



# City of Olympia

City Hall  
601 4th Avenue E  
Olympia, WA 98501

## Meeting Minutes - Draft City Council

Information: 360-753-8447

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**Tuesday, October 8, 2013**

**7:00 PM**

**Council Chambers**

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### 1. ROLL CALL

**Present:** 7 - Mayor Stephen H. Buxbaum, Mayor Pro Tem Nathaniel Jones, Councilmember Jim Cooper, Councilmember Julie Hankins, Councilmember Steve Langer, Councilmember Jeannine Roe and Councilmember Karen Rogers

#### 1.A ANNOUNCEMENTS

Mayor Buxbaum announced the Council met as scheduled at 6:00 p.m. and recessed to Closed Session for no more than 30 minutes to discuss labor negotiations. No decision was made and the City Attorney was present at the Closed Session.

Mayor Buxbaum also announced that the City's Deputy Director of Community Planning and Development Leonard Bauer was awarded the Meyer Wolf Award in recognition of his significant long career accomplishments.

Also, Deputy Director of Public Works Debbie Sullivan received James Robertson award from the Washington Chapter of the Association of Public Works for her work in the Chapter.

City Manager Steve Hall announced Mr. Paul Simmons from Cheney, WA is the City's new director for Parks, Arts, and Recreation. He said Mr. Simmons was one of 215 applicants and his first day is November 18.

#### 1.B APPROVAL OF AGENDA

**Councilmember Langer moved, seconded by Councilmember Hankins, to approve the agenda. The motion carried by the following vote:**

**Aye:** 7 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Langer, Councilmember Roe and Councilmember Rogers

### 2. SPECIAL RECOGNITION

#### 2.A 13-0816 Recognition for Efforts Taken in Tunnel Clean-up

Downtown Liaison Brian Wilson briefed the Council on recent clean up efforts in the downtown tunnel along 7th Avenue. He recognized Probation Work Crew Leader Dallen

Archer for his hard work and dedication in getting this tunnel clean.

Councilmember Roe thanked Mr. Wilson for his enthusiasm and coordination.

Councilmember Langer said this is part of the larger downtown project and thanked all who helped clean this up.

**The recognition was received.**

### **3. PUBLIC COMMUNICATION**

Mr. Jim Reeves spoke of an impending earthquake in this state.

Mr. Donald Huston, Lacey, asked who will feed the homeless if the government goes on shutdown.

Ms. Wendy Tanowitz stated Article 22 of Police Guild contract addressed the installation of dash cameras but it doesn't say when they will be installed. She asked how the video camera video will be made available to the public and if the audio quality of dash cameras will be strong enough to hear all. She also said the Police Department has no policy to deal with disabled individuals and this must be implemented. She presented a policy for consideration.

Mr. Robert Whitlock, Tullis St NE, said he is a friend of Scott Yoos and spoke in support of dash and lapel cameras for police.

Ms. Maggie Fleming spoke in support of dash cameras for police cruisers.

Mr. Chris van Daalen of Northwest Eco Building Guild invited all to attend the next Vision to Action symposium on green urban density, Saturday, October 26.

Mr. Dan Fisher, Chemical Dependency Dept. of Providence St. Peter Hospital, spoke of ongoing labor negotiations. He said they plan to picket on October 17 on College Street.

### **COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)**

Councilmember Rogers thanked Ms. Tanowitz for reading the Police Guild contract. She asked when the dash cameras will be installed. Police Chief Ronnie Roberts addressed the issues regarding record retention and additional staff needed to manage the large amount of data. He said body mics or cameras will also impact records requests.

Mayor Buxbaum asked that a list of FAQs regarding dash cameras be produced for the public and include the cost breakdown for records requests. He also asked for a written report on what we have learned from the Scott Yoos issue.

### **4. CONSENT CALENDAR**

Councilmember Rogers pulled Item 4C for discussion following the Consent Calendar.

**4.A 13-0815** Approval of October 1, 2013 City Council Meeting Minutes

The minutes were adopted.

**4.B 13-0767** Resolution Approving Interlocal Agreement with AWC Employee Benefit Trust Health Care Program

The resolution was adopted.

**SECOND READINGS - None****FIRST READINGS - None****Approval of the Consent Agenda**

Councilmember Langer moved, seconded by Councilmember Roe, to adopt the Consent Calendar as amended. The motion carried by the following vote:

**Aye:** 7 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Langer, Councilmember Roe and Councilmember Rogers

**PULLED FROM CONSENT CALENDAR****4.C 13-0808** Ratification of the Police guild Contract

Councilmember Rogers said she will vote no on this contract because we can't afford it.

