

City of

**COUNCIL WORKSHOP**

**March 6, 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:**

Mayor Johnson called the March 6<sup>h</sup> Council Workshop to order at 5:31 p.m.

**Roll Call:**

Also in attendance were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, and Councilmember Jim Rackley. Councilmember Cheryle Noble was absent.

[Staff members attending were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Administrative Services Director / City Clerk Harwood Edvalson, Chief Finance Officer Wroe, City Attorney Jim Dionne, Planning Manager Steve Ladd, Interim Planning and Community Development Director Marvin Vialle, and Records & Information Specialist Virginia Phelan.]

**Councilmember Rackley moved to excuse Councilmember Noble. Deputy Mayor Swatman seconded the motion.**

**Motion approved 6 – 0.**

Mayor Johnson announced the news that Robert Ceola had passed away. He asked for a moment of silence in memory of Mr. Ceola.

**Agenda Items:**

5:32:40

1. Discussion: AB07-57 – Council discussion with Hearing Examiner Stephen Causseaux.

Mayor Johnson introduced Hearing Examiner Stephen Causseaux. He said the Hearing Examiner was present so Council could share with him their vision and goals and so he could tell them what he looks for and how Council can assist him.

Mr. Causseaux said he appreciates the opportunity to serve as Bonney Lake's Hearing Examiner. He said he works for many jurisdictions and staff in Bonney Lake is very professional, which is important and helps him do his job. He explained his purpose is to interpret, enforce and implement the City's ordinances with the zoning, Comprehensive Plan and other city regulations

in mind. Additionally, the Hearing Examiner takes information from court cases descending from the Supreme Court into consideration. He summarized that his job is to determine Council intent when interpreting City ordinances and draw conclusions which will withstand court scrutiny. Mr. Causseaux also explained that many citizens who come before him have no other interaction with the City, thus he is courteous and treats everyone fairly so they know they have been heard, even if they disagree with his findings.

Council questioned Mr. Causseaux on mitigations, variances and ordinance interpretation. He explained the role staff plays in helping him understand Council's intent. He said he relies on staff for many things and when there is vagueness in the code he works with the Planner involved to better understand. There was discussion on vague language in the code and how Council can make it more explicit to prevent further misunderstandings. Council also asked about conflicts of interest when he represents jurisdictions which may be on opposite sides of an issue. Mr. Causseaux assured them he does not take cases where he works for more than one party involved.

City Attorney Dionne said the Attorney's office has a good relationship with the Hearing Examiner. He said the process works, although there are occasional inconsistencies between staff interpretations and council intentions when it comes to the code. Unfortunately, he added, this is generally not noticed by Council until after the Hearing Examiner has made his decision. Councilmember King expressed his appreciation to the Hearing Examiner for his service and asked for feedback if Mr. Causseaux notices any section of the code which could be improved upon to increase clarity. Mr. Causseaux said he generally works with staff so as not to cross the line into the legislative process, but he could draft a letter when he sees problems with the code.

5:58:15

## 2. Council Open Discussion

### Leadership Program.

Mayor Johnson announced that Councilmember Noble had successfully completed her advanced certification for the municipal leadership training program.

### Events Coordinator.

Mayor Johnson announced that David Wells has accepted the position of Community Services Specialist, Events Coordinator. He added that Mr. Wells has organized Friday Night Flicks at Allan Yorke Park, which will be sponsored and essentially free to the City. Events like this are good ways to get the community involved and doing things together.

### Community Summit

Deputy Mayor Swatman called Marilee Hill-Anderson from the audience to speak. Ms. Hill-Anderson announced the 14<sup>th</sup> annual Community Summit to get elected officials, parents, children and other community members to join together. She said she has been working with Executive Assistant Joel Thompson and thanked the City for listening to the concerns of local children who need more sidewalks and trails. Ms. Hill-Anderson described the activities which will take place at the Community Summit and invited Council to attend, saying it will be held on March 22<sup>nd</sup> at the Calvary Church in Sumner from 5:00 p.m. to 8:00 p.m. Additionally, she asked the City to display some information at the Summit about what the City has been doing.

