

BATTLE GROUND CITY COUNCIL MEETING

January 22, 2007

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

- PRESENT:** Deputy Mayor Barnes, and Councilmembers Reinhold, Ganley, Regan, Ciraulo and Walters.
- ABSENT:** Mayor John G. Idsinga.
- ALSO PRESENT:** City Manager Dennis Osborn, Public Works Director / City Engineer Sam Adams, Finance and Information Services Director David Reeves, Community Development Director Brian Carrico, Chief of Police James McDaniel, Police Lieutenant Roy Butler, Executive Liaison Adrienne DeDona, City Attorney Brian Wolfe, and City Clerk Claire Lider.
- PRESS:** Brandy Slagle, The Reflector

Moved by Councilmember Ciraulo and seconded by Councilmember Ganley to excuse Mayor Idsinga as he is in Hawaii. Motion carried.

COUNCIL SENTIMENTS

Councilmember Reinhold said that, during the last Rose Float Meeting, the Rose Float received the Sweepstakes Award plaque, which is given to the best float in the Portland Rose Festival Parade. He passed around the plaque for the Council to view and noted that it would be added to the Rose Float Building's awards area. He said that this year's float will feature a vintage trolley car.

Councilmember Reinhold then added that the North County Community Food Bank would be hosting a Rummage Sale on Thursday, Friday and Saturday at the Fairgrounds Building. He noted that anyone can make a donation to the sale.

Councilmember Reinhold then added that he would like to review the Council Rules and pay scale at a future Study Session.

Councilmember Ciraulo acknowledged all the Public Works Department employees for their hard work during the snow storm. He thanked the entire City staff for their hard work keeping the City safe during the winter weather.

MAYOR'S REPORT

Deputy Mayor Barnes said that Mayor Idsinga would like to reappoint Mavis Kent to Position #6 on the Parks Advisory Board with a term expiring on December 31, 2009 and would like Council's confirmation.

Moved by Councilmember Walters and seconded by Councilmember Reinhold to reappoint Mavis Kent to Position #6 on the Parks Advisory Board with a term expiring on December 31, 2009. Motion carried.

Deputy Mayor Barnes stated that there are two upcoming Ribbon Cutting Ceremonies:

- February 13, 2007 at 3:00 p.m. for Grease Monkey.
- February 20, 2007 at 3:00 p.m. for Verizon Wireless.

Deputy Mayor Barnes said that she, along with Mayor Idsinga and City Manager Dennis Osborn, had the opportunity to have dinner at Mark O. Brown's house, and added that there were several legislators in attendance. She said it was an eventful meeting, as they had chance to let the legislators know the City's priorities.

She added that, on February 13, 14 and 15, 2007, she, along with City Manager Dennis Osborn and Mayor Idsinga will be in Olympia lobbying for the City's priorities at the City Legislative Action Conference.

CITIZENS COMMUNICATIONS

Rick Lewis, 118 SE Fairgrounds Avenue, Battle Ground, WA 98604

Mr. Lewis said that he is here tonight in regards to the financial commitment that the City has made to parks, as well as a proposal that he like the Council to consider. Mr. Lewis said that he would like Council to add additional painted bike lanes. He added that he would like to have additional shoulders to provide connectivity. Mr. Lewis said that 40% of citizens do not drive, which includes those less than 16 years of age, and the elderly. He commented that this could help give them a means of transportation.

Mr. Lewis said that he had cancer in late 80's and so he decided to get on a bicycle and he has had nothing since. He stated that he thinks it is because of a healthy lifestyle.

He then explained that the City of Davis, California is an example of bicycle friendly City and they have economic development because of it. Mr. Lewis concluded that, with a small investment, the City Council could direct staff to see the costs involved with adding bike lanes. He added that this would be a minimum effort for now, as now new development adds to these lanes.

Councilmember Ciraulo asked Mr. Lewis if Clark County had a program in place for the addition of bike lanes.

Mr. Lewis said that he did not know, as the County mostly works on the shoulders, he noted that he would try to find out.

Councilmember Ganley added that there is a bicycle map for Clark County.

Councilmember Ciraulo said that he would like to see this idea work and connect into Clark County.

Mr. Lewis commented that the City of Battle Ground is the flattest City in Clark County and this is a way to take advantage of this.

It was the consensus of the Council to have this item return for discussion at a study session.

With no further comments, Deputy Mayor Barnes closed the Citizen Communication portion of the meeting.

