



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, April 12, 2018

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 7:13 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 Kurt Sacha; City Attorney Jim McNamara; City Clerk Kaylee Cody; Community & Economic Development Director John Brickey; Parks & Recreation Director Jen Wills; Engineering Manager Craig Bozarth; Fire Chief Phil Jurmu; Police Chief Jim Duscha; Library Director Chris Skaugset; Information Services Director Todd Dodgin; Human Resources Director Chris Smith; Risk & Safety Manager Brian Loos; and Parks Maintenance Manager Curt Nedved.

4. **APPROVAL OF MINUTES**

[18-5391](#)

COUNCIL MINUTES, MARCH 22, 2018

Attachments: [3.22.2018 Minutes for Approval](#)

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

meeting held March 22, 2018, 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.

5. **CHANGES TO THE AGENDA**

6. **PRESENTATIONS & AWARDS**

[18-5388](#)

CHAIN OF SURVIVAL PRESENTATION

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Enhance Public Safety and Emergency Response

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Presentation on Chain of Survival relative to witnessed cardiac arrest.

The following agencies will be recognized:

Longview Fire Department
American Medical Response (AMR)
Cowlitz County 911 Center

RECOMMENDED ACTION:
PRESENTATION

STAFF CONTACT: PHIL JURMU, FIRE CHIEF

Fire Chief Phil Jurmu presented. Carol Karns and several emergency responders were honored for their role in saving Keith Karns's life during a cardiac arrest event in December of 2017.

[18-5385](#)

PROCLAMATION: NATIONAL CRIME VICTIMS' RIGHTS WEEK, APRIL 8-14, 2018 & SEXUAL ASSAULT AWARENESS MONTH

RECIPIENT: Caleb Luther, Project Manager for Crime Victim and Sexual Assault/CSEC Survivor Advocacy Programs

STAFF CONTACT:

Maureen Wingler, Administrative Assistant (Executive Office)

Attachments: [National Crime Victims' Rights Week - April 8-14, 2018 & Sexual Assault Awareness Month.pdf](#)

Mayor Jensen presented the proclamation.

[18-5393](#)

PROCLAMATION: EARTH DAY - APRIL 28, 2018

RECIPIENT:

Karry Williquette, Recreation Coordinator

STAFF CONTACT:

Maureen Wingler, Administrative Assistant (Executive Office)

Attachments: [2018 Earth Day Proclamation.pdf](#)

Mayor Jensen presented the proclamation.

7. CONSTITUENTS' COMMENTS (Thirty Minutes)

Nathaniel Light of Longview, member of the Historic Preservation Commission, addressed Council regarding Preservation Month (May).

Bill Hallinger of Longview addressed Council regarding the new walking trail by the golf course.

Jim Enyeart of Longview addressed Council regarding the Mint Valley Golf Course.

Bill Kasch of Longview addressed Council regarding proposed park improvements.

Bill Josh of Longview addressed Council regarding leash laws & to inform them of an upcoming food drive.

8. FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS**9. PUBLIC HEARINGS****10. BOARD & COMMISSION RECOMMENDATIONS****11. ORDINANCES & RESOLUTIONS**

[OR 18 3376](#)

ORDINANCE NO. 3376 AMENDING THE COMPREHENSIVE PLAN MAP AND THE ZONING MAP FOR AN 8.1± ACRE AREA THAT INCLUDES THE FORMER WATER TREATMENT PLANT AT 101 FISHERS LANE

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Strengthen economic conditions & create new opportunities

CITY ATTORNEY REVIEW: Required

SUMMARY STATEMENT:

At their March 22 meeting, the City Council considered a recommendation from the Planning Commission to amend the Comprehensive Plan Future Land Use Map and the Zoning Map for an area that includes the former water treatment plant at 101 Fishers Lane. The total map amendment area is approximately 8.1 acres in size and involves 13 tax parcels and adjacent rights-of-way. Per the ordinance, the Comprehensive Plan classification for approximately two of the acres would change from Low Density Residential to Public/Quasi-Public/Institutional. The zoning designation for all of the area

would change from R-1 Residential District to Mixed Use - Commercial/Industrial.

The City Council unanimously passed a motion to accept the Planning Commission's recommendation and direct the City Attorney to prepare an ordinance for council review and approval. Ordinance No. 3376 is attached.

