

**FIFE CITY COUNCIL
STUDY SESSION
MINUTES**

5A-1

**Fife City Hall
Council Chambers**

**Date: May 20, 2008
Time: 7:00 p.m.**

**CALL TO ORDER AND
ROLL CALL**

Mayor Pro Tem Cerqui called the May 20, 2008 study session of the Fife City Council to order at 7:09 p.m. with the following Councilmembers present: Richard Godwin, Glenn Hull, Butch Brooks, Barry Johnson, Rob Cerqui, Nancy de Booy, and Kim Roscoe (7:50 p.m.).

Staff Present: City Manager Steve Worthington, Assistant City Manager Jim Reinbold, Assistant Finance Director Pam Harris, Public Works Director Russ Blount, Confidential Administrative Assistant Andrea Richards, City Attorney Greg Amann, Community Development Director Carl Smith, Police Chief Brad Blackburn, Director of Parks, Recreation & Community Services Kurt Reuter, Network Administrator Matt Wood, City Marketing Coordinator Laura Potter, Code Enforcement Officer Chris Larson, Aquatics Manager Matthew Ray, Facility and Operations Manager David Cantlin, and Recording Secretary Cheri Lindgren.

**PLEDGE OF
ALLEGIANCE**

Councilmember de Booy led the pledge of allegiance.

**CHANGES, ADDITIONS,
OR DELETIONS TO
AGENDA**

There were no changes to the agenda.

STUDY SESSION

Library District Report

City Manager Worthington outlined options for the Council's consideration for library services for the City:

- Continue the current program of reimbursing Fife citizens the cost of a library card (\$90 per household, \$10,000 annually for the City) for Tacoma and Puyallup Library Systems
- Annex to the Pierce County Library District (PCLD), which requires a ballot measure
- Initiate City library services and construct a facility through a special bond

Specific to the last option, Fife does not have the required revenues to pay for operating costs associated with a library. Additional property tax revenue is generated for the PCLD if voters approve annexing to the PCLD. One issue is how the PCLD can help Fife citizens. Libraries help build community. If the library issue goes to a vote, City Manager Worthington encouraged the Council to first formalize an agreement on what services the PCLD will provide as outlined in staff report.

Neel Parikh, Director of the PCLD, said it's important to note that if the voters approved annexation to PCLD in November 2008, new tax revenue is not collected until 2010. Fife citizens are anxious to use library services. The goal is delivering library programs immediately following a successful election. The PCLD will provide benefits unique to Fife based on the additional revenue received from the annexation. If approved in November, Fife citizens will receive library cards immediately. Fife citizens will have access to all three local branches. Eventually, citizens will be able to take advantage of free reciprocal borrowing within the Puyallup, Tacoma, and King County Library System.

Beginning in January 2009, the PCLD will provide citizens with a sampling of temporary services while a branch is sited in Fife. The district is interested in a site on 20th Street. It will take approximately nine months to open a library in Fife after an agreement is negotiated. Citizens will have access to a collection of 3.1 million items. Ms. Parikh described additional services and special programs.

The cost to establish a new branch is approximately \$1.2 million and approximately \$720,000 annually to operate the facility. Ms. Parikh noted the costs do not include infrastructure improvements. She said she is excited about the opportunity to provide library service to Fife.

City Manager Worthington provided and reviewed a financial comparison of Pierce County, Puyallup, and Tacoma Library Systems. The 2007, cost per capita for facilities ranged from \$48.50, \$62.62, and \$56.69, respectively. It would cost approximately \$1.75 million in capital costs to build a 5,000 square-foot library in Fife. Another \$500,000 is required for technology items and \$1 million for collections. If voters approved a \$10 million bond over a 10-year term, the annual debt service equates to \$379,000.

If the Council proceeds with establishing a branch in Fife, City Manager Worthington suggested the Council set a public hearing date to seek public input, consider adoption of a resolution, and render a formal decision on how to proceed.

