

**FIFE CITY COUNCIL
SPECIAL MEETING/STUDY
SESSION & JOINT MEETING
WITH PARKS BOARD
MINUTES**

5A-1

**Fife City Hall
Council Chambers**

**Date: September 15, 2009
Time: 7:00 p.m.**

**CALL TO ORDER AND
ROLL CALL**

Mayor Pro Tem Brooks called the special joint meeting of the Fife City Council and the Parks Board to order at 7:00 p.m. with the following Councilmembers present: Richard Godwin, Glenn Hull, Butch Brooks, Barry Johnson, Rob Cerqui, Nancy de Booy, and Kim Roscoe.

Parks Board members present: Chuck McDonald, Pat Coddington, Melanie Reimer, Trina Freeman, Chris Hoffman-Fagundes, and John Fietz.

Absent: Parks Boardmember Tom Dale.

Staff present: Assistant City Attorney Greg Amann, Finance Director Steve Marcotte, Police Chief Brad Blackburn, Public Works Director Russ Blount, Parks, Recreation & Community Services (PRCS) Director Kurt Reuter, Administrative Assistant Andrea Richards, and Recording Secretary William T. Gow II.

**PLEDGE OF
ALLEGIANCE**

Councilmember Cerqui led the pledge of allegiance.

**CHANGES, ADDITIONS,
OR DELETIONS TO
THE AGENDA**

Mayor Pro Tem Brooks reported no action will be taken on Resolutions 1314 and 1315, as previously stated. The resolutions will be considered at the September 22, 2009, regular Council meeting.

STUDY SESSION

**Brookville Gardens Design
Report**

Director Reuter thanked and acknowledged the Parks Board for its ongoing work and participation in the joint meeting.

Director Reuter reported on the completion of the final draft of the architectural and engineering design work for the Brookville Gardens Community Park. One of the most notable changes includes the addition of "Fieldstone" exteriors to all structures involving picnic shelters and the restroom building. He displayed a photo of the proposed design. Two themed playgrounds are included within the park with the largest one featuring an agricultural theme. He displayed several design elements the architects prepared of the playground with the agricultural theme. The second and smaller playground will feature a railroad theme. The playground will include a viewing platform, and possibly elements of a train section, and other elements pertaining to trains/railroads. Finally, the team looked at overall issues associated with the park including access to the park, parking lot, and utilities infrastructure, which will be placed under the bridge because of issues associated with the costs involved in placing

lines within deep sewer infrastructure.

The engineer estimates and all the design work were not inclusive of a full architectural and engineering element for the Parks Maintenance and Operations facility. However, a site plan was completed as part of the scope of work. The City will receive completed construction drawings for the park development element and street restoration.

Director Reuter reported that it took some time to develop interpretative signs. Four interpretative panels are elements of the park design. Two of the panels will be adhered to the exterior of the picnic shelters with two others located at the restroom and playground areas. The panels feature historical information on agriculture, Native Americans, and other ethnic groups within the City, as well as the "green" design elements and features of the park. Panel dimensions are two-feet wide by four-feet tall.

Director Blount responded to questions about the utilities and the distance involved. The distance involved is several hundred feet. The key issue involved the creek crossing. As staff reviewed the project budget, it was determined that burying utilities at least 10 feet deep and crossing the creek would be too costly as opposed to placing the lines under the bridge.

Councilmember Godwin questioned the timing and the authority for the sewer decision. Director Reuter said staff discussed the issue at its last design meeting as an option. Staff reviewed the costs associated along with the distance and opted to include that as part of the design process. Councilmember Godwin asked about the costs associated with deep sewer extension. He indicated he's not concerned about the proposal but with the lack of forethought as the City spent substantial funds on the deep sewer. Mayor Pro Tem Brooks commented that the maintenance facility may involve connection to the deep sewer. Director Blount said the deep sewer option for the maintenance facility makes sense, as it is already located on the same side as the facility.

