



# City of Longview

1525 Broadway  
Longview, WA 98632  
www.ci.longview.wa.us

## Minutes - Final City Council

*Mayor Dennis Weber*  
*Council Member Ken Botero*  
*Council Member Tom Hutchinson*  
*Council Member Don Jensen*  
*Council Member Chet Makinster*  
*Mayor Pro Tem Mary Jane Melink*  
*Council Member Michael Wallin*

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Thursday, February 23, 2012

7:00 PM

2nd Floor, City Hall

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### **\*\* 6:00 P.M. EXECUTIVE SESSION: POTENTIAL REAL ESTATE MATTERS; LITIGATION UPDATE \*\***

**The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Offices at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting.**

**1. CALL TO ORDER**

*Mayor Weber called the meeting to order at 7:00 p.m.*

**2. INVOCATION/ FLAG SALUTE**

*Pastor Bill Wells, First Baptist Church Longview, presented the invocation. Police Chief Jim Duscha led the Pledge of Allegiance.*

**3. ROLL CALL**

**Present:** 6 - Mayor Weber, Council Member Botero, Council Member Hutchinson, Council Member Jensen, Council Member Makinster and Council Member Wallin

**Excused:** 1 - Mayor Pro Tem Melink

**Staff present:**

*City Manager Bob Gregory; Interim City Attorney Stephen Shuman, and City Clerk Ann Davis.*

*Also present: Dick Mueller, Recreation Superintendent; John Brickey, Director of Community Development; Jeff Cameron, Public Works Director; Jim Duscha, Police Chief; Judy Jones, Information Technology Director; Keith Larson, Human Resources Director; Daryl McDaniel, Fire Chief; Kurt Sacha, Finance Director; and Chris*

*Skaugset, Library Director.*

4. **APPROVAL OF MINUTES**

*February 9, 2012 Council meeting minutes were not yet available for review.*

5. **CHANGES TO THE AGENDA**

6. **PRESENTATIONS & AWARDS**

7. **CONSTITUENTS' COMMENTS (Thirty Minutes)**

*Cascade Middle School students Rianna Taylor and Sara Penny told about activities of the Longview Anti-Drug Coalition Prevention group's activities at the school. Their group focuses on teaching students about social norms and encourages students to stay away from drugs, alcohol and other risky behaviors.*

8. **PUBLIC HEARINGS**

9. **BOARD & COMMISSION RECOMMENDATIONS**

10. **ORDINANCES & RESOLUTIONS**

**[OR 12 3199](#)**

**ORDINANCE NO. 3199, FIXING THE TERMS OF LOCAL IMPROVEMENT DISTRICT NO. 351 INSTALLMENT NOTE PROVIDING FOR THE PURCHASE OF SUCH NOTE BY THE CITY FROM FUNDS ON DEPOSIT IN THE CITY'S EMPLOYEE BENEFITS RESERVE FUND; AND FIXING THE INTEREST RATE ON LOCAL IMPROVEMENT DISTRICT NO. 351 ASSESSMENT**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue effective financial management.

**CITY ATTORNEY REVIEW: REQUIRED**

**SUMMARY STATEMENT:**

Ordinance No. 3199 provides for the purchase of the note for the local improvement district share of construction costs and expenses associated with South Weber Avenue. Whereas, it is customary for the City to issue bonds to cover the construction costs associated with local improvement district improvements, a City may also issue an installment note in the form of an investment to reimburse itself for expenses incurred throughout the course of construction.

Because of the relatively small amount associated with this LID, an installment note in the form of an investment is desirable in this instance as it provides for the following advantages-

- A market-rate return on investment
- Reduced administrative costs

- No underwriting fees
- No fiscal agent fees
- No transfer fees
- Reduced legal fees

**RECOMMENDED ACTION:**

Motion to adopt Ordinance No. 3199 fixing the terms of Local Improvement District No. 351 Installment Note; providing for the purchase of such Note by the City from funds on deposit in the City's Employee Benefits Fund.

**Attachments:**     [Ord 3199](#)

*For the benefit of the audience, City Manager Bob Gregory stated this LID program is a means for funding projects. This project installed infrastructure on South Weber Avenue in the Mint Farm Industrial Park. The beneficiary of this project and the sole landowner involved is Northwest Renewable Energy.*

**A motion was made by Council Member Ken Botero, seconded by Council Member Chet Makinster, that this Ordinance be adopted. The motion passed unanimously.**

**RS 12 2012****RESOLUTION NO. 2012 - ADOPTING FAIR HOUSING POLICIES FOR THE CITY OF LONGVIEW. WASHINGTON****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Address quality of life issues

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

On December 8, 2011 the City Council was presented with the City of Longview 2011 Analysis of Impediments to Fair Housing Choice and moved to create a resolution for Fair Housing plan adoption. This Resolution has been drafted in response to that December 8, 2011 motion. It is based on Resolution No. 1474, but amends and expands the number of protected classes to those protected by state law. It also makes reference to the Analysis of Impediments to Fair Housing Choice and state's the City's intent to use the Analysis and its recommendations as guidance in its efforts to provide equal opportunity in housing.

