I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:04 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 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, Community Services Director Gary Leaf, Chief Finance Officer Beth Anne Wroe, Planning and Community Development Director Bob Leedy, Police Chief Mike Mitchell, Public Works Director Dan Grigsby, City Attorney Jeff Ganson, Administrative Services Director / City Clerk Harwood Edvalson, Special Projects Planner Shannon Mayfield-Porter, Associate Planner Heather Stinson and Records & Information Specialist Virginia Phelan.

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

A. Public Hearings: [A3.6.12]

1. **AB06-341** – Public Hearing On The Local Improvement District No. 05-13 Final Assessment Roll.
City Attorney Jeff Ganson explained the purpose of the public hearing as being an opportunity for those who filed statements of protest to address the council.

Mayor Johnson called the public hearing to order at 7:06 p.m. as the presiding officer. He asked that people wait until they are called on, approach the podium and state their name and address for the record. He asked that anyone submitting an exhibit have it numbered by the City Clerk and describe it clearly for the record. Mayor Johnson explained that the hearing is quasi-judicial and intended to be fair in all ways. He asked the Council and property owners if they know of any real or potential conflict of interest which should prevent the participation of the Mayor or Council. He also asked if any councilmember had contact with someone who had an interest in the subject and outcome of this proceeding. No one responded affirmatively.

Mayor Johnson explained the purpose of the hearing is to allow property owners to formally object to the proposed assessment under the LID. He said the hearing is not to discuss the actual project nor is it a question and answer period. Property owners who filed a written protest by 5:00 p.m. will have the opportunity to address the Council for 10 minutes and the Council will consider all testimony and evidence in order to determine whether to approve the proposed assessment roll.

Mayor Johnson then described the order of the hearing as follows: City staff and consultants discuss the project, property owners comment, City staff and consultants reply. He said the hearing will then be adjourned or continued as Council sees fit. If adjourned the Council may discuss and act upon the assessment roll. He then asked for questions from Council; Councilmember Bowen clarified that property owners who did not file written protest would not be allowed to speak.

Public Works Director Grigsby described the project which the LID funded. He said the City overlaid a gravel road and paved existing approaches to the right of way, giving residents the option of paying to have the pavement extended to their driveway. Chief Financial Officer Wroe explained the break down of the project costs and said the final cost was $50,271.59. She said that because the project was less than $100,000 it was more cost effective for the City to provide long term financing than to take the LID out for bonding.

City Clerk Edvalson said a letter of protest was received from David D. Halverson regarding the 95th St E. LID. He said the letter was distributed to the full Council and is on file with the City Clerk’s Office. Mr. Halverson was not in attendance to speak to Council.

There being no further comment Deputy Mayor Swatman moved to close the public hearing. Councilmember Noble seconded the motion.
Motion approved 7 – 0.

The public hearing was closed at 7:15 p.m.

2. **AB06-225** – Public Hearing on the proposed street vacation of a portion of 80th St. E. and 82nd St. E.

Mayor Johnson opened the public hearing at 7:15 p.m.

*Raymond Frey, 12356 Northup Way, Suite 119, Bellevue,* spoke in favor of the street vacation, saying that he represents Orchard Grove I and II.

There being no more comment the public hearing was closed at 7:17 p.m.

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**B. Citizen Comments:**

Ken Freed, 18008 SR 410 E. Suite A, addressed the Council regarding a proposed U-turn improvement on eastbound 410 at the Old Sumner-Buckley Hwy intersection. He described the many city clubs and the high number of realtors who use the Windermere building and explained the pressure that will be on the intersection when the 182nd access to Old Sumner-Buckley Hwy is made into right-in / right-out. He said U-turns are currently legal at that intersection and asked Council to reconsider prohibiting U-turns. Mr. Freed went on to state that making more access problems in the area is going to discourage new businesses from moving into Downtown. He also asked that the 184th connection be completed before or at the same time as the changes to 182nd. Mr. Freed invited Council to view the traffic from the top floor of his building so they could see how many people are actually coming and going.

