

**CITY COUNCIL MEETING**

City of

**August 12, 2008  
7:00 P.M.**



*The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.  
Website: [www.ci.bonney-lake.wa.us](http://www.ci.bonney-lake.wa.us)*

**MINUTES**

**"Where Dreams Can Soar"**

Audio Time Stamp ↓

**I. CALL TO ORDER** – Mayor Neil Johnson called the meeting to order at 7:03 p.m.

A. Flag Salute – Mayor Johnson led the audience in the Pledge of Allegiance, after which a moment of silence was held in honor of Fire Chief Dan Packer.

B. Roll Call: [A 1.3]

City Clerk Edvalson called the roll. In addition to Mayor Neil Johnson, Jr., elected officials attending were Deputy Mayor Dan Swatman, Councilmember David Bowen, Councilmember Laurie Carter, Councilmember Dan Decker, Councilmember Mark Hamilton, Councilmember Dave King and Councilmember Jim Rackley.

[Staff members in attendance were City Administrator Don Morrison, Public Works Director Dan Grigsby, Planning Manager Heather Stinson, Police Chief Mike Mitchell, Community Services Director Gary Leaf, Chief Financial Officer Al Juarez, City Attorney Jim Dionne, Administrative Services Director/City Clerk Harwood Edvalson and Records & Information Specialist Susan Duis.]

C. Announcements, Appointments and Presentations: [A 3.6.9]

1. Announcements:

Councilmember Decker said he had an announcement. Councilmember Bowen suggested the announcements portion be moved after the presentations so the officers could be sworn in first.

**Councilmember King moved to amend the agenda to move 'Presentations' to the top of the agenda. Councilmember Decker seconded the motion.**

**Motion approved 7 – 0.**

2. Appointments: None.

3. Presentations:

a. Oath of Office: Police Officers Eric Alfano and Sean Scott, and Reserve Police Officer Jerrey Wilson.

Judge Douglas Haake gave the oath of office. The Council congratulated and welcomed the Officers to the City of Bonney Lake.

b. Service Recognition: Sergeant Jeff Miller.

Mayor Johnson presented Sergeant Miller, who is leaving the Bonney Lake Police Department, with a plaque in recognition of distinguished service from 1992 to 2008.

- c. Professional Recognition: WFOA Professional Finance Officer Award – Al Juarez, Finance Officer and Cassandra Raymond, Senior Accountant.

Mayor Johnson recognized Chief Finance Officer Juarez and Senior Accountant Cassandra Raymond for receiving the award. He noted that both staff members have received this award in past years. CFO Juarez thanked the Council and City administration for their continuing support of staff educational and professional development.

4. Announcements:

Councilmember Decker said earlier in the year he submitted a petition to change to a Charter Code City form of government. He said the petition was resubmitted as the City Attorney found language inefficiencies in the first version.

Councilmember Decker said he was told the petition was sufficient. He said the petition was supposed to be on the November ballot but it is not in the pamphlet. He said he was originally told the City Attorney has the document, but recently learned the City Attorney does not have it. He said the petition must be postmarked by today to get on the November ballot; otherwise it must be run as a special election, which costs more money. He said the document met requirements and was given to the City Clerk, and should have gone forward. He said he believes an intentionally wrong act has been done, which tells citizens that the City does not care what citizens have to say. Councilmember Decker said the information on the City web page about the Charter Code City offers half truths and is misleading about the costs of the process. He added that two weeks previously he brought forward an outline for the initiative and referendum process which also has not been acted upon.

Mayor Johnson asked the City Attorney about the status of the document. City Attorney Dionne said the City has the responsibility to take the petition and consider a resolution to request an election on the petition. The City has 180 days to take action, and if the petition was declared sufficient in April the City would have until October to act. He said there is some question about the language and whether the 180 day time clock begins after sufficiency is declared or 180 days after the resolution is passed. Mr. Dionne said any citizen who feels the City has not acted within the law can have a court order for the City to take action. He said the petition is filed with the City Clerk, and the City Attorney's office has no duties unless someone asks them to work on legislation such as drafting or reviewing a resolution. He said he believed a draft resolution has been written, and that he could try to pull something together if the Council wanted to act on it tonight. He said a resolution would need to state that the Council resolves to order the County to put the Charter Code petition on the ballot for election.

