

FIFE CITY COUNCIL MINUTES

Fife City Hall
Council Chambers

Date: February 27, 2007
Time: 7:00 p.m.

CALL TO ORDER AND ROLL CALL

Mayor Kelley called the regular meeting of the Fife City Council to order at 7:02 p.m. with the following Councilmembers present: Godwin, Johnson, Edwards, Kelley, Cerqui, and de Booy.

Councilmember Roscoe was excused.

Staff: Worthington, Reinbold, Forbes, Smith, Blount, Blackburn, Richards, and Recording Secretary Jessica Tate.

PLEDGE OF ALLEGIANCE

Councilmember Edwards led the pledge of allegiance.

CONSENT AGENDA

- a. Approval of Minutes: Date: February 13, 2007 Council Meeting
January 26-27, 2007 Council Retreat
- b. Approval of Vouchers:
Claims: #67690 – 67692 \$322,786.44
Claims: #67865 – 67982 \$311,758.72
Payroll: #42251 – 42320 \$451,022.58
- c. Set a Special Meeting for March 10, 2007 9:00 a.m.-3:30 p.m. Budget Retreat

Motion

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

SPECIAL PRESENTATIONS

D.O.T. – HOV Lane Presentation

Gordon Roycroft, Washington State Department of Transportation (WSDOT), briefed the Council on WSDOT's HOV Lane Program. The program includes 22 projects. There are 79 miles of HOV lane on SR-16, I-5, and SR-167. The 22 projects also include Intelligent Transportation Systems (ITS) such as highway information signs, web cameras, radio messages, and Amber Alert Systems.

Additional merge lanes, improved shoulders, improved lighting, and ramp meters will be installed throughout the corridors. Ramp meters add considerable relief to traffic backups. Many of the walls being constructed in Tacoma are noise barrier walls. Soil and wetland mitigation is underway.

The next project scheduled for construction will include new bridges from northbound I-5 to westbound SR-16, southbound I-5 to SR-16, and southbound I-5 to the 38th Street off-ramps.

The next project and first phase to be built in Fife is the extension from the Peirce/King County line to the Port of Tacoma Road interchange. The project is scheduled to begin construction in January 2009.

City Manager Worthington said he understands the Port of Tacoma widening project is scheduled to begin in 2010 and is targeted for completion in 2013. Mr. Roycroft replied that the project is considered a core HOV project. WSDOT is working with Fife and Port of Tacoma staff to develop concepts for an alternative interchange. No action will take place pending progress on the issue. City Manager Worthington thanked Mr. Roycroft for coordinating the project with the City and Port of Tacoma.

City Manager Worthington asked if the freeway shoulders and landscaping will appear essentially the same but a bit wider when the Fife HOV project is completed. Mr. Roycroft explained that the project is a median widening. Minor ramp improvements will take place on the 54th Street interchange to include ramp metering. There should not be much construction activity near the shoulder because of nearby wetlands.

Councilmember Cerqui asked if the Fife portion of the project is funded. Mr. Roycroft said it is and that Fife's portion is an anchor project, which will begin as soon as possible.

Councilmember Johnson asked whether alternative noise barriers will be considered for the Fife portion of the project. Mr. Roycroft said an overlay of the freeway from the Puyallup River to the King County line will take place and assist in noise reduction. Councilmember Johnson asked whether WSDOT considers alternative surface materials for noise reduction. Mr. Roycroft said that an evaluation of alternative surface materials will occur during the process.

**211 Presentation –
United Way**

Fapesa Gonzales, Information and Referral Specialist, Pierce County 2-1-1 Helpline, provided a presentation on the 211 program. The program is a comprehensive information referral service linking people in need with community service agencies throughout Pierce County. In 1991, the program began as a helpline. The program was launched in July 2006 as an approved call center designated for 2-1-1 calls.

The 2-1-1 service can be dialed from any land line phone or any cell phone at 1-800-211-WASH. The service is available at no cost. The goal is for wireless companies to include the service in the near future. T-Mobile recently added 2-1-1 to its service.

