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**CITY OF PACIFIC
CITY COUNCIL MEETING**
Date: April 9th, 2012
Council Chambers
City Hall, 6:30PM

ORIGINAL

MEETING SUMMARY

1. CALL TO ORDER AND FLAG SALUTE

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

2. ROLL CALL OF COUNCIL MEMBERS

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

Councilmember Hulseley moved to excuse Councilmember McMahan; Councilmember Jones second; All the votes were ayes

Staff present: Maria Pierce, Betty Garrison, Jane Montgomery, Lt. Massey, and Ken Luce.

3. APPROVAL OF/ADDITIONS TO AGENDA

1. Tren Walker- Moved the consent agenda to after the Executive session.
2. Leanne Guier- Added Executive session, Teamsters PW contract- 20 minutes, 10 minutes- Ken Luce- Update on John Calkins.
3. Tren Walker – Added an update on CERB agreement under New Business.

Councilmember Hulseley moved approval of the amended Agenda; Councilmember Walker second; all the votes were ayes.

4. AUDIENCE COMMENTS-

Jeanne Fancher- 6:35pm

Ms. Fancher stated that she has been attending meetings for the past 3 months and she commended the Mayor and Council for working together and respecting authority and opinions. She stated that she would like to pronounce a blessing. She read her blessing.

Councilmember McMahan arrived late to the meeting at 6:37pm

Reva Bryant- 6:38pm

Ms. Bryant wanted to know when the park would be reopened and cleaned up. She stated that the hescoe wall was still in place and it presents and opportunity for children to be injured. The Mayor stated that he had talked to Bob Boyd and he will open it as soon as he has time. He talked to him last week. Ms. Bryant asked if the sandbags could be removed. The Mayor stated that Bob Boyd will take care of this.

Don Barnett: 6:39pm

Mr. Barnett stated that he has an Objection to an ordinance that was passed. The Ordinance was No.1767. "An Ordinance Of The City Of Pacific, Washington, Amending The Pacific Municipal Code Sections 14.48.100 Sewer Billing To Modify The Vacant Building Exemption Definition And Section 14.64.040 Water To Modify Remission Of Charges Requirements". This Ordinance was passed in July of 2010.

Kate Hull

Ms. Hull briefed the Council on the upcoming Earth Day Event which is on April 21, 2012. There will be a pancake breakfast hosted by the Lions club at 7:30am. The sign in begins at 8:45 for team assignments. This event is sponsored by Pacific Partnerships, White River Valley Pacific Lions Club, City of Pacific, Pacific Park Board, Friends of the Lower White River and Metals Express. The King or queen of trash will win a \$100 Cabela's gift card. She will report back to council after the event.

Gary VanHee- 6:43pm

Mr. VanHee commended Councilmember Gary Hulsey for his hard work and his decision to be on the City Council.

Anita Scroggins- 6:44pm

Mrs. Scroggins told the Council that an accident had occurred in her area of town. A man had fallen from the tailgate of his vehicle. He collapsed at the door of his shop. He had a compound fracture to his arm. She stated that she had called 911 for aid three times. She said the Fire department said it was 6 minutes before they arrived. She stated that when they called 911 they explained the bleeding and the dispatcher kept saying not to put the tourniquet on. She saw the fire truck coming slowly down the street. The man was taken to Harborview. She stated she had spoken to someone at Metal Express and that person stated that it had looked like the Fire Department was searching for the address. She wondered if the VRFA even knew the City. She is concerned that the Fire Department may not know the area at all. She wonders about VRFA and her property taxes have gone way up. She stated that she is charged in Pierce County for 911 calls.

Ken Scroggins- 6:48pm

Mr. Scroggins wanted to address the incident his wife had just talked about. He stated the individual had a double compound fracture. Mr. Scroggins said that when he called 911 the dispatcher told him not to use a tourniquet, but blood was squirting about a foot away and he felt the man was bleeding to death. Mr. Scroggins stated that he had them put tourniquet on and release it every 20 seconds. He stated that the man almost had to have his arm amputated. He stated that the length of time for a response was too long. He wondered why the dispatcher said put the phone up so she could hear the injured man breath. He liked the old fire department and never recalls a response time of more than 2.5 or 3 minutes. He was not impressed and is very disappointed. He wants the Mayor and the Council to look into what it would take to get us out of the VRFA. He said that the next time it could be a child and a child can bleed out in 2 minutes. The City Attorney will look into this. It will be on the next workshop

The Mayor wants to remove the Civil Service Appointment from old business. Councilmember Walker moved to suspend the rules to amend the agenda; Councilmember Guier second; All the votes are ayes. The agenda Item # 6F was removed from the agenda.

