

MINUTES
CITY OF STEVENSON COUNCIL MEETING
June 18, 2020
6:00 PM, Via Zoom and YouTube

1. **CALL TO ORDER/PRESENTATION TO THE FLAG:** Mayor Anderson called the meeting to order at 6:07 p.m. and conducted roll call. Councilmembers Robert Muth, Paul Hendricks, Amy Weissfeld, Matthew Knudsen and Annie McHale were present. Also present were City Administrator Leana Kinley, Community Development Director Ben Shumaker, Public Works Director Karl Russell, and City Attorney Ken Woodrich. Public attendees included Mary Repar, Monica Masco, Brian McNamara, Dean Maldonado, Norm Haight, and Gloria Howell.

a) **Update on Use of Technology for City Meetings** - The Mayor asked participants to follow the instructions and format for remote meetings detailed in the agenda.

2. **CHANGES TO THE AGENDA:** The only changes were supporting documents providing additional information for packet items.

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

a) **Approve Stevenson Downtown Association Tourism Funding Contract Amendment** - City Administrator Leana Kinley requested approval of a contract extension of the 2019 contract for soft costs related to the development of the Park Plaza.

b) **Approve Amendment to Chamber of Commerce Tourism Contract** - City Administrator Leana Kinley requested approval of the amendment to the Chamber of Commerce Tourism Contract to include \$10,000 for distribution of COVID-19 related supplies. The City will fund this activity through the CARES Act contract received by the Department of Commerce.

c) **Liquor License Renewal** - LDB Beverage/Jester and Judge, Main Street Convenience

d) **Approve Liquor License Alteration Request** - Walking Man, LLC

e) **Approve Liquor License Alteration and Right of Way Request** - El Rio Texicantina

f) **Minutes** of May 21, 2020 Council Meeting.

MOTION to approve consent agenda items a-e made by Councilmember Muth with a second by Councilmember Knudsen.

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

Mayor Anderson shared photos of the work being done at Walking Man Brewery. He also shared information on the equipment being installed at City Hall to support remote meetings.

4. **PUBLIC COMMENTS:** Written comments related to the two public hearings were put under the corresponding section.

>Mary Repar offered the following comments. She asked the Stevenson City Council to pass a resolution to observe Juneteenth as a holiday. She queried why fireworks were being purchased rather than COVID-19 testing material. She also announced COVID-19 tests are now available at Community Health on demand. She requested the City encourage the Gorge Commission to think of the Gorge region as one environment and provide comments to the Gorge Commission during their open comment period.

No further comments were received.

5. PUBLIC HEARINGS:

- a) **6:15 - Rock Cove Hospitality Center Shoreline Substantial Development Permit - City**
Administrator Leana Kinley presented a staff memo and Planning Commission recommendation regarding the applicant's permit. Associated documents were included.

Mayor Anderson opened the public hearing at 6:15 p.m.

Community Development Director Ben Shumaker guided the Council through the packet containing information on the Rock Cove Hospitality Center Shoreline Development Permit. He noted City Administrator Leana Kinley had attended the Planning Commission meeting on June 8th in his absence, and Mike Beck, a Planning Commission member was in attendance at the Council meeting to help explain the PC's recommendation. Shumaker pointed out additional information submitted following the PC meeting on June 8th, 2020. Shumaker also advised the Council their discussion would provide guidance to the developer, and any decision would just be for the first phase of a 3-phase project. Key issues noted were public access to the water and to views of Rock Cove during and after construction, landscape screening plans, changes in traffic patterns, archaeological and cultural impacts and wildlife/critical areas management and mitigation.

Public comments:

>Mary Repar spoke about the project's phases, observing it was hard to know what will take place without more detail on each phase. She advocated for more pathways to maintain pedestrian access to the site; permeable paving materials to increase aquifer recharging and native plantings in the landscape. She expressed concerns over possible traffic issues and noted that fill material often settles when disturbed. She also recommended a more detailed wildlife study be provided. She asked Shumaker to pass her comments on to the Planning Commission.

Public comments closed at 6:40 p.m.

Mike Beck from the Stevenson Planning Commission shared information on the Planning Commission's discussion and recommendations on the project. He noted a major consideration was the diminished public access easement on the property and the disjointed routes proposed for the public paths. He advised a dedicated easement could be provided through the plat amendment process. Limiting public access to the water over a seven years construction span was determined to be too long and the PC recommended a much shorter timeframe. He also asked about ADA accessible units as the project contains transient housing. Interpretive signage was encouraged along the pathways.