Pierce County has a representative fluent in Spanish to provide widespread access. The 2-1-1 service is also registered with a language line to assist people who speak different languages. TTY access is also available for the hearing impaired. The program also provides disaster response service.

2-1-1 assists in reducing the number of non-emergency calls to 911.

During recent storms in the area, representatives connected callers with shelter,

food bank, and damage report referral services. The call center is open to anyone and provides a comprehensive range of assistance.

Referrals include basic human needs resource, physical and mental health resource, employment support, support for the elderly and persons with disabilities, support for children, youth, and families, and volunteer and donation opportunities. The service is confidential.

Approximately one percent of the calls are from the Fife area.

Funding is provided through United Way, community foundations, and federal and local government funds. Senators Elizabeth Dole (R-NC) and Hillary Clinton (D-NY) have introduced bipartisan legislation named the "Calling 2-1-1 Act" that would provide federal funding for 211 and encourage nationwide support.

In 2005, Helpline (the 1-800 number used prior to the establishment of 2-1-1) received 242 calls. From January 2006 to October 2006, a combined Helpline and 2-1-1 received 230 calls. A significant future increase in call volumes is projected.

2-1-1 representatives are able to assist callers from home such as times during the recent snowstorms when representatives were not able to drive on icy roadways.

The number of Spanish-speaking calls has increased through bilingual support and marketing material published in Spanish and English.

The Pierce County call center is currently staffed Monday through Friday from 8:00 a.m. to 5:00 p.m. The goal is to establish funding for statewide 24-hour call routing service for after-hour calls.

The program is currently seeking a transportation specialist for referrals to alternative transportation sources.

Councilmember de Booy noted that the 2-1-1 service is not currently listed in the phone book. Ms. Gonzales explained 2-1-1 was formally known as the United Way and can be accessed by the same phone number. The 2-1-1 service will be listed in the phone book in the near future.

Councilmember Cerqui thanked Ms. Gonzales for the presentation. He said he hopes the program continues to succeed in the future. He indicated he would like to receive marketing materials for distribution.

Councilmember Johnson suggested posting the 2-1-1 service on the City's website.

Bureau

Over four million visitors visited Pierce County in 2006, generating \$724 million in travel spending.

The CVB has been the region's leading destination marketing organization since the mid-1980s, promoting the Fife area to meetings, conventions, group tours, and individual leisure travelers. Partnership with the CVB provides the City with additional tools to market business to the visitor industry.

The CVB is a non-profit destination marketing organization funded by hotel/motel bed tax and membership dues.

Internet marketing results show 79 million adults utilize the internet for travel planning. The CVB can track how many visited websites are related to the City of Fife. Last year, links to the City of Fife and its businesses were accessed approximately 10,000 times.

The CVB produced a television commercial highlighting the City of Fife with over two million viewers. A visitor guide was also developed with over 125,000 copies produced and distributed to over 300 locations including the Sea-Tac Airport.

For each dollar invested in last year's marketing efforts, 33 tourism dollars were returned.

Ellie Chambers, CVB Board Member, Puyallup, indicated competition for visitor spending is greater than ever and will continue in the future especially with the upcoming 2010 Olympics.

Councilmember Godwin said he's unsure about the methodology used to justify CVB's funding. Ms. Reinert indicated she will provide Councilmember Godwin with additional information by e-mail.

Councilmember Cerqui thanked Ms. Reinert for the presentation. It is beneficial to hear of the work and efforts put forth by the CVB.

Employee Introductions

Mayor Kelley introduced Rosa Dallum, Facility Attendant, Fife Community Center. Ms. Dallum was born and raised in Keizer, Oregon. Ms. Dallum also works with the WIC program at Sea Mar Community Health Centers in Tacoma. It's a supplemental program designed to provide food with nutritional value to pregnant mothers and children less than 5 years of age.

Mayor Kelley introduced Valerie Wilburn, Accounting Clerk II. Ms. Wilburn is from the Pacific Northwest having lived mainly in the Pierce County area. She attended Pierce College and completed her education with a two-year Associate of Science degree from a college in Belleville, Illinois. Ms. Wilburn has nearly completed her four-year degree in Organizational Management at Northwest University.

