

MEETING MINUTES
CITY OF STEVENSON COUNCIL MEETING
February 18, 2016
6:00 p.m., City Hall

Roll Call: Frank Cox, Paul Hendricks, Mark Peterson, Amy Weissfeld, Jenny Taylor

Staff: Nick Hogan, Eric Hansen, Ben Shumaker, Ken Woodrich

Guests: Mary Repar, Christie Versari, Bill Basse, Connie Davis, Brittany Martin, Rick May, Scott Anderson

6:00 PM Meeting called to order by Mayor Frank Cox

MINUTES: Minutes have been circulated and are ready for discussion and approval.

WEISSFELD made a motion to approve the January 21, 2016 minutes, 2nd by **HENDRICKS**. Unanimously approved.

CONSENT AGENDA:

- a) Liquor license application – Red Bluff Brewing LLC, 256 SW Second Street.
- b) Training Request - Building Inspector / Fire Marshall Karl Russell requests approval to attend a five day workshop, Fire Inspector I Certification Training, in Seattle, Washington, March 6 through 10, 2016. Approximate cost to the City will be \$1,487 plus use of a city vehicle.

PETERSON moved to approve consent agenda items a-b as presented, 2nd by **HENDRICKS**. Unanimous approval.

PUBLIC COMMENTS:

DAVIS voiced her concern for pedestrian safety on the strip of road between City Hall and the Library. She stated she has concern for her safety as well as her grandchildren's safety due to having no sidewalk on the South side of the street with a free right hand turn onto Vancouver Avenue. **COX** said an engineer could evaluate the area to see if something should be done. **HANSEN** said there has been an evaluation done at that intersection. A sidewalk or stop sign may not be feasible. He will bring back more information for Council next meeting.

REPAR stated through the Grange 121 they have begun community resilience program. Daffodil bulbs are starting to bloom on the East and West end of the City. On March 13th, John Ericsson will be speaking at the library about Winter preparedness/survival training. Starting on March 17th there will be a three part film series on critical issues of our times. On April 2nd there will be a plant clinic and seed exchange held at the Library.

PUBLIC HEARINGS:

6:15 Overnight Lodging including Vacation Rentals

Shumaker presented proposed amendments related to overnight lodging uses and the appropriate locations for bed and breakfasts, campgrounds, hostels, hotels, and vacation rental homes within the City. He briefed Council on background information regarding vacation rentals, specifically focusing on overnight lodging included in the first Staff Memo. He stated what is before the Council are recommendations made by Planning Commission. He said they looked at five different categories of overnight lodging in regards to the Zoning Code, reviewing where each category is used as principal or conditional use. He said if an applicant is applying for a Conditional Use it will go before Planning Commission before approval.

SHUMAKER asked Council to look at the worksheets that show where vacation rentals are allowed. He stated vacation rentals are allowed anywhere single family residential is allowed. Where vacation rentals are not allowed it could be prohibited outright or based upon conditional use. For Bed and Breakfast the recommendation is to expand beyond Skamania Lodge district (CR) and downtown district (C1 Commercial) to include Multi-Family District (R3). Hostel locations mirror the Bed and Breakfast. Hotels will not be allowed as conditional use in R3 district. He said campgrounds will be expanded beyond fairground and Skamania Lodge area into the SR (low density area residential) area, downtown, industrial and waterfront area.

SHUMAKER stated the main changes in zoning code are changes to definitions and establishing categories of land uses. He is recommending a different definition of hotel, which is a different presentation than what was seen in December. He noted that the use categories have been changed to cover all possibilities. He said he feels they have done a good job of being mutually exclusive but not exhaustive. He stated there was a hole in how vacation rentals were defined previously. **PETERSON** stated there is a difference between someone who rents their home for vacation rental and those who purposefully buy a home with intention of renting it out as a vacation rental. He asked how that could be distinguished between the two. **SHUMAKER** said there isn't much to distinguish the two. **WEISSFELD** asked about the definition of "converted to pre-existing dwelling unit" and said perhaps a hotel could fall into the hostel category by that definition. **SHUMAKER** said "converted" is not defined in the current code and is based on the common accepted definition. The intent is if you have many rooms in your house and you are just renting out one room at a time you would fall into the Bed and Breakfast category. He stated the difference between a Hostel and a Bed and Breakfast is in a Hostel you would rent bunk beds and in a Bed and Breakfast you would rent out a room in your home. **WEISSFELD** said she is not clear on the definition and does not know if someone else would know the definition either. **SHUMAKER** said he would make a recommendation next month with a change to the terminology.

