

# CITY MANAGER WEEKLY UPDATE REPORT ~ KENT MYERS

April 2, 2009

Since the last Council meeting, the City Attorney and I have met with several City Council members and local citizens to explain the proposed changes to the ordinance covering public records. These meetings have been productive and we have been able to address a number of questions and concerns. If there are any other questions or concerns that we can respond to prior to the meeting, please call me, or Bill Bloor, on Monday or Tuesday. Also, I wanted to mention that the ordinance included in your agenda packet includes several minor changes that have been made to the previous draft as suggested at these meetings and as recommended by the Attorney General's Office. I wanted to also call your attention to the statement in the letter from Tim Ford in the Attorney General's Office, which states, "I am pleased that the City is making an effort to update their rules in a manner to promote greater transparency." Please keep this statement in mind as we move forward for formal consideration at Tuesday's Council meeting.

Over the past week I have received several positive comments about our public safety employees. I have attached two recent letters commending these employees. We are fortunate to have a very dedicated group of police and fire employees. Their efforts add a lot to the quality of life that we all enjoy.

I have also attached a copy of the draft agenda for our City Council retreat scheduled on Saturday, April 18 at Peninsula College. Please review this draft and let Teresa, or I, know if you have any final changes to the agenda. I plan on sending out a packet about a week prior to the Retreat that will include background information on some of the 16 items listed as well as a report summarizing the topics that are listed. We propose to start the meeting at 9 a.m. and try to complete the discussion by mid-afternoon (about 3 p.m.) with a break for lunch. However, if you would like to start earlier or have a later time for adjournment, we are certainly open to these changes.

At the Council meeting this Tuesday, I plan on reporting on our recent trip to Bremerton to view their waterfront development and my visit with the Mayor and City Manager of Victoria, British Columbia, Canada. Please let me know if there are any other topics that you would like me to include in my report at the City Council meeting.

If you are available, I invite you to attend the Chamber luncheon this Monday. I will make a presentation that includes some of my perceptions of Port Angeles over the past several months. Immediately following the Chamber luncheon I will make my monthly visit to the Todd Ortloff Show on KONP Newsradio 1450 where I plan to share more of my perceptions of Port Angeles with the community.

***-Kent Myers***

March 27, 2009

To: Kent Meyers, Port Angeles City Manager  
Terry Gallagher, Port Angeles Chief of Police

CC: Dan McKeen, Port Angeles Fire Chief  
Dan Montana: Port Angeles Parametic  
Andrew Cooper, Port Angeles Parametic  
Brian Stamon, Port Angeles Police Officer  
Josh Powless, Port Angeles Police Officer  
Andrew Heuett; Port Angeles Police Officer  
Todd Vansickle, Port Angeles Police Dispatcher  
Mary Rife, Port Angeles Police Dispatcher  
Bryan Moody, USCG Port Angeles Base

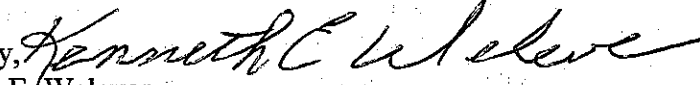
Subject: Thank You for Your Excellent Service

On Friday, March 24<sup>th</sup> I experienced an extreme insulin reaction which rendered me unable to function rationally or to understand what was happening around me. In the 35 years that I have had diabetes I have never experienced such a reaction and was totally unprepared.

I had ended up on the US Coast Guard base, where my situation was recognized and steps were taken to place me under protective control and ensure that I received immediate help. I do not remember most of what expired, but I do remember the courtesy, concern and professionalism of the personnel of the Coast Guard, the Port Angeles Police Department and the Port Angeles Fire Department, all of which assisted me.

I especially want to emphasize the integrity of these people. At the time this happened I was not aware of my surrounding. They had to take my wallet and search it to find identification. It contained my driver's license, diabetes card, credit cards and four \$100 bills. The money and credit cards could have disappeared without me knowing what had become of them. When I was discharged from the hospital, my keys and wallet with its original content, including the money, was waiting for me.

This letter is to express my sincere appreciation and respect for our local public support personnel in general, and to those listed above specifically. I would hope that you can provide these outstanding personnel with a copy of this letter. Since they are not allowed to take personal gifts of appreciation, it is all that I can offer to them for saving me from severe injury or worse.

