

CITY OF FIRCREST
REGULAR CITY COUNCIL MEETING MINUTES

TUESDAY, MARCH 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. A Moment of Silence was held in honor of Les Jolibois who recently passed away. Councilmembers Matthew Jolibois, Shannon Reynolds, David R. Goodsell, Hunter T. George, Denny Waltier and Jason Medley were present.

PRESIDING OFFICER'S REPORT

Viafore noted that long-time resident Les Jolibois passed away. He stated that besides being a long-time Fircrest resident and raising a family of four boys, he raised two pillars of the community – prior Councilmember John Jolibois and current Councilmember Mayor Pro Tem Matthew Jolibois. Viafore expressed condolences to Matthew Jolibois and his family on behalf of Council and asked that condolences be extended to his mother and brothers on behalf of the citizens of Fircrest.

Liquor License Renewal – Fircrest Golf Club

Viafore stated Council was being asked to approve a motion to register no objections to the liquor license renewal for the Fircrest Golf Club.

Viafore invited public comment. None was provided.

MOTION

Moved by Goodsell, seconded by George, to register no objections by the Fircrest City Council concerning the Fircrest Golf Club liquor license renewal. Ayes: Jolibois, Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Motion carried.

Viafore deferred to City Manager Rosenblatt for introduction of the City of Fircrest nominee for the 2015 Association of Washington Cities Center for Quality Communities Scholarship Fund.

Rosenblatt introduced nominee Sarah Estes and her parents, noting that Sarah has a 3.98 cumulative grade point average. He stated that Sarah meets biweekly with Alzheimer's disease patients to help them, spend time with them, offer them comfort and provide a social outlet. Rosenblatt stated that Sarah's patience, generosity, kindness, and caring spirit are rare and exceed her years. Rosenblatt noted that Sarah is involved in her school's choir and this year has the honor of performing at shows in the local neighborhood, hosts Bible Study classes on Thursdays in her own home, with her family, for International students. Rosenblatt stated he was glad that someone with talents such as Sarah was able to be nominated by the City of Fircrest.

Viafore congratulated Sarah Estes for the nomination on behalf of Council and noted it was an honor for someone within the City to receive the nomination, stating it was the first time that someone from Fircrest had been nominated. Viafore thanked Reynolds for her efforts with the nomination.

COMMITTEE, COMMISSION & LIAISON REPORTS

Water, Sewer, Storm

Waltier reported that Public Works is following its work plan and proceeding with the 5, 6 and 7 sewer projects, noting they are all pipe-bursting projects. Waltier stated that Wakefield is providing information for the next issue of the Town Topics. He stated there were no storm-related events from the recent heavy rainstorms and concluded by stating that brine was not necessary this past winter.

Street, Facilities & Equipment

Jolibois reported on a discussion of the six-year transportation plan and noted that Wakefield will be doing a thorough investigation of the current streets and coming up with a myriad of various options and ideas going forward to put together a work plan. Jolibois reiterated that a plan to replace the street sweeper should be moved up and ideas placed on the table, as it is one of the most expensive pieces of equipment and a piece of equipment that is used the most.

Viafore inquired if rates are going to be increased if there is going to be an expedited plan to replace the street sweeper prior to its replacement schedule. He further noted that the street sweeper is part of the Storm utility and not Streets, and if the sweeper is going to be replaced in the short term, there needs to be a revenue source to pay for it.

Responding to Viafore, Wakefield indicated that a rate study for Water, Sewer and Storm was budgeted and the schedule shows completion prior to commencement of budget preparation for 2016. Wakefield provided an overview of options if the current sweeper breaks down before the replacement scheduled in 2017.

Public Safety, Court

Reynolds stated that the Fircrest police department was invited to the US Open preparation meeting and will be getting together to discuss how best to manage it. Reynolds stated it would be beneficial to give a warm welcome to encourage the US Open, for economic reasons, to come back again and felt it would be good for Fircrest, as the City of University Place's neighbor, to do what can be done so that the City of University Place shines.

Pierce County Regional Council

Waltier stated that the US Open was a big topic at Thursday's PCRC meeting and there were two items on the agenda: (1) marijuana sales tax issue, and (2) the Growth Management Act that Pierce County is trying to pass. He noted that Pat Johnson from the City of Buckley has serious concerns with the proposed zoning and the issue was tabled until the next meeting. Waltier expressed concern about what was potentially occurring to a small city like Buckley and stated it was interesting dialogue.

Investment Committee

Viafore reported that the Investment Committee will be meeting on Monday, March 30th, to consider investing in additional bonds.