5. **REPORTS**

A. Mayor

B. Finance- 6:54pm

Maria Pierce said that the loan to purchase the police cars has been confirmed. The interest rate is 1.12728. This is very good news. The first interest payment is due in December. She stated that Betty is working on year end closeout. She leaves them in good hands. She informed Council that a key employee is going to be out, and she recommended hiring Toni Nelson to do the annual report. They are short staffed again. She wants to ensure the new Treasurer's success.

C. Court Statistics- In the Council Packet

D. Public Safety Department- Met and Clint is the Chair now. Meet quarterly.
E. Public Works/Community Development Departments- No Report
F. Community/Senior/Youth/Services- No Report
G. Boards and Committees South King County Transportation Board (SKTBD) Pierce County Regional Council (PCRC) – No Report SCA – No Report VRFA – No Report

John Jones stated that the Public works Committee met on April 4, and Skillings and Connolly were there and they discussed the Interurban Trail design. This will be moved into the construction design on Stewart. Supplement #8 will be brought back. AHBL was also in attendance and public works standards were discussed. They also talked about Valentine Avenue. They discussed loans for the right of way acquisition and the CERB Grant. Supplement No. 8 will be brought to the next workshop.

6. OLD BUSINESS

A. Council Rules of Procedure- 7:01pm

Councilmember Walker stated that the rules are in the packet with the edits he has made to date.

Resolution No. 12-1167- Adopts the City Council rules of procedure

Councilmember Walker moved to approve the rules of procedure; Councilmember Guier second;

Public Comment- None

The votes were as follows; All the votes were ayes.

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

THE MOTION CARRIED UNANIMOUSLY 7-0.

B. Contract -Columbia Bank Additional Services – 7:04pm

Councilmember Hulsey moved to approve; Councilmember Walker second;

Reso #12-1168

The votes were as follows: All the votes were ayes.

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

THE MOTION CARRIED UNANIMOUSLY 7-0.

C. Inter local Agreement with Pierce County for On-Call Building Official Services- 7:13pm

Councilmember Walker moved to approve; Councilmember Jones second.

Councilmember Jones stated that there was no end date or clause to change the current contract without mutual agreement. He wanted to know if the Mayor feels that Pierce County will pull the building official if this is not signed. The Mayor says that he does not care a deal is a deal. The Mayor said he will go and ask them to stand by their agreement until the City is able to hire another inspector. Councilmember Jones wanted to know what the Mayor has done to look for a new inspector. The Mayor said he can't look for one because the present employee is on sick leave and he cannot employ another person. Councilmember Steiger said that Kelly Tally's boss has already said he is upset, and if this is not signed he has made a statement that he will pull Kelly out of the position. Councilmember McMahan said that the Mayor had stated previously that he was going to cut Mr. Tally to part time but the contract says full time. The Mayor said that things have changed and he now needs him full time. The Mayor said that he will leave it up to the County to make a proposal. He will have the attorney involved. Councilmember Steiger stated that they County already made a proposal and that is what the Council is voting on now. Councilmember Jones said that they are simply approving the change in fee from \$35 per hour to \$42 per hour. The Council assigned a Resolution No. 12-1169. Councilmember Steiger wanted to know why the Mayor did not negotiate this already and the Mayor said he wanted to let them stew on this.

Councilmember Steiger called the question; Councilmember Jones second;

Public comment

Carol Aguilar-

Ms. Aguilar asked who in the City was performing code enforcement. She had heard comments that the Council was not sure if the Pierce County employee who was on loan to the City, Kelly Tally, was performing this function. She stated she had also heard comments in the last meeting that the Mayor said that the Police Department would be performing code enforcement duties. John Jones stated that this was not related to the discussion of the ILA with Pierce County. Leanne Guier stated that it was related because the person on loan was covering for Roger Smith who was both the building official and the code enforcement officer for the City.

