

CITY COUNCIL MEETING

City of

**April 12, 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"

I. CALL TO ORDER – Mayor Bob Young called the meeting to order at 7:02 p.m.

- A. Flag Salute - Representatives of Bonney Lake Boy Scout Troop 595 presented the American Flag and led the audience in the Pledge of Allegiance.
- B. Roll Call [A1.3]

City Clerk Edvalson called the roll. In addition to Mayor Young, elected officials attending were Deputy Mayor Dan Swatman, Councilmember Neil Johnson, Councilmember Dave King, Councilmember Cheryle Noble, and Councilmember Jim Rackley. Councilmember Hamilton arrived at 7:12 p.m. Councilmember Phil DeLeo was absent.

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, Judge James Helbling, City Attorney Jim Dionne and City Clerk Harwood Edvalson.

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

- 1. Announcements: None.
- 2. Appointments: None.
- 3. Presentations:
 - a. Parks Appreciation Day – Mayor Young read a proclamation setting April 23, 2005 as Parks Appreciation Day. He added that there will be a park cleanup and workday at Allan Yorke Park on that day starting at 9:00 a.m.
 - b. Planning Commission Recommendations – Planning Commission Chairman Steve Burnham presented recommendations from the Commission on Home Occupation Signs and School, Transportation and Park Impact Fees. Chairman Burnham summarized the Commission's history for the consideration of Home Occupation Signs. He said the Commission recommends allowing the signs within the standards of proposed Ordinance 1112.

Responding to Councilmember King's questions, Chairman Burnham said the Commission anticipated that the signs would be unlit. He added that the Commission had considered that most signs would be the "A-frame" sign. He said they had not considered other types of signs that might still meet the size limitations.

Chairman Burnham addressed proposed Ordinance 1122A – School Impact Fees. He said the Commission recommends adoption of the ordinance to implement school impact fees. He said the Commission differs with the administrative staff in the manner in which the collection of fees should be administered. He said the Commission feels the school district should directly collect the fees and show proof of payment to the City. Mayor Young suggested that further discussion occur at the next Council workshop.

Deputy Mayor Swatman asked about an exemption for replacement of single family residences. Chairman Burnham said it was not discussed.

Chairman Burnham said that the Commission also recommended modifications to the transportation and parks impact fees ordinances to better address the calculation of fees.

D. Agenda Modifications [A3.6.6]:

1. **Councilmember Rackley moved to suspend the Council rules to allow for a grouping of agenda items into a consent agenda and to add proposed AB05-113 – Resolution 1429 to the agenda as item VI. C. Deputy Mayor Swatman 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 [A3.6.12]: None.

B. Citizen Comments [A3.6.4]:

Winona Jacobsen, 9100 189th Ave. Ct. E., said she was pleased to see a statement issued with respect to the Gunn tree removal. She applauded the pledge for greater attention to removal permit requirements. She objected to the Mayor's statement that there was no negligence on the part of staff, and suggested perhaps the negligence was with the Mayor for failing to oversee that the permitting processes were appropriately monitored. Ms. Jacobsen referenced the Bonney Lake Municipal Code and asked that the misrepresented or unsanctioned tree removal on this commercial property be replanted. She said the Mayor and Council must decide who is responsible for replanting the property.

Barbara Bledsoe, 7711 191st Ave. E., said she is disappointed and upset that no wetlands study has yet been done on the back of her property. She said there is a water problem, and that she has received a \$1500 quote to raise the shed in her backyard. She added that she is a senior citizen and will soon be on a limited income. She said she is disappointed that the City will apparently do nothing to mitigate this water problem.

Don Sangesand, 5616 195th Pl. E., thanked Councilmember Johnson for providing him a copy of the notes from the Council retreat. He suggested that Council have minutes typed in at

their future retreats for immediate publication. He objected to past limitations placed on the speaking times for the public during citizen comments. He noted that the retreat notes do not apparently include any discussion of the 150 acres of Weyerhaeuser property. He urged the Council to be proactive in establishing the best plans for addressing the City's problems and future. He offered to provide the Mayor and Council his additional thoughts about the Council retreat.

