

COUNCILMEMBERS

Position No.

1. Tod Gunther
2. Chris Moore
3. Don Tracy
4. John Williams
5. Gregg Bradshaw
6. Greg Hogan
7. Melodi Koenig



ORTING CITY COUNCIL
Regular Business Meeting Minutes
104 Bridge Street S, Orting, WA
Zoom – Virtual
November 29th, 2023
7:00 p.m.

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. Deputy mayor Bradshaw led the Pledge of Allegiance.

Councilmembers present: Councilmembers Tod Gunther, Chris Moore, Don Tracy, John Williams, Melodi Koenig, and Deputy Mayor Gregg Bradshaw.

Virtual: Councilmember Greg Hogan.

Staff present: City Administrator Scott Larson, Finance Director Gretchen Russo, City Clerk Kim Agfalvi, Executive Assistant Danielle Charchenko, Public Works Director Marshall Maurer, Capital Projects Manager John Bielka, City Attorney Rosemary Larson, Police Chief Devon Gabreluk, and Engineer JC Hungerford.

REQUEST FOR ADDITIONS OR MODIFICATIONS TO THE AGENDA.

Deputy Mayor Bradshaw made a motion to move swearing in of Police Officer Brandon Mitchels to item number 2 and then to have an executive session for the Council immediately after. Seconded by Councilmember Koenig.

Motion passed (7-0).

2. SWEARING IN OF POLICE OFFICER.

Judge John Curry administered the oath of office to police officer Brandon Mitchels.

3. EXECUTIVE SESSION.

City Attorney Rosemary Larson briefed that the meeting would be recessed to executive session pursuant to RCW 42.30.110(1)(i), to discuss legal risks of a proposed action or current practice when a public discussion may have adverse legal consequences for the agency for 15 minutes to begin at 7:07pm with action to follow.

7:07pm executive session began.

7:22pm executive session extended for 5 minutes.

7:27 executive session extended for 5 minutes.

7:33pm executive session ended.

Mayor Penner reconvened the meeting to regular session at 7:33pm

Americans with Disabilities Act – reasonable accommodations provided upon request (360) 893-2219
Next Regular Meeting: December 13th, 2023 7:00pm

4. PUBLIC COMMENTS.

Mayor Penner stated that comments may be sent to the City Clerk at clerk@cityoforting.org by 3:00pm on the date of any Council meeting to be read into the record at that meeting or they will be distributed to the Council as appropriate at that meeting. In person attendees may provide public comment at the meeting and in the case of a question, the chair will refer the matter to the appropriate administrative staff member. The Mayor briefed that the Council will be sitting on a quasi-judicial role hearing an appeal of a planning conversation, which he stated means that Council is not able to hear any public comments on that matter, as the appeal is a closed record hearing. He stated that the Council cannot hear new testimony in addition to what is already part of the record and stated the Council would not be able to hear public comments on the planning conversation regarding Abundant Life Church. Mayor Penner laid out the rules regarding public comments for the meeting.

City Attorney Rosemary Larson confirmed that because the variance appeal is a quasi-judicial matter and the Council be sitting as the decision makers, state law limits the Councils ability to hear ex-parte communications, which is defined as communication made outside of the hearing process and it would not be appropriate to hear comments on the matter in this public comment period.

Council discussion followed.

Mr. Ed Torres, of Orting Washington, asked why the Council is not able to hear comments on the Abundant life and Mayor Penner reiterated the Council is not able to hear any ex-parte communications on the matter.

Mr. Robert Moore stated he sent in a comment to the City Clerk regarding the Abundant Life Church matter the morning of the Council meeting and Mayor Penner stated that the comment has been distributed to the attorney for the City Council. He then asked to read the statement and Mayor Penner reiterated that the Council is not able to hear any ex-parte communications on the matter.

Mr. Ed Jezek commented on AI technology and his concerns of conflict of interest regarding a local AI company, Inquisio AI.

Mrs. Trudee Barfield advocated on behalf of the special needs' community in the City of Orting and spoke on the need for a community center in the City of Orting that is free and accessible for all.

Mr. Eric Lundberg spoke on his concerns regarding possible corruption and abuse of power in any and all City officials that use their position to abuse and intimidate residents, businesses, and tax payers in Orting.

Ms. Deborah Quy spoke on concerns with the permitting process within the City of Orting.

Mrs. Joann Tracy spoke on her love for the sense of community in the City of Orting and spoke on concerns with water flooding in a local neighborhood.

