

CITY OF FIRCREST
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, FEBRUARY 24, 2015 **COUNCIL CHAMBERS**
7:00 P.M. **FIRCREST CITY HALL, 115 RAMSDELL 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 Matthew Jolibois, Shannon Reynolds, David R. Goodsell, Hunter T. George and Jason Medley were present. Councilmember Denny Waltier was excused.

PRESIDING OFFICER'S REPORT

Viafore reported on a visit from the pastors at the First Presbyterian and Lutheran Churches requesting a meeting concerning Fircrest's participation in the May 7th Day of Prayer. He asked for Council feedback regarding participation in either Tacoma or University Place's Day of Prayer.

COMMITTEE, COMMISSION & LIAISON REPORTS

Public Safety, Court

Reynolds reported that the Police Department, upon receiving a grant, purchased a Lidar remote sensing technology that is much more effective for monitoring traffic in busy areas and will improve public safety. Reynolds reported that the department participated in the Special Olympics fund raising event.

CONSENT CALENDAR

Viafore requested the City Clerk read the consent calendar as follows: approval of Voucher No. 205415 through Voucher No. 205486 in the amount of \$116,278.09; approval of Payroll Check No. 11595 through Payroll Check No. 11601 in the amount of \$92,181.09; approval of the February 9, 2015 Special meeting minutes, approval of the February 10, 2015 Regular meeting minutes and approval of the February 17, Special meeting minutes.

Jolibois requested that the minutes be withdrawn.

MOTION

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

Jolibois reported that his comments were left out of the June 26, 2012 meeting and noted that comments he made at the February 17, 2015 Special meeting about the reconfiguration of Mildred Street were not included in the printed minutes. Jolibois inquired who makes the decision and why the decision is made regarding comments that are included in the minutes, and concluded by stating that what is said isn't supposed to be altered and edited.

Responding to Jolibois, Rosenblatt stated the minutes are not verbatim. He further noted that he had provided two alternate versions of the June 26, 2012 to Jolibois but he never heard back regarding which version he preferred, and because of that, no revisions were made to those minutes.

Discussion followed regarding the process to amend previously approved minutes from June 2012 and it was requested that this information be provided in Friday's packet.

Medley commented he has noticed that sometimes Jolibois' comments do not get included in the minutes and that he has heard Jolibois ask previously about the process used to prepare minutes and didn't believe that answer had been provided.

Viafore requested that the process used to create the minutes be provided in Friday's packet and Council can review that information and modify if desired. He further noted that the packets are provided two working days in advance of the meeting and there is plenty of opportunity to contact staff if there are desired revisions or corrections to the preliminary minutes. Viafore stated that contacting staff in advance provides an opportunity for revised minutes to be presented to Council at a regular meeting. He concluded by asking the City Clerk to review the February 17, 2015 meeting and provide revised minutes, if warranted, in Friday's packet.

Reynolds stated that her understanding of Robert's Rules of Order is that the spirit of what was said is included and perhaps if there is an individual that is having difficulty articulating or being understood, maybe it would be best for that individual to meet beforehand or communicate by email. Reynolds concluded by noting there is training available for elected officials if there is a desire to learn about taking minutes or if there is a misunderstanding about what should be included in the minutes.

Viafore invited public comment. None was provided.

Moved by Reynolds, seconded by George, to approve the February 9, 2015 Special meeting minutes and the February 10, 2015 Regular meeting minutes. Ayes: Jolibois, Reynolds, Goodsell, Viafore, George and Medley. Excused: Waltier. Motion carried.

UNFINISHED BUSINESS

Budget Amendment

Viafore noted this is the second reading and requires a super majority for adoption.

Finance Director Corcoran stated this is the second reading of the budget and highlighted some of the proposed amendments. Corcoran concluded by noting the City adopts an annual budget at the fund level and once it is authorized, the amended total budget amount will be \$25,231,055.

Responding to Jolibois' inquiry, Corcoran stated part of expenditures for the Regents Boulevard Grind and Overlay project are a rollover amount from last year and part are due to change orders. She noted if the budget amendment is approved tonight, the change orders will be presented to Council. Jolibois expressed concern that the issue is in litigation and hasn't been ironed out and \$186,000 is above and beyond the 2014 budget for the project. Corcoran stated the total is the amount owing to Tucci, and if the amendment and change orders are approved, the payment to Tucci would also need to be approved. Jolibois stated he wasn't clear on the numbers and he previously voted no on going out to bid for the project, and also for not knowing where the money was coming from, and would maintain consistency and vote to deny the amendment.