Kevin Nolan, 18008 SR 410 E., said he is the co-owner of Freed Insurance and works for the FAA dealing with safety and efficiency. He said allowing U-turns at the intersection of Hwy 410 and Old Sumner-Buckley Hwy would help traffic, but that it needs to be properly posted to reduce confusion.

Carol Wells-Reed, 19925 State Route 410 E., said she is a proud member of the Bonney Lake Lions and is the director of the Bonney Lake Clothing Bank. She thanked the Council for their support and assistance in helping the Clothing Bank find a temporary location. Ms. Wells-Reed went on to describe some stories of the families they have been able to help and said that they have not only clothed over 125 children, but have also provided school supplies and toys.

Council took the opportunity to thank Ms. Wells-Reed and the Lions for serving the community.

John Boerner, 8520 182nd Ave E., said his mother owns Bonney Lake Auto Parts on 182nd. He spoke about the need for a U-turn on Hwy 410 at the intersection of Old Sumner-Buckley Hwy, saying it would help alleviate access problems. Mr. Boerner referenced accident reports he had from nearby intersections to make the point that these changes could affect safety. He suggested adding a light to 182nd to make a 5-
legged intersection, but Deputy Mayor Swatman said that was deemed to be unworkable.

Councilmember Hamilton said he thought Mr. Boerner’s property would be better served by a turn lane on Old Sumner-Buckley Hwy. Councilmember Rackley said he is firmly in favor of having the 184th connection completed at the same time as the changes to 182nd.

Barbara Bledsoe, 7711 191 St Ave. E., asked the Council if they had a chance to meet or discuss her water problem since discussion at the last workshop.

Mayor Johnson replied that staff is working on it and will be returning it to workshop for discussion. Director Grigsby said they are looking at options for getting cost estimates for the drainage study and something should be known within two months. The Mayor asked that the City obtain rougher estimates sooner so Council may begin visualizing the direction they want to pursue.

Councilmember Bowen moved for a 5-minute recess at 7:41 p.m. Councilmember Rackley seconded.

Motion approved 7 – 0.

The meeting reconvened at 7:43 p.m.

George Brown, 18313 Old Sumner Buckley Hwy., said he is owner of Thain Thai and is interested in how the City will accommodate traffic flow along Old Sumner-Buckley Hwy. He spoke favorably of a proposed U-turn, but said there is no pleasant way to handle the traffic and he is not sure of the best solution. He was concerned that if people start using 184th as a U-turn, the traffic will be backed up to the front of his business, which will cause access problems for his customers.

Council discussed the possibility of encouraging U-turns at the Hwy 410 & 184th St. intersection, ultimately concluding that the traffic backs up too far there to make U-turns a feasible alternative. They also discussed some of the pros and cons of other options. Director Grigsby reminded Council that the consultants said a U-turn at the top of the hill on Hwy 410 would be satisfactory for a few years, but with projected growth, would become problematic in the future.

Kimberly Nolan, 18008 SR410 E., said she is the president, cofounder and co-owner of Freed Insurance. She said she has great faith that a solution to the U-turn situation will be found, but in the mean time feels it would be best to continue allowing U-turns. She mentioned the side road between ARCO and Windermere as a possible temporary solution to access problems for those making U-turns.

Lynn Rattenbury, 18406 Old Sumner-Buckley Hwy., said she is the owner of Price Right Signs. She encouraged Council to allow U-turns at the intersection of Hwy 410 and Old Sumner-Buckley Hwy to alleviate traffic problems. She said people using 184th to turn around and head back down the hill are already having an impossible time turning left onto Old Sumner-Buckley Hwy. Ms. Rattenbury asked that crosswalks also be installed, if and when the U-turn is put in more prominently.
Tana Latterell, 19301 84th St. E., said the new intersection improvements will force traffic onto the smaller roads in her neighborhood. She expressed concern that her street would be widened to accommodate the increase in traffic and she would lose more of the front of her property. Ms. Latterell also spoke of the safety problems which will come with increased traffic on her street. She asked the intentions of the City with the property they own off of Old Sumner-Buckley Hwy. and what plans exist for her street.

