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]

   Councilmembers: Deputy Mayor Dan Swatman, Councilmember Phil DeLeo, Councilmember Mark Hamilton, Councilmember Dave King, and Councilmember Jim Rackley. Not present were Councilmember David Bowen and Councilmember Cheryle Noble.

   [Staff in attendance: City Administrator Don Morrison, Public Works Director Dan Grigsby, Police Chief Mike Mitchell, Planning & Community Development Director John Vodopich, Administrative Services Director/City Clerk Harwood Edvalson, Community Services Director Gary Leaf, Chief Financial Officer Al Juarez, City Attorney Jim Dionne, Judge James Helbing, and Records & Information Specialist Susan Duis.]

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

   1. Announcements: None.

   2. Appointments: Judge James Helbing administered Oaths of Office to Police Officer James J. Keller and Community Services Officer Tobie J. Johnston.

   3. Presentation: Mayor Johnson presented a Commendation to John and Margaret Farrell, in recognition of their recent life-saving act, their compassionate spirit and their unfailing service to the community.

D. Agenda Modifications:

   City Attorney Dionne said the attorney for the Shipman Plat requested that item AB07-242 – Resolution 1770 be granted a two-week continuance, and that it be discussed at the next regular council meeting on December 11, 2007. He said the continuance was requested as the attorney was not available to attend the November 27 meeting.

   Deputy Mayor Swatman motioned to move AB07-242 Resolution 1770 to the December 11, 2007 Council meeting. Councilmember DeLeo seconded the motion.

   Motion Passed 4 – 0. Councilmember Rackley recused himself from voting.

II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:

A. Public Hearings: [A3.6.12]

Mayor Johnson opened the hearing at 7:09 p.m. There being no speakers, he closed the hearing at 7:10 p.m.

B. **Citizen Comments**: [A1.5]

Ivan Wilson, 36407 108th Ave Ct E, Eatonville, WA 98328, spoke to the Council as a member of the Fraternal Order of Eagles. He reported that Bonney Lake citizens had inquired to the Washington State Fraternal Order requesting a new charter in Bonney Lake. He described the order’s history and services, and distributed information for councilmembers. He said they are currently taking a survey to find out about interest and potential meeting locations in Bonney Lake.

Michelle Gunn, 8708 180th Ave E, Bonney Lake, said she was speaking as a downtown property owner. She said she understood that the council was preparing to vote on something that could change how residences could be used. She asked that if a change was going to be made, that everyone holding downtown properties be included, not just city owned properties. She described a situation where a property owner who wanted to lease to a church was unable to do so due to the cost of improvements. She asked that any ordinance allowing buildings to be converted to other uses includes wording to ensure that all downtown property owners can benefit.

Dan Decker, 20401 70th St E, Bonney Lake, warned about Christmas lights from China that have lead paint on them which comes off when they are touched, and said that children should wash their hands after touching Christmas lights. He also voiced concern about the noise ordinance, saying some people are being bombarded by the ‘criminal’ ordinance.

C. **Correspondence**: None.

**III. COUNCIL COMMITTEE REPORTS**: [A3.6.4]

A. **Finance Committee**: Deputy Mayor Swatman reported that the finance committee met before the Council Meeting, and discussed:

1. Limited Tax General Obligation Bonds; moved forward to December 11, 2007 meeting.
2. Updated salary ordinance for non-represented employees and new positions.
4. Proposal from Administrative Services Director/City Clerk Edvalson for agenda management services.
5. Leave balance adjustments for employees (including outgoing Judge and possibly several other employees).

B. **Community Development Committee**: Councilmember Rackley said that the committee has not met since the last council meeting.

C. **Public Safety Committee**: Councilmember DeLeo said that the committee has not met since the last council meeting.
D. **Other Reports**: None.

