I. CALL TO ORDER – Deputy Mayor Swatman called the meeting to order at 7:00 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. 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 James Rackley. Mayor Johnson was absent.

[Staff members present were City Administrator Don Morrison, Administrative Services Director/ City Clerk Harwood Edvalson, Planning & Community Development Director John Vodopich, Community Services Director Gary Leaf, Public Works Director Dan Grigsby, City Attorney James Dionne 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:

Councilmember DeLeo moved to add to Full Council Issues item E. the Draft Ordinance D07-211. Councilmember Noble seconded the motion.

Motion approved 6 – 1. Councilmember King voted no.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE

A. Public Hearings: None.

B. Citizen Comments:
Mike Kerr, 8413 183rd Ave. E., said he wants the Council to be aware he is no longer opposed to his property being rezoned. Rather, he now supports the rezone. He feels it will increase the value of his property. Mr. Kerr added that he has no particular intent, but is in discussion with a real estate agent to scope out his options. He does not want to be surrounded by higher density zoning than that of his own property.

Gary Roth, 8506 182nd Ave. E., said he is opposed to the rezone of the northern portion of the Greenwood Parcel. Primarily, he said, he feels the Hearing Examiner was on the mark when he recommended the rezone not be implemented, because the property in question is surrounded by single family R-1 zoning. This is still true and is still a valid reason to deny the rezone. Additionally, Mr. Roth expressed his concern about the trees with root rot which will need to be removed from the Greenwood Property. His own trees may need to be removed for the same reason.

Tina Fite, 8410 182nd Ave. E., agreed with Mr. Roth, stating she is a neighbor and is concerned about the possible height of the buildings which would be right behind her home. They would block her view of the mountain and she stated she does not understand why this property would have been purchased with high density intentions when it was clearly zoned R-1. She said the Mayor assured her this is a separate issue from installation of the 184th Ave. Extension, but she is still confused as to why the developers believed they would be able to build these types of units.

Deputy Mayor Swatman said the rezone and the road extension are indeed two separate issues. Additionally, he noted, the Ordinance before the Council would limit the building height to that of an R-1 zone.

Seth Wagner, 8405 182nd Ave. E., said he lives across the street from Ms. Fite and Mr. Roth and is also opposed to the rezone. There are children and pets who play in the street and the traffic on 182nd is already a problem. Addition of higher density housing would increase traffic and make his street more dangerous.

Michelle Gunn, 8701 88th St. E., said the City needs to clean up the Buck Property which they recently purchased, as it is an eyesore. On a separate topic, she said she is unimpressed with the communication coming from the City on the Downtown Plan. She has been unable to get a straight answer as to whether her property is considered Downtown and she feels the City is disorganized and premature in asking Downtown business owners to form a Downtown Merchant’s Association. She suggested the City meet individually with each business owner and added the lack of communication now will cause many problems in the future.

Councilmember Rackley addressed the homeowners on 182nd, explaining the plans to build the 184th extension and direct traffic down it, as well as the simultaneous improvements planned for Myers Road and the Sumner-Buckley HWY/ HWY 410 intersection.

Dan Decker, 20401 70th St. E., questioned the City’s possible purchase of Lake Tapps, asking whether they are purchasing the land only or the water as well.
Ray Frey, Greenwood LLC, Bellevue, said he has a rough timeline for the 184th Ave. Extension project and will bring a finalized version to Public Works Director Grigsby as soon as he can. He described the approximate five month process, beginning with erosion control and ending with the laying of the asphalt and sidewalks, then a final week of cleanup. He noted, however, that the schedule is weather permitting. In response to inquiry, he said the access to the property is currently off Sumner-Buckley Hwy into the middle of the property. When the exporting of dirt begins there will be a traffic plan in effect per the City’s permitting requirements.

Councilmember Hamilton asked that business owners in the area get copies of the construction schedule. Public Works Director Grigsby said that would be done as soon as the City receives the schedule.

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. 2008 Budget Amendment Calendar;
   2. Boat Launch Statistics;
   3. Personnel Issues;
   4. Management Retreat;
   5. 800mhz System; and

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

C. **Public Safety Committee**
   Councilmember DeLeo said the Public Safety Committee met on September 17th and discussed traffic light camera system options, security improvements to Cedarview Park and the park at Bonney Lake Elementary. Additionally, they discussed a policy relating to road side memorials.

