

CITY OF FIRCREST
REGULAR CITY COUNCIL MEETING MINUTES

TUESDAY, OCTOBER 13, 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 Shannon Reynolds, Denny Waltier and Jason Medley were present. Councilmembers Jolibois, Goodsell and George were absent. George arrived at 7:05 P.M. and Goodsell arrived at 7:10 P.M.

PRESIDING OFFICER'S REPORT

Viafore reported on the passing of long-time resident and dedicated Fircrest volunteer Ron Russo. He noted that Russo put a face on Kiwanis and the Whittier Terrific Kids program, noting that he was instrumental in the construction of the Ron Russo Pavilion. Viafore provided an update on the South Sound 911 radios, reporting that there is discussion underway to exempt small cities from the monthly per-radio charge of \$30.00.

CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

Megan Sipes, 610 Electron Way, commented on the condition of the sidewalks throughout the City and inquired about the installation schedule of the LED lights in areas of the City where they weren't installed. It was suggested that Sipes provide information to the City regarding the sidewalks in particular that need attention. The LED installation schedule was provided.

George arrived at 7:05 P.M.

Katherine Van Allen, 1717 12th Avenue #204, Seattle, WA provided information on a project she and other graduate students in her class from Seattle Pacific University, including Councilmember Reynolds, were undertaking to install a park bench at Thelma Gilmur Park.

CONSENT CALENDAR

Viafore requested the City Clerk read the consent calendar as follows: approval of Voucher No. 206522 through Voucher No. 206609 in the amount of \$313,388.40; approval of Payroll Check No. 11955 through Payroll Check No. 11960 in the amount of \$5,666.33; approval of Payroll Check No. 11961 through Payroll Check No. 11966 in the amount of \$84,738.35; approval of Payroll Check No. 11967 through Payroll Check No. 11971 in the amount of \$91,870.69; approval of the September 21, 2015 Special meeting; approval of the September 22, 2015 Regular meeting; and approval of the September 28, 2015 Special meeting.

MOTION

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

Goodsell arrived at 7:10 P.M.

NEW BUSINESS

Ordinance amending Fircrest Municipal Code Title 22 Land Development Regulation

Principal Planner Boers stated the Development Regulations are required to be updated to satisfy Growth Management Act (GMA) periodic update requirements. He further noted the reason for the updates was to confirm the codes were consistent with state law as has been amended since 2003, to ensure consistency with regional policy directives from the Puget Sound Regional Council and Countywide Planning Policies, and to ensure consistency with the City's Comprehensive Plan. Boers noted a public hearing was conducted on September 22nd and the matter continued to tonight for further deliberation and possible action. Boers reported that the Planning Commission was recommending approval of the package of amendments provided that included numerous text amendments as well as Small Lot Design Guidelines that would apply to the Golf Course zone and the R4-C zone if someone wished to do Small Lot Development in either zone. Boers noted the amendments included multi-family design standards and guidelines that would apply to new multi-family projects in the City as well as major modifications to existing development. Boers reported the Community Office zone is proposed to be eliminated, the Community Commercial zone amended to Commercial Mixed Use (CMU), and application of the CMU standards to properties along Mildred and 19th and the western edge of Regents Boulevard. Boers stated that the corner at Emerson and Orchard would be rezoned from NC to CMU, and NC would apply only to the upper and lower business districts. Boers addressed the hours of operation allowed in the CMU district and concluded by reporting on the rationale behind maintaining the Neighborhood Office District.

ORDINANCE NO. 1562

Moved by Goodsell, seconded by Waltier, to adopt proposed Ordinance No. 1562, an ordinance amending Fircrest Municipal Code Title 22 Land Development Regulations.

Medley stated he would not be supporting the ordinance because the Planning Commission chose not to address Council's recommendations regarding Floor Area Ratio (FAR) standards. Boers noted that Council's direction was taken back to the Planning Commission and a lot of time was spent reviewing the FAR standards, noting that staff recommended a FAR ratio of .35 but the Commission was still recommending that the FAR ratio stay at .40.

Discussion continued as follows:

- It would be desirable to have a joint Planning Commission/City Council meeting in 2016
- Consider approving a portion of the Ordinance
- There are portions of the City where a .40 FAR would fit but there are many areas where it wouldn't
- A .35 FAR would allow a 1,750 sf home to be built on a 5,000 sf lot whereas a .40 FAR would allow a 2,000 sf home
- No one from the public provided testimony at the public hearing against the proposed amendments regarding FAR

Viafore invited public comment.

