

**CITY OF PACIFIC
CITY COUNCIL MEETING
January 14, 2013
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..

Mayor:

Cy Sun

2. ROLL CALL OF COUNCIL MEMBERS

Leanne Guier, excused

Gary Hulsey

John Jones

James McMahan, excused, arrived at 6:35 p.m.

Josh Putnam

Clint Steiger

Tren Walker, excused

Staff present: City Clerk Patti Kirkpatrick, Finance Director Betty Garrison, Acting Public Works/Community Development Director Ken Barnett, and City Attorney Ken Luce.

Councilmember Jones Moved and Councilmember Putnam seconded the motion to excuse Councilmembers Guier, Walker, and McMahan. Upon voice vote, the motion passed unanimously.

3. APPROVAL OF AGENDA

Councilmember Jones added: New Business Item 8C Authorizing the Mayor to Bind Boiler and Machinery Insurance Coverage.

Councilmember Putnam Moved and Councilmember Jones seconded the motion to approve the agenda as amended. Upon voice vote, the motion passed unanimously.

4. AUDIENCE COMMENT

Mr. DuWayne Gratz provided the Mayor with a copy of his questions as follows:

- Why are department directors not attending meetings and providing bi-weekly updates, or in the alternative provide a written report to the Council.
- When will the City hire the two (2) budgeted patrol officers? He noted that the citizens have a real concern about public safety, especially at the Al-Pac Elementary School. Mayor Sun responded that this is not an appropriate time for questions and

answers, nor is it an argument session, and that he was in no position or mood to argue in this meeting.

- Why don't the Councilmembers require the Mayor to answer their questions fully rather than let the Mayor state he wants to think about it, discuss it in executive session, or defer his answer to a future workshop meeting?
- Why aren't the Mayor's blogs discussed at workshops or regular meetings as his blogs contain inaccurate, deliberately misleading and/or false data?
- Requested a status of the meeting between the Mayor and the State Auditor, along with a list of the Mayor's comments.
- What is the legality of the Mayor retaining his own attorney on behalf of the City to file the Petition for Writ of Certiorari to reverse the Civil Service Commission's decision to reverse the firing of John Calkins as Public Safety Director?
- Requested a list of claims (including the detailed claims) submitted by claimants against the City of Pacific since January 12, 2012.

Mr. Russell Tyree spoke to the importance of having a fully staffed police department that can quickly respond to calls; and urged the Mayor and Council to hire the additional officers, noting the City was being irresponsible in not hiring the officers, and if something happens it will be on the head of the individual who wouldn't let the officers be hired.

Mr. Patrick A. Perry questioned the Mayor as to why he does not step down, and that he doesn't have to leave town, just step down as the Mayor.

Mr. Gary Van Hee provided a written comment to the Mayor regarding the hiring of police officers, noting that it appears the Mayor is not moving forward with the hiring due to a disagreement with Public Safety Director Calkins, which is not fair to the citizens of Pacific. He urged the Mayor to do the right thing by hiring the additional officers.

Mr. Stacey Jackson reported on his recent ride along with a Police officer where he got to experience firsthand the seriousness of not having a fully staffed police force. He voiced concern that failure to fully staff the police force will further jeopardize insurance coverage and urged the Mayor and Council to fully staff the police department.

5. **REPORTS**

Mayor – Mayor Sun reported there was a fire last weekend, no casualties, and thanked Valley Regional Fire Department for its quick response; and advised that he would work with the City Clerk, the Council, and City Attorney in drafting an ordinance to allow citizens to have a newspaper box that he hoped to present at the next meeting.

Finance – Ms. Garrison reported that the upgrades to Springbrook Software were proceeding smoothly, however, she noted there was still some cross training to do and some fine tuning of the program, which they will continue to work on over the next six weeks with Springbrook's technical support staff.

Court Statistics – Written report was included in the Council's packet.