Mayor Kelley announced that the grand opening for the Veteran's Memorial in Milton is on Memorial Day 2007 at 2:00 p.m. He extended an open invitation everyone to attend the event. The project is a great asset to the community.

**COUNCIL DELEGATE
REPORT**

Councilmember Godwin said he rode along during a police DUI emphasis and that he was amazed to see the number of people who attempted to drive while intoxicated.

Councilmember Edwards reported he and Councilmember Johnson and Assistant City Manager Reinbold attended the Board of Directors meeting for the Association of Washington Cities. In conjunction with the meeting was the City Legislative Action Conference where city and elected officials across the state met with legislators. Fife was unable to schedule any legislator meetings but did attend the Board of Directors meeting.

Councilmember Edwards reported on new Fife City Council meeting broadcast times: Comcast Channel 22 and Click Channel 86 on Thursday 9:00 p.m., Saturday 2:30 a.m., Sunday 11:30 a.m., and Monday 10:00 p.m. The new times are effective immediately and will continue until further notice.

Mayor Kelley reported he and Councilmembers Cerqui and de Booy and City Manager Worthington sought federal funding during their visit to Washington, D.C. One project in need of funding is the extension of the overpass to accommodate the new designs for the Port of Tacoma and 54th Street Bridges. The 30-foot extension is a \$5 million project. Discussions took place with Representative Norm Dicks, Senator Maria Cantwell representatives, and Senator Patty Murray.

Councilmember Cerqui reported the Washington, D.C. trip went well. Anther issue discussed was the FEMA flood plain mapping issue. A follow-up conference call took place with Representative Adam Smith to discuss the issue. Fife is to receive additional information by summer 2007. Hopefully, Fife's attendance will assist in securing future funding.

Councilmember Cerqui reported he attended the Creek Restoration Plan meeting with Port of Tacoma, Puyallup Tribe, Department of Fish and Wildlife (WDFW) and the Conservation District. City staff was also in attendance. The meeting went well and included a good initial discussion on the topic.

Councilmember de Booy reminded the Council of inadequate lighting on Levee Road. She provided Police Chief Blackburn with a brochure regarding the use of reflective tape for road guidance, which could be a potential solution.

Councilmember de Booy reported she attended the Fife Chamber of Commerce luncheon on behalf of the City.

Councilmember de Booy reported on an informal meeting with the Fife Historical Society about potential museum issues and upcoming Fife Jubilee Celebration ideas.

Councilmember de Booy reported she attended a play at the Columbia Junior High School Performing Arts Center and met with the assistant principal regarding possibilities for working together.

Councilmember de Booy reported the Jubilee Celebration kick-off at the Poodle Dog Restaurant was a wonderful celebration and well attended.

Councilmember de Booy reported she is involved in two new classes at the Community Center. One is on dog obedience and the other is on mosaic art. She invited citizens and the Council to provide more ideas and increase participation for Fife Community Center activities.

Councilmember de Booy said the Washington, D.C. trip went well. Fife's contract with Strategies 360, a lobbying group, is necessary to secure more federal funding for the City.

Councilmember Cerqui commented positively on the City of Fife's 50th Birthday Celebration at the Poodle Dog Restaurant that went very well. Staff did a great job organizing the event.

PUBLIC HEARINGS

ORDINANCES

360 Networks Franchise City Attorney Forbes requested postponing public hearing until March 27, 2007. Representatives from the 360 Networks Franchise were unable to attend the meeting.

Motion **Councilmember Edwards moved, seconded by Councilmember Johnson, to postpone the 360 Networks Franchise public hearing until the March 27, 2007 Fife City Council meeting. Motion carried.**

School Impact Fee – Continued Mayor Kelley opened the public hearing at 8:02 p.m.

Director Smith reported on the continuation of the public hearing from the February 13, 2007 meeting. The public hearing is to consider revising the City's adopted school impact fees, which are codified in FMC 20.15.010. Most of the City of Fife is within the Fife School District. The City's current school impact fees are derived from data and calculations found in the Fife School District's Capital Facilities Plan (CFP) for the year 2005. The Fife and Puyallup School Districts recently updated their CFPs for future years and propose revised school impact fees. The Fife School District recommends \$3,629 for single-family and \$586 for multi-family. The Puyallup School District recommends \$8,215 for

single-family and \$1,668 for multi-family. Fife School District's current rates are \$3,510 for single-family and \$1,621 for multi-family.

