

FIFE CITY COUNCIL MINUTES

**Fife City Hall
Council Chambers**

**Date: October 9, 2007
Time: 7:00 p.m.**

**EXECUTIVE
SESSION**

Mayor Kelley convened an executive session at 6:30 p.m. for the purpose of Real Estate Acquisition RCW 42.30.110(b) (c) for approximately 20 minutes.

ADJOURNMENT

Mayor Kelley adjourned the executive session at 6:50 p.m.

**CALL TO ORDER
AND ROLL CALL**

Mayor Kelley called the regular meeting of the City Council to order at 7:05 p.m. with the following Councilmembers present: Godwin, Johnson, Edwards, Kelley, Cerqui, de Booy, and Roscoe.

Staff: Reinbold, Marcotte, Blackburn, Combs, Smith, Blount, Reuter, Richards, Pasinetti, Ringus, and Recording Secretary Cheri Lindgren.

**PLEDGE OF
ALLEGIANCE**

Councilmember Roscoe led the pledge of allegiance.

**CITIZENS
COMMENTS**

Jeff Rhyner, 2022 63rd Avenue East, said it will cost him more than \$5,000 to hook up to City water. A number of homes on 63rd Avenue have private wells. Two years ago two neighbor wells collapsed and they were permitted to hook up to City water free of charge. He asked why he and his neighbors were not contacted to connect to water at that time. A developer was required to extend the waterline along 63rd Avenue. Mr. Rhyner said he's lived in his home for nine years and not experienced any problems with his well. However, several residents are now experiencing problems because of construction activities in the area. Mr. Rhyner reported he had to replace his pump and storage tank. Another neighbor is now sucking mud and his well has probably collapsed. Development occurring in the City is changing the water table. He asked the City to address the issues. Fife should allow residents to hook up to water free of charge like his neighbor. If not, the City should allow him to redo his well even though a water main will be extended in the future. He said he'd prefer to keep his well even though it's currently costing more to keep it primed. He thanked the Council for their consideration and for any assistance they can provide.

Mayor Kelley asked staff to contact and work with Mr. Rhyner and the neighborhood to address the problem.

John Randolph, 2104 63rd Avenue, said he spent the day at City Hall. His well has collapsed. Fife hooked his home up to a fire hydrant earlier in the evening. He agreed with Mr. Rhyner that residents are experiencing many problems because of recent construction activities. Fife should reimburse residents for

great time. He thanked staff for their work on coordinating the event.

Councilmember Cerqui agreed the festival was a huge accomplishment. He thanked staff for their efforts and Congressman Adam Smith for his role as Grand Marshal of the parade.

Councilmember de Booy echoed similar comments about the festival. The fish tank was a big hit.

Councilmember Roscoe reported she had an excellent time at the Harvest Festival. It was an amazing community event.

Councilmember Johnson thanked Councilmember Cerqui for donating corn to the event.

Assistant City Manager Reinbold reported staff will provide a status report on the Harvest Festival at the Council's next meeting.

PUBLIC HEARING

2008 Budget Hearing

Assistant City Manager Reinbold reviewed the preliminary 2008 budget process calendar and milestones. He thanked the Council and department directors for their work on the preliminary budget.

Director Marcotte reported the public hearing is the first of two required public hearings on the budget which totals \$79,709,018. A draft ordinance and exhibits provided at the Council's budget retreats are attached to the staff report. He reviewed next steps to include a second public hearing on October 23, 2007. First reading of the ordinance is also scheduled for October 23, 2007. Second reading and adoption is scheduled on November 13, 2007.

Mayor Kelley opened the public hearing at 7:36 p.m. There were no public comments. Mayor Kelley continued the public hearing to October 23, 2007.

2007 Comprehensive Plan Amendments

Director Smith reported the public hearing begins the Council's review of proposed 2007 Fife Comprehensive Plan amendments. He reviewed the Planning Commission's process. The Commission deliberated recommendations at its August 6, 2007 meeting. Staff recommends opening the public hearing and continuing the hearing to the Council's November 13, 2007 meeting to meet the 30-day state law requirement for changes to preannexation zoning. Staff is also continuing the review of the City's Parks Plan. Continuing the hearing will also enable the Commission to review the Parks Plan and forward a recommendation to the Council in November.

