



# ORTING CITY COUNCIL MEETING MINUTES

Public Safety Building, 401 Washington Ave. SE

September 9, 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, Tod Gunther and Dave Harman.

## ATTENDANCE:

**City Employees** Mark Bethune, City Administrator Bill Drake, Police Chief  
Rachel Pitzel, City Clerk

**Professional Representatives** Jay Long, Attorney – Kenyon Disend  
JC Hungerford, Engineer – Parametrix

**Visitors (signed in)**

## REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA:

*Councilmember Harman moved to excuse Councilmember Ford from the meeting. Second by Deputy Mayor Penner. Motion carried (5-0).*

*Deputy Mayor Penner moved to excuse Councilmember Birkes from the meeting. Second by Councilmember Harman. Motion carried (5-0).*

## CONSENT AGENDA:

*Councilmember Colorossi moved to approve the Consent Agenda as prepared. Second by Councilmember Gunther. Motion carried (5-0).*

## COMMENTS FROM CITIZENS:

No comments from citizens.

## COMMISSION REPORTS: (7:02)

**Parks Commission** Commissioner Nielson reported on last week's meeting two items: Citizens pushing for ADA swing, discussed the project and needs; approved the piano in the park at Orting station which will be out in the day time.

*Councilmember Drennen moved to accept the piano as a gift from Cheryl Temple with appreciation. Second by Deputy Mayor Penner. Motion carried (5-0).*

**Planning Commission** Commissioner Hoyt reported on the livestock ordinance that is being updated, and a tentative public hearing will be in October on this proposed ordinance. The Planning Commission will be presenting to Council at their first meeting in October. Mr. Hoyt also noted there are no new businesses at this point and no projected ADR's.

Deputy Mayor Penner asked if instead of a proposed ordinance if a "somewhat less of an ordinance" can come before Council to limit Attorney time to work within the budget.

Mayor Pestinger discussed the McMillin bridge project and the delays it is going to cause on the weekend of September 18<sup>th</sup>.

**COMMITTEE AND STANDING REPORTS:** (7:12)

**Public Works** Councilmember Drennen reported nothing new to report; Public Works is wrapping up a few projects and noted a few of the projects.

**Finance & Cemetery** Councilmember Colorossi reported on the financial report he handed out to Council.

**Public Safety** Deputy Mayor Penner reported on educational programs the department is working on - Rape Defensive class and Driving Traffic School in October.

**Mayor Report** Mayor Pestinger reported on a presentation slide show regarding Pierce County Health and Youth in Orting and also discussed the ST3 candidate projects list.

Mayor Pestinger discussed that Mayor Temple, JC Hungerford and Ken Wolfe worked very hard on the set back levee – he noted that once a year IRWA looks for a Project of the Year that they can honor – he noted the City just got word that Orting is the winner with the first place project. He noted the honor will be awarded next June in Nashville, TN.

Discussion took place regarding the ST3 – S16 project McMillian Commuter Rail Station.

**OLD BUSINESS:** (7:30)

Orting Emergency Evacuation Bridge Lead Agency Agreement

Councilmember Drennen reported on the meeting last Friday which discussed long term funding, some suggestions was raising seed money; he noted having an active Bridge for Kids Committee and citizens can contact Mary Walsh through PTA who is heading the Bridge for Kids part; He also noted he is looking at ways to seek out grant money as a City.

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

City Attorney Long reported at the last meeting this ordinance was discussed and there was a question regarding an employee who was declined coverage. He noted in Section 1-14-8(A) - "If the city determines that an official or employee does not come within the provisions of this chapter, and a court of competent jurisdiction later determines that such claim does come within the provisions of this chapter, then the city shall pay any judgment rendered against the official or employee and reasonable attorneys' fees incurred in defending against the claim. The city shall pay any attorneys' fees incurred in obtaining the determination that such claim is covered by the provisions of this chapter."

DM Penner stated the way it sounded, in order to be reimbursed the staff member would have to make a claim to the city?

City Attorney Long responded – Yes.

***Deputy Mayor Penner moved to adopt Ordinance No. 2015-970, adopting Orting City Code Title 1, Chapter 14 regarding Indemnification of Employees and Officers. Second by Councilmember Colorossi. Motion carried (5-0).***

#### **NEW BUSINESS:**

Resolution No. 2015-11  
• Records Management Support Contract, City of Fife

Chief Drake reported on the RMS Support Contract with the City of Fife; discussed the support that will be given to maintain the software and keep the software current.

Councilmember Colorossi noted he would like to see the other resolutions noted in the agreement included with the contract.

***Deputy Mayor Penner moved to adopt Resolution No. 2015-11, authorizing the Mayor to enter into an Interlocal Agreement with the City of Fife regarding RMS Services. Second by Councilmember Harman. Motion carried (5-0).***

Water Conservation Discussion

Councilmember Drennen reported he would like to discuss this topic in the Spring.

Eagle Scout Project – Kiosk

City Administrator Bethune reported on the Eagle Scout project that Bradley Jackson would like to do for the park; discussed the kiosk and what it would look like.

***Councilmember Gunther moved to approve the Eagle Scout project of building an information kiosk in the park. Second by Councilmember Drennen. Motion carried (5-0).***

Engagement Letter • Special Attorney Services/PSB Lease Agreement

Councilmember Colorossi reported on the Engagement letter regarding an Attorney representing the City on the PSB lease agreement.

**Councilmember Colorossi moved to approve the Engagement Letter for Special Attorney Services regarding the Public Safety Building Lease Agreement with Attorney Joe Quinn. Second by Councilmember Drennen.**

Discussion took place regarding the signatory line and designating Councilmember Colorossi as a liaison.

Councilmember Colorossi **amended** the motion: ***moved to authorize the Mayor to sign the Engagement Letter for Special Attorney Services with Joe Quinn regarding the Public Safety Building Lease Agreement with Attorney Joe Quinn. Second by Councilmember Drennen. Motion carried (5-0).***

**Deputy Mayor Penner moved to accept Councilmember Colorossi act as liaison with Joe Quinn on the Council behalf contingent to the Mayor signing the agreement. Second by Councilmember Drennen. Motion carried (5-0).**

Scheduling Discussion

Mayor Pestinger reported he will be teaching a class on lease writing in California and during his absence the City Attorney will handle daily duties and the Deputy Mayor will be in charge of any items that need action by the Mayor.

Discussion on the Budget Retreat and conflicts with that date; it was noted that the retreat will be tentatively set for October 10<sup>th</sup> at 8:30 a.m. City Administrator Bethune will send out an email for any changes in the dates and time.

**ADJOURN:**

**Councilmember Gunther moved to adjourn. Second by Councilmember Colorossi. Motion carried (5-0).**

**ATTEST**

  
Joachim Pestinger, Mayor

  
Rachel Pitzel, City Clerk