Councilmember Noble said she would like to see any written thoughts or comments about the retreat that Mr. Sangesand would like to provide.

Denise Robinson, 7713 191st Ave. E., said that the City has sidestepped the flooding issues with her property and continues to deceive the residents in the neighborhood. She said the City's actions were deficient before issuing permits on the Larios property. She said that flooding water, wetlands destruction and falling trees are the resultant issues, and no satisfactory survey of the property has been done. After addressing the issues for several months, she feels it is perhaps time to take it to the next level. She expressed concern that an exposed tree not fall on her loved ones or others.

Fred Jacobsen, 9100 189th Ave. Ct. E., spoke as a representative of the Puyallup River Watershed Council. He congratulated the members of the Lake Bonney Conservation Association and the Bonney Lake City Council for their far-reaching vision in the cleanup of the City's lakes and streams. He said that thanks to the Lake Bonney Conservation Association and Councilmember Rackley, a member of the Puyallup River Watershed Council, and the other members of the Council for the unanimous adoption of Resolution 1406. He said this resolution provides for a contract with Northwest Aquatic Systems for the integrated aquatic vegetation mapping which will lead to the eventual repair and maintenance of Lake Bonney.

Louisa Smith, 20112 Church Lake Rd. E., said she appreciated the Boy Scout troop presenting the colors. She also said that the City of Bonney Lake is the only city of which she is aware that is encouraging sandwich board signs. She suggested that the sandwich board signs may present a sight-line hazard for vehicles in the residential neighborhoods. Ms. Smith commented on the article in the Bonney Lake Herald about the use of a 9-1-1 simulator to teach children how to dial and use 9-1-1. She noted that the Puyallup Kiwanis Club was responsible for spearheading a donation campaign to provide the simulator. She added that the Bonney Lake Kiwanis Club in conjunction with the Puyallup club has provided pre-school scholarships. She encouraged the Council's support of the local Bonney Lake club, and noted that Kiwanis is all about helping children.

Councilmember King clarified that the "A-frame" signs are currently proposed for residential neighborhoods. He added that signs in commercial districts have specific restrictions and rules for their use. He said the City Council often urges Code Enforcement to enforce the sign ordinance for their proper use in a commercial setting.

Councilmember Rackley reported for Ms. Smith's benefit that Councilmember Johnson recently heard that a new Bonney Lake zip code, 98391 has been approved. He noted that Ms. Smith has been a long-time proponent of a zip code for Bonney Lake. Councilmember Johnson said he heard from a mailing facility that the zip code will be effective later this year. Ms. Smith noted that the Chamber of Commerce started working on getting Bonney Lake its

own zip code in 1988 or 1989.

Debbie Eastman, 19105 79th St. E., said she wanted to inform Council that Ms. Larios does not feel she must retain run-off water on her property. She said the neighbors' yards are washing away and that trees are falling. She asked that the City require Ms. Larios to do something to allow her neighbors to again enjoy their yards. She also suggested the City establish a theme, like Bellevue has. She said in Bellevue they retain and support the retention of trees. She said the City should have more of a tree retention focus to enhance the community.

Deputy Mayor Swatman said the Council supports many of the actions that the Mayor could choose to do with the Larios property and neighborhood. He said the Council are legislators and adopt the laws, but that it is up to the Mayor and executive branch to take action. Councilmember King asked some clarifying questions to better understand Ms. Eastman's understanding of the requirements to control water run-off on properties. She agreed that any new impervious surfaces created on the Larios property should have their run-off retained on the site.

Tonya Bennett, 8001 191st Ave. E., expressed frustration with the improper motorist understanding of the turning possibilities at the intersection of Old Buckley Sumner Highway and Locust Ave. She asked if the Council could install a sign to remind motorists that a right turn on red is allowed. She also asked if the signal timing during non-peak hours could be reviewed.

