

CITY COUNCIL MEETING

City of

**May 9, 2006
7:00 P.M.**

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 ↓

I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:02 p.m.

- A. Flag Salute - Mayor Johnson led the audience in the Pledge of Allegiance.
- B. Roll Call [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley.

Staff members present were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, City Engineer John Woodcock, Community Services Director Gary Leaf, Chief Financial Officer Beth Anne Wroe, Interim Police Chief 'Buster' McGehee, Judge James Helbling, City Attorney Jim Dionne and Administrative Services Director / City Clerk Harwood Edvalson.

7:02:46

C. Announcements, Appointments and Presentations [A3.6.9]

- 1. Announcements:
 - a. Proclamation – Mayor Johnson read a proclamation designating May 15th as Peace Officer's Memorial Day, and the week in which May 15th falls as National Police Week.
- 2. Appointments:
- 3. Presentations:
 - a. Planning Commission Presentation—Commissioner Grant Sulham presented the Planning Commission recommendations on the Critical Areas/Steep Slopes Proposed Ordinance and the R-2 Zoning Text Amendment Proposed Ordinance.

7:05:53

Commissioner Sulham said the Planning Commission's recommendations were unanimous. He said the proposed R-2 Zoning Text Amendment would allow zero lot-line development in the R-2 Zone. He said the Commission feels this would promote homeownership in this zone. He noted the ordinance prohibits conversion of apartments and duplexes into single family residences.

With respect to the proposed Critical Areas/Steep Slopes Ordinance, Commissioner Sulham said the Commission looked carefully at the issue and reviewed about six re-writes of the ordinance before coming to a consensus. He said the Commission listened to the City's geologic consultants and staff, and concluded a grade of 30% in conjunction with other criteria should be the trigger for a more careful review under the Critical Areas Ordinance.

Councilmember Hamilton questioned the Commission conclusion that the zero-lot line would promote homeownership. He suggested people may rent out this type of housing just as well as duplexes. Director Leedy responded this type of single family housing provides a fee simple opportunity which may not otherwise be available in Bonney Lake.

Councilmember DeLeo said the Commission's recommendation on the R-2 zoning change has created much concern on Inlet Island. He described capacity issues with the private park on Inlet Island which will be created by increasing the number of lots available in the Island's R-2 zone. He predicted Church Lake will also have similar problems.

Councilmember Rackley asked if the Commission has considered the slides which occurred this year on some of the east slopes. Commissioner Sulham said this was discussed with the consulting geologists, who said stability is "location dependent" in the local soils. Councilmember King asked about engineered constructed slopes. Commissioner Sulham responded these are terraced slopes.

Councilmember King asked if the Master Builders Association had any input into the proposed ordinance impacting the R-2 zone. Commissioner Sulham and Director Leedy responded the MBA spoke at the first hearing, but restricted their comments to support for smaller lot sizes in general.

Councilmember Noble asked if the City would receive varying opinions from different geologists on the same property. Director Leedy responded it is likely qualified consultants will have the same opinion. He informed the Council of his intent to invite the City's consulting geologist for a discussion at a Council workshop.

Councilmember Hamilton said the original intent of looking at this ordinance was to prevent high density development which would aesthetically affect the steep slopes. He observed the proposed ordinance will not likely serve this purpose. Director Leedy said the Council has achieved the intent through zoning in this area. Deputy Mayor Swatman commented the proposed ordinance appears to only be a tool to regulate safe development on steep slopes. Mayor Johnson said the proposed ordinances will be scheduled for an upcoming workshop.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

A. Public Hearings: [A3.6.12] None.

7:26:45

B. Citizen Comments:

Winona Jacobsen, 9100 189th Ave. Ct. E., Planning Commissioner, commented on the Planning Commission report. She said an engineered slope with no proposed change would be like SR-410 and its adjacent slopes where no development is proposed. She added geotechs can be certified, and the City can determine what it requires in a geotech report. She said hydrology is considered in a geotech report. She informed the Council that the Planning Commissioners have done a considerable amount of research on this topic.

Louisa Smith, 20112 Church Lake Rd., suggested the Allen Yorke Park Boat Launch, if the City chooses to hold a memorial ceremony for local peace officers. She noted there is already a plaque at the site honoring Michael Jennings, who started the City's Marine Unit.

