

EXECUTIVE SESSION

At 6:00 PM an Executive Session was convened for the purpose of discussing Potential Litigation per RCW 42.30.110(1)(i), Real Estate per RCW 42.30.110(1)(B), Personnel per RCW 42.30.110(g) and Collective Bargaining for approximately 50 minutes., and ended at 7:00 PM.

CALL TO ORDER & ROLL CALL

Mayor Cerqui called the Regular Meeting of the Fife City Council to order at 7:02 PM.

Present: Mayor Cerqui, Mayor Pro Tem Hull, Councilmembers Roscoe, Curtis, Hulcey and Wolfrom.

Absent: Councilmember Dukes-Gethers, excused.

Staff Present: City Manager Zabell, Finance Director DeGroot, Public Works Director Blount, Community Development Director Osaki, Parks, Recreation and Community Services Director Reuter, Chief of Police Blackburn, City Attorney Combs and City Clerk Etgen.

PLEDGE OF ALLEGIANCE

Councilmember Roscoe led the Pledge of Allegiance.

CHANGES, ADDITIONS & DELETIONS

The agenda item for recognition of an outgoing Parks, Recreation and Community Services Board Member was removed from the agenda.

CITIZENS COMMENTS

Connie Cook, Fife resident, stated opening the 54th Avenue E railroad crossing would create a tragedy with the number of people and functions using the Dacca Barn, Museum and Park.

Chris Hoskins discussed Milton Days and reminded everyone to come out and support breast cancer research and survivors. She asked Council to consider everyone's safety when addressing the opening of the 54th Avenue E railroad crossing.

Eric Henderson asked that traffic numbers be studied for 4th Street E, stating a traffic light needs to be installed in the area. Cars use the road like a speedway and cars cut across the intersection to get into businesses, making it feel like part of a business parking lot more than a street with children on it.

CONSENT AGENDA

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

- a. Approval of Minutes July 16, 2013 and July 23, 2013
- b. Approval of Payroll Vouchers as reviewed by the Voucher Committee: #49726 - 49775 in the amount of \$695,726.42

- c. Approval of Claims Vouchers as reviewed by the Voucher Committee: #90377 - 90569 in the amount of \$1,207,571.16
- d. Ordinance No. 1839 – Passage - Tree Commission Membership Reduction

Mayor Pro Tem Hull moved to approve the Consent Agenda as presented. Councilmember Hulcey seconded and motion carried unanimously.

PRESENTATIONS & PROCLAMATIONS

Presentation – Oath of Office – Police Officer Michelle Butler

Chief introduced Police Officer Michelle Butler. Judge Ringus presided over the Oath of Office and Council welcomed Officer Butler to the Fife Police Department.

Presentation – Oath of Office – Corrections Sergeant White

Chief introduced Corrections Sergeant White. Judge Ringus presided over the Oath of Office and Council welcomed Sergeant White to the Fife Police Department.

Presentation – Oath of Office – Lieutenant Schwan

Chief introduced Lieutenant Schwan. Judge Ringus presided over the Oath of Office and Council welcomed Lieutenant Schwan to the Fife Police Department.

Presentation – New Employee Introductions – Executive Assistant Brodie Rota and Administrative Assistant Melissa Pattee

City Manager Zabell introduced and Council welcomed new Executive Assistant Brodie Rota.

David DeGroot and Russ Blount introduced the Administrative Assistant they are sharing, Melissa Pattee. Council welcomed Ms. Pattee to the City.

Presentation – Recap of National Night Out Against Crime

Police Specialists Duszynski and Van Zanten provided information and pictures of the event, stating there were an estimated 750 people who attended the event.

COMMITTEE REPORTS/COUNCIL DELEGATE

Mayor Pro Tem Hull reported Pierce Transit recently voted to suspend an earlier proposed reduction in transit services effective in September due to an increase in sales tax revenues. The Board will continue to be conservative and provide the most service hours for the communities. Hull will also be representing Fife with the Sports Commission in Illinois later this week for an international softball event for tourism promotion.

Councilmember Hulcey attended a Freight Mobility Strategic Investment Board retreat. The Board will be establishing a new list for next year, and Hulcey made a presentation on the 70th Ave E project. He reported on attendance at the Rainier Communications meeting and the intention to move offices out of Clover Technical Park to Bates Technical College. Hulcey looked at some sewer transfer stations and reported there are several stations in need of maintenance, and reported on his attendance at the Museum Board's strategic planning meeting, National Night Out, the Car Show in Tacoma and the Voucher Review Committee meeting.

