



**CITY OF LA CENTER COUNCIL
REGULAR MEETING
December 16, 2015**

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REGULAR MEETING:

1. Mayor Irish called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:**

Council:

Councilmember Valenzuela	Present
Councilmember Luiz	Present
Councilmember Williams	Present
Councilmember Thornton	Present
Councilmember Cerveny	Present
Mayor Irish	Present

Staff:

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

Guests:

Susan Andersen	Al Filla	Colby Newton
Kathy Bailey	Melissa Flatt	Ashley [Dorg]
Doug Boff	Judy Hickman	Dennis & Jennifer Riley
Amber Cobb	Dennis Hill	Cheryl Shoff
Elissa Carson	Candi Irish	Andy "Sheriff" Taylor
Paul Cole	Ed La Bounty	Tyler Thatcher
Jacob Currey	Larry Lewton	Julie Thornton
Jack & Rosemary Davis	Ed May	Cori Weaver
Christian Elston	Jesse R. Murray	Trent Uskoski

4. **CONSENT AGENDA.**
 - A. **APPROVAL OF CLAIMS/ADJUSTMENTS – 12.16.15**
 - B. **REGULAR MEETING MINUTES – 12.2.15**

MOTION MADE BY COUNCILMEMBER LUIZ, SECONDED BY COUNCILMEMBER CERVENY AND CARRIED UNANIMOUSLY TO APPROVE THE DECEMBER 16, 2015 CONSENT AGENDA.



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5. COUNCIL STAFF REPORTS/ANNOUNCEMENTS.

A. MAYOR'S REPORT.

- Mayor Irish wished all a Merry Christmas. City offices will be closed Thursday and Friday, December 24 and 25, for the Christmas holiday.
- If you would like to help out local needy families, stop by the La Center Friends Next Door Giving Tree in the City Hall lobby and select a giving tag. Friends Next Door will be helping 22 families and 57 children this year.

B. ATTORNEY'S REPORT – None (Absent/Excused).

C. COUNCIL COMMENTS.

- **COUNCILMEMBER VALENZUELA** – None.
- **COUNCILMEMBER LUIZ** wished everyone a Merry Christmas and thanked the public for their attendance. This being the last regularly scheduled City Council meeting of the year, he acknowledged Mayor Irish for his 12 years of service.
- **COUNCILMEMBER WILLIAMS** thanked Mayor Irish for 12 years of service to the City.
- **COUNCILMEMBER THORNTON** thanked Mayor Irish for 12 years of service and wished everyone a Merry Christmas and safe traveling.
- **COUNCILMEMBER CERVENY** thanked Mayor Irish for his 12 years of service and wished everyone a safe and happy holiday.

D. STAFF REPORTS.

- **POLICE CHIEF MARC DENNEY, POLICE DEPARTMENT.** Chief Denney emailed the December 2015 *Monthly Blotter* to Councilmembers previously which included crime statistics for November 2015 as well as other PD highlights.

6. CITIZEN'S PUBLIC COMMENT.

LARRY LEWTON, 1109 W. C AVE., serves on the Clark County Mosquito Control District Board of Trustees, and he provided a brief summary of the recent quarterly meeting. He then thanked City staff for answering his questions regarding the I-5 junction.



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TRENT USKOSKI, 206 E. PARKSIDE COURT asked that part of the City budget be paid towards the sewer bill to avoid rate increases to the public.

7. **PRESENTATIONS** – None.

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

A. PUBLIC HEARING – REZONING COUNTRY HILLS ESTATES FROM LOW DENSITY RESIDENTIAL (LDR-7.5) TO MEDIUM DENSITY RESIDENTIAL (MDR-16). Consultant Eric Eisemann presented. In July of this year, Council approved amendments to the La Center Municipal Code (LCMC) relating to medium density residential manufactured home subdivisions. The next step is to rezone the 58-unit Country Hills Estates from low density residential to medium density residential to minimize the problem of non-conforming development. The rezoning would apply to developed land and future development.

Council questioned the right-of-way of a utility easement located where W. 16th Street ends. Consultant Eisemann suggested adding a condition that Council approval would be contingent on the dedication of land for the right-of-way across the northern part from east to west to allow access. Council concurred that this condition should be made part of the agreement.

Mayor Irish opened the hearing to public comment at 7:19 p.m.

KATHY BAILEY, 1209 W. C AVE. It is the Association's desire (Country Hills Estates) to not open up new access to their park.

JACK DAVIS 1524 W. ALDER PLACE. He understands the City does not maintain the roads in Country Hills Estates because they do not fit the Code. He asked the City and the community to pitch in and assist with road maintenance.

Mayor Irish closed public comment at 7:23 p.m., and opened the discussion back up to Council.

