



**MINUTES OF A REGULAR MEETING OF THE
LACEY CITY COUNCIL
THURSDAY, JANUARY 19, 2023,
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://www.youtube.com/watch?v=zxqXrllZXp0&list=PL0fgffnajWBrFio1FPgKAY4gZNX6G-U4C&index=1>

CALL TO ORDER

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

1. PLEDGE OF ALLEGIANCE

Deputy Mayor Miller led the Pledge of Allegiance.

Council Present:

Deputy Mayor Malcolm Miller
Councilmember Carolyn Cox
Councilmember Lenny Greenstein
Councilmember Ed Kunkel
Councilmember Robin Vazquez

Council Excused:

Mayor Ryder
Councilmember Michael Steadman

Staff Present:

Rick Walk, Interim City Manager
Shannon Kelley-Fong, Assistant City Manager
Robert Almada, Chief of Police
Jen Burbidge, Parks, Culture & Recreation Director
Scott Egger, Public Works Director (remote)
Dave Schneider, City Attorney
Troy Woo, Finance Director (remote)
Sarah Hock, Executive Director, Joint Animal Services
Peter Brooks, Water Resources Manager
Aubrey Collier, City Engineer
Puna Clark, Utility Engineer
Samra Seymour, Senior Planner
Jeannette Sieler, Parks, Culture & Recreation Supervisor II
Elissa Fontaine, Deputy City Clerk

2. APPROVAL OF AGENDA AND CONSENT AGENDA

Consent Agenda Items:

- A. Council meeting minutes of January 5, 2023.
- B. A motion to approve payment of claims, wages and transfers for December 12, 2022, through January 6, 2023.

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

3. PUBLIC RECOGNITIONS AND PRESENTATIONS

- A. **Public Service Award to Dennis Reed – CAR-PFD:** Deputy Mayor Miller and Council presented a public service award to Dennis Reed for his service on the CAR-PFD Board of Directors.
- B. **Public Service Award to Trent Grantham – CAR-PFD:** Deputy Mayor Miller, Council and Tumwater Mayor Sullivan presented a public service award to Trent Grantham for his service on the CAR-PFD Board of Directors.
- C. **Director's Award of Excellence for College Street and Yelm Highway Super T Pavement Rehab Project:** Jay Drye, Director of WSDOT Highways and Local Programs, John Ho, WSDOT Local Programs Engineer, and Mindy Roberson Assistant Division Administrator for FHWA Washington Division, presented the Director's Award for Excellence to the City of Lacey. Aubrey Collier, City Engineer, provided additional details about the project.
- D. **Honor Dave Weber – Board of Park Commissioner:** Jennifer Burbidge, Parks, Culture & Recreation Director, and Board of Park Commissioners Chair Wendy Goodwin, honored the late Dave Weber for his service on the Board of Park Commissioners and impact to the community. Dave Weber's daughter spoke a few words in her father's memory.
- E. **Lacey Youth Council Report:** Justin Begley, Nathan Miller, Keegan Boldt, and Ayiana Young provided highlights on current and upcoming projects and events at their high schools.
- F. **Lacey Loves to Read Bookmark Winners:** Jeannette Sieler, Parks, Culture & Recreation Supervisor II, Jami Roberts, Director of ELA, Social Studies and Library Programs with North Thurston Public Schools, and Raina Sedore, Youth Services Librarian, Lacey Timberland Library, presented the bookmark winners for Lacey Loves to Read. Staff provided information on the 2023 Featured Author and upcoming events.

4. PUBLIC COMMENT

Verbal Public Comments: The deadline to pre-register to speak via Zoom was 4:00 p.m. the day of the meeting.

1 – person signed up to speak via Zoom

Holly Paxson, Lacey Timberland Library Manager, shared an update to the Lacey Timberland Library's hours of operation. Starting February 5, 2023, the Library will be open 10:00 a.m. – 6:00 p.m., Tuesday through Sunday.

0 – person signed up to speak at the meeting

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.

0 - written public comments were received.

5. PUBLIC HEARING

6. PROCLAMATIONS

A. **Lacey Loves to Read:** Mayor Ryder and Council proclaimed February 2023 as Lacey Loves to Read Month. Jeannette Seiler, Parks, Culture & Recreation Supervisor II, Jami Roberts, Director of ELA, Social Studies and Library Programs with North Thurston Public Schools, and Raina Sedore, Youth Services Librarian, Lacey Timberland Library accepted the proclamation.

