



City of Olympia

City Hall
601 4th Avenue E
Olympia, WA 98501

Meeting Minutes - Draft City Council

Information: 360-753-8447

Tuesday, May 7, 2013

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 Jeannine Roe and Councilmember Karen Rogers

Excused: 1 - Councilmember Steve Langer

1.A ANNOUNCEMENTS

Mayor Buxbaum noted three changes to the agenda:

1. From Councilmember Roe: Add a Special Recognition item regarding the blue flowers planted on Henderson Blvd.
2. From Councilmember Roe: Add Appointment to the Olympia Planning Commission
3. From Staff: Add an item under Other Business regarding a Moratorium on Medical Marijuana Collective Gardens and the Establishment of Marijuana Associated Land Uses

1.B APPROVAL OF AGENDA

Councilmember Roe moved, seconded by Mayor Pro Tem Jones, to approve the Agenda as amended. The motion carried by the following vote:

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

Excused: 1 - Councilmember Langer

2. SPECIAL RECOGNITION

Blue Flowers on Henderson Blvd.

Councilmember Roe thanked staff for the beautiful planting of blue flowers on Henderson Boulevard.

3. PUBLIC COMMUNICATION

Mr. Mike Coday and Ms. Marylea Coday, 78 NE Washington Ave., Chehalis, related concerns about actions of the Police during May Day activities.

Ms. Sharron Cohen, RN at Providence St. Peter Hospital, spoke of contract bargaining at the hospital.

Mr. Larry Mosqueda, spoke of the Scott Yoos arrest in 2011 and said the case is lasting too long.

Mr. Jefferson Doyle spoke of a May 13 public forum to talk about shelter for the homeless.

Mr. Jerry Reilly, 1017 Cardigan Loop, thanked the Council and others for their action to move forward in purchasing two parcels on the isthmus for the Capitol Olympic Vista Park.

Ms. Bonnie Jacobs, 720 Governor Stevens Ave., spoke on behalf of the Friends of the Waterfront and also thanked the Council for moving forward to buy the Larida Passage land for a new park in the downtown area.

Mr. Jim Reeves spoke on impending eruptions es in Washington State.

COUNCIL RESPONSE TO PUBLIC COMMUNICATION (Optional)

City Attorney Tom Morrill said the Scott Yoos matter is being prosecuted by Thurston County.

4. CONSENT CALENDAR

4.A 13-0355 Approval of April 23, 2013 City Council Meeting Minutes

The minutes were adopted.

4.B 13-0364 Bills and Payroll Certification

Claim check numbers 332115 through 333353: Total \$4,905,684.17.

The report was adopted.

4.C 13-0344 Approval of Department of Archeology and Historic Preservation (DAHP) Grant Application

The decision was adopted.

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

Excused: 1 - Councilmember Langer

SECOND READINGS - None**FIRST READINGS - None****5. PUBLIC HEARING - None****6. OTHER BUSINESS****6.A 13-0357 Approval of LED Streetlighting Project, Appropriation Ordinance and Associated Interagency Agreements**

Mr. Mark Russell, Interim Director of the Transportation Division, provided information on the conversion program, including benefits and funding sources.

Administrative Services Director Jane Kirkemo explained how the debt capacity is set as well as debt limit and credit rating.

Comments and questions raised include the following:

- The payback time is 10 years.
- The City will save money in the long term.
- Is there an advantage to splitting the City in sections? The grant made this cost effective to cover the entire city.
- The contract with the Department of Enterprise Systems is to contract with their energy saving contractor.
- Is the brightness of the LED bulbs flexible? Yes.
- Can we afford this at this time?
- The issue of safety to our crews is a consideration.

Councilmember Cooper moved, seconded by Councilmember Hankins, to approve the LED Streetlighting project including the following:

- **Authorize the Mayor to sign Interagency Agreement Amendment 2 with the Department of Enterprise Services;**
- **Authorize the Mayor to sign Interagency Agreement with the Department of Commerce;**
- **Authorize the City Manager to sign project funding and related contract documents; and**
- **Approve an Appropriation Ordinance for LED Streetlighting on first reading and forward to second reading due back on 5/14/2013. The motion carried by the following vote:**

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

Nay: 1 - Councilmember Rogers

Excused: 1 - Councilmember Langer

6.B 13-0324 Approval of Designating Ordinance for the Issuance and Sale of General Obligation Bonds Not to Exceed \$9 Million

Administrative Services Director Jane Kirkemo said she expects to issue debt close to \$7 million. The LED Streetlight Conversion program will be included in this issuance.

The ordinance was adopted on second reading.

6.C 13-0317 Approval of 2013 Neighborhood Matching Grants

Associate Planner Jennifer Kenny briefly reviewed the proposed projects.