Public Safety Department – Councilmember Steiger providing some handouts and a receipt showing he paid for the copies, to the Council and public regarding the Mayor using the City of Orting for his comparison of the Pacific Police Department as noted in Mayor Sun’s recent blogs. He explained there were some differences and he wanted the public to be aware of all the facts. Mayor Sun rebutted that this is a government meeting that he will not debate on issues of personality or personal correspondence outside of the City’s realm and that it was possible that Councilmember Steiger did not have access to the same documents that he had when he wrote his blogs. Mayor Sun stated he rests his case and it was time to move on.

Public Works/Community Development – Acting Public Works/Community Development Director Barnett reported a water leak on Tacoma Boulevard has been fixed and thanked the public works crew for their hard work on the project.

Community/Senior/Youth Services – No report given.

City Council – Councilmember Jones questioned who authorized the ad for the Request for Proposal for a new City Attorney to be advertised. It was his understanding that the Council had not discussed the need for a new City Attorney. Mayor Sun responded that he directed the City Clerk to post the ad for a new City Attorney for his own information in case there was a possibility of hiring a new attorney. He further stated that he does not recognize Mr. Luce as his attorney for City matters, that he did not want to go into further details at this meeting, and therefore he had directed the City Clerk to post the announcement. Councilmember Jones reminded the Mayor that this is a Council selected position and the Mayor is not authorized to post an announcement until the Council or the City Attorney provides 30 days notice that Mr. Luce’s services are no longer required. If in the future, the Council has a need to go out for City Attorney services, they would then work with the Mayor on finding an appropriate replacement. Councilmember Jones strongly reminded the Mayor he cannot hire, appoint, or select a new City Attorney, and the Council will not support any avenue of going out for a new City Attorney until such time the Council as a whole makes that determination.

Councilmember McMahan sought clarification from the City Attorney of what happens now that the Request for Proposal has been submitted and if there would be any repercussions to the City for the Mayor’s handling of this issue. Mr. Luce responded that he would have to research the matter and get back to the Council.

Councilmember Hulsey had two concerns:

- Why is the City’s park closed? Mayor Sun replied that the Public Works Lead, Mr. Boyd had advised him in October that it was standard practice to close the park during the winter due to possible flooding. Councilmember Hulsey requested the Mayor to reopen the Park driveway to allow citizens to walk their animals, to which the Mayor replied that Councilmember Hulsey assumes the liability if there is a flood.
- The Mayor’s most recent blog posting wherein he again challenges Mr. Hulsey’s military discharge. Mr. Luce read into the record the information contained on Councilmember Hulsey’s DD214, noting he was honorably discharged after serving his country from 1965 to 1971. The Mayor stated that he got his information from the VFW and to him this issue was dead.

Councilmember McMahan reported that the Valley Regional Fire Authority received an improved protection class rating, which will lower Pacific resident's property tax bill. The new rating went from a Class 6 to a Class 4; and he attributed this change in the professional management of the Valley Regional Fire Authority.

Councilmember Jones asked that a discussion item regarding reorganization to a Council/Manager form of government be added to the Workshop agenda.

Councilmember Steiger handed out the definition of the words *lie* and *corruption* to further assist the Mayor. He suggested that a flyer be put into the City's utility bills regarding the new fire class rating and to encourage citizens to notify their insurance agents of the new rating.

Councilmember McMahan encouraged the Mayor to contact Councilmember Guier regarding the newspaper boxes as she was looking at how City residents could opt in/out of receiving the newspapers from the Auburn Reporter.

Personnel – No report was given.

Committee Boards

Park Board – Written report was included in the Council packet. **Ms. Cheri Cason**, Park Board Commissioner, reported that a scrap book of 2012's Earth Day is available for viewing; reviewed the survey results for park usage, noting that the majority of respondents wanted a dog park, and then picnic areas; that the parks need better signage, doggy waste stations, covered areas, and walking paths.

Ms. Kate Hull, Park Board Commissioner, asked the Mayor to fill their vacant seat in order that the Board can work on upcoming projects such as: Earth Day on April 27, 2012; Pacific Days; and overall maintenance of the 13 parks the City now owns.

In response to Councilmember McMahan, Ms. Hull advised that last year the Board looked at reducing the rental fees for City residents in the hopes of increasing usage of the parks, but lost traction.

