

City of

COUNCIL WORKSHOP

April 19, 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"

Call to Order:

Mayor Robert Young called the April 5th Council Workshop to order at 5:34 p.m.

Roll Call:

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, City Engineer John Woodcock, Planning Manager Steve Ladd, Information Technology Coordinator Chuck McEwen, Deputy City Attorney Jeff Ganson and City Clerk Harwood Edvalson.

Announcements:

Legislative Update. Mayor Young reported that at 5:00 p.m. this evening, the State Legislature passed Bill 2171 making the City of Bonney Lake eligible for Public Works Trust Fund Loans because we are working toward compliance with the required comprehensive plan updates. Deputy Mayor Swatman questioned the applicability to the City, he said he believed cities in Pierce, King and several others were already exempt.

Wireless Demonstration. Mayor Young invited the City Council to participate in a wireless internet demonstration in the City of Auburn on Friday, April 22nd at 2:00 p.m. He said he had arranged to take a van over to the demonstration. Information Technology Coordinator McEwen said that 80% of city representatives attending a recent IT Director's Conference indicated that they were at some stage of deploying a wide-area wireless Internet service. He said many of them are making it available to citizens. He added that on May 3rd, Vivato will make a presentation to the City Council about their technology and answer questions from the Council. He explained that the plan is to do a demonstration, proof of concept and then a test. He said if the equipment meets or exceeds the City's benchmarks, then the City would be obligated to purchase the mounted panel. Mayor Young said that some City's are allowing an hour's access to residents at no cost. He added that others are contracting with third party vendors to operate the systems and networks.

Park Appreciation Day. Mayor Young reminded those in attendance that Park Appreciation Day is Saturday, April 23rd. He said a project would start at 9:00 a.m. in Allan Yorke Park. He added that some may be directed to Lake Bonney for a project. Councilmember Noble confirmed that the residents had something planned at the lake.

Agenda Items

1. Mayor's Quarterly Report

Mayor Young distributed the City's first quarterly report. He said it gives highlights and the status of key projects from each department. He added that it will be posted on the website. Mayor Young observed that future quarterly reports will be condensed to reduce the number of pages. He observed that there is a lot going on in the City. He summarized the report by saying that the City is on budget, on target and on time with most everything being done. He noted that tax revenues may appear to be down, but that property taxes will not be received until May.

Mayor Young noted that the Council has a public hearing set for 7:00 p.m. on the 95th St. LID. He said he wants to put Item 6 in front of Item 5, because the one flows into the other and may be discussed together.

2. Open Discussion

April 30th Pancake Breakfast. Councilmember DeLeo expressed concern that very little appears to have been done in preparation for the pancake breakfast. With Council's reassurance of reimbursement, he offered to obtain the Health Permit and do the food shopping. He noted that the application fee has doubled because the event is less than two weeks away. Council concurred with his estimate to prepare for 300 people.

Animal Control Services. Councilmember DeLeo said the Public Safety Commission has been discussing replacement services for the concluding Human Society contract. He added that many cities around the Bonney Lake area are in the same position. He suggested that the City of Bonney Lake take on the role of service provider and contract to provide animal control services to the other cities. Mayor Young said that the Police Chief is working on the animal control issue and is in contact with other cities.

High School-Area Parking Limitations. Councilmember DeLeo said the Public Safety Committee is working on an ordinance to limit parking in the area around the new high school. He said they would like to meet with home owners associations in the area and asked if others had contacts with these groups. Mayor Young said he can provide contact information. Deputy Mayor Swatman asked if the proposed parking restrictions would be handled like Sumner, where streets were allowed to opt out of the program. Councilmember DeLeo said the Committee is looking at designating streets due to a fear that once the program is started, those that opted out of the program will be flooded with cars and then come back to the City and request to be covered under the parking restriction ordinance.

