

ORIGINAL

Councilmembers

Position No.

1. Tod Gunther
2. Barbara Ford, Deputy Mayor
3. Michelle Gehring
4. Dave Harman
5. Nicola McDonald
6. Josh Penner
7. Scott Drennen



ORTING CITY COUNCIL

Regular Business Meeting Summary

Public Safety Building
401 Washington Ave. SE, Orting, WA

March 8, 2017
7 p.m.

Mayor Joachim Pestinger

1. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, AND ROLL CALL.

Mayor Pestinger called the meeting to order at 7:00p.m., in the Public Safety Building. Councilmember Gunther led the Pledge of Allegiance.

Councilmembers Present: Deputy Mayor Barbara Ford, Councilmembers Scott Drennen, Tod Gunther, Nicola McDonald, Josh Penner, and Michelle Gehring.

Staff Present: Mark Bethune, City Administrator, Jane Montgomery, City Clerk, Scott Larson, Treasurer, JC Hungerford, Engineer, Charlotte Archer, City Attorney,

REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA.

Mayor Pestinger asked to add Ordinance No. 2017-1011, nuisance abatement. This will be added under agenda item #8, New Business.

Council moved Audience Comments up in the agenda as Mr. Lindquist was late in traffic.

2. PUBLIC COMMENTS

Cheryl Temple

Ms. Temple thanked Staff and Council for their hard work. She reported that there will be a Daffodil Float this year. Daffodils are available for sale to support the event. The theme is "Daffodil Paradise". Ms. Temple also announced that Mayor Pestinger will be running for re-election.

Patti Justus

Ms. Justus informed Council that last week her daughter had overdosed and that Fire Department personnel had revived her. She is seeking opportunities to serve her community to combat drug addiction. She reported that outpatient treatment for her daughter was unaffordable. She would like to see meetings and other support groups in the City of Orting that will cater to young adults.

3. PRESENTATION- (Mr. Lindquist arrived at 7:19pm.

(Public comments were stopped and will resume after his presentation).

A. Pierce County Prosecutor- Mark Lindquist

Mr. Lindquist was present with his community outreach assistant, Mr. James Lynch. Mr. Lindquist spoke about the High Priority Offender Program (HPO), a data-driven approach to prosecution using technology, data, and Intel to identify and focus

resources on the small percentage of offenders who are committing a large percentage of the crimes. This crime-fighting initiative began in 2016 after months of preparation and buy-in from all of the county's 24 law enforcement agencies. His office is the first on the west coast to implement HPO, modeled on the successful program on data-driven approaches to prosecution in New York and other east coast cities.

Mr. Lindquist also spoke about his office's Elder Abuse Unit. Started by Mr. Lindquist in 2011, the elder abuse team works to vigorously prosecute offenders and assist the community in preventing elder abuse crimes. Because of its leadership in the field of elder abuse, the Pierce County Prosecutor's Office was awarded \$370,985 from the Department of Justice to support a comprehensive approach to addressing elder abuse. The Prosecutor's Office, which secured one of only nine nationwide grants, is teaming up with local law enforcement agencies and victim service organizations to increase and strengthen training, form a community response team, and improve access to victim services.

Discussion and Questions followed. Some of the topics were:

- Cases sent to the Prosecutor;
- What it takes to prove that a crime was committed;
- Drug house closures;
- Civil nuisance and abatement laws;
- Neighborhood block watch programs.

Councilmember Penner suggested that citizens might want to meet with Mr. Lindquist out in the lobby for any questions they might have about closing down drug houses. Council changed the order of the agenda by moving Consent and Committee Reports up in the agenda and coming back later to Public Comment time, so that citizens speaking to Mr. Lindquist would be able to participate.

Deputy Mayor Ford made a motion to change the agenda, moving on to the Consent Agenda, followed by Committee reports, and then return to audience comments. Second by Councilmember Gunther. Motion Passed (7-0)

4. CONSENT AGENDA

- Minutes of February 22, 2017
- Minutes of March 1, 2017
- Payroll and Claims Warrants

Deputy Mayor Ford sited 2 amendments to the minutes of February 22, 2017. One to the spelling of the word school and one to the spelling of the name Dooling to Pooling.

