I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:01 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

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, Councilmember Cheryle Noble and Councilmember Jim Rackley.

Staff members present were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Public Works Director Dan Grigsby, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe. Community Services Director Gary Leaf joined the meeting in progress.

C. Announcements, Appointments and Presentations

1. Announcements:
   Mayor Johnson announced that the developer of the “French” property in the Eastown area has indicated they will be designing and building the sewer system for Eastown and creating a latecomer’s agreement for others to join. He observed it appears to be Council’s desire to stop further efforts toward an Eastown ULID. He said more information would be provided as it becomes available.

   Councilmember Hamilton said he would like as much information as possible to make sure the latecomer’s agreement will accomplish the Council’s goal for that area. Councilmember Bowen urged the location of sewer facilities in the SR410 right-of-way if there is no other access to the sewer at the time the parcel is being developed. Director Grigsby added there is a very detailed plan for sewer location in the Eastown Comprehensive Plan. He said the only lift station needed is on the “French” property, and all other lines should be a gravity system.

   Mayor Johnson introduced State Senator Pam Roach as an attendee at tonight’s meeting.

2. Appointments: None.
3. Presentations: None.

D. Agenda Modifications:
Deputy Mayor Swatman moved to remove Agenda Item VA – AB06-167 from the evening’s agenda. Councilmember DeLeo seconded the motion.

Responding to Councilmember Hamilton’s inquiry, Deputy Mayor Swatman explained the ordinance requires further study and preparation before the full Council considers it.

Motion approved 7 – 0.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE


B. Citizen Comments:

David Konsmo, PO Box 1962, Auburn, spoke about the Eastown ULID. He said the majority of property owners in the area have signed a petition. He said the Council informed them at the July 19th meeting that staff would prepare the legal petitions for the property owners to circulate. While he supported any workable solution to the infrastructure deficiencies in the Eastown area, he objected to the lack of information being provided to the property owners. He urged any solution be applicable to all property owners. He asked that water and sewer availability certificates be issued to all property owners. He also asked that work continue on the ULID until the owners in the Eastown area are satisfied with the new proposal.

Councilmember Noble noted the Council has taken no formal action on an Eastown ULID. Councilmember Rackley said the announcement of a potential latecomer’s agreement is new to the Council as well. Deputy Mayor Swatman said the upfront costs to the City of a ULID might stop the process. Mr. Cosmo offered the services of the property owners to help keep the ULID moving forward until the latecomer’s agreement is better understood. Mayor Johnson said information would be made available as soon as there is something in writing. Councilmember Rackley asked if it might be ready for review by the CDC at their meeting next Monday. He invited Mr. Frey to come to the CDC meeting.

Bob Stoby, 3240 B. St. N.W., said he is a property owner in Eastown. He said the City would be reimbursed for the ULID’s upfront costs. He expressed concern the improvements proposed for the latecomer’s agreement will not benefit the properties at the far end of the area. He suggested incorporating the latecomer’s agreement into the ULID plans for Eastown and moving forward with the ULID.

Don Sangesand, 5616 195th Pl. E., said he is fed up with the bad water from the Ball Park Well. He reminded Council he had asked that someone contact the Lakehaven Water District to see if they have had solutions to similar experiences. Mr.
Sangesand said no one called. He noted some of the residents regularly forced to use Ball Park Well water have unknowingly gone to the expense of replacing pipes in their homes. He claimed after all this time, the City did not even know the source of the problem. On another topic, Mr. Sangesand noted occurrences at Allan Yorke Park where he observed the improper parking and operation of fire district and City vehicles. He said these are further examples of inadequate safety training and management on the part of the City.

Gary Johnson, 1615 West Tapps Hwy., congratulated the Parks Department for having Allan Yorke Park picked up so quickly after a busy weekend. He suggested the use of school resource officers at the park. He reported his observations of aggressive behavior at the park by teens who might be well served by turning the Moriarty House into a teen center. He asked if there might be a committee appointed to look at the problems before they escalate.

Councilmember Noble informed Mr. Johnson there is a Park Board working to address these issues. She invited him to speak with the Park Commissioners.

Cheryl Laurendeau, 19010 63rd St. E., encouraged the Council not to allow the development of the WSU Demonstration Forest. She said most people she’s talked to do not want it. With respect to Allan Yorke Park, she offered her experience managing properties to implement some solutions for park control. She said she has contacted a security agency who has visited the park and proposed some suggestions for crowd control. She suggested using the gravel area near the dike on Lake Tapps as handicapped parking.

