



**MINUTES OF A REGULAR MEETING OF THE
LACEY CITY COUNCIL
THURSDAY, SEPTEMBER 15, 2022,
IN PERSON AND REMOTE ATTENDANCE**

To hear Council's full discussion of a specific topic, or the complete meeting, watch the video-stream available on YouTube – <https://youtu.be/c60DyFbXX7c>

CALL TO ORDER

Mayor Ryder called the meeting to order at 6:00 p.m.

1. PLEDGE OF ALLEGIANCE

Mayor Ryder led the Pledge of Allegiance.

Council Present:

Mayor Andy Ryder
Deputy Mayor Malcolm Miller
Councilmember Carolyn Cox
Councilmember Lenny Greenstein
Councilmember Michael Steadman (*remote*)
Councilmember Ed Kunkel
Councilmember Robin Vazquez

Staff Present:

Scott Spence, City Manager
Robert Hollis, Deputy Chief of Police
Jen Burbidge, Parks, Culture & Recreation Director (*remote*)
Scott Egger, Public Works Director
Shannon Kelley-Fong, Assistant City Manager
Dave Schneider, City Attorney
Rick Walk, Community & Economic Development Director
Troy Woo, Finance Director (*remote*)
Kelly Adams, Special Projects Administrator
Rafael Fernandez, Management Analyst
Peri Edmonds, City Clerk

2. APPROVAL OF AGENDA AND CONSENT AGENDA

Consent Agenda Items:

- A. Council Meeting minutes of September 1, 2022
- B. A motion to approve payment of claims, wages and transfers for August 19, 2022, through September 7, 2022

COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE AGENDA AND CONSENT AGENDA. COUNCILMEMBER KUNKEL SECONDED. MOTION CARRIED.

3. PUBLIC RECOGNITIONS AND PRESENTATIONS

- A. **Lacey Youth Council Report:** Rafael Fernandez, Management Analyst, introduced the 2022-2023 Lacey Youth Council. They shared their goals and vision for the 2022-2023 Youth Council.

4. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Verbal Public Comments:

Virtual - The deadline to pre-register to speak was 4:00 p.m. the day of the meeting. No members of the public pre-registered to speak.

In Person - One (1) member of the public signed up to speak at the meeting:

Jason Bourgault spoke against the City's Flag Policy and asked Council to adopt a neutral policy.

Written Public Comments: The deadline to submit written public comments was 4:00 p.m. the day of the meeting. Written comments are not addressed during the meeting; however, they are added to the official record.

No written public comments were received.

5. PUBLIC HEARING

6. PROCLAMATIONS

- A. **National Voter Registration Day Proclamation:** Mayor Ryder and Council proclaimed September 20, 2022, as National Voter Registration Day. Mary Hall, Thurston County Auditor, thanked the City Council and accepted the proclamation.

7. REFERRAL FROM PLANNING COMMISSION

8. REFERRAL FROM HEARINGS EXAMINER

9. RESOLUTIONS

- A. **Resolution No. 1120 relating to the Flag Policy:** Shannon Kelley-Fong, Assistant City Manager, presented Resolution No. 1120 relating to the City Council's Flag Policy in Chapter 5.12 of the Council Policies-Procedures Manual.

MAYOR RYDER MOVED TO APPROVE RESOLUTION NO. 1120 RELATED TO THE FLAG POLICY IN CHAPTER 5.12 OF THE COUNCIL POLICIES-PROCEDURES MANUAL. COUNCILMEMBER VAZQUEZ SECONDED. MAYOR RYDER, DEPUTY MAYOR MILLER, AND COUNCILMEMBERS STEADMAN, COX, AND VAZQUEZ VOTED IN FAVOR. COUNCILMEMBERS GREENSTEIN AND KUNKEL VOTED AGAINST. MOTION CARRIED.

10. ORDINANCES

- A. **Ordinance No. 1624 relating to Amendments to Lacey Municipal Code 2.26 and 2.56:** Dave Schneider, City Attorney, presented Ordinance No. 1624, amending LMC 2.26 – Oaths and Performance Bonds and repealing LMC 2.56 – Personnel Policy.

COUNCILMEMBER GREENSTEIN MOVED TO APPROVE ORDINANCE NO. 1624 RELATED TO PERSONNEL POLICY, REPEALING LACEY MUNICIPAL CODE 2.56, AND AMENDING LACEY MUNICIPAL CODE 2.26 RELATED TO OATHS AND PERFORMANCE BONDS. DEPUTY MAYOR MILLER SECONDED. MOTION CARRIED.

11. MAYOR'S REPORT

12. CITY MANAGER'S REPORT

- A. **Council Priorities:** Shannon Kelley-Fong, Assistant City Manager, provided an overview and second draft of the City of Lacey Work Plan, which provides a multiyear strategic guide (2022-2024) for major City initiatives.

COUNCILMEMBER STEADMAN MOVED TO APPROVE THE CITY OF LACEY WORKPLAN 2022-2024. COUNCILMEMBER VAZQUEZ SECONDED. MOTION CARRIED.

