



# 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, April 1, 2014**

**7:00 PM**

**Council Chambers**

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### 1. ROLL CALL

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

**Excused:** 1 - Councilmember Steve Langer

### 1.A ANNOUNCEMENTS

Mayor Buxbaum noted the Council met in a Special Study Session earlier in the evening. He also extended sympathy to the community of Oso and citizens in Snohomish County for the mudslide tragedy last week.

### 1.B APPROVAL OF AGENDA

Mayor Buxbaum noted staff pulled Item 4E from the agenda. This item will come back for consideration at the April 15 Council meeting.

**Mayor Pro Tem Jones moved, seconded by Councilmember Hankins, to approve the amended agenda. The motion carried by the following vote:**

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

**Excused:** 1 - Councilmember Langer

### 2. SPECIAL RECOGNITION

#### 2.A 14-0290 Proclamation Declaring April as Sexual Assault Awareness Month

Councilmember Cooper read the proclamation. Ms. Sandy St. Dennis thanked the Council for the proclamation and accepted it on behalf of Safeplace.

**The recognition was received.**

#### 2.B 14-0312 Proclamation Declaring April as Child Abuse Prevention and Awareness Month

Councilmember Selby read the proclamation. Ms. Ruth Harms thanked the Council for the proclamation and accepted it on behalf of Thurston Council for Children and

Youth.

**The recognition was received.**

**2.C 14-0263** Presentation by Thurston County Solid Waste Regarding its Waste Less Food Campaign

Public Works Waste ReSources Senior Program Specialist Spencer Orman introduced the topic and briefly discussed the partnership between Thurston County and the City of Olympia to reduce waste.

Thurston County Solid Waste Education and Outreach Supervisor Terri Thomas gave a brief presentation on the Waste Less Food campaign underway to increase awareness on how to reduce food waste and the resources used to grow it.

**The recognition was received.**

**3. PUBLIC COMMUNICATION**

Mr. Ron Nesbitt spoke about the lack of support in Olympia for the Black community.

Mr. Jeff Marti, 2915 Briarwood Ct SE, spoke in support of the City purchasing the Bentrige parcel for the LBA Woods Park.

Ms. Christiana Figueroa-Kaminsky spoke in support of the City purchasing the Bentrige parcel for the LBA Woods Park.

Mr. Brian Faller spoke in support of the City purchasing the Bentrige parcel for the LBA Woods Park.

Ms. Debra Jaqua, 3104 59th Ct SE, spoke in support of the City purchasing the Bentrige parcel for the LBA Woods Park.

Mr. Jack Horton spoke in support of the City purchasing the Bentrige parcel for the LBA Woods Park.

Ms. Pam Kentner spoke in support of the Civic Center drug free zone. She asked why the entire City and all of Thurston County can't be included in the drug free zone.

Mr. Walt Jorgensen, 823 North St SE, discussed a perceived breach of public trust by the Planning Commission.

Hidden Creek Neighborhood Association President Phil Schulte, 1732 Medallion Loop NW, spoke in support of a Civic Center drug free zone. He suggested including additional areas in the zone.

Mr. Steven Welliever spoke in support of the Civic Center drug free zone. He encouraged the Council to strongly enforce the drug free status of City parks.

Puget Sound Energy Municipal Liaison Manager Amy Tousley highlighted partnering projects between the City of Olympia and Puget Sound Energy.

Olympia Downtown Association Executive Director Connie Lorenz spoke in support of the Civic Center drug free zone. She also discussed the upcoming Downtown Clean-up event.

Mr. Jeffrey Trinin spoke in support of the Civic Center drug free zone.

Mr. Richard Burgess, 1309 Fern St SW, discussed indoor air quality issues. He said he is looking for chemical sensitivity assistance.

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

City Manager Steve Hall clarified that drug use is illegal in all of Olympia and noted areas that are already special drug free areas where higher criminal penalties may result.

Councilmember Roe thanked all those who spoke tonight.

## **4. CONSENT CALENDAR**

Mayor Buxbaum pulled Item 4L for discussion after the Consent Calendar.

Mayor Pro Tem Jones highlighted Items 4H and 4I and acknowledged the value and hard work of volunteer advisory board members.

Mayor Buxbaum asked for clarification on Item 4O regarding approving the ordinance even though the Section 108 Loan funds have not yet been approved. Staff noted it's common practice to pass an ordinance in advance of actually receiving the funds.

### **4.A 14-0305 Approval of March 4, 2014 Special Study Session Meeting Minutes**

**The minutes were adopted.**

### **4.B 14-0271 Approval of March 11, 2014 Special Study Session Minutes**

**The minutes were adopted.**

### **4.C 14-0310 Approval of March 18, 2014 City Council Meeting Minutes**

**The minutes were adopted.**

### **4.D 14-0311 Certification of Bills and Payroll**

Payroll check numbers 86750 through 86809 and Direct Deposit transmissions: Total: \$4,787,809.28; Claim check numbers 344153 through 345120: Total: \$9,057,016.68.