Councilmember Noble observed that handicapped parking is currently located near the restrooms. Councilmember DeLeo reported the Public Safety Committee recommends the closure of the Moriarty property until adequate passage can be arranged from the property to the rest of the park. He said the Committee has also discussed the further control or closure of the floating swim dock at Allan Yorke Park for safety issues. He invited Ms. Laurendeau to the Public Safety Committee meetings which generally meet on the first and third Mondays of the month at 5:00 p.m. at the Public Safety Building. Deputy Mayor Swatman suggested the Park Board needs to further discuss these issues and make recommendations.

Louisa Smith, 20112 Church Lake Road, said the proposal for security gates and key cards is an interesting proposal for the park. She praised the work of Chief McGehee and the Police Guild for arranging for off-duty officers to provide security at a recent band concert for her husband’s band, the Great Pretenders. She also noted the marvelous work being done by David Wells for Bonney Lake Days. She added he has brought the event to a new level of professionalism.

Mayor Johnson said Mr. Wells is an intern with the City for this event. He added that data is being collected during this event for use in next year’s celebration. He noted nearly ninety booths have been reserved for the event.

Vera Lockwood, 19814 99th St. Ct. E., said she is a property owner in Area 41 and has an interest in seeing Lowe’s developed. She said the Lowe’s representatives
have gone to great effort to reduce the impacts to the residents in the area. She urged the Council and citizens to have an open mind about the proposed development. She noted Lowe’s will make traffic improvements via the installation of a large roundabout which will further help with existing and future circulation issues in an area where no improvements from the City are planned.

Judy Reano, 19815 99th St. Ct. E., said there are no traffic improvements proposed by the City for 100th and 200th. She said Lowe’s will provide a solution. Regarding the recent announcement of a new police chief, she noted this is the first time the City has selected a chief from the outside.

Linda Youngberg, 8507 182nd St. E., urged the Council to hold off on the adoption of the transportation element until it can specifically address the proposed Lowe’s development. She asked if the plan can be amended later to address this development proposal.

A general discussion between Ms. Youngberg, the Mayor and Council and the City Attorney ensued about the purpose of comprehensive plans as planning tools. Ms. Youngberg again urged the Council to hold off adoption until the Lowe’s proposed traffic study could be properly reviewed.

Dan Decker, 20401 70th St. E., first spoke regarding proposed Resolution 1600. He urged the Council to not vacate streets and abandon rights-of-way which may have use in the future. He urged the Council to reconsider the City’s development height limitations. He said raising the height limits would increase property values and help address some of the density issues the City faces.

Councilmember Rackley said the City is not giving the property away, but selling it. He said the right-of-way at issue is not needed by the City. Councilmember Bowen said he supports the increase in height limitations.

Ron Newman, Milestone Homes and Developer of Orchard Grove Plats, said he is speaking in support of several homeowners adjacent to the property who are requesting removal of the requirement to install sidewalks. He said the property was originally platted without sidewalks. He said the requirement to install sidewalks is negatively affecting some of the neighbors.

Mayor Johnson urged Mr. Newman to speak with the City Attorney during the anticipated break in the Council meeting this evening.

Andy Gellar, 18216 84th St. E., said there was a prior verbal agreement with the previous plat developer that there would be no sidewalks. He said the installation of sidewalks will remove on-street parking and bring foot traffic in front of their homes. He said he has observed vandalism and fighting as the result of foot traffic in the area and does not want it shifted to the front of his house.

Doug McCoy, 18218 84th St. E., says his property fronts both 184th and 183rd. He opposes installation of a sidewalk at this time.
Councilmember Rackley observed the improvements are needed as the City grows. Councilmember DeLeo said most citizens want sidewalks and requiring new development to provide them is one mechanism to accomplish this.

At 8:21 p.m., Councilmember Rackley moved the Council take a ten-minute break. Councilmember Bowen seconded the motion.

Motion approved 7 – 0.

Mayor Johnson reconvened the meeting at 8:41 p.m.

C. Correspondence:
Although not discussed, the City received the following prior to the meeting:
Bonney Lake Resident – Dear City Council of Bonney Lake – Michele Johnson – Letter opposing placement of a sidewalk in front of her home on 84th.

III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee
Deputy Mayor SWATMAN said the Finance Committee met this evening at 5:30 p.m. and discussed the following:
1. Resolution 1597 – a consultant agreement to assist with grant applications;
2. Out-of-state travel for the Finance Officer and Information Services Coordinator; and
3. A new date for the public hearing on the assessment roll for the LID 05-13;
4. Developments in the process for payback and billing to Cascadia for street improvements along South Prairie Road;
5. A proposed renewal of the contract for public defender services; and
6. A recommendation to pull the budget amendment from the agenda.

