

CITY OF FIRCREST
REGULAR CITY COUNCIL MEETING MINUTES

TUESDAY, FEBRUARY 10, 2015 **COUNCIL CHAMBERS**
7:00 P.M. **FIRCREST CITY HALL, 115 RAMSDALL STREET**

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor David M. Viafore called the regular meeting to order at 7:00 P.M. and led the Pledge of Allegiance. Councilmembers Shannon Reynolds, Hunter T. George, Denny Waltier and Jason Medley were present. Councilmembers Matthew Jolibois and David R. Goodsell were excused. Goodsell arrived at 7:02 P.M.

PRESIDING OFFICER'S REPORT

Viafore reported that he attended the Cities and Towns meeting last week and noted the following items were discussed:

- Lobbyist Randy Lewis provided a legislative update noting that there is a House Bill addressing a 10.5 cent gas tax and the Senate is proposing 11.5 cents. The Transportation Bill is being argued on how the money would be spent. Last session the House and the Senate argued about how to spend the money resulting in no Transportation Bill
- There are 24 Bills in the House and 16 Bills in the Senate regarding marijuana
- The creation of a Transit Policy Board, by Council, to levy car tab increases from \$20 to \$100, and legislation underway to raise the \$20 minimum to \$50 and no longer require a Board to be involved

Viafore stated that the City of Sumner is throwing a pre-function event on June 13th and June 14th - "Open in Sumner" to celebrate the US Open. The City invited all 21 Mayors to participate in the parade scheduled during the event. Viafore noted he suggested substituting Ken Still for the Mayor of Fircrest as Ken is the City of Fircrest's Goodwill Ambassador to the 115th U.S. Open Championship. Viafore reported the weekend event benefits and raises funds for the American Lake Veteran's Golf Course to which Ken Still donates much of his time and energy. Viafore noted that yesterday he contacted Ken to inform him of this event and Ken indicated he was interested in participating in the parade.

George provided an update on presentations he and Medley had made to the Senate and House committees regarding the proposed legislative language regarding liquor for consumption. He noted that there had been new substitute language proposed within the last hour. George summarized what had occurred since last December regarding the state Legislature helping Fircrest find an election boundary in such a way that the annexed areas that are allowed to serve liquor would be protected from a subsequent election regarding liquor for consumption. He stated that the initial Senate Bill that was filed gave the authority to the City Council to remove the prohibition. Pursuant to opposition, that Senate Bill was ultimately substituted with another Senate Bill. George stated that there also was a House Bill somewhat similar to the substitute Senate Bill and at this time the Senate Bill is favorable. George provided copies of the substitute Senate Bill and concluded by noting there still was work to be done and they were moving in the right direction.

Discussion ensued and Council requested that staff and the City Attorney Smith review the substitute Senate Bill to determine if the language is preferred, provides the desired legislative fix, and doesn't affect existing businesses that are allowed to sell unopened bottles of alcohol.

CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

Randy O'Brien, 1037 Princeton Street, Fircrest WA, spoke in opposition to comments made by some Councilmembers during testimony to the Senate and House Committees regarding the liquor law and felt that there was misrepresentation made that Council was unified in its desire to remove the liquor prohibition from Fircrest and also when references were made that lumped the neighborhood commercial and community commercial sections together. O'Brien stated he was under the impression that Council wanted a legislative fix to address the liquor by the drink issue regarding consumption in certain parts of the City and not that Council wanted to lift the prohibition.

Discussion ensued and Council clarified its support in asking the Legislature to change the law so that the voters could be asked what they want to happen regarding liquor consumption but with protections in place for the annexed areas.

COMMITTEE, COMMISSION & LIAISON REPORTS

Parks & Recreation

Goodsell reported that 40 people had registered for the upcoming Daddy Daughter Dance. Goodsell noted that Parks and Rec was a common theme from last night's Council retreat and one of the top five most important items. Goodsell noted that Parks and Recreation Director Grover and City Manager Rosenblatt were continuing their work on the feasibility study for the Community Center and pool. He further provided information on how the City ranked in the scoring of the RCO Grant application and the fact that the City would probably not be successful in obtaining it.

Police, Court

Reynolds stating she met with Court Administrator Olsen and was made aware that the Court takes credit card payments. She further noted that Chief Cheesman offered to assist with the scholarship opportunity to identify local youth and would continue looking for grants as avenues to pay for different things.

Environment, Planning, Building

George reported on the following items:

- A public hearing will be scheduled either mid-March or early April on the Wainwright Conditional Use Permit
- Amendments to the code regarding the Comprehensive Plan docketing process are being written and will be brought forward soon
- The GMA Comprehensive Plan review and update is underway and a recommended draft will be brought forward in either May or June for Council consideration
- Final drafts of proposed development regulations regarding liquor will be presented to the Planning Commission in either May, June or July
- The Planning Services Fee Schedule regarding the fee(s) charged for a Home Occupation Permit will be presented to Council in either July or August
- The state mandated Development Regulation updates (critical areas, other compliance issues, and some corrections to the regulations) will be presented in late summer or early fall

- Changes to the Development Regulations to ensure consistency with the Comprehensive Plan will be presented later in the year

Investment Committee

Viafore reported the \$1,000,000 bond that was purchased last May had been called, resulting in interest of \$9,600. He noted that had the bond not been purchased and the money had instead remained in the State Investment Pool, the amount of interest received would have been approximately \$825.

