

# City Council Meeting Minutes

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THURSDAY, APRIL 17, 2014

CITY HALL COUNCIL CHAMBERS

CITY OF COLUMBIA CITY, COLUMBIA COUNTY, OREGON

**AGENDA ITEM 1**      **CALL TO ORDER/ROLL CALL:**

**CONVENED:**

Mayor Cheryl A. Young called the meeting to order at 6:00 p.m. Mayor Young delivered the invocation and led the flag salute.

**COUNCIL MEMBERS PRESENT:**

Mayor Cheryl A. Young  
Councilor Larry Preston  
Councilor Sally Ann Marson  
Councilor Josh Fromm

**COUNCIL MEMBERS ABSENT:**

None

**ALSO PRESENT:**

Lisa Smith, City Planner  
Michael McGlothlin, Chief of Police  
Leahnette Rivers, City Administrator/Recorder

**ATTORNEY PRESENT:**

None

A quorum was present and due notice had been published.

**AGENDA ITEM 3**      **CITIZEN INPUT:**

Kay Lockwood of the Longview Border Crossers explained that they would like to hold a walking event in Columbia City on Saturday, July 19, 2014 from 8 am to 1 pm. She said the event will include a 10k route and a 5k route, and they expect to draw between 100 and 200 walkers. She explained it is a non-competitive event, volunteers will mark the trail in advance, and individuals will register throughout the day and walk at their own pace. She said they will ask the St. Helens School District for permission to hold registration at the school grounds, and they will ask event attendees to not park within the Library's parking lot area.

Chief McGlothlin expressed no concern so long as the attendees cross the Highway at "E" Street and obey the crossing signals. It was the consensus of the Council to support the project.

**AGENDA ITEM 2**      **PUBLIC HEARINGS:**

**2.1 Public Hearing: To accept testimony regarding amendments to the Columbia City Comprehensive Plan and the Columbia City Development Code.**

Lisa Smith said there would be two separate hearings - the first one for the Comprehensive Plan amendments, and the second one for the Development Code amendments. She

discussed the March 28, 2014, staff report and reviewed the proposed amendments to the Comprehensive Plan as outlined in Council Bill No. 14-718.

Public Hearing opened for the proposed Comprehensive Plan amendments.

Burt Cannon of 1815 First Street, Columbia City, said he must have missed something. He said he has lived here for about 34 years, and he does not understand why we are trying to change the character of the town that brought us here in the first place. He said we are here because we love this place - it has no commercial, no business, no coffee shop, and no art studio. He said we like it because it is quiet and it is safe and our kids and our grandkids can walk around and we know everybody. He asked what this is, who asked for it, and why it is being done. He said something is very strange and he does not understand what is going on.

Lisa Smith explained that she was given the task of identifying all potential barriers to economic development within Columbia City, and this work is the result of an advisory committee that consisted of fellow citizens who met during the course of a year to mull over the City's Vision Statement and each piece of the City's Comprehensive Plan and Development Code in an effort to decide what direction the community should go in the future. She said the proposed changes were generated by residents of Columbia City, and the Planning Commission reviewed the changes, held a public hearing, and heard some citizen concerns about the Village Center Overlay.

Gertie Byers of 1810 Front Place, Columbia City, said they live right on the Columbia River and they enjoy it very much. She said they like this community, and believe it is just fine the way it is. She asked if the City would guarantee that some industrial developer will not condemn their property and purchase it for industrial uses. She said if you want small businesses in Columbia City, let them move into the school building and leave the rest of the community the way that it is.

Lisa said the proposed changes do not include any zone changes that would allow industrial uses along the river front.

Bud Hickey of 1820 The Strand, Columbia City, said he has been here for 30 or 40 years, and he agrees with the first two people that you should leave Columbia City alone. He asked where the 50 or 60 people that were in favor of these changes are now.

Leahnette explained that there was a well advertised Visioning Process in 2011 or 2012 that involved a couple of meetings in the Community Hall that was attended by a large group of people. She said during the Visioning Process, many of the people in attendance mentioned having a small downtown area. She said the second group of people served on the Committee that Lisa described earlier.

Bud Hickey, speaking for himself and a few others, said this is not wanted. He said if anyone wants to do something commercial in this City, all they have to do is go through a variance. He said this is not needed. He said we should table all of this and take no further action.

Lisa suggested we may want to table the changes related to the Village Center Overlay, but there are many other important changes that should continue to move forward, such as the amendments related to the Environmental Protection Agency (EPA) regulations.

