

**FIFE CITY COUNCIL
REGULAR MEETING MINUTES**

Fife City Hall
Council Chambers

Date: February 10, 2009
Time: 7:00 p.m.

EXECUTIVE SESSION Mayor Johnson convened an executive session at 6:00 p.m. for the purpose of Real Estate RCW 42.30.140 for approximately 45 minutes.

ADJOURNMENT Mayor Johnson adjourned the executive session at 6:45 p.m.

**CALL TO ORDER
AND ROLL CALL** Mayor Johnson called the regular meeting of the Fife City Council to order at 7:01 p.m. with the following Councilmembers present: Richard Godwin, Glenn Hull, Butch Brooks, Barry Johnson, Rob Cerqui, Nancy de Booy, and Kim Roscoe.

Staff present: City Manager Steve Worthington, City Attorney Loren Combs, Finance Director Steve Marcotte, Public Works Director Russ Blount, Acting Community Director Carl Durham, Parks, Recreation & Community Services Director Kurt Reuter, Police Chief Blackburn, Financial Analyst Dave DeGroot, and Recording Secretary Valerie Gow.

**CHANGES,
ADDITIONS OR
DELETIONS TO
AGENDA** Mayor Johnson pulled the presentation on *January Flooding Thank you Volunteers* and *Resolution #1279* from the agenda.

Motion Councilmember Brooks moved, seconded by Councilmember Godwin, to approve the agenda as amended. Motion carried unanimously.

Motion Councilmember Godwin moved, seconded by Councilmember Hull, to reconsider Resolution #1260; Authorize American Fast Freight Agreement, following the City Manager's Report. Motion carried. Councilmember Cerqui and Brooks opposed.

CONSENT AGENDA

- a. Approval of Minutes: Date: January 20, 2009 Study Session
January 27, 2009 Council Meeting
- b. Approval of Vouchers:
 - Payroll: #45342 – 45388 \$563,062.55
 - Claim: #75054 – 75157 \$722,348.75
- c. Set a Special Meeting for March 3, 2009 Study Session

A correction was requested to the minutes of January 27, 2009 correcting the name of Cub Scout Cameron Nichols on page 2.

Motion Councilmember Brooks moved, seconded by Councilmember Godwin, to approve the consent agenda as amended. Motion carried unanimously.

**COUNCIL
DELEGATE REPORT**

Councilmember Godwin reported on the construction of the 2009 Daffodil Float. Volunteers interested in assisted should contact Councilmember Godwin at City Hall.

Councilmember Brooks reported he attended the Lower Puyallup River Executive Task Force meeting involving the cities of Fife, Tacoma, Puyallup, Sumner, Buckley, and Orting, Puyallup Indian Tribe, Pierce County, Port of Tacoma, Washington State Department of Transportation (WSDOR), and the U.S. Army Corps of Engineers to continue work on solving the region's flood issue.

At the last RAMP meeting, the Pierce County Executive and other members of RAMP including the City of Fife approved sending a letter to Governor Gregoire asking the Governor to restore funding for acquisition of right-of-way for State Route 167 and completing the HOV system in Pierce County.

Councilmember Brooks reported on his visit to Washington, D.C., to meet with Fife's federal delegation along with Councilmember Cerqui and City Manager Worthington.

Councilmember Cerqui reported the Washington, D.C. trip was the first trip involving the City's new governmental consultant. The trip went very well with the City's representatives meeting with both senators and senate staff. Discussion included securing some stimulus funding, grant funding opportunities for Brookville Gardens Park, emergency management funding, and equipment to handle future flooding events.

Mayor Johnson thanked City Manager Worthington and Councilmembers Cerqui and Brooks for their efforts during the trip to Washington, D.C.

The February 19, 2009 Mayor's forum will be held at Fife Flowers at 7:00 p.m.

Councilmember Hull reported on his planned attendance to a February 23, 2009 Puyallup School Board meeting. The North Pierce County Community Coalition is seeking college scholarship applicants.