Mayor Johnson noted that all agenda bills and resolutions require a sponsor. Deputy Mayor Swatman said Councilmember Decker has not requested to have a resolution for the Charter Code City election placed on the agenda. Councilmember Hamilton asked why the City has not acted if the County Auditor has declared the petition legal and sufficient. He asked whether a

citizen's initiative would be allowed to sit on the Mayor's desk without a sponsor. Deputy Mayor Swatman said the Council would still have to act within 180 days. Councilmember Hamilton said he thought the Charter Code issue was going to be on the November ballot and is disappointed that it was not moved forward. He said Councilmember Decker is new to the Council and it seems he did not know about the 180 day rule or the process, and that the City did not act.

**Councilmember Bowen moved to modify the agenda to add discussion of the Charter Code City as item 'D.' on the Full Council Issues. Councilmember Decker seconded the motion.**

**Motion approved 6 – 1.  
Councilmember King voted no.**

D. Agenda Modifications:

Councilmember Rackley requested that item AB08-110 from Community Development Issues be pulled from the agenda.

7:34:01

**II. PUBLIC HEARINGS, CITIZEN COMMENTS & CORRESPONDENCE:**

A. Public Hearings: None. [A 3.6.12]

B. Citizen Comments: [A 1.5]

Sherry Leistiko, 18209 74<sup>th</sup> St E, spoke as a member of the Lake Bonney Conservation Association. She said she is grateful to the City for its work to improve the lake. She thanked Community Services Director Leaf for working with the group, which focuses on preservation of fragile wetlands around the lake. She said they had a vision of Ken Simmons Park as a native area, but since playground equipment was what the majority wanted they accepted having some structures in the park. She said the park has changed from a wetland area to a playground with plastic and metal structures. She said the park is for community enjoyment as well as stormwater filtration through the swale. She said the area was lined with rock with dirt on top and she has heard sod or grass seed may be put on. She said the design plan was accepted and paid for by a professional landscaper and asked what happened to change the plan. She said she hopes the City will revisit the original plan with native plants and a swale, which will protect the ecosystem by filtering pollutants before they get to the lake.

Dana McCauley, 18211 74<sup>th</sup> St E, spoke about the groundcover chosen for the park. The Stream Team spoke with the groups about ways to protect the water around Bonney Lake, and told them not to use un-aged bark anywhere where water filters into the lake. She said the product used in the park, which was placed around some of the native plants, is not aged and will steal nitrogen from plants. She said she is concerned some of the bark needs to be removed and that it might wash into the lake when the water level rises in the winter. She said it is not what the designer had in mind for the environmentally sensitive area, and that she is disappointed in the direction taken with the park. She said she understands there needs to be a place for kids to play but the chips were used outside the play area.

Councilmember Rackley said he is not sure how the group got disconnected but hopes they would have worked more closely with the Park Board and Director Leaf. Mayor Johnson said the City is looking into the issue and knows Director Leaf, the Conservation Association, and the Park Board have spent a lot of time and energy trying to make it work. He said he preferred the original plan for the swale but noted the project may need to be done in stages. He said the City is making improvements and wants to make the park useful, but also wants to minimize the impact of the park on the lake.

Sharilyn Anderson, 18207 74<sup>th</sup> St E, thanked the Council for their efforts and for listening and responding to citizens. She said somewhere the process broke down. She said she attended six or more meetings with Director Leaf and the Stream Team, and attended a Park Board Meeting. She said she thought the project fell within the \$50,000 budget, and the project has moved from the original vision to a very different thing. She said she has worked with Director Leaf all along. She also said she helped with a \$5,000 grant from Wal-Mart to buy native plants and feels morally responsible to use the funds to improve the ecosystem. Mayor Johnson said he would talk with Director Leaf and contact Ms. Anderson and the other members.

