

**MINUTES**  
**CITY OF STEVENSON COUNCIL MEETING**  
**February 20, 2020**  
**6:00 PM, City Hall**

---

**1. CALL TO ORDER/PRESENTATION TO THE FLAG:** Mayor Anderson called the meeting to order at 6:00 p.m. and led the Council in the Pledge of Allegiance. Councilmembers Annie McHale, Robert Muth, Matthew Knudsen and Paul Hendricks were present with Amy Weissfeld present via phone. City Administrator Leana Kinley, City Attorney Ken Woodrich and Community Development Director Ben Shumaker were also present with Public Works Director Karl Russell present via phone.

a) **Oaths of Office:** The oaths of office were administered to Councilmembers Hendricks, McHale and Knudsen by Mayor Anderson.

**2. CHANGES TO THE AGENDA:** Changes are noted with an asterisk. Additions were for a liquor license application, a request from Skamania County to waive fees for a warming shelter and a contract with the Department of Enterprise.

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

- a) **Liquor License Renewals-** Backwoods Brewing Company, A&J Select Market, Skunk Brothers Spirits
- b) **Water Adjustment** - Rodick Bennett (meter no. 613000) requested a water adjustment of \$941.53 for a leak on an outside faucet which has since been repaired.
- c) **Water Adjustment** - Amy Collins (meter no. 106600) requested a water adjustment of \$675.88 for a leak on the waterline to the house which they have since repaired.
- d) **Water Adjustment** - Robert & Meghan Perry (meter no. 1403900) requested a water adjustment of \$297.85 for a leak on the waterline to the house which they have since repaired.
- e) **\*Liquor License Application** - Heathman's Kitchen located at 340 SW 2nd for beer and wine.
- f) **Minutes** of December 19, 2019 City Council Meeting, January 21, 2020 Special Joint Meeting with Skamania County Fire District 2, and February 4, 2020 Special Council Meeting.

**MOTION** to approve consent agenda items a-f made by Councilmember Hendricks, Seconded by Councilmember Muth.

Voting Yea: Councilmember Muth, Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale.

**4. PUBLIC COMMENTS:**

- Rick May spoke about an article in the recent AARP magazine highlighting Columbia River cruises. He noted many of the cruise passengers were likely older and well-to-do.

He urged the City of Stevenson to capitalize on the potentially large number of visitors by developing some form of transportation into the City from the docks. He was encouraged to attend Port meetings to share his suggestions.

- A short discussion followed by Councilmembers on the proposed plans for the cruise lines to access the docks operated by the Port of Skamania County.
- Bonnie Heemeier, owner of two businesses in downtown Stevenson asked what the Council/City would be doing to improve parking in the downtown area. She said the topic had been under discussion for years and was hopeful to finally have some action based on the visioning within the new Stevenson Downtown Plan. She noted the current parking ordinances are seen as a hindrance to business development.
- Andrea Byrd thanked the City Council for its past and current financial support of the local pool.

## **5. PUBLIC HEARINGS:**

- a) **USDA RD Application Authorization** - City Administrator Leana Kinley presented Resolution 2020-354 authorizing the city to apply for USDA Rural Development funds for the wastewater project for public comment and council consideration. The USDA requires a hearing for applications for financial assistance.

Mayor Anderson opened the public hearing at 6:15 p.m. The hearing was regarding the application to the USDA for matching funds to support an EDA grant application for the Stevenson Wastewater Treatment plan.

No public comment was received. Mayor Anderson closed the public hearing at 6:17 p.m.

**MOTION:** To approve Resolution 2020-354 authorizing the city to apply for USDA Rural Development funds for the wastewater project as presented made by Councilmember Muth, Seconded by Councilmember Hendricks.

Voting Yea: Councilmember Muth, Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale.

- b) **Chinidere Development Agreement** - City Attorney Ken Woodrich advised Mayor Anderson that the hearing on the Chinidere Development Agreement be put off until the March 2020 Council meeting.

## **6. PRESENTATIONS FROM OUTSIDE AGENCIES:**

- a) **Downtown Plan** – Don Arambula, from Crandall Arambula, presented the downtown plan and answered questions from council. Page 57 was highlighted as containing information related to the parking problem brought up during public comments. He related the plan offered several suggestions regarding changes to current parking regulations. He also noted the potential economic benefit of cruise ships was included in the plan.

Shumaker related the plan will be presented publicly at the March 10<sup>th</sup>, 2020 Chamber Break. He and Arambula shared details of the plan with the Council, including the goals and objectives of mobility, parking, urban design and land use. Shumaker related a marketing study had been performed with a 10-year projection of trends to help guide the plan.

