

ORIGINAL

**CITY OF PACIFIC
CITY COUNCIL MEETING
Date: April 23, 2012
Council Chambers
City Hall, 6:30PM**

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MEETING SUMMARY

1. CALL TO ORDER AND FLAG SALUTE

Mayor Cy Sun called the City Council Meeting to order at 6:33pm and led the Pledge of Allegiance.

2. ROLL CALL OF COUNCIL MEMBERS

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

Staff present: Jane Montgomery, Jim Pickett, Betty Garrison, and Ken Luce.

3. APPROVAL OF/ADDITIONS TO AGENDA

1. Councilmember Jones asked to add an item to New Business; he has a presentation to make in regard to Valentine Avenue and a letter to read.
2. Councilmember Steiger wanted to add item #H under the Report section for Council comments.
3. Councilmember Walker wants to add the Park Board under Boards and Committees. He also wants to pull the entire consent agenda out and then there will be a continued meeting for the consent agenda next Monday the 30th.

Councilmember Putnam moved approval of the amended agenda; Councilmember Hulse second; all the votes were ayes.

4. AUDIENCE COMMENTS-

6:39pm

Reva Bryant

Ms. Bryant thanked Bob Boyd and the Public Works crew for cleaning up the park.

Melinda O'Hara

Ms. O'Hara stated the Council needs to learn Roberts Rules of Order.

Jeanne Fancher

Ms. Fancher was happy with the turnout at the meeting she said she hoped it was due to Earth day. She had words of encouragement for the City of Pacific. She asked for people to stay calm and be centered and be aware of words. She read a Tibetan prayer.

6:44pm

Mark Manning

Mr. Manning is the Union Representative for the uniformed employees. He stated he was at the meeting to lend the support of Teamsters Local 117 to his members in a vote of no confidence in the Mayor. He was asked to read the letter out loud which he did. The letter was signed by all but two uniformed employees.

Jeremy Thompson- 6:52pm

Mr. Thompson represents Aggressive Ministries. He wanted support for the yearly pencil palooza event to collect school supplies and an associated barbeque. In the past the City has donated the fee for reserving the park. He asked for the fees to be waived again this year. The event will take place on August 25th.

Councilmember Walker made a motion to waive the fees and councilmember Hulsey second; all the votes were ayes.

Ken Scroggins

Mr. Scroggins stated that he had been on a road trip last week and when he returned he found a packet of information in the mail. The packet had claims against the Mayor in it. He stated that this was a cowardly deed. Mr. Scroggins said that John Calkins should have been fired 5 years ago. He said that John had been picked up by another officer when he was drunk. He stated that Councilmember Steiger and Hulsey were a joke. He stated that they fight everything the Mayor does. Mr. Scroggins said the Mayor has is 100% support.

Councilmember Guier wanted to have it in the record that the Council was not responsible for the packet of information which had been sent out.

6:57pm

Jack futch-

Mr. Futch is an employee of the City of Pacific and stated that he has lived in Pacific for 34 years. He stated that John Calkins was the first Chief who never pulled patrol duty or been where he was supposed to be. He stated that the Chief takes his City owned vehicle to pull his boat. He asked Council to talk to the Chief of Bonney Lake Police Department and he would tell them about Chief Calkins. Mr. Futch stated that the Chief is paid \$100,000 and does not even work. He would like the Chief to work the road but stated that he was not qualified to do so. He stated that the Chief cannot carry a gun or do the job other chiefs have done. Mr. Futch questioned why the Chief was up on a pedestal. He stated that the Police Department took his papers and threw them in the garbage for using fowl language. He stated that the Police Department needs a shakedown. He said he called about a trespass violation and the Police ignored it and after it escalated and he used fowl language he ended up with a citation. He stated his child was threatened and Algona Police ended up responding. He wanted to know why people think that Chief Calkins has done so much justice. He asked if the people knew what was done in the past. He stated that the Chief does not do his job but it taking it for a ride. He stated that every prior Chief pulled road duty and as a result the City did not need an extra officer. He stated that the chief shows up on calls in shorts and thongs and that is not a good image for the town. Mr. Futch stated that the Police Department took a rig to Oregon and tried to find something on the Mayor so that the Chief would look good.

