

CITY COUNCIL REGULAR MEETING MINUTES Monday, May 05, 2014 at 7:00 p.m. Camas City Hall, 616 NE 4th Avenue

NOTE: There are two public comment periods included on the agenda. Anyone wishing to address the City Council may come forward when invited; please state your name and address. Public comments are typically limited to three minutes, and written comments may be submitted to the City Clerk. Special instructions for public comments will be provided at the meeting if a public hearing or quasi-judicial matter is scheduled on the agenda.

I. CALL TO ORDER

Mayor Pro-tem Hogan called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

- Present: Greg Anderson, Don Chaney, Tim Hazen, Steve Hogan, and Melissa Smith
- Excused: Linda Dietzman and Shannon Turk
- Staff: Kristin Berquist, Phil Bourquin, Peter Capell, James Carothers, Jennifer Gorsuch, Cathy Huber Nickerson, Mitch Lackey, Eric Levison, Nick Swinhart, and David Zavortink
- Press: There were no members of the press present

IV. PUBLIC COMMENTS

There were no comments from the public.

V. CONSENT AGENDA

A. Approved the minutes of the April 21, 2014, Camas City Council Meeting and the work session minutes of April 21, 2014.

Council Meeting 🤝

Council Work Session 🥯

- **B.** Approved claim checks numbered 120930 121069 in the amount of \$359,816.50.
- C. Directed the Community Development Director or designee to change the name of SE 20th Street to NW 38th Avenue and to readdress the properties, as described within the detail and through the exhibits. The City of Camas has completed the first phase of the NW 38th Avenue/SE 20th Street road improvement project and will be commencing construction on the second phase in March. That portion of these two phases beginning at the Vancouver city limits at Bybee Swale and heading east to the intersection of NW 38th Avenue and NW Parker Street are under the control of the City of Camas (38th Avenue corridor). Consistent with the City adopted street naming manual and for consistency in addressing and the promotion of public safety and services, for that portion of the NW 38th Avenue corridor between Vancouver city limits and NW Parker Street, Staff recommends SE 20th Street be changed to NW 38th Avenue and all addresses be changed accordingly. Copies of the current and proposed new addresses are attached. (submitted by Phil Bourguin)

Exhibits 🦘

Map and Addresses 🥯

D. Authorized the Mayor to sign the contract with Carlson Testing, Inc., for materials testing services estimated to occur in 2014, in the amount of \$18,000. There are several projects for which materials testing services will be required during the 2014 construction season. These include WS-709 Slow Sand Filter, WS-714 STEP Sewer Main, WS-729 Waterline Relocation for Burlington Northern Sante Fe Railroad, WS-736 Ione Waterline, S-566 Friberg Street Improvements, and S-590 Lake Road 1/2 Street Improvements. The cost will be billed to the individual projects as the work is performed. (submitted by James Carothers)

Construction Testing Contract 🤝

E. Authorized the Award of Project P-894 2014 Camas Pool Painting to the low bidder, Combs Painting, Inc., in the amount of \$17,886.00. The bid opening was conducted on Tuesday, April 29, 2014. (submitted by James Carothers)

P-894 Bid Tab 🦴

- F. Authorized the City Administrator to sign the Public Works Assistance Account application for the NW 6th Avenue Paving and Traffic Signal project. Staff is recommending that the City resubmit a Public Works Trust Fund (PWTF) application that is due on May 16th for the NW 6th Avenue Pavement project in the amount of \$1,900,000. This project lost State of Washington funding due to legislative priorities in the last round of the PWTF. The project will include grind and overlay on NW 6th Ave. from NW Adams to NW Norwood, compliance with the Americans with Disabilities Act (ADA) requirements, a traffic signal at 6th and Norwood, minor sidewalk improvements, an upgrade of the crosswalk warning system at NW Ivy and 6th, along with miscellaneous utility line rehabilitation. An additional \$150,000 was added to the original request of \$1,750,000 to account for additional ADA work and inflationary costs of construction. (submitted by Eric Levison)
- **G.** Authorized the Mayor to sign a Real Estate Purchase and Sale Agreement with County Properties East, LLC for the sale of a portion of City-owned property identified as Clark County Excise Tax Identification No. 176188-000. County Properties East, LLC has filed a pre-application for the development of property zoned as Business Park at 4855 NW Lake Road. This property is due east of the Lake Road stormwater detention pond property owned by the City. The applicant wishes to improve the physical footprint and overall shape of this property and thereby increase the developable area. Therefore, the applicant has proposed purchasing the portion of the City's detention pond property that lies east of the pond. This portion of the pond property is not used by the City. The applicant has made an offer to the City that is based on a professional appraisal that was conducted for this portion of the property. The unit cost is \$2 per square foot. (submitted by James Carothers)

