



City Council Minutes

Regular Meeting
June 22, 2015
6:30 p.m.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Guier called the regularly-scheduled meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

ROLL CALL

Present: Council Members Garberding, Jones, Kave, Oliveira, Steiger, Council President Walker, Mayor Pro Tem Putnam, and Mayor Guier

STAFF PRESENT

Public Safety Director John Calkins, Community Development Manager Jack Dodge, Public Works Manager Lance Newkirk, City Administrator Richard Gould, Attorney John Safarli, Assistant City Attorney Jim Kelly, and City Clerk Amy Stevenson-Ness

ADDITIONS TO/APPROVAL OF AGENDA

Mayor Guier removed the presentation from Glenda White due to Mrs. White's illness.

City Administrator Gould removed Item 8A, Solid Waste Services Agreement, from the agenda to be replaced with a discussion of an extension of the current solid waste collection agreements.

The amended agenda was approved unanimously by Council.

AUDIENCE COMMENT

Speaking before Council:

Gerald McBreen, Pacifica Apartments; Poet Laureate for City of Pacific	Read a poem in honor of Glenda White
Don Thomson, 416 2 nd Ave SE	Would be nice to get a sound system; Businesses are disgruntled and not contributing to Pacific Partnerships; He inquired if the city can give an emergency grant to help fund Pacific Days.

Chris Cook, 126 Glacier Ave S, Pacific	Had a fire in his crawlspace and is requesting a waiver of utilities since he can't live in the house for approximately six months. Mayor Guier referred the item to the Public Works Committee meeting on July 1.
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PUBLIC HEARINGS:

A. Continued Public Hearing from June 8, 2015: Revisions to the Comprehensive Plan, Chapter 3 – Natural Environment Element and to Chapter 8 – Transportation

Mr. Dodge stated the City of Pacific received comments from Puget Sound Regional Council. Requested a continuation of the public hearing to July 27 to give the city time to discuss the letter with PSRC.

Mayor Guier opened the public hearing at 6:43 p.m.

Speaking before Council:

Jeanne Fancher, 37248 55 th Ave S, Member – Friends of the Lower White River	She saw there were comments from PSRC regarding habitat and hydrology forwarded the comments on to the Biodiversity Council and received a reply from one of the Fish and Wildlife Department biologists from Thurston and Pierce Counties. If Mr. Dodge can provide clarification of what PSRC needs, maybe that information can be forwarded on to the biologists to help save money for the city.
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Mayor Guier closed the public hearing at 6:45 p.m.

B. Nuisance Tree Abatement on West Valley

Mr. Newkirk stated this item is regarding a nuisance tree at 502 3rd Avenue SW. The owner has agreed to remove the tree by June 30.

Mayor Guier opened the public hearing at 6:45 p.m.

Speaking before Council:

There were no public comments received.

Mayor Guier closed the public hearing at 6:46 p.m.

C. Frontage Road Speed Limit Alteration

Mr. Newkirk stated a speed study was commissioned and a recommendation was received to adjust the speed limit from 25 to 30 miles per hour.

Mayor Guier opened the public hearing at 6:46 p.m.

Speaking before Council:

Don Thomson, 406 2 nd Ave SE	Leave speed at 25 due to large trucks on the street coming and going; just asking for an accident if limit is raised.
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Mayor Guier closed the public hearing at 6:48 p.m.

D. 2016-2021 City of Pacific Six-Year Transportation Improvement Plan

Mr. Newkirk stated this is required by WSDOT to project out six year transportation needs. He said there are State unfunded mandates of approximately \$16 million in transportation needs.

Mayor Guier opened the public hearing at 6:50 p.m.

Speaking before Council:

There were no public comments received.

Mayor Guier closed the public hearing at 6:52 p.m.

E. Solid Waste Contract

Mr. Gould

Mayor Guier opened the public hearing at 6:54 p.m.

Speaking before Council:

Mark Gingrich, DM Disposal	Lack of information in the process; ask that bid amounts be provided to public at meeting; why hasn't city followed through; recommend stopping, taking a step back;
Laura Moser, Waste Management	Prepared, ready, able to service the entire City of Pacific

City Clerk Amy Stevenson-Ness read into the record three comment letters regarding the proposed solid waste contract. The letters received were from the following:

- Steve Gordon, Owner, Valley Freightliner, Inc.
- Steve Gordon, Chief Operating Officer, Gordon Trucking, Inc.
- Mark Beatty, President, Valley Construction Supply
- Keith Bilbrey, Owner, Pacific Truck & Machinery Coating

Mayor Guier closed the public hearing at 7:04 p.m.