Mr. Futch was told by Council that his time was up and the Mayor stated he could continue. The Council called for a recess at 7:03pm but the meeting continued. Councilmember Putnam stated that the rules say that there is a three (3) minute limit to public comments. He said Mr. Futch had gone beyond that limit. The meeting was called to order.

7:06pm

Howard Erickson

Mr. Erickson stated that he does not like the time that the Council meeting starts which is at 6:30pm. He stated that although the meeting is supposed to be run by Roberts Rules of Order, he does not see that happening. He stated that in many meetings Councilmember's are supposed to speak once and he sees them speak back and forth. He stated that the three minute deal was monkey business. Mr. Erickson stated that he would like to change the meeting start time to 7:00pm and run them by Roberts's rules of Order. He stated that it was tough on the working man to make it to a 6:30pm meeting.

7:10pm

Matt Noffke

Mr. Noffke read a declaration made by him into the record. The letter was in regard to the change of his towing status and comments made by the Mayor that Mr. Noffke was corrupt.

Jack Futch stated that the Mayor was told to do business with local business owners.

7:14pm

The Mayor thanked everyone for their participation in Earth Day events. He stated that he had not attended because his wife was having a nervous breakdown. The Mayor stated that he had appointed Sgt Picket as the acting chief of the Police Department. He introduced Sean Comfort of AHBL who he stated has given him support and Mason Skinner, now the acting Public Works Director. The Mayor stated that he was going to use consultants to cut costs.

Councilmember Jones asked the Mayor if he had signed a contract for these services. Sean Comfort stated that his company currently operates under an on call contract. He stated the intention was to go to the Public Works Committee for approval and then the City Council. He stated that the first contract was initiated in June of 2010 and is a task order contract only. He said that anything above \$2500 has to get approval from the Council. Mr. Comfort explained that he is available to work with staff. It was stated that the rate of pay for Mason Skinner was \$120 an hour.

5. REPORTS

A. Mayor- No Report
B. Finance- Betty Garrison stated that he title reports on the properties that the City paid the back taxes on; came back clean and the check will be mailed out. There is a Finance Committee meeting tomorrow night.
C. Court Statistics- In Packet
D. Public Safety Department- No Report
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) – No Report Pierce County Regional Council (PCRC) – No Report SCA – No Report VRFA – No Report
Kate Hull- Ms. Hull reported for the Park Board- Ms. Hull stated that 100 people showed up for the Earth Day events and she was pleased that the Mayor and 6 Council members also participated. They picked up 7,662 pounds of trash. She said that 2,941 pounds were picked up by the Feltman family who live on Butte Avenue. She feels that sending postcards out about the event helped to get the word out and increased citizen participation. All participants received a swag bag. Anne Cason had assisted in recruiting donors and 100 volunteers. GEO received a cash prize for their picture of the City Fountain. One man alone picked up 654 pounds of trash. She read the list of sponsors. She stated that the Lions club made money, a firefighter came with a power washer and cleaned up the graffiti on the benches, they had a coloring contest, a car wash, and all the event participants won money. Councilmember Steiger and Hulsey put together car wash kits which had been donated by Jerry Eck. Mr. Eck also supplied two twenty yard dumpsters for wood and plastic. Mr. Eck hauled off the dumpsters four or five times at no expense. Ms. Hull stated that more opportunities are coming up. She stated that the City park budget has been cut.

6. OLD BUSINESS

7. NEW BUSINESS- 7:33pm

A. Mayor's Presentation- Accomplishments and Future Projects – The Mayor asked to pull this item from the agenda.

B. Council Member John Jones read a prepared statement, dated April 23rd, 2012. The statement outlined complaints against the Mayor's management, Council relations, and public demeanor. Councilmember Jones then called for the Council to consider a vote of no confidence in the Mayor."

Councilmember Jones made a motion for a vote of no confidence in the Mayor; second by Councilmember Steiger.

7:37pm.

Public comment

Jack Futch

Mr. Futch asked Councilmember Jones where he had placed in the election for Mayor.

The Council voted on the motion for a vote of no confidence; all the votes were ayes.

8. RESOLUTIONS

Resolution No. 12-11XX

Councilmember Jones made a motion to pass Resolution 12-11XX. He then read the Resolution out loud. The Resolution called for the Mayor Pro Tem to execute an interlocal agreement with the City of Sumner relating to the right-of-way acquisition, final design and administration of the construction contract for the Valentine Avenue/136th Avenue corridor improvements. The motion was second by Councilmember Hulsey.

