I. CALL TO ORDER – Mayor Neil Johnson called the meeting to order at 7:00 p.m.
   A. Flag Salute - Chris from Boy Scout Troop #532 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, Planning & Community Development Director Bob Leedy, Public Works Director Dan Grigsby, Community Services Director Gary Leaf, Police Chief Mike Mitchell, City Attorney Jeff Ganson, Administrative Services Director / City Clerk Harwood Edvalson, Chief Financial Officer Beth Anne Wroe 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]
Mayor Johnson opened the public hearing at 7:01 p.m. There being no speakers the hearing was closed at 7:02 p.m.

B. Citizen Comments:

Don Sangesand, 5616 195th Pl. E., addressed the Council on behalf of his wife. He said she wanted the Council to reconsider increasing sewer rates. He said the prior administration took money from the sewer fund to pay for the property for a new city hall and this money should be returned to the sewer fund by this administration, whether they choose to sell or retain it. Mr. Sangesand said it is his wife’s opinion that this reimbursement to the sewer fund would prevent the need for sewer rate increases.

Mr. Sangesand said he heard that the City completed another study on the Ball Park Well and asked why none of the studies seem to address the bad taste and smell of the water. He said a lot more citizens would be complaining if they thought their concerns would be heard. Mr. Sangesand went on to say the City does not need to use this well in times of water shortages when they have Tacoma Water available to purchase.

Dan Decker, 20401 70th St. E., brought up the topic of condemnation. He expressed his opinion that it would be in the best interest of the City to condemn property in Area 41 for a roundabout. He said this would ease traffic and enhance the City’s infrastructure. He also said cost would probably be covered by the commercial complex which is planning to move in there.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

A. Finance Committee

Deputy Mayor Swatman said the Finance Committee met earlier in the evening and discussed the following:
1. Resolution 1629 – an agreement with Industrial Rehabilitation Consultants for on the job training;
2. Resolutions 1632 – purchase and sale agreement of 4.5 acres behind the library;
3. Setting public hearing for the annual ad valorem tax;
4. Court staff work overflow as a result of the new photo enforcement tickets;
5. and City Computer system infrastructure.

B. Community Development Committee

Councilmember Rackley said the Community Development Committee met on October 16th. He said the following items were discussed and moved forward for Council consideration:
IV. CONSENT AGENDA: [A3.6]

A. Approval of Corrected Minutes: October 3rd Council Workshop, October 10th Special Joint City Council/Planning Commission Meeting and October 10th City Council Meeting.

B. Checks/Vouchers: Accounts Payable checks/vouchers #45345 thru #45448 and wire transfer #2260539 in the amount of $1,429,190.72; Accounts Payable check/voucher #45449 in the amount of $135.00. [F4.9]

C. Payroll: Payroll for October 1-15th, 2006 for checks 25394-25433, including Deposits and Electronic Transfers in the amount of $296,396.07. [F4.9]
D. **AB06-225 – Ordinance D06-225** - An Ordinance Of The City Council Of The City Of Bonney Lake, Washington, Vacating A Portion Of 80th Street East And 82nd Street East Adjacent And Intersecting 184th Avenue East In The NW Quarter Of Section 33, Township 20 N, Range 5 E, W.M., Subject To Conditions. [O4.8.7]

E. **AB06-341 – Ordinance D06-341** – An Ordinance Of The City Council Of The City Of Bonney Lake, Washington, Approving And Confirming The Assessments And Assessment Roll Of Local Improvement District No. 05-13 For The Construction Of Street Improvements Along A Portion Of 95th Street East, And Levying And Assessing A Part Of The Cost And Expense Thereof Against The Several Lots, Tracts, Parcels Of Land And Other Property As Shown On The Assessment Roll. [A2.4.16]

F. **AB06-346 – Ordinance D06-346** – An Ordinance Of The City Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance No. 785 And Chapter 10.32 Of The Bonney Lake Municipal Code, Related To Vehicle Impoundment And Tow Truck Operators. [A3.5.5][O1.8.15]