CITIZEN COMMENTS **Carole Sue Braaten, 2410 Berry Lane East**, said she has some concerns involving the RAMP meeting. She said she spoke with representatives from WSDOT and obtained some information surrounding her concerns about the inadequacy of Fife's impact statements during the last 10 years that do not adhere to the RCW surrounding air quality, water displacement, traffic numbers, and other issues. WSDOT is looking at 509, I-5, and several other areas. Within five years, WSDOT indicates 509 will no longer be usable because of the extensive truck traffic and wear and tear on pavement. As

previously noted by City Manager Worthington, the impacts by trucks are very significant. The size of trucks also has an impact on roadways. She said she would appreciate the City developing a comprehensive plan because of the impacts caused by large trucks over the long term.

PUBLIC HEARING

Loading Dock Door Tax - Continued

Mayor Johnson said the public hearing is a continuation of the public hearing from January 27, 2009. He suggested establishing a stakeholder group and requested the City Manager provide an update on the results of the stakeholder meetings.

City Manager Worthington advised everyone of the sign-in sheet for interested persons to sign.

Mayor Johnson continued the public hearing at 7:15 p.m.

Public Testimony

Carole Sue Braaten, 2410 Berry Lane East, said she believes the loading door tax is not significant enough because of inadequate information contained in environmental impact statements in terms of tonnage, contributing damage caused by trucks, as well as missing information not included in all the documents to the City. The damage to roadways has significantly impacted the City over the last 18 years when the Growth Management Act was implemented. She suggested a soil analysis is needed to ascertain what load limits can be achieved by truck traffic. Additionally, the original information to citizens indicated truck traffic to the warehouses and distribution centers would only be from 8:00 a.m. to 5:00 p.m., which is not the case. This has created a more significant impact to residents and she suggested the City should impose a moratorium and that an environmental impact statement should be pursued. She recommended citizens should also be included as a stakeholder and that all property owners should be informed by mail about the stakeholder meetings.

Eric Hagen, Fife, said the tax is not fair. He urged the Council to consider other avenues or other revenue opportunities rather than imposing a tax on local businesses.

Mayor Johnson closed the public hearing at 7:20 p.m.

Councilmember Brooks agreed that all areas of the City should be represented on the stakeholder committee. The Council agreed with a suggestion by City Manager Worthington to include a member of the Planning Commission on the committee as well.

ORDINANCES AND

RESOLUTIONS

#1691 LID 08-03 Funding Freeman Road Improvements

Motion

Councilmember Brooks moved, seconded by Councilmember Godwin, to approve Ordinance #1691; LID 08-03 Funding Freeman Road Improvements.

City Clerk/Finance Director read the title of Ordinance No. 1691:

An ordinance of the City Council of the City of Fife, Pierce County, Washington, ordering certain road, water, and storm drainage improvements on Freeman Road from 20th Street East to Valley Avenue East; establishing Local Improvement District No. 08-3 and ordering the carrying out of the proposed improvements; providing that payment for the improvements be made by special assessments on property in the district, payable by the mode of "Payment by Bonds"; and providing for the issuance and sale of local improvement district warrants redeemable in cash or other short-term financing and Local Improvement District Bonds.

Director Blount reported the LID was subject to a public hearing with the hearing extended for written comments.

City Manager Worthington advised that no additional written comments were received by the City.

Director Blount reported the LID was initiated by petition representing over 80% of the total assessed valuation of the land area. Properties are zoned industrial with some commercially zoned properties. An appraisal and review appraisal completed for acquisition of a portion of those properties indicated that the highest and best use was for single family residential, so the special benefit is lower than for the highest permitted use in the zone and preliminary assessment roll was adjusted.

The engineer and consultant will undertake a detailed design analysis of the road and potential design adjustments to provide value engineering for the most cost effective design of the project, which will be presented to the Council before proceeding. It might offer the Council the opportunity to adjust assessments at that point. Staff recommends approval of the ordinance.

Councilmember Hull asked whether the major developer provided written comments for the record in addition to the petition. City Manager Worthington advised that developer provided initial engineering estimates and

that he is not aware of any additional correspondence.

Councilmember Hull said based on public testimony he cannot support the motion.

Councilmember Brooks acknowledged the applicant submitted the application with the intent to pursue the LID. He acknowledged it's the third LID to come before the Council. LIDs are difficult and affect people. LIDs are based on development. The proposed LID is warranted acknowledging that there will be some impacts to some citizens. If the Council denies the LID, the developer will only be responsible for improving half the roadway. The LID provides an opportunity for the developer to make infrastructure improvements to the roadway, which will benefit the citizens of Fife in the long term. The LID is being pursued by 95% of the property owners on Freeman Road, who want to develop along Freeman Road.