Fife School District's 2006 CFP contains the formula and data for calculating the amount of school impact fees the district believes is necessary to mitigate the financial impact of new residential development in Fife upon the Fife School District. Portions of the City are also located within the Puyallup School District. Previously, the City Council applied the Fife School District's school impact fee calculations to new residential development in Fife within the Puyallup School District. Consistent with previous Council decisions, Ordinance No. 1622-07 would also apply the Fife School District's recommended impact fee amounts to new residential development occurring in those parts of the City served by the Puyallup School District.

Approximately 200 students in the Puyallup School District live within the corporate limits of the City of Fife. There are approximately 950 students with Fife addresses within the Fife School District.

Public Comment

Gary Frentress, Puyallup School District, Administrator, Facilities Planning, reported the Puyallup School District is advocating closing the gap with current fees and the uncalculated needs of the Puyallup School District. He asked the Council to recognize the differences between the Fife and Puyallup School Districts, as the proposal seems to reflect only the needs of the Fife School District.

Recently the City of Edgewood raised its single-family impact fee by approximately 30%. Since last year, the City of Puyallup raised its single-family fee by approximately \$1,000.

Councilmember Godwin commented that he found the new Puyallup School District proposal shocking, especially since Fife was the only city to receive the increased proposal amount. It's not fair for Fife to bear the burden. The proposal is unfair.

Councilmember Johnson said he understands the school districts work hard to assess needs. He said he would also like to see the county participate and address school district needs.

Councilmember Edwards stated that in the past, Fife has taken the leadership role. He suggested adopting the same proposed amount for the Puyallup School District as the amount proposed by the Fife School District.

John Alexander, Master Builders Association, Pierce County, said he is not opposed to raising impact fees in the City of Fife. Homebuyers bear the cost rather than developers. The process is very inequitable. Impact fee increases also hurt affordable housing organizations.

Councilmember Johnson disagreed because affordable housing continues to be built in unincorporated Pierce County, which effects City growth and increases school district needs.

Brian Aiken, Fife School District, Assistant Superintendent, reported impact fees do not build schools, but maintain the balance of always having a place for students. Without impact fees, more burden will fall on taxpayers. Each year, updated calculations are provided. The Fife School District also distributes proposals to the City of Edgewood, City of Milton, and Pierce and King counties.

Councilmember Cerqui asked about the significant decrease in the Fife School District multi-family proposal. Mr. Aiken explained multi-family units are no longer calculated after five years. The Radiance subdivision is expected to cause a significant increase in the number of students next year.

Mayor Kelley closed the public hearing at 8:24 p.m.

ORDINANCES

1622-07; School Impact Fee

City Attorney Forbes read the title of Ordinance No. 1622-07:

An ordinance of the City Council of the City of Fife, Pierce County, Washington, amending the school impact fee amount and amending the Fife Municipal Code Section 20.15.010.

Motion

Councilmember Edwards moved, seconded by Councilmember Cerqui, to adopt Ordinance No. 1622-07; School Impact Fee.

City Attorney Forbes reported the new version of the ordinance distributed prior to the meeting reflects a stronger relationship with the Growth Management Act (GMA).

Councilmember Edwards pointed out that in the past the Fife and Puyallup proposals were equal. The Puyallup School District receives less support from the City of Puyallup than from the City of Fife. The City of Fife should fund the Puyallup School District at the same amount the City of Puyallup funds.

Councilmember Godwin agreed and indicated he does not agree with Puyallup School District's proposal.

Councilmember Johnson asked about student crossover from the Radiance development. Mr. Frentress indicated approximately 30 students from the City of Puyallup area of the Radiance subdivision attend the Fife School District.

Mr. Aiken reported staff is working to create more sensible boundary lines. It might be appropriate to designate 70th Avenue as the boundary line.

