

**CITY OF PACIFIC  
CITY COUNCIL MEETING  
Date: September 24, 2012  
Council Chambers  
City Hall, 6:30PM**

**MEETING SUMMARY**

**1. CALL TO ORDER AND FLAG SALUTE**

Mayor Cy Sun called the City Council Meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

Mayor Sun made the statement that due to his hearing defect, he is turning over the meeting to the Council. Mayor Sun left the meeting at 6:31 p.m.

**2. ROLL CALL OF COUNCIL MEMBERS**

Tren Walker  
Leanne Guier  
Josh Putnam  
James McMahan  
John Jones  
Gary Hulse  
Clint Steiger

Councilmember Guier moved to excuse Councilmember Hulse who is out of town and Councilmember Walker who is out of town on business; Councilmember Putnam second; All ayes.

Staff present: Angelica Solvang, Betty Garrison, John Calkins, Sheryl Finwall, Lt. Massey and Ken Luce.

**3. APPROVAL OF/ADDITIONS TO AGENDA**

- A. Councilmember McMahan added under New Business item B: Speed Bumps on Tacoma Blvd N.
- B. Councilmember Guier pulled item 6A and moved it to next Council meeting on October 8.
- C. Councilmember Guier pulled item 7A.
- D. Councilmember Guier added under Old Business: An update on the Civil Service Hearing.

Councilmember Putnam moved to approve the agenda as amended; Councilmember Guier second; All ayes.

**4. AUDIENCE COMMENTS-**

Robert Desario, 627 6<sup>th</sup> Ave SW – Mr. Desario states there was a tent revival that went on for 9 days in a row with loud music starting at 6:00 p.m. He called the police however they could not provide him assistance since the person(s) holding the revival had obtained a permit. He had to suffer through the loud music and did not receive any notice about the upcoming revival. He further states that after his 911 call and complaint, the police had shined their spotlight in his house and is keeping a record of the police actions.

Aaron Richards, 729 3<sup>rd</sup> Ave NE – Mr. Richards is a special education teacher and believes the idea for the Mayor to have a headset is a good idea. He further states that when the public perceives the City is corrupt they will buy into it.

**5. REPORTS**

A. Mayor – No report.

B. Finance – Councilmember Putnam states the financial statements are in the packet and the Finance committee meeting is tomorrow at 6:30 p.m. Betty Garrison states the lots sold on Blueberry and she should have the money tomorrow. Today was the deadline for the departments to turn in their preliminary budget however no one turned one in therefore the preliminary budget straight will be from Betty with no input from other staff which is required by law. John Calkins has reviewed the expenditure report and he has the preliminary budget almost done however he needs to have more discussions with Stephanie.

C. Court Statistics – No report.

D. Public Safety Department – John Calkins would like to schedule a Public Safety Committee meeting as he is working on two issues that need to be discussed before he brings the items to workshop. Councilmember Steiger states a meeting cannot be scheduled at the moment because Councilmember Hulsey and Councilmember Walker are out of town.

E. Public Works/Community Development Departments – Councilmember Jones comments that AHBL has been working on the standards which is almost complete. Skillings & Connolly is leading the communication and proposals for Right Of Way purchasing with Gordon Trucking for the Stewart Road project.

F. Community/Senior/Youth/Services – Councilmember Guier asks Council to approve the Community Services Assistant contract for 30 more days. Sheryl Finwall states she went with the seniors to a Johnny Cash tribute concert. The October calendar should be posted Friday and interviewees for both positions are being conducted.

G. Boards and Committees

South King County Transportation Board (SKTBD) – No Report.

Pierce County Regional Council (PCRC) – No report.

SCA – Councilmember Guier attended a meeting where she was approached by Deanna Lawson who is the executive chair of AWC. Deanna asked to meet with Councilmember Guier to discuss how she could help the City. She met with Leanna and the Mayor of Renton. They had a long discussion and there is concern with the City's issue of potential loss of insurance. Councilmember Guier would like approval from Council to move forward to work with Association of Washington Cities because they have a program, mediation type system for Council and the Mayor to work together. No objection from the Council.