Shumaker related he is looking to form a Stewardship Committee consisting of individuals from local agencies and businesses to help implement the plan over the next few years. Mayor Anderson noted it was great to have real data to use in planning and that it is easier to move plans forward in small phases rather than one large project. Councilmember Hendricks suggested Councilmembers review the plan and then bring any questions or comments to the upcoming Council retreat. Councilmember Knudsen asked if the information packet was publicly available and was informed it is on the City's website.

Bonnie Heemeier commented on traffic congestion during the summer months. She also asked what the next steps for the plan were. Shumaker related the plan will be presented to the public for review and final comments over the next month or so, and the council will then have to vote to approve the plan's implementation.

Julie May, audience member asked about public outreach and was advised of the Chamber break event, plus information in the Skamania Pioneer and opportunities to view the plan at City Hall.

## **7. UNFINISHED BUSINESS:**

- a) **First Reading Ordinance 2020-1155 Regarding Changes to the Engineering Standards** - City Administrator Leana Kinley presented ordinance 2020-1155 requiring updates to the Engineering Standards be adopted by ordinance and referred to the Planning Commission on a case-by-case basis, as discussed at the December 19, 2019 council meeting.

Following a short discussion about what the changes would entail versus what is currently in place, the Council opted to hold a second reading at the March 2020 Council meeting to allow more time for public input. Attorney Woodrich advised the council there was no need to make a motion to hold a second reading.

- b) **Sewer Plant Update** – Stevenson PW Director Karl Russell provided the Council with details on the operations at the Wastewater Treatment Plan. He reported the consultant Ron Moeller is visiting the site just one day per week now, but maintains daily phone calls. As of March 1, Moeller will just be called as needed.

He reported there have been significant reductions in the hauling of bio-solids, with February's haulage anticipated to be reduced over 80%. When questioned by Councilmember Muth, Russell related it was due to a number of factors, including staff time, frequent tests, training, spending time overseeing the process and some new

equipment. He also gave kudos to the staff for their interest and diligence in performing the daily repetitive tests. Administrator Kinley shared the PW Department is significantly short staffed but is still achieving positive results. She directed the Council's attention to a chart that detailed the reduction of influent.

Councilmember Hendricks asked what the next benchmarks were for the WWTP and Russell related the influent BOD has to be reduced. He noted that anything over 85% of capacity results in a violation.

Mayor Anderson asked PW Director Russell to pass on congratulations to the staff and encouraged Councilmembers to tour the plant and see for themselves the improvements.

## **8. NEW BUSINESS:**

- a) **Approve City Council Rules of Procedure** - City Administrator Leana Kinley presented resolution 2020-352 amending city council rules of procedure by resolution for council discussion and consideration. The revision of the 2009 adopted rules of procedure was based on discussion at the December 19, 2019 council meeting and other changes that have taken place.

**MOTION** by Councilmember Muth motioned to approve resolution 2020-352 amending the city council rules of procedure as presented, Councilmember Hendricks seconded the motion.

Councilmember Knudsen asked to discuss the section regarding the Pledge of Allegiance. He stated not all find the pledge appropriate and expressed concern around future councils being bound to it. Councilmembers Weissfeld and McHale agreed. Councilmember Hendricks suggested each person could privately edit the Pledge when performing. Attorney Woodrich advised the Council that under the First Amendment reciting the Pledge is not a requirement.

Following a discussion, a **motion** was made by Councilmember Knudsen to amend the resolution with language stating the Mayor leads the Pledge of Allegiance be struck. Councilmember McHale seconded the motion.

Councilmember Muth called for further discussion and clarification on what the amendment would mean. Attorney Woodrich noted the chair can include the Pledge if desired after calling the meeting to order.

Voting Yea: Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale

Voting Nay: Councilmember Muth

Voting on the resolution as amended:

Voting Yea: Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale

Voting Nay: Councilmember Muth

Mayor Anderson stated he had initiated the Pledge because of his sense of pride in being an American. Councilmember McHale proposed an Oath of Service as a suggested alternative to the Pledge of Allegiance. Councilmember McHale related her pre-meeting meal was intended to encourage social connections. Attorney Woodrich reminded the Councilmembers no official business was to be conducted during the pre-meeting meal.

Councilmember Hendrick cautioned the Council they could expect public pushback regarding the Pledge and Mayor Anderson agreed it could be a divisive issue. He also suggested Councilmembers send any proposals, comments or suggestions solely to Administrator Kinley to avoid violating Open Public Meeting Law.