Kiwanis Golf Tournament – June 7. Councilmember DeLeo announced the upcoming Bonney Lake Kiwanis golf tournament. He suggested that the tournament presents excellent opportunities to purchase political advertising for those running for Mayor. He invited city staff or elected officials who are golfers to contact him for more information. Mayor Young offered to make mention of the tournament in his *Week-end Wrap-Up Report*.

Homeowner Association Partnerships. Councilmember King suggested that the City is missing an opportunity to partner with homeowner associations for such programs as block watch, adopt-a-street and city and park clean-ups. He encouraged City staff to establish a contact point for homeowners associations and to encourage their contact whenever association elected officers change.

Food Bank Building. Councilmember Hamilton pointed out that the Food Bank Building is in need of maintenance. Mayor Young said he has a list of items for the maintenance crews to address and said he would add this building to the list.

Skate Park Surveillance. Councilmember Johnson asked if Drug Seizure Funds could be used to fund electronic surveillance of the Skate Park. Mayor Young explained that electronic monitoring of the Skate Park could cost from \$15,000 to \$20,000. Councilmember King pointed out that the Public Safety Committee had observed that the kind of equipment needed to provide detail admissible in court would be very expensive. Councilmember Johnson noted that the Drug Fund has \$135,000 in it, and felt that some of it could be used to deal with the complaints he's received of drug activity in the vicinity of the Skate Park. Mayor Young said that staff will look into it.

New Roads. Deputy Mayor Swatman asked if the Council had seen the informal proposal for alignment of 184th Ave. He asked if the new road in Brookside is supposed to have traffic circles. City Engineer Woodcock said the developers opted to postpone installation of the two circles until the completion of Phase II of the development.

Properties of Interest. Deputy Mayor Swatman asked about the City's interest and possible efforts to acquire properties. Mayor Young said staff is still working on these projects.

WSU Process. Deputy Mayor Swatman asked about the Comprehensive Plan Amendment application for the former WSU Demonstration Forest. Director Leedy provided a brief overview of the process. He said the key right now is the submittal deadline of Friday, April 29th. He said if the application is submitted, the process will take most of the remainder of 2005 with the Council consideration occurring in the November to December time frame. Councilmember Rackley asked that Council be advised when the application is submitted. Mayor Young said he has asked the developers to make their intent public as soon as possible to begin developing public buy-in of the proposed developments. Deputy Mayor Swatman asked if maps and drawings will be available for the Community Summit/Pancake Breakfast. Mayor Young said he's received one map and is awaiting receipt of others.

192nd Ave. Traffic Signal. Councilmember Johnson asked about progress on the traffic signal at 192nd Ave. Mayor Young said the work is in process. City Engineer Woodcock agreed to provide an update to the Council on the status and projected completion of the project.

Appearance of Fairness. Councilmember DeLeo asked if it was appropriate for Weyerhaeuser to engage him in discussions about the intended use of the WSU Demonstration Forest. Deputy City Attorney Ganson said that as long as no application has been received, and it is clear that the Councilmember is acting as an individual and not on behalf of the Council, his ability to vote on the issue in the future will not be jeopardized.

Ward Boundaries. Councilmember King asked if the redistricting of ward boundaries is being pursued. Councilmember Rackley pointed out that he has at least 1,000 more citizens in his ward boundaries than the other wards. Deputy Mayor Swatman suggested that the inequity could easily be resolved by going to an all at-large system of representation. Mayor Young said the estimated cost for redistricting is between \$5,000 to \$7,000. Mayor Young said additional information will be provided in the discussion about Annexation Area 7.

Vehicle Abatement. Councilmember King asked Deputy City Attorney Ganson if previous

litigation involving a property on the south end of 198th would prevent the City from pursuing current violations of the public nuisance code. Deputy City Attorney Ganson said the previous case was very specific in the facts considered. He advised that there would be no problem for the City to enforce its current ordinance. Mayor Young announced that a retired police officer has been hired as an additional code enforcement officer. He said that dangerous buildings as well as public nuisance vehicles will be a focus of the extra effort. Director Leedy offered to provide a status report on abatement efforts. Councilmember DeLeo pointed out the need for additional sign code enforcement as well.

