



City of Longview

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

Minutes - Draft

City Council

Mayor Don Jensen
Council Member Ken Botero
Council Member Tom Hutchinson
Council Member Chet Makinster
Mayor Pro Tem Mary Jane Melink
Council Member Steve Moon
Council Member Michael Wallin

Thursday, April 23, 2015

7:00 PM

2nd Floor, City Hall

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 Jensen called the meeting to order at 7:00 p.m.

2. **INVOCATION*/FLAG SALUTE**

3. **ROLL CALL**

Present: 7 - Mayor Don Jensen, Council Member Botero, Council Member Hutchinson, Council Member Makinster, Mayor Pro Tem Melink, Council Member Moon and Council Member Wallin

Staff present:

City Manager David Campbell; City Attorney James McNamara, and City Clerk Ann Davis.

Also present: John Brickey, Director of Community Development; Craig Bozarth, City Engineer; Todd Dodgin, Information Technology Director; Jim Duscha, Police Chief; Phil Jurmu, Fire Chief; Chris Skaugset, Library Director; and Chris Smith, Human Resources Director.

4. **APPROVAL OF MINUTES**

On a motion duly made and passed, the reading of the minutes of the regular Council meeting held April 9, 2015, copies of which had been submitted to the Mayor and members of the City Council, was waived and the minutes were approved as if read.

MN 15-0282

COUNCIL MINUTES, APRIL 9, 2015

Attachments: [CNCL MIN 04092015](#)

5. CHANGES TO THE AGENDA

Mayor Jensen added a Proclamation to the agenda: National Crime Victims and Victims of Sexual Assault Awareness Month.

6. PRESENTATIONS & AWARDS**15-3752 PROCLAMATION: MENTAL HEALTH MONTH - MAY 2015**

Attachments: [Mental Health Awareness Month - May 2015](#)

Dave McClay, Interim Director of the Cowlitz County Guidance Association, accepted the Proclamation regarding Mental Health Awareness Month. The intent of this program is to reduce the stigma of mental illness so people are more open to treatment.

15-3764 PROCLAMATION: NATIONAL POLICE WEEK, MAY 10-16, 2015

Attachments: [National Police Week May 10- 16, 2015](#)

Cowlitz County Chaplain Mario Gambaro accepted the Proclamation for National Police Week. He commented that May 15 is National Police Officers Day. As a chaplain, he works in the field with police officers and has witnessed the compassion and integrity they exhibit when dealing with people. He wanted Council to be aware of that compassion and dedication. Chaplain Gambaro presented the Proclamation to Police Chief Jim Duscha.

**15-3800 PROCLAMATION: NATIONAL CRIME VICTIMS' RIGHTS WEEK,
APRIL 19-25, 2015 & SEXUAL ASSAULT AWARENESS MONTH**

Attachments: [National Crime Victims' Rights Week Apr 19-25, 2015 & Sexual Assault Awareness Month](#)

Emergency Support Shelter Executive Director Sherrie Tinoco accepted the Proclamation regarding National Crime Victims' Rights Week and Domestic Violence Awareness Week. She thanked Council for this recognition. The intent of this week is to let victims know they are not alone and not invisible. There is support for them in the community.

7. CONSTITUENTS' COMMENTS (Thirty Minutes)

Resident Bill Kasch thanked Council for allowing citizens to voice their thoughts at Council meetings. He reminded Council that May is National Historic Preservation Week and also Longview Historic Preservation Week. He outlined some of the activities scheduled to celebrate Longview's historic areas.

8. PUBLIC HEARINGS**15-3781 PUBLIC HEARING TO COLLECT COMMENTS AND ALLOCATE 2015
HOME FUNDING AND DOCUMENT RECORDING FEE FUNDS****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Preserve and enhance neighborhoods

CITY ATTORNEY REVIEW: N/A**SUMMARY STATEMENT**

This public hearing is to allocate 2015 HOME Investment Partnership Program funding, and Document Recording Fee project funding. The Public Hearing will be held to review and consider affordable housing projects submitted for funding and receive public comment for allocations.

