

## COUNCILMEMBERS

Position No.

1. Tod Gunther
2. John Kelly
3. Tony Belot
4. John Williams
5. Gregg Bradshaw
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  
February 12<sup>th</sup>, 2020  
7 p.m.

ORIGINAL

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

Mayor Penner called the meeting to order at 7:00pm. Councilmember Bradshaw led the pledge of allegiance. **Councilmembers Present:** Deputy Mayor Greg Hogan, Councilmembers Tod Gunther, John Kelly, Tony Belot, 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. PUBLIC COMMENTS

Mayor Penner read the rules for Public Comment time. (*Verbatim Comments are on the City website*).

#### Kim Newberry

Ms. Newberry informed Council that she opposed the application for the Carbon River Recreational Vehicle Park, and stated the reasons why.

#### Sam Webster

Mr. Webster informed Council that he opposed the application for the Carbon River Recreational Vehicle Park, and stated the reasons why.

### 3. HEARING- AB20-12 – Ordinance No. 2020-1058, An Ordinance Of The City Of Orting, Washington, Relating To Annual Vehicle License Fee; Setting The Annual Vehicle Fee At \$0 (Zero Dollars); Providing For Severability; And Establishing An Effective Date.

Mayor Penner opened the hearing at 7:12pm, announced the title and read the rules for the public hearing. He briefed the Council on Ordinance No. 2020-1058. The voters of Orting voted by a majority of 66 % in favor of Initiative Measure No. 976, which repealed the authority vested in the Orting (by RCW 82.80.140) to collect the annual vehicle license fee. The proposed ordinance reflects the Mayor and City Council's desire to honor the direction from the majority of voters by refraining from collecting this fee. This ordinance would set the vehicle license fee for the City at \$0, and instruct DOL to immediately cease collecting fees from qualifying vehicles in Orting.

#### **Public Comments**

No Comments made.

Council Comments followed.

Mayor Penner closed the hearing at 7:18pm.

*Councilmember Drennen made a motion to Adopt Ordinance No. 2020-1058, An Ordinance Of The City Of Orting, Washington, Relating To Annual Vehicle License Fee; Setting The Annual Vehicle Fee At \$0 (Zero Dollars). Second by Councilmember Kelly. Motion passed (7-0).*

### 4. TRAINING- Open Public Meetings Act. / Public (OPMA)

City Attorney, Charlotte Archer provided the mandatory trainings that Councilmembers are required to take. Open Public Meetings Act, and Public Records Act.

### 5. CONSENT AGENDA

- Study Session Minutes of January 15<sup>th</sup>, 2020.
- Special Meeting Minutes of January 27<sup>th</sup>, 2020.
- Regular Meeting Minutes of January 29<sup>th</sup>, 2020.
- Payroll and Claims Warrants

Deputy Mayor Hogan asked to pull the special meeting minutes of January 27<sup>th</sup> from the agenda.

*Deputy Mayor Hogan made a motion to approve Consent Agenda with the exception of the January 27<sup>th</sup>, 2020 minutes. Second by Councilmember Williams. Motion passed (7-0).*

Mayor Penner explained that roll call was not taken at the January 27<sup>th</sup>, 2020 special meeting, and in order to excuse Deputy Mayor Hogan from that meeting the Council would need to make a motion to do so now.

*Councilmember Drennen made a motion to excuse Deputy Mayor Hogan from the January 27<sup>th</sup>, 2020 special meeting. Second by Councilmember Bradshaw. Motion passed (6-0), 1 abstain- DM Hogan.*

*Councilmember Kelly made a motion to approve the January 27<sup>th</sup>, 2020 Special Meeting Minutes. Second by Councilmember Bradshaw. Motion passed (7-0)*

## 6. OLD BUSINESS

### A. AB20-13-Revised- Purchase of Real Property- Resolution No. 2020-05.

Treasurer Larson briefed that at the council meeting on January 29, 2020 the council authorized the purchase of 515 Calistoga St. E for less than the agreed on purchase price due to an error. It appears that the City Treasurer provided the Council with a price that was net of the earnest money deposit of \$3,000. Due to this error staff request that the Council reapprove the purchase of the property for a revised amount.

