



City of Longview

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

Agenda - Final 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, May 14, 2015

7:00 PM

2nd Floor, City Hall

**** 6:00 P.M. EXECUTIVE SESSION: POTENTIAL REAL ESTATE TRANSACTION(S) ****

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**

2. **INVOCATION*/FLAG SALUTE**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**

[MN 15-0283](#) COUNCIL MINUTES, APRIL 23, 2015

Attachments: [CNCL MIN 04232015](#)

5. **CHANGES TO THE AGENDA**

6. **PRESENTATIONS & AWARDS**

[15-3799](#) PRESENTATION OF SPONSORSHIP BY COMCAST FOR MOVIES IN THE
PARK- TESS FIELDS, COMCAST

[15-3808](#) PROCLAMATION: NATIONAL SALVATION ARMY WEEK, MAY 11 - 17,
2015

Attachments: [National Salvation Army Week, May 11-17, 2015](#)

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

8. **PUBLIC HEARINGS**9. **BOARD & COMMISSION RECOMMENDATIONS**10. **ORDINANCES & RESOLUTIONS**[15-3801](#)**ORDINANCE NO. 3292 AMENDING LMC 5.80.080, TO ALLOW OUT OF STATE DRIVERS TO BE ISSUED A LONGVIEW TAXICAB LICENSE****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Enhance public safety and emergency response.

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

The City of Longview currently has in place a system for reviewing applications for issuance and renewal of taxicab or for-hire vehicle licenses. Under the current regulatory scheme, only those possessing a driver's license issued by the State of Washington may qualify for a Longview taxicab license. Because there has been no showing that the standards for issuance of an Oregon driver's license are lower than those in Washington and in light of the other background checks required for the issuance of a taxicab license there is no additional benefit to the public in requiring the driver's license be issued by the State of Washington. The proposed ordinance removes the requirement that an applicant for a Longview taxicab license have a State of Washington issued driver's license.

RECOMMENDED ACTION:

Motion to approve Ordinance No. 3292.

Attachments: [Ord No 3292 amend code to allow out of state drivers](#)

[OR 15 3293](#)**ORDINANCE NO. 3293 - AMENDING ZONING TEXT 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: REQUIRED**SUMMARY STATEMENT:**

Public parks are not a permitted use in the Heavy Industrial (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 asked the Planning Commission to provide a recommendation regarding the issue. The Planning Commission reviewed staff recommendations at their March 4, 2015 meeting and then set a public hearing for their April 1 meeting. Following the public hearing, the Planning Commission then unanimously passed a motion to recommend approval of the proposed amendments.

At their April 23 regular meeting, the City Council accepted the Planning Commission's recommendation and directed the City Attorney to prepare and ordinance for Council review and approval. The draft ordinance is attached. The ordinance will make existing public parks conforming (permitted) uses in the Heavy Industrial District. In addition, recreational vehicle parks will be allowed 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 nowhere else in the HI district.

RECOMMENDED ACTION:

Motion to adopt Ordinance Number 3293.

Attachments: [Ordinance No 3293](#)

[15-3821](#)

RESOLUTION NO 2145, AUTHORIZING THE CITY MANAGER TO APPROVE CLAIMS AND CONTRACTS SUBMITTED FOR APPROVAL ON BEHALF OF THE COWLITZ TRANSIT AUTHORITY TO THE CITY OF LONGVIEW

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Improve public transportation systems

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

The Cowlitz Transit Authority (CTA) has acted as the governing authority of public transportation services within the PTBA, and Longview has operated as the contractor to the CTA. Pursuant to an interlocal agreement between the CTA and the City of Longview, the City operates, maintains, and in all related ways provides a public transportation system within the area of the CTA for

and on behalf of the CTA.

The proposed resolution provides the City Manager, or his/her designee, with the power to approve all claims and contracts submitted for approval on behalf of the Cowlitz Transit Authority to the City of Longview, provided such claims and contracts are within the budget appropriations authorized by the City Council.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2145.

Attachments: [Resolution 2145 Authorizing CM to sign CTA contracts 2015](#)

11. MAYOR'S REPORT AND COUNCILMEMBERS' REPORTS

[15-3802](#)

APPOINTMENT OF AUSTI BAUDRO AND MICAH SHEA TO THE PARKS & RECREATION BOARD

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Due to resignations, the Parks & Recreation Board is in need of two new members. The Council Appointments Committee met on April 23, 2015 to review and consider applications. The Committee recommends the appointment of Austi Baudro to an unexpired term through 12/31/16 and Micah Shea to an unexpired term through 12/31/15.

RECOMMENDED ACTION:

Motion to appoint Austi Baudro to the Parks & Recreation Board to an unexpired term that will expire 12/31/16, and Micah Shea to an unexpired term that will expire 12/31/15.

