

ORTING CITY COUNCIL MEETING MINUTES

April 30, 2008

Mayor Cheryl Temple called the meeting to order with the flag salute at 7:00 pm in the Orting Public Safety Building. Roll call found in attendance Councilmembers Scott Drennen, George Wilson, Nicola McDonald, Joachim Pestinger, Guy S. Colorossi, and David Inge. Councilmember Wilson moved to excuse Councilmember Dick Ford from the meeting. Councilmember Inge seconded the motion and it carried.

ATTENDANCE:

City Employees	City Administrator Mark Bethune, Administrative Assistant Roxanne Walczak, Accounting Clerk II Freda Bingham, Police Chief Bill Drake, Fire Chief Randy Shelton, Firefighter/Paramedic Ryan Pickering.
Professional Representatives	Parametrix Engineer Dave Roberts, Kenyon Disend Attorney Kari Sand, Fire Department Consultant Dick Moore.
Visitors	Margaret O'Harra, Shirley Sigafos, Keith Peterson, Dale Yeager, Ken Bradford, Pat Skinner, Michael Jerabek, Jerry Wolfe, Daryl Flood, Doug Schwarz, Shawn Mahoney, Steve Goodwin, Patty Villa, Nicholas Scholten, Jonathon Burgos.

PAYROLL CLAIMS & WARRANTS:

Approval of Claims Warrants No. 12689 through No. 12802 in the amount of \$222,040.33 and Payroll Warrants No. 16869 through No. 16922 in the amount of \$99,790.46.

Councilmember Wilson moved to approve the Payroll & Claims Warrants as prepared. Councilmember Pestinger seconded the motion and it carried.

COMMENTS FROM CITIZENS:

Jerabek Plat: Closed Record Hearing	Councilmember Drennen recused himself from discussion and vote on the Jerabek Plat and Planned Unit Development (PUD). Councilmember Drennen left the Council chambers.
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City Administrator Bethune recapped the discussion of Jerabek Plat and PUD from the April 9, 2008 City Council Meeting and briefed the Council on a memorandum from Planner Roger Wagoner addressing the questions and concerns that they expressed about the plat. The memo also recommends that the reference to the *Preliminary Stormwater Technical Information Report* allowing the specific location and design of the stormwater facilities to be determined by the city engineer and the applicant.

Councilmember Colorossi asked if the development of the plat, specifically the access path, would allow floodwater to continue to flow down river.

The path will be constructed at grade so it will allow for the free flow of water.

Councilmember Wilson asked if one point of access is sufficient for a plat of this size. Engineer Roberts reported that the City typically uses the standard that plat with 100 or more lots require more than one point of access. This development will only have 35 lots.

Mayor Temple asked what is meant by the line that states that, “The developers shall inspect weekly, maintain and repair all temporary and permanent erosion and sediment control BMP’s to assure continued performance.” Engineer Roberts reported that this simply means that the developer will follow best management practices to ensure that the site stays clean and does not pollute the surroundings during construction.

Councilmember Wilson moved to approve the Jerabek Preliminary Plat & PUD Application with conditions as follows:

Preliminary Plat and General PUD Design–

1. The general configuration, lot shapes and sizes, setbacks, site density, and areas of open space shall be as indicated on Exhibit A subject to these Conditions of Approval. Revisions to approved preliminary Planned Unit Developments are regulated by OMC. The final PUD map shall be recorded as an amendment to the underlying zoning following Final PUD approval.
2. The applicant shall prepare a developer agreement subject to approval of the City. The agreement shall specify the requirements for construction of all infrastructure improvements, including plan submittals, inspections, bonding, private improvements, right-of-way improvements and facilities associated with the PUD, including improvements to all common areas. Site construction drawings shall be designed consistent with the conditions of approval. Site work shall not begin until City approval of the site development agreement.
3. The applicant shall establish a home owners’ association to assume responsibility for maintenance of common areas, including the detention facility and wetland

mitigation area. The home owners' association shall be recorded with the plat. The wording and conditions of the home owners' association shall be subject to City approval prior to Final Plat.

Wetlands –

4. Prior to occupancy, the applicant shall install fencing on the edge of residential lots adjacent to wetlands and their buffers.

Water –

5. The developer/owner is responsible for any necessary improvements to the City's water system in order to provide adequate water to the site.

Sewer –

6. The developer/owner is responsible for any necessary improvements to the City's sewer system in order to provide sewer service to the site.

