



Meeting Minutes - Draft

City Council

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8244

Tuesday, January 3, 2017

7:00 PM

Room 207

1. ROLL CALL

Present: 7 - Mayor Cheryl Selby, Mayor Pro Tem Nathaniel Jones, Councilmember Jessica Bateman, Councilmember Jim Cooper, Councilmember Clark Gilman, Councilmember Julie Hankins and Councilmember Jeannine Roe

1.A ANNOUNCEMENTS

Mayor Selby announced the City Council met in Executive Session earlier in the evening.

1.B APPROVAL OF AGENDA

Mayor Selby asked to amend the order of the agenda; item 6.C will now be presented before item 6.B.

The agenda was approved as amended.

2. SPECIAL RECOGNITION

2.A [17-0027](#) Special Recognition: Introduction of the City of Olympia's Poet Laureate

Mayor Selby introduced Olympia's Poet Laureate Amy Solomon-Minarchi and gave background on the Poet Laureate Program. Ms. Solomon-Minarchi read a poem titled Credo Unplugged, penned for the first City Council meeting of 2017.

Mayor Selby outlined upcoming events and activities Ms. Solomon-Minarchi will carry out during her 2-year tenure as Poet Laureate. Councilmembers thanked Ms. Solomon-Minarchi for the poem.

The recognition was received.

3. PUBLIC COMMUNICATION

The following people spoke: Gurinder Sodhi, Brandon Goodman, Vanessa Stovall, Jim Reeves, Rona Matlow, Derrick Rutter, Walker Stevens, Janine Linsley, Kris Goddard and CC Coates.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

4. CONSENT CALENDAR

- 4.A [17-0005](#) Approval of December 14, 2016 City Council Meeting Minutes

The minutes were approved.

- 4.B [17-0021](#) Approval of Regional Legislative Agenda

The Regional Legislative Agenda was approved.

- 4.C [17-0001](#) Approval of a Sanitary Sewer Pump Station Easement from Providence Health & Services

The contract was approved.

- 4.D [17-0002](#) Approval of the Contract Between the City of Olympia and LeMay for Recycle Transload and Hauling Services

The contract was approved.

- 4.E [17-0008](#) Approval of Amendment to the City Manager's Employment Contract

The contract was approved.

4. SECOND READINGS

- 4.F [16-1209](#) Approval of Ordinance Amending Wastewater Regulations for Septic Systems

The ordinance was approved on second reading.

- 4.G [16-1356](#) Approval of Zoning Code Amendments Related to Accessory Drive-Through Lanes in the Briggs Village commercial area

The ordinance was approved on second reading.

Approval of the Consent Agenda

Councilmember Hankins moved, seconded by Mayor Pro Tem Jones, to adopt the Consent Calendar. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

4. FIRST READINGS - None**5. PUBLIC HEARING - None**

6. OTHER BUSINESS

6.A [16-1119](#) Approval of Ordinance approving a Street Vacation Petition for a Portion of Hillside Drive SE

City Surveyor Ladd Cluff gave an overview of the Street Vacation Petition from SPS Lands, LLC to vacate an unopened portion of Hillside Drive SE in order to meet development requirements for a hotel. SPS Lands LLC, in lieu of payment, proposes to grant the City an easement and build a pedestrian pathway through the hotel site that will connect to Phase 4 of The Olympia Woodland Trail.

This item was previously on the agenda on December 6, where Councilmembers asked for further information.

Programming and Planning Supervisor Laura Keehan gave background on the Olympia Woodland Trail and how the easement will assist in connecting parts of the trail.

Councilmembers asked clarifying questions.

The ordinance was approved on first reading and moved to second reading.

6.B [17-0013](#) Downtown Public Restroom Update

City Manager Steve Hall gave an overview of the downtown restroom issue. Downtown Liaison Mark Rentfrow discussed locations for additional downtown restrooms; located at the Salvation Army and Fertile Grounds.

Councilmembers asked clarifying questions and discussed issues and concerns.

Councilmember Cooper asked for the restroom on Sylvester Street to be opened. Parks, Arts and Recreation Director Paul Simmons gave some background on the opening of brick and mortar restrooms the City owns. The Council also discussed the opening of the restroom at Percival West and extending hours at the Harbor House restroom. It was noted the Harbor House is not open overnight due to the proximity of a playground.

The Council agreed for staff to review Crime Prevention Through Environmental Design (CPTED) procedures to make the restroom at Percival West safer and more useable. Once this occurs, the City will pilot opening and extending to 24 hours over time. In two to three weeks, Mr. Simmons will report on a plan to pilot opening the Percival West restroom. Mayor Pro Tem Jones noted if the pilot location does not work, the Council will continue to find what works for the public.

City Engineer Fran Eide presented information regarding timeline and costs for a permanent restroom at the Artesian Commons. City Manager Steve Hall discussed funding options.

Councilmembers asked clarifying questions.

Mayor Selby and Mayor Pro Tem Jones expressed concerns about moving forward with the permanent restroom. Councilmember Hankins would like to explore options regarding locations other than Artesian Commons.