Director Reuter clarified that as part of the design of the park; the creek will be enhanced and in essence relocated from its current channel. Director Blount reported the current creek is essentially a straight channel. To reduce creek grade and to provide a meandering pathway, it will be necessary for some relocation.

Councilmember Cerqui asked about the permitting process and timeline and whether it will be similar to the Valley Avenue project. Director Blount said he is not aware of any potential endangered species listing that would delay progress on the project. Since the purpose of the work is for a park, permitting agencies view that type of work differently than a roadway project.

Mayor Pro Tem Brooks inquired about the status of permitting. Director Reuter

said current design has been completed. Part of the scope of the work by the design team stipulated that all the permits are prepared, but not submitted at this point. Additionally, the City is waiting for the final report from Natural Systems Design, which may have some impact on the design that could trigger or require some changes in the permit application.

Parks Ordinance Updates

Director Reuter reported that as part of the update process with the Parks Board, several different city park ordinances were reviewed. The Council received its initial briefing on the update of ordinances at its June 16, 2009 study session. Three members of the Council were unable to attend the initial briefing. Subsequently, the Parks Board received an update on the Council's discussion and recommended changes. The Council approved first reading of the ordinance on August 11, 2009. Based on the level of discussion by the Council, staff elected to bring the ordinance back to the Council for review during a study session.

Director Reuter referred to an updated version of the proposed ordinance, specifically two sections pertaining to pets and firearms/fireworks.

Assistant City Attorney Amann said the Council offered some amendments during the first reading, as well as requesting a strikeout version of the original version during the early study session, which includes the changes requested by the Council on August 11, 2009.

Mayor Pro Tem Brooks said there were some issues associated with the control of animals and leashes. The length of a leash was one issue.

Councilmember Roscoe said her concern involved not having police officers involved in measuring the appropriate length of dog leashes. She said although she understands the intent of the restriction, practical enforcement could be problematic. Language specifying the control of dogs at all time is sufficient.

Mayor Pro Tem Brooks asked Park Board members to provide additional information on the recommendation for a 10-foot leash. Mayor Johnson said the Council discussed both the leash issue as well as language prohibiting dogs from picnic play area. At that time, the Council was advised that the Parks Board discussed those issues extensively as there were many concerns within the Radiance community as to dogs located within the picnic area.

Boardmember Coddington provided a brief history on the Board's discussion involving leash length and control issues associated with longer leashes. Even with a 10-foot leash, it can be difficult to keep a dog under control. Tacoma Parks require six-foot leashes and under.

Councilmember de Booy asked whether the Police Department has received calls about off-leash dogs, dogs attacking, or biting incidents. Boardmember

Coddington commented on incidents occurring in the Radiance subdivision with off-leash dogs. Councilmember de Booy agreed dogs should be leashed but acknowledged the difficulty associated with ascertaining the length of a leash for enforcement purposes. The language should require owners to control their animals at all times. However, she is not as concerned about the length of a leash and acknowledged "under control at all times" could be interpreted differently. Adding too many rules and regulations sparks of "big brother" watching and begins to impose all types of limitations. She supported existing language stipulating animals must be under control at times.

Councilmember Hull supported the Parks Board recommendation because the intent is setting guidance for pet owners that the expectation is for a ten-foot leash or less to reduce the guesswork. There could be different interpretations associated with "under control."

Councilmember Godwin supported language requiring owners to control their animals. Dogs can be on a four-foot leash and still be out of control. Dogs can also be controlled without a leash.

Mayor Pro Tem Brooks said he views the issue as an owner responsibility obligation. Regardless of what language is included in the ordinance, police officers with ticket books will not be chasing dogs to measure leashes. He agreed with Councilmember Godwin to the extent that it's important to have a leash as well as under control. The length of the leash isn't necessarily important.

Councilmember de Booy suggested revising the language to reflect that animals must be leashed and under control at all times. Mayor Pro Tem Brooks affirmed that is current language. The Parks Board is recommending a 10-foot leash. At first reading, the Council removed the requirement. Current language reflects that the animal must be kept on a leash and under control at all times.