Jeanne Fancher-

Ms. Fancher read the agenda cover sheet. She asked that the Council please read the entire cover sheet. She stated that their motion did not match the cover sheet.

Councilmember Putnam called the question.

Mr. Luce, the City Attorney stated that calling the previous question stops debate.

Councilmember Walker asked to restate the motion.

Mr. Luce stated that the motion was to approve raising the fee from Pierce County from \$35 to \$42 dollars an hour.

The votes were as follows; all the votes were ayes.

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

THE MOTION CARRIED UNANIMOUSLY 7-0.

D. TriDelt Property Tax Payment Request- 7:31pm

Councilmember Putnam moved to approve; Councilmember Jones second;

Ken Luce the City Attorney addressed the Council about this pending legal issue. He is recommending that the City pay back taxes in the amount of \$53,000 in order to prevent certain LID properties from going into foreclosure with Pierce County. The Council wants to be sure that a title search is done on these properties. Mr. Luce will do that before a check is sent out but he is seeking Council approval tonight.

Councilmember Hulsey made a motion that this was contingent on a clear title; second by Councilmember Walker.

Councilmember McMahan stated it should say contingent on a title search acceptable to the Council, not a clear title.

Councilmember Hulsey withdrew his first motion and made a motion to accept that the payment was contingent on a title search acceptable by Council; Councilmember Putnam second.

Public Comment- 7:40pm

Don Barnett wanted to know why the City was buying and selling real estate. The City Attorney explained this payment.

Jeanne Fancher had a question about the ability of the property owner to pay the taxes on the last day. The City attorney explained that recourse was limited to the property.

Ken Scroggins wanted to know the location of the property. He was told where it was by Councilmember Steiger; between the gutter outfit and Stewart Road.

Kate Hull asked the City if the City could auction the property for back taxes and make a million dollars. Councilmember McMahan stated that could not happen. The City will only recoup the cost. They are leveraging real estate to recoup the cost.

Anita Scroggins wanted to know if the City could be outbid. She was told no, that this is a move to prevent the property from going to auction.

The votes were as follows: All the votes were ayes.

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

THE MOTION CARRIED UNANIMOUSLY 7-0.

E. Website Migration/Maintenance and Network Security Upgrade

Councilmember Putnam moved to approve; Councilmember Jones second;

The votes were as follows: All the votes were ayes.

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

THE MOTION CARRIED UNANIMOUSLY 7-0.

F. Civil Service Appointment - Removed from the agenda.

7. NEW BUSINESS

1. Update on CERB Agreement- 7:57pm

The Mayor said that when he came on board the City was behind schedule on this project. The Mayor said he moved the schedule out because he wanted to protect the City. He stated that CERB accepted his proposal. The Mayor said he had taken them to the control room and they reviewed everything. He said they were impressed. The Mayor said that the Executive Director said she had never seen anything like this. The Mayor said that she would back him up. She wanted to know who would run the program and she said she wanted a Public Works Director and an Engineer on board to manage the project. The Mayor said that the Council agreed to hire a 32 hour a week person and he is looking for someone. He stated that CERB said they will go ahead with the Valentine project and he has to fulfill the requirement. The Mayor said he is currently acting as the Public Works Director and CERB agreed. He said that CERB is in favor and they are going ahead. The Mayor said that there will be minor changes. He will find out in his upcoming meeting with the City of Sumner. Councilmember Jones stated that the contract with CERB had deadlines and now they are asking CERB for an extension. Councilmember Jones said that he heard the Mayor making adjustments to the scope of the project. Councilmember McMahan stated that they wanted a Public Works Director and he feels that the Mayor is not either. He stated that the City needs an Engineer. The Mayor stated that he did not want to bring on a new Public Works Director because at this point there would be too long of a learning curve. The Mayor stated that he wants the problems solved and then he will bring someone on and monitor the rest. The Mayor said that this control system is new for the City and the Council. The Mayor said he attended a meeting with Skillings and there are a lot of loose ends to be fixed before they can move on. The Mayor said that he told CERB he

was the acting Public Works Director and they agreed to that. Councilmember Jones said the letter from CERB cited an April 30th, 2012 date to be in compliance. The Mayor said that he is on schedule. Councilmember McMahan said that he was not comfortable with the Mayor appointing himself the Public Works Director and the City Engineer. Councilmember Guier read a letter sent by CERB. She said it says the City has to hire a qualified Public Works Director and City Engineer.

