



**Regular Council Meeting - 7:00 p.m.
October 19, 2009**

CALL TO ORDER: Mayor Paul Dennis presided.

FLAG SALUTE:

COUNCIL:

Present: Anderson, Chaney, Gerde, and Higgins.

Excused: Dietzman, Hogan, and Smith.

STAFF MEMBERS: Bourquin, Brachmann, Carothers, Copsey, Durgin, Halverson, Hodges, Lackey, and MacPherson.

PRESS: None present.

CONSENT AGENDA:

It was moved by Council member Gerde, seconded by Council member Chaney to approve the Consent Agenda of October 19, 2009. The motion carried unanimously.

- a. Approve minutes of the October 5, 2009, Camas City Council Meeting and the work session minutes of October 5, 2009.
- b. Approve claim checks numbered 103729-103902 in the amount of five hundred fifty-three thousand, five hundred fifteen dollars and seventy-one cents (\$553,515.71) as approved by the Finance Committee.
- c. Authorize Pay Estimate #2 Final for Project S-524A; 2009 Micro-surfacing Improvements to Intermountain Slurry Seal, Inc., in the amount of twenty-eight thousand, four hundred five dollars (\$28,405) and accept project as complete.
- d. Authorize Mayor to sign Change Order #1 for Project WS-688; Parker STEP Sewer Valve Replacement in the amount of twenty-one thousand, four hundred forty-six dollars and seventy-two cents (\$21,446.72).
- e. Authorize the write-off of ambulance billings that are uncollectible for forty-three thousand, eight hundred forty-five dollars and eighty-two cents (\$43,845.82).
- f. Authorize the write-off on a utility customer account that has been approved for bankruptcy for three hundred eighty-three dollars and eighty-six cents (\$383.86).

- g. Authorize bid award for Project P-836; Goot Park CDBG Improvements to the low bidder, Green Construction, Inc., in the amount of two hundred thirty-four thousand, nine hundred fifty-two dollars and ninety-one cents (\$234,952.91), contingent upon CDBG approval.
- h. Authorize Pay Estimate #6 for Project WS-687; 2009 STEP/STEF Tank Pumping to AAA Septic Services, LLC., in the amount of six thousand, four hundred sixty-eight dollars and six cents (\$6,468.06).
- i. Authorize Mayor to sign a grant agreement with the State of Washington, Recreation and Conservation Funding Board (RCFB), for the Fallen Leaf Lake Project.
- j. Authorize Mayor to sign the Infinity Internet, Inc., - Facilities Lease – second amendment.
- k. Authorize Mayor to sign a Memorandum of Understanding to develop the structure for a Regional Wastewater Entity – Exhibit D, Coordinating Agencies.

NON-AGENDA ITEMS:

Public: There were no comments.

Staff: Lloyd Halverson, City Administrator, acknowledged Joan Durgin, Finance Director, for 20 years of service with the City. Halverson presented Durgin with a 20 year tenure pin.

Council: Chaney asked and Halverson responded that a contingency plan for the H1N1 flu has been discussed with the department heads.

Chaney inquired about a question that was posed previously by a citizen regarding recycling rates. Brachmann responded that the recycling rates are weekly and that customers that choose to put out recycling bi-weekly will pay the same rate.

MAYOR:

Announcements: There were no announcements.

PUBLIC WORKS:

Port of Portland Presentation: Monte Brachmann, Public Works Director, stated that the Port of Portland would like to partner with the City to install multilateration (MLAT) equipment on the upper Prune Hill reservoir site. Brachmann added that the partnership would mean a significant reduction in rent from the base rate of \$750 per month. Brachmann stated that staff is looking for Council’s authorization to direct staff to negotiate something less than the regular rate if Council believes this will be a benefit to the citizens and the City. Brachmann introduced Chris Blair who is with the noise management department of the Port of Portland.

Blair gave a PowerPoint Presentation regarding the Aircraft Noise Operations Monitoring System (ANOMS) that is used by the Port of Portland. The ANOMS is used for customer service and outreach relating to concerns people have about aircraft noise. The presentation included how flights are tracked, what the data is used for and the need for installing the MLAT equipment.

