

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

**TUESDAY, MARCH 22, 2016** **COUNCIL CHAMBERS**  
**7:00 P.M.** **FIRCREST CITY HALL, 115 RAMSDELL STREET**

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**CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL**

Mayor Matthew Jolibois called the regular meeting to order at 7:00 P.M. and led the Pledge of Allegiance. Councilmembers Blake Surina, Shannon Reynolds, Brett Wittner, Hunter T. George, Denny Waltier and Jason Medley were present.

**PRESIDING OFFICER'S REPORT**

Jolibois stated that University Place City Engineer Jack Ecklund was present to give a presentation on the Mildred Street Project. Ecklund provided an overview of the Mildred Street Project, noting that bids were scheduled to be opened next Tuesday, and they anticipated awarding the contract at the April 4, 2016 University Place City Council meeting. Ecklund stated that construction was scheduled to start by the end of April, or sooner, and would probably take about six months. Ecklund outlined the federal project that will provide curb, gutter, sidewalk, bike lanes, landscaped planter strips and decorative street lights along Mildred between 19<sup>th</sup> Street and Regents Boulevard. Ecklund described the three-lane channelization that will be used for the street, similar to that of 19<sup>th</sup> Street in the City of Tacoma to accommodate growth and development on both sides of the street. Ecklund noted he was not successful in convincing the State to add a pavement overlay into the scope of the project, but was planning on applying for an overlay in another grant application process. Ecklund noted that the City of University Place would be responsible to maintain the newly landscaped areas associated with the grant and concluded by stating that University Place would be distributing flyers regarding the construction and who to call with concerns, and would further reach out to the organized business group regarding a meeting to update the businesses. Ecklund noted that Public Works Director Wakefield would be invited to the project meetings.

Surina gave Ecklund a copy of *Fircrest, the Ideal Home Place* as a gesture of thanks.

**Liquor License Renewal – Fircrest Golf Club**

Jolibois stated he would need to recuse himself for this item, turned the meeting over to Mayor Pro Tempore George, and left the Council Chambers. Medley stated he would need to recuse himself for this item and left the Council Chambers.

City Manager Rosenblatt stated the item is for a liquor license renewal for the Fircrest Golf Club and recommended that Council registers no objection to the renewal of the liquor license.

**MOTION**

**Moved by Waltier, seconded by Reynolds, to register no objection to the renewal of the liquor license for the Fircrest Golf Club.**

George invited public comment. None was provided.

**VOTE**

**Ayes: Surina, Reynolds, Wittner, George and Waltier. Noes: None. Recused: Jolibois and Medley. Motion carried.**

Jolibois and Medley returned to Chambers.

**COMMITTEE, COMMISSION & LIAISON REPORTS**

Gregory Kleiner, 1113 Garden Circle, voiced concern about the Tacoma School District's announcement that Wainwright Intermediate School won't open on the originally scheduled opening date.

**Water, Sewer, Storm**

Wittner reported on a meeting held with Wakefield last week, noting they talked about items that were discussed at last night's study session and many of the items on tonight's agenda.

**CONSENT CALENDAR**

Jolibois requested the City Manager read the consent calendar as follows: approval of Voucher No. 207347 through Voucher No. 207400 in the amount of \$124,662.57; approval of Payroll Check No. 12101 through Payroll Check No. 12107 in the amount of \$94,247.15, and approval of the March 8, 2016 Regular meeting minutes.

**MOTION**

**Moved by George, seconded by Medley, to approve the Consent Calendar as read. Ayes: Surina, Reynolds, Wittner, Jolibois, George, Waltier and Medley. Noes: None. Motion carried.**

**UNFINISHED BUSINESS**

**Ordinance authorizing emergency expenditures of funds for matters not foreseen at the time of filing the Preliminary Budget for 2016 and not provided for in the Annual Budget for 2016**

Finance Director Corcoran stated this is the second reading of the budget amendment and would change the budget for the beginning fund balances to match the 2015 actual ending balance amounts. Corcoran stated the amendment provides funding for Central Printing, the Landscape Maintenance contract, additional money to purchase the police vehicles, the Parks Feasibility Study, the Emerson Sidewalk Grant, contract negotiations and the water chlorination project. Corcoran stated the total budget for 2016 is adopted by funds and the total for all the funds is now \$24,026,381. Corcoran concluded by stating this is on for action tonight, and needs adoption by a super majority of Council.

**ORDINANCE NO. 1571**

**Moved by Medley, seconded by Wittner, to adopt Ordinance No. 1571 authorizing emergency expenditures of funds for matters not foreseen at the time of filing of the 2016 Preliminary Budget and not provided for in the adopted 2016 budget.**

Responding to Surina, Corcoran stated that \$25,000 in revenue is included for the chlorination grant and also includes the expenditures for that item.

Jolibois invited public comment. None was provided.

