



City of Olympia

City Hall
601 4th Avenue E
Olympia, WA 98501

Information: 360.753.8447

Meeting Minutes City Council

Tuesday, April 15, 2014

7:00 PM

Council Chambers

1. ROLL CALL

Present: 6 - Mayor Stephen H. Buxbaum, Mayor Pro Tem Nathaniel Jones, Councilmember Jim Cooper, Councilmember Julie Hankins, Councilmember Steve Langer and Councilmember Jeannine Roe

Excused: 1 - Councilmember Cheryl Selby

1.A ANNOUNCEMENTS

Mayor Buxbaum noted flags are flying at half staff in acknowledgement of the recent devastating land slide in Oso, Washington.

1.B APPROVAL OF AGENDA

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

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

Excused: 1 - Councilmember Selby

2. SPECIAL RECOGNITION

2.A [14-0379](#) Proclamation Recognizing the Accomplishments of the Olympia Area Chinese Fellowship

Mayor Buxbaum introduced this item and highlighted a picture on the screen of the historical marker and plaque which speaks to the rich heritage of the Chinese Community here in Olympia. He said this plaque was placed near Heritage Fountain Park in 2004 by the Olympia Area Chinese Fellowship, the Olympia Heritage Commission, and the Locke Family Association. He introduced Ms. Toy Kay, the founder of the Chinese Fellowship. Ms. Kay thanked the Mayor, the Olympia Area Chinese Fellowship, and the Chinese community. Mayor Buxbaum thanked Ms. Kay for her many contributions to Olympia, our region, and state. He then read the proclamation.

The recognition was received.

3. PUBLIC COMMUNICATION

Ms. Jane Stavish, 4443 Frontier Ct SE, asked for a feasibility study on the woods adjacent to LBA Park.

Ms. Vicky McCarley, 2104 Allen Rd SE, spoke in support of an open and transparent feasibility study of the forest adjoining LBA Park.

Mr. Jeff Doyle, homeless outreach worker, asked the Council to table the second reading of the drug free zone designation in downtown for further research.

Mr. Timothy Page, homeless, sang a song about the Fukushima nuclear fallout.

Ms. Lara Anderson, owner of the Red Door in downtown, spoke in support of the proposed drug free zone.

Mr. Ron Nesbitt noted the first settlers in Olympia included black people and asked why there is currently no black community.

Ms. Jessica Archer spoke in support of the drug free ordinance. She presented a petition with over 300 signatures supporting this ordinance.

Mr. Eric Bowman, 2117 Karen Frazier Rd, spoke in support of the City acquiring the woods behind LBA Park.

Mr. Theodore Thomas, 2917 Amhurst St, spoke in support of conducting a feasibility study to purchase property near LBA Park.

Mr. Bob Wadsworth, 5407 Brenner Rd NW, spoke as a member of the Black Hills Audubon Society in support of the LBA Forest Park.

Ms. Sara Peté, Olympia Timberland Library Librarian, shared upcoming events at the library.

Mr. Jeff Marti, 2915 Briarwood Ct SE, Boardmember of the LBA Woods Park Coalition, said the Parks Plan calls for large parcels for future parks. He shared a map showing parcels of at least 25 acres and said most are not feasible for athletic fields or are not for sale. He noted the LBA Park site is ideal and the City should hold a Special Study Session to discuss purchase of the Bentrige parcel.

Ms. Kris Norelius, 4460 Village Dr SE, spoke in support of purchasing the Bentrige parcel and said there is currently no single rectangular park in the City.

Ms. Bonnie Jacobs, 720 Governor Stevens Ave, spoke in support of a feasibility study to purchase property near LBA Park.

Ms. Maria Ruth spoke in support of the purchase of the LBA woods.

Ms. Cristiana Kaminsky, spoke in support of purchasing the LBA Woods.

Mr. Jesse Stevick, coach at Olympia High School, spoke in support of purchasing the woods near LBA Park for local athletes.

Mr. John Woodford, Thurston County resident and architect, spoke in support of the purchase of the woods near LBA Park.

Mr. Sherwin Shabdar, 4107 41st Loop SE, high school student, said he is against the prospect of hundreds of additional students attending the high school if the property behind LBA Park is developed with homes. He urged the Council to consider purchasing the woods near LBA Park.

