

Councilmembers

Position No.

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



Mayor Joshua Penner, Chair

Orting City Council

Regular Business Meeting Minutes
Orting Multi-Purpose Center
202 Washington Ave. S,
Orting, WA
October 30, 2019
7 p.m.

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

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

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

Absent: Councilmember McDonald. John Kelly (absent for roll call but arrived at 7:02pm)

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

Councilmember Gehring made a motion to excuse Councilmember McDonald. Second by Councilmember Pestinger. Motion passed (6-0).

REQUEST FOR ADDITIONS OR CORRECTIONS TO THE AGENDA.

Mayor Penner indicated that staff would like to add City Hall Change order – 7B
Joachim Pestinger, Councilmember, asked to add a report- 7C

Councilmember Pestinger made a motion to amend the agenda and add items 7B and 7C. Second by Deputy Mayor Hogan. Motion passed (6-0).

2. STAFF RECOGNITION

The following employees were presented certificates of appreciation by Mayor Penner and the Manager who made the recommendation.

- Lt. Devon Gabreluk- Administration- Jane Montgomery.
- Justin Nale- Public Works-Greg Reed.
- Phil Taylor- Police Chief Chris Gard.

3. PUBLIC COMMENTS

John Williams

Mr. Williams advised the Council that he was disappointed that they had not followed the will of the Planning Commission in regard to the densities. He felt the Council ignored the comments made by the public regarding the Town Center North property. He spoke about his experience building Pioneer storage and now Deputy Mayor Hogan's request to fence in the storage units.

Susan Rigley

Ms. Rigley briefed on upcoming events at the Library. She handed out the calendar for November and December. Mayor Penner thanked Ms. Rigley for her consistent reports to Council.

4. HEARING

A. AB19-73-2020 Property Taxes- Resolution No. 2019-27, A Resolution Of The City Of Orting, Washington, Requesting the Highest Lawful Levy.

Mayor Penner opened the hearing at 7:20pm. The Mayor announced the title and read the rules for the public hearing. Treasurer Larson briefed. He went over the basics in a PowerPoint presentation. The proposed resolution will raise the property tax cap by \$46,911.11 to \$1,335,880.61, which is an increase of 3% over the prior years' levy which was \$1,291,337.79. The increase in the total amount of property tax collections is driven by \$16.76 million in new construction, and an increase in assessed valuation of \$45.45 million or 5%. Assessed valuation for 2019 and 2020 are \$806.72

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million and \$868.93 million. The rate that would be paid by citizens would decrease to approximately \$1.53 per \$1,000 of assessed valuation. The rate in 2019 was \$1.60 per \$1,000 of assessed valuation. The Council, may change the property tax rate back to \$1.60 per \$1,000 of assessed valuation. If they choose to do so, the tax at the full \$1.60 per \$1,000 in assessed valuation for 2020, the City would collect an additional \$54,401.85.

Public Comments

No Comments.

Council Questions/ Comments

No Questions or Comments.

Mayor Penner closed the hearing at 7:29pm.

Councilmember Gehring made a motion to Approve Resolution No. 2019-27, a Resolution of the City Of Orting, Washington, Requesting the Highest Lawful Levy. Second by Councilmember Kelly. Motion passed (6-0).

5. CONSENT AGENDA

- A. Regular Meeting Minutes of September 25th, 2019.
- B. Regular Meeting Minutes of October 9th, 2019.
- C. Special Meeting Minutes of October 18th, 2019.
- D. Payroll and Claims Warrants.
- E. AB19-59- To authorize the Mayor to sign a contract for the purchase of a new server with Dell for a price not to exceed \$33,946.54.
- F. AB19-68- To Adopt Resolution No. 2019-28, A Resolution of the City of Orting, Washington, Adopting The Facilities Cost Allocation Policy As Presented.
- G. AB19-70- To Award Century Link As The Winner Of The RFP For Fiber Optic Network Infrastructure And Installation, And To Allow The Mayor To Enter Into A Contract With Century Link In The Amount Of \$ 73,600.00 Over 60 Months.

Deputy Mayor Hogan made a motion to approve Consent Agenda as prepared. Second by Councilmember Gehring. Motion passed (6-0).

6. OLD BUSINESS

- A. **AB19-46- Ordinance No. 2019-1040, an Ordinance of the City Of Orting, Washington, Relating To Land Use and Zoning; Adopting Amendments to the Comprehensive Plan.** Mayor Penner briefed that the Comprehensive Plan amendments and Title 13 amendments were broken up to create two separate ordinances. City Attorney Archer then briefed on the proposed Ordinance. There are 4 components, 2 initiated by the City and 2 that were privately initiated. She briefed on the City initiated items, the zoning map and the adoption of the 2040 Transportation Plan which will replace the transportation element and the appendix in the current plan. The Private requests were to amend the Land Use Element of the Comprehensive Plan pertaining to the MUTCN zone. She followed up with the brief of the Planning Commission's recommendations, and the process that was followed. The Mayor asked for a motion to be made if any amendment was desired. Council discussion followed.

Councilmember Drennen recapped the major items that Council reviewed and the process that they followed.

