I. CALL TO ORDER – Mayor Johnson called the meeting to order at 7:00 p.m.

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 Neil Johnson, elected officials attending were Deputy Mayor Swatman, Councilmember Phil DeLeo, Councilmember David Bowen, Councilmember Dave King, and Councilmember Jim Rackley. Councilmember Hamilton and Councilmember Noble were absent.

[Staff members present were City Administrator Don Morrison, Planning and Community Development Director Bob Leedy, Public Works Director Daniel Grigsby, Interim Police Chief ‘Buster’ McGehee, Judge James Helbling, City Attorney Jim Dionne, Administrative Services Director / City Clerk Harwood Edvalson and Records & Information Specialist Virginia Phelan.]

Deputy Mayor Swatman made a motion to excuse Councilmembers Noble and Hamilton. Councilmember Rackley seconded.

Motion approved 5 – 0.

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

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

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

B. Citizen Comments:

David Konsmo, P.O. Box 1962 Auburn, said he represents property owners in Eastown. He questioned the lack of response and action he has seen by the City in regards to moving forward with a ULID and a latecomer’s agreement for sewer in Eastown. Mayor Johnson offered to have City Administrator Morrison contact Mr. Konsmo and the Council tomorrow with updates on the status of this topic.

Pat Miller, 19205 79th St. Pl. E., urged the Council and Mayor to look into giving themselves raises. He also spoke of his concern that chip sealing is not being done all the way to the end of cul-de-sacs. He explained that the end of the cul-de-sac gets the brunt of the stress from cars constantly turning around and that waiting another year to fix it will only result in more severe and costly damage. Councilmember Rackley said that his understanding is that the curve of the cul-de-sac makes it difficult for the contractors to chip seal, but that he would make sure this is investigated more fully.

Laurie Martin, 19809 103rd St. E., told the Council she and her neighborhood group had put together a petition stating their opposition to the roundabout Lowe’s is proposing at 200th & 100th. She said that her petition had about 350 signatures and another neighbor had done a petition of his own. Ms. Martin said it was turned in as part of the SEPA process, but that she wanted to make sure Council had seen it and not misinterpreted it as being a petition against Lowe’s.

Public Works Director Grigsby and Planning & Community Development Director Leedy explained a little bit of the SEPA process and verified that the Lowe’s project is not really moving forward at this time. They said that Lowe’s needs to prove that they can build the roundabout with ownership of the land or owner’s consent before permits can be issued. The Mayor confirmed that there are alternative ideas for traffic into Lowe’s, but that they have to be proposed by the private developers.

Margaret Duggan 10105 199th Ave E. & Kristen Sidwell 10302 199th Ave E., explained that they were involved in the neighborhood group which petitioned to stop the Lowe’s roundabout. They expressed concern that they were contacted by a member of the Planning Commission who was disdainful towards them and told them their half of the City was never wanted. Ms. Duggan said that she did not think it was appropriate for a City representative to act this way toward citizens that they should represent. Ms. Sidwell said she was also appalled. The women requested some action be taken and offered to make the offending emails available for Council review.

Deputy Mayor Swatman said that his understanding was that the actions of commissioners and councilmembers should not necessarily reflect on the City when the person is acting independently of the City.

Quinn Dahlstrom, 6527 193rd Ave E., said that she is the commissioner in question. She said her actions were those of an activist and not done in the capacity of a commissioner. Ms. Dahlstrom explained that she always acts within the rules and
does her job as a commissioner, but as an activist she goes by different rules and freedom of speech allows her every right to express her views.

Linda Youngberg, 8507 182nd St. E, distributed a chart to Council, saying that the one she had emailed was flawed. She told the Council that she had paid her traffic impact fees under protest, but was told that there was no paperwork to fill out for paying under protest. She said she was told that department heads will just review the situation. Ms. Youngberg detailed some apparent inconsistencies she saw in the way different businesses were charged for traffic impact fees.

Discussion ensued regarding the SEPA process Ms. Youngberg had been through as well as the various possible reasons for differing fees. It was determined that there was too much information to discuss tonight and the topic was scheduled for the September 19th Council Workshop.

Dan Decker, 20401 70th St. E., spoke about the 35’ height restriction on buildings. He said that density is required in a city to avoid sprawl. He said that cities are made for density and that Bonney Lake will only keep growing. If density is not pursued, Mr. Decker explained, the City will become just like South Hill.

