

CITY OF PACIFIC CITY COUNCIL

**WORKSHOP MEETING
February 6 , 2012**

**Council Chambers
City Hall, 6:30PM**

MEETING MINUTES

1. CALL TO ORDER

Leanne Guier called the meeting to order at 6:30PM and led the Pledge of Allegiance.

2. ROLL CALL

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

Councilmember Steiger, Councilmember Putnam and Councilmember Hulse were absent.

Staff present: Jane Montgomery, Maria Pierce, Linda Morris and John Calkins.

3. CHANGES/ADDITIONS TO WORKSHOP AGENDA

1. The Mayor pulled items M and N. The Council put them back on the agenda.
2. Councilmember Guier stated that around 90 minutes is the time limit for Council meetings and to keep this in mind in future.

4. AGENDA ITEMS

A. Public Hearing- Moratorium On The Establishment Of Medical Marijuana Collective Gardens.

The Public Hearing was called to order at 6:38 p.m. Maria Pierce read the Hearing item to the citizens.

Comments from the public:

Howard Erickson- 324 Butte Avenue. Is in favor of it.
Ken Scroggins- 1512 Thornton Avenue. Is against it.
Unknown Citizen - Is against it.
Cheri Cason- 422 Chicago Blvd South. Is against it.
Anita Scroggins – 1512 Thornton Avenue. Is against it.

Meeting Closed.

Action Taken: Move it forward to the next Council meeting.

B. Park Board – Appointments

Mayor Cy Sun spoke to the Council and introduced Cheri Cason. He stated that she is a positive thinker and works for the betterment of the community. She understands youth and their problems. He recommends she be appointed. The next applicant is Jonathan Merick. He is a young man who is interested in understanding how our government works. They are our future leaders who must have a place in government. He recommends they be appointed.

Action Taken: Move it forward to the next meeting.

C. Contract For Legal Services -

Councilmember McMahan asked what the status was of the current City Attorney. Maria Pierce replied that the City Attorney is working on his items and he has been given a 30 day notice. Councilmember McMahan asked to not start the 30 day process. Maria Pierce stated that the attorney proposed did meet with Al Abuan and the new attorney did not want to come on board until the other attorney had been given notice.

Councilmember Walker asked what the process was. Councilmember Jones stated that it is the Mayor's discretion to select a attorney.

Action Taken: Move it forward to the next meeting

D. An Ordinance Of The City Of Pacific Washington, Amending Pacific Municipal Code Section 14.01.010 Utility Billing To Eliminate Customer Deposits, Add Lien Language, Update The Order In Which Utility Payments Are Applied, And Modify Language In Sections D, F, G, And H.

Gerina Dahl was hired in December 2011 to audit utility billing and current procedures to determine if protocols are being followed. Gerina Dahl took a key role in getting the City \$20,000 from an escrow account. They had stated that they did not owe the City but that was incorrect and she has collected it. As part of the audit, she is making sure staff is adhering to policies. Three policies have to be updated. One could look discriminatory. Gerina stated that the \$50 deposit is not effective and wants to remove the deposit all together. Right now, the City is not in compliance with the State on the deposit fund. A utility deposit is not cost effective. There are other tools to collect monies. An owner is subject to lien if you don't pay your bill. She discussed that process. The lien policy will give a tool to recoup costs.

Councilmember McMahan asked about uncollectable bills; unrecorded versus recorded. Water is an unrecorded lien per Gerina but escrow will sign off on it. It is a note on the property. Gerina said that the prior account was closed but Angelica did not have anyone to go to. Gerina is willing to help and they will start with sewer only customers. She also modified how partial payments are made by modifying the order.

Action Taken: Move it forward to the next Council meeting.

E. Ordinance No. 12-18XX- Amending Regulations Regarding Water And Sewer Utility Leak Adjustments

This has been before the Finance Committee twice. The formula has changed this time. The policy states to use the last three months average. Gerina Dahl would like to compare water consumption to the same period of the last 2 years. She changed the policy to state that credits are received once every 24 months. Service requests have been set up and the City will manage how many times meters are monitored. The implementation is not complete as her contract time is up.

Action Taken: Move it forward to the next Council meeting.

