

FIFE CITY COUNCIL MINUTES

Fife City Hall
Council Chambers

Date: January 24, 2006
Time: 7:00 p.m.

CALL TO ORDER AND ROLL CALL

Mayor Kelley called the Fife City Council regular meeting to order at 7:01 p.m. with the following Councilmembers present: Godwin, Edwards, Kelley, Cerqui, de Booy, and Roscoe.

Absent: Johnson (Excused)

Staff present: Worthington, Jacoby, Campbell, Blount, Blackburn, Richards, Reinbold, Kennedy, Reuter, and Ringus.

PLEDGE OF ALLEGIANCE

Councilmember Cerqui led the pledge of allegiance.

CITIZENS COMMENTS

John Watt said he is representing 300 petitioners to revoke the storm drainage utility created in the City of Fife, which represents approximately \$45 for an acre of property or \$500 a year. He said the petitioners want the City Council to review the utility. The first year's budget represents a tremendous amount of dollars. Within the last billing, an enclosure titled "Storm Drainage Utility" includes a large budget projection. The money has been collected and there is a projection to complete five items that will cost tens of thousands of dollars. The utility is collecting hundreds of thousands of dollars and the utility is not performing the way it was intended and should be repealed. He asked the Council to add the issue as an agenda item at a future meeting for discussion. Mr. Wall provided the signed petitions to Director Campbell.

Rich Garchow, Great American RV, thanked the City for allowing the participation of the Fife Chamber of Commerce within the City's marketing and branding efforts. He suggested at the I-5 curve near the location of the soccer field, the City should consider installing a reader board for advertising events within the City. Previously, he has also recommended four different ways to reduce traffic on 54th and Pacific Highway. Mr. Garchow shared his suggestions to reduce traffic congestion.

CONSENT AGENDA

a. Approval of Minutes: January 10, 2006 Council Meeting

b. Approval of Vouchers:

Claims: #64257 - 640356 \$149,393.89 (2005 Expenses)

#64357 - #64413 \$758,380.25

Adopt Ordinance:

c. #1581-06 Award – Click Network Franchise Agreement

Motion

Councilmember de Booy moved, seconded by Councilmember Roscoe, to approve the consent agenda as presented. Motion carried.

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**SPECIAL
PRESENTATIONS**

**New Employee
Introductions**

Mayor Kelley introduced and welcomed new employees Gaven Cole as a new Laborer in the Drainage Division of the Public Works Department; Aaron Jones as Maintenance Lead in the Street Division of the Public Works Department; Kurt Schumacher, Dan Work as a Maintenance Worker for the Fife Community Pool; and Andrea Richards as the Confidential Administrative Assistant to the City Manager's Office.

**Employee Service
Awards**

Employees recognized and honored for their five years of service included:

Russ Blount, Director of Public Works
Rachael Brooks-Bailey, Court Compliance Monitor
David Champion, Corrections Officer
Rick Donohoue, Lifeguard/Instructor
Sally Dowty, Court Administrator
Susan Elwell, Accounting Clerk II
Jeanne Garin, Lifeguard/Instructor
Joseph Hill, Corrections Officer
Renate Leaird, Lifeguard/Instructor
Stephanie Seller, Dispatcher
Dru Svendgard, Laborer
Anthony White, Corrections Officer
James Worley, Corrections Officer

Employees recognized and honored for their ten years of service included:

Beverly Boyle, Senior Planner
Scott Green, Police Officer
Travis Kenyon, Police Officer
Thomas Thompson, Detective

Acting Police Chief Brad Blackburn was recognized and honored for his 15 years of service.

Mayor Kelley recognized the promotions of Pam Harris from deputy Clerk/Treasurer to Assistant Finance Director in November 2005 and Stefanie McCauley from Office Assistant to Human Resources Coordinator.

Mayor Kelley, the Council, and management staff congratulated the employees.

**COUNCIL
DELEGATE
REPORT**

Councilmember Roscoe reported she has been reappointed to the Zootrek Advisory Board and will be providing a report to the Pierce Regional Planning Council during its February meeting. The Fife High School Future Business Leaders of America (FBLA) will provide a presentation on February 2, 2006, at 7:00 p.m. at Columbia

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Junior High School. A D.A.R.E. graduation is also scheduled at Hedden Middle School at 7:00 p.m.

Mayor Kelley reported on the February 4, 2006 City Council retreat. The meeting resulted in the completion of some visioning work for the City.

