I. CALL TO ORDER – Deputy Mayor Dan Swatman called the meeting to order at 7:01 p.m.

A. Flag Salute – Deputy Mayor Swatman led the audience in the Pledge of Allegiance.

B. Roll Call [A1.3]

City Clerk Edvalson called the roll. In addition to Deputy Mayor Swatman, elected officials attending were Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, Councilmember Cheryle Noble and Councilmember James Rackley.

Staff members present were Interim Planning & Community Development Director Marvin Vialle, Chief Finance Officer Beth Anne Wroe, Assistant Public Works Director Rick Shannon, Police Chief Mike Mitchell, Community Services Director Gary Leaf, City Attorney James Dionne, Administrative Services Director/City Clerk Harwood Edvalson, Associate Planner Heather Stinson and Records & Information Specialist Virginia Phelan.

Administrative Services Director/City Clerk Edvalson noted Mayor Johnson and City Administrator Morrison were absent representing the City at the annual Association of Washington Cities conference in Tacoma. Additionally, the oath of office planned would not be taking place this evening.

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

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

D. Agenda Modifications:

Councilmember DeLeo moved to add Resolution 1707 as item A of the Finance Committee Issues portion of the agenda. Councilmember Rackley seconded the motion.

Motion approved 7 – 0.
II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

A. Public Hearings: None.

B. Citizen Comments:

Jeff Oliphant, Bonney Lake Marketplace Developer, Bellingham, said he met with Council approximately a month ago to discuss the Lowe’s project. His intention this evening was to follow up on a few items from that meeting. Councilmember DeLeo’s question about building a tunnel to cope with the grading issues preventing a frontage road between Lowe’s and Wal-Mart, was studied and found to be unfeasible. Mr. Oliphant also asked to clarify prior comments made by a homeowner near the Lowe’s site. Lowe’s made offers on three of the four homes in question. One rejected the offer and the other two were amenable to it. Lowe’s made no offer to buy the fourth home because the owner indicated they were not interested. Lastly, Mr. Oliphant encouraged Council to pass the water developers extension agreement for Lowe’s, which would be up for a vote this evening.

C. Correspondence: None.

III. COUNCIL COMMITTEE REPORTS:

[A3.6.4]

A. Finance Committee

Deputy Mayor Swatman said the Finance Committee met this evening and discussed:
1. Out-of-state travel for Court Administrator Seymour;
2. Resolution for agreement with the Department of Licensing to access online vehicle records for the Court;
3. Declaring the City's intent to reimburse certain capital expenditures from the proceeds of tax-exempt bonds or other obligations;
4. Park Security and the appropriate use of Drug Fund money; and
5. Boat Launch Status;

Councilmember King inquired about problems at the boat launch with the bollards. Deputy Mayor Swatman confirmed they will not work properly until the Lake is at capacity. The bollards will remain down until then and citizens may launch for free at their own risk. Councilmember Hamilton asked if there would be a staff member available at the launch until the bugs are worked out. Community Services Director Leaf responded in the affirmative.

B. Community Development Committee

Councilmember Rackley said the Community Development Committee met on June 4th and discussed Certificates of Water Availability and Street Striping Project Changes. Additionally, they forwarded seven items to this evening’s agenda.
1. Resolution 1672 – Rainier Plateau water developer agreement;
2. Resolution 1699 – 75th St. E. improvements;
3. Six Year TIP program;
4. Resolution 1700 – 192nd corridor improvement project;
5. Resolution 1702 – Deer Island water main replacement project;
6. Resolution 1703 – Lowe’s water developer agreement; and
7. Resolution 1704 – Final right of way plans for 192nd.

Councilmember Rackley said the CDC recommends passage of the forwarded items.

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee also met on June 4th and discussed:
1. Park safety issues, including a hole in the dock;
2. Boat Launch issues and the bollard system;
3. Park cameras and their estimated cost;
4. Ecology Blocks along the dike at the Park; and
5. Draft Ordinance D07-136 regarding Fireworks Permit Fees, which has been forwarded to this evening’s agenda.

D. Other Reports: None.

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

A. Approval of Corrected Minutes: May 15th Special Council Meeting, May 15th Council Workshop, May 22nd Regular Council Meeting and May 29th Special Joint Council/Planning Commission Meeting. \[A3.6.2\]

B. Checks/Vouchers: Accounts Payable checks/vouchers #47565 thru 47706 in the amount of $542,037.97. Accounts Payable checks/vouchers #47707 thru 47709 for Accounts Receivable deposit refunds in the amount of $1,043.38. Accounts Payable checks/vouchers #47564 and 47710 thru 47745 for utility account refunds in the amount of $4,299.12. \[F4.9\]

C. Payroll: Payroll for May 16-31st, 2007 for checks 26028-26034, including Deposits and Electronic Transfers for $131,081.20 (Police Department). Payroll for May 16-31st, 2007 for checks 26035-26077, including Deposits and Electronic Transfer for $315,508.68 (AFSCME and Non-represented). \[F4.9\]

D. AB07-124 – Ordinance 1237 \[D07-124\] - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Adding A New Chapter, 5.18, To The Bonney Lake Municipal Code Relating To Franchise Applications, And Declaring An Emergency. \[A 3.5.5\] \[A3.15\]

