



**CITY OF LA CENTER COUNCIL  
REGULAR MEETING  
February 10, 2016**

*These minutes are  
considered a  
DRAFT copy until  
approved by the  
City Council*

---

**REGULAR MEETING:**

1. Mayor Thornton called the meeting to order at 7:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

**Council:**

Councilmember Birdwell-Currey	Present
Councilmember Luiz	Absent/Excused
Councilmember Williams	Present
Councilmember Valenzuela	Absent/Excused
Councilmember Cerveny	Present
Mayor Thornton	Present

**Staff:**

Marc Denney, Chief of Police  
Suzanne Levis, Finance Director  
Jeff Sarvis, Public Works Director

**Guests:**

Doug & Beverly Boff	Larry Lewton
Bernie & Carol Bottens	Jennifer Miller
Doug & Barbara Burtwell	Dennis & Gail Nuttbroch
Alisha & Cory Delong	Richard & Laurie Schwarzkopf
Al Filla	J.W. Soske
Jack La Bounty	Andy "Sheriff" Taylor
Randy Goode	Kurt Wohlers
Ed Greer	

4. **CONSENT AGENDA**

- A. **APPROVAL OF CLAIMS/ADJUSTMENTS –02.10.16**
- B. **REGULAR MEETING MINUTES – 01.27.16**

**MOTION MADE BY COUNCILMEMBER CERVENY, SECONDED BY COUNCILMEMBER BIRDWELL-CURREY AND CARRIED UNANIMOUSLY TO APPROVE THE FEBRUARY 10, 2016 CONSENT AGENDA.**



**CITY OF LA CENTER COUNCIL  
REGULAR MEETING  
February 10, 2016**

*These minutes are  
considered a  
DRAFT copy until  
approved by the  
City Council*

---

**5. COUNCIL STAFF REPORTS/ANNOUNCEMENTS.**

**A. MAYOR'S REPORT.**

- City offices will be closed Monday, February 15, 2015, in observance of President's Day.
- The deadline to apply for the Planning Commission vacancies is Friday, March 11, at 5 p.m. Information is available on the City's website.
- The City Council Retreat is scheduled for Saturday, February 27, at the Public Works office, 9 a.m. – 3 p.m.

**B. ATTORNEY'S REPORT – None (absent/excused).**

**C. COUNCIL COMMENTS.**

- **COUNCILMEMBER BIRDWELL-CURREY** – None.
- **COUNCILMEMBER LUIZ** – None (absent/excused).
- **COUNCILMEMBER WILLIAMS** – It is great to see all the guests in attendance today.
- **COUNCILMEMBER VALENZUELA** – None (absent/excused).
- **COUNCILMEMBER CERVENY** – None.

**D. STAFF REPORTS.**

- **DIRECTOR JEFF SARVIS, PUBLIC WORKS DEPARTMENT.** Director Sarvis provided his staff report to Councilmembers previously in the packets. The report provided updates to projects and other activities in the Public Works department. Director Sarvis commented on the annual Cleanup Day event. Services such as the collection of household hazardous waste are being cancelled, due to reduction in Clark County funding. Director Sarvis will provide an update on the matter at a future meeting.

Director Sarvis attended the kickoff meeting today for the Clark County Employment Land Study project. It is a plan that consists of three tiers to develop and attract employment growth. Additional meetings will be held over the next few months.



**CITY OF LA CENTER COUNCIL  
REGULAR MEETING  
February 10, 2016**

*These minutes are  
considered a  
DRAFT copy until  
approved by the  
City Council*

- **POLICE CHIEF MARC DENNEY, POLICE DEPARTMENT.** Chief Denney emailed the Police Department's 2015 Annual Report to Councilmembers. The report outlines highlights from last year and is available on file.

6. **CITIZEN'S PUBLIC COMMENT.**

**LARRY LEWTON, 1109 W. C AVE.** Mr. Lewton serves as the City's representative on the Clark County Mosquito Control District Board, and he provided an update from the most recent meeting where prevention of the Zika virus was discussed.

7. **PRESENTATIONS – None.**

8. **ORDINANCES, RESOLUTIONS AND PUBLIC HEARINGS.**

- A. PUBLIC HEARING – GOODE/LA CENTER PACIFIC LLC ANNEXATION.** CONSULTANT **ERIC EISEMANN**, E<sup>2</sup> Land Use Planning Services, and **CITY ENGINEER TONY COOPER** presented. The proposal is to annex 50.94 acres of land in 7 parcels within the La Center urban growth area (UGA) into the corporate city limits with no development proposals and no land use development approvals. The annexation area abuts La Center city limits at Pacific Highway.

Consultant Eisemann continued the presentation with a background summary as detailed in the overview dated February 3, 2015, provided to Council previously and made a part of these Minutes (and available on file).

Future development will be subject to review under the State Environmental Policy Act (SEPA).

Staff has reviewed this application and finds the applicant can sustain the burden of proof that the proposed annexation will comply with the applicable provisions of Chapter 18.290 La Center Municipal Code (LCMC). If Council chooses to move forward with the annexation, Mr. Eisemann and the City Attorney will draft an ordinance to be presented before Council for approval in approximately four weeks.

Staff recommends that Council issue a Threshold Determination of Nonsignificance (DNS) and cause the determination to be circulated consistent with LCMC 18.310, SEPA.

