

**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, Shannon Reynolds, Brett Wittner, Blake Surina, and Jamie Nixon were present. Councilmember Denny Waltier was absent and excused.

**PRESIDING OFFICER'S REPORT**

**A. Community Center and Pool Project**

City Manager Pingel commented that ARC Architects was interested in continuing working with the City for the design development phase of the project and sought confirmation from Council to move forward to obtain a design development proposal from ARC in order to do a contract amendment. Pingel indicated that the four firms originally interviewed for the RFQ each indicated they would use the Washington State Fee Schedule for architectural and engineering services, and recommended moving forward with ARC for the design development phase. After a brief discussion on the Washington State Fee Schedule and discretionary funding, Pingel indicated ARC's fee was based off a percentage of the construction project cost and Viafore requested information about the timeline for an April 2019 bond measure. Pingel stated that the professional services was based on qualifications and that construction was based on costs, and provided a brief background on the construction bidding process. Pingel anticipated that an ARC design development proposal and contract amendment would be brought before Council at its November 27, 2018 regular meeting, and sought Council feedback on the following design elements: design in the slide as an alternate, the vortex, photovoltaics, and a generator. Wittner inquired about potential insurance impact of those design elements; Pingel anticipated it would not be an insurance issue if the elements were properly designed. Viafore commented on his concern about the diving board cost recovery and recommended having a future discussion on designing in the diving board. George requested staff to itemize the design elements into an agenda item for a future Council discussion. Viafore inquired on the status of obtaining updated project costs from ARC; Grover indicated he would inquire and report back to Council. Pingel sought Council feedback on additional future parking and hiring a fundraiser. Viafore requested discussing those items for a study session; George and Pingel agreed.

George commented on a reported homeless camp on 19<sup>th</sup> and Orchard and indicated he had forwarded information about the possible encampment to the City Manager and Police Chief. George reported that Pierce County was seeking volunteers to assist with the Point-In-Time Count annual homeless survey scheduled for January 25, 2019. George reported that he spoke at a recent Pierce County Council regarding economic development and working with adjacent localities on the Mildred corridor. Viafore inquired about law enforcement and squatters on private property; Officer Miller commented on his visit to the property with Officer Roberts and although they were unable to assess the entire property, Miller indicated he would coordinate with staff to contact the property owner to obtain permission to trespass trespassers. Miller stated that he would coordinate with Tacoma Police Department to provide resources and information to the homeless. There was a brief discussion on developing a homeless policy on public property and researching other jurisdictions policies.

**CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA**

George invited public comment; Yolonda Brooks, 6448 19th Street W. #B, commented on the City of Fircrest reviewing its code as it related to tenant protections and affordable housing, and commented on traffic safety on 19<sup>th</sup> street by Tacoma Community College.

**COMMITTEE, COMMISSION, AND LIAISON REPORTS**

**A. Administrator**

As Waltier was absent, no report was provided.

**B. Environment, Planning and Building**

Reynolds had nothing to report.

**C. Finance, IT, Facilities**

Nixon reported that the audit was underway and that a portion of the auditor bill had been paid. Nixon indicated that the first reading of a 2018 budget amendment would be on November 27, 2018 with consideration for approval at the December 11, 2018 meeting. George inquired a cost analysis had been performed comparing a two-year audit versus a three-year audit; Pingel indicated staff would research. Viafore recommended obtaining the Finance Director's feedback after the completion of the audit.

**D. Other Liaison Reports**

There were none.

**CONSENT CALENDAR**

George requested the City Clerk read the Consent Calendar as follows: approval of Voucher No. 212085 through Voucher Check No. 212166 in the amount of \$233,048.56; approval of Payroll Check No. 13485 through Payroll Check No. 13489 in the amount of \$97,955.48; approval of Payroll Check No. 13490 through Payroll Check No. 13493 in the amount of \$7,864.80; approval of Payroll Check No. 13494 through Payroll Check No. 13499 in the amount of \$89,522.67; approval of Payroll Check No. 13500 through Payroll Check No. 13504 in the amount of \$97,432.89; approval of the October 15, 2018 special Council meeting minutes; approval of the October 22, 2018 special Council meeting minutes; and approval of the October 23, 2018 regular Council meeting minutes. **Reynolds MOVED to approve the Consent Calendar as read; seconded by Surina. The Motion Carried (6-0).**

**PUBLIC HEARING**

None scheduled.

