

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Mayor Hunter T. George called the regular meeting to order at 7:00 P.M. and led the Pledge of Allegiance. Councilmembers David M. Viafore, Brett Wittner, Blake Surina, and Jamie Nixon were present. Councilmembers Denny Waltier and Shannon Reynolds were absent and excused.

PRESIDING OFFICER’S REPORT

George indicated he had received notification from resident Nancy Atwood that she would not be attending the Council meeting due to an illness.

A. Community Center and Pool Update

Grover reported that the Steering Committee was scheduled to meet on October 10, 2018, and that a presentation from ARC Architects and a recommendation from the Steering Committee would be scheduled for October 23, 2018 for Council consideration. Grover indicated that the tear in the liner would be repaired soon, and stated that the pool would run under normal operations next year as it had run efficiently this year.

George reported that he and Councilmembers Viafore and Nixon attended the state auditor entrance meeting regarding the three year 2015-2017 audit. George indicated the audit was routine and consisted of two parts: financial and accountability. George stated they anticipated the audit to be over at the end of October.

George reported that he received a request from Representative Christine Kilduff regarding Council input on issues that the City is concerned with that they would like her to take on during the next legislative session. George stated that input would be needed by October 1st and that he had discussed with City Manager Pingel that there was a possibility that the City would submit an additional capital request for the next session for the community center portion of the project. George requested Council communicate with their liaisons to determine if there was anything else to submit.

George introduced and welcomed the following new City employees:

- Lindsay Davis, Accountant I
- Athena Milan-Bracken, Maintenance Worker I
- Julie Ryan, Administrative Assistant – Grant Writer

Pingel provided a brief background on each employee, and Councilmember Viafore welcomed the new employees.

CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA

George invited public comment; none were provided.

COMMITTEE, COMMISSION, AND LIAISON REPORTS

A. Parks & Recreation

Wittner reported that the Fun Days Planning Committee had met and was considering moving the Fun Days event to coincide with the July Movie in the Park event. Wittner indicated that the City was preparing for the October 25th Haunted Trails and was seeking volunteers for that event. Wittner reported that the annual Pumpkin Patch would be on Halloween, and that a 5k run was underway.

B. Pierce County Regional Council

As Reynolds was absent, no report was provided.

C. Public Safety, Court

Viafore inquired to the change on the agenda page; George indicated that there was a change to the Liaison Report agenda item. Viafore indicated that any modifications to the agenda should be adopted by the Council. Viafore reported that applications were being accepted for the sergeant position and that interviews were scheduled for October 26th. Viafore commented on the previous month police stat sheet. Viafore stated that Municipal Court Judge Miller and Court Administrator Perry were present for the Ruston Court resolution. Viafore indicated that if the Council approved the contract, staff would proceed with advertising for the Court Clerk positions soon after.

D. Street, Water, Sewer, and Storm Drain

Surina reported that the staff was finishing its fifth year of the six year street light conversion to LED and that the conversion had cut back on usage by approximately 60%. Surina indicated after completion, the City would be eligible for the rebate and buy-back program. Surina reported that the Regents Boulevard curbs were completed, and that sidewalks would be installed by Fircrest Golf Club. Surina indicated that the traffic signal loops were in operation and that Public Works was coordinating with the Police Department regarding the Wainwright student drop-offs and pickups. Surina indicated that staff was working on a safe streets grant program and were seeking a nomination from the Tacoma Health Department to enhance the application. Surina reported that the Drake Street lift station was switching to a single tank system and slated to be finished on November 7th. Surina stated that staff was working with Puget Sound Keepers on the Stormwater Management Plan.

E. Other Liaison Reports

There were none.

CONSENT CALENDAR

George requested the City Clerk read the Consent Calendar as follows: approval of Voucher No. 211898 through Voucher Check No. 211970 in the amount of \$142,353.07; approval of Payroll Check No. 13445 through Payroll Check No. 13463 in the amount of \$104,071.24; approval of the September 11, 2018 regular Council meeting minutes; and approval to register no objections to the liquor license renewal for Sammy's Pizza Fircrest. **Nixon MOVED to approve the Consent Calendar as read; seconded by Wittner. The Motion Carried (5-0).**

PUBLIC HEARING

No public hearing was scheduled.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

A. Ruston Court Services Contract

Pingel briefed the Council on the proposed Court Services contract with the City of Ruston, stating that the City of Ruston approved the contract during their August 21st meeting and that the City was working with the City Attorney on an indemnification agreement with Ruston. **Wittner MOVED to adopt Resolution No. 1544, authorizing the City Manager to execute a contract with the City of Ruston for the City of Firecrest to provide Court Services to the City of Ruston; seconded by Nixon.** George invited councilmember comment; Surina thanked Viafore for his work in this project. Viafore thanked Judge Miller, Pingel, and Perry for their efforts. George thanked Judge Miller, Viafore, and staff for their efforts. George invited public comment; none were provided. **The Motion Carried (5-0).**