Lake Road Pond P & S Final 1 🦠

CPE_P&S_Aerial Solution

It was moved by Melissa Smith, seconded by Tim Hazen to approve the Consent Agenda The motion carried unanimously.

NOTE: Any item on the Consent Agenda may be removed from the Consent Agenda for general discussion or action.

VI. NON-AGENDA ITEMS

A. Staff

There were no comments from staff.

B. Council

Smith noted she will be attending a Regional Transportation Council meeting on Tuesday, May 6th.

VII. MAYOR

A. Announcements

Mayor Pro-tem Hogan did not have any announcements.

B. Proclamation

Buddy Poppy Proclamation 🤝

Mayor Pro tem Hogan read a proclamation urging the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on May 16, 2014, and during Camas Days on July 25th and 26th, 2014, the days set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead.

VIII. FINANCE

A. Resolution No. 1295 - Reimbursement Bond for 2014 Limited General Obligation Bond

Details: The Internal Revenue Service (IRS) will allow for the reimbursement of expenses prior to bond issuance with a declaration of official intent prior to the accrual of expenses. The IRS will consider the reimbursement expenses as "spent" for arbitrage rebate requirements. The resolution delegated the authority from Council to the City Administrator for the Finance Director to certify certain expenses as qualified for reimbursement with bond proceeds. The City Administrator or the Finance Director will file a form of official intent within sixty days with the City Clerk and Bond Counsel. The delegation of authority to certify expenses does not remove the City Council's authority to approve City expenses nor does it remove authority for the City Administrator to direct line item changes within the budget.

Department/Presenter: Cathy Huber Nickerson, Finance Director

Resolution 1295 🤝

It was moved by Greg Anderson, seconded by Tim Hazen that Resolution No. 1295 be read by title only. The motion carried unanimously.

It was moved by Melissa Smith, seconded by Greg Anderson that Resolution No. 1295 be adopted. The motion carried unanimously.

B. Public Hearing - Amendments to the 2014 City Budget to Establish the Camas Washougal Fire Department Budget

Details: The 2014 Budget Public Hearing provided the Mayor and City Council opportunity to consider public testimony to amend the 2014 Budget in compliance with the Interlocal Agreement between the cities of Camas and Washougal for the formation and operation of the Camas-Washougal Fire Department. The ordinance provides for the Fire Department budget to be moved from the General Fund to the new fund, the Camas-Washougal Fire Department Fund, and to merge the Washougal Fire Budget and the Emergency Service Budget into one fund.

Department/Presenter: Cathy Huber Nickerson, Finance Director

Council expressed their concerns about Attachment A not being available until the morning of the hearing. They were also concerned about the timing of the budget being adopted after the merger was already completed. A cost accounting tracking Emergency Medical Services (EMS) and Fire separately will continue to be provided for Council.

Mayor Pro-tem Hogan opened the public hearing at 7:18 p.m.

There was no one from the public who wished to speak.

Mayor Pro-tem Hogan closed the public hearing at 7:19 p.m.

