

**CITY COUNCIL MEETING**

City of

**January 11, 2005  
7:00 P.M.**

**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"*

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**I. CALL TO ORDER** – Mayor Young called the meeting to order at 7:01 p.m.

- A. Flag Salute - Mayor Young led the Pledge of Allegiance.
- B. Roll Call [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Bob Young, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Neil Johnson, Councilmember Dave King, Councilmember Cheryl Noble, and Councilmember Jim Rackley.

Staff present were Administrative Services Coordinator Don Morrison, Finance Director John Weidenfeller, Interim Police Chief Buster McGehee, Public Works Director Daniel Grigsby, Planning & Community Development Director Bob Leedy, Senior Human Resources Analyst Karen Meeks, Judge Jim Helbling, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

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

- 1. Announcements:
  - a. State of the City Address – Mayor Bob Young
- 2. Appointments:
  - a. Administration of Oath of Office – Judge Helbling administered the oath to Arthur “Buster” McGehee, Interim Police Chief.
- 3. Presentations: None.

**D. Agenda Modifications** [A3.6.6]:

**Deputy Mayor Swatman moved to accept the staff proposed agenda modification to delete Item VIII A. – AB05-13 – Resolution 1366 from the meeting agenda and add item VI. C - AB05-16 – Ordinance 1098 to the night’s agenda. Councilmember Noble seconded the motion.**

**Motion approved 7 – 0.**

**II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:**

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

A. Public Hearings [A3.6.12]: None.B. Citizen Comments [A3.6.4]:

Beth Hancock, 18825 111<sup>th</sup> St. E., spoke representing the Pierce County Domestic Violence Advocacy Program. She described the workings of the program and grant. She said the program had 1,000 contacts with victims of domestic violence in 2004, filling the gap for those where no criminal charges were filed.

Responding to questions from Councilmember Noble, she said the program is available on Tuesdays from 9 a.m. to 2 p.m. at the Bonney Lake Public Safety Building and can help victims with protective orders and provide other victim outreach services. Councilmember Johnson asked that the program be advertised in the City's newsletter.

Art Palacek, 7716 190<sup>th</sup> Ave. E., asked the Council and City planners to revisit the Memorandum and Request for relief on the Larios Short-plat dated December 13, 2004 and the addendum dated December 22, 2004. He cited instances where no public notice was given, where provisions of the State Forest Practices Act were not enforced, and where City staff have not complied with the Bonney Lake Municipal Code. He stated that a performance bond should have been required. He asked that the wetland and buffer be reforested with mature trees, that the stop work order be kept in place until further research on the wetland can be conducted, that the City order another independent survey, and that the City uphold the code of law.

Councilmember Noble said that she had sent an email to the Council and Mayor asking for an independent survey of the property. She said she feels an objective opinion of the conditions is needed. Deputy Mayor Swatman and Councilmember Johnson voiced their agreement.

Barbara Bledsoe, 7711 191<sup>st</sup> Ave. E., reminded the Council of the City's mission, and doesn't feel this has happened with the development of the Larios property.

Lynn Storrs, 7715 191<sup>st</sup> Ave. E., noted that the City's Planning and Community Development Department posted a notice of development application 54 days after allowing the Larios property to be cleared of 24 large trees and much vegetation previously effective in retaining water on the site. He said that even after registering his complaint about water impacts, the City allowed development to continue on the Larios property, which is uphill from his. He noted that no SEPA review was required before allowing the Larios property to be cleared. He claimed that the City allowed the property to be short-plated and developed without regard to zoning regulation densities. He reminded the Council that he has had to spend his own time and money to protect his property and attempt to get the City to enforce its development regulations.

Councilmember King suggested to Mr. Storrs that he had confused the zoning regulations that apply to his neighborhood. He noted that R-1 zoning allows for up to four units per acre. Councilmember Rackley added that the Growth Management Hearing Board has determined that the City's R1-A zone is improper and must be revised to allow greater density.

Councilmember Hamilton added that greater density levels are mandated by the State and must be implemented over the Council's objections.

Jessica Verano, 408 1<sup>st</sup>, Spanaway, spoke to the Council about second-hand smoke in the community. She encouraged the Council to support a smoke-free Pierce County.