Mayor Johnson said he noticed at the Mt. View Youth Forum there were similar themes. He said the kids love the photo enforcement program, but have concerns with the Skate Park. There was some discussion on the negative elements of skate parks and how the City can help the kids take them back.

Interim Planning & Community Development Director.

Mayor Johnson introduced Marvin Vialle who has worked in the Planning Department off and on for a few years and will take over for Director Leedy upon his retirement. Council welcomed Mr. Vialle and discussed recruitment for the Director position. City Administrator Morrison said the City is getting a good response to advertising and hopefully the position will be filled by May.

Alderton-McMillan Planning.

Deputy Mayor Swatman said he attended an Alderton-McMillan Planning meeting with Community Services Director Leaf. He said they are currently dealing with Falling Water among others in the same area, as well as the concept of Transfer Development Rights. Deputy Mayor Swatman said the Planners told him if the City is interested in the space outside their UGA, they should plan for it and keep in contact with them. They told him TDR could be used to give the City control of that section. Some parts of that area, Cedar Ridge for example, would prefer to be in the City's UGA. Mayor Johnson commented he read an article which said Bonney Lake had a good chance of becoming the next South Hill. He pondered why the City should take the lead from the County when they are responsible for most of what is in Bonney Lake today. City Administrator Morrison said he is trying to get the County to attend an upcoming workshop.

Allan Yorke Park Safety.

Councilmember DeLeo said there was a Public Safety Committee meeting held the evening of March 5<sup>th</sup>. Bob Cantrell, the property owner to the East of the Allan Yorke Park swimming area, attended the meeting and expressed appreciation for the new lights at the park. He also recommended moving the edge of the swimming area because people are using the area between his property and the swim area to launch water skiers. The acceleration of speed boats is dangerous in that area because children frequently leave the roped off area to swim out to the nearby buoys in the path of the boats. Mr. Cantrell offered to enter into an agreement with the City to allow them to tie the swimming area line to his bulkhead.

An additional recommendation was made to install a fence or blockades to prevent parking and late night shenanigans on the gravel clearing at the East end of the park. There was some discussion on the feasibility of blocking it off and the best way to accomplish this while still allowing pedestrians and the occasional PSE work crew access.

Boat Launch Fees.

Councilmember King said a decision needs to be made on the problem of setting new boat launch fees. Community Services Director Leaf explained that the IAC told him there are restrictions on the allowed launch fees since the City originally purchased the boat launch property with IAC grant funds. According to the IAC the City is prohibited from charging non-residents more than twice the fee of residents, unless the City chooses not to charge residents at all. Director Leaf explained he has not seen the grant documents yet, but the Legal Department is looking at them and they will report to Council on the specifics. In the meantime, he continued, Council should be thinking about the options because this topic is time sensitive.

Councilmember Hamilton asked how much the fees currently pay for in the park operations. Director Leaf said the primary costs are park maintenance and the Marine Safety Unit. He said the fees collected last year did not even cover the latter. Council discussed options for charging or making the launch free and how to determine when to close the launch. Councilmember Hamilton suggested charging nothing for City residents and charging County residents the same cost as the North Lake Tapps Park, which is \$17. Director Leaf said that technique would give

City residents a better chance of using the launch when the number of launches becomes regulated.

#### Council Sub-Committee Responsibilities.

Councilmember King asked the City Attorney if Council can move the responsibility to oversee parks from the Community Development Committee to the Public Safety Committee without passing an ordinance. City Attorney Dionne said if the wording of the policies is actually changed, the change will need to be done by ordinance. He advised Council that he would need an explicit idea of what was wanted and he could draft an ordinance. Councilmember Rackley recommended allowing multiple sub-committees to be in charge of the same topics, just different aspects of them. The City Attorney warned against that, saying the formality of the sub-committee meetings would have to increase. The opportunity for 6 different councilmembers to see the same item before it came to full council could be problematic. He said he would develop an initial proposal of exclusive jurisdiction, and then work on Councilmember Rackley's idea if Council still desired. There was some discussion on pending legislation on sub-committee formalities and it was decided this topic would be further explored in the future.