**VOTE**

**Ayes: Surina, Reynolds, Wittner, Jolibois, George, Waltier and Medley. Noes: None. Motion carried.**

**NEW BUSINESS**

**Resolution authorizing the City Manager to execute an agreement with Greenleaf Landscaping Inc.**

Rosenblatt stated that due to the unsuccessful program this past year, it is recommended that Council authorize the agreement for Greenleaf Landscaping to provide landscape maintenance services on a contract basis. Rosenblatt noted the amount of the agreement includes \$2,975 to maintain the Columbia/Summit Island and the lower business district bulb outs.

**RESOLUTION NO. 1421**

**Moved by Medley, seconded by Reynolds, to adopt Resolution No. 1421 authorizing the City Manager to execute an agreement with Greenleaf Landscaping Inc., from March 28, 2016 to November 18, 2016 for the purpose of maintaining certain landscaped areas within Fircrest, in the amount of \$36,413.86, including sales tax.**

Responding to Wittner, Rosenblatt stated that one of the individuals hired to perform the services didn't work out, and another individual quit after a short while. He noted it was possible that the position didn't pay enough or there wasn't a big enough applicant pool interested in this kind of work. Rosenblatt confirmed for Surina that the Fircrest Golf Course maintains the right of way along Alameda in front of their property. Rosenblatt responded to Jolibois that the contractor will be using the appropriate mowers that are identified in the contract and will apply herbicides to handle the weeds.

Jolibois invited public comment.

Dr. Colleen Doherty, 336 Summit Avenue, Fircrest WA, commented about the cost to maintain the Columbia/Summit Island.

**VOTE**

**Ayes: Surina, Reynolds, Wittner, Jolibois, George, Waltier and Medley. Noes: None. Motion carried.**

**Resolution authorizing the City Manager to execute Amendment #1 to the agreement with Katy Isaksen and Associates**

Wakefield stated that Amendment #1 to the agreement with Katy Isaksen and Associates will allow for the work to continue to provide a utility rate study for the City's water, sewer and storm utilities to extend the date of the agreement to December 31, 2016. Wakefield stated that due to circumstances and schedules, the study isn't complete. Wakefield stated that extending the date with this amendment allows the City and Katy Isaksen and Associates to continue the financial planning and rate study with more feedback and information. Wakefield concluded by noting that there is no financial impact as the budget for this work will remain per the original agreement.

**RESOLUTION NO. 1422**

**Moved by Reynolds, seconded by Medley, to adopt Resolution No. 1422 authorizing the City Manager to execute Amendment #1 to the agreement with Katy Isaksen and Associates to provide a utility rate study for the City’s water, sewer and storm utilities.**

Jolibois invited public comment. None was provided.

**VOTE**

**Ayes: Surina, Reynolds, Wittner, Jolibois, George, Waltier and Medley. Noes: None. Motion carried.**

**Resolution authorizing the City Manager to execute a Professional Services Agreement with Apex Engineering to provide on call engineering services for surveying and mapping type projects**

Wakefield stated that Council is being asked to authorize the City Manager to enter into a Professional Services Contract with Apex Engineering to provide on call engineering services for surveying and mapping type projects as needed. Wakefield noted that the City previously contracted for an on call engineer to server as City Engineer and provide services as needed. Wakefield noted that at present the need for an on call city engineer is not needed, but at times there are engineering needs in areas of expertise that would benefit the City by having those services available. In review of the needs, the recommendation would be to have more than one firm provide engineering services. Wakefield indicated that the MRSC roster was used in selecting the most qualified consultant for each area of expertise anticipated. Wakefield indicated that they also reviewed the qualifications for previous work with the City, and Apex Engineering was selected for this type of on call work. Wakefield concluded by noting that the on-call work would be authorized by task order and that the total cost would be within the budgeted amount for professional services.

**RESOLUTION NO. 1423**

**Moved by Medley, seconded by Waltier, to adopt Resolution No. 1423 authorizing the City Manager to execute a Professional Services Agreement with Apex Engineering for providing on call engineering services for surveying and mapping type projects as needed.**

Responding to Surina, Wakefield noted the budget for on-call professional services is \$5,000 and wouldn’t trigger bid requirements.

Jolibois invited public comment. None was provided.

**VOTE**

**Ayes: Surina, Reynolds, Wittner, Jolibois, George, Waltier and Medley. Noes: None. Motion carried.**

**Resolution authorizing the City Manager to execute a Professional Services Agreement with Murray Smith and Associates to provide on call engineering services for water and sewer type projects**

Wakefield stated that this is similar to the agreement for Apex Engineering in that Murray Smith and Associates would provide on-call engineering services for water and sewer type projects, and the work would be authorized by task order for specific items that are needed. Wakefield noted the intent is to hire engineering firms that are more tailored to the specific work and Murray Smith's primary area of emphasis is water and sewer and is a good fit.