Sam Guymon, 1010 S. 50<sup>th</sup> St., said he is a freshman at Lincoln High, and also addressed the City Council about public smoking. He described some of the impacts of second-hand smoke and encouraged the Council toward a smoke-free Pierce County.

Wendy Fry, 9903 200<sup>th</sup> Ave. E., said that the widening project for South Prairie Road will create problems of access to her home. She described the detours that will be required for her to approach her home upon completion of the project. She said the proposal to punch through 200<sup>th</sup> to connect to 100<sup>th</sup> will take a portion of her property and reduce the play area for her children. She asked who gave authorization for the construction of the four homes on 200<sup>th</sup>, when the City knew the adjacent property was zoned commercial.

Deputy Mayor Swatman thanked Ms. Fry for calling and helping to explain her concerns. He helped familiarize the Council with the difficulties contemplated by Ms. Fry resulting from the proposed South Prairie Road project.

Michelle Cook, Brookwater II, noted that Deputy Mayor Swatman had spoken to her homeowner association's president. She was concerned that "big box" traffic from the potential commercial development behind her home would impact her property and peace of her neighborhood.

Dan Decker, 20401 70<sup>th</sup> St. E., discussed the homes at 7711, 7713, 7715 and 7717 191<sup>st</sup> Ave. E. He warned that additional houses built and permitted by the City that result in flooding to the existing homes will be a liability to the City.

Denise Robinson, 7713 191<sup>st</sup> Ave. E., also addressed the Larios short-plat. She said there have been constant complaints about water in this area. She wants something done now about the disturbed areas. She noted that a tree previously protected on a neighboring lot fell in a recent wind. She said the City should be protecting the adjacent properties.

Debbie Eastman, 19105 79<sup>th</sup> St. E., addressed the Larios property and said there is a Type III wetland on the property. She described the history of wetland buffers in the area. She said a reduced buffer was granted in the past with the provision that the ground remain extensively vegetated. She said this has not happened. She also expressed the opinion that the public should be able to vote on a New City Hall. Finally, she asked the Council to replace a missing swing at Allan Yorke Park.

Fred Jacobsen, 9100 189th Ave. Ct. E., spoke in support of Resolution 1363, the Stream Team Contract. Noting the number of people at the Council meeting, he suggested a larger facility is needed.

Marian Betzer, 19812 82<sup>nd</sup> Ct. E., also spoke in support of the Stream Team Contract.

Tom Kennedy, 10206 201<sup>st</sup> Ave. Ct. E., said he is the president of the Brookwater Homeowners Association. He pointed to the area of interest on the wall map in the Council Chambers, describing the commercial property adjacent to South Prairie Road. He expressed appreciation for Deputy Mayor Swatman's visit to inform homeowners that developers are interested in the adjacent commercial property. He expressed concern for the impacts to the residential community from the possible commercial development of a "big box" store. He said that commercial access to 100<sup>th</sup> will not work for a variety of reasons.

Deputy Mayor Swatman said that a collaborative approach of property owners in the area along with the City and State will be required to arrive at the best solution possible for the area. He encouraged the Council to hold off on the condemnation authorization. Councilmember Hamilton asked Mr. Kennedy if the homeowners would consider giving the four homes on 200<sup>th</sup> access on 100<sup>th</sup>. Mr. Kennedy replied that he thought they would, but only for the four residential properties.

Steve McCorkel, 19810 101<sup>st</sup> St. E., expressed concern for what he'll see from his home if the property behind his home is developed as commercial property. He said he bought his home for an investment. He asked that he be provided notice of any proposed development and subsequent street access near his home. He asked for an opportunity to participate in a public process.

Michelle Gunn, 18102 85<sup>th</sup> St. E., described the history of her ownership and development of her current commercial property. She said her property is now proposed to be down-zoned from C-2 to R-2. She said that she understands the City has no duty, according to State law, to provide her notice of the zoning change, but she would have liked notice anyway. She said as a business woman she can't be at every City meeting to defend her property rights. She asked the Council to adopt a policy to provide notice to residents who may be impacted by the City's proposals.

