

**CITY OF PACIFIC  
CITY COUNCIL MEETING  
February 11, 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.

**2. ROLL CALL OF COUNCIL MEMBERS**

Leanne Guier  
Gary Hulse  
John Jones  
James McMahan, excused, arrived at 6:34 p.m.  
Josh Putnam  
Clint Steiger  
Tren Walker

Staff present: City Clerk Patti Kirkpatrick; Finance Director Betty Garrison; Acting Public Works/Community Development Director Ken Barnett; Utility Billing Clerk Angelica Solvang, Community Services Director Sheryl Finwall, Lt. Ed Massey, Court Administrator Kelly Rydberg, Police Records Specialist Stephanie Shook, and City Attorney Ken Luce.

**Councilmember Jones Moved and Councilmember Hulse seconded the motion to excuse Councilmember McMahan. Upon voice vote, the motion carried by unanimous voice vote.**

**3. APPROVAL OF AGENDA**

Councilmembers added the following item:

- 7A. Job Description of Utility Billing Clerk
- 8P Payment of Attorney Fees for Mayor Sun

Councilmembers removed the following items:

- 5Gii Manager Form of Government Update
- 8A Ordinance No. 13-1841 and was moved to the February 19, 2013 Workshop
- 8B Civil Service Commission Appointment
- 8C Ordinance No. 13-1842 and was moved to the February 19, 2013 Workshop

Council noted several items listed on the printed agenda that were not properly before the Council for consideration at this meeting, and requested staff to correct the agenda to remove these items.

**Councilmember Guier Moved and Councilmember Hulsey seconded the motion to approve the agenda as amended. Upon voice vote, the motion carried by unanimous voice vote.**

The Mayor spoke to his reasons for wanting Ordinance Nos. 13-1841 and 13-1842, and the Civil Service Commission appointment to be on the agenda, and objected to Council's correction of the agenda.

Councilmembers reminded the Mayor of the Rules of Procedure governing the addition of items to the agenda, noting that these items had not been properly added to the agenda, and advised the Mayor he would be out of order if he continued to address them at this time.

No member of the Council moved to suspend the Rules of Procedure to add the Mayor's items to the agenda.

Mayor Sun passed the gavel to Mayor Pro Tem McMahan and left the meeting at 6:45 p.m.

#### **4. AUDIENCE COMMENT**

**Mr. Rob De Sario** stated the City of Pacific needs to disincorporate in order to get rid of the City Council and Police Department.

**Ms. Lois Hulsey** inquired about the City Park being closed, noting she spoke to King County Parks who advised they had no issue with the park being open, and thanked Lt. Massey and the Police Department for all the good work they do. Acting Public Works Director Barnett will meet with Ms. Hulsey regarding opening of the park.

**Mr. Tom Halseth** inquired as to how you manage a police department that is down to four officers on a 24/7 schedule and encouraged the Mayor and Council to fill the vacant positions.

**Ms. Audrey Cruickshank** voiced disappointment to not speak with the Mayor about his behavior on television and requested the City Park be open year-round.

**Ms. Katy Garberding** read a statement into the record regarding the downsizing of the police department and how it affects public safety; and urged the Mayor to fill the vacant police officer positions.

**Mr. Don Thomson** provided an update on the Recall issue, and clarified that ten charges were filed; two stuck, and five were declared of a serious concern by Superior Court. The 41 charges number comes from the number of exhibits attached to the original petition filed with Superior Court. This matter is before the Washington State Supreme Court who will be hearing the case on April 4, 2013.

**Mr. Duwayne Gratz** inquired as to what options doe the citizens have to force the Mayor to hire police officers before someone is killed or seriously hurt needlessly.

**Mr. Pat Perry** voiced his concern with the shortage of police officers and encouraged the citizens and council to figure out how to overcome this problem.

Councilmember Putnam clarified that the City is on the record with the Court regarding mandating the Mayor to hire police officers; however, it was the Court's decision that it is within the Mayor's discretion to hire additional officers. Further discussion on this matter would be covered under New Business Item 8P.

