

## November 1, 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  
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, Woodland- commented on the great job Woodland does for the Trick-or-Treaters.

**Sandy Larson**, representing Woodland Rotary-thanked the council on the parkland acquisition. The Rotary adopted a 2010 vision to have a sports complex and park plan. They support the Scott Hill piece. Stated that there are a lot of Woodland kids going out of town to play sports and also in tournaments. Rotary has a committee, including fundraising plans. Expressed their gratitude and support for the community.

### **AGENDA APPROVAL**

Councilmember McCall moved to approve the agenda with the exception of items H, I, and J; table items H and I; and move item J to December 20<sup>th</sup>. Councilmember Fredricks seconded the motion. Discussion followed.

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

M/S/C

### **PUBLIC HEARING(S):**

1. **Card room zoning:** To consider adopting an Interim Zoning Ordinance concerning commercial public card rooms in accordance with RCW 36.70A.390. The Interim Zoning Ordinance is proposed to prohibit commercial public card rooms in all zoning districts

with exception of the Highway Commercial (C-2) zoning district within the City Limit and be effective for a period not longer than six (6) months.

Steve Branz, Public Works Director outlined the proposal and asked for council guidance on the issue.

**Steve Hanson**, 1319 NW 86<sup>th</sup> Street, Vancouver; **speaking as a proponent** for the card rooms – has presented all the arguments in the correspondence and testimony. They have not changed their minds. They believe that the ordinance prohibiting card rooms should be repealed. Also that the card rooms should be allowed in the C-2 zone.

Councilmember Fredricks stated a letter was received by council. He asked Mr. Hanson if any member of the Oak Tree has had “back room” discussions with any councilmember? Mr. Hanson replied, “not that I know of.”

The public hearing was opened at 7:20 p.m.

**Marshall Allen**, 320 Fir Avenue-is against the card rooms. Asked if people will by-pass La Center and Ridgefield to gamble in Woodland. He also stated that the Oak Tree says they need more patronage at the restaurant. He said that the city is just after the revenue. Also said that crime can be associated to card rooms due to gambling re: losing a paycheck and families.

**Ron Stube**, 128 Davidson at Old Towne Grill Restaurant and now resides in Naselle-he stated that he was the only one in the city who had a card room license in the past. That particular adoption was for only retail establishments, not the Moose or other non-retail establishments. They are all in an economic crunch in the restaurant business. He does not feel it is fair to single out a particular zone. He is concerned with the City moving the offices to E. Scott Avenue site. Does not like the limitation of a “gateway” district. It should be fair.

**Walter Hansen, Sr.** PO Box 2000, Woodland - He is not for or against card rooms or gambling. He stated that the city should be going to other measures to get revenue for the city. Suggested waiving fees to bring new business to Woodland. He likes the Oak Tree, but does not feel it is the way to go to get them through a recession. He agrees with Ron Stube and that the ordinance was to prohibit gambling in the downtown C-1 in 1980's.

**Catherine Hunt**, -is against the card rooms coming into Woodland. Knows it would provide revenue and jobs, but is not good for citizens. Who will be watching the children if their parents are at the card rooms? Also is concerned about traffic and congestion. Once you open the door for card rooms, then other gambling could come. Said maybe it should be put back to a vote of the citizens of Woodland.

**Andrea Huntsinker**, 901 NW 22<sup>nd</sup> Avenue, Battle Ground -works with the consultant at the Oak Tree. Speaking for Terry Isom who wanted to say “Republic and Jobs”. They previously stated their point. The consultants are very strong on family values in attending weddings, etc. There are families involved and they love it here. They recreate here. She thinks that zoning answers the problems for gambling. Keeping it to certain areas of the city would keep it away from the schools and residential neighborhoods. It would be a good to change the zoning.

**Donna Butler**, 315 Hollyberry Street and small business owner-on September 20, 2010 shared her concern on the traffic congestion. On Oct 4<sup>th</sup> she addressed the poor economy. She researched the WA State Gambling Commission website and it stated that card rooms are closing. The October, 2010 WA State Gambling Commission flyer says issues with gambling are crime and education and awareness is needed. She referenced the La Center casinos. Also bank robberies and human trafficking. Wants to provide for and bring sustainable business to Woodland.

**Lorraine Griffin**, 738 3<sup>rd</sup> Street, Woodland-was raised here from the middle of the depression on. Said there are better ways to put Woodland on the map. There are short-comings to the children if gambling comes. There can be traffic problems. Let the people have something to say on this issue.

**Darlene Johnson**, PO Box 1808 Woodland-is in favor of allowing card rooms. The lottery is a legal activity and the state is in the gambling business. The business should be allowed to make the business decision of what they want to do. It should not be legislated. You cannot make laws to make people be good or bad. It is a business decision that a business is asking to do. When the complete zoning ordinance is developed there will be more input. It is not a one or the other thing.