Councilmember Hamilton asked if property owners with inconsistencies between zoning and land use designation are going to receive notice of any proposed action. Director Leedy said notice will be sent to the affected property owners, those on a list being developed, and to those immediately contiguous to the affected properties. However, he added, the Planning Commission has not concluded their discussions and have not arrived at a recommendation that can be put into a notice of proposed action. Director Leedy offered to meet with Ms. Gunn. He again assured Council that public notice would be provided in advance of the Planning Commission public hearing. He anticipated that may occur in February.

Councilmember King invited Ms. Dahlstrom to comment on the Planning Commission's schedule. Ms. Dahlstrom said that it is her understanding that the Planning Commission and Council will discuss the "inconsistencies" issue at the joint meeting of the Commission and Council on February 1<sup>st</sup>.

Bob Lockwood, 19814 98<sup>th</sup> Ct. E., addressed the Area 41 down zone of his commercial property to R-2 residential. He said that Quadrant should not have proposed the development of the four residential lots on 200<sup>th</sup>. He said the owners of the Area 41 commercial property will pay for another traffic study to resolve the traffic circulation issues associated with development of the property.

Deputy Mayor Swatman said he listened to the tapes from the Hearing Examiner hearing for the final plat of Brookfield. He said the Hearing Examiner noted that the four homes on 200<sup>th</sup> were oddly situated. He said the staff response was limited to saying that they have some concerns with those houses. He added that he and Councilmembers Hamilton and Johnson met with the owners of Area 41. Councilmember Hamilton applauded the offer of the owners to do another traffic study. He said it will help with an appropriate solution.

Linda Youngberg, 8507 182<sup>nd</sup> St. E., said she owns the 7.8 acres of commercial property along South Prairie Road. She said the City asked her to annex, and that the Area 41 owners were also asked to annex and come into the City as commercial property. She said the City's intent was to make the South Prairie corridor the retail core for the City. She added that it is unfair to now propose downzone of the Area 41 property to residential. She also asked the Mayor and Council to take action to remove Stephen Burnham from the Planning Commission. She noted that he works as an in-house attorney for Investco, which is a major developer and investor in Bonney Lake. She said there is a conflict of interest between his employment and his position on the Planning Commission.

Bob Wright, an attorney from Lakewood representing Ms. Youngberg and Lockwoods, he ratified Ms. Youngberg's comments and also claimed a conflict of interest or appearance of unfairness for Mr. Burnham to be the Chair of the Planning Commission. He said the Area 41 property was zoned commercial before the adjacent residential properties were developed and constructed. He, too, discussed access to the commercial property. He said the "big-box" store that had been talking to Ms. Youngberg and the Area 41 owners has stopped talks based on the City's assurance that a traffic signal serving the property would never be authorized. He said he wrote a letter rescinding the right-of-way transaction for South Prairie Road because the City's position changed with the addition of a median barrier on that road. He said he has received no response other than someone would get back to him. He assumed the agenda item authorizing condemnation of the property is the response. He said the City needs to give detailed attention to the circulation on that road.

Councilmember King probed Mr. Wright's knowledge of Mr. Burnham's responsibilities with Investco. Mr. Wright said that Mr. Burnham is House Counsel for Investco. He said that although he does not know the extent of Mr. Burnham's responsibilities, he believes there is the strong potential for conflict of interest and an apparent violation of the appearance of fairness. Responding further to Councilmember King's questions, Mr. Wright described himself as an eminent domain lawyer with decades of experience with the State and in private practice.

Councilmember Hamilton asked Director Grigsby who did the City's traffic analysis. Director Grigsby replied that Parametrix did the study. He said the City would look at another study for the area. Councilmember Rackley asked if the "big-box" that didn't purchase the Area 41 property did buy property elsewhere in the City. Ms. Youngberg said they moved down to the Corliss piece, which is tied into Investco. Ms. Youngberg said that all Home Depot asked for on her parcel was a traffic light synchronized with SR410 and the signal at 200<sup>th</sup> to allow left turn movements. She added that they do this all the time in developments across the United States.

Louisa Smith, 20112 Church Lake Rd., commented that the new striping in front of the Public Safety Building is effective. She said she took exception to the comments about

Corliss and Investco. She explained that there are different Corliss families involved in development around Bonney Lake, and that they are not all involved with Investco.