Ms. Brianna Gage, member of Earth Corps Group at Olympia High School, said she appreciates and uses the woods behind LBA Park and encouraged the Council to keep this property as woods.

Ms. Deb Nickerson, Black Hills Audubon Society President, asked that the woods near LBA park be kept as is in honor of Jay Butts, a local tree advocate.

Mr. Randy Thyberg said the LBA Woods is a visual treasure and urged the Council to acquire this space.

Ms. Gayle Newsom said she lives close to Capitol Lake and walks it daily. She said there is a dangerous bottleneck at the 5th Avenue dam and asked Council to widen the walking area.

Ms. Angela Cherry urged Council to pass the drug free zone ordinance.

Mr. Jim Reeves spoke of an impending earthquake.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

Mayor Pro Tem Jones noted 5th Avenue dam is owned by the State.

Mayor Buxbaum asked for a summary on the LBA Park issue from the City Manager. Mr. Hall said the City does not have the money to buy this land which is for sale for \$6.5 million. He said State Recreation and Conservation Office (RCO) Grants are very competitive, and Conservation Futures are earmarked for the gopher habitat. He said most of the funding will need to come from the community since current City park funds are needed for repairs at Percival Landing, the completion of West Bay Park, the development of seven neighborhood parks, property for the isthmus park and many other deficiencies. He said work is beginning on the Parks Plan update to be finished in 2015. Mr. Hall described the process for updating the Parks Plan and said the update will assess new priorities and opportunities. Parks, Arts, and Recreation Director Paul Simmons noted the Parks Plan is updated every five years.

Discussion items included the following:

- The problem is making choices of priorities. The City does not have the money to maintain what we currently have.
- Funding for the Isthmus Park or the LBA Woods park simply comes down to money.
- Open space is important.
- Should identify the LBA parcels in our Parks Plan so we can apply for grants.
- The Council should have continued dialogue.
- Consider referring to the Finance Committee.
- Consider buying a portion of the parcel for trail.
- The residents could consider funding the purchase through an LID (Local Improvement District).
- Is there a potential for accelerating the Parks Plan? Staff is just starting to review it.
- May have to go to the voters.
- In the past the Council spoke of truth in marketing for new projects.
- There are statutory procedures that must be followed.
- The Finance Committee could give reality and clarify funding to the community.
- The Finance Committee should evaluate this park purchase within the context of other goals in the Parks Plan and other City priorities.
- This process could be a good kick off to the update of the Parks Plan. Include chairs of relevant advisory committees at this Finance Committee meeting.
- Hope the residents can channel their energy to find funding resources other than the City.

After discussion, the Council agreed to refer the issue of evaluating the purchase of this park property within the context of other goals in the Parks Plan and other City priorities to the Finance Committee.

4. CONSENT CALENDAR

Mayor Buxbaum noted a change to Item 4N, changing the wording "Isthmus parking project" to "Isthmus park project."

- 4.A** [14-0357](#) Approval of March 17, 2014 Special Meeting Re: Regional Strategies to Address Increased Drug Use Meeting Minutes

The minutes were adopted.

- 4.B** [14-0378](#) Approval of April 1, 2014 Special Study Session Minutes

The minutes were adopted.

- 4.C** [14-0345](#) Approval of April 1, 2014 City Council Meeting Minutes

The minutes were adopted.

- 4.D** [13-0662](#) Adoption of a Resolution Accepting Recommendations, Findings, and Conclusion of the Hearing Examiner and Granting Preliminary Approval of an Amendment to the Woodard Lane Co-Housing Planned

Residential Development

The resolution was adopted.

- 4.E [14-0236](#) Approval of Amendment to Interlocal Agreement for Sale of Water to Thurston PUD No. 1

The contract was adopted.

- 4.F [14-0298](#) Approval of Stormwater Utility Easement for the City of Tumwater on the Brewery Wellfield Property Jointly Owned by the Cities of Lacey, Olympia and Tumwater

The contract was adopted.

- 4.G [14-0331](#) Approval of Intergovernmental EMS Contract for Paramedic Services with Thurston County

The contract was adopted.

- 4.H [14-0332](#) Approval of Interlocal Agreement between the City of Olympia and Thurston County Fire Protection District 8

The contract was adopted.