Following his comments, the City Council engaged in further discussion. All agreed the project would benefit the City.

A remark by Councilmember McHale about a conversation she had had with the developer prompted Ken Woodrich, City Attorney to initiate an Appearance of Fairness Doctrine disclosure. The intent is to assure fairness and impartiality in the City Council's decision-making process. Attorney Woodrich asked each Councilmember if they had had any ex-parte communication regarding the project, if they would be affected in any way financially by the project, and if there was anything that would limit their ability to make fair and impartial decisions. None reported any reasons that would affect their decision-making. With Councilmember McHale's disclosure it was determined it would be appropriate for her to recuse herself from further decision making on the project.

Councilmember Knudsen expressed support of the project. He talked about back and forth communication between the Council and Planning Commission, noting he felt specific concerns about traffic and shoreline variances were not being conveyed or responded to. He asked about negotiation points regarding affordable housing versus hospitality projects.

Dean Maldonado, project developer and applicant provided information and additional details on the project plans spoke next. He described the difficulties in shoreline access, as much of the area is steeply sloped. He explained the three phases of construction on the project. He suggested a developer's agreement regarding the traffic study, in which certain benchmarks would be established, and if met would initiate further traffic analysis.

Due to the complexities of the project, the need for further discussion, and the additional items needing action at the meeting, the Council agreed to hold a special meeting on June 22, 2020 at 6 p.m. to consider specific areas of concern regarding the Rock Cove Hospitality Center project. No motion was entertained to approve the Rock Cove Hospitality Center Shoreline Substantial Development Permit as presented.

- b) 6:30 - New Single-Family Residences in C1 Moratorium** - City Administrator Leana Kinley presented resolution 2019-364 regarding adoption of the Findings of Fact to support ordinance 2020-1158 establishing a moratorium on construction of new single-family residences in the C1 zone for public comment and council consideration.

Mayor Anderson opened the public hearing at: 7:58 p.m.

>Brian McNamara, a downtown Stevenson property owner summarized his comments. He expressed his unhappiness at the perception he had regarding the approval by the City Council of the recent moratorium on new construction of single-family dwellings in the C1 area of Stevenson and asked the Council to reconsider their decision. He stated he felt it was a foregone conclusion and the council had already decided to approve it prior to hearing public comments. He pointed out language in the 2013 Comprehensive Plan that spoke to supporting housing in the downtown area. He noted the downtown area had not significantly changed in 30 years.

>Monica Masco spoke next, stating she opposed the resolution due to the possibility that if her property was destroyed, she could not replace the dwelling. She felt she was being punished for being a good neighbor. She pointed to language in the 2013 Comprehensive Plan promoting the small-town atmosphere of Stevenson and requested back and forth conversions from existing businesses to residential sites be allowed to continue.

>Norm Haight and Gloria Howell noted they had no comments on the resolution supporting the moratorium. Ms. Howell offered remarks regarding siting of the fire hall and possible traffic concerns with the Rock Cove project. Attorney Woodrich advised the comments were directed towards the first public hearing topic and that comment time had passed.

>Mary Repar asked the council why they needed the moratorium. She stated they had heard from a good number of the community regarding opposition to the moratorium. She noted the 2013 Comprehensive Plan did not express concerns about homes in the downtown area, and it actually suggested they contribute to vitality and livability. She asked the Council to stop wasting time on the issue.

c) Public comments ended at 8:15.

Mayor Anderson responded to the public comments by explaining how the moratorium process works to address an issue, and how the findings of fact provide a way for public participation. He related the efforts made to encourage public knowledge and awareness about the Downtown Plan for Success. He explained the moratorium had no bearing on the issue of conversion of homes to businesses.

Councilmember Knudsen pointed out that subject is to be addressed through zoning changes the Planning Commission is considering. Councilmember Muth stated the moratorium is not the end of the discussion, but it is a way to slow down SFDD development while further details are worked out.