**Councilmember Walker Moved and Councilmember Guier seconded the motion to strongly encourage the Mayor to hire the budgeted police positions.**

Councilmembers noted the following concerns:

- Mayor not hiring budgeted officers is perceived as retaliation against the police department.
- In the most recent pay period one officer worked twelve days without a break and there was 57 hours of overtime reported in a 16-day period. This is not a schedule that promotes safety or retains valuable employees.
- City could hire at least one full-time officer based on the overtime alone.
- Due to seriousness of the hiring freeze, police department would look at hiring a lateral officer first, then an entry level second due to the time it takes to train entry level officers.

**Mr. Don Thomson** noted that the overtime is costing the City a lot of money and inquired at what point does the overtime become double overtime.

**Mr. Stacey Jackson** inquired if there was a police union that could help the officers find some relief; and noted the current insurance company is watching and reading about Pacific and this could jeopardize coverage again. He encouraged the Mayor to hire the additional officers for public safety as he did not want to see someone get shot before the Mayor realizes the need for more officers.

**Councilmembers Jones, McMahan, Putnam, Steiger, Walker, Guier and Hulseby voted in favor. The motion carried.**

## **5. REPORTS**

**Mayor** – No report given.

**Finance** – Ms. Garrison reported on the State Audit exit interview, noting the City received no findings, no letters to management and no reasonable cause to suspect improper government action occurred for 2011.

Councilmember Putnam elaborated in that the audit went over budget due to the volume of allegations and investigations the auditors had to do; and thanked staff for their patience in dealing with the depth of questions for the 2011 audit.

In response to Councilmember McMahan, Finance Director Garrison indicated the exit interview is public record and the audit and final report will be available on the State Auditor's website once completed.

**Court Statistics** – Report was attached to Council's packet.

**Public Safety Department** – Lt. Massey thanked the community for its support and clarified that the City has four patrol officers and three senior officers to compliment the patrol officers. He stated police staff morale is very low, with most of them, including himself who are angry with the hiring freeze, the overtime being worked with no relief in sight, and wondered what the magic number will be where someone will allow the hiring of new officers.

Councilmembers thanked the police department for all they do, noting it is not an easy job.

Councilmember Guier advised the Public Safety Committee met earlier this evening and they are working on some temporary solutions to help the police department out.

**Public Works/Community Development** – Acting Public Works/Community Development Director Barnett reported Pierce County sent a letter committing funds for the Steward Rd/Thornton Avenue Improvement Project; and he is working with the City Attorney to hire a land use attorney to review the Stewart Rd project; and public work crews are getting out filling pot holes and other projects that have been neglected.

**Community/Senior/Youth Services** – Councilmember Jones reported on their recent meeting where he was appointed the Chair and they worked on policy and procedures to be developed with various non profit associations. Community Services Director Finwall announced the City passed its audit with King County Metro regarding their van driver program; and staff is working on scheduling spring break and summer programs.

**City Council** – Council President Guier presented a Certificate of Appreciation to Stephanie Shook for all her volunteer work on last year's National Night Out event. Ms. Shook thanked the Council and stated she and Sergeant Bos recently raised money for Special Olympics by jumping into Lake Union.

Councilmember Steiger voiced his appreciation that the exit audit found no findings of illegal activity or wrongdoing; and noted that the Mayor was incorrect in his My Turn 6, in that it was the City's insurer, CIAW, who initiated the settlement of Ms. Montgomery's litigation.

Councilmember Hulsey advised Lt. Massey that the magic number is to reduce the City by one asset in order to get your police officers.

**Personnel** – City Clerk/Personnel Manager Kirkpatrick reported on Association of Washington Cities legislation that pertains to cities, specifically House Bill (HB) 1313, which sets minimum standards for how much sick and safe leave an employer must award to employees; HB 1440, addressing wage issues and classification of independent

contractors; and HB 1128, which pertained to changes in the public records act regarding enjoining a public record request, and allowing local government to adopt a policy limiting the number of hours it devotes to public records requests.

**Committee Boards**

**Park Board** – No report provided.

**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)** – Councilmember Walker advised the Board will meet on Thursday, February 14, 2013.

**6. PUBLIC HEARING –NONE**

**7. OLD BUSINESS**

**A. Discussion: Utility Billing Clerk Job Description**

At the request of Councilmember Steiger, this matter was remanded to the February 19, 2013, Workshop.