12. CONSENT CALENDAR

[15-3797](#)

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:

First Half May 2015 Accounts Payable: \$1,932,472.45

Second Half April 2015 Payroll:

\$60,780.50, Checks No. 206315 - 206330

\$624,655.15, direct deposits

\$768,244.44, wire transfers

\$1,453,680.09 Total

[15-3798](#)

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:

David L. Green, DOI: 3/7/2015. Claimant alleges personal injuries as a result of trip-and-fall over uneven portion of sidewalk. \$19,955.32 claimed

Cowlitz County, DOI: 1975. Claimant alleges City and other entities also responsible for cost to monitor and clean-up landfill established on Radakovich property. Amount unspecified

Lisa Anderson, DOI: 4/26/2015. Claimant alleges property damage and wages to clean up storage unit after water main burst at corner of OBH and 44th Avenue. Amount TBD Contents of Storage unit

Terry Glucoft, DOI: 4/26/2015. Claimant alleges property damage and wages to clean up storage units after water main burst at corner of OBH and 44th Avenue. Amount TBD 4405 OBH

Terry Glucoft, DOI: 4/26/2015. Claimant alleges property damage and wages to clean up storage unit after water main burst at corner of OBH and 44th Avenue. Amount TBD H & H Storage, 2123 44th Ave

Terry Glucoft, DOI: 4/26/2015. Claimant alleges property damage and wages to clean up storage unit after water main burst at corner of OBH and 44th Avenue. Amount TBD Rental at 2125 44th Avenue

Rinat Berishev, DOI: 5/1/2015. Claimant alleges property damage and out-of-pocket expenses incurred to clean up after sewer back-up in basement. Amount unspecified

SETTLED:

Sandra Lail, DOI: 8/1/2014. Claimant alleged out-of-pocket expenses incurred to clear sewer line when problem was on City side. \$997.34 paid

Iliytcho Toleev, DOI: 3/10/2015. Claimant alleged out-of-pocket expenses incurred to clear sewer line when problem was on City side. \$576.86 paid

DENIED:

Lynett Martinez, DOI: 2/10/2015. Claimant alleged vehicle damage when she drove over a new curb/island in downtown. \$443.84 claimed

[15-3809](#)

**BID REVIEW - 2015 WATERLINE REPLACEMENT PHASE 2 - ST. HELENS
NO. 1**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Provide sustainable water quality & environmental infrastructure

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

This project will replace existing deteriorated 6-inch cast iron water main with approximately 2,270 feet of 8-inch and 170 feet of 6-inch ductile iron pipe, reconnect 82 water services, and install 2 new fire hydrants. The work will occur in the 400, 500 and 600 blocks of the alley between 17th Ave. and 18th Ave.

On April 29, 2015, six bids were received as follows:

\$ 577,122.30 - Advanced Excavating Specialists LLC, Longview, WA
\$ 599,842.80 - Halme Excavating, Inc., Battle Ground, WA
\$ 629,232.84 - 3 Kings Environmental, Inc., Battle Ground, WA
\$ 633,484.80 - Carter & Company Inc., Salem, OR
\$ 700,565.76 - R.C. Northwest, Inc., Brush Prairie, WA
\$ 761,832.22 - Nutter Corporation,

\$800,000.00 - Engineer's Estimate

All bids received were determined to be regular and responsive.

FINANCIAL SUMMARY:

This project is funded by the Water Construction Fund.

RECOMMENDED ACTION:

Motion to accept the bid and award a contract to Advanced Excavating Specialists LLC, in the amount of \$577,122.30.

13. CITY MANAGER'S REPORT**14. MISCELLANEOUS**

[HPC Min
3-23-15](#)

**MARCH 23, 2015 MINUTES OF THE HISTORIC PRESERVATION
COMMISSION**

Attachments: [MARCH 23, 2015 MINUTES OF THE HISTORIC PRESERVATION COMMISSION](#)

15. ADJOURNMENT

*** Any invocation that may be offered at the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.**

NEXT REGULAR COUNCIL MEETINGS

THURSDAY, MAY 28, 2015

THURSDAY, JUNE 11, 2015

NEXT COUNCIL WORKSHOPS:

**FRIDAY, MAY 15, 2015, 8 A.M. TO 3:30 P.M., GOAL-SETTING RETREAT, CITY
HALL TRAINING ROOM**

**THURSDAY, MAY 21, 2015, AT 6 P.M., JOINT MEETING WITH LONGVIEW
SCHOOL DISTRICT, RE: SCHOOL ZONE SAFETY**

NEXT EXECUTIVE SESSION:

THURSDAY, MAY 21, 2015, AT 5 P.M., LITIGATION UPDATE