3. Review of Minutes: April 5 Council Workshop.

There were no corrections requested by the Council.

4. Discussion: AB05-106 – Resolution 1426 – Adopt-A-Street Program

Administrative Services Coordinator (ASC) Morrison said that the proposed program has been culled from the programs of 12 other agencies. He said the proposal may need some fine-tuning, particularly with respect to volunteer liability protections. He said the City has received one inquiry about participation in an adopt-a-street program. He said the program envisions a two year commitment, and a \$180 cost to the City for designated signs. Councilmember Johnson asked how many times per year the participants will be required to pickup litter. He suggested the need for some type of enforcement mechanism for those failing to perform the program's required cleanup. ASC Morrison said the program envisions a quarterly commitment to pick up trash, and suggested that other program's use drive-by observation to determine if the cleanup commitment has been met. Councilmembers King and Johnson discussed options for disposing of the collected refuse. Councilmember Johnson also suggested that cleanups could be coordinated other City efforts in a particular area. Councilmember DeLeo observed some inconsistency in the program documents about the age below which adult supervision is required. Mayor Young said that with correction, the item would be moved forward.

5. Discussion: AB05-114 – North Sewer Service Area.

Mayor Young said staff has been looking at the Urban Growth Area (UGA) to the north and south and wants Council input on the associated issues. He distributed an outline of a proposed task force to assess the Bonney Lake utilities and transportation service areas and to make recommendations about the ultimate UGA for the City.

City Engineer Woodcock distributed a map for discussion purposes. He said there are some discrepancies between what is represented on the map and where the boundaries currently exist on both the north and south of the City. Deputy Mayor Swatman asked that the discrepancies be corrected for future discussion. He added that he feels a task force is unnecessary. He said the issue is of such core importance to the City that he and other Councilmembers want to be closely involved. He suggested that appropriate subcommittees of the Council could accomplish the review.

Councilmember Hamilton expressed concern for future density levels of development with the extension of sewer to the north end of Lake Tapps. Councilmember Rackley added that the City can't forget to consider what will happen when septic tanks begin to fail and sewers are mandated around the lake. Mayor Young said he does not want to see the day that a treatment plant is located on the plateau. He said it would be easier to drop a line down the hill and tie into King County Metro. He added that King County has already indicated that it would consider such a

proposal. Councilmember King said he feels that addition of UGA to the City must come at a measured pace to allow fulfillment of existing obligations for infrastructure development within the current City limits. The City Council continued discussion of sewer and water service to areas north and south of the City and potential additions to the City's UGA.

Councilmember Rackley said he has requested a meeting with the sewer treatment facility committee. He said it will be discussed at their meeting this Thursday, and he will be attending. Mayor Young said he will try to attend the meeting as well. Councilmember Noble indicated she will also be attending the meeting. Mayor Young suggested that the discussion be put on hold pending the results of the Thursday meeting.

Mayor Young called for a break in the meeting at 6:56 p.m. until the 7:00 p.m. public hearing. Mayor Young left the meeting to attend another meeting. Deputy Mayor Swatman reconvened the meeting at 7:06 p.m.

6. Public Hearing - 7:00 pm: Formation Hearing for 95th Street LID.

Deputy Mayor Swatman called the Public Hearing to order. He explained that the hearing is to consider the formation and boundaries of a local improvement district to fund improvements to 95th St., whether it should be formed at all, and if so, what its boundaries should be. He added that there will be future opportunity to consider individual assessments. City Engineer Woodcock explained the proposal. He described the existing conditions and what is being proposed. His description included specific details about the work, methodology, public works contract, etc. He noted that the LID proposal is the result of a petition from 8 of the 10 property owners in the benefited area. He described the estimated cost of the project, how the benefited properties were identified within the proposed LID boundaries and the estimated individual assessments. Engineer Woodcock described how the public hearing had been published twice and notice delivered to the owners of property in the affected area at least 15 days before the public hearing. He described the alternatives including the double chip seal at City expense, and the pros and cons of each approach. He also acknowledged the opposition of two property owners.