ORDINANCES AND RESOLUTIONS

ORDINANCE

#1588-06 Authorize – Municipal Judge Pro Tem Compensation Increase

Judge Ringus reported the proposed ordinance is an update of the current ordinance for compensation of Municipal Judges Pro Tem. The hourly rate of \$40 was last updated in 1996. Included in the staff report are the rates of pay for neighboring jurisdictions. The proposed rate of pay increases the hourly rate from \$40 to \$50 with a one-hour minimum.

City Clerk-Treasurer Campbell read the title of Ordinance #1588-06:

An Ordinance of the City Council of the City of Fife, Pierce County, Washington, amending Fife Municipal Code Section 2.28.030 regarding compensation for Municipal Judges Pro Tem.

Motion

Councilmember Roscoe moved, seconded by Councilmember Edwards, to approve first reading of Ordinance 1588-065; Municipal Judge Pro Tem Compensation Increase.

Councilmember Roscoe inquired about the fiscal impact of the proposed increase. Judge Ringus responded there is no fiscal impact in 2006 because Municipal Judges Pro Tem received reimbursement of \$50 per hour in 2005.

Motion

Motion carried.

NEW BUSINESS

2006 Comprehensive Plan Amendment Proposals

Mayor Kelley recused himself from the meeting due to potential conflict of interest regarding amendment #CPA 06-01.

Interim Director Kennedy reported the Council's review begins the process for the 2006 City of Fife Comprehensive Plan amendment process. Ten amendments are proposed for 2006:

Two private sector applications include:

CPA 06-01 – Request to amend the Future Land Use Map from Industrial to Medium density Residential for approximately 130 acres located between Freeman Road and

proposed SR-167, and between 20th Avenue E and Valley Avenue E. Golden Eagles Properties is the applicant.

CPA 06-02 – Request to amend the Future Land Use Map from Single-Family Residential to High-Density Residential for approximately 1.99 acres located at the northeast corner of 62nd Avenue E and Valley Avenue E. Lexicon, Inc. is the applicant.

The Planning Commission proposed amendments include:

CPA 06-03 – Amend Future Land Use Map and develop Goals, Policies, etc., regarding the Pacific Highway/20th Street E Corridor Study. The development of this information will occur as the Corridor Study proceeds.

CPA 06-04 - Develop a definition for the term “balance” as it pertains to the Comprehensive Plan. The term “balance” is in the City’s Mission Statement and occurs several times in the Comprehensive Plan document.

CPA 06-05 – Amend Future Land Use Map to show land uses in the vicinity of SR-167. The Commission feels that the presence of SR-167 deserves extra consideration from a land use standpoint and to minimize potential impacts to abutting uses.

Proposed staff initiated proposals include:

CPA 06-06 – Amendments to the Capital Facilities Plan. This includes possible amendments from the school districts and may entail a change in school impact fees.

CPA 06-07 – Amendments to the Six-Year Street Plan and Transportation Plan (amended annually).

CPA 06-08 – Amendments to the Park and Recreation Plan (amended annually). The Comprehensive Park, Recreation, and Open Space Plan was adopted in 2001. It is time the City began a major review in order to stay current with the standards of the Interagency Committee for Outdoor Recreation (IAC) – a major funding source for park land acquisition and improvement. The Park Element of the Comprehensive Plan will be a guide for the Park Plan’s major review.

CPA 06-09 – Amend Future Land Use Map to show alternate uses along 20th Street E from 54th Avenue E to Freeman Road. Developed portions of this section of 20th Street E are not as regionally-oriented as that section west of 54th Avenue E. There may be a desire to encourage uses that are less auto-oriented, or at least uses that can be successful while still serving a less regional market.

CPA 06-10 – Amend Future Land Use Map and develop Goals and Policies regarding a “Downtown District.” Consideration will be given to obtaining input on establishing an area that could be considered a “downtown” and what that area should

provide.

The Planning Commission reviewed the proposals at its January 9, 2006 meeting and forwarded the proposals for the Council's consideration.

The City Council previously discussed the 10 proposals and there appeared to be some reservations about CPA 06-02. After the Council directs staff on the acceptance of the proposals, staff will develop a timeframe for the amendments including public outreach and public hearings. Staff seeks public input early in the process. Action on the amendments must be completed by December 2006.

Councilmember de Booy said she is against any change to high-density residential and that Fife has achieved its target of multi-family residential.