Cynthia Winchell, 18313 74<sup>th</sup> St E, is the Lake Bonney Conservation Association's Treasurer. She said the group, fifteen members of which were in attendance, has \$3,500 left to beautify the park. She said the vision developed in the design by Peggy Gaynor was accepted by the Association and the Council, but the work is not going on as approved. She said her highest concern is the swale, which is vital to the lake's health. She proposed the City issue a stop work order on the swale and work with a wetland consultant before continuing. She said she appreciates the Council's willingness to listen to her concerns and take immediate action.

Councilmember Hamilton asked if the City had 'switched gears' on the park design. Director Leaf said there is a difference of opinion between the Conservation Association and the Park Board. He said the Association does not want play toys and wanted all the funding to go toward the swale. Association members in attendance argued that was not their stance. Mayor Johnson said the issue is too big to resolve immediately. He said he wants to focus on how to protect the lake, and that what various groups want aesthetically is a different issue. He said he would talk with Director Leaf and be in touch with everyone involved. Councilmember Carter said she and Councilmember Rackley would like to be involved as well.

Fred Jacobsen, 9100 189<sup>th</sup> Ave Ct E, spoke in support of the Lake Bonney Conservation Association. He presented a written statement to the City Clerk. He said the groups got seriously disconnected and need to get back on track. He said the swale is a key part of cleaning up the lake, but noted there are three other input points on the lake that all need to be fixed.

Russ Rudolph, 7515 191<sup>st</sup> Ave E, said he spoke to the Council in April 2007 on the issue of an illegal apartment at 7513 191<sup>st</sup> Ave E. He said the apartment has been continuously operated since then. He said he had requested records and has a copy of the building permit that shows the detached garage cannot be used as a living space. He said the garage has a full kitchen, living room, and separate meters. He said he lives next door and has seen it in use for two and one-half years, and there is supposed to be a \$1,000 per day fine for living in the space. He said he submitted a

Request for Action on March 10, 2008 and left a phone message in early June, but did not get a response from the Code Enforcement Officer. He said he received a letter dated June 20, 2008 that no violation was found. He requested proof from Code Enforcement on July 30, 2008 and received a picture of the unit dated July 2, 2008. He said City officials have not been helpful and the quality of work is not acceptable. He said he understands that now the unit will be allowed as a residential sleeping unit, instead of a 'living unit.' He asked the Council to do something.

Mayor Johnson said Code Enforcement Officer Denney Bryan and Planning & Community Development Director Vodopich are working to see what the City can do legally. City Administrator Morrison said the staff has spent dozens of hours on the issue. At one time the issue was considered closed but Mr. Rudolph said he had evidence it was still being used illegally. Mayor Johnson asked that Director Vodopich provide Council with a report at the next workshop.

Mr. Rudolph said the City needs to act or anyone will be able to do this. He said the use is illegal and it would be wrong for the City to call the unit a 'rented room'. He said there is mismanagement in the City and employees should be looked at more closely. Mayor Johnson said the City does not want to allow codes to be broken, and will look at what can be done. If there are problems with the code, he said the Council can consider changing the code to make it workable.

Chris Lunn, 18503 74<sup>th</sup> St E, spoke in support of the Lake Bonney Conservation Association. He said there is an incredible amount of talent in the group and the City is fortunate to have them. He said the group put a lot of energy into the project and their work has not been recognized. He said he supports an environmentally sound park, and some playground equipment was okay, but not like it is now. He said the park is worse off now than it was before. Councilmember Bowen said he knows Mr. Lunn, whose family has had property in Bonney Lake since the 1950's.

