I. CALL TO ORDER – Mayor Neil 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 Johnson, elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Cheryle Noble and Councilmember Jim Rackley. Councilmember Dave King joined the meeting shortly after the roll call.

Staff members present were City Administrator Don Morrison, Planning & 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 and City Engineer John Woodcock.

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

1. Announcements: None.
2. Appointments: None.
3. Presentations: Sumner Mayor David Enslow presented a proclamation thanking the City of Bonney Lake for assistance rendered during the recent flooding event.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

A. Public Hearings [A3.6.12]

Mayor Johnson declared the hearing open at 7:03 p.m. There was no one in attendance wishing to address the Council on this issue. Mayor Johnson closed the public hearing at 7:03 p.m.

B. Citizen Comments:

Don Sangesand, 5616 195th Pl. E., referenced his comments from last year regarding the improved quality of water from the Ball Park Well. He said he would like to withdraw those comments. He noted that he would receive some relief from the continuing poor water quality now that the well is shut down for the winter. He added he did not look forward to the spring when the City would again start to use the well. He said the City has really done nothing toward the resolution of this problem.

Dan Decker, 20401 70th St. E., stated he feels the Mayor and City Council should be more vigilant in allowing citizens to address action items occurring at Council workshops. He said in the past he has raised his hand to address action items at workshops and not been recognized to speak. As a second item, Mr. Decker said he was told under the previous Mayor’s administration that the Mayor can make motions and seconds and vote on items as the chair of the meeting. He pointed out that the Bonney Lake Municipal Code says the Mayor may not make motions, seconds for Council action.

Councilmember King said he believes the Mayor and Council have been remiss in allowing the public to address action items at Workshops and asked Administrative Services Director Edvalson to assist the elected officials to make sure opportunities to address action items are provided the public. He added he will personally be more vigilant to make sure such opportunities occur.

John Alexander, Master Builders Association – Pierce County, asked where the Council had discussed the issue of automatic increases to the City’s transportation and park impact fees. He said the last time Council had discussed the issue, there seemed to be a consensus to not continue with the automatic increases.

Director Grigsby responded that Council had recently discussed the issue at the November 7th Workshop. Councilmember King asked Mr. Alexander how the proposed ordinance would impact the members of his association. Mr. Alexander responded the ordinance creates instability in the building industry in Bonney Lake because the impact fees will not be known for the next year until the appropriate index is published late in the year.

Mayor Johnson suggested the MBA could approach individual Councilmembers to see if they would be amenable to again addressing this issue in 2007. Councilmember Hamilton said he hopes the City will continue to keep the lines of communication open with the MBA and those they represent in the City of
Bonney Lake. Mr. Alexander said he has not created any obstacles to communication between himself and the Council.

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. Disposition of vacation leave balances accumulated in excess of allowed limits;
2. Interest rates on interfund loans for park purchase and possible forgiveness of debt for General Fund loan;
3. Policies for collection of delinquent utilities accounts;
4. The annual motion to allow for the payment of year end bills and payroll;

B. Community Development Committee
Councilmember Rackley said the Community Development Committee met on November 11th. He said the following items were discussed and moved forward for Council consideration:
1. D06-334 and D06-335 – related to annexation and zoning of Area 1-A;
2. AB06-365 – accepting the Connell’s Prairie Rd E. Overlay Project;
3. AB06-374 – accepting the Tacoma Point Well Soft-Start Upgrade Project;
4. AB06-377 – a water development agreement for Lakeland Hills South PUD Planning Area 9; and
5. D06-376 – sewer connection financial hardship payment plans.
Councilmember Rackley said the committee recommends passage of all these items.

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee has not met since the last Council meeting, but recommends approval on tonight’s agenda of AB06-361 for out-of-state travel of Police Chaplain Spahr.

D. Other Reports:
Councilmember King reported that a recent meeting of the Pierce County Regional Committee did not have a quorum and could not elect officers for the coming year. He said a report, however, was presented by the Growth Management Coordinating Committee on buildable lands and employment targets. He noted the 2005 estimate for jobs in Bonney Lake is 3,135. He added the 2022 job target for Bonney Lake is only 4,420.