The Mayor stated that he has a meeting tomorrow in regard to the Valentine project. The Mayor said that the program was in jeopardy of being cancelled when he took over as Mayor. He stated that he had written a letter to CERB and the Board had come to the City and he showed them his control room and the information on the Valentine Project. The Mayor stated that they had been impressed. The Mayor said that this project had been behind schedule for seven years and he stated that he had worked hard to save it. He said that with the group he has they will make a new presentation to save the project. The Mayor said that the Mayor ProTem is trying to kick him out. He stated that he will save the project. The Mayor said now the Council wants the Mayor Protem to run the project. The Mayor said that if the Mayor Protem runs the project that it will go down. The Mayor stated that he talked to residents and he needs the chance to prove he will be successful. The Mayor said that if the Pro-Tem comes in, it will be too late. The Mayor stated that he objects to the Pro-Tem trying to run the City because he is the Mayor and he is running the City. The Mayor stated that he is trying to save the project that he had no responsibility for. He stated that if the Mayor Pro-Tem comes in; the Mayor will push him over.

Councilmember Jones read a letter from Mayor Enslow of the City of Sumner. The letter stated that if the City of Pacific did not enter into this interlocal agreement that the Mayor of Sumner would be forced to ask the Sumner City Council for approval to terminate the existing agreement with the City of Pacific and withdraw from the Valentine Avenue project. This letter had been sent to the Mayor of Pacific on April 20, 2012.

Mayor Sun said that he had talked to Mayor Enslow and he had agreed to get the group together with him to save the project... The Mayor stated that his plan was to use AHBL as the Engineer and Public Works Director to run the project.

Councilmember Steiger Called for the vote.

Councilmember Steiger stated that he had spoken to Jaclyn Woodson and she refuted the statements by Mayor Sun that he was competent and had given a fine presentation. Ms. Woodson stated that none of that was true and that she had not made the statements that the Mayor said she had. Councilmember Steiger pointed out that there was no letter from Ms. Woodson confirming the Mayors statements.

Councilmember Jones said that he wanted to address the statements made earlier in the meeting by the Mayor. He said that it is not true that he is trying to run the City. He said that he is an elected official and he is trying to ensure that the Projects are done. He stated the Valentine project was on the edge of termination because CERB had made it clear that the City of Pacific had to have a qualified person to run the project. Councilmember Jones said that it is his responsibility to address this issue. He stated that if the project terminated that the cost to the City would have been about \$750,000 and the City of Sumner could have sued the City for their losses and that would have brought the loss up to close to one million dollars. Councilmember Jones stated that he had communicated with the City of Sumner and with Jaclyn Woodson and there was agreement that is Sumner would take the lead then the project would stand a chance of being approved. It was with the assistance of all parties that this Resolution was written and is now before Council for adoption. Mr. Jones stated that he does not want the Mayors job. He said that he did not win the election and he is now doing his job as a Councilmember. To Jack Futch's question earlier in the meeting; he came in third in the election. Mr. Jones stated that it is his responsibility to make sure the city moves forward and that the Council has the right to identify problems and that they have the right to sign the agreement with the City of Sumner.

Councilmember Putnam Josh Putnam read the agreement with the City of Sumner for them to take the lead in the project. Councilmember Guier stated that the Council had the right to bring this forward. She stated that the Mayor had kicked Parametrix out of the meetings because they confirmed that the City was behind. She stated that the Public Works Committee members had talks with two Councilmember's from the City of Sumner.

Councilmember Tren Walker recommended changes to Section 2 in regard to termination. He wanted to add who could terminate the agreement, and that council action would be required. He also mentioned Page 5 under misc section 7A part 2, since the City of Pacific has no Public Works Director he wanted it to say the Chair of the Public Works Committee.

Councilmember McMahan stated that the designation of two representatives should be clear. Councilmember Walker made a motion to designate the representatives; second by Councilmember McMahan.

The Mayor made a motion to discuss this at the next workshop. Councilmember Hulsey stated that the Mayor is not allowed to make a motion. Councilmember Jones stated that they have to vote on this as it is the last council meeting before the April 30th deadline given by CERB.