F. Ordinance No. 12-18XX An Ordinance Of The City Of Pacific, Washington Amending Pacific Municipal Code Sections 14.48.050 Sewer, 14.88.030 Water, 24.16.050 Storm water, And Section 8.04.235 Garbage Regarding Reduced Utility Rates For Low Income Senior Citizen And/Or Low Income Disabled Customers.

Gerina Dahl has serious concerns as this policy has not been updated for 8 to 10 years. The income thresholds are not updated. Currently it is available to veterans. The proposal is to modify the language to include disabled, 62 years or older. The customer will re-apply every 24 months. Language reads that they have to be a full time resident of the property. We are to offer this to low income people. The time period could be an option. Most cities offer discount to seniors and low income disabled persons.

Action Taken: Move it forward to the next Council meeting.

G. Contract- Month End Consulting Services/Utility Billing

A Letter was read by Gerina Dahl. The Utility Division has gone by the way side. The past director did not have the time to address this and the Utility Billing Clerk did not have the proper training. The current Finance Director, Maria Pierce, does not have a set amount of time either. Maria Pierce, the finance Director would like Gerina to come back for month end follow up and spend time training the Utility Billing Clerk. Utilities are a special entity and accounts have been left alone. There are fabulous tools in the software. Maria is concerned no one is watching the gate, so she feels they need Gerina through August. The software conversion is scheduled for October. Maria Pierce would like this under her belt for the future conversion.

Councilmember McMahan asked what the scope of work was and what the services were that are included in the 10 hours a month figure. The Utility Billing Clerk needs to contact Gerina for questions. Councilmember McMahan commented that time is limited not by hours but consultation is limited by hours.

Action Taken: Move it forward to the next Council meeting.

H. Resolution No. 12-11XX- Authorizing The Mayor To Execute A Loan Agreement Extension With The State Of WA Dept Of Ecology For Financing Of The White River Storm water BMP

Sean Comfort from AHBL stated that this is an extension of a loan that the City of Pacific received from the Department of Ecology. Staff sat down last year with King County and asked the Department of Ecology to authorize the extension.

This authorizes them to amend the original loan and make an extension.

Action Taken: Move it forward to the next Council meeting.

I. Resolution No. 12-11XX- Accepting A Department OF Ecology Stormwater Grant

The Department Of Ecology is offering the City \$50,000 for assistance of implementing local Stormwater Programs. The City will use this grant money to purchase equipment/software for stormwater system mapping; perform public education activities and other activities.

Action Taken: Move it forward to the next Council meeting.

J. Resolution No. 12-11XX- Right Of Way Appraisals, for Valentine /136th Avenue Improvement Project.

Ted Hill from the City of Sumner was hired as an appraiser. He explained the appraisals. The City needs to move forward to keep its commitments. There are funds per Maria Pierce.

Action Taken: Move it forward to the next Council meeting.

K. Resolution No. 12-11XX- Authorizing Execution Of Supplement No. 6- Skillings Connolly For Additional Engineering Costs Associated With Completion Of Phase I And Phase II Construction Documents For The Stewart Road/Thornton Avenue Improvement Project.

Gary Richardson from Skillings Connolly spoke to Council stating that this will complete the design from Thornton over to the railroad track. Maria Pierce is working with the State and a transfer will come in.

Action Taken: Move it forward to the next Council meeting.

L. Resolution No. 12-11XX- Accepting A WASPC Grant For Traffic Safety

Lt. Massey stated we received a grant for the purchase of a radar hand held unit. He Explained the grant.

Action Taken: Move it forward to the next Council meeting.

M. Resolution No. 12-11XX- A Resolution Of The City Council Of The City Of Pacific, Washington, Accepting The Funds From A Cash Donation From Southend Senior Care

Linda Morris states that the City of Pacific has been awarded a \$750.00 donation to be spent on Senior Services from Southend Senior Care. Maria Pierce said that the Mayor had a concern on the third Whereas listed in the Resolution where it states the "...at the full discretion of the Community Services Director." He would like that line deleted. Prior resolutions do not contain this clause and the Mayor will not approve it that way.

Action Taken: Move it forward with the third whereas removed.

N. Resolution NO. 12-11XX-A Resolution Of The City Council Of The City Of Pacific, Washington, Accepting The Funds From A Cash Donation From Soroptomists International Of Auburn.