RECOMMENDED ACTION:

Motion to adopt Ordinance No. 3376

STAFF CONTACT:

Steve Langdon, Planning Manager

Attachments: [Ord No 3376 with exhibits](#)

Regarding Ordinance 3376 and 3377, Community & Economic Development Director John Brickey posed the following Appearance of Fairness Doctrine questions:

Does anyone here tonight believe the City Council does not have jurisdiction to decide the matter?

Does anyone believe proper notice was not given?

Does anyone believe that the Council should not make a decision because of conflict of interest?

Does anyone believe the Council should not participate because of a violation of the Appearance of Fairness Doctrine?

There were no objections.

A motion was made by Council Member Chet Makinster, seconded by Council Member Scott Vydra, to adopt Ordinance 3376. The motion passed unanimously.

[OR 18 3377](#)

ORDINANCE NO. 3377 AMENDING THE ZONING CODE TO ALLOW DATA CENTERS IN THE CITY'S INDUSTRIAL ZONING DISTRICTS

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: strengthen economic conditions & create new opportunities

CITY ATTORNEY REVIEW: Required

SUMMARY STATEMENT:

At their March 22 meeting, the City Council considered a recommendation from the Planning Commission to amend the zoning code to add "data centers" as a permitted use in the City's industrial zoning districts. The ordinance will also eliminate the general, non-specific term "technology centers" from the list of permitted uses in the industrial districts.

The City Council unanimously passed a motion to accept the Planning Commission's recommendation and direct the City Attorney to prepare an ordinance for council review and approval. Ordinance No. 3377 is attached.

RECOMMENDED ACTION:

Motion to adopt Ordinance No. 3377

STAFF CONTACT:

Steve Langdon, Planning Manager

Attachments: [Ordinance No. 3377](#)

A motion was made by Council Member Ken Botero, seconded by Council Member Scott Vydra, to adopt Ordinance 3377. The motion passed unanimously.

[Res-2261](#)**RESOLUTION NO. 2261 - WATER RATES FOR 2018 - BILLING FOR YOUTH ATHLETIC LEAGUE CHARGES REVISED****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management.

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

In exchange for youth athletic leagues maintaining the City's athletic facilities at parks used by the leagues, staff recommends the Parks and Recreation Department assume responsibility for the costs of providing utility services for those facilities. Resolution No. 2261 maintains the current discounted rate to provide water service to the athletic facilities, but modifies the billing methods to provide for Parks and Recreation Department payment of the utility charges by eliminating any sub-metering requirements.

FINANCIAL SUMMARY:

The impact to the Parks and Recreation Department for absorbing the water utility charges previously billed to the youth athletic leagues is approximately \$2,600.

RECOMMENDED ACTION:

Motion to adopt Resolution No. 2261.

Attachments: [Res #2261 - Water Rates Revised 04.12.18.pdf](#)
 [Res #2261 - Water Rates Revised 04.12.18 Tracked Changes.pdf](#)

City Manager Sacha provided a staff report.

Jeff Coleman of Ridgefield, Longview Soccer Club President, addressed Council in support of Resolution 2261.

Jay Knutsen of Longview, Longview Youth Baseball President, addressed Council in support of Resolution 2261.

Andrea Berquist of Longview, Longview Babe Ruth President, addressed Council in support of Resolution 2261.

A motion was made by Council Member Steve Moon, seconded by Council

Member MaryAlice Wallis, to adopt Resolution 2261. The motion passed unanimously.

[Res-2262](#)

RESOLUTION NO. 2262 - SEWER RATES FOR 2018 - BILLING FOR YOUTH ATHLETIC LEAGUE CHARGES REVISED

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Continue effective financial management.

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

In exchange for youth athletic leagues maintaining the City's athletic facilities at parks used by the leagues, staff recommends the Parks and Recreation Department assume responsibility for the costs of providing utility services for those facilities. Resolution No. 2262 maintains the current discounted rate to provide sewer service to the athletic facilities, but modifies the billing methods to provide for Parks and Recreation Department payment of the utility charges by eliminating any sub-metering requirements.

FINANCIAL SUMMARY:

There will be no financial impact from this resolution change. Youth athletic leagues have not been billed for sewer service because there are no meters to determine their sewer discharge volume. The Parks and Recreation Department currently pays these sewer charges and will continue to do so.

