

ORTING CITY COUNCIL MEETING MINUTES

August 10, 2011

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 Stanley Holland, Ava Krogh, Scott Drennen, Ric Fritz, David Inge, Guy S. Colorossi and Orting Valley Fire and Rescue Commissioner Shawn Mahoney. Councilmember Graham Hunt was excused by the Council during the July 27, 2011 meeting.

ATTENDANCE:

City Employees	City Administrator Mark Bethune, Administrative Assistant Roxanne Pollard, Building Official Ken Wolfe, Police Chief Bill Drake, Parks & Recreation Coordinator Cory Shipman, Accounting Clerk I Jane Helgelien.
Professional Representatives	Kenyon Disend Attorney Chris Bacha, Parametrix Engineer JC Hungerford.
Visitors (signed in)	Shirley M Sigafoos, Joachim Pestinger, Jeannie Pestinger, Duncan Saxey, Steve Wamback, Debby Hyde, Harold Smelt, Keith Erickson, Andrew Melot, Kristin Thomas, Colton Thomas, Kenzie Thomas, Josh Penner, Keith Kovalenko, Jason Pratt, Irmagard Wilcox, Brian Zeigler, Tom Worton.

COMMENTS FROM CITIZENS:

None.

CONSENT AGENDA:

- A. Minutes of July 27, 2011
- B. Approval of Claims Warrants No. 17428 through No. 17476, in the amount of \$455,394.70 and Payroll Warrants No. 20581 through No. 20606 in the amount of \$126,567
- C. July 2011 Treasurer's Report.

Councilmember Holland moved to approve the Consent Agenda as prepared. Councilmember Colorossi seconded the motion and it carried unanimously.

PRESENTATION:

Community Project	Mayor Temple and Jeannie Pestinger gave a presentation about a community project completed by the Graham Stake Youth of - The Church of Jesus Christ of Latter Day Saints. On July 21, a group of 120 youth and 30 adults completed various projects around town. The projects included a car wash for the Orting Food Bank, painting of curbs in the park, painting backstops and picnic tables, building a pathway from the parking lot to the future dog park and checking storm drains for sediment.
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Mayor Temple presented group leader Tom Worton with a certificate of appreciation for all their hard work.

Pierce County-Wide
Flood Control Zone
District

Brian Ziegler, Debby Hyde and Harold Smelt, of Pierce County Public Works presented the Council with information about a County-Wide flood control district. The District would be a taxing authority that raises funds to pay for flood control projects including setback levees. In fall of 2010, the County attempted to form a district but then decided to regroup and attempt to form the district again. The County hopes that using a longer process with more public involvement will be more successful. The County will seek support from cities like Orting to inform the public about the need for and benefits of a flood control district.

Solid Waste Request
for Proposal

Stave Wamback, of Pierce County Solid Waste, spoke to the Council about the City's role in providing garbage service.

The City is given the authority and responsibility in state law to regulate garbage disposal. The City can provide the service itself, contract with a private service provider, or allow the Washington State Utilities Commission to select a provider. Cities also have a range of things that they can require including recycling and input on the topic of rates.

The City of Orting currently contracts with DM Disposal for solid waste disposal services. The contract expires in May, 2012.

OLD BUSINESS:

Public Hearing:
Medical Marijuana
Dispensary &
Collective Garden
Moratorium

Medical marijuana has become a highly controversial subject in our state this past year. Federal Law continues to declare the dispensaries and growing operations illegal. The Governor has vetoed most of the recent legislative attempts to pass a law allowing dispensaries and growing operations. Many Washington cities are passing moratoriums to study the subject further.

If the Council approves the moratorium ordinance, the City must begin a process of evaluating the subject in light of Federal Law, zoning, and state law. That work may become moot should federal or state laws change

Mayor Temple opened the public hearing at 8:05 pm.

Jeannie Pestinger asked for a definition of collective gardens? Does it include vegetable gardens?

Mayor Temple reported that the moratorium would only affect collective marijuana gardens.

Josh Penner asked what type of plan will have to be created once a moratorium is adopted.

The ordinance would require the City to look to update the land use sections of the City Code to regulate if and where gardens and dispensaries would be allowed and the requirements to open one if it is allowed.

Andrew Milo commented that Orting already has a drug and alcohol problem and the City should not even consider any law to make them more accessible.