**8. NEW BUSINESS**

**A. Adoption of Ordinance No. 13-1481, Re-Establishing the Position of Chief of Police by Reinstating Sections 2.28.020 and Section 2.28.030; and Repealing Chapter 2.26 Public Safety Director of the Pacific Municipal Code**

This item was removed from the agenda and remanded to the February 19, 2013, Workshop.

**B. Confirmation of Civil Service Appointment**

This item was removed from the agenda.

**C. Adoption of Ordinance No. 13-1482, Amending Pacific Municipal Code 2.65, Sections 2.64.010 and 2.64.020**

This item was removed from the agenda and moved to the February 19, 2013, Workshop.

**D. Adoption of Resolution No. 2013-010, Repealing Resolution No. 2013-004 and Re-Setting a Public Hearing to Consider a Proposed Ordinance Extending the Moratorium on Medical Marijuana Collective Gardens and Establish a Moratorium on the Production, Processing, and Retailing of Marijuana in the City of Pacific**

Acting Public Works/Community Development Director Barnett provided the staff report, noting the public hearing had inadvertently been set to a workshop and it was more appropriate to hold the public hearing at a regular meeting.

**Councilmember Hulsey Moved and Councilmember Walker seconded the motion to Adopt Resolution No. 2013-010, Repealing Resolution No. 2013-004 and Re-Setting a Public Hearing to Consider a Proposed Ordinance Extending the Moratorium on Medical Marijuana Collective Gardens and Establish a Moratorium on the Production, Processing, and Retailing of Marijuana in the City of Pacific. Councilmembers McMahan, Putnam, Steiger, walker, Guier, Hulsey, and Jones voted in favor. The motion carried.**

**E. Adoption of Resolution No. 2013-011, Authorizing the Mayor to Execute Letter of Understanding with Teamsters Local Union No. 117, Increasing Employee Contribution Rates to Pension Trust Fund**

A PW Director Barnett provided a report, noting it was brought forward by the union workers to increase the amount of funds by \$.25.

**Councilmember Jones Moved and Councilmember Putnam seconded the motion to adopt Resolution No. 2013-011, Authorizing the Mayor to Execute Letter of Understanding with Teamsters Local Union No. 117, Increasing Employee Contribution Rates to Pension Trust Fund. Councilmembers Putnam, Steiger, Walker, Guier, Hulsey, Jones, and McMahan voted in favor. The motion as amended carried.**

**F. Adoption of Resolution No. 2013-012, Authorizing the Council President to Execute Letter of Understanding with Teamsters Local Union No. 117, Opening Collective Bargaining**

City Clerk/Personnel Manager Kirkpatrick reported during the last round of union negotiations, it was agreed that the collective bargaining agreement would be reopened in the spring of 2013. There have been several items that require the opening of the union agreement and the letter of understanding merely formalizes the process.

**Councilmember Jones Moved and Councilmember Putnam seconded the motion to adopt Resolution No. 2013-012, authorizing the Council President to execute Letter of Understanding with Teamsters Local Union No. 117, Opening Collective Bargaining. Councilmembers Guier, Hulsey, Jones, McMahan, Putnam, Steiger, and Walker voted in favor. The motion carried.**

**G. Adoption of Resolution No. 2013-013, Authorizing the Mayor to Execute a Preventative Maintenance Agreement with ACCO Engineered Systems – HVAC System**

Lt. Massey provided the staff report, noting the City annually contracts for preventative maintenance and services for the HVAC system housed within the police/fire station.

ACCO Engineered Systems is the company used by Valley Regional Fire Authority and it would be a shared cost to add the City to their contract.

**Councilmember Steiger Moved and Councilmember Jones seconded the motion to adopt Resolution No. 2013-013, authorizing the Mayor to execute a preventative maintenance agreement with ACCO Engineered Systems - HVAC. Councilmembers Hulsey, Jones, McMahan, Putnam, Steiger, Walker and Guier voted in favor. The motion as amended carried.**

Council asked that city clerk add “mayor pro tem” to future resolutions and contracts that relate to the police department.

**Councilmember Steiger Moved and Councilmember Hulsey seconded them motion to amend by adding “the Mayor or Mayor Pro Tem may sign.” The motion to amend carried by unanimous voice vote.**

**H. Adoption of Resolution No. 2013-014, Authorizing the Mayor to Execute a Lease Agreement with Pacific Office Automation for Police Department Copier**

Lt. Massey provided staff report, noting this is a new lease agreement, which will be a cost savings of \$64.42 per month with a newer machine.