Deputy Mayor Hogan made a motion to Adopt Ordinance 2019-1040, an Ordinance of the City Of Orting, Washington, Adopting Amendments to the Comprehensive Plan and Corresponding Zoning Code, Adopting a Corrected Land Use Map, and Adopting and Replacing the Transportation Element and Appendix with the 2019 Transportation Improvement Plan. Second by Councilmember Pestinger. A roll call vote was taken. Motion passed (5-1). The Nay vote was made by Councilmember Gunther.

B. 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.

Administrator Bethune briefed on the proposed amendments to the City's zoning code, OMC Title 13. The Planning Commission made recommendations for amendments to OMC 13-3-2 and 13-3-3, development regulations for the Mixed Use Town Center North Zone. He stated that the Council's areas of agreement were very close to the Planning Commission's recommendations with a few divergences'. He briefed on the specific items in Exhibit A, the areas that were debated by Council which are as follows:

5A- Non Residential Space

*15 acres of non-residential uses

*For up to every 100 residential dwellings, a minimum of 3,500 square feet of retail and/or office space along SR162 and a minimum of 1,500 square feet of Light Industrial or Light Manufacturing commercial uses shall be developed for commercial uses ready for tenant improvement and occupancy be developed concurrently.

No Changes requested.

*Initial commercial development shall start at the White hawk Blvd/SR162 intersection and then move north and south.

Councilmember Drennen suggested limiting the distance going north up the highway from Whitehawk to about 1,000 feet to keep it a controlled intersection for ingress and egress purposes. Discussion followed. City Engineer JC Hungerford weighed in on the proposed language.

Councilmember Drennen agreed to address this at a later date.

No Change made.

5B- Public Open Space

*5 acres of useable open community park space that is not part of a critical areas buffer or shoreline buffer, required landscaping or perimeter buffering, part of a required easement, or part of a stormwater facility. These 5 acres of open community park space may not be subdivided into more than two smaller tracts and subject to the proportional size of the tax parcels.

No Change requested.

5C-Residential Density

*a maximum of 20 buildable acres allowed for residential construction.

*The minimum residential density is six (6) dwelling units per gross buildable acre. The maximum residential density for any non-senior residential development parcel is twelve (12) dwelling units per buildable acre.

*There shall be a mix of housing including detached, attached, and multi-family units within the residential acreage and avoidance of a segregation of housing types into specific areas.

*Detached single family residences in the non-senior housing can only be Cottage Housing per OMC 13-2-4, 13-3-3, 13-5-1g.

*Senior housing minimum density is six (6) dwelling units per gross buildable acre and a maximum of twenty (20) units per gross buildable acre.

Senior housing shall include a mix of housing including detached single family residences, attached housing, and multifamily units.

No Changes requested.

5E-Height

*Height is restricted to a maximum of 35-feet for commercial and residential construction fronting SR162 and Rocky Road.

* Height is restricted to a maximum of 45-feet east of commercial construction fronting SR 162 and south of construction fronting on Rocky Rd. No commercial or residential building may be more than 3 stories (3 occupied floors). Development shall not be permitted that raises the height of the ground above the site plan elevations as approved by the City.

No Changes requested.

7A. MUTCN Design Guidelines

Buildings shall provide pedestrian entries along streets. Sidewalks along SR 162/Washington Avenue North, one side of Daffodil Avenue NE, and one side of Rocky Road and in the non-residential shall be a minimum of eight feet (8') in width with greater widths at entries.

7J- Mt. Rainier Site lines

*It is **preferable** that the Master Development Plan proposal protect views of Mt. Rainier along the SR162 corridor and from the internal community parks.

7K-Commercial setbacks fronting SR162:

A minimum of 50% of retail development along SR162 shall have a minimum setback of 25' from the street curb with pedestrian entry in the front.

No Changes requested.

Mayor Penner stated that there has been ten months of great work and he explained why he considers it "great work". He briefed on the process, and how the City communicated on this issue. The City communicated in the newsletter, at the Mayor's town hall meetings, has had dozens of meetings, received hundreds of public comments, and has received thousands of pages of analysis. Mayor Penner stated that the issue has been thoroughly worked; there have been changes in staff, changes in perspectives, and the decision to decouple the specific items in the comprehensive plan from items in Title 13. That change allows for Title 13 items to be changed at any time. His opinion was that 90% of the debatable Title 13 amendments have been agreed upon, and it may not be helpful to focus on the 10% of the items that are not agreed upon. He stated that the current code allows for approximately 650 units in apartment style, and feels that all can agree that both the Planning Commission's proposals and the City Council's proposals are a vast improvement on the current code. The Council is being presented with an ordinance which will make it easier for future councils to make amendments, as the situation in the city changes. The Mayor suggested that the process be to make a motion and then go through the items one by one items 5A, 5B, 5C, 5E, 7A, 7J and 7K as listed previously, and Council may indicate if they want to made any amendments.

Councilmember Pestinger made a motion to Adopt Ordinance 2019-1051, An Ordinance of the City of Orting, Washington, Amending Orting Municipal Code Title 13 Pertaining to the Mixed Use Town Center North Zone, on the condition that the Council will go thru each item so that the Council can then propose and vote on specific amendments. Second by Deputy Mayor Hogan. Motion passed (6-0).

