



**Regular Council Meeting -7:00 p.m.
December 17, 2007**

CALL TO ORDER: Mayor Paul Dennis presided.

FLAG SALUTE:

COUNCIL:

Present: Anderson, Dietzman, Gerde, Hogan, Pike and Smith.

Excused: Higgins.

STAFF MEMBERS: Bourquin, Brachmann, Copsey, Durgin, Halverson, and Knapp.

PRESS: None present.

CONSENT AGENDA:

It was moved by Council Member Gerde, seconded by Council Member Anderson to approve the Consent Agenda of December 17, 2007. The motion carried unanimously.

- a. Approve minutes of the December 3, 2007, Camas City Council Meeting and the work session minutes of December 3, 2007.
- b. Approve claim checks numbered 4907-4923 in the amount of \$1,171.234.51 as approved by the Finance Committee.
- c. Authorize Mayor to sign First Amendment to City of Portland facilities lease at Upper Prune Hill Reservoir site.
- d. Authorize Release of Retainage for Project P-772, Heritage Park, to Zink Commercial Contractors, Inc., in the amount of (\$2,862.40) two thousand eight hundred sixty-two dollars and forty cents. This includes retainage amount (\$2,629.86) two thousand six hundred twenty-nine dollars and eighty-six cents, plus 8.2% sales tax amount (\$232.54) two hundred thirty-two dollars and fifty-four cents, owed to Contractor.
- e. Authorize release of retainage for Project S-478A, 2006 Citywide Street Reconstruction Phase 2, to Thompson Bros. Excavating, Inc., in the amount of (\$17,427.45) seventeen thousand four hundred twenty-seven dollars and forty-five cents..

- f. Authorize release of retainage for Project S-356, NW Lake Road/SE First Avenue Road Improvements, to Tapani Underground, Inc., in the amount of (467,509.66) four hundred sixty-seven thousand five hundred nine dollars and sixty-six cents.
- g. Approve Pay Estimate #5-Final for WS-643 Brady Road Sewage Pump Station Improvements to George Schmid & Sons, Inc., in the amount of (\$4,938.12) four thousand nine hundred thirty-eight dollars and twelve cents, and accept project as complete.
- h. Authorize Mayor to sign a developer's agreement with Campbell Planning Services, Inc., for re-routing an existing city storm main through the 7th Avenue Townhomes Development site. The cost to the City is not to exceed (\$22,997) twenty-two thousand nine hundred ninety-seven dollars.
- i. Approve Change Order #1 for WS-636A, Well #13 Improvements to Rotschy, Inc., in the amount of (\$8,805.21) eight thousand eight hundred five dollars and twenty one cents.
- j. Authorize Pay Estimate #4 for WS-636A, Well #13 Improvements, to Rotschy, Inc., in the amount of (\$135,430.37) one hundred thirty-five thousand four hundred thirty dollars and thirty-seven cents.
- k. Authorize the Mayor to sign a Professional Services Agreement with Waldron & Company. The agreement is to provide professional recruitment assistance in the Police Chief recruitment. The professional service fee is (\$17,500) seventeen thousand five hundred dollars, and is budgeted in the HR Department budget.
- l. Authorize the Mayor to sign an agreement with the State of Washington, Recreation and Conservation Office for the Washougal River Trail – Camas Segment, in the grant amount of (\$898,784) eight hundred ninety-eight thousand seven hundred eighty-four dollars.
- m. Authorize the Mayor to sign a Deed of Right to Use Land for Public Recreation Purposes.
- n. Authorize Mayor to sign Change Order #1 Project S-495, 2007 Street Reconstruction – NE 3rd Avenue (Garfield to 3rd Place) for CivilWorks NW, Inc., in the amount of (\$13,413.36) thirteen thousand four hundred thirteen dollars and thirty-six cents. Sales tax is not applicable to this project.
- o. Authorize Pay Estimate #2 for Project S-495, 2007 Street Reconstruction, NE 3rd Avenue to CivilWorks NW, Inc., in the amount of (\$103,886.83) one hundred three thousand eight hundred eighty-six dollars and eighty-three cents. This includes Change Order #1, in the amount of (\$13,413.36) thirteen thousand four hundred thirteen dollars and thirty-six cents.

NON-AGENDA ITEMS:

Public: No comments.

Oath of Office: Roger Knapp, City Attorney, administered the Oath of Office for Mayor Paul Dennis and Council Members Helen Gerde, Linda Dietzman and Greg Anderson.

Staff: No comments.

Council: Gerde thanked Pike for her four years of service representing the citizens at large of Camas.

Anderson echoed Gerde's comments.

Mayor reiterated the comments made by Gerde and Anderson.

MAYOR: No announcements.

Appointments: Mayor stated that there are two vacancies on the Library Board for which they have received three applications. Mayor appointed Barb Baldus to fulfill an unexpired term ending December 2008, and Sally Spencer for a full five-year term ending December 2012.

Mayor also reappointed Bryan Beel and Troy Hull to the Planning Commission, whose terms will expire in 2010, and Ted Olsen and Shannon Turk to the Board of Adjustment, whose terms will also expire in 2010.

