

CITY COUNCIL MEETING

**October 14, 2003
7:00 P.M.**

MINUTES

City of



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"

I. CALL TO ORDER - Mayor Young called the meeting to order at 7:03 p.m.

A. Flag Salute - Mayor Young led the Pledge of Allegiance.

B. Roll Call [A1.3] - City Clerk Edvalson called the roll.

Elected officials attending were Mayor Bob Young, Deputy Mayor Dan Swatman, Councilmember Phil DeLeo, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember James Rackley. Councilmember Neil Johnson arrived at 7:06 p.m.

Staff present were Administrative Services Coordinator Tom Reber, Public Works Director Seth Boettcher, Planning & Community Development Director Bob Leedy, Police Lieutenant Mike Strozyk, Judge Jim Helbling, City Attorney Jim Dionne, and City Clerk Harwood Edvalson.

C. Announcements, Appointments and Presentations [A3.6.9]

1. Announcements:

Mayor Young reminded those wishing to speak at the public hearing on the proposed public nuisance vehicle ordinance that a sign-up sheet was available at the agenda table.

2. Appointments:

(a) Tyler Gazeki - Design Commission [A3.8.8]. Mayor Young pulled this item from the agenda, explaining that it has been inadvertently placed on the agenda, and that he was still interviewing candidates.

3. Presentations:

(a) AB03-352 - Phase I Major Comprehensive Plan Update Recommendations - Steve Burnham, Planning Commission Chairman. [O3.5.2]

Chairman Burnham discussed the Phase I Major Comprehensive Plan Update. He noted that the Commission and staff have been working on this item since January 2003. He added that Phase I includes four elements of the Comprehensive Plan, i.e., the Community Design and Character Element, the Natural Environment Element, the Land Use Element and the Housing Element. He said part of their work effort was to address the Community Character and Design Element in conjunction with the Design Commission.

He noted a strong turnout at the Commission's public hearing in September, particularly with respect to the elementary school's issue. Chairman Burnham reported that the Planning Commission recommends adoption of the Phase I Major Comprehensive Plan update.

Chairman Burnham said the Commission was unable to come to a decision on the school district's proposed comprehensive plan amendment. He said there was a 2-2 vote on making a recommendation to the Council on this issue. He said it, therefore, comes forward for Council consideration without a recommendation.

Deputy Mayor Swatman asked if the Commission membership was full. Chairman Burnham reported that there are two members who are not attending regularly. He asked for assistance to resolve the issue because the Commission is not functioning at full strength. Responding to Deputy Mayor Swatman's question regarding actions being taken, Mayor Young said that he is contacting those members not attending. He said that they have been asked to either improve their attendance or resign their positions. He added that the City is taking applications for the Commission. Deputy Mayor Swatman asked further questions about the school district application for Bonney Lake Elementary School. Chairman Burnham responded to questions about the proposed use for school properties and public comments received about school impact mitigation fees.

D. Agenda Modifications [A3.6.6]

Mayor Young asked the Council to consider agenda modifications to include addition of Resolution 1183 approving a property lease, and Resolution 1184 changing insurance with AWC. He also asked that Resolution 1176 be pulled for further discussion at the next workshop and then to the next Council meeting. Deputy Mayor Swatman clarified that the two resolutions would be added as items E. and F. to the Finance Committee Issues portion of the meeting agenda.

**Councilmember DeLeo moved to modify the agenda by adding items VI. E. and F., Resolutions 1183 and 1184, and deleting Item VI. B., Resolution 1176.
Councilmember Rackley seconded the motion.**

Motion approved 6 – 0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

[A3.6.11, A3.6.12, A3.6.4, 3.6.5]

A. Public Hearings:

1. **AB03-335 – Ordinance 1007** – “Public Nuisance Vehicles – Prohibited Activities – Penalties – Removal.” [A3.6.12]

Councilmember King gave a PowerPoint presentation. He explained that the Public Safety Committee felt the proposed ordinance was necessary because the existing Chapter of the Bonney Lake Municipal Code (BLMC) is outdated, ineffective and inconsistent with current county and state laws and ordinances, as well as being hard to enforce. He added that the proposed ordinance will bring Bonney Lake's code on junked vehicles consistent with state and county versions, provide clear policies and procedures for dealing with junked vehicles, and equip City staff with additional tools for abatement. He noted that Pierce County had abated some 1400 vehicles under its new ordinance. He said that some of the benefits of the ordinance are that it will help prevent the use of junked vehicles to hide illegal drug labs and their wastes, reduce pest infestation opportunities, and provide for retention of the natural beauty of the City's landscape.