VRFA – No report.

H. City Council Members – Councilmember Steiger states the Mayor is spreading the rumor he bought a City truck for a hundred dollars. However it was a sealed bid and he bought it in 2006. Councilmember Steiger handed out copies of the receipt of purchase from 2006 from the City. Councilmember Jones has an issue regarding the Mayor's blog where the site address was put on the utility bills and believes a blog he has put out on September 9<sup>th</sup> and in that process he utilized the utility bill it should not be advertised in the utility bills and would like Council to determine what is acceptable advertisement in the City utility bills. Councilmember Jones would like this issue discussed at the next Council workshop.

Ken Luce asked to be excused to work on items for the upcoming court date. Councilmember Guier asked for the Civil Service Hearing update before he was excused. City Attorney, Ken Luce, states the Mayor is intending to appeal the decision of the Civil Service Commission. It would place the City to maybe be liable to pay for the Chief's attorney and the Mayor's attorney and Ken would like permission from the Council that he be authorized to proceed with a declaratory judgment action in the appeal if the Mayor chooses to appeal. Councilmember Steiger made a motion that

City Attorney Ken Luce file a declaratory judgment to able to respond on behalf of the City that the City is not authorizing the Mayor to appeal and the action of the Mayor is acting beyond the scope of his authority; Councilmember Guier second;

Council comment: Councilmember McMahan believes this is appropriate.  
Councilmember Putnam stated if Council did not protest it then would Council would open the City to liability.

Public Comment: None.

	Aye	Nay
Councilmember Walker	Absent	
Councilmember Guier	X	
Councilmember McMahan	X	
Councilmember Putnam	X	
Councilmember Jones	X	
Councilmember Hulse	Absent	
Councilmember Steiger	X	

**THE MOTION CARRIED 5 to 0.**

I. Park Board – No report.

J. Planning Commission – No report.

K. Civil Service Commission – No report.

**6. OLD BUSINESS**

**A. Springbrook Building Permit & Business Tax Contracts -**

Item Pulled.

**B. Community Services Assistant Contract -**

Councilmember Steiger asked for a suspension of rules to add the Community Services Assistant Contract and Civil Service Hearing update to the agenda; Councilmember McMahan second; All ayes.

Councilmember Guier made a motion to extend Desiree's contract to October 31<sup>st</sup> for 30 more days; Councilmember Steiger second;

Council Comment: Councilmember McMahan understands the timing issues and trust the City attorney will review the contract.

Public Comment: Jeanne Fancher – would appreciate Council state staff first and last names for the record. Councilmember Guier states the Community Services Assistant's name is Desiree Cauffman.

	Aye	Nay
Councilmember Walker	Absent	
Councilmember Guier	X	
Councilmember McMahan	X	
Councilmember Putnam	X	

Councilmember Jones	X
Councilmember Hulsey	Absent
Councilmember Steiger	X

**THE MOTION CARRIED 5 to 0.**

**7. NEW BUSINESS**

**A. Stormwater Grant –**

Item Pulled.

**B. Speed Bumps On Tacoma Blvd N–**

Councilmember McMahan resides on Tacoma Blvd N and saw three new speed bumps on the street. He is pleased on how it has reduced speeds already however he did not have knowledge that the speed bumps were going to be put in and inquired how the speed limits were established and who made the decision to install them while there is not a Public Works Director. John Calkins states that his department received a complaint from a resident complaining of speeding vehicles. The Police Department also received a memo from Public Works stating that speed bumps are expensive and they wanted the Police to patrol the streets more however the Police Department is short staffed so John assumes that Public Works installed the speed bumps. Councilmember Steiger is concerned that speed bumps are not identified properly – he believes in the idea but they have to make sure the City is not sued if someone hits the bump hard without signage posted. Councilmember Guier states that before you can put in speed bumps there has to be a study. Councilmember Putnam wants to make sure the standard plans are complaint and suggests someone notify the insurance company. Councilmember Jones will send AHBL an email to ask if they are aware of any engineering items related to the speed bumps.

