

City of

COUNCIL WORKSHOP

February 20, 2007

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:

Deputy Mayor Dan Swatman called the February 20th Council Workshop to order at 5:35 p.m.

Roll Call:

Also in attendance were, Councilmember David Bowen, Councilmember Mark Hamilton, Councilmember Cheryle Noble, and Councilmember Jim Rackley. Councilmember Phil DeLeo arrived at 5:40 p.m. and Councilmember Dave King arrived at 5:46 p.m.

[Staff members attending were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Public Works Director Dan Grigsby, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe, City Attorney Jeff Ganson, Planning Manager Steve Ladd and Records & Information Specialist Virginia Phelan.]

Deputy Mayor Swatman recommended moving item 7, the housekeeping ordinance to fix problems with development regulations, to the Community Development Committee for further review before bringing it to Council. He suggested the CDC look closely at the R-3 zone when reviewing this ordinance and consider removing any limit on the number of units allowed. He added, however, that the City needs to be careful where they allow R-3 zoning. Deputy Mayor Swatman said there was a desire to move item 8, the cultural arts programming discussion, to the Citizen Advisory Council. Councilmember Rackley suggested having the Public Safety Committee look at item 8 and consider renaming the Public Safety Committee to reflect its involvement with parks and recreation topics.

Councilmember Rackley moved to advance items 7 and 8 from the Workshop agenda to the CDC and Citizen Advisory Council. Councilmember Hamilton seconded the motion.

Motion approved 5 – 0.

Agenda Items:

5:35:50

1. **Action:** [Tabled from 02/13/07] **AB07-41** – A Motion Of The Bonney Lake City Council Granting Approval Of The Stone Creek Preliminary Plat Subject To The Conditions Recommended By The Hearing Examiner; And With The Added Condition That Lots 1-4 Share A Common Access Easement Of 20 Feet, And Access To Lots 1 And 4 Be From Said Easement. [A 3.6.10]

Deputy Mayor Swatman said his concern about the lots which access 214th appeared to have been addressed. Councilmember Rackley agreed, saying that had been his only objection. He added

for the record that he had an ex-parte communication, which was a brief conversation with the developer and did not consist of anything substantial. Planning & Community Development Director Leedy confirmed the changes requested by Council had been made to the preliminary plat. He said the lots formally opening to 214th were now being redirected through the interior street and staff recommends approval of the plat.

Councilmember Rackley moved to approve AB07-41, the preliminary plat for Stone Creek as resubmitted. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman asked if any one in attendance wished to speak to this item. There was no one.

Motion approved 6 – 0.

5:44:35

2. Council Open Discussion:

Pierce Transit.

Councilmember Rackley said he had heard from Pierce Transit who is looking for new board members. He asked that he be nominated. Councilmember DeLeo said the City Council would have to pass a resolution to officially nominate Councilmember Rackley. He added that he had served on the board for two years and it was a wonderful experience. Councilmember Noble noted the deadline is March 28th. Council decided to have a resolution prepared for the upcoming Council meeting.

Emergency Planning.

Councilmember Bowen asked if it was possible to make exceptions for connection charges of extra bathroom facilities in churches or schools which are adding those facilities for the purposes of accommodating people during emergency situations and do not intend them for everyday use. City Attorney Ganson said conceptually there is not a problem, but standards would need to be created to determine the exact circumstances which would allow exceptions. Councilmember King addressed realigning the sewer system in the event of a lahar, wherein the sewer system would fail because the pipes travel into the valley. He added, however, that the cost of such preparation would likely make it a low priority.

Councilmember DeLeo alerted Council that the Senior Center Red Cross training session was poorly attended by staff and elected officials. He said another class would be held in order to allow more people the opportunity to train to be a Red Cross Volunteer.

5:52:00

3. Review of Minutes: February 6th Council Workshop and February 13th Council Meeting.

Councilmember DeLeo asked that the February 6th minutes be changed on page 3 in the 3rd paragraph to reflect that he recommended developing the triangle, then encouraging businesses to the East of 184th to move into the triangle, freeing up land they had been occupying, which would then allow the City to develop that portion.

5:53:00

4. Discussion: AB07-23 – Resolution 1647 - High Country Homes Latecomers Agreement (Public Hearing held on 02/13/07).

Deputy Mayor Swatman announced there was a public hearing on this resolution and no public comment was received. He recommended channeling topics such as this through CDC so it would not “clutter up” the workshop agenda. Councilmember Hamilton added that no property owners have come forward with an issue on this latecomer’s agreement. Deputy Mayor Swatman said the agreement would be moved forward to the next Council meeting.

5:54:35

5. Discussion: AB07-48 – Resolution 1659 – Authorizing RH2 Engineering, Inc. And FCS Group To Update The Water System Development Charges and Water Comprehensive Plan.