- b) First Reading Ordinance 2020-1157 Regarding Changes to Zoning** - Community Development Director Ben Shumaker presented to the Council a staff report and ordinance 2020-1157 amending the Stevenson zoning code (SMC Title 17); modifying where single-family detached dwellings and townhomes are allowed; clarifying use categories within SMC 17.13.010; and incorporating zoning interpretations conducted under SMC 17.12.020. He provided information on what the amendment would change. He noted the changes had been reviewed by the Planning Commission and they had no recommendations for the Council as of yet.

Several methods of permitting murals were considered. Additional topics discussed included conditional siting of townhomes and cultural attractions.

A further concern over shipping/storage containers in the downtown core was raised. Councilmember Weissfeld asked if a second moratorium on their use should be approved by the Council. It was established some parameters needed to be set.

The Council agreed to ask the Planning Commission to develop standards for shipping containers. Setting maximum or minimum heights were considered. Mayor Anderson noted that sustainable standards were important and to ensure they were in line with the Downtown Plan recommendations.

The ordinance with any changes will be presented for a second reading at the March 19th City Council meeting.

- c) First Reading Ordinance 2020-1156 Revising SMC 13.04.060** -City Administrator Leana Kinley presented ordinance 2020-1156 allowing the city to enter into contracts with lessees, in addition to property owners as currently allowed, to regulate sewer discharge. She explained the current ordinance provides the City can contract only with property owners and not any beverage or industrial business that lease a building.

Councilmember Muth advised changing the ordinance language from 'whereas property owners have no control' to 'whereas property owners may not have direct control.' City Attorney Woodrich noted and agreed to the change. The ordinance will be presented with the changes noted for a second reading at the March 19th, 2020 City Council meeting.

- d) Approve Interlocal Agreement for Building Inspection Services** - City Administrator Leana Kinley presented an interlocal agreement with Skamania County for Building Inspection Services for council discussion and consideration. Because PW Director

Russell's workload has increased, the City will be contracting with the County Building Department to perform building inspections. Details of the services to be provided are contained in the agreement. The County will be compensated via the permit fees collected by the City.

Councilmember Weissfeld shared she had been contacted by two residents with serious complaints over the quality of the inspections being done by the County staff. She asked how the City can ensure inspections are done properly and in a timely manner.

Administrator Kinley and PW Director Russell noted the County was in the process of hiring an additional inspector. Community Development Director Shumaker relayed the County planning department has been having issues with permit slowness due to being extremely understaffed. He related things are now moving faster. He stated the contract with the County is based on the expectation another inspector will be hired.

Melissa Regland, audience member, spoke about problems she has encountered with the current inspection schedule.

Councilmember Weissfeld asked why the City was not hiring its own inspector. It was pointed out the reason was to save costs.

Additional questions were raised regarding the contract. Councilmember Weissfeld objected to terms stating the agreement was exclusive between the County and City. Having a five-year duration and 180 days' notice of termination were also highlighted as concerns. City Attorney Woodrich advised the Mayor has the authority to enforce and implement contracts. He suggested shortening the termination notice to 60 or 90 days. He also advised the Council it was important to have consistency in the inspection process.

Administrator Kinley related that hiring a part-time building inspector is difficult at best during a time of full employment. She suggested going to the County to discuss concerns with the terms and quality assurance. It was agreed that some form of performance standards are needed. Community Development Director Shumaker suggested having the County Public Works Department provide regular reports to the Council similar to the Chamber and Economic Development Council.

No action was taken.

- e) **Discuss Park Plaza Agreement** - City Administrator Leana Kinley presented a 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.

The Stevenson Downtown Association is still looking to hire a new Executive Director. No discussion took place and no action was taken on the draft agreement with Skamania County.

- f) **Approve Finance Letter of Intent** - City Administrator Leana Kinley presented a letter of intent from Opus Bank regarding a \$350,000 loan at 2.83% interest for 10 years and \$1,000 documentation costs to finance the matching funds needed for the energy grant. The project will replace all meters throughout the city with radio read meters and

modify the lighting in City Hall. The funds are for the remaining half of the water meter project.

**MOTION:** To approve the letter of intent from Opus Bank for an approximately \$350,000 loan at 2.83% for 10 years for the water meter and energy conservation project made by Councilmember Weissfeld seconded by Councilmember Muth.

Voting Yea: Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale, Councilmember Muth

- g) Approve Russell Avenue Construction Agreement** - Public Works Director Karl Russell presented the Russell Avenue construction agreement with NW Construction General Contracting, Inc. of Battle Ground, WA in the amount of \$712,957.65 for council approval.