Mayor Pro Tem Edwards invited public comments on the 10 proposals.

Public Comment

Carl Schmeideskamp, President, Lexicon, PO 623, Woodinville, responded to the comment by Councilmember de Booy and said the company's proposal is for a senior housing project, which is different than a multi-family apartment project. Because the current zoning is single-family, the property must be rezoned to a higher density use. Additionally, the map is incorrect because 62nd has been extended to Dale Lane. He described the proposed water detention pond that will be maintained by the company. The proposal calls for a reduction in traffic. The City's comprehensive plan calls for more senior housing. He described other nearby development proposals his company plans on building.

John Perry, 6219 Sheffield Lane E, said he is member of a neighboring homeowner association's board of directors. The board has discussed the proposal and most of the members support the proposal. He asked Councilmember de Booy why she opposes multi-family zoning.

Councilmember de Booy said Fife has done its job in all types of housing for its residents and she is concerned with more multi-family housing when the visioning is to expand Fife and add more residential housing. Once a property is rezoned, any type of development that conforms to the new zoning could be constructed, which could be different than the proposed senior housing development.

Marion Wetch, 601 Daily Court, said there is insufficient housing for seniors. Seniors are an important part of the City and are looking forward to a place they can maintain as they grow older. She asked Councilmembers not to close their eyes on senior housing.

Jeff Carlson, 2502 Circle Drive, Fife, said he favors senior housing. He referred to the option of high density and that at the last meeting there was discussion about needed and required infrastructure. He suggested prior to any zoning change, the Council should ascertain the financial cost associated with high density and how the

costs might be a burden to exiting citizens.

Councilmember Roscoe asked if there is a way, once zoning is changed, that the City can be assured of a particular development. City Attorney Jacoby said the City could utilize a concomitant agreement that the City and the developer negotiates.

Councilmember Roscoe asked if there is a way to re-develop existing multi-family housing to senior housing. Mr. Carl Schmeideskamp replied it is difficult as the developer must locate the property and zoning that provides for the density. It's difficult for developers to find properties that fit the mold for redevelopment except for building housing above commercial uses. Senior housing does not require as much parking space as single family or multi-family housing. The proposal is to bring transit closer to the property.

Councilmember Roscoe said she doesn't believe the property is the right location for high density residential but that the Council recently participated in a visioning process that recognizes senior housing is of importance to the City as well as developing commercial districts with residential.

Motion

Councilmember Cerqui moved, seconded by Councilmember Roscoe to consider all 10 proposed comprehensive plan amendments for the 2006 Comprehensive Plan process.

Councilmember Cerqui said he would like the Council to refer CPA 06-02 to the Planning Commission for review to provide an opportunity for public review. He said he favors senior housing and is not opposed to the project. However, prior to voting for or against, Councilmember Cerqui said he would like the Planning Commission to consider the amendment prior to the Council's final decision.

Motion

Councilmember Godwin moved, seconded by Councilmember de Booy, to exclude CPA 06-02 from the amendments to be forwarded to the Planning Commission.

Councilmember Godwin noted the property has been considered several times for various amendments. He said he is not opposed to senior housing but does not believe the location is conducive for senior housing as it located on the corner, which will become one of the busiest corners along Valley. He said his concern is that the zoning could be changed and senior housing never constructed because the property was sold and subsequently developed as multi-family housing. Once the zoning changes, multi-family housing could be built.

Mayor Pro Tem Edwards agreed with providing the amendment the opportunity to pursue the amendment review process. He indicated it's not known if the proposal is for the right location but that he recommends denying the amendment and allow all the amendments to proceed to the Planning Commission.

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Councilmember Roscoe said she believes the property is not the appropriate location for senior housing but that she agrees with allowing the amendment to proceed through the amendment process.

Motion Councilmembers Cerqui, Edwards, and Roscoe opposed. Motion failed.

Motion The main motion carried unanimously.

Mayor Kelley returned to the meeting

**Boards and
Commissions
Appointments**

City Manager Worthington reported the Council established two Council subcommittees to conduct interviews of applicants for the Planning Commission and the Parks Board.

Councilmember Godwin recommended postponing any action until the Council's next meeting to afford time for the two subcommittees to communicate and agree on the recommendations to the Council.

Councilmember Roscoe commented on the number of qualified applicants expressing interest in serving on the City's advisory committees.