Mayor Young opened the public hearing at 7:27 p.m. No one signed up to speak at the hearing. He asked if there were members of the audience that wished to address the Council on this issue.

Daniel Decker, 20401 70th St. E., asked if currently licensed vehicles "that look like a piece of garbage" will be asked to be moved or towed. Councilmember King reviewed some of the criteria that will be used to help the enforcement officer determine if the vehicle is a possible abatement vehicle. Mr. Decker suggested that even if a vehicle is licensed but has been stationary for an amount of time that in and of itself might be an indication that it is inoperable and another issue of towing. He also asked about vehicles concealed by a tarp or fence and not particularly visible to the public. Councilmember King responded that fencing and vegetation, if totally screening, are appropriate means of concealment under the proposed ordinance.

There being no further speakers interested in addressing the Council on the topic, Mayor Young closed the public hearing at 7:31 p.m.

B. Citizen Comments [A3.6.4]

Mary Sorg, 14006 Greenbelt Dr. East, Sumner, says she represents the Prairie Ridge Community Coalition. She said that although it is an unincorporated area near Bonney Lake, its 3,000 residents impact the City. She said she wanted to let the City know how serious Prairie Ridge is about trying to address youth-at-risk. She described community and school based mentoring programs through Big Brothers/Big Sisters of King and Pierce Counties. She said her role was as a liaison and promoter between the area cities and school districts. She encouraged audience participation as youth mentors. She also noted that the Prairie Ridge newsletter would accept City information that would impact the Prairie Ridge residents. Ms. Sorg, a member of AmeriCorps, can be contacted at (360) 897-2645.

Councilmember Noble asked about Ms. Sorg's current activities. Ms. Sorg responded that her current efforts to obtain a main contact in each school district. She prefers to do the mentoring on site at the schools. She said she is also engaged in finding mentoring for all PRISM youth-at-risk students in the

community. Deputy Mayor Swatman asked about the community newsletter. Mr. Sorg noted that nearly 3,000 copies are produced each month to reach homeowners and renters. Councilmember King asked how the at-risk children are identified. Ms. Sorg said she is working with the schools to establish a process to identify youth but maintain confidentiality. She added that this is a very slow process. She again asked for volunteer mentors as a first step to match with children who might enter the program. Councilmember DeLeo asked if these were before or after school programs. She responded that it would be on site and could be either before or after school. Councilmember Johnson asked how many hours one would be asked to commit. Mr. Sorg said that school site mentors would be asked to commit to one hour per week through the school year. Community based mentoring would be two to three hours, three to four times per month.

Dan Decker, 20401 70th St. E., said he had asked questions of the Council several weeks ago and had been informed that the information was personal not public. He reminded Council that he had been asked to step down from the podium at that time. He addressed questions about Mayor Young's educational background to the Council and asked if they would clarify whether or not they were of a public or private nature.

Councilmember Rackley raised a point of order stating that he felt the questions to be of a personal nature and of no business before the Council. Mr. Decker offered to move on to his second point if the Council would tell him that his questions are of a personal nature. Councilmember DeLeo said they sound personal to him. Mr. Decker said that if the Council would not respond, then he would continue with his personal questions. Mayor Young ruled that the questions were personal, and asked Mr. Decker to move on.

As a second issue, he said he received a letter from the Office of the Insurance Commissioner, and that it says that Mr. Young-- the Mayor of the City of Bonney Lake's mailing address is Sumner, Washington. He said he was confused, and wanted to know if the Mayor of Bonney Lake lives in Bonney Lake or Sumner. He said the letter goes on to describe a misrepresentation in a political advertisement. He continued by saying that Mayor Young acknowledged having failed to catch the error in proofing, but that he had an obligation as a professional insurance agent to make sure that no misrepresentation was made to the public. He said that Mr. Young was given a letter of counsel from the Insurance Commissioner over this incident. He expressed concern that the Mayor was charged with misrepresentation.

