



**Regular Council Meeting - 7:00 p.m.  
May 17, 2010**

**CALL TO ORDER:** Mayor Paul Dennis presided.

**FLAG SALUTE:**

**COUNCIL:**

Present: Anderson, Chaney, Dietzman, Gerde, Higgins, and Hogan.

Excused: Smith.

**STAFF MEMBERS:** Bourquin, Carothers, Copsey, Fox, Gorsuch, Halverson, MacPherson and Skeens.

**PRESS:** None present.

**CONSENT AGENDA:**

Gerde asked to pull item "I" – Interlocal Agreement with the City of Vancouver for resource conservation management services – for discussion.

Gerde stated that the cover sheet for this agenda item indicates that there is no cost to the City but on the contract it appears that the City of Camas will pay 18% on the unfunded amount for both years. Halverson responded that representatives from the City of Vancouver are present to answer questions.

**Rich McConaghey, City of Vancouver Public Works Department:**

McConaghey introduced himself and his colleague Dan Norfleet, City of Vancouver Operations Superintendent for Facilities. McConaghey stated that Clark County is covering the costs for both Camas and Washougal through their Energy Efficiency and Conservation Development Block Grant (EECGB).

It was moved by Council member Hogan, seconded by Council member Gerde to approve the Consent Agenda of May 17, 2010. The motion carried unanimously.

- a. Approve minutes of the May 3, 2010, Camas City Council meeting, the work session minutes of May 3, 2010, and the Special (ward) meeting minutes of April 27, 2010.

- b. Approve claim checks numbered 106002-106173 in the amount of four hundred seventy-two thousand, forty dollars and eleven cents (\$472,040.11) as approved by the Finance Committee.
- c. Authorize setting a public hearing date for the Six-Year Transportation Program (6-year street plan) for June 7, 2010, at 7:00 p.m. in the Council Chambers of City Hall.
- d. Authorize Mayor to sign a protective covenant over the NW Leadbetter Drive wetland mitigation area.
- e. Authorize Pay Estimate #9 Final for Project WS-687; 2009 STEP/STEF Tank Pumping to AAA Septic Services, LLC in the amount of six hundred seventy-four dollars and ninety-three cents (\$674.93) and accept project as complete.
- f. Authorize Pay Estimate #1 for Project WS-701; 2010 STEP/STEF Tank Pumping to AAA Septic Services, LLC in the amount of eight thousand, five hundred seventy-three dollars and forty-four cents (\$8,573.44).
- g. Authorize Mayor to sign a professional services agreement with Carlson Testing, Inc., for an amount not to exceed nineteen thousand, six hundred twenty-two dollars (\$19,622).
- h. Authorize Pay Estimate #1 for Project SS-540; 2010 Maintenance & Plantings for NW Parker Street & NW Lake Road to Jones Landscape, Inc., in the amount of two thousand, eight hundred seven dollars and four cents (\$2,807.04).
- i. Authorize Mayor to sign a contract with Clark County Department of Community Services for Community Development Block Grant #2010-CDBG-1002, Evergreen ADA Ramps.
- j. Authorize the write-off of ambulance billings that are uncollectable in the amount of thirty-seven thousand, four hundred forty-eight dollars and fifty-nine cents (\$37,448.59).
- k. Authorize Mayor to sign Change Order #2 for Project WS-664A; Well #14 and Transmission Main to RC Northwest, Inc., in the amount of four thousand, five hundred twenty-seven dollars and nine cents (\$4,527.09).
- l. Authorize Mayor to sign an interlocal agreement with the City of Vancouver for resource conservation management services.

**NON-AGENDA ITEMS:**

Public:

Mrs. Schrader, 1716 SE 283<sup>rd</sup> Avenue, Camas, WA:

Schrader expressed her concerns regarding BPA's proposed I-5 Corridor Reinforcement Project and encouraged Council to do whatever they can to get BPA to bury the lines underground and to select a route that is in an unpopulated area.

Staff:

Mayor stated that the topics that were not discussed at the Council Workshop will be addressed at this time.

**POLICE:**

**Request for Modification to Camas Municipal Code (CMC) 9.28.020**

**Shooting in Public:**

Sergeant Robert Skeens, Interim Police Captain, gave background regarding the Camas-Washougal Wildlife League (Gun Club) and distributed a copy of the legal opinion rendered by City Attorney Roger Knapp in June of 2008. Skeens noted that the legal opinion was sought when the wildlife league was annexed into the City which under CMC 9.28.020 it is unlawful to shoot or discharge firearms within City limits.