G. **AB06-332 – Resolution 1621** – A Resolution Of The City Council Of City Of Bonney Lake, Pierce County, Washington, Formally Expressing Its Intent To Annex “Area 3”, A Territory Of Approximately 107.16 Acres Located Adjacent To The Current City Limits. [O3.2.2]

H. **AB06-349** – A Motion Of The Bonney Lake City Council, Setting A Public Hearing For The Regular Council Meeting Of Tuesday November 14, 2007 At 7:00pm. Regarding The Proposed Amount Of The Annual Ad Valorem Tax Levy For Fiscal Year 2007. [A3.6.10][A3.6.12]

Dan Decker, 20401 70th St. E., thanked the Council for bringing Area 3 into the City of Bonney Lake.

On the topic of annexation, Councilmember Rackley encouraged Planning & Community Development Director Leedy to tell about the recent success in the Planning Department. Director Leedy said Special Projects Planner Mayfield-Porter had succeeded today in getting the last signature needed for the 60% petition for the Area 1-B annexation.

**Motion approved 7 – 0.**

V. **FINANCE COMMITTEE ISSUES:**

A. **AB06-350 – Resolution 1629** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With Industrial Rehabilitation Consultants Regarding On-The-Job Training For Adam McFayden. [A4.12]
Councilmember Rackley moved to approve Resolution 1629. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:


Councilmember Noble moved to approve Resolution 1627. Deputy Mayor Swatman seconded.

Mayor Johnson said this resolution was brought from the Pierce County Auditor’s office, which passed a similar resolution. He said he wanted this from the entire Council and administration together and that he will be going to local schools to speak about the value of voting. Mayor Johnson encouraged the Council to join him.

Motion approved 7 – 0.


Councilmember Rackley moved to approve Resolution 1628. Councilmember Noble seconded the motion.

Dan Decker, 20401 70th St. E., said he voted against Initiative 933 after learning more about it. He said it is an unfair initiative, despite how it is being billed and he encouraged Council to approve Resolution 1628.

Councilmember Bowen said he understood that the City as a corporation may feel it has to vote against Initiative 933, but he personally would be voting for it and therefore could not oppose it in public without being dishonest.
Councilmember Rackley said this initiative will ruin the City’s zoning; including risking all the work done to zone the hillside RC-5 and affecting the WSU forest land.

Councilmember King said he could understand the concern for private land owner’s rights to make their own decisions with their property, but that supporting this initiative is a bad idea. He said the vagueness of the language in this initiative will inevitably result in it being defined in the courts at the costs of the municipalities. Councilmember King encouraged everyone to study the language of the initiative.

Motion approved 6 – 1. Councilmember Bowen voted no.

C. **AB06-352 – Resolution 1630** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With RH2 Engineering To Study Future Water Supply Options. [O4.10.1]

Councilmember Rackley moved to approve Resolution 1630. Councilmember DeLeo seconded the motion.

Deputy Mayor Swatman asked how RH2 would be able to determine the costs of getting water from Cascade Water Alliance. Public Works Director Grigsby said RH2 would use the best available information they had to make estimates for the Cascade Water Alliance costs, but the costs for Lakewood and Tacoma water would not be estimates.

Councilmember Noble asked if this had gone out for bid. Director Grigsby said it had not. He said on reoccurring work and studies they hire the companies who are most familiar with the City’s water system. He further explained that the City had done a request for qualifications in August and created a list of companies which can be used for specific projects. He said this list is on a rotation to ensure fairness.

Motion approved 5 – 2. Councilmember Noble and Deputy Mayor Swatman voted no.

D. **AB06-206** – A Motion Of The Bonney Lake City Council Approving the Final Plat for Indigo Ridge Subject To the Approved Terms and Conditions Of The Preliminary Plat. [A3.6.10] [A3.7.2]

Councilmember Rackley moved to approve AB06-206. Councilmember Hamilton seconded the motion.