**Councilmember Cooper moved, seconded by Councilmember Roe, to approve the contract. The motion carried by the following vote:**

**Aye:** 6 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Langer and Councilmember Roe

**Nay:** 1 - Councilmember Rogers

**5. PUBLIC HEARING****5.A 13-0630** Approval of the Proposed Cooper Point Area (County Island) Annexation Ordinance

Associate Planner Jennifer Kenny provided details on this property and steps taken. She said this is supported by the Fire District and Thurston County.

The public hearing was opened.

Ms. Kathleen Blachette, 4610 28th Ave SE, Lacey, spoke of the process outlined by Mr. Todd

Stamm in September of 2012 and said this process was not followed.

Ms. Teresa Goen-Burgman said she owns property in another island and voiced concern about paying bonding for fire services twice.

Mr. Bob Jones, 1716 Easthill Place NW, said he owns property due north of the affected area in the Goldcrest subdivision. He said the Goldcrest Neighborhood Association supports the annexation. He asked that the City consider installing sidewalks and other improvements to 14th Ave. after annexation.

Ms. Leah Jones, 2949 14th Ave NW, lives in the proposed annexation area and said she opposes the annexation.

Mr. Bob Jacobs, 720 Governor Stevens Ave SE, supports annexing this island. However, he said if an area is in substandard condition, annexation involves taking on debt and then the taxpayers end up subsidizing these improvements.

Ms. Raye Kelly lives in the proposed annexation area and said there should be consideration for the agricultural land uses in this area and grandfather that designation in.

Mr. Tildon Kurle stated he does not live in this proposed annexation area and believes the process is flawed because it does not offer a clear opinion of all the residents in the area. He said a City staff person should contact each property owner individually. He also said he believes there are no benefits to annexation.

The public hearing was closed.

Comments and questions include the following:

- Ms. Kenny said agricultural designations would be grandfathered in as long as the use is not discontinued.
- Ms. Kenny said letters, maps, and FAQ sheets were mailed to each property owner. She also sent follow-up announcements of the public hearing.
- Why is fire service being paid for twice? The existing bonds will need to be paid and Council can decide whether to require the residents in this area to pay these.
- The residents will received mutual aid from both fire service departments.
- Residents do not need to sign up for City utilities after annexation.

**The Council agreed to direct staff to bring an annexation ordinance forward for action at the October 15 Council meeting.**

## **5.B 13-0794 Approval of the 2013 Wastewater Management Plan**

Engineering and Planning Supervisor Andy Haub said the draft plan verifies that the City's Wastewater Management plan is in good shape. He said the 2007 plan was extensive and made many changes to the plan. This plan included refinements to that plan and includes a modest construction plan and ambitious operations and maintenance. He said the Utilities Advisory Committee supports the plan.

He then reviewed the Policy Directions including fostering infill development, facilitating onsite septic system conversions, and implementing volume-based utility rates; Onsite Sewage Systems; Thurston County's Evaluation; and the next steps which include submittal to Department of Ecology and implementation in early 2015.

The public hearing was opened.

Mr. Curtis Clarke, 1832 Arietta Ave SE, said he owns a vacant lot next to his house and cannot build on it without connecting to the sewer system, which is estimated to cost \$90,000. He asked the Council to amend the ordinance which addresses the lot size required to connect to the sewer system.

The public hearing was closed.

Councilmember Roe asked if there is anything we can do allow septic tanks. Mr. Haub said yes, this plan would address that.

**The Council agreed to direct staff to bring the 2013 Wastewater Management Plan forward for action on the Consent Calendar.**

**5.C 13-0798 Public Hearing on 2014 - 2019 Capital Facilities Plan (CFP)**

City Manager Steve Hall said this discussion is focused on capital projects for the next six years.

Administrative Services Director Jane Kirkemo said this CFP is \$122 million and the theme is maintenance - building, street, parks, and utility maintenance. Transportation projects account for 55% of the plan and utilities make up about one-third of the plan.

She then reviewed the funding sources, revenues, and what is in and is not in the CFP. She said items underfunded include parks maintenance, building maintenance, and street maintenance. The next steps include presentation of the operating budget on October 22, a discussion of impact fees and utility rates on November 4, a public hearing on November 12, with adoption on December 17.