#### Snack Shack.

Councilmember DeLeo asked when the Allan Yorke Park concession stand would be open. He said the Kiwanis has an interest in selling snacks at the park. Director Leaf said the decision has not been made yet. Mayor Johnson suggested allowing civic groups to use the stand for fundraisers during the summer. City Attorney Dionne said that would be fine, but with competition there may be fewer interested parties. Director Leaf said the stand has continually had difficulty making money and staying open. Mayor Johnson said it could work well if enough groups were involved.

#### Court Space.

Councilmember DeLeo asked where the City is in regards to solving the Court's space needs. City Administrator Morrison said he has been evaluating the costs associated with a modular building as well as looking at leasing rates. A modular building may not be cost effective. City Administrator Morrison explained he would have more information soon and would then share with Council. He added there has been some dialogue on reconfiguring City Hall.

#### Pierce County Regional Council.

Councilmember King said he received a notice about an affordable housing workshop through the PCRC. He recommended the other Councilmembers attend as he felt the City representatives needed to educate themselves more on this topic. Fair share affordable housing is an increasingly important topic, he explained, particularly with the current discussions on Downtown.

#### Downtown Project Funding.

Councilmember Rackley said the CDC and Finance Committee had been recently discussing some of the concerns with funding the many Public Works projects which are needed to move the Downtown Plan forward. He said the current budget has not allotted any funds to these projects and they are concerned about what projects may be sacrificed to move forward with Downtown. He added that he supports the Downtown redevelopment, he is just unsure of how it will be funded. Councilmember Hamilton agreed, saying the City needs a clear picture of the required projects and their respective costs. Mayor Johnson said the CDC and staff are working on contemplating the costs so they may begin working on the funding problem. Director Grigsby confirmed that staff had recently requested scopes and scope proposals for three different related items. This includes the transportation study for Downtown, the 184<sup>th</sup> extension legal description and the installation of stormwater ponds.

Storm Debris.

Councilmember Bowen said the CDC is moving a contract forward for grinding the debris pile collected during recent storms. He said he inspected the pile and much of the wood is suitable firewood material, with many logs varying from six inches to a foot in diameter. He noted the cost of this contract is over \$9,000 and in the future it would be much more frugal of the City to separate the larger logs from the branches so firewood may be used rather than being chipped.

Food Handler's Class.

Councilmember DeLeo announced the Tacoma Pierce County Health Department would be holding a food handler's certification class at the Senior Center on March 28<sup>th</sup> from 6:00 p.m. – 8:00 p.m.

**Councilmember Rackley moved to take a ten minute break at 7:01 p.m. Councilmember Bowen seconded.**

**Motion approved 6 – 0.**

The meeting reconvened at 7:18 p.m.

7:18:45

3. Review of Minutes: February 17<sup>th</sup> & 18<sup>th</sup> Special Council Meeting (Retreat), February 20<sup>th</sup> Council Workshop and February 27<sup>th</sup> Regular Council Meeting.

There were no corrections offered for the minutes.

7:19:00

4. Discussion: AB07-62 – Ordinance D07-62 – Council Ward Redistricting. (Public Hearing held on 02/27/07).

Deputy Mayor Swatman said there was not much comment at the public hearing, with the exception of two citizens who requested the Council maintain the five ward system. Councilmember Hamilton said he thinks people feel most represented when their representative is someone from their local community. Deputy Mayor Swatman said he is in favor of a full at-large system where all councilmembers are elected by all citizens. With the new redistricting, all councilmembers will still be living in the ward they currently represent. He said the new wards will be effective five days after the ordinance is passed and consequently newly annexed people in ward 3, for example, can run for office if they choose. Deputy Mayor Swatman added that staff did a tremendous job on redistricting and covering all the bases so this decision will be difficult to challenge. Mayor Johnson said the ordinance would be moved forward.

