

**CITY OF PACIFIC**  
**CITY COUNCIL MEETING**  
**Date: October 22, 2012**  
**Council Chambers**  
**City Hall, 6:30PM**

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

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

**2. ROLL CALL OF COUNCIL MEMBERS**

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

Staff present: Betty Garrison, Angelica Solvang, John Calkins and Zach Luce.

Councilmember Jones move to approve the absence of Councilmember Walker; Councilmember Putnam second; Mayor excuses Councilmember Walker.

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

1. Councilmember Guier added the topic: Score Jail Contract under Old Business.
2. Mayor Sun removed item 7 B.
3. Councilmember Steiger added an executive session: Temporary appointment of Community Services Director and extension of Treasurer with a vote after executive session.

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

**4. AUDIENCE COMMENTS-**

Rachel Kringle – Rachel is concerned with the social services offered at the Senior Center if the City is to dis-incorporate. She offers her services to assist. She is trying to gain an education on what a backup plan would consist of. If anyone can assist her or give her direction she would be grateful.

Jack French – Jack asks if the Mayor can hear him. He does not appreciate what the mayor is doing to the city.

Mayor Sun responded that he was at the VA last week and was tested with a hearing aid. The physician reported that the Mayor's on the left side of his head, the Mayor could not hear good. On the right side, it is cracked with a steel plate in his head with ringing. There is not a way the doctor can fix that. Mayor Sun announced that he will step down and turn meeting over to the Council.

Councilmember Guier asked to put on the record that she tried to introduce the hearing assistance item.

Brenda Hall – withdraws her comment.

Gary Van Hee – 205 Hawthorne Ave – Gary has concerns with the insurance coverage ending December 31<sup>st</sup>.

Duwayne Gratz, 122 3<sup>rd</sup> Ave NW – Duwayne is concerned about the City not having any insurance and asks what is being done to get the insurance in place.

**5. REPORTS**

A. Mayor – No Report.
B. Finance – Betty Garrison, Treasurer, states on Wednesday there is a PCFOA meeting in Algona which the whole Finance staff will be attending. The window will be closed. Finance staff is currently moving furniture to make room for new City Clerk. The audit is moving along and the packet for the entrance meeting is in each Councilmember’s box. Finance Committee meets tomorrow at 6:30 p.m.
C. Court Statistics – No Report.
D. Public Safety Department – John Calkins informed Council that they have interviewed and conducted background checks for a Evidence Technician and a Police Officer. They are a month out between other exams and if they successfully past those tests then he will present the applicants to the Mayor and hopes he hires them.
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. Councilmember Jones comments on the Valentine project. He met with the City of Sumner and has an upcoming meeting with Gordon Trucking to discuss an MOU for the Stewart Road project this Thursday.
H. City Council Members – Councilmember Steiger states he passed out a letter tonight to the Councilmembers that there was a temporary construction easement on Stewart Road on the Gordon Trucking properties and that was cancelled as of July 12 <sup>th</sup> . This means anything that happens on Stewart Road is a City expense. Gordon Trucking has spelled out their wishes in the letter that states the area that they had given the City the right to use was supposed to be cleaned up by the end of July and nothing has been done. Councilmember Jones will communicate with Gary Richardson from Skillings and Connolly and have information by Thursday’s meeting. Councilmember McMahan and Councilmember McMahan have started examining the issues dis-incorporation timelines and plans. In order to get the dis-incorporation ballot measure, Council would have to adopt a Resolution. Councilmember McMahan moved to have a special meeting on October 29, 2012; Councilmember Hulsey second;  Public Comment: Don Tompson, 416 2 <sup>nd</sup> Ave SE – States he is on the committee to recall the Mayor. He further states that the Union supports them. In December he will have endorsements from major businesses in town and with the City Attorney and himself working together there might be a possibility the City can obtain an extension on the City’s insurance. Zach Luce makes a statement that the City Attorney has

nothing to do with the recall process.
I. Park Board – No Report.
J. Planning Commission – No Report.
K. Civil Service Commission – No report.

**6. OLD BUSINESS**

**A. Resolution No. 12-1202, Authorizing A Contract With Public Safety Testing –**

Councilmember Hulsey moved to approve Resolution 12- 1202; Councilmember Putnam second;

Councilmember Hulsey states there is a \$500 a year fee associated with that and which will allow the City to put Officers in place more quickly.

