



# City of Longview

1525 Broadway  
Longview, WA 98632  
[www.ci.longview.wa.us](http://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*

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Thursday, July 23, 2015

7:00 PM

2nd Floor, City Hall

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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 15-0293](#) COUNCIL MINUTES, JULY 9, 2015

Attachments: [CNCL MIN 07092015](#)

5. CHANGES TO THE AGENDA

6. PRESENTATIONS & AWARDS

7. CONSTITUENTS' COMMENTS (Thirty Minutes)

8. PUBLIC HEARINGS

9. BOARD & COMMISSION RECOMMENDATIONS

[PC 2013-4](#) ZONING CODE UPDATE - ADMINISTRATIVE SECTIONS  
[7/23/15](#)

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

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

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

As part of the overall zoning code update, the Planning Commission has been working on the administrative portions of the code on and off for two years. At their July 1, 2015 regular meeting, the Planning Commission held a public hearing on the draft code amendments. No one spoke at the public hearing. Following the public hearing, the Planning Commission voted unanimously to forward a recommendation of approval to the City Council.

Many of the administrative provisions have not been updated since 1967 and are scattered among different chapters. The draft code amendments provide updated language and consolidates code language in easier to find locations. Administrative sections may not be referred to often but are essential when conflicts in code interpretation arise. Highlights of the draft code amendments are summarized below. The complete proposal is attached.

A. The proposal repeals the following chapters and consolidates much of the language in the repealed chapters into a new "Chapter 19.06 General provisions:"

- o Chapter 19.06 General Provisions
- o Chapter 19.15 Districts Established
- o Chapter 19.69 General Use Regulations
- o Chapter 19.75 Nonconforming Uses
- o Chapter 19.84 Enforcement by Building Inspector

B. Amends the definition of "Lot of Record" to clarify that Assessor's segregations for tax purposes only are not "Lots of Record."

C. Creates a new Chapter 19.75 titled "Nonconforming Uses and Developments and Substandard Lots of Record."

D. Creates a new section in "Chapter 19.78 Parking" that basically states that a simple change of use of a building does not trigger the need for additional parking spaces. *[This language currently exists but is in a hard to find location in the zoning code (Chapter 19.84).]*

E. Creates a new section in "Chapter 19.81 Amendments" that adds approval criteria for site specific rezones.

**RECOMMENDED ACTION:**

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

Attachments:   [Draft code amendments](#)  
                          [Staff Report to Planning Commission](#)  
                          [SEPA documents](#)

**10.     ORDINANCES & RESOLUTIONS****11.     MAYOR'S REPORT AND COUNCILMEMBERS' REPORTS**

[15-3933](#)**FILLING OF COUNCIL VACANCY****CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

With the recent passing of Councilmember Tom Hutchinson, it is now necessary for the Council to fill the Council vacancy with an individual to serve the remainder of this term.

RCW 35A.12.050 provides that the office held by a member of the City Council which becomes vacant is to be filled for the period of time between the occurrence of the vacancy and the next regular municipal election by appointment by a majority of the remaining members of the City Council. (If the majority cannot agree upon such an appointment within 90 days after the occurrence of the vacancy, their power to appoint ceases and the County Commissioners are empowered to fill the vacancy.)

State law provides that the remaining members of the governing body are to appoint a qualified person to fill the vacant position. (A "qualified" person is someone who would otherwise be eligible to run for elective office in the jurisdiction.)

**RECOMMENDED ACTION:**

Move to appoint an individual of Council's choosing to fill the vacant Council position. The following language is suitable.

I move that the current Council vacancy for the term ending December 31, 2015 be filled by appointment of \_\_\_\_\_ to this position.

**12. CONSENT CALENDAR**[15-3941](#)**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 July 2015 Accounts Payable: \$1,778,536.66**

**Second Half July 2015 Payroll:**

\$1,599.26, Checks No. 206396-206399

\$679,947.31, direct deposits

\$443,879.69, wire transfers

\$1,125,426.26 Total

[15-3940](#)**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:**

Larry Eaton, DOI: 3/1/2015. Claimants allege damage to residence as a result of pile driving during construction of Washington Way Bridge. Amount unspecified.

Walter McGie, DOI: 4/28/2015. Claimant alleges building inspector came by site and observed construction within the 5' required setback, but did not stop construction. Construction continued and claimant had to relocate the shed. \$2,000 claimed.

David Meyers, DOI: 7/01/2015. Claimant believes Mint Farm Regional Water Treatment Plant caused a build up of silica in pressure washer, leading to its mechanical failure. Claimant has not used the pressure washer since 2013, when the new treatment plant was commissioned. \$250.91 claimed.

Gladys Fink, DOI: 5/27/2015. Claimant alleges that a broken sewer line caused sewer backup in home. \$329.55 claimed.

Tiffany Bailey, DOI: 5/20/2015. Claimant alleges that mechanical issues with sewer pumps on 48th and Ocean Beach Hwy caused sewer to back up into home. \$232.20 claimed.

James Gray, DOI: 06/10/2015. Claimant alleges that while the City was excavating around their water meter, the debris from the excavation process caused scrapes and dents to their car that was parked nearby. \$542.84 claimed.

Michael Davis, DOI: 03/01/2015. Claimant alleges that during the installation of new water pipes by the City, their sprinkler line was damaged. \$114.46 claimed.

Bill Schwegler, DOI: 07/16/2015. Claimant alleges that he incurred costs as a result of sewer pipe damage and drainage back up. \$770.85 claimed.

**DENIED:**

Sanders Woodard, DOI: 5/22/2015. Claimant alleged he popped a tire while backing into driveway. Problem was rebar sticking up in the street. \$236 claimed.

Walter McGie, DOI: 4/28/2015. Claimant alleges building inspector came by site and observed construction within the 5' required setback, but did not stop construction. Construction continued and claimant had to relocate the shed. \$2,000 claimed.

**SETTLED:**

Jerry Bayless, DOI: 2/11/2015. Claimant alleges out-of-pocket expenses incurred to clear sewer line when problem was on City side. \$447.04 paid.

**13. CITY MANAGER'S REPORT**[15-3938](#)**REMOVE LONGVIEW POLICE DEPT CAPTAIN FROM COWLITZ WAHIAKUM NARCOTICS TASK FORCE****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Enhance Public Safety and Emergency Response

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

The Longview Police Department has had an interlocal agreement with the Cowlitz Wahkiakum Narcotics Task Force since 1987, providing a detective and part time Commander. Effective January 1, 2015, we pulled our detective back to work with our Street Crimes Unit. Now, based on the complexity of the Cowlitz/Wahkiakum Narcotics Task Force and liability concerns, the Longview Police Department can no longer sustain and provide a part time Commander to the Task Force.

Section 8 (a) of the Interlocal Agreement states that any party may terminate this Interlocal Agreement with respect to such party's participation in the Task Force by giving 30 days written notice to each member of the Executive Board.

Effective December 31st, 2015, the Longview Police Department will no longer supply a part time Captain to the task force.

**RECOMMENDED ACTION:**

Approve removal of Longview Police Captain as part time Commander of the Cowlitz Wahkiakum Narcotics Task Force

**14. MISCELLANEOUS**[15-3928](#)**WASHINGTON STATE LIQUOR CONTROL BOARD REQUESTS**

**Attachments:** [Honu Ent Officers 001](#)

[TJ Organics 001](#)

**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, AUGUST 13, 2015**

**THURSDAY, AUGUST 27, 2015**

