



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 Steve Moon
Council Member Scott Vydra
Mayor Pro Tem Michael Wallin
Council Member MaryAlice Wallis

Thursday, January 11, 2018

7:00 PM

2nd Floor, City Hall

Longview 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 at least forty-eight (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: 7 - Mayor Don Jensen, Council Member Botero, Mayor Pro Tem Wallin, Council Member Vydra, Council Member Wallis, Council Member Makinster and Council Member Moon

STAFF PRESENT

City Manager David Campbell; City Attorney Jim McNamara; City Clerk Kaylee Cody; Public Works Director Jeff Cameron; Fire Chief Phil Jurmu; Police Chief Jim Duscha; IT Director Todd Dodgin; Parks & Recreation Director Jen Wills; Library Director Chris Skaugset; Human Resources Director Chris Smith; Community & Economic Development Director John Brickey; and Risk & Safety Manager Brian Loos.

[18-5256](#)

CEREMONY: SWEARING-IN OF NEWLY ELECTED AND REELECTED COUNCILMEMBERS BY THE HONORABLE MARILYN HAAN, SUPERIOR COURT JUDGE

Superior Court Judge Marilyn Haan administered the oaths of office to newly elected Council Member MaryAlice Wallis and reelected Council Members Steve Moon & Chet Makinster.

[18-5257](#)**ELECTION OF MAYOR**

Conducted by City Clerk Kaylee Cody

City Clerk Kaylee Cody outlined the procedure to be followed for electing the Mayor and Mayor Pro Tem, as established by Resolution No. 1872.

Council Member Jensen was nominated to serve as Mayor for the 2018-2019 term. There were no other nominations. Upon a vote duly held, Council Member Jensen was reelected unanimously.

[18-5258](#)**ELECTION OF MAYOR PRO TEM**

Conducted by newly elected Mayor

Mayor Jensen called for nominations for the position of Mayor Pro Tem. Council Member Wallin was nominated to serve as Mayor Pro Tem for the 2018-2019 term. Upon a vote duly held, Council Member Wallin was reelected unanimously.

4. APPROVAL OF MINUTES

On a motion duly made and passed, the reading of the minutes of the regular Council meeting held December 21, 2017, 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.

[18-5255](#)**COUNCIL MINUTES, DECEMBER 21, 2017**

Attachments: [12.21.2017 Minutes for approval](#)

5. CHANGES TO THE AGENDA

Mayor Pro Tem Wallin requested that item 18-5620, regarding a lease agreement between the Public Facilities District and the City of Longview, be considered directly after Resolution 2254. There were no objections to this change.

6. PRESENTATIONS & AWARDS[17-5253](#)**COMMUNITY ADVOCATE AWARD - PARKS & RECREATION DEPARTMENT****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Address Quality of Place Issues

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Quarterly, the City of Longview Parks and Recreation Department has been recognizing an individual who enhances the quality of life for residents and inspires us every day with their passion and commitment to make Longview a better place to live, work and play. This quarter's recipient is Rhonda Goldsmith. Rhonda has been instructing with Longview Parks and Recreation

for 13 years and been involved with over 4,500 participants during that time. Outside of her Parks and Recreation Classes, Rhonda leads line and country dancing classes throughout the community. She leads multiple dance teams who perform at many events and locations including senior centers, assisted living care facilities, car shows, fairs, and the annual Christmas Parade in Longview. They have placed 1st in the drill team category every year but one! We would like to thank Rhonda for her energy and passion for helping to build a healthy and active community!

STAFF CONTACT:

Justin Brown, Recreation Manager

Recreation Manager Justin Brown and Mayor Jensen presented the Community Advocate Award to Rhonda Goldsmith. Ms. Goldsmith teaches dance classes sponsored by Longview Parks & Recreation. Ms. Goldsmith invited Council and Staff to the floor to participate in a brief dance lesson.

7. CONSTITUENTS' COMMENTS (Thirty Minutes)

Martin Wells of Longview addressed Council regarding his concerns about traffic safety and requested that a traffic safety program be implemented.

Jenny Oskey of Longview addressed Council to request that fluoride be removed from the city water supply. Ms. Oskey provided handouts to Council outlining her concerns.

Shawn Nyman of Longview addressed Council regarding the cold weather shelters opened by Love Overwhelming over the holidays.

John Steppard of Longview addressed Council to request that the upcoming January 18 joint meeting between the Council and the Board of Housing Opportunities of Southwest Washington be facilitated to ensure that outcomes remain the focus of the meeting.