**Councilmember Hulsey Moved and Councilmember Jones seconded the motion to adopt Resolution No. 2013-014, authorizing the Mayor to execute a lease agreement with Pacific Office Automation for Police Department Copier. Councilmembers McMahan, Putnam, Steiger, Walker, Guier, Hulsey, and Jones voted in favor. The motion as amended carried.**

**Councilmember Hulsey Moved and Councilmember Steiger seconded the motion to amend by adding “the Mayor or Mayor Pro Tem may sign.” The motion to amend carried by unanimous voice vote.**

**I. Adoption of Resolution No. 2013-015, Authorizing Councilmember Guier to Attend Association of Washington Cities’ *City Legislative Conference***

City Clerk/Personnel Manager Kirkpatrick provided staff report, noting Councilmember Guier is seeking reimbursement of travel expenses in accordance with the City’s travel policy to attend the annual AWC *City Legislative Conference*, being held in Olympia February 13-14, 2013.

**Councilmember Hulsey Moved and Councilmember Putnam seconded the motion adopting Resolution No. 2013-015, authorizing Councilmember Guier to attend the Association of Washington Cities’ *City Legislative Conference*. Councilmembers Steiger, Walker, Hulsey, Jones, McMahan, and Putnam voted in favor; Councilmember Guier abstained. The motion carried.**

Council discussion ensued regarding the City's travel policy and it was confirmed that the mileage is more than 50 miles one way and it was therefore appropriate to reimburse for hotel expenses.

**J. Adoption of Resolution No. 2013-016, Authorizing the Mayor to Execute Agreement with Association of Washington Cities' Drug and Alcohol Consortium**

City Clerk/Personnel Manager Kirkpatrick provided staff report, noting it is a federal requirement that all personnel required to have a commercial driver license be subject to random drug testing. The Association of Washington Cities has a consortium that Pacific can belong to that will provide random drug testing, and help the City create its own policy to meet the federal requirements outlined in 49 CFR Part 40.

**Councilmember Guier Moved and Councilmember Putnam seconded the motion to adopt Resolution No. 2013-016, authorizing the Mayor to execute agreement with Association of Washington Cities' Drug and Alcohol Consortium. Councilmembers Walker, Guier, Hulsey, Jones, McMahan, Putnam, and Steiger voted in favor. The motion as amended carried.**

**Mr. Don Thomson** voiced his surprise that a drug and alcohol policy was not already in place and urged the Council to pass the resolution.

Council discussion ensued regarding their belief that the Mayor would not sign the resolution or the Agreement with AWC and determined it was appropriate to have the Mayor Pro Tem sign the resolution and Agreement due to the seriousness of the issue.

**Councilmember Jones Moved and Councilmember Steiger seconded the motion to amend the resolution by deleting the word "Mayor" and adding "Mayor Pro Tem" as the authorized signer. The motion to amend carried by unanimous voice vote.**

**K. Adoption of Resolution No. 2013-017, Approving City Personnel Policies**

City Clerk/Personnel Manager Kirkpatrick provided staff report, noting these policies need to be adopted as they are the ones the Mayor and staff have been operating under. Staff will continue to work on updating the personnel policy over the course of the year with an updated version for consideration towards the end of the year or early 2014.

**Councilmember Hulsey Moved and Councilmember Putnam seconded the motion to adopt Resolution No. 2013-017 approving City Personnel Policies. Councilmembers Hulsey, Jones, McMahan, Putnam, Steiger, Walker and Guier voted in favor. The motion as amended passed.**

**Councilmember Hulsey Moved and Councilmember Steiger seconded the motion to amend by adding the Mayor Pro Tem to sign the resolution. The motion carried by unanimous voice vote.**

**L. Adoption of Resolution No. 2013-018, Authorizing the Mayor to Execute Letter to CIAW Regarding Extended Reporting Insurance Coverage for Wrongful Acts**

City Clerk/Personnel Manager Kirkpatrick provided staff report, noting that the Resolution authorizes the Mayor to bind extended reporting period endorsement coverage for wrongful acts with CIAW for a twelve or twenty-four month policy period.

