I. Call to Order: Mayor Neil Johnson, Jr. called the Workshop to order at 5:30 p.m.

II. Roll Call: [A1.3]

Administrative Services Director/City Clerk Harwood Edvalson called the roll. In addition to Mayor Neil Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Randy McKibbin and Councilmember James Rackley.

Staff members in attendance were City Administrator Don Morrison, Chief Financial Officer Al Juarez, Police Chief Mike Mitchell, Community Development Director John Vodopich, Planning Manager Heather Stinson, Public Works Director Dan Grigsby, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson, and Administrative Specialist Shawn Campbell.

III. Agenda Items:

A. Council Open Discussion:

YMCA Tour: Councilmember Carter suggested July 16, 2011 for a tour of the Gig Harbor YMCA. She said some interested attendees have a scheduling conflict with the June 11, 2011 date. She said four Councilmembers, one Park Board member, one Planning Commissioner, and one reporter have signed up for the tour.

Fennel Creek Tour: Councilmember Carter noted there will be a Fennel Creek Tour to see Victor Falls on July 9, 2011. She reminded Council to confirm with Marian Betzer if they planned on attending.

Transit: Councilmember Carter said she received a call from a citizen named Anna Tucker asking people to attend the July 13th Pierce Transit meeting in Lakewood. She said Ms. Tucker asked people to wear blue to show solidarity for the area. Councilmember Hamilton said Wilsonville, Oregon is a small community and has its own transit authority with 35 busses and 8 routes. He said their budget is $6 million. He said the City of Bonney Lake and surrounding communities pay $4.5 million to Pierce Transit in taxes, and the surrounding areas could establish a transit authority using the tax monies they currently pay to Pierce Transit. Councilmember Carter noted a letter to the editor in the Tacoma News Tribune talking about contracting out transit services. She said 24.5% of the City of Bonney Lake population leaves the City everyday to go to work. She said the transit system needs to serve the citizens who do not leave the plateau.

County Council Meeting: Councilmember Hamilton thanked Councilmember Carter for suggesting the Special Meeting with Pierce County Council on May 31, 2011. He said this is a great way to get the community leaders together. He said the more the two entities can
communicate the better. He added it was good to see the Justice Center shown on television.

**Bonney Lake / Sumner Sewer Treatment Facility:** Deputy Mayor Swatman said there is a joint advisory meeting on June 8, 2011. He said a floodwall is on the agenda for the meeting. He said the City of Sumner has already sent the project out to bid and he expects that they will build the wall and send the City of Bonney Lake a bill for half the cost. He asked Council if they wanted to ask the City of Sumner to use future Flood Control District Funds to pay for the wall. Councilmember Hamilton said he got the impression when speaking to the Pierce County Council there will not be a Flood Control District in the near future. Director Grigsby said the floodwall is already in the 2011-2012 biennial budget.

**Urban Growth Area Application Review:** Deputy Mayor Swatman said the Pierce County Planning Department has a meeting scheduled to review the Urban Growth Applications. He encouraged staff to attend the meeting and testify on the City’s applications. City Administrator Morrison said the County staff report is recommending denial of all applications. Councilmember Carter asked if the failure of the Sumner’s UGA application would cause the Sumner YMCA to fall through. Mayor Johnson said the City of Sumner has backup locations if their first choice isn’t available. He said his bigger concern is if the County approves Sumner’s application to add rural farmland to their UGA and denies the City of Bonney Lake’s application to fill in gaps within the City’s current boundaries.

**Vacant Council Seat:** Councilmember Decker announced he will not run for a second term.


Councilmember Carter asked to add the following language to the May 24, 2011 Meeting Minutes under Other Committee Reports:

*Eastown Steering Committee Report: Councilmember Carter requested a Steering Committee report. Councilmember McKibbin stated one will be available at the end of the process."

The corrected minutes were forwarded to the June 14, 2011 meeting for action.

**C. Discussion:** (Tabled from 5/24/11 Council Meeting) AB11-58 – Ordinance D11-58 – Updating the Municipal Code Regarding Impacts between Commercial and Residential Development.

Councilmember Rackley asked about the justification for the 500 foot buffer zone. Planning Commission Chair Grant Sulham said it comes from past experience with businesses like Diamond Lounge, Lowes, and looking forward to the area behind the Safeway that will eventually become housing. He said in the examples of Diamond Lounge and Lowes, the commercial structure followed the current polices, and the homeowners were not aware of the extent of impact these businesses would have on their property. He said this proposed ordinance is intended to be proactive. Councilmember Rackley said 500 feet is a sizable amount of land that would no longer be usable. Commissioner Sulham said the land would still be buildable; the property owner would just have to make accommodations for a structure built within the 500 foot buffer zone. Councilmember Decker said the Council could require soundproofing insulation and
Planning Manager Stinson said a structure within the 500 foot buffer zone could fulfill the requirements by not putting windows on the side of the property that faces the commercial structure. She said the market does not always consider light and noise pollution in the building process. Councilmember Carter stated if a property has a large amount of light and noise pollution the residence has a high turnover rate, which is not economically sound.