Roger Watt, 22719 Hwy 410, described an e-mail he received from Councilmember Bowen that says the Department of Transportation plans to delay the SR 410 road widening project. He understands the DOT will delay going out to bid from February 2009 to August 2009 and start construction later. He said he is concerned this will further delay Eastown development and asked whether anything can be done.

Director Grigsby said the information came from word of mouth from DOT staff to City Engineer John Woodcock. Director Grigsby said he understands the DOT must meet wetland mitigation requirements to test parts of Fennel Creek for historical artifacts before moving forward. He said the possible good news is that the project may still be completed during the 2010 construction season, which was in the initial projections.

Mr. Watt said his biggest concern is the sewer lift station. He said the big delays are very frustrating and asked what is needed to get sewer service in Eastown. Councilmember Rackley said he has spoken with Mr. Watt about a possible Local Improvement District (LID) if the developers do not move forward on the issue. Mayor Johnson said he will find out more and e-mail Mr. Watt and the Council with information.

Carol Wells-Reed, 4610 Alma Lane SE, Olympia, said amendments were needed to the wording of Finance Committee Issue 5 (Resolution 1865). She said she represents the Lions 4 Kids House, which will celebrate two years in its current building by the library soon. She said the City offered them a home when the group had no references, financial information or business plan. Now the foundation has expanded to cover the Dieringer, White River and Orting school districts and has served over 2,000 children in need, and outfitted 49 high school students for prom. She said her volunteers log 225 hours on average per month, and this year they had twice as many kids come for the 'back to school' event. She said the Lions 4 Kids clothing bank provides kids with nice clothes and personal items that help put them on a level playing field with their peers. She said she expects many more children will benefit from the service in the future. She thanked the Council for their gifts of faith and trust and for giving Lions 4 Kids a chance to fly.

**At 8:22 p.m. Councilmember Rackley moved to take a seven minute break. Councilmember Decker seconded the motion.**

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

Mayor Johnson brought the Council Meeting back to order at 8:34 p.m.

- C. Correspondence: None. [A 1.2]

8:34:37

**III. COUNCIL COMMITTEE REPORTS:** [A 3.6.4]

- A. Finance Committee: Deputy Mayor Swatman said the committee met at 5:00 p.m. earlier in the evening and discussed the Lions 4 Kids lease, Public Works trust fund loans, minutes, UPS services, and latecomer agreement processes, LID payment options and issues of water utility billing and shut-off notices.
- B. Community Development Committee: Councilmember Rackley said the committee met on August 4, 2008 and talked with Eastown property owners, who said they are a unified group. The committee also discussed the proposed TIF incentive ordinance, AB08-117 (regarding underground utilities) and AB08-110 (regarding frontage improvements). The following items were brought forward to the evening's agenda: Resolution 1829, Resolution 1860, Resolution 1864, and Resolution 1866.
- C. Public Safety Committee: Councilmember King said the committee met August 4, 2008, but no items were moved forward to the agenda. The committee's next meeting was postponed to September 15, 2008 due to the Labor Day holiday.
- D. Other Reports:
- Bonney Lake Days  
Deputy Mayor Swatman said Bonney Lake Days is this weekend, August 16 and 17, 2008. He said the parade is Saturday morning and Councilmembers should arrive early to participate. Mayor Johnson said he would be with the Bonney Lake fast pitch team's float.
- National Night Out

Councilmember Carter said the event was a big success with fun games and a kid-friendly atmosphere. Councilmember Rackley thanked Councilmembers Hamilton for helping to umpire the baseball game.

Relay For Life

Councilmember Carter thanked all those who participated in the Relay.

Bark in the Park

Councilmember Carter reminded those attending that the first Bark in the Park event will be held Saturday, August 23, 2008.

Ken Simmons Park

Councilmember Carter said she went by Ken Simmons Park on Monday evening and saw several young children playing on the new equipment. She said the boys showed her all the new toys and told her they had been there all day.