In response to Mayor Sun, Ms. Hull stated that the park has not been closed previously.

Ms. Paula Wiech recalled that City park bathrooms are generally closed for the winter due to the heavy rains and suggested the Park Board revisit park impact fees.

Public Works – No report provided.

Civil Service – No report provided.

Planning Commission – No report provided.

South King County Transportation Board (SKTBD) – No report provided.

Pierce County Regional Council (PRCR) – No report provided.

Suburban Cities Association (SCA) – No report provided.

Valley Regional Fire Authority (VRFA) – No report provided.

6. PUBLIC HEARING –NONE

7. **OLD BUSINESS – NONE**

8. **NEW BUSINESS**

A. First Reading of Resolution No. 2013-001, Amending City Council Rules and Procedures

The City Clerk provided a staff report, noting changes to the Council's Rules and Procedures were discussed at the January 7, 2013, workshop and staff was directed to bring forward the proposed changes. Unfortunately, the City Clerk had not yet received the Word version of the Rules and Procedures and suggested the Council remand this item back to Workshop for further discussion.

Councilmember Hulsey Moved and Councilmember Putnam seconded the motion to remand Resolution No. 2013-001 to Workshop for further discussion.

Council discussion ensued regarding the need for a *Claims Committee*, which may be necessary to review the claims to consider the more routine in nature claims that will not go to litigation.

Upon vote, the motion to remand Resolution No. 2013-001 to Workshop passed by unanimous voice vote.

B. Adoption of Resolution No. 2013-002, Authorizing the Mayor to Execute Amendment No. 1 to the Interlocal Agreement for Information Technology (IT) Services with the City of Auburn

The City Clerk provided the staff report, noting the City entered into an Interlocal Agreement for Information Technology Services with the City of Auburn in September 2011, and this Resolution is for a time extension only. All other terms and conditions remain in full force and effect.

Councilmember Jones Moved and Councilmember Hulsey seconded the motion to adopt Resolution No. 2013-002, authorizing the Mayor to execute Amendment No. 1 to the Interlocal Agreement for Information Technology (IT) Services with the City of Auburn. Councilmembers Steiger, Hulsey, Jones, McMahan, and Putnam voted in favor. The motion carried.

C. Adoption of Resolution No. 2013-003, Authorizing the Mayor to Bind Boiler and Machinery Insurance Coverage

The City Clerk provided the staff report, noting this coverage was previously covered under the CIAW policy and the new Broker wanted to ensure the Council knew about the endorsement and at the January 7, 2013 workshop directed staff to bring forward for approval. She further explained that she is working on obtaining a quote for *Employee Dishonesty (Crime)* coverage and once the Mayor has signed the application she will submit to the Broker and bring the quote to a future Workshop for discussion.

Councilmember Putnam Moved and Councilmember Jones seconded the motion to adopt Resolution No. 2013-003, authorizing the Mayor to bind Boiler and Machinery Insurance Coverage. Councilmembers Hulsey, Jones, McMahan, Putnam and Steiger voted in favor. The motion carried.

9. CONSENT AGENDA

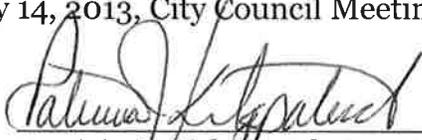
- A. Approval of Payroll for the Period of December 16, 2012 through December 31, 2012; and Claim Vouchers for the Period of December 27, 2012 through January 14, 2013.
- B. Approval of the December 26, 2012, Council Meeting Minutes
- C. Approval of the December 31, 2012, Special Meeting Minutes
- D. Approval of the January 7, 2012, Workshop Meeting Minutes

Councilmember Putnam Moved and Councilmember Jones seconded the motion to approve the Consent Agenda. Councilmembers Hulsey, Jones, McMahan, Putnam, and Steiger voted in favor. The motion passed.

10. EXECUTIVE SESSION – NONE

11. ADJOURN

At 7:56 p.m. Mayor Sun adjourned the January 14, 2013, City Council Meeting.



Patricia J. Kirkpatrick, MMC, City Clerk