

ORIGINAL

Councilmembers

Position No.

1. Tod Gunther
2. John Kelly
3. Vacant
4. John Williams
5. Gregg Bradshaw
6. Greg Hogan
7. Scott Drennen



ORTING CITY COUNCIL
Regular Business Meeting Minutes
Orting Multi-Purpose Center
202 Washington Ave. S, Orting, WA
January 8th, 2020
7 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. Councilmember Gunther led the pledge of allegiance.

Councilmembers Present: Deputy Mayor Greg Hogan, Councilmembers Tod Gunther, John Kelly, John Williams, Gregg Bradshaw, and Scott Drennen.

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

2. SWEARING IN OF ELECTED COUNCILMEMBERS.

Position #4- John Williams

Mayor Penner swore in John Williams.

Position #5- Gregg Bradshaw

Mayor Penner swore in Gregg Bradshaw.

3. AB19-92- Interviews for Council Position #3.

Deputy Mayor Hogan led the Council thru the process to select a new Councilmember. He briefed on the steps in the process. Four applicants applied. Applicants were Tony Belot, Richard Mordini, Lonny Meadows, and Stanley Holland.

A. Interviews- (Conducted by the Deputy Mayor)

Order of interview will be drawn at the meeting.

1. Tony Belot
2. Richard Mordini
3. Stanley Holland

Mr. Meadows did not show up for the interview.

All the candidates were asked the same six questions.

At the end of the interviews the process called for Council to convene to executive session.

B. Executive Session- (Mayor Will Recess To Executive Session) –

Deputy Mayor Hogan announced that they would convene to executive session To Evaluate The Qualifications of a Candidate For Appointment To Elective Office As Authorized By RCW 42.30.110(H). He anticipated that Council would be out for 15 minutes, with action to follow

Deputy Mayor Hogan recessed to Executive Session at 7:44pm.

7:59pm- Extended for an additional 5 minutes.

8:04pm- Extended for an additional 1 minute.

8:04pm– Session over.

C. Reconvene the Council Meeting. (Mayor)

Mayor Penner called the meeting back to order at 8:04pm.

D. Mayor to Entertain any Motions for Appointment of Councilmember.

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Councilmember Gunther made a motion to Appoint Richard Mordini To Council Position #3. Second by Councilmember Williams.

Councilmember Drennen made a motion to amend the motion to appoint Councilmember Belot. Second by Councilmember Kelly. The motion to amend the main motion passed (4-2) Nay votes were made by Councilmembers Gunther and Williams.

The motion to appoint Tony Belot to Council Position #3 passed (4-2). The Nay votes were made by Councilmembers Gunther and Williams.

E. New Councilmember Sworn in by the Mayor.

Mayor Penner swore in Councilmember Belot and he took a seat at the podium for the remainder of the meeting.

4. PUBLIC HEARING

A. AB19-90- Orting Municipal Code Updates for Compliance with Phase II NPDES Permit- Ordinance No. 2019-1057, An Ordinance Of The City Of Orting, Washington, Relating To Low Impact Development Requirements; Amending Orting Municipal Code Sections 5-1-2, 5-10-2, 6-1b-4, 7-5-13, 7-6-2, 8-2-4, 8-4-2, 8-5-15, 9-5a-4, 9-5a-7, 9-5a-9, 9-5a-12, 9-5a-13, 9-5a-16, 10-16-2, 10-16-4, 11-1-2, 11-4-2, 12-2-10, 12-10-3, 13-2-4, 13-3-2, 13-5-2, 13-5-9, 13-6-2, 13-6-3, 13-6-4, 13-6-7, 14-1-5, 14-1-9, And 15-15-2.