E. AB07-136 – Ordinance 1238 \[D07-136\] - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending BLMC Chapter 5.14, And Section 2 Of Ordinance No. 1235, Establishing Fees For The Sale And Use Of Fireworks Within The City Of Bonney Lake. \[A 3.5.5\] \[F 4.3\]

F. AB07-74 – Resolution 1672 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Water Developers Agreement For Rainier Plateau. \[A 3.13.7\]

G. AB07-128 – Resolution 1699 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Personal Services Agreement With KPG For The 75th Street East Improvements. \[O 4.8.1\]
H. **AB07-134 – Resolution 1702** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing Notice Of Award For Deer Island Water Main Replacement To A&A Excavating, Inc.  [O 4.10.2]

I. **AB07-131** – A Motion Of The Bonney Lake City Council Setting A Public Hearing For 7:00 P.M. During The Regular Council Meeting Of June 26, 2007 Regarding The Proposed Six-Year Transportation Improvement Program For 2008-2013 [A3.6.10]

J. **AB07-137** – A Motion Of The City Council Of The City Of Bonney Lake Setting A Public Hearing For 7:00 P.M., Or As Soon Thereafter As Possible, During The Regular Council Meeting Of June 26, 2007 Regarding The Possible Declaration Of A Sewer Grinder Pump And Associated Easement As Surplus. [A3.6.10]

Councilmember Rackley moved to approve the Consent Agenda, Councilmember DeLeo seconded the motion.

**Motion approved 7 – 0.**

V. **FINANCE COMMITTEE ISSUES:**


Councilmember Rackley moved to approve Resolution 1707.  Councilmember Noble seconded the motion.

Councilmember Rackley said this resolution is for a grant the City is receiving. Deputy Mayor Swatman added there is a timeline in order to get the money, which is why the resolution needs approval tonight.  Councilmember DeLeo said the current speed trailer has had problems recently.  Chief Mitchell explained the trailer will have the ability to count the number of vehicles and calculate the average speed. This will assist Police in determining when speeding is occurs in certain areas, particularly school zones.

**Motion approved 7 – 0.**

VI. **COMMUNITY DEVELOPMENT COMMITTEE ISSUES:**


Councilmember Rackley moved to approve Resolution 1703.  Councilmember Hamilton seconded the motion.

**Motion approved 7 – 0.**
B. **AB07-133 – Resolution 1704** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving The 192nd Right-Of-Way Plan And Directing The Mayor To Proceed With Negotiating Purchases Of Necessary Right-Of-Way. [A 3.13.3.3]

Councilmember Rackley moved to approve Resolution 1704. Councilmember Bowen seconded the motion.

Councilmember Rackley said this resolution is a companion to the upcoming Resolution 1700. Together they identify and allow for the negotiation and purchase of right of way.

**Motion approved 7 – 0.**

C. **AB07-129 – Resolution 1700** - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Personal Services Agreement With Universal Field Services For 192nd Corridor Right Of Way Acquisition And Relocation Services. [A 3.13.3.3] [O4.8.1]

Councilmember Rackley moved to approve Resolution 1700. Councilmember Noble seconded the motion.

**Motion approved 7 – 0.**

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

VIII. **FULL COUNCIL ISSUES:**

A. **AB07-138 – Ordinance 1239 [D07-138]** - An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Acquisition Of Property By Purchase Or Condemnation. [A 3.13.3.3]

Councilmember DeLeo moved to approve Ordinance 1239. Councilmember Noble seconded the motion.

Deputy Mayor Swatman said the property owner was in favor of this ordinance.

**Motion approved 7 – 0.**

B. **AB07-135** – A Motion Of The Bonney Lake City Council Approving The Final Plat Of Legacy Park With The Conditions And Findings In The Attached Staff Report Dated 6/7/07. (Closed Record Hearing). [A 3.6.10] [O3.7.2]

Councilmember DeLeo moved to approve AB07-135, the Final Plat for Legacy Park. Councilmember Hamilton seconded the motion.

**Motion approved 7 – 0.**
City Clerk Edvalson noted there is anticipated action following the upcoming Executive Session.

IX. EXECUTIVE SESSION: Pursuant to RCW 42.30.110(1)(b) and RCW 42.30.110(1)(i) the City Council adjourned to an Executive Session at 7:21 p.m. for 20 minutes to discuss property acquisition and potential litigation. The Council meeting reconvened at 7:40 p.m.

VIII. FULL COUNCIL ISSUES (Cont’d):

C. AB07-140 – Resolution 1706 - A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Giving The City Attorney The Authority To Appeal From The Judgment Of The Pierce County Superior Court In The Matter Of Milestone Homes, Inc. V. City Of Bonney Lake, Cause No. 07-2-05050-2. [A3.13.2.3]

Councilmember DeLeo moved to approve Resolution 1706. Councilmember King seconded the motion.

Motion approved 7 – 0.

X. ADJOURNMENT

At 7:41 p.m., Councilmember Bowen moved to adjourn the meeting. Councilmember King seconded the motion.

Motion approved 7 – 0.

Harwood Edvalson, CMC
City Clerk

Mayor Neil Johnson, Jr.

Items submitted for the June 12th Council Meeting:

➤ Barghausen Consulting Engineers, Inc. – Summary of Tunnel Options for Bonney Lake Marketplace – Jeff Oliphant, Bonney Lake Marketplace Developers, LLC.