Tina Storrs, 7715 191<sup>st</sup> Ave. E., spoke out of concern for the additional water that may now be directed at her home from the clearing and development of the Larios property. She said her home used to be a pond and that at sometime in the past, the property was filled to create a building pad. She said the water will come to her property. She asked if the City will act to mitigate this additional water as it has in the past.

Robert Ceola, 9104 189<sup>th</sup> Ave. Ct. E., said he'd like to donate  $\frac{3}{4}$  of an acre that he owns to the City as wildlife habitat in a similar fashion as Weyerhaeuser did with the Demonstration Forest. He said that Pierce County blocks him from doing this as it requires a minimum donation size of 5 acres. He suggested the City work to remove this impediment.

Councilmember Noble applauded Mr. Ceola's desires.

Louis Archeleta, 9924 200<sup>th</sup> Ave. E., said he's lived in Bonney Lake for 13 years and understands the concerns for the residential property owners adjacent to his commercially zoned property. He pointed out that the commercial property owners will lose money if their property is down zoned to residential. He said he has invested \$70,000 into the property. He suggested a collaborative approach to try and address everyone's concerns.

Todd Olson 19803 103<sup>rd</sup> St. E., said he is part of the Brookwater group of homeowners. He said the aggregate value of the homes in this residential area is over \$50 million in assessed valuation. He said there isn't an apparent need for additional commercial space for lease in the City. He added that frequently, although conceptual designs look good, they don't work in reality.

Councilmember King said that it is sometimes a business practice for competing businesses to lease vacant commercial space to prevent their competitor from having access to that space. Mr. Olson warned that Home Depot is an "800 lb. Gorilla" and will treat the City as such.

Michelle Gunn pointed out that Home Depot contributed nearly \$5,000 to Bonney Lake Days to the benefit of the City.

Responding to Councilmember King's request, Mayor Young declared a ten minute break in the proceedings at 9:10 p.m. He reconvened the meeting at 9:29 p.m.

C. Correspondence : None.

### III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

#### A. Finance Committee

Deputy Mayor Swatman said the Finance Committee discussed the following items:

1. Benefits for the Interim Police Chief, which was referred to the Council Meeting;

2. Guild Agreements;
3. AFSCME Agreements for certification pay and a temporary records clerk;
4. City Hall leasing options;
5. An ordinance modifying the recently approved sewer rate ordinance; and
6. Police Department staffing.

B. Community Development Committee

Councilmember Rackley said the Committee met on January 3<sup>rd</sup> and forwarded four items to the Council meeting:

1. The ordinance dealing with sewer connection fees;
2. The professional services agreement with Cascade Design Collaborative;
3. The 2005 agreement with the Pierce Conservation District Stream Team.;
4. The ordinance authorizing condemnation along South Prairie Road.

C. Public Safety Committee

Councilmember DeLeo said the Committee also met on January 3<sup>rd</sup>. He said the one item forwarded, on narcotics evidence disposal, was pulled from tonight's agenda and should be back for the January 25<sup>th</sup> Council meeting agenda.

D. Other Reports:

Councilmember Rackley reported on his attendance at the second meeting of the Pierce County Oral Health Advisory Group on January 10<sup>th</sup> related to fluoridation. He said the County is talking about a \$40,000 – \$45,000 contribution from Bonney Lake. He distributed a sheet showing the discussion topics and statistics on untreated caries in selected Tacoma Elementary Schools. He noted that the incident of untreated dental caries in Tacoma where the water is fluoridated, is no different than the statistical distribution in our area where water remains non-fluoridated. He said he intends to attend a meeting on January 14<sup>th</sup> where County Councilmembers are to be in attendance. He said this is a problem the Health Department is transferring to cities and water districts that should be a county-wide problem, not a city-wide problem.

IV. **MINUTES:** [A3.6.2]

- A. Approval Of Meeting Minutes: December 7 Workshop and December 14 Council Meeting.