Phaedra Miller, 1225 Del Monte Avenue, commented about FAR and inquired if a variance could be applied for when there is a desire to construct a larger home than allowed by code. Boers responded affirmatively.

MOTION AMENDMENT

Moved by Goodsell, seconded by Reynolds, to amend proposed Ordinance No. 1562 to change the FAR in the R-6 District from a .40 to a .35 FAR.

Boers, in response to George, stated that the Planning Commission spent many hours on the FAR issue and there are no unintended consequences to amend the FAR to .35 in the R-6. He noted the only downside would be that some homes could be non-conforming and expansion would be limited without obtaining a variance. Boers clarified that minor variances are processed administratively and major variances are processed by the Planning Commission. In response to Medley, Boers stated in order for staff or the Planning Commission to approve a variance, there must be variance criteria met by the proposal as well as something unique, unusual or extraordinary about the property that doesn't generally apply to other properties in the neighborhood.

Viafore invited public comment on the amendment only. None was provided.

VOTE ON AMENDMENT

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

Viafore invited public comment on the amended ordinance. None was provided.

VOTE ON AMENDED ORDINANCE NO. 1562

Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.

PUBLIC HEARING

To receive comments on revenue sources for the 2016 Budget including property taxes

At 7:48 P.M. Viafore opened the public hearing and outlined the format.

Finance Director Corcoran stated this is the public hearing for revenue on the Preliminary 2016 Budget. She reported the total revenues including Beginning Fund Balance in the General Fund is \$7,388,111, and the total revenues for all funds, including the Beginning Fund Balances, equals \$22,160,241. Corcoran stated the property taxes have been increased by 1% and the total assessed value for Fircrest is \$652,604,012, the levy amount is 2.3308 per \$1,000 of assessed value and the EMS levy is \$.50 per

\$1,000 of assessed value. Corcoran concluded by noting this is the time for the public to comment on the revenue sources for the 2016 Budget.

Viafore invited public comment. None was provided.

At 7:51 P.M. Viafore closed the public hearing.

PUBLIC HEARING

To receive comments on the Preliminary 2016 Budget

At 7:51 Viafore opened the public hearing and outlined the format.

Corcoran stated there are ten funds, Ending Fund Balance equals \$22,160,241, and General Fund Total with Ending Fund Balance is \$7,388,111. Corcoran stated this is the opportunity for the public to comment on the 2016 Preliminary Budget.

Viafore invited public comment and noted there will be an additional opportunity at a future meeting for public comment on the 2016 Budget. None was provided.

At 7:52 P.M. Viafore closed the public hearing.

Grant Agreement with the state of Washington Recreation Conservation Office for improvements at the Gene Goodwin Tot Lot

Parks and Recreation Director Grover stated that Council is being asked to authorize the City Manager to execute an agreement with the state of Washington Recreation and Conservation Office for a grant project agreement for the Gene Goodwin Tot Lot Park. Grover stated the grant project would replace one playground structure in the Tot Lot as well as the perimeter fence. He noted the Tot Lot is one of the most popular parks in the area and the new structure will offer the latest elements in recreational play and the fence will provide safety for children in the playground. Grover stated the total project cost is \$73,000, the grant award from RCO is \$36,500, the Fircrest Kiwanis is contributing \$6,500 and the City of Fircrest's contribution is \$30,000. Grover acknowledged Chief Cheesman for his involvement with Kiwanis.

RESOLUTION NO. 1390

Moved by Medley, seconded by George, to adopt proposed Resolution No. 1390, a resolution authorizing the City Manager to execute an agreement with the state of Washington Recreation and Conservation office for a grant project agreement for the Gene Goodwin Tot Lot Park.

Responding to Reynolds, Grover stated the red and tan structure is proposed to be replaced. Waltier commended Grover for his efforts, as well as the liaisons, and noted that he was proud that the grant was obtained. George congratulated Grover for the work he expended on the project and inquired about the play structures that will be purchased. Grover noted the structures would be tailored to children between the ages of two to five, as was stated in the grant application. He noted he would involve Kiwanis with

decision making on the project and concluded by stating they were planning on breaking ground on the fence at the end of November and the play structure in February. Viafore stated it was exciting that the City received the grant and expressed appreciation to Kiwanis for their involvement with the project. Goodsell recognized all the hard work put into the project and stated he was proud to see such an actionable item in place so soon after passage of the PROS Plan.

Cheesman stated that Ron Russo cared so much about the children in the community and that he was probably looking down tonight with a smile on his face.

Viafore invited public comment. None was provided.

VOTE

Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.