CONSENT CALENDAR

Viafore requested the City Clerk read the consent calendar as follows: approval of Voucher No. 205555 through Voucher No. 205628 in the amount of \$296,936.89; approval of Payroll Check No. 11620 through Payroll Check No. 11626 in the amount of \$91,726.61; approval of the March 10, 2015 Regular meeting minutes; and setting a public hearing on April 14, 2015 at 7:15 pm to receive comments on repealing FMC 22.79 regarding docketing regulations and adding a new chapter FMC 23.06 relating to Comprehensive Plan Amendments.

MOTION

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

CITY MANAGER COMMENTS

Rosenblatt stated that he attended the Pierce County Council study session and listened to a presentation from Andrew Neiditz, the Executive Director of South Sound 911. Rosenblatt noted that Neiditz represented that the City of Fircrest was interested but not committed. He noted there were a lot of questions, mostly geared towards the County bond issue, along with public notification. Rosenblatt stated that the City of Fircrest site was noted as being the preferred site for the center but the County was sensitive to making the public aware of what is happening. Rosenblatt stated there were concerns expressed about the time commitment, a discussion about the agreement with Trammel Crowe, and the fact that the property would belong to the County. Rosenblatt concluded by stating he would be discussing concerns with Neiditz tomorrow. Responding to Waltier, Rosenblatt stated that the agreement includes a 180 day deadline concluding on July 25, 2015 as well as a 30-day extension. Rosenblatt stated that County Executive McCarthy alluded that more time might be needed and expressed concern that community meetings haven't been held. Rosenblatt noted if the County gets involved issuing bonds they want it done with public transparency.

DEPARTMENT HEAD COMMENTS

Cheesman offered condolences to Jolibois, noting his father was a great man. He stated active shooter training would be conducted at Wainwright on April 1st that would include officers from surrounding agencies. Cheesman stated that the Pierce County SWAT team would assist with teaching the class.

COUNCILMEMBER COMMENTS

Responding to Jolibois' inquiry if the overhanging lights at the fire station are operable, Cheesman reported the lights haven't been operational since the time of the volunteer fire department approximately 20 or more years ago. Jolibois stated the Tot Lot service gate on Contra Costa should be childproof, if it isn't already. Jolibois requested an investigation to ascertain the following concerns:

- There is a material omission in the June 26, 2012 approved minutes because his liaison report is missing
- Why is the report missing
- Who made the decision to not include it

- Why did the project in the 100 and 200 block of Eldorado go out for bid for the sewers to be constructed in the right of way because he thought it was Council's policy for them to remain in the backyard
- The engineering costs on the project seem high
- There are missing invoice summaries required by contract
- If it was Council's policy that the sewers stay in the backyard, staff ignored Council's policy on the Eldorado/Del Monte project when it went out to bid
- When the project went out to bid he thought it was supposed to be bid using two different construction methods, and because of Council's policy, he felt the administration and the engineer designed the project and went out to bid in violation of Council's directive
- His request is one of accountability because there's well over \$1 million that can't be explained and the 2008 contract was not a renewing contract but a specific contract to do pre-engineering.

Jolibois distributed a copy of the June 26, 2012 approved minutes, a transcribed copy of his missing liaison report, comments from a June 18, 2012 study session, excerpt from the Public Works June 21, 2012 general update, and sheets 6, 7 and 8 of the Sanitary Sewer Plan and Profile Eldorado blueprints.

Responding to Jolibois' inquiry, Rosenblatt stated he would proceed only with direction from Council after a motion is made to amend minutes that were previously adopted.

Viafore noted an unwillingness to revisit minutes from 2012, and stated that Jolibois approved the June 26, 2012 minutes, along with the entire Council, at the regular meeting following the June 26, 2012 meeting. He further stated that staff didn't go out to bid; the Council went out to bid. He stated it takes a majority vote of Council and there were at least four Councilmembers that voted to go out to bid and the project was bid according to Council's wishes. Viafore stated it sounds like the gist of Jolibois' concerns is that Jolibois believes Council set a policy to switch the sewers from being constructed in the front yards to being installed to the back yards.

Waltier noted he tended to agree with Viafore not to revisit what occurred three years ago and also due to the fact that those minutes were approved.

Keely, responding to Viafore's question as to why the liaison report provided by Jolibois at the June 26, 2012 meeting was left out of the minutes, stated she was not the City Clerk in 2012 so did not have a reason or an explanation as to why something was either included or left out. Rosenblatt further indicated he did not recall why the liaison report was left out. Rosenblatt also reminded Jolibois that two versions of his June 26, 2012 liaison report were provided and he was asked if either were acceptable and he said that neither was acceptable. George further noted that the Clerk that prepared the minutes has retired.