Deputy Mayor Swatman said he is concerned about the language, “to the extent feasible”. He said this would allow builders to simply state the requirements are not feasible. He said as future residential development encroaches on existing commercial development the City needs to ensure the residential buildings have adequate sound control. He suggested using language such as, “building abutting commercial areas shall contain quantitative measures of sound control”. Planning Manager Stinson said the proposed ordinance does not cover soundproofing. She said the Planning Commission could not agree on requirements they felt were fair. Councilmember Lewis stated the additional requirements would make the structures more expensive but he feels this is similar to the fire sprinkler ordinance, to protect the future residents of Bonney Lake.

Deputy Mayor Swatman stated the 500 foot buffer zone extends beyond residential streets. He said if this ordinance is passed as it is currently written, the City would require homes on the other side of a residential street to follow these rules. Councilmember Carter said the problem with using the noise ordinance only to mitigate the noise pollution is the noise must be maintained long enough to get a reading and for the duration that meets the state law. She shared the example of a song in an outdoor seating area would not be loud enough long enough to meet the state law for a noise violation. Deputy Mayor Swatman asked if the City could have a more restrictive noise ordinance than the state. City Attorney Dionne stated he believes the City could do so. Councilmember Hamilton asked staff to find the average distance from other jurisdictions similar in size to Bonney Lake. He asked why the restrictions are on residential builders and not making the structure that creates the light and noise pollution responsible for mitigating the pollution. Planning Manager Stinson said many in instances the commercial building is in place long before the residential area has been built up. She said the City could not go back to an existing business and require they modify their existing business due to new construction of a residential area. Councilmember Carter noted that in Seattle there are “community zones” within the city. She said each zone has individual regulations for each area. She said the City of Bonney Lake could consider similar regulations. She said the ordinance also needs to address high density abutting low density. Council asked for the Planning and Community Development staff to gather more information and tabled the discussion to the July 5, 2011 Workshop.

D. **Discussion:** AB11-69 - Planning Commission Workplan.

- Update the definition of “Nightclub” and determine in which zones they should be allowed.

Planning Manager Heather Stinson explained the City Municipal Code definition of nightclub, which encompasses many restaurants as well as nightclubs. She added the nightclubs are not a listed use in any of the City zones. Deputy Mayor Swatman said he does not want the Council to send this item back to the Planning Commission without clear guidance on what the Council is looking for. He said it is the Council’s responsibility to ensure residents can enjoy their outdoor space without disturbance from surrounding establishments. He said it does not matter if the noise is coming from a nightclub or a church. Councilmember Rackley said the City can restrict noise
inside the building with soundproofing and other requirements but needs to come up with a clear solution for outdoor areas. He said the City needs to modify the noise ordinance until it is adequate to handle these concerns. Councilmember Carter said the Council needs to regulate outdoor seating at different establishments in the City. She suggested that businesses that have outdoor seating be allowed only in the transportation corridor or outside a certain number of feet from a residential neighborhood. Mayor Johnson said some noise is to be expected when living in a city. He said the City does not want to hinder business in the City. He said he believes this is more of a noise ordinance issue and the noise ordinance should be amended so the Police Department or Code Enforcement can take care of noise complaints. Councilmember Lewis said he does not want to restrict the zones that allow nightclubs. He asked staff to gather more information and bring it back to Council. By consensus, the item was not added to the Planning Commission work plan.

- Update of Title 16.14 – landscaping to enhance buffering between commercial and residential properties.

Councilmember Carter said she would like to add landscaping buffers to the Planning Commission’s work plan. Deputy Mayor Swatman said he would like them to look at physical barriers for landscaping barriers. By consensus, the item was added to the Planning Commission work plan.

Councilmember Carter asked for an update on the Shoreline Master Plan. Planning Manager Stinson said the City is waiting for the final draft from The Davey Group and it will come back to the Planning Commission for review in the fall.

Councilmember Hamilton confirmed the Comprehensive Plan would be updated to add the Falling Water area and the area formally known as Cascadia.

Councilmember Rackley moved to take a 10-minute break at 6:52pm. Mayor Johnson called the meeting back to order at 7:05pm.

E. Discussion: Funding Options for Eastown Sewer ULA.

Deputy Mayor Swatman said the City needs to figure out a way to get sewers into the Eastown area. He said the Council needs to decide what is the acceptable amount for the Eastown property owners to partner with the City for sewers. He said it is important to remember the City is not paying for the sewer; it is only financing the sewers. He said the City has a stake in this also. He said the property owners need to know the amount the City will accept so they can move forward. Councilmember Rackley said the potential risk is offset from the potential development and tax revenue to the City from Eastown. He said five percent will offset the risk to the City. Mayor Johnson asked for an initial response on whether of not five percent is an acceptable amount for partnership from each councilmember. Councilmember Hamilton said he is willing to accept any amount that the utility can afford. He said he is not willing to put the utility into debt if it means raising rates for the existing ratepayers. He said the City would need to be able to ensure the system development charges would cover the debt payment with no revenue coming from the Eastown area to help cover expenses. He said if the City chooses to add sewers to the Eastown area, it will have to cut back on other projects. Deputy Mayor Swatman said the City will need to be fiscally responsible when moving forward and putting sewers
into Eastown. He said this is the only way sewers are going to make it into Eastown in the near future. He said he would agree to the five percent. Councilmember Carter said the City is in the business to provide utilities, roads, and public safety. She said this project would help protect the headwaters of Fennel Creek. She said she wants the sewers put in sooner rather than later. Councilmember McKibbin said he does not want to build the sewer system on the backs of the other ratepayers. He said he does not see the vision of other Councilmembers and he does not want to speculate on how the area will or will not develop if the City installs sewer lines. Councilmember Lewis said the City does not really have another direction to develop. He said if the mechanism to get sewers into the Eastown area is a ULA he would support the five percent partnership. Councilmember Decker said he does not believe today’s economy supports this venture, but he still believed the City needed to put sewers in Eastown.

