

MINUTES
CITY OF STEVENSON COUNCIL MEETING
May 21, 2020
6:00 PM, via Zoom and YouTube

1. CALL TO ORDER/PRESENTATION TO THE FLAG: Mayor Anderson called the meeting to order at 6:01 p.m. and conducted roll call. Councilmembers Robert Muth, Amy Weissfeld, Matthew Knudsen and Paul Hendricks were present via Zoom. City Administrator Leana Kinley, Community Development Director Ben Shumaker, Public Works Director Karl Russell and City Attorney Ken Woodrich were also present via Zoom. Public attendees included Zachary Pyle, Mary Repair, Brian McNamara, Monica Masco, and Meg Gittins.

Councilmember Annie McHale requested an excused absence.

MOTION to excuse Councilmember McHale from the May 21st council meeting provided by Councilmember Hendricks with a second by Councilmember Weissfeld.

- Voting aye: Councilmember Hendricks, Muth, Weissfeld and Knudsen.
- Voting nay: None

a) **Update on Use of Technology for City Meetings-The Mayor** provided an update on city hall technology.

2. CHANGES TO THE AGENDA: The ratification of the First Street agreement was added as item f to the consent agenda and the vouchers were added to the general agenda. No other items were added after Tuesday, May 19th, 2020.

3. CONSENT AGENDA: The following items were presented for Council approval.

- a) Liquor License Application-420 Evergreen, change of corporate officers/ stockholders to only Adam Shaeffer at this time.
- b) Liquor License Renewal-Walking Man Brewing, Inc.
- c) Water Adjustment-Jasper & Bertha Bell requested a water adjustment of \$123.12 for a water leak which they have since repaired.
- d) Liquor License Renewal-Big T's Grille
- e) Liquor License Renewal -Clark and Lewie's
- f) Ratify Local Agency Agreement for First Street A&E Professional Services-The agreement was updated with additional WSDOT contract language. There was no change to the contract value or scope of work.
- g) Minutes of April 16, 2020 City Council Meeting.

MOTION to approve consent agenda items a-g made by Councilmember Muth with a second by Councilmember Hendricks.

- Voting aye: Councilmember Hendricks, Muth, Weissfeld and Knudsen.
- Voting nay: None

4. PUBLIC COMMENTS: Comments provided through email submissions were reviewed. Public comments were found beginning on page 80. Mayor Anderson asked for a packet version with page numbers to make it easier to locate items.

Mary Repar provided a public comment via telephone. She noted her other comments regarding Scotch Broom infestations and the moratorium on housing and downtown. She offered additional comments regarding the siting and construction of a new fire hall. Mayor Anderson responded by discussing site selection criteria, including the need for parking by first responders.

Brian McNamara wanted to ensure the council had read the emailed comments regarding opposition to the moratorium. Councilmember Weissfeld assured him all letters would be read prior to any action.

5. UNFINISHED BUSINESS:

a) COVID-19 Update-Mayor Anderson provided an update on the city's response to the COVID-19 pandemic. More information was provided prior to the council meeting. He shared details of the equipment being installed to support electronic/web-based meetings.

Councilmember Knudsen offered information on community micro-loans now available via MOSS (Musicians of Stevenson and Skamania). MOSS was granted waivers by Washington State to provide loans-they are interest free for three months, then 3%. Applicants can apply via email and phone, the # is included in council packet. Contact Pat Rice or **Councilmember Knudsen**. Promoting the service by having flyers at city hall was suggested.

Leana Kinley, City Administrator described the steps involved in the various phases of re-opening Skamania County for business and recreation. She noted the guidelines are continually changing as things progress. She updated the Council with information on several ongoing projects, including Russell Street and replacement of the water meters. **Kinley** then gave an overview of possible financial issues the City of Stevenson may face in the near future due to reduced revenue. She shared several scenarios regarding cost savings and cost allocation accounting methods. She stated the City is budgeting month to month as changes are so fast moving. **Kinley** described an option to allocate general costs or tax the City's own utilities as ways to generate revenue for the General Fund and spread the burden of the decrease in sales tax.

Councilmember Weissfeld asked if the cost allocation would be for the current budget and was told yes. **Kinley** noted additional details could be provided at the next Council meeting if desired. She advised the Council the auditor had questioned how administrative time was allocated in 2017 and their request to have the Council approve administrative costs.

A further discussion took place regarding how the City could support local restaurants by waiving the right-of-way permit fees. Additional outdoor seating would increase their capacity to serve paying customers. Public safety was considered. Big River Grill had requested a reduction in fees for use of Walnut Park. Council was agreeable to a modification of the current agreement based on the use of the park. Staff will present an amendment at the next meeting.