Kevin Diegel of 1825 First Street, Columbia City, asked if the proposed changes will reduce EPA emissions, or increase emissions. Lisa said the language related to EPA regulations will clarify the existing code. She said our existing code adopted a specific set of EPA regulations that was in existence at one time, and since that time the EPA has added additional regulations. She said these changes will clarify that all of the current EPA regulations are applicable to Columbia City.

Shelly Sandford of 1330 Second Street, Columbia City, said they own a house at 2155 Second Street, which is within the proposed Village Center Overlay. She said she is opposed to the Village Center Overlay because any non-conforming use in a neighborhood makes it confusing and reduces property values. She said if she wants to sell her house and must disclose that it has a commercial overlay zone, it would make people wary. She said the proposal will devalue the properties within the overlay area. She applauded the City Council for thinking forward about the economic stability of our community, but doesn't want these changes in her neighborhood. She said if the school does not get rezoned to commercial, then the Village Overlay should not move forward anyway.

Mayor Young said we'd love to see the school reopen, but if it doesn't, the building might make a nice little center for businesses. Mayor Young said many of the homes within the Village Center Overlay area may be ready for some sort of redevelopment.

Bob Sandford of 1330 Second Street, Columbia City, said it looks as though somebody had an agenda when they drew the map of the Village Center Overlay - it just doesn't feel right. He said the commercial property was left out of the overlay area, and the property along the river is odd in shape and size.

Lisa said she is the author of the map and she did not have an agenda. She said she intentionally left out the commercial property because it is already zoned commercial, and the property along the river has the land in place for a potential transportation system. She said the Committee also made some changes to the original map. She said the thought in land use is that a small, compact area will generate energy.

The Mayor, Council, staff and members of the audience discussed the proposed changes and this process at length. Lisa suggested the Council consider removing the changes related to the Village Center Overlay from Council Bill No. 14-718, but continue moving forward with adopting the other changes.

Lisa said she actually brought along another version of the proposed ordinances that does not contain the Village Center Overlay in anticipation of the possibility of that part of it being tabled. She said we are changing two sets of law - one is the Comprehensive Plan, and the second is the Development Code, and if we remove the Village Center Overlay from the Comprehensive Plan changes, then we also need to remove it from the Development Code changes.

Public Hearing closed.

MOVED (MARSON), SECONDED (PRESTON) AND CARRIED UNANIMOUSLY TO MAKE THE FOLLOWING CHANGES TO SECTION 2, ITEM G OF COUNCIL BILL NO. 14-718:

- DELETE SUBSECTION 4;
- REMOVE THE LANGUAGE SPECIFIC TO THE VILLAGE CENTER OVERLAY FROM SUBSECTION 8;
- DELETE SUBSECTION 9;
- RENUMBER THE REMAINING SECTIONS.

Lisa Smith discussed the March 28, 2014, staff report and reviewed the proposed amendments to the Development Code as outlined in Council Bill No. 14-719. She said because the Council has removed the Village Center Overlay from the Comprehensive Plan amendments, we will also need to remove the Village Center Overlay from Development Code Amendments that are outlined in Council Bill No. 14-719.

Lisa Smith reviewed Council Bill No. 14-719, noting that Section 1 will require that all development applications comply with City, state, and federal laws and regulations, Section 2 will add the definition of a driveway to our regulations, and Section 3 will expand the industrial uses that are permitted outright and allowed by conditional use and it will make some changes to the development standards relating to screening, landscaping and building height. She said Section 4 will add redevelopment opportunities for structures

within the Public Land Zone in the event they are no longer needed to provide public services, Section 5 will expand the public land uses to include those permitted in the Commercial Zone, and Section 6 will expand the conditional uses within the Public Land Zone to include the conditional uses within the Commercial Zone.

When asked if these changes would permit a 7-Eleven Store to be built on the Ruth Rose Richardson Park property, Lisa said yes, provided the public entity that owns the park wanted to do so. She said the government that owns the public lands already has the ability to sell those lands for other purposes. Councilor Preston agreed, but said the current process would require a zone change before the commercial use could be permitted.

The Mayor and Council discussed this concept with staff at length. Lisa noted that this change will make all of the existing public lands marketable and valuable in the event they are no longer needed for public purposes - such as the empty school building, for example. She said the Public Land Zone effectively limits the value of the land within that zone, which she identified as a barrier to economic development, and this change would eliminate that barrier.

Bob Sandford suggested that the change might actually encourage the School District to not continue to use the property for public school purposes.

Members of the audience and Council continued discussions about this concept at length with staff.