Budget Workshop

Councilmember Decker thanked Chief Financial Officer Juarez for his work preparing information for the budget meeting on August 11, 2008. He said he learned a lot and was pleased to hear what the CFO had to say.

8:42:35

**IV. CONSENT AGENDA:** [A 3.6]

- A. **Checks/Vouchers:** Accounts Payable checks/vouchers #52124 thru #52215 in the amount of \$243,022.92; and Accounts Payable checks/vouchers #52216 thru 52261 in the amount of \$74,245.14; and Accounts Payable checks/vouchers #52262 thru 52376 in the amount of \$842,066.15.
- B. **Payroll:** Payroll for July 1-15th, 2008 for checks 27353-27358, including Deposits and Electronic Transfers for \$117,706.15 (Police Department); and Payroll for July 1-15th, 2008 for checks 27359-27396, including Deposits and Electronic Transfers for \$265,914.19 (AFSCME and Non-represented).  
Payroll for July 16-31st, 2008 for checks 27397-27404, including Deposits and Electronic Transfers for \$153,660.21 (Police Department); and Payroll for July 16-31st, 2008 for checks 27405-27449, including Deposits and Electronic Transfers for \$366,035.90 (AFSCME and Non-represented).
- C. **AB08-108 – Resolution 1829** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With KPG For The Design Of 214th Water Main Extension As Part Of The Tacoma Intertie Project.
- D. **AB08-137 – Resolution 1860** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Approving The Contract For KPG Engineering For The Main Street / Old Sumner Buckley Highway Improvements.
- E. **AB08-142 – Resolution 1862** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Community Forestry Grant Agreement With The Washington Department Of Natural Resources Which Will Award The City A \$10,000 Grant For Tree Plantings. [F 5.2.8]
- F. **AB08-144 – Resolution 1864** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Professional Services

Agreement With Shea, Carr, & Jewell, Inc For The Main Street / Sumner Buckley Highway Improvements.

- G. **AB08-152 – Resolution 1866** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing A Contract With RH2 For The Design Of Intertie Pump Station As Part Of The Tacoma Intertie Project.
- H. **AB08-149** – A Motion Of The City Council Of The City Of Bonney Lake, Authorizing Out-of-State Travel For Two Finance Employees To Attend The EDEN User Group Conference In Grapevine, TX. [A 3.6.10]

**Councilmember Rackley moved to accept the Consent Agenda. Deputy Mayor Swatman seconded the motion.**

Councilmember Decker asked for clarification about ‘Main Street’, and was advised it is the new name for 184<sup>th</sup> St E in the downtown area.

**Motion approved 7 – 0.**

8:43:36

**V. FINANCE COMMITTEE ISSUES:**

- A. **AB08-150 – Resolution 1865** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Authorizing The Mayor To Sign A Lease Agreement With The Bonney Lake Lions Club For The Use Of The Property Located At 18429 89th Street East. [A 3.13.2.2]

**Councilmember Rackley moved to approve Resolution 1865. Councilmember Decker seconded the motion.**

Carol Wells-Reed advised the Council of amendments needed to the resolution and attached lease agreement.

**Councilmember Rackley moved to amend the resolution to change from “Bonney Lake Lions Club” to “Bonney Lake Lions Foundation,” and to change from “Clothing 4 Kids Bank” to “Lions 4 Kids House.” Councilmember Decker seconded the motion.**

**Motion approved 7 – 0.**

Mayor Johnson said he had just been given the Lions 4 Kids House’s first year’s rent of \$1.00 by Councilmember Bowen.

**VI. COMMUNITY DEVELOPMENT COMMITTEE ISSUES:**

- A. ~~**AB08-110 – Ordinance D08-110**~~ ~~An Ordinance Of The City Of Bonney Lake, Pierce County, Washington, Amending BLMC § 17.48.070, BLMC § 17.36.030, Public Works Design Standard 606; BLMC § 12.04.010, And The Corresponding Portions Of Ordinance No. 1126 Regarding Frontage Improvements.~~

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

8:49:02

**VIII. FULL COUNCIL ISSUES:**

- A. **AB08-154 – Resolution 1868** – A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Accepting Land Dedicated Through A Boundary Line Adjustment For Right Of Way Adjacent To Church Lake Road East.