MOTION to approve resolution 2020-364 adopting the Findings of Fact to support ordinance 2020-1158 made by Councilmember Knudsen with a second by Councilmember Hendricks.
Voting aye: Councilmembers Weissfeld, Muth, Hendricks and McHale
Voting nay: Councilmember Knudsen

6. UNFINISHED BUSINESS:

- a) **COVID-19 Update** - Mayor Scott Anderson provided an update on the city's response to the COVID-19 pandemic. More information was provided prior to the council meeting. City Administrator Kinley has continued sending out updates on the response, including caseload numbers, which remain very low. Meetings have shifted to bi-monthly due to lack of substantial issues. She reported the Governor has indicated Phase 4 will not be in place until 2021, potentially placing a huge financial burden on local businesses and workers.
- b) **Sewer Plant Update** - Public Works Director Karl Russell provided an update on the Stevenson Wastewater System and the Compliance Schedule. He relayed that operations were looking good. They are still dealing with two bad 'bugs' in the system affecting treatment.

Councilmember Muth requested a change to the order of the agenda to receive an update on the Russell Street Project and address the change orders. He praised the efforts of all, noting that work was still 6 weeks ahead of schedule.

MOTION to approve the Russell Avenue project change orders 1 and 2 in the combined amount of \$8,468.80 for a revised total contract amount of \$721,426.45 and Wallis 4

Engineering Supplement Agreement number 5 in the amount of \$9,974.63 for a total revised contract amount of \$315,703.86 made by Councilmember Muth with a second by Councilmember Weissfeld.

Prior to the vote Councilmember Knudsen asked for more information on the change order concerning replacement of an awning. PWD Russell explained it was a steel awning, and the change allowed the awning support to be removed or adjusted rather than buried in concrete.

Voting aye: Councilmembers Weissfeld, Muth, Hendricks and McHale
Voting nay: Councilmember Knudsen

PWD Russell advised the council more change orders would be coming, in part due to a small revision to the ADA ramp near Railroad Street. He highlighted areas of savings, including reduced flagging costs and minimal rock and sewer line encounters. PWD Russell also explained the WAWARN project, a mutual aid agreement intended to protect water and wastewater treatment services during emergency situations. Councilmember Muth requested that action on the WAWARN agreement be tabled.

7. NEW BUSINESS:

- a) **Approve Ecology Loan Amendment 2** - City Administrator Leana Kinley asked the Council to authorize the Mayor to sign amendment 2 to the current Ecology loan for design of the wastewater system upgrades. The amendment extends the contract through June 30, 2021 and has been approved by Ecology. She explained the amendment had not yet been seen, and the approval would allow the contract to be extended one more year.

MOTION to authorize the Mayor to sign Ecology loan WQC2019-StevPW-0044 amendment 2 made by Councilmember Weissfeld with a second by Councilmember Knudsen.
Voting aye: Councilmembers Weissfeld, Muth, Knudsen, Hendricks and McHale
Voting nay: None

- b) **Approve License Agreement Amendment with Big River Grill** - City Administrator Leana Kinley presented the amendment with Big River Grill and the use of Walnut Park for council review and consideration. The amendment allows for modified payments related to the ability to allow dine-in service in conjunction with the COVID-19 Safe Start plan. City Administrator Kinley agreed to talk with Big River Grill about providing additional signage to encourage public use of the park outside the area used by the Big River Grill.

MOTION to approve the amendment to the license agreement with Big River Grill made by Councilmember Weissfeld with a second by Councilmember Knudsen. Councilmember Knudsen clarified the agreement ends as of 2020.
Voting aye: Councilmembers Weissfeld, Muth, Knudsen, Hendricks and McHale
Voting nay: None

- c) **Approve Social Media Use Policy** - City Administrator Leana Kinley presented resolution 2020-363 adopting a social media policy for council review and consideration. To communicate with the public, the city established a Facebook page and allows comments on posts. This policy discusses how the page, and any future pages or platforms used, will be managed and retained. A brief discussion was held on using social media to communicate

with local residents. Attorney Woodrich advised it could be used to advertise meetings as a way to increase public knowledge and participation. Further discussion focused on which newspaper (Pioneer vs Columbian) the City could designate as the paper of record. The Skamania County Pioneer is currently designated as such.