Councilmember Hamilton replied the City is not assuming there will be a lot of traffic in her neighborhood as a result of these intersection changes. He said there will eventually need to be improvements to 84th Street. Deputy Mayor Swatman commented the City-owned property will be used to place a road by the print shop.

Don Sangesand, 5516 195th Pl. E., said his kitchen faucet failed after only three years as a result of the water he receives from the Ball Park Well. He asked what is happening to the citizen’s health and plumbing who are supplied with this water. He said the taste and smell is always bad and that the federal standards met are arbitrary and need to be taken with a grain of salt. Mr. Sangesand stated the City is wasting too much time on studies and needs to fix the problem or shut down the Ball Park Well.

Director Grigsby responded they are planning to take the Ball Park Well offline until the water is needed. Mayor Johnson asked that Mr. Sangesand be notified when his water source is switched. Council discussed what they have been doing to try and get the Ball Park Well water up to the City’s preferred standards. They said they have not forgotten about the problem, but still do not know what it is going to take to improve the water.

Linda Youngberg, 8502 182nd St. E., spoke in support of the business owners in the area and in favor of the proposed U-turn. She said Transpo agreed it would work so she cannot understand why the City would take it out. She also said her property at 188th and Old Sumner-Buckley Hwy is frequently used by people turning around, which would only become a bigger problem if the U-turn at Hwy 410 and Old Sumner-Buckley Hwy was prohibited. Ms. Youngberg spoke about the Traffic Impact Fees businesses have to pay and her belief that the businesses near the intersection will be hurt by the new design. She also stated she heard the City was waiting for a developer to build the 184th extension instead of doing it themselves.

Director Grigsby commented that construction on the main intersection could be complete by late 2008. Councilmember King said having a developer build the 184th extension is only one option being considered. He said a developer may be able to accomplish the road work quicker, whereas the City will need time to find funding. Councilmember Hamilton said the intersection may impact people in the neighborhood, but is an essential project for the future of the City. Ms. Youngberg said it affects us all and needs to be done correctly.
Stacia Dorman, Elhi Rim Rd., asked for clarification on how her road plays into the new design. She said if the U-turn is removed traffic will be even more horrific and will increase on her road.

Michelle Gunn, 8708 188th Ave. E., said she is concerned about the Hwy 410/ Old Sumner-Buckley Hwy intersection. She said by damaging current businesses in the area the City will make the Downtown property less valuable for attracting new businesses. She encouraged Council to keep the U-turn legal and make an effort to communicate and cooperate with local businesses. Ms. Gunn also suggested reimbursing traffic impact fees for businesses whose ingress and egress is being affected by the new intersection design.

**Councilmember Rackley made a motion for a 5 minute break. Deputy Mayor Swatman seconded.**

Motion approved 7 – 0.

The meeting reconvened at 8:44 p.m.

**C. Correspondence:**

a. Brian P. Duffy, BP Real Estate Property Manager – Email Re: Right on Red and U-Turn at 410 and Old Sumner-Buckley Hwy.

b. Kathy Greenwood – Letter objecting to Photo Speed Enforcement

### III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

A. **Finance Committee**

Deputy Mayor Swatman said the finance committee met earlier in the evening and discussed boat launch automated gate enforcement. He said they are still debating whether and how to charge out of city residents. The Finance Committee also approved confirmation of assessment rolls for local LID and discussed a citizen request to waive garbage service.

B. **Community Development Committee**

Councilmember Rackley said the CDC met on October 2nd and forwarded two standard Annexation and Utilities agreements to Council for this evening’s agenda.

C. **Public Safety Committee**

Councilmember DeLeo said the Public Safety Committee met on October 4th and worked on a tow truck ordinance which will likely come to Council for the next workshop.

D. **Other Reports:**

Lake Tapps Task Force. Deputy Mayor Swatman updated Council on the work of the Lake Tapps Task Force. He said the Community of Lake Tapps is objecting to water rights for the lake, but they appear to be the only opposing party. He went on
to say this topic has been a big ordeal for about six years, but may finally be coming to an end.

**Flu Shots.** Councilmember DeLeo announced the Senior Center would be offering flu shots on October 12th from 10:00 a.m. to Noon for $25 per shot and Pneumonia vaccinations for $45.