Councilmember King asked Director Grigsby if there was a standard sign that could be installed at the intersection reminding motorists of the right turn on red. He said the Public Safety Committee would look again at the signal timing, but remembered that there are technical problems with altering the timing.

Philip Marcel, 18309 Bonney Lake Blvd., said he had questions about his sewer and water bill. Director Weidenfeller offered Mr. Marcel a business card and encouraged him to call him directly.

C. Correspondence : None.

III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

Finance Committee

Deputy Mayor Swatman said the Committee discussed Resolution 1418 for a cellular tower lease with Nextel on the Public Safety Building tower. He said the Committee had also hoped to discuss personnel vacancies with the Mayor. He asked why appointments, such as the court clerk, are delayed to the beginning of a pay period. Mayor Young said the recommendation he had received on the court clerk was to wait until the start of a pay period for ease of administrative paperwork. Deputy Mayor Swatman asked if the administration could look at a change in approach allowing for quicker appointment of candidates.

- A. Community Development Committee
Councilmember Rackley said the CDC met April 4th. He said the Committee discussed improvements and sidewalks around the new high school. He asked Director Grigsby to summarize the memo provided to the Committee. Director Grigsby listed several projects including curb and gutter installation, chip sealing, street striping and installation of street lights to improve the safety on roads around the new high school. He added that the Public Safety Committee is looking at appropriate parking restrictions in the area. Councilmember Rackley noted that the Developer Extension Agreement for Forest Canyon Estates is being held for a wastewater treatment facility meeting and discussions with the City of Sumner. He also listed the other items on the current meeting agenda.
- B. Public Safety Committee
Councilmember King said the Committee also met April 4th. He said the Committee discussed the items that appear on the current agenda for consideration this evening. He said the Committee also had a presentation from a Sumner Police Lieutenant regarding the centralized dispatch and 9-1-1 center in Sumner, and needed upgrades to the 11 yr. old system. He said the Councilmembers will soon receive quarterly crime statistical reports by ward in the City. He added that the new restrictive parking zones are under consideration for the new Bonney Lake High School, and that an ordinance addressing motorized scooters is also in process of development. He announced that the Committee will have a second meeting this month on April 18th.

Deputy Mayor Swatman asked about the improvements in the vicinity of the high school. Director Grigsby said that the proposed improvements are being scoped as to scale and cost for review by staff and the Council Finance Committee. He said the initial efforts will be to complete road and curb and gutter improvements before the opening of school. He said the need for some improvements in the area were recognized by the Public Works staff and discussed with the school district. He said the projects will enhance the public safety in the area.

- C. Other Reports:
Administrative Services Coordinator Morrison suggested the need for additional stonework at the Ascent Gateway project to enhance the aesthetics of the project. He suggested that between three and four thousand dollars should be added to the project cost to do the additional work.

Councilmember King moved to authorize a \$3,000 change order to the Ascent Gateway project for additional stonework. Councilmember Johnson seconded the motion.

Councilmember Hamilton suggested that the money for the change order could provide for a lot of landscaping to address the design flaws.

Motion approved 5 – 1. Councilmember Hamilton voted no.

Councilmember King said he requested preparation of a summary of actions with respect to the Larios Short Plat and the Public Works storm water run-off review. He distributed a document entitled “Larios Short Plat/191st Ave. Storm Water”. He asked that Mayor Young read into the record his report.