Continuing with the review of Council Bill No. 14-719, Lisa noted that Section 7, which deals with the Village Center Overlay, will be removed. Lisa said we have already discussed the purpose of the changes to the Environmental Performance Standards listed under Section 8 and the changes in Section 9 dealing with Landscaping and Screening, which are mostly applicable to the industrial uses, but she noted they include a requirement to install a front yard landscaping with new residential construction. Lisa said Section 10 is removed because there is no longer a Village Center Overlay, so no changes are proposed for Home Occupations. With regard to Section 11, Lisa said we need to strike the sentence, "Detached accessory dwelling units may be added in the Village Center Overlay" from item 7.112.020 A. She said the remaining amendments to Section 11 will allow attached accessory dwelling units to be added to any single-family dwelling or manufactured home, instead of just within the R-2 Moderate Density Zone. Lisa said Section 12 will be removed, and all of the remaining sections will be renumbered accordingly.

Public Hearing opened for the proposed Development Code amendments.

Shelly Sandford spoke in favor of allowing commercial uses within the Public Land Zone.

Kit Gardes of 1830 Seventh Street, Columbia City, asked if we can add the commercial uses to a select number of the properties within the Public Land Zone, rather than to the entire Public Land Zone.

Lisa said the Council has the ability to rezone select properties with the permission of the property owner if they chose to, but it is a lengthy process.

Kevin Diegel said Ruth Rose Richardson and Pixie Parks are owned by the Daughters of the American Revolution, so they might be motivated by the potential for commercial uses because their primary concern is the Caples House. He said if they could sell Pixie and Ruth Rose Richardson Parks as commercial property it could be developed quickly because it is right on the river.

Lisa said those properties should not really be included in the Public Land Zone in the first place because they are not publicly owned.

Bob Sandford asked if there are some deed restrictions associated with the school property. Leahnette said she wasn't sure, and suggested he check with the school or review the deed for the property.

Linda Guy of 2700 Sixth Street, Columbia City, asked how other cities handle their park zoning with regard to permitting commercial uses.

Lisa said in many cases they do, but it varies from one city to the next.

Linda Guy said we have such a terrific group of volunteers that take care of our parks, and it would be a shame for that to change if the property becomes available for commercial uses.

Lisa said this amendment should not change the City parks. She said the City parks will continue to be identified as parks within the Parks Master Plan, and the Parks Master Plan would need to change before the City could move forward with selling any park property for commercial purposes. She said the School District or State Forestry, however, would be able to use their property for other purposes in the event they no longer had a desire to use it for a public purpose.

Public Hearing closed.

Councilor Preston noted that the Comprehensive Plan includes goals and policies for the various land uses, and Section I describes the goals and policies for the use of Public Land, and he does not see any mention about commercial uses.

It was the consensus of the Council to remove Section 4 dealing with the Public Land Zone from Council Bill No. 14-719.

MOVED (MARSON), SECONDED (PRESTON) AND CARRIED TO MAKE THE FOLLOWING CHANGES TO COUNCIL BILL NO. 14-719:

- DELETE SECTIONS 4, 5, 6, 7, 10 AND 12;
- DELETE THE SECOND SENTENCE FROM SECTION 11, ITEM 7.112.020 A;
- RENUMBER THE REMAINING SECTIONS.

Councilor Fromm cast a nay vote due to the deletion of the amendments to the Public Land Zone. He noted that he was not opposed to the other items.

### **AGENDA ITEM 3**

#### **CITIZEN INPUT:**

Patrick Trapp, Executive Director of the Port of St. Helens, said he wanted to bring the City Council up to date about the Port Commission's actions related to Oregon Senate Bill 766, which was passed in 2011. He said the legislation supports the City's interests in removing barriers from economic development in that it streamlines the permit process for opportunities involving industrial lands. He said under Senate Bill 766, five to 15 different areas may be designated as regionally significant industrial areas so long as it has been determined that they meet the appropriate criteria. He said at this point in time, two areas have received the designation (one in Douglas County and one in Lane County) and applications have been submitted for three others areas. He said the applications are reviewed by the Economic Recovery Review Council, which is made up of the Directors of the Department of Environmental Quality, Business Oregon, Land Conservation and Development, State Lands and Transportation.

Patrick Trapp said the Port Commissioners are currently entertaining the idea of moving forward with the submission of an application, and they will be looking at each of the Port owned properties throughout the district, and extending invitations to each City Council and the County Commissioners to support an application. He said in order to meet the approval criteria, the property owner must agree that if the application is accepted, the property shall remain under the regionally Significant Industrial Area designation for a minimum of 10 years. He said Chuck Daughtry of the Columbia County Economic Team

will be extending invitations to participate to the other owners of industrial lands throughout the County.

