

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL

Mayor Brett L. Wittner called the regular meeting to order at 7:02 P.M. and led the Pledge of Allegiance. Councilmembers David M. Viafore, Shannon Reynolds, Joe Barrentine, Hunter T. George, Nikki Bufford, and Jim Andrews were present.

PRESIDING OFFICER'S REPORT

A. Proclamation: Native American History Month

Bufford read the proclamation into the record. **Reynolds MOVED to authorize the Mayor's signature on a proclamation proclaiming to recognize the month of November 2022 as Native American Heritage Month in the City of Fircrest; seconded by George.** Wittner invited Councilmember comments; none were provided. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

B. Forterra Contract Termination Discussion

Wittner briefed the Council on the Forterra contract and requested Council feedback on contract termination. Andrews provided a brief background on recent changes within Forterra and requested that the Council terminate the Forterra contract. There was a consensus to terminate the contract with Forterra.

Wittner reported that the City of Fircrest will submit a Tree City USA application and stated that he will sign the application for certification. Wittner thanked the Councilmembers and Councilmember Reynolds for her role. Lastly, Wittner thanked the City staff.

CITY MANAGER COMMENTS

Interim City Manager Corcoran reported on several items including the Civil Service Commissioner vacancy, the City's prosecutor position, and the Request for Qualifications (RFQ) for Police Chief. Corcoran provided tentative timelines for each item. Viafore commented on RFQ open discussions. City Attorney Zeinemann stated that RFQs can be discussed in open meetings. There was a brief discussion held on the Police Chief's temporary appointment timeline.

DEPARTMENT HEAD COMMENTS

Police Chief Cheesman commented on a great Halloween event and stated that there were no reports of thefts or vandalism.

COUNCILMEMBER COMMENTS

- Viafore; no comment provided.
- Reynolds; no comment provided.
- Barrentine thanked the staff for a great soccer season.
- George; no comment provided.
- Bufford commented on the FirFest event and thanked veterans for their service.
- Andrews commented on the readerboard and gave kudos to the street sweeper.
- Wittner; no comment provided.

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Wittner invited public comment; the following individuals provided written and/ or oral comment:

- Brian Rybolt, 1036 Daniels Drive, commented on the Forterra contract and thanked Councilmember George.

COMMITTEE, COMMISSION, AND LIAISON REPORTS

A. Administration

No report provided.

B. Environmental, Planning, and Building

Andrews reported that Kristin Singh accepted the Permit Coordinator position and gave Passport Specialist Laura Thompson kudos for her efficiency.

C. Finance, IT, Facilities

Reynolds reported that IT Systems Coordinator Chris Bunger is doing well. Lastly, Reynolds reported that the State Audit is going smoothly and that Councilmember Viafore is participating with the audit.

Other Liaison Reports

No report provided.

CONSENT CALENDAR

Wittner requested the City Clerk read the Consent Calendar as follows: approval of Voucher No. 218737 through Voucher Check No. 218798 in the amount of \$683,541.91; approval of Payroll Check Nos. 14209 through Payroll Check No. 14213 in the amount of \$60,071.87; approval of Payroll Check Nos. 14207 through Payroll Check No. 14208 in the amount of \$9,850.33; approval of Payroll electronic funds transfer in the amount of \$127,243.38; approval of Payroll electronic funds transfer in the amount of \$27,017.19; approval of October 11, 2022, Regular Meeting Minutes; approval of the October 24, 2022, Special Meeting minutes; and approval of the October 25, 2022, Regular Meeting Minutes. **Reynolds MOVED to approve the Consent Calendar as amended; seconded by Bufford. The Motion Carried (7-0).**

Wittner stated that the Council will modify the agenda to proceed with the New Business Items. There were no objections noted from the Council.

NEW BUSINESS

A. Ordinance No. 1692: Amending Fircrest Municipal Code Title 22, including the Form-Based Code

Principal Planner Boers briefed the Council on the proposed ordinance amending the Fircrest Municipal Code Title 22, including the Form-Base Code. **Reynolds MOVED to adopt Ordinance No. 1692, amending the Fircrest Municipal Code, Title 22 Land Development Code, including the Fircrest Form-Based Code; seconded by Bufford.** City Attorney Zeinemann provided an overview of quasi-judicial matters and the appearance of the fairness doctrine. Wittner invited Councilmember comments. George thanked the staff and the Alliance development team. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

