

**CITY OF FIRCREST
SPECIAL CITY COUNCIL MEETING MINUTES**

**NOVEMBER 16, 2015
6:00 P.M.**

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

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor David M. Viafore called the special meeting to order at 6:00 P.M. and led the pledge of allegiance. Councilmembers Matthew Jolibois, Shannon Reynolds, Denny Waltier and Jason Medley were present. Councilmembers David R. Goodsell and Hunter T. George were absent. George arrived at 6:08 P.M. Goodsell arrived at 6:26 P.M.

Viafore welcomed former Councilmember Kathy McVay and Councilmember elect Brett Wittner to Council Chambers.

Water Quality Issues

Public Works Director Wakefield noted that tonight's discussion is a continuation of previous discussions from September 22nd involving coliform hits and what happens if the results continue to come back positive. He stated that once again, samples have been returned showing coliform positive. Wakefield stated there was a hit in November 2014 and they flushed and disinfected and the system was clean until August 2015 when there was another positive hit. He noted that again in September and October there were positive hits, resulting in four hits in a one-year period. Wakefield noted they had been working with the Health Department to implement the proper protocols and resampling. Wakefield reported that public notices were provided in accordance with the Health Department's standards, and took place within 30 days of the positive coliform result. Wakefield stated that they thought they had it solved in October, as engineering samples taken outside the routine sampling came back clear. He reported that when the routine samples were taken following the engineering samples, there were once again positive coliform hits. Wakefield identified the seven sampling stations on a water map and the four stations where there were positive coliform hits. Wakefield reported that all Department of Health requirements and protocols were followed each time there were positive coliform hits. Wakefield further described the procedures that were followed for the recent water main construction project, noting that they chlorinated, flushed, and sampled before turning that portion of the system back on, and all samples came back free of coliform. Wakefield confirmed that the construction projects started in late July and the coliform hits were positive in August. Wakefield reported that when the construction ended, there was no evidence of coliform in the system. He stated that due to the four hits in the one-year period, the Washington State Department of Health has issued a Notice of Violation and provided a Bilateral Compliance Agreement for signature that requires both interim and permanent solutions. Wakefield stated that John Ryding, PE, Regional Manager, Washington State Department of Health, was present along with Carol Stuckey, from the Washington State Department of Health, Coliform Water Quality Program and Brad Harp, Hydrogeologist with the Tacoma-Pierce County Health Department.

John Ryding, PE, Washington State Department of Health, Regional Engineer for Pierce County Water Systems, Regional Engineer for Fircrest for the past 13 years, noted that he conducts reviews regarding infrastructure design and responds to issues about treatment. He noted that he also conducts sanitary surveys of water systems and is familiar with Fircrest's system. Ryding reported that coliform is not associated with diseases but is an environmental indicator that something is getting into the system or something that has taken up residence in the system. Ryding noted that the Fircrest staff appeared to

