



**Regular Council Meeting - 7:00 p.m.
July 6, 2010**

CALL TO ORDER: Mayor Paul Dennis presided.

FLAG SALUTE:

COUNCIL:

Present: Anderson, Chaney, Dietzman, Gerde, and Smith.

Excused: Higgins and Hogan.

STAFF MEMBERS: Bourquin, Carothers, Copsey, Durgin, Lackey, Levison, and MacPherson.

PRESS: None present.

CONSENT AGENDA:

Mayor pulled item "h" – Authorize Pay Estimate #1 for Project P-837; Community Center CDBG Improvements to Zink Commercial Contractors, Inc., - per staff's request.

It was moved by Council member Gerde, seconded by Council member Anderson to approve the Consent Agenda of July 6, 2010, with item "h" pulled. The motion carried unanimously.

- a. Approve minutes of the June 21, 2010, Camas City Council meeting and the work session minutes of June 21, 2010.
- b. Approve claim checks numbered 106490-106626 in the amount of one million, one hundred sixty-six thousand, nine hundred fifty-one dollars and forty-one cents (\$1,166,951.41) as approved by the Finance Committee.
- c. Authorize Pay Estimate #4 for Project WS-656; Wastewater Treatment Facilities Improvements, Phase II, to McClure & Sons, Inc., in the amount of four hundred fifty-seven thousand, two hundred four dollars and fifty-one cents (\$457,204.51).
- d. Authorize Pay Estimate #6 for Project WS-664A; Well #14 and Transmission Main to RC Northwest, Inc., in the amount of three hundred two thousand, seven hundred seventy-three dollars and thirty-four cents (\$302,773.34).
- e. Authorize Pay Estimate #1 for Project WS-675; NW 38th Avenue Water and Sewer Improvements to RC Northwest, Inc., in the amount of one hundred eighty-one thousand, ninety-six dollars and sixty-five cents (\$181,096.65).

- f. Authorize Pay Estimate #10 for Project P-820; Washougal River Trail to Tapani Underground, Inc., in the amount of sixty-two thousand, two hundred sixty-six dollars and seventy-three cents (\$62,266.73).
- g. Authorize Mayor to sign Change Order # 1 for Project S-454; NW Leadbetter Drive Street Improvements, Phase I, to Rotschy, Inc., in the amount of nine thousand, nine hundred fifty-one dollars and eighty-two cents (\$9,951.82). Sales tax is not applicable.
- i. Authorize Mayor to sign professional services amendment #1 for additional materials, testing and inspection as required for Project P-820; Washougal River Greenway Trail and Bridge, with Carlson Testing, Inc., in an amount not to exceed three thousand dollars (\$3,000).

NON-AGENDA ITEMS:

Public:

John Nohr, 3518 NW Maple Street, Camas, WA:

Nohr thanked Police Chief Mitch Lackey and Fire Chief Leo Leon and their departments for their proactive efforts this year on fireworks. Nohr voiced his concerns regarding fireworks and encouraged Council to consider further restrictions to the hours and days of use.

Staff:

There were no comments.

Council:

In response to Nohr’s comments, Smith stated that she would like this matter brought back to a Council workshop for further discussion. She added that she supports implementing further restrictions to the hours and days of use for fireworks.

Anderson echoed his fireworks comments from the workshop.

Mayor stated that this matter will be addressed after City Administrator Lloyd Halverson returns. Mayor added that there was a call out for the Mayors in Clark County to come together to discuss this matter.

MAYOR:

Announcements:

There were no announcements.

FINANCE:

Ordinance No. 2588 –
Establishing a Violations

Joan Durgin, Finance Director, explained the purpose of Ordinance No. 2588.

Bureau to Process

Parking Tickets:

Mayor asked and there were no questions.

It was moved by Dietzman, seconded by Gerde that Ordinance No. 2588 be read by title only. The motion carried unanimously.

It was moved by Dietzman, seconded by Gerde that Ordinance No. 2588 adding a new Chapter to the CMC establishing a Violations Bureau for the processing of parking violations be adopted and published according to law. The motion carried unanimously.

Ordinance No. 2589 –
Adding a New Section to
CMC 10.08 Related to
Parking Infractions:

Joan Durgin, Finance Director, explained the purpose of Ordinance No. 2589.

Durgin responded to questions from Council.