Mayor asked Council for approval of the appointments.

It was moved by Gerde, seconded by Smith to approve the Library, Planning Commission and Board of Adjustment appointments. The motion carried unanimously.

Mayor stated that a list of all the committee assignments will be given to Council and asked for feedback before the January 7th meeting, at which time appointments will be made.

COMMUNITY DEVELOPMENT:

Public Hearing for Revocation of Parkside Church Conditional Use Permit: Phil Bourquin, Community Development Director, explained the background on the Conditional Use Permits (CUP) and Memorandum of Understanding (MOU) with Parkside Church. The purpose of this meeting is to consider complaints filed against Parkside Christian Children's Center relating to a preschool and daycare.

Mayor asked any citizens with complaints to come forward.

Lillian Sapp, 1242 E 1st Avenue, Camas, WA:

Sapp stated that she lives across the street from the day care and has letters that she wanted to read.

Mayor asked Sapp to give copies of the letters to Bourquin, which she did.

Sapp read the first letter from two of the neighbors, Sandra and Paul Schmit, who were unable to attend this meeting. Mayor noted that as Council now has a copy of both letters, there would be no need to read the letter from the Washington State Attorney General's Office.

Sapp stated her concerns regarding the noise level, school bus loading, the number of children versus caregivers and traffic issues. Sapp further noted that the petition filed last month also addressed traffic and speeding concerns in this area.

Mayor asked Bourquin to respond to the items mentioned that relate to the CUP, such as the noise and the hours established. Bourquin explained the number of students allowed and the hours that were outlined in the CUP and MOU. Bourquin further noted that the CUP also stipulated that any increase in student enrollment or extended hours of operation, beyond those that were approved, may require additional review and that noise should be kept to a minimum.

Mayor asked Bourquin about the traffic circulation. Bourquin commented that this issue was addressed in the 2002 CUP and stated the condition. Mayor commented that the bus stop issue can be handled through the school district.

Gerde stated that she did not believe the daycare had a site obscuring fence as outlined in the 1999 CUP. Bourquin responded that if there was not a site obscuring fence, that it does not meet the condition of approval.

There was further discussion regarding the signage and directional plan; noise level; impact fees; and conflicting information regarding the hours of operation and the number of children authorized to be at the daycare.

Alisa Shifflett, 494 51st Street, Washougal, WA:

Shifflett stated that she is representing the Parkside Christian Daycare Center as an advisory board member. Recently they were made aware that their CUP was not current and they are making every effort to comply, and have submitted current documentation. It is their sincere hope to modify and change their procedures to create a peaceful neighborhood environment. Shifflett stated the number of children enrolled and that they are up to code in the playground area. Shifflett noted that the recent incident involving the school bus was

due to picking up a handicapped student, which is quite a timely procedure.

Shifflett addressed the concerns regarding the traffic, directional signage and hours of operation.

Mayor asked Bourquin how staff wanted Council to proceed. Bourquin responded that there was an error on the agenda and that the intent of this meeting was to review and address the inconsistencies and complaints noted, but is not a revocation hearing. Staff recommends going through the CUP process and looking at the issues regarding transportation, noise and what the new building is being used for. There has been a CUP pre-application filed. Bourquin noted that he did have concerns about the existing CUP inconsistencies and would like to get those issues in compliance while going through a new CUP process.

Mayor asked Council how they wanted to proceed. Gerde responded that she believed with a few temporary conditions established and agreed upon by the operators, that something could be worked out until they have gone through the CUP process, but that a timeline should also be set. Council agreed.

There was further discussion on what the plan of action should be. Bourquin reiterated the conclusion: A full application should be submitted to the City by the end of January; Bourquin will report to Council the first meeting in March the status of any hearings, the progress being made and any complaints; Bourquin will contact the school district regarding the school bus issue; the applicant will not allow children in the playground area before 9:00 a.m. unless they are waiting for the school bus. The applicant agreed.

Gerde asked what was going to be done about the site obscuring fence.

Connie Hidgon, 3507 SE Hans Nagel Road, Washougal, WA:

Hidgon stated that she is the director of the facility and asked if putting slating in the chain link fence to obscure the view would comply with City code. Bourquin stated that it would not violate City ordinance.

There was further discussion about how to resolve this problem.

Council suggested installing a six foot high fence to line up with the front of the house and Hidgon agreed.

Ordinance No. 2501:

Bourquin stated this ordinance is to adopt the individual requests submitted in the month of January 2007, as part of the annual review process. Bourquin also noted that a correction needed to be made on the last page above the signature line, changing the month from May to December.

It was moved by Pike, seconded by Hogan that Ordinance No. 2501 adopting revisions to the Comprehensive Land Use Map of the City of Camas and to the Zoning Map of the City of Camas be read by title only. The motion carried unanimously.

It was moved by Gerde, seconded by Smith that Ordinance No. 2501 be adopted and published according to law. The motion carried unanimously.