MOTION to approve resolution 2020-363 adopting a social media policy made by Councilmember Muth with a second by Councilmember Knudsen. Councilmember Muth pointed out the resolution had a date from May. City Administrator Kinley will correct. Voting aye: Councilmembers Weissfeld, Muth, Knudsen, Hendricks and McHale
Voting nay: None

- d) **Approve Mutual Aid and Assistance Agreement for Washington State for Intrastate Water/Wastewater Agency Response (WARN)** - Public Works Director Karl Russell presented the WARN agreement for council review and consideration. This is a mutual aid agreement for water and wastewater activities during emergencies.
>Consideration of this agreement was tabled; see item b. under **Unfinished Business**.
- e) **Approve Russell Avenue Project Change Orders** - Public Works Director Karl Russell presented construction change orders 1 and 2 for the Russell Avenue project and Wallis Engineering Amendment 5. Change order 1 is for additional work necessary to adjust the awning support for North Bank Books due to the new sidewalk in the amount of \$1,468.80. Change order 2 is related to removing base material and adding a cement treated base in the amount of \$7,000. The total revised contract amount will be \$721,426.45. Wallis contract amendment 5 in the amount of \$9,974.63 for a total revised contract amount of \$315,703.86 is for the subgrade soil analysis.
>Motion to approve the change orders was made under item b. under **Unfinished Business**
- f) **Set Date for Council Retreat** - The council retreat, initially scheduled for March 28th, was cancelled due to COVID-19. Part of the goal of the retreat is to review the adopted Strategic Plan (enclosed) for developing the 2021 budget. Street grant applications are due mid-August and the 2021 budget calendar was presented for timeline information. Due to ongoing restrictions concerning face-to-face meetings, it was agreed by consensus to set the date and time of the retreat for July 11th, 2020 from 9 a.m. to 3 p.m. The location and format will be determined later.
- g) **Transportation Improvement Program** - Public Works Director Karl Russell presented the updated six-year Transportation Improvement Program (TIP) for council review. There will be a Public Hearing on July 16, 2020 for additional public input and a more in-depth review.
- h) **Approve Affordable Housing Sales Tax Credit** - City Administrator Leana Kinley presented draft ordinance 2020-1159 authorizing the maximum capacity of a local sales and use tax to fund investment in affordable and supportive housing in accordance with substitute house bill 1406 (chapter 338, laws of 2019), and adding chapter 3.10 Sales and Use Tax for Affordable Housing for council review and consideration. She explained the process for this had been set in motion when the Council adopted the resolution of intent to authorize sales tax collection. The ordinance needs adoption by July 2020. The tax will be collected for 20 years. It is a sales tax credit, with no additional taxes assessed to residents.

MOTION to approve ordinance 2020-1159 authorizing the maximum capacity of a local sales and use tax to fund investment in affordable and supportive housing in accordance with

substitute house bill 1406 (chapter 338, laws of 2019), and adding chapter 3.10 Sales and Use Tax for Affordable Housing as presented/with changes as discussed made by Councilmember Knudsen with a second by Councilmember Weissfeld. Prior to the vote Councilmember McHale asked about accountability for the fund. City Administrator Kinley advised as a separate fund it will be audited, and any partner organizations will be required to comply with the funding restrictions.

Voting aye: Councilmembers Weissfeld, Muth, Knudsen, Hendricks and McHale

Voting nay: None

- i) **Approve Amendment to Walking Man Tourism Funding Contract** - City Administrator Leana Kinley presented a staff memo and contract amendment to allow Walking Man to change their event from Fools Fest in April to a 20th Anniversary event in the fall of 2020.

MOTION to approve the amendment to the Walking Man agreement regarding Fools Fest made by Councilmember Weissfeld with a second by Councilmember McHale.

Voting aye: Councilmembers Weissfeld, Muth, Knudsen, Hendricks and McHale

Voting nay: None

- j) **Discuss Proposed Revisions to the Columbia River Gorge Management Plan** - City Administrator Leana Kinley presented information regarding changes to the CRGC Management Plan currently open for comment until June 30. A draft resolution is included for council review regarding opposition to the proposed Urban Area Boundary revisions. A letter of support from OneGorge is also presented regarding process definition for expanding Urban Areas. Community Development Director Shumaker explained the feedback he provided on the CRGC proposed ROW changes, the standards used to review amendments, applying Oregon Administrative Rules to Washington's Gorge counties and incorrect interpretations of the Growth Management Act as it applies in Skamania County.

- k) **Discuss Park Plaza Agreement** - City Administrator Leana Kinley presented the revised 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. Councilmembers Muth and Knudsen and City Attorney Woodrich had submitted comments prior to the meeting. City Administrator Leana Kinley asked the Council to provide additional guidance and clarification. Councilmember Knudsen asked a number of questions regarding the proposed 30-year agreement. He was not in favor of it as it allowed the county to take the property back from the city after the city had invested in improvements and provided all maintenance. He advocated having the county give the property to the city. Councilmember Muth suggested that was not possible, but Attorney Woodrich pointed out that public agencies can give land to each other.

