

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

Mayor Brett L. Wittner called the regular meeting to order at 7:00 P.M. and led the Pledge of Allegiance. Councilmembers David M. Viafore, Shannon Reynolds, Hunter T. George, Nikki Bufford, and Jim Andrews were present. Councilmember Joe Barrentine was absent and excused.

**PRESIDING OFFICER’S REPORT**

**A. Police Chief Schaub Introduction & Swearing In Ceremony**

City Manager Masko introduced Police Chief Schaub and stated that he has over 28 years of law enforcement experience and knowledge. Police Chief Schaub stated that he is excited at the opportunity and briefed the Council on his community policing principles. Mayor Wittner swore in Ronald Schaub as the Fircrest Police Chief.

**B. Centennial Committee Appointments**

Mayor Wittner briefed the Council on the Centennial Committee formation and stated that the Steering Committee members are appointed by the Mayor and confirmed by the Council.

**Councilmember Bufford MOVED to confirm the Mayor’s appointments to the City of Fircrest Centennial Celebration Steering Committee as follows: Councilmember David Viafore as the Committee Chair, Councilmember Shannon Reynolds, Councilmember Nikki Bufford, City Manager Dawn Masko, Parks & Recreation Director Jeff Grover, and Events Coordinator Judy Schmidtke; seconded by Councilmember Viafore.** Mayor Wittner invited Councilmember comment; none were provided. Mayor Wittner invited public comment; none were provided.

**The Motion Carried (6-0).**

**CITY MANAGER COMMENTS**

City Manager Masko reported on the Centennial Committee's responsibilities, the Municipal Court’s new case management system, and the Pierce County City Manager’s meeting.

**A. Council Photo Discussion**

Acting City Clerk Burkhart reported on the Council group photo and asked for Council feedback on setting a date. Council discussions included the necessity for a group photo, November dates, photo placement, and logistics.

**DEPARTMENT HEAD COMMENTS**

- Public Works Director Bemis provided an update on the City’s heating, ventilation, and air conditioning (HVAC) system, Masko Park beautification, the Eldorado Ave/ Farallone Ave backyard sewer main pipe bursting project, and stated that the department is monitoring sanitary sewer flows.
- Community Development Director Newman reported on the City’s 2030 target growth cycles, reviewed the Mildred Street “Prose” Development documents, and continues to work on grants to comply with recent state-mandated laws. There was a brief discussion on identifying zoning districts and building blocks for population growth.
- Project Coordinator Bob Jean commented on the City’s proposed Inflow and Infiltration (I&I) program, highlighting that the program will help reduce waste overflows and stated that Alliance Residential has voluntarily contributed funds to the project.

- Parks and Recreation Director Grover provided an update on the Fircrest Park improvement project, upcoming City events, and the October 7, 2023, Whittier Park work party collaboration with Pierce County Conservation District. There was a brief discussion on Haunted Trails volunteers.

**COUNCILMEMBER COMMENTS**

- Councilmember Andrews; no comment.
- Councilmember Bufford thanked City Manager Masko for the City Manager's weekly updates, commented on providing stormwater management outreach, and provided feedback on the Comprehensive Plan community workshop.
- Councilmember George welcomed Police Chief Schaub, congratulated the Centennial Committee members, welcomed Community Development Director Newman, and commented on climate model policies.
- Councilmember Reynolds reported on a follow-up comment from the Comprehensive Plan community workshop event and stated that it provided good ideas for the City.
- Councilmember Viafore thanked staff for the Comprehensive Plan community workshop, commented on the facilities liaison, and welcomed Police Chief Schaub and Community Development Director Newman.
- Mayor Wittner welcomed the Police Chief and thanked the meeting attendees.

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

Mayor Wittner invited public comment. The following individuals provided public comment:

- Vince Navarre, 1205 Del Monte Ave, thanked Mayor Wittner for helping him.
- Former Councilmember, Jerry Foss, 1101 Paradise Parkway, commented on the Mildred Street “Prose” Development and the status of remediation.

**COMMITTEE, COMMISSION, AND LIAISON REPORTS**

**A. Parks & Recreation**

There was no report.

**B. Pierce County Regional Council**

Councilmember Reynolds reported on several agenda items including aviation system capacity discussions, Pierce County emergency planning, South Sound military partnership, and budget presentation. Councilmember Reynolds stated that PCRC will have a December recess and officer elections will occur in November.

**C. Public Safety, Courts**

Councilmember Viafore reported on Judge Miller’s transition plan and the Fircrest Municipal Court bailiff issue. Councilmember Viafore commented that City staff is working on providing the Council with a proposal for the judge’s transition.

**D. Street, Water, Sewer, and Storm Drain**

Councilmember Bufford provided an update on the Emerson Street stormwater project, the Emerson Street sidewalk extension project, and the Claremont Well house repair/replacement status.

**E. Other Liaison Reports**

Councilmember Andrews commented on the Pierce Transit Liaison reports. Councilmember Reynolds provided a brief update on the Pierce Transit board to include labor negotiations, bus rapid transit, and electrical vehicle options.

**CONSENT CALENDAR**

Mayor Wittner requested the Acting City Clerk read the Consent Calendar:

- A. Approval of Check No. 220154 through 220219 in the amount of \$189,145.78  
Approval of payroll electronic funds transfer in the amount of \$139,164.48
- B. Approval of the September 12, 2023, Regular Meeting minutes.

