



**Regular Council Meeting -7:00 p.m.
March 19, 2007**

CALL TO ORDER: Mayor Paul Dennis presided.

FLAG SALUTE:

COUNCIL:

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

Excused: Hogan

STAFF MEMBERS: Berquist, Bourquin, Carothers, Durgin, Fox, Halverson, Hodges, Hubka, Leon, Knapp.

PRESS: Heather Acheson, Camas-Washougal Post Record

CONSENT AGENDA: It was moved by Higgins, seconded by Pike and carried that the Consent Agenda be approved.

No one from the public, staff or Council had a subject to discuss that was not included on the agenda.

- a. Approve minutes of the Council meeting of the Camas City Council of March 05, 2007, and the Work Session of February 20, 2007.
- b. Approve claim checks numbered 46894 through 46906 and 52671 through 52856 in the amount of \$475,801.45 was approved by the Finance Committee.
- c. Authorize Pay Estimate #12 (Final) for Project WS-639; 2006 STEP/STEF Tank Pumping, to Haag & Shaw, Inc. in the amount of \$6,114.77. Accept project as complete.
- d. Authorize Proposal for Professional Engineering Services for WS-636A Well #13 Development to S&B, Inc. in an amount not to exceed \$54,956.97 plus applicable state sales tax.
- e. Authorize award of WS-636B Well #13 Assembly Procurement to the low bidder, Mather & Sons Pumps, Inc., in the amount of \$31,361.17.

- f. Authorize Amendment #2 for Professional Engineering Services related to WS-643, NW Brady Road Sewer Improvements to Wallis Engineering in an amount not to exceed \$19,094.00.
- g. Authorize the Mayor to sign amendment for a Professional Service Agreement with the Resource Company in the amount not to exceed \$3,800.00 plus cost to attend required meeting to finalize mitigation Bank IAC funding.
- h. Authorize the Mayor to sign a Professional Services Agreement with PGP Valuations for an appraisal.
- i. Authorize proposal for 2007 traffic count services to Quality Counts, LLC in an amount not to exceed \$15,000.00.
- j. Authorize Mayor to sign consultant agreement with Pacific Ground Water Group (PGG) for Assistance with WIRA Phase 4 implementation in the amount not to exceed \$3,500.00.
- k. Authorize the Mayor to sign a Consultant Services Contract with the JD White Company, Inc., (JDW) for professional natural resources services.
- l. Authorize Mayor to sign protective covenant over the NW Lake Road wetland mitigation area.

PUBLIC: No comments.

STAFF: No comments.

COUNCIL: No comments.

MAYOR: Mayor added Item B 10% Petition under Community Development and Sub-Item B IAFF Pay Resolution was added under Administration to the regular agenda.

COMMUNITY DEVELOPMENT:

Title 17 & 18 Amendments: Bourquin summarized the proposed amendment revisions and their history. Bourquin noted a memo from Chad Stewart dated March 5th, 2007, had been submitted to Council and that he had placed a memo in response to Stewart’s comments in the mailboxes of the Council members today. These memos included comments about side lot lines.

There were no questions from Council.

AmendmentPublic Hearing: The Public Hearing for Title 17 and 18 Amendments was opened by Mayor Dennis at 7:04 p.m.

Chad Stewart
19215 SE 34th St.
Camas, WA 98607

Stewart said the memo he submitted recaps the history of the code language and the issues with the proposed language. The issue is not a public safety issue, according to Stewart, but instead, how a driveway is oriented to the street. Stewart supports comparing side lot lines and how they intersect with the road as a whole unit within the proposed subdivision.

Stewart referred to the last paragraph on page two of Bourquin's memo-- Stewart believes that rather than the added benefit referring to the orientation of side lot lines, the memo refers to the way in which plants can or can not be placed on the lot for vision clearance or site distance.

Stewart said that looking at the total picture, there are cases where sidelines running perpendicular to the lot are not practical, doing more harm than good and referred to the example that was included in his memo for clarification.

Pike questioned and Stewart responded that this is a general planning guideline that should not be a rule to be followed in every case. If you do make it a rule, the ability for exceptions to the rule would be a necessary ingredient. Stewart said that, instead, it should be a general principle that should be followed—not a specific rule.

Stewart asked for clarification on page 37, on the top of the page, under letter "F". It reads, "Permits for one sales office and/or model home for plat or phase may be issued..." Stewart asked if that and/or precluded someone from obtaining a permit for both a sales trailer and a model home at the same time? If it does, Stewart recommended striking "or" so that the developer could not have a sales trailer in addition to beginning the construction of the model home prior to the site receiving final acceptance. Bourquin explained that the model homes allowed in the past have also been the sales office so substantial completion was allowed as well as the ability to start construction prior to final acceptance.

A suggestion was made by Anderson and later by Dietzman to change the 17.21.060 F. to read, "Permits for one sales office and/or *one* model home..."