Three (3) HOME projects and two (2) Document Recording Fee projects have been received. All project designs have been made available for Council review. Public Review has been made available at the Community Development Office and on the City's HOME Website.

Funding for 2015 HOME's Longview-Kelso Consortium is at \$223,093 of which Longview's portion is \$117,123.83.

2015 Document Recording Fee funding from Cowlitz County totaling \$24,447.49 and will be available for low-moderate housing, below 50% income, and shelters.

The HOME projects are:

2015 Longview HOME Project Summaries

Amount Available: \$117,123.83 Amount Requested: \$204,000

Affordable Rental - Reconstruct a substandard building into a triplex rental located at 205 Carolina Street.

Lower Columbia Action Council **\$120,000**

Foundation for the Challenged Longview - Develop one group home for 4 developmentally disabled residents.

Life Works sponsored through Foundation for the Challenged **\$45,000**

Homeless Recovery Rental Assistance - Provide tenant based rental assistance for up to 6 households for one year.

Community House on Broadway **\$39,000**

The Document Recording Projects are:

2015 Document Recording Fee Projects Summaries

Amount Available: \$24,447.49 Amount Requested: \$32,500

Community House on Broadway - Pay for 2015-2016 operating costs of the homeless recovery program. Community House on Broadway
\$23,500

Emergency Support Shelter - Pay for 2015-2016 operating costs for

domestic violence victims at the
Emergency Support Shelter. Emergency Support Shelter **\$9,000**

RECOMMENDED MOTION(s)

- 1) Motion to award 2015 HOME project of Affordable Rental (Lower Community Action) in the amount of \$117,123.83.
- 2) Motion to award \$7,000 to the Emergency Support Shelter and \$17,447.49 to the Community House on Broadway.

Attachments: [HOME Entitlement Funding](#)

Prior to the public hearing, Director of Community Development John Brickey introduced the 2015 HOME funding and Auditor's Document Recording Fees funding process. Longview and Kelso have created a Consortium for receiving and allocating funds. The amount available to the Consortium this year is \$223,093, which is less than last year's allocation.

Seventy percent of the funding is available for projects; Longview's share is 75% of the amount, which is \$113,123.83 for 2015.

Mr. Brickey outlined the three projects that had been submitted for possible funding: CAP's proposed affordable rental housing for three families; LifeWorks/Foundation for the Challenged proposal for one group home; and Community House on Broadway's proposal for tenant-based rental assistance.

Eligible for Document Recording Fees funding were two proposals: Operations funding for Community House on Broadway in the requested amount of \$23,500, and operations funding for Emergency Support Shelter in the amount of \$9,000. There is approximately \$24,000 available to be allocated.

Mayor Jensen opened the public hearing at 7:26 p.m.

Michael Torres, with CAP, advised Council the period of eligibility is 15 years. The property CAP is looking at is currently a blighted property. They plan to construct a triplex, thus providing new housing stock, dense housing, up-to-code and affordable housing. They have CHDO funds that must be spent this year.

Marty Johnson with Life Works said their project would provide low-income housing for those with learning disabilities; they also need access to low-income housing. The \$45,000 LifeWorks has requested would be a local match to show other grantors the local municipality supports the project.

Director of Community Development John Brickey said reducing the funding to CAP might hamper their project. Mr. Brickey said HUD requirements for funding use is trending toward HUD funds being the final amount needed to conclude a project. Since CAP has lined up other funding, their project would meet HUD's model.

Community House on Broadway Executive Director Frank Morrison spoke about his organization's funding request and the importance of providing mental health care. Many homeless people have mental illnesses. He referred to the co-pilot that flew a jetliner into a mountain; typically, these people are loners. He said CAP receives quite a bit of money from Cowlitz County.

Regarding the Auditor's Document Recording Fees funds, Mr. Morrison suggested funding the Emergency Support Shelter's entire \$9,000 request. But he also asked

that his program be allowed to succeed.