**Councilmember King moved to accept the minutes as submitted and approve them with one motion. Councilmember Johnson seconded the motion.**

**Motion approved 7 – 0.**

V. **VOUCHERS AND PAYROLL:** [F4.9]

- A. Vouchers – City Clerk Edvalson read a proposed motion to approve the following:

- Claims: Accounts payable (12/22/04) Checks/Vouchers #39096 thru #39193 and wire transfer #1001517 in the amount of \$1,020,626.71; and accounts payable (12/30/04) Checks/Vouchers #39194 thru #39268 in the amount of \$111,026.49;

and accounts payable (2004 additional) Checks/Voucher #39269 thru 39326 in the amount of \$355,654.54; and accounts payable (01/11/05) Checks/Voucher #39327 thru 39339 in the amount of \$318,151.98.

- Payroll: Payroll for December 1-15, 2004 for Checks 23169-23216, including Deposits and Electronic Transfers in the amount of \$225,552.63; and Payroll for December 16-31, 2004 for checks 23217-23273, including Deposits and Electronic Transfers in the amount of \$418,976.89.

**Councilmember Rackley moved to approve the claims and payroll as read. Councilmember Johnson seconded the motion.**

**Motion approved 7 – 0.**

## **VI. FINANCE COMMITTEE ISSUES:**

- A. **AB05-12 – Ordinance 1093** - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Affirming The Appointment Of Arthur W. McGehee As Interim Police Chief And Approving Benefits. [O1.9] [A3.8.5]

**Councilmember Rackley moved to adopt Ordinance 1093. Councilmember DeLeo seconded the motion.**

Deputy Mayor Swatman asked if the ordinance was the same as the resolution the Finance Committee had seen. City Attorney Dionne responded that the action was required to be in the form of an ordinance.

**Motion approved 7 – 0.**

- B. **AB04-291 – Resolution 1361** - A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Enter Into An Agreement With Financial Consulting Solutions Group, Inc. (FCSG) To Conduct A Review Of The Finance Department In The Amount Of \$33,800. [F4.10.4]

**Councilmember Rackley moved to adopt Resolution 1361. Councilmember Noble seconded the motion.**

Councilmember Johnson asked about the impact of anticipated expenditures for this study on the balance of the funds in this account slated for economic development. Administrative Services Coordinator (ASC) Morrison replied that much of the money for economic development was intended for development of a plan. He said that much of the plan would be done in-house, leaving more of the fund for economic development activities. Deputy Mayor Swatman expressed appreciation to the Mayor for having been invited to participate in the selection of the consultant. He feels the consultant will do a good job. He added, however, that he would not be voting in favor of the agreement. He said he is philosophically opposed to this type of review. He believes in hiring good people and getting out of their way. Councilmember Johnson asked if the Council will be allowed to participate in the

review of any study drafts before the final draft is made available. Mayor Young said he would have more details at the next workshop after the initial meeting with the consultant.

**Motion approved 6 – 1. Deputy Mayor Swatman voted no.**

- C. **AB05-16 – Ordinance 1098** - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 13.12 Of The Bonney Lake Municipal Code And Ordinance Nos. 571C, 692, 692A, 828, 892, 909, 916, 1047 And 1082 Relating To Sewer Rates.

**Councilmember Rackley moved to approve Ordinance 1098. Deputy Mayor Swatman seconded the motion.**

Public Works Director Grigsby said the ordinance allows the City to deal on a bi-monthly basis with billings and adjusting leaks. Councilmember DeLeo said that a customer shouldn't pay a larger sewer bill, just because he has a water leak. He added that the water most often is not going into the sewer. Councilmember Rackley pointed out that the ordinance says there is an ACCF maximum and that the customer also gets a 2/3 adjustment if they have a leak to help with the added cost of the leak. Mayor Young said these issues are house-keeping items to help with the implementation of the ordinances previously adopted by the Council.

**Motion approved 6 – 1. Councilmember DeLeo voted no.**

## VII. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB05-15 – Ordinance 1094** - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapters 13.04 And 13.12 Of The Bonney Lake Municipal Code And Ordinance Nos. 561, 571c, 588, 692, 692a, 763, 787, 828, 919, And 1073 Relating To Water And Sewer Connection Charges And Fees. [A3.5.5] [F4.3]

**Councilmember Rackley moved to approve Ordinance 1094. Councilmember Noble seconded the motion.**

Mayor Young noted this ordinance corrects the language of a previous ordinance to address units, not meters, on water and sewer connection charges for multi-family and mobile home parks.