B. ORDINANCE NO. 2015-11 REZONING COUNTRY HILLS ESTATES FROM LOW DENSITY RESIDENTIAL (LDR-7.5) TO MEDIUM DENSITY RESIDENTIAL (MDR-16). Council added a contingency of approval to Ordinance No. 2015-11 that the rezone be effective upon dedication of right-of-way of the land connecting W. 16th Street from the east to the west.

MOTION MADE BY COUNCILMEMBER WILLIAMS, SECONDED BY COUNCILMEMBER CERVENY AND CARRIED UNANIMOUSLY TO APPROVE ORDINANCE NO. 2015-11 REZONING COUNTRY HILLS ESTATES FROM LOW DENSITY RESIDENTIAL (LDR-7.5) TO MEDIUM DENSITY RESIDENTIAL (MDR-16) AS AMENDED.



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Mayor Irish called for a Roll Call vote:

Councilmember Valenzuela: Yes
Councilmember Luiz: Yes
Councilmember Williams: Yes
Councilmember Thornton: Yes
Councilmember Cerveny: Yes

- C. PUBLIC HEARING – AMENDING THE LA CENTER MUNICIPAL CODE, CHAPTER 18.140.030, TABLE, TO REDUCE THE MAXIMUM HEIGHT FOR DWELLINGS, GARAGES AND ACCESSORY BUILDINGS FROM 25 FEET TO 20 FEET.** Eric Eisemann presented. The City’s Planning Commission has recommended amending LCMC Table 18.140.030 to change the maximum height of dwellings and accessory buildings in manufactured home park/subdivisions from 25 feet to 20 feet, consistent with the House Rules of Country Hills Estates.

Mayor Irish opened public comment at 7:32 p.m. There being none, public comment was closed at 7:33 p.m.

- D. ORDINANCE NO. 2015-12 AMENDING LA CENTER MUNICIPAL CODE 18.140.030, RELATING TO BUILDING HEIGHT IN MANUFACTURED HOME SUBDIVISION.** Eric Eisemann recommended approval of Ordinance No. 2015-12.

MOTION MADE BY COUNCILMEMBER CERVENY, SECONDED BY COUNCILMEMBER WILLIAMS AND CARRIED UNANIMOUSLY TO APPROVE ORDINANCE NO. 2015-12 AMENDING LA CENTER MUNICIPAL CODE 18.140.030, RELATING TO BUILDING HEIGHT IN MANUFACTURED HOME SUBDIVISION.

Mayor Irish called for a Roll Call vote:

Councilmember Valenzuela: Yes
Councilmember Luiz: Yes
Councilmember Williams: Yes
Councilmember Thornton: Yes
Councilmember Cerveny: Yes

- E. INTERGOVERNMENTAL AGREEMENT BETWEEN THE COWLITZ TRIBAL GAMING AUTHORITY AND THE CITY OF LA CENTER.** Public Works Director Jeff Sarvis presented and reviewed issues discussed at previous City Council Work Sessions and provided updates.

MARC BUTORAC OF KITTELSON & ASSOCIATES, LLC was in attendance and presented updates including an overview of the agreements and the next steps that are anticipated with the Cowlitz Reservation development and I-5 La Center Road



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interchange. If all the permits are issued accordingly and construction proceeds as scheduled, the interchange will open in early summer 2017.

The Intergovernmental Agreement and the Minit Management Development Agreement have to both be approved by City Council and all permits in place before construction begins.

ATTORNEY MARK STOKER, VANCOUVER, WA, who represents Minit Management, provided a summary of his recent revisions to the Development Agreement between Minit Management and the City of La Center.

DAVID TETZ, MANAGER FOR CONSTRUCTION DESIGN WITH CLARK PUBLIC UTILITIES, was in attendance and provided information regarding the installation of electrical utility transmission and distribution lines at the I-5 junction intersection. Discussion of the pros and cons of underground versus overhead transmission lines ensued (underground is expensive and overhead is an eyesore). If underground lines are required, the agreement would have to be changed.

After discussion of all matters, Council agreed that additional time was required to review the agreements; so, it was proposed to postpone approval of the Intergovernmental Agreement (in tandem postponing approval of the Minit Management Development Agreement) and schedule a Work Session to discuss both agreements in detail. A Special Meeting could be scheduled after the Work Session for Council to take action, if necessary.

Council unanimously agreed to schedule a Work Session for Wednesday, December 23, at 5:30 p.m., City Hall, and a Special Meeting afterwards at 7:00 p.m. for the purpose of discussing the Cowlitz Intergovernmental Agreement and the Minit Management Development Agreement.