Ordinance No. 2502:

Bourquin stated that this is an ordinance amending the City of Camas Comprehensive Plan to include: 1) City of Camas 2007 Parks and Openspace Plan; 2) 2007 City of Camas Capital Facilities Plan Update; 3) Camas, Evergreen and Washougal School District Capital Facility Plans; 4) North Urban Growth Area Expansion Water and Sewer Infrastructure Evaluation, dated September 2007; 5) North Urban Growth Area Traffic Analysis, dated November 6, 2007; 6) Revised City of Camas Transportation Comprehensive Plan, and; 7) Amended Comprehensive Plan Map.

Bourquin noted that this has been a lengthy process and thanked those involved for all of their hard work.

It was moved by Gerde, seconded by Dietzman that Ordinance No. 2502 adopting a Revised Comprehensive Plan in accordance with the goals and requirements of Chapter 36.70A, Revised Code of Washington, be read by title only. The motion carried unanimously.

It was moved by Gerde, seconded by Smith that Ordinance No. 2502 be adopted and published according to law. The motion carried unanimously.

Ordinance No. 2503:

Bourquin stated that this ordinance is to adopt a revised Zoning Map for the City of Camas consistent with the 2007 Comprehensive Plan Update.

It was moved by Gerde, seconded by Smith that Ordinance No. 2503 adopting a Revised Zoning Map in accordance with the goals and requirements of Chapter 36.70A, Revised Code of Washington, be read by title only. The motion carried unanimously.

It was moved by Dietzman, seconded by Smith that Ordinance No. 2503 be adopted and published according to law. The motion carried unanimously.

PUBLIC WORKS:
Resolution No. 1116:

Monte Brachmann, Public Works Director, stated that this resolution limits parking to two hours for two parking spaces adjacent the office of Dr. Trevor Allen, on NE 6th Avenue.

Brachmann noted that staff and the Police Department are recommending this resolution to resolve parking issues for Dr. Allen's patients.

It was moved by Dietzman, seconded by Gerde that Resolution No. 1116 establishing a two hour time limit for the two eastern most parking spaces on the south side of Northeast 6th Avenue between Franklin Street and Garfield to be read by title only. The motion carried unanimously.

It was moved by Dietzman, seconded by Smith that Resolution No. 1116 be adopted. The motion carried unanimously.

FINANCE:
Resolution No. 1117:

Joan Durgin, Finance Director, stated that the release of retainage to Tapani Underground, Inc., for the Lake Road project in the amount of \$467,509.66 was approved earlier on the consent agenda. To process this payment the Lake Road project needs to borrow \$205,000 from the General Fund until the Public Works Trust Fund reimburses the City. The General Fund will also be paid three percent (3%) interest.

It was moved by Pike, seconded by Hogan that Resolution No. 1117 authorizing the Lake Road Construction Fund to borrow up to \$205,000.00 from the General Fund, and providing for the repayment of said loan by July 1, 2008, with interest on the declining balance of three percent (3%) per annum be read by title only. The motion carried unanimously.

It was moved by Pike, seconded by Hogan that Resolution No. 1117 be adopted. The motion carried unanimously.

ADMINISTRATION:
Resolution No. 1118:

Lloyd Halverson, Administrator, stated that this is the annual resolution adopting salary ranges for the employees of the City of Camas, which includes employees covered by collective bargaining agreements and non-represented, seasonal and part-time employees.

It was moved by Gerde, seconded by Anderson that Resolution No. 1118 adopting salary ranges for employees of the City of Camas, and providing for said salary ranges to be effective January 1, 2008 be read by title only. The motion carried unanimously.

It was moved by Gerde, seconded by Hogan that Resolution No. 1118 be adopted. The motion carried unanimously.

Retirement/Separation Agreement between the City of Camas and Don Chaney:

Halverson stated that the Retirement/Separation Agreement between the City of Camas and Don Chaney was discussed in detail at the work session this evening. The agreement was initiated by retiring Chief Chaney. It reduces the amount of his end employment “cash-out” of a portion of his unused sick leave and vacation balances, and increases his salary for the months of December 2007 and January 2008.

It was moved by Anderson, seconded by Hogan to authorize the Mayor to sign the Retirement/Separation Agreement between the City of Camas and Don Chaney. Council Members Anderson, Dietzman, Gerde, Hogan, and Smith voted yes, and Pike voted no.

Resolution No. 1119:

Halverson stated that this resolution companions the Retirement/Separation Agreement, and it changes the salary consistent with this agreement.

It was moved by Hogan, seconded by Anderson that Resolution No. 1119 revising the salary scale for the Police Chief, and providing for said revisions to be effective December 1, 2007 be read by title only. Council Members Anderson, Dietzman, Gerde, Hogan, and Smith voted yes, and Pike voted no.

Pike stated for the record the reason that she is voting no is that she is not comfortable with the perceived conflict of interest between the City Attorney and the personal relationship he has with Chief Chaney.

It was moved by Hogan, seconded by Anderson that Resolution No. 1119 be adopted. Council Members Anderson, Dietzman, Gerde, Hogan, and Smith voted yes, and Pike voted no.

EXECUTIVE SESSION: The meeting recessed at 8:12 p.m. to discuss real property.

ADJOURNMENT: The meeting adjourned at 8:30 p.m.

Mayor

City Clerk