Sincerely,   
Kenneth E. Welever  
1562 Hwy 112, Sekiu WA 98381  
360-645-2150

# CLALLAM COUNTY PROSECUTING ATTORNEY

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March 25, 2009

Terry Gallagher, Chief  
Port Angeles Police Department  
321 East 5th Street  
Port Angeles, WA 98362

Dear Chief Gallagher:

I want to bring to your attention the outstanding work done by the Port Angeles Police Department in two major cases that proceeded to trial over the past few weeks. As you undoubtedly know, Detective Ensor was the lead officer in both cases which went out to trial simultaneously. He worked unflinchingly in both cases right up through their start and his careful attention to detail enabled Detective Sergeant Coyle to step in on the *Freese* case at the last minute and provide invaluable assistance at counsel table although he had not been intimately involved in the case for many months.

In the *Marchi* case, Detective Ensor continued to work the case right through the time it went to the jury. For example, the defense named eight new witnesses the week before trial started. Detective Ensor tracked each of them down, working overtime and days off, and determined that they would be offering previously undisclosed evidence that would be damaging to the prosecution. Armed with this information, Deputy Prosecutor Lundwall was able to bring motions in limine that resulted in the exclusion of much of this irrelevant, prejudicial information. His dedication to duty was instrumental in leading to *Marchi's* conviction as charged of Attempted Murder in the First Degree.

Other officers also provided excellent support in the *Marchi* case. Officers Knight and Officer Wood were the first to arrive on-scene, prior to paramedics. Officer Knight carefully documented the Defendant's admissions to him and Officer Wood had the presence of mind to request Officer Arand enter the scene to take photographs. These photographs were essential for documenting the position of the defendant and the child victim in the bedroom, pill bottles found on a counter, a suicide note next to the defendant's computer, and white powder around the victim's mouth. The defendant's position in the bedroom turned out to be extremely important because it appeared she took a telephone with her into the bedroom and negated her claim she intended to kill herself as well as her child. The pill bottles on the counter were collected for the paramedics and hospital staff in order to administer life saving reversal drugs to the child and chain of custody could not be established after they entered the hospital's control. The photograph of the computer clearly showed it was on when the police arrived and rebutted the defense claim that the letter had been automatically saved

Chief Terry Gallagher, Port Angeles Police Department

March 25, 2009

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two hours previously, further demonstrating calculation and premeditation. The patrol officers who first responded showed exceptional resourcefulness and presence of mind in preserving the scene despite necessary breach and contamination by paramedics who were frantically trying to save a 10 year old child's life in the throes of a lethal drug overdose.

In the *Freese* case, Detective Ensor provided services similar to those in *Marchi* up to the start of trial. As I noted above, the preparation he did enabled Detective Sergeant Coyle to step in and ably perform the vital function of law enforcement case manager. Detective Sergeant Coyle interrogated Freese after her arrest and obtained a detailed confession in a thoroughly outstanding interrogation, which confession alone convinced virtually every juror to believe the truth of the charge of murder. His performance in the function of case manager was also invaluable to me in the presentation of the case and ensured that all necessary evidence was presented and that no details were overlooked. His input and insights were equally important in adapting trial strategy as the case unfolded.

Officer Arand's initial photographs of the *Freese* crime scene were actually more useful than similar ones taken by the WSP Crime Scene Response Team. He, too, should be commended for excellent work. Corporal Miller thoroughly documented defendant's admissions while on scene. A bloody cigarette butt on the front sidewalk noted shortly after officers' arrival by Sergeant Roggenbuck convinced many jurors that the defendant did not summon medical aid immediately as she claimed but waited until the victim died to place a 911 call. Although one juror's intransigent sympathy for the defendant led to a conviction on lesser charges, the work performed and testimony provided by the detectives and patrol officers was competent, professional, and of the highest caliber.

Please accept my gratitude and deepest appreciation for the services performed to the public and to this office by the Port Angeles Police Department which directly led to these two convictions.

Sincerely,



DEBORAH S. KELLY  
Clallam County Prosecuting Attorney

DSK:ljm

City of Port Angeles-City Council Retreat  
April 18, 2009-9:00 A.M.  
Room M-228 Science and Technology Building  
Peninsula College

1. Call Meeting to Order
2. Review and Approve the Agenda
3. City Manager Short-Term and Long-Range Performance Goals
4. City Council Meetings
5. City Council Rules of Procedure
6. City Council Agendas
7. City Council Sub-Committee Structure
8. City Council/Staff Relations
9. City Council Working Relations
10. City/County Working Relations
11. Relations with Other Organizations
12. Media Relations
13. City Finances and Status of 2009 City Budget
14. Internal and External Communications-Open and Transparent Government
15. Future Departmental Reorganizations
16. Sustainability Goals and Objectives for City
17. Other Issues and Concerns
18. Adjournment