Louisa Smith, 20112 Church Lake Rd. E., announced that the Bonney Lake Chamber of Commerce would hold a Bonney Lake Candidate Forum on October 22 at 7:00 p.m. in the Senior Center. She said that all eight candidates have responded that they will attend. As a second item, she expressed appreciation for the Council setting the dates for Bonney Lake Days. She asked for support in negotiating a particular band's participation in the event. Finally, she said she

was selling Spaghetti Feed tickets for the Puyallup Kiwanis Club. She said the tickets are five dollars. She concluded by saying that she could vouch for the number of services the Bonney Lake community receives from the Puyallup Kiwanis Club.

Referencing Mr. Decker's confusion about the Mayor's residence, Mayor Young asked Ms. Smith for an update on her efforts to get Bonney Lake its own zip code. Ms. Smith responded that each time the city seemed to meet them, the postal service changed their criteria. She said she had personally been involved in the effort to separate Bonney Lake from the Sumner zip code since 1983. Deputy Mayor Swatman asked if there was anything further the City could be doing to facilitate the process. Ms. Smith responded that she was unaware of anything more the City could be do. She said that even our elected officials in Washington have been ineffective in providing help.

Doug Beck, 20818 60th St. E., said that he opposed development of an area east of 207th between 60th St. E. south toward Vandermark. He said development of these 84 acres would put a strain on the community's water and sewer needs. He said the repair of a street sign on Inlet Island had been delayed for months with the response that it's on order. He added that the concerns of area residents should be addressed. He suggested the development of the area be delayed and placed on the back burner. He concluded by saying that he'd seen a great increase in traffic, with little improvement to handle the increased flow.

Deputy Mayor Swatman asked for clarification of the area Mr. Beck was discussing. Mr. Beck pointed to a wall map. Deputy Mayor Swatman said he believes the area of concern is largely outside the City. He explained that the development of the utilities in the area is of concern to the Council and would not be extended unless they concurred with the general development plans. He invited Mr. Beck to check with the City's Planning Department to keep abreast of development issues. Councilmember Noble asked about the street sign. Mr. Beck said a 205th sign had been missing most of the summer. Mayor Young said he would look into it.

Patricia Brooks, 20831 60th St. E., said she agrees with Mr. Beck. She said she lives directly behind one of the pieces of property proposed for development. She concluded by saying that its development won't make a lot of sense and will have adverse impacts for everyone.

Peg Stecky, 4810 Aqua Drive, says she is 20 year resident of Bonney Lake. She said for two or three weeks this past summer, they had to drink brown water. She asked Council to consider that those already living in Bonney Lake deserve to drink clean water. She noted that the City had assured her the water was clean, but she said she would not drink brown water.

Councilmember Rackley said the City had been caught off guard this past summer. He said the City was working on acquiring new water sources and

developing a new \$3 Million water filtering system. Councilmember Noble said that she, too, was disturbed by the brown water. She added that there were other areas impacted as well, and that the City needs quality water before allowing additional development. Councilmember DeLeo cautioned the audience that the filtering system would not be in place before the end of next summer.

- B. Correspondence – None.

III. COUNCIL COMMITTEE REPORTS:

(A3.6.4)

A. Finance Committee

Deputy Mayor Swatman said that the committee met this evening at 5:30 p.m. and that its meetings are always open to the public. Issues discussed were

1. Ordinance 1005 – the creation of a new fund for developer deposits—tabled indefinitely for further study and discussion;
2. Resolution 1181 – a contract with the State to sell surplus property of the City—moved forward to the next Council meeting;
3. Resolution 1166 – Agreement with Mountain Alarm for the City’s facilities—coming back to the Finance Committee for more information;
4. Resolution 1176 – Contract with Destination Wireless for Nextel Phones—waiting in committee for additional information;
5. Resolution 1179 – An agreement with United Employee Benefits Trust—moved forward to the next Council meeting;
6. Resolution 1175 – A contract with DataBar to provide utility bill preparation and mailing services—sent to the next workshop; and
7. Resolution 1184 and Resolution 1183 that were added to this evening’s agenda.

B. Community Development Committee

Councilmember Rackley reported that the Committee met on October 7 and forwarded Resolution 1180 – a contract with Feller Bros. for painting the Public Safety Building.

C. Public Safety Committee

Councilmember DeLeo said that the Public Safety Committee met on October 6th and moved forward Resolution 1182, having to do with the DUI – Zero Tolerance and Seat Belt emphasis.

