

# CITY OF STEVENSON COUNCIL MEETING MINUTES

October 24, 2013

6:00PM

- ROLL CALL Mayor Frank Cox, Monica Masco, Julie Mayfield, Robert Muth, Moli Thomas, Amy Weissfeld (**Thomas** left the meeting at 7:15pm)
- STAFF Ben Schumaker, Eric Hansen, Ken Woodrich, MaryAnn Duncan-Cole
- GUESTS Keith Brown, Peter Cornelison, Mary Repar, Greg Stafford, Deborah Stafford, Erin Galloway, Bernard Versari
- MINUTES Voucher approval was missed in the September minutes last month. Minutes approved as revised.
- CONSENT AGENDA The following items were presented for council approval:
1. A copy of the **Skamania County Sheriff's Report** for September 2013 is attached to the Council packet.
  2. Eric Hansen is requesting overtime for a sewer main line repair (5hrs) on 9/13.
  3. Travel request for E. Hansen to attend Road & Street Maintenance Supervisor's Conference October 14-16. Scholarship provided registration and accommodations; city to cover food and vehicle. This is an after the fact.
  4. K. Woods (#704300) requested a water adjustment of \$120.46 due to a broken pipe that was replaced.
  5. Steven Manrique (#501120) requested a water adjustment of \$179.53 due to a cracked service line that was replaced.
  6. Jesse Maddux (#405000) requested a water adjustment of \$91.35 due to a broken line that was replaced when "wet area was noticed".
  7. Frances Hardgrove (#604000) requested a water adjustment of \$72.55 due to a break on the service line that was repaired.
  8. Glen Taylor/Subway (#20100) requested a water adjustment of \$151.50 due to leak on restaurant equipment that was repaired.
  9. Department denied a request for a water adjustment for the R & B MacKinnon household (#802300) – the family had received an adjustment in 2010 – within the past five years.
  10. Approval of renewal of beer/wine restaurant license for Andrew's Pizza.
  11. FYI – Washington City/County Management Association's proposals for 2014 legislative consideration.

**Cox** presented the Consent Agenda items one through eleven (1-11). **Weissfeld** questioned number eleven (11) and **Duncan-Cole** explained that item eleven (11) was only confirming that they received the information. **Masco** moved to adopt all items with a second by **Weissfeld**. Unanimously approved

**PUBLIC COMMENT** No public comment

## **OLD BUSINESS**

### **FIRE FACILITY FEASIBILITY**

Fire Chief Wayne **Martin** passed out paperwork and asked if there were questions regarding the fire feasibility study. **Cox** said he didn't think it was a good idea and that personalities wouldn't mesh in the building. He said he would like to figure out a way to take out the existing fire house to add square feet to make it 7200 square feet, since they own the land. He explained that the city would have parking allowance from the Eagles Trustees. He also said that Dave Ferguson/Perkins made a good presentation.

**Martin** said it is 10.5 million dollars, it's huge and he has sticker shock. **Weissfeld** explained that the study to combine Fire District 2, City of Stevenson, EMS and the Department of Emergency Management was very big and she isn't 100% sure it's needed yet, although something is needed. She questioned if all parties would participate and has concerns that EMS will pull out and the offer would be less attractive. **Cox** said that there would be an increase if 911 is included, there would be room. **Weissfeld** asked if there could be a redesigned building on the land the city currently has and **Cox** replied yes.

**Thomas** asked if there was an analysis to see what the cost to rebuild would be. **Duncan-Cole** explained that some of the 10 million for the joint facility is for the preparation of the land, and that they do have an analysis for the Stevenson Fire and District 1 building alone, which does not include land preparation or purchase cost. She is going to re-figure the total to be a better reflection of cost. **Weissfeld** asked if the staff can handle the initial analysis. **Duncan-Cole** said yes, he gave us enough tools to do the structural assessment; but there is no study of the preparation needs. **Thomas** said the next direction is to cost it out to see who is funding and then do a similar presentation on replacing the existing structure. **Weissfeld** would like to see pros and cons for both. **Duncan-Cole** is most worried about parking.