**8. ORDINANCES/RESOLUTIONS**

**A. Ordinance No. 12-1832 – Amending Pacific Municipal Code Section 5.02.045 And Section 5.02.080 Regarding Business Licenses To (1) Provide That Non-Profit and Not For Profit Businesses Be Required To Have A Current Business License With The City And (2) To Require Each Business At A Location To Have A Separate Business License.**

Betty Garrison speaks for Gerina Dahl who could not attend the meeting. Council had asked at the previous workshop for a new definition on what a business is. Councilmember McMahan states the effective date shall be in full force 5 days after the date of publication however there has to be an education requirement and time for businesses or the effective date should be extended. Betty believes the penalty section would be leniently enforced through the education process.

Councilmember Steiger motioned to approve Ordinance No. 12-1832;  
Councilmember Putnam second;

Council Comment: Councilmember McMahan would like to make it clear on Council's intent with the change to the PMC that it not be enforced until the next round of business renewals. Councilmember Steiger would like staff to handle those issues case by case in the front office.

Public Comment: Don Tompson, 416 2<sup>nd</sup> Ave SE – Suggests putting this

information on the utility bills.

Jeanne Fancher – States that maybe this Ordinance doesn't need to be instituted until after the contract is worked out with the State renewals.

	Aye	Nay
Councilmember Walker	Absent	
Councilmember Guier	X	
Councilmember McMahan	X	
Councilmember Putnam	X	
Councilmember Jones	X	
Councilmember Hulsey	Absent	
Councilmember Steiger	X	

**THE MOTION CARRIED 5 to 0.**

**B.** Resolution No. 12-1195 – Adopting The Washington State Auditor's Bars Manual As The Chart Of Accounts And The Accounting Manual For The City Of Pacific.

Councilmember Guier moved to approve Resolution No. 12-1195;  
Councilmember Putnam second;

Council Comment: Councilmember Jones would like Betty to explain BARS accounting. BARS is prescribed by the State Auditor's office and its intent is to create a uniform system of reporting. It is going through a major change as of 2013. Councilmember Putnam thanks Betty for getting the City in compliance with the existing BARS manual.

Public Comment: None.

	Aye	Nay
Councilmember Walker	Absent	
Councilmember Guier	X	
Councilmember McMahan	X	
Councilmember Putnam	X	
Councilmember Jones	X	
Councilmember Hulsey	Absent	
Councilmember Steiger	X	

**THE MOTION CARRIED 5 to 0.**

**C.** Resolution No. 12-1196 – Adopting The Electronic Payment Policy And Authorizing Specific Electronic Payment Transactions.

Betty Garrison states this is to have documentation covering the Finance Department as specified in the Ordinance.

Councilmember Steiger moved to approve Resolution No. 12-1196;  
Councilmember Putnam second;

Council Comment: John Calkins states he was instructed to meet with Betty and sent her two emails. They did not meet and 21 people have come to get obtain weapons

permit which he had to turn away. Councilmember Guier didn't think the policy was stopping the Police Department from stopping the permits. Betty Garrison does not have anything in writing for her staff to authorize electronic transfers yet as this Ordinance does not list the concealed weapons permit as an authorized electronic transfer. Betty Garrison, John Calkins, Lt. Massey and Stephanie will meet with the Finance Committee tomorrow evening.

Public Comment: None.

