

FIFE CITY COUNCIL MINUTES

Fife City Hall
Council Chambers

Date: April 11, 2006
Time: 7:00 p.m.

CALL TO ORDER AND ROLL CALL

Mayor Kelley called the Fife City Council regular meeting to order at 7:03 p.m. with the following Councilmembers present: Johnson (7:29 p.m.), Kelley, Cerqui, de Booy, and Roscoe.

Absent: Godwin (excused) and Edwards (excused).

Staff present: Worthington, Jacoby, Smith, Richards, Campbell, Reinbold, Blount, Blackburn, Reuter, Amsbaugh, Malave, Gill, and Recording Secretary Cheri Lindgren.

PLEDGE OF ALLEGIANCE

Councilmember Roscoe led the pledge of allegiance.

CITIZEN COMMENTS

Erik Barrett, 3210 31st Avenue SE, Puyallup, spoke as a parent and team member of the local based South Sound Titans competitive swim team. He provided background history on how the Pierce County team began and its current agreement concerning the use of the Fife Community Pool. Some coaches have left the Titans team to join another competitive swim team. The coaches have unethically approached Titan swimmers to join their program and there is a rumor the other swim team now occupies Titan lane space and pool time at the Fife Community Pool. He expressed concerns about King Swimming attempting to take over the Titan's program, in addition to ethical issues concerning the recruitment of swimmers from a different team. The Titans have paid for its reserve pool space through August 2006, is very interested in preserving its relationship with the City of Fife and the Fife Community Pool, and wants to ensure its ability to retain the pool time the Titans have enjoyed over the last four years.

CONSENT AGENDA

- a. Approval of Minutes:
 - March 21, 2006 Study Session
 - March 25, 2006 Executive Session
 - March 28, 2006 Council Meeting
 - January 20-21, 2006 Council Retreat
- b. Approval of Vouchers:
 - Payroll: #39955 - 40095 \$678,165.45
 - Claims: #64950 – 65044 \$516,578.65
- c. Set a Special Meeting – Study Session April 18, 2006 at 7:00 p.m.
- d. Set a Special Meeting – Council Retreat April 29, 2006 at 9:00 a.m., Port of Tacoma Business Center
- e. Set a Special Meeting – Study Session May 2, 2006 at 7:00 p.m. (*Changed from May 16, 2006.*)

ADOPT ORDINANCES

- f. #1587-06 Cash Carry – Over 2006 Budget Amendment - *Pulled*

Motion

Councilmember Roscoe moved, seconded by Councilmember de Booy, to approve the consent agenda as amended to move item f, Ordinance #1587-06 from the Consent Agenda to “Adopt Ordinances” and correct the March 28,

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**2006 minutes to reflect Councilmember Cerqui was absent and excused.
Motion carried.**

**SPECIAL
PRESENTATIONS**

**Proclamation – Parks
Appreciation
Day/Arbor Day**

Mayor Kelley read a proclamation declaring April 22, 2006 *Parks Appreciation Day*. He encouraged all citizens to celebrate by participating to clean up and beautify parks and open spaces throughout Tacoma and Pierce County, and to visit their local and regional parks throughout Pierce County. He presented the official proclamation to Parks Boardmember Shannon Thornhill Ms. Cornhill thanked the Council and invited everyone to help with clean up activities at Fountain Memorial Park and Brookville Gardens on April 22, 2006.

**Proclamation –
National
Telecommunicator’s
Dispatch Week**

Mayor Kelley read a proclamation declaring April 9 – 15, 2006 *National Telecommunicator’s Week* in honor of the men and women whose diligence and professionalism keep Fife and its citizens safe. He presented the official proclamation to Dispatcher Jamie Amsbaugh. Ms. Amsbaugh thanked everyone for their support.

**Proclamation –
Records and
Information
Management Month**

Mayor Kelley read a proclamation declaring April 2006 as *Records and Information Management Month* (RIMM) in the City of Fife. He presented the official proclamation to Director Campbell. Director Campbell announced she is a member of the Association for Information Management Professionals (ARMA). She recognized the City’s Records Officer Helen Ware who also is an active ARMA member.