## MUTUAL AIDS

**Duncan-Cole** asked to discuss the mutual aid agreement number between Wasco, Hood River and Sherman Fire Defense Districts and Klickitat and Skamania County Fire Protection Agencies. She suggested leaving the first three (3) pages, but change page five (5) due to improper RCW reference. **Martin** explained that with mutual aid there is a quicker response time and no extra cost. He explained that without a mutual aid agreement the fire department can be charged for services rendered. **Weissfeld** said that the reverse is also true, that our fire department needed to be available to the other mutual aid districts/agencies listed as well. **Duncan-Cole** explained that it's only five dollars (\$5.00) per call out for the volunteers, very minimal amount of money. **Mayfield** motioned to approve the mutual aid agreement and Health Care Program Interlocal Agreement and the license to remove tree with a second by **Masco**. Unanimously approved.

## CITY ADMIN REPLACEMENT

**Cox** said during the initial negotiations the new hire wanted more salary, more vacation time and he does not need medical insurance, but asked for \$1,336.00 in deferred comp account instead. The \$1,336.00 in deferred comp is equal to his medical costs. The new hire has seen a copy our counter proposal and is in agreement. **Cox** then asked for council opinion.

Council acknowledged he has accepted 80K there were not objections. **Masco** said staff has to have 75% participation in medical and will have even without him in it. **Cox** said there is no employment contract. **Woodrich** said he will be an at-will employee. **Thomas** doesn't want a contract, so it will be in his offer letter. There will also be a waiver agreement. **Woodrich** said the offer letter and the waiver will be fine. **Woodrich** said you won't need to change the \$1336.00 dollar figure that this amount won't fluctuate with health insurance premiums and can be discussed with city council later. **Thomas** wanted to know who the second person that would be included on medical. **Duncan-Cole** said his fiancé that the insurance company does allow domestic partners. **Duncan-Cole** said there will be a resolution submitted as they go forward recognizing domestic partnership. **Mayfield** asked who performs the employee evaluation. **Duncan-Cole** explained that the mayor typically does this. **Duncan-Cole** said they need approval of the offer letter to approve his salary. **Thomas** made a motion to accept the 80K offer letter and monthly \$1336.00 in lieu of health insurance for the new City Administrator Nick Hogan. **Weissfeld** 2nd. **Masco** asked if there was a start date in the acceptance letter. **Duncan-Cole** said he is ready with no vacations

planned. **Woodrich** said they do not need to specify a start date in this letter. All were in favor.

## **SEPA APPEAL**

**Woodrich** said that the City of Stevenson has not adopted an official appeal procedure. When there is an appeal without an official adopted repeal procedure, the City is to fall back rely on a twenty one (21) day timeline from the date of publication, 43.21c.080, and the DNS was published in August. Any appeal after that date is past its time limitation. **Repar** said her comments came in on the eighteenth (18th) when they were due. **Woodrich** said they have no objection to hearing her out, but that he is not confident that she has made a timely appeal. **Repar** said that SEPA comments were due on the eighteenth (18th). She was told the city didn't see her comments until the nineteenth (19th). Then she told the city she was going to appeal. She said she doesn't think the city can do something before they have comments in and the reason why she appealed the DNS was that it was not based on facts. She said R1 to PR uses in the municipal code would have increased use of natural resources, traffic, etc. SEPA's are for past, present and future actions. She asked the council to read that and look at SEPA and see if they really think there is enough environmental information to make their decision. She said that the city's application wasn't filled out fully and she has submitted a twenty (20) page memo. She stressed the need for a policy on SEPA procedure. She said she filled out then memo and sent it in and was told she would be on the agenda this evening, but is now being told the appeal is not valid. Once again, she stressed a need for SEPA policy and procedure. She cautioned to not make decisions on SEPA that was complete, as it should have been more thorough. Non-project SEPA's are allowed and they do often have environmental impact statements. The city was a proponent of this SEPA. She hopes you all read her memo [signed copy provided] and take her suggestions. She stressed that the city isn't using a thorough document with full information. **Woodrich and Shumaker** discussed whether this was an open- or closed-record appeal. **Woodrich** said he wasn't sure they were having an appeal at all and referenced the RCWs for SEPA appeals regarding the appeal timelines when you don't have an administrative procedure and that the appeal goes to superior court. **Woodrich** said the judicial appeal would need to be filed within twenty one (21 days) of ordinance publication. **Woodrich** said he was not giving legal advice to **Repar**. He once again explained that the city doesn't have an appeal procedure, and can't hear an appeal because the city doesn't have a procedure.

