

City of

COUNCIL WORKSHOP

April 5, 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 April 5th Council Workshop to order at 5:37 p.m.

Also in attendance were Deputy Mayor Dan Swatman, Councilmember Phil DeLeo Councilmember Mark Hamilton, Councilmember Neil Johnson, Councilmember Dave King, Councilmember Cheryl 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 Dan Grigsby, City Engineer John Woodcock, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

Agenda Items

1. Executive Session: Mayor Young announced the intent to hold a twenty-minute executive session pursuant to RCW 42.30.110 1(b)(i), to discuss potential litigation and the potential purchase of property. The session started at 5:40 p.m. It was extended for ten minutes at 6:05 p.m. and again for five minutes at 6:18 p.m. The session concluded at 6:20 p.m.

The regular meeting was reconvened at 6:22 p.m.

2. Open Discussion

Tacoma Pierce County Board of Health. Councilmember Rackley announced that the Tacoma Pierce County Board of Health will hold a meeting on Wednesday and take public comment on Resolution No. 205-3705 requiring mandatory fluoridation of water except for those who participate in the voluntary Oral Health Program. Councilmember King noted that the Board of Health's proposed action is probably in response to several communities balking at participating in the proposed alternative program.

Comp Plan Amendment Deadline. Planning and Community Development Director Leedy confirmed Deputy Mayor Swatman's comments that April 30th is the deadline for submission of applications to amend the City's Comprehensive Plan in 2005. He noted that potential adjustments to the future land use map may require a City application, as well as a notation to tighten-up the transitional areas.

Councilmember Rackley asked if Quadrant/Weyerhaeuser intended to submit an application during the last few days before the deadline. Director Leedy said that they've been informed of the deadline. Mayor Young added that they have indicated their intent to make application. Director Leedy indicated that typically, the City has until the end of the year to conclude the

consideration process of applications.

April 30th Pancake Breakfast. Councilmember Johnson said the City's informational pancake breakfast is set for April 30. He added that two articles are ready for the Council Corner and asked for additional Council input. The City Council discussed a possible format for the presentation of information at the breakfast. It was decided that several stations with graphic displays and information would be provided. Finance Director Weidenfeller encouraged Council input on the graphics needed to support the stations as soon as possible. Councilmember Johnson said he will put together some suggestions and email it to the Council for review.

Wetland and Larios Property. Deputy Mayor Swatman questioned the extent of the wetland delineated by the recent wetlands survey and assessment on the Larios property. Director Leedy identified the source of some confusion on the extent of the wetland on the Larios property, noting that the provided aerial photo and map had used the same symbol for the wetland as for the stream setback occurring on the same property. He confirmed that the wetland on the Larios property exists only in the northeast corner.

Ward Boundaries Map. Councilmember DeLeo noted, that at the Public Safety Committee meeting, staff had provided ward boundary maps with Councilmember names attributed to the wrong wards. Councilmember King urged that the ward boundaries be reviewed closely to reflect the most recent changes and annexations.

Ward Redistricting. Councilmember Rackley urged that the ward boundaries be reviewed before the fall elections. He noted that his ward may have more than a thousand residents in excess of other wards due to new development and annexations in his ward. Mayor Young said staff would assess how fast the work of redistricting could be done and what the projected cost would be.

Tree Retention and Tree City Ordinances. Deputy Mayor Swatman suggested that care be taken in the description of the tree retention ordinance and the ordinance establishing the City as a Tree City USA. He said that the purposes of the ordinances are different and that current information is confusing to the residents. He noted that a property owner with a six acre parcel had recently been informed that a ridiculously large tree buffer would be enforced on the development of a single home on the property. Councilmember Hamilton said the tree retention ordinance is in its infancy and will involve a longer process to develop than the ordinance supporting a Tree City USA designation.

Abatement of Dangerous Buildings. Councilmember King thanked Building Official Hight and the Planning Department for the successful abatement of the safety issues at the old fire station. He added that the owner has responded well to the City's abatement letter. He also suggested that there are other dangerous buildings to which the City should apply this abatement process. Deputy Mayor Swatman also provided a proposed location.

Tree-cutting on Gunn Property. Deputy Mayor Swatman asked for an update on the stop work order and issuance of a tree-cutting permit on the Gunn property. Mayor Young said that his Weekend Wrap-up addressed the topic. He added that staff had issued a permit according to a procedure that had been in place for perhaps ten years. He said that once a weakness in the procedure was identified, corrective steps were taken to improve the permitting process. The Council discussed with staff whether some type of penalty or remedial requirement should be imposed on the permit applicant. There was a general consensus that no further action was appropriate. Councilmember King suggested that the level of professional opinion required to certify that a tree is diseased or poses a hazard now needs to be defined in the ordinance.

Councilmember Noble said this tree-cutting situation is reminiscent of the situation at the Larios property. She noted that the permit was issued under the impression that there was no wetland on the property.

3. Review of Minutes: March 11 & 12 Special Meetings, March 15 Council Workshop and March 15 Special Meeting of the Council and Park Board.

City Clerk Edvalson reported that Mr. Fred Jacobsen suggested that County Councilmember Bunney be correctly identified as representing Pierce County rather than King County in the March 15 Council minutes. There were no other corrections requested by the Council.

Responding to Council request, Mayor Young called for a ten minute recess at 7:00 p.m.

4. **Action** (Tabled from 03/22/05): **AB05-42 – Resolution 1384** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Viewpoint Realty For Professional Services. [A3.14].