Ordinance fixing the Ad Valorem Tax Levy for Fiscal Year 2016

Corcoran stated that Council is being asked to fix the annual ad valorem tax levy necessary for the fiscal year 2016 based on a tax assessment of \$652,604,012, noting that the regular tax levy is \$2.33 per thousand yielding \$1,522,710 and the EMS Levy is \$.50 per thousand yielding \$326,302. Corcoran stated the proposal will provide necessary funds for 2016 City operations.

ORDINANCE NO. 1563

Moved by George, seconded by Goodsell, to adopt proposed Ordinance No. 1563, an ordinance fixing the amount of the annual ad valorem tax levy necessary for the fiscal year 2016 and repealing section 1 and 2 of Ordinance No. 1554.

Viafore invited public comment. None was provided.

VOTE

Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.

Resolution establishing the amount and percentage increase of 2016 Regular Tax Levy over 2015 Regular Tax Levy

Corcoran stated this is the percentage increase of the 2016 regular property tax levy over the 2015 regular property tax levy and includes a 1% increase from the previous year plus new construction.

RESOLUTION NO. 1391

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Moved by Medley, seconded by Goodsell, to adopt proposed Resolution No. 1391, a resolution establishing the amount and percentage increase of the 2016 regular property tax levy over the 2015 regular property tax levy.

Viafore invited public comment. None was provided.

VOTE

Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.

Resolution establishing the amount and percentage increase of the 2016 EMS property tax levy over the 2015 EMS property tax levy.

Corcoran reported this establishes the amount and percentage increase of the 2016 EMS property tax levy over the 2015 EMS property tax levy on a 1% tax increase.

RESOLUTION NO. 1392

Moved by Goodsell, seconded by Waltier, to adopt proposed Resolution No. 1392, a resolution establishing the amount and percentage increase of the 2016 EMS property tax levy over the 2015 EMS property tax levy.

Viafore invited public comment. None was provided.

VOTE

Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.

Motion authorizing the City Manager to sign the 2016 regular property tax and regular EMS levy certification forms

Corcoran stated that original levy certificates need to be sent to Pierce County, noting that without the certification, the taxing district is limited to the prior year levy amount because it lacks authority to impose additional property tax.

MOTION

Moved by George, seconded by Medley, to authorize the City Manager to sign the 2016 regular property tax and regular EMS levy certification forms.

Viafore invited public comment. None was provided.

VOTE

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Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.

Ordinance relating to salaries of non-union employees, including Casual and Seasonal Employees

Corcoran stated that the 2016 Preliminary Budget includes a cost of living increase (COLA) of 1.1% and Council is being asked to approve and adopt the proposed salary ordinance for implementation January 1, 2016.

ORDINANCE NO. 1564

Moved by Waltier, seconded by Goodsell, to adopt proposed Ordinance No. 1564, an ordinance amending Section 1 of Ordinance No. 1558 and FMC 2.44.050 relating to salaries of non-union City employees and amending Section 2 of Ordinance No. 1552 and FMC 2.44.090 relating to hourly rate of pay for casual and seasonal employees.

Viafore invited public comment. None was provided.

MOTION TO AMEND ORDINANCE NO. 1564

Moved by Viafore, seconded by Reynolds, to amend proposed Ordinance No. 1564 to include a 2% COLA.

Viafore stated it has been customary for the last few years that the Chair increases the proposed COLA to compensate for the years from 2010 through 2013 where no COLAs were given, due to the recession.

Viafore invited public comment on the proposed amendment. None was provided.

VOTE ON AMENDMENT

Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.

VOTE ON AMENDED ORDINANCE NO. 1564

Viafore invited public comment. None was provided.

Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.

Ordinance reestablishing the Municipal Court Judge, Chief Examiner and Information Services Manager Rate of Pay

Corcoran stated the ordinance increases the Municipal Court Judge rate of pay, the Civil Service Chief Examiner rate of pay and the Information Services rate of pay, noting that it is typically the same rate of pay as approved for the regular non-union employees.

ORDINANCE NO. 1565

Moved by Waltier, seconded by Reynolds, to adopt proposed Ordinance No. 1565, an ordinance amending Section 1 of Ordinance No. 1553 and FMC 2.44.070 reestablishing the Municipal Court Judge monthly rate of pay, the Civil Service Chief Examiner rate of pay and the Information Services Manager rate of pay at 2% above the 2015 rates.

Viafore invited public comment. None was provided.

VOTE

Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.

Resolution authorizing an amendment to the contract for Legal Services for City Attorney and City Prosecutor Services

Corcoran stated the resolution would allow the 2016 rate of the City Attorney and City Prosecuting Attorney to be increased by 1.1% from the 2015 rate.

Medley recused himself for this item and left the Council Chambers.