B. Community Development Committee
Councilmember Rackley said the Community Development Committee did not have a meeting since the last Council meeting.

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee met last Monday evening and discussed the following:
1. Criteria for assignment of tow truck services for police department service calls;
2. Solutions to unsafe conditions at the floating swim dock; and
3. The closure of overflow parking on the Moriarty property until safe access issues to the rest of Allen Yorke Park can be addressed.

Councilmembers discussed the impacts and safety of overflow parking on the Moriarty property. Director Grigsby said a quick plan to address the
concerns would be returned to the Public Safety Committee for review.

D. Other Reports:

Councilmember Noble reminded the audience of the Relay for Life Event on August 11th and 12th at the Sunset Chevrolet Stadium in Sumner. She offered raffle tickets for sale and urged more participation in the event from Bonney Lake.

Councilmember DeLeo said he handed out a small packet of information to the Councilmembers about proposed legislation regarding restriction of franchising of cable TV services. He urged Councilmembers to provide their reactions to congressional and senate representatives.

IV. CONSENT AGENDA: [A3.6]

Councilmember Rackley moved to approve the Consent Agenda as presented. Deputy Mayor Swatman seconded the motion.

A. Checks/Vouchers: Accounts payable checks/voucher #44601 thru #44716 in the amount of $216,926.72. Accounts payable checks/voucher #44717 thru 44718 in the amount of $1,690.00. [F4.9]

B. Payroll: Payroll for July 16-31, 2006 for checks 25147-25203, including Deposits and Electronic Transfers in the amount of $412,785.28. [F4.9]

Motion approved 7 – 0.

V. FINANCE COMMITTEE ISSUES:

A. AB06-167 – Ordinance D06-167 – An Ordinance Of The City Of Bonney Lake, Washington, Amending Ordinance No. 1178 And The Annual Budget For The Calendar Year 2006. [F3.9] (Removed from the Agenda. See Agenda Modifications.)

B. AB06-158 – Resolution 1597 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Bruce Dees & Associates For WSDOT And DOE Grant Application Assistance. [O4.11.1]

Councilmember Rackley moved to approve Resolution 1597. Deputy Mayor Swatman seconded the motion.

Director Leaf explained the triple grant opportunity available to the City which may provide up to $1 million for use in improvements for the Fennel Creek Trail. Councilmember Hamilton asked if delay in adoption of the Non-Motorized Transportation plan will negatively impact the grant opportunity. Director Leaf said he believes it will have no impact. Mayor Johnson said he has asked our local state legislators for their support with
this grant.

Motion approved 7 – 0.

C. **AB06-171** - A Motion Of The Bonney Lake City Council Authorizing Out-of-State Travel To Scottsdale, AZ For Beth Anne Wroe And Chuck McEwen. [A3.6.10] [A4.7]

Councilmember Rackley moved to authorize the out-of-state travel. Deputy Mayor Swatman seconded the motion.

City Administrator Morrison explained the City has put a lot of time and money into the Eden software for a variety of uses in the City. He added this training opportunity will help the City more efficiently use the software.

Motion approved 7 – 0.

D. **AB06-172** - A Motion Of The Bonney Lake City Council Rescheduling A Public Hearing to October 10, 2006 At 7:00 P.M., Or As Soon Thereafter As Possible, For The Final Assessment Roll For Local Improvement District No. 05-13. [A6.10] [A3.6.12]

Councilmember Rackley moved to reschedule the public hearing for the final assessment roll for LID 95-13 as provided in the printed motion. Deputy Mayor Swatman seconded the motion.

Chief Financial Officer Wroe explained the need to verify the use of proper procedures for the financing of the local improvement district. She said the delay in the public hearing will allow the City to put in place an ordinance to handle the financing of the district.

Motion approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

A. **AB06-146** – **Ordinance D06-146** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting, As Part Of The Comprehensive Plan, A New Utilities Element Incorporating A New Comprehensive Sewer Plan And Comprehensive Water Plan. [A3.5.1.5]
B. **AB06-147 – Ordinance D06-147 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting A New Transportation Element As Part Of The Comprehensive Plan.** [A3.5.1.4]

Deputy Mayor Swatman discussed the appropriate procedure to combine the two proposed ordinances into one new proposed ordinance. City Attorney Dionne suggested a motion to amend the agenda would be appropriate to introduce the new ordinance.