Sherrie Tinoco said the requested \$9,000 is for operational expenses. The Emergency Support Shelter assists about 500 people a year.

There being no further comment, either oral or in writing, the public hearing was closed at 7:38 p.m.

Councilmember Wallin moved to award \$9,000 of the Document Recording Fees to the Emergency Support Shelter, and the remaining balance to Community House on Broadway. Councilmember Makinster seconded this motion. Upon a vote duly held, the motion was unanimously approved.

Councilmember Melink moved to award the entire HOME funds available to the CAP low-income housing project; this motion was seconded by Councilmember Moon.

Councilmember Wallin moved to amend the previous motion by allocating \$45,000 in HOME funds to LifeWorks; \$39,000 to Community House on Broadway; and the balance to CAP for its low-income housing project. This motion was seconded by Councilmember Makinster.

Councilmembers Melink and Hutchinson expressed their opinion that the CAP project might not get off the ground if their funding is cut. CAP may even lose previously awarded funding.

Councilmember Wallin advised he made the motion to amend in order to help a greater number of people.

Upon a vote duly held, the motion to amend failed with only two "aye" votes cast by Councilmembers Wallin and Makinster.

A motion was made by Mayor Pro Tem Mary Jane Melink, seconded by Council Member Steve Moon, that all available HOME funds be awarded to CAP. The motion passed with no nay votes.

9. BOARD & COMMISSION RECOMMENDATIONS

**2015-3
4/23/15**

**ZONING TEXT AMENDMENTS REGARDING PUBLIC PARKS AND RV
PARKS IN THE HEAVY INDUSTRIAL DISTRICT**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Preserve and enhance neighborhoods; Address quality of place issues

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Public parks are not a permitted use in the HI district. Gerhart Gardens Park is located in the HI district and is a legal nonconforming use due to its pre-existence prior to the adoption of current industrial zoning regulations. Most passive recreational uses are still allowed under the nonconforming status. However some more intensive recreational uses are not permitted, such as public facilities for athletic events or recreational vehicle (RV) parks. The public park is located near the Tennant Way (SR 432) crossing of the

Cowlitz River.

Gerhart Gardens Park provides one of the few opportunities within our community for public recreational access to the waters of the Cowlitz River. A recent inquiry about the possibility of siting an RV park that would provide additional recreational opportunities at the park resulted in staff determining that the HI district does not allow for that use. Removing the nonconforming status of the Gerhart Gardens Park along with additional zoning code amendments would not only allow for the proposed RV park, but would also allow for other potential public use recreational facilities to be located at the park.

At their February 12, 2015 regular meeting, the City Council unanimously passed the following motion: Direct staff to present the issue to the Planning Commission for their review and recommendation for Council consideration.

At their March 4 regular meeting, the Planning Commission discussed the issue and reviewed City staff recommended changes to the zoning code. The Commission decided to hold a public hearing on the proposed amendments at their April 1, 2015 meeting. The Planning Commission held a public on April 1. No one from the public spoke. The Planning Commission then unanimously passed a motion to recommend approval of the proposed amendments.

One amendment would make public parks a permitted use in the Heavy Industrial District but an accompanying footnote states that only parks in existence as of January 1, 2015 are permitted. Gerhart Gardens Park is the only public park in the HI District. The result of this amendment is that Gerhart Gardens would become a conforming use in the HI District but no other public parks could be sited in that district. The second amendment along with its footnote would allow an RV park to locate in the Heavy Industrial District but only in association with a public park. Thus, an RV park would be allowed in Gerhart Gardens Park but no where else in the HI district. The specific amendments are given in the attached staff report.

RECOMMENDED ACTION:

Move to accept the Planning Commission recommendation and direct the City Attorney to prepare an ordinance for Council review and approval.

