

**October 18, 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**

**Sherry Stewart**, PO Box 477 Woodland, owns house at 208 Buckeye Street, she has been advised to walk away from the house, sue all that could be responsible, etc. She believes in fighting the fight, but the limiting factor is money. She has been forced to spend large amounts of money on appeals, hearings examiner, etc. She could be forced to move into bankruptcy if she keeps moving forward. It is her wish was to refurbish the Foglia House. She read an excerpt from the Comprehensive Plan relating to historical significant buildings. She stated that maybe the City needs to revisit the statement in the Comp Plan and its mission. She stated that she has not been welcomed by the neighbors. She has made improvements to the home and made the home and neighborhood more desirable. She believes that truth and justice will prevail. She is having an Open House this Saturday, 10am to 4pm on Make A Difference Day.

**PROCLAMATION**

- a. Port of Woodland Day, October 19<sup>th</sup> – 50<sup>th</sup> Anniversary

**AGENDA APPROVAL**

Councilmember McCall move to approve the agenda with the exception of H to table November 1<sup>st</sup> and item J to November 15<sup>th</sup>. Councilmember Burke seconded the motion.

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

**PRESENTATION**

**a. Prothman Company – Organizational Assessment report**

Found as an observation overall dedicated hardworking staff Requesting more information on the Clerk Treasurer Department operations and staffing. Also the Public Works Department, due to sheer size of volume and money going through there. The additional work would be approximately 55 hours and about \$9,000. Estimated timeline is about 4-6 weeks with a report mid November or first of December. Discussion followed.

**Action L) Authorize Additional Scope of work for Organizational Assessment to Prothman Company**

Councilmember Fredricks moved to authorize additional scope of work for the Prothman Company in the amount not to exceed \$10,000 with a budget amendment from 301 General Reserves. Councilmember Humbyrd seconded the motion.

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

M/S/C

**b. Dept of Licensing – Master Licensing, John Jacobs (relates to Action Item D)**

Explained the MLS service and a summary of the program.

**PUBLIC HEARING - CRC/Hamilton Materials Annexation**

The public hearing was opened at 7:41 p.m. for a staff report. Kei Zushi, Community Development Planner presented a report on the proposed Annexation. This has been approved by the Cowlitz County Boundary Review Board. Zoning would be comprised of I-1 and I-2. It consists of 461 acres in 66 parcels. The Council asked questions.

**Skip Urling**, spoke on behalf of the proponents CRC and Hamilton Materials. Stated that this is an opportunity to do some good things for the City, especially due to the large parcels in this area. It can create jobs. Asks that the Council adopt the ordinance that is coming up (Action Item E-Ordinance No. 1187).

The public hearing was opened at 7:52 p.m. to the public.

**Jerry Peterson**, 2530 Dike Road, farmed in area for 52 years. He stated that currently the city has not used the current industrial land and feels it is too much land to add more.

The public hearing was closed at 7:55 p.m. Council discussion followed. It was stated that tracts of land of 100 acres or more are rare in Cowlitz County. It gives the city the opportunity to attract businesses to the large pieces of land.

**REPORTS OF CITY OFFICERS**

- Mayor - 365 days ago today, Mayor Blum was in SW Washington Medical Center
- Clerk/Treasurer - Special joint meeting, October 20, 2010 6:00 p.m. at Woodland School District Commons (WQCC-City, Port, School)

- Special meeting/budget workshop October 25, 2010 7:00 p.m. for 2011 Budget presentations
- Public hearing November 1, 2010 7:00 p.m. water and sewer rate increase for effective date of December 16, 2010 (February 25, 2011 billing and thereafter.)
- Public hearing November 1, 2010 7:00 p.m. to set 2011 Property Tax levy
- Public hearing November 1, 2010 7:00 p.m. re: zoning moratorium in all zones except C-2 re: card rooms and recreational facilities
- Special meeting November 8, 2010 7:00 p.m. to set 2011 Legislative priorities
- Special Meeting and Public hearing November 22, 2010 7:00 p.m. for 2011 Final Budget (FIRST READING)
- Adopt 2011 Budget (FINAL READING) December 6, 2010 7:00 p.m.
- Tuesday, November 16<sup>th</sup> 5:00 p.m. After Hours hosted by WQCC (City, Port, School) at the Grange
- Citizen survey – council direction on online / website survey

**Action N) Authorize Citizen Survey to be placed on City website for 30 days**

Councilmember McCall moved to place the Citizen Survey on the City Website for 30 days. Councilmember Humbyrd seconded the motion. Discussion followed. It will be announced with a Press Release.

