



ORTING CITY COUNCIL MEETING MINUTES

Public Safety Building, 401 Washington Ave. SE

AUGUST 26, 2015

Mayor Joachim Pestinger called the meeting to order with the flag salute at 7:00 pm in the Orting Public Safety Building. Roll call found in attendance Deputy Mayor Josh Penner, Councilmembers Sam Colorossi, Scott Drennen, William Birkes, Barbara Ford, Tod Gunther and Dave Harman.

ATTENDANCE:

City Employees	Bill Drake, Police Chief/Acting City Administrator Rachel Pitzel, City Clerk	
Professional Representatives	Jay Long, Attorney – Kenyon Disend JC Hungerford, Engineer – Parametrix	
Visitors (signed in)	Susan Rigley Gwen Robson	Margaret Ryals Larry Isenhart

REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA:

Councilmember Colorossi requested an addition under New Business as item "E" - Special Attorney for PSB lease.

CONSENT AGENDA:

Councilmember Colorossi moved to approve the Consent Agenda as prepared. Second by Councilmember Birkes. Motion carried (7-0).

COMMENTS FROM CITIZENS:

Chelsea Golden - urged City Council to go forward with Bridge for Kids and make it a priority. Discussed the evacuation process.

Margaret Ryals – discussed the foot evacuation bridge and the City taking on the role as lead agency, she asked Council to continue to move forward with it and noted it should be a top priority.

Suzanne Wrigley – Pierce County Library - updated the Council on events with the Library and what will be happening in September.

PRESENTATIONS: (7:08)

Mayor Pestinger read the September Prostate Cancer Awareness proclamation for the record (which is attached at the end of the minutes).

Mayor Pestinger appointed Tyler Daniels to position No. 3 Planning Commissioner with term expiring December 31, 2018.

Deputy Mayor Penner moved to approve the Mayor's appointment of Planning Commissioner Tyler Daniels to a four year appointment to Planning Commission Position No. 3 expiring December 31, 2018. Second by Councilmember Harman. Motion carried (7-0).

COMMITTEE AND STANDING REPORTS: (7:11)

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| Community & Government Affairs | Councilmember Ford reported that tonight Council will be looking at the sponsorship policy as a first reading. |
| Transportation | Councilmember Drennen reported after many years and commitment, the first light pole was put up in the park which is bringing much needed light at night to that area (Councilmember Colorossi brought a picture to show Council); discussed the Master Transportation plan, review and update - key items: pedestrian transportation, ADA accessibility of sidewalks. |
| Mayor Report | Mayor Pestinger reported that morning he attended a kick off for Orting schools; he noted he is interested in trying to start a Youth Advisory Committee of kids to organize their own meetings and let Council know what their interests are; he noted tomorrow he will attend the Sound Transit board meeting. |
| Miscellaneous | <p>Councilmember Ford reported she attended two special meetings, the Ag-tourism conference that was last Saturday- she noted the room was full and talked with several farmers to help create Ag-tourism Hub, she noted the group is putting together a map of the Pierce County area and focusing on Orting being the "hub". She noted the group also discussed the special needs for farmers which included insurance; the second meeting she attended was at the Orting Senior Center, she noted she talked specifically about needs for Seniors- she stated they are appreciative to the City regarding the ADA accessibility the City is focusing on and wanted to thank the Transportation Committee.</p> <p>Deputy Mayor Penner announced the Orting Police Guild is having a ride along for children this is a bicycle ride along with two different age groups provided.</p> <p>Councilmember Harman reported on the Ag-tourism conference and noted they talked about a certified kitchen and the need for it, he stated the Lyons Club have the ability to service that and may have the funding to accomplish it; they also discussed the idea which would be similar to a Bed & Breakfast, where people could stay on different farms but it is called a "Farm Stay".</p> |

OLD BUSINESS: (7:25)

Orting Emergency
Evacuation Bridge
Lead Agency
Agreement

Councilmember Drennen reported he did not have a report or any progress that was made, but there will be a meeting on Friday.

JC Hungerford noted the contract has been signed by the City and is back with the State.

NEW BUSINESS: (7:27)

Ordinance No. 2015-
970 • Indemnification
of Employees &
Officers

City Attorney Long gave a general overview and discussed the need to have an ordinance since the code does not have any item like this.

Councilmember Birkes asked who would decide if the act was intentional.

City Attorney Long gave some examples, noted it would come down to facts of case and the discovery.

Councilmember Colorossi asked about the term “has been”, wondered if that person would be covered after the “has been”.

City Attorney Long stated yes, and gave example.

Deputy Mayor Penner asked if it was decided to not provide coverage and found innocent, can that person be compensated for legal fees.