Mayor Penner opened the hearing at 8:13pm. The Mayor announced the title and read the rules for the public hearing. JC Hungerford briefed on the proposed ordinance. As a Phase II community under the Western Washington Municipal Stormwater Permit issued by the Washington Department of Ecology, Orting is required to review, revise and make effective local development-related codes, rules, standards, or other enforceable documents to incorporate and require low impact development (LID) principles and LID Best Management Practices (BMPs) to be in compliance with the NPDES permit. The SEPA and Department of Commerce review are running concurrently with the Council review process. The Master Builders Association had asked why Orting did not adopt Pierce County's Code. JC explained that the City has their own manual and prefer to adopt based on that.

Public Comments

None.

Council questions and Comments

Councilmember Drennen agreed that Orting code was preferable to Pierce County's as it is more specific to Orting.

Mayor Penner closed the hearing at 8:17pm.

Deputy Mayor Hogan made a motion to Approve Ordinance No. 2019-1057, An Ordinance Of The City Of Orting, Washington, Relating To Low Impact Development Requirements; Amending Orting Municipal Code Sections 5-1-2, 5-10-2, 6-1B-4, 7-5-13, 7-6-2, 8-2-4, 8-4-2, 8-5-15, 9-5A-4, 9-5A-7, 9-5A-9, 9-5A-12, 9-5A-13, 9-5A-16, 10-16-2, 10-16-4, 11-1-2, 11-4-2, 12-2-10, 12-10-3, 13-2-4, 13-3-2, 13-5-2, 13-5-9, 13-6-2, 13-6-3, 13-6-4, 13-6-7, 14-1-5, 14-1-9, And 15-15-2; Providing For Severability; And Establishing An Effective Date. Second by Councilmember Williams. Motion passed (7-0).

5. PRESENTATION

A. AB20-01- D.M. Disposal Company- Proposed Rate Increase.

Mark Bethune briefed. DM Disposal Company; was notified that on March 1st 2020 the landfill rate in Pierce County will increase from \$164.34 per ton to \$167.38 per ton. The Full Pierce County Council reviewed the rates and approved the increase. Section 8,2,1 of the Franchise agreement between the City of Orting and DM Disposal, effective April 1st 2010, provides for an annual CPI adjustment equal to 80% of the change in the 1st half semi-annual Percentage change in the CPI for all Urban Consumers, U.S. Department of Labor, Seattle-Tacoma-Bellevue area for the year preceding the rate adjustment. Eight percent of the CPI change for this period

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is 1.89%. D.M. Disposal Company must notify the city 60 days before the increase which is effective March 1, 2020. D.M. Disposal Company must notify their customers 45 days before the increase as well. The increase will go into effect March 1, 2020.

Council discussion followed.

Councilmember Drennen made a motion to Approve D.M. Disposal Company Proposed Rate Increase Effective March 1, 2020 as presented. Second by Councilmember Kelly. Motion passed (6-1). The Nay vote was made by Councilmember Gunther.

6. PUBLIC COMMENTS

Pierce County Councilman, Dave Morrell was present and introduced himself to the new members of the City Council. He spoke about the carbon tax being proposed by the Puget Sound Air Quality Control Board, and he asked the Council if they would support the Pierce County Council by drafting a letter in opposition to that proposed carbon tax. He stated that it will cost 10,000 jobs to be lost if it passes. There was also some brief discussion on the issue of homelessness.

7. CONSENT AGENDA

- Payroll and Claims Warrants

Deputy Mayor Hogan made a motion to Approve Consent Agenda as Prepared. Second by Councilmember Belot. Motion passed (7-0).

8. OLD BUSINESS

A. AB19-80- Ordinance No. 2019-1054- An Ordinance Of The City Of Orting, Washington, Relating To Qualifications for Elected Officials; Adopting New OMC 1-6-4 And 1-6-5, Establishing Term Limits For City Council Members And the Mayor.

Councilmember Gunther briefed that this came from the previous CGA Committee. He asked that the item be pulled from the agenda and go back to Committee.

Councilmember Gunther made a motion to move this to the February Study session. Second by Councilmember Williams. Councilmember Drennen made a motion to modify the main motion to send it back to Committee. Second by Councilmember Gunther. Motion passed (6-1) The Nay vote was made by Councilmember Kelly.