**Councilmember Jones Moved and Councilmember Putnam moved to adopt Resolution No. 2013-018, authorizing the Mayor to execute letter to CIAW bidding Extended Reporting Insurance Coverage for Wrongful Acts for twelve-month policy. Councilmembers McMahan, Putnam, Steiger, Walker, Guier, Hulsey, and Jones voted in favor. The main motion as amended carried.**

Councilmember discussion ensued:

- Three year extension was denied by CIAW.
- Beneficial to cover elected and employees for the additional two years.
- Employees currently reluctant to file a claim may do so later on and two years would provide better protection.

**Councilmember Putnam Moved and Councilmember Walker seconded the motion to amend the Resolution for a Twenty-Four month Extended Reporting Insurance Coverage for Wrongful Acts in the amount of \$81,823. Councilmembers Putnam, Steiger, Walker, Guier, Hulsey, Jones, and McMahan voted in favor. The motion to amend as amended carried.**

City Attorney Luce recommended the letter by signed by either the Mayor or Mayor Pro Tem.

**Councilmember Putnam Moved and Councilmember Jones seconded the motion to amend by adding Mayor Pro Tem as signatory on the letter to CIAW. The motion to amend as amended carried by unanimous voice vote.**

**Councilmember Hulsey Moved and Councilmember Putnam seconded the motion to amend the Resolution, Section 1 by adding the words “Mayor Pro Tem to sign the letter.” The motion to amend carried by unanimous voice vote.**

**M. Approval of the January 28, 2013, City Council Meeting Minutes**

This item was brought forward for approval as Councilmembers Jones and Steiger were not present at the meeting.

**Councilmember Walker Moved and Councilmember Jones seconded the motion to approve the January 28, 2013 Council Meeting Minutes. Councilmembers Jones, McMahan, Putnam, Steiger, Walker, Guier, and Hulsey voted in favor. The motion passed.**

**N. Approval of the February 4, 2013, Workshop Meeting Minutes**

This item was brought forward for approval as Councilmember Walker was not present at the meeting.

**Councilmember Jones Moved and Councilmember Putnam seconded the motion to approve the February 4, 2013 Workshop Meeting Minutes. Councilmembers McMahan, Putnam, Steiger, Walker, Guier, Hulsey, and Jones voted in favor. The motion passed.**

**O. Approval of the October 22, 2012, Council Meeting Minutes**

This item was brought forward for approval as Councilmember Walker was not present at the meeting.

**Councilmember Jones Moved and Councilmember Putnam seconded the motion to approve the October 22, 2013 Council Meeting Minutes. Councilmembers Putnam, Steiger, Walker, Guier, Hulsey, Jones, McMahan voted in favor. The motion passed.**

**P. Discussion: Payment of Attorney Fees for the Mayor's Attorney**

City Attorney Luce provided a brief report on the status of the Mayor's attorney, Tyler Firkins, as follows:

- Issue of Attorney fees incurred for the Writ of Mandate. He noted that Mr. Firkins submitted a bill to the City approximately \$40-50,000, which included fees for working on the recall, legal advice on city matters, and the appeal costs on the Calkins civil service decision. The Court had ordered the City to pay reasonable attorney fees specific to the Writ of Mandate and to date Mr. Luce has not received a response from Mr. Firkins regarding separating out the Writ's associated costs. Mr. Luce noted that Mr. Firkins motioned the Court to discuss attorney fees on February 22, 2013, and as Mr. Firkins is out of the Country, it is likely that his assistant, Mr. Jarvis, may do the arguing.
- Discretionary review of the trial court's denial of the Mayor's motion to disqualify Kenyon Luce & Associates as counsel for the City. The Court of Appeals ruled that Mayor Sun' has not shown that review is warranted and denied review. The Court of Appeals further opined that there "...was nothing in the materials provided to the Court, beyond Sun's bald assertion, to suggest that Luce improperly influenced the City Council's selection of him as City Attorney." This decision came down after Mr. Firkin's filed his motion for attorney fees in all matters that he is representing the Mayor on.

Mr. Luce explained that the City is moving forward with the hearing on attorney fees, as well as going back to Court regarding the non-hiring of police officers, and other items that are in violation of his oath of office, which requires him to fulfill the mandatory obligation of his duties. Further, he estimated that of the \$40-50,000 Firkins attorney invoice, approximately \$10,000 was just on the Calkins appeal. His office is looking through the entire invoice submitted by Mr. Firkins to separate out the Writ of Mandate portion.

