



CITY COUNCIL MINUTES

**Study Session**  
**Monday, June 11, 2012**  
**5:30 p.m.**

**CALL TO ORDER**

Mayor Perry called the study session to order at 5:33 p.m.

**ROLL CALL**

Council Members present were Jones, Morton, Ott, Taylor, Whalen, and Zaroudny.

Council Members absent: Manley (arrived at 5:49 p.m.)

**STAFF PRESENT**

City Administrator Mukerjee, Police Chief Rhoads, Finance Director Tylor, and Deputy City Clerk Stevenson-Ness.

**STUDY ITEMS:**

**A. AB12-057: Discussion on Amending Fireworks Regulations**

Speaking before the Council:

<b>Speaker</b>	<b>Address</b>	<b>Topic</b>
Robert MacDonald	1308 15 <sup>th</sup> Avenue	Would like to see fireworks allowed for citizens to enjoy; Discharge needs to stay restricted to one day; has been a problem in the past and has become a nuisance; impose fine if people don't clean up the debris.
Dean Josey	704 Vine Court	Used to put on a show; didn't know the regulations were amended; would like to see it amended to state law and to have permit fees; their show brings people into town.
Jacquelyn Whalen	1605 13 <sup>th</sup> Avenue	Want to keep ordinance the same; Too difficult to sleep, breathe; terrorized animals.
Susan Johnson	2307 8 <sup>th</sup> Avenue	Should have right to celebrate 4 <sup>th</sup> of July; Responsible citizens in Milton penalized by those that don't follow the law; maybe a permit; Suggested discharge days of July 3 <sup>rd</sup> , July 4 <sup>th</sup> and Milton Days

Richard Cosner	507 7 <sup>th</sup> Avenue	Fireworks done responsibly aren't a bad thing. In favor of permit system to raise revenue
Joni Larson	1702 Diamond Ct	More in favor of larger fireworks and tighter timeline; permits are reasonable; penalize those who don't do it properly
Carol Davis	1404 23 <sup>rd</sup> Ave	In favor of fireworks; Show they put on at the lake brings people into town and benefits the City of Milton; Discharge should be restricted to July 4; They clean up their own mess; City of Milton should have a show on Surprise Lake; Restrictions hinder a lot of people from enjoying July 4
Joseph Baldini	1404 23 <sup>rd</sup> Ave	Limited to July 4 <sup>th</sup> ; use common sense
Tom Boyle	1109 9 <sup>th</sup> Avenue	Inquired about the number of police calls last year and what kind of impact the laws have/had; Will still have people bringing illegal fireworks into the city because they can buy from the tribe; City burned a bridge with the Puyallup Tribe when law was enacted; Money the Tribe was going to donate for Milton Days was rescinded because of it; Fireworks noise minimal compared to other locations; Don't punish the many on the actions of the few.
Yvette Barnett	1406 23 <sup>rd</sup> Avenue	In favor of fireworks; take it back to the way it was
Dan Hull	1403 23 <sup>rd</sup> Avenue	Requested clarification of laws; In favor of fireworks; would like council to look at modifications; ability to discharge should be limited.

City Administrator Mukerjee asked for clear direction from the Council since there was only a one-day turnaround to get an ordinance ready for council. He didn't advise creating a permitting system due to potential increased liability.

Chief Rhoads stated that the police stayed busy until midnight. He said that the Council may get complaints if it went back to state law; he has already received phone calls against changing the law.

Councilmember Jones states that lots of people have opinions, he has not talked to anyone in favor of the current ordinance which misses the boat by not imposing fines for people who don't clean up. He stated that the ordinance should be taken back to state law then look at fining people and limiting the time. The current ordinance took away the right to go out and have a good time.

Councilmember Manley stated that the actions of minority has created effect on the majority. He is in favor of going back to state law then revisiting the issue. He felt that the majority would probably be for fireworks, but only for one night.

Mayor Pro-Tem Taylor stated that he is not in support of loosening the regulations. The previous ordinance dirtied neighborhoods; the smoke was so thick that people couldn't

breathe well; agree with peoples' comments; the regulations shouldn't be rolled back this year; there has to be voice for the people who don't want it to go back.