Councilmember Godwin asked about the amount of annual revenue that the PCLD will receive based on the City's AV of \$2 billion. Ms. Parikh replied it will be approximately \$880,000. Councilmember Godwin said he understands that the revenue would be nearly \$1 million. He asked how much it costs to operate a library in 2010 and beyond. Ms. Parikh replied it will cost approximately \$760,000, which does not include overhead costs. Councilmember Godwin supported asking the voters for their input prior to an election. The City should conduct a needs assessment and capture accurate costs. He suggested proceeding cautiously. The numbers don't add up and continue to change.

Councilmember Hull asked about the availability of service if voters

approved the ballot measure. Ms. Parikh said legally, Fife would not be part of the service area until 2010; however, theoretically, services could be available immediately. The latest that service would be provided to Fife citizens is January 1, 2010.

Discussion ensued on the reciprocal agreement among local libraries which enables patrons to check books from the other libraries and how much property tax revenue is generated by other municipalities compared to the estimate for Fife.

Councilmember Hull supported providing citizens with an opportunity to vote on the matter in November.

Councilmember Brooks expressed opposition for Fife to build and operate a library. He indicated he's supportive of a ballot measure, which is the only viable option at this point. He said he supports scheduling a public hearing to receive input from citizens.

Mayor Johnson asked Ms. Parikh about her experience in needs assessment for planning purposes. Ms. Parikh replied that the PCLD is conducting a needs assessment for Orting. Needs assessments are typically undertaken when introducing new services or for system-wide changes.

Mayor Johnson said it's important for the library to be representative of both the business and residential communities. Key stakeholders should include business and school district representatives, citizens, and ethnic community groups. He agreed with Councilmember Godwin about a needs assessment. He asked about the cost to contract for services with the PCLD beginning in September 2009 and the election date required to meet the goal. Ms. Parikh said the cost is approximately \$156,000. May 2009 is the last election date.

Councilmember de Booy suggested it's premature for the City to consider building a library. She supported holding a public hearing. Fife currently has an arrangement with another library and is not overwhelmed by citizen requests. She said she favors conducting a needs assessment prior to the public hearing. She noted she often receives inquires from citizens about the need for a grocery store but hasn't received inquires on the need for a library.

Mayor Pro Tem Cerqui said one concern is presenting factual information at the public hearing to inform citizens. It's important for citizens to receive the best service possible for their taxes.

Discussion ensued concerning collaboration between Burien and the King County Library System for Burien's new civic center.

There was general consensus by the Council to schedule a public hearing to receive citizen input on whether the City should consider placing a ballot measure in November for annexation to the library system.

City Manager Worthington offered a public hearing date of June 10, 2008. If the Council wants to pursue a November election, adoption of a resolution is required prior to the end of July 2008.

Councilmember Roscoe arrived.

Ms. Parikh responded to questions from City Manager Worthington on the needs assessment process and associated timelines. An analysis could be completed within three months depending on the extent of the assessment.

Mayor Johnson suggested a public hearing in June doesn't provide sufficient time to provide the results of a needs assessment to citizens. He suggested moving the election to May 2009 and for the City to commission a needs assessment prior to holding a public hearing. Councilmembers de Booy, Godwin, and Mayor Pro Tem Cerqui agreed.

Councilmember Hull disagreed because, typically, public hearings do not generate a large public attendance. He supported including the measure on the ballot.

Councilmember Godwin said joining the library system is a permanent decision and that citizens should know what to expect to help them make an informed decision.

Councilmember de Booy indicated she needs more information prior to rendering a decision.

Councilmember Roscoe spoke in favor of pursuing the process and scheduling a public hearing. The Council can provide meaningful information to citizens. Fife citizens want a library and are interested in the issue.

Discussion ensued about special election dates and assumptions that support a 5,000 square-foot library facility in Fife. The Council discussed the public hearing date to begin initiating the process, the importance of public feedback, needs of the citizens, and the likelihood of citizen campaigns supportive of the ballot measure.

City Manager Worthington responded to questions about current utilization of library cards and indicated approximately 100 library cards have been issued in Fife.

Mayor Johnson said he's not opposed to establishing library service, as Fife does need services beyond what is currently available. However, scheduling a public hearing in June does not provide adequate time to outreach to the public to receive informed feedback. Another concern is staff capacity to provide public outreach by a November election.

Mayor Pro Tem Cerqui agreed with the comments of Councilmember Godwin. It's important for voters to be educated before voting on the issue. He supported postponing a public hearing.

