



City of Olympia

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8447

Meeting Minutes City Council

Tuesday, October 15, 2013

7:00 PM

Council Chambers

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 General Government Committee met earlier in the evening.

Mayor Buxbaum announced *The Olympian* Reporter Matt Batchelder who covers City business, will be leaving for Tennessee tomorrow. He presented Mr. Batchelder with a copy of the *History of Olympia* as a memento.

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 [13-0827](#) Great Shakeout 2013, Earthquake Preparedness

Assistant Fire Chief Greg Wright provided information about the Great Shakeout which will occur October 17 at 10:17 a.m. He said all City offices will be participating. He urged everyone to participate to learn how to be safe during an earthquake.

The recognition was received.

3. PUBLIC COMMUNICATION

Ms. Abbey Bruce, 904 East Bay Drive, spoke of the changes to health care at Providence St. Peter Hospital.

Mr. Jim Reeves spoke of an impending earthquake.

Mr. Teresa Goen-Burgman spoke of future annexations and the required fees in addition to taxes.

Mr. Gabriel Givens, 1818 Evergreen Park Drive #18, spoke on the effects the government shut down will have on municipal bonds. He urged everyone to contact their federal representative to voice disapproval of the shut down.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

Councilmember Rogers thanked Ms. Goen-Burgman for bringing this item up.

Councilmember Langer asked Assistant Fire Chief Wright about whether someone should run out of a building during an earthquake. Mr. Wright said the standard is to drop, cover, and hold on. Councilmember Langer also noted staff is working on a cost benefit analysis for the City and residents involved in an annexation.

Councilmember Roe stated staff is aware of the annexation issue and will be working on this.

4. CONSENT CALENDAR

- 4.A** [13-0840](#) Approval of October 8, 2013 City Council Meeting Minutes

The minutes were adopted.

- 4.B** [13-0794](#) Approval of the 2013 Wastewater Management Plan

The decision was adopted.

- 4.C** [13-0824](#) Ratification of Collective Bargaining Agreement with International Union of Operating Engineers (IUOE), Local 612

The contract was adopted.

- 4.D** [13-0836](#) Approval of Interlocal Agreement for Establishment of the Thurston County Tourism Promotion Area (TPA)

The contract was adopted.

SECOND READINGS

- 4.F** [13-0809](#) Approval of an Ordinance Banning Use of Certain Plastic Bags in the City of Olympia

The ordinance was adopted on second reading.

FIRST READINGS

- 4.G** [13-0832](#) Approval of Amendment to OMC 4.44.040, Compliance Agreement (Reclaimed Water)

The ordinance was approved on first reading and moved to second reading on the November 4 Council agenda.

- 4.H** [13-0485](#) Approval of Ordinance Amending OMC 13.24, Reclaimed Water

The ordinance was approved on first reading and moved to second reading on the November 4 Council agenda.

- 4.I** [13-0630](#) Approval of the Proposed Cooper Point Area (County Island) Annexation Ordinance

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

- 4.J** [13-0764](#) Approval of Appropriation Ordinance in the Amount of \$39,298 for Code Enforcement Property Demolition and Cleanup.

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

Approval of the Consent Agenda

Councilmember Langer moved, seconded by Mayor Pro Tem Jones, to adopt the Consent Calendar. 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

5. PUBLIC HEARING

- 5.A** [13-0819](#) Approval of Ordinance Concerning State-Licensed Marijuana Producers, Processors, and Retailers (“Recreational Marijuana”) and Partial Repeal of Existing Moratorium

Code Enforcement Officer Chris Grabowski provided background on the moratorium on recreational marijuana-related businesses in Olympia. He shared a zoning map and reviewed the various land use designations and where the City will allow recreational marijuana sales, production, or process points. Retail sales would be allowed in the high density corridor 4 and general commercial zones and not in the downtown area. Production and processing would be allowed in the light industrial zone. He said the State may hold a lottery to award the two retail applications allowed and this should be complete by April 2014, about the time the interim moratorium expires.

The public hearing was opened.

Mr. Ezra Eickmeyer, Washington Cannabis Association, thanked the Council for their

actions thus far. He said the ordinance works fine, but will be very difficult for retailers to locate in Olympia due to the way the initiative was written. He said the 1,000-foot buffer only refers to schools and playgrounds and the federal statute is much more lenient.

Mr. Jeff Gilmore said he has grown marijuana all over the city and is pleased to see this. He took exception to the requirement that production be under cover.

Ms. Rose Eilts, 4209 Foxhall Dr NE, Director of the Thurston County Chapter of the National Organization for the Reform of Marijuana Laws (NORMAL), said it appears Olympia will be the model city for others to follow. She objected to two issues: requiring premises to have operating security and alarm system and all videos are subject to inspection by Police upon request; all waste products must be disposed of in a secure manner. She said this compost is like gold.