Municipal Code Addition – Ordinance 2016-1091

SHUMAKER said he wanted to present what the program would look like and what the public would receive when applying for a vacation rental license. Included in the packet is the fee structure, text of the code and ordinance recommendation for adoption. He noted the change to notifications sent to neighbors changed from 300 ft. to adjacent budding properties. Planning Commission did not adopt certain policy stances and wanted to leave that up to City Council's

decision. **SHUMAKER** stated the program started with an assumption of trust. He said if things are a problem in the future the ability to tweak it is available. The vacation rental form is a one page application in which you check boxes ensuring the owner's compliance. He noted on Page 4 of 7, city registry is required in which contact information including the vacation rental address will be available on the City's website. He said this is for complaints to be dealt with before it becomes a City issue. He also noted a Health and Safety Inspection, subsection to applicable taxes, insurance and mandatory postings are required by the property owner. He said if the assumption of trust breaks down, city administration has the ability to deal with complaints received as well as the ability to apply adaptive management or revocation of license.

WOODRICH asked if there is a due process appeal in regards to license revocation.

SHUMAKER directed **WOODRICH** to Municipal Code 5.20.055 in which there is a procedure to follow for license revocation.

Vacation Rental Fee Schedule, Resolution 2016-0285

SHUMAKER presented a fee schedule review as recommended by Staff. The Commission had an issue with grappling with the fee structure concept. He stated the goal is for property owners to operate in an open market rather than not applying for a license due to prohibitive fees. He stated the fees are based upon analysis of other communities with a high turnover option included. A fee structure is also presented if a person(s) owns multiple vacation rental homes.

WOODRICH stated a concern about borrowing fees from other jurisdictions as they are not necessarily reflective of the City of Stevenson. He said that there should be a reasonable set of perimeters rather than pushing policy and discouraging property owners. He stated these fees could be viewed as a tax. **HOGAN** said he feels the lower fee level will encourage compliance.

HENDRICKS said the fee structure could change later and felt the facilitative approach would get people out of the shadows. He stated as things develop it could be reassessed. **COX** said it would be understandable if the City decided to change rates. **WEISSFELD** said she agreed with that approach and felt that \$10.00 was too low and recommends a fee of \$50.00. **COX** stated that \$150.00 would not be too unreasonable. **PETERSON** agreed. **COX** liked the idea of adopting the Recovery Cost fee schedule. **HENDRICKS** said he originally sided with the Facilitative approach however if it is shown that there is too much manpower/money being spent it could be changed in the future. **COX** asked if fees have to be decided upon now. **SHUMAKER** said it is in front of Council but does not need to be adopted at this meeting.

Public Comment

COX opened up Public Comment. **VERSARI** stated she feels there is no need to implement new regulations when a problem doesn't exist. She appreciates the effort put into the recommended ordinances by Planning Commission and it is a very reasonable approach to address possible future issues. She stated she agrees with Recovery Cost as fee schedule and disagrees with Punitive. She stated she disagreed with arbitrarily charging a fee as stated in Section 5.B. She said the offset cost could be placed into the inspection rather than the application. **HOGAN** stated when the City needs to hire a consultant those fees get passed to the license. **VERSARI** stated the idea of publishing information online may invite thieves into someone's vacant home. She felt that the neighbor notification of contact information should be sufficient.

JESSEL stated he had two issues to speak about. He believes the Planning Commission comprehensively viewed Vacation Rentals and put neighborhood safeguards into the Municipal

Code. He felt the effect of Vacation Rentals will not be seen until after a number of years. He said there is a possibility of negative effects on neighborhoods and desirability of Stevenson. He said Stevenson is in a desperate financial situation and revenue needs to be found as much as possible which may take a priority.