CONSENT CALENDAR

Viafore requested the City Clerk read the consent calendar as follows: approval of Voucher No. 205362 through Voucher No. 205414 in the amount of \$153,242.22; approval of Payroll Check No. 11577 through Payroll Check No. 11582 in the amount of \$6,039.36; approval of Payroll Check No. 11583 through Payroll Check No. 11588 in the amount of \$79,903.08; approval of Payroll Check No. 11589 through Payroll Check No. 11594 in the amount of \$91,197.80; and approval of the January 27, 2015 Regular meeting minutes.

MOTION

Moved by George, seconded by Goodsell, to approve the consent calendar as read. Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Excused: Jolibois. Motion carried.

NEW BUSINESS

Close-Out Change Order #1 and Acceptance of the 300 Block Alley Farallone/Eldorado Sewer Project

Public Works Director Wakefield stated the proposal is a request to provide a close-out change order for the 300 block alley Farallone/Eldorado Sewer Project that will result in a net decrease to the contract of \$149,515.43. Wakefield stated the final contract price is \$890,714.47 and the original contract amount awarded by Council was for \$1,040,229.90, with an additional \$30,000 contingency allowance. Wakefield concluded by stating the savings were due primarily to the soil conditions and stated the job went smoothly.

Viafore invited public comment. None was provided.

Responding to Viafore, Wakefield stated he drove the site when the project was finished and reported the road drains properly, the water is contained in the alleyway, and the water flows properly. Finance Director Corcoran stated there is money left in the Public Works Trust Fund and those funds will be used before using the DOE loan.

MOTION

Moved by Goodsell, seconded by Medley, to approve Close-Out Change Order #1 to Pape & Sons Construction Inc. for the 300 Block Alley Farallone/Eldorado Sewer Project decreasing the contract total by \$149,515.43 for the project for an adjusted total contract price of \$890,714.47 and acceptance of the project. Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Excused: Jolibois. Motion carried.

Introduction of Ordinance Authorizing Additional Appropriations for Anticipated Revenues and Expenditures

Corcoran stated tonight was the first reading of a Budget Amendment that mostly adjusted the budgeted amounts to the actual beginning fund balances and includes any rollover amounts from 2014 into the 2015 budget for Street and Backyard Sewer Main that were not completed. Corcoran stated the amendments include:

- Biennial Audit-Non Departmental
- Funds for the Public Safety water heater
- Roll-over funds for the Regents Boulevard Grind and Overlay project
- Transfer from the REET fund into the Street fund for the Regents Boulevard Grind and Overlay project
- Roll-over amounts from REET for the match that is remaining on the Public Works Trust Fund loan

Responding to Viafore's inquiry about including the cost of replacing the water heater, Corcoran stated the water heater was not budgeted for replacement. She stated the remaining funds were budgeted for specific projects that are anticipated to be completed. Viafore voiced concern that the money to pay for some of the items is based on an assumption that there will be revenue coming in due to a large construction project scheduled for 2015.

CITY MANAGER COMMENTS

Rosenbladt stated he spent some time at the Washington State Legislature observing testimony before the Senate regarding the liquor bill and noted it appeared things were moving in the right direction.

COUNCILMEMBER COMMENTS

Waltier acknowledged the recent passing of Tom Names, a long-time Fircrest resident who was responsible for the Larkin Names and Names buildings on Regents Boulevard and stated he headed the board for the Names Family Foundation. Waltier concluded by stating that Tom Names was a great Fircrest citizen.

George commented on the liquor issue, noting it was a sensitive issue, and indicated that Council wants to do it right, carefully, and allow the voters to make the decision. He stated that he had been to every Daddy Daughter Dance for the last ten years but might not make it this year due to the fact that his daughter is now a teenager.

Viafore requested a legal opinion from the City Attorney on the newly presented substitute bill. Viafore stated the Larkin Names and Names building was constructed on property where there used to be a gas station and Tom Names held his first job there. He further recognized the passing of Mrs. Jankowski, a woman who resided on Panorama that decorated her yard for numerous events and Marjorie Masonic, the woman who would walk her dogs daily and would come forward with information when she observed things out of place.

Goodsell stated there has been information presented that is being lost in translation regarding the liquor bill. He noted that the only statutory method to repeal the prohibition is by a vote at a general election and a failure of a current vote to repeal the prohibition could have the effect of expanding the prohibition to the annexed area. Goodsell stated that due to a citizen movement towards placing a question on the

ballot through the petition method, and the possibility of the results of that vote expanding the prohibition to the annexed areas, Council unanimously decided to work with the Legislature to come up with language that would allow a vote of the people but would also protect the annexed areas that presently are allowed to serve liquor for consumption.

Reynolds noted that at the last budget cycle there had been discussion about purchasing a police vehicle and requested a Council discussion on the matter. Reynolds concluded by stating she was working on graphs with information from the last six years and would make that available if there is interest. Discussion ensued and it was determined that purchasing a new police vehicle would not be discussed until mid-year and also not until after permitting revenue from construction of the new school is received.

ADJOURNMENT

Moved by Medley, seconded by Goodsell, to adjourn the meeting at 7:58 P.M. Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Excused: Jolibois. Motion carried.



David M. Viafore, Mayor



Lisa Keely, City Clerk