Michael O'Neill of Longview addressed Council regarding open and transparent governance.

Lisa Waldvogel of Longview addressed Council to express her concerns about decisions made related to Housing Opportunities of Southwest Washington.

Bill Josh of Longview addressed Council to praise their work and spoke in support of economic development and Millenium Bulk Terminals.

Megan Ritchie of Longview addressed Council to announce a Woman's March scheduled for Saturday, January 20th, 11:00 a.m. - 1:00 p.m.

Spencer Boudreau of Longview addressed Council regarding DECA and CTE programs in schools.

8. FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS**9. PUBLIC HEARINGS**

10. BOARD & COMMISSION RECOMMENDATIONS**11. ORDINANCES & RESOLUTIONS**

[OR 17 3369](#)
[1/11/18](#)

ORDINANCE NO. 3369 AMENDING THE ZONING CODE REGARDING RESIDENTIAL DEVELOPMENT**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Strengthen economic conditions & create new opportunities, Preserve and enhance neighborhoods, Address quality of place issues

CITY ATTORNEY REVIEW: Required

SUMMARY STATEMENT:

At their December 7 meeting, the City Council considered a recommendation from the Planning Commission to amend the zoning code regarding residential development, especially high density (multifamily) residential development. It includes changes to the requirements for: minimum lot size, density, building height, maximum impervious area and design standards. It also contains changes to the off-street parking code. The changes to the off-street parking requirements will also affect multifamily development in commercial districts. The proposed code changes, if adopted, will allow for higher residential density.

The City Council unanimously passed a motion to accept the Planning Commission recommendation and to direct the City Attorney to prepare an ordinance for council review and approval.

At their December 21 meeting, the council considered adopting Ordinance No. 3369. A motion was made and seconded to adopt the ordinance. After some discussion, a motion was made and seconded to amend the ordinance. The amendment would eliminate multifamily development standards regarding façade requirements for modulation, architectural features and for building elevations to have a certain amount of entrances, windows, porches and/or balconies. The Council decided to table the amending motion and then decided to table consideration of the ordinance until their January 11, 2018 meeting. Councilmember Wallin mentioned that there is a second amendment to the ordinance that he would like the council to consider and that it had been previously distributed to council members and city staff. The second amendment would modify parking standards not only for multifamily development but for single-family and two-family development.

The Planning Commission recommended reducing the required amount of architectural features for multifamily development. The proposed amendment would take their recommendation further by eliminating building appearance standards [LMC 19.20.060(4) and (7)] altogether. The Council has the prerogative to modify the Planning Commission's recommendation.

Multifamily design standards were mentioned in the SEPA checklist as one of the items to be addressed. Thus, staff believes that the Council could adopt the amendment without further SEPA review. However, since eliminating those standards is considerably more than anticipated by the Planning Commission, City staff recommends that the Council direct the Planning Commission to consider the amendment and make a recommendation.

The second proposed amendment would reduce the amount of off-street parking required more than what was recommended by the Planning Commission. The further reduction in the required amount of off-street parking for multifamily development is again a Council prerogative and may be done without further SEPA review. However, the proposed amendment also includes reducing the required amount of off-street parking for single-family and two-family units from two parking spaces to one. This not only affects the high density residential districts it affects the low and moderate density districts. Approximately 40% of the City is zoned for single-family development. This impact to single-family zoning districts was not discussed by the Planning Commission or in the SEPA checklist. The City's SEPA official has determined that this portion of amendment will require further SEPA review.

Since the City Council has expressed some urgency in addressing multifamily development standards, City staff recommends that the City Council adopt Ordinance No. 3369 as is. City staff further recommends that the Council direct the Planning Commission to consider the proposed amendments and forward a recommendation. The Planning Commission would then develop an initial recommendation, hold a public hearing and then make a final recommendation. This process would involve a new SEPA review process.

Attached are Ordinance No. 3369 and the two proposed amendments (the one that was tabled and the one that was not yet discussed).

RECOMMENDED ACTION:

Motion to approve Ordinance No. 3369

Motion to direct the Planning Commission to consider the two proposed amendments and forward a recommendation to the City Council.

STAFF CONTACT:

Jim McNamara, City Attorney
Steve Langdon, Planning Manager

Attachments: [Ordinance No. 3369](#)
 [Proposed Amendments to Ord No 3369](#)

Vince Penta addressed Council to speak in support of Ordinance No. 3369 and the amendments proposed by Mayor Pro Tem Wallin.

Bill Josh of Longview addressed Council to speak in support of Ordinance No. 3369 and the amendments proposed by Mayor Pro Tem Wallin.

