

Councilmembers

Position No.

1. Tod Gunther
2. John Kelly
3. Michelle Gehring
4. Joachim Pestinger
5. Nicola McDonald
6. Greg Hogan
7. Scott Drennen



Orting City Council

Regular Business Meeting Minutes
Orting Multi-Purpose Center
202 Washington Ave. S,
Orting, WA
September 25th, 2019, 7:00pm

Mayor Joshua Penner, Chair

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

Mayor Penner called the meeting to order at 7:00pm. Councilmember Kelly led the pledge of allegiance.

Councilmembers Present: Deputy Mayor Greg Hogan, Councilmembers Tod Gunther, John Kelly, Michelle Gehring, Joachim Pestinger, Nicola McDonald, and Scott Drennen.

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

REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA.

None

2. PUBLIC COMMENTS (Council meetings are taped and the full comments may be listened too on the City's website).

Mr. Jung San Wang

Mr. Wang's comments were read into the record. They were related to the Whitehawk Extension and the proposed passage of the engineering scope and budget for a wetlands study of that project.

Bonnie Walkup

Ms. Walkup spoke about the Wang property. Ms. Walkup asked the Council to be fair and consider other options than the Wang property for the Whitehawk Extension.

3. PUBLIC HEARING

A. AB19-62- Ordinance 2019-1049, Adopting Interim Wireless Communication Facility Design Standards.

Mayor Penner opened the hearing at 7:04pm, and announced the title and read the rules for the public hearing. Charlotte Archer briefed on the proposed ordinance. The City adopted new Telecommunications Master Use Permit requirements in 2018 last year (Title 8, Chapter 8 OMC, Ord 2018-1031). This code allows for telecommunications facilities but does not provide any development standards. The City Council, following the Planning Commission's recommendations, adopted interim wireless communication facility development standards, Ord. 2019-1044. The FCC recently passed a rule that no new development standards would be accepted from local jurisdictions if they were not in place by April 14, 2019. Staff drafted a permanent wireless communication facility development standards ordinance, after feedback from staff, public and stakeholders. After a public hearing, the Planning Commission recommended approval of the ordinance on Sept. 9, 2019. The City Council reviewed this proposed ordinance on 9.18.19 at their study session. Council moved this forward for a hearing on the 25th of September. Council also received a letter from Verizon as a hearing comment which was provided to each Councilmember.

Public Comments- None

Council Comments or Questions followed.

Major points of discussion were on the following:

- The Verizon comment letter
- Pole design requirements
- Right of way placement of poles;
- Possibility of conditional use permits;
- Batch permitting.

Mayor Penner closed the hearing at 7:20pm.

Councilmember McDonald made a motion to suspend the Council Rules to amend the agenda to add an executive session. Second by Councilmember Pestinger. Motion passed (7-0).

Councilmember McDonald made a motion to amend the agenda to add an executive session. Second by Deputy Mayor Hogan. Motion passed (7-0).

Mayor Penner announced that there would be an executive session. City Attorney Archer stated that the executive session was per RCW 42.30.110 (1) (i) (3), for 5 minutes with action to follow.

Mayor Penner recessed to executive session at 7:22pm.

7:22pm- Recessed for 5 minutes;

7:27pm- Session over.

Mayor Penner called the meeting back to order at 7:27pm and asked if there was going to be a motion. Councilmember Kelly asked for a slight modification in the language of the motion.

Councilmember McDonald made a motion to Adopt Ordinance No. 2019-1049, A Zoning Ordinance to Add Chapter 13-9 to the Orting Municipal Code, Entitled "Wireless Communications Services Facilities". With the amended wording on Page 14. Item D, adding the word identical after the word multiple, and striking the clause "provided that the application fee shall be calculated as if the applications were submitted separately". Second by Deputy Mayor Hogan. Motion passed (7-0).

Request For Consent Agenda Items To Be Pulled For Discussion.

Councilmember Gunther asked to pull item 4F.

4. CONSENT AGENDA

A. Regular Meeting Minutes of September 11th, 2019.

B. Payroll and Claims Warrants.

C. AB19-60-To Adopt Resolution No. 2019-25, Authorizing a contingency in the amount of \$250,000, and authorizing the Mayor and/or his designee to execute change orders not to exceed \$15,000 per change order, up to the total contingency amount of \$250,000.

D. AB19-61-To Adopt Ordinance No. 2019-1050, An Ordinance of the City of Orting, WA, Amending Ordinance No. 2018-1037 And Ordinance 2019-1048, Adopting The City Of Orting 2019 Budget; Providing For Appropriation And Expenditure Of Funds Received In Excess Of Estimated Revenues.