**COUNCIL
DELEGATE
REPORTS**

Councilmember Cerqui reported he recently returned from a trip to Washington D.C. The most significant topic of discussion was immigration reform. He was able to meet with Congressman Adam Smith and Senator Murray and discuss City issues.

Councilmember de Booy reported she attended the recent graduation ceremony at the Police Academy. Officer Grindley with Fife’s Police Department graduated on March 29, 2006. On March 31, 2006, she attended the Washington State Small Cities seminar in Tukwila. On April 7, 2006, she attended a farewell and welcome luncheon for Interim Community Development Director Bill Kennedy and new Community Development Director Carl Smith. On April 12, 2006, she will attend a Council seminar on how to conduct meetings.

Councilmember Roscoe announced she and her children visited Wedge Park on April 10, 2006. The park is looking great. She particularly enjoyed the climbing rocks and play equipment.

Mayor Kelley reported he toured the new 400,000 square foot plastic bottle plant on 70th that operates 24 hours a day and employs over 60 people.

Manager Worthington introduced new Community Development Director Carl Smith.

Councilmember Johnson arrived at 7:27 p.m..

PUBLIC HEARING

Kelsey Lane Preliminary Plat

Mayor Kelley opened the public hearing for the Kelsey Lane Preliminary Plat at 7:29 p.m. City Attorney Jacoby reviewed the appearance of fairness rules and asked if the Council and/or members from the public believe any Councilmember should be excused from the hearing due to a conflict with the appearance of fairness doctrine. There were no responses.

Director Smith presented an overhead vicinity map and described the boundaries of the plat. The property is zoned Community Commercial (CC) and the applicant is requesting a planned residential development. The proposal is to create 49 single-family lots on 12.39 acres with a density of four units an acre. The project was initiated in 2002. An amended final Determination of Nonsignificance (DNS) was issued in October 2005. The Planning Commission recommends approval of the plat with conditions.

After the Commission's November 7, 2006 meeting, staff became aware of a letter from the Federal Emergency Management Agency (FEMA) establishing a 200-foot floodway along the Puyallup River levee. The proponents are required to remove lots from the floodway and to establish an emergency access outside of the project. The developers of Stonebrook have agreed to an easement providing for the required access. Staff issued an amended DNS incorporating the findings and new conditions of the redesign. Staff has reviewed the preliminary plat and finds it meets City requirements related to zoning and density. Staff recommends approval of the project with proper mitigation.

Public Comment

Pete Gonzales, Pyramid Engineers LLC, consultant for the proponent, noted and pointed to the three access points proposed to serve the site:

- An emergency access required by the City for emergency access through the Stonebrook property.
- Primary access off 54th consisting of a 60-foot wide right-of-way with 36-feet of paving and sidewalks along both sides of the roadway.
- Access onto a future improved North Levee Road. The applicant will construct the roadbed to accommodate future widening of Levee Road.

Interior roads have a 26-foot wide roadway section with sidewalks along both sides. It is anticipated restricted parking in some areas will be required to provide adequate emergency vehicle access. The plat contains two cul-de-sacs and there are no through streets proposed. Interior street lighting is proposed. The Puyallup Tribe owns lands along the north and west sides of the project. The Tribe is proposing a salmon hatchery or sheltering area. A note will be placed on the face

of the plat alerting potential buyers of the fact. The proposal complies with the open space requirements. Storm drainage will be contained within the open space adjacent to the Puyallup River utilizing infiltration. The applicant will extend the sewer to the end of 54th and water to the end of North Levee Road from the Stonebrook project to serve the Kelsey plat.

Mayor Kelley closed the public hearing at 7:38 p.m.

**ORDINANCES AND
RESOLUTIONS**

**#1586-06 Kelsey Lane
Preliminary Plat**

Clerk-Treasurer Campbell read the title of Ordinance #1586-06:

An Ordinance of the City Council of the City of Fife, Pierce County, Washington, approving with conditions a preliminary plat, planned residential development and shoreline substantial development permit for a subdivision known as "Kelsey Lane."

