I. CALL TO ORDER – Mayor Johnson called the meeting to order at 7:03 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 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, Interim Planning & Community Development Director Marvin Vialle, Public Works Director Dan Grigsby, Chief Financial Officer Beth Anne Wroe, Police Chief Mike Mitchell, City Attorney James Dionne, Administrative Services Director/City Clerk Harwood Edvalson, City Engineer John Woodcock 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: None.

B. Citizen Comments:

Carol Ujick, Park Board Chairperson said she wanted to discuss the future of the Snack Shack at Allan Yorke Park. The concession stand should be operated full time throughout the summer, not intermittently by service groups such as the
Kiwanis. She said it is a service to the citizens who spend time at the park. There has been poor communication between Council and the Park Board as to the future of the concession stand and it has put the Park Board in a bad position. Ms. Ujick elaborated that the desire was to begin seeking concessionaires, but they did not feel it was appropriate given the rumors being heard regarding Council’s plans for the stand.

Councilmember DeLeo said the idea behind Kiwanis use of the stand was the ability to sell popcorn and similar items at Friday Night Flicks. Councilmember Noble added the Council is open to any of the Park Board’s ideas and has not made any decisions at this point. Her understanding was that the concessionaire from last year was not interested in pursuing a contract again this year. Ms. Ujick said she had heard differently. Mayor Johnson said the City would prefer one person to run the Snack Shack the entire summer, but was thinking of new ideas in case such a person could not be found.

Dan Decker 20401 70th St. said the City’s use of LIDAR for photo enforcement in school zones is illegal because the RCW specifies that speed measuring devices using time and distance, such as LIDAR, require a ¼ mile or farther horizontal range. This is to assure the mathematical calculation for speed detection is accurate. He said he believes an error has been made by the City, but that it was not intentional. Police Chief Mitchell said he believes the RCW in question is specifically regulating aircraft or pacing, not LIDAR. He added the instruments being used by the City are state certified and legal for the purposes for which the City is using them. Mr. Decker said he has copies of the RCWs and various manuals to support his statements. Mayor Johnson asked him to share his information with the City Attorney so it can be further researched.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

[6:35]

A. Finance Committee
Deputy Mayor Swatman said the Finance Committee met this evening and discussed:
1. Boat Language Ordinance. They discussed collecting data over time and then establishing future changes in the procedure;
2. Amending BLMC 3.09 regarding copy machine fees in response to the new color copiers being used by the City;
3. Proposed ordinance for Council Committees, which would soon be forthcoming;
4. Resolution 1668 - relating to payments for performers during Bonney Lake Days and other special events;
5. Third party billing for utilities;
6. Utility rates for 2008; and
7. Future sewer service area, the possibility that Pierce County will be providing Sewer to Cascadia and what effect that will have on Bonney Lake sewer customers.

B. Community Development Committee
Councilmember Rackley said the Community Development Committee met on March 19th and received a report from the Stream Team regarding their activities and volunteer information. They also discussed downtown stormwater, the 192nd 30% design, the Lake Bonney draft water quality report, and the South Prairie Road construction. He said the committee forwarded the following items to this meeting’s agenda and recommends approval of all of them:
1. Resolution 1673 – An adjustment on a bill previously passed relating to water studies, which escalated in cost;
2. Resolution 1667 – CPS Engineering agreement; and
3. Resolution 1671 – The Downtown traffic study;

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee has not met since the last Council meeting.

D. Other Reports:

AWC Nominations. [Note: this report took place before the committee reports] Mayor Johnson asked Council if anyone would be interested in running for the At-Large Western 1 position for which AWC is currently taking nominations. He said it is currently held by Kathleen Turner from Puyallup. Councilmember King clarified the open position is not for District 6, to which Bonney Lake belongs, rather it is At-Large. Deputy Mayor Swatman agreed to be nominated.

Public Disclosure Commission.
Deputy Mayor Swatman reminded Council to file their F-1 PDC form, which is due the 15th of April.

Alderton-McMillin Plan.
Councilmember Hamilton reported he met with Tom Ballard, who represents some of the property owners to the South of the City. Mr. Ballard is concerned by the Alderton-McMillin Plan because it may cause some of the private development owners to withdraw from funding the Rhodes Lake Road Corridor. Falling Waters, Weyerhaeuser, Investco and Cascadia are all beginning to work together on this project and this Plan is a threat to the possibility that mostly private funds could be used to build this road. Council decided to discuss the Plan further at a future workshop.

Pierce Transit Board.
Councilmember DeLeo mentioned the nomination for Councilmember Rackley to be on the Pierce Transit Board, saying he had learned the board is waiting for more applications to be submitted and planning to make a decision in April.
Food Handler’s Card.
Councilmember DeLeo reminded everyone that the Senior Center is hosting a class on March 28th from 6:00 p.m. to 8:00 p.m. for people to obtain a food handler’s card.