He felt that Staff did not follow Stevenson Municipal Code in the past as an apparent attempt to mislead the Planning Commission. He furthermore stated that Municipal Code Zone change was not followed correctly in regards to Public Hearing Procedures for the Queen Vacation Rental along with signing a false statement. **WOODRICH** asked **JESSEL** to speak about the Vacation Rental homes process currently being considered. **JESSEL** submitted documentation of past instances for the Council to look into - he felt everyone should be attuned to said issues. He appreciates the Planning Commission and felt the need to bring this up because he did not want to be remiss in terms of good governance. **HOGAN** thanked **JESSEL** for his concerns and told Council that if they wanted to discuss the concerns that were raised he would schedule an Executive Session with Council to review his findings with them.

REPAR stated the fee schedule should be looked into from past fee permitting. She said she is concerned about no cap placed on vacation rentals and feels 10% maximum should be placed in order to keep the sense of community. Furthermore, she said the assumption of trust is a good plan but she likes verifying the trust. She said she doesn't want to see community members being priced out of Stevenson.

COX closed the Public Hearing.

SHUMAKER followed up with comments made by public. He said the inspection fee appropriately includes possible fees stated in the clause for additional inspections. He stated instead of an online registry the Planning Commission debated whether or not to require a sign or placard outside. They discussed the public having the ability to have that information if they lose information or need to contact appropriate persons for nuisances. He stated there could be a registry on file at City Hall. He stated Cannon Beach and Manzanita both have vacation rental caps. Planning Commission considered caps and decided not to put that into play but could be placed in the future. He also stated the need for limiting ownership of vacation rentals was not essential. He apologized to the Council and **JESSEL** for issues in the past, and stated he did not take deliberate actions to subvert anything.

PETERSON stated he did not feel comfortable voting on the adoption of both ordinances at this time. **COX** said he understood and wanted to consider **MUTH** in the discussion as well.

WEISSFELD said she would like to see the changes **SHUMAKER** suggested and brought back to Council for review. **SHUMAKER** said the following changes will be seen next month: limit options to facilitative and cost recovery, errata sheets, split 5.b. into two different sections, and online registry changed to availability at City Hall.

7:28 PUBLIC HEARING Zoning Text Amendment, Ordinance 2016-1093

SHUMAKER presented proposed zoning and municipal code amendments related to animal uses and appropriate locations. He said there are a few public written comments to look at, as well. He stated a decision was made to be permissive where chickens are allowed which is in SR and West side of Rock Creek. He said they are allowed in more areas now than they have been in

the past. He asked Council to look at the definitions of types of animals and what the changes are, include in their attachments. He said in C1 and N1 districts farm animals are not allowed, however, they are allowed in SR conditionally. Farm animals are allowed in SR with properties with an acre or more as conditional use. The number of farm animals allowed is based on the size of the lot. **SHUMAKER** stated there are currently setbacks in place for barns and stables under use category 17.40.095e which maintains the current 60 ft. setback is an existing non-conformity barn/stable currently used for farm animals. He said once the code goes into effect the property owners will have time to adjust if they become out of compliance immediately. **WEISSFELD** asked if the City could require immediate compliance. **WOODRICH** said any pre-existing structures are subjected to non-conforming use, in regards to animals it could fall under police powers due to Life, Health, Safety regulations. He said being grandfathered in does not have to be allowed with Life, Health, Safety concern, which deals with health of human beings rather than animals. He said bearing on the side of caution to continue to allow non-conforming use within a reasonable time and some phasing in would be good. **SHUMAKER** stated the draft recommendation is not to take care of one single problem. He said the property owner would come into City Hall for a self issuing permit with no fee, the application form has density standards written on it. The City would be able to use the permit to contact if there is a nuisance and could be subjected to adaptive management. However, he said he would not like this to be adopted.

Municipal Code Additions – Ordinance 2016-1094

There is a blanket exemption created for goats. White Salmon was looked at due to their allowance of goats for weed control and fire suppression. Similar language was adopted from White Salmon's provisions but a time limit was added. He stated there is an errata sheet for that ordinance.

Public Comment

BASSE stated he felt enforcement on farm animals should be administered. He said applicants should have to let the City know what lot size, location, housing for animals and guarantee they are within the proper setback. He felt the application should be documented and registered and the City has an obligation for quality of life. **COX** asked how long was the process before coming to a decision. **HENDRICKS** stated this issue did not quite go into the same depth as vacation rental but many different aspects were looked at. He said that adaptive management might be a beneficial tool to use.

