

BATTLE GROUND CITY COUNCIL MEETING

June 5, 2006

City Clerk Claire Warner called the roll. The following were:

PRESENT: Mayor John G. Idsinga, Deputy Mayor Sandra Barnes and Councilmembers Reinhold, Regan, Ganley, Walters and Ciraulo.

ABSENT: None.

ALSO PRESENT: City Manager Eric Holmes, Public Works Director / City Engineer Sam Adams, City Attorney Brian Wolfe, Chief of Police James McDaniel, Finance and Information Services Director David Reeves, Executive Liaison Adrienne DeDona, Customer Service Clerk Elizabeth Edwards, Associate Civil Engineer Mark Herceg, Assistant Planner Robert Maul and City Clerk Claire Warner.

PRESS: Heidi Wallenborn, The Reflector

COUNCIL SENTIMENTS

Councilmember Reinhold said that, this Saturday, the Grand Floral Parade will be held in Portland. He added that the Battle Ground Rose Float would be constructed up until the day of the event and he invited all to attend. He said that the 2005 Battle Ground Rose Float DVD is for sale for \$15 at the Rose Float Barn. Mr. Reinhold commented that he is attending the Citizen's Alumni Academy at the Police Department and added that it is a lot of fun. He encouraged others to attend the academy as he thought it gave good insight into the Police Department functions.

Mayor Idsinga commended the Police Department on their professionalism they have shown through the Police Academy and encouraged citizens to participate in the academy.

Councilmember Ganley announced that, next Tuesday night, is the Battle Ground High School graduation ceremony which is also the same night of the Meet and Greet. He stated that he would not be in attendance at the Meet and Greet due to the graduation ceremony. He added that Prairie High School will be graduating on Monday night and suggested that everyone prepare for traffic congestion. Mr. Ganley said that, while jogging on NE Grace, he noticed the improvements done on the planter strips and thought they really looked good. He wondered what the City's business occupancy / vacancy rate was and hoped that this information could be gathered.

MAYOR'S REPORT

Mayor John Idsinga proclaimed June 18 – 24, 2006, "Born Learning Week".

Public Works Director / City Engineer Sam Adams introduced new employee Elizabeth Edwards as the Engineering Department's Customer Service Clerk.

Doreen Turpin, Administrator with Fort Vancouver Regional Library District

Ms. Turpin thanked the City Council, on behalf of Support for Early Learning and Families, for recognizing the importance of focusing on young children. Ms. Turpin said that not only do children have 90% of their brain development by age 6, but they have five years of learning in place before they enter the formal education system. Ms. Turpin explained that they want to recognize this development and it is part of the reason for doing the Born Learning campaign.

Ms. Turpin added that there are many organizations committed to working with families and young children. She said that Sue is here representing the Battle Ground Community Library. She said that Children's Home Society and Education Service District in the Battle Ground School District are also active partners. She explained that although the June 24th event is taking place in Vancouver, the event is designed to be for all of Clark County and she invited everyone to attend. She invited Mayor Idsinga to participate.

Sue Barrows, Staff Member at Battle Ground Community Library

Ms. Barrows said that they do go into the community and visit groups and small young children under the age of 5 and do story time. She said that they do things in the library, but they do them in the community as well, primarily in Yacolt. She added that she was in Bethel Play Park in Brush Prairie and she did a story time this morning.

CITIZENS COMMUNICATIONS

Dick Rylander, 11416 NE 177 Circle Battle Ground, WA 98604

Mr. Rylander questioned why the last agenda item this evening is the discussion of the Southern Annexation efforts. He wondered if there would be time allocated for citizen comments or input at that time, or if it was just a presentation.

City Manager Eric Holmes said that, at this point, the item is just for "running through the formal steps". He added that there will be a number of opportunities forthcoming when formal public input opportunities would be available and that input is at the discretion of the Council.

Mayor Idsinga said that he would allow public input during this portion of tonight's meeting.

Mr. Rylander added that he has attended a number of City Council meetings and it always seems that there is a particular agenda item that is "more contentious" than the other items and this item is usually placed as the last agenda item. He suggested that whoever assembles the agenda should look at the roster of items and put the contentious item earlier in the agenda.

Terri Tweedell, 2903 West Main Street, Battle Ground, WA 98604

Ms. Tweedell reminded everyone that Saturday morning is the Flower Sale at Fairgrounds Park and it will start at 10 a.m. She said that the flowers that will be sold are the flowers that are leftover from assembling the float, as well as flowers brought in from citizen's gardens. All funds raised will go to the Battle Ground Rose Float.

Mayor Idsinga asked how the fundraising barbeque went.

Ms. Tweedell said that the Patriot Pavement Fundraiser was a success; over \$2,300 was raised in a 6-hour period. She said that the community came out in droves.