Mayor Young said that there are really two issues at play. He read the following statement:

Larios Short Plat

City staff has reviewed and accepted the independent wetland study for the Larios Short Plat project and the adjacent area to the north. Acceptance of that report puts in motion completion of the short platting process. Steps remaining, and time allotment normally needed for the completion, are as follows:

1. The applicant prepares a plan for management of storm water created by the additional impervious surface (approximately 2-4 weeks).
2. Once the storm water management plan has been accepted by Public Works, staff will issue a Mitigated Determination of Non-Significance (you see that as an MDNS) and approve the preliminary the short plat (2-4 weeks after City receives storm water management plan).
3. A 15-day appeal period then commences on the MDNS and the preliminary short plat approval. Parties can appeal the MDNS, the preliminary short plat approval, or both.
4. The Hearing Examiner hears any appeals (this could add 1-2 months to the process).
5. Once the appeal process is over and any further review of construction plans is completed, the applicant would stub out the water and sewer to the new lots and construct the access corridor. The wetland mitigation and any storm drainage facilities would be constructed at this time.
6. Once the site development is completed and approved by Public Works, the applicant will submit the short plat Mylar for signature by the City (for the final approval).
7. The applicant records the signed document with Pierce County.

In processing a MDNS, staff will condition approval on Larios implementing (constructing) those items called out in the wetland mitigation plan. The condition associated with mitigation would stipulate that work must be completed prior to signing-off on the short plat. The Stop Work Order currently in effect will be lifted at the point in time that Ms. Larios commences with implementation of the mitigation plan. Stop Work will remain in effect for any other work on the site until such time as the migration work is complete.

191st Ave. Storm Water

The area behind the homes on 191st Street E. in the City of Bonney Lake experienced water backing on to their properties last fall. The Public Works Department reviewed the situation to determine if clearing of trees from the Larios Short Plat site had contributed significantly to this problem. City engineering also did a review of the storm water drainage conditions in that area.

The review indicated that there was no significant impact on flooding or ponding in this area

due to Larios tree removal, removal of grass/bushes when the trees were removed, or damage to storm water drainage facilities. However, as a result of this review, it was determined that pre-existing conditions do significantly contribute to the water backing up in this area. The property owners of a number of lots filled in a number of back yards so as to raise their elevation above the wet land. However during intense rain events, water cannot leave the area fast enough to prevent water from backing up onto properties at 7713, 7715 and possibly 7711 191st St. E. During a normal rain event, storm water drainage does not become a problem. As a result of this review, the Public Works Department will continue to monitor the area for flooding. In addition:

1. The Planning Department will require a number of Larios Short Plat actions to prevent further erosion until the construction phase and landscaping work is completed, and will include proper maintenance of silt fences and placement of straw on the disturbed surfaces of the property.
2. Property owners at 7713 and 7715 191st Ave. E. Should consider installing a 1-2 foot high berm adjacent to the drainage swale in their back yards and plant grass on the berm to minimize water backing up onto their properties during intense rain storms.
3. City of Bonney Lake Public Works staff will monitor the storm water drainage at the inflow point of the 15 –inch pipe located on the south side of the property at 7715 191st Ave. E. If deemed appropriate, staff will develop a project to improve storm water drainage in this drainage basin beginning at Fennel Creek and working upstream, and include the project in the Storm Water Master Plan that will quantify and prioritize projects to address storm water deficiencies in the City.

Councilmember Rackley asked if copies of the statement can be mailed to the affected properties. Mayor Young said he would be glad to do so.

Councilmember King said that contrary to earlier allegations, this statement and plan provides the residents of the area with an understanding of the City's position and proposed direction with respect to the proposed short plat and drainage in the 191st Ave. E. neighborhood.

Councilmember King moved to accept the Mayor's report on the Larios Short Plat and 191st Avenue Storm Water problem, and to direct the Administration to continue to monitor the storm water issues along 191st Avenue. He further moved that should flooding continue to be a problem in the area, that the Council include, in the Storm Water Master Plan, mitigation measures to improve the storm water drainage in this drainage basin beginning at Fennel Creek and working upstream to resolve these storm water issues. Councilmember Rackley seconded the motion.

Councilmember Noble said she will not support the motion. She added that she would have liked to see the statement before the Council meeting. She said it would have been nice to let the interested individuals know in attendance earlier in the evening that this would take place tonight so that they could hear the presentation first hand. Councilmember Rackley reminded the Council that this is the drainage for Lake Bonney, and that as water levels increase in the lake, the drainage issues might become worse in this neighborhood. Mayor Young said he wished this to be in the record to serve as a reminder of its importance to the City.

