

City of

**COUNCIL WORKSHOP**

*April 3, 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 April 3<sup>rd</sup> Council Workshop to order at 5:32 p.m.

**Roll Call:**

Also in attendance were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember Jim Rackley. Councilmember Noble left the meeting at 8:12 p.m.

[Staff members attending were City Administrator Don Morrison, Interim Planning and Community Development Director Marvin Vialle, 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, and Records & Information Specialist Virginia Phelan.]

**Agenda Items:**

5:33:00

1. Presentation: Rainier Media Center – Marc Pease

Mayor Johnson introduced Marc Pease from the Rainier Media Center. Mr. Pease explained the services offered by the Media Center and the benefits for the City of Bonney Lake. The Rainier Media Center offers government programming so citizens may be better informed about what is happening in their local government. The programming ranges from filmed Council Meetings to short "magazine" type films about topics of interest to the community. These films have the ability to air on the Comcast government programming channel, can be placed online or distributed in DVD format. Mr. Pease offered statistics on who watches government programming and details on how other local cities are using these services.

City Administrator Morrison said Council set a goal to increase communications and had consequently budgeted \$24,000 for services of this nature. The intent was not to begin filming Council Meetings, but rather to make informative "shorts" about some of the projects and special events in the City. Councilmember DeLeo noted the Rainier Media Center has won many local and national trophies for their fine work.

Council discussed the cost of membership and productions, and debated the pros and cons of filming Council Meetings. Mayor Johnson recommended compiling individual lists of what

topics deserved films, then returning to a future meeting to agree on the most favored topics. At that time an ad hoc committee could be created to delve into the process in further detail. He added that this would allow the City to experiment with these additional mediums of communicating with the public, before committing the necessary time and money to larger projects such as broadcasting Council Meetings.

A five minute break was called at 6:11 p.m. The meeting reconvened at 6:17 p.m.

6:18:00

2. Presentation: White River Preserve – Ryan Mello – Cascade Land Conservancy

Mayor Johnson introduced Ryan Mello, Pierce County Conservation Director for the Cascade Land Conservancy. Mr. Mello said he was in attendance to update the Council on the status of the White River Corridor Project. There have been discussions with all the cities adjacent to this project because the CLC is interested in each concern. The project includes a 2,500 acre area of land around the White River. The riparian corridor from 150 feet in either direction of the center of the river would be under a conservation easement negotiated by the State Department of Ecology. As it stands, the State does not desire this land for a state park, but the Department of Fish and Wildlife may be interested in a portion of it. There are other agencies which may help pay for this preserve, but the cost as estimated will far exceed available funding sources so far identified.

Mr. Mello said the CLC has a signed purchase and sale agreement for the property and is exploring all options for financing, including seeking assistance from local jurisdictions. He explained the CLC wants to extinguish the development rights for the properties compiling the reserve in order to prevent any possible future development. In response to questions as to whether future local governments associated with these lands could change the laws and allow them to be developed, he responded the RCW assures the extinguishment of development rights will ride with the deeds to those parcels forever. It is unlikely, he added, the State would ever change those laws to allow development in areas with conservation easements. The development rights would be liquidated, however, and could be used in areas more logical for development.

Council discussed the process of extinguishing development rights and the consequences of CLC's plans to allow the timber rights to be retained. Councilmember Hamilton expressed concern that the land would be clear cut and never replanted. Mr. Mello held hope that the purchase of the development rights would make it more economically feasible for the timber companies to continue logging the land and replanting.

Council debated the value of getting the City of Bonney Lake involved in this project and whether the City may ever expand North towards this area. Mayor Johnson offered to meet with Mr. Mello and bring forward any information he receives to Council if they feel they are interested in getting involved.

Deputy Mayor Swatman announced the Mayor would be absent from the meeting for a few minutes and suggested moving Council Discussion to a later portion of the meeting when the Mayor will have returned.

7:03:10

3. Review of Minutes: March 20th Council Workshop and March 27th Regular Council Meeting.

Councilmember Noble asked that the March 20<sup>th</sup> minutes be corrected on page 3, 3<sup>rd</sup> paragraph to read that she had received one complaint, not a number of complaints, in regards to the Bikini Baristas.