**Sandy Larson**, has a sympathy with the business owner. Businesses need to be creative to survive. Spoke on the addiction and devastation of gambling, drug problems, gang activity, etc. Encourage the council to think really hard about it.

**Marcella DuPettit**, 171 Mable Lane and business at 131 Davidson-is not for or against gambling. Does not want it to be limited to C-2, wants it to be allowed in the C-1 so she can play cribbage at her establishment.

**Sharon Blum**, 310 Insel Road, Woodland-has lived here her entire life. Is against the gambling. Spoke on the problems of addiction. She has experienced it first hand by her father who gambled. It brings on alcohol abuse, infidelity and domestic abuse. Gambling tears families apart. It made her determined that it would not affect her family after she married and had her own family. She was part of the 61% majority that voted it out in the past. She didn't want it then and not now. The Oak Tree has been kind to her, but when the new owners came here they lost customers due to quality and service. It is hard to get back customers.

**Cheryl Zumstein**, 1801 NE Hayes Rd. Woodland-has lived in Woodland over 60 years. Has been involved in community issues over the years. Read in the Columbian about the proposal of card rooms. Quoted the Columbian-Steers & Jeers: encouraging card rooms is not the way to go. The Oak Tree said they had to reduce their staff. When times are tough that is what you have to do. Bigger is not always better. Said that the vote of the people in the 1980's should be heard. Does not think Woodland should be known for card rooms instead of other. Mentioned the City Mission statement "to preserve the heritage" and thinks that is what the council should do.

**Benno Dobbe**, 1066 S. Pekin Rd.-agreed that there are people that are addicted to gambling, but even if there is gambling in Woodland, there will still be addicts. This is a zoning issue and it should be up to the business. He said if a family member showed addiction, he would help them out any way he could. This is a business issue and he puts his trust in the management of the Oak Tree. He feels they will run it responsibly. He referenced La Center. The overall picture of card rooms is positive.

**Cheryl Cline**, 11313 Lewis River Rd. Ariel – it is a personal choice whether to gamble or not. Their family goes to La Center to restaurants but does not gamble. You cannot close donut shops for those that are obese and bars for those that drink too much alcohol.

**Steve Hanson**, 1319 NW 36<sup>th</sup> Street, Vancouver- 75% of the traffic at the Oak Tree is from the highway traffic. A high percentage in the La Center casinos, are from out of town, not local. Dollars will come from outside the city. Employment and jobs is not a small issue. Hundreds are employed by the La Center card rooms. Encourages the council to change the zoning and allow card rooms in the City.

The public hearing was closed at 8:12 p.m.

Recessed at 8:12 p.m. to 8:22 p.m.

Councilmember McCall read a statement into the record relating to the process and information provided. Council comments and discussion followed.

## **2. Water and Sewer Rate increases**

The purpose of the hearing is to hear a proposed rate increase for water and sewer. Public Works Director Steve Branz presented an outline on the proposed rate increase.

The public hearing was opened at 8:33p.m.

**Marshall Allen**, 320 Fir Avenue-spoke on the proposed rate increase. He asked about summer averaging of sewer rates. He wants a flat rate or averaging.

**Darlene Johnson**, PO Box 1808- asked what has the city done to lower the expenses and labor costs?

The public hearing was closed at 8:39 p.m.

Council comments and discussion followed.

## **3. 2001 Property Tax Levy (101% levy limit)**

Mari Ripp, Clerk Treasurer presented information on the proposed ordinance.

The public hearing was opened at 9:05 p.m.

**Marshall Allen**, 320 Fir Avenue, – asked a general question about the property tax levy.

**Benno Dobbe**-asked what the 460 acre annexation of CRC/Hamilton Materials will do to the assessed value and tax revenue.

The public hearing was closed at 9:10 p.m.  
Council comments and discussion followed.