B. AB19-87- Bids-Generator Purchase & Installation/New Municipal Center.
CM Drennen/CM Gunther

Councilmember Drennen briefed that Energy Systems was the lowest responsible bidder. The City received 3 bids, one did not meet bid requirements and was therefore non-responsive.

Councilmember Williams stated that none of the bidders met the spec for noise level. The bid process was discussed.

Councilmember Drennen made a motion to suspend their rules and add an Executive session to the agenda. Second by Councilmember Gunther. Motion passed (7-0)

Mayor Penner announced that there would be an executive session per RCW 42.30.110 (1) (i) (3) to discuss legal risks, for 5 minutes, action is anticipated when they return to open session.

Mayor Penner recessed to executive session at 8:52pm

Mayor Penner returned to open session at 8:57pm.

Councilmember Drennen made a motion to reject all the bids to purchase and install a Generator for the New Municipal Center. Second by Councilmember Gunther. Motion passed (5-2). The nay votes were made by Councilmember Kelly and Deputy Mayor Hogan.

C. AB20-04-Information-Tree Removal in Multiple Areas of the City.

Councilmember Drennen stated that he took issue with staff removing trees and felt that the tree cutting was rushed through and could have waited. He wanted to be sure the City was following a defined process. The Mayor informed Council that staff did not remove the trees. The City's Arborist checked the trees and found that the maple tree in the Park was a hazard and could topple in a wind storm. Due to this risk the Mayor authorized the tree in the Park to be cut down. Staff had spoken to Council previously at 2 separate meetings about the trees and the intention to remove them at a future date. The Mayor had previously posted a video of the rotten tree at the main City Park on the City website so that citizens would see why it had to come down. The Council was shown that same video. Many of the maple's branches were hollow as well as the trunk. The trees were removed by Joaquins Tree Expert Company. When they cut the maple trees base; water came pouring out of the hollowed cavity of the tree. All and all there were 18 trees removed.

The Public works committee will work with staff on a defined policy.

9. NEW BUSINESS

A. AB20-02- Contract Renewal- Matthew Rusnak, Public Defender.

Treasurer Larson briefed that it is time to renew our current contract for our Public Defender, Mathew Rusnak. The City negotiated new rates for the new contract for the Public Defender. Exhibit A of the contract listed the scope and laid out the fees.

Deputy Mayor Hogan made a motion to authorize the Mayor to Renew the Contract with Mathew Rusnak as Presented. Second by Councilmember Kelly. Motion passed (7-0).

B. AB20-03- Park Board Appointments.

Mayor Penner briefed. The Parks Advisory Board promotes citizen participation and provides the City Council with citizen guidance on community views regarding policies relating to parks, playgrounds or other recreational facilities within the City. Mike Dannat and Kim Wainscott are seeking re-appointments to the Parks Advisory Board as their terms Expired December 31, 2019. The Mayor desires to have Council confirm his appointment of Mike Dannatt and Kim Wainscott.

Councilmember Kelly made a motion to confirm the Mayor's appointment of Kim Wainscott and Mike Dannat to the Park Advisory Board. Second by Councilmember Drennen. Motion passed (7-0).

10. EXECUTIVE SESSION

Mayor Penner recessed the meeting at 9:30pm for an executive session per RCW 42.30.110 (b) to consider acquisition of real estate. They will be out for 5 minutes, no action anticipated upon return to open session. The Executive Session started at 9:30pm. 9:35pm– Session over.

Mayor Penner called the meeting back to order at 9:35pm.


11. ADJOURNMENT

Councilmember Belot made a motion to Adjourn. Second by Councilmember Kelly. Motion passed (7-0).

Mayor Penner adjourned the meeting at 9:35pm.

ATTEST:


Jane Montgomery, City Clerk, CMC


Joshua Penner, Mayor