City Manager Worthington reported staff is tentatively prepared for a June 10, 2008 public hearing as well as another future hearing date. The Council appears divided on the best approach to pursue. He suggested proceeding with setting a public hearing within the next 30-45 days with a decision at a future meeting. Staff can address scheduling a public hearing date during the Council's May 27, 2008 or June 10, 2008 meeting.

Councilmember Roscoe noted the Council's interest in establishing a clear timeline with milestones. City Manager Worthington reported staff can provide the Council with a schedule for public outreach with milestones for consideration at a future meeting.

Mayor Pro Tem Cerqui encouraged staff to publicize the information in a separate mailing rather than including information in utility bills.

Councilmember Godwin suggested staff should pull together the information needed by the Council to assist the Council in rendering a decision on whether to schedule a special election ballot. Additional research, including a needs assessment, is necessary before asking voters to tax themselves on an unknown commodity.

Mayor Johnson said he's not opposed to holding a public hearing; however, he's also not particularly a fan of stand-alone facilities. He expressed interest in pursuing a combined community center/library facility.

Mayor Pro Tem Cerqui said a majority of the Council supports moving forward with scheduling a public hearing.

Councilmember Brooks asked staff to present the Council with a plan at the next meeting on how to proceed with library services.

Creek Buffer Management Options

Director Smith reported staff is moving forward on more effectively tracking and managing permit applications of creek buffer mitigation sites. An inventory of mitigation sites is completed. Presently, there are six sites under active monitoring.

Director Smith reviewed administrative procedures for landscaping or mitigation plantings of critical areas. Most procedures are beyond what the code currently requires. Performance criteria are not defined and should be unique on a case-by-case basis. Requiring an 80% survivability and recommended percentage of coverage at the end of the monitoring period is a standard benchmark. The issue is identification of the responsible party for planting, maintenance, monitoring, replacement, and identifying a

contingency plan if mitigation fails.

The following are options and observations for possible improvement of the City's mitigation of creek buffers:

- Amend the Fife Municipal Code (FMC) to include creeks and streams as critical areas in Chapter 17 and develop regulations specifically for those critical areas
- Amend the FMC to add language in Chapter 17 for additional criteria for creek and stream buffers
- Involve and work with other agencies with expertise on mitigation strategies
- Continue to improve long-term monitoring and maintenance

Mayor Johnson said staff has made improvements but the methodology is not working effectively. He reported he and Councilmember Godwin reached out to John Johnson, an expert in the field. The City relies on developers for a management approach. The first option advances the need to draft code language.

John Johnson reported he, Mayor Johnson, and Councilmember Godwin toured riparian areas earlier in the day. The state of the buffers is no worse compared to those found throughout the Puyallup drainage basin. Riparian areas contain little in the way of buffer plantings. Reed canary grass is an invasive species and problematic. The plant grows down in water and does not provide adequate shading causing lower oxygen levels for fish and increased water temperatures. He advised that his design uses fast growing riparian tree species in dense stands to recapture riparian sites. Maintenance is paramount. Mr. Johnson offered his assistance and expertise to the City. A buffer workshop is scheduled on July 17, 2008.

Councilmember Godwin thanked Mr. Johnson for his time. He said he's not comfortable with using Chapter 17 as the management guide. It's too broad and administrative decisions have resulted in less than desirable outcomes. He conveyed support for an ordinance of guidelines specific for streams and suggested the City should solicit an independent review of changes to the code. He offered an idea of pulling the edges of the creek back 10 to 20 feet and increasing the riparian buffer width and heavy planting of slopes. He said he's disappointed with previous maintenance efforts.

Councilmember Hull expressed support of the City working with experts to develop effective buffer management solutions.

Councilmember Brooks asked whether the code is lacking or if there is a problem with staff's interpretation of the code. Councilmember Godwin said the problem involves both issues.