Attachments: [Staff report to Planning Commission](#)
 [SEPA documents](#)

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

10. ORDINANCES & RESOLUTIONS

15-3780

RESOLUTION NO 2144, SUPPORTING THE REMOVAL OF THREE UNDERUSED BASEBALL FIELDS AT ARCHIE ANDERSON PARK

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative:
Preserve and enhance neighborhoods
Address quality of place issues

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

On April 9, 2015 the City Council directed the City Attorney to prepare a resolution to acknowledge the removal of three of the under-used baseball fields at Archie Anderson Park and supporting possible revisions to Archie Anderson Master Plan to consider use of the new open space.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2144.

Attachments: [Resolution no. 2144 Archie Anderson Ball Fields](#)

A motion was made by Council Member Chet Makinster, seconded by Council Member Tom Hutchinson, that this Resolution be adopted. The motion passed unanimously.

11. MAYOR'S REPORT AND COUNCILMEMBERS' REPORTS

Councilmember Makinster noted he had provided all Councilmembers with a report on what's going on at the Southwest Washington Regional Airport.

Councilmember Botero reported he attended a recent transportation meeting. Longview needs to build up its infrastructure before bringing in new business. The Transportation Department is intrigued with Longview's system of squirrel bridges.

Mayor Jensen commented that Downtown Streetscape "looks good." He also had a great weekend at Mint Valley Golf Course participating in the new Disc Golf Course.

Interim Director of Parks & Recreation Jenn Wills said they had a very successful ribbon-cutting and first day at the Disc Golf Course; more people showed up than had been expected to participate in the opening-day tournament. She felt this was a good amenity for the park.

15-3779**ADDRESSING QUALIFICATIONS OF TAXICAB OR FOR-HIRE
VEHICLE OPERATORS**

INTRODUCED BY: Councilmember Mike Wallin

SUPPORTED BY: Councilmember Steve Moon

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Strengthen economic conditions and create new opportunities.
Improve transportation systems.

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

Ecocab, LLC owner/operator Mr. Ron Knori has expressed concern about

finding qualified local operators/drivers for his local taxicab company. Mr. Knori's local operations have expanded outside the immediate area and into Portland, OR. He is asking that Council make a change to LMC 5.80.080 to allow qualifying individuals with an out-of-state drivers license be eligible to apply for a Taxi/For-Hire Operator's License.

RECOMMENDED ACTION:

A motion directing the City Attorney to prepare an ordinance for adoption by Council amending Longview Municipal Code (LMC) 5.80.080 Section (6) by striking "(6) Possess a valid State of Washington driver's license; and" and replacing it with, "(6) Possess a valid driver's license; and" and to place the ordinance on the May 14th, 2015 agenda.

Attachments: [Addressing Taxi Cab For Hire Operators](#)

Councilmember Wallin moved to amend the Taxi Driver code to allow out-of-state drivers to work in Longview, and to direct the City Attorney to draft an Ordinance effecting this change, and to bring it back to the May 14, 2015 council meeting. This motion was seconded by Councilmember Moon.

Ron Knori of Eco Cab had petitioned Council for this and other changes to the Taxi Driver regulations. He did not know why cab drivers were restricted to Washington-only driver's licenses. He is planning to expand his business into other areas, and he would like to be able to move drivers around as needed.

Chief Jim Duscha acknowledged that his department would continue to perform background checks on all prospective drivers, whether they had a Washington license or license from another state.

Since there is a 9% unemployment rate in Longview, Councilmember Botero could not understand how there is a shortage of drivers. "Why open this up to insiders?" Why change something that benefits our community? Mr. Botero asked whether all the other local taxi companies were in favor of this change.

Councilmember Moon stated he believes the language is a little dated. He also believed that if Council is going to make changes to this LMC section, the entire section should be reviewed for changes/modifications.

Local taxi company owner Mike Fittro said he agrees with Councilmember Botero. He said he is continually being asked about driver positions. "It only makes sense to have local people drive" since they are familiar with the city and outlying areas. There are plenty of people who want these jobs.

Councilmember Moon questioned whether Rainier is considered local.

Mr. Fittro said he is a Cowlitz County employer.