Councilmember Hamilton moved to approve Resolution 1384. Councilmember Rackley seconded the motion.

Mayor Young reminded the Council that after some discussion, the Council tabled this item to the workshop. Deputy Mayor Swatman said he doesn't believe a contract for these services is appropriate. He added that he feels it is within staff's authority to obtain this type of service. Councilmember Johnson said he doesn't feel this service is needed. He said that realtors ought to be willing to provide information to the City because of the sales commission they will receive on the property. Councilmember King expressed concern that the proposed contract is open-ended. He suggested defining the maximum number of hours in the contract. Councilmember Johnson noted the City recently hired outside legal counsel without an agreement. He asked why this is different. Finance Director Weidenfeller replied that an agreement authorized by the Council provides the City greater protection from a risk management perspective. City Attorney Dionne concurred that using a contract makes it easier for the City to enforce its rights. Councilmember Hamilton said he feels the tasks for the consultant should be more narrowly defined. Councilmember DeLeo said he feels that the City should develop its strategic plan for land acquisitions before contracting with a realtor. After further discussion, Mayor Young pulled the item from further Council consideration. He advised that the Council may see some bills in the near future for realtor services.

5. Discussion: 191st Avenue East Stormwater Review.

Public Works Director Grigsby provided Council with an aerial photo/drawing and an analysis of the 191st Avenue East stormwater drainage. He concluded that the recent stormwater problems in the area are the result of development in naturally low areas, improper private maintenance of natural and man-made drainage paths, improper sizing of drainage diversion pipes, and an unusually intense rain event. He also concluded that the tree-cutting and clearing on the Larios property had no significant impact on the drainage in the area. He suggested three recommended actions. The first is to prevent further erosion on the Larios property until the site development is complete. Second is to advise specific property owners to install a berm along the drainage swale to provide additional protection to their properties. The third is to consider the installation of additional pipes and drainage capacity, but cautioned that the downstream impacts should be studied first.

The City Council discussed the Public Works Department's observations and conclusions and the stormwater history in this area. Deputy Mayor Swatman and Councilmember Rackley expressed their belief that the stormwater pipe capacity is insufficient and should be increased.

Councilmember Hamilton said he does not want to see a temporary solution that will require the City to continue to do more work over time. He said if the City must periodically go back and remediate the problem, then the City should have the right to limit further development in the area to control the stormwater impacts. Councilmember Noble said she is uncomfortable with the recommendations made by the Public Works Department.

Councilmember Hamilton asked if the City's current stormwater utility fees can be used for projects in this area. Director Grigsby replied that most of the funds are currently used to maintain existing facilities. He said he is working on a proposal for a system development charge that could be used in the future for improvements to the system. Councilmember DeLeo favored installing an additional pipeline. Councilmember King cautioned that similar geography and problems occur elsewhere in the City. Councilmember Hamilton suggested that property owners with Type III wetlands should be notified by the City, and asked staff to check on the cost of doing so. Councilmember Noble said she does not believe that property owners should bear the burden of correcting drainage problems. Deputy Mayor Swatman agreed. Mayor Young reminded the Council that flooding in this particular area has occurred before this recent episode. He said that the Public Works recommendations appear appropriate. He suggested they be allowed to monitor the situation and determine what will work best. Councilmember Rackley asked that the Community Development Committee be notified after the city-wide wetland delineation effort is completed. Council discussed other possible mitigations. Director Grigsby assured Council that his department will monitor drainage and flooding in the area to refine their recommendations.

At City Council's request, Mayor Young called for a five minute break in the meeting at 8:33 p.m. The meeting was reconvened at 8:44 p.m.

6. Discussion: AB05-81 – Recommended Changes to Public Works Development Polices and Design Standards.

City Engineer Woodcock explained that the department goal was to upgrade the standards, get them on the City's website, reflect better standards and streamline their presentation. He said the more salient changes include changing the maintenance bonds from one to two years, requiring qualified soils professionals to be retained, having the City prepare all plans and specs for lift stations, new street sign standards, generally allowing two street approaches per parcel and upgraded standards for street patching and restoration.

Councilmember DeLeo noted that the recent proposed changes to the planning fees were to largely do away with deposits. City Engineer Woodcock responded that it could be done a variety of ways, but that the deposit provides security to the staff that if the developer stops the project, at least a portion of expense is already covered. Mayor Young noted that the Council chose not to approve the proposed changes in the planning department fee structure.

Councilmember King congratulated the Public Works Department on a fairly comprehensive effort. He asked if anything had been changed since the standards were presented for Council review. Engineer Woodcock replied, no. Director Grigsby complimented Engineer Woodcock for the extra hours put into completing this upgrade. He said it will be a benefit to the appearance

and operation of the City utilities and infrastructure.

7. Adjournment.

With Council's consent, Mayor Young adjourned the meeting at 8:52 p.m.

Documents submitted for/at the Council Workshop of April 5, 2005:

- City of Bonney Lake – *Public Works Water Projects Update and Tacoma Point Wellfield Well Levels* – Bruce Gould, Contract Employee – Public Works Department.
- City of Bonney Lake – *Tacoma Point Wellfield Well Levels* – Daniel Grigsby, Public Works Director.
- City of Bonney Lake – *191st Ave. East Storm Water Analysis and Aerial Photo* – Daniel Grigsby, Public Works Director.

Harwood T. Edvalson, CMC, City Clerk

Robert Young, Mayor