C. Ordinance No. 2701 Amending the 2014 City Budget to Establish the Camas-Washougal Fire Department Budget

Details: Ordinance No. 2701 amended the 2014 Budget in compliance with the Interlocal Agreement between the cities of Camas and Washougal for the formation and operation of the Camas-Washougal Fire Department. The ordinance provided for the Fire Department Budget to be moved from the General Fund to the new fund, the Camas-Washougal Fire Department Fund, and to merge the Washougal Fire Budget and the Emergency Service budget into one fund.

Department/Presenter: Cathy Huber Nickerson, Finance Director

Ordinance No. 2701 🤝

Attachment A (added May 5, 2014) Solution

It was moved by Melissa Smith, seconded by Tim Hazen that Ordinance No. 2701 be read by title only. The motion carried with Greg Anderson voting no.

Anderson expressed concern that Attachment A was not attached until the morning of May 5th, 2014.

Council's questions were addressed by Huber Nickerson, Swinhart and Capell. City Attorney MacPherson confirmed the position of the Ordinance within the merger was procedurally correct.

It was moved by Melissa Smith, seconded by Tim Hazen that Ordinance No. 2701 be approved. The motion carried unanimously by roll call vote.

D. Ordinance No. 2703

Details: This ordinance provided for modifying the current fund No. 115 Emergency Rescue Fund to the Camas-Washougal Fire Department Fund. This fund will be used to account for revenues and expenditures associated with the Camas-Washougal Fire Department incorporating the Emergency Medical Services (EMS) provided to the cities of Camas and Washougal and the East County Fire and Rescue District.

Department/Presenter: Cathy Huber Nickerson, Finance Director

Ordinance 2703 🤝

Chaney discussed clarifications with the City Attorney.

It was moved by Don Chaney, seconded by Greg Anderson that Ordinance 2703 be read by title only. The motion carried unanimously.

It was moved by Don Chaney, seconded by Melissa Smith to adopt Ordinance 2703 amended as follows: Section 1 of Ordinance 2703 was amended to read, The operations, functions, and accounting transactions of the 2014 budget of the No. 115 Emergency Rescue Fund and the Camas Fire Department from the City's General Fund are merged and combined with a fund to be known as the Camas-Washougal Fire Department Fund. The motion carried unanimously.

IX. COMMUNITY DEVELOPMENT

A. Public Hearing - Amendments to the Camas Municipal Code (CMC) Regarding the Establishment of a Parking Advisory Committee

Details: This public hearing was to consider amendments to the Camas Municipal Code (CMC 2.88 and CMC 10.08) establishing a Parking Advisory Committee and establishing a process for review of parking time limitations in the downtown core. As drafted, the Parking Advisory Committee will conduct public meetings to consider requests for changes in parking time limits in the downtown core and make a recommendation of any changes. If either the Parking Advisory Committee or City Engineer is not supportive of a change, the proposed change will not be implemented. When both the Parking Advisory Committee and City Engineer support a proposed change, a resolution will be prepared for final approval by City Council.

Department/Presenter: Phil Bourquin, Community Development Director

DRAFT CMC 2.88 🦠

DRAFT CMC 10.08 📎

Mayor Pro-tem Hogan opened the public hearing at 7:23 p.m.

There were no comments from the public.

Mayor Pro-tem Hogan closed the public hearing at 7:23 p.m.

It was moved by Anderson and seconded by Smith to approve the amendments to CMC 2.88 and CMC 10.08 and direct the city attorney to prepare an ordinance for adoption.

B. 2014 STEP Tank Pumping Bid

Details: The bid opening for Project WS-741 2014 STEP Tank Pumping was conducted on Tuesday, April 29, 2014. The apparent low bidder failed to submit the Mandatory Bidder Criteria and the E-Verify documents with his submittal. Staff and the City Attorney will present the facts and explain the process for evaluation of the bids.

Department/Presenter: James Carothers, Engineering Manager

WS-741 Bid Tab 🥯

Smith noted why she was not in favor of awarding the bid.

It was moved by Don Chaney, seconded by Tim Hazen to waive the formalities and award the bid to the apparent low bidder, AAA Services LLC. The motion carried with Melissa Smith voting no.