CONSENT AGENDA

All items listed below are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests specific items to be removed from the Consent Agenda for discussion prior to the time council votes on the motion to adopt the Consent Agenda.

1.
 - A. Payroll Vouchers 01/05/2007 #24782 to #24805 for \$48,602.71 and DD \$159,260.77
 - B. Minutes of the January 2, 2007 City Council Meeting
 - C. Final Plat Application for St. George Estates – Final Plat
 - D. Professional Services Agreement for Cedars Sewer Line Realignment

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

South 2nd Avenue Street Vacation Request: Public Hearing

Public Works Director / City Engineer Sam Adams gave a PowerPoint presentation entitled "Vacation Process":

- RCW 35.79.010 – Owners abutting any real estate may petition to vacate right-of-way. Needs two-thirds of the owners to authorize the legislature to fix by resolution a time to hear petition.
 - *City received a petition from 100% of abutting property owners on September 6, 2006.*
- RCW 35.79.020 – Upon passage of the resolution, the City will give twenty day's notice in three public places, and at least fifteen day's notice to affected property owners. If fifty percent of the property owners object to the vacation then the city will not proceed.
 - *Council adopted resolution 06-17 to set hearing for January 16, 2007. We have advertised in the Reflector, posted the site, posted a sign in the neighborhood and on the public billboard in City Hall. We have notified the abutting property owners and have not received any objections.*
- Next - Review Right-of-way Encumbrances.
- Options available to City Council:
- Deny Request to Vacate Right-of-way.
- Approve Request to Vacate – No Compensation and retain Easements for Utilities.
- Approve Request to Vacate – Compensation for Land Value and retain Easements for Utilities.

- RCW 35.79.030 – A City may ask for compensation equal to ½ the value of the land. If said right-of-way has been dedicated for 25 years or more, or was purchased by the city then full compensation can be requested prior to vacation.
- The City would then establish ordinance to vacate all or part of the right-of-way and may retain easements over the property.
- The right-of-way was dedicated with the plat. Staff is assuming as a future road extension to 199th Street. We do not see any need for a road extension.
- Staff recommendation. If the Council chooses to vacate the right-of-way, staff recommends retaining an easement over the entire site for utilities and future ingress and egress. If Council chooses to vacate with full easement then compensation may not be required due to the restrictions placed upon the property with a full easement.

There was discussion about the future use of the property and access to the property if the property were to be vacated.

Deputy Mayor Barnes opened public hearing regarding the South 2nd Avenue Street Vacation Request.

Janell Harring, 205 SW 19 Street, Battle Ground, WA 98604

Ms. Harring said that she hoped that the Council would proceed with the street vacation. She added that it will never be a road, and that when she moved in the weeds in the area were waist high. She said that this was an eyesore so she and her neighbor Dave [Reeves] have taken turns taking care of the area.

She said that she has a 1,400 square foot house and would like to expand the house instead of move. Ms. Harring said that she would like to build up to the easement for more space for her home. She said that she would strongly recommend not making the area a public pathway because of the Gardner Ditch, which she thought is unsafe even though it says no trespassing. Ms. Harring said that she is asking the Council to proceed with vacation with time to research the waterline.

Nazareno Sestoso IV, 202 SW 18 Street, Battle Ground, WA 98604

Mr. Sestoso explained that he has spoken with a lot of homeowners and said that he would like the area to be a children's playground. He said that he is Lot #10 and it is only a 7,000 square foot lot, and this would be good for the public, the community and development. He asked the Council to please consider his recommendation.

Deputy Mayor Barnes said that she would keep the Public Hearing on the South 2nd Avenue Street Vacation Request open.

Councilmember Ciraulo asked what the cost to install and maintain a park similar to Central Park would be.

Mr. Adams said that the City has items from Kiwanis Park, so with staff time, the cost would be about \$1,500 – \$2,000 per year. He said that maintenance and watering would have additional costs. He estimated that the initial investment would be about \$12,000 and then a couple thousand dollars a year to maintain the area.

Councilmember Walters said that she would like to know the holdings that the City has of this nature in other areas that don't have parks. She added that she would like an inventory of the City's parks areas. She commented that she would like to turn this area into a park versus selling the land or giving away the area.

Councilmember Ganley explained the history behind the development of the area. He said that he would like to look at this area for future connectivity. He added that once the City gives up an area, it is gone. He asked if the City could give up just a portion of the property.

Mr. Adams said that the City would just have to establish a public access easement.