Councilmember Hamilton said he needs more time to think through the implications of the statement.

Councilmember King said that the Council is now well aware of the positions of the residents in this area and their opinion of the City's culpability in this matter. He added that they are demanding action, and that this motion pledges the City's efforts to monitor the situation. He said there are other courses of action that the residents can pursue in a court of law if they feel they have been injured by the actions associated with Ms. Larios' property. He added that he feels the residents have a right to know the City's position on these issues, and feels that no further action is required of the City at this time.

Motion failed 2 – 4. Deputy Mayor Swatman and Councilmembers Hamilton, Johnson and Noble voted no.

Responding to Mayor Young's request for further direction from those voting no, Councilmember Hamilton said that he doesn't see a reason for the motion to be made. He said the ability of the Larios Short Plat to move forward should not be controlled by this motion. He said that by implementing the approved consultant's mitigation plan and conforming to the City's code and direction she should be able to pursue her short plat. Mayor Young agreed that the application will move forward regardless of the Council's action on this motion. Mayor Young said he was trying to provide direction.

Deputy Mayor Swatman said he knows that residents in that area do not feel that communication has been adequate. He recommended the appointment of a staff liaison to the neighborhood to help them with their storm water concerns. He added that the proposed solution seems equitable. Mayor Young said he will draft a letter and have it delivered to the residents of the neighborhood stating that this is the City's position. He added that it would have been nice to have the force of Council behind the position. Deputy Mayor Swatman replied that the Council will support the Mayor in his position. He said the Council are the legislators and that the enforcement of ordinance is in the hands of the executive.

Councilmember King said it is difficult to hear people speak in pain about issues and situations. He said the difficulty for the Council is that many of the citizens have tried to turn the Council into a judicial body and judge whether the City legally complied with its own ordinances. He said that is not the purpose for which the Council is convened and is true in only a limited number of situations. He added that although the Council may feel compassion and may agree with the residents, the Council has a difficult time trying to refrain from improperly being a judicial body. Although not encouraging the pursuit of such recourse, he said that a judicial recourse is available to the residents. He hastened to add that he believes a non-judicial solution can be achieved, but felt the residents needed to know the City's position on these matters.

Councilmember Hamilton said that he feels the issue of the Larios Short Plat and the surrounding properties is a small problem in a larger area that he hopes the City and Council will eventually address. He said the position articulated by the Mayor is too final. He added that the approach needs to be more holistic. He hoped that in another decade the Council will not be again discussing this problem like it did in the last decade. Councilmember Hamilton

believes that both the City and the residents may bear some burden in a solution to this situation.

Responding to Council request, Mayor Young called for a ten minute break in the meeting at 8:30 p.m. The meeting was reconvened at 8:47 p.m.

IV. CONSENT AGENDA: [A3.6] -

Councilmember Rackley moved to approve the consent agenda items occurring below. Deputy Mayor Swatman seconded the motion.

- A. **Approval Of Corrected Meeting Minutes:** March 11 & 12 Special Meetings, March 15 Council Workshop, and March 15 Special Meeting of the Council and Park Board. [A3.6.2]
- B. **Claims:** Accounts payable checks/voucher #37954 and 40062 thru 40236 and Wire Transfer #129651 and 1189105 (voiding check/voucher #40156) in the amount of \$1,962,151.48. Accounts payable checks/voucher #40237 thru 40269 in the amount of \$1,883.75. [F4.9]
- C. **Payroll:** Payroll for March 16-31st, 2005 for checks 23540-23595, including Deposits and Electronic Transfers in the amount of \$360,675.37. [F4.9]
- D. **AB05-94 – Resolution 1419** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Professional Services Agreement For Geotechnical Support Services From Geoengeers, Inc. [O4.10.1]
- E. **AB05-104 – Resolution 1424** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Land Use Agreement With The State Of Washington, The Department Of Fish And Wildlife For Lake Bonney. [O3.1]
- F. **AB05-108** – A Motion Of The City Council of the City of Bonney Lake Setting A Public Hearing For April 26, 2005 At 7:00 p.m., Or As Soon Thereafter As Possible, To Receive Input On A Proposed Ordinance To Adopt A School Impact Fee.

