

City of

COUNCIL WORKSHOP

May 15, 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 Swatman called the May 15th Council Workshop to order at 5:37 p.m.

Roll Call:

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

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

Agenda Items:

5:38:09

1. Council Open Discussion

Kiwanis Golf Tournament.

Councilmember DeLeo asked if the City will be compiling a team for the upcoming Golf Tournament. City Administrator Morrison said Rick Shannon, Mike Mitchell, The Mayor and himself would be forming a team. Councilmember DeLeo said the Tournament has been moved to June 28th and the money would be used for scholarships. The first scholarships from last years tournament money are being awarded now and are based on service to the community.

Ecology Blocks at Allan Yorke Park

Councilmember DeLeo inquired about the ecology blocks planned for Puget Sound Energy's property at the Park. City Administrator Morrison said PSE is not opposed to the placement of the blocks; however, their pending purchase and sale agreement with Cascade Water Alliance requires they run all property decisions past the CWA. The City is now waiting on a response from them.

Cascadia Sewer.

Councilmember Hamilton sought discussion on the results of Deputy Mayor Swatman's public disclosure request to the Pierce County Public Works Department. Deputy Mayor Swatman noted he received a copy of a letter from the City Administrator of Orting to Pierce County Public

Works Director Brian Ziegler from June of 2006, which indicated Orting's interest in the County taking over the sewer utility at Cascadia. Council conversed about the timeline of this sewer issue, as well as their concern about the City being left out of discussions and the County's perceived dishonesty on the topic. Public Works Director Grigsby said the Department of Ecology agrees the City should be involved with any regional concepts for sewer on the Plateau, but the community septic is far along at this point and is needed for Cascadia to get the first phase moving forward. In the future there will be an opportunity for the City to appeal at a public hearing.

Deputy Mayor Swatman inquired as to a Pierce County meeting being planned during which the interlocal agreement with Orting will be discussed. Director Grigsby noted it is at the Pierce County Annex, but the date has been changed. The City should testify there and let the County know their desire to be involved.

House Bill 1858

Councilmember Hamilton asked for clarification on HB1858 regarding the City's possible ability to receive monies from fees for vehicle tabs. He wanted to know whether this would prohibit the City from requiring Traffic Mitigation Fees. Administrator Morrison said his understanding is this bill is independent of mitigation fees. He described the history of the bill. Councilmember Hamilton said the Impact Fees are essential to getting any support from citizens to help pay for traffic problems, since the development is what has caused the congestion in the first place. He promoted taking this to the citizens for a vote if it is put in the City's jurisdiction. Councilmember Rackley agreed.

Administrator Morrison suggested using something like this to supplement neighborhood street work, rather than the larger projects for which the impact fees are used. Councilmember King said the discussion is moot until after November when the current transportation bills come up to a vote.

Bollards at Allan Yorke Park

Deputy Mayor Swatman inquired as to the space between the bollards on the boat launch. Community Services Director Leaf said an ecology block would be placed in the middle of the 14 foot gap.

Absentee ballot

Deputy Mayor Swatman asked if anyone was cognizant of the postage rate increase when they mailed their absentee ballots. Councilmember Rackley said the County picks up the cost when people do not use sufficient postage, additionally they may be dropped off at Fred Meyer.

Proactive Code Enforcement

Deputy Mayor Swatman said he is opposed to Code Enforcement Officers seeking out violations of code. This type of behavior would likely cause neighborhood disputes and is not necessary. Council debated the value of proactive code enforcement. Councilmember Bowen suggested there are enough complaints to keep Code Enforcement busy without driving around in search of violations in order to write up tickets. Director Grigsby said the staff needs Council support to enforce the codes. Interim Planning & Community Development Director Vialle noted the difference between proactive enforcement and responding to violations seen, but not yet the object of a citizen complaint.

Council discussed the nature of the City's majority of code violations and the best way to enforce these. City Attorney Dionne said this topic comes up often, but it is Council's responsibility to

make it a priority if they want enforcement to be more successful. In response to questions as to why repeat offenders are allowed to continue working in the City, he said each property has to be treated as a new case. He suggested Council be more aggressive. Deputy Mayor Swatman said many cases are not ambiguous and should not be a problem to enforce, yet they are not being dealt with properly. There was increased discussion on the best methods to strengthen the City's ability to enforce its code, as well as the associated costs. Councilmember King said this topic would again be addressed in the Public Safety Committee.

Lowe's

Councilmember Rackley asked about the Lowe's situation. Director Grigsby said the Hearing Examiner will be in City Hall Council Chambers on June 4th to address the appeals. Councilmember Hamilton said he was in receipt of an email from one of the property owners of the four homes Lowe's said they were trying to purchase. The email indicates there has been no attempt by Lowe's to purchase their home and Lowe's claimed to the citizen that their home is neither needed nor wanted, which is contradictory to the statements made by Lowe's. Council also discussed Lowe's study of installing a frontage road.

Deputy Mayor Swatman and Director Grigsby described the possibilities for Lowe's to get permission to build an access road from 200th Ave. Director Vialle noted there had been a request for an administrative interpretation of the City Code as it relates to the problem of commercial access through residentially zoned property.

Utility Complaint

Deputy Mayor Swatman said a citizen had complained to Council at the previous meeting regarding the urbanization of Lake Tapps and an occasion when her water was allegedly shut off without proper reason. The City researched this and found the citizen had not paid her bill and her service was disconnected according to procedure.