Councilmember Cerqui questioned whether some property owners are included in the Valley LID. Director Blount affirmed that there are some properties in the Valley LID for water and sewer. The Freeman Road LID is primarily for road frontage improvements.

Councilmember Cerqui asked whether the City has discussed the possibility of entering into an interlocal agreement with Edgewood. Director Blount replied that he and the City Manager met with representatives from the City of Edgewood to discuss options. It's likely Edgewood will not participate in an interlocal agreement in the foreseeable future. The City looked at a "what if" scenario" and the reality is that Fife is zoned for development and the properties have a higher development potential within Fife than in the Edgewood segment. Councilmember Cerqui acknowledged the legal requirements for the LID have been met, but because there is some opposition by a small percentage of property owners, he cannot support the LID at this time. There could be other options to consider such as working more with the developers as well as working more with the City of Edgewood.

Councilmember Roscoe about the precedent of having neighboring cities included within a LID. City Manager Worthington said Edgewood officials have asked for sidewalks on the Edgewood side of the road. During discussions with City officials they want to see Fife require the development of sidewalks but there is no interest by the City of Edgewood to participate financially in the LID. There may be some precedent but it takes an interlocal agreement to pursue that option. City Attorney Combs added that the City of Fife cannot force an LID on the City of Edgewood.

Councilmember Roscoe said it is one of those situations where traffic is the number one concern. She agreed the LID presents an opportunity for

improving the roadway that is funded fully by development. She recognized that some individual residents are impacted and it puts them in a difficult financial position. However, as a Councilmember, she must consider the long-term goal of improvements within the City and the greater good for implementing the LID.

Councilmember Godwin acknowledged the issue is difficult and impacts friends and residents. He said he's been a proponent for developers to fund infrastructure prior to development. He said he supports the proposal but suggested that if Edgewood doesn't want to participate; improvements on the Edgewood side should be eliminated to reduce costs to affected citizens.

Mayor Johnson expressed support of the LID because of the need for more north/south connectors within the City. Transportation has been a number one priority and its important development pays for its impacts. The LID represents a good opportunity to construct the road. Although there will be some impacts to some citizens, in this case, the greater good must be considered. He recommended staff pursue the engineering work to ensure the costs are accurate to reduce the financial impact. He agreed with reducing the scope of work and eliminating roadway improvements on the Edgewood side.

Public Comments

Carole Sue Braaten, 2410 Berry Lane East, said she agrees with Councilmembers Hull and Cerqui. The City doesn't need the LID because it was previously required by growth management. The issue has been mismanaged and it is now the responsibility of those who mismanaged it in the first place. It doesn't mean taking away property rights or exercising imminent domain. It means going back to all the properties that were contributing to the issue. The City violated the law and it doesn't mean the City has the jurisdiction. The RCW clearly states the requirements, which the City didn't abide by. As a citizen, she demanded the City take a retrospective look at each of the properties that have impacted all the residents beginning the day after the Growth Management Act was implemented.

Mike Kelley, 3120 Freeman Road East, said the Council did the right thing earlier. However, two weeks ago, Mr. Kelley said he asked staff to look at ways to lessening the impact on the two residents on Freeman Road. That obviously didn't happen. He said he's disappointed it didn't happen. He spoke with the developer and it's likely there could be a win-win situation. Unfortunately, that can't occur as the City has adopted an ordinance without approaching the developer to discuss ways to lessen the impact to the two residents. Whoever decided not to pursue discussions with the developer should have their leadership challenged. Forming a LID on Freeman Road is a must. Mr. Kelley said he's financially responsible for a \$500,000 assessment and although agrees in principle that a LID is needed, does not agree with the procedure and how the LID was processed.

Eric Crittendon, 3910 Freeman Road East, said he is representing his parents and although they understand the need for the LID, are disappointed that they were not consulted as far as the design and scope of the project. They are concerned that that the project will be over built and are concerned about underground power don't see how it will benefit anyone except the warehouses. There are concerns about impacts to Wapato and at both culverts. There is no certainty as to how much property they will be losing. The City is at fault for not ascertaining all the facts especially the environment impacts. That action is irresponsible.

