



# City of Longview

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

## Minutes - Final

### City Council

*Mayor Don Jensen*  
*Council Member Ken Botero*  
*Council Member Chet Makinster*  
*Council Member Mary Jane Melink*  
*Council Member Steve Moon*  
*Council Member Scott Vydra*  
*Mayor Pro Tem Michael Wallin*

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Thursday, January 12, 2017

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**

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

2. **INVOCATION\*/FLAG SALUTE**

*After a moment of silent reflection, the flag salute was recited.*

3. **ROLL CALL**

**Present:** 6 - Mayor Don Jensen, Council Member Botero, Council Member Makinster, Council Member Moon, Mayor Pro Tem Wallin and Council Member Vydra

**Excused:** 1 - Council Member Melink

### **STAFF PRESENT**

*City Manager David Campbell; City Attorney James McNamara, and City Clerk Kaylee Cody.*

*Also present: John Brickey, Director of Community Development; Jeff Cameron, Public Works Director; Todd Dodgin, Information Technology Director; Jim Duscha, Police Chief; Chris Skaugset, Library Director; Jenn Wills, Parks & Recreation Director; Chris Smith, Human Resources Director; Brian Loos, Risk & Safety Manager; Manuel Abarca, Engineering Coordinator; Mary Chennault, Police Administrative Manager; and Steven Langdon, Planning Manager.*

4. **APPROVAL OF MINUTES**

*On a motion duly made and passed, the reading of the minutes of the regular Council*

*meetings held December 8 & December 15, 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 17-0359](#)

**COUNCIL MINUTES, DECEMBER 8, 2016 & DECEMBER 15, 2016**

**Attachments:**     [12.08.2016 Minutes for Approval](#)  
                                 [12.15.2016 Minutes for Approval](#)

**5.     CHANGES TO THE AGENDA**

*City Manager Campbell added a discussion related to a roadside memorial on Pacific Way to the City Manager's Report.*

**6.     PRESENTATIONS & AWARDS**

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

*Marvin Kallwick of Longview addressed Council regarding the proposed Veterans Memorial at R.A. Long Park.*

*Jeff Wilson of Longview addressed Council regarding the city's online efforts to improve service to residents.*

**7. A**

**FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS**

*City Manager Campbell advised that he had followed up with Reggie Smith regarding a letter of reference on behalf of the City for the 1414 Club. Reggie Smith had attended the December 15, 2016 Council meeting to request a letter, as the 1414 Club is currently seeking contributions and donations from the community. The request has been fulfilled by the City.*

**8.     PUBLIC HEARINGS**

**9.     BOARD & COMMISSION RECOMMENDATIONS**

[PC 2016-3](#)  
[1/12/17](#)

**AMEND ZONING CODE REGARDING FARMERS' MARKETS IN  
RESIDENTIAL ZONING DISTRICTS**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Preserve and enhance neighborhoods

**CITY ATTORNEY REVIEW:** N/A

**SUMMARY STATEMENT:**

At their March 2016 meeting, the Planning Commission agreed to initiate a process to examine allowing small farmer's markets to locate on church or school grounds. This was at the request of representatives from the St. Stephen's Episcopal Church. The Planning Commission developed a draft

code, held a public hearing, and then forwarded the draft to the City Council with a recommendation of approval. On June 30, 2016, the City Council adopted Ordinance No. 3324. However, during the Council's approval process, the City Council directed the Planning Commission to examine expanding the areas where farmers' markets could locate. The Council specifically mentioned private property and parks as possible locations for farmer's markets.

At their September 2016 regular meeting, the Planning Commission considered some proposed amendments to Chapter 19.42 that were developed by City staff. These proposed amendments would allow farmers' markets to locate in City parks and to locate on private land that is two or more acres in size upon receiving a special property use permit. The Planning Commission held a public hearing on the proposed amendments at their December 2016 regular meeting. No one from the public commented. Following the public hearing, the Planning Commission unanimously passed a motion to recommend approval of the proposed amendments.