B. Ordinance No. 1693: Approval of the Zoning Map Amendment

Principal Planner Boers briefed the Council on the proposed Zoning Map amendments and highlighted that the proposed amendments would provide flexibility and opportunities for the Prose project to succeed. **Reynolds MOVED to adopt Ordinance No. 1693, amending the Fircrest Municipal Code, Title 22 Land Development Code, and accept the Hearing Examiner’s findings, conclusions, and recommendations, thereby approving the zoning map amendment application; seconded by Bufford.** City Attorney Zeinemann provided an overview of quasi-judicial and asked a series of questions regarding the appearance of the fairness doctrine. There was a discussion held on Council processes pertaining to the appearance of the fairness doctrine. Wittner invited Councilmember comments; none were provided. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

C. Resolution No. 1795: Comprehensive Plan Periodic Update Grant Agreement

Administrative Services Director Westman briefed the Council on the periodic Comprehensive Plan and Development Regulations update required by the Growth Management Act and reported that the City received a grant to assist with the cost of the periodic update. **George MOVED to adopt Resolution No. 1795, authorizing the City Manager to execute a grant contract with the Washington Department of Commerce for \$62,500 to assist with the periodic Comprehensive Plan and Development Regulations update required by the Growth Management Act; seconded by Reynolds.** Wittner invited Councilmember comments; none were provided. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

D. Resolution No. 1796: Approval of Steilacoom Holiday Sleigh Contract

Police Chief Cheesman briefed the Council on the Holiday Sleigh Contract and stated that the police department will develop maps for the Fircrest community. **George MOVED to adopt Resolution No. 1796 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 the Holiday Sleigh; seconded by Reynolds.** Wittner invited Councilmember comments. There was a brief discussion on COVID restrictions and age requirements for elf volunteers. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

E. Resolution No. 1797: Amending the Principal Planner Agreement with Jeff Boers

Administrative Services Director Westman briefed the Council on the proposed resolution, stating that the changes include extending the term through December 31, 2023, and an increase in the hourly rate. **George MOVED to adopt Resolution No. 1797, authorizing the Interim City Manager to execute an amendment to the contract for planning services with Jeff Boers and Associates in 2023; seconded by Bufford.** Wittner invited Councilmember comments. Viafore commented on Boers’ extensive knowledge of the City’s land-use code. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

F. Ordinance No 1694: Salaries of Non-Union Employees, Including Casual and Seasonal Employees

Interim Finance Director Chambers briefed the Council on the proposed ordinance and stated that the salary ordinance includes a proposed 9.5% Cost of Living Adjustment based on the Consumer Price Index. **George MOVED to adopt Ordinance No. 1694, amending Fircrest Municipal Code (“FMC”) 2.44.050 relating to salaries of non-union City employees and amending**

FMC 2.44.090 relating to hourly rate of pay for casual and seasonal employees; providing for severability; and establishing an effective date; seconded by Bufford. Wittner invited Councilmember comments; none were provided. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

G. Ordinance No. 1695: Municipal Court Judge, Judge Pro Tempore, and Chief Examiner Rate of Pay

Interim Finance Director Chambers briefed the Council on the proposed ordinance and stated that the ordinance provides a salary increase for the Municipal Court Judge and Chief Examiner. **George MOVED to adopt Ordinance No. 1695 amending Fircrest Municipal Code (“FMC”) 2.44.070 reestablishing the Municipal Court Judge monthly rate of pay and the Civil Service Chief Examiner/Secretary rate of pay and the Municipal Court Judge Pro Tem rate of pay; providing for severability; and establishing an effective date; seconded by Bufford.** Wittner invited Councilmember comments; none were provided. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

H. Memorandum of Understanding: Police Guild Retention Bonus

Interim City Manager Corcoran briefed the Council on the proposed incentive pay bonuses for each commissioned officer. **George MOVED to authorize the Interim City Manager to execute the Memorandum of Understanding by and between the City of Fircrest and the Fircrest Police Guild for Retention Incentive Pay; seconded by Bufford.** Wittner invited Councilmember comments. There was a brief discussion on using ARPA funds. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

I. Ordinance No. 1696: Authorizing the transfer of Cumulative Reserve Funds

Interim Finance Director Chambers reported that the proposed ordinance will move all the Cumulative Reserve portion for the Street, Water, and Sewer to the Street, Water and Sewer funds. **George MOVED to adopt Ordinance No. 1696, an ordinance of the City of Fircrest, Washington, transferring \$150,000 from Cumulative Reserve-Street to the Street Fund, \$11,513 from the Cumulative Reserve-Water to the Water Fund, and \$369,250 from Cumulative Reserve-Sewer to the Sewer Fund; Providing for severability; and establishing an effective date; seconded by Reynolds.** Wittner invited Councilmember comments. Viafore commented on the supermajority vote. George thanked Viafore. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