- 4.I [14-0355](#) Approval to Apply for 2014 Grant Opportunities: 2014 Safe Routes to School Program and Pedestrian and Bicycle Program

The decision was adopted.

- 4.J [14-0361](#) Approval of Capital Area Regional Public Facilities District Regional Representative

The decision was adopted.

- 4.K [14-0364](#) Approval of Chehalis Western and Woodland Trails Transportation Alternative Program (TAP) Grant Submission

The decision was adopted.**4. SECOND READINGS**

- 4.L [13-0998](#) Approval of an Ordinance to Vacate a Portion of the North-South Alley Abutting the West Side of 1063 Capitol Way

The ordinance was adopted on second reading. Mayor Pro Tem Jones abstained from voting on this item because he works for the Department of Enterprise Services and voting may be considered a conflict of interest.

- 4.M [14-0151](#) Approval of Ordinance Adopting a "Civic Center" Drug Free Zone

Mayor Pro Tem Jones indicated the Council received compelling testimony from

Police Chief Roberts and Thurston County Prosecutor Jon Tunheim. He said with this action, the focus is to encourage drug court and move addicts into treatment.

The ordinance was adopted on second reading. Councilmember Cooper voted Nay on this item.

- 4.N [14-0229](#) Approval of 2013 Year End Financial Review and Adoption of Ordinance Appropriating Fund Balance for Various Purposes

The ordinance was adopted on second reading.

- 4.O [14-0281](#) Approval of Ordinance Amending Olympia Municipal Code Regarding Landscaping and Screening of Solid Waste Receptacles (Containers)

The ordinance was adopted on second reading.

- 4.P [14-0283](#) Approval of Amendment to Ordinance 6888 (Operating Budget)

The ordinance was adopted on second reading.

- 4.Q [14-0284](#) Approval of Amendment to Ordinance 6884 (Special Funds)

The ordinance was adopted on second reading.

- 4.R [14-0285](#) Approval of Amendment to Ordinance 6887 (Capital Budget)

The ordinance was adopted on second reading.

4. FIRST READINGS

- 4.S [14-0313](#) Approval of Appropriation Ordinance in the Amount of \$50,000 for the Community Renewal Area Planning Process

The ordinance was approved on first reading and moved to second reading on 5/6/2014.

Approval of the Consent Agenda

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

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

Excused: 1 - Councilmember Selby

5. PUBLIC HEARING

- 5.A [14-0328](#) Public Hearing: Approval of an Ordinance to Extend for an Additional Six Months the Moratorium on Medical Marijuana Collective Gardens

(First and Final Reading)

Code Enforcement Officer Chris Grabowski provided an overview of this issue which extends the moratorium six months. He noted this does not close any collective gardens.

The public hearing was opened.

No one spoke.

The public hearing was closed.

Councilmember Hankins moved, seconded by Councilmember Cooper, to suspend Council's usual guideline and approve on first and final reading the ordinance extending the moratorium on medical marijuana collective gardens for an additional 6 months, to a total of 547 days. The motion carried by the following vote:

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

Excused: 1 - Councilmember Selby

6. OTHER BUSINESS

6.A [14-0250](#) Approval of Bid Award for the 5th Avenue Paving Project

Public Works Transportation Division Director Mark Russell provided a brief overview of this project. Councilmembers asked clarifying questions.

Councilmember Langer moved, seconded by Councilmember Hankins, to award and authorize the City Manager to sign the construction contract with Rognlin's, Inc. in the amount of \$335,000. The motion carried by the following vote:

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

Excused: 1 - Councilmember Selby

6.B [14-0296](#) Approval of Bid Award for the Boulevard Road and 22nd Avenue Roundabout Project

Public Works Transportation Division Director Mark Russell provided a brief overview of this issue.

Discussion included the following :

- Construction should be completed mid-Fall.
- The traffic count is about 10,000 vehicles per day.

- There has been extensive public involvement and outreach.
- There will be congestion on Cain and North Roads.
- The contractor may flag during peak hours.
- The existing stormwater pond by the Fire Department will be expanded.
- Will not close the intersection during construction.
- The roadway will be flagged by contractor.