**RECOMMENDED ACTION:**

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

**STAFF CONTACT:**

Steve Langdon, Planning Manager

**Attachments:**     [Proposed zoning code amendments](#)  
                              [Staff report to Planning Commission](#)  
                              [SEPA documents](#)

*Community & Economic Development Director John Brickey provided a staff report to Council regarding the Planning Commission recommendation.*

**A motion was made by Council Member Scott Vydra, seconded by Council Member Chet Makinster, to accept the Planning Commission recommendation and direct the City Attorney to prepare an ordinance for Council review and approval. The motion passed unanimously.**

**10.    ORDINANCES & RESOLUTIONS**

[OR 17 3337](#)

**ORDINANCE NO. 3337 ADOPTING MUNICIPAL CODE REGARDING SEVERE WEATHER SHELTERS**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Enhance public safety & emergency response

**CITY ATTORNEY REVIEW: REQUIRED**

**SUMMARY STATEMENT:**

Currently, the City's municipal code does not address severe weather shelters. City staff developed a proposed code to address such. The Ad Hoc Committee on Zoning for Emergency Shelters reviewed the draft at their December 12 meeting. After discussing the draft and hearing comments from the public, the committee directed staff to make some modifications and then decided to recommend approval of the proposed code. The City Council considered the Ad Hoc Committee's recommendation at their December 15 meeting. Following their consideration, the City Council voted unanimously to direct the City Attorney to prepare an ordinance for their review and approval. Ordinance No. 3337 is attached.

**RECOMMENDED ACTION:**

Motion to adopt Ordinance No. 3337

**STAFF CONTACT:**

Jim McNamara, City Attorney  
Steve Langdon, Planning Manager

**Attachments:**     [OR No 3337 Severe Weather Shelters \(4\)](#)

*Bill Josh of Longview addressed Council in support of Ordinance 3337.*

*Jeff Wilson of Longview addressed Council in opposition to Ordinance 3337.*

*Michael O'Neil of Longview addressed Council in opposition to Ordinance 3337.*

*Amy Joe Perry, city unknown, addressed Council regarding severe weather shelters.*

*John Steppard of Longview addressed Council in opposition to Ordinance 3337.*

*Jeff Ritchie, city unknown, addressed Council in opposition to Ordinance 3337.*

*Dana McKey, formerly of Longview, addressed Council in opposition to Ordinance 3337.*

*Felicia Luis of Longview addressed Council in opposition to Ordinance 3337.*

*Shawn Nyman of Longview addressed Council in opposition to Ordinance 3337.*

*Frank Morrison of Longview addressed Council in support of Ordinance 3337.*

*Patrick Ryan of Kelso addressed Council in opposition to Ordinance 3337.*

*Diane Klaus of Longview addressed Council in opposition to Ordinance 3337.*

*Megan Ritchie of Longview addressed Council in opposition to Ordinance 3337.*

*Theresa Purcell of Longview addressed Council in opposition to Ordinance 3337.*

*Amber Cook, city unknown, addressed Council regarding severe weather shelters and communication.*

*Marvin Kallwick of Longview addressed Council regarding the homeless population in Longview.*

*Cathy Scott of Longview addressed Council in opposition to Ordinance 3337.*

*Nicole of Kelso addressed Council in opposition to Ordinance 3337.*

*The City Clerk received comments by phone/email prior to and during the regular meeting.*

*Nicole, city unknown, verbally expressed opposition to Ordinance 3337.*

*Sara De LaFuente of Vancouver wrote to Council regarding her opposition to Ordinance 3337.*

*James Tolson of Vancouver wrote to Council regarding his opposition to Ordinance 3337.*

*Rob Frisina of Vancouver wrote to Council regarding his opposition to Ordinance 3337.*

*Melanie Davis of Battle Ground wrote to Council regarding her opposition to Ordinance 3337.*

*Karen Asbury of Vancouver wrote to Council regarding her opposition to Ordinance 3337.*

*Zachary Hipple of Vancouver verbally expressed opposition to Ordinance 3337.*

*Jessica Corzine of Vancouver wrote to Council regarding her opposition to Ordinance 3337.*

**A motion was made by Council Member Scott Vydra, seconded by Council Member Chet Makinster, to adopt Ordinance 3337, amended to remove the term 'of homeless persons' from section 7.30.010, subsection 2, item (c); and amended to insert 'such temporary use permit may be valid up to 365 days' to Section 7.30.030, second paragraph. The motion passed unanimously.**

## **RECESS**

*Mayor Jensen called for a ten minute recess at 8:58 p.m. The meeting readjusted at 9:08 p.m.*

[17-4664](#)