*Deputy Mayor Hogan made a motion to Approve Resolution No. 2020-05, A Resolution Of The City Of Orting, Washington, Authorizing A Purchase And Sale Agreement For Real Property Identified As Pierce County Tax Parcel No. 683000-0030 in the amount not to exceed \$ 310,000.00; and Authorizing The Mayor or his designee, To Execute A Purchase And Sale Agreement And Related Documents In A Form Approved By the City Attorney; necessary to effectuate the purchase. Second by Councilmember Belot. Motion passed (7-0).*

## 7. NEW BUSINESS

### A. AB20-15- Authorization of Memorandum of Understanding between the City and the Fraternal Order of Police (the Guild).

Mayor Penner briefed that the City is currently experiencing a difficult staffing situation in the Police Department due to the hiring environment, attrition due to retirement and injuries. The Mayor recommended that the City offer a temporary pay increase of 5% to the guild, while the City works on staffing the Police department so that they have nine officers. Treasurer Larson stated that the City was concerned about the possibility of Officers leaving the department due to the increased workloads and having to work alone on shifts. The City wants to send a message to the Officers that they are appreciated, and that the City understands the pressure they are under.

Council discussion followed. Councilmember Gunther indicated that he intended to offer a counter negotiation strategy, and because of that the City Attorney stated that since the agreement has been negotiated with the Guild, she recommended that this be discussed in a closed session.

*Councilmember Gunther made a motion to suspend the rules and amend the agenda to add a closed session per RCW 42.30.140. Second by Councilmember Williams. Motion passed 6-1. Deputy Mayor Hogan was the Nay vote.*

City Attorney Archer stated that there would be a closed session per RCW 42.30.140, for approximately five minutes, with possible action to follow.

Mayor Penner recessed to closed session at 8:12pm for 5 minutes.

8:17pm- Extended for 5 minutes

8:22pm- Session over.

Mayor Penner called the meeting back to order at 8:22pm.

**Councilmember Kelly made a motion to authorize the Mayor to Execute the Memorandum of Understanding between the City and the Guild Regarding Staffing and Pay as presented. Second By Councilmember Belot.**

**Councilmember Drennen made a motion to amend the main motion to change the language in the MOU to say The City shall pay a productivity stipend equivalent to 5% of each Officers' Base Rate of Pay. Second by Councilmember Williams. Amended Motion passed (4-3) Nay votes by CM Kelly, Belot, and DM Hogan. The vote on the amended motion passed (7-0)**

## **8. EXECUTIVE SESSION**

The City Attorney announced that there would be two topics for executive session, per RCW 42.30.110. (i)(c) (To consider the minimum price at which real estate will be offered for sale, and RCW 42.30.110 (1) (i) (ii) to discuss potential litigation, for 20 minutes, action is anticipated upon return to open session.

Mayor Penner recessed for a break at 8:51 for 5 minutes, to be followed by the executive session.

Executive session started at 8:56pm for 20 minutes with action anticipated to follow.

8:56pm- recessed

9:16pm –session over.

Mayor Penner called the meeting back to order at 9:16pm.

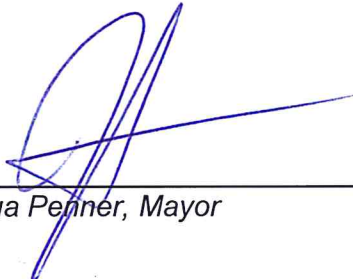
## **9. ADJOURNMENT**

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

Mayor Penner adjourned the meeting at 9:17pm.

ATTEST:

  
Jane Montgomery, City Clerk, CMC

  
Joshua Penner, Mayor