

**FIFE CITY COUNCIL
REGULAR MEETING MINUTES**

**Fife City Hall
Council Chambers**

**Date: August 25, 2009
Time: 7:00 p.m.**

EXECUTIVE SESSION **Mayor Pro Tem Brooks convened an executive session at 6:00 p.m. for the purpose of Real Estate RCW 42.30.140 for approximately 55 minutes.**

ADJOURNMENT **Mayor Pro Tem adjourned the executive session at 6:56 p.m.**

CALL TO ORDER AND ROLL CALL Mayor Pro Tem Brooks called the regular meeting of the Fife City Council to order at 7:02 p.m. with the following Councilmembers present: Richard Godwin, Glenn Hull, Butch Brooks, Rob Cerqui, Nancy de Booy, and Kim Roscoe.

Excused absence: Mayor Barry Johnson.

Staff present: City Manager Steve Worthington, City Attorney Loren Combs, Finance Director Steve Marcotte, Police Chief Brad Blackburn, Parks, Recreation & Community Services Director Kurt Reuter, Acting Community Development Director Carl Durham, Financial Analyst Dave DeGroot, Marketing Coordinator Laurel Potter, and Recording Secretary Valerie Gow.

PLEDGE OF ALLEGIANCE Councilmember Godwin led the pledge of allegiance.

CHANGES, ADDITIONS OR DELETIONS TO AGENDA An executive session was added after the end of the regular meeting with no action planned.

CITIZENS COMMENTS **Carole Sue Braaten, 2410 Berry Lane East, Fife**, expressed concerns about the oversight within the budget of over \$1 million with respect to the sewer payment to Tacoma. Current citizens and businesses should not have to be responsible for the budget oversight.

Mayor Pro Tem Brooks clarified that the funds for the sewer charges were collected and held in the City's account. The mistake was in the billing from the City of Tacoma for three years. The charges were collected accurately, the error occurred in the billing from Tacoma.

Ms. Braaten referred to the \$86,000 transfer for maintenance of fields and suggested with the rental of fields, maintenance of fields should be covered through field use fees. She commented on several instances when games were not held and the field lights were on, which creates unnecessary costs to the City.

CONSENT AGENDA

- a. Approval of Minutes: August 11, 2009 Council Meeting
- b. Approval of Vouchers:
 - Payroll: #45950 – 46007 \$709,919.15
 - Claim: #76939 – 77090 \$224,820.99
- c. Set a Special Meeting for September 1, 2009 Budget Retreat City Hall 7:00 p.m.
Adopt:
- d. Ordinance #1697; 2009 Budget Modification

Motion

Councilmember Godwin moved, seconded by Councilmember Cerqui, to approve the consent agenda as presented. Motion carried.

SPECIAL PRESENTATIONS

City of Fife Decade in Review

Acting Director Durham provided a slide presentation on activities occurring over the last 10 years within the City of Fife involving:

- **Residential Developments**

- Sheffield Place – a gated community of 40 units began in 1998
- Wapato Point/Wapato Point South – 58 single family and six duplex units
- Mayfair Condominiums – 42 condominium units
- Bella Sonoma – 48 buildings with 280 multi-family units
- Tarmigan – 152 apartments
- Radiance Phases 1, II, & III – 690 residential units (190 duplexes)
- Saddlecreek I-III/Loop/Short-Plat – 395 single family homes
- Valley Haven - 71 single family homes
- Stonebrook – 72 townhomes unites
- Rainier View – 49 senior living apartment units
- Ashley Square – 126 attached townhomes
- Radiance IV – 49 single family homes

Since 1998, over three million square feet of single-family units have been added with over one million square feet of multi-family housing.

- **Commercial Developments, Expansions & Remodels**

- Fife Landing – 762,000 square feet consisting of three buildings
- Smith Terminal
- Mission Foods
- Fife Landing East
- Nissan Dealership
- Gensco
- Intracorp Industrial