- Conflict of Interest and Public Records Requests. Mr. Luce explained that Mr. Firkins says he is not representing the City, but Court documents show he is representing the City of Pacific through the Mayor. Further, Mr. Firkins had advised he would hold the failure to comply with Public Records Request in abeyance, then sends an email advising the City needs to file their response as he was moving that matter forward. Mr. Luce has asked for clarification on the Public Records Request suit, wondering if Mr. Firkins does represent the City how he could then submit an invoice for those costs. Mr. Luce recommended that the Council look at only paying for those matters associated with the Writ and pay nothing that has to do with Calkins appeal.

Councilmember discussion ensued:

- City Attorney Luce clarified that the Mayor is seeking reimbursement by the City for payments he has made to his attorney. Further, all billings to date have been redacted so it is unknown how much has been paid by the Mayor and when.
- City Attorney Luce clarified that the demand to have him removed is part of the writ of mandate in that he, Luce, violated the rules in conflict of clients. However, the Court ruled that the Mayor failed to understand that Mr. Luce represents the entity, not an individual, and it is difficult to give advice when the Mayor doesn't read his emails or says "hello".
- City Attorney Luce advised that he will be seeking clarification of Mr. Firkins' attorney fees for the Writ of Mandate as well as asking the Court for attorney fees in the Calkins matter on the 22nd.
- Would it be appropriate to have the City Attorney file a formal bar complaint against Mr. Firkins regarding his misrepresentation of the City Council. City Attorney Luce noted a bar complaint is a serious issue and there are options for the Bar Association to take under advisement when a complaint is made.
  - Bar complaints can be filed by anyone.
  - There are two areas of concern. The first is the Calkins matter where Mr. Firkins has claimed representation of the City of Pacific through its Mayor Cy Sun, and it was determined by the Court, appropriate for the Council to intervene. The other is Mr. Firkins' claim to represent the city in regards to Mr. Luce's potential conflict of interest.
  - Mr. Luce has spoken to Mr. Firkins several times trying to explain the gravity of the Council's position and that if directed a bar complaint could be eminent.
  - There is no best case scenario when a bar complaint is filed.
  - The Bar can reprimand, suspend, or disbar the individual.
  - There is no benefit to the City to file the complaint other than to hold Mr. Firkins accountable for his inappropriate actions.
- This issue has gone beyond the point of civility and a bar complaint may be the next step to take and the longer the Council doesn't take action continues to cost money.
- Some felt the Mayor was holding the citizens hostage and it was time to start fighting these issues.

**Councilmember Jones Moved and Councilmember Steiger seconded the motion that the Council directs the City Attorney to file a complaint with the**

**Bar Association for misrepresentation of the City by Attorney Tyler Firkins. Councilmembers Steiger, Guier, Hulsey, Jones, McMahan, and Putnam voted in favor; Councilmember Walker opposed. The main motion as amended carried.**

**Mr. Don Thomson** noted that the Mayor will throw every obstacle he can at the Council regarding any further litigation and to be prepared for that to happen.

**Councilmember Putnam Moved and Councilmember Hulsey seconded the motion to amend that Councilmember Jones files the bar complaint with assistance from the City attorney as requested. The motion to amend carried by unanimous voice vote.**

City Attorney Luce left the meeting at 9:25 p.m.

**9. CONSENT AGENDA**

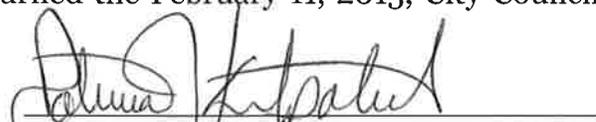
- A. Approval of Claim Voucher and Payroll Approval/September Financial Statement**
- B. Approval of the October 9, 2012 Council Meeting Minutes**
- C. Approval of the October 15, 2012 Workshop Meeting Minutes**

**Councilmember Hulsey Moved and Councilmember Jones seconded the motion to approve the Consent Agenda. Motion carried by unanimous voice vote.**

**10. EXECUTIVE SESSION – NONE**

**11. ADJOURN**

At 9:26 p.m. Mayor Pro Tem McMahan adjourned the February 11, 2013, City Council Meeting.

  
Patricia J. Kirkpatrick, MMC, City Clerk