B. Morris Law, P.C. Contract Amendment

Pingel briefed the Council on the proposed contract amendment to the professional services agreement with Morris Law, P.C. for special legal counsel services in land use matters and environmental law as needed by the City, stating the amendment would extend the contract to December 31, 2019 and that the hourly rate of \$275 would remain the same for 2019. **Surina MOVED to adopt Resolution No. 1545, authorizing the City Manager to execute Amendment #12 to the agreement with Morris Law, P.C. for special legal counsel services in land use matters and environmental law; seconded by Wittner.** George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (5-0).**

C. Jeff Boers and Associates Contract Amendment

Planning and Building Administrator Stahlnecker briefed the Council on the proposed contract amendment to the professional services agreement with Jeff Boers and Associates, stating the amendment would extend the date of the agreement to December 31, 2019 and that the hourly rate would increase from \$85 to \$95 due to increases in the regional Consumer Price Index and increased professional liability insurance costs. **Surina MOVED to adopt Resolution No. 1546, authorizing the City Manager to execute Amendment #6 to the agreement with Jeff Boers and Associates for current and long-range planning consulting services; seconded by Wittner.** George invited councilmember comment; Surina commented on the benefits of using Boers' expertise. Viafore commented on the experience Boers brought to the City. George stated he concurred with the comments made about Boers. George invited public comment; none were provided. **The Motion Carried (5-0).**

D. Sound Inspection LLC Contract Amendment

Stahlnecker briefed the Council on the proposed contract amendment to the professional services agreement with Sound Inspection LLC, stating the amendment would extend the date of the agreement to December 31, 2019 and that the hourly rate of \$95 would remain the same in 2019. **Surina MOVED to adopt Resolution No. 1547, authorizing the City Manager to execute Amendment #6 to the agreement with Sound Inspection LLC for inspection services; seconded by Nixon.** George invited councilmember comment; Surina inquired if the City had in place customer evaluations of the inspector to ensure level of service. Stahlnecker indicated there was nothing formally in place and stated staff would be open to further discussing this. George invited public comment; none were provided. **The Motion Carried (5-0).**

E. Business License System

Stahlnecker briefed the Council on the proposed amendments to Fircrest Municipal Code (FMC) 5.04.010 Definitions, FMC 5.04.020 Business License Required, FMC 5.04.100 Exemptions, and FMC 5.04.085 Service charge for returned checks. Stahlnecker indicated these proposed changes would meet the requirements of the state legislature as well as updating the service charge for returned checks consistent with Public Works' fees. **Wittner MOVED to adopt Ordinance No. 1618, amending Ordinance No. 1156 Section 1 and FMC 5.04.010 Definitions; amending Ordinance No. 1475 Section 1 and FMC 5.04.020 Business License Required; amending Ordinance No. 1156 Section 9 and FMC 5.04.085 Service Charge for Returned Checks; and amending Ordinance No. 1475 Section 10 and FMC 5.04.100 Exemptions; seconded by Nixon.** George invited councilmember comment; Surina inquired about fees for out of out-of-city businesses. There was a brief discussion of the minimum threshold of \$2,000 regulations and isolated sales as well as scenarios and impacts. George invited public comment; none were provided. **The Motion Carried (5-0).**

F. General Facilities Charge Schedule of Fees (Water)

Public Works Director Wakefield briefed the Council on the proposed amendments to FMC Title 21 as it related to the water system General Facilities Charge (GFC), service connection fees, and water meter drop-in fees. Wakefield indicated staff utilized the 2008 methodology from the previous update, updated the project list and costs, and included a CPI (Consumer Price Index) adjuster in the proposed ordinance. **Wittner MOVED to adopt Ordinance No. 1619, amending Ordinance No. 1464 Section 1 and FMC 21.01.030 General Facilities Charge; amending Ordinance No. 1464 Section 2 and FMC 21.04.130 Service Connection Fees and Water Meter Drop-In Fees; amending Ordinance No. 1589 Section 5 and FMC 21.06.10 Purpose; and amending Ordinance No. 1589 Section 6 and FMC 21.06.020 Applicability; seconded by Nixon.** George invited councilmember comment; Surina inquired if the Golf Course housing development would be affected by the new fees. Wakefield indicated that the fees would go into effect five days after approval and publication and that the GFC fees would be charged during the building permit phase. Surina inquired how many new connections the City had per year; Wakefield indicated one or two of that magnitude. Viafore inquired if a public hearing would be necessary since the proposed addition of the CPI adjuster was not included in the 2008 methodology. Wakefield included the update of the fees were based off the 2008 methodology and that a CPI adjuster was common in the building industry. Viafore recommended language that the GFC fees be reviewed every few years. Pingel stated that staff checked with acting City Attorney Comfort and MRSC legal counsel to determine whether a public hearing would be needed to update the GFC fees. Pingel indicated that during the previous update a public hearing was conducted and stated that it may have been appropriate but not required. Viafore commented on when the CPI adjuster would be applied; Wakefield indicated it would be applied in January the following year. George inquired about how these fees would affect current projects. There was a brief discussion on if delaying the effect date could be considered a gift of funds and that the purpose of the review was to update the fees and put into effect soon after. George invited public comment; there was none. City Attorney Smith brought to attention errors in the proposed ordinance, including "following chart" language and "as follows" as it related to the fees tables. Smith inquired about when the CPI adjuster would take in effect. George recommended tabling this item for staff to coordinate with Smith. **Viafore MOVED to table Ordinance No. 1619; seconded by Surina. The Motion Carried (5-0).**