COX closed the Public Hearing

Deliberation of Ordinances 2016-1093 and 1094

WEISSFELD felt the ordinances solve a lot of the problems presented before Council in the past. She felt the setback issue is still a potential problem. **SHUMAKER** stated the Planning Commission wrestled a lot with allowing pigs as it may be a thing of the past. He stated farm animals could be good for Stevenson especially in the SR district. He said the program allows adaptive management structure. He stated it should be considered that as more and more development occurs there will be more properties less than an acre and this issue will not be as big of an issue in the future. **WEISSFELD** asked if a phased implementation could take place for those who are soon to be out of compliance if the ordinance is adopted. **WOODRICH** asked if there could be language to add, it is possible. **SHUMAKER** stated the current setback is for

where the barn is located and not where animals' run is, the animals could come right up to a neighbor's house. **WOODRICH** said pigs would then need to be prohibited outright. **WEISSFELD** asked if there could be a specific category for pigs with a specific fencing setback for pigs. She stated she would feel more comfortable with remanding it back to Planning Commission with different language around fencing setbacks. **SHUMAKER** stated another option that could be considered might be that on a lot of a certain size the property owner would need to live on the property with farm animal(s), with the idea of the owner being able to live next to those animals and their nuisances then the neighbor and/or neighborhood could live with it, as well.

WEISSFELD made a motion to remand the issue to the Planning Commission to adjust language in the category of farm animal for setbacks, 2nd by **PETERSON**. Unanimous approval.

PRESENTATIONS FROM OUTSIDE AGENCIES:

MARTIN presented an invitation and overview of Stand Up For Teens, an event for local youth and healthy living. She stated the event will be held at the Skamania Lodge on February 26th from 9:30a-2:15p. There will be a lot of activities and speakers centered around kids and teens being drug and alcohol free in the community. Students from middle school to high school will be in attendance.

OLD BUSINESS:

Downtown Traffic and Pedestrian Safety

HOGAN briefed Council on the status of the remaining action items requested by City Council. **HOGAN** stated the list is getting shorter. They are continuing to work on traffic on SR14 with the Sheriff's office for traffic enforcement. He stated there was further investigation in radar ticketing. He looked at several cities that use the system and spoke with Lake Forest Park, the smallest city using the system. He stated it costs \$57,000 per year with several traffic zones. There are two cameras in each zone including a school zone, and one red light camera. Tickets given to offenders average approximately \$136.00 per ticket and there would need to be about 1,200 tickets issued per year to pay for the system for Stevenson, making it 3-4 tickets per day. He stated there would also need to be Staff to process the tickets which would cause further costs. **COX** asked if ticket cost could be raised. **WOODRICH** stated ticket cost is set by state law. **MAY** stated his concern with using a system to ticket speeding offenders, he felt it would deter tourists from coming back if they receive a ticket while visiting Stevenson. He said the town should be presented in a positive light and in turn may be making a negative impact on visitors. **HOGAN** stated he will bring back the one-way streets proposal next month for further consideration as requested previously by Council.

Broadband Advisory Committee

ANDERSON discussed his request for formation of a Broadband Advisory Committee, including recommended responsibilities and composition of the committee. He stated he recently attended a conference put on by the USDA in which the topic was based on making rural communities better by using broadband. He said there was a lot of information presented including panel discussions and ideas on how to form a Broadband Advisory Committee. **ANDERSON** requested to run the Committee with one City Council member, a member of the public and one ISP representative with quarterly meetings taking place. **COX** suggested inviting ISP, Sawnet. **ANDERSON** stated **REPAR** volunteered to be on the Committee. He said one of

the things he's been struggling with is the idea of attracting people to Stevenson with Broadband services. He stated Broadband is one part of EDC, the City needs to take a step back and there needs to be an EDC Strategic Plan. He said there was a gentleman from the EDA who is willing to help Stevenson with technical assistance grant. The Port of Stevenson had help from the EDA which was very beneficial. **ANDERSON** said he is also willing to help get it off the ground and running. **HENDRICKS** asked what the meeting schedule would be like. **ANDERSON** said the first meeting will to be to get everyone together and then go from there. **HENDRICKS** volunteered to be on the EDC Strategic Planning Committee. **WEISSFELD** volunteered to be on the Broadband Advisory Committee.