Councilmember Hankins moved, seconded by Councilmember Langer, to award the bid for the Boulevard Road and 22nd Avenue roundabout project to Active Construction Inc. in the amount of \$2,076,362.10, and authorize the City Manager to execute 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

Excused: 1 - Councilmember Selby

6.C [14-0373](#) Direction on Language for Council's Public Hearing Draft of the Comprehensive Plan

Community Planning and Development (CP&D) Deputy Director Leonard Bauer shared the items Council asked staff to review and bring back. These include the following:

- Greenhouse Gas Emissions and Climate Change
- Sea Level Rise
- Dark Skies
- Comprehensive Plan Action Plan Process
- Disaster Planning
- Locating Underground Utilities
- Parks Maintenance and Operations Funding Consideration

Mr. Bauer also reviewed the Land Use and Environment Committee recommended language on rezoning criteria and high-density neighborhood overlay.

Mr. Bauer noted the public hearing will be held in late June or early July.

Council concurred to direct staff to include the attached recommendations (Attachments 1-6) in a City Council public hearing on the draft Comprehensive Plan update.

6.D [14-0314](#) Consider Changes to the Economy Chapter of the Comprehensive Plan to Implement the Investment Strategy and Feasibility Report

CP&D Director Keith Stahley provided background and overview on this issue. He reviewed the following:

- Investment Strategies and Proactive Approach to Community Development.
- Opportunity areas, including Kaiser/Harrison, Division/Harrison, the old landfill site,

downtown Olympia, Pacific/I-5, and the K-Mart site at Sleater Kinney/Martin Way.

- Next steps
- Related Goals and Policies

Council concurred to direct staff to include the proposed revisions to the Comprehensive Plan Economy Chapter in a City Council public hearing on the draft Comprehensive Plan update.

7. CONTINUED PUBLIC COMMUNICATION

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmember Hankins reported highlights from the joint meeting of the Coalition of Neighborhood Associations and Olympia Planning Commission. She noted the annual Visitor and Convention Bureau meeting will be May 5 at the Red Lion Hotel.

Mayor Pro Tem Jones reported there is a citizen vacancy on the Intercity Transit (IT) Authority Board and a vacancy on the IT advisory board and urged interested residents to apply. He also noted the City received the 2013 Tree City USA designation. Mayor Pro Tem Jones reported on a meeting he attended where the Thurston County rezone of the Madela parcel near Pacific and Boulevard Road was discussed. He said the Commissioners may reject the City's recommendation to approve this rezone at their late April or early May meeting. The Council agreed to have the Mayor write a second letter to the County Commissioners urging them to approve the rezone.

Councilmember Roe reported on highlights from the Thurston County HOME Consortium and General Government Committee meetings.

Councilmember Cooper reported on highlights from the Finance Committee meeting.

Mayor Buxbaum reported on the Urban Design Workshop held last Saturday by the Community and Economic Revitalization/Citizen Advisory Committees. He said this workshop will be continued on April 16 to allow others to attend. He reminded everyone that the Downtown Clean-Up event is this Saturday, and the Dragon Boat Races are scheduled for April 26.

8.B CITY MANAGER'S REPORT AND REFERRALS

City Manager Steve Hall said the Fire Department deployed a unit of four up to Highway 503 to help with the Oso landslide.

Mr. Hall asked for a referral to the General Government Committee to discuss safety at the Olympia Center. Council agreed. He also stated that Judge Scott Ahlf would like to go to General Government about the general status of criminal justice. Council

agreed.

Mayor Buxbaum asked Communications Manager Cathie Butler to provide an overview of the Procession of the Species funding. Ms. Butler noted Arts Walk will be held on April 25 and 26. She said there is an inaccurate rumor stating that the City does not support the parade. In 2013, Earthbound Productions chose not to enter into a contract with the City and they did not submit a proposal for 2014. The City has continued to provide between \$8,000 and \$10,000 for in-kind support, such as sanicans, garbage collection cans, and overtime costs for Police and Public Works services. She said the City also provides information in the Arts Walk brochure and map.

Councilmember Roe asked for a referral to the General Government Committee to hear from the City's regional representative from Capital Area Regional Public Facilities District (CARPFD) after its annual meeting in June. Council agreed to the referral.

9. ADJOURNMENT

Meeting adjourned at 10:34 p.m.