Deputy Mayor Ford made a motion to approve the Consent Agenda as amended. Second by Councilmember McDonald Motion Passed 7-0)

5. COMMITTEE AND COUNCIL STANDING REPORTS

Finance

Councilmember Gehring reported on topics from the last Finance Committee meeting on March 6th. They discussed the following:

- Revenues and Expenses- Year to date.
- The Parks fund balance;
- Purchase cards;
- Vision permitting software;
- The current condition of the City's backhoe and the need to replace it;
- Possibility of a trailer to haul large heavy equipment.

Community & Government Affairs

Councilmember Drennen briefed on the meeting on the 3rd of March. Items discussed were as follows:

- Sponsorship policy;
- AD HOC Committee on homelessness;
- Purchasing policy.

Public Works

Councilmember Penner briefed on the topics of discussion at the meeting on March 1st, which were:

- Bids for Orville Road in the next 2 weeks;
- Solid waste removal bids soon;
- Wastewater treatment plant possible power efficiency audit;
- Public works shop- design /build;
- Backhoe purchase;
- Bark delivery for the levy.

Parks Advisory Board

Councilmember Gunther reported on the topics discussed at the last meeting. They are working on the following;

- The planting strip on Van Scoyoc;
- Calistoga Park Plan.
- Community garden;
- Mobile splash pads.

Mayor Pestinger stated that there may be a possibility of having a large community garden on the Soldiers Home property.

Technology Committee

Councilmember Gehring reported that this Committee is meeting on the 27th of the month so there is currently no report.

Emergency Evacuation Bridge System

Councilmember Drennen reported that they met on March 3rd. He reported on the following:

- They are under budget on the scope of work with Parametrix;

- Still working with legislators to receive funding;
- Tehaleh gave a presentation at their meeting;
- They made revisions to the brochure for the bridge system.

Mayor's Report

The Mayor informed Councilmembers that AWC is seeking Councilmembers who may want to serve on the Board of Directors. Councilmembers should contact the Mayor for more information. The Mayor attended a Chamber of Commerce meeting where he learned that Puget Sound Energy would like to come to Orting and do energy evaluations for small businesses. Citizens who have a washing machine that was built before 1997 are eligible for a new free washer from PSE.

Miscellaneous Activity Reports.

Deputy Mayor Ford attended the Orting Community Network meeting. This Committee is a coalition of people in the community who head up various non-profit organizations. This group is currently working on a program called "Homeless Connect". Their goal is to connect hundreds of homeless individuals with services. They plan on busing in homeless individuals on May 6th, 2017, to the Orting High School. Deputy Mayor Ford had heard some concerns about possible impacts to the City. Research by the organizer is being done and Deputy Mayor Ford will report back to Council with the findings.

Councilmember Penner reported that he reached out to the Washington Department of Veterans Affairs personnel. They had made a presentation to Councilmembers back on January 11th, 2017, about Quixote Village in Olympia, and their plan to build a similar community called "Veterans Village" at the Soldiers Home in Orting. He also met with Arlene Murray and Mary Ellen Hill. He advised Council that Arlene Murray was present in the audience and he asked that she brief the Council on their meeting.

Arlene Murray Community Outreach Liaison for the Puget Sound Veterans Hope Center, addressed the City Council and spoke about the upcoming outreach to homeless at the Homeless Connect event in May. She also stated that when Veterans Village is built they will reach out to Veterans in Orting.

6. COMMISSION REPORTS

Planning Commission

Karen Wilson advised that the Planning Commission is:

- Continuing their review and work on architectural design review of the City's sign code;
- Re-establishing a team of people to work with the City Attorney to address legal issues in the code;

Councilmember Penner voiced concerns about signage outside of the main town area. Ms. Wilson stated that the Planning Commission is addressing that issue and the Code Enforcement Officer is monitoring that signage.