Skeens stated the gun club has continued to operate on a limited basis and has recently requested that they be allowed to conduct a non-profit fundraiser on a Saturday, which is not on one of their normal shooting days. Skeens added that staff has discussed this matter with Knapp and that he recommended bringing this matter to Council for discussion.

Skeens responded to questions from Council.

Mayor suggested bringing this matter back to Council for further discussion at the June 7, 2010, Council Workshop. Mayor asked staff to research how other jurisdictions handle this situation and to seek advice from the Washington Cities Insurance Authority (WCIA).

Dietzman asked what the outcome was regarding the paintball gun organization that wanted to set up a business within Camas City limits. Phil Bourquin, Community Development Director, responded that he met with Police Chief Mitch Lackey and the operator of the business and that the process to formalize a commercial operation was outlined at that time. Bourquin added that he has not heard back as to whether or not they want to continue with the process.

**PUBLIC WORKS:**

**Lease Agreement for City Property on Garfield Street:**

James Carothers, Acting Public Works Director, explained the history regarding the lease of the City property located at 234 SE Garfield Street. The lease is for the use of the garage. He added that the City receives \$1.00 per year for the lease and that the current owner is in the process of selling the house. Carothers reported that the lease is non-transferable to the next owner and therefore the City will need to either terminate the lease and use of the garage or provide permission for assignment to the new owner. Carothers stated that staff does not have any reservations of entering into a lease with the new owner. He added that the realtor for the seller is

present to answer questions.

Anderson stated that he would like to know what the garage will be used for in the future and if it would impose any impacts on the neighbors.

Mayor responded that it would seem prudent to enter into a new lease agreement when the buyer comes forward so there is no confusion regarding the terms of use.

Brett Leyden – realtor for seller, 1160 SE Polk Circle, Camas, WA:  
Leyden stated that a buyer has come forward and that since the garage is attached to the house the matter needs to be rectified in order to complete the closing through the title company. Discussion ensued.

Mayor suggested that staff generate a letter stating that the City is interested in entering into a new lease agreement with the new owner but would like to discuss the terms first. Council had no objections.

#### **ADMINISTRATION:**

##### Open Space Appraisal:

Lloyd Halverson, City Administrator, commented that the City has had an interest in the Fallen Leaf Lake parcel and that an appraisal that meets the Federal Yellow Book Standards will be necessary to move forward with the potential purchase of this parcel. He added that the firm CB Richard Ellis (CBRE) has proposed to complete the appraisal. The proposed appraisal agreement was distributed to Council for review.

Mayor asked and Halverson responded that the total cost for the appraisal would be \$6,000 and would be funded through the Growth Management Act (GMA) Capital Projects Fund.

Halverson responded to questions from Council.

Halverson asked Council if they would be willing to consider authorizing the Mayor to sign the agreement this evening.

It was moved by Gerde, seconded by Dietzman to add the appraisal agreement to the agenda as Section A – Administration – item a.

##### Arts Council:

Halverson distributed a copy of a resolution from Clark County. He added that the County is asking for nominees to serve on a County-wide Arts Commission. They are requesting one member from each

community. Halverson stated that if Council has someone in mind they would like to serve on this commission that they should provide the information to the Mayor.

Verizon Lease at Prune Hill Sports Park:

Halverson reported that a lease agreement for a Verizon cell tower at the Prune Hill Sports Park has been reviewed by the Parks & Recreation Commission. He noted that a conditional use permit will also be necessary

Halverson stated that the lease is for \$1,500.00 per month with a signing bonus of \$1,500.00. The lease is non-exclusive and was crafted by Public Works Operations Manager Eric Levison with the assistance of Assistant City Attorney Shawn MacPherson.

Mayor asked and Halverson responded that this matter will come back to Council for consideration on June 7, 2010. The approval and authorization for the Mayor to sign the agreement will be contingent on the conditional use approval.

Anderson asked if an access road to the property will be included in the lease agreement or if it will be done through an easement. Halverson responded that he will need to look into this matter. Mayor asked Halverson to send an email to Council with his findings and to also bring this information to the meeting on June 7<sup>th</sup>.

Chaney expressed his concern regarding the aesthetics of placing this tower in the neighborhood based on public comments made during the workshop regarding the BPA power line project. Halverson responded that he will have information in the agenda packet addressing this concern as he presumes that the Parks & Recreation Commission likely asked similar questions. Mayor also asked Halverson to be sure the packet contains information regarding the area this cell tower will cover.

Public Works Director Update and “Path Forward”:

Halverson gave background regarding the public works director recruitment and explained staff’s recommended path forward in detail.