**UNFINISHED BUSINESS**

**A. Ordinance No. 1622: Utility Billing Fee Adjustment – Title 17.04**

Public Works Director Wakefield briefed the Council on the tabled item and recommended approval of the ordinance as is. **Wittner MOVED to untable Ordinance No. 1622 Utility Billing Fee Adjustment; seconded by Surina. The Motion Carried 5-1 with Viafore casting the dissenting vote.** Viafore stated he would be voting against the proposed ordinance as presented due to the lack of information regarding partial waivers options brought to the Council for discussion. Reynolds stated she would be voting against the proposed ordinance due to lack of information and procedural concerns. George indicated he had no opposition with staff's recommendation. Pingel indicated the proposed ordinance brought before Council as presented was based off the lack of feedback from Council after staff had provided the requested information. After a brief discussion on deposit waivers and relief options, **George MOVED to table Ordinance No. 1622 Utility Billing Fee Adjustment; seconded by Reynolds. The Motion Carried (6-0).** Pingel requested clarification on what information to

provide to Council; Viafore requested providing the information that was provided via the weekly updates, and George indicated he and Viafore would meet with Pingel to clarify the requested information.

**NEW BUSINESS**

**A. Adoption of Preliminary 2019 Budget as Adjusted**

Finance Director Corcoran called attention to the updated agenda summary and ordinance, noting the adjustments included correcting the retail sales and use tax and non comp/charge/electric revenues and part-time Court Clerk salaries/benefits. Corcoran stated that the updated 2019 preliminary budget as amended, including ending fund balance, amounted to \$24,822,416. **Reynolds MOVED to adopt Ordinance No. 1626, adopting the annual budget of the City of Fircrest for the Fiscal Year 2019; seconded by Nixon.** George invited councilmember comment; Surina inquired about the Community Event Specialist position. Corcoran indicated it was a part-time position included in the budget. George complimented Council and staff for their efforts. George invited public comment; none were provided. **The Motion Carried (6-0).**

**B. Accessory Dwelling Unit Utility Billing**

Wakefield briefed the Council on the proposed amendment to Fircrest Municipal Code (FMC) Title 21.04 and Title 20.12 regarding utility billing for Accessory Dwelling units (ADU) that would bill ADUs as one dwelling unit. **Reynolds MOVED to adopt Ordinance No. 1627, amending Ordinance No. 1588 Section 2 and Fircrest Municipal Code (FMC) 20.12.010 Residential and Commercial Rate and amending Ordinance No. 1589 Section 1 and FMC 21.04.030 Residential Rate; seconded by Nixon.** George invited councilmember comment. There was a brief discussion from Surina, Reynolds, and Nixon regarding exempting family members in ADU utility billing. Wakefield and Pingel indicated there were Fair Housing Act regulations in place that prohibited those types of restrictions. Nixon commented he was comfortable with the proposal so long as the City tracked ADUs and would make the Council aware of significant increases in ADUs for a review. Pingel clarified the proposal would not impact the land use component of the FMC, only the utility billing. George invited public comment; Yolonda Brooks, 6448 19th Street W. #B, requested clarification on whether the proposal affected single or attached ADUs. Wittner commented that he would be voting against the proposal as he believed it was a creating a problem and attempting to solve a problem that did not exist, and believed there were alternatives to address the issue. Viafore commented he was in support of the proposal as it would mainly affect family members but remained cautious. George commented on his appreciation for the concerns, and stated he believed the proposal achieved his preference for the government entity to charge for use. **The Motion Carried (4-2) with Wittner and Surina casting the dissenting votes.**