Councilmember Hendricks cautioned against derailing the project in hopes the county would give the land to the City of Stevenson. Knudsen suggested a limited deed that would provide the county the option to take ownership back if the city does not meet the terms of the MOU as a compromise. The Council agreed a longer time frame beyond the current 30-year agreement would be worth negotiating.

Administrator Kinley noted she would ask the County Commissioners about transferring ownership with the county having the ability to resume ownership if the City does not live up to its obligations and see what their response is.

8. INFORMATION ITEMS:

- a) **Sheriff's Report** - The Skamania County Sheriff's report for May 2020 was presented for council review.
- b) **Planning Commission Minutes** - Minutes from the 4/13/20 Planning Commission meeting was presented.
- c) **Financial Report** - City Administrator Leana Kinley presented the Treasurer's Report and year-to-date revenues and expenses through May 2020.
- d) **Chamber of Commerce Activities** - The report presented described some of the activities conducted by Skamania County Chamber of Commerce in May, 2020.
- e) **Fire Department Report** -The Stevenson Fire Department's report for May, 2020 was presented for council review.
- f) **Fireworks Enforcement Notice**-A letter from Sheriff Brown regarding enforcement of the city code on fireworks was presented for council information.

9. CITY ADMINISTRATOR AND STAFF REPORTS:

- a) **Karl Russell, Public Works Director** The Hegewald Well project is moving forwards to becoming designated as a regular source. He had a leak detection service check the older lines and reported no leaks were found.
- b) **Leana Kinley, City Administrator** City Administrator Kinley directed the Council to her attached report. She briefly discussed the importance of ensuring the 2020 census be filled out.

The audit is being finalized. Councilmember Knudsen and Mayor Anderson requested possible dates and times for the audit exit conference be e-mailed to them.

She attended the Mid-Columbia Economic Development board meeting, where inclusion practices and policies were a focus. This fall they will learn if they were awarded a grant to close the transportation gap between Carson and White Salmon/Bingen.

The new water meter upgrade project is done and there were mistaken billings made due to incorrect meter size. The customers were billed a lower rate based on size than what was installed. Some amounts now owed are significant. Administrator Kinley asked if the City could adjust the accounts and waive the back billings in part due to the economic impact to the local business now facing large back payments on top of COVID-19 losses. After a short discussion Attorney Woodrich advised possible solutions might include reasonable payment plans or settlements. He also noted any response would need to ensure compliance with audit practices. It was agreed Council action would take place at a later date.

10. VOUCHER APPROVAL AND INVESTMENTS UPDATE: Council had opportunity to review vouchers at City Hall prior to the meeting.

- a) May 2020 payroll & June 2020 AP checks have been audited and are presented for approval. May payroll checks 14424 thru 14427 total \$93,819.51 which includes EFT payments. June AP checks 14428 thru 14471 total \$360,464.82 and includes ACH payments. The AP check register with fund transaction summary was attached for review.

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

- Voting aye: Councilmembers Weissfeld, Hendricks, Muth and McHale
- Voting nay: Councilmember Knudsen

11. MAYOR AND COUNCIL REPORTS:

Mayor Anderson reported attending a Stevenson Downtown Association meeting where plans to re-invigorate downtown were discussed.

Community Development Director Ben Shumaker reported a new 12-room hotel project is moving forward. The Planning Commission is looking to fill a vacant position. A faith group is seeking to establish a church in a residential zone. The building they hope to use was a former church that was abandoned. There are issues now with non-conforming use and code compliance. It will be discussed through zoning and Shumaker will be seeking public comments as well.

Councilmember Weissfeld reported the Economic Development Council will hold a virtual event in the fall. Refunds for the spring luncheon are available-they are considering offering gift certificates to local businesses or making donations to the Stevenson Food Bank.

12. ISSUES FOR THE NEXT MEETING:

Councilmember Weissfeld requested those commenting on the moratorium and business/residential conversions be invited by physical mail to the Planning Commission meeting. Councilmember McHale asked the Council to consider issuing a proclamation for Juneteenth of 2021. Councilmember Hendricks agreed as well.

13. ADJOURNMENT - Mayor Anderson declared the meeting adjourned at 9:25 p.m.

Approved *X* ; Approved with revisions _____

 [Signature]
Scott Anderson, Mayor

 07.20.20

Date

Minutes by Johanna Roe