NEW BUSINESS:

HANSEN requested Council to approve hiring a temporary employee for the summer to assist with landscape maintenance and other public works activities. He said this year the City will have to pay per retirement and also increase the pay rate from \$12.00 to \$12.50 per hour. He stated it is a position specific not personnel specific for paying into retirement.

HENDRICKS made a motion to approve hiring a temporary employer at an hourly rate of \$12.50, 2nd by **PETERSON**. Unanimous approval.

Surplus Property

HANSEN presented Resolution 2016-286 for Council's consideration to declare a sewer easement that is no longer being used as surplus property and to authorize the Mayor to convey real property.

HENDRICKS made a motion to adopt Resolution 2016-286, 2nd by **TAYLOR**. Unanimous approval.

Contract Approvals:

HENDRICKS made a motion to approve a contract extension with CH2M Hill (OMI) for operation and maintenance of the City wastewater plant contract renewal for 2016 in the amount of \$117,631, 2nd by **TAYLOR**. Unanimous approval.

WESSFIELD made a motion to approve a contract extension with Wallis Engineering for 2016 general engineering services at the hourly rates, not to exceed a total amount of \$10,000 for the year, 2nd by **TAYLOR**. Unanimous approval.

WESSFIELD made a motion to approve Berger ABAM for engineering services related to the Loop Road water main replacement project for a total contract amount of \$9,962, 2nd by **TAYLOR**. Unanimous approval.

HENDRICKS made a motion to to approve a contract with Wallis Engineering for 2016 development review services at the hourly rates listed on attachment 2, not to exceed a total amount of \$15,000 for the year, 2nd by **PETERSON**. Unanimous approval.

HANSEN requested Council approval of the attached contract with Tetrattech Inc. to perform the City of Stevenson 2016 Sewer Plan update for a not-to-exceed amount of \$210,560. He said the original contract was for \$235,000 in which he cut several items to reduce the contract to the current amount. The proposal will include: general sewer plan, facilities plan, engineering report before doing any plant expansion, GIS mapping, flow modeling, recommendations on what upgrades to carry out, third party for source monitoring as well as available to outline grant

funding. **WEISSFELD** asked if there are any contingency fees or overage included in the plan. **HANSEN** said Tetrattech was confident they could keep it within requested amount. **HOGAN** said the funding would come from the sewer budget as well as the Sewer Capital Construction Reserve. **WEISSFELD** said Timber sales could also be used. She asked if 10% could be added to the amount. **WOODRICH** said he advised against that. **WEISSFELD** made a motion to approve the contract with Tetrattech Inc. to perform the City of Stevenson 2016 Sewer Plan update for a not-to-exceed amount of \$210,560, 2nd by **HANDPICKS**. Unanimous approval.

PETERSON made a motion to approve the contract with Skamania County EDC for a 2016 annual amount of \$10,075, **HENDRICKS** seconded. Unanimous approval.

HENDRICKS made a motion to approve the contract with Skamania County General Services Department for 2016 Tourism events (Fair and Timber Festival, Bluegrass Festival, and Agricultural Exposition) for a not-to-exceed amount of \$17,000, 2nd by **PETERSON**. Unanimous approval.

WEISSFELD made a motion to approve contract with Skamania County Senior Services for 2016 Tourism events (WET Bus operations) for a not-to-exceed amount of \$2,500, 2nd by **PETERSON**. Unanimous approval.

TAYLOR made a motion to approve contract with Stevenson WiFi for operation and maintenance of the Stevenson WiFi system in 2016 for a not-to-exceed amount of \$8,000, 2nd by **WEISSFELD**. Unanimous approval.

PETERSON made a motion to approve contract with Discover Your Northwest for operation of the Forest Service Visitor's Center in Skamania Lodge in 2016 for a not-to-exceed amount of \$15,000, **HENDRICKS**. Unanimous approval.

INFORMATION ITEMS:

Quiet Zone

HOGAN provided an update on establishing the Quiet Zone at the Russell Avenue Crossing. He stated the last notice went out to the appropriate agencies and the Quiet Zone will take effect on February 29th. There will be a ribbon cutting and dedication on March 4th at 12:00 PM.