7:24:35

5. Discussion: Bonney Lake Downtown Redevelopment.

Planning Manager Ladd said the Downtown Plan has been redrafted and is ready to begin the adoption process. A general consensus has been reached on the content and the next step will be a SEPA review. It will then go to the Planning Commission for Public Hearing, after which the formal adoption will take place with the other Comprehensive Plan amendments in August or September. He went on to explain the necessity of a Planned Action Environmental Impact Statement, which is when a jurisdiction does all the SEPA review upfront for a sub-area plan, in this case Downtown. An EIS would be done, and then an ordinance passed describing the

mitigation measures required by each type of development. Subsequent to that the land development proposals would have the incentive of not having to do an individual SEPA review. The disadvantage is the cost, currently estimated at \$200,000. Planning Manager Ladd explained the Downtown area requires a much less detailed EIS than what the estimate is for and consequently should be dramatically less expensive. Another disadvantage, he mentioned, is the EIS becomes useless if the plan is changed.

Deputy Mayor Swatman agreed, saying it is very important that the City not deviate from the Plan. Planning Manager Ladd further explained the time has come to take a major step and update the Capital Facilities Plan. The additions needed are to extend 184th Ave., to acquire / build the Civic Campus and associated parking, to install an off-site stormwater facility, to improve 184th Ave. between Sumner-Buckley Hwy. and SR 410, to complete streetscape improvements on SR 410 and Sumner-Buckley Hwy including crosswalks & pedestrian overpass, to improve 186th Ave. and extend it to Sumner-Buckley Highway, and to improve 90th St. and extend it to 186th Ave. He sought Council's direction on the next step.

Council discussed the possibility of developers wanting to disregard the Plan and the threat of incoming businesses doing undesirable things prior to the plan being sufficiently enforceable. Planning Manager Ladd said design guidelines would need to be developed and the code would need to become less permissive, while still flexible as it applies to the development of Downtown properties. He also recommended Council focus on the infrastructure of Downtown as a priority. Councilmember DeLeo suggested Council confer with the design team to ensure they properly understand Council's intent for Downtown. There was discussion on the current vulnerability of the triangle of land between 184<sup>th</sup>, Old Sumner-Buckley Hwy, and Hwy 410. The City Attorney recommended considering a moratorium or another method to "buy time" for the City to finalize the CFP and Design Guidelines for the area. Councilmember Bowen suggested speaking with the Downtown Developer's Group to obtain their feedback. City Attorney Dionne said he would discuss options with the Planning Department and return to the next workshop with a clearer picture of what needs to be done. Mayor Johnson thanked the Planning Manager for his hard work.

6. Executive Session: Pursuant to RCW 42.30.110(1)(b) Mayor Johnson called an executive session at 8:03 p.m. to discuss property acquisition for 10 minutes. At 8:12 p.m. the meeting was extended for 10 minutes. At 8:21 p.m. the meeting was extended for 5 minutes. The meeting reconvened at 8:23 p.m.
7. Adjournment

**Councilmember Rackley moved to adjourn the workshop at 8:23 p.m. Councilmember Bowen seconded the motion.**

**Motion approved 6 – 0.**

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Harwood T. Edvalson, CMC  
City Clerk

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Mayor Neil Johnson, Jr.

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

- City of Bonney Lake – *Cantrell Proposal for moving swim line at Allan Yorke Park* – Councilmember Phil DeLeo.
- Sumner/Bonney Lake Communities for Families Coalition – *14<sup>th</sup> Annual Community Summit Brochure* – Marilee Hill-Anderson