After lengthy discussion, Halverson suggested bringing this matter back to Council for further discussion during the June 7, 2010, Council Workshop. He added that a full staff report will be provided at that time. Halverson distributed a copy of the proposed recommendation and noted that postponing the decision to June 7<sup>th</sup> should allow Council time to reflect on the information provided.

In conclusion, Mayor stated that this matter will be discussed at the Council Workshop on June 7<sup>th</sup> as suggested and if Council is comfortable with the proposal, appointments can be made that evening.

Miscellaneous and Scheduling:

Halverson reported that Leo Leon, Fire Chief, has requested to refill the paramedic captain position on a temporary basis, not to exceed four months. He explained the rationale for the request and added that staff recommends approval. Discussion ensued. Council concurred.

Council:

Higgins recognized Halverson for shooting a hole-in-one on a golf course.

Anderson reported that he attended a United Camas Association of Neighborhoods (UCAN) meeting last week and gave a brief recap.

**MAYOR:**

Announcements:

There were no comments.

**COMMUNITY DEVELOPMENT:**

Public Hearing –  
Amendments to the  
Capital Facilities Plans  
(CFP) of the Camas,  
Evergreen and  
Washougal School  
Districts:

Phil Bourquin, Community Development Director, explained the purpose for the public hearing and stated that the CFP for the Camas School District will be from 2009-2015; for the Evergreen School District from 2008-2014; and for the Washougal School District from 2009-2015. Bourquin explained the comprehensive planning process. He added that staff recommends that Council open the public hearing, accept testimony and approve the CFP's as presented. He noted that representatives from the school districts are present to answer questions or address any concerns.

Mayor asked and there were no questions.

Mayor opened the public hearing at 8:00 p.m.

Marnie Allen, 2500 NE 65<sup>th</sup> Avenue, Vancouver, WA:

Allen stated that she is representing the three school districts and is testifying in support of the adoption of the plans. Allen gave background information and explained the amendments to the CFP's.

Allen responded to questions from Council.

Mike Bomar – Building Industry Association (BIA), 103 E 29<sup>th</sup> Street, Vancouver, WA:

Bomar stated that the BIA is trying to work with the school boards

directly on the impact fees associated with the CFP's. Bomar presented factors from the residential development perspective that he would like Council to take into account when considering any increases in the fees. Bomar stated that he opposes any fee increases but supports the decrease in fees for the Camas School District. He also encouraged Council to support broad based revenue sources to support public education and capital facilities.

Bomar responded to questions from Council. Discussion ensued regarding the formula used to calculate the impact fees.

Randy Printz, 805 Broadway, Ste. 1000, Vancouver, WA:

Printz gave testimony regarding the calculation of fees associated with capital facilities plans.

Mayor closed the public hearing at 8:13 p.m. as there was no further public testimony.

It was moved by Anderson, seconded by Higgins to approve the Camas, Evergreen and Washougal School District CFP and to direct the City Attorney to prepare an ordinance for adoption as part of the 2010 Comprehensive Plan Annual Review Cycle. The motion carried unanimously.

Public Hearing – Appeal  
of a Civil Regulatory  
Order and Fines:

MacPherson explained the background regarding the Civil Regulatory Order issued against Osprey Landing. MacPherson noted that Brian Wolfe, who represents the developer, is present to state his position on the matter.

Mayor asked and there were no questions.

Mayor opened the public hearing at 8:16 p.m.

Brian Wolfe, 105 W Evergreen Blvd., Ste. 200, Vancouver, WA:

Wolfe testified on behalf of Osprey Landing, LLC. Wolfe stated that his client committed 13 violations in July of 2009 and that he has been negotiating a resolution with the City. Wolfe gave background regarding the development of Osprey Landing, LLC and outlined the violations committed and the work that has been done since to correct the issues. He added that it was also concluded through negotiations to hire an independent source to evaluate the situation which Osprey Landing, LLC will pay for. Wolfe noted that a contract will need to be authorized by Council for this evaluation. Wolfe stated that he recommends deferring part of the fine to ensure that everything is taken care of accordingly and that he would agree to whatever split is decided upon by the city attorney.

Mayor closed the public hearing at 8:21 p.m. as there was no further public testimony.

MacPherson outlined the proposed path forward to resolve this matter and stated that he recommends the fine to be \$9,000 with \$4,000 suspended pending completion of the obligations. MacPherson added that there was an assessment of an additional fine for failure to properly install erosion control which was not part of the appeal and clarified that that fine would be separate from this fine.