MOTION to approve waiving Right of Way permit fees for sidewalk cafes, the blocking off of no more than two parking spaces for such use, and temporary street furniture to maintain ADA access and separation from the vehicle traveling path for businesses to increase their usable space until December 31, 2020 was made by **Councilmember Muth** with a second by **Councilmember Hendricks**.

- Voting aye: **Councilmember Weissfeld and Hendricks**
- Voting nay: **Councilmember Muth and Knudsen**

The motion died due to lack of a majority.

Mayor Anderson spoke further about the COVID-19 safeguards being reduced and the concerns regarding what the openings could mean to Skamania County. He related he felt the interviews he had provided to area media outlets conveyed an accurate message regarding precautions and patience as local government and businesses adjust to new rules and restrictions intended to keep people safe. He noted additional messaging was needed to help employees and customers feel confident and secure.

>Mary Repar asked what the City was doing to increase the availability of test kits. **Mayor Anderson** responded he was relying on the county board of health to keep an inventory. Mary pointed out tests are important as a way to move towards further lessening of COVID-19 restrictions. Local numbers appear low likely due to the lack of testing.

b) Sewer Plant Update-Public Works Director Karl Russell provided an update on the Stevenson Wastewater System and the Compliance Schedule. He reported no violations. There were a couple of spikes, and he reached out to Department of Ecology regarding issues with the bio-solids. "Bad" bugs/bacteria were discovered. Karl is waiting for the DOE to provide assistance. He thanked Victor Santacruz for helping with the bacteria study. EDA grant funding is in process; the application is going to the DC offices for review with a response due in July.

Mayor Anderson highlighted the work of the WWTP crew and Public Works in making positive changes that have paid off in savings and reduced violations. **Administrator Kinley** advised the Council development of the in-house laboratory has been postponed to save costs. Further discussion on additional infrastructure for local breweries was held, with concerns expressed over reports that Walking Man may cease brewing operations in Stevenson. **PWD Director Russell** will follow up and learn more on their plans.

6. NEW BUSINESS:

a) Toliver Subdivision Review-Community Development Director Ben Shumaker requested council review the staff memo regarding the Toliver Subdivision preliminary plat proposal and concur with or reject the Planning Commission's recommendation. At this stage, the record for the preliminary plat review is closed for substantive review or amendments. If the Council is unsatisfied with the recommendation or any part thereof, it must schedule a public hearing to reopen the substantive review record.

He described the project and provided information on the conditions placed upon the project. Storm water collection and removal and geo-technical issues were highlighted. Documents regarding the project were included in the Council packet. Questions were asked by Councilmembers regarding greenery ordinances and planting strips, 'half-street' improvements, noise abatement and possible maintenance agreements for stormwater abatement.

>Meg Gittins asked how the project would be monitored with no architecture committee. It was explained the project's design was not part of the downtown plan and was outside city control, but a private Home Owners Association could be developed to provide architectural recommendations.

MOTION to concur in the Planning Commission's recommendation and summarily approve the preliminary plat proposal for the Toliver Subdivision made by **Councilmember Muth** with a second by **Councilmember Weissfeld**.

- Voting aye: **Councilmember Hendricks, Muth and Weissfeld**.

- Voting nay: **Councilmember Knudsen**

b) Review Rock Creek Cove Hospitality Shoreline Permit-Community Development Director Ben Shumaker presented the staff memo regarding the Shoreline Substantial Development permit (SHOR2020-01) for the Rock Creek Cove Hospitality project for council review. He reviewed the process for the permit, and advised the Council a public hearing would be needed.

Shumaker suggested holding a public hearing at the June 2020 City Council meeting. **Attorney Woodrich** cautioned regarding anticipation of the COVID-19 restrictions being lifted further to allow for public gatherings. He noted the public hearing would not be considered necessary or routine according to Attorney General rulings. He recommended moving it to a later date. **Administrator Kinley** noted Phase 3 would allow up to 50 people to assemble. **Attorney Woodrich** advised monitoring attendance if the public hearing went ahead.

Questions were raised about providing traffic control at the entrance due to the proximity to the proposed new fire hall and if access to Rock Creek Cove via an existing boat ramp would be maintained. Uncertainties were expressed over the site's environmental profile and brownfield status.

MOTION to refer this application to the Planning Commission for recommendation and set a date TBD based on governor's restrictions for a public hearing on the Rock Creek Cove Hospitality project made by **Councilmember Muth** with a second by **Councilmember Knudsen**.