## **ORDINANCE – ZONE CHANGES**

**Shumaker** said to amend the agenda and remove the word principal and strike Gropper Park, in Section Six (6) school, (see tracking changes on the ordinance differences). **Masco** asked if all the school rezoning was gone. **Shumaker** said yes. **Duncan-Cole** said they still have a rezone from C1 to R3 to review for the three (3) properties on West Cascade; a rezone of parcels in the downtown core (Skamania Court house and certain specific parcels adjacent to the courthouse) from R3 to C1; and then corrections to accessory dwelling units zoning language. **Duncan-Cole** said this is not a public hearing. (Thomas left). **Masco** moves to approve “An Ordinance Amending the Standards and Review Process for Accessory Dwelling Units; Allowing Signs Identified in the Wayfinding Master Plan; Amending the Conditional Uses of the Public Use & Recreation District; Rezoning Certain Properties in the City of Stevenson, Washington; Amending SMC Title 17; and Repealing Portions of Ordinances 894, 1030, and 1051” with a second by **Mayfield**. **Weissfeld** was opposed. **Woodrich** said you have a quorum, but an ordinance has to be approved by at least three (3) council members. **Weissfeld** said she is against the change to the minimum lot size in the accessory dwelling unit section. **Cox** recommended council wait until the next meeting. **Woodrich** said it can be revisited. **Shumaker** said they had an application for a zone change requested by a property owner (related to the change being proposed for accessory dwelling units) and asked if they were past the review time. He was concerned about how council wanted to handle the application. **Woodrich** said they have to deny the application and she has to reapply. He said that **Shumaker** can allow her to waive time limits and allow council to approve. **Woodrich** explained that council does have a quorum but the ordinance is not adopted. Council will bring back at next meeting.

## **OUTFALL**

**Hansen** has a new easement for the outfall extension for property owners to sign. **Duncan-Cole** is working with Mr. Huntington (representing S. Oliva) on one of easements and is expecting signed copies in the mail. E. Hansen is still struggling to secure the easement for the second owner, Mr. Birkenfeld. **Woodrich** said they will need to surplus the portion that’s going to be reconveyed to the owner. This will be added to next regular meeting’s agenda.

Due to the sequestration the final process of the bond ordinance was delayed. A draft copy of the ordinance has been submitted to both RDA and K. Woodrich for review. The final bond ordinance will be submitted to RDA after formal adoption at the special November meeting.

## NEW BUSINESS

### LIQUOR LICENSE

Sheriff's Office would like the council to consider an appeal of the renewal of Pauli's Night Club Liquor license. Between March 2013 and October 2013 there were nine (9) call outs to the night club involving fights (18-20 individuals at one incident)/assaults, disorderly conduct and vandalism.

The owner of the business was present to respond. He explained that serving alcohol is a tough thing to do. He has had fights and historically that location has been a tough place for fights. He explained that all bars experience similar fights. He believes that nine (9) fights in eight (8) months is not bad. He said he also breaks up fights himself, ones that are not reported. Paul said there have been no DUIs from the bar in eight (8) months. **Cox** said he ran that bar in the past. **Masco** said she didn't think they should appeal it, **Mayfield** said she doesn't either. Paul is trying to be proactive with karaoke and entertainment. He said other items take money to implement and he is trying to build up capital to make additional changes. He does have a bouncer present every weekend. **Weissfeld** said she didn't want to discourage small business, she asked him to continue to be proactive and think creatively, maybe a change in paint color. Paul said deputies have come to his residence and threatened to shut him down. He feels the sheriff is using his calls against him and is unsupportive.

