CITY OF SHELTON, WASHINGTON - CITY COMMISSION
Study Session Meeting Minutes – March 11, 2013
Shelton Civic Center - 2 P.M.

Presiding: Mayor Cronce, Commissioner Olsen, and Commissioner Pannell
Staff Present: Dave O’Leary, Vicki Look, Steve Goins, Cathy Beierle, Greg Clark, Shelby Conklin, Dave Eklund, Mike Michael and Leslean Kangas

Mayor Cronce opened the meeting at 2:00 p.m.

Commission Reports

One or more Commissioners will attend the following activities this week:
• Shelton Mason County Chamber of Commerce After Hours/New “Shopper’s Weekly” location
• City of Shelton Commission Retreat
• Missoula Children’s Theatre – Presenting Snow White and the Seven Dwarfs
• Shelton Arts Commission – Empty Bowls Event
• City Historic Preservation Board Meeting
• County Historic Preservation Board Meeting
• Ribbon Cutting Ceremony- “Shopper’s Weekly” and “Annie’s Quilt Shop”

General Public Comment - None

Old Business – None

Mayor Cronce announced an addition to New Business. A moratorium ordinance will be added as Item #4.

New Business
1. Intergovernmental Services – Professional Services (Jail Expenditure) – Court Administrator Conklin requested the City Administrator be authorized to make a budget modification to the Jail Expenditure Budget for 2012, due to what currently appears to be a $50,115.20 overage in that line item. This is based on the projected 2012 jail numbers without the adjustment for the actual numbers. If the numbers are accurate, the City will be adjusting the actual average number of days per month downward from 270 days to 192.13 days. This will result in a credit to the City in an amount exceeding $70,000 which would also mean that the 2012 jail expenditure would actually have been under the budgeted amount. In doing the budget modification, the adjusted (credit amount) will accrue to 2013 and will be credited to the 2013 budget, coming out of the 2012 budget.

Commissioner Olsen moved to authorize the City Administrator to make necessary 2012 budget modifications for jail costs, Commissioner Pannell seconded the motion. A vote was taken and the motion passed.

2. 2012 Budget Modifications – Storm Drainage Fund – City Engineer Michael reported that the Commission approved the Canyon Creek Pre-Design Project and the stormwater enhancements that were part of the amendment on the Basin 5 Project for Fairmount Avenue between Puget Street and the main sewer plant. The Canyon Creek work was originally budgeted in the Capital portion of the Storm Drainage fund and the Fairmount Avenue work was inadvertently budgeted in the Sewer Fund. As a year-end housekeeping measure to comply with City Policy, requiring that the operation and capital expenditures both be within approved budget authority, a budget modification is needed. A budget modification transferring $84,000 from Capital to Operations is needed for the Canyon Creek Pre-Design and a transfer of existing Capital budget authority and reserves in the amount of $220,000 is needed for the Fairmount Conveyance improvements. CE Michael requested the Commission authorize the City Administrator to make the necessary 2012 budget modification for the Storm Drainage Fund.
Commissioner Olsen moved to authorize the City Administrator to make the necessary 2012 budget modifications for the Storm Drainage Canyon Creek Pre-Design Project and the Fairmount Conveyance Improvements; Commissioner Pannell seconded the motion. A vote was taken and the motion passed.

3. **City of Shelton 2013 Comprehensive Plan Amendment** – Community and Economic Development Director Goins reported that that the deadline for applications to be considered for the 2013 Comprehensive Plan Amendment cycle is the last working day of March, this year will be March 29, 2013. This deadline is around the corner, and there are some amendments that Staff is considering to include as City-initiated projects this year. At this time there are no privately initiated amendments for consideration. The three City amendments are as follows: 1) Map amendment to expand lands zoned Commercial-Industrial within the Shelton Urban Growth Area (UGA) Boundary, ensuring there are sufficient acres of land in the City and UGA for industrial purposes. 2) Map and text amendment changing the boundary and permitted uses within the (DT) Downtown Zoning District, discussing the uses permitted and conditionally allowed in this district, and whether or not “pedestrian-oriented retail” is appropriate or desired for the First Street/State Route 3 corridor. 3) Amendments referencing City of Shelton comprehensive planning and program updates, incorporating by reference within the City Comprehensive Plan at least the 2013 Sewer Comprehensive Plan Update and the Transportation Improvement Program for the years 2013-2018. DH Goins said that the State Environmental Policy Act (SEPA) document for the annual amendment will be prepared once the docket is established and applicants will be required to pay a proportional share of their cost for the SEPA analysis, if private development proposals are considered. He said this briefing is to provide the Commission with information; and provide Staff with direction prior to preparing the 2013 Comprehensive Plan Amendment Docket. DH Goins said he would bring these items back for the docket in April and would be meeting with the Mason County today.

