

**WORKSHOP MEETING**  
**March 5, 2012**

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

## MEETING MINUTES

**1. CALL TO ORDER**

Leanne Guier called the meeting to order at 6:38pm and led the Pledge of Allegiance. (Pledge not needed)

**2. ROLL CALL**

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

Staff present was, Jane Montgomery, Maria Pierce and Lt. Massey.

**3. CHANGES/ADDITIONS TO WORKSHOP AGENDA**

1. Tow company issue- John Jones- Item #D
2. Contact list update- Clint Steiger- Item #E
3. Water Leak- Maria Pierce- Item #F
4. Letter from Al Abuan regarding law suits- Leanne Guier- Item #G

**4. AGENDA ITEMS**

**A. Uniformed Contract Negotiation**

Ken Luce addressed the City Council regarding the letter from the Union sent by the Teamsters in regard to the Uniformed Officers Contract. He questioned if the procedure had been followed correctly. He read Ordinance No. 1683 to the Council. This ordinance outlined the procedure to be followed by the City negotiators. He was trying to figure out how the City and the Union were so far apart. He wanted to know how they got to this position. He wanted to know if the Finance Committee had recommended anyone to be on the negotiating team. He was concerned about the comments he saw on the sheet provided by the Union. John Jones told Mr. Luce that the Council represented the City in the negotiations and they had originally appointed him and Gary Hulseley as representatives to negotiate. On April 28<sup>th</sup> they agreed with the Union to extend the timeline for negotiations. During this time the City was without a Finance Director. Mr. Jones stated that no one had been appointed by the Finance Department. Mr. Jones said that he had not agreed to anything he had only tentatively agreed. He said he knew he did not have authority to agree and knew that it was the City Council that had the authority. The City Council had not agreed to the requests made by the Union. The council rejected the agreement and they put together a counter proposal which was communicated to Mark Manning. The Union rejected that and Mark Manning said that they were at an impasse and that it should go to arbitration. Mr. Luce still had difficulty understanding how the Union and the City were so far apart. He asked Mr. Jones if he wanted to continue as the city's representative. Mr. Jones stated that he did not have a problem continuing as the representative. The Council decided that they needed to go to executive session. Councilmember Steiger stated that any time an offer was made they did go to Maria Pierce to price it out for them. He stated that

John did report back as a negotiator to the Council. Councilmember Guier stated that they should suspend the rules and add an executive session to the agenda. Council agreed to suspend the rules and they added an executive session.

**B. Mayor's Tour - City's Deficiencies- 6:49-** The Mayor wants the City Council and Bob Boyd to take a tour with him around the City so he can brief the council on the problems we are facing in the City. He would like to get together this Saturday. If it is raining the tour will be cancelled. The Tour was set for Saturday morning at 9:30am. The tour will take approximately 4 hours. Council asked if Bob Boyd would be paid overtime. The Mayor had not checked on that. There was discussion about if the Council should post this as a public meeting or not. The City Attorney suggested that one half of the City Council go out at a time to avoid a quorum. The Council decided that the Public Works Committee would go out and take pictures and report back to the Council.

**C. Public Works/Projects & Staffing- 6:59pm**

Councilmember McMahan is still concerned about Public works staffing issues. The Mayor said that he has three prospects, but he is still working the problem. He is not happy with the people he has talked to. He wants someone in the street working the problem with the contractors. The Mayor is concerned about extra money the city had to pay because the Utility companies were not on schedule. The Mayor said he thinks there is about \$100,000 in problems. He spoke to three people and he has to have more discussions. The Mayor said he is looking for a guy who has been in construction who can read a blueprint and can follow the problem. He showed Bob Boyd the drawings from Sumner and Bob said throw them away. He wants a summary so they can see the problem the minute it occurs. He will make the conference room a project room. He feels the project needs to be presented in a more simplistic manner. The Council discussed that the position that needs filling is an exempt position and it involves management, the budget, supervising staff, managing grants and tying in with the Finance Director. The Mayor indicated that he could cover that body of work. Councilmember Steiger brought up the fact that Bob Boyd is due to retire this year and he feels the position should be covered by someone who can work the street but there is also a need for someone to be in the office like Jay Bennett was. Councilmember Putnam wanted to know how we are handling permits and inspections. The Mayor told him that Kelly Tally from Pierce County is handling those tasks. He has been hired under the current ILA that Pacific has with Pierce County. The Mayor said that Mr. Tally was cordial and knowledgeable. Councilmember Guier wanted to know where the Mayor got his referrals from. The Mayor said from Parametrix, Auburn, Algona, Sumner, Buckley and Bonney Lake. He is looking for a certain person. He is looking for a person with character like Kelly Tally and Bob Boyd.

