

City of

***Special Council/
Planning Commission
Workshop***

August 30, 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"

Audio
Time
Stamp ↓

Call to Order:

Mayor Robert Young called the August 30 Joint City Council/Planning Commission Special Workshop to order at 5:32 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.

Planning Commissioners: Chairman Randy McKibben, Vice Chairman Dennis Poulsen, Commissioner Quinn Dahlstrom, Commissioner Robert Harding and Commissioner Grant Sulham.

Staff members attending were Administrative Services Coordinator (ASC) Don Morrison, Finance Director John Weidenfeller, Public Works Director Dan Grigsby, Planning and Community Development Director Bob Leedy, Planning Manager Steve Ladd, Interim Police Chief Buster McGehee, Senior Accountant Barbara Barth, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

Mayor Young announced the appointment of David P. Eck to the vacancy on the Planning Commission. Commissioner Eck joined the meeting in progress and was invited to join the other Commissioners and Council at the meeting table.

Agenda Items

5:33:36

1. Discussion: AB05-209 – Ordinance 1155 – Implementing the Downtown Plan by Establishing Appropriate Zoning Districts.

Director Leedy said the Planning Commission's recommendation is an ordinance that is intended to protect the downtown area and implement the Community Character Element of the City's Comprehensive Plan. He said the staff has heard concerns that the proposed zoning is premature. He added that the zoning may need to be revisited in the future, but is a vehicle available now to implement the Comprehensive Plan.

Councilmember Johnson said that what he is looking for is a zoning designation that is broader than the proposed zones and more clearly designates the Council's desire to see the downtown area redeveloped. He suggested the phrase, "redevelopment," to designate one or two zones in the downtown area. He also encouraged the City to use a consultant to gather and analyze psycho-graphic data to identify the types of business that would best fit the Bonney Lake community and the development envisioned in the downtown area. Councilmember Rackley

expressed his agreement, and added that this should have been done earlier in the process of determining the future of the downtown area. He urged the Council to not let the momentum for change in the downtown area die. Director Leedy questioned whether “redevelopment” would give the Council’s efforts in the downtown area a bad connotation. Planning Manager Ladd said that “redevelopment” is a term that covers a broader process than the zoning that is being proposed in Ordinance 1155.

Councilmembers expressed the need for the ordinance to convey a cohesive plan for the downtown area, to protect the area from development inconsistent with their vision, and to protect the single-family residential areas from the impacts of adjacent commercial zones. A vision for multiple-story, mixed-use development was favored for some streets in the downtown core.

Commissioner Poulsen suggested that the City explore the possibility of purchasing the first-rights-of-refusal on the sale of residential properties in the downtown area. He said in this fashion the City could start to bank properties for future development in a manner consistent with its vision for the area. Councilmember Hamilton questioned if it might be better for developer’s to do this rather than the City. Councilmember Johnson described how other cities have bought and bundled properties for development consistent with their downtown vision. Chairman McKibben distributed an article to help define some terms and give people a common base for discussion of the issues.

Councilmember DeLeo asked the Planning Commission why they recommended Section 16, the access restriction of an individual property, in the proposed ordinance. Commissioner Dahlstrom responded that the Planning Commission received the three proposed motions just prior to the meeting where they voted to recommend the ordinance to the Council. She said the Commission did not adequately review or study the motions. She added that she did not realize they were creating a “spite” strip. She said it was their collective error that they missed the impact of this action. She said she would vote differently if given the opportunity again. Chairman McKibben said that although he did not support this provision of the ordinance, the Commission voted unanimously to recommend the proposed ordinance in order to move it along for further consideration and corrections by the Council. After discussion of this issue, the Council came to a majority consensus to have staff rewrite this section of the proposed ordinance. Mayor Young summarized the intent of the Council stating that the staff would rework Section 16 and include a provision to purchase rights-of-first-refusal on residential properties in the downtown area. He noted that the Planning Commission has agreed to begin work on necessary modifications to the Comprehensive Plan for the 2006 update process. Mayor Young received support to bring the revised ordinance back to a Council workshop for further discussion.

Mayor Young announced a ten minute break in the meeting, at which time, pursuant to RCW 42.30110(i), the Council would meet in Executive Session to discuss potential litigation. The break started at 6:54 p.m. and concluded at 7:08 p.m.

2. Executive Session.

Mayor Young announced the executive session will last 30 minutes. The session started at 7:08 p.m. At 7:41 p.m., the session was extended 2 minutes. The session was extended for 5 minutes at 7:45 p.m. At 7:51 p.m., the executive session was extended for 5 minutes. At 8:00 p.m., the session was extended for 10 minutes. The executive session concluded at 8:06 p.m.