**Deputy Mayor Swatman moved to approve Resolution 1868. Councilmember Rackley seconded the motion.**

Director Grigsby said the proposed resolution presented here is what the Council discussed in previous meetings and workshops. The Boundary Line Adjustment trades the unused portion of right-of-way to the north of the Bennett property for a portion to the west of the parcel along Church Lake Road.

**Motion approved 7 – 0.**

- B. **AB08-145** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Granting Final Plat Approval For Ptarmigan Ridge. [A 3.6.10]

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

Deputy Mayor Swatman said the Finance Committee reviewed the proposed motion and suggested additional language for the motion, noting possible administrative fees that apply to latecomer’s agreements.

**Deputy Mayor Swatman moved to amend the motion to add “On Condition Of The Execution Of The Latecomer’s Agreement” to the end of the motion.**

Mayor Johnson invited the developer to speak on the item. Paul Green, representing the developers, said the latecomer’s agreement is already executed and different wording might be more appropriate. Deputy Mayor Swatman said they are working by the latecomer’s agreement previously passed by the Council, and that he understood that fees will apply regardless of the number of parties involved.

**Amendment to the motion approved 7 – 0.**

**Amended main motion approved 7 – 0.**

- C. **AB08-147** – A Motion Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Granting Final Plat Approval For Ashton Village. [A 3.6.10]

**Councilmember King moved to approve the motion. Councilmember Decker seconded the motion.**

Deputy Mayor Swatman noted there was an error in the agenda packets, and members received two copies of AB08-145 but not the attachments for consideration of AB08-147.

**Deputy Mayor Swatman moved to table AB08-147 as an action item on the August 19, 2008 Workshop agenda. Councilmember King seconded the motion.**

**Motion to table approved 7 – 0.**

**D. Charter Code City Discussion**

**Councilmember King moved to table the item to the August 19, 2008 Workshop Agenda due to the late hour.**

Councilmember King said he would sponsor the action to bring a resolution forward to the ballot with assistance from the City Attorney's office on appropriate language. Councilmember Decker said he wanted the issue resolved immediately. City Attorney Dionne said the Council could vote tonight, as a draft resolution is available that meets the requirements. He said there is still an issue of submitting the resolution to the County Auditor as the deadline was 4:30 p.m. that day. He said the City could take action in good faith that the County will list it on the ballot.

Councilmember Rackley recommended studying the issue at a workshop, and not rush into this serious issue. Councilmember Bowen said he is concerned that it might cost more if the issue is brought forward as a special election rather than on the November ballot. Councilmember King called a point of procedure, asking if his motion had died for lack of a second. Mayor Johnson confirmed there had been no second originally.

**Councilmember Rackley seconded the motion to table the item.**

**Motion approved 4 – 3.  
Councilmembers Bowen, Decker  
and Hamilton voted no.**

**Councilmember Decker moved to reconsider the item. Councilmember Bowen seconded the motion.**

Councilmember Decker said the item needs to go forward as soon as possible to be considered for possible placement on the November ballot. He cited an article in which Deputy Mayor Swatman said it would cost more to do a special election and the funds could be used for other things. He said the Deputy Mayor's comments demonstrate prejudice against the Charter. Councilmember Decker also said he was asked why he did not bring the Charter Code City issue up through the Council. He said the petition is a document of the people, not the Council. He said the option to move the petition forward in a timely manner has eroded and that playing political games is not the Council's job. He urged the Council to reconsider and to vote on the resolution. He said otherwise they will delay the process and spend more money.