**Thomas** told Paul to ask the sheriff to do drive by's during busy hours. Paul said he has asked for this and invited them during busy times. Their response was they would do that anytime. They said they don't have the time to waste in his establishment on a Friday or Saturday night. **Cox** said that he has their support. Paul said he will ask if there are any off duty officers that would be willing to be paid \$50.00 a night to check ids at door. **Weissfeld** said for him to focus on the future, not the past. Paul wants to bring art and performance and floats for local parades.

### CONTRACTS

Resolution No. 2013-0261 "A Resolution of the City of Stevenson Entering into an Interlocal Agreement Under 39.34 RCW with the Association of Washington Cities Employee Benefit Trust Health Care Program".

**Weissfeld** said she saw no red flags. **Duncan-Cole** said saved about 7% taxes as pool grows you get higher coverage. **Mayfield** motioned to approve Resolution No. 2013-0261 with a second by **Masco**.

Unanimously approved

Duncan-Cole presented and Council executed license to remove tree from C. Andersen property. **Duncan-Cole** said city doesn't have a contracted arborist, but have used different ones in the past. Staff used Jeff Rogell to confirm the damage to the tree was the responsibility of the City. **Mayfield** said the Port is using Jeff Rogell as well.

## TREASURERS REPORT 3<sup>rd</sup> QTR – No action needed.

### FY 2014 BUDGET

#### Ad valorem tax - Public Hearing

**Duncan-Cole** said the property tax is one of the oldest taxes, and is structured under a very old and formal system known as the Ad Valorem Tax – that must be repeated annually. Recently, due to initiative activity, the city can now only increase how property taxes are collected by 1% as compared to the prior year. Since the passage of the initiative the CPI has increased by 28%; property tax collections are not keeping up with cost of living. Total increase in 2013/2014 was approximately \$4K. We can still collect \$200,000 because that's what we collected the year before. Your property value may go up but taxes go down. A 1% increase is the maximum under the law.

#### **Cox closed public hearing for Ad Valorem Tax.**

Ordinance No. 2013-1070 “An Ordinance Fixing the Amount to be Levied for Fiscal Year 2014” and the accompanying resolution, Resolution No. 2013-0260.

**Masco** motioned to approve Ordinance No. 2013-1070 with a second by **Cox**, Unanimously approved.

**Masco** motioned to approve Resolution No. 2013-0260 with a second **Weissfeld**, Unanimously approved.

**Mayfield** said liquor taxes one of the lobbying points. She shared four items lobbyists are mainly focused on. She said that Candace Bock handed out population trends in WA chart and showed unincorporated as opposed to incur. Incorporated cities have the most growth. **Duncan-Cole** said as more cities are incorporated the more the funds are shared, the less money.

**Repar** urged council to look at hotel internet booking tax that they aren't getting from the lodge and are entitled to it. She said maybe that could be another revenue source. **Duncan-Cole** said it has to

go into the hotel/motel fund. 1% you need to keep running or take pay cuts.

### **Public hearing re-opened for the Review of capital budget funds**

**Duncan-Cole** said these funds are generally confined to the purchase of or construction of infrastructure. The Capital Improvement Funds principal funding source is one quarter (1/4%) of the real estate excise tax. One quarter percent (1/4 %) on the Lodge sale has helped keep this fund in the black on several occasions. Locally, the number of real estate sales has increased helping with revenues. Consequently, in 2014 we are estimating \$7,500.00 in revenue collections. Cash balances will diminish by the end of 2014 with transfers to dedicated capital projects, particular, the By Ways project. Hopefully, bids may be lower.