- Voting aye: **Councilmember Hendricks, Muth, Weissfeld and Knudsen**.
- Voting nay: None

c) Approve New Single-Family Residences in C1 Moratorium-City Administrator Leana Kinley presented Ordinance 2020-1158 re-establishing a moratorium on construction of new single-family residences in the C1 zone for council consideration. She explained the reason and purpose of re-establishing the moratorium and provided information on the process. Due to COVID-19 restrictions, a public hearing could not be held regarding proposed zoning changes that would have affected businesses and residences in the downtown area. The previous moratorium expired on May 17th, 2020. If the moratorium is approved, a public hearing must be held within 60 days in order to review findings of fact. If the findings of fact are not approved, the moratorium becomes null and void. If approved, the moratorium will be in place until the zoning changes can be made. If a public hearing cannot be held regarding the moratorium, it will expire. June 18th, 2020 is tentatively scheduled as the date for the moratorium public hearing.

A large number of public comments were received via email. Members of the public also participated electronically or by telephone. All spoke against the moratorium, with many citing frustrations regarding lack of notice of the first one passed. Others noted the desire to see the downtown area remain a mixture of personal homes and businesses. A number advocated to be allowed to continue converting homes to businesses and vice-versa.

Mayor Anderson and Councilmembers addressed the concerns by pointing out the moratorium was a temporary measure and it was solely intended to address any new construction of single-family detached dwellings in the C1 downtown area. The issue regarding conversion of homes to businesses is a separate one that will be dealt with through proposed zoning changes. They encouraged a larger discussion and additional public input regarding the Downtown Plan to gain more views from residents and business owners. **Councilmember Knudsen** noted the code should

have been changed by now, but COVID-19 restrictions delayed zoning discussions. He does not want the Council to govern through moratorium.

MOTION to approve ordinance 2020-1158 re-establishing a moratorium on construction of new single-family residences in the C1 zone made by **Councilmember Muth** with a second by **Councilmember Hendricks**.

- Voting aye: **Councilmember Hendricks, Muth, Weissfeld**.
- Voting nay: **Councilmember Knudsen**.

d) Approve Interlocal Agreement with Skamania County for Vegetation and Noxious Weed Control-**Public Works Director Karl Russell** presented the agreement with Skamania County to control vegetation and noxious weeds within the city. There is extensive scotch broom, knotweed and garlic mustard throughout the watershed and this agreement will allow the County to help with control.

Councilmember Muth noted it was presented as an MOU. **Attorney Woodrich** stated it was essentially one and the same (Interlocal Agreement vs Memorandum of Understanding).

MOTION to approve the Interlocal Agreement (MOU) with Skamania County for vegetation and noxious weed control made by **Councilmember Weissfeld** with a second by **Councilmember Muth**.

- Voting aye: **Councilmember Muth, Knudsen, Weissfeld, Hendricks**
- Voting nay: None

e) Approve Resolution Authorizing Electronic Signature -**City Administrator Leana Kinley** presented resolution 2020-361 authorizing electronic signature approvals as to form by the City Attorney for council consideration. It was explained to be a way to expedite Council and City business.

MOTION to approve resolution 2020-361 authorizing electronic signature approvals as to form by the City Attorney made by **Councilmember Muth** with a second by **Councilmember Knudsen**.

- Voting aye: **Councilmember Knudsen, Hendricks, Weissfeld, Muth**.
- Voting nay: None

f) Discuss Park Plaza Agreement -**City Administrator Leana Kinley** presented the attached draft agreement with Skamania County regarding the operation and maintenance of the Skamania County Courthouse Plaza as it relates to the Park Plaza project for council discussion. She explained having a signed agreement was a requirement for the RCO grant application. The final approval of any contract would be considered by the City Council at a later date. She referred Councilmembers to several items in their meeting packet regarding alterations, renovations and/or repairs of the Park Plaza.

Mayor Anderson encouraged questions and comments. **Councilmember Knudsen** stated he felt there were unfair terms as the County shirks all the maintenance and development costs. He asked to have email correspondence submitted to the record and expressed frustration at poor responses from City staff regarding his communications with them. **Councilmember Weissfeld** suggested it might be worth holding further discussions with the county and the Stevenson Downtown Association. It was agreed to view the agreement individually and make changes.

Attorney Woodrich advised any suggested changes must be sent to City staff and not to other Councilmembers for discussion or comment.

g) Approve Delay of Planning Fee Increase-Community Development Director Ben Shumaker presented the staff memo and Resolution 2020-362 delaying the increase in planning fees until September 1, 2020.