Stewart commented that by removing the substantially complete section in 17.11.070, he believes flexibility is taken away as well as clarity and explained why he thought it would add *more* confusion. He agreed that monitoring was difficult but didn't agree with making a policy change that wasn't based on a flawed policy but on a lack of tools to support the policy.

Kurt Stonex
1111 Broadway
Vancouver, WA

Stonex commented that automatically requiring grading plans for preliminary submittals for subdivisions would be very expensive for the developer. He stated that requiring it on every project is more than is needed. A request for a geotechnical report for every application is not necessary since there is a geohazard ordinance in effect already. Stonex suggested that grading could be an addition to the geotech ordinance.

There was discussion between Mayor, Bourquin, Smith and Stonex. A limit would be helpful; 10% is acceptable to all.

Stonex said that Camas would be eliminating a benefit if they take away the “substantially complete” designation. The reason it is helpful is that you can begin to pull permits when the development is substantially complete rather than waiting for final acceptance; this has been an advantage to the developer and Stonex wanted the City to know this.

Stonex added that Camas code does not allow lots in a subdivision to be resubdivided for five years, which is unusual. Most jurisdictions allow resubdivision immediately by beginning the public hearing process. Bourquin said that he would support changing the subdivision time limit by repealing CMC 17.11.050.

The preliminary plat recording requirement allows five years before your phase is recorded with the possibility of a two year extension. A lot of jurisdictions allow extensions as each phase is recorded; this is particularly helpful when you have a large project (300 to 400 lots).

Bourquin said he would review it further.

Stonex supported Stewart’s comments on side lot lines. Stonex said that developers aren’t trying to create lots they can’t sell. Their designs make sense and as long as it isn’t creating a safety issue, Stonex doesn’t believe the City needs to be involved with enforcing a code for lot lines. Stonex commented that if the City does decide to enforce it, 10 degrees with exceptions is something, but 15 or 20 degrees would be better.

The public hearing closed at 7:43 p.m.

Council:

Gerde confirmed with Mayor and Knapp that beveling requirements would prevent a replaying of the situation that caused the creation of the Luton amendment.

Anderson pointed out there were tracts as well as lots.

Pike was in favor of rethinking the entire lot line language.

Gerde supported continuing to use the proposed language and maintain the word “practical”.

Higgins commented that some of these changes may be inadvertently taking away some of the benefits in Camas; Higgins liked the fact that there were differences.

Anderson was o.k. with the word practical, referring to lot lines.

Bourquin’s recommendation was to leave the code as it is with the change from the word practicable to “practical”.

It was moved by Gerde and seconded by Anderson to direct the City Attorney to draft an ordinance for the amendments to Title 17 and 18 of the CMC with the following changes:

- (No changes were made to 17.11.050.)
- Add the word “one” on page 37 (Attachment “A”, Summary of Amendments to Title 17 and 18) before model home.
- Replace the word practicable with the word, practical (CMC 17.19.030 D, 2.)
- Include the requirement for a grading plan and geotech report for slopes of 10 % or more. (17.09.030 B7, B9; 17.11.030 B7, B9; 17.15.030 A9, A11; 17.19.030 D2)

The motion carried.

10 Per Cent Petition:

Mayor disclosed that he had a relationship with the petitioner and he has received several phone calls from the public on this petition, including surrounding property owners.

Higgins disclosed that he had a personal relationship with the proponent and he has had several phone calls through other folks as well. Higgins wanted to make sure that people are aware of that and were free to challenge his ability to vote in the future.

Bourquin said that the 10 per cent annexation request was submitted by David Lugliani on February 27th, 2007. It was discussed at the March 5th Workshop, however, information was not placed in the Council packets prior to this meeting. This is the date that was scheduled for a meeting with the applicant to discuss whether Council will accept the petition and move forward with it, and whether the proposed annexation geographical area is acceptable as a beginning point. Council will decide the appropriateness of the comprehensive plan and zoning, provide a statement that assessment and taxation on all property at the current rate is required, and that any existing city indebtedness will be resumed.

Randy Printz
805 Broadway
Vancouver

Printz reviewed the process that needs to take place with the City. In this case, the zoning needs to be established for this area and you have the legal authority to work with the folks who are proposing the annexation to establish a master plan, etc. The 60% petitions are ready to file. There will be a draft pre-annexation agreement given to your staff on April 16th to workshop the agreement with you, then on April 16th a public hearing will be held on the annexation as well as the first public hearing on the zoning. Council can adopt the annexation by ordinance on the same night as the zoning hearing if you choose. When Council establishes zoning, two zoning public hearings will follow and the second one has to be 30 days later than the first. On May 21st, Council

can schedule the hearing for the development agreement, the ordinance adoption on the annexation and the second hearing on the zoning.

Knapp and Printz discussed the process. Mayor clarified that this was discussed at the previous workshop; the date was set by City Council at that time. Mayor received a number of public inquiries about this petition.

Pike confirmed that a public hearing would be held on the annexation proposal on April 16th as well as two formal actions, the first to adopt the annexation itself and the second, to do so by ordinance. Printz explained to Pike what the process would be.