Ron Knori, Eco-Cab owner, said he had been approached by John Oliver from Clatskanie for a driving position. Mr. Knori said "I don't have a huge agenda;" he is just trying to open up jobs for people who are qualified and want to work. He said he has more cars than drivers available during peak times.

Council expressed concern that a change to the code was being proposed to benefit one individual. That being said, several councilmembers reported they did not have any objection to this change.

Councilmember Botero voiced his opinion that perhaps the entire LMC section should be reviewed. He cannot support this amendment, but he is willing to work with Council to review the entire code. Councilmember Wallin offered to free up his Tuesday nights to go through the code line by line.

A motion was made by Council Member Wallin, seconded by Council Member Moon, that this Agenda Item be approved . The motion carried by the following vote:

Ayes: 6 - Mayor Don Jensen, Council Member Hutchinson, Council Member Makinster, Mayor Pro Tem Melink, Council Member Moon and Council Member Wallin

Nayes: 1 - Council Member Botero

12. CONSENT CALENDAR

Councilmember Botero asked to remove the Tennant Way Improvement Project Bid for separate consideration. 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.

15-3773

APPROVAL OF CLAIMS

Based upon the authentication and certification of claims and demands against the city, prepared and signed by the City's auditing officer, and in full reliance thereon, it is moved and seconded as shown in the minutes of this meeting that the following vouchers/warrants are approved for payment:

Second Half April 2015 Accounts Payable: \$1,454,485.50

First Half April 2015 Payroll:

\$5,865.46, Checks No. 206307 - 206314
\$643,360.11, direct deposits
\$397,690.28, wire transfers
\$1,046,915.85 Total

15-3774

LIABILITY CLAIMS/LAWSUITS

The claim(s)/lawsuit(s) listed below was/were received by the City. Where applicable, the claim(s)/lawsuit(s) have been/are being researched and/or reviewed by Washington Cities Insurance Authority (WCIA). The claim(s)/lawsuit(s) status is/are as follows:

NEW:

Agnes Husenko, DOI: 2014. Claimant alleges her home has been damaged by nearby construction of sewer pump station. Home has developed cracks in walls, foundation, garage floor, etc. Amount unspecified

Iliytcho Toleev, DOI: 3/10/2015. Claimant alleges out-of-pocket expenses incurred to clear sewer lines when problem was on City side. \$576.85 claimed

Carla Brill, DOI: 4/7/2015. Claimant alleged mailbox had to be moved to accommodate water line work. Reflective address number plaque was broken. \$21.56 claimed

SETTLED:

Richard McCool, DOI: 1/22/2015. Claimant alleged out-of-pocket expenses incurred to clear sewer line when problem was on City side. \$432.00 paid

Lee Carpenter, DOI: 1/17/2015. Claimant alleged out-of-pocket expenses incurred to clear sewer line when problem was on City side. \$7,972.55 paid

Steven Kasson, DOI: 3/2/2015. Claimant alleged out-of-pocket expenses incurred to clear sewer line when problem was on City side. \$464.40 paid

Alexander "Skip" Urling, DOI: 2/16/2015. Claimant alleged out-of-pocket expenses incurred to clear sewer line when problem was on City side. \$464.40 paid

DENIED:

Lori Finkas, DOI: 8/18/2014. Claimant alleged she drove through fresh paint on street, splashing her vehicle. \$497.48 claimed

Gene Krause, DOI: 2/1/2013. Claimant landlord claimed damage to toilet valves and hot water heaters due to Mint Farm water, and sought cost to install flow control valves. \$4,431.61 claimed

Linda Ball, DOI: 3/16/2015. Claimant alleged out-of-pocket expenses incurred to clear sewer line when problem was on City side. \$966 claimed

Removed for separate consideration:

15-3787

BID REVIEW - TENNANT WAY IMPROVEMENTS

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Provide sustainable water quality & environmental infrastructure

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The project includes construction of streetscape improvements including sidewalk and ADA ramps, bio-filtration planters and stormwater facilities, paving, and trees and landscaping improvements. The improvements will be made on Tennant Way from 7th Avenue to 15th Avenue.

