

August 2, 2010

The REGULAR Meeting of the Woodland City Council was held on the above date at the Woodland City Hall, Council Chambers, 100 Davidson Avenue, at 7:00 p.m. The meeting was called to order by Mayor Blum. The Pledge of Allegiance was recited.

Present: Councilmember John Burke
Councilmember Marilee McCall
Councilmember Aaron Christopherson
Councilmember Susan Humbyrd
Councilmember Benjamin Fredricks
Councilmember Tom Mattison
Councilmember Al Swindell

Absent: None

Also Present: Clerk-Treasurer Mari Ripp
Police Chief Rob Stephenson
Community Development Planner Keiichiro Zushi
Public Works Director Steve Branz
City Attorney Bill Eling
Fire Chief Mike Jackson

CITIZEN INPUT FOR ITEMS NOT ON THE AGENDA

Noel Johnson, PO Box 1955- spoke on Hot Summer Nights, one more night of music this Friday; Ridgefield National Night out coming up this week; Wall of Tribute at La Center this Wednesday; come pay tribute to the Veteran's; Thanked the Fire Dept. for the river rescue the other day.

Jeff Sullivan, 130 S. Pekin Road-updated the council on the anti-tagging efforts. He has painted the graffiti at Fleetwood and also the La Casa San Juan Diego. If he sees them, he paints them. This aggressive method is working. He is looking for volunteers as well.

PROCLAMATION- VETERANS STAND DOWN

Veteran's Stand down on September 15, 2010. Mayor Blum read the Proclamation out loud. Randy Hahn, Cowlitz County Stand down Committee and Chairman Helen Reed gave information on the stand down at Oregon National Guard Armory on Vandercook Way, Longview, 8am to 5pm.

AGENDA APPROVAL

Councilmember Fredricks moved to remove item K (Ordinance No. 1190-Adopting E-Verify system though Homeland Security (FIRST READING)). Councilmember Humbyrd seconded the motion. Discussion ensued.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Mattison, Swindell No: None
Abstain: None. (7-0)

M/S/C

PUBLIC HEARING - Horseshoe Lake Water Safety Regulations – WMC 9.20

Bill Eling, City Attorney gave a brief report on the items before the council. Steve Branz, Public Works Director stated that the Horseshoe Lake Management Committee and Park Board recommend approval of the revised draft ordinance.

The public hearing was opened at 7:19 p.m.

Bill Dunlap, 110 S. Pekin Road – spoke on the history of the lake, the depths of the lake and use of different types of boats. He requests that the same rules be adopted for the entire lake. He also asked for more enforcement. He is in support of the proposed draft ordinance to limit the speeds of all boats.

Mike Spooner, lives in Portland, but has family here – is a fisherman. Supports the ordinance to limit speeds.

Theodore St. Mars, PO Box 1946 – he moved here 15 years ago. He stated he house sits for family & friends homes on the lake. He has witnessed the problems with waterskiers and wake boarders on the lake. He stated the wakeboarders are the ones that really kick up the wake. He will not let his grandkids swim or canoe in the Pekin area when the wake boats are out. He feels the lake is too small for safe skiing and the only safe way is to limit the speed to 5 mph.

Mike Curry, 120 S. Pekin Rd – for **Bob Hasbrouck, Jr.**, 130 S. Pekin Rd, read a letter into the record. He outlined concerns of the shoreline, the no wake rule, Cowlitz & Clark county involvement, the wake boarders, shoreline maintenance, and the partial no wake zone. Urged the council to limit the speed on the lake. Also, presented a petition/letter from area neighbors. Also read a letter from **Bruce Summers, Jr.** Woodland Fire Water Rescue (2 years ago). The letter outlined the potential for injury, accidents. They support a permanent horsepower restriction. Mr. Curry also supports the speed limit reduction.

Ron Wills, 38300 Lakeshore Drive – He has lived here all his life and waterskiing has occurred since at least the 1950's. Many people who lived on the island had ski boats with no problems. He stated the boats were on the lake long before the homes on the Westside of the lake were built. He supports designated dates and common sense rules for all lake users. He is against the ban of limiting the speeds on the lake.