**Councilmember Bufford MOVED to approve the Consent Calendar as read; seconded by Councilmember Viafore.** Councilmember Andrews requested to remove item 10B. Approval of the September 12, 2023, Regular Meeting minutes.

**The Motion to Approve the Consent Calendar Carried (6-0) as amended.**

Councilmember Andrews stated he would contact City staff for clarity.

**PUBLIC HEARING**

There was no public hearing scheduled.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS****A. Resolution No. 1846: Pierce County Department of Assigned Counsel**

City Manager Masko provided an overview of the proposed resolution and highlighted that the agreement extends the contract through December 31, 2025, and updates the compensation. **Councilmember Bufford MOVED to adopt Resolution No. 1846, authorizing the City Manager to execute an agreement for Public Defense Services with Pierce County for indigent legal defense services; seconded by Councilmember Viafore.** Mayor Wittner invited Councilmember comment. There was a brief discussion on the 2024 budget. Mayor Wittner invited public comment; none were provided.

**The Motion Carried (6-0).****B. Resolution No. 1847: Memorandum of Understanding: Fircrest Parks & Recreation Foundation**

City Manager Masko provided an overview of the proposed resolution and highlighted that the grants from the Fircrest Parks & Recreation Foundation will help expand the recreational

programs and activities. **Councilmember Bufford MOVED to adopt Resolution No. 1847, authorizing the City Manager to execute a Memorandum of Understanding Between the City of Fircrest and the Fircrest Parks and Recreation Foundation; seconded by Viafore.** Mayor Wittner invited Councilmember comment. There was a brief discussion on the effort and time invested to formalize the relationship between the City and the Foundation. Mayor Wittner invited public comment.

- Andrew Imholt, 1009 Crestwood Lane, thanked the City Council and City Manager Masko for formally establishing the relationship.

**The Motion Carried (6-0).**

**C. Resolution No. 1848: Leavitt Group Insurance Broker Contract Amendment**

City Manager Masko reported on the proposed resolution and highlighted that the Cities Insurance Association of Washington (CIAW) requires the City to designate a servicing representative. City Manager Masko stated that if the City did not designate a servicing representative, then the City would be billed 10% of the annual cost for insurance by CIAW. **Councilmember Bufford MOVED to adopt Resolution No. 1848, authorizing the City Manager to execute Amendment #12 to the agreement with Leavitt Group NW for insurance broker services; seconded by Councilmember Andrews.** Mayor Wittner invited Councilmember comment. There was a brief discussion about the City's insurance representative. Mayor Wittner invited public comment; none were provided.

**The Motion Carried (4-2) with Councilmember Viafore and Councilmember Reynolds dissenting.**

**D. 2024 Preliminary Budget Presentation**

Finance Director Colleen presented the 2024 proposed budget to the Council and stated that hard copies are available at City Hall. She highlighted the 2024 budget session schedule and impacts on the budget to include a Consumer Price Index of 4.5%, a Tacoma Fire contract increase, a 1% property tax increase, and ARPA funds.

Mayor Wittner asked the Council if there were any other new business items.

Councilmember Viafore invoked Fircrest City Council Rule 18. Rules of Order and introduced the motion to suspension of temporary sign enforcement for Council consideration. **Councilmember Viafore MOVED to suspend the enforcement of the Temporary Signs Ordinance No. 22.26.021 effective September 26, 2023, for 45 days; seconded by Councilmember Reynolds.** Mayor Wittner invited Councilmember comment. Council discussions included restrictions on rights and potential litigation, sign code updates, staff impacts, the appearance of selective enforcement, City code concern complaints, fine enforcement, free speech, and the intent of the adopted sign code. Mayor Wittner invited public comment.

- Vince Navarre, 1205 Del Monte Ave, expressed concern about the sign code enforcement suspension and commented on the appearance of fairness.
- Nancy Atwood, 1204 Farallone Ave, commented on the sign's appearance and proximity and code violations.

There was a brief discussion on public discussions, elected official commitments to constituents, and temporary sign restrictions.

Councilmember Reynolds requested a roll call vote: Councilmember Andrews- No; Councilmember Bufford – No; Councilmember George – No; Councilmember Reynolds – No; Councilmember Viafore - Yes; Mayor Wittner – No.

Upon a roll call vote, **The Motion Failed (5-1) with Councilmember Viafore dissenting.**

**CALL FOR FINAL COMMENTS**

There were no final comments.

**EXECUTIVE SESSION**

At 8:48 P.M., Mayor Wittner reported that the Council would take a seven-minute recess and convene into two executive sessions, not to exceed sixty (60) minutes to discuss Potential Litigation, pursuant to RCW 42.30.110(1)(i) and Property Acquisition pursuant to RCW 42.30.110(1)(b). City Attorney Zeinemann and City Manager Masko were invited to the executive sessions.

**ADJOURNMENT**

**Councilmember Bufford MOVED to adjourn the meeting at 9:28 P.M.; seconded by Councilmember Andrews. The Motion Carried (6-0).**

  
Brett L. Wittner, Mayor

  
Arlette Burkhart, Acting City Clerk