**Motion approved 7 – 0.**

- B. **AB04-261 – Resolution 1345** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Professional Services Agreement For On-Call Services With Cascade Design Collaborative For Park Improvements At Allan Yorke Park. [05.10]

**Councilmember Rackley moved to approve Resolution 1345. Deputy Mayor Swatman seconded the motion.**

**Motion approved 7 - 0.**

- C. **AB05-08 – Resolution 1363** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With The Pierce Conservation District For The 2005 Stream Team Program. [04.14.11]

**Councilmember Rackley moved to approve Resolution 1363. Councilmember Hamilton seconded the motion.**

Councilmember King said the involved property owners on the City's waterways indicate that this is a very worthwhile program. He said that continued data collection is needed to help with monitoring the health of these bodies of water. Councilmember Rackley said he attended a recent meeting of the Lake Bonney Association, where they indicated intent to request \$4,000 from the City to support an intern to assist with data collection and further analysis of the lake.

**Motion approved 7 – 0.**

- D. **AB05-09 – Resolution 1364** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Maintenance Agreement With Pierce County For The Sumner Buckley Highway And 192<sup>nd</sup> Ave. E. Intersection Signal. [04.9.1]

**Councilmember Noble moved to approve Resolution 1364. Councilmember DeLeo seconded the motion.**

Councilmember Johnson asked when the light will be installed. Director Leedy said no definite day has been established. He said the developers are getting signatures on rights-of-way, but that there are definite limitations on any additional businesses operating until the signal is completed.

**Motion approved 7 - 0.**

#### **VIII. PUBLIC SAFETY COMMITTEE ISSUES:**

- A. **AB05-13 – Resolution 1366** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign An Agreement With Simpson Tacoma Kraft Company, LLC For The Disposal Of Narcotics Evidence From November 1, 2004- October 31, 2005. [01.3] This item was removed from the agenda. (See Section I D. of the minutes.)

#### **IX. FULL COUNCIL ISSUES:**

- A. **AB04-287 – Ordinance 1090** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Taking Of Property. [A3.13.3.3]

**Councilmember Noble moved to adopt Ordinance 1090. Councilmember Hamilton seconded the motion.**

Director Grigsby explained that the Council was provided a slightly revised version of the ordinance as proposed by Pierce County. He said the change reconfirms that the County has not stopped its negotiations for the right-of-way properties involved in the project. He added that should negotiations fail, then the ordinance authorizes the use of eminent domain to condemn the needed properties. He said the project is a joint project between the City and County. He said the County has completed its portion of the project, and the outstanding improvements are the City's part of the project.

Director Grigsby said that traffic volume necessitates the completion of this project. He discussed some of the difficulties associated with the placement of additional traffic signals proposed by some of the opponents of the current project design. He added that existing development prohibits the acquisition of right-of-way on the north side of the road. He said the project has been reviewed by traffic engineers from both Pierce County and the City. He reviewed the discussions he had with Mrs. Youngberg regarding the ingress and egress to her property. He cautioned that the City will incur additional costs associated with continued delay of the project. He said that the design is intended to safely maximize the traffic flow without penalizing the rest of the residents of the City. He concluded with his recommendation that the Council approve the ordinance and give Pierce County this tool to facilitate completion of the project.

Deputy Mayor Swatman recommended that the Council hold off on taking this action. He expressed concern for the impact to the residents with the existing design.

**At 10:12 p.m., Councilmember Hamilton moved to extend the meeting. Councilmember Noble seconded the motion.**

**Motion approved 6 – 1. Deputy Mayor Swatman voted no.**

- A. (Cont'd.) There was additional discussion of some of the concerns and issues surrounding the South Prairie intersection improvements. Councilmembers Johnson and Rackley expressed a desire to delay action on the original motion to approve the ordinance.