Curtis Wharton, 15019 NE 152nd Avenue Brush Prairie, WA 98606

Mr. Wharton said that he is the owner of Wharton Construction. He said that he owns property on 1st Avenue and 4th Street. Mr. Wharton explained that he has a small development there called Katie's Walk, which will be four live / work units. Four commercial units would be on the main level. He said that there are currently "no parking" signs out on 1st Avenue and 4th Street, and in order to be a commercial unit and use the retail buildings; he said it would be nice to have the signs removed. He said that one or two hour parking would be OK. He thanked the Council and hoped that they would consider his comments.

Patty Epperson, 1303 NW 8th Street, Battle Ground, WA 98604

Ms. Epperson said that her main concern is with the school levy not passing. She wondered what will be done to slow down the development of homes in Battle Ground. She said that she is concerned with the low income housing that is going in behind Fred Meyer. She said that she believed that this is being built on wetlands and now the wetlands have been moved outside City limits. She added that she does not see the theory behind this as the schools are already overpopulated. Ms. Epperson asked if the City can hold off on development. She wondered how this process could take place.

Mayor Idsinga briefly explained the Growth Management Act and assured her that Executive Liaison Adrienne DeDona would be in touch with her to discuss her concerns.

CONSENT AGENDA

- A.** Payroll Vouchers 05/19/06 #24511 to #24522 for \$8,725.00 and DD \$43,435.00
- B.** Minutes of the April 24, 2006 City Council Study Session
- C.** Minutes of the May 1, 2006 City Council Meeting
- D.** Claim Vouchers 05/05/06 #47052 to #47184 in the amount of \$319,716.70
- E.** Claim Vouchers 05/12/06 #47186 to #47257 in the amount of \$106,371.03
- F.** Claim Vouchers 05/19/06 #47258 to #47364 in the amount of \$291,323.43

Moved by Councilmember Reinhold and seconded to approve the consent agenda as presented. Motion carried.

Resolution 06-07, Resolution Amending the City of Battle Ground Travel Policy:

Consideration

City Manager Eric Holmes said that, on the May 1st meeting, under Administrative Reports, he had asked the Council if they would be comfortable making an amendment to the travel policy that would allow cost free incentives that are offered by travel vendors to accrue as a personal benefit. He explained that, under the current travel policy, it does allow this, but only in the situation where one would be getting bumped from a flight during official business. He said that the reason is because these incentive programs that are offered by many different chains, makes it impractical for the City to account and track individual programs that are in association with official City business and there is no cost to the City.

Mr. Holmes said that the Resolution in the packet has two provisions; one is a new section that clarifies that, for all travel arrangements, all the City purchasing provisions do apply. He said that the other provision is to the section that discusses airline travel, to allow incentives that are clearly incidental to the primary purpose of the travel – City business. He explained both provisions in detail.

There was discussion regarding the specific reference to the Portland Airport.

It was the consensus of the Council to not have a reference to a specific airport in the Resolution.

Moved by Councilmember Ciraulo and seconded to adopt Resolution #06 – 07. Motion carried.

Annual Review for Battle Ground Development Code Changes: Consideration

Assistant Planner Robert Maul explained that tonight staff is presenting the Council with the Planning Commission's recommendations for the annual review of the Battle Ground Development Code Changes. He reminded Council that they may recall this annual review is allowed by the Growth Management Act for changes in the Battle Ground Municipal Code and the Comprehensive Plan. On March 27th, 2006, staff presented Council with this list for acceptance and then proceeded with the process with the Planning Commission for presentation and public hearing. The Public Hearing was on May 10th, 2006 regarding the proposed changes and at the hearing Mr. Jason Sneed of 208 NE 4th Street testified that the Planning Commission include one additional code change that had not previously been on the list. The change related to residential setbacks and accessory buildings.

The Planning Commission voted unanimously to support the proposed amendments as indicated in the staff report and did not include the change requested by Mr. Sneed.

Mr. Maul reviewed the proposed amendments as presented in the City Council Packet:

1. 17.129.030 – Compliance with yard requirements.
2. 17.135.110 – Residential condominiums.
3. 17.200.104 – Post Decision Review.
4. Boundary line adjustments.
5. Parking Lot Islands.
6. 17.106.090 – Institutional and nonresidential development standards.
7. Alleyway standards modifications.
8. Height limitation on accessory structure.

City Manager Eric Holmes said that a formal ordinance will be back before the City Council on June 19, 2006.

Resolution #06 – 08, Resolution Adopting the Six-Year Transportation Improvement Program for 2007 to 2012: Consideration

Public Works Director / City Engineer Sam Adams explained that, before the Council tonight, is the 6-Year Transportation Plan for 2007 – 2012. He reminded the Council that this has come before them during a study session and on May 10, 2006, the 6-Year Transportation Plan (TIP) went through a work session with the Planning Commission on May 24, 2006. The Planning Commission held a public hearing and the Commission made no changes to the plan. The Planning Commission then recommended by motion, that the City Council adopt the TIP.