**The decision was adopted.**

- 4.E 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 pulled and forwarded to the City Council due back on 4/15/2014.**

- 4.F 14-0302** Approval of Washington Center for the Performing Arts Fundraising Proposal

**The decision was adopted.**

- 4.G 14-0303** Approval of Labor Contract with Olympia Police Sergeants Association

**The contract was adopted.**

- 4.H 14-0315** Appointment of Advisory Committee and Commission Members

Councilmember Roe thanked General Government Committee Members Selby and Cooper for work on appointing advisory committee members. She thanked those who applied and who have served on the various Council advisory committees.

**The decision was adopted.**

- 4.I 14-0268** Approval of 2014 Advisory Committee and Commission Work Plans

**The decision was adopted.**

#### **4. SECOND READINGS**

- 4.J 14-0227** Ordinance Adopting Findings of Fact and Conclusions of Law on the Briggs Village Master Plan Amendment

**The ordinance was adopted on second reading.**

- 4.K 14-0245** Approval of Boulevard Road/I-5 Area Annexation Ordinance

**The ordinance was adopted on second reading.**

#### **4. FIRST READINGS**

- 4.M 14-0281** Approval of Ordinance Amending Olympia Municipal Code Regarding Landscaping and Screening of Solid Waste Receptacles (Containers)

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

**4.N 14-0283** Approval of Amendment to Ordinance 6888 (Operating Budget)

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

**4.O 14-0284** Approval of Amendment to Ordinance 6884 (Special Funds)

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

**4.P 14-0285** Approval of Amendment to Ordinance 6887 (Capital Budget)

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

### **Approval of the Consent Agenda**

**Councilmember Hankins moved, seconded by Councilmember Cooper, 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 Roe and Councilmember Selby

**Excused:** 1 - Councilmember Langer

### **PULLED FROM THE CONSENT CALENDAR**

**4.L 14-0229** Approval of 2013 Year End Financial Review and Adoption of Ordinance Appropriating Fund Balance for Various Purposes

Mayor Buxbaum thanked the Finance Committee for its recent review of this topic. He agreed with the proposed appropriations except the \$1,336,300 for facilities major repair & maintenance. He asked the Council to consider using that money to remove the City-owned buildings from the isthmus properties.

#### **Council Discussion:**

- Technology needs and the need for a funding plan rather than relying on year-end savings.
- The annual target amount for building repair and maintenance for the next six years should be \$1.7 million.
- There is a \$10.2 million deficit for major repair and maintenance in the out years to 2020.
- Consider not taking action tonight and ask staff to bring a revised ordinance for first reading April 15 and lay out the process for clearing the isthmus blight this year.
- There are no unintended consequences in delaying the ordinance for two weeks.
- Get serious about doing set asides for building repair and maintenance instead of regularly taking from this fund.
- General cost for the isthmus clean up may be \$500,000 for asbestos abatement plus

\$500,000 for demolition.

- Consider reducing the \$1,336,300 by \$500,000 and holding it in reserve for the isthmus abatement and demolition.
- The preference is to state the intent in the ordinance to set aside the \$1,336,300 for demolition and if not all of it is necessary, put the remainder into building repair.

**Councilmember Cooper moved, seconded by Mayor Pro Tem Jones, to approve the ordinance on first reading and move to second reading with changes discussed tonight to be reflected in the ordinance for second reading. The motion carried by the following vote:**

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

**Excused:** 1 - Councilmember Langer

## 5. PUBLIC HEARING

### 5.A 13-0998 Approval of an Ordinance to Vacate a Portion of the North-South Alley Abutting the West Side of 1063 Capitol Way

Community Planning & Development Permit and Inspection Services Manager Tom Hill introduced the topic and provided a map of the proposed alley vacation.

Washington State Department of Enterprise Services Architect and Project Director Rick Browning gave a brief presentation on the 1063 Capitol Way project and highlighted proposed amenities for the public.

Mayor Pro Tem Jones indicated he will abstain from tonight's proceedings because he is an employee of Department of Enterprise Services.

Mayor Buxbaum opened the public hearing.

No one signed up to testify.

Mayor Buxbaum closed the public hearing.

Council Discussion:

- Recap of criteria for findings to release the alley from greater public use.
- Partnering discussion between the City and the State regarding project amenities.