Administrator Bethune went through each of the sections:

5A- Non Residential Space

- Minimum of 15 acres of non-residential uses

Councilmember Drennen made a motion to have a "minimum of 20 acres" of non-residential uses". No Second. Motion died.

For sections 5B, 5C, 5E, 7A, 7J and 7K No amendments were made.

Councilmember Pestinger made a motion to amend his previous motion and make a motion to adopt Ordinance 2019-1051, An Ordinance of the City of Orting, Washington, Amending Orting Municipal Code Title 13 Pertaining to the Mixed Use Town Center North Zone as prepared. Second by Deputy Mayor Hogan. Motion passed (6-0).

*A roll call vote was taken on the amended Motion:
Motion passed (5-1) The Nay vote was made by Councilmember Gunther.*

C. AB19-72- 2020 Budget Discussion.

Treasurer Larson briefed on the comments and requests that were provided by Council and staff at the Budget Workshop. Those items were outlined in the Memo that was provided to Council. Council provided feedback. Treasurer Larson also briefed on Grant requests, CGA Committee recommendations on grants, and Park fund requests. Council indicated their priorities. There will be future hearings on the budget and staff hopes to pass the budget at the last meeting in November.

7. NEW BUSINESS

A. AB19-64-Selection of Deputy Mayor for 2020.

Deputy Mayor Hogan briefed. The Committee proposed two Councilmembers for Deputy Mayor. The two were Councilmember Kelly, and Councilmember Gunther. In order to nominate two (2) candidates, Council will need to suspend their rules.

Councilmember Pestinger made a motion to suspend Council rules and nominate more than one candidate for Deputy Mayor. Councilmember Gehring second. Motion passed (6-0)

Each Councilmember briefed on their choice for Deputy Mayor. Both Councilmember Kelly and Gunther spoke on their own nomination to the position of Deputy Mayor.

Councilmember Drennen made a motion to appoint Councilmember Gunther as Deputy Mayor for the year 2020, effective January 1, 2020. Second by Councilmember Gunther. A roll call vote was taken. Tie vote. (3-3).

Mayor Penner stated that he would not exercise his authority to break the tie.

Councilmember Pestinger made a motion to suspend the rules and bring this back to the next Meeting. Second by Deputy Mayor Hogan. Motion passed (6-0).

Mayor Penner recessed the meeting at 8:35pm for a 5 minute break.
Mayor Penner called the meeting back to order at 8:40pm

B. AB19-85- City Hall Change Order.

Administrator Bethune briefed that the current change order is to prepare excavated ground for the foundation. The ground had shown areas of softness that have to be excavated further than the original plan called for. The City's contracted Geo-Tech (through our Parametrix contract) recommended quarry spalls and structural mats be used to fill in the soft areas as well as the overall pre-foundation surface.

Councilmember Gehring made a motion to approve of the change order to improve the pre-foundation for the new City hall in the amount of \$21,970. Second by Councilmember Pestinger. Motion passed (6-0)

C. Report- Activities of the Council.

Councilmember Pestinger reported on the following:

- Orting Community Network Meeting;
- South Pierce County Leadership Meeting at PLU- Roundtable with Legislative representatives.

Mayor Penner will have the City Administrator craft a letter to send out in support of the cross base connection.

Councilmember Pestinger made a motion to amend the agenda and move agenda item #8 after agenda item #9. Second by Councilmember Gehring. Motion passed (6-0)

9. AB19-75-COLLECTIVE BARGAINING AGREEMENT- Resolution No. 2019-29, A Resolution Of The City Of Orting, Washington, Authorizing The Execution Of A Collective Bargaining Agreement Between The City And AFSCME, Local 120, Public Works/Office Employees, Effective January 1, 2020 Through December 31, 2022.

Treasurer Larson briefed. City administration and AFSCME, Local 120 have reached a tentative agreement regarding the collective bargaining agreement that will go into effect January 1, 2020 and last until December 31, 2022.

Councilmember Gehring made a motion to Adopt Resolution No. 2019-29, A Resolution of the City of Orting, Washington, Authorizing the Execution of a Collective Bargaining Agreement between the City and AFSCME, Local 120, Public Works/Office Employees, Effective January 1, 2020 Through December 31, 2022. Second by Deputy Mayor Hogan. Motion passed (6-0).

8. CLOSED SESSION

Pursuant To RCW 42.30.140 (4) (b) Collective Bargaining. (Was not needed)

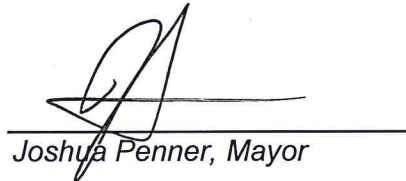
10. ADJOURNMENT

Councilmember Drennen made a motion to Adjourn. Second by Deputy Mayor Hogan. Motion passed (6-0).

Mayor Penner adjourned the meeting at 8:54pm.

ATTEST:


Jane Montgomery, City Clerk, CMC


Joshua Penner, Mayor