- Milgard
- O'Brien Jaguar
- Bassett Furniture
- Dancol Business Park
- North Coast Machinery
- Fife Landing North
- Helix Rushforth
- Harley Davison Addition
- BMW Northwest Mini
- Longshoreman's Hall
- ROFU/Patriot Fire
- New Horizon Christian Church
- Columbia Hr. High School
- McCann Cadillac
- Hansen Hansen Johnson
- Conway Freight
- Infiniti Dealership
- Auto-Chlor
- Fife Commerce Center Building
- Holt Drilling
- Pacific Willows Retail Center
- Korean Catholic Church
- Fife RV/Korum Motors
- McCann Hummer
- Regal Building D
- Fife Commerce Center Building B
- Pacific Coast Phase
- Holiday Motor Homes
- Fife Card Lock & Espresso
- O'Brien Landrover
- BMW Northwest Mini Phase II
- Western Fluid
- Gensco Expansion
- Pacific Coast Phase II
- EQC Expansion
- EQC Garages
- Federal Express
- Praxair Expansion
- Columbia Jr. High Portables
- Volvo/Volvo Detail Building

- **Developments in the Planning Process** – totaling over 2 million commercial square feet and 92 resident units
- **Employment Statistics** – Currently Fife's employment base totals 7,419 jobs
- **Restorations & Enhancements**

- Erdahl Ditch Repair
- Oxbow Wetland – DR Horton Mitigation Restoration
- Milgard-Hylebos Restoration
- Milton Trail
- Regal OPUS Trail
- **City Parks**
 - Wedge Park
 - Dacca Park
 - 5 Acre Park
 - Fountain Memorial Park
 - Frank Albert Parkway
 - Brookville Garden Conceptual Plan
 - Colburn Park
- **Traffic Items**
 - Port of Tacoma Interchange
 - Groundbreaking – Pacific Highway Widening Project
 - School Crosswalk Lights
 - Red Light Camera
 - School Zone Flashing Lights
 - Valley Avenue Sidewalks
 - Traffic Signal – Freeman & Valley
 - Traffic Signal – 54th & 23rd
 - 54th Avenue Closure at Railroad Tracks
 - 54th Avenue Improvements
- **City Buildings**
 - Kinoshita Building
 - Pool Remodel
 - Council Chambers remodel
 - Public Works Office Addition
 - Pole Buildings
 - Pump Station #1
 - Fife Museum and Barn
- **Extreme Weather Events**
 - January 2009 flooding
 - December 2008 snow event
 - November 2007 flooding
 - 2005 flood
- **Significant Long-range Planning Items**
 - Annexations
 - 20th Street Property Possibilities
 - Highway 99 Building Height Increase
 - Low Impact Development Regulations
 - Noise Code changes
 - Hearing Examiner replaces Board of Adjustment
 - Adopted Community Mixed Use Zone

- **In the News**
 - Firwood Stop Work Order 12/07
 - Kingdom Inn Demo
 - Firwood Tavern Burns in May 2008
 - Silver Bullet/Java Jump Demo 1999
 - Riviera Trailer Park Closing 2005
 - Sterino's Closes 2007
 - Motel Safety Inspections & Closures
 - Walt's Family Affair Classic Car Show
- **City Progression and Events**
 - 1999 form of Government Change from Council/Mayor to Council/Manager
 - Internal Office Improvements
 - :LaHar Installation
 - Caboose Restoration underway
 - Dragon Boating
 - Fife Harvest Festival
 - Easter Egg Hunt
 - Celebrated Golden Jubilee – 1957-2007

DOT HOV Presentation

Director Blount introduced Rumina Suafoa, Washington State Department of Transportation (WSDOT) Project Engineer. Ms. Suafoa updated the Council on the Tacoma/Pierce County HOV Program.

The project, underway by Tri-State Construction, involves Interstate 5 through the City of Fife consisting of the addition of high occupancy vehicle lanes (HOV) under the department's HOV Program. The project will widen I-5 for HOV lanes in each direction between the Port of Tacoma Road and the King/Pierce County line. Six bridges crossing Wapato Creek and Hylebos Creek will be widened. Safety benefits include wider shoulders on the freeway and alignment of the curbs meeting design speeds. Lighting will be added on both sides of the freeway.

During construction, it will be important to maintain traffic flows. Another benefit of the project is the resurfacing of I-5 in both directions. WSDOT will mitigate changes in area flows caused by highway expansion including improving stormwater treatment and mitigating wetland impacts caused by construction activities.

Additionally, the project will add Intelligent Transportation System (ITS) improvements involving the addition of traffic cameras, improving electronic signage for traveler notification, and installation of data collectors to provide traffic flow information to the public.

The project is funded by American Recovery and Reinvestment Act funds

of approximately \$31 million.

Construction activities have begun with pile driving occurring in the median to widen three bridges. The early work is necessary to adhere to the fish window whereby construction activity can only occur within the water until the end of August at West Hylebos Creek and until the end of September for the remaining pilings. The early work will reduce the project construction timeline by several months. Currently, the project timeline is scheduled for approximately 21 months.