2. PUBLIC COMMENT TIME (continued)

Arlene Murray

Ms. Murray represents the Puget Sound Veterans Hope Center. She spoke about the request from the City Council that her group facilitate a Community Meeting regarding Veterans Village. She has spoken to the Board and they have agreed to sponsor the meeting. They are in the Planning stage right now. They hope to have it at the Washington Soldiers Home where Veterans Village will be built. Ms. Murray will inform Council as soon as a date has been solidified. Ms. Murray stated that a representative will be at every Council meeting in order to keep the public informed. She was praised for her good work and efforts. Ms. Murray expressed condolences to Mr. Breslin whose son died recently of a drug overdose.

James Breslin

Mr. Breslin addressed the City Council. This is the second meeting he has attended; the first was on February 22, just after the death of his son Cody. He stated that since that meeting he had met with the Mayor and he was not satisfied with the outcome of that meeting. He stated that he had asked the Chief of Police about the status of his son's case and was told that the Chief could not address his request but that he would need to contact the Orting Police Department Detective. Mr. Breslin made reference to an embezzlement case, contact with the DEA, activities out at Schoenbachler Farm, and the involvement of persons at the Farm in relation to the events leading up to the death of his son. Mr. Breslin expressed his opinion that the Police Department and the Mayor do not want to clean up illegal activities in the City of Orting.

Brent Ferguson

Mr. Ferguson stated that he felt no one in the City had spent any time trying to combat illegal activities in the City since the death of Cody Breslin. His opinion was that City officials have not acted to arrest the individual/individuals who are responsible for the death of Mr. Breslin's son Cody. He informed Council that there would be a drug awareness meeting on Friday March 10th, and that he expected everyone present to attend that meeting. He stated that they will not give up until the town is fixed.

Scott Leach

Mr. Leach expressed his support to Mr. Breslin and to Cody. He discussed the possible reason for the recent increase in heroin use. Mr. Leach would like to figure out how to stop the epidemic. He is seeking direction and solutions. He acknowledged The anger that was felt and hoped it would lead to solutions to the drug epidemic. He is very concerned about the impact to the Orting Community.

Councilmember Gunther said that he and the rest of the Council do care about this issue and he offered his condolences. He invited audience members to the Public Safety meeting on Tuesday the 14th of March.

April Good

Ms. Good stated that she is a new member of the Community and is willing to help in any way that she can. Ms. Good said that those present are seeking direction as to what can be done. She does not want the drug dealers to take over the Community of Orting. She says that feedback to the Community would be helpful so they can know what steps are being taken.

Councilmember Drennen discussed the success of Neighborhood Block Watch Programs. He asked if the Mayor could assign an Officer to work with the group. Mayor Pestinger stated that will need a contact person for each area. Ms. Good will call the Mayor's office tomorrow and leave a phone number. Councilmember Gunther stated that this is a good example of Community Policing in action.

Doug Bishop

Mr. Bishop asked if the City had a Dare Program. He was told that the grant for that had run out but other organizing efforts are being made.

Dennis Paschke

Mr. Paschke stated that addiction is deadly and does not discriminate, and that there are no easy answers. He stated that his heart is with Mr. Breslin. He encouraged everyone to focus their energy toward solutions rather than being pitted against one another. Mr. Paschke is also a minister. On behalf of the organization he represents, he made a commitment to start a process to create an opportunity for funding for a wellness center that might be part of the solution, and in honor of Mr. Breslin's son Cody.

7. OLD BUSINESS

A. AB17-15- Ordinance No. 2017-1007- Adding Orting Municipal Code Section 6.1B.18, Relating to Hunting of Wild Animals Within City Limits.

Councilmember Harman briefed on the proposed ordinance. This ordinance would establish OMC 6-1B-18, pertaining to hunting within City limits. The first reading was on February 22nd and this version has been revised to reflect changes that were requested at that time which were as follows: revised definition of "to hunt"; added definition of "wild animals" and wild birds"; penalties provision modified to cross-reference OMC 1-4-1 (General Penalty); operation of licensed "farm kill" added as exception.

