

## February 7, 2011

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

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

**Absent:** None

**Also Present:** Deputy Clerk-Treasurer Gina Anderson  
Public Works Director Steve Branz  
City Attorney Bill Eling  
Fire Chief Mike Jackson  
Community Development Planner Carolyn Johnson

### **OATH OF OFFICE –**

Chief Jackson administered the Oath of Office to Fire Department members: Tessa Lee, Tyson Montgomery, Nicholas Watts, Zach Baxter and Lauren Allen. Cameron Marvin, Adam Wold and Kristina Aldrete were unable to attend due to work conflicts.

### **CITIZEN INPUT FOR ITEMS NOT ON THE AGENDA**

**Noel Johnson**, PO Box 1955, spoke about the Vancouver Mall remodel. The theater has a large screen, 80 feet wide. It is the largest screen on the West Coast.

Woodland Chamber of Commerce Installation Banquet selected Jim Graham for Citizen of the Year.

Mayor Blum read an excerpt from page 51 of the Code City handbook, State of Washington, item D – must see that all contract and agreements made with the city or for its use and benefits are faithfully kept and performed. These are the general powers and duties of the Mayor under RCW 35A.12.100

He stated that the report is not complete as the terms of the contract have not been met. The Mayor said he has not been interviewed as stated in the contract.

### **PRESENTATION**

1. **Organizational Assessment Draft Report** – Greg Prothman, Prothman Company. He stated they are looking for feedback on the draft report and to get comments. If there is more information to be given he would like to receive it. He is looking for the

pro's and the con's and then he will revisit the comments. If he has more information, he will include that as well. He suggested that he can include the comments in an appendix. The report is for incremental improvements. The report will have a list of things that are being done wrong, He stated that in every organization, it is true, that things are being done right. But it was not his job to tell what is being done right. They documented some of that, but they talked about the stuff where they things can be improved. So when you read the document and think that Woodland is doing bad, he would disagree.

Mayor Blum asked that a follow up interview be scheduled with him. Prothman stated there were two questions relating to the contract to answer 1) whether the city is ready to hire a city administrator and 2) in the course of the investigation areas that were worthy of commentary and should he comment on those. He then came back and asked for additional authority to dig deeper into two specific departments (clerk treasurer and public works) because they represent a majority of the city's funding. That was approved and he sent follow up investigators to perform that work. The two questions were: Are you ready for a city administrator and what else did he find. The charge was not to do a financial analysis. The draft report was presented to the council and mayor. Prothman also stated that Mayor Blum did have an interview.

#### **AGENDA APPROVAL**

Councilmember Fredricks moved to approve the agenda with the removal of action item K, authorize return of Cowlitz County Rural Development Grant Funds for roundabout in the amount of \$300,000. Councilmember Humbyrd seconded the motion.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Swindell No: None Abstain: None.  
(6-0)

M/S/C

#### **REPORTS OF CITY OFFICERS**

- |                 |  |
|-----------------|--|
| Mayor           | - Announced Chief Stephenson is ill this evening   |
|                 | - Meeting with Chamber, February 8 <sup>th</sup> for two issues: Roundabouts & Transportation Benefit District   |
| Clerk/Treasurer | - Special meeting/workshop for February 14, 2011 cancelled   |
|                 | - Liquor license renewal-Los Pepe's Restaurant   |
|                 | - Council vacancy; Applicant interviews are tentatively scheduled for the Feb 22 <sup>nd</sup> council meeting; 2 applications have been received to date.   |
|                 | - Announced all 2011 Committee, Board and Commission meeting schedules are in the packet   |
|                 | - Final December, 2010 reports are being reviewed by the Clerk Treasurer and final Budget Amendments are pending which will be discussed with the Finance Committee on or before their next meeting on February 28 <sup>th</sup> . Following that, 4 <sup>th</sup> Quarter 2010 reports will be completed by each department and distributed at the March 7 <sup>th</sup> or 21 <sup>st</sup> council meeting. |
| Fire            | - Participating in EMS Service options with other agencies   |
| Public Works    | - Report Schurman Way/Dike Road transportation options and grant money (related to action items)   |