Existing lanes on I-5 from Port of Tacoma through Fife will be moved to the outside enabling work to occur in the median. Most of the work will occur at night when traffic volumes are lower. The department acknowledges that night construction noise will be disruptive and bothersome. Traffic speeds through the work zone will not be lowered but traffic will likely reduce speed through the work zone because of the narrowing of the lanes. Construction activities will affect residents, especially from the noise of pile driving. Approximately 176 piles need to be driven with 10 completed to date.

Councilmember Godwin asked whether there are any plans to clean the drainage at the crossing at Wapato Creek. Currently, drainage is restricting flows. Ms. Suafoa said she believes there are no plans included within the contract for clean-up activities along Wapato Creek. Councilmember Godwin noted the pipe is located under I-5. The project provides an opportunity to remove sediment buildup within the pipe. Ms. Suafoa advised that she will follow up on the request at a later date.

Councilmember Roscoe commented on the impacts caused to residents by the construction activities and acknowledged the work is needed to improve the freeway. She asked for clarification on noise mitigation with respect to the proposed sound walls that were opposed by many Fife businesses. She mentioned the department's decision not to use noise-reduction pavement because of the half-life associated with the product and the department's plan for plantings. Ms. Suafoa replied that part of noise mitigation involves line of sight. The department's plans to plant trees to block freeway visibility. Mayor Pro Tem Brooks noted that the plantings will only be in the area of residential housing and not along Fife businesses.

Ms. Suafoa responded to questions on the timeline and how it might be impacted by inclement weather. The contractor has factored weather into the construction timeline. WSDOT has implemented measures for treatment of stormwater to mitigate impacts.

Councilmember Roscoe asked whether there has been any consideration with respect to light pollution. Ms. Suafoa referred to WSDOT's lighting standard and spacing requirements. A comparable area where lighting

improvements were installed is located at the 38th Street exit.

Festival Update

Marketing Coordinator Potter updated the Council on the status of planning activities for the Saturday, October 3, 2009, Fife Harvest Festival at Dacca Park. She displayed the festival poster. The festival is a free event that begins with a free pancake breakfast at the Fife Community Center at 7:00 a.m. followed by the “Stuff the Bus 5k Fun Run” at 9:00 a.m. and a parade at 11:00 a.m. through the City to Dacca Park. The Fife pool will be open for free swimming and a milk carton derby at 2:30 p.m.

All day events include face painting, arts and crafts booths, U-Fish Pond, bouncy toys, Kids Korner, strolling magicians, Glitterbug & Beep Beep, and kid’s tractor pulls. Reptile Man will make an appearance and the petting zoo will be featured. Food vendors include a new feature involving hot cider and Council Corn on the Cob. J.P. Patches will attend the festival this year. The evening will end with a chili feed, entertainment, and a fireworks show.

This year’s top sponsor is Boeing Employees Credit Union.

Coordinator Potter provided the Council with a commemorative dash plaque from Walt’s Family Car Show.

COUNCIL DELEGATE REPORT

Councilmember Roscoe reported on the upcoming meeting of the Zoo Trek Advisory Board at Northwest Trek, which includes a review of forest management practices and a tour of the park.

Mayor Pro Tem Brooks reported on his opportunity to thank Senator Murray on the City’s behalf for her efforts for securing grant funding for the 70th/Valley Avenue project.

ORDINANCES AND RESOLUTIONS

ORDINANCES:

#1701; Small Works Roster Update

Motion

Councilmember Godwin moved, seconded by Councilmember Cerqui, to approve Ordinance #1701 Small Works Roster Update.

City Clerk/Finance Director Marcotte read the title of Ordinance #1701:

An ordinance of the City Council of the City of Fife, Pierce County, Washington, updating the City’s Small Public Works Roster procedures and amending Section 2.90.030 of the Fife Municipal Code.

Director Blount reported the ordinance is housekeeping in nature to update the City's code to align with the state's code in the definition of a qualified contractor and adjustment in the limits for small works roster projects. The Legislature changed the statutes defining "responsible bidder." The proposed new language amends the FMC in conformance with the new statutory requirements and limits. Staff recommends approval of first reading of the ordinance.