Mayor Cerqui reported on his attendance at National Night Out and the South Sound 9-1-1 Board meeting.

ORDINANCES

Ordinance No. 1840 – Waive First Reading and Pass Amending FMC Chapter 13.08 Regarding Sewer Utility Deposits and Rates

Councilmember Wolfrom moved and Mayor Pro Tem Hull seconded a motion to waive first reading and pass Ordinance No. 1840.

Public Works Director Blount stated this agreement allowed for the establishment of utility rates based on contracted services rather than only by the Fife Municipal Code. City Manager Zabell noted that the Code currently sets up a 50 percent surcharge on utility customers outside of the City limits or in unincorporated Pierce County. This proposal allows Council flexibility in establishing rates and to establish rates based on studies in certain conditions.

Upon vote, the motion carried unanimously.

RESOLUTIONS

Resolution No. 1557

Authorizing an Interlocal Agreement with the City of Edgewood for Sewer Service

Mayor Pro Tem Hull moved and Councilmember Wolfrom seconded a motion to adopt Resolution No. 1557.

City Manager Zabell stated the proposed agreement has had a few modifications made to it since Council reviewed it last; the services and service areas have remained the same. The property to be served is within the designated urban growth area and will be served with a gravity system and treated by the City of Tacoma. The proposal covered 100 acres and 600 Equivalent Residential Units (ERU) at approximately \$61 per ERU. The rate was based on an actuarial study and captures administrative costs in order to protect Fife's ratepayers. The agreement will not become effective until sewer main line on 26th between Freeman and 70th Street E is in the City's possession, and the connection will be financed by developers and not Fife's ratepayers.

Cory Edwards, former Councilmember and Fife-Milton-Edgewood Chamber member stated he was glad to see this project moving forward to benefit businesses and citizens.

Council expressed their appreciation for the contract moving forward. Mayor Cerqui was assured he had no conflict of interest in voting on this matter by the City Attorney.

Upon vote, motion carried unanimously.

Resolution No. 1558

Award of Construction Contract – 54th Avenue East Preservation

Councilmember Roscoe moved and Mayor Pro Tem Hull seconded a motion to adopt Resolution No. 1558.

Public Works Director Blount explained this contract is for the 54th Avenue East preservation pavement overlay and handicapped ramps. The recommended contractor based on the bids and contractor qualifications is Miles Resources in the amount of \$927,126.70.

Upon vote, motion carried unanimously.

Resolution No. 1559

2014-2019 Transportation Improvement Program (TIP)

Mayor Pro Tem Hull moved and Councilmember Curtis seconded a motion to suspend the rules and allow for Council discussion before making a motion.

Upon vote, motion carried unanimously.

Public Works Director Blount stated he would be happy to go through the presentation again, however there was nothing new to present. City Manager Zabell stated the project at 54th Street E is for a grade-separating underpass, and is ranked at project no. 8 on the Transportation Improvement Plan.

Richard Albright, Fife resident, asked about whether a committee was being formed to address 54th Street E and the railroad crossing. City Manager Zabell explained that there is a workshop scheduled for September which will not address the TIP, and that a project does not have to be No 1 to be the first one completed on the TIP.

Roger Kayner, Fife resident, stated his concerns about the 54th Street E railroad crossing are safety, vehicle speed, crosswalks and the ability for emergency vehicles to get to the other side of the tracks. He stated an overpass is a safer option. Public Works Director Blount stated the current recommended solution is an underpass.

Council discussed the 54th Street E railroad crossing, expressing the same concerns citizens have expressed, and discussed the possibility of moving various items on the list.

Mayor Pro Tem Hull moved to move #34 to position 10, #7 to position 11, #6 to position 4, and #8 to position 5. Councilmember Curtis seconded the motion.

Roger Kayner and Carol Sue Braaten addressed the 70th Street bridge, soil and water table levels.

After some discussion, Councilmember Roscoe moved to amend the motion to only move #34 to position 11. Councilmember Hulcey seconded the motion.

Upon vote, the amendment passed with Mayor Cerqui and Councilmembers Roscoe, Hulcey and Wolfrom voting yes, and Mayor Pro Tem Hull and Councilmember Curtis voting no.