**C. Databar Contract Agreement**

Wakefield briefed the Council on the proposed professional services agreement with Databar, Inc. to provide printing and mailing services, stating the agreement provided for continuation of services previously contracted with Databar only with a new and current contract. **Reynolds MOVED to adopt Resolution No. 1557, authorizing the City Manager to execute a professional services agreement with Databar, Inc. for printing and mailing services; seconded by Surina.** George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (6-0).**

**D. Planning and Building Fee Schedule**

Planning and Building Administrator Stahlnecker briefed the Council on the proposed new Planning and Building fee schedule, stating the update would appropriately recover costs and increase efficiency and equitability by increasing the revenue for planning and building permits, better covering the costs of fee-based application expenses, and lowering the revenue for home occupations applications. **Reynolds MOVED to adopt Resolution No. 1558, adopting a revised Planning and Building services fee schedule; seconded by Nixon.** George invited councilmember comment; Surina commented on his appreciation for staff's effort to customize the fees to Fircrest. Viafore inquired about a redlined version of the changes; Stahlnecker indicated one was included during the public hearing and apologized that one was not included with the packet. Viafore inquired about the reroof permit fee; Stahlnecker indicated the original proposal included an increase from \$50 to \$100 and that the proposal was reduced down to \$55, similar to a plumbing, after the study session discussion. Stahlnecker indicated there were no additional changes since the study session discussion. Viafore inquired about business required to submit gross sales for business licenses through the state; Stahlnecker indicated it was not a City of Fircrest requirement and that she would research and report back. George invited public comment; none were provided. **The Motion Carried (6-0).**

**E. WA Traffic Safety Commission**

Pingel briefed the Council on the proposed interagency agreement with the Washington Traffic Safety commission that would grant the City \$11,275 to allow the Fircrest Police Department to participate in multijurisdictional DUI, distracted driving, motorcycle, and seat belt patrols. **Reynolds MOVED to adopt Resolution No. 1559, authorizing the City Manager to execute an Interagency Agreement with the Washington Traffic Safety Commission allowing the Fircrest Police Department to assist in multi-jurisdictional DUI, distracted driving, motorcycle, and seat belt patrols; seconded by Surina.** George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (6-0).**

**F. Steilacoom Sleigh Contract**

Pingel briefed the Council on the proposed Equipment Use and Hold Harmless Agreement with the Town of Steilacoom for use of the Holiday Sleigh, stating the sleigh would be used during the December 12th and 13<sup>th</sup> holiday events. **Reynolds MOVED to adopt Resolution No. 1560, authorizing the City Manager to execute an Equipment Use and Hold Harmless Agreement between the Town of Steilacoom and the City of Fircrest for the use of a motorized Holiday Sleigh; seconded by Surina.** George invited councilmember comment; Wittner commented on his appreciation of the event and thanked staff and volunteers for their efforts and participation. Viafore commented on his appreciation of the event and volunteer participation. George invited public comment; none were provided. **The Motion Carried (6-0).**

**G. South Sound 911 Technical Support Services Agreement**

Pingel briefed the Council on the proposed agreement with South Sound 911 for technical support services to back up the City's Information Services Manager. Pingel indicated the rate for services was not changing, but the agreement has been revised so that it automatically renewed unless either party provides notice of termination. **Reynolds MOVED to adopt Resolution No. 1561, authorizing the City Manager to execute a professional services agreement with South Sound 911 for technical support services; seconded by Surina.**

George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (6-0).**

**H. Comfort, Davies, and Smith, P.S. Contract Amendment**

Pingel briefed the Council on the proposed contract amendment for legal services with Comfort, Davies & Smith, P.S., stating the amendment would allow the continuation of the legal services and a rate increase of 3.6%, which would increase the hourly rate from \$169 per hour to \$175 per hour. **Reynolds MOVED to adopt Resolution No. 1562, 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 2019; seconded by Nixon.** George invited councilmember comment; Viafore requested clarification for the 2019 hourly rate. Pingel indicated the rate was increasing from \$169 per hour to \$175 per hour. George invited public comment; none were provided. **The Motion Carried (6-0).**