Motion

Councilmember Roscoe moved, seconded by Councilmember Cerqui, to approve the first reading of Ordinance #1586-06.

Councilmember Roscoe referred to Section 6 of the ordinance and inquired what type of structures could interfere with the free flow of water across the lots and what the restriction means to the average property owner. Mr. Gonzales replied elevation grading on the site will interfere with the free flow of water. Buildings will not necessarily restrict the flow. All lots were removed from the 200-foot buffer to allow the floodway to maintain its course. The emergency access roadway will have underground culverts to allow flow under the roadway.

Director Blount added a property owner is not allowed to fill their lot. In reply to additional questions from Councilmember Roscoe, Director Blount replied fencing structures are not affected by the restriction, as floodwater could move through most types of fencing. There are larger vents required for the foundations. The storm drainage facility employs a two-step system that includes a water quality basin that will enable testing of the water quality in the recharge basin prior to release to the groundwater system.

Councilmember Johnson expressed concerns about a roadway constructed within the 200-foot buffer. Director Blount replied roads can be built in the buffer where occupied structures cannot.

Staff and Mr. Gonzales provided the following answers and comments to questions posed by Councilmember Cerqui:

- The dedicated roadway is within the 200-foot buffer.
- The retention pond is responsible for recharging the groundwater.
- The Tribe discourages direct surface water discharge onto its property.

However, it is anticipated the water will move in the direction of the low contour points as shown on the overhead drawing.

- The underground storage facility is located in the southwest corner of the plat and consists of open cells underground with an open bottom to allow the water to infiltrate to the groundwater system.
- Dewatering for the underground storage facility is not anticipated. The applicant is required to show the groundwater is below the infiltration system. Dewatering may be required in order to accomplish the sewer line extension.
- The applicant is not required to extend the sewer to the western edge of the plat. There is a sewer line available from Frank Albert Road.
- The main access will run south of Stonebrook.
- There have been updates to the City's Transportation Improvement Plan (TIP) since 2002. The list of projects outlined in the State Environmental Policy Act (SEPA) determination includes valid projects; however, the TIP prioritization has changed since 2002.
- The signal at 20th and Frank Albert was not on the list of TIP projects in 2002. The project is on the list today, however.

Councilmember de Booy asked if there is a program to test the stormwater on a scheduled basis. Director Blount replied that testing is required and conducted at random by the Public Works Department.

Councilmember Johnson questioned the size of the underground stormwater retention tank. Mr. Gonzales replied it's quite large and the depth is approximately four to five feet, as shallow as possible, to leave it above the groundwater system. Director Blount described the retention tank in further detail.

Discussion ensued about the elevation of the property, the level of groundwater, and the mechanics of river systems. Mr. Gonzales said the elevation at the infiltration system is elevation 18. Councilmember Johnson expressed a concern that in the winter the water table is approximately six feet below the surface on his property. Mr. Gonzales said the applicant's evidence demonstrates the Kelsey plat water table is 8.5 feet below the surface.

Motion

#1584-06 New Zoning Ordinances Amend – Title 19 – Public Open Space District

Motion carried unanimously.

Director Smith reported the 2004 amendments to the comprehensive plan authorized the development of a new zoning district for public uses. In 2005, the Planning Commission discussed the matter and recommended the Council adopt an ordinance establishing the new zoning district. If the Council approves the ordinance, staff and the Planning Commission will work to apply the zoning to the appropriate parcels.

Director Smith presented a map showing properties eligible to receive the new zoning designation.

At its March 28, 2006 meeting, the Council discussed the performance criteria and

An Ordinance of the City Council of the City of Fife, Pierce County, Washington, amending the budget for calendar year 2006 as adopted by Ordinance No. 1576-05 to appropriate the actual cash carried over into each fund from the previous fiscal year and to recognize various revenues and expenditures not anticipated at the time of passage of the 2006 budget.

Motion

Councilmember de Booy moved, seconded by Councilmember Cerqui, to adopt Ordinance #1587-06 at second reading.

