

**CITY OF FIRCREST**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
**TUESDAY, DECEMBER 13, 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 Council is being asked to approve a motion to register no objections to the liquor license renewal for Regents Café LLC (Spring Lake Café).

**MOTION**

**Moved by Medley, seconded by Waltier, to register no objections to the liquor license renewal for Regents Café LLC (Spring Lake Café).**

Jolibois invited public comment. None was provided.

**VOTE**

**Upon vote, motion carried unanimously.**

**COMMITTEE, COMMISSION & LIAISON REPORTS**

**Parks & Recreation**

Surina gave an update on the efforts and progress of the Community Center and Pool Advisory Committee.

**CONSENT CALENDAR**

Jolibois requested the City Clerk read the consent calendar as follows: approval of Voucher No. 208576 through Voucher No. 208664 in the amount of \$51,715.50; approval of Payroll Check No. 12472 through Payroll Check No. 12478 in the amount of \$89,669.51; approval of Payroll Check No. 12479 through Payroll Check No. 12482 in the amount of \$5,107.58; approval of Payroll Check No. 12483 through Payroll Check No. 12488 in the amount of \$78,696.71; approval of Payroll Check No. 12489 through Payroll Check No. 12497 in the amount of \$91,516.40; approval of Payroll Check No. 12498 through Payroll Check 12502 in the amount of \$17,224.00; approval of the November 22, 2016 Regular City Council meeting and setting a public hearing on January 10, 2017 at 7:15 p.m. to receive comments on a proposed solid waste rate adjustment.

**MOTION**

**Moved by George, seconded by Medley, to approve the consent calendar as read. Upon vote, motion carried unanimously.**

**NEW BUSINESS**

**Ordinance amending Fircrest Municipal Code Title 22 prohibiting marijuana retailers, producers, processors, and researchers in all zoning districts**

Planning and Building Administrator Stahlnecker referenced the ordinance proposed to be adopted that dealt with regulations governing marijuana uses. She noted that public hearings were held by the Planning Commission and City Council. Stahlnecker noted that staff's original proposal to the Planning Commission allowed marijuana in certain areas with regulations and performance standards and that the Planning Commission had recommended a resolution prohibiting marijuana uses in all zones. She stated that pursuant to concerns previously expressed, staff had visited stores in the area and concluded that the stores were clean, there was no loitering, and no strong odors. Regarding concerns surrounding criminal activity and police calls, the City of Tacoma reported that there weren't demonstrated trends related to an increase in criminal activity and the marijuana retail stores seemed to mimic and mirror the neighborhoods where they were located. Stahlnecker stated that the City of Buckley has two stores and they haven't seen significant problems or enforcement issues. Stahlnecker further indicated that some cities that had previously banned marijuana sales are now considering opening stores. Regarding fiscal impacts, Stahlnecker reminded Council if marijuana sales and uses are prohibited in all zones, the City of Fircrest wouldn't receive any excise or sales tax revenue. She reported if marijuana stores are allowed, but if one doesn't exist in the City, Fircrest would still receive a portion of the excise tax which this year resulted in approximately \$4,000. Stahlnecker noted that the City of Buckley received \$100,000 in tax revenue from their store and anticipates \$350,000 or more in 2017 with the addition of another store. Stahlnecker concluded by stating that Council can take action and adopt the proposed ordinance that is based on the Planning Commission's recommendation or direct staff to bring back an Ordinance with amended language.

**ORDINANCE NO. 1592**

**Moved by Medley, seconded by Reynolds, to adopt Ordinance No. 1592 amending Ordinance 1246 Section 9 and FMC 22.46.007, Ordinance 1311 Section 17 and FMC 22.50.007, and adding new section FMC 22.58.030 prohibiting marijuana uses in all zoning districts.**

Council comments were expressed both in favor of and opposed to the proposed ordinance.

Police Chief Cheesman reported that police chiefs from other cities have stated that a marijuana retail store hasn't generated any more calls for service than other stores in the general vicinity to the marijuana stores.

The following individuals provided comment:

Karen Reynolds, 1576 Woodside Court; and Leonard Smith, 1570 Weathervane Drive, spoke in favor of the ordinance

Evan Lee, 514 Ramsdell Street, spoke against the ordinance

Jolibois requested a roll call vote.

**AYES: Medley, Reynolds and Surina. Noes: George, Waltier, Wittner and Jolibois. Motion failed.**

Discussion continued on staff bringing forward an alternate proposal that (1) uses the suggested restrictions and performance measures that were offered to the Planning Commission, (2) reduces buffers along the Mildred Street corridor and maintain buffers from residential properties.

At 7:43 P.M. Reynolds left Council Chambers and was excused.

At 7:44 P.M. Jolibois stated that Council was in recess.

At 8:23 P.M. Jolibois reconvened the meeting and stated that items 10B and 10C would be heard tonight and the remaining new business items would be added to the agenda for the December 19, 2016 special meeting.

**Resolution authorizing the City Manager to execute an agreement with the Pierce County Department of Assigned Counsel to provide legal representation to indigent defendants**

Court Administrator Olsen stated that Council is being asked to adopt a resolution authorizing the City Manager to execute the Agreement for Public Defense Services with Pierce County through the Department of Assigned Counsel. She reported that the contract submitted for 2017 is \$33,000.00 and that amount is allocated in the 2017 Legal Services Budget. Olsen stated that the Court is required to provide this service to all defendants that are indigent per RCW 10.101.030.

**RESOLUTION NO. 1458**

**Moved by George, seconded by Medley, to adopt Resolution No. 1458 authorizing the City Manager to execute an Agreement for Public Defense Services with Pierce County for indigent legal defense services.**

Jolibois invited public comment. None was provided.

**VOTE**

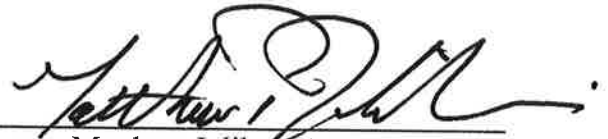
**Upon vote, motion carried unanimously.**

**Introduction of an ordinance authorizing emergency expenditure 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**

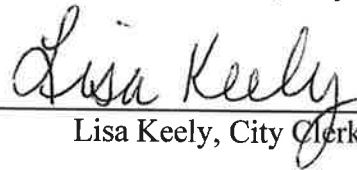
Acting Finance Director Thomas stated that this is a request for additional appropriations for anticipated revenues and expenditures not foreseen at the time of filing the 2016 Preliminary Budget and not provided for in the Adopted 2016 Budget. She noted that two readings are required and this would be presented for approval at the December 27, 2016 regular meeting.

**ADJOURNMENT**

**Moved by Medley, seconded by Waltier, to adjourn the meeting at 8:25 P.M. Ayes: Surina, Wittner, Jolibois, George, Waltier and Medley. Noes: None. Excused: Reynolds. Motion carried.**



Matthew Jolibois, Mayor



Lisa Keely, City Clerk