Councilmember Knudsen expressed dismay over the delay in the start date of the project. He stated he understood the project was initially due to be completed before the busy tourist season. PW Director Russell explained there were complications with Right-of-Way acquisition. Staff explained the length of construction has not changed and the start date was moved from February to March. Knudsen stated council approved estimations in money with the expectation the project would be done in May.

Councilmember Weissfeld asked if the construction would affect water access via Russell and Railroad and was assured it would not. Councilmember Hendricks asked if this was the exact amount. It was noted change orders could occur during the project.

Bonnie Heemeier asked about unmarked utilities and the risk of a gas leak in downtown Stevenson. There had been one in the spring of 2019 and she was concerned about another occurrence. PWD Russell noted there are older utilities that are unmarked and there are possible situations when construction will dig up lines and pipes.

Councilmember Weissfeld asked about flaggers. Councilmember Muth reminded the audience the City is legally obligated to take the low bid.

**MOTION:** To approve the Russell Avenue construction agreement with NW Construction General Contracting, Inc. in the amount of \$712,957.65 made by Councilmember Hendricks, Seconded by Councilmember Muth.

Knudsen expressed his frustration when he asked the Mayor what happened and he got a shrug, it comes off as not paying attention. Mayor Anderson stated we had a Public Works Director that is no longer here that said he had it covered and clearly, he did not. Knudsen stated it is ultimately the Mayor's responsibility.

Councilmember McHale asked if we had to start the project now. Administrator Kinley noted the grant funds are only accessible through August 2020.

Voting Yea: Councilmember Weissfeld, Councilmember Hendricks, Councilmember Weissfeld, Councilmember McHale.

Voting Nay: Councilmember Knudsen

- h) Approve Personnel Policy Update** - City Administrator Leana Kinley presented the attached staff memo and resolution 2020-353 revising the personnel policy for council consideration. She explained that one change allows out of class pay for employees and

noted an employee at Public Works had been working the last 45 days in an out-of-class position. Another change was for certification pay.

**MOTION** to approve the Personnel Policy update was made by Councilmember Knudsen, Seconded by Councilmember McHale.

Voting Yea: Councilmember Muth, Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale

- i) **Approve Resolution Regarding a Ballot Proposition for Creation of a Metropolitan Park District** - City Administrator Leana Kinley presented a staff memo and resolution for 2020-356 regarding the ballot proposition for the creation of a Metropolitan Park District with revised boundaries for council discussion and consideration. She reported the boundary lines have been slightly altered as the Assessor did not approve of using the Urban Growth Area for boundary lines. Five precincts are included.

The cost of the election will be divided between the city and County and will vary depending on the final number of ballot measures. The intent is to run the proposition at the August 2020 election. If defeated then it can then be run on the November 2020 ballot. One of the downfalls of the later election means the tax cannot be levied and collected until 2022. There is a provision that allows the County to loan funds in anticipation of the tax revenue. Councilmember Weissfeld expressed concerns about having two levy propositions on the ballot may not be good to ask voter support for.

**MOTION** to approve resolution 2020-356 regarding a ballot proposition for creation of a metropolitan park district was made by Councilmember Weissfeld, Seconded by Councilmember Hendricks.

Voting Yea: Councilmember Muth, Councilmember Weissfeld, Councilmember Hendricks, Councilmember McHale

Voting Nay: Councilmember Knudsen.

- j) **Approve Community Pool Support Agreement** - City Administrator Leana Kinley requested approval of the Interlocal Agreement with Stevenson-Carson School District in the amount of \$40,000, as approved in the 2020 budget, for support of the community pool.

A question was raised if the School District's possible reduction of hours for pool operations would affect the funds provided by the City of Stevenson. The funds will remain the same. Councilmember Weissfeld declared she considered the support an investment in the community.

**MOTION** to approve the community pool support agreement in the amount of \$40,000 made by Councilmember Hendricks, Seconded by Councilmember Weissfeld.

Voting Yea: Councilmember Muth, Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale

- k) **\*Approve Funding and Agreement Amendment with Department of Enterprise Services** - City Administrator Leana Kinley presented a memo, funding approval letter and interagency agreement amendment with the Department of Enterprise Services for



council review and consideration. She noted there has been a significant time lag in getting the contract and the contractor is frustrated by the delay. There is close to a two-month time period between purchase of the meters and final installation.

**MOTION:** To approve the additional funding for the contract documents outlined in the letter from the Department of Enterprise Services in the amount of \$600,272 for the energy project made by Councilmember Knudsen, Seconded by Councilmember Hendricks.