The Council discussed the process and agreed the two subcommittees will meet and review the recommendations for Council's consideration and action at its February 14, 2006 meeting.

Mayor Kelley recessed the meeting at 8:00 p.m.

Mayor Kelley reconvened the meeting at 8:15 p.m.

**EMERGENCY
MORATORIUM ON
MULTI-FAMILY
HOUSING**

Councilmember Roscoe reported during the Council's retreat, the Council discussed a potential emergency moratorium on multi-family housing. She asked that the issue be brought forward for discussion and possible action.

City Attorney Jacoby distributed a copy of Emergency Ordinance #1589-06 for a six-month moratorium on development of multi-family housing while the Council and staff review the issues regarding multi-family development within the community.

City Clerk-Treasurer Campbell read the title of Ordinance #1589-06:

An Ordinance of the City Council of the City of Fife, Pierce County, Washington, imposing a moratorium on accepting or processing applications for development of multi-family housing declaring this ordinance a public emergency ordinance and thus effective immediately.

Motion Councilmember Roscoe moved, seconded by Councilmember de Booy, to adopt Ordinance No. 1589-06 – Emergency Ordinance.

Councilmember Roscoe cited the reasons for the Council's action as specified in the emergency ordinance:

“Whereas, a moratorium is necessary to preserve the integrity of the new Comprehensive Plan and preserve the values of existing real estate, to provide the City with sufficient time to study the issues inherent in the construction and siting of multi-family housing, to ensure the orderly development of the Fife community with the opportunity for mixed housing types, and to provide more diverse forms of housing for the needs of citizens which may not be available with an uncontrolled influx of multi-family housing...”

City Attorney Jacoby advised the Council of the following factors in passing the emergency ordinance:

1. The ordinance applies to buildings containing more than two dwelling units. The ordinance does not apply to duplexes.
2. The moratorium is effective for six months unless the Council terminates the ordinance earlier.
3. If the Council needs more time, the moratorium can be extended for a six-month period.
4. The ordinance is effective upon adoption.

City Attorney Jacoby advised that under the statute, no public notice is required for an emergency passage of a moratorium. However, a public hearing is required within 60 days of the passage of the ordinance. Staff recommends scheduling the public hearing for February 14, 2006, which is reflected in the ordinance. Following the close of the public hearing, the Council will deliberate whether to continue the moratorium. Because the ordinance is an emergency, the statute requires passage by a majority of the Council plus one vote or five votes of the Council.

City Manager Worthington responded to questions about public notification efforts the City will undertake for the public hearing.

Councilmember Cerqui inquired about potential multi-family projects that may be undergoing the development process. Interim Director Kennedy reported he is aware of a multi-family project on 62nd Avenue that he believes is vested. However, he said he is uncertain if the building permit is still valid. Councilmember Cerqui expressed some concerns about the emergency ordinance. He indicated he is not necessarily opposed to multi-family development. The City collects higher impact fees for multi-family housing. He cautioned against rushing to judgment and that perhaps the Council should study it in more detail. If the ordinance passes, he suggested spending the next several months to look at options for zoning different areas, such as, adjusting some height requirements in areas where multi-family may be appropriate. Multi-family housing does provide for more affordable housing and it is dependent upon the ownership and management of the development that determines

the impact to the community.

City Attorney Jacoby advised that the ordinance exempts vested development proposals.

Councilmember Edwards said the purpose of the emergency ordinance is to provide time for study of the issue. It is also not the Council's intent to stop a project that is in progress. The intent is to consider the number of multi-family housing versus single-family housing in the City and plan for the long-term future of Fife.

Councilmember Godwin conveyed similar comments and indicated he looks forward to the opportunity to study the issue and hear from citizens.

Mayor Kelley said he favors the proposal but would be upset if the action halts a development that is in the development process. City Attorney Jacoby said if a developer has begun the process but has not submitted a complete application, then the project is not vested and the action will put the project on hold while the Council studies the issue.

Discussion continued about potential impacts to some projects. City Attorney Jacoby advised the Council about the requirements for a vested project. Additionally, it was noted the Council's decision should not be based on any individual project.

Public Comment

Richard Garchow, American RV, said he doesn't like the wording of the emergency ordinance and that the City is not in a crisis. The Council should hold a public hearing on the proposed ordinance as it will only be fair to the citizens to find out what they think before enacting a moratorium.