At the conclusion of the SEPA process, Council can adopt an Ordinance approving all or a portion of the proposed annexation area and include conditions consistent with the La Center Comprehensive Plan and LCMC relating to the



**CITY OF LA CENTER COUNCIL  
REGULAR MEETING  
February 10, 2016**

*These minutes are  
considered a  
DRAFT copy until  
approved by the  
City Council*

---

annexation and development of medium density land. Afterwards, certification will be requested from the Clark County Assessor.

**CITY ENGINEER TONY COOPER** presented the basic engineering standards. The applicant will have to comply with the engineering construction standards and public right-of-way and street improvements according to the City's Code. The applicant proposes to connect sewer with a force main and lift station and gravity sewer to connect into a future central sewer system that will be built with Kays subdivision and according to the general sewer plan map.

If the Kays subdivision system is not built, applicant is required as part of the development to perform a sewer analysis and show the City how a sewer will be constructed to serve the whole basin.

Applicant is required to comply with the City's stormwater regulations.

**MAYOR THORNTON** opened the discussion to public comment at 7:19 p.m.

**RANDY GOODE, 945 E. 15<sup>TH</sup> CIRCLE**, the applicant, encouraged the City to approve the annexation. He understands the need for medium density zoning and its significance to the community and acknowledged the improvement requirements of future development.

Mr. Goode strived for a zoning swap with last year's Comprehensive Plan amendment, but the December 2015 deadline was missed. He hopes Council will consider a zoning swap with the next amendment; however, at this time he is ready to move forward with annexation and the current zoning.

It is important to note that it is required and in the City's best interest to have multiple zones in order to meet the needs of all demographics.

He foresees a demand for housing development in the future with the addition of the new casino at the I-5 junction. New developments will be beneficial to local businesses and provide the City with potential taxes and impact fees and other revenue.

Mr. Goode's neighbors have concerns with the annexation, and he addressed them for the record. There are concerns about condos and/or duplexes being developed on the one-acre lots in the area of Larsen Drive and 339<sup>th</sup> Street. He will ensure that larger lots will border the property. Another concern is the maintenance of the private road, Larsen Drive. He believes the road will be dedicated to the City at the time of development, who will maintain it; or, the developer will maintain it. Lastly, there is an existing stormwater facility on Lot 4 of East Fork Estates,



CITY OF LA CENTER COUNCIL  
REGULAR MEETING  
February 10, 2016

*These minutes are  
considered a  
DRAFT copy until  
approved by the  
City Council*

---

and he will have his own plans for a stormwater facility that will be maintained by the developer without affecting the existing facility.

Mr. Goode concluded by asking the City to adopt an ordinance that would allow his property to be annexed.

**DENNIS NUTTBROCH, 1509 NW 339<sup>TH</sup> ST.**, represents all seven lot owners in the East Fork Estates just south of the Goode property. The lot owners and Mr. Goode are in agreement. They do not oppose the annexation; however, they are concerned with the impact of future medium-density development on their lifestyle and property values. They prefer an MDR of 7.5 along the common property line to create a buffer. They are disappointed the zoning swap did not make it into the Comprehensive Plan amendment. If this does not happen with the next amendment, they want assurance that the beveling requirements laid out in the LCMC are available for them to use. Both the Comprehensive Plan and the LCMC provides for beveling.

The current boundary separating low and medium density as seen on the map bisects several of their lots. This issue of split zoning needs to be addressed in the Comprehensive Plan or the LCMC. Their concern is that another developer could come in and claim beveling is not required.

The East Forks Estates Homeowners Association currently has responsibility for maintaining the private roads, Larsen Drive and NW 339<sup>th</sup>, as well as the stormwater system and retention pond. They expect the development on the annexed property to not access these private roads nor add additional flow to the existing stormwater facility unless they are compensated in some way.

He strongly suggests that the ordinance approving annexation include a provision requiring lot size beveling and setback beveling along the common property line between East Fork Estates and the annexed property to assure that beveling will occur regardless of how the split zoning is resolved and if the Goode property is sold to another developer. Again, they expect the developer be prohibited from using their private roads for access unless the developer or the City takes responsibility for the maintenance of the roads and the stormwater facility. They do not want any additional stormwater flow into that system.

In closing, he asked Council if the integration of medium density housing into the City has really been addressed. He believes the MDR-16 zoning currently on the map conflicts with the LCMC and Comprehensive Plan by not being closer to employment areas, the core of the City, Timmen Road and the I-5 junction.



**CITY OF LA CENTER COUNCIL  
REGULAR MEETING  
February 10, 2016**

*These minutes are  
considered a  
DRAFT copy until  
approved by the  
City Council*

---

**MAYOR THORNTON** closed public comment at 7:37 p.m.

Discussion continued amongst Councilmembers with Mr. Eisemann elaborating on the beveling issue and how it can be addressed during the development stage of the annexed property. Beveling only affects the lot size, not what is developed. It was noted that the Planning Commission is working on how zoning changes can be made in the future. The Comprehensive Plan can be amended only once a year, and a public hearing would be required to change the zoning process allowing for more flexibility in the future. A beveling provision should be a part of annexation ordinance.

Consultant Eisemann asked Council for permission to proceed forward with the annexation as presented with the addition of a provision for beveling consistent with the LCMC.

Council unanimously agreed to move forward with the annexation process. Consultant Eisemann will initiate the SEPA process and seek Clark County certification, which will take approximately four weeks.

9. **ITEMS REMOVED FROM THE CONSENT AGENDA** – None.
10. **UNFINISHED BUSINESS** – None.
11. **NEW BUSINESS** – None.
12. **ADJOURNMENT.**

Meeting was adjourned at 7:45 p.m.

---

Mayor Greg Thornton

---

Suzanne Levis, Finance Director/Clerk