John Steppard of Longview addressed Council to oppose the proposed amendment to

Chapter 19.78.100 regarding parking.

Michael O'Neill of Longview addressed Council to request that the impact of requiring less parking to encourage development be further analyzed.

Megan Ritchie of Longview expressed her concerns about a perceived conflict of interest. Specifically, Ms. Ritchie is concerned that Mayor Pro Tem Wallin benefits directly from the adoption of this ordinance because he is a realtor. City Attorney McNamara asserted that there is no conflict of interest. Ms. Ritchie expressed her concern about the "last minute" amendments proposed by Mayor Pro Tem Wallin. City Attorney McNamara explained that it is within Council's authority to make amendments to the ordinance recommended by the Planning Commission.

George Brysich of Longview addressed Council in support of Ordinance No. 3369 and the proposed amendments.

Spencer Boudreau of Longview addressed Council in support of Ordinance No. 3369 and the proposed amendments.

At the previous special meeting of the Council held December 21, 2017, a motion was made by Council Member Makinster, seconded by Council Member Melink, to adopt Ordinance No. 3369. The ordinance was subsequently laid on the table.

A motion was made by Mayor Pro Tem Wallin, seconded by Council Member Moon, amending Chapter 19.20.060 Section 4 and Section 7 by striking each entire section, provided, manifest and numbering errors shall be corrected prior to publication. Upon a vote duly held, the motion passed unanimously.

A motion was made by Mayor Pro Tem Wallin, seconded by Council Member Botero, amending Chapter 19.78.100 Section 4(a) and 4(b) by striking Section 4(a) and 4(b) and inserting the following:

- 4(a) Single-family dwellings, two family dwellings: One parking space per dwelling unit,**
- (b) Multiple-family - three, four and five dwelling units:**
 - i. One parking space for each studio, one bedroom, two bedroom unit, or three bedroom unit,**
 - ii. 1.5 spaces for each four or more bedroom unit,**
- (c) Multiple-family - six or more dwelling units:**
 - i. One parking space for each studio, one bedroom or two bedroom unit,**
 - ii. 1.5 spaces for each three or more bedroom unit,**

A motion was made by Council Member Vydra, seconded by Mayor Pro Tem Wallin, to amend Mayor Pro Tem's proposed amendment to Chapter 19.78.100 Section 4(a) and 4(b) retaining Section 4(a) as currently adopted in the code and by striking section 4(b) and inserting the following new section 4(b) and creating a new section 4(c) as follows:

- (b) Multiple-family - three, four and five dwelling units:**
 - i. One parking space for each studio, one bedroom, two bedroom unit, or three bedroom unit,**
 - ii. 1.5 spaces for each four or more bedroom unit,**
- (c) Multiple-family - six or more dwelling units:**
 - i. One parking space for each studio, one bedroom or two bedroom unit,**

ii. 1.5 spaces for each three or more bedroom unit,

Upon a vote duly held, the motion to amend Mayor Pro Tem Wallin's motion regarding Chapter 19.78.100 passed unanimously.

A motion was made by Mayor Pro Tem Wallin, seconded by Council Member Makinster, to adopt Ordinance No. 3369 as amended. Upon a vote duly held, the motion passed unanimously.

[18-5259](#)

RESOLUTION 2254: AUTHORIZING THE CITY MANAGER TO ENTER AN AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE COWLITZ COUNTY PUBLIC FACILITIES DISTRICT

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Strengthen economic conditions & create new opportunities
Address quality of place issues

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

The Cowlitz County Public Facilities District (PFD) remodeled the Columbia Theatre for the Performing Arts in 2008-09 in accordance with an Interlocal Agreement (ILA). The City issued Limited Tax General Obligation and Refunding Bonds, 2007 a portion of the proceeds of which was used to improve, expand and rehabilitate the Theatre. The PFD has provided and is responsible for continuing to provide tax revenues from the Retained Sales Tax to the City sufficient to pay debt service on the portion of the 2007 Bonds that financed the Theatre improvements pursuant to the original ILA.

The PFD and the City now desire to complete additional improvements (installation of a chiller) to the Theatre, the budget for which is estimated at \$1,002,000. In December 2017, the City issued Limited Tax General Obligation and Refunding Bonds, 2017 a portion of which bonds will be used to finance the additional improvements and a portion of which will refund the 2007 Bonds to lower the debt service payments.