D. Other Reports

Mayor Young said he had a report to make. He distributed some articles that he said could be made public if needed. He said he felt a need to address several issues that had been misinterpreted. He said the record shows the City Council was never presented with a petition of no confidence. He said Mr. Decker refers to the document at a Council meeting in January, but that’s all. Mayor Young said the petition in question was presented to the City Clerk’s Office, not to the Council on January 14th as had been stated in the newspaper in a letter to the editor by Councilmember DeLeo. He added that Mr. Decker again referred to the petition at the Council meeting of January 28.

Mayor Young acknowledged having written in February that Attorney Mike Rorick had advised him that the petition could be thrown out, that it had absolutely no legal standing. He added that Mr. Weidenfeller was correct in his letter to the editor when stating that he, Mr. Weidenfeller, had had those papers destroyed. Mayor Young quoted Deputy Mayor Swatman from a transcript of the meeting of August 19, who referred to "a bunch of paperwork for a complaint," given him by a citizen. Mayor Young continued by saying that the citizen was never identified in the workshop, nor the complaint ever identified. He said most in attendance probably had an idea what was being referenced. He said nothing, however, was ever identified, only a reference to Brian Sontag making opinions, which were never made public at that meeting. He said Deputy Mayor Swatman did say that the item had to do with the destruction of some documents. Mayor Young said that Councilmember DeLeo never volunteered, in that meeting, to confer with the Prosecuting Attorney's Office. He said that an email indicates that Councilmember DeLeo later offered to do so, but that it was not a Council action.

Mayor Young said he wanted the record to reflect that Director Weidenfeller's several comments in the newspaper were accurate when he said that no petition had been presented to the Council, that no charges had been filed, the Mayor did not destroy the document, and that there was no evidence at this point that the Mayor committed a felony. He added that it was true that accusations had been made.

Mayor Young also felt it important to address Councilmember DeLeo's comment that the City was losing \$100,000 per year by holding \$3 Million dollars in non-interest bearing checking accounts. He said the issue was never addressed by the Finance Committee because it was not quite factual. He explained that the City operates on a "just-in-time" cash management philosophy. He added that the City's monies are managed very aggressively, but carefully on a daily basis, and that balances are kept very low. He said that in the current year the staff had transferred a net amount of \$13.8 Million in excess funds to the Local Government Investment Pool maintained by the State Treasurer's Office. He concluded by saying that the City finances are in the best shape they've ever been, due to an exceptional finance team, its leadership, and his direction to implement strict and closely monitored cash management processes. He reminded Council that prior to Director Weidenfeller's hire in 2000, the City's financial reporting and budget preparation process was in disarray due to Council-forced understaffing. He lauded the Council's current support in approving the new Eden financial management software, and the Finance Department's complete success in meeting State Audit requirements. He added that the Council's support in 2002 to hire a professional accountant, Dave Papandrew, has provided an important resource in the City's ability to monitor its accounts on a daily basis. He ended by saying that he had sent his annual memo to staff that says no end-of-year spending sprees are permitted, that spending on non-discretionary items is frozen, and that if it's not necessary to get the job done, "do not buy it." He added that departments have been instructed to minimize overtime and that all travel beyond a 15-mile radius must be approved in advance by him. He said it was important to him that the City meet the priorities and the deadlines the Council has asked him to meet. He said the City was doing well financially due to efforts to keep things lean and on an even keel. He thanked Council for their patience, and said that his

comments were intended to clarify issues and place explanations on the record.

Councilmember Noble asked if she, too, could give a report. Mayor Young responded yes. She said she would be giving one in the future. She also said that "she is not an attorney," but she would say that this should go to the Pierce County Prosecuting Attorney's Office. She added that now a Councilmember had made this statement.

Councilmember Noble asked if she could ask a question of the City Clerk. She noted that she received minutes by CD, and asked if the City Clerk edits the minutes. She asked if there is ever anything taken out of the minutes, for example, a comment that did not pertain to City business. City Clerk Edvalson responded that when preparing the minutes, in the interest of time he often goes by the notes he's made at the meeting. He said that if he has a question in his mind as to what transpired, then he listens to the recording of the meeting. He said he was the one that prepares the minutes and does not remove items just because they don't sound very good. Councilmember Noble asked if the Mayor has the authority to have the Clerk strike things from the record. She asked if that has to be done in a public setting or if it can be done privately. City Clerk Edvalson responded that he believes the Mayor has the authority to direct him, but that Mayor Young has not exercised that to date. Mayor Young confirmed that he has never asked the City Clerk to change anything but what's been discussed at a public meeting.