Kory Edwards, 4510 15th Street E, noted of interest the two agenda items pertaining to the LID and the door tax proposal. The City is considering a stakeholder committee to consider businesses who may have to pay up to \$1,000 annually to pay for dock doors while also considering approval of a LID that will cost a resident approximately \$500,000. It's interesting that both items are on the agenda for consideration while several families are shouldering the burden that far exceeds what is being asked of warehouse owners.

Mike Kelley, 3120 Freeman Road East, said there are 7,500 residents that use the road but he is having some difficulty paying for both sides of the road that will be used primarily by Pierce County users.

Councilmember Godwin asked whether an environmental impact statement was filed on the project. Director Blount advised not at this time, as it will be one of the first action items to pursue after approval of the LID. The issue is how much work is completed prior to the LID process and approval. It's a bit of a chicken and egg question. The first order of work is the preliminary value engineering work as well as all environmental permitting and outreach. It's necessary to define the project and how it will move forward before undertaking an environmental permit review properly. The full formal public announcement and outreach will be funded by LID, if it moves forward.

Councilmember Godwin questioned how staff can provide cost estimates without the knowledge of all known environmental impacts. Director Blount advised that at some point, some assumptions have to be made to arrive at some cost estimates. There are assumptions in the first cost estimates. Any project demands a look as to whether it should move forward to study the environmental impacts. If the LID moves forward as a full road section from end to end, that will require a different environmental documentation than if it's fronted in association with development.

Councilmember Brooks commented about the intent of the Council to be updated on the progress of the project in terms of environmental impacts,

preliminary design, and costs to ensure the costs are near the initial estimate. He asked if it's possible to change the scope of the project to reduce costs if it becomes necessary. City Attorney Combs said the decision for the Council at this time is for the financing mechanism of the LID, it does not pertain to the improvement. No decision has been rendered to award construction contracts. The action before the Council is approving the financing tools to establish the LID. There are numerous go or no go decisions within the process.

Councilmember de Booy arrived at the meeting at 7:57 p.m.

Councilmember de Booy said she's comfortable in moving forward to form the LID based on the explanation provided by the City Attorney.

Councilmember Roscoe asked whether approval to form the LID precludes working with developers on ways to reduce the financial impact to the two smaller landowners. Director Blount reported the assessment role was noticed and published. The developer indicated some flexibility in terms of the design of the project. However, in terms of the changing the assessment formulas, that would require a new process. The developer indicated a willingness to consider design alternatives to reduce costs.

Councilmember Roscoe said the spreadsheet on the assessments is not the final assessments. She asked whether the percentage rate is locked at this point. Director Blount replied that the percentage rate is not locked but that it is the best estimate at this point in time. City Attorney Combs said the assessment does have a set ratio for like properties with the same zoning.

City Manager Worthington said staff will be considering design and ways to reduce project costs.

Mayor Johnson suggested staff consider looking at the concerns of the two smaller property owners who have no intent to develop in terms of either excluding them or dealing with their share of the assessment.

Councilmember Godwin referred to his previous request to staff to work with the developer to see what alternatives were available. He said his support is somewhat reluctant and if staff returns without consulting with the developer and the affected property owners, he will not support the proposal.

Councilmember de Booy referred to staff's comments on working with the developer to reduce costs. Director Blount explained that it's a process associated with value engineering whereby design options can be studied along with environmental issues to help provide a better estimate as well as providing some alternatives for the Council's consideration. Director Blount referred to it as a decision point on whether to form a financing package to

treat like properties similarly. In the absence of funding, it's not recommended to pursue a detailed engineering design or environmental work. The idea that staff will approach the developer for a different funding strategy has already occurred.

Councilmember Brooks and Mayor Brooks spoke the benefits of the LID and in its absence, only half a roadway section would be funded by development with the remaining roadway paid by taxpayers. Neither one favored that scenario.

Motion

Motion carried. Councilmember Cerqui and Hull opposed.

#1694; Adjusting School Impact Fees

Motion

Councilmember Brooks moved, seconded by Councilmember Godwin, to approve Ordinance #1694; Adjusting School Impact Fees.