D. **Other Reports:**

   **Rainier Cable Commission**
   Councilmember Rackley said he met with the RCC last week. They approved their 2008 budget and forwarded it to the Pierce County Council. He noted the City of Bonney Lake has budgeted for 12 units of cable broadcast time for the coming year.

   **Day of Remembrance**
   Councilmember Noble said she attended the First Annual National Day of Remembrance for Murder Victims on the capital steps in Olympia. She noted it was very inspirational and empowering.
Pierce County Regional Council
Councilmember King said the PCRC met recently and made recommendations to the Pierce County Council on County Comprehensive Plan Amendments. Of note are the Amendments applied for by the City of Bonney Lake. Proposed UGA 1A, the property north of the Home Depot store, was approved to forward to the County Council with a unanimous recommendation. UGA 1B, the Peaking Storage UGA expansion was not recommended and UGA 2, the property by 96th, was unanimously recommended. Additionally, Councilmember King noted the PCRC continues to deal with the final actions on buildable lands report, which has yet to be finalized.

Plateau Planning Group
Deputy Mayor Swatman said he met with the Planning Group recently. They are discussing SEPA mitigation and are trying to plan for a road off the plateau. The intent is to coordinate the road together and use private and public funding to accomplish installation. Additionally, they are working on some of the expansion of SR 162, which would receive the Rhodes Lake Road traffic in the Valley. Councilmember Hamilton said it is critical these various parties work together. Building the road as a group will be cheaper and more effective than trying to build it with public funding only. Additionally, this team work can be a model for other parts of the State needing to fund large projects of this nature. There will be a problem if the regional transportation improvement package does not pass, as that will remove 120 million dollars worth of funding from this project.

Hearings on RC-5 Developments
Councilmember Rackley said he has been attending the recent hearings on properties which were rezoned to RC-5. This includes the Manke Property, the Shipman Property, and the Tracy Property. He appeared as a Councilmember and as a resident and consequently will abstain from voting when these issues come to Council.

Regional Medical Care Summit
Councilmember DeLeo said he attended the first Enumclaw Regional Medical Care summit on Thursday. The main topic discussed is the problem citizens have when they live in one County and need medical assistance in another. There are State rules which make this difficult, yet the shortage of doctors and facilities often makes it necessary. Next year, Councilmember DeLeo noted, the Summit will focus on solutions to this problem.

IV. CONSENT AGENDA: [A3.6]

A. Approval of Minutes: September 4th Council Workshop and September 11th Regular Council Meeting. [A3.6.2]

B. Checks/Vouchers: Accounts Payable checks/vouchers #48620 thru #48725 in the amount of $1,415,898.42; Accounts Payable checks/vouchers #48726 thru #48729 in the amount of $5,100.87 for Accounts Receivable deposit refunds; Accounts Payable checks/vouchers #48730 thru #48805 in the amount of $5,146.56 for utility refunds; Accounts Payable check #48806 in the amount of $1,749.57; and Accounts Payable wire transfer number 783303 and 3036449 in the amount of $342,377.68. [F4.9]

D. AB07-202 - Resolution 1750 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Grant Agreement Between The Office Of The Secretary Of State, Division Of Archives And Records Management, And The City Of Bonney Lake. [F5.2.1.12]


F. AB07-206 - Resolution 1752 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Short-Term Extension To The Agreement With The City Of Sumner For Emergency Dispatch Services. [A3.22.3]

Councilmember Rackley moved to approve the consent agenda. Councilmember Bowen seconded the motion.

Motion approved 7 – 0.

V. FINANCE COMMITTEE ISSUES: None.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.

VIII. FULL COUNCIL ISSUES:


Councilmember Rackley moved to adopt Ordinance D07-171. Councilmember Hamilton seconded the motion.

Planning & Community Development Director Vodopich said there is an error on the ordinance which must be corrected. Section 2 refers to the Greenwood parcel in its entirety, but it should only refer to the Northern portion of the parcel.

Councilmember DeLeo moved to substitute the current ordinance with the revised D07-171, which includes the rezone of the previously pulled Kerr parcel. Councilmember Rackley seconded the motion.
Councilmember Rackley said it is his belief that the Downtown Plan needs the highest density possible to support it. Councilmember Hamilton asked if the Kerr parcel was included in the Downtown Plan, to which Director Vodopich responded it was not. Deputy Mayor Swatman expressed concern that proper notice of this action may not have been met due to the Kerr Rezone being pulled from the Comprehensive Plan Amendment previously. Councilmember DeLeo agreed. Councilmember Rackley said he recommends passage, this rezone is beneficial and supported by the property owners. Councilmember Bowen inquired as to the legal notification requirements, to which City Attorney Dionne suggested the City should have additional notification before taking action on the Kerr rezone.