Voting Yea: Councilmember Muth, Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale

**MOTION:** To approve the Interagency Agreement Amendment No. 1 with Department of Enterprise Services made by Councilmember Knudsen, Seconded by Councilmember Hendricks.

Voting Yea: Councilmember Muth, Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale

- l) \*Approve Waiving Fees for Warming Shelter** - Administrator Kinley presented Council with a request from the County to waive the fees related to converting a county building into a warming shelter. The waiver request is for the \$25 application for improvement and the utility reconnect fee of 5 months base water fees.

Councilmember McHale asked if she needed to recuse herself from the vote as her partner is the WAGAP/Stevenson Shelter manager. Attorney Woodrich advised her there was a \$1,000 profit limit.

**MOTION** to approve waiving the \$25 application for improvement and the utility reconnect fee of 5 months base water fees for the county to establish a warming shelter made by Councilmember Hendricks, Seconded by Councilmember McHale.

Voting Yea: Councilmember Muth, Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale.

- m) Discuss Date for Council Retreat** - Councilmembers discussed a date for and agenda items for a Council retreat in the spring.

Councilmembers agreed to hold a retreat on March 28th, from 9 a.m. to 3 p.m.

- n) Approve Committee Assignments** - A discussion was held on who would serve on the Fair Board. PW Director Russell was tapped to serve on the Solid Waste Advisory Board. Several other committees or councils were noted as essentially inactive.

**MOTION:** To approve the committee appointments with changes as discussed made by Councilmember Knudsen, Seconded by Councilmember McHale.

Voting Yea: Councilmember Muth, Councilmember Weissfeld, Councilmember Hendricks, Councilmember Knudsen, Councilmember McHale.

- o) Discuss Fee Update** - City Administrator Leana Kinley presented information to Council for discussion updating the city's fee schedule to allow charging for electronic records per RCW 42.56.070(7) and RCW 42.56.120.

Councilmember Knudsen spoke against the resolution, stating he felt it would be a burden for low-income residents to have to pay fees for public record requests. Councilmember McHale agreed. She said she considered the need for transparency important and citizens should have access to learning about decisions made by the City Council without having to pay money.

Attorney Woodrich cautioned the Council regarding the possibility of 'records trolls'. Some people create a huge and costly burden on municipalities or other public agencies through extensive records requests that often lead to lawsuits if an audit determines an error was made in providing records. Often agencies will pay a settlement fee to end a lawsuit. He noted it is seen by many as a money-making scam. He suggested the City digitize as many records as possible and have them publicly available for citizens to access. The staff time to search and produce records, provide redactions if needed and fulfill requests in the time provided can be excessive. Administrator Kinley noted she is working on a local records grant to support digitizing public records.

Audience member Kurt Gray suggested waiving fees for citizens of Stevenson. Attorney Woodrich noted that if fees are waived for some people, they must be waived for all.

#### **9. INFORMATION ITEMS:**

- a) **Financial Report** - City Administrator Leana Kinley presented preliminary year-end summary report for revenues and expenses through 2019 and January 2020.
- b) **Chamber of Commerce Activities** - The attached report describes some of the activities conducted by Skamania County Chamber of Commerce in December 2019 and January 2020.
- c) **Sheriff's Report** - A copy of the Skamania County Sheriff's report for December 2019, January 2020 and the December newsletter were attached for council review.
- d) **Building Permits Issued** - A copy of recent building permits issued and other activity was attached for council review.
- e) **Planning Commission Minutes** - Minutes were attached from the 10/14/19, 11/11/19, 12/4/19, 12/9/19, and 1/13/20 Planning Commission meetings.
- f) **Fire Department Report** - A copy of the Stevenson Fire Department's report for January, 2020 was attached for Council review.

**10. CITY ADMINISTRATOR AND STAFF REPORTS:** Information was provided to Councilmembers in their meeting packets.

#### **11. VOUCHER APPROVAL AND INVESTMENTS UPDATE:**

- a) December 2019 & January 2020 payroll & December 2019, January 2020, & February 2020 A/P checks have been audited and are presented for approval. December payroll checks 14019 thru 14113 total \$137,827.20 which includes thirty-three EFT payments. January payroll checks 14188 thru 14195 total \$88,061.51 which includes nineteen EFT payments. December 2019 A/P Checks 14114 thru 14158 total \$241,875.14 which includes one EFT payment. January 2020 A/P Checks 14159 thru 14187 total \$86,881.14 which includes one EFT payment. December 2019 A/P Checks 14196 thru 14243 total \$131,936.87 which includes one EFT payment. The A/P Check Register and Fund