Patrick Trapp said the Port Commissioners are looking to include the Port's industrial site within the City of Columbia City, and he provided the Council with a sample Resolution of Support for the Council to consider during a future public meeting. He said they are specifically looking for the City's endorsement of the Port-owned property being included as part of the application. He said they hope to submit their application by the end of May 2014.

**AGENDA ITEM 4      COUNCIL REPORTS:**

4.1      **Parks Committee:** No report.

4.2      **Water and Sewer Committee:** Co-Chair Marson said a ten-inch water main broke at the north end of Sixth Street this last weekend. Leahnette said the split in the line was about ten feet long, and the Public Works crew was called in at 3 am on Monday to fix the problem, which took most of the day on Monday.

4.3      **Street Committee:** No report.

4.4      **Audit Committee:** No report.

4.5      **Hazard Mitigation Planning Group:** No report.

4.6      **Other Reports:** None.

**AGENDA ITEM 5      CONSENT AGENDA:**

5.1      **Minutes of the Regular City Council Meeting of March 20, 2014.**

5.2      **Minutes of the Regular City Council Meeting of April 3, 2014.**

5.3      **Resignation from the Planning Commission submitted by Larry Preston.**

5.4      **Resignation from the City Council submitted by Casey Wheeler.**

5.5      **Activity report from the Chief of Police for the month of March 2014.**

5.6      **Activity reports for the months of February and March 2014 from the Public Works Superintendent.**

5.7      **Activity report from the City Administrator/Recorder.**

5.8      **Appoint Josh Fromm to Hazard Mitigation Planning Group.**

Items 5.6 and 5.7 were removed from the consent agenda.

MOVED (MARSON), SECONDED (FROMM) AND CARRIED UNANIMOUSLY TO APPROVE THE CONSENT AGENDA AS AMENDED, except that Councilor Preston abstained from approving item 5.1 because he did not attend the meeting.

**AGENDA ITEM 6      UNFINISHED BUISNESS:**

None.

**AGENDA ITEM 7      NEW BUSINESS:**

7.1      **Ratify Contract:** Ratify contract between the City of Columbia City and the Rusty Cowboy, LLC.

MOVED (MARSON), SECONDED (PRESTON) AND CARRIED UNANIMOUSLY TO RATIFY THE RUSTY COWBOY, LLC, CONTRACT.

7.2      **First reading of Council Bill No. 14-717:** An Ordinance declaring the City's election to receive state revenues.

The Council completed the first reading of Council Bill No. 14-717.

**7.3 First reading of Council Bill No. 14-718: An Ordinance amending the Columbia City Comprehensive Plan as adopted by Ordinance No. 03-585-O.**

The Council completed the first reading of Council Bill No. 14-718 as amended earlier following the public hearing.

**7.4 First reading of Council Bill No. 14-719: An Ordinance amending Ordinance No. 03-586-O, the Columbia City Development Code.**

The Council completed the first reading of Council Bill No. 14-719 as amended earlier following the public hearing.

**7.5 Appointment: Discuss making a new City Council appointment to the Regional Disaster Preparedness Organization (RDPO).**

Larry offered to fill the seat for the remainder of his term.

MOVED (MARSON), SECONDED (FROMM) AND CARRIED UNANIMOUSLY TO APPROVE LARRY PRESTON'S APPOINTMENT TO THE RDPO.

**7.6 City Council vacancy: Discussion about filling the vacancy on the City Council.**

The Mayor and Council discussed how to fill the vacancy on the City Council. Councilor Marson noted that Nell Harrison has been very involved on the Parks Committee and Planning Commission for quite some time. Councilor Preston said he had recently talked with her about the possibility of her serving, and she had said she would be willing to complete the vacant term, which will expire December 31, 2014.

Mayor Young recommended Nell Harrison be appointed to fill the vacant term.

MOVED (MARSON), SECONDED (PRESTON) AND CARRIED UNANIMOUSLY TO APPROVE THE APPOINTMENT OF NELL HARRISON TO THE CITY COUNCIL.

**AGENDA ITEM 8 OTHER BUSINESS:**

**Town Hall Meeting:** It was the consensus of the Council that a Town Hall Meeting be held on Thursday, May 1, 2014, at 7 pm to provide citizens with an opportunity to ask County officials question about the proposed Jail Levy.

**AGENDA ITEM 9 ADJOURNMENT:**

There being no further business to come before the Council, the meeting adjourned at 8:37 pm.

APPROVED:

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Cheryl A. Young  
Mayor

ATTEST:

\_\_\_\_\_  
Leahnette Rivers  
City Administrator/Recorder