	Aye	Nay
Councilmember Walker	Absent	
Councilmember Guier	X	
Councilmember McMahan	X	
Councilmember Putnam	X	
Councilmember Jones	X	
Councilmember Hulseley	Absent	
Councilmember Steiger	X	

**THE MOTION CARRIED 5 to 0.**

**D. Resolution No. 12-1197– Authorizing The Mayor To Enter Into And Sign The Letter Amending The Agreement Between The City And King County.**

Betty Garrison states that in July Council discussed the need to get King County Solid Waste to agree to an additional year extension on the time by which the City must comply with the terms of the current interlocal agreement.

Councilmember Putnam moved to approve Resolution No. 12-1197;  
Councilmember Guier second;

Council comment: Councilmember Putnam states King County will defend the requirement that the waste goes to King County when that becomes effective.

Public Comment: None.

	Aye	Nay
Councilmember Walker	Absent	
Councilmember Guier	X	
Councilmember McMahan	X	
Councilmember Putnam	X	
Councilmember Jones	X	
Councilmember Hulseley	Absent	
Councilmember Steiger	X	

**THE MOTION CARRIED 5 to 0.**

**9. CONSENT AGENDA**

*(The Mayor shall place matters on the Consent Calendar which are so routine or technical in nature that passage is likely.)*

**A. City Council Meeting Minutes from August 06, 2012.**

**B. Claim Voucher & Payroll Approval –**

**C. Financial Statements –** Betty Garrison states the financial statements were sent out for August.

Councilmember Putnam moved to approve the consent agenda; Councilmember Guier second;

	Aye	Nay
Councilmember Walker	Absent	
Councilmember Guier	X	
Councilmember McMahan	X	
Councilmember Putnam	X	
Councilmember Jones		X
Councilmember Hulsey	Absent	
Councilmember Steiger		X

**THE MOTION FAILS 3 to 2.**

Councilmember Jones and Councilmember Steiger state the reason they did not approve the consent agenda is that they do not want to pay Bob Boyd administrative leave pay while it is unauthorized paid.

Councilmember Putnam moved to approve the consent agenda minus Voucher No. 4567; Councilmember Guier second;

Council Comment: Councilmember McMahan states Council has established its objection and their perception whether it is an authorized use of leave and the proper authorities and Union are aware; he worries Council will get in more trouble by not approving that payment as there has not been an investigation complete yet. Councilmember Putnam is concerned if this is proper Council action until the Auditor has completed their investigation and is concerned with position to function on this issue as there has been a number of employees that have used a considerable amount of sick leave and Council may have no choice but allow the City to retroactively restore the sick leave of the other employees. Councilmember Steiger states the wrong thing would be to have all of Roger's and Becky's sick leave be reinstated as they both received donated sick leave.

Public Comment: Don Thompson, 416 2<sup>nd</sup> Ave SE – Believes Council should deny the payment.

Audrey Cruickshank, 703 3<sup>rd</sup> Ave SE – She had heard Bob was retiring this month.

	Aye	Nay
Councilmember Walker	Absent	
Councilmember Guier	X	
Councilmember McMahan	X	
Councilmember Putnam	X	
Councilmember Jones	X	
Councilmember Hulsey	Absent	
Councilmember Steiger	X	

**THE MOTION CARRIED 5 TO 0.**

Councilmember McMahan believes it is appropriate for Council to continue to pay until there has been a proper investigation; Councilmember Putnam second;

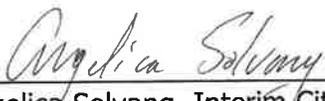
Council Comment: Councilmember Putnam is concerned prefers to be on firm grounds with an investigation. Councilmember Jones believes it is important for Council to take a stand on their position.

	Aye	Nay
Councilmember Walker	Absent	
Councilmember Guier	X	
Councilmember McMahan	X	
Councilmember Putnam	X	
Councilmember Jones		X
Councilmember Hulse	Absent	
Councilmember Steiger		X

**THE MOTION FAILED 3 TO 2.**

**10. EXECUTIVE SESSION-**

**11. ADJOURN-** The meeting adjourned at 7:57 p.m.

  
\_\_\_\_\_  
Angelica Solvang, Interim City Clerk