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

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

B. Roll Call [A3.1.3]

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

Staff members present were Administrative Services Coordinator Don Morrison, Finance Director John Weidenfeller, Planning and Community Development Director Bob Leedy, Public Works Director Daniel Grigsby, Interim Police Chief ‘Buster’ McGehee, Judge James Helbling, City Attorney Jim Dionne and City Clerk Harwood Edvalson. Various Police Officers and Command Staff from the Police Department were in attendance for the administration of the Oaths of Office.

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

1. Announcements: None

2. Appointments:

   a. Administration of Oaths of Office: Sergeant Dana Hubbard; Officer Todd Morrow and Reserve Officer Steve Nagy. Judge Helbling administered the Oath of Office.

   Mayor Young noted with interest that former Police Officer Bob Harding was laid to rest today, while it was also today that the City promoted one officer and brought two others into the City’s service.

3. Presentations:

   a. AB05-264 - Fennel Creek Trail – Consultant Bruce Dees and Ad Hoc Trail Committee.

   Planning Manager Ladd introduced Bruce Dees and Jay Rasmussen from Bruce Dees & Associates as the consultants helping to formulate the Fennel Creek Trail. He also introduced the members of the Ad hoc Trail Committee which met 11 times to help shape the trails plan:
Mr. Dees presented a summary of public concerns received about the proposed trail and described what modifications and research were done to address those concerns. He said the preliminary report on the trail and graphics for proposed trail alignment are complete. He used aerial photographs, foam-board graphic displays and wall-projected graphics to describe the proposed trail and alignment.

Deputy Mayor Swatman thanked all who helped with the planning process.


Planning Manager Ladd explained that these amendments are part of the proposed annual amendment to the City’s Comprehensive Plan. He said the amendments have been broken into two groups. The first group of nine will be processed this year and include the following:

1. Bart Tracy Site;
2. Delete 300 ft. Gradations on the FLUM;
3. Expand UGA for Falling Water, etc.;
4. Change FLUM for Clearwater to R1;
5. Expand UGA for 96th St. & Peaking Storage;
6. Economic Development Element;
7. Eastown Subarea Plan;
8. Transportation Element re: 104th St.;

He said the second group of four amendments are not likely to be completed this year. The second group includes:

1. Utilities Element;
2. Transportation Element, including sidewalks/bike lanes;
3. Fennel Creek Trail Plan;
4. WSU Demo Forest/Quadrant.
Planning Manager Ladd described a series of public hearings before the Planning Commission and encouraged Council participation at the meetings. Councilmember Rackley asked for Councilmembers to indicate if they will participate in the October 19th meeting so that the meeting might be properly advertised if there will be at least a quorum of Councilmembers in attendance. There were less than four Councilmembers indicating their potential attendance at the meeting.

D. Agenda Modifications [A3.6.6]: None.

At 7:43 p.m., Mayor Young declared a five minute recess in the meeting to allow Councilmembers and the public to observe the Fennel Creek Trail displays. The meeting reconvened at 7:53 p.m.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:


B. Citizen Comments:

Jan Shabro, State Representative for the 31st Legislative District, thanked the Councilmembers for their communications. She encouraged their continued contact. She praised the City for its efforts on the Fennel Creek Trail. Ms. Shabro explained that she is on the Transportation Committee in the State Legislature and worked hard to have projects on SR410 funded by the Legislature. She expressed concern that I-912, if approved by voters, will take away much of the funding for those projects.

Don Sangesand, 5616 195th Pl. E., provided the Council a spreadsheet cataloging his taste and smell perceptions of City water received at his home. He noted that the water quality appears to be better on weekends. He acknowledged the hard work of employees to stabilize the water quality and expressed hope that an acceptable resolution will be reached.

Andrea Soltesz, 8312 185th Ave. E., described numerous problems with speeding and reckless driving near her home on 84th St. E. She said that there are a number of children living on that street that are endangered by the traffic. Ms. Soltesz observed a lack of lighting and sidewalks on the street. She noted the problems peak between 6 – 10 a.m. and 2 – 7 p.m. and asked for the City’s help, noting her previous pleas have had little to no response.

Councilmember DeLeo, Chairman of the Public Safety Committee, provided Ms. Soltesz his card and invited her to contact him personally about the issues. Councilmember Noble asked Public Works Director Grigsby if someone from Public Works would look at the location. Director Grigsby said that someone has been out and that the Department has recently installed additional speed limit signs on 84th and 182nd to emphasize the speed limit. Ms. Soltesz noted that the Police Department has used the radar trailer, but that the public response has often been to ignore the trailer. Mayor Young encouraged her to contact Councilmember DeLeo and work with the
Public Safety Committee to devise a solution to the concerns.