7:04:25

4. Discussion: Bonney Lake Downtown Redevelopment.

Interim Planning & Community Development Director Vialle handed out a memo from Planning Manager Ladd about the progress of the Downtown Redevelopment. There is a flat screen monitor in the City Hall Annex now looping fly-through videos of the Downtown Plan during business hours. Downtown owners have been notified about the Moratorium, which includes all development permits. Director Vialle described the timeline for the moratorium, explaining the draft design guidelines being created by Maker's should be prepared as soon as possible, after which discussions can move forward and a final draft can be created. Following those steps, the adoption process can begin. City Administrator Morrison noted the volume of changes required to the first draft would be a major factor in determining the amount of time until the Moratorium can be lifted.

Council discussed the possibility of allowing tenant improvements in the area affected by the moratorium if they are only to the inside of a building. Mayor Johnson asked Council to consider presently making any changes to the moratorium. There will be a public hearing at the upcoming meeting to hear citizens' comments on the moratorium after which Council may want to make modifications. Council also discussed sign code problems their hope that the code will be changed to require signs conducive to the atmosphere desired for Downtown.

**At 7:15 p.m. Councilmember Bowen moved for a 10 minute recess. Councilmember Rackley seconded the motion.**

**Motion approved 7 – 0.**

The meeting reconvened at 7:26 p.m. with the Mayor in attendance.

7:26:25

5. Council Open Discussion.

Garage Rentals.

Councilmember DeLeo said it had come to his attention that developers in R-2 zones are building free standing garages and renting them out as storage units. He said he is working on an ordinance prohibiting this. Administrator Morrison said there is already enforcement in action because this prohibition presently exists in the code.

Illegal Trailer Dwellers.

Councilmember King thanked the City's Code Enforcement Officer for taking action on people living in camping trailers. He said this has been a problem for years and is a health issue. It causes sanitation problems when people live in a trailer intended for camping and not built to accommodate full time use.

Plaza West Stormwater.

Councilmember Hamilton asked if the retention pond at the Plaza West Development fell under the new or old rules regarding fencing the parameter. Public Works Director Grigsby said it does not require a fence and only requires a 2:1 slope because it fell under County requirements for a

private use retention pond. He added that there are some other concerns regarding drainage, with which the contractor still needs to work. It only requires a deeper swell for the water to run and should be a relatively simple task to complete.

#### CUGA

Councilmember Rackley asked the status on discussions with the County regarding annexation of the CUGA. Administrator Morrison said there was an additional copy submitted to Chip Vincent for the Pierce County Planning Department, but as of yet, there has been no response. Mayor Johnson said the City needs to determine the County's willingness to investigate this possibility and he will contact them if a response is not soon received.

#### Committee Minutes.

Deputy Mayor Swatman mentioned the need for City councils, committees and boards to create minutes for their meetings. There was discussion on whether this affects groups such as the Fennel Creek Preservation Society, the Senior Center Board and others with which the City works. Consensus was decided that it had no affect, because the City is not and does not desire to be, in control of these organizations. Additionally, ad hoc committees will have no need to create minutes.

#### Bikini Baristas.

Deputy Mayor Swatman commented that he read a letter to the editor saying the Council had directed the closing of the coffee stand at the 76 Gas Station on Old Sumner-Buckley Hwy. He noted the Council cannot direct staff. Mayor Johnson said the coffee stand violation involved the installation of a sliding door. Director Vialle added there were some electrical problems, as well.

#### Alderton-McMillin Plan.

Deputy Mayor Swatman said there is a meeting to be held regarding the Alderton-McMillin Plan on Wednesday, April 4<sup>th</sup>. Administrator Morrison said it is the first of four hearings scheduled. The Mayor and Deputy Mayor co-signed a letter outlining the City's main concerns: the need for trail connectivity between the future Fennel Creek Trail and the Foothills Trail; the critical need for a road from the plateau which connects to SR 162; and the concept of transfer of development rights, the choice of the plateau and the implications to sewer service areas and growth which this choice implies. Council debated the County's choice of singling out the Plateau for the transfer of development rights and the best timing to submit a resolution outlining their position. They also discussed the difficulties of annexing the southern areas of the Plateau if this plan is implemented, and whether annexation is preferable.