She suggested the Council discuss revenue options in 2014 to possibly include the following:

- utility tax on cable - could generate \$800,000/year
- Increase the B&O tax - If we doubled this tax, it could generate an additional \$3 million annually
- Legislative change for Transportation Benefit District
- Voter approved increase to the Transportation Benefit District
- Levy Lid Lift
- Local Improvement Districts
- Councilmanic debt
- One time revenues

Bicycle and Pedestrian Committee Co-Chair Anne Fritzel reviewed highlights of their

submitted letter.

Parks and Recreation Advisory Committee Vice Chair Jim Nieland said they reviewed the OPC letter. One concern they had was that the Condition Assessment and Major Maintenance Program (CAMMP) projects needed to be moved to the top of the priority list. He said they would like this funding to be \$500,000.

Utility Advisory Committee Member Richard Doenges reviewed highlights of their submitted letter.

Planning Commission Chair Jerry Parker and OPC Finance Subcommittee Chair Roger Horn reviewed highlights of their submitted letter.

The public hearing was opened.

Mr. Jerry Reilly, 1017 Cardigan Loop NW, spoke on behalf of the Olympia Capital Park Foundation. He thanked the Council for purchasing the property on the isthmus. He said they are fundraising to contribute \$400,000 toward the demolition of the buildings on the property.

Mr. Allen Miller, 1617 Sylvester St, attorney representing many, said they support the Council's decision to purchase the property on the isthmus.

Mr. Steve Segall, 3110 Red Fern Dr NW, spoke in support of the funding component of the CFP for isthmus park property.

Mr. Bob Jacobs, 720 Governor Stevens, said he supports funding for the isthmus park, and urged the Council to acquire land for future parks, consider selling bonds for that purpose before the current bonds expire, dedicate more revenues for park land acquisition, and be prepared to use eminent domain powers to secure land for parks.

The public hearing was closed.

Mayor Buxbaum suggested the Finance Committee discuss items brought up by the advisory committees at its meeting on Thursday. Council agreed.

**The Council agreed to leave the written record open until Friday, October 11, at 5:00 p.m.**

**5.D 13-0809 Approval of an Ordinance Banning Use of Certain Plastic Bags in the City of Olympia**

Senior Program Specialist Ron Jones provided an overview of the issue. He noted Thurston County and Tumwater have passed this ordinance which will go into effect July 2014.

The public hearing was opened.

Ms. Terri Thomas, Thurston County Solid Waste, stated the vegetable bags are exempt from

the ban, she has been working with the food bank to help provide bags for their use. She noted Ms. Holly Chisa of the NW Grocery Association had to leave, but encouraged the Council to pass this.

Mr. Emmett Brown, LeMay Thurston County, said they are behind this ban 100 percent.

Mr. Scott Yoos, 4500 Martin Way E, spoke in support of the ban on plastic bags. He also spoke about the need to install dash cameras in police vehicles.

Ms. Mary Wilkinson, 1903 Eskridge SE, urged the Council to adopt the ordinance as written.

Mr. Steve Segall, 3110 Red Fern Dr NW, urged the Council to pass the ordinance as drafted.

Mr. Bob Vadas Jr, 1125 12th Ave S, spoke in support of the ban.

The public hearing was closed.

Mayor Buxbaum agreed to send a letter to the other jurisdictions in the County to proceed in a uniform approach to the plastic bag ordinance.

**Councilmember Langer moved, seconded by Mayor Pro Tem Jones, to approve on first reading and forward to second reading an ordinance banning single-use, carry out plastic shopping bags and authorizing retailers to charge a small fee to offset the cost of retailer-provided recyclable paper bags.**

**Aye:** 7 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Cooper, Councilmember Hankins, Councilmember Langer, Councilmember Roe and Councilmember Rogers

## **6. OTHER BUSINESS**

### **6.A 13-0783 Overview of Code Enforcement and One Year Review of Ordinance Setting Higher Penalties for Repeat Code Violators**

Code Enforcement Supervisor Tom Hill reviewed the mission, vision, and values of Code Enforcement, what is and is not enforced, enforcement strategies, and means of enforcement.

Mayor Pro Tem Jones asked if there are other ways to improve the system. Mr. Hill said at this point it is not clear if the repeat offender ordinance is effective. Staff could take a more proactive approach and will do trend analysis.

**The report was received.**

## **7. CONTINUED PUBLIC COMMUNICATION**

## **8. REPORTS AND REFERRALS**

**8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS**

Council agreed to defer reports until next week.

**8.B CITY MANAGER'S REPORT AND REFERRALS**

No report.

**9. ADJOURNMENT**

The meeting adjourned at 11:31 p.m.