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

**THE MOTION CARRIED 6 to 0.**

**B. Bond Release –**

Frank Mellas, Sound Inspection, states this is for the bond on repairs of the sewers. They found the tapes that showed the before and after and it showed that it was fixed. The prior City Engineer had also approved it. Councilmember Hulsey move to release the bond; Councilmember Putnam second;

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

**THE MOTION CARRIED 6 to 0.**

**C. SCORE Jail Contract –**

SCORE is a jail facility where several cities are participants. We buy bids at a reduced rate to handle our population of inmates and SCORE has a medical facility, dental facility and psychiatric ward. Once an inmate goes to SCORE, Officers do not have to transport them to a hospital. Prescriptions and medical care is covered. John Calkins clarifies the contract terms to Council.

**MOVED TO THE NEXT COUNCIL WORKSHOP.**

**7. NEW BUSINESS**

**A. Utility Waiver Request –**

Karen Helya handles the bookkeeping for her father is Aldo Farhina who owns a home that is billed garbage and stormwater. She has not seen a bill from the City of Pacific for a long time. They have went through three tenants and she assumed they were paying the billing. She has paid the principal on the balance but has come before Council to ask waiver of the penalties. Zach Luce is concerned if a waiver is given that it would be a gift of public funds and setting a precedence. Councilmember Steiger would like to postpone this issue and have a meeting with Gerina Dahl.

**MOVED TO THE FIRST WORKSHOP IN NOVEMBER.**

**B. Temporary Appointment Of City Clerk – Removed.**

**8. ORDINANCES/RESOLUTIONS**

**A. Resolution No. 12-12-1203 – Authorizing The Mayor To Enter Into And Sign A Washington Public Agency Contract With MRSC For Small Works Roster And Consultant Roster**

Betty Garrison states this is a renewal of the annual contract with MRSC.

Councilmember Putnam moved to approve Resolution No. 12-1203;  
Councilmember Hulsey second;

Council Comment: Councilmember Putnam commented that the City has been renewing each year. Councilmember McMahan asks Betty if the Mayor will sign the Resolution. Betty replied that the Mayor will sign it.

Public Comment: None.

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

**THE MOTION CARRIED 6 to 0.**

**B. Resolution No. 12-1204 – Authorizing The Mayor To Execute An Interlocal Agreement Between The Cities Of Algona, Edgewood, Milton and Pacific For The Regionally Streamlining Stormwater Permitting Project**

Dave Hill, Mayor of Algona states that this started about a year ago when they applied to the Department Of Ecology. They are trying to do a pilot project that allows cities to band together. Their City Attorney and the City Attorney for the

City of Milton has drawn up the interlocal agreement.

Councilmember Hulsey moved to approve Resolution No. 12-1204;  
Councilmember Steiger second;

Council Comment: Councilmember Guier states the City of Milton will oversee the project. The City of Pacific is currently without a Public Works Director. Councilmember Jones states the Mayor should sign the agreement and then designate an appointee from Pacific. Betty Garrison suggests Jim Schunke.

Public Comment: Jeanne Fancher - She states that she has written stormwater education plans in the past and recommends to Council to move this plan forward.

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

**THE MOTION CARRIED 6 to 0.**

**C. Ordinance No. 12-1834 – Amending The Budget For The Year 2012 And Amending The Adopted Staffing Level**

Betty Garrison states at the Council workshop the question was raised regarding the adopted staffing levels which show 4 police Officers. At the workshop meeting, Councilmembers felt it was a typo and she was tasked with doing a staff worksheet to prove how many offices were budgeted for and making it balance with the budget. She provided Council with three different options.

Councilmember Hulsey moved to approve Ordinance No. 12-1834 at the 6 officer level; Councilmember Steiger second;

Council Comment: Councilmember Hulsey asks John Calkins how much have the City has spent in overtime. John has not seen the latest numbers. Councilmember Hulsey is concerned the Officers are working too many hours overtime and likely to make mistakes.

Public Comment: Rachel Kringle, 233 3<sup>rd</sup> Ave SW – Wants to see more Police Officers.

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

<b>THE MOTION CARRIED 6 to 0.</b>		
<b>D.</b> Resolution No. 12-1205 – Authorizing The Mayor To Enter Into And Sign The Supplemental Agreement No. 9		
Councilmember Hulsey moved to approve Ordinance No. 12-1205; Councilmember Putnam second;		
Council Comment: Councilmember Jones states that Skillings and Connolly is working on the Stewart Road project and on the MOU with Gordon Trucking.		
Public Comment: none.		
	Aye	Nay
Councilmember Walker		
Councilmember Guier	X	
Councilmember McMahan	X	
Councilmember Putnam	X	
Councilmember Jones	X	
Councilmember Hulsey	X	
Councilmember Steiger	X	
<b>THE MOTION CARRIED 6 to 0.</b>		

**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.** Claim Voucher & Payroll Approval

Councilmember Steiger moved to approve the Consent Agenda with check No. 4584 removed;  
 Councilmember Putnam second; All ayes.