At 7:53 P.M. Viafore stated Council would take a five-minute recess.

At 7:58 P.M. Viafore reconvened the meeting.

Medley stated he cannot speak to what happened in 2012 because he wasn't here. He noted what he is gathering is that there are a couple of concerns: (1) the issue about the contract/bid vs. what was agreed upon by Council, (2) over the course of the last year Jolibois has requested information on taking minutes and apparently those questions are not being answered to his satisfaction, (3) there were missing task sheets that were not turned in from JW Morrissette in violation of the contract, and (4) people were getting paid without turning in task sheets in violation of the contract. Medley concluded by

recommending that Jolibois compare the verbatim minutes to what the bid was, and if there is a discrepancy, Council could proceed.

Jolibois clarified that he had been referring to summary sheets, and task sheets are from different contracts.

Corcoran, responding to Viafore, stated the auditors were notified and specifically came to look at that contract. She reported they looked at everything and said things were okay and there were no findings. She stated they suggested that task sheets be provided. Corcoran noted that staff prepared spread sheets for every item per the contracts. Corcoran concluded by stating the auditors specifically looked at the accounting that was done and all the money that was paid and had no concerns. They did say in the future to make sure that task orders are received and from that point forward, task orders were presented on every single item that was required by the contract.

Viafore stated that the state auditor's office is in charge of making sure that contracts are followed and making sure that the City follows state law. He concluded by noting that the City didn't have a finding.

Reynolds stated she was excited to hear about Sarah Estes and noted that all of the applicants were worthy. She indicated an interest that the Council make a charitable gift to some of the kids for the purpose of helping with their schooling and noted that anyone that is willing could help her if they wanted to be involved to move this idea forward. Reynolds stated there was a Master's scholarship Master's opportunity coming up as well. Reynolds stated she recently attended the National League of Cities Conference, noted there were 2,000 legislators in attendance, and indicated she is planning on typing up a summary to provide to Council in an upcoming Friday packet and was hoping to provide information on the City's website as well. Reynolds reported on a recent discussion she had with Rosenbladt regarding ideas she has to attract lifeguards. Reynolds read from a letter she wrote requesting feedback from Council with a problem she is experiencing. She expressed concern that she has not had the opportunity to sit on any Council committees and stated she had been led to believe that she would be able to seek out more opportunities. She reported being passed over for positions, and three on the economic development committee, when she was the one that brought forward the idea of forming an economic development committee. She stated that two things separate her from the rest of Council – (1) age and gender profile, and (2) she is equally qualified but is the only member not on any internal or small City committee. Reynolds stated she has not been provided with a reason or received constructive criticism as to why she hasn't had the avenues for self-improvement, has inquired previously and received no guidance, and sits before Council today to formally address the issue. She expressed frustration that there are Councilmembers who are on multiple committees when there are people whose talents and skills are being underutilized and she doesn't sit on a Committee even as an alternate. Reynolds concluded by thanking Council for their time and indicated an utmost respect for everyone, and her optimism for the future of the working Council relationship. Responding to Waltier, Reynolds indicated she would provide him with a copy of her letter.

Discussion continued regarding the Economic Development Committee and Reynolds stated she initially surfaced the formation of the Committee but she wasn't selected to be on it and felt that arguably she would have been very well qualified. Viafore stated that he was approached by Jolibois, Medley and Goodsell who informed him that they wanted to form and be on an Economic Development Committee. Medley confirmed that was how the committee was formed. There was further discussion regarding code requirements behind who serves on the Investment Committee, and clarification that the Economic Development Committee no longer exists. It was further clarified that oftentimes committee membership is based on liaison assignments.

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Viafore thanked audience members for attending tonight's meeting.

Waltier thanked Reynolds for her efforts on the selection and interviewing process of Fircrest resident Sarah Estes for the 2015 Association of Washington Cities Center for Quality Communities Scholarship.

EXECUTIVE SESSION

Viafore stated Council would take a five-minute recess at 8:23 P.M. and convene into Executive Session at 8:28 P.M., not to exceed the hour of 10:30 P.M., for Item 14-A – to discuss City Manager performance evaluation. Viafore requested the presence of Chief Cheesman within the building.

At 9:25 P.M. Viafore reconvened the meeting.

ADJOURNMENT

Moved by George, seconded by Waltier, to adjourn the meeting at 9:25 P.M. Ayes: Jolibois, Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Motion carried.



David M. Viafore, Mayor



Lisa Keely, City Clerk