Mayor Pro Tem Jones asked for a referral for restrooms to continue as a discussion at the General Government Committee.

Councilmember Roe moved, seconded by Councilmember Bateman, to move forward with placing two additional porta potties (at the Salvation Army and Fertile Grounds), to capture data to help support future decisions regarding downtown restrooms and for the Finance Committee to address funding options. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

Councilmember Gilman moved, seconded by Councilmember Bateman, to move forward with a Portland Loo at the Artesian Commons using unspent sewer utility funds to make up for a gap in funding. The motion carried by the following vote:

Aye: 4 - Councilmember Bateman, Councilmember Cooper, Councilmember Gilman and Councilmember Roe

Nay: 3 - Mayor Selby, Mayor Pro Tem Jones and Councilmember Hankins

6.C [16-1271](#) Quasi-Judicial Decision on Ordinance on Cushing Street Rezone

Mayor Selby discussed the agenda item; noting it is a rezone request submitted to the City of Olympia by Alicia Elliott, requesting a change of the land-use zoning of three parcels along Cushing Street NW, located just south of Harrison Avenue from R6-12 to HDC-3.

A public hearing regarding the proposal was held by the Olympia Hearing Examiner on October 10, 2016. Accordingly, the record before the City Council on this matter is closed and the Council's decision is to be based solely upon the record of the Hearing Examiner's public hearing.

The subject property includes two historic homes located on Cushing Street NW, a short distance south of Harrison Avenue and just east of the Harrison/Division Street intersection. All adjoining properties to the west and south are commercial properties abutting either Division Street or Harrison Avenue. All adjoining properties to the east and south are low-density residential properties.

The properties' current zoning of R6-12 is intended primarily for residential use but it also allows for a small amount of commercial use. The Applicant seeks to rezone the property to High Density Corridor 3 in order to convert the use of these historic

buildings into a small restaurant and five-room lodging house. There was no public opposition to the requested rezoning at the public hearing on October 10, 2016.

Pursuant to the Olympia Development code, such rezones of the Land Use categories are subject to an open-record public hearing to be held by the Olympia Hearing Examiner. The Examiner conducted a public hearing upon this rezone request on October 10, 2016, and evidence and all testimony was taken under oath.

The Olympia Hearing Examiner evaluated the rezone proposal and issued a recommendation of which the City Council is to review and either: Adopt the Examiner's recommendation; Adopt a modified version of the Examiner's recommendation; Reject the Examiner's recommendation; or Defer the decision to a later date.

Olympia Municipal Code Section 18.59.050 provides that the Council shall only approve a rezone after considering the following five (5) criteria and finding that the proposal complies with at least the first three:

A. The rezone is consistent with either the Comprehensive Plan including the Plan's Future Land Use map as described in OMC 18.59.055 or with a concurrently approved amendment to the Plan.

B. The rezone will maintain the public health, safety, or welfare.

C. The rezone is consistent with other development regulations that implement the Comprehensive Plan.

D. The rezone will result in a district that is compatible with adjoining zoning districts; this may include providing a transition zone between potentially incompatible designations.

E. Public facilities and services existing and planned for the area are adequate and likely to be available to serve potential development allowed by the proposed zone.

The Mayor individually asked each Councilmember a series of questions, going down the dais beginning with Councilmember Hankins, to determine if there are any appearance of fairness issues.

1. Do you have any property or financial interests that would be affected by denying or approving the requested rezone? All Councilmembers responded individually with an answer of, "no."

2. Have you had any off-the-record, referred to as "ex parte" communications, concerning the requested rezone with any proponents or opponents while this matter was before the Council? All Councilmembers responded individually with an answer of, "no."

3. Is there any reason why you cannot consider the requested rezone application in a fair and impartial manner? All Councilmembers responded individually with an answer of, "no."

Mayor Selby asked if any Councilmember wants to address anything raised by any Councilmember's responses to the questions and responses given. Councilmembers had no items to address.

The Mayor asked if anyone in the audience wished to raise a challenge based on the Washington Appearance of Fairness law. No hands in the audience were raised and no challenge was presented.

Senior Planner Linda Bentley gave a background analysis of the rezone and gave a summary of the Hearing Examiner recommendation.

Councilmembers asked clarifying questions

Councilmember Hankins moved, seconded by Councilmember Cooper, to approve on first reading and move to second reading the adoption of an ordinance to amend the City of Olympia zoning map to rezone three parcels along Cushing Street NW, located just south of Harrison Avenue from R6-12 to HDC-3. The motion carried by the following vote:

Aye: 7 - Mayor Selby, Mayor Pro Tem Jones, Councilmember Bateman, Councilmember Cooper, Councilmember Gilman, Councilmember Hankins and Councilmember Roe

7. CONTINUED PUBLIC COMMUNICATION

The following person spoke: Boudicca Walsh.

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmembers had not reports.

8.B CITY MANAGER'S REPORT AND REFERRALS

City Manager Steve Hall asked Councilmembers to submit their Committee preferences to Susan Grisham if they had not done so already.

9. ADJOURNMENT

The meeting adjourned at 10:29p.m.