E. AB19-63- To approve Resolution No. 2019-17, declaring property as surplus and authorizing disposal.

F. AB19-66- To approve the - Design and Engineering Scope and Budget from Parametrix, for the Whitehawk Extension for \$668,517.81.

Councilmember Kelly motion approve Consent Agenda with the exception of agenda item(s) #4F. Second by Councilmember Gehring. Roll call vote- Motion passed (5-2). The Nay votes were as follows: Nay-CM McDonald, Nay-CM Pestinger.

Consent Agenda Item Pulled For Discussion

4F. AB19-66- To approve the – Design and Engineering Scope and Budget from Parametrix, for the Whitehawk Extension for \$668,517.81.

Councilmember Gunther asked the Councilmembers if the letter read in earlier from Jung San Wang asking to postpone action on this item had merit. Councilmember McDonald stated that every letter has merit but whether or not they agree or move forward or approve does not invalidate the merit of the request. Councilmember Drennen stated that this item specifically addresses wetland issues, and any option has to look at the wetland impacts. He stated that at this point they are not saying this route is even feasible until they determine the extent of the wetlands in this area. Deputy Mayor Hogan stated this study is for the entire corridor. Administrator Bethune stated that this is focused on connecting at Kansas but can move around within that property depending on the conditions that are discovered. Councilmember Gehring stated that this was discussed at the study session and it lends to the argument to have the study done, in

order to see what the results are prior to moving forward on agreement on the transportation plan. This study assists Council in evaluating the alignment. Councilmember Pestinger asked if this was part of the comprehensive plan. Administrator Bethune stated that this route is already in the comprehensive plan.

Councilmember Pestinger motion to approve the Design and Engineering Scope and Budget from Parametrix, for the Whitehawk Extension for \$668,517.81. Second by Deputy Mayor Hogan. Roll Call Vote- Motion passed (5-2). The Nay votes were as follows: CM Gunther, CM McDonald

5. OLD BUSINESS

A. AB19-67 – Ordinance No. 2019-1051, an Ordinance of the City Of Orting, Washington, Relating To Land Use and Zoning; Amending Orting Municipal Code Title 13 Pertaining To the Mixed Use Town Center North Zone. (First Reading)

Administrator Bethune briefed on the proposed amendments to the City's zoning code, OMC Title 13. development regulations for the Mixed Use Town Center North Zone which were provided as Exhibit A to Ordinance No. 2019-1051. These changes were based on feedback from Councilmembers at their last study session. The Council was also provided a comparison table showing the following:

- Existing Regulations (pre-amendment process) Planning Commission's Recommendations, Staff's Recommendations, and Council positions (conveyed at Study Session and Open Meetings)

Discussion ensued on each item. Administrator Bethune will make suggested changes and they will be presented at the hearing at the meeting on October 9th.

6. EXECUTIVE SESSION

The City Clerk stated that there would be an executive session per RCW 42.30.110 (i) (3), it would be for 15 minutes, with no action anticipated after return to open session. The Clerk also stated that after the Executive session there would be a closed session per RCW 42.30.140 (4) (b), for 10 minutes and no action is anticipated after return to open session.

Mayor Penner recessed the meeting at 8:32pm for a 4 minute break to be followed by the executive session.

Mayor Penner recessed to Executive Session at 8:36pm for 15 minutes.

8:36pm- Recessed to Executive session for 15 minutes.

8:51pm- Extended for an additional 2 minutes.

8:53pm- Extended for an additional 3 minutes

8:56pm- Extended for an additional 3 minutes.

8:59pm – Session over.

Mayor Penner called the meeting back to order at 8:59pm

7. CLOSED SESSION

Mayor Penner recessed the meeting at 9:00pm for the closed session

9:00pm- Closed Session began for 10 minutes.

9:10pm – Session over.

Mayor Penner called the meeting back to order at 9:10pm.

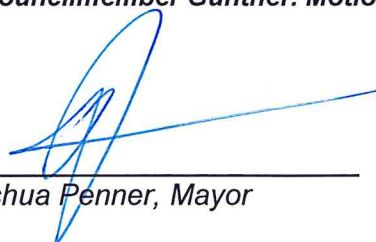
8. ADJOURNMENT

Councilmember Kelly motion to Adjourn. Second by Councilmember Gunther. Motion passed (7-0).

Mayor Penner adjourned the meeting at 9:10pm.

ATTEST:


Jane Montgomery, City Clerk, CMC


Joshua Penner, Mayor