Anderson asked and Police Chief Mitch Lackey responded that enforcement of the move to evade provision in the ordinance is not similar to other jurisdictions. Lackey stated that the move to evade provision is problematic and explained why. Lackey added that this section of the ordinance may need more work and that Council could adopt the ordinance as is and amend it later or strike this specific section of the ordinance. Mayor suggested that this section of the ordinance be stricken.

Chaney stated that he is fine with striking the move to evade provision but would like to discuss this issue when all Council members are present. Mayor concurred.

It was moved by Gerde, seconded by Dietzman that Ordinance No. 2589 be read by title only with the noted correction. The motion carried unanimously.

It was moved by Gerde, seconded by Dietzman that Ordinance No. 2589 adding a new Section to Chapter 10.08 adopting by reference certain parking infractions set forth in the Revised Code of Washington and the Washington Administrative Code, adding a new Section to Chapter 10.08 regulating erasure of chalk mark identifications, adding a new Section to Chapter 10.08 establishing a rebuttable presumption of ownership, and amending Section 10.08.060 by revising the penalties for parking violations be adopted and published according to law. The motion carried unanimously.

COMMUNITY DEVELOPMENT:

Engineering:
Continued Public
Hearing – Camas
Stormwater Design
Standards Manual:

James Carothers, Engineering Manager, summarized staff's recommendations to resolve issues that were identified and discussed at the Council workshop. Carothers added that during break Tim Kraft, the consultant from OTAK, researched language that is being used by other jurisdictions regarding the unresolved fencing issue. Carothers read the language and compared it to what is currently in

the proposed Camas Stormwater Design Standards Manual.

Mayor asked Council if they were comfortable with the proposed language. Chaney and Anderson stated that they would like item number three – regarding wood fences – removed. Mayor affirmed that Council would like item number three removed from the proposed language.

Mayor opened the continued public hearing at 7:22 p.m.

Randy Printz, 805 Broadway, Vancouver, WA:

Printz thanked Council and staff for listening to the concerns and for being willing to work toward resolving the problems. Printz gave brief testimony regarding wood fences.

Mayor closed the public hearing at 7:23 p.m. as there was no further public testimony.

It was moved by Anderson, seconded by Gerde to direct staff to finalize the Camas Stormwater Design Standards Manual and to direct staff and the city attorney to prepare the associated ordinances and resolution to adopt the manual. The motion carried unanimously.

Mayor stated that he is moving up item “b” – public hearing to consider establishment of a comprehensive land use plan designation and associated zoning of the GM Camas, LLC property – on the agenda.

Planning:

Public Hearing –
Establishment of a
Comprehensive Land
Use Plan Designation
and Associated Zoning
of the GM Camas, LLC
Property:

Phil Bourquin, Community Development Director, gave background regarding the proposal and explained the comprehensive land use plan process. The proposal involves approximately 9.87 acres generally located south of NE Ingle Road and west of Goodwin Road identified as Clark County Assessor Parcel #172562-000 (986028380). Bourquin stated staff recommends designating the property Commercial Comprehensive Plan designation with zoning of Community Commercial (CC).

Mayor asked and there were no questions.

Mayor opened the public hearing at 7:26 p.m.

Randy Printz, 805 Broadway, Vancouver, WA:

Printz testified that he gave information to Council about this proposal when this matter came before them on the 10% annexation

petition, and therefore did not plan to reiterate the information unless Council had questions.

Mayor asked and there were no questions.

Mayor closed the public hearing at 7:27 p.m. as there was no further public testimony.

Mayor asked Assistant City Attorney Shawn MacPherson if a motion is necessary to schedule the next hearing for August 16th.

MacPherson responded that either a motion can be made or direction be given to the community development director to advertize the public hearing. Bourquin replied that he would advertize the public hearing as noted.

Mayor stated that he will continue through the agenda and then go back to item "a" - public hearing to consider a development agreement between the City of Camas and Lacamas Northshore.

Public Hearing –
Amendment to a
Development Agreement
Between the City of
Camas and GM Camas,
LLC:

Bourquin explained the purpose for the public hearing and briefly described the amendment to the development agreement. Bourquin summarized staff's recommendations.

Mayor asked and there were no questions.

Mayor opened the public hearing at 7:29 p.m.

Randy Printz, 805 Broadway, Vancouver, WA:

Printz testified that he supports staff's recommendations.

MacPherson inquired and Printz responded that to his knowledge there have not been any changes in the corporate structure for the property owners but that he would verify the information.

Mayor closed the public hearing at 7:30 p.m. as there was no further public testimony.

It was moved by Gerde, seconded by Dietzman to authorize approval of the development agreement, file #DA09-01, and to direct the City attorney to prepare a resolution for adoption. The motion carried unanimously.