Councilmember Rackley observed there is already a memorial at the Public Safety Building as well. Interim Chief McGehee said it honors both police officers and firefighters.

Jeff Mann, Apex Engineering, representing Investco, Inc., spoke in support of the Lakeland Water Extension Agreements. He said the projects are within the caps established for the Lakeland Hills PUD, which were analyzed and accepted as being able to handle the number of units in the area.

Dan Decker, 20401 70th St. E., observed to the Council that duplex owners do have a title to the land. He said the responsibility for the property goes to the owner, not the tenant. He said he does not want to see duplexes become condominiums. He also commented on the proposed condominium development at Bonney Lake Boulevard and West Tapps Highway. He spoke in favor of this proposed development, but advised the Council to look at the road for expansion and for aesthetic possibilities along the lake shore.

Fred Jacobsen, 9100 189th Ave. Ct. E., asked when the comments at the recent open house for the SR410/Old Sumner Buckley Highway Intersection and Road Improvements Project would be made public.

City Engineer Woodcock projected consultants would be prepared to make the information public along with the 30% design information in early June.

Raymond Frey, Halsan-Frey, 12356 Northup Way, Suite 119, Bellevue, provided an update on the informal survey of Eastown property owners regarding the proposed ULID. He said owners of approximately 85% of the property in the proposed area

have now signed the information petition in support of a ULID costing from 3 – 5 million dollars. He expects more will sign before the May 17th Open House at Bonney Lake High School.

C. Correspondence: None.

8:05:55

III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

A. Finance Committee

Deputy Mayor Swatman said the Finance Committee met earlier in the evening and discussed the following:

1. Resolution 1561 – a preventive maintenance agreement for the Public Safety Building;
2. Resolution 1572 – designating a Public Records Officer;
3. A report of Traffic Impact Fees collected in 2006;
4. Impacts of gasoline prices on the ER&R Fund; and
5. A discussion on police car selection and policy implications.

B. Community Development Committee

Councilmember Rackley said the Community Development Committee met on May 1st. He said Mr. and Mrs. Adamson appeared before the Committee to discuss the safety and appearance of ditches in the City. He said the following were also discussed and moved forward for Council consideration:

1. Resolution 1576 – a sewer developer extension agreement for Mazatlan;
2. Resolutions 1574 and 1575 – water developer extension agreements for Lakeland Hills; and
3. Resolution 1573 – an agreement for paving a parking mat at the Madrona Tank Site.

C. Public Safety Committee

Councilmember DeLeo said the Public Safety Committee met on May 7th. He said representatives of the Church Lake Homeowners Association appeared to discuss speeding in their neighborhood and the lack of sidewalks. They pointed out there is a lack of 20 mph speed limit signs in their park area. They also requested 71st St. E. be given a high priority for sidewalks. They noted the street gets a lot of cut-through traffic and the neighborhood children do not have safe areas to walk along the street.

Councilmember DeLeo also reported Nestor Traffic representatives informed the Committee of 59 red light violations during their 24 hour test at 184th and SR410. He asked for Council support to schedule the Nestor representatives to appear at the June 6th Council Workshop for a full report.

Councilmember DeLeo also noted the June 6th 2nd Annual Bonney Lake Kiwanis Golf Tournament. He invited teams to sign up for the event. He also proposed July 8th for a two hour Emergency Preparedness Meeting for the City Councils of Bonney Lake and Sumner. He said the Fire District has proposed joint training because of the close working relationships of the fire and police systems. He added the Committee

is also looking at ordinances for mandatory ID chipping for animal control.

Councilmember King said the emergency preparedness training is to help Council and key staff to understand their roles in emergency situations. He urged the administration to resurrect the emergency preparedness committee established in the 1998-1999 timeframe.

D. Other Reports: None.

8:16:57

IV. CONSENT AGENDA: [A3.6]

Mayor Johnson removed Items E, F and G for further work. City Attorney Dionne confirmed formal bids and public hearings are required before the Council acts on the proposed actions. Councilmember Rackley moved to approve the Consent Agenda as modified. Councilmember King seconded the motion.