Director Blount acknowledged for Councilmember Hull that the change in the definition of a "responsible bidder" applies to any licensed contractor who has no unresolved complaints or penalties associated with a complaint, and that the contractor is the low bidder. Based on the advice of legal counsel, the change is a mandatory requirement from the state. Councilmember Hull commented that the change essentially removes personal judgments, such as the quality of workmanship from the process when selecting a contractor. City Attorney Combs referred to the statute and the mandatory requirements for selection of a contractor. The intent of the statute is ensuring objective criteria are used in the selection, as well as other factors in the selection of contractors.

Councilmember Hull asked whether it's typical for small works jobs to add up to millions of dollars. Director Blount reported staff adheres to both the statute and to Council's direction with respect to the awarding of construction contracts. Generally, the Council pre-approves small public works projects through the budget or design process.

The Council agreed to include second reading of the ordinance on the consent agenda for the Council's next regular meeting.

Motion

Motion carried unanimously.

**#1702; Utility Lateral
Ownership**

Motion

Councilmember Godwin moved, seconded by Councilmember Cerqui, to approve Ordinance #1702; Utility Lateral Ownership.

City Clerk/Finance Director Marcotte read the title of Ordinance #1702:

An ordinance of the City Council of the City of Fife, Pierce County, Washington, regarding maintenance and repair of side sewers and amending Section 13.08.200.

Director Blount reviewed the existing definition of a "side sewer" and the proposed new language. The proposal is a housekeeping update requested during Washington Cities Insurance Authority's 2008 review calling out the

responsibility for maintenance and repair of side sewers, which is a clarification that is consistent with the City's intent as adopted by the Council some time ago. Staff recommends waiving second reading.

Councilmember Cerqui questioned the responsibility if a third party accidentally damages a line. Director Blount said the party damaging the line is the responsible party.

City Attorney Combs pointed out a scribe's error in the proposed amendment and recommended changing "public works superintendent" to reflect "public works director."

Motion

Councilmember Godwin moved, seconded by Councilmember Cerqui, to amend the motion waiving second reading and correcting the amendment changing "public works superintendent" to read "public works director." Motion carried unanimously.

Motion

Motion carried unanimously on the amended motion.

RESOLUTIONS

#1313 Accepting Police Grant Award

Motion

Councilmember Godwin moved, seconded by Councilmember Cerqui, to approve Resolution #1313; Accepting Police Grant Award.

City Clerk/Finance Director Marcotte read the title of Resolution #1313:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing the acceptance of a grant award to fund one police officer position.

Police Chief Blackburn advised that the application the City submitted is similar to an application the City submitted during the Clinton Administration. The City was recently awarded a COPS Hiring Recovery Program Grant of \$263,563 over a three-year period to fund one officer. The City was ranked in the top 93 percentile in the overall U.S. rankings, which is indicative of the need for police officers in the City. The grant covers the salary and benefits of an officer for three years and includes an escape clause if the City experiences a financial hardship. The City is not obligated to continue the position if it can be demonstrated.

Councilmember Godwin asked if any officer retirements are anticipated within the four-year period. Police Chief Blackburn said he's unsure but that it could be likely.

Motion

Motion carried unanimously.

**#1308; Authorize ILA
with City of Milton**

Motion

**Councilmember Godwin moved, seconded by Councilmember Cerqui,
to approve Resolution #1308; Authorize ILA with City of Milton.**

City Clerk/Finance Director Marcotte read the title of Resolution #1308:

A resolution of the City Council of the City of Fife, Pierce County, Washington, authorizing an interlocal agreement with the City of Milton for current and long range planning services.

Acting Director Durham reported the proposal is for an agreement with the City of Milton for current and long range planning services. Discussions between the two cities have been underway for some time. Development has slowed considerably in the City of Milton and the City has reduced its staffing level. The City Manager and the City Attorney have been involved in the negotiation of the agreement. Milton's City Council approved the agreement at its last meeting. Staff recommends approving the agreement to provide planning services until the end of 2010.

City Manager Worthington said the agreement will also enable the City of Fife to retain existing staff.

Acting Director Durham described the proposed interaction and provision of services to be provided to the City of Milton. Staff believes the City has the capabilities and staffing to meet the needs of the agreement. City Manager Worthington added that the agreement is basically cost neutral to the City. The City of Milton has eliminated several positions saving the city approximately \$250,000. The agreement does not imply that the City of Fife will deliver that same level of service, but will provide support to the City of Milton for it to handle its development activity as well as other planning requirements.

City Attorney Combs advised that there is a mutual cancellation provision included in the agreement.

Motion

Motion carried unanimously.