RESOLUTION NO. 1393

Moved by George, seconded by Goodsell, to adopt proposed Resolution No. 1393, a resolution authorizing the City Manager to execute an amendment to the contract for Legal Services with Comfort, Davies and Smith, P.S., for City Attorney and City Prosecutor Services in 2016 with a proposed rate increase of 2% over 2015 rates.

Viafore invited public comment. None was provided.

VOTE

Ayes: Reynolds, Goodsell, Viafore, George and Waltier. Noes: None. Absent: Jolibois. Recused: Medley. Motion carried.

Medley returned to Council Chambers.

CITY MANAGER COMMENTS

Rosenblatt confirmed that there is land use damage claim coverage from CIAW, the City's insurance pool provider. He noted that Phil Riche, from CIAW, would be willing to come to a 2016 study session to discuss insurance coverage. Rosenblatt stated that the arborvitaes were replaced along Orchard but unfortunately weren't tall enough. He stated that the City will purchase taller replacement arborvitaes, plant them, and bill InfraSource for the costs. Rosenblatt reported that Mike Fitzgerald, from Tacoma Fire, indicated a desire to make a presentation to Council to discuss the fire events from this past

summer. Rosenblatt said that he suggested that Fitzgerald make a presentation to Council when there isn't such a large agenda, and possibly on October 27th. Rosenblatt thanked the Mayor and Council for the recently adopted salary ordinance, noting it will mean a lot to both staff and the unions. Rosenblatt thanked Utility Serviceman Jim Marzano for his efforts this past weekend during the heavy rainstorm. Rosenblatt stated he has researched becoming a Tree City, stating that it would cost \$2 per capita, or approximately \$13,000 for Fircrest. He reported on discussing the issue with the City of Lakewood who had declined due to cost and his discussion with Paul Loveless from the Town of Steilacoom who made some suggestions on how to move forward. Rosenblatt concluded by calling attention to a Training Request from Reynolds that needed Council approval to move forward.

Reynolds stated she would like to attend the Engaging Local Government Leaders (ELGL) Conference in Troutdale, Oregon on October 22nd and 23rd. She stated she would be serving on a panel at the conference and the registration fees would be waived. Reynolds was asking for approval for one night at the hotel and mileage, equating to approximately \$310.00.

George noted he is a member of the group, stating it is a great organization doing a good job of identifying up and coming folks in local government. Waltier requested that Reynolds bring back some sort of results from the conference, i.e., executive summary or handouts to be brought back to share with Council.

MOTION

Moved by Viafore, seconded by George, to authorize Councilmember Reynolds to attend the ELGL15 Conference with a budget not to exceed \$350.00 on October 22 through 23, 2015.

Viafore invited public comment. None was provided.

VOTE

Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.

DEPARTMENT HEAD COMMENTS

Cheesman stated the police department completed the inventory of streetlights that out and provided the information to Public Works so that the lights can all be on my Halloween. Cheesman concluded by stating they went to the new CAD system this morning as well as all SS911 dispatch and affiliated agencies. Cheesman summarized the advantages of the new system.

COUNCILMEMBER COMMENTS

Reynolds stated she has been reviewing proposed language regarding Tree City, noting if the City didn't decide to join it could at least have a charter going to make it easier if it was something to be pursued in the future. Reynolds noted she would like to convene a committee and asked that one or two Councilmembers help her to write it faster and better with more ideas. Reynolds stated she would be working on the language and asked if anyone wanted to help her. Reynolds concluded by inquiring if

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Pierce Transit Board of Commissioner Nancy Henderson had contacted anyone about making a presentation to Council.

Goodsell thanked everyone for attending tonight's meeting.

Viafore stated he looked forward to hearing more about the park bench project, thanked everyone for coming, and concluded by commenting about the great services provided by members of the Tacoma Fire Department when responding to the flooding of some Fircrest homes on Saturday following the rainstorm.

George thanked everyone for their storm response. He further commented about the collaboration between the police department and public works in making sure that the streetlights were all working, noting that is one of those little things that a lot of other cities don't have. George thanked the students for their efforts on the park bench project.

Waltier thanked everyone for coming. He further noted it was good to stay positive and focus on the subject matter. Waltier concluded by thanking everyone for their help dealing with all the water and cleaning up from the rainstorm on Saturday, and especially the Tacoma Fire Department.

ADJOURNMENT

Moved by Reynolds, seconded by Goodsell, to adjourn the meeting at 8:41 P.M. Ayes: Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Absent: Jolibois. Motion carried.



David M. Viafore, Mayor



Lisa Keely, City Clerk