RECOMMENDED ACTION:

Motion adopting Resolution No. 2262.

Attachments:

[Res #2262 - Sewer Rates Revised 04.12.18.pdf](#)

[Res #2262 - Sewer Rates Revised 04.12.18 Tracked Changes.pdf](#)

A motion was made by Council Member Chet Makinster, seconded by Council Member Scott Vydra, to adopt Resolution 2262. The motion passed unanimously.

12. MAYOR'S REPORT

13. COUNCILMEMBERS' REPORTS

Council Member Makinster reported on the Cowlitz Transit Authority, the 911 Board, and the Neighborhood Resource Coordination Council.

Council Member Wallis reported on the Downtown Advisory Committee & a recent fire ops course she attended.

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.

[18-5392](#)**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 APRIL 2018 ACCOUNTS PAYABLE: \$1,483,908.31

SECOND HALF MARCH 2018 PAYROLL:

\$83,780.57, checks no. 207321-207338

\$719,041.35, direct deposits

\$925,778.96, wire transfers

\$1,728,600.88 Total

STAFF CONTACT:

Kaylee Cody, City Clerk

John Baldwin, Fiscal Analyst

Jackie Rodgers, Human Resources Specialist

Final accounts payable: \$1,539,112.24. Checks issued: 4097-4522.

[18-5390](#)**APPROVE ACQUISITION OF TRACTS A, B, & C OF THE VILLAGE AT OVERLOOK PLANNED UNIT DEVELOPMENT****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Provide sustainable water quality & environmental infrastructure.

SUMMARY STATEMENT:

The developer of the Village at Overlook PUD offered to transfer ownership of Tracts A, B, and C to the City at essentially no cost except for the City to pay closing costs. Tracts A, B, and C of the Village at Overlook PUD are designated open spaces around and near the City's Main Reservoir site located on the hillside between Cedar Place and Alexia Court. The City is currently constructing a project at the Main Reservoir site that includes improvement work to storm and water lines within Tract C and has discovered several City facilities encroach into Tract C without proper easements.

The City Council reviewed the developer's offer during an executive session on February 9th, 2018, and directed staff to negotiate the acquisition of Tract C. Acquiring Tract C would resolve the City's encroachments outside of easements, provide buffer space around the reservoirs, pump stations, and detention pond, and provide area and access to maintain and improvement the City's utility facilities in that area. The primary disadvantage to owning Tracts A, B, and C is the long term maintenance cost. Tracts A and B adjacent to City View Blvd. will need to be maintained to a higher standard than unimproved open space due to their proximity to City View Blvd.

Staff countered the developer's original offer and attempted to acquire only Tract C to resolve the encroachment issues. The developer declined and

continues to require that all three tracts be acquired. Staff recommends the City Council authorize this acquisition as the least cost and easiest method to resolve the utility encroachment issues.

FINANCIAL SUMMARY:

The cost to acquire all three parcels is \$1.00, plus the City would pay all closing costs, for a total estimated acquisition cost of \$1,000. The cost of this purchase will be paid from the Water Construction Fund.

RECOMMENDED ACTION:

Motion approving acquisition of the Village at Overlook PUD Tracts A, B, and C.

STAFF CONTACT:

Sam Barham, Engineer

Attachments: [Piculell - Overlook A, B, C Purchase Sale Agreement - Final.pdf](#)
[Piculell - Overlook A, B, C PSA - Exhibit A FINAL.pdf](#)

[18-5394](#)

ORDINANCE 3378: AMENDING LMC 6.06.120 REGARDING DOG AND CAT REGISTRATION FEES**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management

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

On January 25, 2018, the Council adopted Ordinance 3371 amending LMC 6.06.120 regarding dog and cat registration fees. However, the semiannual registration fees (registration fees for the period July 1 - December 31) stated in the ordinance were incorrect. This ordinance corrects the semiannual registration fees for dogs.

RECOMMENDED ACTION:

Motion to adopt Ordinance 3378.

Attachments: [Ordinance 3378](#)

15. CITY MANAGER'S REPORT**16. MISCELLANEOUS**

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

[18-5383](#)

WASHINGTON STATE LIQUOR AND CANNABIS BOARD REQUESTS