**Councilmember Roe moved, seconded by Councilmember Selby, to approve the ordinance vacating as public thoroughfare a portion of the north-south alley abutting the west side of 1063 Capitol Way. The motion carried by the following vote:**

**Aye:** 5 - Mayor Buxbaum, Councilmember Cooper, Councilmember Hankins, Councilmember Roe and Councilmember Selby

**Excused:** 1 - Councilmember Langer

**Abstained:** 1 - Mayor Pro Tem Jones

## 6. OTHER BUSINESS

### 6.A 14-0151 Approval of Ordinance Adopting a "Civic Center" Drug Free Zone

Police Chief Ronnie Roberts introduced the topic and gave background on several ongoing efforts to improve the safety of downtown. He discussed the process of getting to a drug free zone, what is already covered in the State statute for increased penalties related to drug arrests, and the five proposed City buildings downtown for the civic center designation.

Thurston County Prosecuting Attorney Jon Tunheim thanked the Council for consideration of this proposed ordinance and discussed prosecution of drug charges within the drug free zone.

#### Council Discussion:

- Additional penalties are enforced now.
- Coerced treatment can be more effective than voluntary treatment programs.
- Interest in outcomes to measure successful individual cases and the long-term impact on downtown.
- Rationale for not including the Port Plaza and Farmers Market in the Civic Center drug free zone.
- Interest in background data for effectiveness of enhanced penalties in drug free zones.
- Penalty enhancements are not anticipated to significantly impact local jail populations due to other efforts for creating jail bed efficiencies.
- Education emphasis and signage regarding the Civic Center drug free zone.
- The 1,000-foot zone does not apply to other drug free zones. For a park, the drug free zone is the size of the park; for a bus stop it's only the bus stop shelter. Schools and school bus stops have the 1,000-foot zone.
- The term drug free zone is designated by the State statute.
- Signage can be more flexible than statute labels to get the Council's intent across to the public about acceptable behaviors.
- DOSA (Drug Offense Sentencing Alternative program).
- Request for additional information prior to making a decision e.g., a map of current drug free zones in Downtown Olympia, projected cost to the County of this new enforcement endeavor, research that shows this is an effective enforcement tool, data for offenses charged in the last year in Downtown Olympia where enhanced penalties would have made a difference,
- Suggest a future study session on the broader issue of law and justice in our community that would include the Olympia Police Department, Thurston County Prosecutors, County Judges and the Olympia Judge.
- Effectiveness of longer sentences in reducing recidivism.
- Give the community clear signs we are moving forward in defining and dealing with

unacceptable behaviors.

**Mayor Pro Tem Jones moved, seconded by Councilmember Hankins, to approve on first reading and forward to second reading the attached ordinance creating a “Civic Center” Drug Free Zone, as recommended by the Land Use and Environment Committee.**

**Councilmember Cooper raised a point of order and moved to table this item until May 6 to allow time to received requested data before making a decision. The motion failed by the following vote:**

**Aye:** 1 - Councilmember Cooper

**Nay:** 5 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Hankins, Councilmember Roe and Councilmember Selby

**Excused:** 1 - Councilmember Langer

**Mayor Pro Tem Jones moved, seconded by Councilmember Hankins, to approve on first reading and forward to second reading the attached ordinance creating a “Civic Center” Drug Free Zone, as recommended by the Land Use and Environment Committee. The motion carried by the following vote:**

**Aye:** 5 - Mayor Buxbaum, Mayor Pro Tem Jones, Councilmember Hankins, Councilmember Roe and Councilmember Selby

**Nay:** 1 - Councilmember Cooper

**Excused:** 1 - Councilmember Langer

Mayor Pro Tem Jones requested the additional information asked for by Councilmember Cooper.

Councilmember Cooper said he believes enforcement is unsuccessful and that more money should be spent on treatment and prevention.

## **7. CONTINUED PUBLIC COMMUNICATION - None**

## **8. REPORTS AND REFERRALS**

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

Councilmember Selby reported highlights from the Transportation Policy Board and Law and Justice Council meetings she attended.

Councilmember Hankins reported highlights from the Land Use & Environment Committee meeting she attended.

Councilmember Roe reported highlights from the Washington Center Board Retreat,



Heritage Commission, Land Use & Environment Committee, and PBIA Retreat meetings she attended.

Mayor Buxbaum reported highlights from the Economic Development Council meeting he attended.

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

Mr. Hall reported Chris Leicht's term as regional representative on the Capital Area Regional Public Facilities District (CARPFD) Board expired the end of March and he has expressed interest in continuing to serve on the Board. The Council asked staff to bring Mr. Leicht's reappointment forward on the April 15 Consent Calendar.

Councilmember Roe mentioned a request from one of the Public Communications speakers tonight asking for a Study Session for the LBA Woods Community Park. Following Council discussion, it was agreed to keep this request in the context of the Parks Plan update. Mayor Pro Tem Jones asked the Parks Department to engage with citizens regarding the whole proposal, including costs and environmental impacts.

## **9. ADJOURNMENT**

The meeting adjourned at 10:50 p.m.