CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:00 p.m. in the Bonney Lake Council Chambers at 19306 Bonney Lake Boulevard.

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

B. Roll Call [A1.3]

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

Staff members present were City Administrator Don Morrison, Interim Police Chief ‘Buster’ McGehee, Planning and Community Development Director Bob Leedy, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe.

Councilmember Rackley moved to excuse Councilmember Noble from the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

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

1. Announcements: None.
2. Appointments: None.
3. Presentations: None.

D. Agenda Modifications: None.

PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

B. **Citizen Comments:**

Don Sangesand, 5616 195th Pl. E., asked the City to investigate other cities which may have dealt with problems similar to those experienced with Bonney Lake’s Ball Park Well. He suggested specifically contacting the Federal Way – Lake Haven Utility District to see if they’ve had similar experiences.

Councilmember Rackley asked Director Grigsby if an RFP for water analysis at the well had been issued. Director Grigsby responded that a request for qualifications had been issued for consultant services to respond by the end of August. He added once consultants have been identified, then the City will issue a request for proposal based on the scope of work which has already been developed.

Robert Ceola, 9104 189th Ave. Ct. E., said he has had further discussions with the County Assessor’s Office about the apparent miscalculations of property values. He said contrary to his earlier belief the County would be sending out correction notices to all residents, it appears the Assessor will only be looking at those who have filed an appeal. He advised audience members to file an appeal to preserve their opportunity to address the apparent miscalculations.

C. **Correspondence:** None.

III. **COUNCIL COMMITTEE REPORTS:**

[A3.6.4]

A. **Finance Committee**

Deputy Mayor Swatman said the Finance Committee met this evening and discussed the following:

1. A motion on this evening’s agenda to set a public hearing for the 95th St. local improvement district;
2. Out-of-state travel for the GIS analyst; and
3. A proposed budget amendment which may be the means of adopting the transportation and utilities elements.

B. **Community Development Committee**

Councilmember Rackley said the Community Development Committee met on July 18th and discussed the following three items which were forwarded to tonight’s agenda.

1. Resolution 1531 – proposing the annexation of Area A-1; and
2. Resolution 1598 – an agreement with Stripe Rite for street striping; and
3. AB06-159 - a motion to accept completion of Ball Park Off-site Water Main project.

C. **Public Safety Committee**

Councilmember DeLeo said the Public Safety Committee has not met since the last Council meeting.
D. Other Reports: None.

IV. CONSENT AGENDA: [A3.6]

Councilmember DeLeo asked that Items D & E be removed from the consent agenda. There was general consensus to rename and discuss Item D as Item VIIA. And Item E as VIA. Councilmember Rackley moved to approve the Consent Agenda as modified. Deputy Mayor Swatman seconded the motion.

A. Approval of Minutes: June 6th Council Workshop, June 13th Council Meeting, June 27th Council Meeting, July 8th Special Council Meeting.

B. Checks/Vouchers: Accounts payable checks/voucher #44462 thru #44600 and wire transfer #2057094 in the amount of $1,707,277.65. [F4.9]

C. Payroll: Payroll for July 1 - 15, 2006 for checks 25102-25148, including Deposits and Electronic Transfers in the amount of $332,576.75. [F4.9]


E. AB06-26 – Resolution 1531 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Proposing The Annexation Of Certain Real Property, Identified As “Annexation Area 1 A” To The City Pursuant To RCW 35A.14.295-299. (Signifies City’s intent to annex, provides certain information and sets date for public hearing.)


G. AB06-161 – Resolution 1598 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement For The 2006 Street Striping To Stripe Rite, Inc. [O4.8.1]

H. AB06-159 – A Motion Of The Bonney Lake City Council Accepting Completion Of The Ball Park Off-Site Water Main Project. [O4.10.2]

Motion approved 6 – 0.

V. FINANCE COMMITTEE ISSUES:

A. AB06-157 - A Motion Of The Bonney Lake City Council setting A Public Hearing For August 22, 2006 At 7:00 P.M., Or As Soon Thereafter As Possible, On the Final Assessment Roll For Local Improvement District No. 05-13. [A3.6.12]
Councilmember Rackley moved to set the public hearing as proposed.
Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.

B. AB06-162 - A Motion Of The Bonney Lake City Council Authorizing Out-of-State Travel for GIS Analyst Catanzaro to San Diego, CA. [A4.7]

Councilmember Rackley moved to authorize the out-of-state travel.
Councilmember King seconded the motion.