Director Smith reviewed Fife's Comprehensive Plan vision: *Fife will be a City where there is a balance between residential, commercial, and industrial growth, and a City with a wholesome, restful, neighborhood like atmosphere.*

The six proposed amendments were initiated by the City:

- **CPA 07-01: City of Fife Transportation Improvement Plan/Capital Improvement Plan (TIP/CIP)** is a standard update.
- **CPA 07-02: Amendments to Fife and Puyallup School Districts CIP** A slide showing current and approved Fife and Puyallup School District impact fees was reviewed.
- **CPA 07-03: 20th Street East corridor land uses (Gathering Place Master Plan).** Zoning regulations along 20th Street East corridor from 54th Avenue East to Freeman Road to encourage pedestrian-oriented development. A new zone called Community Mixed Use (CMU) is proposed. A map showing the corridor vicinity was presented and reviewed.
- **CPA 07-04: Amendment to the City of Fife land use designation map for the preannexation area.** Preannexation zoning was adopted in 1998. In response to the Benthien Loop annexation request and discussions, the Commission reviewed the matter on October 1, 2007. The Commission recommends changing the land use designation map from Small Lot Single Family Residential to Mixed Medium Density Residential/Commercial.
- **CPA 07-05: Amendments to the Parks and Recreation Plan.** This is a major update to guide future parks and recreation facilities and services.
- **CPA 07-06: Amendment to the Comprehensive Plan Transportation Element and Map (Figure 10).** The change would include a new arterial to guide truck traffic away from 20th Street East to 70th Street.

Mayor Kelley opened the public hearing at 7:47 p.m.

Ron Arndt, Benthien Loop resident, thanked Director Smith and the Council for their time and work on the annexation request to date.

Councilmember Edwards asked if residents support the proposed Mixed Medium Density Residential/Commercial preannexation zoning. Mr. Arndt replied that a majority of residents support the recommendation. However, there are residents that also have questions and concerns.

Mayor Kelley continued the public hearing to October 23, 2007.

Councilmember Roscoe thanked the Planning Commission for their work.

**Continuation of
Modification of
Radiance IV
Preliminary Plat**

City Attorney Combs reported the applicant, Puyallup Tribe, and City staff continues to work on an agreement to resolve issues regarding the Radiance IV preliminary plat. Staff requests that the Council continue the public hearing to October 23, 2007. He emphasized the purpose of the hearing at this point is for the Council to have an opportunity to ask clarification questions of persons who testified to assist the Council in their deliberations. The matter remains a quasi-judicial proceeding and should not be discussed outside of the public forum. The Council's decision will be based on the record or information obtained following questions at the next meeting.

Mayor Kelley continued the public hearing to October 23, 2007.

ORDINANCES

**#1647-07; Street
Illumination
Regulations**

Director Blount reported the Council discussed street illumination regulations at its February 20 and July 9, 2007 study sessions.

City Clerk/Finance Director Marcotte read the title of Ordinance #1647-07:

An ordinance of the City Council of the City of Fife, Pierce County, Washington, revising Fife Municipal Code Chapter 12.20, Setting Street Construction Standards, by adding standards for the illumination of public streets and clarifying language regarding required dedication of right-of-way.

Motion

Councilmember Edwards moved, seconded by Councilmember Roscoe, to adopt first reading of Ordinance #1647-07; Street Illumination Regulations. Motion carried.

RESOLUTIONS

**#1144-07; Fife Swim
Center Final
Acceptance**

Director Reuter reported staff requests the Council close out the construction contract with Flag Construction Co., Inc., for the Fife Swim Center renovation project. The City faced a number of challenges throughout the project. Overall, staff is pleased with the outcome. Staff received positive feedback from pool patrons.

City Clerk/Finance Director Marcotte read the title of Resolution #1144-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington, accepting completion of Fife Swim Center renovation in accordance with the contract with Flag Construction Co., Inc., as complete.

Motion

Councilmember Edwards moved, seconded by Councilmember Roscoe, to adopt Resolution #1144-07; Fife Swim Center Final Acceptance.

Councilmember Godwin asked whether the contract includes the roof. Director Reuter replied the roof component was a separate contract approved in the 2007 budget.

Discussion ensued about the contractor's responsibility for repairs and warranty provisions. Director Reuter said the City is holding retainage for punch list items. He added he believes the contractor's work and new equipment is guaranteed for one year.

Councilmember de Booy expressed concerns about high facility use. The facility is nice and she said she is glad the job is complete. Director Reuter reported the general contractor is very responsive and vows to stand behind the product and work completed. He asked Councilmembers to contact him directly with any issues that might emerge.

Councilmember Cerqui asked about the source of funds used to cover the contingency. Director Marcotte indicated he will follow up and provide the information.

Director Reuter referred to Resolution #1081-06, which describes an initial 8% contingency. Additional contingency (totaling \$25,000) described in Resolution #1104-07 was identified as from the Tribal funding source. Councilmember Edwards asked staff to follow up on the contingency source as well.

Councilmember Roscoe asked if the contractor has remedied hazards identified in the women's locker room. Director Reuter reported that to the best of his knowledge, the bench and Formica corners have been rounded. Staff will follow up to ensure the issue was addressed.

Councilmember Johnson said the end result is great. He said he received a complaint about the showerhead design and that it's difficult for children to turn faucets on and off. Director Reuter said any modification is not part of the approved design. Staff is currently brainstorming options and will follow up with the Council.