Mike Seeger, 1521 Pacific Highway East, suggested staff and the Council could accelerate the review and resolve the issues in the next three to four weeks. He suggested not dragging out the issue for six months. The City has tremendously talented and capable staff. Just because the moratorium is for six months, does not mean the Council has to extend the process the entire six months.

Councilmember Godwin noted City Attorney Jacoby advised the Council it can terminate the moratorium at any time. He said he would like to complete the process as quickly as possible as well but wants the review to be thorough and completed properly.

Jeff Carlson agreed it is timely for the Council to take the action and to examine the long-term impact to the community. Property owners and developers take business risks as part of doing business.

Motion

Councilmember Cerqui opposed the motion. Motion carried.

CITY MANAGER'S

The Fife Community Center is the site of a fundraiser spaghetti dinner for the Fife

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REPORT

Community Center sponsored by Millridge on February 24, 2006 at 6:30 p.m. for \$10. The event includes dinner and entertainment.

The City received a draft FEMA Floodway Map that was amended and includes the area along Levee Road from 62nd westward projecting 200 feet from the edge of the levee. The map has been reviewed by FEMA but not adopted. During the next several months, it is anticipated FEMA will adopt the map. City Manager Worthington described the purpose of the map. Acting Interim Director Kennedy outlined the location of the floodway that begins at the westerly end of Saddle Creek 1 extending to the Puyallup River Bridge and then into Pierce County. Originally, there were nine houses located in the floodway. After discussion with FEMA, the boundary was adjusted and the homes were removed from the floodway. Director Blount noted there are no new proposed plats that include building sites located in the floodway except for plats proposed for open space.

Councilmember Cerqui asked about homes located in the floodway and how the designation affects any potential improvements to an existing structure. City Attorney Jacoby said once a floodway is adopted, the Department of Ecology regulations have oversight on improvements to an existing structure.

City Manager Worthington reported on a special meeting scheduled with the Port of Tacoma Commission on February 1, 2006 at 5:00 p.m. at the Port Business Center.

Acting Police Chief Blackburn was recently accepted to attend Washington State Criminal Justice Training Center training in Burien in March 2006.

City Manager Worthington reported on address changes affecting approximately 147 property owners in the Saddle Creek subdivision due to a shift in the address grid that was used for assigning addresses. The change is an improvement for emergency response. Letters will be sent later in the week to affected property owners.

Motion

Councilmember Roscoe moved, seconded by Councilmember Cerqui to add a special meeting on February 1, 2006 at 5:00 p.m. with the Port of Tacoma Commission at the Port of Tacoma Business Center and a special meeting on February 7, 2006 at 7:00 p.m. at the Fife Council Chambers. Motion carried.

COUNCILMEMBER COMMENTS

Mayor Kelley confirmed the ribbon cutting ceremony for the traffic light on Freeman Road and Valley at 9:00 a.m. on Wednesday, February 1, 2006.

Director Campbell reminded all business owners that business license renewals are due January 31, 2006.

Public Comment

Mike Seeger, Fife Flowers, asked for an update on the Pacific Highway project. Director Blount reported the roadway will be paved in April. The extensive winter rains has delayed the project to some degree but work continues on preparing the roadway for paving. Most of the underground work has been completed.

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Councilmember Cerqui commented that he enjoyed the Council's retreat and the work ahead.

Councilmember de Booy reported she will be attending a meeting of the Pierce County Citizen Advisory Board on January 25, 2006.

Councilmember Roscoe thanked the Fife Chamber of Commerce for reminding businesses to renew their business license by January 31, 2006.

Mayor Kelley reported on the grand opening of Holiday Motor Homes. He asked staff to contact the state and encourage them to finalize the SR-167 plan so that Holiday Homes and American RV can complete roadway improvements. He encouraged staff to contact Holiday Homes about the possibility for installing underground conduit for future streetlights. Director Blount advised there will be power distribution lines and the current proposal includes illumination.

**EXECUTIVE
SESSION**

Mayor Kelley recessed the meeting to an executive session for the purpose of Potential Litigation RCW 42.30.110(i) and Real Estate Acquisition RCW 42,30.110 (b) at 8:58 p.m. for approximately 30 minutes. No action will be taken following the executive session

**RECONVENE &
ADJOURN**

Mayor Kelley reconvened and adjourned the meeting at 9:30 p.m.

Mike Kelley, Mayor

Marlyn Campbell, Clerk-Treasurer

Prepared by: Valerie Gow, Recording Secretary
Puget Sound Meeting Services