Bonney Lake High School Track.
Councilmember DeLeo said Matt Hagwood, the volunteer track coach at BLHS, had attended the recent Kiwanis meeting to request donations for the track team to purchase poles for pole vaulting. The High School forgot to budget for the track program this year and consequently there is no money for the track team. Poles cost $400 on average and the School needs approximately 30. Councilmember DeLeo said he would be donating his council discretionary funds to the BLHS Track program and encouraged others to donate as well.

IV. CONSENT AGENDA: [A3.6]

Councilmember Hamilton asked to pull item D and move it to the Community Development Committee Issues portion of the meeting. Councilmember Noble asked to pull item E and move it to Community Development Committee Issues.

A. Approval of Minutes: March 6th Council Workshop and March 13th Council Meeting. [A3.6.2]

B. Checks/Vouchers: Accounts Payable checks/vouchers #46820 thru 46952 (and wire transfer #2617533) in the amount of $1,088,371.27. Accounts Payable check/voucher #46953 in the amount of $165.00. [F4.9]

C. Payroll: Payroll for March 1-15, 2007 for checks 25792 - 25801 in the amount $6,175.00; Payroll for March 1-15, 2007 for checks 25802 - 25819 in the amount $23,418.22, Electronic Transfer for $7,134.44; and Payroll (Police Guild) for March 1-15, 2007 for checks 25820 - 25825 including Deposits and Electronic Transfers for $92,506.94; and Payroll (AFSCME and non-represented) for March 1-15, 2007 for checks 25826 - 25857 including Deposits and Electronic Transfers for $251,866.03. [F4.9]


E. AB07-67 – Resolution 1667 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Personal Services Agreement With CTS Engineers For Drainage Improvement At 191st & 79th. [O 4.7.1]

Councilmember Rackley moved to approve the Consent Agenda. Councilmember Noble seconded the motion.

Motion approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:


Councilmember Hamilton said he had asked that this item be pulled merely because he would not be voting for it. City Engineer Woodcock explained the estimate for this agreement has increased to about $80,500 because he wanted to ensure the City received an iron clad document against any further challenges. To accomplish this he asked that the estimate include: additional council meetings, which would be optional, to keep Council properly informed; a professional municipal accountant; and additional work related to calculations for the City’s bills of sale per the Judge’s direction. He added that a portion of the cost of this agreement could be recouped in SDCs.

Deputy Mayor Swatman said all of the costs should be able to come from SDCs. Councilmember Hamilton questioned how this study would affect the charges, to which City Engineer Woodcock responded that they could increase, decrease or remain the same, but the important thing is the City will have all the data and information on the City’s infrastructure together in one document which could be updated smoothly. This way the City would have a defendable comprehensive analysis of the SDCs to present to Court should the situation arise again. Councilmember Hamilton noted that he thinks RH2 was also responsible for setting the Sewer SDCs, which are perhaps in need of further study, as well. Director Grigsby said Public Works would eventually be pursuing that also.

Councilmember Hamilton expressed concern that the City would have to repeatedly do studies like this every time there is a lawsuit and a judge arbitrarily makes a different determination. Director Grigsby said judges in the future will give weight to the current Judge’s determinations, which will be incorporated into the document being prepared by the two consulting groups. There was some discussion on the varying methods of computing SDCS, the process of compiling the data needed for a more defendable fee structure and the immediate need to begin work despite the Judge’s findings not yet being finalized. Council also discussed the 10 year Capital Improvement Plan and the value of the updated Comprehensive Plan resulting from this agreement.
Councilmember Rackley moved for a 5 minute break at 8:08 p.m. Deputy Mayor Swatman seconded the motion.

Motion approved 7 – 0.

The meeting reconvened at 8:17 p.m.

Council had no further discussion and chose to vote.

Motion to adopt Resolution 1673 approved 4 – 3. Deputy Mayor Swatman, Councilmember Hamilton and Councilmember Noble voted No.

E. **AB07-67 – Resolution 1667** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Personal Services Agreement With CTS Engineers For Drainage Improvement At 191st & 79th. [O 4.7.1]

Councilmember Rackley moved to approve Resolution 1667. Councilmember Hamilton seconded the motion.

Mayor Johnson explained this is an area which has continually had serious flooding issues. He said the consultants will offer three designs and cost estimates on how to fix the drainage. Once their recommendations come through, Council can make a decision so this problem may be fixed.

Motion to adopt Resolution 1667 approved 7 – 0.

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

**VIII. FULL COUNCIL ISSUES:** None.

**IX. EXECUTIVE SESSION:** Pursuant to RCW 42.30.110(1)(b) the City Council announced an Executive Session for 10 minutes to discuss property acquisition. At 8:19 p.m. the meeting adjourned to Executive Session. The regular Council meeting reconvened at 8:27 p.m.

**X. ADJOURNMENT**

At 8:27 p.m., Councilmember Rackley moved to adjourn the meeting. Councilmember Hamilton seconded.
Motion approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.