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

M/S/C

- Police -
- Fire -
- Public Works - Water Sewer rate recommendation handout for consideration on November 1, 2010
- Building -
- Planning -
- Attorney - Activity report
- Memo on card room referendum; Legal opinion is that the 1985 referendum vote should not have been a referendum, but an advisory vote. As the City, in 1970 Ordinance No. 330, adopted a non-charter code city, but had not ever adopted the initiative and referendum ordinance. When a City changes the classification to a non-charter code city, it does not automatically adopt initiative and referendum. He reviewed the Battle Ground ordinance and process and found that they adopted the Initiative & Referendum years after they changed their class of city. Also commented on the Judgment and Order of the Superior Court in 1985 in which it was ordered to hold a referendum vote which by City Attorney review that the court had no authority to order a referendum vote. The City now and then had the right to ask for an Advisory Vote. The interpretation was that the City stipulated to

have an Advisory Vote and enact an ordinance for the Advisory Vote. The City can go forward to consider the ordinance to have card rooms and does not have to go back to a vote of the people. Schurman property, 1770 N. Goerig Street re: Hearing Examiner

- decision-upheld decision of City for property to be for a hobby use and a cease and desist of current activities on the property.

**REPORTS OF STANDING COMMITTEES**

- |   |  |   |
|---|--|---|
| Human Resources/<br>Government            | - Susan Humbyrd                          | - Next meeting October 27 <sup>th</sup><br>5pm  |
| Finance                                   | - Benjamin Fredricks                     | - Next meeting October 28 <sup>th</sup><br>5pm  |
| Public Safety                             | - Marilee McCall                         | - Next meeting is Nov 15 <sup>th</sup><br>- Event held in Clark Co. for<br>Habitat for Humanity to build a<br>house last Saturday with 30<br>volunteers |
| Public Utilities                          | - Tom Mattison                           | - Met and discussed Pacific<br>Seafood, Walt's, Sewer hook<br>ups, SR503 widening project,<br>etc.; Next meeting Nov 9 <sup>th</sup>                    |
| • Facilities                              | - Marilee McCall                         | - Copy of information to McCall<br>& Humbyrd forthcoming  |
| • Horseshoe Lake Mgmt<br>Parks/Recreation | - Tom Golik<br>- Aaron<br>Christopherson | -<br>- Next meeting October 20 <sup>th</sup><br>5pm at Community Center   |

**AD HOC COMMITTEES**

- |   |                         |   |
|---|-------------------------|---|
| Comprehensive Plan Review                   | Marilee McCall          | - State of Washington may be<br>deferring from 2014 to 2016<br>due to lack of funding   |
| Cowlitz Wahkiakum Council of<br>Governments | Susan Humbyrd           | - Next meeting Oct 28 <sup>th</sup> in<br>Longview  |
| AWC/Legislative                             | Aaron<br>Christopherson | - AWC Regional Meeting<br>October 26 <sup>th</sup> at Red Lion Kelso  |
| Chamber of Commerce                         |                         | - Event for Sharon Knight on<br>October 21 <sup>st</sup> 5pm – 7pm at the<br>Oak Tree Restaurant  |
| Downtown Revitalization                     | Tom Golik               | -   |
| Woodland Quality Community<br>Coalition     | Marilee McCall          | - Next Joint meeting October<br>20 <sup>th</sup> 6pm at Woodland School<br>Commons<br>- Make A Difference Day<br>Saturday October 23 <sup>rd</sup> ; need<br>volunteers |

Recessed at 8:32 p.m. to 8:43 p.m.

**CITIZEN INPUT FOR ITEMS ON THE AGENDA**

**Robert Schneider**, CFO for Stein Distributing for beverage products. Spoke in favor of Resolution No. 600 opposing Initiative 1100 and 1105. Spoke on 21<sup>st</sup> Amendment and prohibition, three tier system. Local living wage jobs would be taken out of the market, local delivery companies, tax collection mechanism and public safety. Benefits of 1100 do not outweigh the effects of this initiative. Cowlitz County and cities in the county would lose \$1million and City of Woodland \$65,000 loss of revenues. Revenues the state would lose would need to be made through other taxes and especially with the current condition of state revenue shortfalls. Availability of spirits would also increase. It could increase from 1 to 10 establishments that could sell in Woodland. One out of four sales is to minors. In state liquor stores it is one out of twenty-five. Abuse of alcohol could also increase due to more availability. Privatization should occur at the legislative level, not through private parties.

**Dave Grumbois**, 3 Tree Top Lane, Longview - reiterates the previous speaker. Spoke on the net profit of sales and revenue to the State of Washington. Stated it is a bad investment for Washington State. There are 18 states that are like Washington. We are a consumption state (liquor, candy, gas). Other states have different tax mechanisms. Consider a No vote on Initiative 1100 and 1105.

**Dave Wells**, 2028 Rhododendron and owner of Dave's Garage and Jack's Towing. Spoke on downtown revitalization, covenants to existing property and regulations. Taking all things into consideration, the cost can be detrimental to the businesses and owners. Does not support the plan for the downtown and zoning.

*(Councilmember Swindell moved off the dais to the floor for Citizen Input.)*

**Al Swindell**, 1167 Glennwood Street, Woodland - Stated that he previously served on the Substance Abuse Council. He does not want his children, grandchildren and great-grandchildren having more access to alcohol in the State of Washington. He has read and attended programs on addiction and abuse. Other states have different taxing mechanisms and the State of Washington should stay the same. Urges council to support Resolution No. 600.