Doug Bishop

Mr. Bishop asked about the ordinance in relation to the trapping of possums, or other nuisance animals. This ordinance does not apply to trapping as indicated in Section C of the ordinance.

Councilmember Penner made a motion to adopt Ordinance No. 2017-1007, adding Orting Municipal Code section 6.1B.18, relating to hunting of wild animals within City limits. Second by Deputy Mayor Ford. Motion passed (7-0)

B. AB17-16- Ordinance No. 2017-1008, Adding Orting Municipal Code Section 6-1b-17 Relating To Discharge Of Firearms Within City Limits.

Deputy Mayor Ford briefed on the proposed ordinance. The Code Enforcement Officer requested that the City Council consider regulations to bar the discharge of firearms within City limits. This ordinance was prepared in response to that request. Under RCW 9.41.290, the State fully occupies and preempts the entire field of firearms regulation, however RCW 9.41.300(2) (a) expressly authorizes the City to enact laws and ordinances restricting the discharge of firearms in any portion of its jurisdiction where there is a reasonable likelihood that humans, domestic animals, or property will be jeopardized. The Public Safety Committee reviewed this ordinance, and the City Council had a first read on February 22, 2017. This ordinance was modified at the request of the City Council from the original version submitted to them on 2/22 as follows: penalties provision modified to cross-reference OMC 1-4-1 (General Penalty); operation of licensed "farm kill" added as exception. Some citizens had expressed concern that their gun rights would be violated but it was explained that one of the exceptions in the ordinance is for (1) for the lawful defense of person, family, or property.

Councilmember Penner made a motion to adopt Ordinance No. 2017-1008, adding Orting Municipal Code section 6-1b-17 relating to discharge of firearms within City limits. Second By Councilmember Harman. Motion passed (7-0)

C. AB17-17- Organizational Assessment – Process

City Administrator Bethune informed the Council that the two firms chosen to continue in the process, Moss Adams and Matrix, have been asked to provide the City additional documents by the 17th of March. The next step in the process will be to analyze their responses, and then choose one of the finalist to perform the assessment. He will brief Council as they move forward.

8. NEW BUSINESS

E. Ordinance No. 2017-1011- Chronic Nuisance Properties. (Council Requested that item E be first).

City Attorney Archer briefed on this addition to the agenda. This ordinance was prepared in response to the citizen comments at the last City Council meeting on February 22nd and at the request of the City Council. She, Officer Isenhardt and Chief Drake met minutes after that meeting to discuss adopting a chronic nuisance chapter to the Orting Municipal Code. Attorney Archer explained the definition of a nuisance property. The ordinance, was modeled in part from similar ordinances in Seattle, Burien and Everett. The ordinance was drafted as an emergency ordinance and could be adopted and become effective immediately. Attorney Archer also described the process of filing a legal action against a nuisance property. She explained that this is the primary method by which a City on the civil side can address issues such as shutting down drug houses.

Discussion followed as to whether or not Council wanted to take a recess to have time to review the proposed ordinance. After discussion the City Council determined that they needed additional time to review the ordinance. Council expressed concerns about who would have the authority to authorize the City Attorney to pursue legal action against a nuisance property and how the process would work. Council also

wanted to be sure that any proposed ordinance would retroactively be applied to current nuisance properties.

The City Council discussed the possibility of holding a special meeting. Councilmember Gunther made a motion to have a special meeting to address the proposed ordinance. City Attorney Archer informed Council that a formal motion was not required. By consensus Council agreed to have a special meeting scheduled by the City Clerk on March 14th, at 7:00pm. The Public Safety Committee meets that evening at 6:30pm. At 7:00pm the Public Safety Committee meeting will break for the special City Council meeting. The Public Safety Committee meeting will resume after the special meeting is concluded. City Attorney Archer asked Councilmembers to send her any modifications prior to that meeting, so she could modify the ordinance with any requests.