- F. PUBLIC HEARING – DEVELOPMENT AGREEMENT BETWEEN MINIT MANAGEMENT AND THE CITY OF LA CENTER.** Marc Butorac of Kittelson & Associates, LLC was allowed to provide a brief summary of the agreement to include a review of the different elements of property, which roads will be dedicated and restricted, locations of possible new driveways, underground stormwater storage options, and other points.
- G. RESOLUTION NO. 15-401 - APPROVING AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH MINIT MANAGEMENT, LLC PURSUANT TO RCW 36.70B.170 THROUGH 36.70B.210 AND LCMC CHAPTER 18.60 RELATED TO CERTAIN TRANSPORTATION IMPROVEMENTS CONSTRUCTED IN CONJUNCTION WITH THE COWLITZ TRIBAL DEVELOPMENT AND INTERSTATE 5 INTERCHANGE IMPROVEMENTS.** Resolution No. 15-401 was tabled automatically without discussion.
- H. ORDINANCE NO. 2015-09 ADOPTING THE BUDGET FOR THE CITY OF LA CENTER, WASHINGTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016 AND A POLICY OF**



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FUND BALANCING WITH REGARD TO TRANSFERS. Finance Director Suzanne Levis presented. It was noted that the roundabout project is now fully funded. Also, the 2016 budget includes a \$5 sewer rate increase. If Council prefers to not include a rate increase, the budget can be adopted now with the caveat that Council have the option to make a decision on sewer rate increases at the next regular City Council meeting. (The deadline for any change in rates is February 1, 2016 for the effective date January 1, 2016.) Expenditures and appropriations for 2016 will remain the same, if a decision is made to not increase sewer rates. Council agreed to accept the 2016 Budget with no sewer rate increases. A resolution will be presented at the next regular City Council meeting rescinding any increase in sewer rates.

After additional discussion, the following motion was made:

MOTION MADE BY COUNCILMEMBER VALENZUELA, SECONDED BY COUNCILMEMBER CERVENY AND CARRIED UNANIMOUSLY TO APPROVE ORDINANCE NO. 2015-09 ADOPTING THE BUDGET FOR THE CITY OF LA CENTER, WASHINGTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016 AND A POLICY OF FUND BALANCING WITH REGARD TO TRANSFERS, WITH THE REMOVAL OF THE SEWER RATE INCREASE FOR THE 2016 BUDGET.

Mayor Irish called for a Roll Call vote:

Councilmember Valenzuela: Yes
Councilmember Luiz: Yes
Councilmember Williams: Yes
Councilmember Thornton: Yes
Councilmember Cerveny: Yes

- I. ORDINANCE NO. 2015-10 AMENDING THE ADOPTED BUDGET FOR THE CITY OF LA CENTER, FISCAL YEAR 2015.** Finance Director Suzanne Levis presented, and recommended Council approve the budget amendment for 2015.

MOTION MADE BY COUNCILMEMBER LUIZ, SECONDED BY COUNCILMEMBER VALENZUELA AND CARRIED UNANIMOUSLY TO APPROVE ORDINANCE NO. 2015-10 AMENDING THE ADOPTED BUDGET FOR THE CITY OF LA CENTER, FISCAL YEAR 2015.

Mayor Irish called for a Roll Call vote:

Councilmember Valenzuela: Yes
Councilmember Luiz: Yes
Councilmember Williams: Yes
Councilmember Thornton: Yes
Councilmember Cerveny: Yes



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- J. C-TRAN THREE-WAY POWER SHARING AGREEMENT BETWEEN THE CITIES OF RIDGEFIELD, LA CENTER AND THE TOWN OF YACOLT.** Mayor Irish stated that the City of Ridgefield and the Town of Yacolt will move to approve the power-sharing agreement at their next City Council meetings, and he recommended Council approve same.

MOTION MADE BY COUNCILMEMBER VALENZUELA, SECONDED BY COUNCILMEMBER CERVENY AND CARRIED UNANIMOUSLY TO APPROVE THE CURRENT C-TRAN THREE-WAY POWER SHARING AGREEMENT BETWEEN THE CITIES OF RIDGEFIELD, LA CENTER AND THE TOWN OF YACOLT.

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

Meeting was adjourned at 9:17 p.m.

13. **OATHS OF OFFICE.** Suzanne Levis, Finance Director / City Clerk, administered the Oath of Office to City Council's Mayor and Councilmembers whose terms begin in January 2016:
- A. MAYOR GREG THORNTON**
 - B. COUNCILMEMBER HEATHER BIRDWELL-CURREY, POSITION NO. 1.**
 - C. COUNCILMEMBER JOE VALENZUELA, POSITION NO. 4.**
 - D. COUNCILMEMBER ELIZABETH CERVENY, POSITION NO. 5**

Mayor Greg Thornton

Suzanne Levis, Finance Director/Clerk