**RESOLUTION NO. 1424**

**Moved by Medley, seconded by George, to adopt Resolution No. 1424 authorizing the City Manager to execute a Professional Services Agreement with Murray Smith and Associates for providing on call engineering services for water and sewer type projects as needed.**

Jolibois invited public comment. None was provided.

**VOTE**

**Ayes: Surina, Reynolds, Wittner, Jolibois, George, Waltier and Medley. Noes: None. Motion carried.**

**Resolution authorizing the City Manager to execute a Professional Services Agreement with KPG, P.S. to provide on call engineering services for transportation type projects**

Wakefield stated that KPG comes with a wealth of knowledge and expertise in the transportation side and additional services will be needed on an on-call basis, especially for the grant applications and exhibits that are needed for those. Wakefield noted that KPG rose to the top of the selection process and will be a good fit for the city.

**RESOLUTION NO. 1425**

**Moved by Medley, seconded by George, to adopt Resolution No. 1425 authorizing the City Manager to execute a Professional Services Agreement with KPG, P.S. for providing on call engineering services for transportation type projects as needed.**

Jolibois invited public comment. None was provided.

**VOTE**

**Ayes: Surina, Reynolds, Wittner, Jolibois, George, Waltier and Medley. Noes: None. Motion carried.**

**CITY MANAGER COMMENTS**

Rosenblatt expressed disappointment with the news about the delay to Wainwright's opening and not hearing directly from the Tacoma School District about that delay. George noted that an update was provided in the *Tacoma News Tribune* this afternoon that indicated it would be cost prohibitive to speed up construction. He also stated that he has heard that a number of people will be attending the Tacoma School board meeting on Thursday night. George asked that the City respond quickly to inquiries from the district on ways to assist with the construction schedule, if possible.

Councilmembers responded affirmatively to Rosenblatt's inquiry if Council would like to declare next Wednesday, March 30<sup>th</sup>, as a special meeting to enable the Council to attend and participate in the Community Center and Pool Feasibility Study. Rosenblatt noted that the City has received an application for a business license for a retail recreational/medical marijuana and related paraphernalia at 1375 Regents Boulevard. He requested Council input, as the Fircrest Municipal Code (FMC) section 5.04.150(a) requires that business licenses comply with federal regulations. Rosenblatt stated if he issues the license, he will be violating Fircrest's code, and indicated the safest thing to do would be to deny the license. City Attorney Smith stated that there was recent news about the U.S. Supreme Court declining to take any action against the state of Colorado and indicated it is pretty clear that the Department of Justice has no interest in applying federal law on this issue. He furthermore noted that the state of Washington Liquor and Cannabis Board is moving towards expanding licensing and permitting, and tax revenue from marijuana will not be shared with cities that do not allow marijuana distributorships. Smith concluded by stating the location is properly located, the Department of Justice isn't likely to pursue the issue, Fircrest would get a share of the revenue if the business is allowed to locate, and the applicant is already an established and preferred applicant. Council discussion continued and there was consensus for Rosenblatt to deny the license based on federal law requirements in the FMC.

At 8:04 P.M. George left Council Chambers and exited the building.

#### **DEPARTMENT HEAD COMMENTS**

Cheesman stated he met with Whittier Principal Donna Basil to discuss concerns about the impact to the school with the delayed opening of Wainwright.

#### **COUNCIL COMMENTS**

Councilmembers thanked audience members for attending the meeting.

Reynolds mentioned the Easter Egg Hunt that is scheduled for this Saturday, and encouraged those with young children to attend. She concluded by giving an overview on the status of the smoking ordinance she is working on with Surina.

In response to Medley's inquiry about what permits will be required at Whittier to increase the occupancy to accommodate Wainwright students, Planning and Building Administrator Stahlnecker stated more information is needed before that decision can be made.

Jolibois stated that there was a short timeline proposed for Wainwright and it was understandable that the opening is needing to be delayed due to weather issues and a lack of available subcontractors.

#### **EXECUTIVE SESSION**

At 8:10 P.M., Jolibois stated Council would take a ten-minute recess and convene into Executive Session for Item 14-A – City Manager performance evaluation, not to exceed the hour of 8:30 P.M. City Manager Rosenblatt was invited to attend.

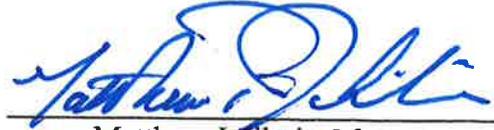
At 8:32 P.M. Jolibois reconvened the meeting.

March 22, 2016

Firecrest City Council Meeting Minutes – Regular 7

**ADJOURNMENT**

**Moved by Medley, seconded by Waltier, to adjourn the meeting at 8:32 P.M. Ayes: Surina, Reynolds, Wittner, Jolibois, Waltier and Medley. Noes: None. Excused: George. Motion Carried.**



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Matthew Jolibois, Mayor



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Lisa Keely, City Clerk