City Clerk/Finance Director read the title of ordinance #1694:

An ordinance of the City Council of the City of Fife, Pierce County, Washington, amending the school impact fee amount and amending Fife Municipal Code Section 20.15.010.

Acting Director Durham reported the ordinance sets forth yearly impact fees collected by the City for the school districts. It is a one-time fee assessed on new residential development.

Councilmember Godwin asked about the length of time the method has been in place. City Manager Worthington said the method was authorized by the Growth Management Act approximately 18 years ago. Fife has been using the method for the last 10 years. Councilmember Godwin said he's unsure how Puyallup calculated its figure but believes the school district did not obtain what it needed over the years. It's obvious the funding system does not work. The request represents an increase, which he said he will support this year, but on the condition that the school boards lobby the Legislature for another funding mechanism for schools.

Mayor Johnson referred to documentation provided in previous years on how each school district calculated its need assessments. City Manager Worthington advised that the documentation was presented as part of the Capital Facilities Plan presentations in September and October 2008. He noted the Puyallup School Board provided a letter to the City expressing its support of the impact fee requested by the Fife School District.

Councilmember Cerqui supported school impact fees and said it's up to respective bodies of the school boards to assess capital facilities plans and reflect those needs in impact fees. Impact fees pay for new growth. He said he also supports transportation impact fees. He expressed support for the impact fees and doesn't believe it will prevent affordable housing. Impact fees are a fair way to approach impacts from new growth.

Councilmember Brooks suggested impact fees are a good topic for a future study session.

Councilmember Roscoe said she support schools and impact fees is one way to support schools. She said she's not interested in cutting impact fees, especially as all government agencies are losing revenues.

Councilmember Hull said the calculation from the Fife School District indicates the impact of new growth will be 31% on its capital facilities plan, while the study body is only projected to increase by 18% if the whole of Fife was in Puyallup so he questioned how the district established the rate.

Mayor Johnson said the Fife School District has always included good analysis on how it calculates its impact fees. He asked whether staff is aware of the amount the City of Puyallup approved for school impact fees. Acting Director Durham said he doesn't believe the City of Puyallup has approved the school district impact fee. The school district provided a summary sheet of the figures but no information on how the figures were established.

Motion

Motion carried unanimously.

RESOLUTIONS

**#1277; 2009 Public
Safety Answering Point
PSAP/E911 Agreement**

Motion

Councilmember Brooks moved, seconded by Councilmember Godwin, to approve Resolution #1277; 2009 Public Safety Answering Point PSAP/E911 Agreement.

City Clerk/Finance Director Marcotte read the title of Resolution #1277:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to enter into an agreement with Pierce County Department of Emergency Management regarding the 911 Dispatch Center (PSAP) funding.

Police Chief Blackburn reported the annual contract is with Pierce County Emergency Management as a part of the City's 911 service for several cities. The amount is not negotiated. The standard contract has been in place over the last 18 years. Police Chief Blackburn answered questions on the contract. The City will receive \$9,468 to provide 911 services for several cities.

Motion

Motion carried unanimously.

**#1283; Redesignating
City Owned Property as
Right of Way**

Motion

Councilmember Brooks moved, seconded by Councilmember Godwin, to approve Resolution #1283; Redesignating City Owned Property as Right of Way.

City Clerk/Finance Director Marcotte read the title of Resolution #1283:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the conversion of a portion of Parcel No. 0420083033 to right of way.

Director Blount reported the City already owns the sewer pump station near the corner of 70th and Valley. To widen 70th and Valley Avenues, it is necessary to construct a portion of the pavement, curb, gutter, planter strip, sidewalk and underground electric distribution and other utilities on a portion of land owned by the City of Fife. There is a requirement to officially designate right-of-way as separate from the City's adjoining property based on franchise agreement with Tacoma Public Utilities, Comcast, and Puget Sound Energy. Staff recommends approval of the resolution.

Motion

Motion carried unanimously.

**#1284; Authorize
Contract with DEA for
54th Avenue/UPRR
Pedestrian Crossing
Permitting**

Motion

Councilmember Brooks moved, seconded by Councilmember Godwin, to approve Resolution #1284; Authorize Contract with DEA for 54th Ave./UPRR Pedestrian Crossing Permitting.