## REPORTS OF CITY OFFICERS

- Mayor - Mayor's report  
11/8 budget workshop; 11/15 workshop at 4pm and regular meeting 7pm;  
11/22 workshop 4pm and special meeting 7pm and First Reading of 2011  
Budget; 11/29 7pm adoption of Final Reading 2011 Budget
- Clerk/Treasurer - Special meeting November 8, 2010 7:00 p.m. for 2011 Budget workshop  
(changed from 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.~~  
- After Hours hosted by WQCC (City, Port, School) at the Grange Tuesday,  
November 16<sup>th</sup> 5:00 p.m.  
- Special Meeting January 10, 2011 7:00 p.m. Facility funding options  
Resolution from WA Finance Officers Association expressing appreciation  
to members of the 2010 Conference Planning Committee and thanking the  
City of Woodland  
- 3<sup>rd</sup> Quarter 2010 Reports (all Departments) will be presented by the  
November 15<sup>th</sup> council meeting; Clerk Treasurer is awaiting final  
information from Fire, Public Works and Planning departments
- Police -  
Fire -  
Public Works -  
Building -  
Planning - Confirm date of Joint Planning Commission meeting with the City Council  
for Wednesday, January 12, 2011 7:00 p.m. at Community Center to discuss  
2011 Planning priorities;  
- Planning Commission Public Hearing November 10, 2010 7:00 p.m. re:  
Comp Plan Map Amendment and Rezone Land use Application for  
Christopherson N. Goerig Street #210-922;  
- Planning Commission Public Hearing November 10, 2010 7:00 p.m. re:  
Code Amendment Downtown Zoning and Design Standards #209-917;  
- Planning Commission Public Hearing November 10, 2010 7:00 p.m. re:  
Comp Plan Map Amendment and Rezone Longview Housing Authority  
Glenwood Street #210-909  
- Community Development Planner applications received and being reviewed.
- Attorney -

## REPORTS OF STANDING COMMITTEES

- Human Resources/ - Susan Humbyrd - October 27<sup>th</sup> meeting cancelled; Next

Government		meeting December 8 <sup>th</sup> 5pm; Union negotiations for Teamsters 58 Public Works and Clerical units Nov 4 <sup>th</sup> & 5 <sup>th</sup>
Finance	- Benjamin Fredricks	- October 28 <sup>th</sup> meeting cancelled; need to reschedule to review Budget Amendments for 2010-action Nov 15 <sup>th</sup> ; next meeting scheduled is Nov 22 <sup>nd</sup> 5pm
Public Safety	- Marilee McCall	- Next meeting Nov 15 <sup>th</sup> 5:30pm Appreciated the work done on budget
Public Utilities	- Tom Mattison	- Next meeting Nov 9 <sup>th</sup> 5:30 pm
• Facilities	- Marilee McCall	- Meeting January 10, 2011 7pm
• Horseshoe Lake Mgmt	- Tom Golik	- No meeting held in October
Parks/Recreation	- Aaron Christopherson	- Met October 20 <sup>th</sup> ; next meeting November 17 <sup>th</sup> ; parkland offer is being reviewed. Report on Park Safety Survey by Canfield & Associates Risk Management

**AD HOC COMMITTEES**

Comprehensive Plan Review	Marilee McCall	- No report
Cowlitz Wahkiakum Council of Governments	Susan Humbyrd	- October newsletter; last meeting was October 28 <sup>th</sup> attended by Councilmember Swindell-discussed Cowlitz Trails program; offered to come to Woodland to look for funding sources for the Lewis River trail
AWC/Legislative	Aaron Christopherson	- Councilmember McCall reported on Oct 26 <sup>th</sup> AWC Regional Meeting held in Kelso
Chamber of Commerce	Darlene Johnson	- Thanked those that attended Sharon Knight's Roast & Toast; next After Hours is Nov 16 <sup>th</sup> at the Grange 5pm
Downtown Revitalization	Tom Golik	- No report
Woodland Quality Community Coalition	Marilee McCall	- Report on October 20 <sup>th</sup> meeting; CWCOG 6 year transportation program; Cowlitz PUD energy rates and the future; Mike Karnofski, new Commissioner was introduced

**Action O) to extend the meeting to 11:00 p.m.**

Councilmember Fredricks moved to extend the meeting to 11:00 p.m. Councilmember Swindell seconded the motion.

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

M/S/C

Recessed at 9:46 p.m. to 9:52 p.m.

**CITIZEN INPUT FOR ITEMS ON THE AGENDA**

**Darlene Johnson**, PO Box 1808-spoke on item M re: 208 Buckeye Street-feels it is inappropriate to hire an attorney outside. A settlement should be done with a variance and a zone change.

**CONSENT AGENDA:**

- A. Move to approve claims voucher warrants number 40467 through 40541 for the month of October, 2010 in the amount of \$254,827.01 and payroll warrants number 29240 through 29258 for the month of October, 2010 in the amount of \$279,148.92 for a grand total of \$533,975.93.
- B. Move to approve minutes of October 18, 20 and 25, 2010 as presented.
- C. Move to Correction to voucher approval motions on September 7<sup>th</sup> and October 4<sup>th</sup>.
- D. Move to approve Resolution No. 589 – to authorize 2 surplus sedan vehicles from the Fire Department.