Corcoran clarified for George that one payment in the amount of approximately \$91,000 was paid to Tucci in 2015 which was a rollover amount from 2014. Tonight's budget adjustment includes that amount because at the time of payment, Council was informed that a budget amendment would be necessary to pay it. The remaining amounts are to pay Tucci amounts that are above the contracted amount, plus the \$91,000 that has already been paid.

Joe Harrison, 675 Fir Park Lane, Fircrest WA provided comment.

Discussion ensued and concerns were expressed about the Regents Boulevard Grind and Overlay project and an appearance of a lack of transparency.

ORDINANCE 1559

Moved by Goodsell, seconded by Medley, to adopt proposed Ordinance No. 1559, an ordinance authorizing emergency expenditures of funds for matters not foreseen at the time of filing of the 2015 Preliminary Budget and not provided for in the Adopted 2015 Budget.

Viafore requested a roll call vote.

Ayes: George, Goodsell, Medley, Reynolds and Viafore. Noes: Jolibois. Excused: Waltier. Motion carried.

NEW BUSINESS

Corcoran presented a proposed ordinance to decrease gambling tax on bingo and raffles and to provide consistency with RCW 9.46.110(3)(a) which limits the amount of taxation to five percent.

Viafore invited public comment. None was provided.

ORDINANCE 1560

Moved by George, seconded by Medley, to adopt proposed Ordinance No. 1560, an ordinance amending Ordinance 1445 and Fircrest Municipal Code Section 3.28.020(a) and (b) to decrease the gambling tax on bingo and raffles to five percent. Ayes: Jolibois, Reynolds, Goodsell, Viafore, George and Medley. Excused: Waltier. Motion carried.

COUNCILMEMBER COMMENTS

Reynolds reported that Officer Miller and his wife recently welcomed a baby boy.

Viafore reported attending the funeral services for Mrs. Rose Linggi, noting she was the last member of the Fircrest Garden Club. He noted that the roses from her garden were distributed. Viafore stated her father was one of the original developers of the Town of Fircrest and for a wedding present, Mr. Al Linggi, Sr. was given a parcel on Princeton Street where he built their house.

George provided an update on the Senate and House policy bills, noting there was still a ways to go. He noted some inquiries had been made regarding how the question gets onto the ballot and after previously discussing the issue with Medley, asked if there was Council interest in modifying language in the bills to allow Council authority to put the question on the ballot. George reported on the high probability that

the bill would pass, as written, and expressed concern about modifying the language this late in the process. George concluded by requesting approximate timeframes on this issue relative to the ballot schedule.

Medley stated by giving Council authority to put the question on the ballot doesn't change the end result – the voters would still have the final say. He felt this would make it easier for the voters to have the question placed on the ballot and it was purely a matter of simplicity. Medley stated whether Council is allowed to place the question on the ballot doesn't change the fact that there would still be public hearings and the public would be heard on the issue. He stated that quick progress has been made in Olympia but he isn't suggesting that anything be done contrary to what was promised to the voters by suggesting that Council has the ability to place the question on the ballot. Medley concluded by stating that two Fircrest residents were mentioned in the *Business Examiner* – entrepreneur PJ Pedroni and Lynnae Schneller, new owner of the Chick-fil-A restaurant in Tacoma.

Viafore stated the bill has been passed to the Rules Committee for a second reading and it appears that the original goal to protect the businesses that presently serve alcohol has been accomplished. He didn't think an amendment on the floor to modify the current language would be prudent at this time and stated he preferred to stay with the current language and complete the process and not potentially jeopardize the situation this session by suggesting that the language be modified this late in the process.

Goodsell stated the original goal was to protect existing businesses that presently are allowed to serve liquor for consumption and to provide an opportunity for residents to vote. He stated the language that is before the Legislature provides the best option and doesn't have the appearance that Council is pushing the issue. Goodsell concluded by stating that tinkering with the existing language could wreak havoc and necessitate starting the process all over again.

Reynolds reported she would not support Council putting this on the ballot because the citizens were promised that there would be a legislative fix to allow a petitionary process and it was never mentioned that Council would endorse or reject a view. She stated if it is the will of the people they can choose to place the issue on the ballot.

Viafore asked that Councilmembers provide their completed City Manager Evaluation Form to City Hall by Friday, February 27th at 3:00, and those forms would be provided to George for compilation. Viafore requested that George summarize the information and provide a draft for discussion at the March 10th Executive Session.

ADJOURNMENT

Moved by Reynolds, seconded by Medley, to adjourn the meeting at 8:06 P.M. Ayes: Jolibois, Reynolds, Goodsell, Viafore, George and Medley. Noes: None. Excused: Waltier. Motion carried.



David M. Viafore, Mayor



Lisa Keely, City Clerk