**D. Tow Company-** Councilmember Jones presented the memo written by the Mayor which indicated that the Mayor had changed the tow company to Valley towing. He wanted an explanation. The Mayor said that Nick from Valley towing came in to see him and told the Mayor that his company had been working in the City of Pacific for many years. He said he had been replaced by Noffke towing. The Mayor was told that Noffke had complete jurisdiction. The Mayor said he has now given Valley complete jurisdiction. The Mayor said then Matt from Noffke towing came in; now he has both sides of the story. The Mayor said he will think about this and then decide what he thinks is fair. He said that Noffke had the chief backing him up and Valley did not have that. The problem was not settled yet. The Mayor stated he wrote the memo to get the two together. Councilmember McMahan told the Mayor that he had a bigger problem. He said that the Council dealt with this for weeks and he does not think it is the Mayors decision. The Council had discussed for months why they felt Noffke should be primary. It had to do with preference to local business. The Council felt that they had made a decision and that the Mayor did not have the right to change it. Councilmember Guier felt that the issue was supposed to come back to Council and never did. She stated Chief Calkins and she were working on a resolution to include both company's in a rotation.

**Councilmember Steiger said he wanted to interject one thing. Councilmember Steiger said that earlier in the meeting the Mayor made reference to the Chief. Councilmember Steiger stated that the Chief of Police had nothing to do with Noffke being the only one. Councilmember Steiger said that the decision was completely out of the Chief's hands and as far as the Chief was concerned, the Chief had wanted to let the Council make the decision and then he would do as the Council wished. Councilmember Steiger wanted to clarify that issue because he did not want the Chief to be falsely accused of something.** Councilmember Putnam spoke of adopting a procurement policy which gave preference to local companies. Councilmember McMahan stated that the Mayor had exceeded his authority and he said the Mayor needed to apologize to the towing company. The City Attorney was asked for his opinion and he stated that it depended on who had the authority. Councilmember Jones reminded the Mayor that the workshop is the Council's workshop not the Mayor's. He stated that the Council President is in charge of the meeting and the Mayor cannot dictate the workshop because that is the Council's authority. The Mayor made a statement to the effect that he did not want to be potshot by the Council. The Council stated he was out of line to make the comment.

**E. Updated Council Information-** Councilmember Steiger said that he would like an updated council phone sheet. The Council agreed to provide the City Clerk with their contact information.

**F. Water Leak-** Maria Pierce, the Finance Director discussed a water leak problem. The issue had been brought to the attention of the Finance Committee. The leak had occurred prior to adopting the leak adjustment policy. She described the information in the packet which broke down the three buildings at Cobble Court that were asking for a leak adjustment. They compared water usage from October of 2010 and October of 2009. She would like to move this forward to the next meeting. Council wanted to know if the customer knew and Ms. Pierce stated that the Council was being appraised first and then she would contact the customer. Council had concerns about leak credits per year and Ms. Pierce said she will address that issue.

7:41pm

**G. Litigation Issues-**The City Attorney, Ken Luce, addressed the Council about a letter from Al Abuan, the former City Attorney. The letter discussed two cases that Mr. Abuan had been working on. One case was Tridelt Inc. and the other was the Hansen appeal. The City Attorney recommended that he work on the Tridelt case and that the former attorney continue to work on the Hansen case. He has gotten a tape of the Hansen appeal hearing and the County has agreed to do the transcription of the hearing and the cost will be paid by the appellant. The Hearing Examiner will put the certified record together. Councilmember Walker asked that they get an estimate of the cost for services from Al Abuan on the Hansen case. The City Attorney will get that from Mr. Abuan.

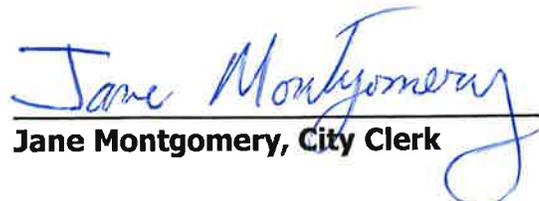
7:50- excused to executive session- 10 minutes

8:00- 5 more minutes

8:05- 5 more minutes

8:09- Council back in session

5. **ADJOURN-** The meeting ended at 8:11pm

  
Jane Montgomery, City Clerk