Councilmember Rackley said that the restriction on building height comes from the Fire Department, but that things like sprinklers could be a possibility to alleviate the fire danger of tall buildings. Mr. Decker said he had spoken to developers who offered to buy the appropriate fire trucks or install sprinklers if they would be allowed to build taller buildings. Councilmember Bowen said he had been approached as well, but that nothing had come of it yet. Director Leedy agreed that a builder could probably get a variance to build a taller building if they could appease the Fire Department.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

A. Finance Committee

Deputy Mayor Swatman said the Finance Committee met earlier in the evening and discussed the following:
1. A Qwest service agreement for T-1 lines;
2. An addendum to the Interlocal agreement for South Prairie Court;
3. Rescheduling public hearings for the 6 year TIP and a street vacation because of notice issues;
4. A contract agreement between the City and Makers for the urban design work for downtown;
5. Final assessment costs for LID 05-13;
6. Discussion of Boat Launch charges, an automated boat launch system, an increase in Boat Launch fees and a recommendation that only City residents be allowed to use the boat launch; and
7. Increasing storm water utility rates due to the O&M charges which are now outstripping the storm water revenues.

B. **Community Development Committee**
Councilmember Rackley said the Community Development Committee met on August 28th and discussed project costs for the CTS storm water study and Naches Terrace. He said the Committee forwarded the following items to the Council agenda:
1. Resolution 1608 – Annexation for Area 1-A;
2. AB06-194 – Driftwood Point Water Main Project Completion;
3. AB06-195 – SCADA Upgrade Project completion;
4. AB06-196 – Driftwood Point North Water Main Replacement Completion;
5. AB06-197 – South Prairie Water Main Replacement Completion; and

C. **Public Safety Committee**
Councilmember DeLeo said the Public Safety Committee met on August 29th and discussed the Interlake Island causeway lighting and boating concerns, car exhaust and stereo noise problems, the criteria for setting up a tow company rotation plan, additional office space in the City and changes at Allan Yorke Park.

D. **Other Reports**: None.

IV. **CONSENT AGENDA**: [A3.6]

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

Councilmember King complimented the Public Works Department as well as other involved staff on their skill in finding good contractors and working with them to get the lowest bids, stay under budget, and get projects completed on time.

A. **Approval of Minutes**: August 22nd Council Meeting Minutes.

B. **Checks/Vouchers**: Accounts payable checks/voucher #44835 thru #44836 in the amount of $216,484.00. Accounts payable checks/vouchers #44837 thru #44927 in the amount of $4836.72 for Utility refunds. Accounts payable checks/vouchers #44929 thru #45098 (voiding check #45036) in the amount of $2,323,880.70. [F4.9]

C. **Payroll**: Payroll for August 16-31, 2006 for checks 25247-25298, including Deposits and Electronic Transfers in the amount of $432,363.10. [F4.9]

D. **AB06-177 – Resolution 1602** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Qwest For Various Internet Access Services For $1,278.90 Per Month And One-Time Install Fee In The Amount Of $1,305.00 For A Minimum Subscriber Service Term Of 36
Months With Term Beginning On Date Of Service Installation October 1st 2006. [A2.1]

E. **AB06-176** – A Motion Of The Bonney Lake City Council Authorizing Out-Of-State Travel For Detective Sergeant Jeff Miller and Detective Brian Byerley to Burtonsville, MD For Training. [A 3.6.10] [A 4.7]

F. **AB06-194** – A Motion Of The Bonney Lake City Council Accepting The Driftwood Point Water Main Replacement Project By DDJ Construction As Complete. [A3.6.10] [O 4.10.2]

G. **AB06-195** – A Motion Of The Bonney Lake City Council Accepting The SCADA Upgrade Project By Water and Wastewater Automation As Complete. [A3.6.10] [O 4.3]

H. **AB06-196** – A Motion Of The Bonney Lake City Council Accepting The Driftwood Point North Water Main Replacement Project By A&A Construction As Complete. [A3.6.10] [O 4.10.2]

I. **AB06-197** – A Motion Of The Bonney Lake City Council Accepting The South Prairie Water Main Replacement Project By DDJ Construction As Complete. [A3.6.10] [O 4.10.2]

**Motion approved 5 – 0.**

V. **FINANCE COMMITTEE ISSUES:**

A. **AB06-204 – Resolution 1612** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Personal Services Agreement Between The City Of Bonney Lake And Makers Architecture & Urban Design To Work With Economists To Reassess, Improve, And Visualize Via Computer Modeling The Bonney Lake Downtown Plan. [O3.1]

Councilmember Rackley moved to approve Resolution 1612. Councilmember King seconded.