*(Councilmember Swindell returned to his council seat.)*

**Walt Hansen, Sr.** PO Box 2000, Woodland – is one of the few old timers in Woodland that is pro-growth. The land available in Woodland is close to railroad, rivers, freeway, recreation, etc. This will be a great potential to the City. Encourages the Ordinance on Annexation be passed.

**CONSENT AGENDA:**

- A. Move to approve claims voucher warrants number 40393 through 40466 for the first half of the month of October, 2010 in the amount of \$175,026.67.
- B. Move to approve minutes of September 27, October 4 and 11, 2010 as presented.

C. Move to excuse Councilmember Christopherson absence from October 4, 2010 meeting and excuse Councilmember Christopherson and Humbyrd from October 11, 2010 Special meeting.

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 D) Agreement with Washington Master Licensing Service for Business License service for 2011 (TABLED to January 18, 2011)**

Councilmember McCall moved to authorize Mayor to sign agreement with State of Washington for Master Licensing Services re: Business licensing. Councilmember Humbyrd seconded the motion. Discussion followed. Asked if the City Attorney has reviewed to form? He stated no, but the State form has been reviewed and does not expect any comments on the agreement.

**Amendment**

Councilmember Burke moved to table to January 18, 2011 to discuss more and bring a solution relating to the increased cost at the state level as it relates to renewal. Councilmember Mattison seconded the motion. Staff will need to get the amended 2011 draft fee resolution to the Finance Committee and then to the council prior to the January 18<sup>th</sup> meeting.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Mattison No: Swindell None  
Abstain: None. (6-1)

M/S/C

**Action E) Ordinance No. 1187 Hamilton Materials and CRC Annexation LU #209-927 (FINAL READING)**

Councilmember Swindell moved to adopt Ordinance No. 1187 concerning Land Use Application #209-927: CRC / Hamilton Materials Annexation (FINAL READING). Councilmember Burke seconded the motion. Discussion followed.

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

M/S/C

**Action F) Set workshop date to discuss Facilities funding options for January 10, 2011**

Councilmember McCall moved to set Workshop date of January 10<sup>th</sup> to discuss Facilities funding options as reviewed by the Finance Committee. Councilmember Fredricks seconded the motion. Discussion ensued.

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

M/S/C

**Action G) Resolution No. 600 – Supporting a “No” on Liquor Initiatives 1100 and 1105**

Councilmember Swindell moved to adopt Resolution No. 600- to support “no” on Liquor Initiative 1100 and 1105. Councilmember Humbyrd seconded the motion. Discussion followed.

Yes: Swindell No: Burke, McCall, Christopherson, Humbyrd, Fredricks, Mattison Abstain: None. (1-6)

M/S/Failed

**Action H) Ordinance No. 1196 – Off Street public parking (FIRST READING) (TABLED to November 1, 2010)**

This item was TABLED to November 1, 2010 (to adopt Ordinance No. 1196-to adopt off street public parking (FIRST READING).)

**Action I) Authorize signature of easement with WADOT for access to the Woodland Airport**

Councilmember Fredricks moved to authorize signature of easement with the Washington State Department of Transportation for access to the Woodland Airport. Councilmember Christopherson seconded the motion. Discussion followed.

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

M/S/C

**Action J) Authorize Mayor to sign revised Wal-Mart right-of-way land dedication at Dike Access Road – (TABLED to November 15, 2010)**

This item was TABLED to November 15, 2010 (to authorize Mayor to sign revised Wal-Mart right of way land dedication at Dike Access Road.)

**Action K) Approval of appraisal authorizations for SR-503 widening project**

Councilmember Swindell moved approval of appraisal authorizations for SR-503 widening project in the amount of \$70,250. Councilmember McCall seconded the motion. Discussion followed.

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

M/S/C

**Action L) Authorize Mayor to sign Planning Consultant Contract with Keiichiro Zushi**

Councilmember McCall moved to authorize Mayor to sign Planning Consultant Contract with Keiichiro Zushi. Councilmember Burke seconded the motion. Discussion followed.

**Amendment:**

Councilmember Fredricks moved to amend to insert: Provided that the City Attorney review and insert language as deemed necessary and that this agreement will be terminated no later than 30 days after the first day of employment of the new Community Development Planner. Councilmember Christopherson seconded the motion.

Yes: McCall, Christopherson, Humbyrd, Fredricks, Mattison, Swindell No: Burke Abstain: None. (6-1)

M/S/C

Main motion:

To authorize Mayor to sign Planning Consultant Contract with Keiichiro Zushi provided that the City Attorney review and insert language as deemed necessary and that this agreement will be terminated no later than 30 days after the first day of employment of the new Community Development Planner.

Yes: McCall, Christopherson, Humbyrd, Fredricks, Mattison, Swindell No: Burke Abstain: None. (6-1)

M/S/C

The meeting was adjourned at 10:07 p.m.

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Charles E. Blum, Mayor

Minutes approved: November 1, 2010

Attest:

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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.