Deputy Mayor Swatman asked Councilmember Decker not to permeate distortions to the public. He said it is good for the Council to take the issue to workshop to understand the implications of the process. He said there are a lot of unknowns, including whether or not it will cost more to do a special election. He said the proper format and procedures should be used, and noted the 180-day time clock was not yet finished. He also noted that many meetings and workshops have been held since the

petition was filed, and asked why Councilmember Decker has not used that time for the item.

Councilmember Carter said she is not dragging her feet, but wants to fully understand the issue and not rush into it. She said she does not have information to show it will cost more money to wait, and the Council has more time to consider the item. Councilmember King said he is committed to have the resolution be considered by the public. He said he trusts the City Attorney to develop appropriate language and will work diligently to be sure the City operates within the law. He said he did not think the Council could move the County Auditor to do anything by taking action at 9:00 p.m. that night.

Councilmember Hamilton said if the Council decided on the resolution, it would only be to say the petition is proper and should move forward. He said it is obvious Councilmember Decker was not aware of the 180 day timeline, and is disappointed that it might not have been explained to him. He asked what would be discussed if the item is taken back to a workshop. Deputy Mayor Swatman said the ballot title language and the date of the election are also required. He said the City Attorney has proposed language, but it is important for the Council to discuss this.

Councilmember Rackley called for the debate to be closed. City Attorney Dionne advised the Council that a 2/3 majority is required to close debate. As a 2/3 majority of the council was not in favor of closing debate, discussion continued.

Councilmember Carter said she recalled that for a park bond vote, the committees for and against and voter's pamphlet language was also required. Mayor Johnson said the question and explanatory statement were due to the Auditor on August 12. City Attorney Dionne said the language in his proposed resolution meets the requirements. Councilmember Decker said the only one who can approve the wording of the ballot is the sponsor of the charter (himself).

Councilmember Hamilton said after hearing more information, he would prefer moving the item to a workshop. He said that unfortunately, the City has missed the deadline for the November ballot. He expressed disappointment that the City did not ensure the resolution was brought forward, and that Councilmember Decker was clearly the sponsor. He said the item should be discussed at workshop and finished. Councilmember Decker said the County is flexible and the City can correct a devastating problem by acting now.

Mayor Johnson said with any bill, a sponsor can go to the administration, City Clerk, or City Attorney with any questions. He said this is a legislative action, and the City administration and Council is responsible to ensure the language is appropriate. He said he thinks the resolution will be done and that the petition should be voted on. He said it is not accurate to accuse the administration, or himself, of putting the petition in a 'cubbyhole.' He said Councilmember Decker is aware of the process and did not follow through on his sponsorship. He said the administration, staff and City Attorney have been available and have answered Councilmember Decker's questions. Mayor Johnson said he will not be blamed for anything that is legislative in nature. Councilmember Decker rose for a point of order while Mayor Johnson was speaking.

Mayor Johnson called for the vote.

**Councilmember Hamilton moved to close the debate. Councilmember Rackley seconded the motion.**

Councilmember Decker rose to a point of order, saying he was told two times by the City Administrator that the petition was in the attorney's hands, which he feels was a lie. City Attorney Dionne confirmed that his statement was not a point of order. Mayor Johnson called for the vote to close discussion.

**Motion to close debate approved 5 – 2. Councilmembers Bowen and Decker voted no.**

**Motion to reconsider the item failed 2 – 5. Deputy Mayor Swatman and Councilmembers Carter, Hamilton, King and Rackley voted no.**

**IX. EXECUTIVE SESSION:** None.

9:30:48

**X. ADJOURNMENT**

**At 9:30 p.m. Councilmember Rackley moved to adjourn the meeting. Councilmember Carter seconded the motion.**

**Motion approved 7 – 0.**

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Harwood Edvalson, CMC  
City Clerk

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Neil Johnson  
Mayor

Items submitted to the Council meeting of August 12, 2008:

- Bonney Lake Citizen – *Statement re: Ken Simmons Park* – Fred Jacobsen.