Director Leedy explained that this relates to the second part of refining the downtown plan, the first part having been hiring an economist to do a study of business and retail uses.

**Motion approved 5 – 0.**

B. **AB06-207 – Resolution 1611** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Addendum To The Interlocal Agreement Between The Town Of South Prairie And City Of Bonney Lake For Municipal Court Services And Facilities To Add Provisions To Include Indemnification As To Town Judge And Payment For City Judge. [A1.4]

Councilmember Rackley moved to approve Resolution 1611. Councilmember King seconded.

Judge Helbling explained that there were some inaccuracies in the language of the agreement. City Attorney Dionne requested that the matter be moved to another
meeting so he can go back and review the entire thing instead of making piecemeal changes. He said otherwise the ambiguity of the language may result in more addendums in the future. Judge Helbling addressed Council’s fears that this agreement would cause an excess amount of work for the Court. He explained that South Prairie has only had about 31 tickets so far this year and that he normally gets through 100 during an average court day.

Councilmember Rackley moved to table Resolution 1611 so the City Attorney can review the language of the agreement. Councilmember DeLeo seconded.

Motion to table approved 5 – 0.

C. **AB06-208 – Resolution 1613** – A Resolution Of The City Council Of The City of Bonney Lake, Pierce County, Washington, Setting A Public Hearing Regarding A Petition For Vacation Of A City Street.  [A3.6.10] [A3.6.12]

Councilmember Rackley moved to approve Resolution 1613. Deputy Mayor Swatman seconded.

Motion approved 5 – 0.

D. **AB06-210** – A Motion Of The Bonney Lake City Council Rescheduling A Public Hearing from September 12, 2006 to September 26, 2006 At 7:00 p.m., or as soon thereafter as possible, regarding the Six Year Transportation Improvement Plan for 2007 – 2012.  [A3.6.10] [A3.6.12]

Councilmember Rackley moved to approve AB06-210. Deputy Mayor Swatman seconded.

Mayor Johnson explained that this Public hearing is being rescheduled because of a lack of proper notification.

Motion approved 5 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.


Councilmember Rackley moved to approve Resolution 1591. Councilmember Bowen seconded.

Motion approved 4 – 1 with Councilmember King voted no.
B. **AB06-165 – Resolution 1599** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Annexation And Utility Agreements With Gil And Williams For Tapps Hideaway. [A3.13.12]

Councilmember Rackley moved to approve Resolution 1599. Councilmember Bowen seconded.

Deputy Mayor Swatman confirmed that this property is in the City’s future UGA.

**Motion approved 5 – 0.**

C. **AB06-199 – Resolution 1610** – Authorizing Annexation And Utility Agreements With Scott And Kristina Thorsteinson For The Thorsteinson Short Plat, Parcel #504000033. [A3.13.12]

Councilmember Rackley moved to approve Resolution 1610. Councilmember Bowen seconded.

**Motion approved 5 – 0.**

### VII. PUBLIC SAFETY COMMITTEE ISSUES:

None.

### VIII. FULL COUNCIL ISSUES:

A. **AB06-191 – Resolution 1608** – A Resolution Of The City Council Of City Of Bonney Lake, Pierce County, Washington, Formally Expressing Its Intent To Annex “Area 1-A”, A Territory Of Approximately 97.63 Acres Located Adjacent To The Current City Limits. [O3.2.2]

Councilmember Rackley moved to approve Resolution 1608. Councilmember King seconded.

Dan Decker, 20401 70th St. E., said that he felt the choice of the word “Territory” for this resolution was inappropriate and should be changed.

**Motion approved 5 – 0.**

### IX. EXECUTIVE SESSION:

None.

### X. ADJOURNMENT

At 8:07 p.m., Councilmember Rackley moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

**Motion approved 5 – 0.**
Documents submitted for or at the Council Meeting of September 12, 2006:

- Bonney Lake Residents – *Copy of Petition: Say No to Lowe’s Traffic Congestion* – Laurie Martin.