Mr. Adams said that the staff recommendation is to adopt the 6-Year Transportation Plan.

Moved by Councilmember Ciraulo and seconded to adopt Resolution #06 – 08. Motion carried.

Final Parks Bond Scope and Size: Presentation

Finance and Information Services Director David Reeves said that, in prior Council meetings, the City Council has approved Parks Bond Counsel and has also approved a reimbursement resolution so that the City can begin spending some of the funds that are anticipated to be borrowed. He further explained that one of the things that has not been discussed is the size of the bond. In the memo prepared for City Council, there is a monetary range that Council can decide on depending upon how much money can be used for future projects and the timeline that the City has to spend it.

Mr. Reeves said that, in order to do the projects that the Council wants to do this year, the minimum amount of borrowing would be \$1.5 million dollars. He said that would be sufficient, along with the resources the City has to cover the existing projects and the money that the Council reallocated from Fairgrounds Park Phase I to the Remy architectural and engineering and to Fairgrounds Phase II. He noted that there was allocation to Kiwanis Park as well.

Mr. Reeves explained that since the Council was going out for money anyway, this would be a good opportunity to conserve costs, do a single financing and borrow a larger sum of money, as long as the resources can be spent for government purposes within three years. He said that Council could borrow up to an amount that they could reasonably pay off; he said that this amount is roughly \$9 million dollars. In prior discussions, staff has determined that this much could not be spent during the timeframe of three years.

Mr. Reeves identified the three additions to the Fairgrounds Park of being the architectural and engineering for Remy, the architectural and engineering for Fairgrounds and actual construction of the Remy Park. He noted that staff has also gone out and talked to other resources in hopes of getting community buy-in and participation.

He said that in his memorandum, he suggests that an amount that could be spent, while still leaving an adequate reserve for bond debt payments in the future would be \$6.9 million dollars. He added that this is the "top end of his comfort level".

He explained how future funding could be secured after the three year timeframe.

Mr. Reeves said that his recommendation to Council is the \$5.9 million dollar range.

City Manager Eric Holmes explained that the borrowing amount that would allow the City to do the construction anticipated from previous direction from the Council, as well as post-construction, the City would need approximately \$6.9 million dollars. He said that the City is always looking for grants and partnerships. He added that if the City were to only borrow \$5.9 million dollars and not be successful in getting grants and partnerships, staff would need to come before the Council to do borrowing again.

There was discussion about borrowing situations and the Council's comfort level with regards to borrowing.

There was discussion about interest rates and additional borrowing.

It was the consensus of the City Council to use the amount of \$6.9 million dollars for the preliminary amount for the bond sale for financing parks improvements.

Ordinance #06 – 05, Parking Ordinance: Consideration

City Clerk Claire Warner read Ordinance #06 – 05 by title.

Associate Civil Engineer Mark Herceg explained that, pursuant to the Washington State Model Traffic Ordinance, parking restrictions within City limits are established through ordinance or resolution. Further, the City has adopted through, Ordinance No. 03-018 and codified through Title 10.14 of the Battle Ground Municipal Code, the City's parking regulations. Occasionally, staff receives parking regulations for various streets. Additionally, new roads are added requiring parking regulations.

He then reviewed the proposed areas with changes to the parking regulations as detailed in the Council packet:

- NW Onsdorff Boulevard from NW 20th Avenue to NW 10th Avenue.
- SW Scotton Way from SW 5th Avenue to S. Parkway Avenue (north) and SW Scotton Way from SW 4th Avenue to South Parkway Avenue.
- SW Scotton Way from SR 503 to SW 9th Avenue.
- SW 9th Avenue from SW Scotton Way to NE 199th Street.
- The west side of NE 1st Avenue from NE 4th Street to 150 feet south of the centerline of NE 4th Street.
- SE Clark Avenue from SE Rasmussen Boulevard to 200-feet south of SE Rasmussen Boulevard (east).
- NW 12th Avenue from NW Onsdorff Boulevard to 125-feet south of NW 14th Street (east).
- SE Grace Avenue from SE 6th Street to SE Rasmussen Boulevard (west).

There was discussion on outreach to the community about these changes.

There was discussion on:

- The west side of NE 1st Avenue from NE 4th Street to 150 feet south of the centerline of NE 4th Street.
- NW 12th Avenue from NW Onsdorff Boulevard to 125-feet south of NW 14th Street (east).

Moved by Deputy Mayor Barnes and seconded to approve Ordinance #06 - 05 as presented. Roll call vote: Ayes, Councilmembers Ciraulo, Ganley, Regan, Walters Reinhold, Deputy Mayor Barnes and Mayor Idsinga. Nays, none. Motion carried.