Jeff Sullivan, 130 S. Pekin Rd - said that in 2000 the council adopted a plan that does not protect him or his property. He is seeking equal protection. He also wants his shoreline protected from the wake boat damage as is afforded to the Island Aire Drive residents. He encourages the council to adopt the speed reduction ordinance.

Bob Fleishman, 354 Island Aire Drive, spoke against the ordinance. He has been in canoe while power boats were in the area. This ordinance is unfair, unnecessary and misdirected. He stated there is adequate room for the boats. He stated that the kayaks should not be a problem as they

are designed to go on white water. He has been on the lake skiing when there are fishermen and they were still fishing after he passed them in his ski boat. All is need is to turn into the wake. He bought the lot and built his dream house for retirement to live and enjoy the lake and use his boat from his back door. He accepts the conditions under the current rules and regulations. Likewise these were the conditions when the other residents along Pekin Road purchased their homes. They should have known that boats would be creating wakes along the shoreline. It is unfair for them to try and take away his right to water ski on Horseshoe Lake. He does not feel it is fair to limit his rights on the lake. Not allowing water skiing would have a severe negative impact on the value of his home. He also spoke on the wakes and the shoreline.

Mark Turpin, PO Box 282, Ridgefield-stated that he loses \$300- \$800 for sand every year from his shore, but pays out of his pocket to fix it and knew that when he bought and built his house. Supports the use of ski boats on the lake. He skies the entire lake and also his children. The council should limit the wake boarders by limiting the wake boats. He does not want to give up his right to ski on the lake. He skis the entire lake, safely and productively. His children ski there too. This is a safe family oriented activity.

Terry Jones, 400 Lake Avenue – supported the words of Jeff Sullivan. He has had damage at his shore and dock. He supports the ordinance to limit the speed on the lake. He also spoke on the milfoil in the lake. The City should support the no wake zone.

Dave Wells, 2028 Rhododendron Dr. – spoke against the proposed ordinance. Said that Ron Wills has the most property of all the owners on the lake. Wells enjoys having the opportunity to use the local lake and not have to go out of town. He supports the time factors, the limit to dates and also to the "zones" that encourage different types of uses on the lake. He stated the docks were not originally there.

Neil VanHorn, PO Box 1852, – spoke in favor of limiting the speeds on the lake. He owns property on another lake in Oregon where electric motors are only allowed. He likes to water ski too. He appreciates the limit on the lake. Erosion can be caused by wind as well. He said that any type of wake can disrupt those in inner-tubes, canoes and kayaks. He is for this ordinance and limiting the speed on the lake.

Dan Class, 759 Varsity Road, Kalama - has skied in Woodland for 15-20 years. He stated that there is no public record of any accidents on the lake. He feels the residents on the lake want control of the lake and this is human nature. He stated they talk about a safety issue. He said in the past the jet skis were banned. He supports the ban of big wake boats that load their boats up, that way the other skiers could still enjoy the lake. He also gave a letter of Edward Alan Green of Battle Ground who uses the lake and skis there. There is a way to be compatible. He stated the wall built around by the Corp of Engineers 40-50 years ago and it is sound all away around with the exception of the Pekin Road area. He stated on Pekin Road there have been 2 permits issued in the City for retaining walls on S. Pekin Road. The others may not have been up to code standards or permitted and may have been built illegally. High water should be expected when residents live on the lake. There have been no accidents on the lake. Does not support the proposed ordinance.

The public hearing was closed at 7:54 p.m.