Councilmember King also noted the presentation of the Regional Transportation Study and said there are alarming impacts to the smaller cities in the region. He added those cities will have to be vigilant about how to receive an appropriate share
of federal dollars as allocated in the future. He thanked Director Leedy and the Planning staff for their assistance to the PCRC. He said the study is available for review on the Internet at PSRTC.WA.GOV.

IV. CONSENT AGENDA: [A3.6]

A. Approval of Meeting Minutes: November 7th Council Workshop, November 14th Special Joint Council/Planning Commission Meeting, November 14th Regular Council Meeting.

B. Checks/Vouchers: Accounts Payable checks/vouchers #45636 thru #45736 (voiding check #45695) and wire transfer #2532927 in the amount of $1,860,121.33. [F4.9]

C. Payroll: Payroll for November 1-15, 2006 for checks 25478-25515, including Deposits and Electronic Transfers in the amount of $303,383.48. [F4.9]

D. AB06-203 – Ordinance D06-203 – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapters 19.04 And 19.06 Of The Bonney Lake Municipal Code And Ordinance Nos. 984, 1018, 1157 And 1179, Relating To Annual Adjustments To Transportation And Parks Impact Fees. [A 3.5.5] [F 4.3]


F. AB06-361 – A Motion Of The Bonney Lake City Council, Approving Out of State Travel for Police Chaplain Art Spahr to Cannon Beach, OR. [A 3.6.10] [A 4.7]

G. AB06-365 – A Motion Of The Bonney Lake City Council, Accepting As Complete The Tucci & Sons Connell’s Prairie Rd E Overlay Project. [A 3.6.10] [O 4.8.2]

H. AB06-374 – A Motion Of The Bonney Lake City Council, Accepting As Complete The Madsen Electric Tacoma Point Well Soft-Start Upgrade Project. [A 3.6.10] [O 4.10.1]

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

City Attorney Dionne said the wrong version of D06-203, Item D on the Consent Agenda was included in the packet. He said the second “Whereas” clause should be stricken from the ordinance because it no longer applies. He added this does not require an amendment to the ordinance since this is an administrative error.

Motion approved 7 – 0.
V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:


Councilmember Rackley moved to adopt Ordinance D06-334 [Ordinance 1208]. Deputy Mayor Swatman seconded.

Motion approved 7 – 0.

B. AB06-335 - Ordinance D06-335 – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Applying R-1 Zoning To The Area Commonly Referred To As “Annexation Area 1-A”. [O 3.2.2]

Councilmember Rackley moved to adopt Ordinance D06-335 [Ordinance 1209]. Deputy Mayor Swatman seconded.

Motion approved 7 – 0.

C. AB06-376 – Ordinance D06-376 – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Ordinance Nos. 1094 § 2; 1083 § 2; 968 § 2; 919 § 2; 787 §§ 1, 2; 571C § 1; 561 Art. VIII § 3 And Section 13.12.100 Of The Bonney Lake Municipal Code, Related To Sewer Connection Fees. [A 3.5.5] [F 4.3]

Councilmember Rackley moved to adopt Ordinance D06-376 [Ordinance 1207]. Councilmember Hamilton seconded.

Councilmembers discussed whether or not the ordinance should apply to any mandatory sewer connection situation and/or include provisions for determining a financial hardship. Also discussed was the appropriate interest rate to be charged for the program.

Councilmember Rackley moved to amend the motion to include the following change to Section 1D:

...A reasonable interest rate, based upon the City’s investment portfolio plus two percent for service fee, as determined by the City’s Chief Financial Officer, will be charged on the balance owing to the City....

Councilmember Bowen seconded the motion.

Amendment approved 7 – 0.
Amended main motion approved 7 – 0.
D. **AB06-377 – Resolution 1639** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Development Extension Agreement With Lakeland East LLC For The Lakeland Hills South PUD Planning Area 9. [O 4.10.1]

Councilmember Rackley moved to approve Resolution 1639. Councilmember Hamilton seconded.