**RECOMMENDED ACTION:**

Motion to adopt Resolution No. 2012

**Attachments:**     [Resolution No. 2012.docx](#)

*It was moved by Councilmember Makinster, seconded by Councilmember Hutchinson, to adopt Resolution No. 2012.*

*Councilmember Wallin moved to strike Section 3 from the Resolution, which motion was seconded by Councilmember Jensen for the purpose of discussion.*

*Councilmember Wallin said he had spent considerable time reading the report. The report contains numerous recommendations for future activities that serve to expand*

*the City's educational responsibility. He did not believe the City had adequate personnel and resources to expand the program at this time. He did not want to adopt all recommendations in the study unless City personnel can actually commit to implementing the additional requirements. He thought it was not the appropriate time to make a full commitment to the study under discussion.*

*City Manager Gregory clarified that the Resolution language refers to using the study as a guideline. He recommended Council leave the Resolution language as presented.*

*Responding to a query whether this would make us out of compliance with State regulations, Mr. Gregory said the problem is with HUD. Potentially a complaint could put us at odds with HUD.*

*Director of Community Development John Brickey advised staff is doing a lot of these educational outreach activities already. He believed the City can further these goals by contracting with agencies currently receiving funding from the City.*

*Mr. Wallin cited one recommendation that would require staff time: perform a stand-alone analysis of LHA and verify LHA personnel have the appropriate training. Mr. Wallin asked whether staff would be putting together a plan in the future to meet these recommendations.*

*Interim City Attorney Stephen Shuman reported he shared Mr. Wallin's concerns. When preparing the Resolution adopting the impediments to fair housing study, he specified the City "shall look to the study for guidance," realizing the City is not in a position to adopt all the recommendations contained therein at this time.*

*Upon a vote on the amending language, the motion failed with two "aye" votes cast by Councilmember Wallin and Mayor Weber, to four "nay" votes by Councilmembers Hutchinson, Makinster, Botero and Jensen.*

*Councilmember Wallin thanked City Attorney Shuman for his careful crafting of the Resolution. However, he will be voting no on the matter out of caution.*

**A motion was made by Council Member Makinster, seconded by Council Member Hutchinson, that this Resolution be adopted. The motion carried by the following vote:**

**Ayes:** 4 - Mayor Weber, Council Member Botero, Council Member Hutchinson and Council Member Jensen

**Nayes:** 2 - Council Member Makinster and Council Member Wallin

## **11. MAYOR'S REPORT AND COUNCILMEMBER'S REPORTS**

*Mayor Weber reported he had had the pleasure of judging the Longview School District robotics entry for competition in Portland.*

*Councilmember Hutchinson reported he had attended his first Cowlitz-Wahkiakum Council of Governments meeting at lunch time. The 2011 Annual report was approved. The process for developing flood plan maps was discussed; apparently it involves a lot of negotiation.*

*Councilmember Botero had attended the recent Longview School Board meeting. Eighteen teachers received national merit awards. Tim Cusack spoke about improving literacy. He also attended his first CAP Board meeting. CAP provides*

*lunch tours of their facility on Tuesdays, Wednesdays, and Thursdays; Councilmember Botero encouraged Councilmembers to tour the facility and learn about all the services CAP provides.*

## 12. **CONSENT CALENDAR**

*Councilmember Jensen asked to review the equipment purchase separately. There being no additional items the Council wished removed from the Consent Calendar, a motion was duly made and passed approving the items on the Consent Calendar as though acted on individually.*

[12-2061](#)

### **APPROVAL OF CLAIMS**

*Final audited claims amount: \$3,835,331.08. Checks issued: 310843 - 311149.*

[12-2062](#)

### **LIABILITY CLAIMS/LAWSUITS**

### **Removed for separate consideration**

[12-2064](#)

### **BID REVIEW - PURCHASE OF ONE ASPHALT POTHOLE HOT MIX TRAILER**

#### **COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Improve transportation systems

#### **CITY ATTORNEY REVIEW: N/A**

#### **SUMMARY STATEMENT:**

The 2011/2012 Equipment Reserve budget includes funding for the purchases of an asphalt Paver (\$40,738) and asphalt Sealmaster Aggregate Spreader (\$24,980) for street maintenance. Street staff determined that these two pieces of equipment are not necessary and the funds would be better used on an Asphalt Pothole Hot Mix Trailer (hot box). Utilizing the funds previously allocated to the Paver and Spreader provides sufficient funds to purchase the asphalt hot box. This equipment is used to make effective and permanent asphalt repairs under all weather conditions. It allows transport of hot or cold asphalt pre-mix material and road oils at controlled heating temperatures. It also has the tools necessary for a one or two person crew, increasing efficiency in the street maintenance program.