It was moved by Higgins, seconded by Gerde to accept the city attorney's proposed resolution and path forward. The motion carried unanimously.

Public Hearing –  
Amendments to the City  
of Camas  
Comprehensive Plan  
Map and Zoning:

Bourquin explained the purpose for the public hearing and stated that the City did not receive any individual requests and that the amendments coming forward to Council are being proposed by staff. Bourquin explained the proposed amendments to the City of Camas Comprehensive Plan Map and Zoning. Bourquin added that staff recommends approval of the area described to be residentially zoned.

Bourquin stated that staff recommends that Council open the public hearing, take public testimony, and ask the city attorney to prepare an ordinance for adoption consistent with the annual review cycle.

Mayor asked and there were no questions.

Mayor opened the public hearing at 8:28 p.m.

Bourquin stated that a small piece of land, in the vicinity of the Green Mountain area, south of Ingle Road and west of Goodwin Road, was not included in the original urban growth area (UGA) when the City adopted the comprehensive plan in 2008. Subsequently the County has included that area in the UGA. Bourquin added that this piece of land will need to be designated in the comprehensive plan since it was not originally. Bourquin noted that this is the same piece of property that will be considered by Council on June 7<sup>th</sup> to be annexed into the City.

Bourquin recommended including this parcel in the comprehensive plan with a commercial designation.

Bourquin responded to questions from Council regarding the procedural process.

Randy Printz, 805 Broadway, Ste. 1000, Vancouver, WA:  
Printz stated that he agrees with Bourquin's recitation of the facts and gave the history regarding the parcel in question. He added that he is in support of this amendment to the comprehensive plan.

Kathy Simmons, 26701 SE 5<sup>th</sup> Street, Camas, WA:  
Simmons inquired whether or not BPA power lines will run through any of the property described.

Bourquin responded that there is a power easement that runs through the Green Mountain area.

Simmons encouraged Council to take into consideration how the proposed power line project could impact this area.

Mayor closed the public hearing at 8:34 p.m. as there was no further testimony.

It was moved by Higgins, seconded by Dietzman, to approve the proposed comprehensive plan amendments as proposed by staff. The motion carried unanimously.

**PUBLIC WORKS:**

Ordinance No. 2585 –  
Amending Camas  
Municipal Code (CMC)  
10.08.045:

James Carothers, Acting Public Works Director, explained the purpose of Ordinance No. 2585.

Mayor asked and there were no questions.

It was moved by Dietzman, seconded by Hogan that Ordinance No. 2585 be read by title only. The motion carried unanimously.

It was moved by Dietzman, seconded by Hogan that Ordinance No. 2585 amending section 10.08.045 of the Camas Municipal Code (CMC) to permit back-in parking in angle parking spaces if specifically designated by markings or signs be adopted and published according to law. The motion carried unanimously.

Resolution No. 1183 –  
Permitting Back-in  
Parking in Angle Spaces  
on NE Birch Street  
South of NE 3<sup>rd</sup> Avenue:

Carothers explained the purpose of Resolution No. 1183.

Mayor asked and there were no questions.

It was moved by Gerde, seconded by Dietzman that Resolution No. 1183 be read by title only. The motion carried unanimously. Anderson asked and Carothers responded that the resolution should be corrected to NE 3<sup>rd</sup> Avenue instead of NE 3<sup>rd</sup> Street.

Mayor asked that the resolution be corrected as noted.

It was moved by Gerde, seconded by Anderson that Resolution No. 1183 permitting back-in parking in angle parking spaces on NE Birch Street south of 3<sup>rd</sup> Avenue be adopted. The motion carried unanimously.

Project P-848 – 2010  
Camas Swimming Pool  
Painting:

Carothers stated that the bidders on this project did not accurately use the unit price/quantity amount to calculate the total contract amount. He added staff recommends re-bidding the project in anticipation of painting in September 2010.

Mayor asked and there were no questions.

It was moved by Higgins, seconded by Hogan to reject all bids and re-bid the project in the fall. The motion carried unanimously.

Appraisal Contract with  
CB Richard Ellis:

Mayor asked and Halverson confirmed that he is asking Council to authorize the Mayor to sign an appraisal contract with CB Richard Ellis in the amount of \$6,000 which will be funded through the GMA impact fee fund.

It was moved by Gerde, seconded by Anderson to enter into a contract with CB Richard Ellis in the amount of \$6,000 to complete a Yellow Book Standard Appraisal for Fallen Leaf Lake. The motion carried unanimously.

**ADJOURNMENT:**

The meeting adjourned at 8:42 p.m.

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Mayor

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City Clerk