Mayor introduced Carolyn Johnson, Community Developer Planner

- Planning
- Report on 2010 Planning Commission goals/priorities
  - March 16<sup>th</sup> Joint meeting with the City Council
  - Discussed the status of the letter to the State Gambling Commission re: card room prohibition repealed. It will be sent along with the 2 ordinances and will be mailed this week.
- Attorney
- Report on Mediation Agreement re: 208 Buckeye Street/Stewart
  - Suspicious letter from Global Law Firm - \$17,000 for AT&T
  - Letter of credit for action item J, Brothers Chumbley Partnership

## REPORTS OF STANDING COMMITTEES

- Human Resources/  
Government
- Susan Humbyrd
  - 2011 schedule;
  - Next meeting, March 3<sup>rd</sup>, 5:30 pm;  
March 31<sup>st</sup>, April 28<sup>th</sup>
  - Citizen Survey results (report by Marilee McCall).

Mayor Blum thanked Ms. McCall for her efforts with the important information from the citizen survey.

- Finance
- Benjamin Fredricks
  - Next meeting, February 28<sup>th</sup>, 5:00 pm
  - E-verify coming to February 22<sup>nd</sup> meeting
  - Phone RFP out on February 28<sup>th</sup> and reviewed by March 28<sup>th</sup>
  - Looking at modifying fee resolution in conjunction with DOL licensing

### **Action O) Set workshop on February 28<sup>th</sup> to discuss survey results**

Councilmember Swindell moved to have a workshop on February 28<sup>th</sup> to discuss the survey results. Councilmember McCall seconded the motion.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Swindell No: None Abstain: None. (6-0)  
M/S/C

- Public Safety
- Marilee McCall
  - 2011 schedule
  - Next meeting, February 22<sup>nd</sup>
- Public Utilities
- Al Swindell
  - Next meeting, February 8<sup>th</sup>, 5:30 pm
  - Last meeting discussed Walt's Meats
- Parks/Recreation
- Aaron Christopherson
  - Status of Park Acquisition
  - Next meeting, February 16<sup>th</sup>

Public Works Director Branz reported that Attorney Eling has talked to the seller about the contract. Applicant came in last Friday, February 4<sup>th</sup>, and there are still a few things to be worked out. Attorney Eling talked about liability insurance, indemnity and title insurance.

## AD HOC COMMITTEES

- Cowlitz Wahkiakum Council of  
Governments
- Susan Humbyrd
  - February 23<sup>rd</sup>, COG hosting their 50<sup>th</sup> anniversary dinner at the Monticello



**Nelson Holmberg**, Executive Director of the Port of Woodland, stated he is not in favor of the roundabout. He listens to his tenants and potential tenants. Truckers do not like the roundabouts. Roundabouts are fine for cars. These roundabouts are going to fail with trucks going four and five miles an hour. If you want trucks to go through downtown then approval the roundabout.

**Gloria Loughry**, PO Box 244, Lewis Media Group, said the scientists and statisticians have their place in our society and offer a valuable service to humanity but common sense would better guide us. Do not continue the pursuit of the roundabouts. Listen to the people that drive it every day. She is concerned with the authorization to award the bid to The Daily News, agrees with Mr. Hansen that The Daily News has provided false statistics. Lewis River Review is working to publish legal ads. What are getting for that bid or are you paying for false information?

**Sherry Stewart**, 208 Buckeye, stated she attended the mediation in good faith and is shocked just now that what was agreed upon is being held up. It has been 38 days, spent \$12,000 in legal fees, can not afford to get her hopes up that she is dealing with reasonable people, real damages financially and personally. Upset that it has been delayed and delayed. This has been a year of hell and it continues.

The Reflector is honest and forthright newspaper, readership is more than the Daily News. The Reflector is an important part of the information disseminated in our Community. Support The Reflector.

**Scott Perry**, 180 S Pekin Road, was unaware there was an ad hoc committee to discuss the situation of communication with the City and inquired if these meetings were public. The first three items on the goals and priorities have developed from staff or someone coming in. Economic development needs to be brought in.

Mayor Blum stated there are two kinds of committees: Ad Hoc Committee and Standing Committee. He appointed this committee at the last general session.