Deputy Mayor Swatman asked that Item B be removed from the Consent Agenda for correction, and that Item F be removed for full Council discussion.

Motion to approve the Consent Agenda including Items A, C, D and E. was approved 6 – 0.

- B. City Clerk Edvalson read a revised motion to approve the claims as follows: **Claims:** Accounts payable checks/voucher #37954 and 40062 thru 40236 and #40270 and Wire Transfers #129651 and 1189105 (voiding check/voucher #40156 & 40157) in the total amount of \$1,938,977.57. Accounts payable checks/voucher #40237 thru 40269 in the amount of \$1,883.75. [F4.9]

Councilmember Noble moved to approve the motion as presented. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

- F. **AB05-108** – A Motion Of The City Council of the City of Bonney Lake Setting A Public Hearing For April 26, 2005 At 7:00 p.m., Or As Soon Thereafter As Possible, To Receive Input On A Proposed Ordinance To Adopt A School Impact Fee.

Councilmember Hamilton moved to approve setting the public hearing as read. Deputy Mayor Swatman seconded the motion.

Deputy Mayor Swatman said he wanted to call attention to the fact that an additional public hearing on this issue may not be necessary. Councilmember Rackley agreed and said he hoped the City would not have to collect the fees. Deputy Mayor Swatman suggested that the topic go to Council workshop for further discussion and then to the next Council meeting for action. He advised that if the Council agrees, they should vote down the proposed motion.

Motion defeated 1 – 5. Councilmember King voted no.

V. FINANCE COMMITTEE ISSUES:

- A. **AB05-62 – Ordinance 1105** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 2.16 Of The Bonney Lake Municipal Code And Ordinance No. 814 Relating To Municipal Court Judge Pro Tem Compensation. [A3.5.5] [A3.16.3]

Councilmember Rackley moved to approve Ordinance 1105. Councilmember Noble seconded the motion.

Judge Helbling confirmed Deputy Mayor Swatman's statement that the court made the recommendations on the salaries.

Motion approved 6 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

- A. **AB05-95 – Ordinance 1117** - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Relating To Repair Of Damage To The Public Right-Of-Way. [O4.8.9]

Councilmember Rackley moved to adopt Ordinance 1117. Councilmember King seconded the motion.

Councilmember Hamilton asked how this ordinance will be enforced and if it will apply to previous acts. Director Grigsby said it will be enforced only if a current property owner causes damage to the public right-of-way.

Motion approved 5 – 1. Deputy Mayor Swatman voted no.

- B. **AB05-105 – Resolution 1425** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Award Of The Peaking Storage Facility Grading Project To Pivetta Brothers Construction, Inc. [O4.10.2]

Councilmember Rackley moved to approve Resolution 1425. Councilmember Hamilton seconded the motion.

Councilmember Rackley said the Community Development Committee asked staff to explain why a 15% contingency is needed. Director Grigsby said the previously distributed handout explains the need. He said 15% is not the norm, but should be considered on a case-by-case basis.

Motion approved 5 – 1. Deputy Mayor Swatman voted no.

- C. **AB05-113 – Resolution 1429** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Award Of The East Lake Tapps Water Main Project To DDJ Construction Co., Inc. (Item added as an agenda modification.)

Councilmember Rackley moved to approve Resolution 1429. Councilmember Hamilton seconded the motion.