Ms. Kristina Rivera spoke and asked several questions for the Clerk to follow up on. First, Ms. Rivera asked to know all of the variances that the City of Orting approved in the past six months. She also asked how the decision was made, who makes the decision, and if there is a forum or community weigh in on that decision. Second, she asked how written comments gets out to the people in the Orting community, and third, she asked where one would be able to find a copy of the appeal for the Abundance Life Church decision. Mayor Penner stated City Clerk Kim Agfalvi would follow up with her on these questions.

Mr. Jim Rutt directed comments to City Administrator Scott Larson on concerns he has regarding completing transportation projects with the City of Orting. He also spoke on concerns with a local AI company, Inquisio AI.

5. PUBLIC HEARING.

Mayor Penner laid out the rules for the public hearing.

Mayor Penner opened the public hearing at 8:02pm.

A. AB23-116 - 2024 Draft Preliminary Budget

Finance Director Gretchen Russo briefed on the 2024 draft preliminary budget.

Mr. Ed Jezek commented on the Emergency Evacuation Bridge and stated that he was interested in putting a project labor agreement on the bridge with a community workforce agreement.

Council discussion followed.

Ms. Jaime Jones commented and asked about the Main Parks Master Plan and asked if these proposed upgrades were part of the 2024 budget. Council discussion followed

Capital Projects Manager John Bielka briefed on a grant that the City was awarded to relocate the trail from the west side of the park to the east side of the park. Council discussion followed

Mayor Penner closed the public hearing at 8:20pm.

Councilmember Williams made a motion to freeze non-represented staff salaries at the 2023 levels for one year. Seconded by Councilmember Moore.

Councilmember Williams briefed the Council on his proposed amendment to freeze the ages for non-represented staff. Council discussion followed.

Councilmember Koenig made a motion to amend the motion to cap wage increases at 3% for fiscal year 2024. Seconded by Councilmember Gunther.

Council discussion followed.

Councilmember Gunther made a motion to amend the amended motion to cap wage increases at 3% for fiscal year 2024 and to add a budget item for \$10,000.00 to complete a wage study.

Mayor Penner asked for a roll call vote to determine if Council wanted to debate the amended motion proposed by Councilmember Gunther, to cap a wage increase at 3% and to add a wage study.

Motion failed (3-4). Yay – Gunther, Bradshaw, Koenig. Nay – Moore, Tracy, Williams, and Hogan.

Mayor Penner asked for a roll call vote to determine if Council would like to continue the discussion on the motion made by Councilmember Koenig to cap wage increases at 3% for fiscal year 2024.

Motion passed (4-3). Yay – Gunther Bradshaw, Hogan, Koenig, Nay – Moore, Tracy, Williams.

Council discussion followed.

Mayor Penner asked for a roll call vote on the motion made by Councilmember Koenig to cap wage increased at 3% for fiscal year 2024 what was seconded by Councilmember Gunther.

Motion passed (4-3). Yay – Gunther, Bradshaw, Hogan, Koenig. Nay – Moore, Tracy, Williams.

Councilmember Williams made a motion to set aside \$10,000.00 for a staffing study and salary survey. Seconded by Councilmember Gunther.

Motion passed (7-0).

B. AB23-115 - 2024 Property Taxes

Finance Director Gretchen Russo briefed on the proposed property tax resolution for 2024, requesting the highest lawful levy.

Mr. Jim Rutt commented on hiring freezes and wage freezes on businesses in the private sector. Mayor Penner reiterated that comments are only allowed on property taxes and Mr. Rutt redirected comments to asking the Council to not increase property taxes.

Mrs. Joann Tracy commented and stated that if things go bad, it will be the Council that will be remembered for those decisions and asked Council to look harder at the budget.

Council discussion followed.

Councilmember Moore made a motion to approve Resolution No. 2023-32 requesting the highest lawful levy. Seconded by Councilmember Koenig.

Motion passed (7-0).

6. CONSENT AGENDA.

- A. Payroll Claims and Warrants.
- B. Meeting Minutes of November 8th, 2023.
- C. AB23-114 – Fish Passage Scope and Budget.

Councilmember Williams made a motion approve consent agenda as prepared. Seconded by Councilmember Moore.

Motion passed (7-0).


7. ADJOURNMENT.

Councilmember Bradshaw made a motion to adjourn. Seconded by Councilmember Tracy.

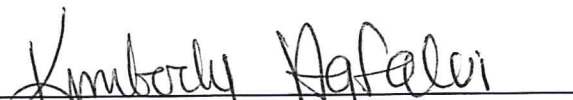
Motion passed (7-0).

Mayor Penner adjourned the meeting at 9:20pm.

ATTEST:



Joshua Penner, Mayor



Kim Agfalvi, CMC, City Clerk