Councilmember Hull asked for input from the Parks Board regarding the prohibition of dogs in picnic areas and play areas. Many families have dogs that are considered as members of the family. For the Radiance area specifically, retaining the prohibition would essentially mean that dogs, as part of the family unit, would be excluded from a family function. However, for play areas, he acknowledged it's a matter of protecting children from exposure to feces.

Boardmember Reimer said the recommendation for play areas pertained to safety of children. One incident involved dogs startling children or making them feel unsafe. She agreed dogs should be allowed at picnic shelters, but in conjunction with animals under control, such as leashed. She said she's uncertain as to play areas as many people with dogs would be prohibited from that area.

Mayor Johnson referred to the issue of leash length and indicated it is a matter of owner responsibility. The City will assume more liability if it attempts to regulate the issue.

Assistant City Attorney Amann advised that it's likely the City wouldn't be liable for enforcement unless there are continuing circumstances in which the City knew the dog was not a leash and failed to enforce the ordinance. Mayor Johnson added that the City could be named in a suit and would have to pay taxpayer dollars to defend the City. He said he favors not including a leash length designation.

Councilmember Hull pointed out that private parks are not covered under the City's ordinance.

Boardmember McDonald commented on the Parks Board work on the ordinance. Director Reuter prepared a package of parks ordinances from several cities for the Board's review. The Board compiled a list of different leash laws and likely overextended itself in some areas by including too many restrictions. He agreed with Mayor Pro Tem Brooks' comments on owner responsibility. Simplifying the language will likely be more effective.

The Council supported removing language pertaining to the length of a leash and including language that animals must be on a leash and under control at all times. The Council supported allowing animals in designated picnic areas but restricting them from play areas.

Director Reuter responded to comments by Councilmember Roscoe and suggested removal of feces deposited by animals from the park area should include proper disposal onsite. Assistant City Attorney Amann suggested including language stating, "designated garbage receptacles."

Councilmember Hull referred to the Council's removal of language pertaining to animals in any park building. Mayor Pro Tem Brooks said it appears the Council's intent is retaining the strikeout language and striking "picnic area." The intent for retaining "any park building" is to ensure animals are not allowed in the History Museum or the barn. Councilmember Hull suggested clarifying the language to reflect, "enclosed park structures." Assistant City Attorney Amann offered that staff can clarify the language pertaining to the definition of "park building."

Several Councilmembers advocated for maintaining simple rules so that citizens will know and understand the rules.

Director Reuter referred to the provision for prohibition of guns in parks. Assistant City Attorney Amann referred to the Council's previous request to prohibit guns in the park. The City is not allowed to include a prohibition of guns in parks because of state statute. The reference to firearms was removed

from the proposed amendment.

The Council discussed changes in closing hours and discrepancies between new language and existing park signs, as well as existing discrepancies between several signs. Director Reuter reviewed proposed sign revisions to ensure signs are consistent with updated ordinances.

Boardmembers and Councilmembers discussed park closing hours of either one hour before dawn and dusk or one-half hour prior to dawn or dusk. Several Boardmembers spoke in favor of a generalized statement indicating parks hours are from dawn to dusk. Director Reuter said he reviewed the issue with the Police Department. The Police Department prefers existing language of "hours of darkness." Director Reuter agreed to include language addressing parks with athletic field lights.

The Council discussed whether to include language defining the hours of darkness. Police Chief Blackburn commented that in terms of enforcement, it's important to provide clarity to officers.

**REVIEW OF
UPCOMING COUNCIL
AGENDAS**

The Council reviewed upcoming agenda items.

Councilmember Hull inquired about the date for awarding the Valley Avenue construction contract. Director Reuter said the award is scheduled for the Council's September 22, 2009 meeting. The review of bids is scheduled for Thursday, September 17, 2009.

ADJOURNMENT

With there being no further business, Mayor Pro Tem Brooks adjourned the meeting at 8:00 p.m.



Butch Brooks, Mayor Pro Tem



Steve Marcotte, City Clerk/Finance Director