Dan Decker, 20401 70th St. E., noted that there are 33,000 illegal aliens in the State of Washington that are using the welfare and medical systems without paying into them. He suggested that Bonney Lake be the first city in Washington to study the legislation adopted by Border States to control the impacts of illegal aliens. He urged the Council to do something about this problem. He added that illegal aliens are being brought into the area to traffic and produce methamphetamine. He noted the proliferation of Latino-oriented radio stations in western Washington as a sign of the inflow of aliens.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:
[A3.6.4]

A. Finance Committee
Deputy Mayor Swatman noted that the Committee met earlier in the evening and discussed the Third Quarter Budget Review prepared by Finance Director Weidenfeller. He asked if copies had been distributed to the full Council. Director Weidenfeller replied they had.

B. Community Development Committee
Councilmember Rackley said the CDC met on October 3rd and discussed the Developer Extension Agreement with Forest Canyon Estates. He said the issue will be coming forward to a workshop for Council discussion. He noted the Committee forwarded the item on pumps for Lift Station #17 to this evening’s Council agenda.

C. Public Safety Committee
Councilmember DeLeo reported this Committee also met on October 3rd. He said there were no items forwarded for Council action.

D. Other Reports: None.

IV. CONSENT AGENDA: [A3.6]

Councilmember DeLeo moved to approve the consent agenda. Councilmember Noble seconded the motion.

A. Approval of Corrected Minutes: September 6 Council Workshop, September 13 Council Meeting, September 27 Council Meeting.

B. Checks/Vouchers: Accounts payable checks/voucher #41812 thru #41926 (voiding check #41892) in the amount of $782,487.30. [F4.9]

C. Payroll: Payroll for September 16-30, 2005 for checks 24185-24241, including Deposits and Electronic Transfers in the amount of $386,105.43. [F4.9]
Motion approved 6 – 0.

V. FINANCE COMMITTEE ISSUES:

A. **AB05-205 – Ordinance 1151** – An Ordinance 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, 578, 588, 662, 768, 826, 892, Relating To Utility Charges And Collections.  [A3.5.5][F4.3]

Councilmember DeLeo moved to adopt Ordinance 1151. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

B. **Motion of the City Council**

Deputy Mayor Swatman moved to approve the payment to Pape and Sons in the amount of $25,446.57 outside of the regular voucher approval process. Councilmember Noble seconded the motion.

Motion approved 6 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

A. **AB05-262 – Resolution 1500** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Award Of The Lift Station 17 Pumps And Motors Replacement Project To Whitney Equipment Company, Inc. [O4.10.2]

Councilmember Rackley moved to approve Resolution 1500. Councilmember Hamilton seconded the motion.

Motion approved 6 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:
A.  **AB05-254 – Ordinance 1171** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance Nos. 651, 882, 988 And 1080, Relating To Clearing, Tree Retention, And Landscaping.  [A3.5.5][O3.6.5.2]

Councilmember Hamilton moved to adopt Ordinance 1171. Councilmember DeLeo seconded the motion.

Councilmember King moved to amend Ordinance 1171 by removing Section 16.13.070(B). Councilmember Rackley seconded the motion.

Councilmember King said using language to simply encourage is not necessary. He said the provision has no teeth and would be confusing. He urged the Council to remove the language.

Councilmember DeLeo and Director Leedy responded that the language is meant to encourage the use of an arborist and to work with surrounding property owners where it might otherwise not occur. Councilmember DeLeo suggested the alternate phrasing, “will be encouraged, “rather than “are encouraged.” Councilmember Hamilton also spoke in favor of retaining the original language. He said it explains the will of the Council in these circumstances. Councilmember Rackley said an ordinance should not be used to describe things the Council would like to see done, only those things it is directing by law to do.

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

Councilmember King moved to amend Ordinance 1171 by changing the wording of Section 16.30.070(B) from “are encouraged” to “will be encouraged.” Councilmember DeLeo seconded the motion.

Motion to amend approved 6 – 0.

Motion to adopt Ordinance 1171 as amended approved 6 – 0.

B.  **AB05-163 – Ordinance 1139** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Title 15 Of The Bonney Lake Municipal Code And Ordinance Nos. 736, 828, And 1065 Relating To The City’s Stormwater Utility.  [A3.5.5] [F4.3]

Councilmember Hamilton moved to adopt Ordinance 1139. Councilmember Rackley seconded the motion.

Councilmember Rackley asked for confirmation that this ordinance only initiates system development charges, but has no immediate rate change. Mayor Young confirmed his interpretation of the ordinance.
Motion approved 5 – 1.
Councilmember DeLeo voted no.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT

At 8:32 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Noble seconded the motion.

Motion approved 6 – 0.

________________________________________________________________________
Harwood T. Edvalson, CMC                                      Robert Young, Mayor
City Clerk

Documents submitted for or at the Council Meeting of October 11, 2005:

- Bruce Dees and Associates – City of Bonney Lake: Fennel Creek Trail Plan – Bruce Dees, Fennel Creek Trail Consultant.
- Citizen – Water Samples taken at the Sangesand Household for Smell and Taste – Don Sangesand.
- City of Bonney Lake – Public Works Request for Payment to Pape and Sons – Finance Director Weidenfeller.