Deputy Mayor Swatman asked about the current flow of minute preparation. City Clerk Edvalson confirmed that the clerk is the one that prepares the minutes. He said he prepares those based on the notes taken during the meeting, as well as the recording of the meeting. He added that after he prepares the minutes, they are presented in the Council's packet for review, and not edited by anyone else beforehand.

Deputy Mayor Swatman concluded by saying that the Mayor's memo on year-end spending was appropriate. He added, however, that the line saying not to provide budget or performance handouts to the Council without the Mayor's prior review causes consternation among the Council because it makes their job difficult restricting the flow of information for their consideration. He cited as example the recent conversation held about citizens requesting copies of the preliminary budgets. He said Council's previous direction, pursuant to the Revised Code of Washington 35A.34.080, was that once the preliminary budget had been prepared it should be available free of charge. He noted that this statute applies to the preliminary budget current on the date of November 20, and that therefore, the staff did not have to provide the present copy for free. He added that he had received a telephone call from staff asking him as the Finance Committee Chairman whether or not to give the preliminary budget to the citizens. He said his response was yes, that he would even pay the funds himself to have the document available to the public. He expressed dismay with the chain of calls that first went to him and then from the Mayor back to him. He questioned why staff called him in the first place. He said he brings the topic up for discussion because the Council should have a policy to make the proposed preliminary budget available to the public. Mayor Young asked Director Weidenfeller to explain the difference between the working budget currently existing and the preliminary budget that will be available by the statutory date in November.

Director Weidenfeller said that he had called Deputy Mayor Swatman because the Finance Committee had said in the past that people should pay for this budget. He said an exception was made last year to loan the documents during the elections when Councilmembers King and Johnson were running for office. He said when he contacted the Mayor, the Mayor advised waiting to address the issue at this evening's meeting before changing the policy. He added that the current proposed budget is based on staff's best preliminary estimates of revenues and expenditures including the Mayor's proposed budget for 2004. He said it's not a very exact document. He continued by saying that the preliminary budget presented in November will include explanations, narrative and figures, as well as staffing and salary information. He added that many may find the current proposed budget difficult to follow and understand.

Director Weidenfeller explained that a citizen had asked to see the current proposed budget to verify that the water improvements were actually included. He said he offered to sit down with the individual and review the proposed expenditures. He added that the Mayor confirmed that it was okay to release the draft document, but that the citizen would have to be charged based on Council's current policy to charge for copies. He added that another citizen came to City Hall the next day seeking a copy, and one was sold to that person. Mayor Young added that the proposed preliminary budget is very rough, and that citizens may feel it misleading when they see the changes that occur between the proposed preliminary and the final budget.

Councilmember DeLeo said he had a question for Mr. Decker. He asked if he in fact presented at a Council meeting 101 pages of a petition of no confidence to the Mayor. Mr. Decker responded that he presented the petition to the City Clerk of Bonney Lake. Councilmember DeLeo asked further if that was done in a Council meeting. Mr. Decker replied, no. He added that the petition was supposed to have been provided by the Clerk to the Council. He asked for fair time to rebut the Mayor's earlier statements about the document. Councilmember DeLeo asked Deputy Mayor Swatman if he, Councilmember DeLeo, did not say at a workshop that he would take it to the prosecutor's. Deputy Mayor Swatman said that he did. Councilmember DeLeo said he thought that he did.

Following up on the Mayor's earlier comments about a transfer of \$13 Million to the State investment fund, Councilmember DeLeo asked when that happened. Director Weidenfeller answered that it happened in 2003 over a number of weeks, transferring money back and forth, keeping just enough cash on hand to pay the bills. Councilmember DeLeo asked if the City had balances in excess of \$1 Million in its checking accounts this year. Director Weidenfeller responded no, not to his knowledge. He reiterated that the accounts are managed on a day-to-day basis, and that current balances receive .66% interest credited against charges in the account.

Councilmember Johnson said that he had paid for the budget Director Weidenfeller previously referenced. He added that he was reimbursed after the Council agreed they could be given away. He said that although the numbers may be preliminary, they include actuals for 2002, estimates for 2003 and preliminary numbers for 2004. He said he felt the budgets should be given away to the interested public.