City Clerk/Finance Director Marcotte read the title of Resolution #1284:

Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to execute a contract with David Evans and Associates for design of and permit assistance for the 54th Avenue/UPRR pedestrian crossing.

Director Blount presented a photo of the crossing location. Because vandals have frequently cut the fences bordering the Radiance plat and Columbia Junior High School sites and pedestrians have accessed the open areas and have been observed crossing the tracts at a variety of locations, the proposal is to construct a pedestrian crossing at the location of the 54th Avenue/Union Pacific Railroad (UPRR). Staff reviewed consultant submissions and recommends contracting with David Evans and Associates for Design and Permit Assistance for the pedestrian crossing. Director Blount shared information on the difficulty of working with UPRR to construct the crossing, which necessitates professional assistance to design a crossing and work with UPRR.

Public Comment

Charlie Brown, David Evans and Associates, spoke about the difficulty of working with UPRR. UPRR is not supportive of pedestrian crossings. The application through the railroad and to the Washington State Utilities & Transportation Commission may not be complicated from a design perspective, but will be difficult from a review process involving all the agencies.

Councilmember Cerqui questioned emergency access on the right-of-way and whether the pedestrian crossing will compromise emergency access by fire and police. Director Blount advised that the current vehicle crossing will remain unchanged and will be available for emergency access.

Councilmember Roscoe asked whether funds from the Radiance project for an overpass can be utilized for the study. City Attorney Combs said the agreement will need to be examined to ascertain if the funds could be utilized for that purpose.

Eric Hagen, Bargreen Ellingson, 2925 70th Avenue East, said pedestrian access is frustrating in the area. With the closure of 54th, the neighborhood is impacted by buses and traffic. He questioned the reason for closing 54th and whether there are plans to reopen the street. Mayor Johnson advised that the City and school agreed to close 54th Avenue because of the potential of train and vehicle collisions and the potential for derailment rather than pedestrian crossings.

Motion

Motion carried unanimously.

**#1285; Authorize
Contract Extension with**

RH2 for Well Testing

Motion

Councilmember Brooks moved, seconded by Councilmember Godwin, to approve #1285; Authorize Contract Extension with RH2 for Well Testing.

City Clerk/Finance Director Marcotte read the title of Resolution #1285:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to sign contract amendment No. 3 with RH2 Engineering, inc. for engineering services associated with testing the Holt Well.

Director Blount reported the Council authorized drilling the well to 900 feet. As the drilling progressed, the City Manager subsequently authorized drilling to 1,006 feet. The analysis reveals the Holt site is appropriate to determine if there is a sustainable yield as well as to collect water quality samples. The request is to recommend approval of the resolution to authorize further testing.

Councilmember Hull asked about the procedure and the next steps. Director Blount advised that the agreement did not include purchase of the land. The next step is to bring in power and place a pump in the well to determine the yield, as well as test the quality of the water to determine treatment requirements, if any.

Councilmember Godwin asked about the number of gallons a minute the well is expected to produce and the disposal method of test water. Director Blount reported he anticipates the well to produce water at 1,000 gallons a minutes or more. During testing, water will be pumped to Wapato Creek during low flows.

Councilmember Cerqui asked about the source of the water rights transfer. Director Blount said the City owns existing groundwater rights as well as some surface water rights from City properties. The Department of Ecology prefers the City transfer surface water rights to deep water rights.

Councilmember De Booy asked about the timeline for testing. Director Blount said the testing will take approximately six weeks to two months with results reported to the Council at the conclusion of testing.

Motion

Motion carried.

**Reconsideration of
Resolution #1260;
Authorize American
Fast Freight Agreement**

Motion

Councilmember Brooks moved, seconded by Councilmember Godwin, to approve Resolution #1260; Authorize American Fast Freight Agreement.

Councilmember Godwin advised that after further consideration he recommends sending the resolution to staff to renegotiate with the applicant to develop a design of a park with amenities that is more cohesive for community use.

Motion

Councilmember Godwin moved, seconded by Councilmember Hull, to table the motion to the Council's March 10, 2009 meeting for reconsideration and direct staff to conduct further consultation with the proponent, American Fast Freight.