### **CONSENT AGENDA**

Items C and D were removed.

- A. Approve Claims Voucher warrants 41012 through 41109 for the month of January, 2011 in the amount of \$182,536.32 and Payroll warrants 29300 through 29335 for the month of January 2011 in the amount of \$268,091.96 for a grand total of \$450,628.28.
- B. Approval of minutes of December 20, 2010 and January 3, January 18, 19 and January 24, 2011
- E. Authorize use of Horseshoe Lake Park and beachfront by Electric Radio Controlled Unlimited for model hydroplane racing on April 30, 2011 with fees to \$200 plus \$50 deposit and proof of insurance.
- F. Authorize use of Horseshoe Lake Park and City facilities by Woodland Planter's Days Committee for Planter's Days on June 16-19, 2011 and waive usage fee; subject to proof of insurance.

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

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Swindell No: None Abstain: None.  
(6-0)

M/S/C

## **ACTION AGENDA**

### **Action C) Excuse absence of Councilmember Christopherson from the January 10<sup>th</sup> Council Meeting.**

Councilmember McCall moved to excuse absence of Councilmember Christopherson from the January 10<sup>th</sup> Council Meeting. Councilmember Swindell seconded the motion. Discussion ensued.

Yes: Burke, McCall, Humbyrd, Fredricks, Swindell No: None Abstain: Christopherson. (5-0)

M/S/C

### **Action D) Bid award for Official Newspaper of Record**

Councilmember Fredricks moved to bid award for official newspaper of record to The Reflector of Battle Ground. Councilmember Humbyrd seconded the motion. Discussion ensued.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Swindell No: None Abstain: None.  
(6-0)

M/S/C

### **Action G) Recognize Mayor's appointment of new fire members**

Councilmember Swindell moved to recognize Mayor's appointment of new fire members: Tessa Lee, Cameron Marvin, Tyson Montgomery, Nicholas Watts, Adam Wold, Zach Baxter, Kristina Aldrete and Lauren Allen. Councilmember Fredricks seconded the motion. Discussion ensued.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Swindell No: None Abstain: None.  
(6-0)

M/S/C

### **Action H) Adopt 2011/2012 Goals and Priorities -TABLED to February 22<sup>nd</sup> Council meeting**

Councilmember McCall moved to adopt 2011/2012 goals and priorities. Councilmember Swindell seconded the motion. Discussion ensued.

#### **Amended motion:**

Councilmember McCall moved to amend the motion for the final document for publication to come back to Council for approval.

#### **Motion to Table:**

Councilmember Burke moved to table action item H, Adopt 2011/2012 Goals and Priorities to the February 22<sup>nd</sup> Council meeting. Councilmember McCall offered to make suggestions to clean up the document for final publication. Councilmember Christopherson seconded the motion.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Swindell No: None Abstain: None.  
(6-0)

M/S/C

**Action I) Adopt Resolution No. 596 – Creating a Citizen Communication Ad Hoc Committee as an advisory board to the Woodland City Council**

Councilmember Fredricks moved to adopt Resolution No. 596 – Creating a Citizen Communication Ad Hoc Committee as an advisory board to the Woodland City Council with the exception of section 4. Councilmember Humbyrd seconded the motion. Discussion ensued.

Attorney Eling advised the Council to not delete section 4. Citizen Advisory Boards can be set up by the council. They aren't binding on the city, only advisory. He discussed how qualifications can be determined. The question is this a duplication of efforts of the committee the mayor has already appointed for the committee that resulted from the 208 Buckeye Street matter. He advised the council to not un-do the current committee.

**Motion to Table:**

Councilmember Swindell moved to table action item I, adopt Resolution No.596. Councilmember Burke seconded the motion. Discussion ensued.

Yes: Burke, Swindell No: McCall, Christopherson, Humbyrd, Fredricks Abstain: None. (2-4)

M/S/Failed

**Main Motion**

Councilmember Fredricks moved to adopt Resolution No. 596 – Creating a Citizen Communication Ad Hoc Committee as an advisory board to the Woodland City Council with the exception of section 4 and change section 1b to read “review the City policy”. Councilmember Humbyrd seconded the motion.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks No: Swindell Abstain: None. (5-1)

M/S/C

**Action P) Suspend the rules to continue the meeting to no later than 10:30 pm**

Councilmember Fredricks moved to suspend rules to continue the meeting to no later than 10:30 p.m. Councilmember Christopherson seconded the motion.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Swindell No: None Abstain: None.