## **RESOLUTION NO. 2202: ADOPTING THE NEIGHBORHOOD PARK GRANT POLICY AND PROCEDURES**

**COUNCIL INITIATIVE ADDRESSED:** Address Quality of Place Issues

**CITY ATTORNEY REVIEW:** Required

### **SUMMARY STATEMENT:**

On December 8, the Neighborhood Park Grant Policy was presented to Council for recommendation to draft a resolution for approval. The Neighborhood Park Grant Program is a capital program (budgeted in

the capital projects fund) initiated by the City Council as a means of giving community groups the opportunity to improve and invest in their parks, while giving the city the opportunity to stretch its capital funds. Annually since 1997, the Parks and Recreation Advisory Board has evaluated applications and made recommendations to the council for final approval.

The purpose of the resolution is to establish policies and procedures for considering applications for the Neighborhood Park Grant Program.

The Parks and Recreation Advisory Board worked with staff during the drafting process by providing comment and input. The Board made a motion to recommend approval of the Neighborhood Park Grant Policy and Procedures at their regular meeting on November 28.

During the presentation on December 8, Council also gave direction for City Staff to work on a mini-park grant program that would allow for community members or groups to apply for matching funding for projects that are below the monetary threshold of a capital improvement project or that do not fit with the scope of work allowable within the policy. City staff and the Parks and Recreation Advisory Board will explore options for projects and funding sources and present to council at a later date.

**RECOMMENDED ACTION:**

Motion to approve Resolution 2202 adopting the Neighborhood Park Grant Policy and Procedures.

**STAFF CONTACT:**

Jennifer Wills, Director Parks and Recreation

**Attachments:**     [Resolution No 2202 Neighborhood Park Grant Policy](#)  
[NPG Policy](#)

A motion was made by Council Member Ken Botero, seconded by Council Member Scott Vydra, to adopt Resolution 2202. The motion passed unanimously.

**11.    MAYOR'S REPORT AND COUNCILMEMBERS' REPORTS**

**11. A                    MAYOR'S REPORT**

**11. B                    COUNCILMEMBERS' REPORTS**

*Councilmember Vydra advised that the Ad Hoc Committee meetings for Emergency Shelter Zoning Regulations are ongoing.*

*Community & Economic Development Director John Brickey provided a synopsis of a recent Project Longview meeting.*

[17-4669](#)

## **RESULTS OF CITIZENS SUMMIT SURVEY AND DISCUSSION OF SUMMIT AGENDA**

*Mayor Pro Tem Wallin requested Council's direction on how to proceed with planning the 2017 Citizens Summit. Council discussed how they would like to set up the summit. Councilmember Vydra suggested emailing all of the survey participants and inviting them to attend rather than each councilmember inviting a few individuals.*

*Mayor Jensen and Mayor Pro Tem Wallin will be working closely with staff to finalize the details for the 2017 Citizens Summit, tentatively scheduled for February 1, 2017.*

## **12. CONSENT CALENDAR**

*There being no 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.*

[17-4667](#)

### **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 DECEMBER 2016 ACCOUNTS PAYABLE: \$939,846.58,  
CHECKS 348671-349036**

### **FIRST HALF DECEMBER 2016 PAYROLL:**

\$3,935.99, checks no. 206794-206798

\$688,098.31, direct deposits

\$450,765.85, wire transfers

\$1,142,800.15 Total

### **STAFF CONTACT:**

Kaylee Cody, City Clerk

John Baldwin, Fiscal Analyst

Jackie Rodgers, Human Resources Specialist

### **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 JANUARY 2017 ACCOUNTS PAYABLE: \$1,413,506.24**

### **SECOND HALF DECEMBER 2016 PAYROLL:**

\$68,279.90, checks no. 206799-206816

\$639,000.94, direct deposits

\$847,252.78, wire transfers

\$1,554,533.62 Total

**STAFF CONTACT:**

Kaylee Cody, City Clerk

John Baldwin, Fiscal Analyst

Jackie Rodgers, Human Resources Specialist

*Final audited accounts payable: \$1,431,320.29; checks numbered 349037-349321.*

[17-4666](#)

**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:**

Carolyn Hail, DOI: 11/20/2016. Claimant alleges costs incurred to clear sewer blockage.