On April 15, 2015, five bids were received as follows:

\$1,870,447.14 - Sterling Breen Crushing, Inc., Chehalis, WA
\$1,987,800.10 - 3 Kings Environmental, Inc., Battle Ground, WA
\$2,085,900.00 - Advanced Excavating Specialists LLC, Longview, WA
\$2,183,398.20 - Five Rivers Construction, Inc., Longview, WA
\$2,200,890.56 - Olivas Valdez, Inc., LaCenter, WA

\$2,300,000.00 - Engineer's Estimate

All bids received were determined to be regular and responsive.

FINANCIAL SUMMARY:

This project is funded by the Stormwater Fund, Arterial Street Fund, and state Dept. of Ecology grants.

RECOMMENDED ACTION:

Motion to accept the bid and award a contract to Sterling Breen Crushing, Inc., in the amount of \$1,870,447.14.

Councilmember Botero asked whether the concerns expressed by Tennant Way businesses had been addressed prior to finalization of the plans. City Engineer Craig Bozarth said staff had worked with those objecting property owners to provide fixes for their particular situations. Parking spaces were retained, access/egress problems to the gas station were remedied. Mr. Bozarth said staff is still working with McCord Brothers for a lease or partial vacation of a portion of the right-of-way.

A motion was made by Council Member Tom Hutchinson, seconded by Mayor Pro Tem Mary Jane Melink, that this matter be approved. The motion passed unanimously.

13. CITY MANAGER'S REPORT

15-3788

**LONGVIEW EMPLOYEES' BARGAINING ASSOCIATION (EBA)
COLLECTIVE BARGAINING AGREEMENT, JAN 1, 2015 - DEC 31,
2017**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Continue effective financial management

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

On March 26, 2015, Longview Employees' Bargaining Association (EBA) and the City reached a tentative agreement on the 2015-2017 Collective Bargaining Agreement (CBA). Multiple articles in the contract were opened for review and some language changes to clarify/improve the contract were made. EBA notified the City of member (97) ratification on April 21, 2015. The contract provides for a \$0.62/hours COLA, beginning December 31, 2015, and a COLA increase of 100% of Portland CPI-W in 2016.

For 2015/16 the CBA remains at 100% employer paid HDHP medical

insurance plan and Dental remains at 80% employer paid.

For 2017, both parties agree to open for bargaining Article 11, Medical and Insurance Benefits and Article 21, Salaries for the purpose of negotiating salaries and calculating the balance of 2015 deferred wages that may be applied to the 2017 medical premium.

Employees opting out of City medical insurance coverage will receive a VEBA contribution of \$825/ month in 2015 and 2016.

RECOMMENDED ACTION:

Motion to approve the EBA 2015-17 Collective Bargaining Agreement for Jan 1, 2015 - Dec 31, 2017.

Attachments: [2015 - 2017 EBA CBA - FINAL 3-23-15](#)

A motion was made by Council Member Steve Moon, seconded by Mayor Pro Tem Mary Jane Melink, that this contract be approved. The motion passed unanimously.

14. MISCELLANEOUS

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

15-3782 WASHINGTON STATE LIQUOR CONTROL BOARD REQUESTS

Attachments: [LL renewals July 15 001](#)
 [Spec Occas LL Young Life 001](#)

15. ADJOURNMENT

The meeting was adjourned at 8:21 p.m. The next scheduled meeting of the Council is May 14, 2015.

*Ann C. Davis
City Clerk*

*Approved: _____
 Mayor*

NEXT REGULAR COUNCIL MEETINGS

THURSDAY, MAY 14, 2015

THURSDAY, MAY 28, 2015

NEXT COUNCIL WORKSHOPS:

THURSDAY, MAY 7, 2015, 6:00 P.M., ADA TRANSITION PLAN

**THURSDAY, MAY 21, 2015, 6:00 P.M., SCHOOL ZONE SAFETY STATUS
REPORT, JOINT MEETING WITH LONGVIEW SCHOOL BOARD**