**Councilmember Rackley moved to amend the agenda to add a single substitute ordinance, Ordinance D06-147, in place of Ordinances D06-147 and D06-147 which appear on the evening’s agenda. Councilmember DeLeo seconded the motion.**

The Council discussed the need to adopt the proposed comprehensive plan elements in this manner, and the potential impacts of delay on these and other elements in process. City Attorney Dionne helped clarify how the ordinances should be framed to accomplish the various stated purposes of the Council.

**Motion to amend the agenda approved 7 – 0.**

**Ordinance D06-147 - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting New Transportation And Utilities Elements As Part Of The Comprehensive Plan.**

**Councilmember DeLeo moved to adopt Ordinance 1197 [D06-147]. Deputy Mayor Swatman seconded the motion.**

Councilmembers discussed concerns which delay in adoption of the elements would reduce the amount of revenues to the City for construction of needed traffic improvements. Other concerns were expressed about the differing opinions between the City staff and City Attorney on the method of adoption. Deputy Mayor Swatman urged Councilmembers to individually seek legal advice if they felt uncomfortable with the proposed action.

**At 9:23 p.m., Councilmember Bowen moved the Council take a five-minute break. Councilmember Noble seconded the motion.**

**Motion to break approved 7 – 0.**

Mayor Johnson brought the meeting back to order at 9:28 p.m., and invited comment from the audience.

**Linda Youngberg asked for clarification on the proposed ordinance. She asked if the comprehensive plan is just for City streets, or if it also regulates future street development by developers.**

Discussion with Council and the City Attorney ensued. Ms. Youngberg again urged
the Council to table the motion to adopt the proposed ordinance for a few weeks. She added she would like to be part of any future Transportation Impact Fee discussions.

Vera Lockwood asked for clarification on the purpose of the comprehensive plan elements. Mayor Johnson responded it is a planning document for the City’s development.

Judy Reano asked if the City had received the proposed Lowe’s traffic plan. Director Grigsby said he has not seen the Lowe’s plan, but acknowledged it may have been submitted by the developer. Ms. Reano urged the Council to put off adoption of this ordinance if it could impact the Lowe’s roundabout.

Dan Decker urged tabling the proposed ordinance for further discussion at the next Council workshop.

Motion to adopt ordinance approved 7 – 0.


Councilmember Rackley moved to approve Resolution 1600. Deputy Mayor Swatman seconded the motion.

Councilmember DeLeo asked if a better map could be provided defining the sidewalk locations in this area. Director Leedy said staff would try, but added the sidewalks are a different issue than the proposed street vacation. He said the preliminary plat application will have a hearing before the Hearing Examiner and a recommendation which will require a closed-record hearing by the City Council. He said the staff will show where the sidewalk is proposed to be and why. Councilmember Rackley asked if the rights-of-way were purchased by the City. Director Leedy responded the rights-of-way have been owned by the City for more than 25 years, so there should be some monetary exchange involved in the street vacation.

Motion approved 7 – 0.

D. AB06-155 – A Motion Of The Bonney Lake City Council Accepting The Petition To Commence Annexation Proceedings And Authorizing Circulation Of The Official 60% Petitions For Annexation Area 1-B. [A3.6.10] [O3.2.2]

Councilmember Rackley made a motion to do the following:

1. Accept the 10% Petition to Commence Annexation Proceedings for “Annexation Area 1-B”, as described in Exhibit A and as identified in Exhibit B of the Petition;
(2) Upon annexation, all property within the proposed annexation area shall be assessed and taxed at the same rate and on the same basis as other property within the City of Bonney Lake, including all indebtedness existing as of the effective date of the annexation; 
(3) The proposed zoning for the annexation area shall be R-1; and 
(4) Authorize staff to begin circulation of the official 60% Petitions pursuant to RCW 35A.14.120.

Councilmember Deleo seconded the motion.

Director Leedy explained this proposed annexation is consistent with the Council’s direction in the past.

Motion approved 7 – 0.

IX. EXECUTIVE SESSION: Pursuant to authority of RCW 42.30.110(1)(b), Mayor Johnson announced an executive session for 10 minutes to discuss potential property acquisition. The session started at 9:44 p.m. and concluded at 9:53 p.m.

X. ADJOURNMENT

At 9:53 p.m., Deputy Mayor Swatman moved to adjourn the meeting. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

____________________________________  _____________________________________
Harwood T. Edvalson, CMC  Mayor Neil Johnson, Jr.
City Clerk

Documents submitted for or at the Council Meeting of August 8, 2006:

➢ Bonney Lake Resident – Dear City Council of Bonney Lake – Michele Johnson.