

**CITY OF FIRCREST  
REGULAR CITY COUNCIL MEETING MINUTES**

**TUESDAY, MAY 26, 2015  
7:00 P.M.**

**COUNCIL CHAMBERS  
FIRCREST CITY HALL, 115 RAMSDALL STREET**

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**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, Denny Waltier and Jason Medley were present. Councilmember Hunter T. George was excused. George arrived at 7:12 P.M.

**CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA**

Dean Theodor, 302 Birch Street, presented information and illustrations regarding parking issues in The Commons and asked that Council (1) consider banning RV parking in The Commons from Saturday June 13<sup>th</sup> through Monday, June 22<sup>nd</sup> following the US Open, and (2) prohibit alley parking in The Commons.

Council comments were voiced that parking on the public rights of way was allowed throughout the City. Viafore noted that the alley parking prohibition could be managed and enforced by the Homeowner's Association of The Commons.

Scott Brannon, 1029 Princeton Street, provided comment and photographs regarding an ongoing situation with garbage toters on Princeton Street not being retrieved after pick-up and unkempt property at the back of the Fircrest Town Center on Princeton Street.

In response to Viafore, Rosenblatt stated that if Council desired, amendments to FMC 6.08 regarding garbage and collection service could be brought forward at a future meeting that could include a penalty for not retrieving the garbage toter within a prescribed time. He further noted that leaving a toter on the sidewalk that obstructs the full and free use of the sidewalk by the public is presently a misdemeanor and a citation could be issued. Rosenblatt stated that the overgrown vegetation could be enforced if there were visible nuisances in violation of the code. Rosenblatt concluded by suggesting some modifications to the code that could immediately affect the situation if that was how Council wanted to proceed.

Discussion continued as follows:

- The toters shouldn't be obstructing the public sidewalk after the pick-up date
- The business owners should be contacted regarding the violations
- If the toters remain after contact is made, a letter could be written to the business owner
- Enforcement would need to occur city-wide and not just on Princeton Street
- Code enforcement in the City is done on a complaint basis
- Application of the law should be for all
- A garbage toter that remains on the sidewalk is a code violation
- Vegetation that is growing halfway onto the sidewalk sits there until someone complains about it
- The City is reactionary and not pro-active when it comes to code enforcement
- The tenant that stores the garbage toter on the sidewalk has no other place for it to be stored

- A solution to the problem with the garbage toters at the Fircrest Town Center would be a centralized location for garbage
- Westside Disposal is agreeable to moving the pick-up day to another day

**COMMITTEE, COMMISSION & LIAISON REPORTS**

**Public Safety, Court**

Reynolds reported that the police department will be providing extra security at the US Open.

**CONSENT CALENDAR**

Viafore requested the City Clerk read the consent calendar as follows: approval of Voucher No. 205857 through Voucher No. 205932 in the amount of \$410,081.32; approval of Payroll Check No. 11672 through Payroll Check No. 11676 in the amount of \$92,254.38; approval of the May 12, 2015 Regular meeting minutes; and approval of the May 18, 2015 Special meeting minutes.

**MOTION**

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

**PUBLIC HEARING**

**2016 – 2021 Six Year Transportation Improvement Plan**

At 7:32 P.M. Viafore opened the public hearing and outlined the format.

Public Works Director Wakefield provided an overview of the Six-year Transportation Improvement Plan (Plan) and reported that the Plan is reviewed annually. Wakefield stated that the Plan is consistent with the Capital Facilities Transportation Element of the City's GMA Comprehensive Plan, as required by state law. Wakefield noted the Plan focuses primarily on street and sidewalk improvements that have the potential to receive grant funding. Wakefield noted that the sidewalk improvement projects were reviewed to be consistent with the school program, noting that more points are available in the funding applications if the projects are creating a walkable community. Wakefield concluded by stating this is a planning document and an outline of a plan that he is hopeful will be implemented if the City is successful in receiving funding.

Responding to George's inquiry why there were no project improvements identified for 44<sup>th</sup> Street, Wakefield stated the primary reason is that 44<sup>th</sup> Street is not an arterial or major collector that would be favorable for grant funding, but those improvements could be added to the Plan. Responding to George's inquiry if Berkeley and Buena Vista were arterials or major collectors, Wakefield indicated that those streets were included in the Plan because of the proximity to schools and could be looked at favorably in grant applications to close sidewalk gaps and create a more walkable community.