Councilmember Cerqui asked for additional explanation about the grant for the 70th and Valley project. Director Blount explained the Washington State Department of Transportation (WSDOT) received more in grant funding from the federal government for local jurisdictions than originally anticipated. The 70th and Valley project is from a previous biennium and Fife is receiving additional grant funds than anticipated. The Pacific Highway project from a subsequent biennium will receive less in grant funds than anticipated. The two projects nearly balance with the City receiving approximately \$14,000 less than anticipated.

Discussion ensued concerning allocations for the expansion of the Finance Department, adjustments to the salaries and benefits line items in the Court Probation Division, and the additional \$350,000 earmarked for the pool remodel. Director Campbell addressed these questions.

Motion

Motion carried unanimously.

**#1020-06 Radiance III
Final Plat**

Director Smith reported in 2001, Radiance III was known as CMC Heartland. The Council approved the preliminary plat that was subsequently separated into three phases. The preliminary plat for Radiance III was approved with a list of 92 conditions. All the conditions have been met or bonded for.

In December 2005, the Planning Commission recommended approval of the final plat to the Council subject to the list of conditions. The required impact fees have been paid. Staff recommends approval of the final plat.

Clerk-Treasurer Campbell read the title of Resolution #1020-06:

A Resolution of the City Council of the City of Fife, Pierce County, Washington, granting final plat approval for a 164-lot plat known as Radiance Division 3.

Motion

Councilmember Roscoe moved, seconded by Councilmember Cerqui, to approve Resolution #1020-06.

City Attorney Jacoby referred to condition #89 regarding the applicant funding 50% of the \$300,000 cost to provide a pedestrian overpass/underpass to connect the project with the Dacca Sports Complex and Fife Jr. High School crossing the railroad tracks north of the project. The Council had asked the applicant to consider allowing the City additional time to use the funds, as state statute requires

the City to spend the monies within five years. City Attorney Jacoby said he met with the proponent and a mutually agreeable mechanism has been negotiated. The applicant has paid the funds that will be placed in escrow with interest paid to the applicant over the next five years. At the end of the five years, the funds will be paid to the City. That action then initiates the 5-year statutory spending requirement.

Mayor Kelley and City Manager Worthington expressed their appreciation to the applicant for working with the City.

Councilmember Cerqui said the condition references a 6-year timeframe in which the payment must be used. City Attorney Jacoby said the statute provides for two different time periods governing how cities are required to use impact fees. The six-year timeframe applies to a different type of impact fee.

Councilmember de Booy asked if the pedestrian access can be accomplished with either an overpass or underpass structure. City Manager Worthington replied that it may be either as outlined in the SEPA document.

Motion

Motion carried unanimously.

**#1021-06 Radiance III
Segregation of ULID
98-2 Assessments**

Director Campbell reported Resolution #1021-06 is in preparation for development and sale of the final lots in the Radiance III plat. The Radiance plat is a part of the Utility Local Improvement District (ULID) adopted in December 2003. The action will proportionally redistribute the original assessment of \$936,335.44 among the 164 lots of the Radiance III plat. If the Council adopts the resolution, a separate assessment lien will be recorded against each individual lot.

Clerk-Treasurer Campbell read the title of Resolution #1021-06:

A Resolution of the City Council of the City of Fife, Pierce County, Washington to segregate an existing assessment for plat of Radiance Division 3 under Utility Local Improvement District No. 98-02, pursuant to Section 35.44.410 of the Revised Code of Washington.

Motion

Councilmember Roscoe moved, seconded by Councilmember de Booy, to adopt Resolution #1021-06.

Councilmember Roscoe asked about receiving reports detailing the receipt activity of the ULID. Director Campbell the City was able to pay an additional \$140,000 towards the ULID because owners paid more on the principal balances. Staff can provide the Council with spreadsheets in the future detailing ULID payment activity.

Councilmember Johnson asked if the two parcels listed on the *Application for Segregation* were initially identified on the ULID, and whether all of the acreages were calculated for purposes of the ULID. Director Blount responded the applicant

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completed a boundary line adjustment (BLA) to create the different phase boundary lines for Radiance. All of the acreages collectively owned by Radiance and assessments have been redistributed. Not all of the CMC Heartland properties became part of the Radiance project.