Joint emergency facilities project: the county has a problem, they agreed to participate under contract, but no department put this money into their budget. They could potentially use the .09 funds. The total cost for feasibility study was \$54,000. **Weissfeld** said no feedback with parties on interest. **Duncan-Cole** reminded council how critical the volunteers and it is important the diesel particulate filter for vehicles and a shower facility for decontamination in turn outs. So anticipate additional costs. **Masco** city will have paid 54K to Rice Fergus Miller and create a receivable on books for the County to pay.

**The Wayfinding Signage** will be conducted under the Gateway Park Fund. **Hansen** met with interpretative center, museum and fairgrounds about removing signs on Hwy 14 and replacing existing signs with the new sign formats. **Hansen** has a meeting on October 31, 2013 with the State to discuss signage. Eleven (11) signs have been identified, there will be fourteen (14) signs as soon as the state gives approval. This is scheduled for late winter/early spring.

**The Kanaka Creek Road Fund** will address the proposed upgrades to Kanaka Creek Road and will depend on **Hansen** completing negotiations on the STP funding and submit for the match with TIB. In the interim we received three (3) estimates from Wallis Engineering.

Base Bid: \$477,000 loop to past high school

Alternate A: realignment at Kanaka to Gropper Road.

Alternate B: side walk on East side on Kanaka road, extension

Alternate C: side walk to School Street to west side of Kanaka.

\$150K of this is just for the water work.

**Hansen** said he is focusing on base bed and alternate A and alternate B handouts. **Weissfeld** asked if C can be done later and **Duncan-Cole** said yes... but it may require some right of way purchases. **Duncan-Cole** said there may be no deed for the length of the project and the City may need to rely on prescriptive rights and documented maintenance of the road by the city. STP grant funding is about \$800K. **Hansen** said grant fund is between \$700 - 850K. **Duncan-Cole** said the city wants to apply a match from TIB.

**Duncan-Cole** noted alternate funding is available from the watershed. Duncan-Cole and Rosander concern about heat stress and the engraving beetle has disappeared and young trees are doing well. The beetle doesn't attack established trees, only new growth.

**Weissfeld** asked if the lines could be repainted at the Kanaka Creek road cross walk because they are not very well marked. **Hansen** said that has the enhanced crossing and they will look at it.

## UPDATES

**Cox** gave an update on the new hire background and qualifications for the job.

**Duncan-Cole** said that in November there is one special meeting scheduled for November 7th at 6pm.

**Masco** feels the shoreline outfall was rushed, that only easements were discussed. **Duncan-Cole** said a public hearing will be set to adopt bond that she is waiting on easement signatures.

**Weissfeld** said we should have a SEPA appeal process. **Woodrich** said **Shumaker** can look at other jurisdictions as examples. **Woodrich** said he prefers a hearing officer on these kinds of decisions. He explained that these decisions can be hard on the council because they don't have the expertise. It's time consuming but it's valuable time. Many SEPA appeals will use hearings officers. The county has a hearings examiner that maybe can be shared.

**Shumaker** said the rezone of school put on back shelf. **Duncan-Cole** said, own zone not a high priority.

## Voucher Approval

September 2013 Payroll Checks and October Claims Checks have been audited and are presented for approval and payment. September payroll checks 7818 thru and including 7840 for a total amount of \$71,942.05 (list includes EFTPS electronic tax payment for \$11,939.04). October 2013 Claims Checks 7841 thru and including 7900 for a total of \$104,702.32 (list includes \$1,771.22 ACH excise tax payment.) No investments were purchased between Sep 1 and Sep 30, 2013.

**Masco** moved to approve vouchers with a second by Mayfield. Unanimously approved

**Hansen** asked if everyone could access the council agenda and minutes on the city website. **Weissfeld** went to the website and was able to access the PDF files. **Mayfield** explained that the City of Stevenson website has a link on the bottom that says business association.

#### **TRAINING**

There were no objections for Dave **Nail** to attend IAPMO training on wood stoves and solid fuel burning devices.

**ADJOURNED AT 8:00 PM**