have done everything possible – temporary chlorination, shocked the system, cleaned it, and everything appeared normal, indicative of effective actions. Ryding stated that positive coliform hits had come back and noted that it is time to add the additional barrier of disinfection. Ryding stated it was likely that chlorination would be required even if efforts were implemented to eliminate the positive hits; as in most cases, the positive coliform tests come back even with exceptional monitoring along with a very tight trigger. Ryding further indicated that folks from the Tacoma-Pierce County Health Department have to ensure that the water that is being served to the customers, people with food establishments, and schools meets state standards. Ryding stated there is no recourse at this point and interim measures must be initiated with steady progress toward a solution of a permanent chlorination system. He noted that there is an appeal process for penalties that may be issued with not meeting the conditions of an order, but no appeal of the order itself. Ryding noted the Bilateral Compliance Agreement was put together to provide an opportunity to get together and come to a solution and get to an interim solution. Ryding stated that new rules implemented within the last two years, when a positive sample is encountered in the distribution system, require that the wells are sampled to see if anything is coming up positive. To date, there haven't been positive results from the wells. Ryding indicated that alternatives to chlorination, such as a UV system, aren't approvable for groundwater systems and aren't an option. Ryding noted that the Fircrest staff has done a good job in dealing with the problem. Ryding noted that without knowing how much biofilm is within Fircrest's distribution system it is difficult to say if there will be problems experienced once chlorination is implemented, but the last appreciably sized system that implemented chlorination didn't have issues with biofilm. Ryding noted that an interim distribution system would need to be in place to start getting chlorine into the distribution system as soon as possible while Fircrest considers a long-term permanent solution and evaluates all options. Ryding described differing permanent solutions that could be reviewed and noted that a small chlorinator system with a pump and a little storage tank might cost \$5,000 per well site. Ryding noted that the minimum requirements for the chlorinator system would need to be stamped by a Professional Engineer, licensed in the State of Washington, and stated that it is most common to hire an outside source to design the system. Ryding noted that some people have a natural sensitivity to chlorine and sensitivity levels could be higher for some than others. Ryding stated there is a sense of urgency to solving this problem and stated his job purpose is to help people find solutions to their problems. Ryding noted it is the desire of water utilities to do what is best for their customers. Ryding outlined the timing of issues in the Bilateral Compliance Agreement, noting that the interim engineered treatment design needs to be received in the state Department of Health office by February 10th, and installed and operational by March 11, 2016. Ryding concluded by stating that permanent disinfection facilities need to be installed by December 31, 2016, but he stated that more time could be requested if needed.

Discussion continued as follows:

- The cause of the problem has not been identified
- Concern and frustration were expressed about when notification was provided to the City
- Council should have been made aware that after the fourth positive coliform hit, chlorination would be required
- Consider running two separate water systems, as the one system has been isolated and is clean
- Consider a UV system instead of implementing chlorination
- Implementing chlorination doesn't fix the problem but just makes it go away temporarily
- It would be in the City's best interest to hire a consultant and is the right way to go

- Could the test results be sliced down to identify one or two bacteria to identify how those may or may not have become caught in the system, basically identifying bacterial classes or species
- From a risk management standpoint, the City is actively addressing the issue
- Everyone on Council wants safe water for Fircrest residents
- Approximately 18 months ago there was a request from Fircrest that the Mayor of Fircrest is added as a point of contact for information provided by the state Department of Health
- There was a previous request that Council is notified of policy violations, in addition to the City's point of contact
- Council has known that there have been positive coliform hits from the Public Works weekly General Update
- Is it possible that Councilmembers could be placed on the contact list for correspondence that is sent to the City from the Department of Health
- Is there a correlation between the positive coliform hits and water construction activity
- There are two ways to implement chlorination – one is to have it delivered in bulk or manufactured on site
- Council wasn't informed that staff was negotiating the Bilateral Compliance Agreement with the State Department of Health prior to Council being informed of the Notice of Violation

Ryding invited Brad Harp from the Tacoma-Pierce County Health Department to provide additional information, discuss interim disinfection and respond to the requirements in the Notice of Violation and Bilateral Compliance Agreement.

Brad Harp, Water Resource Manager and Hydrogeologist with the Tacoma-Pierce County Health Department, stated his department works with the state Department of Health with their authority and administrative jurisdiction over larger water systems. Harp stated if there isn't a safe and reliable source of drinking water, then all food and school permits get revoked. He described the course of action that is taken when a water system is declared an imminent health threat. Harp reiterated that there are no arguments that implementing chlorination serves the public health and keeps people from getting sick, is the cheapest and most effective, and stays in the water when it is in the pipes. Harp reported that any name or point of contact for the City of Fircrest can be added to their mailing list and stated that at this time, Utility Foreman Jeff Davis is the recipient for the City of Fircrest of documentation mailed from the Tacoma-Pierce County Health Department and state Department of Health. Harp stated the process commenced on the first day his department became aware of the poor water quality sample, and they've been in a process to get to a certain point over the course of a year. Harp stated that because there have been four water quality violations in the course of one year, regulations force actions; if the imminent health threat isn't dealt with, permits could be pulled.

