on the rates. Mayor Young said a press release explaining the circumstances is being released. Director Grigsby added that a brochure explaining the increase in rates is also being prepared. Deputy Mayor Swatman said he has delved into the financial data. He said that the City is split into users that will pay more and some less. He added that if you use more water, you should pay more toward its production. He said that people are finally starting to examine their patterns of water usage. Councilmember Hamilton said more people are upset about the increases to their sewer bills. He said an explanation should be provided as to why individual users might see increases of ten to fifteen percent. There was consensus that additional information should be provided with the utility bills and the residents prepared for the impacts of the summer usage rates.

Larios Property Study. Deputy Mayor Swatman asked about the status on this report. Director Leedy said a wetland assessment and mitigation plan is being prepared on the Larios property. Mayor Young said a full report would be provided once the study is completed. Councilmember Noble asked if it is more than just a mitigation study. Director Leedy repeated that it is a

wetlands assessment and mitigation plan—independent of anything that’s gone on.

Signs, Signs. Councilmember King asked what is being done about illegal signs in the City. Mayor Young said that a week from Saturday there will be a sign blitz. Director Leedy explained that the Public Works Department will provide assistance to the Code Enforcement Officer during this effort.

Litter Hotline. Councilmember DeLeo said there is an increasing amount of litter appearing on the roadsides. He said he is contemplating an ordinance establishing a litter hotline that would eventually result in a warning notice in the mail. City Attorney Dionne said that there needs to be stronger proof than someone just calling in. He offered to make some suggestions to Councilmember DeLeo.

Trash Cleanup Program. Councilmember Johnson asked about the status of the neighborhood cleanup program he has proposed. He asked if he could put together an outline for the program and present it for the Community Development Committee to consider. Councilmember Rackley welcomed the effort. Councilmember Johnson also asked if the City would have a regular schedule again this summer for Public Works crews to pick up roadside litter. Mayor Young said he will check into it. Councilmember Johnson requested a printed schedule. He noted that Director Weidenfeller had agreed to provide a risk assessment of the proposal for a neighborhood cleanup program.

At 6:47 p.m., Mayor Young announced a five minute break in the meeting. He reconvened the meeting at 6:57 p.m.

2. Review of Minutes: February 1 Special Meeting, February 1 Council Workshop, February 8 Special Meeting and February 8 Council Meeting.

Councilmember Noble asked that the comments attributed to her at the top of page 5 on the February 8th minutes be modified to end with a period after the word “public”. Councilmember King asked that the reference in the same minutes to the PCRC meeting be corrected to reflect the meeting date on the 17th of February, not the 16th.

3. Discussion: AB05-41 – Res. 1383 – Annexation Area 7 – Review of Public Hearing testimony and resolution authorizing filing of the Notice of Intent to Annex with the BRB.

Deputy Mayor Swatman asked if the annexation action will include the language about the annexation area assuming its share of the City’s indebtedness. Director Leedy said it will be there. Responding to Councilmember Hamilton’s question about permit fees, Director Leedy said that once the area is in the City, any fees payable at time of permit will be collected by the City. Mayor Young said the item would be moved forward for Council action.

4. Discussion: AB05-36 – Ord. 1099 – Amendment to Comprehensive Plan and Zoning Ordinance in Response to Growth Management Hearing Board Order.

Director Leedy explained that Planning Manager Ladd has prepared an ordinance for Council consideration that can take two forms. He said that staff recommends that R-1 zoning based on density be applied and that the Planned Unit Development section be removed. He added that the R-1 definition will read as density of 4 to 5 units per acre. The Council discussed some of the impacts to the Lake Jane Estates. Councilmember King asked about the requirement to notify the homeowners association about proposed short-plats. Mayor Young agreed to make it an

administrative directive to reduce complications with the proposed ordinance. Councilmember Noble asked why the zoning density would be up to 5 units, when 4 are all that is required. Planning Manager Ladd replied that 4 is a minimum and that to have a maximum, 5 is proposed to give a developer some leeway in their development proposals. He said it would be a maximum of 5 units per net acre, rounded down. He added that the smallest possible lot size under maximum conditions for the developer would be 8,100 sq. ft. He said the ordinance is designed to meet the GMHB order with the least density and greatest flexibility for design and development. Councilmember Hamilton asked if this ordinance would impact the process for considering trees on a property. Planning Manager Ladd said that staff is working on a tree retention ordinance. He added that the ordinance under consideration tonight is impacted in that it will allow for clustering of dwellings to preserve more trees in a development. Mayor Young said the ordinance would be moved forward for Council action.

5. Discussion: AB05-35 – Ord. 1081 – Amending Definition of “Area-wide” in Development Regulations.

Director Leedy said the proposed ordinance is in response to the direction from Council to change the process and procedure for area-wide versus site-specific land use actions. He said the ordinance includes an acreage threshold above which the consideration becomes legislative rather than quasi-judicial. City Attorney Dionne suggested that the Council agree to something substantially more than the recommended 10 acre threshold. He suggested 40-50 acres. The Council discussed this recommendation. There was general Council consensus that the threshold should be set at 20-30 acres. City Attorney Dionne suggested that the ordinance will need more work, and that he will provide further recommendations at the Council meeting. Mayor Young said it will be moved forward.

6. **Action: AB05-34** – A Motion Of The City Council Of The City Of Bonney Lake Setting A Public Hearing To Be Held During The Regular Council Meeting Of February 22, 2005, Which Starts At 7:00 P.M., To Receive Public Input On Resolution 1381 – Authorizing The Disposal Of Surplus Property In Accordance With The Provisions Outlined By Ordinance 872.

Deputy Mayor Swatman moved to set the public hearing according to the above motion read by Mayor Young. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

7. **Action: AB05-49** – A Motion Of The City Council Of The City Of Bonney Lake Setting A Public Hearing To Be Held During The Regular Council Meeting Of February 22, 2005, Which Starts At 7:00 P.M., To Receive Public Input On Ordinance 1104, Proposing Changes In Planning Fees.

Councilmember Rackley moved to set the public hearing as described in the above motion read by Mayor Young. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

8. **Action: AB05-58 – Res. 1395** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Treasury Services Agreement with General Provisions, A Contract Addendum For Positive Pay, And A Contract Addendum For Account Reconciliation With The Bank of America For Banking Services.

Mayor Young explained that there have been problems with counterfeit checks. He said the City has not had a formal banking agreement in the past. He said the proposed agreement and services would more greatly safeguard the integrity of the City's checks and vouchers. Responding to questions, Mayor Young replied that this is not a recommendation from the State auditors. He added that the procedure would be for the City to send a list of checks to the bank before the checks are dispersed.

Motion approved 6 – 0.

Councilmember King asked that the record reflect that Councilmember Johnson left the Council Chamber before the final vote. (Councilmember Johnson left the chamber at 7:56 p.m. before the vote on AB05-58.)

9. Adjournment

With the Council's general consent, Mayor Young adjourned the meeting at 7:57 p.m.

Documents submitted for/at the Council Workshop of February 15, 2005:

- City of Bonney Lake – *Preliminary Draft Council Retreat Agenda* – Don Morrison, Bonney Lake Administrative Services Coordinator
- Bank of America – *Treasury Services Agreement General Provisions* – John Weidenfeller, Bonney Lake Finance Director.
- Tacoma Pierce County Health Department – *Letter from Kathy McVay to Councilmember Rackley and Proposed 'Oral Health' Program* – James Rackley, Bonney Lake Councilmember

Harwood T. Edvalson, CMC, City Clerk

Robert Young, Mayor