Deputy Mayor Swatman asked the City Clerk if any written protests had been received. City Clerk Edvalson responded that there were none. Deputy Mayor Swatman called for any public comments. There were none. The Council briefly discussed the proposed project and the definitions in the Municipal Code that allow the proposed improvements.

Deputy Mayor Swatman closed the LID formation hearing and announced that the City Council will discuss the matter at a latter meeting, and may approve the LID by ordinance at a subsequent meeting.

7. Discussion: AB05-86 – Ordinance 1112 – Home Occupation Signs

Councilmember Rackley asked if any existing signs would be grandfathered upon the adoption of the new ordinance. Director Leedy responded that any existing signs are probably illegal since commercial signs are not currently authorized in a residential neighborhood. He anticipated that enforcement of the new code would be on a complaint basis as it has been in the past. ASC Morrison observed that the proposed ordinance does not allow for fixed signs, only temporary signs that must be removed at the end of the day. Councilmember Johnson suggested that it might be appropriate to have the Design Commission develop some design standards for the signs. Councilmember King said that the sign code already prohibits the use of balloons, banners, lighted signs, etc. Deputy Mayor Swatman said the proposed ordinance would be moved on to

the next Council meeting for action.

8. Discussion: AB05-110 – Ordinance 1123 – Parks & Transportation Impact Fees

City Engineer Woodcock suggested that the item be pulled from discussion for further staff review. He added, however, that the fees have not been recommended for change. Deputy Mayor Swatman observed that the only changes are textual and suggested that the Finance Committee review the ordinance one last time before moving it forward to the next Council meeting for Council action. Planning Manager Ladd said the proposed ordinance clarifies who pays park impact fees and under what circumstances. He said there has been confusion about the application to multi-family dwellings. There was a majority consensus to send it back to the Finance Committee before moving it forward to the next Council meeting.

9. Discussion: AB05-101 – Ordinance 1119 – Annexing “Annexation Area 7” and AB05-102 – Ordinance 1120 – R1 zoning designation for “Annexation Area 7”

There was only brief discussion regarding these proposed ordinances. Councilmember King asked for clarification as to how many would be impacted by this annexation. Director Leedy responded that there are only a few residents currently in the area, but that many lots have been identified. Deputy Mayor Swatman said the proposed ordinances will be moved forward for Council action.

10. Discussion: AB05-110 – Ordinance 1118 – Designation of Ward Boundaries

The City Council discussed briefly the realignment of ward boundaries. Councilmember King said that the proposed inclusion of this annexation area into the boundaries of Ward 2 seems the only possible choice at this time. He urged the staff to push forward with the realignment of Ward 2. Deputy Mayor Swatman said although the Council anticipated continued growth in Ward 2, the Council was required to use existing census data from the last decennial US Census. Deputy City Attorney Ganson said that the ward boundaries can be adjusted, but that the City is limited to using the census information for those individuals that were in the newly annexed areas at the time of the last census. Deputy Mayor Swatman said this proposed ordinance will be moved forward for Council action.

11. Discussion: AB05-115 – Resolution 1427 – Interlocal Agreement with Pierce County Related to Post Annexation Processing of Building and Related Permits and Land Use Applications.

Director Leedy explained that the verbiage for this resolution and Interlocal Agreement is the same as that of previous agreements with Pierce County. He said the Interlocal Agreement establishes clear areas of responsibility for permits and inspections during the change-over in jurisdictions. Councilmember Hamilton asked why the City doesn't request developers to resubmit their applications under the City's ordinances. Deputy City Attorney Ganson explained that there is a strong doctrine of vested rights in the State of Washington, and that once a permit application has been deemed complete, the project is vested under those existing laws. Deputy Mayor Swatman said the proposed resolution will be moved forward for Council action.