In response to a request from Councilmember Johnson, Director Reuter reviewed lessons learned and successes:

- Expect the unexpected when renovating an older building. Seek a larger contingency to manage unforeseen circumstances. Work more closely with the architect and clearly scope equipment and finish work. Recognize that some items are not as they appear on as built drawings.

- The architect and general contractor worked well together. The contractor was more than willing to work evenings and weekends around pool operating hours, and staff learned much about the facility's infrastructure.

Councilmember Johnson expressed appreciation for the feedback and suggested utilizing the lessons learned on future projects.

Motion

Motion carried unanimously.

#1147-07; Authorize Purchase Construction Easement – Query

Director Blount reported on a correction to the Marks/Clairborne purchase and sale agreement. The purchase price contained in the purchase and sale agreement is the correct price and not what is shown on the staff report. Mr. Query has signed the agreement. Staff is requesting the Council authorize the City Manager to negotiate and execute agreements between Poleskie and Marks/Clairborne in substantially the same form. Staff recommends approval of resolutions #1147-07, #1148-07, and #1149-07.

City Clerk/Finance Director Marcotte read the title of Resolution #1147-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to purchase a temporary construction easement from C.W. Query.

Motion

Councilmember Edwards moved, seconded by Councilmember de Booy, to adopt Resolution #1147-07; Authorize Purchase Construction Easement – Query. Motion carried.

#1148-07; Authorize Purchase Construction Easement – Poleskie

City Clerk/Finance Director Marcotte read the title of Resolution #1148-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to negotiate an agreement with Frank Poleskie and Aldine Poleskie to purchase a temporary construction easement.

Motion

Councilmember Edwards moved, seconded by Councilmember de Booy, to adopt Resolution #1148-07; Authorize Purchase Construction Easement – Poleskie.

Councilmember Cerqui reported Frank and Aldine Poleskie have concerns about tree removal. He asked staff to work something out concerning replacement of trees. Director Blount replied that the current plan is to remove and replace trees and make cash payment for their value. Frank and Aldine Poleskie would like Fife to negotiate planting of new trees with the contractor. Transplanting existing trees is not viable because of size and age.

Motion

Motion carried unanimously.

#1149-07; Authorize Purchase Construction Easement – Marks/ Claiborne

City Clerk/Finance Director Marcotte read the title of Resolution #1149-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the City Manager to negotiate an agreement with Jay Marks and Julie R. Clairborne to purchase a slope easement.

Motion

Councilmember Edwards moved, seconded by Councilmember Roscoe, to adopt Resolution #1149-07; Authorize Purchase Construction Easement – Marks/ Claiborne. Motion carried.

#1151-07; Authorize Award Contract for Swim Center

Director Reuter reported the request is to award a contract to Scott & From Company, Inc., for replacement of the Fife Swim Center gutters. The low bid of \$33,233 is substantially higher than what was budgeted (\$20,000) for the project. Cost savings (\$15,000) on the exterior painting will provide sufficient funds to cover the cost difference between the initial budget and low bid. Staff requests the Council apply savings realized from the exterior painting job to cover the cost difference to complete work this year.

City Clerk/Finance Director Marcotte read the title of Resolution #1151-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing execution of a contract with Scott & From Company, Inc., for replacement of the gutters on the Fife Swim Center.

Motion

Councilmember Edwards moved, seconded by Councilmember Roscoe, to adopt Resolution #1151-07; Authorize Award Contract for Swim Center.

The Council discussed the cost difference. Director Reuter explained that a small independent contractor, Mike Matson, who has done other work for the City, provided the initial estimate last year; however, he was not interested in submitting a bid for the project. Staff contacted other companies. The two contractors that submitted bids are sheet metal fabricators.

Mayor Kelley said both submittals proposed 22-gauge galvanized sheet iron, which isn't very thick. He asked if staff is aware of the gauge of the current gutters. Director Reuter indicated staff will research the matter and provide a report. New liners were installed 10 years ago and are leaking badly.

Councilmember Johnson asked whether staff issued a bid specs document. Director Reuter replied that a gutter bid spec sheet was included in the bid documents.

In response to the Council's comments, Director Reuter confirmed all gutter joints must be riveted and soldered.

Motion

Motion carried unanimously.

**#1142-07; Accept
2007 Overlay
Contract as Complete**

Director Blount reported the contractor replaced a street monument. A new record of survey was filed and recorded. Staff recommends approval of Resolution #1142-07 as submitted.

City Clerk/Finance Director Marcotte read the title of Resolution #1142-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington accepting the contract construction work on 2007 Overlay Project with Western Asphalt, Inc., as complete.

Motion

Councilmember Edwards moved, seconded by Councilmember de Booy, to adopt Resolution #1142-07; Accept 2007 Overlay Contract as Complete.