South 503 Annexation Work Program: Consideration

Community Development Director Brian Carrico said that this is the fourth time that this item has come before the Council. He explained that, at the last meeting on May 15, 2006, Council confirmed some boundaries and staff agreed to go back and develop a work program of how long and how much effort this project would take. In addition to the information in the memo, Mr. Carrico said that he has had a recent meeting with Public Works Director / City Engineer Sam Adams and staff from Hazel Dell Sewer District to get a better understanding of the sewer issue.

He added that he has also had contact with property owners who have expressed a desire to be a part of the annexation. He said that he had a letter from the *Whispering Pines Land Company* and reminded City Council that Mr. Joe Lehr had come before the Council on occasion. He said that the *Whispering Pines Land Company* is located south of the annexation and they would like to be considered with the annexation. The second request is from the Bissell's, who own property towards the north, and they too would like to be included in the annexation.

Mr. Carrico reviewed the following points as presented in the Council memo:

- Sewer Service
- Land Use and Zoning
- Work Program

There was discussion about:

- Potential annexation agreement.
- Zoning in the area.
- Potential partnerships.
- Sewer in the area.
 - Step-system.

There was further discussion on a development agreement and sewer in the area.

It was the consensus of the Council that they would be comfortable with considering a legislative overlay or a zoning overlay in the place of a development agreement.

Bob Bandarra, Clark Regional Waste Water District

Mr. Bandarra said that the Clark Regional Waste Water District would be willing to work with the City.

Dick Rylander, 11416 NE 177 Circle, Battle Ground, WA 98604

Mr. Rylander said that he had a few questions, for the record, which would hopefully receive answers in the future:

- Staff keeps referring to the expansion of the Salmon Creek capacity, but when is it slated to be completed?
 - What is the capacity of it?
 - What development will use it?

Mayor Idsinga said that it is scheduled for 2009.

Mr. Rylander further asked if the limitations for development would be in place until the capacity is in place.

Mr. Rylander asked how long the study would take to be completed. He then asked if the Council has ever gone forward on an outreach program to actively seek annexation. He asked if people such as Mr. Achen, who have an interest, should be responsible for the time, effort and cost of reaching out to the others. Mr. Rylander then asked if the packet of information that staff might send out to people who have concerns about the annexation and process, would be like the "League of Women Voters who actually provide opposing viewpoints".

Mr. Holmes said that, as far as the outreach efforts, it is at the discretion of the City Council. He added that, relatively speaking, it is a nominal amount. Procedurally, the outreach work that will be done will be strictly factual.

ADMINISTRATIVE REPORTS

Community Development Director Brian Carrico reminded the Council that on May 15, 2006, Mr. Nelson came before the Council and discussed the fire that occurred in the northwest corner of the City. Mr. Carrico said that Mr. Nelson had said that the builder did not provide sheeting on the gable ends and in this case the fire came out the gable ends and damaged other houses. Mr. Nelson had stated that he thought sheeting on the gable ends would have prevented the fire from going to the other houses. Mr. Carrico said that the codes do require that the gable ends, when using vinyl siding, be sheeted. Thus, no codes would need to be changed.

Chief of Police James McDaniel gave updates on:

- Police Officers at police academy in Burien, Washington, will be finished with the academy in August.
- Meeting with Leann Dodge, a new State Farm Agent in Battle Ground, who is looking into getting the Police Department a grant through State Farm Insurance that would help the Police Department fund, at least initially, a volunteer program, similar to a senior patrol program.

Public Works Director / City Engineer Sam Adams gave updates on:

- Resolutions for IAC – Remy Property and Tukes Mountain.
- Speed Study on 20th Avenue and Onsdorff Areas.
- Striping areas on East Main Street.
- Fairgrounds Phase I Costs.

City Manager Eric Holmes requested an Executive Session to discuss labor relations and pending litigation and estimated the session would take one hour and fifteen minutes, with action to follow.

Moved by Councilmember Ciraulo and seconded to adjourn into Executive Session to discuss labor relations and pending litigation for approximately one hour and fifteen minutes, with action to follow. Motion carried.

There was a 5-minute break at 8:36 p.m.

Executive Session began at 8:41 p.m.

The regular meeting resumed at 10:03 p.m.

Moved by Councilmember Ciraulo and seconded to approve the settlement agreement with Clark County Natural Resources Commission regarding the appeal of the City's Critical Areas Ordinance and authorize the City Manager to execute the same. Motion carried.

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ADJOURNMENT

The meeting was adjourned at 10:05 p.m.

John G. Idsinga,
Mayor

Claire A. Warner,
City Clerk

Meetings of the Battle Ground City Council are recorded on audio tapes. These tapes are kept on file in the office of the City Clerk for a period of six (6) years.