A. AB17-18 -Purchase Cards

City Treasurer Scott Larson briefed on the Purchase card program. He explained that the City currently has several “floating” credit cards that are checked out from the Treasurer’s Office on an as needed basis. Most of the time this system works well, but this can lead to problems when the number of people that need cards exceeds the number of cards available. The current cards are guaranteed personally by the Police Chief, and his personal credit is at risk. The City would like to transition to a corporate purchasing card solution. The City’s current bank offers this option at no additional cost to the City. This would allow more controls to be placed on the cards, and easier tracking of purchases. The City Treasurer recommended a \$30,000 credit limit for the City which is what the City currently has. The Finance and Technology Committee reviewed this and also recommend approval.

Deputy Mayor Ford made a motion to authorize the Mayor to sign a credit agreement with Key Bank for purchase cards with a \$30,000 credit limit. Second by Councilmember Gehring. Motion Passed (7-0)

B. AB17-19-Vision Utility Billing Software

Treasurer Larson briefed the Council on this agenda item. He explained that the utility billing software is in need of an update to allow the City to maintain its current level of service. The current software’s database is built on old architecture, and as the database fills up, the system slows down, and crashes from time to time. The software is nearing the end of its Life. City administration wants to have a replacement in place before the software is no longer supported by Vision. The new software also has a document management function which allows staff to attach utility agreements, adjustments, and other paperwork associated with utility accounts that currently are maintained in paper files. Both the Finance and Technology Committee recommend approval.

Deputy Mayor Ford made a motion to approve the purchase of Vision Utility Billing 2 software for \$5,200. Second by Councilmember Gehring. Motion passed (7-0)

C. AB17-20-Vision Permitting Software

Treasurer Larson briefed on this agenda item. He informed the Council that the current permitting software that the City uses is at the end of its life and is becoming

unreliable. It is no longer supported by the manufacturer, and it does not work on modern operating systems. This new software will integrate with current general ledger accounting software and cash management software which will create efficiency and time savings. This will also reduce transcription errors and the time staff spends processing permits and taking payment for permits. The new software also allows for a more streamlined inspection process as all the notes and pictures that our inspectors take will automatically be attached to the permit file. Both the Finance and Technology Committee have recommended approval of the software. A payment plan for five years was also part of the proposal to Council.

Councilmember Gehring made a motion to approve the purchase of Vision permitting software for \$29,950. Second by Councilmember Penner. Motion passed (7-0)

D. Homelessness- AD HOC Committee.

Councilmember McDonald explained that this had come before the CGA Committee and they had not realized that an AD HOC Committee had already been formed. Deputy Mayor Ford explained that in January she had proposed the formation of the Committee and at that time Councilmember Gunther expressed an interest in being part of that Committee. They have been in an information gathering process. Council agreed to that Deputy Mayor Ford and Councilmember Gunther should continue their work on the committee.

9. EXECUTIVE SESSION

Mayor Pestinger made an announcement that there would be an executive session, and that there would not be action taken when they return, that the topic is covered under RCW 42.30.110 (i) relating to agency enforcement actions, and that the session will last 10 minutes.

9:47pm. - Mayor Pestinger recessed the meeting to executive session.

9:57pm. - Extended for 5 minutes.

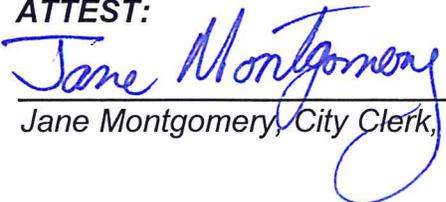
10:02pm. -Mayor Pestinger called the meeting called back to order.

10. ADJOURNMENT

Deputy Mayor Ford made a motion to adjourn. Second by Councilmember Penner. Motion passed (7-0)

Mayor Pestinger adjourned the meeting at 10:02pm.

ATTEST:


Jane Montgomery, City Clerk, CMC


Joachim Pestinger, Mayor