Surface Water Management –

7. During grading and construction activities, the developer shall retain and manage on-site surface and storm water within the site. The specific location and design of the detention facility will be resolved through further design and applicant/city consultant.
8. The developer shall inspect weekly, maintain and repair all temporary and permanent erosion and sediment control BMPs to assure continued performance.

Transportation –

9. Final street design, including paving, sidewalks, frontage improvements, parking, and emergency access must be approved by the City Engineer prior to construction.
10. Street lighting shall be required on River Avenue NE and all on-site streets. Prior to site development, the applicant shall submit a lighting plan that depicts continuous street illumination throughout the PUD to City staff for review and approval.

Other –

11. The applicant shall demonstrate sufficient water flow from the proposed fire hydrants for review and approval by the City Engineer and Fire District prior to the issuance of occupancy permits.
12. Prior to construction, the applicant shall prepare an erosion control plan subject to review and approval by the City Engineer.
13. During construction, the developer shall ensure that trucks are cleaned before leaving the site. The applicant shall provide street cleaning of River Avenue NE during site clearing, grading and filling and shall promptly clean up any dirt, mud or other material deposited on public streets and shall be responsible for cleaning storm drains in public streets that are impacted by the construction.
14. All site improvements, including streets, sidewalks, bicycle lanes, frontage improvements, drainage improvements, open space landscaping and improvements, and other common area improvements shall be completed prior to Final Plat, with the exception of the final paving of streets. Alternatively, the City may approve a financial bond or assurance for items not completed prior to Final Plat. All site improvements, not including individual homes, must be installed prior to final inspection of the first home.
15. The existing house and structures shall be moved, demolished, or otherwise modified so that they are in compliance with the Orting Municipal Code prior to the issuance of plat engineering permits.
16. The applicant/developer shall pay school impact fees and their administrative processing costs in accordance with the Orting Municipal Code.
17. City acceptance of dedication of the park shall be in lieu of payment of parks impact fees, depending on the value of the land and improvements.
18. Design of the park and improvements shall be approved by the Planning Commission Architectural Design

Review process.

Councilmember Inge seconded the motion and it carried.

Gratzer Landing:
Closed Record
Hearing

City Administrator Bethune introduced the preliminary binding site plan application for Gratzer Landing. The applicant requests approval of a binding site plan and master plan for 17.36-acre parcel located in the Mixed Use Town Center North. The proposal would enable phased development of approximately 130,000 square feet of retail, office and other commercial uses and up to 1765 multi-family residential dwelling units.

Mayor Temple asked if an easement for Bridge for Kids in part of the Binding Site Plan. The applicant has been informed of the Bridge for Kids project but no property can be set-aside until design including a location is provided by the Bridge for Kids group.

Councilmember Colorossi asked if the streets developed as part of the project will align with existing road like Pioneer Way Northwest and Daffodil Avenue Northeast and will the site be filled to match the grade of Washington Avenue North. There will be connectivity from the new streets to existing City roads. The site will be filled and the applicant is in the process of applying for a fill and grade permit.

Councilmember Wilson asked where the wetlands mentioned in the reports are located. The wetlands are located in the Northwest and Southwest corners of the property. If approved the applicant will be required to mitigate the wetlands.

Patty Villa, of 15010 177th Street East, asked why parallel parking is included in the site plan. City Administrator Bethune noted that parking plan is not a part of the documents to be approved at this point. However, parallel parking adds more parking and the feel of a downtown with sidewalks and pedestrian access.

Councilmember Pestinger moved to approve the Gratzer Landing Preliminary Binding Site Plan with the following conditions:

Preliminary Binding Site Plan and Design

1. The general configuration, lot shapes and sizes, access and circulation, utility and landscape concepts, and areas of open space shall be as indicated on the exhibits attached to this report subject to these Conditions of Approval. Revisions to approved preliminary binding site plan/master plans are regulated by the OMC. The final binding site plan map shall be recorded as an amendment to the underlying zoning following approval of site infrastructure.
2. The applicant shall prepare a development agreement subject

to approval of the City. The agreement shall specify the requirements for construction of all infrastructure improvements, including plan submittals, inspections, bonding, private improvements, right-of-way improvements and facilities associated with the binding site plan. Site construction drawings shall be designed consistent with the conditions of approval. Site work shall not begin until City approval of the site development agreement.

Wetlands

3. Wetland impact mitigation shall be as described in the *Wetland Mitigation Plan Report* and shall be monitored for performance, including a financial bond.