12. Discussion: AB05-109 – Ordinance 1122 – School Impact Fees.

In the Mayor's absence, Director Weidenfeller distributed a memo from the Mayor on the topic of collection of school impact fees. Deputy Mayor Swatman observed that lately there have been many items distributed at Council meetings. He asked that the number of items distributed at the

meetings be reduced, and that more be provided in advance to allow for appropriate Council review. Director Weidenfeller addressed the Mayor's memo and said that he believes the City has a measure of liability to maintain the financial documents in the administration of school impact fees. He said the authorizing ordinance is the City's and believes that the State Auditors will require an accounting from the City. He noted that the City already has sophisticated financial software that it can use to track these funds. He said an administrative fee for the work involved in tracking the funds is appropriate. Mayor Young rejoined the meeting at approximately 8:00 p.m.

Councilmembers Noble and Rackley said they do not believe another layer of government is needed in this process. They urged the Council not to approve collection and distribution through the City. He asked if the agreement could be modified to require an annual accounting of collections from the school districts. Deputy City Attorney Ganson said this is already covered in the agreement. He said the fee collection is a policy issue of the Council, and that auditing may be a valid concern. Attorney Mary Urback, representing the Sumner School District said that the school district indemnifies the City for administrative procedures involved with the impact fee, which shifts the liability to the school district. Councilmember King said he believes that if the City is going to require its citizens to pay the fee, then the City should be accountable to the citizens and collect and distribute the fees. Deputy Mayor Swatman said he saw no reason to administer it differently than the City of Sumner, who allows the school district to collect the fee. There was a majority consensus to allow the school district to collect the fee. Mayor Young said the ordinance would be presented with the school district as the point of collection for the school impact fee.

13. Traffic Impacts of New High School.

Mayor Young said he slipped out of the meeting to meet with Public Works Director Grigsby and the parents of the new high school students to talk about traffic impacts of the new school.

14. Discussion: AB05-107 – Ordinance 1121 – Exempt the Position of Police Chief from Civil Service.

Mayor Young distributed a memo. Deputy Mayor Swatman advised the Mayor that the Council had spoken earlier in the meeting during his absence that the Council feels there are too many pieces of information being distributed at the meeting. Mayor Young explained that he could not have gotten it to the Council sooner, because he did not receive the memo until 4:00 p.m. this afternoon. He said the Police Guild memo says that the Guild supports removing the Police Chief position from coverage under the Civil Service Commission. He noted that the Civil Service Commission would like to see the position remain under their jurisdiction. Deputy Mayor Swatman said he would like to study this further to see how it impacts the hiring of a Public Safety Director. Councilmember Hamilton said he supports retaining the chief's position under civil service. He said the ultimate selection still goes to the Mayor. Councilmembers King and Noble agreed that the issue needs more study. Mayor Young agreed not to move it forward at this time.

15. Resignation of Planning Commission Chairman.

Mayor Young advised the Council that he received an emailed resignation from Planning Commission Chairman Steve Burnham. He said he has planned the presentation of a certificate of recognition and a short reception at next week's Council meeting.

16. Adjournment.

With Council's consent, Mayor Young adjourned the meeting at 8:30 p.m.

Documents submitted for/at the Council Workshop of April 19, 2005:

- City of Bonney Lake – *Quarterly Report – First Quarter 2005* – Robert Young, Mayor.
- City of Bonney Lake – *Bonney Lake 2025 - Urban Growth Area Task Force* – Robert Young, Mayor.
- City of Bonney Lake – *Map – Water & Sewer Service Areas (15 April 2005)* – John Woodcock, City Engineer.
- City of Bonney Lake – *95th LID Assessment Estimate* – John Woodcock, City Engineer.
- City of Bonney Lake – *School Impact Fees – Information/Decision Paper* – Robert Young, Mayor.
- Bonney Lake Police Dept. Guild – *Memo: Police Chief Civil Service Status* – Robert Kearney, for Bonney Lake Police Department Guild Executive Board.

Harwood T. Edvalson, CMC
City Clerk

Robert Young, Mayor