Councilmember Putnam asks Betty if the Auditor has an opinion on this issue. Betty states it is on their list. Councilmember McMahan moved to approve payment of check No. 4584; Councilmember Putnam second; Councilmember McMahan stated for the benefit of those in the audience that Council has shared their concern with the inappropriate use of administrative leave and wanted to pay this and research it later. Councilmember Putnam added that the City is not withholding funds since payroll has already been released.

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

**THE MOTION CARRIED 4 TO 2.**

Councilmember McMahan moved to suspend the rules and add to the agenda a briefing about a

Writ of Cert being pursued by the Mayor through his own attorney regarding the Civil Service Commission's ruling and he is not sure that has been authorized by Council. Zach Luce suggests adding this topic to the executive session; All ayes.

Council moved to Executive Session to discuss contract extensions for the Community Services Director and Interim City Treasurer and the Writ of Cert for 35 minutes at 8:15 p.m. with a possible vote. Council reconvened at 8:50 p.m.

**B. Temporary Appointment Of Community Services Director –**

Councilmember Hulseley moved to extend the contract for the Community Services Director; Councilmember Putnam second;

Councilmember McMahan moved to amend the motion to add that the confirmation of the Mayor's appointment of Sheryl Finwall be effective until December 31, 2012 or until a permanent successor is hired and confirmed whichever comes sooner; Councilmember Guier second; Councilmember McMahan states this is reasonable since it is shortsighted to only approve an extension for 25 days or less and believes stability is priority and if the Mayor has plans to hire a permanent successor then this still enables the Mayor to do that but also would rather ensure continuity through the end of the year. Councilmember Putnam states the short temporary appointment is not feasible. Voice Vote: 4 to 2 to approve the amended motion. Councilmember Hulseley and Councilmember Steiger voted no.

**THE MOTION CARRIED 4 TO 2.**

Original motion roll call vote:

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

**THE MOTION FAILED 3 TO 3.**

Councilmember Jones does not understand why the original date was chosen as Council modified it until the end of the year. Putnam says the agenda cover sheet gives the reason. Betty states that she was told that there wasn't time between October 12<sup>th</sup> to go through the whole process and to a work session and then to a Council meeting, therefore it had to wait for the next work session. That is why the Mayor chose the date of the 15<sup>th</sup> in order to have time to take it to Workshop and Council to expedite the process.

Public Comment: Jeanne Fancher – States that Ms. Finwall seems to be doing a great job and would like to have a community report and report on the Code of Conduct on City's facilities.

Councilmember Putnam made a motion move to approve the extension as originally presented and for no longer than November 15th; Councilmember Guier second;

Councilmember Putman is concerned about maintaining insurance coverage and they need to fill vacant management positions and continuity without gaps. Councilmember Hulseley states that ounce a vote is taken, in order to reconsider the vote you need to make a motion to reconsider the issue. Councilmember Hulseley is motioned to reconsider the issue;

Councilmember Putnam second; Voice Vote: 5 to 1 to approve the reconsideration of the issue. Councilmember Jones voted no.

**THE MOTION CARRIED 5 TO 1.**

Councilmember Putnam moved to strike the amendment and stick to the original language; Councilmember Hulsey second;

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

**THE MOTION PASSED 5 TO 1.**

**C. Extension Of Interim Appointment Of City Treasurer –**

Councilmember Putnam moved to approve extension of Interim Appointment of City Treasurer; Councilmember Guier second; Councilmember Jones makes a friendly motion to modify the existing motion to extend the contract to December 31, 1012 or until a permanent director is hired; Councilmember Hulsey second;

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

**THE MOTION PASSED 6 TO 1.**

Councilmember McMahan composed Resolution No. 12XXX, a Resolution of the City Council authorizing the City Attorney to seek and recommend legal representation subject of the Council President's approval to represent the City of Pacific in a Writ of Cert. Councilmember Hulsey moved to approve the Resolution; Councilmember Jones second; Councilmember Putnam offers a friendly amendment to the effective date that this Resolution is effective immediately; Councilmember McMahan states for the record to be clear that the intent of the Resolution is to give the Council President approval to hire a secondary Attorney specific to this matter and does not have to come back for approval. All ayes.

**10. ADJOURN-** The meeting adjourned at 9:20 p.m.

  
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Angelica Solvang, Interim City Clerk