Discussion ensued regarding staff executing stricter buffer management and monitoring strategies, how it relates to the current code, and the duration of performance bonds. Director Smith said an alternative is increasing the performance bond (currently 150% of development costs based on an engineer's estimate) and require an increased financial penalty if the City is forced to pull a bond. Councilmember Brooks said performance bonds should favor the City. He said he's generally supportive of allocating funds if enhancing the buffers benefits Wapato Creek. It appears maintenance of the riparian buffers is extremely important and perhaps it's appropriate to engage the drainage district. Previously, a developer's engineer or biologist determined the plantings along the creek. He suggested the City should develop a standard planting plan for buffer areas. Director Smith replied that appropriate plantings are site specific and dependent on topography and orientation of the buffer to the creek. Mr. Johnson agreed standard buffer plans do not necessarily work for all areas along the creek. However, it's possible to create a flexible template.

Mayor Johnson pointed out the main problem is reed canary grass. Developers should be required to treat reed canary grass prior to new plantings, which might require follow-up treatment. Director Smith said a majority of the creek buffer is privately owned. Property owners could voluntarily enhance their own property using a planting strategy developed by the City.

Mayor Johnson asked staff to develop a planting guide template and incorporate pretreatment of reed canary grass prior to new plantings. Monitoring and inspection of mitigation sites are critical.

Councilmember de Booy agreed follow-up and maintenance of the riparian areas are both necessary. Bonding requirements could be higher to encourage developer follow through with mitigation plans. She asked if an ordinance is required to include creeks and streams as critical areas in the FMC. Director Smith replied an ordinance is required.

Councilmember Roscoe said the issue concerns regulating development activity along the creek and not necessarily establishing creek buffer guidelines for property owners. The Critical Areas Ordinance (CAO) administrative procedures appear subjective. The terms "may" and "should" are used throughout the ordinance. The ordinance should be strengthened. She said she's not convinced adding creeks and streams as critical areas is the solution. Two biologists have previously suggested specific treatment for invasive reed canary grass is needed. She said she supports Councilmember Godwin's suggestion of pulling back bank buffers where possible and she is interested in the financial implications to the City for maintenance. She said she supports the City maintaining the trails along the stream corridor.

Mayor Pro Tem Cerqui supported including creeks and streams as critical areas in the FMC, preparing the riparian areas prior to new plantings, and

follow-up monitoring by the City.

Councilmember Brooks inquired about the inspection of new plantings. Director Smith replied for FedEx, the company retained a wetland firm to conduct the inspection. Councilmember Brooks suggested the City should conduct inspections. He suggested staff should examine the City's inspection fee schedule and having a contracted City biologist conduct the inspections.

Discussion ensued on acceptable and effective methods to remove reed canary grass and other invasive species and a 25% credit when developers provide mitigation.

City Manager Worthington summarized feedback on buffer management options. Staff will provide information on amending the FMC to include creeks and streams as critical areas; include clear buffer planting standards, evaluate pulling back stream buffers, and research how other cities manage riparian buffers

Councilmember Godwin suggested that in the interim to ensure appropriate buffer management, staff should update the Council on ongoing mitigation plans while the City is developing a revised strategy.

Director Smith advised that staff will incorporate feedback into management practices in the interim while drafting new regulations. An expert should review any recommended plantings template.

Mayor Johnson said he's not opposed to granting some administrative leeway as long as it results in achieving the goals of both the City and developer. It makes sense to expend funds upfront for pretreatment and increasing performance bond limits.

Caboose Restoration Project Report

Director Reuter acknowledged and thanked volunteers of the caboose restoration project for their work and dedication.

Manager Cantlin provided a PowerPoint presentation highlighting the Fife Caboose project history.

On October 10, 2000, the Council unanimously approved a resolution accepting the donation of the caboose from Camp Six. It was moved from Tacoma's Point Defiance Park to its current location in July 2001. The caboose was built in 1918 in the Dalles, Oregon area for the Oregon Washington Railway and Navigation Company (OWRNC), a subsidiary of Union Pacific. The goal is preserving a piece of Fife's history and displaying the caboose at the City's museum.

Fife was awarded two grants of \$16,700 from the Union Pacific Foundation for the project. Restoration work commenced in the summer of 2002. The first two years involved dismantling the caboose. Hundreds of volunteer

hours have been spent on the restoration. Tacoma Wood Boat Workers from the Tacoma Maritime Museum were hired to build the ceiling arches and frames. Work completed to date includes new metal framing, flooring, walls, and hardware replacement. Completion is estimated to be late 2009 or mid-2010 dependent on volunteer labor. Volunteers meet every other Saturday to work on the caboose.