Workshop Action Items

Deputy Mayor Swatman said he had researched Council Workshops wherein there had been action taken. His conclusion is in the last year and a half the Council has primarily limited these occasions to approval of preliminary and final plats, as well as Public Works Trust Fund Loan applications. Generally the topics are those which are time-sensitive and not controversial to the citizens. Deputy Mayor Swatman also noted that he makes a point to indicate possible action items on the Workshop agendas and offer citizens the opportunity to speak.

Council Role in Citizen Complaints

Deputy Mayor Swatman questioned what Council can do when citizens bring complaints to them while working with administration on the same topics. Councilmember King said he and others are sometimes too quick to accuse staff before giving them the opportunity to research the complaints brought forth by the Citizens. He admitted Council does not always know the full situation and suggested they be more careful to direct concerns to the Mayor.

Councilmember Bowen moved for a five minute break. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

The workshop reconvened at 6:38 p.m.

6:38:42

2. Review of Minutes: May 1st Council Workshop and May 8th Regular Council Meeting.

Deputy Mayor Swatman inquired as to what could be done in the May 8th minutes to reflect the inaccurate statement of Mrs. Moore that her water had been shut off without good reason. Council discussed this with the City Attorney and City Clerk and it was determined the minutes could not be changed, but the current record could reflect the findings of staff. Councilmember Hamilton asked that the May 1st minutes also be considered because of the statements of Lowe's which were contradicted by the email he received from a homeowner. It was decided the May 15th minutes would document these prior stated inaccuracies.

Deputy Mayor Swatman also asked that the May 8th minutes reflect his statement that the City should not reduce the Traffic Impact Fees at all as a result of Lowe's mitigation measures on South Prairie Road and Hwy 410.

6:46:22

3. Discussion: AB07-107 – Resolution 1687 – Fireworks Permit Fee Resolution.

Councilmember Bowen asked if a permit would be required if a group of six or even twenty neighbors set off their fireworks together. Councilmember King said it generally applies to massive displays put on by pyrotechnicians. Citizens with consumer fireworks will not need a permit. The fee is \$50 and covers the expense for staff to process the paperwork involved. There is no set limit in the Bonney Lake Municipal Code for the number of permits permitted, but due to the City's population only six fireworks stands are allowed according to the State Code. There may be a similar rule for displays. Also, the Fire Marshal is responsible for inspections and advising the City on the safety of fireworks related events. Councilmember King noted there was discussion on the cost of police patrols and traffic control problems, but at this time it is not anticipated those costs will be excessive enough to warrant additional fees. If this changes in the future the fees may be revised.

6:56:15

4. Discussion: AB07-114 – Resolution 1692 – L&I Workers Comp AWC Retro-rating program agreement.

Human Resource Officer Young said Administrator Morrison, Director Edvalson and herself had met with AWC in response to a program they are offering for L&I management services. Currently the City contracts with Segway Administrators, but Segway has been purchased by Comp Management, who partners with the AWC Retro Program. The Retro Program is a pool of 73 cities who, when rated together, should have a lower industrial accident rate and consequently get lower premium rebate rates. The Program charges a 6.5% administrative fee and offers aggressive safety training to Human Resources and staff, as well as rebates of the administrative fees. The City's current L&I management company charges a 5% fee, offers no training and no rebates.

Administrator Morrison said if the City had been in the Program last year AWC suggested they may have saved nearly \$20,000. Officer Young added AWC also designates a Claims Manager to the City. This person assists Human Resources in helping those who are out on L&I return to work sooner. Council discussed the fees, the value of employee safety to both employees and citizens and the other cities involved.

7:13:37

5. Discussion: AB07-115 – Upcoming Meeting Dates – Possible Cancellations – June 19th and July 3rd.

Deputy Mayor Swatman said the June 19th Workshop is scheduled for cancellation because of the Annual AWC conference and the July 3rd Workshop is scheduled for cancellation due to the Fourth of July Holiday. He said they can always be rescheduled if necessary.

7:14:39

6. Discussion: Downtown Redevelopment Update.

Director Vialle said the Draft Downtown Design Guidelines have been received by the Planning Department. On May 16th there will be a joint meeting of the Planning Commission, the Design Commission and the Downtown Developers Group, to which Council is also invited. The meeting will be in Council Chambers at 5:30 p.m. Councilmember Rackley noted he will be attending the RCC meeting in Councilmember DeLeo's place. Director Vialle said at the time of the meeting there will be copies of the Draft Downtown Design Guidelines available. The next steps are SEPA, hearings, recommendations from the advisory boards, and Council review and action in early August. In response to inquiry as to whether there have been any problems, Director Vialle responded in the negative. Deputy Mayor Swatman reminded Council that this is a multimillion dollar project and will not always be easy.

7. Executive Session: None.

8. Adjournment.

Councilmember Rackley moved to adjourn the workshop at 7:17 p.m. Councilmember Bowen seconded the motion.

Motion approved 6 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Items submitted to the Council Workshop of May 15, 2007:

- City of Bonney Lake – *Email from C. Roger and Karen Allen* – Councilmember Hamilton.
- City of Bonney Lake – *Email in response to Mrs. Moore comment regarding \$25 turn on fee and being without water over the weekend* – Chief Financial Officer Wroe.