NEW BUSINESS

**Potential ILA 2010
Drainage District #21**

Director Blount reported the staff report was prepared prior to a meeting between staff and Commissioners of Drainage District #21. The staff report includes three alternatives. Staff recommends moving forward with negotiations for an interlocal agreement with the District ending the City's

services outside the City of Fife and ending the District's operations within the City effective at the beginning of next year.

Mayor Pro Tem Brooks clarified that the proposal does not address any potential service for the remaining area moving forward. The proposal is to amend the interlocal agreement that is already in place by changing the ending date.

Consensus

The Council directed staff to pursue staff's recommended action #3 to begin negotiations with Drainage District #21 to amend the date of the interlocal agreement.

**Tideflats Area
Transportation Study
Funding**

Director Blount reported the study is through the Washington State Freight Mobility Strategic Investment Board (FMSIB), a Washington State agency associated with freight mobility within the region and the state. The request is for Fife to provide funding of \$75,000 towards a proposed Tideflats Area Transportation Study (TATS) in a partnership between the Port of Tacoma, City of Tacoma, Puyallup Tribe of Indians, the state, and the City of Fife.

Director Blount outlined the proposed study area, which is larger than any previous study area. The partnership will enable a study of the entire area affected by all the agencies. Guidance is sought from the Council on whether it's appropriate to approve \$75,000 as requested by the state for the City's share for 2010.

Mayor Pro Tem Brooks said the City should participate to ensure that the City is involved, but that during the negotiations moving forward, the City should limit its contribution to the initial \$75,000.

Consensus

The Council directed staff to include \$75,000 in the draft 2010 budget for participation in the TATS.

**CITY MANAGER
REPORT**

City Manager Worthington reported on the following activities:

- The bid for construction of the Valley Avenue project has been released. The bids are due by September 14, 2009.
- Participation in the City's summer day camp program involved 303 youths over the summer.
- Staff is submitting an addendum for the Valley Avenue project for several small changes.

**COUNCILMEMBER
COMMENTS**

Councilmember de Booy commented on the upcoming Port of Tacoma waterfront festival and tours during the weekend of August 29-30, 2009. She said she plans to participate.

Mayor Pro Tem Brooks reported on an upcoming meeting involving Mayor

Pro Tem Brooks, City Manager Worthington, Director Blount, and Police Chief Blackburn with staff from Congressman Smith's office.

Mayor Pro Tem Brooks is also chairing the Valley Cities meeting on behalf of Mayor Johnson.

CITIZEN COMMENTS

Carole Sue Braaten, 2410 Berry Lane East, Fife, expressed appreciation for the presentation on the last decade of the City. She said she's concerned about the construction of the HOV lanes and attended a state presentation about the project. A project book cost \$26, which is supposed to be available at the City. The concern is that the state's study is 10 years old and the project does not entail raising any of the areas where flooding occurred. The state is not addressing a number of drainage and water problems generated from roads. Those issues need to be addressed. The proposed mitigation will not be adequate because of Fife's high water table. She complained about a number of issues associated with the project ranging from piecemeal roadway improvements and noise control. The comment period is open until August 31, 2009. She suggested Fife should address the concerns as well as addressing the need for a pedestrian overpass over the freeway. She referred to the significant drop in agriculture production and how it will impact local residents and the food supply. She mentioned the reduction in production of raspberries. Yakima Valley cannot support a number of different crops because of the type of soil and water and irrigation issues. She asked the Council to reconsider best use of land management practices.

Max Jaquez, 2114 63rd Avenue East, referred to his previous comments on a problem with the City's red light photo enforcement camera. He shared a recent experience about the intersection lacking signs warning motorists to stop on red, and insinuated that the lack of the warning sign is a trap to motorists. Mr. Jaquez complained about an officer running a red light, but acknowledged that he did not know whether the officer was responding to an emergency call.

**ADJOURNMENT TO
EXECUTIVE SESSION**

Mayor Pro Tem Brooks recessed the meeting at 8:26 p.m. for a five-minute break followed by an executive session for approximately 20 minutes for labor negotiations.

RECONVENE

Mayor Pro Tem Brooks reconvened the meeting at 8:55 p.m.

ADJOURNMENT

Mayor Pro Tem Brooks adjourned the meeting at 8:55 p.m.

Butch Brooks, Mayor Pro Tem

Steve Marcotte, City Clerk/Finance Director

Prepared by Valerie Gow, Recording Secretary/President
Puget Sound Meeting Services