Councilmember Hamilton expressed concern that this Plan would have a negative impact on the possibility of getting private funding for the Rhodes Lake Road Corridor, noting that the County would likely let the high density development continue without concern for the need for a road. Mayor Johnson said the rumor is that the PTP will stay together granting this Alderton-McMillin Plan goes into effect.

#### Lowe's Traffic Mitigation.

Deputy Mayor Swatman inquired of the City's role in the road improvements being planned for 200<sup>th</sup> and Highway 410. They are considering having three left turn lanes onto Hwy 410 and a third lane on Hwy 410 extending from S. Prairie Road to 192<sup>nd</sup> receive these lanes. Additionally left turns would be allowed from Lowe's over 2 lanes of traffic, with the intention of restriction during peak traffic periods. Councilmember Rackley said according to the engineers, this will raise the future service level of the intersection from an E- to an E+. Deputy Mayor Swatman

surmised this solution would actually make things much worse. Mayor Johnson said there has been discussion on installing a frontage road instead.

Public Works Director Grigsby said the company involved is currently having a traffic impact analysis done. Presently, the frontage road option is more expensive, thus the company is dismissive of it. Deputy Mayor Swatman questioned whether the City is obligated to allow this project and how it may effect future plans for the 192<sup>nd</sup> intersection. In regards to the frontage road, Councilmember Hamilton expressed concern the City would have to pay for some of it if they tried to require it. Councilmember Rackley said it would just move the impending traffic jam to a different part of Hwy 410. According to Director Grigsby, the benefits of an intersection improvement such as the one proposed by Lowe's would be for everyone, whereas a frontage road would only benefit the people going from store to store. Also, Lowe's peak period does not coincide with the City's peak period. There has yet to be a study of the impact on a frontage road to traffic, he added.

Puget Sound Regional Council.

Administrative Services Director Edvalson said he was contacted by the Puget Sound Regional Council who is looking for a quorum for business at their general assembly Thursday, April 5<sup>th</sup>. He said it will be held at the Westin Hotel in Seattle. It starts at 3:30 p.m. and will be followed by a dinner. Councilmember Hamilton said he would attend.

8:33:35

6. Discussion: South Sewer Service Area

Councilmember Rackley said he asked Director Grigsby to schedule a meeting with Plateau 465 to discuss their plans for sewer. Deputy Mayor Swatman asked the Mayor if he had been speaking with County Executive Ladenburg about the County's plan to buy Orting's sewer service area. Mayor Johnson responded there has been some discussion about why the City of Bonney Lake has been omitted from discussions regarding the Cascadia Development's sewer plans. Councilmember Hamilton said the City of Bonney Lake would be in a much better position to service the sewer and asked if Executive Ladenburg was aware of this.

Mayor Johnson said he spoke with the Mayor of Orting and Administrator Morrison spoke with Orting's City Administrator, who said negotiations with Pierce County are too far along to begin such a discussion. Council discussed speaking with Orting's City Council about this and whether Orting would have a preference as to who assumes the sewer area. Councilmember Hamilton said the property owner appears to be the one who desires the County to usurp this and Bonney Lake needs to be sure Executive Ladenburg is fully aware of the City's desire to provide sewer on the Plateau. Deputy Mayor Swatman said the City should be in charge of the Sewer merely because it's the right thing to do. He added that he suspects there is a hidden agenda, which would explain this unlikely development. Mayor Johnson said he will gather additional information and will keep Council updated. Councilmember Hamilton said sewer is the first step toward the ultimate goal of getting Cascadia in the City's UGA so if it fails the City can be in charge of the imminent development of the land and consequently protect itself.

7. Executive Session: Pursuant to RCW 42.30.110(1)(i) the City Council adjourned to Executive Session at 8:50 p.m. for 10 minutes to discuss litigation. The meeting reconvened at 8:55 p.m.

8. Adjournment

**Councilmember Rackley moved to adjourn the workshop at 8:55 p.m. Councilmember Hamilton 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 April 3, 2007:

- Rainier Media Center – *Clover Park Technical College: Media Communications Center* – Marc Pease.
- Cascade Land Conservancy – *White River Corridor Project Map* – Ryan Mello, Pierce County Conservation Director.
- City of Bonney Lake – *Memo from Planning Manager Ladd Re: Downtown Plan Implementation Progress* – Interim Planning & Community Development Director Marvin Vialle.