In response to a request from Councilmember Johnson, Director Blount provided a summary of the overlay project. A vast majority of the work was completed along Industry Drive.

Motion

Motion carried unanimously.

**#1152-07; Authorize
Well Engineering
Services with RH2**

Director Blount reported the Council discussed the comprehensive plan, new supply wells, and alternatives at its September 18, 2007 study session. Staff recommends expending \$165,000 to investigate water supply wells in 2008. He referred to a new state municipal water law that streamlines transfer of water rights. Staff recommends approval of Resolution #1152-07 as submitted.

City Clerk/Finance Director Marcotte read the title of Resolution #1152-07:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing a contract with RH2 Engineering, Inc., for engineering services associated with water supply wells and alternatives.

Motion

Councilmember Edwards moved, seconded by Councilmember Roscoe, to adopt Resolution #1152-07; Authorize Well Engineering Services with RH2.

Council and staff discussed the contract's scope of work.

Motion

Motion carried unanimously.

OTHER BUSINESS Assistant City Manager Reinbold reported on an additional request concerning purchase of a construction easement.

Director Blount reported Fife's legal counsel and New Horizons Church attorneys negotiated a verbal agreement for additional right-of-way along Valley Avenue East for electric utility vaults at a cost of approximately \$12,000. The initial agreement did not include placement of electric utility vaults. The City Manager is currently negotiating an agreement. Staff will present the agreement and supplemental information to the Council in two weeks.

City Attorney Combs said he's reluctant for the Council to take any action prior to having an opportunity to review the documents and ask questions. Fife and New Horizons Church team members are working together on a solution.

Councilmember de Booy asked staff to clarify the request. Director Blount provided an overhead map and briefed the Council on the process and negotiations to date. Electric vaults will be similar to those found at the end of 54th near Valley Avenue East. New Horizons Church already deeded right-of-way for a planter strip. A construction easement across the entire frontage (four parcels) is needed.

CITY MANAGER REPORT Assistant City Manager Reinbold reported the City Manager is attending an International City/County Management Association (ICMA) Conference in Pittsburgh. Conference topics include sustainability and wireless networking. City Manager Worthington will return to the office on Monday, October 15, 2007.

Directors are currently attending Incident Command Systems training at the Emerald Queen Casino. Training is required for Fife to remain eligible for Federal Emergency Management Agency (FEMA) funding opportunities. Councilmembers were invited to attend.

COUNCILMEMBER COMMENTS Councilmember Godwin asked staff to provide consideration to 63rd Street residents who are experiencing problems with their wells. He questioned why the City's General Facility Charge (GFC) is escalating. The average citizen is not seeing their wages increase at the same pace. Mayor Kelley pointed out that the Council approved the current water GFC rate structure. Director Blount clarified that the GFC is approximately \$4,000. Other costs to hook up to City water include the meter.

Councilmember Edwards expressed compassion for 63rd Street residents. It's a travesty that water lines are not in place in Fife, which has been in existence for 50 years. Streets throughout the City are ignored because Fife has preferred to have developers construct infrastructure with development. He indicated he is

willing to pay \$5,000 to hook up to City water.

Councilmember Edwards reported an open forum on the roads and transit project is scheduled for October 10, 2007 from 7:00 p.m. to 9:00 p.m. at the offices of the *Tacoma News Tribune*. He encouraged Councilmembers and staff to attend.

Councilmember Cerqui reported the Tacoma City Council is considering a resolution to support implementation of a regional rail and transit system. He said he agrees with comments articulated by Councilmembers concerning 63rd Street residents and suggested scheduling the matter for a future study session.

Councilmember de Booy said she appreciates citizens sharing their concerns. She agreed the Council should consider the issue and brainstorm possible solutions at a future study session.

Councilmember de Booy reported the Pierce County Citizens Advisory Board is meeting on October 10, 2007 to consider applications for grant funding.

Councilmember Roscoe displayed a Sound Transit brochure she received in the mail. She read the motto contained in the flyer and provided a website address www.roadsandtransit.org. A neighbor contacted her about an article in the *Tacoma News Tribune* published on October 7, 2007. Councilmember Roscoe shared that it was important to the neighbor that she was in receipt of the article. As a long-time Fife resident, her neighbor shares some of the concerns discussed in the newspaper article.

Mayor Kelley said many people he spoke with said they thoroughly enjoyed Fife's Harvest Festival. The fireworks were excellent. He conveyed that he's looking forward to next year's event.

ADJOURNMENT

With there being no further business, Mayor Kelley adjourned the meeting at 8:38 p.m.

Mike Kelley, Mayor

Steve Marcotte, City Clerk/Finance Director

Prepared by Cheri Lindgren, Recording Secretary
Puget Sound Meeting Services