As set out in the attached proposed amended agreement, in consideration of the City's agreement to issue such Bonds, the PFD agrees to continue to levy the Retained Sales Tax and to periodically transfer tax revenues from the Retained Sales Tax to the City in the amount necessary to pay principal and interest on the Bonds (first priority). The amended agreement also identifies, in priority order, five other purposes for revenues received from the Retained Sales Tax.

Exhibit 6.4 identifies the initial project schedule for the additional improvements to the Theater.

Principle changes include:

1. The 4th Amendment follows the original ILA in form and significant detail.
2. Principal modifications are:
 - a. Section I, the Project. See also Exhibit 1.
 - b. Adding new Section B to 3.1 on page 4, and new 6.5 on page 10, referencing the Dept. of Commerce review.
 - c. Adding new Fourth and Sixth paragraphs to Section 3.1 on page 5. Fourth is the first amendment to the ILA.
 - d. Modifying 3.1 G and 3.2 A to state the extension to 40 years.
 - e. Modifying the budget for the project. See Section 6.3, page 10, and Exhibit 6.3.
 - f. Modifying the timeline for the project. See Section 6.4, page 10, and Exhibit 6.4.
 - g. Modifying the financing plan. See Section 5 and Exhibit 5.1. Section V was primarily reworked by bond council.
3. The lease amendment states the 40 year period and modifies Exhibit B.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2254

STAFF CONTACT:

Jim McNamara, City Attorney

Attachments: [4th amd to ila final](#)
 [Resolution for 4th Amd to ILA PFD](#)

Nelson Graham of the Public Facilities District addressed Council regarding the purpose of Resolution No. 2254.

A motion was made by Council Member Scott Vydra, seconded by Council Member Ken Botero, to adopt Resolution No. 2254. The motion passed unanimously.

[18-5260](#)

AMENDMENT OF LEASE BETWEEN THE CITY OF LONGVIEW AND THE COWLITZ COUNTY PUBLIC FACILITIES DISTRICT REGARDING THE COLUMBIA THEATRE

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Address quality of place issues

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

The City and the Cowlitz County Public Facilities District entered into a Commercial Lease on July 27, 2007, for lease of the Columbia Theatre for the Performing Arts. The City and the PFD wish to extend the term of the Lease consistent with the Fourth Amendment to the Interlocal Agreement between

the City and the PFD in order to obtain mutual benefits.

The Fourth Amendment to the ILA retains the obligation of the PFD to pay the original bond, as refunded, and for an additional one million dollars for installation of a chiller at the Theatre, subject to the waiver or approval of the State Department of Commerce. The lease amendment extends the existing lease with the City by fifteen years and includes the list of annual rents which constitute the requisite one-third local match for the project.

The Lease will terminate upon the full and complete repayment of principal and interest of bonds by the PFD in accordance with the terms and conditions of the ILA.

RECOMMENDED ACTION:

Motion to authorize the City Manager to execute the amended lease with the Cowlitz County Public Facilities District regarding the Columbia Theatre.

STAFF CONTACT:

Jim McNamara, City Attorney

Attachments: [amndmnt to lease](#)

A motion was made by Mayor Pro Tem Wallin, seconded by Council Member Vydra, that this matter be approved. The motion passed unanimously.

[RS 18 2255](#)

RESOLUTION NO. 2255 - EMERGENCY DECLARATION 38TH AVENUE SLIDE

COUNCIL INITIATIVE ADDRESSED:

Improve streets and roads

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

On Friday, December 29, 2017, city staff responded to a landslide on 38th Avenue between Memorial Park Drive and Olive Way. After closing the road due to the potential for additional landslides, staff retained Geotechnical Resources, Inc. to evaluate the stability of the hillside, and Brookhart Excavation to remove the debris and place a temporary barrier to contain future landslides. Emergency actions were needed to respond to the slide, and urgent action is needed to stabilize the hillside in order to protect the public and roadway from potential future landslides and damage.

Under RCW 39.04.280, the city manager may declare an emergency and direct staff to respond to the emergency situation, and may award all contracts necessary to address the emergency. All such contracts must be reported to the City Council no later than two weeks after award, and the City Council must adopt findings and ratify the declaration of an emergency. Resolution No. 2255 will adopt findings and ratify the emergency declaration.

FINANCIAL SUMMARY:

The cost for the Geotechnical Resources, Inc. and Brookhart Excavation work

responding to the slide is estimated to be about \$30,000. The cost to stabilize the hillside and restore the roadway has not yet been estimated. This work will be funded by the Street Division budget and Arterial Street Fund.

RECOMMENDED ACTION:

Motion to adopt Resolution No. 2255.