Larry Wilgus, DOI: 9/13/2016. Claimant alleges golf ball at Mint Valley Golf Course driving range flew across 42nd Avenue and broke a glass panel on his garage door.

Michael Langdon (U-Haul of Longview), DOI: 11/26/2016. Claimant alleges costs incurred to clear sewer blockage.

Mark Davis, DOI: 12/1/2016. Claimant alleges costs incurred to clear sewer blockage.

Golden Palace, DOI: Claimant alleges costs incurred to clear sewer blockage.

Christina Sanchez and Hope Wagoner, DOI: 11/15/2016. Plaintiffs alleges police unlawfully seized property.

**DENIED:**

Allen Norman, DOI: 12/2/2015. Claimant alleges that the LPD did not notify him that he could retrieve his property; the property was then sold at auction.

Ronald Stucker, DOI: 11/15/2015. Claimant alleges that his car was stolen and involved in a police chase, during the course of which the car was totaled when the police rammed the vehicle and used a PIT maneuver (precision immobilization technique) to stop the vehicle.

Sandra Hougen, DOI: 12/21/2015. Claimant alleges that a city owned tree was not properly maintained, resulting in the tree falling on her vehicle during a windstorm.

Cherie Gibson, DOI: 11/01/2015. Claimant alleges that the water heater at her rental property burnt up as a result of staff having turned the water off at the request of the tenant.



Duane Todd, DOI: 11/22/2016. Claimant alleges property damage caused by forced entry of police officers serving a search warrant.

Dru Spitzer, DOI: 4/23/2016. Claimant alleges property damage caused by forced entry of police officers serving a search warrant at rental property.

Carolyn Hail, DOI: 11/20/2016. Claimant alleges costs incurred to clear sewer blockage.

Julie Evans (Progressive Subrogation), DOI: 7/31/2016. Claimant alleges that a city owned tree was not properly maintained, resulting in the tree falling on insured's vehicle.

Larry Wilgus, DOI: 9/13/2016. Claimant alleges golf ball at Mint Valley Golf Course driving range flew across 42nd Avenue and broke a glass panel on his garage door.

**SETTLED:**

Dale Bennett, DOI: 11/28/2016. Claimant alleges costs incurred to clear sewer blockage.

David Alexy, DOI: 11/25/2016. Claimant alleges costs incurred to clear sewer blockage.

Manchester Brothers, DOI: 1/1/2016. Claimant alleges costs incurred to clear sewer blockage.

Jeffery Mahitka, DOI: 6/11/2016. Claimant alleges costs incurred to clear sewer blockage.

Michael Langdon (U-Haul of Longview), DOI: 11/26/2016. Claimant alleges costs incurred to clear sewer blockage.

Eva Carrasco, DOI: 11/19/2016. Claimant alleges that a police officer inadvertently damaged vehicle's window during a traffic stop.

**STAFF CONTACT:**

Kaylee Cody, City Clerk  
Brian Loos, Risk & Safety Manager

[17-4665](#)

**SET PUBLIC HEARING TO AMEND CURRENT  
SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM (T.I.P.)  
2017-2022**

**COUNCIL INITIATIVE ADDRESSED:**

Improve streets and roads  
Improve transportation systems

**CITY ATTORNEY REVIEW:** N/A

**SUMMARY STATEMENT:**

On July 14, 2016, the City Council adopted the 2017-2022 Six Year Transportation Improvement Program (T.I.P.) for the City. The City subsequently submitted applications for federal and state transit and transportation grants, requiring the 2017-2022 T.I.P. to be amended to include these projects. Staff recommends the City Council set a public hearing for its January 26, 2017 regular city council meeting to receive comments on the proposed T.I.P. amendment.

Copies of the draft amended 2017-2022 T.I.P. will be distributed prior to the public hearing.

**RECOMMENDED ACTION:**

Motion to set the city council meeting on January 26, 2017, as the date and time of a public hearing to amend the 2017-2022 Six-Year Transportation Improvement Program.

