I. CALL TO ORDER – Mayor Johnson called the meeting to order at 7:05 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 Neil Johnson, elected officials attending were Deputy Mayor Swatman, Councilmember David Bowen, Councilmember Phil DeLeo, Councilmember Mark Hamilton, and Councilmember James Rackley. Councilmember Cheryle Noble arrived at 7:06 p.m. Councilmember Dave King was absent.

[Staff members present were City Administrator Don Morrison, Administrative Services Director/ City Clerk Harwood Edvalson, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Public Works Director Dan Grigsby, City Attorney James Dionne, Planning Manager Steve Ladd and Records & Information Specialist Virginia Phelan.]

Councilmember Rackley moved to excuse Councilmember King. Deputy Mayor Swatman seconded the motion.

Motion approved 5 – 0.

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

1. Announcements: Moment of Silence—In memory of those who lost their lives in the terror attacks of 9/11/2001 and in fighting the War on Terrorism.

2. Appointments: None.

3. Presentations: None.

D. Agenda Modifications: None.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

A. Public Hearings: None.

B. Citizen Comments:
Quinn Dahlstrom, 6527 193rd Ave E., said she has submitted a letter to the City Clerk and Council, which she wants to be on record. She noted she did not have time to read it all out loud tonight, but expects the problem described within to be taken care of. She added the issue is regarding the Animal Control Officer, who patrols as a result of Council legislation. Chief Mitchell said he would create documentation on Ms. Dahlstrom’s concern for Council.

Carol Wells-Reed, 4610 Alma Lane SE, Olympia, thanked the Mayor and Public Works Director Grigsby for their prompt and effective action to remedy traffic flow on South Prairie Road. She said she manages the Columbia Bank and the construction problems have had a negative effect on business.

Ms. Wells-Reed also thanked the City for their support of the Lions 4 Kids program, which collects school supplies and clothing for children and teenagers. She spoke of some of the hardships suffered by families who benefit from this program and noted the positive impact the program has on the children’s self esteem and ability to fit in at school. Additionally, Ms. Wells-Reed presented a certificate of appreciation to Mayor Johnson and Chief Mitchell for their participation in the Dunk Tank at Bonney Lake Days to raise funds for the Lions programs.

Jeff Oliphant, Bonney Lake Marketplace, explained he is the developer of Bonney Lake Marketplace and asked if the City had received his request to withdraw the rezone of two properties in the Lowe’s vicinity. Mayor Johnson said yes. Planning Manager Ladd explained that the recommendation on the ordinance before Council is to amend the Comprehensive Plan only and not rezone at this time, but technically the Council could pass the rezone at this time if they so choose. City Attorney Dionne said the withdrawal of the rezone request allows the Council to consider only the ordinance before them without alternatives.

Mr. Oliphant explained the application was originally made because there was confusion as to the proper way to gain access to the property and there was a deadline for applying for the amendment. To be safe he applied, but now the matter has been resolved by the Hearing Examiner. The rezone is no longer necessary or applicable. Mr. Oliphant went on to speak against disinformation being disseminated about his company and clarified examples of their excellent reputation in the area. Lastly, he voiced his opinion that the area should be commercial, but it is the choice and the responsibility of the homeowners in the area to pursue rezoning.

Dan Decker, 20401 70th St. E., questioned impact fees on new businesses which move into old buildings. He said he feels it harms the City’s business interest and consequently loses the City tax revenue. He went on to commend the Council for pursuing purchase of Lake Tapps for drinking water. The water is better off being used locally than being piped up to Bellevue. Mr. Decker added he has finished gathering signatures for a petition and would be bringing it forward within the next few weeks.
III. COUNCIL COMMITTEE REPORTS: [A3.6.4]

A. Finance Committee
Deputy Mayor Swatman said the Finance Committee met this evening and discussed:
1. Resolution 1750 – Grant for Electronic Copies of Documents;
2. Resolution 1751 – Agreement for Bulk Shredding;
3. Resolution 1738 – Agreement for a $1.5 Million Grant for sidewalks;
4. Financing for the 800mhz System;
5. Flashing Signs for School Crosswalks; and

B. Community Development Committee
Councilmember Rackley said the Community Development Committee has not met since the last Council Meeting.

C. Public Safety Committee
Councilmember DeLeo said the Public Safety Committee did not meet since the last report to Council.

D. Other Reports:
Councilmember Absence
Councilmember Noble said she would be unable to attend the upcoming Council Workshop.

RAMP Meeting
Councilmember Hamilton said he attended the recent RAMP meeting. The Department of Transportation was there to discuss safe bridges in Pierce County. He noted only two in the area were rated below “50”, which means they should be replaced. One is in Auburn and the other Puyallup. Neither are expected to fall, but they should be replaced now before they become a serious danger.