**IV. CONSENT AGENDA:**

- **A. Approval of Corrected Meeting Minutes**: October 16, 2007 Council Workshop and October 23, 2007 Regular Council Meeting and November 13, 2007 Regular Council Meeting

- **B. Checks/Vouchers**: Accounts Payable check/vouchers #49292 in the amount of $4,389.00. Accounts Payable checks/vouchers #49293 thru #49406 in the amount of $552,914.09. Accounts Payable checks/voucher #49407 thru #49418 in the amount of $1,237.69 for utility refunds. [F4.9]

- **C. Payroll**: Payroll for November 1-15, 2007 for checks, including Deposits and Electronic Transfers for $228,788.75 (AFSCME and Non-represented) Payroll for November 1-15, 2007 for checks, including Deposits and Electronic Transfers for $97,207.24 (Police Department) [F4.9]

- **D. AB07-210 – Ordinance 1262 [D07-210]** – An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 5.15 Of The Bonney Lake Municipal Code And Ordinance Nos. 946 And 990, Relating To Special Event Permits. [A 3.5.5]

- **E. AB07-231 – Resolution 1765** – A Resolution Of The City Of Bonney Lake, Pierce County, Washington, Declaring Sewer Grinder Pumps And Associated Easements As Surplus To The City’s Needs. [F 4.6.3] [O 4.5.8]


- **G. AB07-238** – A Motion Of The Bonney Lake City Council Authorizing Out-of-State Travel For John Vodopich For The American Institute of Certified Planners Annual Conference And Continuing Certification Training In Las Vegas, Nevada. [A 3.6.10] [A 4.7]

- **H. AB07-241** – A Motion Of The Bonney Lake City Council Authorizing The Purchase Of An Identification Card System to Produce Secure Employee ID Cards. [A 3.6.10]

Councilmember Rackley moved to approve the consent agenda. Deputy Mayor Swatman seconded the motion.

City Administrator Morrison noted several small corrections to AB07-239 – Resolution 1768, the tri-party agreement. He said three exhibits were not included in the agenda packet, including a short description of the Greenwood property, a description of the city property, and a copy of the development agreement that was previously approved. He also said that on page 3, section 1a, the date should read ‘as of the closing date’ instead of a specific date. He said none of the changes were substantive. Mayor Johnson asked for verification from City Attorney Dionne, who confirmed that the changes were not substantive.

Councilmember Hamilton asked if an approximate closing date is known. Raymond Frey came forward and said the loan should close around December 10, 2007. He also thanked Don Morrison for his work as they changed banks and resubmitted materials.

Consent Agenda passed 5 - 0.
V. FINANCE COMMITTEE ISSUES:

A. AB07-240 – Resolution 1769 – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Lease Agreement With Play-Days For The Temporary Rental Of The City Property Located At 18411 89th Street East. [A.3.13.2.2]

Councilmember DeLeo moved to approve Resolution 1769.
Councilmember Rackley seconded the motion.

Councilmember Rackley noted that the city has a long history providing temporary space for certain groups in the city, much like this resolution.

Councilmember Bowen arrived in council chambers at 7:24 p.m.

Councilmember King asked about the property zoning, expected date for updates to begin, and the organization planning to lease the building. Planning & Community Development Director Vodopich and City Administrator Morrison explained that the property is currently split between residential and commercial zoning, and that re-zoning will be reviewed when the Planning Commission works on zoning updates. They said the proposed tenant is a non-profit which has applied for 501(3)c status, and that the zoning would be proposed to be changed to downtown commercial.

Jessie Thompson, 8301 209th Ave Ct E, Bonney Lake, one of the board members for Play-Dayz, explained that Play-Dayz is an activity center for infants and toddlers. She said that families pay a subscription fee, but that fees are waived if they receive a referral from family centers and coalitions they are working with.

Councilmember King asked additional questions about the modifications, ADA standards, and liability issues. Ms. Thompson said that she had met with Building Official Jerry Hight, who was planning to look at the property to determine required modifications. She also said she is working closely with Carol Wells-Reed, with Lions for Kids, who will be using the space after Play-Dayz. City Attorney Dionne said proof of insurance could be required as part of the lease agreement. Councilmember Bowen asked how long Play-Dayz plans to use the space; Ms Thompson said they will remain until Lions for Kids needs the space after their current location becomes unavailable (possibly 6-9 months). Councilmember Bowen expressed concern that her group will do major improvements to the building, and have to vacate shortly after. Ms. Thompson said that they have had no regular space since October, and would rather have a temporary lease than nothing for the time being.

Motion passed 6 – 0.

VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES: None.