The Commission thanked DH Goins for his briefing.

4. **Ordinance No. 1823-0313 – An Ordinance of the City of Shelton, Washington, Extending a Temporary Moratorium on the Establishment, Maintenance or Continuation of Medical Cannabis Collective Gardens**

DH Goins said this is an updated version of the previous moratorium and it is his recommendation to continue a moratorium allowing the Federal Government more time to deal with issues they are having with Washington State adopting recreational marijuana.

Commissioner Olsen asked if staff has come up with any draft ordinances on moving forward with collective gardening and medical marijuana. DH Goins responded not at this time. Commissioner Olsen asked if we can wait until we hear what the County decides on April 2, 2013 concerning their moratorium before we act on this moratorium. DH Goins said the harm in waiting would be if someone presented an application we would not have guidelines in place, this moratorium would allow us to deny an application. DH Goins said by the end of the year we should have a good idea how the State will deal with this.

Commissioner Olsen said that as long as we adhere to the State statures he does not believe the Federal Government will come after single cities. He said we do not even have something in place to show interested people and we should not just keep saying no.

Commissioner Pannell said that in extending the moratorium it would allow us to clear up the gray areas. She said at some time this will get figured out and we need to be ready for that.

Mayor Cronce said he agreed with Commissioner Pannell saying that taking the right steps now is important and having the moratorium in place allows us time to get it right.

City Administrator O’Leary said that in December the State should be ready to issue licenses and then we will have to make decisions on where it can happen.
Mayor Cronce recognized Ms. Marilyn Vogel who said she thinks it is a severe disservice to combine recreation marijuana with medical marijuana. She said she is disappointed that there is not a draft in place to implement the new medical marijuana laws. Ms. Vogel requested that if the moratorium moves forward it should include an expectation; a date positive when there will be draft guidelines for implantation provided and be within the time of the moratorium.

The Commission requested updates on what other Cities are doing in this situation and recommendations from staff.

Mayor Cronce requested a First and Final Reading of Ordinance No. 1823-0313 as follows:
An Ordinance of the City of Shelton, Washington, Extending a Temporary Moratorium on the Establishment, Maintenance or Continuation of Medical Cannabis Collective Gardens.

Commissioner Pannell moved to adopt Ordinance No. 1823-0313; Commissioner Olsen seconded the motion. A vote was taken and Mayor Cronce and Commissioner Pannell voted in favor, Commissioner Olsen opposed. Ordinance No. 1823-0313; the motion passed with a majority vote.

Administration Reports
1. Traffic Impact Fees Annual Update – City Engineer Michael presented a hand-out on the annual Traffic Impact Fee (TIF) Account. The current total income is $118,006.26 which includes a $9.00 correction from last year. In 2012, one residential permit and no commercial permits were issued for which TIF was collected. There are 11 permits pending issuance that will generate an additional $49,363.20. No TIF monies are in jeopardy of being returned. The oldest monies were collected in 2009, totaling $3,236.10 and will expire mid-2015. Staff is planning to look at one of the intersection capacity projects this spring and may look at a second later this year. We are currently anticipating that an incremental improvement to the First and Alder intersection is warranted at this time. This project would likely include the channelization portion identified in the TIF Project List. The final step in the annual review of the TIF system is to adjust the base, per trip, impact fee in accordance with Shelton Municipal Code (SMC) 17.12.050B. This annual adjustment is included to allow revenues collected over time by the TIF to continue to be commensurate with current construction costs. The Engineering News Record Construction Cost Index (CCI) as identified in the SMC 17.12.050 was consulted and a 3.9 percent increase was applied to the base new trip fee. The project list is available through the Public Works office.

Commissioner Olsen asked if it is a requirement to increase by that percentage. CE Michael responded yes, it is in the Shelton Municipal Code.

The Commission thanked City Engineer Michael for his report.

CA O’Leary said the retreat would be different in that one or two sessions might not need to be attended by all Department Heads.

Public Comment - None

Administrative Final Touches
- DH Clark – Coordinated Prevention Grant
- CE Michael – Transportation Improvement Plan

Announcement of Next Meeting
Mayor Cronce announced the Commission Retreat on Thursday, March 14, 2013 at 8:30 a.m. and the next regular meeting of Monday, March 18, 2013 at 6:00 p.m.
Adjournment
As there was no further business the meeting was adjourned at 3:00 p.m.

Mayor Cronce  
City Clerk Look