REPORTS

A. Mayor

Mayor Guier reported:

- Expressed to the Police Department a great job on another successful Bike Rodeo to the Police Department. The Bike Car Wash was a big hit.
- The City Newsletter started going out on June 11. Due to a glitch, the addresses on the West Hill were omitted but that has been fixed. A new vendor has been chosen for the newsletter.
- Reminder about fireworks. Fireworks signs are out thanks to Bill Broaderson. Fireworks are illegal except for the safe/sane ones.
- Pacific Days is just a few weeks away. Hope that council will all participate.
- Fifth Monday Ask the Mayor will be on June 29, 2015, at 6:30.

B. Finance/City Administrator

City Administrator Gould reported:

- Next negotiations on July 8 with the Public Works/Clerical union. A comprehensive counter-proposal to cover full economic package will be prepared.
- Staff working with Technology committee for website building and support. Also working on RFP for new sound system
- A Wellness lunch was held by the Wellness Committee in conjunction with their current wellness challenge – Live Out Loud. A healthy potluck lunch was provided by participants and open to all employees as well as Council and Mayor.
- Bond instrument earned \$18,000 in interest vs. \$1K in it would have earned in the state pool. It was split out over all major funds
- He and Mayor Guier will be attending the annual AWC Conference in Wenatchee.

C. Court

No Report

D. Community/Senior/Youth/Services

No report

E. Public Works Department

Public Works Manager Lance Newkirk reported:

- Public Works crews are taking advantage of the good weather to accomplish maintenance.
- The striping on 1st Ave has been fixed.
- Pavement curb markings on Frontage are being completed.
- Kudos to Council Member Steiger for alerting the City to a sewer blockage on 3rd Ave.
- With state budget pending, the Department of Commerce, the Department of Ecology, and the Department of Transportation have put the city on notice that payments for any projects that we have going are put on hold until the state budget is settled.

F. Community Development Department

Community Development Manager Jack Dodge reported:

- Code enforcement officer can look at on 1st Ave.
- Regarding the Morgan property, they have determined where a drain field must go. They have a short-plat in with King County. As long as there's movement regarding the property, the grant will be fine
- He has sent out violation letters to the marijuana businesses.

G. Public Safety Department

Public Safety Director Calkins reported:

- Brought VRFA fireworks safety tips handout for the public.
- The Bike Rodeo was a big success. It was orchestrated by Lt. Massey, Stephanie Shook, and Samantha Zinsli.
- He introduced Officer Terry Carter who started on June 16 and welcomed him to the police department.
- He recognized Stephanie Shook for her years of service to the City of Pacific. She will be leaving the City of Pacific for the City of Arlington. He presented a plaque for her dedication and service.

H. City Council Members

Council Member Kave stated he would like to see more enforcement for fireworks infractions.

I. Boards and Committees

i. Finance Committee

Council Member Kave reported they met on Tuesday on June 16.

- **Transportation Benefits District (TBD) - discussion** – Transportation Benefits Districts were discussed and more research will be done along with looking into a tax lid lift or a voted on bond offering. This will come to Council once Lance is done with the street study.
- **Little Angel Childcare Conditional Use Permit and Building Permit** – Jack Dodge presented the Angel Daycare Permit cost owed due to prior owners not properly applying for them. They owe approximately \$12,000 and the committee asked that I set up a payment plan that goes no longer than 18 months, with interest.
- **Pierce County/Webstone former water customers** – Discussion about the Utility audit done on Webstone area in Pierce County. Committee approves not back billing the businesses but wants staff to inform the customers effected, about this.
- **Business and Occupation tax audit of City Customers** - Discussion about the B&O tax audit and how to handle this.
- **City Council identified Goals and objectives for the Finance Committee** - The Committee wants staff to work on the 5 goals/objectives identified by

Council. They include (1) Researching the viability of a Levy Lid Lift, (2) Adding (cost) security cameras to City hall, (3) Creating consortium style services among small cities located around Pacific, (4) Unfunded mandate compliance (identify them and the associated cost) and (5) A five year budget forecast (Financial Master Plan).

ii. Governance Committee

Council Member Oliveira stated a meeting will be held on July 7, 2015, at 6:30 p.m. A phone conference will be held with Sofia Mabee, personnel attorney, regarding the personnel policies/sick leave/shared leave.