Hearing no further comment Mayor Temple closed the hearing at 8:10 pm.

Medical Marijuana
Dispensary &
Collective Garden
Moratorium Ordinance

Mayor Temple reported that cities in the area are taking different approaches to this issue. Some are creating moratoriums while others are doing nothing. She cautioned that a moratorium will require the City to take action in the future and may create unnecessary work for staff. The City already has a policy in place to deny any application for business license for a dispensary or garden based on their prohibition in federal law.

The Council agreed to table the ordinance until the August 31, 2011 to wait for Councilmember Hunt to be present to comment.

NEW BUSINESS:

Gratzer Ball Fields
Name Change

Councilmember Inge reported that the sport fields being built off Whitehawk Blvd have informally been known as the Gratzer Ball Fields. Administration and the Park's Commission are recommending a name change to the "Washington Rock Sport Fields".

Councilmember Colorossi presented the Council with a packet of information about the historical significance of the Gratzer name in Orting.

The Council referred the item back to Parks Commission to discuss the historical information provided by Councilmember Colorossi.

Eagle Scout Park
Structure

Zane Bowen, an area Life Scout, presented a project that he would like to complete to earn his Eagle Scout. He proposed to build a pad for a barbeque and picnic table near the trail in the Charter Park and a cover for the historical saw blade near the Silo.

Councilmember Drennen recommended that Mr. Bowen work with Councilmember Colorossi and the Historical Society to complete the structure over the saw blade.

Councilmember Inge moved to approve Zane Bowen's proposal to lay a concrete slab for picnic table and barbeque in the Charter Park. Councilmember Holland seconded the motion and it carried unanimously.

NPDES Stormwater
Regulations Ordinance

Councilmember Drennen reported that adoption of the National Pollution Discharge Elimination System (NPDES) Stormwater

Ordinance is required as part of the NPDES Phase II Western Washington Municipal Stormwater Permit. He presented the Council with an ordinance to review. The Council will be asked to adopt the ordinance at the August 31, 2011 Council meeting.

Whitesell St NE and Deeded Ln SW Sanitary Sewer Rehabilitation Project Notice of Award Councilmember Drennen moved to award the contract for the Whitesell Street NE and Deeded Lane SW Sanitary Sewer Rehabilitation Project to Realm, Inc, in the amount of \$194,073.08. Councilmember Holland seconded the motion and it carried unanimously.

Whitesell St NE and Deeded Ln SW Sanitary Sewer Rehabilitation Project Construction Services Scope & Budget Councilmember Drennen moved to approve the Whitesell Street NE and Deeded Lane SW Sanitary Sewer Rehabilitation Project Construction Services Scope & Budget. Councilmember Holland seconded the motion and it carried unanimously.

Request for Proposal (RFP): Solid Waste Provider Discussion of the Solid Waste Provider RFP was tabled to the end of the meeting.

STANDING AND COMMITTEE REPORTS:

Rivers Building Official Ken Wolfe reported that the City is nearing the end of the design process for the Calistoga Setback Levee. He also reported that the City has been awarded \$2.1 million for construction of the levee.

Parks Councilmember Inge reported the tree carver will start work again soon. The dog park committee has selected a consultant to help design the park.

Utilities & Technology Councilmember Drennen reported that at August 3 meeting the committee reviewed the cost of service study.

Finance Councilmember Colorossi report the bi-annual state audit of the City is currently in process.

Community Development Councilmember Krogh reported that the Community Development Committee is working on the Saturday Market and a seminar for entrepreneurs.

Governmental Affairs Councilmember Fritz reported that the Council will be asked to approve updated legislative priorities on August 31, 2011.

EXECUTIVE SESSION:

Potential Litigation Mayor Temple announced an executive session to discuss potential litigation under RCW 42.30.110(i) for 10 minutes at 9:10 pm. Regular session was reconvened at 9:25 pm.

NEW BUSINESS (CONT):

Request for Proposal (RFP): Solid Waste Provider Councilmember Holland moved to authorize the Mayor to advertise a Request for Qualifications for a Solid Waste Provider. Councilmember Inge seconded the motion and it carried unanimously.

ADJOURN:

Councilmember Holland moved to adjourn the meeting at 9:30 pm. Councilmember Fritz seconded the motion and it carried unanimously.

ATTEST:

City Administrator Mark Bethune

Mayor Cheryl M. Temple