- B. **Opioid Litigation Settlement:** Dave Schneider, City Attorney, provided an overview of the Distributors Washington Settlement and Subdivision Settlement Participation Form relating to the opioid litigation.

COUNCILMEMBER COX MOVED TO PARTICIPATE IN THE DISTRIBUTORS WASHINGTON SETTLEMENT AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE SUBDIVISION SETTLEMENT PARTICIPATION FORM. COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED.

- C. **Historical Commission Terms:** Jen Burbidge, Parks, Culture & Recreation Director, presented the Lacey Historical Commission's proposal to change Commissioner's terms.

COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE LACEY HISTORICAL COMMISSION'S PROPOSAL TO CHANGE COMMISSIONER'S TERMS. COUNCILMEMBER COX SECONDED. MOTION CARRIED.

13. STANDING COMMITTEES

A. Finance & Economic Development

Deputy Mayor Miller reported on the August 23, 2022, meeting.

It was noted that a scrivener's error was in the August 23, 2022, Finance & Economic Development Committee meeting minutes. The title of the first agenda item should be *2022 Budget Amendment*. Staff will correct the error on the final meeting minutes.

B. General Government & Public Safety

Councilmember Greenstein reported on the August 23, 2022, meeting.

14. OTHER BUSINESS

15. BOARDS, COMMISSIONS AND COMMITTEE REPORTS

A. Mayor Ryder

1. Mayor's Forum – **No report**
2. Thurston Chamber Shared Legislative Committee – **No report**
3. Transportation Policy Board – **No report**

B. Deputy Mayor Miller

1. Economic Development Council (EDC) – **No report**
2. Lodging Tax Advisory Committee (LTAC) – **Made report**
3. Thurston County Coalition Against Trafficking (TCCAT) – **No report**
4. Thurston Thrives – **No report**

C. Councilmember Cox

1. Climate Mitigation Steering Committee – **Made report**
2. Lott Clean Water Alliance – **Made report**
3. Regional Housing Council – **Made report**
4. Olympic Region Clean Air Agency – **Made report** (*as alternate*)

D. Councilmember Greenstein

1. Emergency Medical Services (EMS) – **No report**
2. TCOMM911 – **No report**

E. Councilmember Steadman

1. Community Action Council – **No report**
2. Nisqually River Council – **No report**
3. Thurston County Law & Justice – **No report**

- F. Councilmember Kunkel
1. Joint Animal Services Commission (JASCOM) – **Made report**
 2. Lacey South Sound Chamber – **Made report**
 3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB) – **No report**
 4. Solid Waste Advisory Committee (SWAC) – **Made report**
- G. Councilmember Vazquez
1. Intercity Transit – **No Report**
 2. Thurston Regional Planning Council – **Made report**
 3. Thurston County Board of Health – **Made report**

Mayor Ryder adjourned the Council meeting at 7:16 p.m. and announced the Council will take a 5-minute break and reconvene in a Worksession at 7:20 p.m.

Due to technical difficulties, the Worksession convened at 7:30 p.m.

16. ADJOURN TO WORKSESSION:

- A. **Moratorium Criteria and Process:** Rick Walk, Community & Economic Development Director, presented the moratorium procedures, past actions of Council, and information related to Neighborhood Commercial Designation.

The effect of moratoria was presented as follows:

- Provides opportunity for the City to study an emergent land use issue and respond to develop appropriate regulations
- Application Vesting
- Sends Message to Community

The following options were presented to the City Council:

1. Adopt moratorium on development within Neighborhood Commercial Designation
 - a. Hold a public hearing within 60 days
 - b. Develop findings of fact either before or immediately after the public hearing
 - c. Set an expiration date of either 6 months or 1 year based on a work plan
2. Adopt moratorium on applications for specific uses
 - a. Specify specific uses subject to moratorium
 - b. Hold a public hearing within 60 days
 - c. Develop findings of fact either before or immediately after the public hearing
 - d. Set an expiration date of either 6 months or 1 year based on a work plan

3. Do not adopt moratorium

- a. Council has directed the Planning Commission to review Neighborhood Commercial designation and make recommendations to Council
- b. Estimated 8 to 12-month process

COUNCILMEMBER VAZQUEZ MOVED TO ADOPT A MORATORIUM UNDER OPTION 2 ON JUST THE CONDITIONAL USES FOR NEIGHBORHOOD COMMERCIAL. COUNCILMEMBER COX SECONDED. MOTION CARRIED.

COUNCILMEMBER VAZQUEZ AMENDED THE MAIN MOTION TO DIRECT STAFF TO PREPARE DOCUMENTATION FOR COUNCIL CONSIDERATION ON ADOPTING A MORATORIUM UNDER OPTION 2. COUNCILMEMBER COX SECONDED.

**IN FAVOR: COUNCILMEMBERS COX, VAZQUEZ, AND STEADMAN
AGAINST: MAYOR RYDER, DEPUTY MAYOR MILLER, AND
COUNCILMEMBERS GREENSTEIN AND KUNKEL**

MOTION FAILED.

Mayor Ryder adjourned the Worksession at 8:12 p.m.

MAYOR: _____

ATTESTED BY CITY CLERK: _____

DATE APPROVED: _____