Asphalt hot box trailers were evaluated and demonstrated in the field to determine which unit would best meet the work requirements. The specifications for this unit were based on the results of the evaluations and field demonstrations.

The bid opening was held on Monday February 13, 2012 at 1:30 PM. Bids were received from two vendors.

<u>Vendor</u>	<u>Total bid (including recommended options and sales tax)</u>
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Sahlberg Equipment	\$56,160
Enviro-Clean Equipment	\$68,958
Amount Budgeted:	\$64,980

Each bid was examined and it was determined that both bids did meet all aspects of the specifications, with Sahlberg Equipment submitting the lowest responsible bid. The Sahlberg Equipment unit was one of the units evaluated, and determined that it will perform the necessary asphalt maintenance work.

Purchase of this equipment complies with competitive bidding requirements and the City of Longview Purchasing Policy.

**FINANCIAL SUMMARY:**

This purchase will be paid for by the 2011/2012 Equipment Reserve fund budget, which contains sufficient funds.

**RECOMMENDED ACTION:**

Motion awarding the bid to Sahlberg Equipment in the amount of \$56,160.

*Councilmember Jensen asked how this piece of equipment would assist in filling potholes. He said it seems potholes need to be refilled about three days after they are first filled.*

*City Manager Gregory advised this trailer has a heater to keep the fill material hot, for better adhesion. In addition, a tack coat is applied prior to filling the hole. Currently, without a heated trailer, the fill material cools before the end of the day and does not adhere well.*

**A motion was made by Council Member Don Jensen, seconded by Council Member Chet Makinster, that this matter be approved. The motion passed unanimously.**

**13. CITY MANAGER'S REPORT**

**[12-2063](#)**

**2011-2012 GENERAL FUND BIENNIAL BUDGET REVIEW 2011 - 2012**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue effective financial management.

**Attachments:** [Mid Biennial Budget Review](#)

*Finance Director Kurt Sacha presented preliminary financial results from fourth quarter 2011 and end of year 2011. Currently property tax revenues are down about 4%. This is partially a result of the tax refund paid to Peace Health. He reported sales taxes are down to the 2010 level; he attributed this to the dismal construction climate. The normal back-to-school clothing and supply sales in September did not generate the normal peak in sales tax collections in November.*

*With the projected revenues being pretty stagnant, Mr. Sacha said staff has been keeping expenditures as low as possible. Expenditures for 2011 were \$1-million lower than budgeted. However, this lower figure is still higher than anticipated*

revenues.

City Manager Gregory advised the employee hiring freeze was over in 2011. Positions are being filled as they are vacated. Other methods to control expenditures were implemented.

Councilmember Hutchinson inquired about the monies generated from fines from the automated traffic safety cameras. Mr. Sacha stated those funds were dedicated to a special public safety fund and not into the General Fund.

In fine-tuning his 2012 revised projected revenue, Mr. Sacha deducted \$200,000 because he anticipates the State will reduce or eliminate redistribution of alcohol excise taxes, and he deducted \$210,000 in gambling tax revenues due to the sole card room in Longview struggling to stay afloat in tough economic times. Revenue from the SAFER grant is both added into revenues and deducted under expenditures. The projection also reflects the \$40,000 commitment to the Southwest Washington Regional Airport and increased expenditure being made from the General Fund as opposed to the Economic Development Fund.

On the plus side, Mr. Sacha pointed out a \$104,000 savings from having employees assume a larger portion of the cost of their health care.

Mr. Sacha showed Council a forecast into 2014 when the City will be required to assume all funding for the firefighter/paramedics hired under the SAFER grant. He showed projected revenues generated from the utility tax rate of 7% compared to the current rate of 9.5% and the resulting ending fund balances. Mr. Sacha will present another quarterly budget update in May.

#### 14. MISCELLANEOUS

The following item(s) were presented for Council's information. No Council action was taken or required.

[12-2059](#)

#### LIQUOR LICENSE REQUESTS

Attachments: [LL-Assump & Add Priv](#)  
[LL-spec occ](#)  
[LLS-Add Priv-Renewals](#)

#### 15. ADJOURNMENT

The meeting was adjourned at 7:56 p.m. The next scheduled meeting of the Council is March 8, 2012.

Ann C. Davis  
City Clerk

Approved: \_\_\_\_\_  
Mayor

**NEXT REGULAR COUNCIL MEETING:**

**THURSDAY, MARCH 8, 2012, AT 7 P.M.**

**THURSDAY, MARCH 22, 2012, AT 7 P.M.**

**NEXT COUNCIL WORKSHOPS:**

**THURSDAY, MARCH 1, 2012, AT 6 P.M., SEWER  
PRETREATMENT ORDINANCE; SEWER LAGOON  
RECLAMATION**

**THURSDAY, MARCH 15, 2012, AT 6 P.M., PHOTO  
ENFORCEMENT**