Councilmember Johnson stated he would have liked to see portions added to the Fife School District prior to the impact fee issue. He said he recognizes Puyallup School District's need, but indicated most of the need is generated by Pierce County, which should be included in the calculations.

Councilmember Cerqui agreed the district's issues must be reviewed. Those who create impacts should fund impacts on school districts. He said he would like to review the Puyallup School District's unfunded needs and expressed concerns with the multi-family rate, as he is an advocate in terms of affordable housing.

Discussion followed regarding potential boundary lines.

Councilmember de Booy agreed with Councilmember Edwards' comments regarding the City of Fife approving a funding amount equal to what was supported by the City of Puyallup.

Councilmember Cerqui commented that it is more appropriate to remain on an equal footing. The City of Fife should not punish the Puyallup School District by lowering funding. Councilmember Edwards said the Council is not penalizing the Puyallup School District but is offering an amount equal to what the City believes is appropriate.

Friendly Amendment

Councilmember Edwards offered a friendly amendment to approve the City of Fife 2007 Impact Fee proposal and approve funding for the Puyallup School District at \$2,675 for single-family and \$1,410 for multi-family. Councilmember Cerqui did not accept the friendly amendment.

Motion

Motion carried. Councilmember Edwards opposed.

RESOLUTIONS

**#1093-07; Authorize –
Development Agreement
– Selden's Property at
26th Street and Avenue**

Director Blount reported the Council tabled the issue until a more general discussion about the relationship between concomitant agreements and traffic impact fees could be held. Such a discussion was held at the February 20, 2007 study session.

Traffic impact fees are imposed at the time of building permit issuance and apply regardless of any previous concomitant agreements or traffic mitigation through the State Environmental Policy Act (SEPA). Credits against traffic impact fees are provided for by the Fife Municipal Code (FMC), as required by state statute, for the value of transportation system improvements provided by the developer, regardless of whether such system improvements were provided to comply with a concomitant agreement, SEPA, City design standards, or are built at the developer's discretion.

The proposed agreement requires Selden's to provide right-of-way and

establishes a process for determining building setbacks for future development of the Selden's property. The agreement refers to traffic mitigation not traffic impact fees. Selden's has not submitted a formal building permit application, which would trigger a final calculation of impact fees. However, initial plans suggest a fee calculation of approximately \$170,000.

Staff recommends approval of Resolution #1093-07.

City Attorney Forbes read the title of Resolution #1093-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to execute an agreement with Selden's Warehouse, LLC, regarding development of property at the intersection of 26th Street East and 70th Avenue East.

Motion

Councilmember Edwards moved, seconded by Councilmember Godwin, to approve Resolution #1093-07; Authorize – Development Agreement – Selden's Property at 26th Street and Avenue.

Councilmember de Booy asked whether developers understand they will not receive a latecomers fee from Selden's for access. Director Blount said that developers understand there will be no latecomer fee for access.

Councilmember Cerqui suggested it might be beneficial for the Council to review amounts subject to traffic impact fees with credit from 26th Avenue. Director Blount acknowledged the request.

Motion

Motion carried.

City Attorney Forbes noted that Councilmember Johnson was not present for the vote.

**#1102-07 Authorize –
Purchase of Police
Department Motorcycles**

Police Chief Blackburn reported staff has been working with and has secured a grant from the Washington Traffic Safety Commission (WTSC) through a process enabling the City to purchase two Harley Davidson motorcycles.

City Manager Worthington reported the City of Fife leased two Harley Davidson motorcycles at \$335 per bike per month, totaling \$24,120 during the lifespan of the lease. The lease is scheduled to end in June 2007. Through the WTSC, the City is able to secure funding through school zone enforcement for the purchase of two motorcycles from Harley Davidson. Staff contacted Destination Harley in Fife, which did not have the lowest price. Additionally, Destination Harley has not sold to any local municipalities in Washington, whereas Downtown Harley Davidson has.

City Attorney Forbes read the title of Resolution #1102-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to purchase two Harley Davidson motorcycles for use by the Police Department.

Motion

Councilmember Edwards moved, seconded by Councilmember Godwin, to approve Resolution #1102-07; Authorize – Purchase of Police Department Motorcycles.