Councilmember Noble noted the area is within Bonney Lake’s Water Service Area, but within the City of Auburn. She said she continues to have concerns about the resolution of water service boundaries and issues in that area. She asked about the disposition of the committee which is supposed to be studying the issues. Director Grigsby responded an anticipated grant to fund the study has not been forthcoming. He added the City of Sumner has expressed interest in continuing the discussions. Mayor Johnson said Auburn’s Mayor has communicated his City is interested in Bonney Lake’s Water Service Area within their City boundaries. Deputy Mayor Swatman said it is not good strategy to continue approving new water services in this area until the issues are resolved.

Councilmembers Hamilton and Rackley expressed concern that the boundary and service issues be discussed and potential impacts to Bonney Lake residents understood before the City parts with any of its service area. Mayor Johnson said these topics would be a central part of the Council’s next retreat early in 2007.

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

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:

A. **AB06-357 – A Motion Of The Bonney Lake City Council Approving The Final Plat For Panorama West.** [A 3.6.10] [O 3.7.2]

Deputy Mayor Swatman moved to approve the final plat for Panorama West. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman noted this is a closed record hearing. Councilmember Hamilton asked if there are provisions in the Hearing Examiner’s Findings to mitigate for park impacts. Director Leedy said he was unaware of any provisions for parks, but said the final plat conforms to the letter of the Hearing Examiner’s findings. Director Grigsby noted that the developer has agreed to relocate a utility cabinet which was incorrectly placed and impacts traffic sight distances.
B. **AB06-364** – A Motion Of The Bonney Lake City Council Approving The Preliminary Plat For Berkshire Estates Subject To The Conditions Of The Hearings Examiner. [A3.6.10] [O 3.7.2]

Councilmember Noble moved to approve the Berkshire Estates Preliminary Plat. Councilmember Hamilton seconded the motion.

Deputy Mayor Swatman noted this is again a closed record hearing. City Attorney Dionne added the hearing is quasi-judicial in nature, as well. Deputy Mayor Swatman asked Councilmembers if there were any who felt they should recuse themselves for conflict of interest or conflict with the appearance of fairness. None of the Councilmembers indicated a conflict.

Deputy Mayor Swatman asked about water availability under Item 4G of the Hearing Examiner’s conclusions. City Engineer Woodcock said the City issues a preliminary letter of availability which becomes final at a later date. He affirmed the City is now guaranteeing water availability for this development. Deputy Mayor Swatman asked if the City could deny the next one. City Attorney Dionne said the letters are dependent upon actual availability. He said if there is insufficient availability then the City can deny it.

Deputy Mayor Swatman also asked about Item 4B 10. He said compared to the map provided, the appropriate street connections seem infeasible. Director Leedy said it appeared an outdated map had been provided. He suggested a continuation of the item until the questions about the correct map can be resolved. Councilmember DeLeo asked about 4I. and whether a well, if it exists, must be abandoned. Director Grigsby said the current municipal code requires the well be abandoned if a connection is made to City water. He said Assistant Public Works Director Shannon is reviewing the possibility of allowing the well to remain functional for irrigation purposes.

Councilmember Rackley moved to table AB06-364 to the next Council meeting. Councilmember Noble seconded.

Motion to table approved 7 – 0.

C. **AB06-380** – A Motion Of The Bonney Lake City Council Rescheduling the Council Workshop from December 5, 2006 at 5:30 p.m. to December 6th in the Bonney Lake Council Chambers; and calling for a special meeting of the City Council to meet with the Pierce County Council at Al Lago Restaurant on December 5, 2006 at 6:00 p.m. [A 3.6.10] [A 1.1.2]

Deputy Mayor Swatman moved to approve the recommended motion. Councilmember King seconded.

Deputy Mayor Swatman said the meetings have been rearranged to allow the Council to attend the County Council meetings on December 5th, and to participate in a Storm
Water Symposium with the Planning Commission on Wednesday night, December 6th. He said the Council’s regular workshop will follow the Storm Water Symposium.

Motion approved 7 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT

At 8:20 p.m., Councilmember Noble moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

Harwood T. Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.