Halverson and Mayor confirmed with Printz that the 10% petition could be accepted at the first meeting in April without delay or consequences to the proponent. A decision was made to delay the acceptance of the 10% decision until the April 2nd, 2007, meeting.

It was moved by Anderson, seconded by Dietzman to set the 10% petition acceptance date for April 2nd, 2007. The motion carried.

PUBLIC WORKS:
Ordinance No. 2482:

Carothers explained the location of the vacation. The request came from St. Johns Presbyterian Church for the purpose of creating additional parking for their congregation. There is a thoroughfare sidewalk used by the public in this area.

Dietzman said she understood the needs of the congregation to be just one area, so Exhibits B, C, D, E, and F could be removed. A and D are necessary, the following described area of NE 13th Avenue is to be held as an easement for ingress, egress and a five foot wide pedestrian easement should be included.

The Public Hearing for Ordinance No. 2482 was opened at 8:14 p.m. by Mayor Dennis.

Ed McAnich
1820 NW Edgehill St.

McAnich has two concerns. As a non-profit organization, if the Council has any latitude in establishing the price of this; Council's consideration would be appreciated. Also, we would like to have flexibility in the design to assure that the public will continue to have access from the Dallas Street steps to Birch Street but not necessarily as it is platted on this map. We have not designed anything at this point.

Carothers said that it's important to maintain the pedestrian access but it is not so important where it will be located.

Anderson and Carothers said that the public utilities are located on Exhibit B, C, and D. Exhibit E shows the pedestrian path. McAnich

said they would submit the pedestrian path design to the City for their approval.

Knapp said that the location of the easement or the mechanism by which it will be located needs to be specified in the ordinance.

Knapp said with respect to the valuation issue, if your land is encumbered by easements, as this property is, which prevents building structures, the assessed value drops by 80 to 90 per cent. Carothers stated that the assessed value was determined by the value of adjacent properties. Considering the deterrents to purchasing the property, Halverson suggested dropping the value to 10 per cent of the assessed value.

Pike asked and Mayor confirmed that we should use attorney's language to include a condition to review the location of the pedestrian easement.

Carothers asked and Knapp confirmed that a specific location should be identified for the pedestrian easement.

Ken Campbell

There isn't a plan in place for adding structures to the church at this time. Currently, additional parking is our only need.

Higgins confirmed with Campbell that bringing the ordinance back in two weeks with the modifications would be a benefit to all parties involved.

It was moved by Higgins and seconded by Smith to continue the public hearing on Ordinance 2482, vacating NE 13th Avenue from NE Birch Street to NE Dallas Street until April 2, 2007. The motion carried.

Knapp said the changes included changing the monetary amount to 10% of original assessed value and moving the pedestrian access to the northernmost and eastern boundary. Utility easements will stay where they are.

FIRE DEPARTMENT:

Resolution No. 1098:

Leon summarized the purpose of the ordinance. Items three and four should include the phrase, "In-district". Item 2 and Item 6 were approved in January; they are included here for clarity.

Anderson confirmed with Knapp that the effective date of March 6th should be corrected to read, March 19, 2007.

It was moved by Pike, seconded by Higgins and carried that Resolution No. 1098, revising charges for emergency services provided by the City of Camas, including the addition of "in-district" be added to number

three and four and the effective date corrected to March 19, 2007, be read by title only.

It was moved by Pike, seconded by Smith and carried that Resolution No. 1098 be adopted.

FINANCE DEPARTMENT:

Resolution No. 1099: Durgin summarized the purpose of the ordinance.

It was moved by Gerde, seconded by Smith and carried that Resolution No. 1099, authorizing the Emergency Rescue Fund to borrow up to \$200,000.00 from the Firemen's Pension Fund and providing for the repayment of said loan by December 31, 2007, with interest on the declining balance of 4.8% per annum, be read by title only.

It was moved by Higgins, seconded by Smith and carried that Resolution No. 1099 be adopted.

ADMINISTRATION:

Resolution No. 1100: Halverson summarized the purpose of the ordinance.

It was moved by Anderson, seconded by Gerde and carried that Resolution No. 1100, making modifications to the "Supplement to the Non-Represented Employees Handbook Relating to Fire Department Battalion Chiefs" by revising vacation accrual, sick leave accrual, and maximum vacation accrual, be read by title only.

It was moved by Gerde, seconded by Smith and carried that Resolution No. 1100 be adopted.

Resolution No. 1101: Halverson summarized the purpose of the ordinance.

It was moved by Higgins, seconded by Smith and carried that Resolution No. 1101, revising salary ranges for IAFF Employees and Battalion Chiefs and the Fire Chief, and providing for said revisions to be effective March 1, 2007, be read by title only.

It was moved by Gerde, seconded by Smith and carried that Resolution No. 1101 be adopted.

EXECUTIVE SESSION: The meeting recessed at 8:37 to discuss real property.

ADJOURNMENT: The meeting adjourned at 8:57 p.m.

Mayor

City Clerk