City Attorney Long stated that was a great question, he would need to take a “re-look” at the ordinance, but it would default that we would give coverage. He noted Council can differ the Ordinance to the next Council meeting.

Ordinance No. 2015-
971 • Noise Control

Councilmember Ford reported this came before the Public Safety Committee a year ago and led by Code Enforcement Officer Larry Isenhardt, she described the ordinance and what it entailed.

City Attorney Long stated that Officer Isenhardt drafted the ordinance and did a great job, and noted Officer Isenhardt added the State provisions which is helpful.

Councilmember Drennen stated he would like to hear from Officer Isenhardt and would like to see a strikeout version of what the changes were.

Officer Isenhardt discussed the ordinance and the three-day noise class on how to do noise investigations and specifications he

attended. The code says that an investigation is not required to determine a violation. He noted, the biggest thing about the new revision is the penalty phase, it is much more precise and in line with what the state wants.

Discussion took place regarding barking of dogs; definitions regarding motorcycles and farm equipment; "normal hearing" and the hours which are stated in the ordinance.

Councilmember Birkes moved to adopt Ordinance No. 2015-971, relating to Noise Control; repealing Orting Municipal Code Section 5-1-4 & Orting Municipal Code Chapter 5-8; creating a new Orting Municipal Code Chapter 5-8. Second by Councilmember Ford. Motion carried (7-0).

Amendment to the
Contract for Services/
Bev Emmons

Councilmember Colorossi discussed the need to extend the contract for services with Bev Emmons.

Councilmember Colorossi moved to amend the current contract for services with Bev Emmons for an additional 40 hours. Second by Councilmember Birkes. Motion carried (7-0).

First Reading ●
Sponsorship Policy

Councilmember Ford reported on the first reading of the sponsorship policy, she explained some of the frustration regarding sponsorship policy and this is to clarify those questions. She went through the policy and noted the separation between the sponsorship portion and the grant funding portion.

Discussion took place regarding a previous memo discussing the waiver for park and facility fees; 501c3 tax exempt vs. non tax exempt 501c3's; budget process with a pool of money; discussed removing statement made regarding programs where funds were raised privately.

Special Attorney
Services for PSB
Lease

Councilmember Colorossi reported he put a packet together with qualifications of a special attorney to guide Council through the PSB lease agreement.

Councilmember Colorossi moved to have Attorney Joseph F. Quinn draw up a contract for Special Attorney Services for the Public Safety Building lease agreement. Second by Councilmember Drennen.

Discussion took place regarding working collectively with the City's Attorney; it was also stated that once a contract is written up, there is still the opportunity for Council to back out.

Motion carried (7-0).

EXECUTIVE SESSION:

Mayor Pestinger recessed to Executive Session at 8:50 pm to discuss the selection of a site or the acquisition of real estate by lease or purchase, as authorized by RCW 42.30.110(b) and to discuss anticipation of litigation as authorized by RCW 42.30.110(i). He announced action may be taken after Executive Session which will last 20 minutes with no action to follow.

Mayor Pestinger called for a 5 minute extension to the Executive Session.

Mayor Pestinger reconvened the Council meeting at 9:15 pm.

ADJOURN:

Councilmember Harman moved to adjourn. Second by Councilmember Birkes. Motion carried (7-0).

ATTEST:



Joachim Pestinger, Mayor



Rachel Pitzel, City Clerk



PROCLAMATION PROSTATE CANCER AWARENESS MONTH

This year the Tacoma Prostate Cancer Support Group (TPCSG) is renewing its effort to get the word out about prostate cancer. The numbers remain the same as previous years with over 29,000 deaths in 2014 making it one of the leading causes of death for men in America while being one of the least publicized and understood cancers.

Whereas, September is national Prostate Cancer Awareness Month; and

Whereas, prostate cancer is the second leading cause of cancer death in men; recognizing that while all men are at risk for prostate cancer, African American and Hispanic men have the highest incidence and mortality of prostate cancer in the world; and

Whereas, there will be an estimated 233,000 new cases of prostate cancer nationally in the year of 2015, and there will be over 29,000 deaths from prostate cancer in this same year; about one man in six will be diagnosed with prostate cancer during his lifetime according to the American Cancer Society; and

Whereas, in 2014 there were 5,400 new cases of prostate cancer diagnosed and 730 deaths from prostate cancer in Washington State; and

Whereas, the Washington State Prostate Cancer Coalition along with the Tacoma Prostate Cancer Support Group provide programs and materials to advocate and educate men to have an informed discussion with their healthcare provider about prostate cancer by age 50 and by age 45 if they have a family history of the cancer,

Therefore, I, Mayor Joachim (Joe) Pestinger, do hereby support September as Prostate Cancer Awareness Month.


Joachim (Joe) Pestinger
Mayor
City of Orting