REPORTS OF CITY OFFICERS

- | | | |
|-----------------|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mayor | - | Liquor License Application: Walmart SuperCenter |
| | - | WA Finance Officers Association 2010 Professional Finance Officer Award to Mari Ripp, Clerk-Treasurer and Gina Anderson, Deputy Clerk Treasurer |
| | - | Call for budget 2011 is underway; MRSC Budget Suggestions with legislative impacts included in the report |
| Clerk/Treasurer | - | The Finance Committee has reviewed the new quarterly report format and the 1 st and 2 nd Quarter Reports will be available in final format on or before the August 16 th council meeting |
| | - | City Employee & Volunteer Recognition picnic Wednesday, August 4, 2010 at Horseshoe Lake Park-Activities 4:30 p.m.; Dinner & Awards 5:30 p.m. |
| Police | - | Homeland Security funding of MDT computers for \$58,000 |
| Fire | - | Reported that looking at an EMS district to be discussed at the next Public Safety meeting |
| | - | Antique fire show on August 21 st at Horseshoe Lake Park |
| | - | The Dept. is assisting with the Wall Tribute in La Center as requested |
| Public Works | - | |
| Building | - | |
| Planning | - | |
| Attorney | - | |

REPORTS OF STANDING COMMITTEES

- | | | | | |
|--------------------------------|---|----------------------|---|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Human Resources/
Government | - | Susan Humbyrd | - | Met July 28 th 5pm; Next meeting August 25 th 5pm |
| Finance | - | Benjamin Fredricks | - | Met July 29 th ; Next meeting August 26 th |
| Public Safety | - | Marilee McCall | - | Next meeting August 16 th to discuss an EMS district |
| Public Utilities | - | Tom Mattison | - | Next meeting August 10 th |
| • Facilities | - | Marilee McCall | - | No activity at this time |
| • Horseshoe Lake Mgmt | - | Tom Golik | - | Next meeting August 12 th |
| Parks/Recreation | - | Aaron Christopherson | - | Met July 28 th discussed the recent appraisal that has been received for the parkland on Lewis River Rd; Next meeting August 18 th |

AD HOC COMMITTEES

Comprehensive Plan Review	- Marilee McCall	- No activity; has been postponed to 2014
Cowlitz Wahkiakum Council of Governments	- Susan Humbyrd	- Nelson Holmberg has been appointed to the Executive Board; Funding for the Scott overpass; discussed the possible expansion of the CWCOG to possibly 5 counties for a larger voice
AWC/Legislative	- Aaron Christopherson	- Brokered Natural Gas tax update from Supreme Court ruling
Chamber of Commerce		- Political presentations continue at the noon meetings; Golf tournament was held and successful
Downtown Revitalization	- Tom Golik	- The Mascot replica is going to be relocated from the Port office to possibly the Museum
Woodland Quality Community Coalition	- Marilee McCall	- Met July 21 st ; WQCC to host Nov 16 th After Hours; Next meeting Oct 20 th 6pm
Water Sewer Advisory Committee	- John Burke	- Met July 28 th 6:30 p.m. looked at 3 rd report; New report #4 has now been received

Recessed at 8:23 p.m. to 8:34 p.m.

CITIZEN INPUT FOR ITEMS ON THE AGENDA

Kirk Snead, 295 Hillshire Drive – spoke on item H) Ordinance No. 1191 amending the commercial vehicle parking in residential areas. Due to this delay in the ordinance, he has had to take a pay cut at his job. He urges the council to pass this ordinance.

CONSENT AGENDA

- A. Approval of Claims Voucher Warrants number 40011 through 40070 for the month of July, 2010 in the amount of \$ 72,465.13 and Payroll Warrants numbered 29183 through 29204 for the month of July, 2010 in the amount of \$ 296,797.16 for a Grand Total of \$ 369,262.29.
- B. Approval of minutes of July 19, 21, and 26, 2010
- C. Excuse Councilmember Christopherson's absence from the July 26, 2010 Special Meeting.
- D. Authorize Mayor to sign amended contract to change name on Janitorial Contract to DJBJ Janitorial and extend contract to 12/31/2010
- E. Authorize Mayor to sign amended contract with Bissell Janitorial to modify scope of services and extend term to 12/31/2010
- F. Authorize Clerk Treasurer to advertise for bids for Janitorial service effective for 2011

service contract

- G. Authorize Councilmember Swindell to attend the AWC Municipal Budgeting Workshop in Leavenworth on August 4-6, 2010 and authorize expenditure of \$770 plus tax