X. FIRE DEPARTMENT

A. Ordinance No. 2702 Adding a New Section to Chapter 8.58 of the Camas Municipal Code (CMC) for the Discharge of Consumer Fireworks by Permit on Prescribed Dates and Locations

Details: For many years, Camas Fire Department (CFD) has issued special events permits for the discharge of fireworks outside the normally allowed times. Typically, these permits would be for celebrations like anniversaries and birthdays. In an opinion rendered on July 29, 2013, City Attorney Roger Knapp stated that the ordinance language CFD has always used as authorization for issuing such permits, in fact, did not grant the proper legal authority required. Revised Code of Washington (RCW) 70.77.311 does allow the issuance of special events permits for fireworks. However, the City Attorney states that CMC 5.20.050 Special Events Permits must be amended to contain a reference to RCW 70.77.311 for such a provision to be used for fireworks. Based on the suggestion from the City Attorney and an order from the Fire Chief, the issuance of special events permits for fireworks have been prohibited since that time. Several months ago, Fire Chief Nick Swinhart approached the Council at a workshop and asked for direction on this issue. The direction requested was if the Council wished such permits to be issued in the future, whether they would be prepared to make the necessary ordinance changes to do so. Direction of Council at this meeting was that they desired the continuation of such permits, but with stricter guidelines. They asked the Fire Chief to investigate what kind of restrictions other municipalities used, and to report back with sample guidelines when completed. This item was presented during the April 21, 2014, Council Workshop with some suggestions for minor revisions.

Department/Presenter: Nick Swinhart, Fire Chief

Ordinance 2702 🤝

Chaney asked and Swinhart confirmed that the guidelines for issuing this type of permit will be made available online.

It was moved by Don Chaney, seconded by Melissa Smith that Ordinance No. 2702 be read by title only. The motion carried unanimously.

It was moved by Don Chaney, seconded by Melissa Smith that Ordinance No. 2702 be adopted and published according to law. The motion carried unanimously.

XI. ADMINISTRATIVE SERVICES

A. Resolution No. 1296 Creating the Position of Division Chief/Fire Marshal, and Establishing a Salary Scale for the Position

Details: This resolution created the positions of Division Chief/Fire Marshall and set their salary scales. Discussion regarding the positions took place at the April 21 Council Workshop.

Department/Presenter: Jennifer Gorsuch, Administrative Services Director

Resolution 1296 S

It was moved by Greg Anderson, seconded by Tim Hazen that Resolution 1296 be read by title only. The motion carried unanimously.

It was moved by Greg Anderson, seconded by Tim Hazen that Resolution 1296 be adopted. The motion carried unanimously.

B. Resolution No. 1297 Creating the Positions of Court Clerk and Lead Court Clerk, and Establishing Salary Scales for the Positions

Details: This resolution created the positions of Court Clerk and Lead Court Clerk and set their salary scales. Discussion regarding the positions took place at the April 21 Council Workshop.

Department/Presenter: Jennifer Gorsuch, Administrative Services Director

Resolution 1297 🤝

It was moved by Don Chaney, seconded by Melissa Smith that Resolution 1297 be read by title only. The motion carried unanimously.

It was moved by Don Chaney, seconded by Greg Anderson that Resolution 1297 be adopted. The motion carried unanimously.

XII. PUBLIC COMMENTS

Judy Bauer, 2541 NW 15th Circle, Camas, noted a discrepancy in the agenda details of Resolution 1296.

Robert Bauer, Troop 554, attended the meeting.

Judy Bauer expressed appreciation for the thoroughness of the Council members.

XIII. ADJOURNMENT

The meeting adjourned at 8 p.m.

NOTE: The City of Camas welcomes and encourages the participation of all of its citizens in the public meeting process. A special effort will be made to ensure that a person with special needs has the opportunity to participate. For more information, please call 360.834.6864.

Quick Preview of Agenda and Supporting Documents - Posted May 5, 2014

Council Agenda Packet 🦘

Mayor

City Clerk