STAFF CONTACT:

Jeff Cameron, Public Works Director

Attachments:

[Res #2255- Emergency Declaration 38th Slide](#)

[AttachPWMemo - City Mgr Emergency Declaration 04.04.17](#)

[38th Ave Slide Photos](#)

[38th Ave Slide Photos - 2 per page](#)

A motion was made by Council Member Scott Vydra, seconded by Council Member Makinster, to adopt Resolution No. 2255. The motion passed unanimously.

12. MAYOR'S REPORT

Mayor Jensen advised that Council will discuss 2018 board and commission appointments & scheduling the Council Retreat at the workshop on January 18, 2018.

13. COUNCILMEMBERS' REPORTS

Regarding the upcoming January 18 workshop with the Board of Housing Opportunities of Southwest Washington, Mayor Pro Tem Wallin requested that Council provide input before January 15 about what their expectations of outcomes for the joint meeting are.

Council Member Makinster provided a brief report on the activities of the Airport Board & 911 Board. Regarding the 911 Board, Council consensus was that it would be best to have a workshop to discuss the proposed plans for the 911 Center.

14. 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.

[18-5254](#)

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 2018 ACCOUNTS PAYABLE: \$660,633.34

SECOND HALF DECEMBER 2017 PAYROLL:

\$77,908.72, checks no. 207265-207278

\$659,664.88, direct deposits

\$923,391.52, wire transfers

\$1,660,965.12 Total

STAFF CONTACT:

Kaylee Cody, City Clerk

John Baldwin, Fiscal Analyst

Jackie Rodgers, Human Resources Specialist

Final accounts payable: \$656,229.14.

[PROJ #101](#)

PROJECT COMPLETION - WASHINGTON WAY BRIDGE REPLACEMENT

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Improve streets and roads

Improve transportation systems

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The Washington Way Bridge Replacement project has been completed in accordance with the plans and specifications under Contract No. 14-0959-R entered into between the City of Longview and Carter & Company, Inc. The City Council must accept the project as complete before final contract closeout can be accomplished.

RECOMMENDED ACTION:

Motion to accept as complete the Washington Way Bridge Replacement project.

STAFF CONTACT:

Ivona Kininmonth, Project Engineer

[OR 18 3370](#)

ORDINANCE NO. 3370 AMENDING THE ZONING CODE TO ALLOW IN THE RIVERFRONT DISTRICT GAMBLING ESTABLISHMENTS IN ASSOCIATION WITH A RESTAURANT/COCKTAIL LOUNGE

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Strengthen economic conditions & create new opportunities, Address quality of place issues

CITY ATTORNEY REVIEW: Required

SUMMARY STATEMENT:

At their December 21 meeting, the City Council considered a recommendation from the Planning Commission to amend the zoning code to allow in the Riverfront (RF-1) District gambling casinos/card rooms in association with a restaurant/cocktail lounge. Regina Bakunowicz applied for the zoning text amendment. She intends to open a restaurant and sports bar in the RF-1 district but also wants to have a casino/card room.

The City Council unanimously passed a motion to accept the Planning

Commission recommendation and to direct the City Attorney to prepare an ordinance for council review and approval. Ordinance No. 3370 is attached.

RECOMMENDED ACTION:

Motion to adopt Ordinance No. 3370

STAFF CONTACT:

Steve Langdon, Planning Manager

Attachments: [Ordinance No. 3370](#)

15. CITY MANAGER'S REPORT

16. MISCELLANEOUS

17-5225

WASHINGTON STATE LIQUOR AND CANNABIS BOARD REQUESTS

Attachments:

[LL- New Castaways 12-17.pdf](#)

[LL Assumption-Hemlock Store 12-17.pdf](#)

[LL Assumption-Stop&Save.pdf](#)

[LLRenewals 12-6-17.pdf](#)

[LL Spec Occ License App12-20-17.pdf](#)

[LL Spec Occ Liquor License-LCC.pdf](#)

[LL-New Monticello Cafe.pdf](#)

17. ADJOURNMENT

Council Member Moon requested to be excused from the January 25th, 2018 regular meeting. There was no objection.

The meeting was adjourned at 9:07 p.m. The next scheduled meeting of the Council is January 25, 2018.

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, JANUARY 25, 2018 - 7:00 P.M.

THURSDAY, FEBRUARY 8, 2018 - 7:00 P.M.

NEXT COUNCIL WORKSHOPS:

THURSDAY, JANUARY 18, 2018 - 6:00 P.M. JOINT MEETING WITH HOUSING OPPORTUNITIES OF SOUTHWEST WASHINGTON