- A. **Approval of Meeting Minutes:** Approval of Minutes from April 18th City Council Workshop and April 25th City Council Meeting.
- B. **Checks/Vouchers:** Accounts payable checks/voucher #43720 thru #43844 (voiding check/voucher # 43799) in the amount of \$539,203.31. Accounts payable checks/voucher #43845 thru #43876 for utility refunds in the amount of \$2,737.18. [F4.9]
- C. **Payroll:** Payroll for April 16-30th, 2006 for checks 24845-24891, including Deposits and Electronic Transfers in the amount of \$379,487.87. [F4.9]
- D. **AB06-101 – Ordinance 1187 –** An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapters 2.04 And 3.92 Of The Bonney Lake Municipal Code And Ordinance Nos. 917 And 1061, And Adding A New Chapter 3.96, Relating To Biennial Budgets. [A3.5.5]
- E. ~~**AB06-95 – Resolution 1563 –** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Maintenance Contract With T.I. Northwest For Constructing A New Entrance Sign At Ascent Gateway.~~ [O5.2]
- F. ~~**AB06-105 – Resolution 1569 –** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract For A Canon C 5870u Copier, 60 Month Lease With 0 Down And \$1.00 Pay Off.~~ [A2.1]
- G. ~~**AB06-106 – Resolution 1570 –** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract For Quarterly Maintenance Agreement With Copiers Northwest To Support Two Cannon Copiers.~~ [A2.1]
- H. **AB06-107 – Resolution 1571 –** A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Disposal Of Surplus Property In Accordance With The Provisions Outlined By Ordinance 872. [F4.6.3]

- I. **AB06-111 – Resolution 1573** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Pacific Manholes Construction, Inc. For The Paving Of Asphalt Matt At The Madrona Tank Site Located At 8002 182nd Ave. E. [04.10.2]
- J. **AB06-112 – Resolution 1574** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developer Extension Agreement With Lakeland LLC For Lakeland East. [A3.13.7]
- K. **AB06-113 – Resolution 1575** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developer Extension Agreement With Lakeland LLC For Lakeland Area 24. [A3.13.7]
- L. **AB06-114 – Resolution 1576** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Sewer Developer Extension Agreement With Mazatlan For Mazatlan Restaurant. [A3.13.7]

Motion approved 7 – 0.

8:17:20

V. FINANCE COMMITTEE ISSUES:

- A. **AB06-94 – Resolution 1562** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Maintenance Contract With Fields Roof Service, Inc., For Replacing The Roof And Making Necessary Repairs At The Public Safety Building. [04.4.13]

Councilmember Rackley moved to approve Resolution 1562. Deputy Mayor Swatman seconded the motion.

Deputy Mayor Swatman asked how much the Fire District will contribute to the replacement. City Administrator Morrison replied they will contribute nothing unless they voluntarily contribute. He said the lease concluded December 31st, and he treats it like a landlord responsibility to maintain the facility. He added the Mayor will consider the issue with the renegotiation of the lease. Deputy Mayor Swatman asked about the current rent paid by the District. City Administrator Morrison said the amount has not yet been determined. He said failing an agreement, the prior lease agreement called for a decision by binding arbitration.

Councilmember King asked why the City does not consider a steel roof if it has specified a 50 year roof. City Engineer Woodcock said he believes the 50 year roof is still less expensive than a metal roof. Councilmember King suggested the City's standard agreement should include language to require proof of compliance and potential contractor penalties for those not complying with the requirements regarding the legal residency status of workers. City Attorney Dionne said he has not

seen that type of provision, but would be glad to propose language with direction from either the administration or a Council majority.

Councilmember Hamilton asked if there were funds already accumulated from the City and Fire District during the period of the last lease to deal with the roof. City Administrator Morrison replied the agreement had a provision for reduced contributions from the parties over the period of the lease agreement for building maintenance. He said the assumption was the parties' early contributions would be sufficient to maintain the building through the life of the lease. Councilmember Hamilton suggested the City ask for a contribution from the Fire District toward the repair of the roof. City Administrator Morrison said he could certainly ask. Mayor Johnson said he is waiting a reply from Chief Packer on a date to begin the discussions.

Councilmember DeLeo moved to table the item pending possible language changes and discussions with the Fire District over shared costs. Deputy Mayor Swatman seconded the motion.

Motion to table approved 6 – 1. Deputy Mayor Swatman voted no.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES: None.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT

At 8:01 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