(6-0)

M/S/C

**Action J) Authorize Mayor to sign Construction / Surety Bond Agreement with Brothers Chumbley Partnership relating to Short Subdivision #209-931**

Councilmember Swindell moved to authorize Mayor to sign Construction / Surety Bond Agreement with Brothers Chumbley Partnership relating to Short Subdivision #209-931. Councilmember Fredricks seconded the motion. Discussion ensued with Attorney comments. Attorney Eling would like an addendum to the agreement that states: contingent upon execution of an addendum to the agreement requiring the developer to provide an acceptable substitute letter of credit in the event the Washington Trust Bank becomes insolvent or is seized by Federal or State regulatory agencies.

Councilmember Fredricks moved to amend the motion to add the addendum from Attorney Eling. Councilmember Christopherson seconded the amendment.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Swindell No: None Abstain: None.  
(6-0)

M/S/C

Main Motion

Councilmember Swindell moved to authorize Mayor to sign Construction / Surety Bond Agreement with Brothers Chumbley Partnership relating to Short Subdivision #209-931 contingent upon execution of an addendum to the agreement requiring the developer to provide an acceptable substitute letter of credit in the event the Washington Trust Bank becomes insolvent or is seized by Federal or State regulatory agencies. Councilmember Fredricks seconded the motion.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Swindell No: None Abstain: None.  
(6-0)

M/S/C

**Action L) Authorize Gray & Osborne Supplement #2 for consolidation of Roundabout into Schurman Way for design and bidding**

Councilmember Fredricks moved to authorize Gray & Osborne Supplement #2 for consolidation of Roundabout into Schurman Way for design and bidding in the amount of \$11,120 with the following conditions: 1.) City meet with representatives from Topper Industries, Port of Woodland, the Washington Department of Transportation to review the current roundabout design and make any appropriate changes deemed necessary to support freight mobility in the Industrial zone and 2.) staff to provide a report to the City Council on all changes implemented into the new design. Councilmember Christopherson seconded the motion. Discussion ensued.

Yes: McCall, Christopherson, Fredricks, Swindell No: Burke, Humbyrd Abstain: None. (4-2)

M/S/C

**Action Q) Suspend the rules to continue the meeting to 11:00 pm**

Councilmember Fredricks moved to suspend the rules to continue the meeting to 11:00 p.m. Councilmember McCall seconded the motion.

Yes: Burke, McCall, Christopherson, Fredricks, Swindell No: Humbyrd Abstain: None. (5-1)

M/S/C

Council recessed at 10:30 p.m. and reconvened at 10:32 p.m.

**Action M) Authorize Mayor to sign Pacland Addendum #3: Design revisions, building preparation and support and construction support services**

Councilmember Fredricks moved to authorize Mayor to sign Pacland Addendum #3: Design revisions, building preparation and support and construction support services in the amount of \$17,160. Councilmember Christopherson seconded the motion.

Yes: McCall, Christopherson, Fredricks, Swindell No: Burke, Humbyrd Abstain: None. (4-2)

M/S/C

**Action N) Adopt Ordinance No. 1206 – PURD Standards (FIRST READING)**

Councilmember Fredricks moved to adopt Ordinance No. 1206 – PURD Standards (**FIRST READING**). Councilmember Swindell seconded the motion. TJ, Cowlitz-Wahkiakum Council of Governments, gave an overview of the PURD standards. Discussion ensued.

Yes: Burke, McCall, Christopherson, Humbyrd, Fredricks, Swindell No: None Abstain: None.  
(6-0)

M/S/C

The meeting adjourned at 10:44 p.m.

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Charles E Blum, Mayor

Minutes approved: February 22, 2011

Attest: \_\_\_\_\_  
Georgina D. Anderson, Deputy Clerk-Treasurer

These minutes are not a verbatim record of the proceedings.  
A recording is available in the office of the Clerk-Treasurer