Councilmember King said that he did not object to the release of the proposed, nor the preliminary budget. He cautioned that the proposed budget is indeed rough, because the Council has not yet had an opportunity to consider and revise the current recommendations. He said a great deal of time will be spent in public meetings in November and December to develop the final budget. Councilmember Rackley said that he, too, supported giving the budget to the people. He said that his other questions had been answered. He requested a 10 minute recess.

Deputy Mayor Swatman said that he agreed that the proposed preliminary budget is rough and difficult to understand. He said that a \$3 Million dollar error in expenditures balanced by the same mistake on the other side of the ledger shows that the more eyes reviewing the budget, the better it will be. He asked if a motion would be appropriate to make these budgets available without charge. City Attorney Dionne said a motion would be needed.

Councilmember Rackley moved that any budget be provided to the requesting citizen free of charge. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

The Mayor called for a ten minute recess.

IV. MINUTES (A3.6.2) -

- A. Approval of Corrected Minutes: September 16 Council Workshop and September 23 Council Meeting.

Councilmember Rackley moved to approve as a whole the corrected minutes. Councilmember Noble seconded the motion.

Motion approved 6 – 0.

V. VOUCHERS AND PAYROLL: (F4.9)

- A. Vouchers: City Clerk Edvalson read the summary of Claims and Payroll as follows:

1. Claims:
Accounts payable checks/voucher #35325 thru 35496, voiding check #35484, in the amount of \$716,127.63.
2. Payroll:
Payroll for September 16th-30th for checks 21486-21548 including Direct Deposits and Electronic Transfers in the amount of \$293,521.59.

Councilmember Rackley moved the approval of claims and payroll as read. Councilmember Johnson seconded the motion.

Deputy Mayor Swatman asked if the combined numbers proposed for approval would mean that the checking account would have over \$1 Million in it at one time. Director Weidenfeller agreed with the Deputy Mayor's statement that during the normal flow of business the checking account could have several million dollars sitting in the checking account for a short period of time.

Motion approved 6 – 0.

VI. FINANCE COMMITTEE ISSUES:

- A. **AB03-336 – Resolution 1175** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A 3-Year Contract With Qwest At Bonney Lake For T-1 ISDN Communication Circuit From The City Hall To Qwest. [A2.1]

Councilmember Rackley moved to approve Resolution 1175. Councilmember Johnson seconded the motion.

Deputy Mayor Swatman said that the service will provide direct inward dial to the City. Councilmember King thanked Chuck McEwen and City staff for finding a solution that not only solved two problems for the City, but also saves money. Mayor Young added that Chuck McEwen is doing a great job for the City. He said he cannot speak highly enough for the service provided the community. He asked Director Weidenfeller to provide Mr. McEwen with a note expressing appreciation.

Motion approved 6 – 0.

- B. **AB03-339 – Resolution 1176** was removed from the agenda. (See Section I D. of the minutes.)
- C. **AB03-167** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Set A Budget Hearing During the Council Meeting For November 12, 2003, On Revenue Sources For The 2004 Budget Including Ad Valorem Taxes. [F3.7]

Councilmember Rackley moved to approve the motion to set a public hearing. Councilmember Noble seconded the motion.

Motion approved 6 – 0.

- D. **AB03-168** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, To Set Ongoing Public Hearings On The 2004 Budget At Each City Council Meeting Beginning On November 25th Until The Final Budget Is Passed. [F3.7]

Councilmember King moved to adopt the motion for ongoing public hearings. Councilmember DeLeo seconded the motion.

Deputy Mayor Swatman asked if the Council is operating under its new public input procedures. Mayor Young affirmed that it is and noted that there was one person signed up to address this item.

Daniel Decker, 20401 70th St., asked for clarification on the motion and vote earlier to provide copies of the budget through the public request process. The Council clarified that the budgets would be made available without the need for a public disclosure request.

City Attorney Dionne suggested that the Council further clarify their earlier motion. He said that he believed the motion to mean that only the preliminary budget would be made available without charge. He cautioned that if their intent was otherwise, requests could be made for budgets from previous years and of the final budget that is expensive to produce. Council discussed the City Attorney's comments and their original intent.

Councilmember Rackley moved that the City would provide without charge copies of the proposed preliminary and the preliminary budgets. Councilmember Noble seconded the motion.