Councilmember Muth stated he did not think the City should delay fee increases, as the cost is not prohibitive and are built into developer's budgets. **Councilmember Hendricks** asked for and received clarification on the specific fees under discussion. The item died for lack of motion.

h) Approve Backwoods Brewing Discharge Contract -City Administrator Leana Kinley presented the Industrial Discharge Contract with Backwoods Brewing for council review and consideration. This contract has been reviewed and approved by both Department of Ecology and Backwoods Brewing.

Councilmember Muth asked the origins of the agreement. **City Administrator Kinley** related it came from either the Department of Ecology or the City of Deer Park.

MOTION to approve the Industrial Discharge Contract with Backwoods Brewing made by **Councilmember Knudsen** with a second by **Councilmember Muth**.

- Voting aye: **Councilmember Knudsen, Hendricks, Muth, Weissfeld.**
- Voting nay: None

i) Approve Business Licensing Services Agreement -City Administrator Leana Kinley presented the agreement with the State of Washington Department of Revenue for Business Licensing Services. She explained in 2017 EHB 2005 was passed to simplify the administration of business licenses for the applicant, requiring licenses be administered through the state's business license system. Minor changes to the business license code will be proposed at a later date to facilitate this contract.

MOTION to approve the agreement with the State of Washington Department of Revenue for Business Licensing Services made by **Councilmember Weissfeld** with a second by **Councilmember Muth**.

- Voting aye: **Councilmember Hendricks, Muth, Weissfeld, Knudsen.**
- Voting nay: None

j) Authorize CARES Act Contract with Commerce-City Administrator Leana Kinley requested council authorize the Mayor to sign the contract with Washington State Department of Commerce for CARES Act funding. An email regarding the draft contract and use of the estimated \$48,600 in funds is expected by May 22nd. The authorization is requested to expedite contract approval without holding a special meeting.

MOTION to authorize the Mayor to sign the contract with the Washington State Department of Commerce for CARES Act funding in the amount of \$48,600 made by **Councilmember Hendricks** with a second by **Councilmember Muth**.

- Voting aye: **Councilmember Hendricks, Weissfeld, Knudsen, Muth.**
- Voting nay: None

k) Approve Housing Capacity Grant -Community Development Director Ben Shumaker presented a staff memo and Interagency agreement with the Department of Commerce for a grant to adopt actions to increase residential building capacity. He explained to the Council he had advised them at the last Council meeting this opportunity had come available and received permission to apply.

MOTION to approve the agreement with the Department of Commerce for the Increasing Residential Building Capacity Grant made by **Councilmember Weissfeld** with a second by **Councilmember Hendricks**.

- Voting aye: **Councilmember Hendricks, Muth, Weissfeld, Knudsen.**
- Voting nay: None

l) Approve Supplemental Contract with Wallis Engineering-Community Development Director Ben Shumaker presented a supplemental contract with Wallis Engineering for Design Review Services. They are currently assisting with the review of Toliver Subdivision and the Rock Cove Hospitality project, which is being paid for by the customers. The estimates for these reviews of \$17,670 combined exceed the current contract budget of \$15,000. He explained the additional costs are passed on to the applicant. The new total cost exceeds the authority granted by the original contract.

MOTION to approve the supplemental contract with Wallis Engineering for development review services in the amount of \$8,500 for a new contract total of \$23,500 made by **Councilmember Weissfeld** with a second by **Councilmember Hendricks**.

- Voting aye: **Councilmember Hendricks, Knudsen, Muth, Weissfeld.**
- Voting nay: None

7. INFORMATION ITEMS:

- a) Building Permits Issued** -A report of recent Building Permits issued for new residential or commercial/industrial buildings was attached.
- b) Chamber of Commerce Activities**-An attached report described some of the activities conducted by Skamania County Chamber of Commerce in April, 2020.
- c) Financial Report** -City Administrator Leana Kinley presented the Treasurer's Report and year-to-date revenues and expenses through April 2020.
- d) Fire Department Report** -A copy of the Stevenson Fire Department's report for April, 2020 was presented for council review.
- e) Planning Commission Minutes**-Minutes were attached from the 3/11/20 Planning Commission meeting.
- f) Sheriff's Report** -A copy of the Skamania County Sheriff's report for April, 2020 was attached for council review.
- g) Columbia Gorge Highway Bike Advocacy**-Information regarding communication with Friends of the Gorge on changes to the Historic Highway 30 in Oregon was presented.