There was discussion regarding:

- Whether or not this area could be a viable park.
- Ownership of the property.
- Sale of the property.
- Potential revision of the plat.

Councilmember Ganley said that he would like a history of what the City has vacated in the last 10 – 20 years.

Councilmember Walters said that living in a neighborhood where she has 15 kids playing in the street everyday, she couldn't see anyone being upset about having a park put in, or a trail, or anything of the nature, and she would like to do that instead of sell the property or give it away.

Deputy Mayor Barnes said that if the area is not used for a road, she would like to know what the options are for open space use. She said that she would also like to know the City's capital park plan in relation to this area.

Deputy Mayor Barnes directed staff to answer the questions raised by the Council and said that the public hearing would be continued at the February 20, 2007 City Council Meeting.

Mr. Adams clarified that the City Council would like staff to look at:

- Other properties, lots and right-of-ways in the City's inventory.
- What right-of-ways can be turned into public use.
- The history of the City's vacations in the last 10-years.
- How this area related to the parks plan.

Senior Center User Fee: Presentation

Finance and Information Services Director David Reeves explained that the senior citizens currently provide a service to the City by checking users of the Senior Center in and out when they use the facility. He said that this is for the purpose of letting users in and out of the facility, as well as determining if the Senior Center is restored to its original condition for purposes of a refund.

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He said that the senior citizens have proposed receiving \$10 per customer in order to do this function. He said that the City could increase the rental charge \$10 to pay them each time, which would pass directly to the seniors. He said that this would require two actions, the first would be a fee adjustment and the second would be an agreement with the seniors.

He said it is for the seniors use it at no cost and it is rented to the public at a cost. Mr. Reeves added that the charge is not a "money making investment".

There was discussion about who the funds would go to.

Councilmember Ciraulo said that he is in favor of paying the seniors for their time.

There was discussion about the Senior Center Group formation.

Deputy Mayor Barnes asked about how the funds would be dispersed and accounted for by the City.

City Manager Dennis Osborn suggested that this item come back with a resolution and that Mr. Reeves find out the tax status of the group.

It was the consensus of the City Council that this item come back with a resolution and that Mr. Reeves find out the tax status of the Senior Citizen's Group.

Councilmember Ganley said that the funds could be put in a fund for the senior citizen's use, or the City could make them an advisory group.

C-TRAN Route Changes: Presentation

Community Development Director Brian Carrico said that this agenda item is a quick update on C-TRAN service in Battle Ground. He said that C-TRAN had moved its services from a fixed route to a connector service, and although it had a set of set stops and times, one could call and request a scheduled pick-up.

Mr. Carrico explained that, during 2006, C-TRAN contracted a consultant, Perteet Inc., to conduct a complete service redesign study. He said that the study included ridership counts, onboard surveys, stakeholder interviews, rider and census data, customer comment forms and agency staff input.

He added that C-TRAN's website indicated that the guiding principles for making system changes are to:

- Improve ridership.
- Address the closing of Seventh Street Transit Center in downtown Vancouver.
- Maintain and improve frequent service to major existing destinations.
- Serve Growing areas within the service boundary.

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Mr. Carrico further explained that C-TRAN held a series of public hearings and after collecting information, it was decided that the Battle Ground area would no longer have the Connector bus, it would instead have a fixed route (showed attached map). He said that this is a preferred route and it would take effect in June.

Councilmember Ganley said that this route is subject to change and thanked City staff for meeting with C-TRAN Staff.

There was discussion on:

- Bus loading zones.
- New facilities that may possibly have to be built.
- Creation of the route.
- Users of C-TRAN.

Councilmember Ganley stated that he thinks that staff needs to work with C-TRAN in order to determine stops.

It was the consensus of the City Council that they would like to see work on “no parking areas” as well.

ADMINISTRATIVE REPORTS

Public Works Director / City Engineer Sam Adams gave an update on the school crossing flashers. He gave an update on the information that he is gathering by meeting with other cities regarding the feasibility of in-street flashers. He said that staff is getting mixed signals on in-street flashers, as they are of extremely high-maintenance and the County will not take care of them as they take too much maintenance. Mr. Adams said he is not sure if the City will use them as the cost is about \$5,000 a year for the in-street flashers. He said that the City may have to go to overhead flashers.