**Dan Bohm.** Councilmember DeLeo announced that Dan Bohm’s funeral services would be held on October 11th at 1:30 p.m. at the Presbyterian Church in Sumner.

**Life Screening.** Councilmember DeLeo informed everyone there would be a life screening group at the Senior Center next week on the 24th and on Tuesday prior to that at the Kiwanis meeting at 7:00 a.m. one of the screeners would be coming to talk about lifestyle choices and how they affect your life.

**Tree Lighting.** Councilmember DeLeo said there would be a Christmas tree lighting ceremony on December 2nd at 6:00 p.m.

**Holiday Craft Bazaar.** Councilmember Noble said the Senior Center would be hosting a Holiday Craft Bazaar on October 14th from 10:00 a.m. – 4:00 p.m.

**Traffic Presentation.** Councilmember Hamilton said he was involved in a traffic presentation made at RAMP (Regional Access Mobility Project) last Wednesday, which appeared to go well. He said background was given on the City and the traffic issues to attempt to raise awareness about the traffic problems in East Pierce County. Mayor Johnson agreed and said there was a group there who offered to present information to Council about how people feel about the traffic in our area.

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

The items listed below may be acted upon by a single motion and second of the City Council. By simple request to the Chair, any Councilmember may remove items from the Consent Agenda for separate consideration after the adoption of the remainder of the Consent Agenda items.

**A. Approval of Corrected Minutes**: September 19th Council Workshop and September 26th Council Meeting.

**B. Checks/Vouchers**: Accounts Payable checks/vouchers #45216 thru #45343 and wire transfer #8232006 in the amount of $1,018,624.78. Accounts Payable checks/vouchers #45344 in the amount of $500.00 for Accounts Receivable deposit refund. [F4.9]

**C. Payroll**: Payroll for September 16-30, 2006 for checks 25343-25393, including Deposits and Electronic Transfers in the amount of $435,985.81. [F4.9]

E. **AB06-343 – Resolution 1625** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Enter Into A Personal Services Agreement With Arborpro To Undertake A Tree Inventory And Develop A Management Plan. [O 5.10]

Motion approved 7 – 0.

V. **FINANCE COMMITTEE ISSUES:** None.

VI. **COMMUNITY DEVELOPMENT COMMITTEE ISSUES:**


Councilmember Rackley moved to approve Resolution 1595. Councilmember Bowen seconded.

Motion approved 7 – 0.


Councilmember Rackley moved to approve Resolution 1620. Councilmember Bowen seconded.

Motion approved 7 – 0.

VII. **PUBLIC SAFETY COMMITTEE ISSUES:** None.

VIII. **FULL COUNCIL ISSUES:**

A. **AB06-209** – [Closed Record Hearing] – A Motion Of The Bonney Lake City Council, Approving The Final Plat For Whitehorse Junction Subject To The Approved Terms And Conditions Of The Preliminary Plat And The Proposed Conditions Of Final Plat Approval Contained In The Staff Report To Council Dated October 10, 2006. [A 3.6.10] [O 3.5.2]

City Attorney Ganson explained that this closed record hearing means Council has before it a staff report analyzing conditions for final plat approval and the report shows the conditions were met. He said if Council determines this is true the applicant is entitled to final plat approval.
Councilmember Hamilton moved to approve AB06-209. Councilmember Rackley seconded.

Councilmember King spoke against the trend of developers putting in lots of cul-de-sacs with no connecting streets. He said the cul-de-sacs are popular, but bad for emergency services. Director Leedy said this plat was processed primarily through the County.

Motion approved 7 – 0.

IX. EXECUTIVE SESSION: Pursuant to RCW 42.30.140(4)(a) Mayor Johnson announced a 5 minute executive session at 8:58 p.m. to discuss Labor Negotiations. The meeting reconvened at 9:06 p.m.

X. ADJOURNMENT

At 9:06 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Documents submitted at the Council Meeting of October 10th, 2006:

- Bonney Lake Resident – U-Turn Options with Photographs – Ken Freed
- Bonney Lake Resident – Email Re: City Council Meeting Tuesday 7pm 10-10-06 – Ken Freed