IV. CONSENT AGENDA: [A3.6]

A. Approval of Minutes: July 17th Council Workshop, July 24th Regular Council Meeting July 31st Special Council Meeting, August 14th Regular Council Meeting, August 28th Special Council Meeting, August 28th Regular Council Meeting. [A3.6.2]

B. Checks/Vouchers: Accounts Payable checks/vouchers #48498 in the amount of $1,602.73; Accounts Payable checks/vouchers #48499 in the amount of $8,567.84; Accounts Payable checks/vouchers #48500 thru #48616 in the amount of $342,211.79; Accounts Payable checks/voucher #48617 thru #48619 in the amount of $1,317.13 for Accounts Receivable deposit refunds; Accounts Payable wire transfer number 9200701 and 3012007 in the amount of $467,818.75. [F4.9]

C. Payroll: Payroll for August 15-31, 2007 for checks 26432-26439, including Deposits and Electronic Transfers for $ 127,657.73. (Police Department)
Payroll for August 15-31, 2007 for checks 26440-26485, including Deposits and Electronic Transfer for $336,638.78. (AFSCME and Non-represented) [F4.9]

D. **AB07-184 - Resolution 1738** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Local Agency Agreement And Project Prospectus With WSDOT For Safe Routes To School And Pedestrian Safety Grants. [F 5.2.5]

E. **AB07-196** – A Motion Of The City Council Of The City Of Bonney Lake Authorizing Out-of-State Travel for Martha Bennett to Denver, CO, for the Eden Users Conference. [A 4.7]

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

In reference to Resolution 1738, Community Services Director Leaf said when the agreement and prospectus are signed the City may begin advertising for design services. Mayor Johnson congratulated Director Leaf and all the staff involved in procuring this grant for their accomplishment. City Clerk Edvalson noted no citizens had signed up to speak to the Consent Agenda.

Motion approved 6 – 0.

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

**VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:** None.

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

**VIII. FULL COUNCIL ISSUES:**

A. **AB07-166 – Ordinance 1255 [D07-166]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Adopting School District Capital Facility Plans By Reference In The City Comprehensive Plan. [O 3.5.1.5]

Councilmember Rackley moved to approve Ordinance 1255. Councilmember Noble seconded the motion.

Gil Mendoza, Superintendent of the Sumner School District, thanked the City for their work in getting the grant authorized by Resolution 1738. Mayor Johnson noted the School District was also instrumental in accomplishing this. Mr. Mendoza said the City’s work on behalf of the School District and the students in Bonney Lake and Sumner does not go unnoticed. He added it is his belief that strong schools build strong communities.

Councilmember Rackley noted passage of this ordinance does not raise impact fees at this time. He encouraged Mr. Mendoza to convince the County and the City of Sumner to do the same, as he believes the City of Bonney Lake is currently providing more money from impact fees than their fair share. Mayor Johnson said he recently met with Sumner’s Mayor Enslow to discuss this topic. They plan to work towards a
joint plan with others in the region so everyone may benefit from School Impact Fees.

Motion approved 6 – 0.


**Councilmember Rackley moved to adopt Ordinance D07-169. Councilmember DeLeo seconded the motion.**

Councilmember Hamilton noted there is a private lawsuit pending for this property and he does not feel it is appropriate for the City to take any action, lest they indirectly involve themselves in the lawsuit. If there was some certainty as to the future of the properties he would not be so hesitant; however, that is not the case. Deputy Mayor Swatman said his personal priority is the rights of the homeowners and the Homeowner’s Association. He said the City has no role in their regulations and should step back at this time. If the homeowners in that area want their property rezoned they will pursue it. At this time it does not appear they have any interest in a rezone. Councilmember Rackley concurred, saying the property owners can come to the City if they want the rezone; otherwise the City should not force the issue.

Motion failed 1 –5. Councilmember Bowen voted yes.


**Annette Tower, 8416 182nd Ave. E.,** said the Hearing Examiner stated the reasons well, as to why this property should not be rezoned. She agrees with him and explained that she and her family moved to Bonney Lake because they thought they had found the perfect home to raise their son. Now, however, they are being faced with the possibility of apartments in their backyard. This is worrisome to her and her husband. She requested the Council deny this rezone.

Planning Manager Ladd clarified for the Council that the original Downtown Plan did not include the area in question. However, the recently adopted Downtown Plan does, so if the rezone is denied it would be appropriate for the Council to eventually amend the Downtown Plan to make it compatible. In response to Councilmember Noble’s question as to the necessity of this rezone, Planning Manager Ladd said the extra critical mass would be beneficial to the implementation of the Downtown Plan. He noted there were many opportunities for public input and there has been significant local opposition to this rezone. Council discussed the impact on the neighborhood of only rezoning the Greenwood Parcel and the impact on the Downtown Plan.
Ray Frey, Greenwood Property LLC, Bellevue, pointed out that the zoning around his parcel is all R-1. The City’s new requirement for his parcel to have 30 foot buffers has destroyed his plan for the parcel because he can only fit nine town homes on it, instead of the required ten. Now he would prefer they deny the rezone so he may build single family homes. Otherwise they need to reduce the buffer. Planning Manager Ladd said the 30’ buffer idea came from the CDC. He noted, however, that the ordinance only specifies this buffer is required on the North and West side of the parcel, so the East side may have only 20’. He said if the Council decides the surrounding neighborhood would be suitably protected by a 20’ buffer they may pursue that and consequently get more of what they need for the success of Downtown. In response to inquiry from Councilmember Bowen, Mr. Frey said he was not aware ahead of time that this topic was going before the Hearing Examiner.

Councilmember Bowen moved to table this ordinance until the next workshop. Councilmember Rackley seconded the motion.

Motion approved 6 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT

At 7:48 p.m., Councilmember Noble moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

Motion approved 6 – 0.