Blair and Brachmann responded to questions from Council.

Mayor asked if Council is willing to authorize staff to negotiate a reduced fee. Council authorized consent.

COMMUNITY DEVELOPMENT:

Public Hearing – CJ Dens Land Company Development Agreement (File DA09-02): Phil Bourquin, Community Development Director, explained the purpose for the public hearing and gave the background and a brief overview of the agreement. Bourquin added that the agreement distributed prior to the meeting contained a clean up item under *Section 6 – Stormwater Regulations* which occurred after the packet was compiled. Staff recommends that Council hear public testimony, direct the City Attorney to prepare a resolution approving the agreement, and adopt the resolution concurrent with zoning hearings that are currently in the process.

Mayor asked Bourquin if there was a similar change to the agreement that he had distributed for GM Camas. Bourquin replied that the GM Camas agreement is a cleaned up version of what was in the agenda packet without the strike-outs.

Mayor asked if there were any questions.

Chaney asked and Mayor responded that the variances between the two agreements should be addressed at this time.

Mayor opened the public hearing at 7:25 p.m.

LeAnne Bremer – representing CJ Dens Land Company – 500 Broadway, Ste., 400, Vancouver, WA:

Bremer explained the changes to *Section 6* of the agreement and the variances between the two agreements.

Bourquin responded to Chaney’s inquiries regarding the variances between the agreements in *Section 5 – Conceptual Master Plan and Section 9 – Significant Views*.

Bremer gave an explanation of the variances in the named sections of the agreements.

James Howsley – representing Lacamas North Shore – 500 Broadway, Ste. 400, Vancouver, WA:

Howsley commented on an email that had been submitted earlier regarding language he would like added to *Section 5.6 – Comprehensive Plan and Capital Facilities Plan Amendment* of the agreements. This item was added to the record as Exhibit #1. Howsley distributed draft Vision Plan Candidate New Regional Corridors Maps. One map included the original options and one map included an altered proposed option. The maps were added to the record as Exhibit #2. Howsley explained why he believes that the issue of Ingle Road needs to be examined.

Questions were asked and clarifications were made.

Bourquin referred to *Section 4 – Pre-Annexation Agreement* of the development agreement which states the City agrees that it will accept development applications but does not compel the City to engage in any development review process as otherwise required by law until the following additional events occur; Bourquin recited item “c” of this section: “Adoption by the City Council of an update to its water, sewer and transportation capital facilities plans.” Bourquin clarified that there is some additional examining that will need to be accomplished in regards to transportation capital facilities planning, which addresses the heart of the issue that was brought up by Howsley.

Howsley responded that he would like the language to be more specific and referred to the email language.

Sean MacPherson, Assistant City Attorney, stated that the path forward should be to hear testimony from Ms. Bremer and Mr. Simon regarding their position on adding this language to all three development agreements.

Mayor asked Council if they were comfortable with the concept of considering the proposed language.

Gerde replied that she would like to hear from the other two parties first. Anderson agreed and stated that he would also like to see the language.

Bourquin noted that the email did not arrive until 4:00 p.m. and distributed copies to Council.

Mike Simon – representing GM Camas – 805 Broadway, Ste., 1000, Vancouver, WA:

Simon stated that he is a partner to Randall Printz and since he does not know if the proposal will help or hurt their development, he does not have a position on it. Simon added that the email language is awkward because

if the study does occur, they are fine with the roads the way they are and they do not want to have to pay for the study.

Discussion ensued regarding the proposed language and the conceptual transportation plan.

Bremer stated that she is not opposed to the idea and why.

Higgins asked and Howsley responded why he believes this email language is necessary. Discussion ensued.

Mayor suggested leaving the language in the development agreements as is and that the City will look at the arterial that runs through North Shore and Ingle Road in the future.

MacPherson agreed with Mayor's suggestion and stated that it has been noted in the record that there is a concern about this particular issue and that the City will address this issue when the transportation capital facilities plan is updated.

Howsley agreed with the suggestion.

Mayor closed the public hearing at 8:04 p.m. as there was no further public testimony.