In response to Viafore, Wakefield stated that the project to add curbs, gutters and sidewalks to both Berkeley and Buena Vista was a carryover from previous years. In response to Viafore's suggestion that an LID be initiated to replace the septic systems on both Buena Vista and Berkeley before constructing curbs, gutters and sidewalks, Wakefield stated the Capital Facilities Sewer Element of the Comprehensive Plan could be reviewed to see if it would be prudent to include new sewers on those streets. Viafore noted the inclusion might make the City eligible for Department of Ecology grant funding.

Viafore invited public comment. None was provided.

**Agreement between the City of Fircrest and the Pierce County Sheriff's Department to provide additional resources during the US Open**

Chief Cheesman stated the agreement is for law enforcement services during the 2015 US Open. Cheesman stated the 2015 US Open will be held in Pierce County and will run from June 15<sup>th</sup> to June 22<sup>nd</sup>. He stated the fiscal impact would be minimal as the Pierce County Sheriff's Department will reimburse the City for actual overtime costs for staff assigned to the event. Cheesman concluded by stating this will be a great opportunity for the officers to work in a unified command framework and is a great opportunity to assist a neighboring jurisdiction and to build positive relationships.

In response to George's inquiry about sufficient staff available to the City of Fircrest if the agreement is approved, Cheesman stated that he did not approve any vacation requests during this time period and the officers will be allowed to work the event on their days off.

Responding to Viafore, Cheesman stated the range would be between \$62 and \$71 per hour.

Viafore inquired if paragraph 11 of the agreement regarding a one-day training session could be considered a gift of public funds. Cheesman stated the officers were advised if they wanted to attend the training it would need to be done on their own time; and if they were working on the day of training, they could take vacation to attend the training. Cheesman stated the training would take place on June 2<sup>nd</sup> and June 5<sup>th</sup>. Viafore stated if the City is going to require that the officers take vacation to attend the training, the agreement isn't being followed. Rosenblatt stated the agreement would be followed as the officers would be paid by use of vacation leave.

Pursuant to paragraph 12, Viafore inquired if the officers would be required to take vacation for future court testimony or depositions at a later date. Cheesman stated if they were required to attend while they were working, they would be allowed to attend that court testimony as part of their regular shift. He stated if they were required to attend on their days off they would attend on their own time.

Finance Director Corcoran, in response to Viafore, stated the funds would not be considered a gift of public funds because the City of Fircrest would be reimbursed for the hours worked. Corcoran noted there was a concern, however, if an officer was called back at a later date to testify; and those costs, in the agreement, are to be paid for by Fircrest. She further noted there is language in the Agreement between the City of Fircrest and the Fircrest Police Guild that is not consistent with language in paragraph 12. Viafore noted he was surfacing these issues so that everyone has a clear understanding of what is being agreed to.

Cheesman responded affirmatively to Jolibois' inquiry if the \$72 includes payroll taxes.

Viafore invited public comment. None was provided.

**RESOLUTION NO. 1377**

**Moved by Goodsell, seconded by Waltier, to adopt Resolution No. 1377, a Resolution authorizing the City Manager to execute an Agreement between the City of Fircrest and the Pierce County Sheriff's Department to provide additional resources during the US Open. Ayes: Jolibois, Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Motion carried.**

**Agreement with NW GIS Consulting, LLC for On-Call GIS Support Services**

Wakefield stated the agreement would provide on-call GIS support services. He stated that NW GIS Consulting, LLC worked last year with the City and this agreement would allow that working relationship to continue and move forward with the GIS system and maintenance of the GIS resources. Wakefield concluded by stating that \$10,000 was allocated in the budget for GIS services and this agreement was for \$8,000, to be billed on a time and material basis.

Viafore invited public comment. None was provided.

**RESOLUTION NO. 1378**

**Moved by Medley, seconded by George, to adopt Resolution No. 1378, a Resolution authorizing the City Manager to execute an agreement with NW GIS Consulting, LLC for on-call GIS support services. Ayes: Jolibois, Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Motion carried.**

**CITY MANAGER COMMENTS**

Rosenblatt stated the June study session is scheduled for the 15<sup>th</sup> and indicated if anyone misses the meeting, a copy of the recording could be provided for review. He concluded by stating that pool attendance was low during the Memorial Day opening due to the weather.

**COUNCILMEMBER COMMENTS**

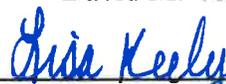
Medley stated he was sympathetic to Scott Brannon's situation, is aware there is a problem, and was hopeful that the property owner could be persuaded to move towards centralized garbage.

**ADJOURNMENT**

**Moved by Reynolds, seconded by Waltier, to adjourn the meeting at 8:02 P.M. Ayes: Jolibois, Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Motion carried.**



David M. Viafore, Mayor



Lisa Keely, City Clerk