

**CITY OF PACIFIC
CITY COUNCIL**

**WORKSHOP MEETING
February 4, 2013**

**City Hall ~ Council Chambers
City Hall, 6:31 pm**

MEETING MINUTES

Roll Call

Leanne Guier, Council President
John Jones
Tren Walker, absent
James McMahan, arrived at 7:12 p.m.
Josh Putnam
Gary Hulse
Clint Steiger

Mayor
Cy Sun

Staff Present: Acting Public Works/Community Development Director Ken Barnett; City Clerk Patti Kirkpatrick; Finance Director Betty Garrison; and Lt. Edwin Massey.

Council President Guier called the meeting to order at 6:30 p.m.

Changes/Additions

Agenda Items Added:

Executive session on Hansen properties and potential litigation
3K Discussion: Re-Establishing the Position of Chief of Police (Mayor)
3L Discussion: Salary for Councilmembers for 2013 election (City Clerk)

At 6:33 p.m., Council President Guier adjourn the Workshop into a 20 minute executive session to discuss Hansen property and potential litigation in accordance with RCW 42.30.110(i) and invited Acting Public Works Director Barnett and City Clerk Kirkpatrick to attend and announced no action would be taken. Mayor Sun noted a conflict of interest and recused himself from the executive session. At 6:53 p.m. Council President Guier reconvened the Workshop meeting.

AGENDA ITEMS

A. Discussion: Confirmation of Appointment to the Civil Service Commission

Mayor Sun asked the Council to confirm his appointment of Mr. Howard Erickson to the Civil Service Commission, noting Mr. Erickson, by his reasoning is a square shooter, a man with integrity; and has had experience and understands the working of the City of Pacific. He stated Mr. Erickson would be an asset serving on the civil service commission.

Councilmembers posed the following questions:

- Was any consideration given or concerns with the other applicants? The Mayor responded that he had reviewed the other two applicants, but his choice is Mr. Erickson.
- Why not consider Mr. Aubrey who is an experienced prosecuting attorney with legal experience? The Mayor replied that he had read Mr. Aubrey's resume, which was impressive, but he thought Mr. Erickson would be a better man as he understands the City having been the Mayor twice, and he is convinced that Mr. Erickson would put the City first, which he felt was an asset that overrides what Mr. Aubrey wrote in his resume.
- Has Mr. Erickson's name been brought forward before for appointment to the Civil Service Commission? The Mayor responded that he has and the Council voted him down, and he believed the Council voted him down because they hate him, which is an act of prejudice against him as there is no reason why the Council should not appoint Mr. Erickson to the Civil Service Commission as he is qualified. Mayor Sun stated he would continue to bring Mr. Erickson's name forward for appointment and there is nothing to stop him from doing that and that is all he has to say.

Council President Guier clarified with Mayor Sun that it was her understanding that he would not be willing to entertain a recommendation for that appointment from the Council, and Mayor Sun responded that as the Mayor he is the one working with the Civil Service Commission and who he selected is justifiable.

Direction: This item was not moved forward.

B. Discussion: Letter of Understanding – Teamsters Local Union No. 117

Mayor Sun provided a staff report, noting the collective bargaining unit members recently met and voted to increase their contribution rate to the Wager Diversion to Western Conference of Teamsters Pension Trust by \$0.25 per hour effective February 1, 2013.

Council discussion ensued, noting staff is already making a contribution to this pension trust and merely are asking to increase their contribution rate; and discussed the Mayor attending the bargaining unit's meeting regarding this issue and cautioned the Mayor from attending those meetings in the future. Mayor Sun responded that he merely observed; that he was invited to attend the meeting by the Union Representative; and he did not negotiate or speak during the meeting. He stated that after the meeting Ms. Shannon asked him for his opinion and he told her he had none.

Direction: Council directed this item be moved forward to the February 11th meeting to authorize the Mayor to sign the Letter of Understanding; and cautioned the Mayor that in the future he should not attend collective bargaining meetings.

C. Discussion: Preventative Maintenance Services Agreement with ACCO Engineered Systems – HVAC Systems

Lt. Massey provided the staff report, noting this is the Valley Regional Fire Authority's choice of vendor and the police department wanted to continue with that continuity.

Direction: Council directed that this item be brought forward to the next regular meeting for approval.

D. Discussion: Police Department Copier Lease with Pacific Office Automation

Lt. Massey provided the Staff Report, noting after doing some research on pricing this vendor was chosen due to the cost savings and that they were part of the state purchasing contract.

Direction: Council directed that this item be brought forward to the next regular meeting for approval.

E. Discussion: AWC's City Legislative Action Conference

Council President Guier explained that she would be attending this conference and in accordance with the City's travel policy, is seeking approval from Council to attend.