**STAFF CONTACT:**

Craig Bozarth, City Engineer

**13. CITY MANAGER'S REPORT**

*City Manager Campbell informed Council of a roadside memorial on Pacific Way that has been receiving complaints. The memorial is for Genaro Joel Ruiz-Rosas, who died in a car accident at the site on February 6, 2015. City Manager Campbell recommended that the memorial be removed. The City does not currently have a policy regarding roadside memorials.*

*Gal Ruiz Contantino of Longview, Genaro Joel Ruiz-Rosas's father, addressed council to express his desire that the memorial be allowed to stay. Engineering Coordinator Manual Abarca read a letter aloud from Mr. Contantino to Council, and provided translation for Mr. Contantino during the discussion.*

*Mayor Pro Tem Wallin suggested that the family be requested to remove the memorial on the anniversary of Mr. Contantino son's death, and suggested that a draft policy have a one year anniversary removal requirement.*

**A motion was made by Mayor Pro Tem Wallin, seconded by Council Member Vydra, to direct staff to begin drafting a draft policy for council review of placement of roadside memorials. The motion carried by the following vote:**

**Ayes:** 5 - Mayor Don Jensen, Council Member Makinster, Council Member Moon, Mayor Pro Tem Wallin and Council Member Vydra

**Nayes:** 1 - Council Member Botero

[16-4661](#)

**TRANSITION AGREEMENT FOR THE UNWINDING OF THE CITY OF LONGVIEW, WASHINGTON  
TRAFFIC SAFETY PROGRAM**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Improve Public Safety

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

The contract for photo enforcement services with American Traffic Solutions expired on December 31, 2016. The transition agreement establishes a monthly fee for continued processing of open photo enforcement violations through the ATS web application. In addition ATS will continue payment processing, call center support for general questions, web access for citizens to view their violation and make payments. Finally, the transition agreement provides that the contract shall terminate on June 30, 2017, unless terminated earlier by the city with 7 days notice.

**RECOMMENDED ACTION:**

Approve Transition Agreement with American Traffic Solutions, Inc.

**Attachments:**      [Longview Transition Agreement.pdf](#)

*Police Administrative Manager Mary Chennault provided a staff report to Council regarding the proposed transition agreement with American Traffic Solutions, Inc.*

**A motion was made by Council Member Makinster, seconded by Council Member Vydra, to approve the transition agreement with American Traffic Solutions, Inc. The motion failed by the following vote:**

**Ayes:**    1 -    Council Member Makinster

**Nayes:**    5 -    Mayor Don Jensen, Council Member Botero, Council Member Moon,  
Mayor Pro Tem Wallin and    Council Member Vydra

[17-4668](#)

**2017 FEDERAL LEGISLATIVE AGENDA****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

All

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

Attached is the proposed 2017 federal legislative agenda for the city. The council discussed this initially during a workshop meeting on December 1. It is now being presented for final review and adoption.

Our federal legislative agenda is always a work in progress, meaning it is subject to change as political and legislative conditions change and new opportunities arise. That is liable to be the case during 2017 more so than in recent years. It lists issues of interest specifically to Longview as well as some issues of interest to other cities throughout the country. It provides guidance to city representatives for communicating with our federal

delegation and other officials about proposed legislation, grant applications, rule-writing, and the administration of federal programs. The adopted agenda will be inserted into our agreement with CFM for federal governmental relations services.

**RECOMMENDED ACTION:**

Motion to adopt the 2017 federal legislative agenda as presented.

**STAFF CONTACT:**

Dave Campbell, City Manager

**Attachments:** [2017 LONGVIEW FEDERAL LEGISLATIVE AGENDA - FINAL 2](#)

**A motion was made by Council Member Scott Vydra, seconded by Mayor Pro Tem Michael Wallin, to adopt the 2017 federal legislative agenda as presented. The motion passed unanimously.**

**14. MISCELLANEOUS**

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

16-4660

## WASHINGTON STATE LIQUOR AND CANNABIS BOARD REQUESTS

**Attachments:**      [LL SpecOcc-StRose.pdf](#)  
                              [LL Renewals 12-16.pdf](#)  
                              [Spec Occ KofC](#)  
                              [LL App Siam Spice 1.5.2017.pdf](#)

**15. ADJOURNMENT**

*The meeting was adjourned at 10:26 p.m. The next scheduled meeting of the Council is January 26, 2017.*

Kaylee L. Cody  
City Clerk

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

**\* 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, FEBRUARY 9, 2017**

**THURSDAY, FEBRUARY 23, 2017**

**NEXT SPECIAL COUNCIL MEETINGS:**

**WEDNESDAY, FEBRUARY 1, 2017 - CITIZENS SUMMIT**