Upon vote, the motion to adopt Resolution No. 1559, as amended, passed, with Mayor Cerqui and Councilmembers Roscoe, Curtis, Hulcey and Wolfrom voting yes, and Mayor Pro Tem Hull voting no.

NEW BUSINESS

Marijuana Regulations – Referral to Planning Commission

Community Development Director Osaki made a follow-up presentation regarding the State's rule-making for Initiative 502. Due to a recent timeline change by the State, retail licenses will most likely be issued in December of this year or January of 2014. Osaki proposed sending the matter to the Planning Commission asking for recommendations pertaining to local land use regulations to implement Initiative 502.

Mayor Pro Tem Hull moved and Councilmember Roscoe seconded a motion to waive first reading and pass Ordinance No. 1841, an emergency ordinance terminating the moratorium enacted by Ordinance No. 1750, imposing a moratorium on the establishment, location, permitting, licensing or operation of medical marijuana collective gardens, and marijuana production, processing, and retailing, and declaring this ordinance a public emergency ordinance and thus effective immediately, and setting a public hearing on August 27, 2013.

Laurent Bentitou expressed a concern about the timeline by which licenses will be issued; he stated anyone who is interested in opening a retail shop will have to obtain licensing from the State well in advance. He stated the decision on zoning needs to be made in 30 to 45 days, and some cities put out interim zoning. A lengthy review process will close the door to anyone who wants to have a business in the City of Fife.

Tyler Johnson stated his father owns a building in Fife and is interested in leasing for a marijuana retail store. His father has helped develop a lot of property in Fife, including TransPacific, Costco and Sportco, and is in support of having the right tenant for a marijuana retail store.

Katrinia Flanagan stated she is a commercial broker and is looking for warehouse space to lease; this is 143 thousand feet of leased commercial warehouse space in Fife for this type of business with the right zoning, which would bring in rent to landlords. If the ordinance is passed, it will penalize land owners.

Carol Sue Braatan, Fife resident, stated the moratorium should be immediately adopted because it jeopardizes Fife, it's officers and residents who are subject to the rules and regulations of the Federal government.

Roger Kayner, Fife resident, agreed with Ms. Braatan, stating he has lost friends to marijuana use.

Councilmembers Curtis and Roscoe expressed their support of having the Planning Commission review the matter in light of the questions about federal laws.

Councilmember Hulcey expressed his frustration about the law; stating he would have liked the law to have been written as it was in Colorado. He asked Mr. Bentitou to talk to the Planning Commission about the matter.

Mayor Pro Tem Hull expressed the wish to ensure the Council is moving in the right direction and that the residents and business owners of Fife are protected in the process.

Mayor Cerqui encouraged everyone to monitor the Planning Commission's work plan and attend their meetings.

With a roll-call vote, the motion carried unanimously.

CITY MANAGER REPORT

City Manager Zabell reported about:

- Race Against Drugs Program Sea Fair Event
- Arts in Residency Camp this week
- Turf maintenance program at Dacca Park
- Rise of the Guardians Movie in the Park
- 47th Avenue Improvements almost complete
- 70th Avenue E is nearly complete
- 70th Ave E will be reduced to one-lane for asphalt repairs by Pierce County on August 17th
- Rental lighting will be installed in the Benthien Loop neighborhood over the next several weeks.

COUNCILMEMBER COMMENTS

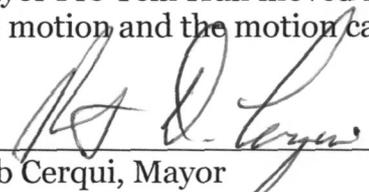
Councilmember Roscoe apologized for her response to a complaint when she previously sat on Council. Mayor Pro Tem Hull participated in a family camp-out at the park in Puyallup. Councilmembers Wolfrom and Hulcey welcomed Ms. Rota and expressed appreciation for the citizen participation. Councilmember Hulcey asked about Lift Station No. 10, expressing concern about its condition. Mayor Cerqui congratulated the new officers.

CITIZEN COMMENTS

Carol Sue Braatan thanked Council for passing the emergency ordinance and their work on the 70th Street Bridge.

ADJOURNMENT

Mayor Pro Tem Hull moved for an adjournment at 9:58 PM. Councilmember Hulcey seconded the motion and the motion carried.



Rob Cerqui, Mayor



Carol Etgen, City Clerk