

## **ORTING CITY COUNCIL MEETING MINUTES**

February 25, 2009

Mayor Pro-Tem Dick Ford called the meeting to order with the flag salute at 7:00 pm in the Orting Public Safety Building. Roll call found in attendance Councilmembers George Wilson, Dick Ford, Nicola McDonald, Guy S. Colorossi and Joachim Pestinger. Councilmember Pestinger moved to excuse Councilmember David Inge. Councilmember Wilson seconded the motion and it carried. Councilmember Scott Drennen arrived late.

### **ATTENDANCE:**

City Employees	City Administrator Mark Bethune, Finance Director/City Clerk Susan Davis, Administrative Assistant Roxanne Pollard, Accounting Clerk II Freda Bingham, Police Chief Bill Drake.
Professional Representatives	City Attorney Chris Bacha, Parametrix Engineer Dave Roberts, BHC Consultants Planner Roger Wagoner.
Visitors	Kenneth Hill, Shelly Butterfield, Margaret O'Harra, Chantel Prong, Eddie Prong, Elle Prong, Doug Schwarz, Matt Tyree, Katie Tyree, Barbara Hansen, Tom Keiser, Rhonda Madison, Andy Zaborski, Jennifer Oliver, Anna Matson, Paul Ambrose, Jim Beall.

### **CONSENT AGENDA:**

- A. Minutes of February 11, 2009.
- B. Approval of Claims Warrants No.13936 through No. 13988 in the amount of \$47,671.05 and Payroll Warrants No. 17959 through No. 18000 in the amount of \$76,215.78.

Councilmember Wilson moved to approve the Consent Agenda as prepared. Councilmember Colorossi seconded the motion and it carried.

### **COMMENTS FROM CITIZENS:**

Town Hall Meeting: Barbara Hansen	Barbara Hansen, of the Orting Valley Senior Center, announced that the center will hold a Town Hall Meeting featuring State Representative Jim McCune and State Senator Randi Becker on March 14 from 1:00 to 2:00 pm. The public is welcome to attend.
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**PUBLIC HEARING:**

Shoreline Master Program

Contracted City Planner Roger Wagoner briefed the Council on the Shoreline Master Program (SMP) update.

State funding was granted to the City to update the SMP to comply with the new guidelines. During the past 4 years, the inventory was prepared and reviewed by state agencies; a restoration plan was drafted; public open houses and Planning Commission workshops were held to seek comments. Ecology held a public hearing in Orting. As the draft SMP was prepared, Ecology reviewed it and provided suggestions and requirements for revisions. At the end of 2008, Ecology approved the final draft, setting the stage for City Council adoption. Ecology's approval makes the 2008 SMP the active one, replacing the 1999 version.

Mayor Pro-Tem Ford opened the public hearing at 7:24 pm.

Shelly Butterfield, of 7413 166<sup>th</sup> Avenue East, Sumner, asked Mr. Wagoner to stay and listen to the Council discussion of river bar removal latter in the meeting. She also recommended that the Council wait three to four months to adopt this plan.

Mr. Wagoner commented that the SMP is not about flood prevention or management.

Rhonda Madison, of 112 Nelsen Street Southeast, asked where the public could view the plan.

The plan is available for review at City Hall.

Hearing no further comment Mayor Pro-Tem Ford closed the hearing at 7:27 pm.

Dangerous Dog Ordinance

The City of Orting updated its animal control ordinance about a year ago but did not include language that defines dangerous dogs and how to manage them. The Public Safety Committee proposed a new ordinance that gives the city a mechanism to declare a dog dangerous or potentially dangerous. The ordinance also sets penalties.

Mayor Pro-Tem Ford opened the public hearing at 8:01 pm.

Chantel Prong, of 301 Williams Boulevard Northwest, reported that a neighbor's dog bit her son. They filed a police report,

however the dog was not put down and no fine was issued.

Donnell Johnson, of 213 Orting Avenue Northwest, commented that some people are simply intimidated by dogs and could interpret a dog's actions differently. He also commented that animals are property and it takes a lot to deprive people of property.