Councilmember Weissfeld shared information regarding possible traffic revisions being proposed for Historic Highway 30 in Oregon. It may be changed to a one-way to accommodate pedestrians and bicyclists. Since it adjoins the Bridge of the Gods it may be positive for the City of Stevenson. She is gathering more details and will come back to the Council later for a possible letter of support. **Councilmember Hendricks** gave his full support.

8. CITY ADMINISTRATOR AND STAFF REPORTS:

a) **Karl Russell, Public Works Director** updated the Council on the Russell Street project. There is a delay in getting the power poles removed. COVID-19 restrictions are hindering pouring concrete on the east side. The project is still ahead of schedule. **Councilmember Muth** praised the efforts of the contractor.

New water meter installations started Monday, 550 were done in 4 days. Leaks are already being discovered. **Administrator Kinley** advised the City is preparing for user complaints regarding higher usage along with increased bills due to more accurate readings.

b) **Ben Shumaker, Community Development Director** has been spending time on development review for subdivision shoreline permit for next meeting.

The Gorge Commission is looking to amend the management plan with revisions to urban area boundaries. Shumaker has sent comments to the Commission regarding the possible changes. One adjustment would allow boundaries to be moved to the far right of a ROW for utilities. Some drafts tried to make Growth Management Act provisions apply to Stevenson. Shumaker pointed out Stevenson is not subject to GMA requirements. Another amendment would have Oregon Administrative Rules apply to Washington, which Shumaker also challenged. Applying Oregon rules to Washington is not acceptable. Don't subject Washington to Oregon rules. Public comment should open in June.

c) **Leana Kinley, City Administrator** apologized to Councilmember Knudsen for not responding directly to his comments regarding the Park Plaza project.

The Lions Club needs help putting up flags tomorrow for Memorial Day, they will meet tomorrow at 8 am at the Lions Club.

She and Karl have been working with the city's insurance company on a public works audit and review. The results are in the Council packet. One recommendation was to refine contracts for small works for public works and incorporate updated language into templates.

The Mid-Columbia Economic Resiliency Project will be supplying regular reports, which began as a response to the Eagle Creek Fire and is very applicable and necessary in the current COVID-19 emergency.

The meeting packet contained information on the scope of the audit and the areas it will cover. The audit will take approximately two weeks. If council is okay with the information in the entrance conference hand-outs emailed prior to the meeting, they will forego a formal meeting this year. There will be an exit conference after the audit wraps up in June which council will be invited to. If there will be a quorum present it will be advertised and held as a public meeting.

9. VOUCHER APPROVAL AND INVESTMENTS UPDATE:

a) April 2020 payroll & May 2020 AP checks have been audited and were presented for approval. April payroll checks 14363 thru 14369 total \$96,154.75 which includes EFT payments. May AP checks 14370 thru 14423 total \$522,697.62. The AP check register with fund transaction summary is attached for your review.

MOTION to approve the vouchers as presented made by Councilmember Muth with a second by Councilmember Hendricks.

- Voting aye: **Councilmember Hendricks, Muth and Weissfeld.**
- Voting nay: **Councilmember Knudsen**

Mayor Anderson asked the reason for the nay vote. Councilmember Knudsen based on previous conversations about the May BLA and how it was handled, the oversight and the final costs rubs him the wrong way. For the additional line item in there for that.

10. MAYOR AND COUNCIL REPORTS:

Councilmember Weissfeld gave a brief update on the recent grant from the Washington Department of Commerce and the work Economic Development Council did in reviewing 36 applications and awarding 19 local grants. The grants helped prevent the loss of 65 jobs.

Mayor Anderson related he had attended a virtual SDA meeting. He is promoting economic revitalization but realizes overcoming customer wariness and fear needs to be incorporated into any marketing messaging.

11. ISSUES FOR THE NEXT MEETING:

Councilmember Weissfeld asked to keep the conversations about affordable housing going. Community Development Director Shumaker noted there had been some action items put together with the Housing Authority. Pre-COVID-19, Walking Man and MOSS had a fundraiser planned for affordable housing needs.

It was suggested to send to all Councilmembers a link to the downtown plan master document if they needed it to help explain their votes on the current moratorium. Administrator Kinley advised it all depends on the Governor's proclamation regarding what meetings are considered necessary or routine.

Mayor Anderson pointed out there were 450+ pages in packet tonight. He asked for ideas on reducing or avoiding an excess of printed material going forward.

12. ADJOURNMENT-Mayor Anderson declared the meeting adjourned at 9:16pm.

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Approved _____; Approved with revisions _____

Scott Anderson, Mayor

Date

Minutes by Johanna Roe