iii. Human Services Committee

Council Member Garberding reported the meeting is normally scheduled for June 23. A pancake breakfast will be held on July 11. Items needed for the pancake breakfast include pancake mix, butter, link sausage, orange juice, and other items. A list of needed items will be emailed.

iv. Public Safety Committee

Council Member Garberding reported the meeting will be on July 14, 2015. If nothing is on the agenda, there will be no meeting.

v. Public Works Committee

Council Member Jones reported a meeting will be held on July 1, 2015.

vi. Technology Committee

Council Member Walker reported the committee met on June 18. Items discussed include adding security cameras in City Hall, modernization of the tech Infrastructure, server and other network upgrades, drafting a surplus policy, and City Hall electrical infrastructure upgrades. A Granicus presentation will be on July 16.

vii. Park Board

No report

viii. Planning Commission

Mr. Dodge reported:

A meeting will be on June 23, 2015 to discuss sign code revisions, and revision to the subdivision code.

ix. Pierce County Regional Council (PCRC)

Mr. Newkirk stated the next meeting is July 9.

x. Sound Cities Association (SCA)

Mayor Guier reported she attended on June 6. Discussed was the Best Start for Kids. She wants to look into becoming a King County conservation committee member for the benefits to the city.

There was discussion on House Bill 2156, possible revenue to cities from marijuana.

She will be attending the SCA quarterly networking dinner, July 1 \$50/ticket for dinner; They are meeting at the Snoqualmie Golf Club. She encourage Council to attend and advised that the city will pay for tickets.

The next meeting is on July 8, 2015.

xi. South County Area Transportation Board (SCATBd)

Mr. Newkirk reported there were two presentations:

- HOT lanes for 405; and
- Sound Transit 2 and their progress with a bond issue.

xii. Valley Regional Fire Association (VRFA)

Council Member Walker reported the meeting was on June 9. There was a budget presentation. VRFA purchased additional fire hose as well as a used utility vehicle – a brush truck with off-road travel capability.

OLD BUSINESS

A. Resolution No. 2015-270: Authorizing the execution of an agreement with Waste Management Services, Inc. for solid waste services in the City of Pacific.

This item was removed by Mr. Gould at the beginning of the meeting and a conversation of current contract extension agreement was added.

Mr. Gould stated an agreement has not been finalized for solid waste services. An extension of the Waste Management and Murrey's Disposal contracts is needed.

After discussion, Mayor Guier stated the extensions will be on the workshop agenda on July 6 and there will be a special meeting after the workshop for adoption of the items.

B. Resolution No. 2015-263: Abatement of a nuisance tree at the intersection of 3rd Avenue and West Valley Highway.

Mr. Newkirk stated the resolution gives authorization to staff to abate the tree if the owner does not remove it by June 30.

COUNCIL MEMBER JONES MOVED to approve Resolution No. 2015-263, a Resolution Declaring a Violation of Pacific Municipal Code Chapter 8.20 authorizing the abatement and removal of the nuisance tree located at 502 3rd Avenue SW. Seconded by Council Member Oliveira.

COUNCIL MEMBER KAVE MOVED to amend the resolution to extend the date of compliance to July 15. Seconded by Council Member Walker.

Roll Call vote was taken on the amendment to the motion, resulting as follows:

Ayes:, Kave, Putnam, Steiger, Walker

Nays: Garberding, Jones

The motion carried 4-3.

Roll Call vote was taken on the amended motion, resulting as follows:

Ayes: Garberding, Jones, Kave, Oliveira, Putnam, Steiger, Walker

Nays: None

Absent: None

The motion carried 7-0.

C. Ordinance No. 2015-1900: Alteration of Frontage Road Speed Limit

Mr. Newkirk advised that a traffic study was commissioned with Transpo Group. They looked at local conditions as well as accident history and are recommending the speed limit set at 30 mph.

COUNCIL MEMBER JONES MOVED to adopt Ordinance No. 2015-1900, an Ordinance altering the speed limit on Frontage Road from 25 MPH to 30 MPH in accordance with the recommendations of the completed engineering and traffic investigation.. Seconded by Council Member Putnam.

COUNCIL MEMBER KAVE MOVED to amend the ordinance to return the speed limit to 35 MPH. Seconded by Council Member Walker.

Roll Call vote was taken, resulting as follows:

Ayes: Kave, Walker

Nays: Garberding, Jones, Oliveira, Putnam, Steiger

Absent:

The motion fails 2-5.