Councilmembers discussed the advantage of Councilmember Guier's attendance at the Conference, and items on the legislative agenda such as local speed limit bill and public records act changes which will have an impact to the City

Discussion: Council directed that this item be brought forward to the next regular meeting for approval.

F. Discussion: CIAW – Extended Reporting Coverage

City Clerk Kirkpatrick provided the staff report, noting this is the tail coverage that the Council needed to determine if they were going to pay for two years or just one year.

Council discussion ensued regarding how much coverage would be needed and asked the City Clerk to contact CIAW that if they approve a two-year policy would that payment be split up for each year.

Direction: Council directed that this item be brought forward to the next regular meeting for approval of a 12 month policy and an answer regarding splitting the payments.

G. Discussion: Drug and Alcohol Consortium Coverage

City Clerk Kirkpatrick provided the staff report, noting it is a federal requirement that all CDL drivers must undergo random drug and alcohol testing, something which has not been happening at the City of Pacific. She had spoken with Association of Washington Cities (AWC) who has a drug/alcohol consortium that the City can join and recommended this would be best solution for the City. Further, she had spoken with the Union Representative regarding this matter who indicated she would like to open the collective bargaining for just this issue.

Council discussion ensued as follows:

- Drug and Alcohol testing is not part of the Collective Bargaining Agreement (CBA), it has been overlooked and should have been done a long time ago.
- AWC has a program in place to do all of the work for the City at a base fee of \$175 per year, with a \$52 per person random testing fee.

- Consider using a mobile unit to conduct the pre-employment testing that was suggested by AWC for the public works employees, the Water Manager, Building Inspector and the staff in Community Services who drive the van.

Direction: Council directed that this item be brought forward to the next regular meeting for approval of AWC's drug and alcohol consortium agreement and draft letter of understanding to the Union regarding the federal law on this matter and a date when the City will open the Collective Bargaining Agreement in March.

H. Update: Website

City Clerk Kirkpatrick provided the staff report, noting that direction was being sought regarding the draft web hosting maintenance agreement and which option they would like to pursue.

Direction: Council directed that the City Clerk meet with Auburn IT regarding how user friendly the new website will be for staff to upload items and then to bring this item forward to the next workshop for further discussion.

I. Discussion: Personnel Policy and Procedures

City Clerk Kirkpatrick explained that it was important to get a Personnel Policy adopted and that there were still many issues to resolve as the policy does not match up to the current collective bargaining agreements.

Council discussion ensued regarding those policies that have already been adopted by Council such as the travel, procurement, donations and financial policies, be incorporated into the existing Personnel Policy by reference.

Direction: Council directed that this item be brought forward to the next regular meeting for approval with the previously adopted policies incorporated.

J. Discussion: Resetting the Date of Public Hearing – Medical Marijuana Moratorium

Acting Public Works/Community Development Director Barnett provided the staff report, noting that staff did not realize the date was a Workshop and was asking the Council to move to the regular meeting on February 25th.

Direction: Council directed that this item be brought forward to the next regular meeting for approval.

K. Discussion: Re-Establishing the Position of Chief of Police

Mayor Sun stated he was asking the Council to repeal the public safety director job description and ordinance as that position directs both the police and fire departments and the City only has a police department.

Council discussion ensued regarding who has final say in the job descriptions – Civil Service or the City Council; and their concern that while there is an employee in the position of Public Safety Director, it was not appropriate to change the job description as it could have legal implications.

In response to Councilmember McMahan, the Mayor stated he preferred not to discuss whether he sought legal counsel regarding the intricacies of this issue before bringing to the Council and rests his case.

Discussion: Councilmember Jones will research this issue with a report at the February 19, 2013, Workshop. Issues for consideration are pending lawsuit, legality of changing the job description and if the Civil Service Commission can override the position. Council President Guier will speak to the City Attorney regarding the appropriateness of any action while there is a pending lawsuit by a private party on the ruling.

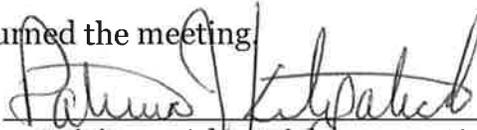
L. Discussion: Elections Salary for 2013

City Clerk Kirkpatrick explained that Pierce County is gearing up for the General Election and she wanted to ensure there were no salary changes before approving the jurisdiction form. Council indicated there would be no changes to the Council salary at this time.

Councilmember Guier announced she would not be at the February 19, 2013, workshop.

ADJOURN

At 8:30 p.m. Council President Guier adjourned the meeting.



Patricia J. Kirkpatrick, MMC, City Clerk