City Manger Worthington added Fife will receive an open space dedication with the final phase of the Radiance development.

Motion

Motion carried unanimously.

#1030-06 Valley Avenue Sidewalk Design Contract Amendment

Director Blount presented an overhead aerial map of the sidewalk design work area along Valley Avenue East from 54th Avenue to Dale Lane, and Fife's Brookville property. Staff recommends approval of Resolution #1030-06.

Clerk-Treasurer Campbell read the title of Resolution #1030-06:

A Resolution of the City Council of the City of Fife, Pierce County, Washington authorizing the City Manager to execute a contract amendment with David Evans and Associates, Inc., for additional professional services associated with improvements to Valley Avenue East from 54th Avenue East to the extended terminus at the east line of the City-owned property known as "Brookville Gardens."

Motion

Councilmember Roscoe moved, seconded by Councilmember de Booy, to adopt Resolution #1030-06.

Councilmembers Roscoe and Cerqui thanked staff and the consultant for agreeing to investigate extending the scope of the project to the east.

Motion

Motion carried unanimously.

NEW BUSINESS

Report on Storm Water Utility

Director Blount reported the drainage utility is just over a year old. Staff distributed a draft brochure titled *Fife Storm Utility – Preparing for the Future*. A final brochure will be mailed to each utility customer with copies available at City Hall. There are other local organizations that could also distribute the brochures as appropriate.

Director Blount provided background information concerning the implementation of a storm utility in Fife in response to the Federal Water Pollution Control Act Amendments, more commonly known as the Clean Water Act. Subsequent amendments and regulations established the National Pollution Discharge Elimination System (NPDES). Because Fife neighbors a Phase 1 municipality - City of Tacoma, it is required to comply with "Phase 2" NPDES standards for municipal stormwater quality. The Council adopted final rates tied to stormwater run-off in 2005 to provide a dedicated revenue stream necessary to meet NPDES

standards. As of the last billing cycle, billings will exceed \$600,000 per year. He referred to the draft brochure and noted Fife's utility rate is low when compared to neighboring communities. The revenues will be used to make capital improvements to the drainage system, monitor water quality and maintenance of private drainage structures, and provide public education and other vital services.

Discussion followed concerning a petition the City recently received with 300 names concerning the stormwater utility. City Manager Worthington said the storm utility brochure will help answer questions and educate the public.

In response to a request from Councilmember Roscoe, Directors Blount and Campbell provided a history of how the storm utility accounts were initially set up and why some accounts continue to receive a separate mailing of the storm utility bill. The process to merge storm, water, and sewer utility billing information to generate one mailing for each affected address is ongoing. Staff clarified property owners will not receive a single invoice with a combined storm, water, and/or sewer utility billing, but rather two invoices in the same envelope.

City Manager Worthington suggested citizens that would like to receive their billings in a single envelope should contact City Hall.

Councilmember Cerqui conveyed that he supports the storm utility but there are unhappy citizens as indicated by the petition the City recently received. The rate comparison does not show the difference between Fife and neighboring jurisdictions' rates for industrial and commercial users. Perhaps residential users are paying a higher proportionate share. He questioned whether the capital projects identified in the brochure address water quality. It appears the necessary improvements are development driven. Residents might look at the storm utility in a more positive light if the City could help fund and complete the projects in a timely matter. He suggested the Council discuss the issue further at an upcoming study session.

Councilmember Johnson spoke favorably about the brochure. He questioned whether the stormwater utility was initiated in 2001. Director Blount replied the Council initiated the first step in 2001 with the comprehensive planning effort. City Manager Worthington said staff will further evaluate the date and follow up.

Councilmember Roscoe stated she'd like to see a rate comparison of analogous industrial and commercial properties in neighboring jurisdictions. City Manager Worthington said staff will follow up with an updated comparison for information purposes. Discussion ensued concerning the 2007 budget process and that there are storm utility projects identified in the City's Capital Facilities Plan (CFP).