Mayor Johnson reported on his concerns regarding the City's property, as it is not paid in full while the City is negotiating with a developer to facilitate a development of another property in the City utilizing up to four acres of the City's property in exchange for the applicant constructing a pond with park amenities. The benefit to the City was capacity for stormwater for up to 20 acres. The City is giving up four acres of its property. When the Council discussed prior development of the property, the Firwood area was identified both in the Parks Plan and during the discussions as an area in need of parkland. The storm pond is not parkland and does not satisfy the needs of the community. Consequently, the net acres available to the City for development of its property are limited. There is also no development plan in place for the City's property while negotiations are underway for placement of a storm pond. Unaddressed in the motion is how American Fast Freight will address DOE's 2005 Storm Manual. The agreement does not address that issue. Another danger involved in the motion is sending the wrong message to American Fast Freight further delaying the company's plans until March.

Councilmember Godwin addressed the concerns and agreed the Firwood area is in need of a park. The Mayor was an advocate for placing a park in that area. When the City sells the land, it will be removed from the inventory. A pond is still needed for the LID on 48th. Much of the land sold in the region is based on net land rather than gross square footage. If the City pursues the right course of area, the City will receive a developed area rather than a one or two-acre fenced pond that will be required for the LID. The agreement provides for a usable area and provides the opportunity for the City to either develop or sell. He said he is counting on staff to reconsider the agreement to ensure the pond can be used to avoid placing other ponds on the City's property.

City Attorney Combs advised the Council the motion is a procedural motion only and that discussion should not occur at this time.

Motion

Motion carried. Mayor Johnson and Councilmember opposed.

Councilmember Brooks suggested scheduling an executive session as quickly as possible so that staff understands the request.

**CITY MANAGER
REPORT**

City Manger Worthington reported on the following activities:

A special study session is scheduled for March 3, 2009 rather than the normally scheduled study session in February.

The City of Fife is experiencing some issues related to gangs and gang activity. Over the last several weeks staff has taken sign action to bring the activity under control. City Manager Worthington and Police Chief Blackburn met with department directors to coordinate activities to remove gang graffiti from City property and to assist private property owners on removing gang graffiti as well. The City is aware of the activity and is working to control the activity. Over the last three days there have been several arrests of gang members.

A recent Hot Spot Basketball competition involved 30 people visiting Fife.

The Community Center is offering English as a Second Language course. City Manager Worthington thanked Bates Technical College for coordinating the classes and conducting the classes.

The City received external funding to purchase a 1957 Ford with help from Clover Park Vocational Technical College to restore it as a Fife police car. City Manager Worthington thanked Clover Park for their interest and support. Police Chief Blackburn is leading the effort.

City Manager Worthington referred to a sign up sheet for the Council to consider a meeting date for the Council's upcoming retreat.

City Manager Worthington encouraged citizens to contact the Police Department of any suspected gang activity.

City Manager Worthington expressed appreciation to Councilmembers Cerqui and Brooks for their work and efforts during their recent trip to Washington, D.C.

**COUNCILMEMBER
COMMENTS**

Councilmember Godwin said he's glad the City is addressing gang activities in the City.

Councilmember Hull reported on his recent trip to Oklahoma City to

participate in a baseball empire clinic. He visited the site of the federal building memorial, which was bombed 14 years ago in April.

Scholarships available through the Greater Pierce County Community Coalition are targeted for low-income students. Scholarships are available up to \$2,000 for each student.

Councilmember Brooks referred to a previous citizen comment about the inequity of the LID and the door tax. The door tax issue is fairly complex and he said he would like the Council to address the issue in its entirety.

Councilmember Cerqui reported the federal delegation was asked to send a letter of support for recertification of the levees. City Manager Worthington said the Council has been advocating for work on the levee system for the last five years.

Councilmember de Booy reported she attended a meeting hosted by the Pierce County Library. There was discussion about the potential for a regional library between Fife, Edgewood, and Milton. She said she is supportive of a regional library concept that would include meeting rooms, tutoring services, and place for young people to visit and utilize library services. Councilmember de Booy said work has begun on the daffodil float. She also attended a retirement dinner for several Fife police officers.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the meeting at 9:23 p.m.



Barry D. Johnson, Mayor



Steve Marcotte, City Clerk/Finance Director