A gentleman who did not state his name spoke of events this last summer where a friend was served with a search warrant and asked if the Drug Enforcement Agency is the regulatory agency for the State.

Ms. Jeanette Ernst spoke of the requirement that production must be in an enclosed structure. She asked that this be changed to reflect actual rules.

The public hearing was closed.

Discussion included the following:

- The Liquor Control Board may increase the number of State licensed facilities and the City should get notice of this.
- These are interim regulations.
- The Olympia Planning Commission will be looking at this, which could result in changes to the rules.
- The U.S. Attorney General has mandated they won't prosecute if the business is following the law. They will not enforce against State licensed businesses.
- A conditional use permit will be required at a cost of \$3,000 which is good until the use changes. Conditional use permits can be transferred to a new owner.
- There are stringent labeling requirements in the State rules and the City plans to make edibles as unappetizing as possible.
- The State has very stringent rules on waste handling.
- Outdoor growers are more appropriate in eastern Washington.
- Greenhouses would qualify as permanent structures.

Councilmember Langer moved, seconded by Councilmember Rogers, to direct staff to move the proposed ordinance forward for first reading at the Council's next meeting. 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

6. OTHER BUSINESS**6.A [13-0833](#) ORAL REPORT - LOTT State of the Utility Presentation**

LOTT Community Relations and Environmental Policy Director Karla Fowler provided highlights of the State of the Utility report. She reviewed the primary sedimentation basins project which is a \$60 million project that has been under construction for two years. She also reviewed the East Bay public plaza project which was awarded the 2013 Public Education Program of the Year by the Water Reuse Association.

LOTT Finance Manager Justin Long reviewed highlights of the budget and said the rates are projected to go up 3 percent.

Ms. Fowler said the utility report shows many report cards based on a strategic business plan developed in 2007. She then presented the executive summary of the new performance plan which will guide the plant over the next six years.

Ms. Fowler also provided background, details, and next steps of the reclaimed water infiltration study. She announced public workshops will be held October 23 and December 9.

The report was received.

7. CONTINUED PUBLIC COMMUNICATION**8. REPORTS AND REFERRALS****8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS**

Councilmember Hankins provided highlights of the Coalition of Neighborhood Association Steering Committee meeting.

Mayor Pro Tem Jones reported highlights of the Intercity Transit Authority Board meeting, the Thurston Regional Planning Council meeting, and the annual retreat of the Intercity Transit Authority Board.

Councilmember Roe said she attended a joint Olympia Downtown Association/Parking and Business Improvement Area meeting, the Heritage Commission meeting, and the General Government Committee meeting. She said the General Government Committee recommends that the City request a specific proposal from Capital Recovery Center to expand the Downtown Ambassador Green Team by one staff person, including equipment for that person, and that we not issue a general request for social service proposals for program year 2014. Council agreed. She said the Committee also recommended scheduling a special meeting at 5:30 p.m. on Tuesday, November 26 to allow the Ad Hoc Community Renewal Area Committee and the Finance Committee members to share with the General Government Committee,

information they discussed regarding potential economic development funding, including CDBG. Council agreed.

Councilmember Langer reported he and Councilmember Roe attended the Olympia Downtown Association Fall Ball.

Councilmember Rogers reported highlights of the Regional Transportation Policy Board.

Councilmember Cooper said he attended the HOME Consortium retreat.

Mayor Buxbaum reported highlights of the Sustainable Thurston Task Force meeting, and said he would like to encourage the Thurston Regional Planning Council (TRPC) to continue to lead the facilitation of this project. He said the City can look for options to influence any final outcome of report through Mayor Pro Tem Jones' participation on TRPC. Council agreed. He reported highlights of the Finance Committee and the Corridor Task Force meetings.

Mayor Buxbaum reported a future meeting with the County to discuss needle exchange and associated issues is postponed until December.

He also reported he attended the Mission Creek Estuary Restoration celebration and urged other Councilmembers to visit this area.

8.B CITY MANAGER'S REPORT AND REFERRALS

City Manager Steve Hall reminded the Council the City is launching the public involvement phase of the Comprehensive Plan.

He also reported on an explosion of compressed air containers on Harrison Avenue earlier in the day and said it is a good reminder of the dangerous job our firefighters face every day.

Mr. Hall also acknowledged the great work of *The Olympian* Reporter Matt Batchelder. He said he admires Mr. Batchelder because he follows three important rules in reporting- accuracy, fairness, and balance. He thanked Mr. Batchelder and wished him luck.

Councilmember Roe noted she will attend the Ad Hoc Community Renewal Area Committee meeting on Friday at 1:00 p.m.

9. ADJOURNMENT

The meeting adjourned at 10:18 p.m.