James Beall, of 312 Bridge Street Southeast, commented that there is a home in his neighborhood that has dogs that prohibit people from walking on the sidewalk in front of their home. Will these dogs be affected by this ordinance? The City should consider raising animal licensing fees to help cover the costs of an animal control program. Does the City have any enforcement to ensure that animal owners purchase licenses?

Anna Matson, of 306 River Avenue Southeast, testified that one of the reasons she moved to Orting is the Foothills Trail. Currently a home fronts the trail that has a group of dogs that intimidate her and other users of the trail. When she has asked the owners to help and call their own dogs into the yard they have been rude and yelled obscenities at her. She has tried to file reports and no action has been taken.

James Beall commented that there is a lot of confusion in the community about how to report dangerous dogs and dogs running at-large.

Rhonda Madison, of 112 Nelsen Street Northeast, asked if this ordinance will apply to dogs from other jurisdictions that attend events in Orting or use the trail. She also recommended officers issue tickets for leash law violations that fines for dangerous dogs should at least cover the cost of enforcing the law and the City should look into a private contractor to work with the animal laws.

Barbara Hansen, of 506 Grinnell Avenue Southwest, asked if the City has a leash law. She also commented that dangerous can be defined by the situation, for example a dog running a senior citizen or young child could create a very scary situation for that individual.

Anna Matson asked whom she should call if she has an issue in the future. City Administrator Bethune gave his contact information.

Hearing no further comment Mayor Pro-Tem Ford closed the hearing at 8:30 pm.

Councilmember McDonald suggested that the ordinance be amended to include that dogs that have been declared dangerous are not allowed in the City of Orting. The Council concurred. The proposed ordinance was sent back to the Public Safety committee and staff for amendments.

**OLD BUSINESS:**

Ordinance 873:  
Cargo Containers

Councilmember Wilson moved to adopt Ordinance No. 873, an ordinance of the City of Orting, Washington, relating to cargo containers; amending Title 13 of the Orting Municipal Code to establish development regulations applicable to cargo containers; limiting cargo containers to light manufacturing and public facilities zones; providing for severability; and establishing an effective date. Councilmember McDonald seconded the motion and it carried.

2009 Council  
Retreat

The Council agreed to schedule their annual retreat for Saturday March 7 at 8:00 am.

**NEW BUSINESS:**

River Bar Removal

Councilmember Colorossi and his guest Shelly Butterfield gave a presentation about river bar removal and the application process that Dan Haugness has gone through in order to remove some of the bars from the rivers. Recently Pierce County notified Mr. Haugness that they have cancelled the permits that he has through them.

They also provided information about House Bill 2007, a bill being considered in the Washington Legislature that could allow emergency river bar removal.

Councilmember Colorossi asked the Council to support Mr. Haugness's application to remove selected river bars. Councilmember Drennen moved to direct City Staff to draft a resolution in support of Dan Haugness's efforts for selective bar removal in the Puyallup River Basin. Councilmember Colorossi seconded the motion. The motion was amended to indicate support for any individual or group seeking bar removal permits.

After Council discussion, the motion was withdrawn. The Council will continue to receive information and updates

regarding bar removal.

Outside City Sewer Rates

Councilmember Drennen reported that the Utility and Technology Committee is reviewing a cost analysis for sewer rates. The study indicates they City may need to increase sewer rates to customers outside the City limits to cover the cost to serve them.

The Council agreed to move forward with the rate increase. The Utility and Technology Committee will bring a public involvement plan.

Urban Growth Area

City Administrator Bethune reported the he met with County Councilmember Shawn Bunney and several Pierce County environmental groups to discuss an urban growth area for the City.

Orting can apply to Pierce County for an Urban Growth Area in two years.

**ADJOURN**

Councilmember Pestinger moved to adjourn the meeting at 9:52 pm. Councilmember Colorossi seconded the motion and it carried.

**ATTEST:**

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Finance Director/City Clerk Susan J. Davis

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Mayor Cheryl M. Temple