Councilmember Hulsey made a motion to amend the resolution to designate John Jones and Clint Steiger as the representatives. All in favor; all the votes are ayes.

The City Attorney pointed out that the Council might want to assign a point of contact referring to page two, B.1. Councilmember Jones made a motion to make Clint Steiger the point of contact; second by Councilmember Putnam.

The Mayor stated that the whole Council was against him. He said that Elaine is replacing him and he asked Councilmember Guier to replace him as chair of the meeting.

Mr. Luce also pointed out changes needed to be made on item 7 page 5. The last needed amending to say Public Works Director of Sumner but Council President of Pacific, and he wanted to look into item three of 7.A.3 to address the termination language. He also wanted to insert on page 4 item 2, either party through their respective council by resolution. These changes will be made by staff.

Councilmember McMahan made a motion to approve the amendments to the resolution; Councilmember Putnam second, All the votes were ayes.

8:20pm

Hameed Quraishi

Mr. Quraishi stated that he was involved in the project at the onset. He thanked Councilmember Jones for looking out for the money. He believes that this project will cost citizens \$90,000 each. He stated that the majority of the people were against the project. He stated that he cannot afford this loan and this will put him under water. He urged the Council to consider this factor. He stated that voices were not heard. He asked Council to consider if they would put their own kids in this kind of debt. He stated that the road condition is good and is in better condition than the West Valley Highway.

Jack Futch

Mr. Futch stated that Councilmember Jones and Steiger are involved in development of this project. He stated that Bob Boyd and Mayor Sun had invited them to come out for a tour of the street and he stated that the previous management had messed this up.

John Jones stated that the Mayor had cancelled that tour. Mr. Futch said that at Councilmember Putnam's house Mr. Morgan, the previous City Engineer forgot a catch basin which should have been put in. Councilmember Jones asked Mr. Futch to limit his comments to the subject at hand.

Jack Futch stated that the previous Director had never gone out to address issues on the streets and now the City has to deal with it.

Councilmember Putnam stated that this is not about Councilmember Jones or himself; they are turning the project over to Sumner because they have a better track record.

Gary Nitschke

Mr. Nitschke stated that he had walked Valentine Avenue and it needs to be widened and there needs to be sidewalks

Councilmember Walker made a motion to approve the Resolution as amended; second by Councilmember Hulsey;

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.

The Council voted on the previous motion to approve the Interlocal Agreement which was attached to the Resolution as Exhibit A, with the City of Sumner; 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.

The Consent agenda was pulled off and will be the sole item on the agenda for a continued meeting to be held on April 30th, 2012.

9. CONSENT AGENDA

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

9.1 City Council Meeting Minutes from, April 9th, 2012; City Council Workshop Meeting Minutes of April 16th, 2012, Special Meeting Minutes of April 16, 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	4/17/12 (Signing Bonus)	Gross Amount:	\$ 13,500.00
		Payroll Deductions:	\$ 1,059.84
Payroll	4/19/12 (Police OT & Mayor)	Gross Amount:	\$ 2,253.14
		Payroll Deductions:	\$ 172.37
4/20/12		Gross Amount:	\$ 87,485.66
		Payroll Deductions:	\$ 30,950.23
		Total Payroll:	\$ 135,421.24

Voided Checks: 39814-39815, 39817

Claim Nos: 39807 – 39813	\$ 39,612.44	Claim Nos:
39816, 39819,39819	\$ 14,852.58	Claim Nos.
39820 – 39876	\$ 196,563.45	
ACH Payments 360-363	\$ 50,199.90	
Total Claims	\$ 301,228.37	

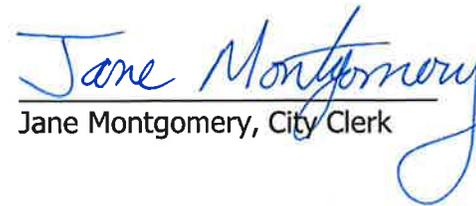
Budget Impact: Payroll and Claims for the above period total \$ 436,649.61

Recommendation: The Finance Director recommends approval of the Payroll and Claim Vouchers lists through the approval of the consent agenda items.

10. EXECUTIVE SESSION- None

Councilmember Jones moved to continue the meeting to April 30th, 2012; second by Councilmember Putnam.

11. Mayor Sun continued the meeting to April 30th, 2012.


Jane Montgomery, City Clerk