Councilmember Edwards asked if the WTSC grant covers the entire cost of the motorcycles. Police Chief Blackburn confirmed that it covers the entire cost.

Councilmember Godwin expressed concerns about the cost for more than routine maintenance for the motorcycles. Director Blount replied that the City has routine maintenance tools. Staff will investigate contract options for further maintenance assistance.

Motion

Motion carried.

City Attorney Forbes noted that Councilmember Johnson was not present for the vote.

**#1103-07 Authorize –
Clean Works for
Janitorial Services**

Director Blount reported it has been several years since Fife negotiated janitorial bids. The current janitorial firm has undergone personnel changes and Fife staff determined it is in the City's best interest to reopen bidding for janitorial services.

Only firms prequalified by Washington State as "Tier 2" (highest level) service providers were invited to bid. Thirteen bids were submitted, with Clean Works providing the lowest bid. Clean Works provides janitorial services to McCann Cadillac in Fife. McCann Cadillac has been satisfied with the company's performance.

City Attorney Forbes read the title of Resolution #1103-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to execute a contract with Clean Works for janitorial services.

Motion

Councilmember Edwards moved, seconded by Councilmember Godwin, to approve Resolution #1103-07; Authorize – Clean Works for Janitorial Services.

Councilmember Edward asked about the level of service provided by the existing service provider. Director Blount indicated the existing company is not Tier 2 qualified.

Councilmember de Booy asked about the length of the contract with Clean

Works. Director Blount reported the contract is for one year with a 30-day clause. Service screening is done during the 30-day clause. It is likely Clean Works will begin work on May 1, 2007.

Motion

Motion carried.

City Attorney Forbes noted that Councilmember Johnson was not present for the vote.

Councilmember Johnson returned to the meeting.

NEW BUSINESS

**Drainage District #21
Easement**

Director Blount reported the interlocal agreement between Fife and Drainage District #21 obliges Fife to perfect the easements, which means record written documents executed by property owners describing and accepting the easement locations and conditions. Drainage District #21 has prescriptive easements, which means that its years of operation have established rights to continue certain operations on private property.

The proposed alternative easements include one for a narrow strip of 10 feet on each side of the creek centerline for creek maintenance. The other option includes 30 feet on each side of the creek centerline to include environmental enhancement.

Director Blount reported a caucus meeting was held, which he did not attend.

Mayor Kelley stated 10 feet will only allow minimal maintenance. Thirty feet is necessary for projects such as salmon restoration.

Councilmember Godwin stated the new proposal is a workable solution because it provides property owners with an option regarding the initial 30 feet proposal.

Councilmember Cerqui expressed concerns about the caucus meeting. The meeting should have been discussed during the last Council study session. He said he would like to better understand the “prescriptive” rights process and wants to ensure the public is not misled. Documenting “prescriptive” rights is a taking of property. He said he always advocated for the City to keep the Drainage District.

City Attorney Forbes explained that easements do not control but document what the Drainage District has acquired over the years and performs to the same degree of quality already established. Clarifying the rights that have been established over the years will be beneficial to future homeowners. It will also deter potential issues for staff. The “prescriptive” rights will not change, but will be clarified in document form.

Councilmember Cerqui said that documenting the easements might cause issues with the existing landscape or an upset property owner might refuse the City to use more than the 10 feet to remove a large obstruction such as a fallen tree.

Councilmember Edwards said he did attend the caucus meeting. The purpose of 10 feet is to move away from the initial 30-foot proposed. The easements are not a taking of property, but will affect property values.

City Manager Worthington clarified that the Drainage District agreed to a five-year contract before disbanding. Currently, 2 ½ years remain on the contract.

Councilmember Johnson indicated he and Councilmember Godwin met with the City Attorney in an attempt to clarify the issue. He commented that the Drainage Easement Draft does not adequately address all issues identified. Clause 4 on page 2 of the draft still insinuates a taking of property.

Councilmember Cerqui said the draft does address some issues but that documenting easements still results in a taking of property.