VII. PUBLIC SAFETY COMMITTEE ISSUES: None.
VIII. FULL COUNCIL ISSUES:

A. **AB07-224 – Ordinance 1263 [D07-224]** – An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter Section 3.68 Of The Bonney Lake Municipal Code And Ordinance No. 1243, Relating To Planning And Public Works Department Services, Permits And Fees. \[A 3.5.5\]

Councilmember Rackley moved to pass Ordinance 1263. Councilmember Bowen seconded the motion.

Deputy Mayor Swatman asked Councilmember King if his question from the previous meeting had been answered. Councilmember King said he has given the issue thought and determined that the fees charged are commensurate with the costs, though he had not yet received specific examples from the Planning & Community Development office (regarding 2-lot short plats). Councilmember Hamilton verified that in general the fees are not increasing; Planning & Community Development Director Vodopich verified that fees should not increase, other than for the 2-lot short plats, which are rare. He added that the fees for clearing and grading have been removed.

**Motion was passed 6 – 0.**

B. **AB07-244 - Resolution 1771** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Denying The Tracy Preliminary Plat, Also Known As Hemlock Ridge, Located At 2836xxx Highway 410 East. \[O 3.7.1\]

Councilmember Hamilton moved to pass Resolution 1771. Deputy Mayor Swatman seconded the motion.

City Attorney Dionne noted that the resolution number is 1771, and that the incorrect resolution number is listed in the agenda. Councilmember Rackley recused himself from the vote and left chambers. City Attorney Dionne explained that the findings listed in the denial intended to provide support for the comments made by the council regarding safety, access, and traffic concerns that were expressed in the last meeting. He invited the council to propose amendments. He said the resolution was broad enough to include the specific items discussed by the council as well as the underlying issues addressed for items that are required as conditions of the resolutions’ eventual passage. He said that resolution also directs the Hearing Examiner to take testimony from the Bonney Lake Police and Fire Departments to supplement and support findings regarding those issues.

Councilmember King confirmed that the wording addresses problems for ingress and egress for fire and police vehicles with City Attorney Dionne. He said that the resolution effectively covers the concerns he voiced at the last meeting, and is in favor of passing the resolution as written.

**Motion was passed 4 – 1.**

Councilmember Bowen voted no.

Councilmember Rackley recused himself from voting.

Councilmember Rackley returned to Council Chambers at 7:45 p.m.

C. **AB07-229 – Resolution 1763** – A Resolution Of The City Council Of Bonney Lake, Pierce County, Washington, Authorizing An Agreement With FCS Group And RH2
Engineering For The Update Of The Sewer System Development Charge & Comprehensive Sewer System Plan. [O 4.7.1]

**Councilmember Rackley moved to pass Resolution 1763. Councilmember DeLeo seconded the motion.**

Deputy Mayor Swatman said he feels the resolution goes too far and will cause fee increases for taxpayers and rate payers. He said he felt the SDC was done correctly previously, and that the sewer system is not nearly as complex as the water system. He concluded by saying he was not in support of the monies being spent on the item. Councilmember Bowen said he agreed with Deputy Mayor Swatman’s remarks and was also not in favor of the resolution. Councilmember Rackley said he is in support of the resolution because of the court proceedings the city had to go through with the water system, which cost far more than this resolution. Councilmember King said that the city should not use old and incomplete data to make decisions. He said that while he is not in favor of rates increasing, the city needs to have the study done in order to have the best information available when making future decisions on rates and increasing the use and size of the system.

*Motion passed 4 – 2 with Councilmember Bowen and Deputy Mayor Swatman voting no.*

**D. AB0-242 – Resolution 1770 – A Resolution Of The City Council Of Bonney Lake, Pierce County, Washington, Appealing the Hearing Examiner’s Decision to Deny Variance and CUP for the Shipman Preliminary Plat.** [O 4.7.1]

Item was moved to the December 11th regular Council Meeting.

**IX. EXECUTIVE SESSION: None.**

**X. ADJOURNMENT:**

At 7:49 p.m., Councilmember Rackley moved to adjourn the meeting. Deputy Mayor Swatman seconded the motion.

*Motion Approved 6 – 0.*

Harwood Edvalson, CMC
City Clerk

Neil Johnson
Mayor

Items submitted to the Council meeting of November 27, 2007: