

**FIFE CITY COUNCIL
Regular Meeting Minutes
November 22, 2011**

EXECUTIVE SESSION

An Executive Session was held in the Council Conference Room at 6:00 PM for the purpose of discussing personnel matters. All Council members, City Attorney Combs and City Manager Zabell were present. The Executive Session ended at 6:50 PM with no action taken.

CALL TO ORDER & ROLL CALL

Mayor Johnson called the Regular Meeting of the Fife City Council to order at 7:01 p.m.

Present: Mayor Johnson, Mayor Pro Tem Cerqui, Councilmembers Godwin, Hulcey, Hull, and Roscoe.

Excused/Absent: All present.

Staff Present: City Manager Dave Zabell, Finance Director David DeGroot, Public Works Director Russ Blount, Community Development Director Carl Durham, Parks, Recreation and Community Services Director Kurt Reuter, Chief of Police Brad Blackburn, City Attorney Loren Combs, Executive Assistant Andrea Edwards and City Clerk Carol Etgen.

PLEDGE OF ALLEGIANCE

Councilmember Hulcey led the Pledge of Allegiance.

SWEARING IN OF CITY CLERK

Carol Etgen was sworn in by Judge Ringus.

AGENDA CHANGES, ADDITIONS & DELETIONS

Councilmember Hull moved to move agenda item 7A down to 7C, moving the other items up; insert a new 14A – Approval of First Amendment of City Manager’s Contract; remove 14D and insert a new 14B – Authorize Mayor to Execute the City Manager’s Review, moving the other items down. Councilmember Roscoe seconded the motion. The motion carried unanimously.

CONSENT AGENDA

Mayor Johnson presented the following items for consideration on the Consent Agenda:

- Approval of Minutes of September 27, 2011, October 11, 2011 and October 18, 2011
- Approval of Payroll Vouchers: #48228 – 48301 in the amount of \$626,723.86
- Approval of Claims Vouchers: #84523 – 84680 in the amount of \$919,246.88
- Passage of Ordinance No. 1756-ORD2011 – FMC Plumbing Fee Adjustment

Councilmember Hulcey moved to approve the Consent Agenda items as presented. Mayor Pro Tem Cerqui seconded the motion; motion carried unanimously.

PRESENTATIONS & PROCLAMATIONS

Swearing in of Police Officers & Detectives

Police Officers Gilbert and Quinto and Detectives Gow and Malave were sworn into office by Judge Ringus.

New Employee Introduction

Mayor Johnson introduced new employees City Clerk Carol Etgen, Officer Pat Gilbert, Officer Sunny Quinto, and Police Support Specialist Lisa Duszynski. Officers Tom Gow and Mike Malave were introduced and congratulated on their promotion to Detective.

Pierce County Library Update

Neel Parikh, Executive Director of Pierce County Library System presented information about the December 3, 2011 grand opening of the Fife branch of the Pierce Library System. Staffing, facility layout, and lending materials were all addressed, along with planned grand opening festivities.

Tree Lighting & Santa Visit – December 6th at 6PM – Fife City Hall

Parks and Recreation Director Reuter reviewed upcoming holiday events, including Breakfast with Santa on December 3rd, the Annual Tree Lighting and Visit from Santa at City Hall on December 6th, holiday movie on December 10th, and staff-sponsored food drive at the Community Center for the Fife Food Bank.

COMMITTEE REPORTS/COUNCIL DELEGATE

Councilmember Hull reported he attended the Pierce County Regional Council (PCRC) where he was elected as the incoming Chair.

Councilmember Hulcey attended a Rainier Communications meeting and the DUI Remembrance Ceremony for Baby Jayden.

Mayor Johnson attended the Pierce County Executive Director's meeting. Mayor Johnson also attended the DUI Remembrance Ceremony.

ORDINANCES

Ordinance No.1761-2011 – First Reading - 2011 Budget Amendment

Mayor Pro Tem Cerqui moved to pass the first reading of Ordinance No. 1761-2011. Councilmember Godwin seconded the motion.

Finance Director DeGroot presented the matter to Council. This is the final budget amendment for the year 2011. The ordinance includes an appropriation in the Impact & Mitigation Fund for a capital transfer to the Street Construction Fund for the 70th Ave E Phase II improvement project in case the Ltd G.O. and Refunding Bonds 2011 sale is postponed until January, 2012, due to market conditions. The transfer was originally appropriated in the 2012 budget. Only one transfer will be made.

Motion carried unanimously.

Ordinance No.1762-2011 – First Reading - 2011 Comprehensive Plan Amendments

Councilmember Godwin moved to pass Ordinance No. 1762-2011 for first reading. Councilmember Hulcey seconded the motion.

Chris Pasinetti, Community Development, presented the matter to Council. The Planning Commission held a public hearing on July 25, 2011 and a follow up meeting on August 22, and the Commission made its recommendations to the City Council for the 2011 Comprehensive Plan Amendments. The 2011 Comprehensive Plan Amendments included nine Comprehensive Plan Amendments and three Work Plan items. The City Council held a public hearing on the 2011 Comprehensive Plan Amendments on November 8th, 2011. No changes have been made to the recommendations since the public hearing.

Motion carried unanimously.

Ordinance No. 1758-ORD2011 – First reading - Amending the City of Fife Zoning Map Designating two City Owned Properties as Public Use/Open Space

Councilmember Roscoe moved to pass Ordinance No 1758-ORD2011 for first reading. Councilmember Hulcey seconded the motion.

Chris Pasinetti, Community Development, presented the matter to Council. The Planning Commission held a public hearing on July 25, 2011 and a follow up meeting on August 22, and the Commission made its recommendations to the City Council for the 2011 Comprehensive Plan Amendments. As part of those amendments the Planning Commission has recommended rezoning two city owned wetland properties from Industrial (I) zone to Public Use/Open Space (POS) zoning.

A Public Hearing is required prior to adoption of any zoning map amendments which was held by the City Council on November 8th, 2011.

Motion carried unanimously.

Ordinance No. 1759-ORD2011 – First reading - Amending Subsection 19.48.020(O) of the FMC and amending the Zoning Map to add a Retail Overlay Zone and Allow Additional Retail Uses in the Industrial Zone along 20th Street E - West of 54th Ave E

Councilmember Hull moved to pass Ordinance No. 1759-ORD2011 for first reading. Councilmember Roscoe seconded the motion.

Chris Pasinetti, Community Development, presented the matter to Council. The Planning Commission held a public hearing on July 25, 2011 and a follow up meeting on August 22, the Commission made its recommendations to the City Council for the 2011 Comprehensive Plan Amendments. As part of those amendments the Planning Commission has recommended a zoning map amendment to include a retail overlay zone along 20th Street East as well as a zoning text and map amendment within the Industrial District. This would include additional retail uses within this certain geographical area. The DRAFT Ordinance includes a map and proposed zoning text amendments.

A Public Hearing is required prior to adoption of any zoning map and text amendments which was held by the City Council on November 8th, 2011.

Motion carried unanimously.

Ordinance No. 1760-ORD2011 – First reading - Amending Subsection 19.56.040(I) of the FMC regarding Parking Requirements for Religious Institutions

Councilmember Hulcey moved to pass Ordinance No. 1760-ORD2011 for first reading. Mayor Pro Tem Cerqui seconded the motion.

Chris Pasinetti, Community Development, presented the matter to Council. The Planning Commission held a public hearing on July 25, 2011 and a follow up meeting on August 22, and the Commission made its recommendations to the City Council for the 2011 Comprehensive Plan Amendments. As part of those amendments the Planning Commission has recommended amending the parking code to include off street parking requirements for religious institutions. This amendment repairs an error within the municipal code that was adopted inadvertently with Ordinance No. 1685.

A Public Hearing is required prior to adoption of any zoning text amendments which was held by the City Council on November 8th, 2011.

Motion carried unanimously.

RESOLUTIONS

Resolution No.1449-2011 - TPU Aerial Conversion for 70th Ave Phase 2 Project

Councilmember Hulcey moved to adopt Resolution No. 1449-2011. Councilmember Roscoe seconded the motion.

Public Works Director Blount presented the matter to Council. The widening and reconstruction of 70th Avenue East, between I-5 and previous improvements near Valley Avenue East, is the #1 priority on the City of Fife Transportation Improvement Program. Tacoma Power's existing electric distribution system is overhead, within the project limits, and the existing poles are in conflict with the planned roadway improvements. The widening and reconstruction of 70th Avenue East will be "final street improvements" in accordance with the Fife comprehensive plan, so Fife Municipal Code Chapter 12.16 requires that the relocation of Tacoma Power's distribution system is to be from overhead to underground. The City of Fife has received grant funding and acquired necessary right-of-way and the City Council has committed existing revenue and authorized bond funding such that the project is now fully funded and it is appropriate to contract with Tacoma Power for the conversion project. The \$1,500,000 amount requested is 50 percent of Tacoma Power's total project cost estimate, with the percentage based on the City's franchise agreement with Tacoma Power. Actual project costs will be both embedded in the City's primary contract, for installation of conduit and vaults, and accrued by Tacoma Power. Final costs will be tallied after construction and a payment made to balance the 50/50 cost shares.

Motion carried unanimously.

Resolution No.1450-2011 - PSE Aerial Conversion 70th Phase 2 Project

Councilmember Roscoe moved to adopt Resolution No. 1450-2011. Councilmember Hull seconded the motion.

Public Works Director Blount presented the matter to Council. The widening and reconstruction of 70th Avenue East, between I-5 and previous improvements near Valley Avenue East, is the #1 priority on the City of Fife Transportation Improvement Program. Puget Sound Energy's (PSE's) existing electric distribution system is overhead, within the project limits, and the existing poles are in conflict with the planned roadway improvements. The widening and reconstruction of 70th Avenue East will be "final street improvements" in accordance with the Fife comprehensive plan, so Fife Municipal Code Chapter 12.16 requires that the relocation of PSE's distribution system is to be from overhead to underground. The City of Fife has received grant funding and acquired necessary right-of-way and the City Council has committed existing revenue and authorized bond funding such that the project is now fully funded and it is appropriate to contract with PSE for the conversion project. The \$144,190 amount requested is 40 percent of PSE's total project cost estimate, with the percentage based on the State-approved tariff that establishes PSE's fees and charges. Actual project costs will be both embedded in the City's primary contract, for installation of conduit and vaults, and accrued by PSE. Final costs will be tallied after construction and a payment made to balance the 60/40 cost shares.

Motion carried unanimously.

Resolution No.1451-2011 - Approval of Purchase of a portion of Tax Parcel No. 0420063070 for 59th Ave Project

Councilmember Roscoe moved to adopt Resolution No. 1451-2011. Councilmember Hulcey seconded the motion.

Public Works Director Blount presented the matter to Council. In order to construct the road improvements for 59th Avenue East from 12th Street to Pacific Highway, it is necessary for the City to acquire a portion of Tax Parcel No. 0420063070 from William L. Schlumpf for right of way, utilities,

and a three year temporary construction easement. Design and construction of the 59th Avenue East improvements are conditions of development of the EQC parking facilities and the adjacent fuel station/convenience store. The City Attorney's office has negotiated the purchase of the right of way and temporary construction easement for \$16,750. The total settlement amount is \$3350 greater than the City's appraised value, but is consistent with the appraised value of two neighboring properties and is within the range of comparables used in the appraisal. The amount requested includes \$750 for the statutory evaluation fee reimbursement. Pursuant to the agreement between the City and the Puyallup Tribe of Indians approved May 24, 2011 by Resolution No. 1406, the Tribe is required to reimburse the City for the costs of this acquisition. Mr. Schlumpf has already executed and delivered to the City Attorney's office, the deed and all other documents necessary to close the transaction, and has authorized the deed to be recorded upon payment of the purchase price.

Motion carried unanimously.

NEW BUSINESS

1st Amendment to Contract with City Manager

City Attorney Combs stated the City Manager, Dave Zabell, was employed effective December 10, 2011. In his contract Council agreed to review his salary in November of 2011 to be effective January 1, 2012. The first amendment addresses an increase in salary. Included in the amendment is a housekeeping matter which relates to State laws regarding the Public Employee's Retirement System and the State requested the amendment to his contract. There is no additional financial cost to the City.

Councilmember Hull moved to authorize the Mayor to sign the 1st amendment to the City Manager's contract. Councilmember Roscoe seconded the motion.

Mayor Johnson stated that while the increase is modest due to the difficult economic times, the City Manager's services are greatly appreciated.

Motion carried unanimously.

Approval of City Manager's Performance Evaluation

Councilmember Hull moved to authorize the Mayor to sign the City Manger's performance evaluation. Councilmember Roscoe seconded the motion.

Councilmember Hull, Mayor Johnson, Mayor Pro Tem Cerqui, Councilmember Hulcey, and Councilmember Roscoe expressed their appreciation of City Manager Zabell in light of the challenging economy and issues facing the City. City Manager Zabell stated he has enjoyed his first year working with the Council, staff and residents.

Motion carried unanimously.

Planning Commissioner Appointment

Councilmember Roscoe moved to appoint Kory Edwards to the Planning Commission. Councilmember Hull seconded the motion; motion carried unanimously.

Cancel Dec 20 & Dec 27 Council Meeting and Set Voucher Review Date

City Manager Zabell recommended, as done in the past by Council, that the last two meetings of the year which would fall on December 20th and 27th be cancelled, with a Voucher Review Committee meeting on the 27th in order to approve the voucher payments with a Council ratification of the action at the first meeting in January of 2012. Mayor Pro Tem Cerqui and Councilmember Hulcey agreed to meet on the 27th to review vouchers.

Councilmember Hull moved to cancel the December 20th and December 27th meetings. Mayor Pro Tem Cerqui seconded the motion; motion carried unanimously.

Councilmember Appointment & Swearing In – Position #6

Mayor Johnson thanked both applicants, Dee-Dee Dukes Gethers and Eric Hagen for applying for the vacant position. Ballots were marked by Councilmembers and tallied by City Clerk Etgen with the following results:

Voting for Dukes-Gethers: Councilmembers Hulcey, Hull, Roscoe, Godwin, Mayor Pro Tem Cerqui, and Mayor Johnson

Ms. Dukes-Gethers was officially sworn into office by Judge Ringus.

CITY MANAGER REPORT

City Manager Zabell received Council approval to place Items 11B, 11C and 11D on the consent agenda for the next meeting.

Zabell also reported reported:

- The water main constructed as part of the 59th Avenue project is in service;
- The dewatering well at 70th and 20th is part of the development of the sewer project from the east;
- Invasive plant species are being removed and cleanup is proceeding at the Saddle Creek Radiance wetland area;
- Fife's new green industry, Biogenics, has worked through environmental review and is now in the 14-day appeal period;
- The wetland planting along I-5 is progressing nicely;
- The Governor's 2012 supplemental budget has come out with the intention of filling a \$2 billion dollar gap – Zabell encouraged Councilmembers to speak to State representatives with their concerns

Public Works Director Blount and Police Chief Blackburn reported on the activity of their departments during the recent rainstorm and provided resource information to Council and the public.

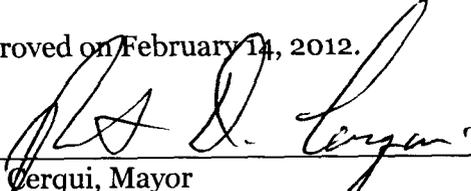
CITIZENS COMMENTS

Carla Wayman thanked the Chief and officers for the work on the sign dedication for her daughter, Jaydan, and for their support.

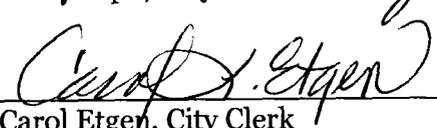
ADJOURNMENT

Councilmember Hulcey moved for an adjournment at 8:58 PM. Councilmember Roscoe seconded the motion. The motion carried unanimously.

Approved on February 14, 2012.



Rob Cerqui, Mayor



Carol Etgen, City Clerk