8:13pm – The Mayor responded and said that he is confident he can hold it all together and he will turn it over later. He stated this was his responsibility. Councilmember McMahan expressed his disagreement with the Mayor. Councilmember Putnam agreed that CERB wanted a qualified Engineer and a Public Works Director. Councilmember Hulseley asked the Mayor if he has discussed using Sumner’s Engineer. The Mayor stated that he has considered it. The Mayor asked the Council to have confidence in him as he was on schedule and within costs.

8. ORDINANCES/RESOLUTIONS

A. Resolution No. 12-1165- Surplus of Police Vehicles- 8:19pm
Lt. Massey addressed the Council.

Public Comment- None

Councilmember Hulseley moved to approve Resolution No. 12-1165; Councilmember Jones second;

Audience Comments- None

The votes were as follows: All the votes were ayes.

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

THE MOTION CARRIED UNANIMOUSLY 7-0.

B. Resolution No. 12-1166- Accepting Donation- 8:34pm
The Mayor and Mrs. Sun donated a television for the Youth center.

Councilmember Jones moved to approve Resolution No. 12-1166; Councilmember Guier second;

Councilmember McMahan thanked the Sun’s for the donation.

Public Comment

Barbara Sun stated that this was donated in the name of Shiloh Drott.

The votes were as follows: All the votes were ayes.

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

THE MOTION CARRIED UNANIMOUSLY 7-0.

C. Ordinance No. 12-1824- Amending PMC Section 14.48.110 Regarding Sewer Utility Leak Adjustment.- 8:36pm

Maria Pierce. Discussed the ordinance.

Councilmember Hulse moved to approve Ordinance No. 12-1824; Councilmember Putnam second;

Public Comment- None

The votes were as follows: All the votes were ayes.

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

THE MOTION CARRIED UNANIMOUSLY 7-0.

9. Executive session- adjourned. Councilmember Walker made a motion to recess; Councilmember Guier second. They will be out for 30 minutes. 8:41pm
9:12pm- Ten more minutes
9:19pm- Back in session

10. CONSENT AGENDA

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

Councilmember Putnam moved to approve the consent agenda; Councilmember Jones second; All the votes were *ayes*.

9.1

Meeting Minutes from March 26th, 2012, Continued Meeting Minutes from March 26th, Workshop Minutes of April 2nd, 2012 and Special Meeting Minutes from April 2nd, 2012.

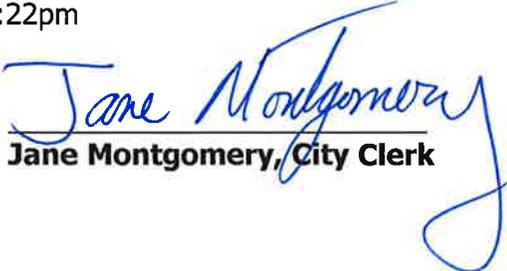
9.2

Approval of Payroll for period of March 16, 2012, through March 31, 2012, and Claim Vouchers for March 26, 2012 through April 9, 2012.

Payroll	4/5/12	Gross Amount:	\$ 82,890.28
	4/5/12	Payroll Deductions:	\$ <u>28,238.98</u>
		Total Payroll:	\$ 111,129.26
Voided Checks: 39445, 39664, 39696			- 11,489.48
Claim Nos. 39740			\$ 53,270.75
Claim Nos. 39741 – 39806			\$ 161,681.01
ACH Payments 359			\$ <u>9,256.26</u>
Total Claims			\$ 212,718.54
<u>Budget Impact:</u> Payroll and Claims for the above period total			\$ 323,847.80

The Council called for a Special Meeting on the 16th of April to ratify the Public Works Clerical contract. It will be before the workshop on that same night at 6:30pm.

11. **ADJOURN**-Mayor Sun adjourned the meeting at 9:22pm


Jane Montgomery, City Clerk