City Attorney Ganson said this is a closed record hearing in the sense that Council must look at the conditions of the preliminary plat approval to see if they have been satisfied. He noted that if all conditions have been met, Council must approve the final plat.
Deputy Mayor Swatman said the information in the agenda packet was unclear and his concern was that the sight distance requirement may not have been met. Director Grigsby commented it probably had been, but he would have to look into it to be comfortable offering a guarantee. City Attorney Ganson said the topic can be tabled if there are outstanding questions.

**Councilmember Rackley moved to table AB06-206 to the November 7th Council Workshop. Deputy Mayor Swatman seconded the motion.**

Motion to table approved 6 – 1.
Councilmember King voted no.

**E. AB06-345 – A Motion Of The Bonney Lake City Council Accepting The 10% Petition To Commence Annexation Proceedings For “Wilderness Ridge Annexation”, As Described In Exhibit A And As Identified In Exhibit B Of The Petition; Determining That 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; Determining That The Proposed Zoning For The Annexation Area Shall Be R-1; And Authorizing Staff To Begin Circulation Of The Official 60% Petitions Pursuant To RCW 35A.14.120. [A 3.6.10] [O 3.2.2]**

Director Leedy said the City does not yet have the 10% petition required.

**Deputy Mayor Swatman moved to table AB06-345 until the 10% petition is complete. Councilmember Rackley seconded.**

Motion to table failed 1-6.
Councilmember Rackley voted yes.

**Deputy Mayor Swatman moved to remove AB06-345 from the evening’s agenda. Councilmember Noble seconded.**

Motion to pull approved 7 – 0.

**F. AB06-351 - A Motion Of The Bonney Lake City Council Calling For A Special Joint Meeting Of The City Council And The Planning Commission On November 14, 2006 At 6:30 P.M. At Bonney Lake City Hall And Setting A Joint Public Hearing Regarding The Proposed Annexation Of Area 1-B. [A3.6.10] [A3.6.12] [O3.2.2]**

Councilmember Noble moved to approve AB06-351. Councilmember King seconded.
Deputy Mayor Swatman said Special Projects Planner Mayfield-Porter and the Planning Department did a tremendous job on this annexation. Councilmember Rackley concurred.

Motion approved 7 – 0.

G. AB06-355 – Resolution 1632 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Ratifying The Purchase And Sale Agreement With Jack Simmons And Sherri Dewitt For The Purchase Of Real Property At 18426 SR 410 And 9320 Angeline Road.

Councilmember DeLeo moved to approve Resolution 1632. Deputy Mayor Swatman seconded.

Mayor Johnson said the City has been attempting to obtain the Simmons property for many years. He stated some additional property with a view of Mt. Rainier became available next to it. He further explained that the City owns the Library property as well as the Public Safety Building and this action allows the City to acquire more property in the Downtown Area. He said the City has wanted to do this for at least 8 years.

Councilmember King asked where the City will be getting the 2.5 million dollars for this property. Chief Financial Officer Wroe explained it will be coming from an ending fund with an excess balance of the needed 2.5 million dollars, which had accumulated during the previous administration. Councilmember King suggested it may have been allowed to accumulate for a new city hall. City Administrator Morrison agreed that in years past the revenues had been estimated conservatively and the expenditures liberally, resulting in an ending fund balance at the end of each year. The City attorney confirmed that this was not an illegal act.

Motion approved 7 – 0.

IX. EXECUTIVE SESSION:

Pursuant to RCW 42.30.140 (4)(b) Mayor Johnson called a 30 minute executive session at 7:51 p.m. to discuss labor negotiations. The executive session was extended for 10 minutes at 8:28 p.m. The meeting reconvened at 8:30 p.m.

X. ADJOURNMENT

At 8:30 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Noble seconded the motion.

Motion approved 7 – 0.