

**FIFE CITY COUNCIL
STUDY SESSION MEETING
MINUTES
April 15, 2014
6:00 PM**

CALL TO ORDER & ROLL CALL

Deputy Mayor Hulcey called the Fife City Council Study Session to order at 6:00 pm.

Present: Mayor Curtis, Deputy Mayor Hulcey, Councilmembers Yambe, Cerqui, Wolfrom, and Marsh.

Staff Present: City Manager Zabell; Deputy Manager Mukerjee, City Attorney Combs; Finance Director DeGroot; Public Works Director Blount; Community Development Director Osaki; Parks, Recreation and Community Services Director Reuter; Chief of Police Blackburn; and Administrative Assistant Merlino.

PLEDGE OF ALLEGIANCE

Councilmember Marsh led the Pledge of Allegiance.

PRESENTATIONS

Update on Local Land Use Regulations – Marijuana

David Osaki, Community Development Director and Jennifer Combs, Assistant City Attorney, provided background information relating to the moratorium on the establishment, location, permitting, and licensing of marijuana collective gardens and production, processing and retailing of marijuana.

Osaki reported on several key external events that have taken place since the moratorium and also the status of the Planning Commission's work to date in developing a recommendation to eventually forward to the City Council.

Metro Animal Control Services Presentation

Police Chief Brad Blackburn introduced Police Chief Brad Moericke and Jason Wilson, Administrative Services Director from the City of Sumner. Police Chief Blackburn advised this is the second in a series of three presentations on animal control options that are available to the City of Fife.

Police Chief Moericke and Jason Wilson presented the history of the Metro Animal Services that is available, specifically addressing enforcement, licensing, shelter and program funding.

Vesting of Impact Fee Amount

David Osaki, Community Development Director stated that impact fees are charges assessed by local governments against new development projects to recover the cost of providing certain public facilities to serve the new development. This presentation focused on impact fee "assessment" vs. "collection". When the impact fee amount is determined for a project it is known as the "Time of Assessment". When the impact fee is paid it is known as "Time of Collection". The Fife Municipal Code (FMC) references the "Time of Collection" when the building permit is issued.

The "Time of assessment" varies depending on the type of development. A single family residential development is assessed when the Preliminary Plat or Short Plat is approved.

Osaki asked for Council direction as to when the “assessment” should occur, i.e.

- Prior to building permit submittal, or
- At the time the building permit is received.

Osaki mentioned that the Puyallup School District prefers “assessment” at the time of building permit application. The Fife School District has no preference and Master Builders Association of Pierce County prefers “assessment” at time of building permit application.

After some discussion, Council concurred to amend the FMC to reflect that the Impact Fee Assessments will be applied when the building permit application is received.

Permit Process – Quasi-Judicial Decision-Making

David Osaki, Community Development Director reported the City currently contracts with a Hearing Examiner to hear certain quasi-judicial permits, such as Conditional Use Permits, variances as well as certain appeals. The FMC could be amended to remove the City Council from hearing and deciding on quasi-judicial permits and assign this role to the Hearing Examiner. Hearing Examiners are trained in holding these types of hearings; they are less likely to raise appearance of fairness doctrine or ex-parte contact issues. Hearing Examiners are on-call and can conduct public hearings and issue a decision in less time than the City’s current process.

Mayor Curtis requested that when an application for a rezone is received the applicant receives information on what constitutes a quasi-judicial permit and appearance of fairness issues associated with it, and also inform the City Council that a rezone has been submitted.

Osaki received concurrence from the City Council to move forward with drafting an ordinance to allow a Hearing Examiner to hear quasi-judicial permits.

Fountain Relocation, Fountain Memorial Park

Russ Blount, Public Works Director, presented two proposed renderings depicting the fountain relocation to the intersection of 20th Street East and 54th Avenue East. The renderings illustrated a street grade or an elevation above the street. The Council made the following recommendation for Public Works Director Blount:

- Move forward with the design phase of the fountain on the elevated platform
- Review construction costs and present to Council in 6 weeks
- Review all options and resources available relating to the refurbishing of the fountain.

54th Avenue East Grade Crossing at Union Pacific Railroad

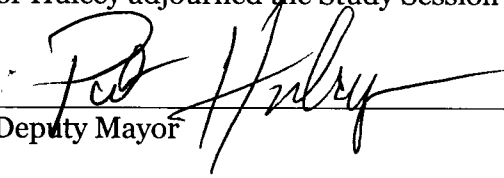
Public Works Director Blount presented an update on the current issues relating to the crossings at 54th Ave E and Union Pacific Railroad (UPRR). UPRR has indicated they are moving forward with the construction of a second track at the current location, in accordance with a 1997 Utilities and Transportation Commission (UTC). Once the second track is built, the at-grade crossing will be permanently closed. The potential next step is a grade-separated vehicular and pedestrian crossing to allow for emergency access and pedestrians traffic, as well. This topic will be presented to the Planning Commission as well as discussed during the City’s annual Transportation Improvement Program (TIP).

REVIEW OF UPCOMING COUNCIL MEETING AGENDAS

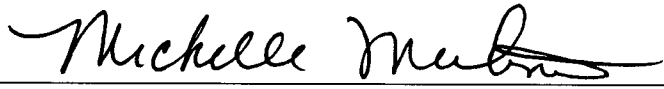
City Manager Zabell reviewed some of the agenda items scheduled for the next couple of council meetings.

ADJOURNMENT

Deputy Mayor Hulcey adjourned the Study Session at 8:03 PM.



Pat Hulcey, Deputy Mayor



Michelle Merlino, Administrative Assistant