Director Grigsby explained that the bids were opened today. He said that three bids were received, and that 15 bid packets were picked up by contractors. He said that after an afternoon meeting with staff and the apparent low bidder, the staff recommends the 120-day construction scenario and bid. He added that the uncertainty about permits and delivery of materials makes the longer time frame more reasonable, and less expensive.

Deputy Mayor Swatman expressed concern for the additional cost of this project over the original estimate used in the water rate study and questioned how the difference will impact future rates. Councilmember King expressed concern for the bid spread between the high and low bidder. Director Grigsby explained that one of the issues that changed from the original estimate is the requirement that the City bore under the Lake Tapps inlet channel rather than hanging the pipe on the new County bridge. He said the County has denied use of the bridge. Deputy Mayor Swatman asked for more information on the County's refusal. He said he opposes eastside water development and predicted increased rates to all the City's water customers as a result.

Motion approved 4 – 2. Deputy Mayor Swatman and Councilmember Johnson voted no.

Councilmember Johnson asked that the Council be allowed to review the recommendations and reference letters on contractors. He asked for more detailed information on complicated bids.

VII. PUBLIC SAFETY COMMITTEE ISSUES:

- A. **AB05-90 – Ordinance 1114** - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Bonney Lake Municipal Code Section 10.04.022 And Ordinance No. 656 And Deleting BLMC 10.04.023, Relating To Penalties For Unauthorized Use Of Disabled Parking Spaces. [A3.5.5] [O1.2]

Councilmember Noble moved to adopt Ordinance 1114. Councilmember Hamilton seconded the motion.

Motion approved 6 – 0.

- B. **AB05-91 – Ordinance 1115** - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Adding A New Section To Chapter 1.16 Of The Bonney Lake Municipal Code, And Amending Bonney Lake Municipal Code Section 6.04.230 And Ordinances Nos. 548b, 584a, And 584, Relating To The Penalty For Failure To Appear For Hearings In Bonney Lake Municipal Court. [A1.4] [A3.5.5]

Councilmember Noble moved to adopt Ordinance 1115. Councilmember Johnson seconded the motion.

Motion approved 6 – 0.

- C. **AB05-92 – Ordinance 1116** - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Bonney Lake Municipal Code Section 6.04.081 And Ordinance No. 764, Relating To Penalties For Failure To License Cats And Dogs. [A1.4] [A3.5.5]

Councilmember King moved to adopt Ordinance 1116. Councilmember Johnson seconded the motion.

Responding to Council questions, Judge Helbling said this action takes the penalty out of the criminal code by making it a civil infraction and raises the associated fine. Deputy Mayor Swatman encouraged the City to begin work on replacing the animal control service set to expire at the end of the year. He urged the Public Safety Committee to seek public input on the issue. He said he supports a requirement to use microchips to identify animals. Councilmember King said the technology works well and will be explored by the Committee.

Motion approved 6 – 0.

VIII. FULL COUNCIL ISSUES: None.

IX. EXECUTIVE SESSION:

At the request of Deputy Mayor Swatman, Mayor Young declared that pursuant to RCW 42.30.110(1)(b)(i) the Council will meet in executive session for 10 minutes to consider property acquisition and potential litigation. The session began at 9:34 p.m.

X. ADJOURNMENT

At 9:44 p.m., Councilmember Johnson moved to adjourn the meeting. Councilmember King seconded the motion.

Motion approved 6 – 0.

Documents submitted for or at the Council Meeting of April 12, 2005:

- *City of Bonney Lake – Council Motion and Larios Short Plat/191st Ave. Storm Water Report* – David King, Councilmember.
- *City of Bonney Lake – Council on Claims* – John Weidenfeller, Finance Director.
- *City of Bonney Lake – Peaking Storage Facility Grading Contract Inspection Fee Justification* – Daniel Grigsby, Public Works Director.
- *City of Bonney Lake – East Lake Tapps Watermain Bid Form* – Daniel Grigsby, Public Works Director.

Harwood T. Edvalson, CMC
City Clerk

Robert Young, Mayor