Councilmember Godwin stated the initial proposal for a 30-foot easement was considered a taking. Ten feet allows for necessary low maintenance of the creek. Most property owners are likely to agree to additional maintenance if warranted.

Councilmember Cerqui stated he was not implying that the creek should not be maintained, but that the City should keep the Drainage District to continue existing maintenance.

Mayor Kelley stated 30 feet is warranted for certain maintenance issues. He suggested the City provide an informational seminar for property owners regarding the easement proposal. City Manager Worthington acknowledged the request. The process needs further work and efforts. The draft must be reviewed for further revisions. This is only an initial discussion.

Public Comment

Doug Skelley, 9308 44th Street Court East, Edgewood, Drainage District Commissioner, reported he was surprised by the initial 30-foot proposal, which is actually 60 feet as the easement is on both sides of the creek. In addition, the 10-foot proposal is actually 20 feet. There has never been issue with maintenance and prescriptive rights. He indicated he would also like to see the Drainage District remain in existence. The City should consider grandfathering techniques when dealing with the issue. The easements are warranted for maintenance purposes. He suggested the City utilize a more gradual process. He said he will not sign the proposed agreement.

Motion

Councilmember Edwards moved, seconded by Councilmember Johnson, to extend the meeting 30 minutes to 10:30 p.m. Motion carried.

Mr. Skelley said the easements will cause an encumbrance.

Councilmember Edwards asked for clarification as to whether Mr. Skelley is speaking on behalf of the Drainage District or expressing a personal opinion. Mr. Skelley indicated he is expressing both sides. He said he would like to see the quality of life in the area sustained and would like to see the easement process pursued transitionally.

Councilmember Godwin referred to clause 4 of the draft. The City should not be able to remove personal landscaping done by the property owner.

Margaret Skelley, 9308 44th Street Court East, Edgewood, said she would like the City to keep in mind that a good number of property owners in Edgewood own property that runs on both sides of the creek.

Councilmember Godwin stated the idea is not to “set a box” of City easements on private property. The goal is to formally establish what exists and what must be maintained.

Councilmember Johnson stated clause 5 is also complex and must be reviewed for possible revision. Clause 4 and 5 of the draft must be clarified in terms of intent.

Director Blount advised that staff provided a quick turnaround of information for the Council’s discussion based on the caucus meeting. The issue will also be discussed in detail at future Council meetings.

Councilmember de Booy stated she would also like to see the Drainage District remain in existence or for the City to continue the duties of the Drainage District without a formal document.

Councilmember Johnson indicated City rights must be clarified when entities disband.

Councilmember Cerqui said details such as encumbrance, property takings, and tax authority must be reviewed prior to taking action.

Mayor Kelley stated part of the purpose of creek enhancement is for potential fish restoration.

City Manager Worthington agreed the issue is complex. The issue will be added to a future Council meeting agenda to include a complete briefing.

**CITY MANAGER
REPORT**

City Manager Worthington reminded the Council of the Budget Retreat scheduled for Saturday, March 10, 2007 from 9:00 a.m. to 3:00 p.m.

Staff is planning a 50th Anniversary Celebration for the City on March 27, 2007 at 6:00 p.m. at the Fife Community Center for approximately 45 minutes to 1

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hour. He extended an open invitation and encouraged those turning 50 years old in 2007 to attend and enjoy cake and refreshments.

Police Chief Blackburn presented a new police commemorative badge, representing the Golden Jubilee Celebration.

Councilmember Edwards announced his 50th birthday is on March 27, 2007.

**COUNCILMEMBER
COMMENTS**

Mayor Kelley announced he will host a Mayor public gathering on March 15, 2007 at 7:00 p.m. He extended an open invitation to citizens to attend.

EXECUTIVE SESSION/

Mayor Kelley adjourned the meeting into executive session at 10:28 p.m. for approximately 30 minutes, for the purpose of Real Estate Matters RCW 42.30.110 (b). No action is anticipated following deliberations.

**RECONVENE/
ADJOURNMENT**

Mayor Kelley reconvened and adjourned the meeting at 11:00 p.m.

Mike Kelley, Mayor

Prepared by Jessica Tate, Recording Secretary
Puget Sound Meeting Services