8:13:11

3. **Action Item:** AB05-214 – Ordinance 1158 – Transfer of Funds from the Contingency Fund to the General Fund.

Councilmember Noble moved to adopt Ordinance 1158. Councilmember Hamilton seconded the motion.

Councilmember DeLeo moved that Section 1 be amended to change Contingency Fund to Cumulative Reserve Fund and the amount of the transfer increased to \$300,000. Councilmember Noble seconded the motion.

Councilmember DeLeo recounted the history behind the creation of the Cumulative Reserve Fund. He said he feels the use of this fund is more appropriate than the one proposed by the administration. He added that with over \$500,000 in the fund, the use of \$300,000 would be a significant help with the payment of the Moriarty Property acquisition and would still leave \$200,000 in the fund for future critical needs. After review of the Municipal Code, City Attorney Dionne concurred that the use of the Cumulative Reserve Fund would be appropriate.

**Motion to amend approved 6 – 0 –
1. Councilmember Rackley
abstained from voting, indicating
that he did not want anything to
do with this action of the Council.**

Based on the approved amendment, City Attorney Dionne advised that the language be revised to remove the reference to the Revised Code of Washington, include language stating that the Council finds the use of the funds is appropriate, and that the budget shall be amended to reflect the change. He read the specific language to the Council for their approval.

**Amended motion approved 6 – 0 –
1. Councilmember Rackley
abstained.**

8:23:44

4. **Action Item:** AB05-211 – Ordinance 1156 – Providing For An Interfund Loan In Order To Fund Immediately Needed Improvements.

In reading the title of the ordinance, City Clerk Edvalson noted that a revised version of the ordinance had been distributed to the Council prior to the meeting.

Councilmember Hamilton moved to adopt Ordinance 1156. Councilmember Noble seconded the motion.

Deputy Mayor Swatman asked why the Sewer Fund had been identified as the source for loan funds. Senior Accountant Barth said the System Development Charges accumulating in the fund have been identified as those funds that have the most significant time before they will be actually used. Councilmember DeLeo asked about the interest rate of the loan. Director Weidenfeller said the wrong version of the ordinance had been provided, and that the agreed intent from the last Council workshop had been to remove the additional two percent interest leaving the interest rate of the loan set at the Prime Rate. There was general consensus on this point. Deputy Mayor Swatman asked if the Sewer Fund was actually making money on the loan. Director Weidenfeller responded that a fair return on the loan is required by the State Auditor. Director Grigsby added that the prime rate is below the rate of interest that would be paid if the City tried to obtain the loan amount commercially. Deputy Mayor Swatman said the purchase of the

property could be done without any loan, but agreed that perhaps it is not desirable in this instance.

**Motion approved 6 – 0 – 1.
Councilmember Rackley
abstained from voting, again
stating that he does not want
anything to do with this Council
action.**

Councilmember Rackley asked if the discussion about the Fire Department Lease of the Public Safety Building could be moved up to allow Chief Dan Packer to participate. Mayor Young asked if there would be objection from the Council if the item were placed after the Council discussion about Downtown Zoning and Property Rezones. There was no objection.

8:30:07

5. **Action Item:** Motion to Pay Judgment in the Schuur Brothers Condemnation Action.

Councilmember DeLeo moved to pay the judgment in the Schuur Brothers Condemnation Action. Councilmember Noble seconded the motion.

City Attorney Dionne said that this is an action that the Mayor cannot vote on to break a tie.

**Motion approved 6 – 0 – 1.
Councilmember Rackley
abstained stating the same reason
as previously mentioned.**

8:30:07

6. Discussion: AB05-230 Council Budget Plans and Goals for FY2006.

Noting the lateness of the hour, Councilmember King moved to table this item to the next workshop. Councilmember Noble seconded the motion.

**Motion approved 5 – 2. Deputy
Mayor Swatman and
Councilmember Hamilton voted
no.**

8:30:51

7. Adjournment.

With no further business before the Council, Mayor Young adjourned the meeting at 8:30 p.m.

Documents submitted for/at the Council Workshop of August 30, 2005:

- City of Bonney Lake – *Planning Commission Application* – David P. Eck – Mayor Robert Young.
- City of Bonney Lake – *Revised Ordinance 1156* – Finance Director John Weidenfeller.

Harwood T. Edvalson, CMC
City Clerk

Robert Young, Mayor