Director Leedy explained that Pierce County is funding the conference registration costs, and Mr. Catanzaro is taking care of his own food and lodging. He added the City’s only cost will be the estimated $500 airfare.

Motion approved 6 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:

A. AB06-26 - Resolution 1531 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Proposing The Annexation Of Certain Real Property, Identified As “Annexation Area 1-A” To The City Pursuant To RCW 35A.14.295-299. [O3.2.2] (Signifies City’s intent to annex, provides certain information and sets date for public hearing.)

Councilmember Rackley moved to approve Resolution 1531. Deputy Mayor Swatman seconded the motion.

Director Leedy explained the City identified several years ago three areas for annexation. He said Area 1-A is at least 80% surrounded by Bonney Lake’s corporate limits. He added this qualifies the area for the “island” method of annexation. Director Leedy said the proposed resolution gives notice of the City’s intent, sets a public hearing and does other things outlined in the accompanying agenda bill.

Motion approved 6 – 0.

VII. PUBLIC SAFETY COMMITTEE ISSUES:


Councilmember DeLeo moved to adopt Ordinance 1194. Deputy Mayor Swatman seconded the motion.

Councilmember DeLeo noted the proposed ordinance makes it illegal to possess drug paraphernalia rather than just using it. Councilmember Bowen asked if cigarette
papers fall under the ordinance. He observed more people are rolling their own cigarettes again with the increased costs of packaged cigarettes. Chief McGehee said they are not covered by the ordinance.

Motion approved 6 – 0.

VIII. FULL COUNCIL ISSUES:

A. AB06-163 – Ordinance 1195 [D06-163] – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 10.04 Of The Bonney Lake Municipal Code And Ordinance Nos. 660 § 2, 1992; 540 § 1, 1984; And 461 § 3, 1977 Relating To Penalties For Driving And Parking Violations. [A3.5.5][O1.2]

Councilmember Rackley moved to approved Ordinance 1195. Deputy Mayor Swatman seconded the motion.

The City Council discussed the proposal to set the parking violation at $41. Councilmember King questioned the source of the proposed figure. Court Administrator Seymour indicated the $41 figure suggested at the last meeting was a clerical error. Councilmember Rackley suggested a fine of $35 to be more in line with the $20 - $30 range suggested by the City Attorney’s Office. City Attorney Dionne suggested the Council act with consideration for the next ordinance and set the parking penalty at the same level as the moving violations when caught by a camera.

Director Morrison observed the state statutes seem to imply, and other cities have interpreted them as giving cities discretion within a range of from $20 - $250 to set parking fines. He noted the $250 is the state fine for violation of a disabled parking space. City Attorney Dionne noted this discussion might be appropriate for an executive session.

Deputy Mayor Swatman moved the Council adjourn to executive session for 15 minutes to discuss potential litigation. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

The session started at 7:25 p.m., and the regular meeting resumed at 7:41 p.m.

City Attorney Dionne noted Seattle, Auburn and Lakewood have all set fines of $101 for red light violations recorded by camera. He said the justification is this falls within the range of fines established by the state of between $20 and $150.
Motion approved 5 – 1.
Councilmember Hamilton voted no.


Councilmember King moved to adopt Ordinance 1196. Deputy Mayor Swatman seconded the motion.

Deputy Mayor Swatman moved to amend Ordinance 1196 at Section 10.36.050 – Monetary Penalties – the last words to be, …including disabled parking infractions. Councilmember DeLeo suggested the period after the word City be changed to a comma. Deputy Mayor Swatman agreed. Councilmember DeLeo seconded the motion.

Councilmember King asked if the proposed ordinance is consistent with the intent of the original Nestor Agreement. City Attorney Dionne said it is.

Motion to Amend approved 4 – 2.
Councilmembers Bowen and Hamilton voted no.

Amended original motion approved 4 – 2.
Councilmembers Bowen and Hamilton voted no.

IX. **EXECUTIVE SESSION**: Mayor Johnson announced the City Council will meet in executive session for 15 minutes to discuss property acquisition. The session started at 7:47 p.m. At 8:02 p.m., it was announced the executive session would be extended five minutes. The session concluded at 8:08 p.m.

At 8:08 p.m., Mayor Johnson announced the Council would again hold an executive session for 20 minutes to discuss potential litigation. The executive session started at 8:09 p.m. and concluded at 8:27 p.m.

X. **ADJOURNMENT**

At 8:27 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.
Documents submitted for or at the Council Meeting of July 25, 2006:

- Bonney Lake Resident – Bonney Lake City Council Meeting 7-25-06 – Don Sangesand.