B. **Jonathan Stewart Day:** Deputy Mayor Miller advised that agenda item 6-B. will be rescheduled to a future Council meeting.

7. REFERRAL FROM PLANNING COMMISSION

8. REFERRAL FROM HEARINGS EXAMINER

A. **Project #19-309 – Joyner/Gusta Shoreline CUP, SDP, and Variance:** Samra Seymour, Senior Planner, presented the Hearings Examiner's recommendation to approve in part and deny in part the Joyner/Gusta Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, and Shoreline Variance for Project #19-309.

Dave Schneider, City Attorney, asked the City Council as a whole, the following questions:

1. Whether they have any personal interests (financial, property, employment, membership, family/social) that would be affected by denying or approving the requested conditional use.

2. Whether they have had any “ex-parte” communications (off-the-record), either written or oral, concerning the requested conditional use with any proponents or opponents while this matter was before the Council.
3. Whether there is any reason they cannot consider the requested conditional use application in a fair and impartial manner.

The City Council unanimously answered no to all three questions.

COUNCILMEMBER GREENSTEIN MOVED TO APPROVE THE HEARINGS EXAMINER’S RECOMMENDATION REGARDING PROJECT #19-309. COUNCILMEMBER VAZQUEZ SECONDED. MOTION CARRIED.

9. RESOLUTIONS

10. ORDINANCES

- A. **Ordinance No. 1633 – Update Language to LMC Chapter 7 Animals:** Sarah Hock, Executive Director Joint Animal Services, presented Ordinance No. 1633 relating to updates to Lacey Municipal Code Chapter 7 to support the Community Cat Program and prosecution of animal cruelty.

COUNCILMEMBER KUNKEL MOVED TO APPROVE ORDINANCE NO. 1633 TO UPDATE LACEY MUNICIPAL CODE CHAPTER 7 – ANIMALS TO SUPPORT THE COMMUNITY CAT PROGRAM AND THE PROSECUTION OF ANIMAL CRUELTY. COUNCILMEMBER COX SECONDED. MOTION CARRIED.

- B. **Ordinance No. 1634 – Board of Park Commissioners Name Change:** Jennifer Burbidge, Parks, Culture & Recreation Director, presented Ordinance No. 1634 relating to changing the name of the Board of Park Commissioners to Parks, Culture and Recreation Board.

COUNCILMEMBER GREENSTEIN MOVED TO ADOPT ORDINANCE NO. 1634 APPROVING THE NAME CHANGE FROM BOARD OF PARK COMMISSIONERS TO PARKS, CULTURE AND RECREATION BOARD. DEPUTY MAYOR MILLER SECONDED. MOTION CARRIED.

11. MAYOR’S REPORT

- A. **Appoint Spencer Zeman to the CAR-PFD Board of Directors:** Deputy Mayor Miller recommended the appointment of Spencer Zeman as the City of Lacey representative on the CAR-PFD Board of Directors.

DEPUTY MAYOR MILLER MOVED TO APPROVE THE APPOINTMENT OF SPENCER ZEMEN TO THE CAR-PFD BOARD OF DIRECTORS AS THE CITY OF LACEY’S REPRESENTATIVE. COUNCILMEMBER COX SECONDED. MOTION CARRIED.

- B. **Reappoint Sharla Desy to the Lacey Library Board of Directors:** Deputy Mayor Miller recommended the reappointment of Sharla Desy to the Lacey Library Board.

DEPUTY MAYOR MILLER MOVED TO APPROVE THE REAPPOINTMENT OF SHARLA DESY TO THE LACEY LIBRARY BOARD OF DIRECTORS. COUNCILMEMBER GREENSTEIN SECONDED. MOTION CARRIED.

12. CITY MANAGER'S REPORT

- A. **Memorandum of Agreement – Brewery Wellfield Asset Transfer:** Peter Brooks, Water Resources Manager, presented a memorandum of agreement to transfer assets between the cities of Olympia, Tumwater, and Lacey related to the Brewery Wellfield.