**CITY MANAGER COMMENTS**

**A. Holiday Closures**

Pingel reported that the City's Wellness Luncheon was scheduled for December 14, 2018 for all staff and requested City buildings be closed to allow staff to attend the luncheon. **Viafore MOVED to authorize the City Manager to close City buildings on December 14, 2018 from 11:30 A.M. to 1:30 P.M. for the purposes of the Employee Wellness Luncheon with proper notification of all buildings; seconded by Reynolds.** George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (6-0).**

Pingel requested to close City buildings at noon on December 24, 2018 and December 31, 2018 that given how those days fell in the workweek. Viafore requested clarification if employees would utilize personal leave to prevent the gifting of public funds; Pingel affirmed that those employees who chose to take advantage of the building closures would submit personal leave. **Reynolds MOVED to authorize the City Manager to close City buildings at 12:00 P.M. on December 24, 2018 and 12:00 P.M. on December 31, 2018; seconded by Nixon.** George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (6-0).**

**B. City Council and Planning Commission 2019 Joint Meeting**

Pingel requested to reschedule the joint City Council and Planning Commission meeting from the first Tuesday of February to January 29, 2019, and indicated the Planning Commission members would be available to meet that day. Nixon and Surina indicate they would be available and Viafore indicated he might a schedule conflict that day. **Reynolds MOVED to hold the City Council and Planning Commission meeting on January 29, 2018 at 6:00 P.M.; seconded by Nixon.** George invited councilmember comment; none were provided. George invited public comment; none were provided. **The Motion Carried (6-0).** Viafore stated that a resolution cancelling the original date would have to come before Council as the first Tuesday of February was established by resolution.

**DEPARTMENT HEAD COMMENTS**

- Corcoran thanked Council and staff for their efforts regarding the budget.
- Stahlnecker reported that the Chik-fil-A development was moving forward with demolition and abatement as the permits had been approved and the Golf Course Exercise Center remodeling project permits had been issued. George requested projects updates to be

distributed publicly via the City's website and Facebook. Stahlnecker indicated the City of Tacoma was reviewing tenant protection laws and affordable housing measures and recommended the City review its policies and code.

- Grover reported that he had discussed with Police Chief Cheesman regarding changing the Tree Lighting time from 7:00 P.M. to 6:00 P.M. starting in 2019 and stated it would not be problematic to the Police Department or volunteers. Grover stated changing the time would be most beneficial to those with families. George commented his preference to change the event start time to 6:00 P.M. and the benefits to those with families with children. Viafore commented on his preference for the 7:00 P.M. start time, and Reynolds recommended changing to 6:30 P.M. Wittner and Nixon stated their preference for 6:00 P.M. There was a consensus to change to 6:00 P.M.

### **COUNCILMEMBER COMMENTS**

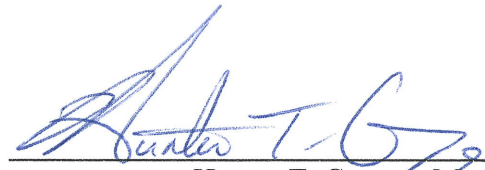
- Viafore commended the 2019 budget, attributing it to revenues and staff. Viafore commented on the 19<sup>th</sup> Street center lane and possible redevelopment opportunities.
- Reynolds had no comment.
- Wittner thanked the audience for their attendance and commented on his appreciation of the talking points of the meeting's discussion on ADUs. Waltier indicated he would not be present at the November study session and stated he was in favor of a vortex.
- Surina had no comment.
- Nixon commended staff for their work on the budget.
- George commented on his appreciation for the budget process and staff's work and contribution from the Council, and thanked the audience for their attendance.

### **EXECUTIVE SESSION**

There was none.

### **ADJOURNMENT**

**Reynolds MOVED to adjourn the meeting at 8:47 P.M., seconded by Nixon. The Motion Carried (6-0).**

  
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Hunter T. George, Mayor

  
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Jessica Nappi, City Clerk