**Councilmember Rackley moved to table Ordinance 1090 to the January 18 Workshop. Deputy Mayor Swatman seconded the motion.**

**Motion approved 5 – 2. Councilmembers King and Noble voted no.**

- B. **AB05-02 – Ordinance 1091** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.08 Of The Bonney Lake Municipal Code And Ordinance Nos. 205 And 506, Relating To Designation Of The Chief Law Enforcement Officer [A3.5.5]

**Councilmember Noble moved to adopt Ordinance 1091. Councilmember DeLeo seconded the motion.**

**Motion approved 7 – 0.**

- C. **AB05-01 – Resolution 1360** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With Parametrix. (Eastown Planning.) [03.1]

**Councilmember Rackley moved to approve Resolution 1360. Councilmember Hamilton seconded the motion.**

**Motion approved 7 – 0.**

- D. **AB05-04 – Resolution 1367** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Certain Developer Agreements. [06.1]

**Councilmember Hamilton moved to approve Resolution 1367. Councilmember Rackley seconded the motion.**

Director Grigsby gave the history behind the proposed resolution. He said the Council had provided a mechanism for developers to get their developer's extension agreements by agreeing not to apply for building permits with any agency before July 1, 2005. Director Grigsby explained that issues of concern were raised by developers as staff tried to implement the resolution's provisions. He explained that the City Attorney had reviewed the current proposed resolution allowing for developers to pay the current SDC fee and promise to pay the increased fee based on the anticipated increase assessed by Tacoma Water. He added that this would allow developers to get building permits now, while protecting the City from loss of fees when Tacoma Water raises its rates.

Councilmember King asked that a typographical error be corrected, changing the word "my" to "may." Councilmember Johnson asked about the Lakeridge III project, and if it is fair to require a developer extension agreement. Director Grigsby explained that the developer is extending the water system to remedy a dead-end line condition. He added, that upon review, he feels it is a fair and valid requirement.

**Motion approved 5 – 2. Deputy Mayor Swatman and Councilmember Noble voted no.**

- E. **AB05-10 – A Motion Of The City Council Of The City Of Bonney Lake, Setting A Joint City Council/Planning Commission Public Hearing For The Council Workshop Of February 1, 2005, To Discuss The Proposed "Annexation Area 7".** [A3.6.10] [A3.6.12]

**Councilmember Rackley moved to approve the motion to set the public hearing. Councilmember Hamilton seconded the motion.**

**Motion approved 7 – 0.**

- F. **AB05-14** – A Motion Of The City Of Bonney Lake, Setting A Public Hearing At The Council Meeting Of January 25, 2005 For The Purpose Of Receiving Input On Street Addressing Issues. [A3.6.10] [A3.6.12]

**Councilmember DeLeo moved to approve the motion to set the public hearing. Councilmember King seconded the motion.**

**Motion approved 7 – 0.**

**X. EXECUTIVE SESSION:**

Pursuant to RCW 42.30.110(1)(b), Mayor Young declared a ten minute Executive Session to consider property acquisition. The session commenced at 10:26 p.m. The regular meeting was reconvened at 10:31 p.m.

**Councilmember Rackley moved to amend the agenda to allow for a motion regarding property acquisition. Councilmember Noble seconded the motion.**

**Motion approved 7 – 0.**

**Deputy Mayor Swatman moved to authorize the Mayor to sign a purchase and sale agreement dated 11/02/04 for Parcel #56400000981 subject to clean title. Councilmember Rackley seconded the motion.**

**Motion approved 7 – 0.**

**XI. ADJOURNMENT**

**At 10:31 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councilmember Noble seconded the meeting.**

**Motion approved 7 – 0.**

Documents submitted at the Council Workshop of January 11, 2005:

- *City of Bonney Lake – Mayor’s 2005 State of the City Address* – Mayor Bob Young (Attached per Council request – See Minutes of 01/18/05 Council Workshop.)
- *Tacoma/Pierce County Health Department – Oral Health Advisory Group Data Topics for January 10 Meeting* – Councilmember Rackley.
- *Pierce County Victim Outreach Services – Community Advocacy for Victims of Domestic Violence.* – Beth Hancock, Program Manager.

- *Citizen Comments 01/11/05 – Art Palacek*
- *City of Bonney Lake – Alternate Ordinance 1090 – Daniel Grigsby, Public Works Director.*

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Harwood T. Edvalson, CMC  
City Clerk

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Robert Young, Mayor