Volunteers in attendance provided self-introductions.

A conceptual drawing showing how an existing barn could be designed to look like a train station was presented.

Councilmembers expressed appreciation for everyone's work to restore the caboose.

City Marketing Report

Marketing Coordinator Potter presented a *Marketing Coordinator Annual Report*. The report focused on tourism generation and marketing, public relations, photography and design, advertising, community outreach, special projects and events, and boards and commissions.

Some milestones include:

- Fife's new website visitor section received more than 4,000 visits since March 2008. The section includes information on City events, lodging, restaurants, meeting and sports rentals, parks, gaming, festival, museum, swimming, things to do while in Fife, and the specialty outlets.
- Print media creation includes a community profile, facility rental proposal, lodging and dining guides, chamber directory, Tacoma Regional Convention and Visitors Bureau (TRCVB) visitors guide, monthly event calendars, PRCS activity guides, and a parks amenity sheet.
- The City Marketing Coordinator is now a voting board member of TRCVB.
- Public relations include numerous press releases, website updates, media monitoring, pursuing mutually beneficial partnerships, and updating information in numerous publications.
- Marketing and unifying sales efforts for specialty retail businesses along the 20th Street corridor including market research and advertising.
- Design and management of the Fife Performing Arts Center website.
- The City Marketing Coordinator position acts as a public relations liaison for the Fife Historical Society.
- Special events and programs include planning for the time capsule, a new annual event at Dacca Park – Walt's Family Affair Car Show, Harvest Festival, and the 2008 Tall Ships experience.
- The City Marketing Coordinator is a member of the Lodging Tax Advisory Committee (LTAC).

City Manager Worthington commented on how much has been accomplished

over the last 11 months. He thanked Marketing Coordinator Potter for her report.

Councilmembers individually thanked Coordinator Potter's for her efforts.

Motion

Councilmember Roscoe moved, seconded by Mayor Johnson, to extend the meeting 20 minutes. Motion carried.

Noise Code Amendments

Code Enforcement Officer Larson reviewed information on the proposed amendments to Fife's noise code. The Planning Commission approved the proposed amendments at its May 19, 2008 meeting.

Previous review of the noise code by the Commission and Council identified two main issues - lack of enforcement "teeth" and inadequacy of the existing measuring system because of ambient noise from I-5. Community Development staff met with the Police Department and legal counsel on how to approach the amendments. Enforcement jurisdiction has been changed to include the Police Department as well as other staff designated by the City Manager. Violations of the noise code would result in a civil penalty.

A new section on public disturbance noises has been added. Exemptions include regular scheduled events at parks, schools or other public property, noise from residential property between the hours of 7:00 a.m. and 10:00 p.m. relating to temporary projects for home maintenance or repair, sounds originating from construction sites, and public construction projects.

Code Enforcement Officer Larson provided a map showing the location of noise complaints filed in 2007. A majority of the complaints involve residential areas. Ambient noise measurements of 74 decibels were measured at Pacific Highway, which is above any maximum noise level industry standard. The highest allowed is 70 decibels. Staff researched the City of Tacoma's noise code and the Washington Administrative Code (WAC) for information on ambient noise levels. A new subsection E is proposed as follows, "If the background sound level is above the maximum permissible environmental noise levels set forth in this section, the maximum permissible sound source level in excess of the background sound level shall be 10 decibels, measured at or within a receiving property." Other changes to the code include updating zoning references as they relate to determination of the Environmental Designation for Noise Abatement (EDNAs).

Code Enforcement Officer Larson reviewed research staff conducted on yard vehicle backup beepers. Audible examples of single and multi-tone yard vehicle backup beeper systems were provided. Noise from multi-tone beeper systems dissipate twice as fast compared to single-tone beepers. Additionally, it's much quicker to determine the location of a multi-tone beeper.

Another option is a system that senses the ambient noise level and adjusts the

warning tone accordingly. The Council could include a reasonable exemption clause for backup beepers based on specific criteria.