Councilmember Hankins moved, seconded by Councilmember Roe, to adopt the ordinance on 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 Rogers

Excused: 1 - Councilmember Langer

6.D 13-0386 Approval of Appointment to the Olympia Planning Commission

Councilmember Roe said that during the recent Planning Commission interviews, the General Government Committee agreed to recommend Jessica Bateman if another position became vacant.

Councilmember Roe moved, seconded by Councilmember Rogers, to approve the appointment of Jessica Bateman to the Planning Commission for a term of two years. The motion carried by the following vote:

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

Excused: 1 - Councilmember Langer

6.E 13-0389 Moratorium on Medical Marijuana Collective Gardens and the Establishment of Marijuana-Associated Land Uses

City Manager Steve Hall said this moratorium is being proposed to keep new uses from being allowed and is based on safety issues. The Council is being asked to impose a temporary moratorium for one year in order to look at what other cities are doing, what State is doing, and to better understand all aspects of the law before we expand. He said there are now eight medical marijuana locations, mostly within the downtown area.

The ordinance does not create any new rules for existing medical marijuana collective gardens, challenge individuals' need for marijuana, or make any exclusions or restriction for the future. He said staff would like to look at potential safety and land uses implications, as well as accessory uses. Also, the Planning Commission will be asked to look at land uses.

City Attorney Tom Morrill stated some of the community gardens currently don't have business licenses. He said this is emergency ordinance to prevent potential harm the community. He noted the ordinance also directs a public hearing be held within 60 days and recommended a date of June 25 for the public hearing. Mr. Morrill then read the ordinance in its entirety. He said if adopted by at least five members of the Council tonight, this moratorium will go into effect immediately and a public hearing will be set. The Council can then decide to keep the moratorium in place or make amendments.

Questions asked include:

- Can the moratorium be for a longer period of time than one year? Yes, can extend in six month increments.
- Why are only some community gardens licensed? We need to determine what activity is taking place.
- This moratorium would prevent State authorized stores from opening in Olympia.

Council agreed to set June 25, 2013 as the public hearing date. Staff was asked to consider holding the public hearing in a larger location.

Councilmember Hankins moved, seconded by Councilmember Roe, to approve the proposed ordinance establishing a moratorium on medical marijuana collective gardens and marijuana-associated land uses on first and final reading, designating such as a public emergency ordinance so that it will be effective immediately. The motion carried by the following vote:

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

Excused: 1 - Councilmember Langer

7. CONTINUED PUBLIC COMMUNICATION

8. REPORTS AND REFERRALS

8.A COUNCIL INTERGOVERNMENTAL/COMMITTEE REPORTS AND REFERRALS

Councilmember Rogers reported on highlights of the TRPC Policy Board. She asked that Mayor Pro Tem Jones' white paper on adopting council guidelines and protocols be put on next week's agenda under the Consent Calendar. Mayor Buxbaum said he would prefer to discuss this at the Council's mid-year retreat in June.

Councilmember Rogers moved, seconded by Mayor Pro Tem Jones, to place the protocols on next week's Consent Calendar.

Councilmember Roe moved, seconded by Councilmember Rogers, to amend the motion to place the item on Other Business instead of the Consent Calendar.

Councilmember Roe moved, seconded by Councilmember Rogers, to amend the amendment to discuss this item on May 21 under Other Business. Motion passed 5-1 with Mayor Buxbaum voting no.

Councilmember Rogers noted the recent article in the Sunday edition of *The Olympian* regarding Parks employees and asked for an Executive Session to discuss this. After a short discussion, Council agreed to discuss issues and concerns individually with the City Manager. City Manager Steve Hall said he received the full report today and will get back with Council soon.

Councilmember Hankins reported on highlights of the TCCOM911 Board meeting and thanked all who helped with this year's May Day activities.

Mayor Pro Tem Jones reported on highlights of the Thurston Regional Planning Council meeting, the Intercity Transit Authority Board meeting, and the Parks and Recreation Advisory Committee meeting.

Councilmember Roe thanked police and staff for their preparation and efforts on May Day.

Mayor Buxbaum reported on highlights of the Sustainable Thurston meeting.

8.B CITY MANAGER'S REPORT AND REFERRALS

City Manager Steve Hall said a Special Meeting of the Council will be held on Thursday, May 9, at 7:00 pm to review and select the top three proposed projects for Council consideration of Community Development Block Grant funds. The staff report for this meeting will be posted to the web tomorrow. Results of that meeting will be posted on Friday as part of next week's agenda.

Mr. Hall noted the City Council mid-year retreat set for June 22. Ms. Kendra Dahlen is available to act as facilitator and she will call Councilmembers to help build an agenda.

9. ADJOURNMENT

Meeting adjourned at 9:25 pm.