Ordinance No. 2590 –
Adopting the 2010
Capital Facilities Plan

Bourquin explained the purpose of Ordinance No. 2590.

Gerde asked why the capital facilities plan list is missing information

List Update: regarding how some of the projects are funded. Bourquin responded that the missing information will be added and this matter will be brought back for Council for consideration on July 19th.

Ordinance No. 2591 – Adopting the School District Capital Facilities Plans of the Camas, Evergreen, and Washougal School Districts: Bourquin explained the purpose of Ordinance No. 2591. Mayor asked and there were no questions. It was moved by Anderson, seconded by Chaney that Ordinance No. 2591 be read by title only. The motion carried unanimously. It was moved by Gerde, seconded by Dietzman that Ordinance No. 2591 approving the Capital Facilities Plans of the Camas School District, the Washougal School District and the Evergreen School District, and incorporating the same into the City of Camas Comprehensive Land Use Plan be adopted and published according to law. The motion carried unanimously.

Ordinance No. 2592 – Adopting Revisions to the Comprehensive Land Use Map and Zoning Map Under the 2010 Annual Review Process: Bourquin explained the purpose of Ordinance No. 2592. Mayor asked and there were no questions. It was moved by Dietzman, seconded by Anderson that Ordinance No. 2592 be read by title only. The motion carried unanimously. It was moved by Dietzman, seconded by Chaney that Ordinance No 2592 adopting revisions to the Comprehensive Land Use Map of the City of Camas and to the Zoning Map of the City of Camas be adopted and published according to law. The motion carried unanimously.

Public Hearing – Development Agreement Between the City of Camas and Lacamas Northshore: Bourquin briefly explained the background of the agreement and added that there are some questions related to the agreement that need to be addressed. Bourquin recommended that the public hearing be opened to accept public testimony and that the agreement be gone through page by page to address questions or concerns. Bourquin added that he recently met with the attorney representing the Roses who own property in this vicinity. The attorney stated that the Roses do not have an objection to the development agreement, but requested that their acreage be removed from the exhibits. Mayor asked MacPherson if he had any objection to removing the Rose property acreage from the exhibit as requested. MacPherson had no objection.

Mayor asked and there were no questions.

Mayor opened the public hearing at 7:39 p.m.

James Howsley – Miller Nash LLP – 500 E Broadway, Ste. 400, Vancouver, WA:

Howsley stated that he is the attorney for the applicant and is present to answer questions.

Gene Harring, 23839 NE 16th Street, Camas, WA:

Harring commented that the conceptual master plan is hard to conceive so it is difficult for him to say how he feels about the agreement or how it will impact him until a more defined plan is developed.

Mayor closed the public testimony portion of the hearing at 7:45 p.m. as there was no further testimony.

The agreement was reviewed page by page. Concerns were addressed, clarifications were made, suggestions were given and corrections were noted.

One concern discussed at length was in regards to tree preservation and whether or not the proponent has the ability to log the trees. At the end of the discussion an agreement was not reached. MacPherson suggested taking a five minute recess to allow the principals time to discuss this concern to try to come up with a resolution.

The meeting recessed at 8:40 p.m. for a 5 minute break.

The meeting reconvened at 8:49 p.m.

Mayor affirmed that legal counsel for the City is proposing that the term of the development agreement be consistent with the term of the logging permit.

Howsley responded that he was not willing to accept the proposal and stated that he believes it is redundant, that the City does not have the authority to move outside of the code and that it is a matter of equity with other similar development agreements that did not have language regarding this concern incorporated into their agreements.

Mayor asked Council how they wanted to proceed and mentioned that it is Council's discretion to decide whether or not they want to enter into the agreement.

Chaney stated that his position on this matter has to do with equity with the other agreements and is willing to deal with the outside potential issue that was brought up in regards to logging. Discussion ensued.

MacPherson suggested adding language to section 8 addressing the logging concern voiced by Council.

It was moved by Gerde, seconded by Dietzman to direct staff to make the revisions to the development agreement that were discussed during this meeting, to bring back language regarding the logging issue and to direct the City Attorney to prepare a resolution for adoption. The motion carried unanimously.

MacPherson stated for procedural clarification the public hearing is still open and is continued to July 19th. Mayor confirmed that the deliberation will continue but the public testimony portion of the hearing is closed.

ADJOURNMENT:

The meeting adjourned at 8:58 p.m.

Mayor

City Clerk