Councilmember King said he agreed with the City Attorney's suggestion for greater clarity on the motion and urged the Council to be specific in its motions dealing with the budget.

Motion approved 6 – 0.

The original motion on agenda bill AB03-168 was also approved 6 – 0.

- E. **AB03-255 – Resolution 1183** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Lease Agreement With Mr. & Mrs. Melvain Donyes And Mr. And Mrs. James Hoban . [F3.7]

Deputy Mayor Swatman moved to approve Resolution 1183. Councilmember DeLeo seconded the motion.

Deputy Mayor Swatman clarified that the property is that piece near the library with the former use by Ludwig Chiropractic. Finance Director Weidenfeller also corrected the title of the resolution to include Mr. and Mrs. Hoban, not Carl Cartner. Councilmember Johnson asked City Attorney Dionne to clarify whether or not a sublease of the property would have to come back to the Council or the Mayor for review and approval. City Attorney Dionne clarified that it would be the full City Council.

**Motion approved 5 -1.
Councilmember DeLeo voted no.**

- F. **AB03-256 – Resolution 1184** – A Resolution Of The City Council Of The City Of Bonney Lake Pierce County Washington, Authorizing A Participation Agreement With The Association Of Washington Cities For Standard Insurance Company As Agreed To By The City Council In Labor Agreements, Resolutions And Ordinances. [F3.7]

Mayor Young said this is largely a housekeeping matter. He said that AWC was changing insurance carriers and asking Cities to make the changes.

Councilmember Rackley moved to approve Resolution 1184. Deputy Mayor Swatman seconded the motion.

Councilmember DeLeo asked if there were any previous agreements with insurance companies to undo. City Attorney Dionne said there were none.

Motion approved 6 – 0.

VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB03-347 – Resolution 1180** – A Resolution Of The City Council Of The City Of Bonney Lake Pierce County Washington, Authorizing A Contract With Feller Bros. Painting For Improvements To The Public Safety Building. [O4.4.3]

Councilmember Rackley moved to approve Resolution 1180. Councilmember Noble seconded the motion.

Motion approved 6 – 0.

VIII. PUBLIC SAFETY COMMITTEE ISSUES:

- A. **AB03-253 – Resolution 1182** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement To Participate In The ‘Zero Tolerance – DUI And Safety Belt Emphasis Multi-Jurisdictional Patrols Between November 20, 2003 And January 5, 2004.[O1.10]

Councilmember King moved to approve Resolution 1182. Councilmember DeLeo seconded the motion.

Mayor Young noted that he had provided in his weekend report some figures from the last emphasis conducted. He added thanks to the officers for a good job.

Motion approved 6 – 0.

IX. FULL COUNCIL ISSUES:

- A. **AB03-334** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Concurring With The Findings, Conclusions And Recommendation Of The Hearing Examiner And Denying The Jensen Rezone With Prejudice. [A3.5.5]

Councilmember Rackley moved to approve the motion to concur with the Hearing Examiner and deny the rezone with prejudice. Councilmember Noble seconded the motion.

Councilmember Rackley asked for confirmation that the motion concurs with the Hearing Examiner and denies the rezone. Mayor Young said that was correct. Councilmember Swatman asked if any further legal statements were required from the City Attorney. Summarizing the City Attorney's recommendations, Mayor Young asked the Councilmembers if they had any ex-parte contacts with anyone on this issue. There were none expressed.

Motion approved 6 – 0.

- B. **AB03-341** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Designating August 20 – 22 as Bonney Lake Days for 2004. [O3.8.2]

Councilmember Johnson moved to set the days for Bonney Lake Days for 2004. Councilmember Noble seconded the motion.

Motion approved 6 – 0.

- X. **EXECUTIVE SESSION** - Pursuant to RCW 42.30.110(1)(b) Mayor Young said the Council would be going into executive session to deal with matters of property acquisition. He estimated 15 minutes for the session. The session started at approximately 9:10 p.m.

XI. ADJOURNMENT

The Council rejoined the regular session at 9:15 p.m. Councilmember King clarified an earlier statement by saying that the State Code provided that that a properly registered vehicle is considered exempt from being considered a junk vehicle.

At 9:16 p.m., Councilmember Johnson moved to adjourn the Council meeting. Councilmember Noble seconded the motion.

Motion approved 6 – 0.

Harwood T. Edvalson, Pro Tem City Clerk

Robert Young, Mayor