Stevenson Fire Hall Strike Team

Shumaker provided an update on the activities of the Stevenson Fire Hall Strike Team. He said they have executed three of four meetings and are making a lot of progress. They are currently determining what properties might make the best site for a new Fire Hall.

Sewer Plan

HANSEN briefed Council on progress with the 2016 Sewer Plan Update.

Financial Reports

HOGAN presented the City's 2015 Financial Reports for year-to-date revenues and expenditures through December 31, 2015. He explained the format of the report by pointing out General Fund property taxes revenue columns including a 2015 budget of \$426,000 and actual revenue of \$433,000 which is 102% of the budgeted amount. He asked Council to review the expenditures report in the same manner. In most categories budget line items were under spent. A few line items were overspent by small amounts that he has looked into and can explain if requested. He

stated overall the budget is looking good and Council will hear more about this in a few months when the annual audit has been completed by the State Auditor's Office.

Building Permitting Process

HOGAN briefed Council on recent revisions by City staff to the Building Permitting process. He stated the revised application is currently in use. Many of the forms were changed to simplify the process from the users standpoint. The applicant fills out a new "Application for Improvement" which is now used for several different types of City permits including Building Permits, Plumbing Permits, Re-roofing permits, Land Use Permits, sign permits, etc.

SELA updates

Attached updates were given to Council regarding the Safe Energy Leadership Alliance (SELA) with regard to fossil fuel issues.

Stevenson Food Bank

An update was given regarding Washington Gorge Action Program (WGAP) for the Stevenson Food bank. **HOGAN** noted how impressive it was that 122,000 meals were given out of Stevenson Food Bank.

Suggestions for Successful Public Service

HOGAN stated there was an error with printing and will provide the document, 53 Suggestions for Successful Public Service, next month.

Sheriff's report

An attached copy of the Skamania County Sheriff's report for January, 2016 was presented. **HOGAN** noted 11 violations and citations with 6 traffic tickets issued.

Municipal Court Cases Filed

A summary of Stevenson Municipal Court cases recently filed is attached for Council's review.

Planning Commission Minutes

Minutes attached from the January Planning Commission meeting for Council's review.

Chamber of Commerce Activities

An attached report describes some of the activities conducted by Skamania County Chamber of Commerce in January, 2016.

CITY ADMINISTRATOR AND STAFF REPORTS:

SHUMAKER - Planning Commission has set their work plan for 2016 in which one of the items is a reformat of Zoning Code. He stated a review of the Zoning Issue will be looked at and deconstructed for better user ability. He said the idea is to make it more transferable and easier to read. He stated the Council will see a bigger change in 2017 whereas this year will be focusing on format. **Shumaker** said the Planning Commission had a long discussion about parking and highway 14 traffic issues. He said a Supply and Demand report for parking will need to be looked at, and that the Planning Commission is offering their services to be more involved with

highway 14 traffic issues such as holding public hearings etc. He stated next month he will have an update for the Wall Beautification Project.

MAYOR AND COUNCIL REPORTS:

None.

VOUCHER APPROVAL AND INVESTMENTS UPDATE:

January 2016 payroll checks and February 2016 A/P checks have been audited and are presented for approval. January payroll checks 10147 through 10167 total \$79,158.65 which includes one EFTPS and two ACH payments. A/P Checks 10168 thru 10227 total \$117,257.77 which includes one ACH payment. The A/P Check Register and Fund Transaction Summary are attached for your review. Detailed claims vouchers will be available for review at the Council meeting. There were no investment sales or purchases in January 2016.

January 2016 voucher total was reduced from the previously reported amount of \$544,267.58 to a new amount of \$483,795.85; Check 10095 (\$150,825.75) was voided and replaced by Check 10146 (\$90,354.02) to remove retainage from the disbursement.

PETERSON made a motion to approve vouchers as presented, 2nd by **TAYLOR**. Unanimous approval.

ISSUES FOR THE NEXT MEETING:

None.

EXECUTIVE SESSION

At 9:07 the City Council went into executive session under RCW 42.30.110(i) to discuss litigation or potential litigation involving the City. The session was scheduled to last 10 minutes. The public was invited to return at 9:17. No decisions were made in executive session, and upon resumption of the meeting, staff was directed to proceed as discussed.

ADJOURNMENT 9:19PM