Mr. Adams said that he met with the City of Vancouver and Clark Regional Waste Water District as they are kicking off a study on the transition of services to Vancouver, which is a 6-month feasibility study. He said that the study on whether Clark Public Utilities should take over the Clark Regional Waste Water District should be finalized and out in early February.

Mr. Adams said that he received a request from the Little League to paint the concession building. He said that he gave the Little League approval to do so.

Mr. Adams gave an update on the Regional Transportation Advisory Committee. He then noted that the City has received its NPDES permit. He said that he would be giving a workshop presentation on the NPDES requirements.

There was discussion about the diagonal cut in 6th Street.

Mr. Adams said that the cities in Clark County are looking at getting together and appealing redevelopment section of NPDES requirement.

City Manager Dennis Osborn suggested holding off in order to see what can be found out in February during the AWC City Legislative Action Conference.

Community Development Director Brian Carrico gave an update on SR 503 Annexation.

Mr. Carrico gave an update on the Bloomquist Service Agreement and explained the associated maps (attached) as they related to zone changes. Mr. Carrico asked if the Council wanted to change the service agreement to address issues such as this or would they rather address it through the planning process.

There was a discussion on the zoning of the property.

Mr. Carrico said that it would be appropriate to do the change with the plan update.

It was the consensus of the City Council to wait to consider the zone changes in conjunction with the plan update.

Finance and Information Services Director David Reeves said that the City is making progress with the County regarding video arraignment for court. He said that the money for the equipment was in the 2006 budget but was not purchased.

Mr. Osborn added that this was on the Council's agenda for tonight, but the City and County are still working on a contract.

Mr. Reeves said that it will cost about \$40,000 for equipment here and at the County, but we budgeted more. Hew said that, as we get closer to the realization of video arraignment, the cash carry-forward could go to video arraignment, and this is a heads up for the Council.

Mr. Osborn asked the Council who would like to attend Clark County's State of the County Address on February 16, 2007 at 3 p.m. Councilmembers Ganley, Walters and Ciraulo stated they would like to attend.

Mr. Osborn reminded the Council that the Chamber Recognition Banquet is \$50 per plate and will be held on February 3, 2007 at 6 p.m.

Mr. Osborn reminded Deputy Mayor Barnes and Councilmember Reinhold about the Walker Macy update meeting that would be held on February 9, 2007.

He then reminded the Council that the photographer will be here on February 20, 2007 to retake the Council's photos as the photographer lost the memory chip the last time the photos were taken.

Mr. Osborn gave an update on the committees he is participating on.

He then said that he is looking for general direction regarding the Loaves and Fishes Program as they are looking at relocating outside the City limits. He explained that they currently provide service to the Senior Center, and asked if the Council would like to continue to provide funding as they are moving because they need a larger kitchen in order to provide additional service.

It was the consensus of the Council to direct the City Manager to find out if Clark County is supporting the program.

Councilmember Regan said he would support Loaves and Fishes as long as they serve our citizens.

Councilmember Reinhold said that if they move, he might not support them, if citizens can't get to the food. He said that he would like to work with Loaves and Fishes so that they may stay in Battle Ground.

Deputy Mayor Barnes echoed Councilmember Reinhold.

Councilmember Ciraulo said that he is on the steering committee for Loaves and Fishes, and he would like to partner with them and keep them near the Senior Center. He said that the only reason they would like to leave is because of the facilities.

Mr. Osborn said that he would work with them to try and address their needs.

Moved by Councilmember Reinhold and seconded Councilmember Walters to enter into Executive Session to discuss pending litigation for 20 minutes with potential action to follow. Motion carried.

There was a break at 8:39 p.m.

EXECUTIVE SESSION

Executive Session began at 8:46 p.m.

Executive Session adjourned at 8:50 p.m.

The regular meeting resumed at 8:50 p.m.

Moved by Councilmember Ciraulo and seconded by Councilmember Reinhold to authorize the City Attorney and the city manager to accept proposal of Mr. Gordon Overby to pay \$120,000 for sewer easement across the Overby property, with the proviso that drainage tile will be repaired or replaced and that the settlement agreement is signed soon enough that trial date is not lost. Motion carried.

INFORMATION

Public Works Operations monthly report

Information only.

Finance Department monthly report

Information only.

Engineering Department monthly report

Information only.

Police Department monthly report

Information only.

Fire Department monthly report

Information only.

Community Development Department monthly report

Information only.

ADJOURNMENT

The meeting was adjourned at 8:51 p.m.

Sandra Barnes,
Deputy Mayor

Claire Lider,
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.