It was moved by Gerde, seconded by Higgins to direct the City Attorney to prepare a resolution approving the development agreement between CJ Dens Land Company and the City of Camas. The motion carried unanimously.

Anderson asked for clarification as to whether or not the ordinance adopting zoning needed a second affirmation now. Mayor stated that zoning is on a separate track and that the resolution adopting the development agreement and the ordinance adopting the zoning will be brought forward to Council for consideration at the same time.

Public Hearing -
GM Camas, LLC
Development Agreement
(File DA09-01):

Bourquin explained the purpose for the public hearing and gave the background and a brief overview of the agreement. Staff recommends that Council hear public testimony, direct the City Attorney to prepare a resolution approving the agreement, and adopt the resolution concurrent with zoning hearings that are currently in the process.

Mayor asked and there were no questions.

Mayor opened the public hearing at 8:07 p.m.

Mike Simon – representing GM Camas – 805 Broadway, Ste., 1000, Vancouver, WA:

Simon stated that he would like to address *Section 5 – Conceptual Master Plan and Section 9 – Significant Views* of the development agreements. Simon commented that he did not know why the language is different in *Section 5* of the agreements. Simon affirmed that they would like the language change in *Section 9*, as outlined in the development agreement, and explained why.

Mayor asked if there were any questions.

Anderson expressed his concern regarding the language that was stricken in *Section 9* of the agreement and stated why.

Simon responded that the part of the development that is labeled community commercial he believes is low enough that it cannot be seen from Lacamas Lake; therefore, he does not believe there is anything wrong with leaving the stricken sentence in the agreement. Simon noted that not all of the property can be seen from Lacamas Lake. Discussion ensued.

Mayor suggested that the language should be left in the agreement as it does not hurt any party or bind GM Camas to anything more significant than if it is left out. Higgins and Anderson concurred with Mayor's suggestion.

MacPherson stated that the language would be restored.

Mayor closed the public hearing at 8:16 p.m. as there was no further public testimony.

It was moved by Gerde, seconded by Anderson to direct the City Attorney to prepare a resolution approving the development agreement between GM Camas, LLC, and the City of Camas with the one noted addition in *Section 9* referring to the Lacamas Lake view and the typos. The motion carried unanimously.

MacPherson commented that he will be correcting any typos found in the CJ Dens Land Company Development Agreement as well.

Chaney made suggestions that he believes will be helpful in the process in the future.

Resolution No. 1163:

Bourquin explained the purpose of Resolution No. 1163.

Mayor asked if there were any questions.

Bourquin responded to questions from Council.

It was moved by Gerde, seconded by Higgins that Resolution No. 1163 be read by title only. The motion carried unanimously.

It was moved by Gerde, seconded by Higgins that Resolution No. 1163 amending Resolution No. 1023 by revising the types and fees for Home Occupation applications be adopted. The motion carried unanimously.

Ordinance No. 2561: Bourquin explained the purpose of Ordinance No. 2561.

Mayor asked if there were any questions.

Bourquin responded to questions from Council. Discussion ensued.

It was moved by Anderson, seconded by Gerde that Ordinance No. 2561 be read by title only. The motion carried unanimously.

It was moved by Gerde, seconded by Anderson that Ordinance No. 2561 amending Chapter 18.39 of the Camas Municipal Code by revising the regulations for home occupations be adopted and published according to law. The motion carried unanimously.

ADMINISTRATION:

Ordinance No. 2562: Halverson explained the purpose of Ordinance No. 2562. Halverson noted that this version has been technically improved based on comments by staff of the Washington Department of Revenue.

Mayor asked and there were no questions.

It was moved by Higgins, seconded by Chaney that Ordinance No. 2562 be read by title only. The motion carried unanimously.

It was moved by Higgins, seconded by Gerde that Ordinance No. 2562 levying an excise tax of 2% on the sale of or charge made for the furnishing of lodging by any hotel, rooming house, tourist court, bed and breakfast facility, motel, or trailer camp be adopted and published according to law. The motion carried unanimously.

ADJOURNMENT: The meeting adjourned at 8:33 p.m.

Mayor

City Clerk