Councilmember Burke moved to approve the Consent Agenda. Councilmember McCall seconded the motion.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Mattison, Swindell No: None

Abstain: None. (7-0)

M/S/C

ACTION AGENDA

Action H) Adopt Ordinance No. 1191- amending WMC 10.56.030 to allow commercial vehicles up to 14,500 GVW to park in residential areas and further allow specific exemptions (i.e. tow trucks) (FIRST READING)

Councilmember Burke moved to adopt Ordinance No. 1191- amending WMC 10.56.030 to allow commercial vehicles up to 14,500 GVW to park in residential areas and further allow specific exemptions (i.e. tow trucks) (FIRST READING). Councilmember Christopherson seconded the motion. Discussion followed.

Amendment:

Councilmember Swindell moved to amend 10.56.030 to say that all commercial vehicles shall be parked off the street (in the driveway). Councilmember Burke seconded the motion.

Discussion ensued.

Yes: Burke, Swindell No: McCall, Christopherson, Humbyrd, Fredricks, Mattison Abstain:

None. (2-5)

M/S/Failed

Main motion:

To adopt Ordinance No. 1191- amending WMC 10.56.030 to allow commercial vehicles up to 14,500 GVW to park in residential areas and further allow specific exemptions (i.e. tow trucks) (FIRST READING). Discussion ensued.

Amendment:

Councilmember Fredricks moved to refer section 2, 3, 4, 5 and 6 as outlined in the draft ordinance to the Planning Commission for review and recommendation. Councilmember McCall seconded the motion. Discussion followed.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Mattison, Swindell No: None

Abstain: None. (7-0)

M/S/C

Main motion:

To adopt Ordinance No. 1191- amending WMC 10.56.030 to allow commercial vehicles up to 14,500 GVW to park in residential areas and further allow specific exemptions (i.e. tow trucks) and to refer section 2, 3, 4, 5 and 6 as outlined in the draft ordinance to the Planning Commission for review and recommendation. (FIRST READING). Discussion ensued.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Mattison No: Swindell Abstain:

None. (6-1)

M/S/C

Action I) Adopt Ordinance No. 1193-Horseshoe Lake Water Safety Regulations (FIRST READING)

Councilmember Fredricks moved to adopt Ordinance No. 1193-Horseshoe Lake Water Safety Regulations (FIRST READING). Councilmember Humbyrd seconded the motion. Discussion followed.

Amendment:

Councilmember Burke moved to amend the ordinance to prohibit wake boats or wake boarders and delete the proposed 5 mph speed limit. Councilmember Swindell seconded the motion. Discussion ensued.

Yes: Burke, McCall, Christopherson, Humbyrd, Swindell No: Fredricks, Mattison Abstain: None. (5-2)

M/S/C

Main motion:

To adopt Ordinance No. 1193-Horseshoe Lake Water Safety Regulations to amend the ordinance to prohibit wake boats or wake boarders and delete the proposed new language re: 5 mph speed limit on the entire lake. (Amending WMC 9.20.020). (FINAL READING). Discussion followed.

Yes: Burke, McCall, Christopherson, Humbyrd, Swindell No: Fredricks, Mattison Abstain: None. (5-2)

M/S/C

Action J) Adopt Ordinance No. 1192-Amending WMC 14 to adopt the 2009 edition of the International Building Codes (FIRST READING)

Councilmember Fredricks moved to adopt Ordinance No. 1192-Amending WMC 14 to adopt the 2009 edition of the International Building Codes with the exception of Appendices R & S (FIRST READING). Councilmember Christopherson seconded the motion. Discussion followed.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Mattison, Swindell No: None Abstain: None. (7-0)

M/S/C

The meeting adjourned at 9:58 p.m.

Charles E. Blum, Mayor

Minutes approved: 08/16/2010

Attest: _____

Mari E. Ripp, Clerk-Treasurer

These minutes are not a verbatim record of the proceedings.

A recording is available in the office of the Clerk-Treasurer.