Water

4. The developer/owner is responsible for any necessary improvements to the City's water system in order to provide adequate water service to the site.

Sewer

5. The developer/owner is responsible for any necessary improvements to the City's sewer system in order to provide sewer service to the site.

Surface Water

6. During grading and construction activities, the developer/owner shall retain and manage on-site surface and storm water within the site per the recommendations of the March 28, 2007 *Draft Stormwater Infiltration Evaluation Report* by E3RA and the April 17, 2007 *Stormwater Management Plan* by Azure/Green Consultants.
7. The developer/owner shall inspect weekly, maintain and repair all temporary and permanent erosion and sediment control BMPs to assure continued performance.

Transportation

8. Final street design, including paving, sidewalks, frontage improvements, parking, and emergency access shall be approved by the City Engineer prior to construction. Improvements to SR 162/Washington Avenue shall also be

approved by the Washington state Department of Transportation.

9. Street lighting shall be required on Washington Avenue NE and all on-site streets. Prior to site development, the developer/owner shall submit a lighting plan that depicts continuous street illumination throughout the site and guidance for parking lot lighting prior to approval of lot development.

Other

1. The developer/owner shall demonstrate sufficient water flow from the proposed fire hydrants for review and approval by the City Engineer and Fire District prior to the issuance of occupancy permits.
2. Prior to construction, the developer/owner shall prepare an erosion control plan subject to review and approval by the City Engineer.
3. During construction, the developer/owner shall ensure that trucks are cleaned before leaving the site and provide street cleaning of SR 161/Washington Avenue NE during site clearing, grading and filling, shall promptly clean up any dirt, mud or other material deposited on public streets, and shall be responsible for cleaning storm drains in public streets that are impacted by the construction.
4. All public right of way improvements, including streets, sidewalks, bicycle facilities, frontage improvements, and drainage improvements shall be completed prior to final approval. Improvements associated with development of the lots including parking, drainage, lighting, open space landscaping and improvements, and other common area improvements shall be completed prior to issuance of occupancy permits. Alternatively, the City may approve a financial bond or assurance for items not completed prior to final approvals or occupancy.
5. All existing structures shall be moved, demolished, or otherwise modified so that they are in compliance with the Orting Municipal Code prior to site development on the lots.
6. The developer of Lots 8 and 9 (and any other lots containing residential units) shall pay school and park impact fees and their administrative processing costs in accordance with the

Orting Municipal Code.

7. The developer shall make provisions for the use of reclaimed water.

Councilmember Wilson seconded the motion and it carried,

Public Hearing: Cargo Containers

There has been a recent increase in the installation of cargo containers in residential Orting neighborhoods. The Planning Commission held a public hearing on April 7, 2008 and recommends the adoption of an ordinance banning cargo containers in residential zones except for temporary uses.

Mayor Temple opened the public hearing at 7:54 pm.

Sam Webster, of 307 Leber Street Northeast, commented that cargo containers are a cheap, efficient way to store things. People who purchase them are likely to be pack rats and may leave their collected things in other places if they are not allowed to have cargo containers.

Hearing no further comment Mayor Temple closed the hearing at 7:58 pm.

Councilmember Drennen moved to continue discussion of the proposed cargo container ordinance at the next council meeting. Councilmember Inge seconded the motion and it carried.

OLD BUSINESS:

Fire Department Consolidation Agreement

City Administrator gave a brief introduction about the proposal to consolidate with Pierce County Fire Protection District 18 in a long-term contract. Staff is currently reviewing a proposed contract. A copy of the latest contract was provided to the Councilmembers.

Councilmember Pestinger commented that he is in favor of joining with Fire District 18 in this type of agreement.

The Council will be provided regular updates on the progress of the contract.

Ordinance No. 864: LOCAL Police Car Financing

Councilmember Wilson moved to adopt Ordinance No. 864, an ordinance of the City of Orting, Washington authorizing the acquisition of four (4) police vehicles and execution of a financing contract and related documentation relating to the acquisition of said police vehicles (“property”). Councilmember Inge seconded the motion and it carried.

Councilmember McDonald reported that she would be out of town and unable to attend the May 28 meeting.

ADJOURN

Councilmember Colorossi moved to adjourn the meeting at 10:02 pm. Councilmember McDonald seconded the motion and it carried.

ATTEST:

Finance Director/City Clerk Susan J. Davis

Mayor Cheryl M. Temple