The City of Pacific has been awarded a \$500.00 donation. Councilmember McMahan states that the Resolution needs to explain what the donation will be used for and would like a Whereas added. Linda Morris, Per James, needs to explain what it is used for. She needs to add more in the Whereas section.

Action Taken: Move it forward, add comments that make it clear this is for the youth program. Also amend at the full discretion of the Director to say it is the Mayor who has spending authority per Maria Pierce.

O. Pay Range- City Clerk/Personnel Manager

Maria Pierce, Finance Director, met with the Finance Committee to discuss this agenda item. The Finance Committee proposed to change the City Clerk/Personnel Manager's pay range to 25 with an additional 5% or 8% out of class payment. In June of 2012, Maria Pierce will reevaluate the City's revenues and functions of the position and recommend a range of 30. Maria explained the attached spreadsheet with comparables and explained what funds the money would come from. Maria stated there were large amount of funds available.

Currently Jane Montgomery is handling the City administration functions and assisting with Public Works Department as a manager. Councilmember McMahan is uncomfortable with out of class pay. He would rather approve the range 27. Maria Pierce stated that this is not unusual in other cities. The Clerk is performing many duties and functioning as the Mayor's administrative manager with other functions being performed. Councilmember Walker has concerns as there are two Union contracts outstanding and he is not convinced Maria Pierce has found all of the money to fund the position. Maria stated that the Clerk's position is funded out of other funds than the general fund. There was discussion about out of class pay. There were concerns that the Clerk is being asked to work too many hours and she needs assistance. The Mayor was asked how long he expects the Clerk to work these extra duties and he said 8 to 9 months. Councilmember Guier does not like the out of class pay. Councilmember Guier stated she was comfortable at a Range 25 for now. The Council agreed to revisit the range in June as the request was for a range 30.

Action Taken: Move it forward to the next Council meeting.

P. Resolution No. 12-11XX- Contract To Negotiate Extension On Current Solid Waste Contracts

The City's current solid waste contracts are due to expire as of June 25th and August 25th. Due to limited staff, it is recommended that the City enter into a contract with Bell & Associates to negotiate the extension of the current contracts. It is also recommended that the City turn over the billing and customer service process to Waste Management in the extension of the contract. King County was sent a letter requesting an extension through 2013 in regards to where solid waste may be disposed of.

Action Taken: Move it forward to the next Council meeting.

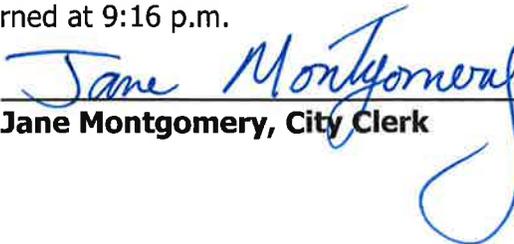
Q. Resolution No. 12-11XX – Authorizing Payment for Clean Up Of Storm Debris

Mayor Sun talked to Maria Pierce and believed he had access to \$2,500 to use for storm debris cleanup. He had 15 to 20 bins of wood hauled away in the emergency storm cleanup. The Mayor said had he waited it would have taken as much as 3 weeks to get this done. He did not want any red tape and could not wait for three weeks. They needed the money right away as this was an emergency. Mayor Sun told the workers to keep on working. Mayor Sun paid \$1,400 out of his pocket to the workers. A lot of people needed help having their yard debris cleaned up.

Councilmember Jones asked if two people were hired and if Maria Pierce is asking for money now. Maria Pierce replied yes. Jerry Eck commented that Allied Waste wants to compete with Waste Management so they supplied yard waste bins for free. The bins were already filled on Saturday, so Jerry Eck donated bins and truck time and was going to pay the tip fee which costs \$700.00. Councilmember Walker stated that there was no Resolution in place to expend the funds so therefore he violated the Union contract. Mayor Sun stated he had the hired workers sign a document that stated the City is not responsible for any injury. Councilmember Walker stated that the Mayor created a liability for the City. Councilmember Guier stated that they can't sign away liability of the City. The Mayor hired on behalf of the City. Councilmember McMahan stated that Mayor Sun created a number of liabilities for the City. People are being paid by the Mayor as a private citizen and that does not relieve the City of responsibility.

Action Taken: No Action

5. **ADJOURN**- The meeting was adjourned at 9:16 p.m.


Jane Montgomery, City Clerk