**Councilmember Rackley moved to table Ordinance D07-171 to workshop. Councilmember Bowen seconded the motion.**

*Motion to table approved 6 – 1.*
*Councilmember DeLeo voted no.*

B. **AB07-209 – Ordinance 1256 [D07-209] - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Relating To The Licensing And Regulation Of Nightclub Establishments Adding A New Chapter To Title 5 Of The Bonney Lake Municipal Code And Amending Title 5 Of the Bonney Lake Municipal Code And Ord. Nos. 990, 826, 735, 307A and 307. [A 3.5.5]**

Councilmember Noble moved to approve Ordinance 1256. Councilmember DeLeo seconded the motion.

*Motion passed 7 – 0.*


Councilmember Hamilton moved to approve Resolution 1743. Councilmember Noble seconded the motion.

*Motion passed 6 – 1. Deputy Mayor Swatman voted no.*

D. **AB07-208 – Resolution 1753 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing An Interlocal Agreement between the Cities of Auburn, Bonney Lake and Sumner For Property Purchase; A Purchase and Sale Agreement Between Puget Sound Energy And The Cities Of Auburn, Bonney Lake and Sumner; and a Joint Representation Agreement. [A 3.13.3.3] [O 4.10.1]**

Councilmember King moved to approve Resolution 1753. Councilmember DeLeo seconded the motion.
City Administrator Morrison said the substitute Interlocal Agreement handed out was just agreed upon today. City Attorney Dionne explained the changes made to the interlocal agreement. Section 9 was expanded with more certainty and specificity than the prior version which left the specifics to be determined.

Councilmember Rackley moved to substitute the original interlocal agreement with the new version brought to Council this evening. Councilmember DeLeo seconded the motion.

Motion approved 5 – 2. Councilmembers King and Bowen voted no.

City Attorney Dionne explained the Councils of Auburn and Sumner will both hold special meetings on Wednesday to assure the interlocal is approved by all three cities before the Thursday deadline to make an official offer to Puget Sound Energy.

Councilmember Bowen moved to strike the words “and maintain” from section 9, the end of the fifth line and beginning of the 6th. There was no second. The motion died.

City Attorney Dionne said he was confident the wording Councilmember Bowen was concerned about was not intended to force maintenance of the current boundaries of the Lake. Consent of all three cities would still allow changes to be made, such as possible expansion to Allan Yorke Park.

Deputy Mayor Swatman expressed his appreciation to the City Attorney’s Office for creating this language. He noted the approval of other cities is a testament to the professional staff and attorneys employed by the City of Bonney Lake. Councilmember Hamilton agreed it is an equitable agreement and the other parties would seemingly have no reason not to agree to it.

Councilmember King said passage of this agreement and predicted purchase and sale agreement would still not obligate the City to purchase Lake Tapps. There is a feasibility study which must be done first and many things to consider before buying the Lake. This will be a slow process and will involve both the purchase of the property and the gaining of the water right.

Motion approved 7 – 0.

E. AB07-211 – Ordinance D07-211 - An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington,

Councilmember King moved to table this ordinance to workshop. Councilmember Rackley seconded the motion.

City Administrator Morrison said this is a companion to the Nightclub Ordinance previously passed by Council. In bringing this draft ordinance to this evening’s meeting, it was staff’s intention to have Council discuss the 500 foot proposed
distance, have the GIS Analyst determine what properties would be affected, then refer the topic to the Planning Commission.

Motion approved 7 – 0.

IX. EXECUTIVE SESSION: None.

X. ADJOURNMENT

At 8:11 p.m., Councilmember Bowen moved to adjourn the meeting. Councilmember DeLeo seconded the motion.

Motion approved 7 – 0.

_____________________________________ _____________ ________________________
Harwood Edvalson, CMC
City Clerk

Deputy Mayor Dan Swatman

Items submitted to the Council meeting of September 25, 2007:

- City of Bonney Lake – Draft Ordinance D07-211- Zoning Restriction for Nightclubs – City Administrator Don Morrison
- City of Bonney Lake – Substitute Interlocal Agreement with Auburn and Sumner for Offer to purchase Lake Tapps – City Attorney Jim Dionne.
- City of Bonney Lake – Draft Ordinance D07-171-Greenwood Parcel Comprehensive Plan Amendment to include Kerr Parcel – Planning Manager Steve Ladd.