F. Discussion: RV Parking – Updating Ordinance 1385 (BLMC 10.16).

Deputy Mayor Swatman said he felt if a citizen went to the trouble of putting together a flier and going door to door to notify others of the ordinance the Council should revisit the issue. Councilmember Carter passed out proposed new verbiage for the recreational vehicle parking portion of BLMC chapter 10.16. Councilmember Hamilton clarified the new verbiage would take care of most of the concerns from citizens. By consensus, this item will move forward for Council action.

G. Discussion: Administration Reorganization and Budget Impact.

Mayor Johnson said the City recently reorganized the City departments to be more efficient. He said the reorganization will allow Gary Leaf to focus on issues important to the Mayor’s office. Councilmember Carter asked about changes to the community services offered to the citizens, updating the municipal code, and budget impacts as the Community Services Department has been dissolved into other departments. City Administrator Morrison said line items on the budget will be transferred to the new departments and it will have virtually no budget impact. He said it includes a reclassification of an employee, with a few duties removed and a few duties added. Councilmember Carter said per MRSC this item should have come before the Council. Mayor Johnson said it is the Mayor’s responsibility to manage the staff. He said the official reorganization will come before the council to update the municipal code during the midyear budget review. Deputy Mayor Swatman said this item did come before the Finance Committee. He said the City does have a strong Mayor and it is the Mayor’s responsibility to manage the staff. He added the item does create a new position. Councilmember Lewis said he would have preferred to have been briefed on the change before it was public knowledge, and suggested an executive session be held in the future to keep the full Council informed on issues and concerns within the City. Mayor Johnson said he felt it was important to make the change when he did, and it is important to have all employees receive accurate information.


Police Chief Mitchell said he brought this item to Council as an informational piece. He said this is a grant opportunity from the Traffic Safety Commission for the City to hire a Washington Traffic Safety for Youth State Program Director. He said the City will be
required to match the grant dollars with in-kind resources from the City such as supervision, office space, computer, printer and phone. He said he will bring this item back to Council if the City receives the grant.


Police Chief Mitchell said the Swiss Sportsman’s Club contacted the Police Department regarding the use of the firing range at Swiss Park. He said Swiss Park is increasing the retail fees for using the firing range. He said the City has a few options: pay the increased fees to Swiss Park, start the permitting process to build a range on City property, keeping in mind the time involved in this process, and use the Washington State Training Commission firing range. He said the Washington State Training Commission contacted him with an informal proposal for the City to pay the salary and benefits of an employee to work the range two days per month, and the commission would allow the City to use the range free of charge. He said between the cost of salary, benefits and the extra travel time this option would cost the City more than paying the increased cost to the Swiss Park. He said he believes the most economical option is to sign the new agreement with the Swiss Sportsman’s Club. Councilmember McKibbin asked if the agreement was negotiable. Chief Mitchell said it is not. By consensus, this item was forward to June 14, 2011 Council Meeting for action.

J. AB11-66 – Upcoming Meeting Cancellations and/or Special Meetings.

Mayor Johnson asked for Council direction on upcoming proposed meeting cancellations. Councilmember Lewis said he believes it is important to cancel the August 2nd Council Workshop so Councilmembers can attend National Night Out. He said he does not have a problem attending the other two proposed meeting dates. Deputy Mayor Swatman said the Council Workshops and Meetings are important. He said he is not in favor of canceling meetings if it is not necessary. By consensus, the August 2, 2011 Council Workshop was cancelled.

IV. Executive Session: The Council recessed to an executive session with the City Attorney at 8:16 p.m. for 20 minutes to review the performance of a public employee per RCW 42.30.110 (1)(g), property negotiations per RCW 42.30.110(1)(c), and potential litigation 42.30.110 (1)(i). The executive session was extend at 8:36pm for 10 minutes.

V. Adjournment:

At 8:48 p.m. Councilmember Rackley moved to adjourn the Workshop. Councilmember Lewis seconded the motion.

Motion to adjourn approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Neil Johnson, Jr.
Mayor
Items Submitted to the June 7, 2011 Council Workshop:

- City of Bonney Lake – *BLMC 10.16.020 Parking of Recreational Vehicles* – Councilmember Carter.
- City of Bonney Lake – *System Development Charges for the City of Bonney Lake* – Councilmember Hamilton.