J. Resolution No. 1798: 2023 Regular Tax

Interim Finance Director Chambers reported that the proposed resolution will allow the City to levy property taxes to be collected in 2023. **George MOVED to adopt Resolution No. 1798, establishing the amount and percentage increase of the 2023 regular property tax levy over the 2022 regular property tax levy; seconded by Bufford.** Wittner invited Councilmember comments. There was a discussion held on property taxes. Wittner invited public comment; none were provided. **The Motion Carried (6-1) with Andrews dissenting.**

K. Resolution No. 1799: 2023 EMS Levy

Interim Finance Director Chambers reported that the proposed resolution will allow the City to levy EMS property taxes to be collected in 2023. **George MOVED to adopt Resolution No. 1799, establishing the amount of the 2023 EMS property tax levy over the 2022 EMS**

property tax levy; seconded by Bufford. Wittner invited Councilmember comments; none were provided. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

L. Motion: 2023 Regular Property Tax and Regular EMS Levy Certification Forms

Interim Finance Director Chambers briefed the Council that this motion is to allow the City Manager to sign the 2023 regular tax levy and EMS tax levy forms. **George MOVED to authorize the Interim City Manager to sign the 2023 regular property and EMS levy certification forms; seconded by Bufford.** Wittner invited Councilmember comments; none were provided. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

M. Ordinance No. 1697: 2023 Ad Valorem Tax Levy

Interim Finance Director Chambers stated that the proposed ordinance will allow the City to levy the necessary amount to fund 2023 City operations. **George MOVED to adopt Ordinance No. 1697, fixing the amount of the annual ad valorem tax levy necessary for the fiscal year 2023 and repealing Section 1 and 2 of Ordinance No. 1675; providing for severability; and establishing an effective date; seconded by Bufford.** Wittner invited Councilmember comments. George commented on the City's financial health. Wittner invited public comment; none were provided. **The Motion Carried (7-0).**

PUBLIC HEARING

A. To receive comments on the 2023 preliminary budget

At 8:19 P.M., Wittner opened the public hearing. Interim City Manager Corcoran briefed the Council on the 2023 Preliminary Budget stating the public hearing was to receive comments on the Preliminary 2023 Budget. Wittner invited councilmember comments; none were provided. Wittner invited public testimony; none were provided. At 8:22 P.M., Wittner closed the public hearing.

Viafore left the meeting at 8:22 pm and returned at 8:22 pm.

Andrews left the meeting at 8:22 pm and returned at 8:24 pm.

B. To receive comments on a water rate adjustment

At 8:23 P.M., Wittner opened the public hearing. Public Works Director Bemis briefed the Council on the water rate adjustment, stating that the financial analysis of the updated Water System Plan recommended a two percent water rate increase. Wittner invited councilmember comments; Viafore commented on the water base fee charge. Wittner invited public testimony; none were provided.

At 8:27 P.M., Wittner closed the public hearing.

C. To receive comments on a sewer rate adjustment

At 8:27 P.M., Wittner opened the public hearing. Public Works Director Bemis briefed the Council on the sewer rate adjustment, stating that a two percent sewer rate increase is recommended to accommodate for future maintenance, operations, and sewage treatment costs. Wittner invited councilmember comments; none were provided. Wittner invited public testimony; none were provided.

At 8:31 P.M., Wittner closed the public hearing.

D. To receive comments on a stormwater rate adjustment

At 8:31 P.M., Wittner opened the public hearing. Public Works Director Bemis briefed the Council on the stormwater rate adjustment, stating that a two percent sewer rate increase is recommended to accommodate for future maintenance and operation costs. Wittner invited councilmember comments. There were discussions held on household costs and community outreach on utility billing. Wittner invited public testimony; none were provided.

At 8:36 P.M., Wittner closed the public hearing.

CALL FOR FINAL COMMENTS

Viafore commented on Council Rule No. 9 regarding advance notice of meeting materials.

EXECUTIVE SESSION

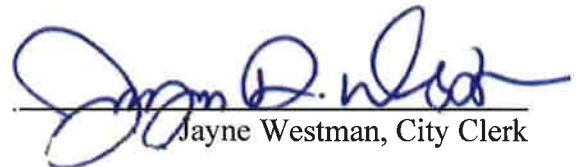
No Executive Session was scheduled.

ADJOURNMENT

Bufford MOVED to adjourn the meeting at 8:25 P.M., seconded by George. The Motion Carried (7-0).



Brett L. Wittner, Mayor



Jayne Westman, City Clerk