Carol Stuckey stated that a letter has been sent to the City of Fircrest following each violation with an explanation that after four violations in twelve months, there will be a requirement for mandatory chlorination. Ryding noted that Utility Foreman Jeff Davis has been the City's point of contact for many years.

There was Council consensus that the City Manager bring to next Tuesday's meeting a list of consultants and their qualifications to assist council on the issue.

Ryding noted that date changes in the Bilateral Compliance Agreement are possible and stated that the Bilateral Compliance Agreement must be signed within 30 days of issuance of the Notice Violation. Ryding further indicated that under the terms of the Notice of Violation, the city has 30 days to respond, and hopefully that response is a signed Bilateral Compliance Agreement. Ryding noted if his department doesn't receive a response, the City of Fircrest will receive a red operating permit and the water system would be classified as an inadequate water system which could also generate actions on permits from the Tacoma-Pierce County Health Department. Ryding concluded by stating the goal is to minimize a public health threat but the Bilateral Compliance Agreement has flexibility and the dates can be negotiated. He noted the City could respond with a request asking for more time, but suggested not waiting until December 10th to request that.

At 7:50 P.M. Viafore stated Council would take a five-minute recess.

At 7:55 P.M. Viafore reconvened the meeting.

Agreement with ARC Architects for a Community Center and Community Pool Feasibility Study

Parks and Recreation Director Grover stated that Council is being asked to authorize the City Manager to execute an agreement with ARC Architects to offer professional services to the City of Fircrest to perform a feasibility study of the Roy H. Murphy Community Center and Pool. He noted this was identified in the Parks, Recreation and Open Space Plan as the top priority for the City. Grover stated that ARC and its team members will analyze existing conditions and provide design insights for renovation, addition and new construction options. Grover noted they will provide a thorough analysis of the Community Center and Pool that staff and Council will be able to use for future planning. Grover introduced Emily Wheeler from ARC Architects who is the project manager for the feasibility study.

Moved by Goodsell, seconded by Reynolds, to adopt proposed Resolution No. 1397, a resolution authorizing the City Manager to execute an agreement with ARC Architects to offer professional services to the City of Fircrest to perform a feasibility study of the Roy H. Murphy Community Center & Community Pool.

Wheeler provided illustrations of work done by ARC Architects that had been submitted as part of their application. Wheeler gave a brief overview of the firm, noting their experiences were with public agencies, city halls, and community centers around the state of Washington. She highlighted the team they have assembled to work on the feasibility study and how it would be conducted. Wheeler gave an overview of the public process that will be utilized. She noted that design elements and architecture would follow the completion of the feasibility study.

Discussion continued on the expertise of the firm, their involvement with other feasibility studies in the state, the products that will be delivered as part of the feasibility study, and a comment that it is difficult to approve the agreement after having been given only a few days to review the documentation and a statement that there is a lack of design elements within the proposal.

Viafore requested a roll call vote.

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ROLL CALL

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

EXECUTIVE SESSION

At 8:22 P.M., Viafore stated that Council would convene into Executive Session not to exceed the hour of 9:00 P.M., to discuss Item 7A – Labor negotiations. Viafore stated that Rosenblatt and Councilmembers elect Brett Wittner and Blake Surina were invited to attend, as well as the labor attorney via a phone conference. Viafore stated that no action, other than adjournment, would take place at the conclusion of the Executive Session.

At 8:54 P.M. Viafore reconvened the meeting.

ADJOURNMENT

Moved by Medley, seconded by Waltier, to adjourn the meeting at 8:55 P.M. Ayes: Jolibois, Reynolds, Goodsell, Viafore, George, Waltier and Medley. Noes: None. Motion carried.



David M. Viafore, Mayor



Lisa Keely, City Clerk