G. General Facilities Charge Schedule of Fees (Sewer)

Viafore requested this item be tabled as well for the similar issues as the Water GFC agenda item. **Viafore MOVED to table item number 10G General Facilities Charge Schedule of Fees for Sewer; seconded by Surina. The Motion Carried (5-0).**

H. Housekeeping Amendments – Title 17.04

George requested to postpone this item and retitle the agenda item Housekeeping Amendments for transparency reasons. Wakefield proposed retitling the agenda item to Utility Billing Fee Adjustments. There were no objections to postpone this item and retitle the agenda item.

I. Housekeeping Amendment Affecting Titles 17 and 18

Viafore requested a point of clarification regarding the agenda title of this item. George stated that he was fine with the agenda item as written and there appeared to be no objections. Wakefield briefed the Council on the proposed housekeeping amendments affecting Titles 17 and 18, proposing to relocate the content from FMC Title 18 Electric Utility Chapter 18.10 Utilities Services, Permits and Inspection to a new chapter under Title 17 Utilities. Wakefield indicated the City sold the electrical utility to the City of Tacoma in 2001, making FMC 18.10 not needed since Utilities Services, Permits and Inspection pertains to the water, sewer and storm utilities. Wakefield stated that the information under the Utilities Services, Permits and Inspection would be more appropriate under Title 17 Utilities. **Surina MOVED to adopt Ordinance No. 1620, adding a new chapter to FMC Title 17 and relocating FMC Title 18.10 Utilities Services, Permits and Inspection to new chapter Title 17.10; seconded by Nixon.** George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (5-0).**

CITY MANAGER COMMENTS

Pingel requested Council feedback regarding the October 15th study session, inquiring if the October 15th could be used as a regular study session instead of a budget work session. Viafore inquired if the October 15th study session would be utilized for a community center and pool project discussion; Pingel indicated that after the October 10th Steering Committee meeting, a presentation from ARC Architects and a recommendation from the Steering Committee would be scheduled on schematic design for October 23, 2018 for Council consideration and that any related special meetings could follow. Viafore stated his concerns regarding the project timeline; Pingel indicated that the project would remain on schedule per the ARC Architects project timeline. George recommended he coordinate with Pingel on providing Council options on upcoming meetings.

DEPARTMENT HEAD COMMENTS

- Wakefield reported that the traffic light at Regents Boulevard and Alameda Avenue was tested and working as programmed. Viafore inquired if the signal loops were operating properly and Wakefield indicated the signal test shows it was functioning properly and that staff would reevaluate in a few days to ensure it was functioning normally as established by the March traffic safety elements.
- Stahlnecker reported that she had attended a Housing Authority's workshop on James Center North, and stated that the Housing Authority was working with a consultant to establish a vision and working with the community. Wittner inquired about the graffiti at the Chik-fil-A site; Stahlnecker indicated she anticipated it would be painted over in a week's time.

COUNCILMEMBER COMMENTS

- Viafore commented on the Parks and Recreation strong revenues in recreation fees and that these numbers were the basis of the pool project business plan. Viafore thanked the Finance Committee for their decisions as the revenues from investments were coming in strong. Viafore also commented on the Court revenues and REET revenues. Viafore inquired about posting sites and whether agendas, minutes, and notices were being posted; City Clerk Nappi commented on the four posting sites and that agendas were posted.
- Wittner thanked the audience for their attendance and welcomed the new employees.
- Surina thanked the Police Department for their effort at the Regents Boulevard and Alameda Avenue intersection.
- Nixon commented on sexual violence in the media and recommended individuals affected by this seek help.
- George appreciated Nixon's comments as well as Viafore's comments regarding the posting of minutes. George requested further staff investigation regarding the posting of minutes to enhance public awareness of Council actions.

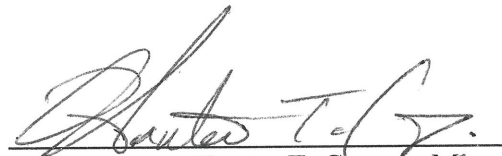
EXECUTIVE SESSION

George stated the Council would convene into Executive Session at 8:23 P.M., not to exceed the hour of 8:53 P.M. with Pingel to discuss the performance of a public employee pursuant to RCW 42.30.110 with no action anticipated upon reconvening.

The Council reconvened into regular session at 8:50 P.M.

ADJOURNMENT

Wittner MOVED to adjourn the meeting at 8:50 P.M., seconded by Surina. The Motion Carried (5-0).



Hunter T. George, Mayor



Jessica Nappi, City Clerk