COUNCILMEMBER VAZQUEZ MOVED TO AUTHORIZE THE INTERIM CITY MANAGER TO SIGN THE MEMORANDUM OF AGREEMENT BETWEEN THE CITIES OF OLYMPIA, LACEY, AND TUMWATER FOR TRANSFER OF ASSETS RELATED TO THE BREWERY WELLFIELD. COUNCILMEMBER KUNKEL SECONDED. MOTION CARRIED.

- B. **Award PW 2019-29 – Beachcrest Wellfield pH Improvements:** Puna Clark, Utility Engineer, presented contract PW 2019-29 for the Beachcrest Wellfield pH Improvements project. The project was advertised for 5 weeks and bids were opened on January 6, 2023. Seven (7) bids were received. McClure & Sons from Mill Creek, Washington, was the low bidder at \$4,088,846.07. The Engineer's Estimate is \$4,499,738.25.

COUNCILMEMBER GREENSTEIN MOVED TO AWARD PW 2019-29 BEACHCREST WELLFIELD PH IMPROVEMENT TO LOW BIDDER MCCLURE & SONS, INC., FROM MILL CREEK, WASHINGTON, IN THE AMOUNT OF \$4,088,846.07. DEPUTY MAYOR MILLER SECONDED. MOTION CARRIED.

Rick Walk, Interim City Manager, provided an update to Council on the Lacey MakerSpace. The City will receive \$1 million in federal funding through Congressionally Directed Spending from Senator Patty Murray and Senator Maria Cantwell to complete an upgrade and expansion to the Lacey MakerSpace.

13. STANDING COMMITTEES

- A. Community Relations & Public Affairs Committee:
Councilmember Steadman was excused from the Council meeting. Councilmember Cox reported on the December 5, 2022, meeting as alternate.

Deputy Mayor Miller and Shannon Kelley-Fong, Assistant City Manager, provided additional information on the City's Banner Program.

- B. Utilities Committee:
Councilmember Kunkel reported on the December 5, 2022, meeting.
- C. Transportation Committee:
Deputy Mayor Miller reported on the December 6, 2022, meeting.

14. OTHER BUSINESS

15. BOARDS, COMMISSIONS AND COMMITTEE REPORTS

- A. Mayor Ryder
 - 1. Mayor's Forum – **excused, no report**
 - 2. Thurston Chamber Shared Legislative Committee – **excused, no report**
 - 3. Transportation Policy Board – **excused, no report**
- B. Deputy Mayor Miller
 - 1. Economic Development Council (EDC) – **no report**
 - 2. Lodging Tax Advisory Committee (LTAC) – **no report**
 - 3. Thurston County Coalition Against Trafficking (TCCAT) – **no report**
 - 4. Thurston Thrives – **no report**
- C. Councilmember Cox
 - 1. Climate Mitigation Steering Committee – **no report**
 - 2. LOTT Clean Water Alliance – **no report**
 - 3. Regional Housing Council – **made report**
- D. Councilmember Greenstein
 - 1. Emergency Medical Services (EMS) – **made report**
 - 2. TCOMM911 – **no report**
- E. Councilmember Steadman
 - 1. Community Action Council – **excused, no report**
 - 2. Nisqually River Council – **excused, no report**
 - 3. Thurston County Law & Justice – **excused, no report**
- F. Councilmember Kunkel
 - 1. Joint Animal Services Commission (JASCOM) – **no report**
 - 2. Lacey South Sound Chamber – **no report**
 - 3. Olympia-Lacey-Tumwater Visitor & Convention Bureau (VCB) – **no report**
 - 4. Solid Waste Advisory Committee (SWAC) – **no report**
- G. Councilmember Vazquez
 - 1. Intercity Transit – **no report**
 - 2. Olympic Region Clean Air Agency – **made report**
 - 3. Thurston Regional Planning Council – **made report**
 - 4. Thurston County Board of Health – **made report**

Council and staff highlighted a current clothing drive. The City is helping to collect new and gently used clothing for all ages. Bins are located in Lacey Police Department Lobby, Thurston County Public Health, Thurston County Atrium, and Thurston County Public Works. The bins will be available until February 1, 2023.

Deputy Mayor Miller spoke about his experience attending the City's Martin Luther King Jr. Day of Service, volunteering at Woodland Creek Community Park.

16. ADJOURN

Deputy Mayor Miller adjourned the Council Meeting at 8:00 p.m.

MAYOR: _____

ATTESTED BY CITY CLERK: _____

DATE APPROVED: _____