Councilmember Whalen thanked everyone who came. He was against any quick thoughtless process to rush to change on an emotional level. If council would like to have in depth study, it should set up appropriate public hearing; encourage city to take time to get information to other citizens. He does not support a change.

Councilmember Ott expressed concerns about issue. He appreciated people attending and expressing opinions; the council and chief worked hard on the current ordinance and appropriate notice. A change would be a slap in the face to those who worked hard on issue. What about rights of people who don't like noise of fireworks?

Councilmember Morton said that since passing the ordinance two years ago he heard from a lot of citizens. He is willing to be more restrictive; people should have right to shoot off fireworks but definitely for more restrictive than what state allows. Tonight we heard from a lot of people who are for it; last time it was opposite, and he was surprised that opposition wasn't present. He would like them to be here to speak on this item. He was okay with changing to state law for this year and then make more restrictive regulations. He would like to bring this back in the future, to modify what we have.

Councilmember Zaroudny said that she appreciated people who attended the meeting; she is very reticent to make any changes going back to state regulations without giving citizens more opportunity to speak. She would like to take more time to think through the issues; she talked to citizens who are hopeful they don't go back; she didn't support going back to state regulations.

The Mayor asked councilmembers for directions on whether they would like to change the current ordinance: LZ: no; JM: yes; TM: yes; BO: no; BT: no; RW: no; AJ: yes; or 4 against 3 in favor; however Council would like to look in to it further at a later date.

The Mayor stated that she has never been able to celebrate July 4<sup>th</sup> in order to protect her animals. It's like a war zone out there.

Mayor Perry recessed the meeting at 6:57 p.m. and reconvened at 7:10 p.m.

Glen Hull, Fife Deputy Mayor and Pierce Transit Representative for Milton/Edgewood/Fife, provided an update on Pierce Transit actions. On June 11, 2012, the Pierce Transit Board of Commissioners passed a resolution to put a ballot proposition for the November 6, 2012, election to exercise the 0.3% sales tax authority available to Pierce Transit due to continuing declines in sales tax revenue and the removal of jurisdictions from the Pierce Transit boundary.

## **B. AB12-058: Fire Annexation Discussion**

City Administrator Mukerjee advised Council that Milton entered in to a service contract with East Pierce in 2010, because at that time, annexation was not possible due that fact that the full EMS levy could not be collected in King County. This issue was corrected through State legislation which now allows the collection of the full 50 cents for EMS levy in both King and Pierce Counties, Therefore, Milton now has the ability to annex into East Pierce Fire & Rescue for fire and emergency medical services.

The annexation process and timeline was discussed. The City would need to approve a petition for annexation between July and September 2012, which would then need to be approved by East Pierce between August and October 2012. Documents would need to be filed with the boundary review boards of Pierce and King Counties and early submission will give them adequate time to process the applications. Also the cost of election was discussed.

Financial information was presented. The City currently pays \$2.00/\$1,000 of assessed valuation for fire and EMS services. After annexation, the service will be funded through East Pierce tax revenues. The City's levy lid lift and EMS levies would end.

City Administrator Mukerjee also advised that if the fire annexation is not approved by the voters in February, then Milton will need to place a ballot measure on the August ballot to reauthorize the 50 cents Milton EMS levy.

In conjunction with the annexation, an interlocal agreement for annexation will need to be entered into with East Pierce to address key issues such as:

- 24/7 service coverage for the Milton/Edgewood area
- Volunteer fire service at the Milton station
- CPR classes for City departments
- Hydrant inspections

Speaking before the Council:

Speaker	Address	Topic
Jacquelyn Whalen	1605 13 <sup>th</sup> Avenue	She is participating in the citizen advisory committee; has attended two meetings; would love for Milton to stay in contract status

After lengthy discussion, the Council directed the city administrator to start drafting an interlocal agreement for annexation. They also advised that they would like to wait until after the election in August where East Pierce is requesting a maintenance and operations levy to see if it passes.

**Adjournment**

Mayor Perry adjourned the study session at 8:16 p.m.



Debra Perry, Mayor

ATTEST:

LISA M TYLOR  
 Lisa Tylor, City Clerk