**Design Contract Pool
Locker Room Remodel**

Director Reuter reported staff is prepared to move forward and advertise for architecture and engineering (A & E) services. The Council approved a total budget of \$850,000 for the Fife swim center renovation design contract. Swim center staff surveyed 400 random users in February 2006. A point value was

assigned based on the level of priority. The top three user priorities are:

- Enlarge locker room space
- Improve locker room fixtures
- Add family changing rooms

Staff requests Council approval to proceed with advertising a Request for Qualifications (RFQ) for A & E services for the Fife swim center renovation design.

In response to comments from Councilmember Johnson, City Manager Worthington noted removing the saunas is likely necessary to enlarge the locker rooms.

Councilmember Cerqui echoed comments provided by Councilmember Johnson concerning the staff locker room. It would be great if the saunas could be worked into the final design.

Councilmember de Booy agreed the improvements are necessary. Further enhancements could be considered during the Council's budget process. The pool is a valuable resource to the community.

Discussion followed concerning the anticipated construction schedule. Director Reuter conveyed construction is likely to commence at the end of the year or the first part of 2007. Mayor Kelley suggested staff post a project timeline at the Fife swim center to keep users informed.

CITY MANAGER REPORT

City Manager Worthington reviewed the Council's calendar:

- The Council's April 18, 2006 study session will begin at 6:00 p.m. at City Hall with a bus tour of new developments in light of discussing street standards at the study session.
- The May 16, 2006 study session has been moved to May 2, 2006 at 7:00 p.m.
- The Association of Washington Cities (AWC) is hosting a conference in Spokane from June 20 through June 23, 2006. The Council was directed to contact staff concerning availability to attend the conference. If several Councilmembers attend, the Council may want to consider rescheduling or canceling its usual study session in June.

The City's new comprehensive plan document is currently available and incorporates changes adopted over the last several years. The plan will be posted on the City's website, and will be made available on a CD for a nominal fee. The public can also purchase a hard copy version if desired.

City Manager Worthington noted the Chamber auction is scheduled for Friday, May 12, 2006.

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AWC is hosting an “*Effective Meetings*” training session at the Fife Community Center on April 12, 2006 at 9:00 a.m. There is one open seat available.

The City is working with the TCM group on the selection and RFP process for the new telephone system. The project is under budget and the installation phase will begin soon.

**COUNCILMEMBER
COMMENTS**

Councilmember Cerqui welcomed Director Smith to the City.

Mayor Kelley reminded everyone that April 22, 2006 is “*Parks Appreciation Day*,” “*April Pools Day*,” and also *Daffodil Parade Day*.

Councilmember Roscoe requested City Manager Worthington follow up on the comments from Erik Barrett earlier in the meeting. Director Reuter confirmed the Titans swim team has a current binding contract paid through August and staff intends to honor the contract.

Councilmember Roscoe thanked staff for keeping the Council well informed concerning City projects. It enables Councilmembers to answer questions when approached by members of the public.

**CITIZEN
COMMENTS**

Mike Seeger, 5121 Pacific Highway East, asked about the Mayor and Councilmembers attending upcoming luncheons and/or meetings hosted by non-profit organizations. City Attorney Jacoby replied when four or more Councilmembers attend an event a quorum is present. The presumption is Councilmembers may be discussing City business. Unless public notice is provided it violates the Open Public Meetings Act. Three members can attend, or four with proper public notice of a “special” meeting.

Mr. Seeger extended an invitation to the Council and staff to participate at the upcoming April 20, 2006 and May 17, 2006 events. He said he will follow up further with staff.

**EXECUTIVE
SESSION**

Mayor Kelley recessed the meeting at 9:24 p.m. to an executive session for the purpose of Real Estate Acquisition RCW 42.30.100 (b) and Personnel Matters RCW 42.30.110 (g) for approximately 30 minutes. No action is expected following the executive session.

**RECONVENE/
ADJOURNMENT**

Mayor Kelley reconvened and adjourned the meeting at 9:54 p.m.

Mike Kelley, Mayor

Marlyn Campbell, Clerk-Treasurer

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Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services