Councilmember Godwin asked whether there is a distance from property lines where backup beepers are not audible. Commercial establishments (FedEx, Benaroya) are moving equipment in the middle of the night. A 60-foot setback does not provide an adequate noise buffer. City Attorney Amann reported noise levels on ambient noise beepers are measured based on the ambient noise level at a given time. The signal is limited to 5-10 decibels above the ambient noise level. Councilmember Godwin suggested adding language concerning the backup beeper sensor system. City Attorney Amann advised that retrofitting vehicles with the sensor system creates additional cost to businesses and will take time to implement. He suggested considering a phase-in period prior to issuing violations.

Discussion ensued on why an appeals board was abolished.

Councilmember Brooks asked staff to provide the entire ordinance with changes reflected in bill format because of the difficulty in comparing current requirements with proposed changes. He asked how yard vehicles are defined. Code Enforcement Officer Larson said yard vehicles are designed not to be driven off site. Councilmember Brooks acknowledged the problem in regulating backup beepers. Vehicles will come in from other areas that are not compliant. City Manager Worthington clarified that the ordinance applies only to vehicles operating in yards in Fife.

Motion

Mayor Johnson moved, seconded by Councilmember Glenn, to extend the meeting 10 minutes. Motion carried.

Discussion ensued on fines for violations based on statutory civil infraction penalties.

Councilmember Roscoe said the ambient noise at 1:00 a.m. might not be as loud compared to ambient noise levels at 4:00 p.m. She said she supports the direction of the ordinance and looks forward to seeing the ordinance in its entirety.

Councilmember Johnson suggested lowering the penalty from \$250. Police Chief Blackburn said another consideration could include establishing a penalty for deterring the behavior. As an example, a \$50 fine will not make a difference. Code Enforcement Officer Larson offered that the Council could consider implementing a graduated penalty fee schedule.

OTHER BUSINESS

City Manager Worthington reported a special City Council meeting with the cities of Milton and Edgewood is scheduled for June 9, 2008 at 7:00 p.m. in Milton. The agenda topic concerns homeland security issues.

City Manager Worthington briefed the Council on the Tall Ships calendar

events and promotional packages and advised the Council to contact staff for event passes. A limited number of tickets are available for the parade of sail across Puget Sound planned for July 3, 2008. A limited number of invitations are available for the cannon battle on July 5, 2008. Fife's dockside party is also scheduled on July 5, 2008. The cost is \$30 per person to help defray catering costs. Councilmembers are welcome to individually add up to four names to the dockside party invitation list.

City Manager Worthington updated members on a fast pitch softball tournament that could be held in Fife. Approximately 12-16 ball fields would be required. The event is booking fields in Fife and the surrounding community. One of the divisions will play in Fife during the course of the tournament. Staff is negotiating fees with the prospective user.

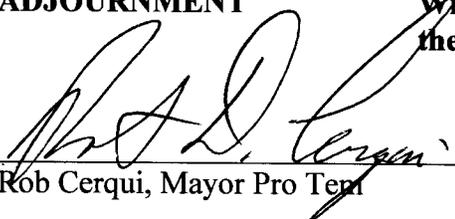
City Manager Worthington reported Councilmember Hull is working with a monitoring program of the community's water system addressing how the public disposes expired pharmaceuticals. Pharmaceutical compounds found in water affect fish and wildlife habitat. A representative from Michigan is available to meet with the Council and community to discuss the monitoring program. Potential dates are June 5-8, 2008. A Council budget retreat is scheduled for Saturday, June 7, 2008. The representative is seeking to offset travel expenses of approximately \$1,000.

Mayor Pro Tem Cerqui reported during the last legislative session, Representative Morrell proposed a bill requiring pharmaceutical companies to fund the costs associated with a drug recycle program.

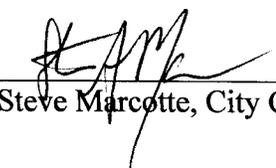
Councilmember Godwin commented on the possibility of a new, local resource on the issue at the City of Tacoma.

ADJOURNMENT

With there being no further business, Mayor Pro Tem Cerqui adjourned the meeting at 10:38 p.m.



Rob Cerqui, Mayor Pro Tem



Steve Marcotte, City Clerk/Finance Director