Public Works Director Grigsby said the City received proposals from consultants on a water system development charge report, which is a standalone document to say where the SDCs came from and an update for the water comprehensive plan to make use of the new 2005/2006 data instead of using the outdated 2003/2004 data. Making the Comprehensive Plan current now would eliminate the need for a full update in approximately two years at three times the cost. He said he has not been able to confer with the consultants and modify the scope to insure it only includes doing what the City needs done. The not-to-exceed cost is about \$71,000 total, \$45,000 for the Comprehensive Plan update and \$26,000 for the SDC report. In response to questioning about only doing the report, Director Grigsby said the cost would increase because both consultants would still be involved, adding the purpose of the report is to evaluate points from the recent judicial ruling in the Palermo case and make certain the SDCs can be thoroughly defended in the future.

Director Grigsby explained the process for determining SDC charges currently and there was some discussion on the possibility that the report would result in lower charges. City Attorney Ganson reminded Council that the Judge’s decision will only apply to Palermo, but the Judge is recommending the City evaluate its methodology for determining the charges.

Councilmember Hamilton said the City has been aggressive about expanding the water system. The projects which the SDCs fund are expensive and consequently the SDCs are high. He recommended giving some thought to a new approach to the City’s water system. Councilmember Hamilton said he thinks the City may be supplying a great amount of water to an area which will probably never be annexed. The City should consider limiting expansion and possibly selling some of the water system. Council discussed Councilmember Hamilton’s ideas and the current issue of having to buy water from other jurisdictions. Deputy Mayor Swatman said the charges should be decreasing as utility customers increase, but they are not and everything seems to be getting more expensive. He said the City needs to devise a plan for dealing with the future of the water utility. Councilmember Rackley suggested splitting off the outside city limit service area and making it a separate entity from the inside city limits water service area.

Councilmember King agreed that everything is getting more expensive and the City is fighting to make it less expensive. He said looking toward the future is important, but there are current impacts with which needs to be dealt. The City should go forward with the study and if nothing else it will result in more information from which to base future discussions. Councilmember Rackley asked if the City can condemn lake bed property and if that condemnation would include the water on top of the lake bed. City Attorney Ganson said possibly could, depending on public use, but it would be for fair market value, which a jury would decide.

6:28:20

6. Discussion: AB07-25 – Transportation Impact Fee Issues.

City Administrator Morrison said the City had prepared two draft ordinances, one exempting transportation impact fees as an incentive in the Downtown area and one exempting the first \$10,000 of tenant improvements. He added the first draft ordinance needs to be looked at more in-depth by the Legal Department and the second one would require changing the definition of Development Activity. Currently, if improvements require a building permit, they also require collection of a TIF, but those costing less than \$10,000 are only minor tenant improvements and could be exempted from the Transportation Impact Fees.

Councilmember Rackley suggested using the same method the City of Auburn uses wherein the fee would be attached to the cost of the building. The developer could then pass the cost on to the tenant over many years instead of a large upfront cost for the tenant when they move into a building. Director Grigsby said there has been discussion on charging the builder a flat rate, and then if a tenant begins occupation with a higher anticipated use they can pay the difference between the builder's generic fee and their actual use fee. He added the ordinance will need to be slightly modified.

In response to inquiry about applying certain fee rules to particular regions City Attorney Ganson said it could be done, but if the City wants a different fee in a different area of town they will have to do an impact fee study to calculate required fees in that particular region. Additionally, if the City wants to eliminate fees entirely for broad public uses compensation must be made for the lost fees with City funds. Councilmember Rackley said the Downtown area should be considered a different service area for these purposes. Director Grigsby said it is the upfront cost of the TIF which makes people not want to do business in the City, so if they are charged upon building they can wrap it into their loans and pay it off over many years. Deputy Mayor Swatman suggested getting input from commercial developers on the topic. There was some discussion on whether fees could be refunded for failed businesses.

In regards to Downtown incentive programs, Council discussed where they would find the money to compensate for any reduced impact fees they may choose to charge Downtown developers. Additionally, paying for Downtown utility improvements was considered. City Administrator Morrison said a study for Downtown impact fees and incentives was going to be a large ordeal and needs to be dealt with separately. It was decided to return the topic to staff, then to the CDC, before Council addresses it again.

~~7. Discussion: AB07-07 Ordinance D07-07 Housekeeping Ordinance To Fix Problems With Development Regulations.~~

~~8. Discussion: AB07-33 Citizen Input to Cultural Arts Programming~~

9. Executive Session: Pursuant to RCW 42.30.110(1)(b) Deputy Mayor Swatman called an executive session at 6:53 p.m. to discuss property acquisition for 15 minutes.

The meeting reconvened at 7:09 p.m.

10. Adjournment

Councilmember Noble moved to adjourn the workshop at 7:09 p.m. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Items submitted to the Council Meeting of February 6, 2007:

- City of Bonney Lake – *Memo from Heather Stinson Re: Stone Creek Preliminary Plat* – Planning & Community Development Director Bob Leedy.
- City of Bonney Lake – *Memo Re: Water SDC and Comprehensive Plan Updates* – Public Works Director Dan Grigsby.