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

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

M/S/C

**ACTION AGENDA:**

**Action E) Ordinance No. 1195 – Interim Zoning Control to prohibit Commercial Public Card Rooms in all zoning districts with the exception of Highway Commercial (C-2) zoning district (FIRST READING)**

Councilmember Swindell moved to adopt Ordinance No. 1195 – Interim Zoning Control to prohibit Commercial Public Card Rooms in all zoning districts with exception of Highway Commercial (C-2) zoning district (**FIRST READING**). Councilmember Humbyrd seconded the motion. Discussion followed.

**Amendment:**

Councilmember McCall moved to amend the motion to have staff to prepare a report of La Center's process and timeline regarding placement of a Comprehensive Plan overlay zoning. This process should include a step of review and recommendation by the Planning Commission and a Public Hearing. The report of this process option should be returned to Council no than December 6, 2010 meeting for final reading of Ordinance No. 1195. Councilmember Mattison seconded the motion. Discussion followed.

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

M/S/C

**Main motion:**

To adopt Ordinance No. 1195 – Interim Zoning Control to prohibit Commercial Public Card Rooms in all zoning districts with exception of Highway Commercial (C-2) zoning district (**FIRST READING**) and staff to prepare a report of La Center's process and timeline regarding placement of a Comprehensive Plan overlay zoning. This process should include a step of review and recommendation by the Planning Commission and a Public Hearing. The report of this

process option should be returned to Council no than December 6, 2010 meeting for final reading of Ordinance No. 1195. Councilmember Mattison seconded the motion.. Discussion followed.

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

M/S/C

**Action F) Resolution No. 590 – to increase water rates**

Councilmember Swindell moved to table this item to a workshop (adopt Resolution No. 590 – to increase water rates (repealing Resolution No. 570).) Councilmember McCall seconded the motion. Discussion followed. Councilmember McCall removed her second. Motion died due to lack of a second.

Councilmember Christopherson moved to adopt adopt Resolution No. 590 – to increase water rates (repealing Resolution No. 570). Councilmember McCall seconded the motion. Discussion followed. The council asked that a press release be prepared showing how Woodland ranks in rates.

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

M/S/C

**Action G) Resolution No. 592 – to increase sewer rates**

Councilmember Humbyrd moved to adopt Resolution No. 591 – to increase sewer rates (repealing Resolution No. 571). Councilmember Fredricks seconded the motion. Discussion followed.

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

M/S/C

**Action H) Ordinance No. 1196 – to adopt off-street public parking (FIRST READING) ---- TABLED**

This item tabled under Agenda Approval.

**Action I) Ordinance No. 1198 – Land Use #209-933 Adoption of 2010 Southwest Woodland Industrial Subarea Transportation Plan (FIRST READING)---TABLED**

This item tabled under Agenda Approval.

**Action J) Ordinance No. 1199 – concerning the Old Apostolic Lutheran Church proposed Latecomer Agreement re: Land Use #208-905 ---TABLED TO DECEMBER 20, 2010**

This item tabled to December 20, 2010 (under Agenda Approval.)

**Action K) Authorize Mayor to sign proposed right-of-way dedication concerning Land Use Application #209-905 Latter Day Saint Church Conditional Use Permit**

Councilmember McCall moved to authorize the Mayor to sign the proposed right-of-way dedication concerning Land Use Application #209-905: LDS Church Conditional Use Permit. Councilmember Christopherson seconded the motion.

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

M/S/C

**Action L) Authorize Mayor to sign Interlocal Agreement among Cowlitz Co., WSDOT and Cowlitz Co. Cities for street waste beneficial reuse facility**

Councilmember Swindell moved to authorize Mayor to sign Interlocal Agreement among Cowlitz County, WSDOT and Cowlitz County Cities for street waste beneficial reuse facility. 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 M) Authorize Mayor to sign the Land Use Legal Service Contract with Foster Pepper concerning the appeal filed on behalf of Sherry Stewart re: 208 Buckeye Street---TABLED to November 15<sup>th</sup> to Executive Session**

Councilmember Fredricks moved to authorize the Mayor to sign the Land Use Legal Service Contract with Foster Pepper concerning the appeal filed on behalf of Sherry Stewart concerning 208 Buckeye Street. Councilmember Swindell seconded the motion. Discussion followed. City Attorney Bill Eling commented on the matter.

Councilmember Fredricks moved to table to an Executive Session at the next meeting November 15<sup>th</sup>. Councilmember McCall seconded the motion.

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

M/S/C

**Action N) Ordinance No. 1200 – Property tax levy for 2011 (101%) (FIRST READING)**

Councilmember McCall moved to adopt Ordinance No. 1200 – Property tax levy for 2011 (101%) (FIRST READING). Councilmember Swindell seconded the motion. Discussion followed.

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

M/S/C

The meeting was adjourned at 11:02 p.m.

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Charles E. Blum, Mayor

Minutes approved: November 15, 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.