Speaking before Council:

Don Thomson, 416 2 nd Avenue	If study recommends 30 or 35, table this item to make improvements to the road then revisit.
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Roll Call vote was taken on the motion, resulting as follows:

Ayes: Garberding, Jones, Kave, Oliveira, Putnam, Steiger, Walker

Nays: None

Absent: None

The motion carried 7-0.

D. Resolution No. 2015-264: Authorizing the execution of a King County Community Development Block Grant agreement, in the amount of \$106,000 to repair the senior center and community center roofing.

Mr. Newkirk advised that an agreement must be signed in order for the City to receive the grant money.

COUNCIL MEMBER OLIVEIRA MOVED to approve Resolution No. 2015-264 authorizing the execution of a King County Community Development Block Grant agreement, in the amount of \$106,000, to repair the senior center and community center roofing. Seconded by Council Member Kave.

Roll Call vote was taken, resulting as follows:

Ayes: Garberding, Jones, Kave, Oliveira, Putnam, Steiger, Walker

Nays: None

Absent: None

The motion carried 7-0.

E. Resolution No. 2015-265: Adopting the 2015-2021 Six-Year Transportation Improvement Program for the City of Pacific.

Mr. Newkirk stated the program is a requirement of the Washington State Department of Transportation. Projects must be identified on the TIP and/or the STIP to be eligible for funding from Federal and State sources.

COUNCIL MEMBER JONES MOVED to approve Resolution No. 2015-265 adopting the 2015-2021 Six-Year Transportation Improvement Program for the City of Pacific. Seconded by Council Member Putnam.

Speaking before Council:

Jeanne Fancher, 37248 55 th Ave S	Is there provision in case of a lahar from the valley (not a specific project in TIP but improvement plan for 55 th)
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Roll Call vote was taken, resulting as follows:

Ayes: Garberding, Jones, Kave, Oliveira, Putnam, Steiger, Walker

Nays: None

Absent: None

The motion carried 7-0.

NEW BUSINESS

A. Resolution No. 2015-269: Hiring of Provisional Police Specialist

Mr. Calkins stated the current Police Specialist has resigned effective June 25, 2015. Hiring a replacement for this position will take approximately two months from that date. Per Civil Service rule 10.14, the Mayor is allowed to appoint a provisional employee until the position is staffed permanently.

COUNCIL MEMBER KAVE MOVED authorizing the mayor to fill the Police Specialist II position temporarily by making a provisional appointment and execute the attached Letter of Agreement with Teamsters Local Union No. 117.” Seconded by Council Member Oliveira.

Roll Call vote was taken resulting as follows:

Ayes: Garberding, Jones, Kave, Oliveira, Putnam, Steiger, Walker

Nays: None

The motion carried 7-0.

CONSENT AGENDA

A. Payroll and Voucher Approval

B. Minutes of the workshop and special meeting of May 18, 2015, and the meeting of May 26, 2015.

COUNCIL MEMBER PUTNAM MOVED to approve the Consent Agenda.
Seconded by Council Member Jones.

Voice vote was taken and carried 7-0.

EXECUTIVE SESSION

At 8:19 p.m., Mayor Guier convened to executive session for Potential Litigation per RCW 42.30.110 (1)(i) for 20 minutes with potential action afterward.

At 8:39 p.m. Mayor Guier extended the executive session five minutes.

At 8:44 p.m. Mayor Guier reconvened the meeting.

Mr. John Safarli, Floyd, Pfleuger, and Ringer Law Firm, stated he is the outside counsel for the City of Pacific in the case where Mr. Calkins, Sgt. Boss, Lt. Massey, Officer Hong, and Officer Schleisman have sued the City of Pacific as well as Cy Sun. The claimants have agreed to dismiss claims with prejudice for a total of \$121,000, with the City contributing \$22,137.50. The remainder of the amount would be contributed by the Canfield, the city's former insurance.

COUNCIL MEMBER PUTNAM MOVED to authorize the mayor to execute the settlement letters for Bos, Calkins, Massey, Hong, and Schleisman and authorized monetary settlement in the amount of \$121,000 with the City of Pacific contributing \$22,137.50. Seconded by Council Member Garberding.

Roll Call vote was taken resulting as follows:

Ayes: Garberding, Jones, Kave, Oliveira, Putnam, Steiger, Walker

Nays: None

The motion carried 7-0.

ADJOURN

Being no further business, Mayor Guier adjourned the meeting at 8:49 p.m.


Amy Stevenson-Ness, City Clerk