# **City Council Meeting Minutes**

#### THURSDAY, SEPTEMBER 17, 2015

#### **CITY HALL COMMUNITY HALL**

#### CITY OF COLUMBIA CITY, COLUMBIA COUNTY, OREGON

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

#### CONVENED:

Mayor Young called the regular meeting to order at 6:00 p.m. Mayor Young led the audience in the flag salute.

#### **COUNCIL MEMBERS PRESENT:**

Mayor Cheryl A. Young Councilor Sally Ann Marson Councilor Josh Fromm Councilor Nell Harrison Councilor Gordon Thistle

## **COUNCIL MEMBERS ABSENT:**

None

#### ALSO PRESENT:

Lisa Smith, City Planning Leahnette Rivers, City Administrator/Recorder

#### ATTORNEY PRESENT:

None

A quorum was present and due notice had been published.

#### AGENDA ITEM 2 PUBLIC HEARINGS:

2.1 <u>Public Hearing:</u> To accept citizen comments about proposed amendments to Ordinance No. 03-586-O, the Columbia City Development Code, Chapter 7.25 Definitions and Chapter 7.50 (R-3) High Density Residential Zone; declaring an emergency.

Public Hearing opened.

Lisa Smith explained that this is a legislative hearing and will be conducted in accordance with Columbia City Development Code Section 7.160. Lisa said the City Council received the Staff Report dated August 17, 2015, which was the same Staff Report that was presented to the Planning Commission. Lisa said the issue here is to provide a mechanism for limiting scale and separation of buildings in the City's R-3 Zone. She said in the City Council's original meeting packet, they received Council Bill No. 15-768 containing proposed amendments to Chapter 7.50 (R-3) High Density Residential Zone, which used a process to limit square footage to provide for scale and separation of buildings and did not amend any definitions. She said during the Planning Commission's meeting on this topic earlier this week, they received some excellent feedback, and staff realized that there were some issues with the original version of Council Bill 15-768. As a result, staff made some modifications to Council Bill 15-768, and those modifications were distributed under

Council Bill 15-768-A earlier this week, which is what we are currently looking at here tonight.

Lisa said Council Bill 15-768-A modifies the definition of Townhouse. She said currently Townhouses are defined as a row of three or more dwelling units, and Council Bill 15-768-A would define a Townhouse as a row of two to four dwelling units. She said Council Bill 15-768-A would also limit the number of dwelling units in a building to four instead of limiting the square footage of a building. In addition, Lisa said the current Development Code limits the number of buildings per lot except for multifamily developments, where you can have more than one building on a lot, which is the same type of construction that currently exists in Columbia City's multifamily housing development along Highway 30. She said under Council Bill 15-768-A, the development community would be able to choose to have smaller or larger units and determine the shapes of their buildings.

Lisa said Oregon State Statutes stipulate that the requirements for residential care facilities be the same as the requirements for multifamily units. She said what you permit for multifamily, you also permit for residential care facilities. Therefore, she said Council Bill 15-768-A would also allow residential care facilities to consist of more than one principal building. She said this is actually a correction of an existing issue within the ordinance.

She said the proposed amendment to the definition of a Townhouse will also benefit the existing townhouses in River Club Estates because they will become conforming uses, which also resolves a conflict that was apparently created a long time ago between the City and County.

Lisa said the record contains a letter from Elaine Albrich of Stoel Rivers dated September 15, 2015 that was presented to the Planning Commission which identifies some of the benefits of the amendments proposed under Council Bill 15-768-A.

Lisa said the record contains a letter from Fair Housing Council of Oregon and Housing Land Advocates dated September 1, 2015 questioning the need for the City to do a significant amount of analysis before it makes this kind of change to the R-3 zoning requirements.

Lisa said the State of Oregon recognized that there are minimal impacts in a very small community, and so entered into the record is also the case law filed December 31, 2008, GMK Developments LLC vs. City of Madras. She said the City of Madras was accused of needing to do more analysis, and the State of Oregon said if Madras' population was more than 25,000 they would agree, but it was not and therefore the requirement does not apply.

In addition, Lisa said the City of Columbia City is small enough that it is not required to conduct periodic reviews. She said all of the updates that the City chooses to make to its Comprehensive Plan and Development Code are driven by community needs. She said updates to the City's Buildable Lands Inventory, Water Master Plan, Sewer Master Plan, etc., are very expensive and the City generally needs the assistance of grant funds to complete those types of projects. She said the City is currently in the process of seeking grant funds to update its Transportation System Plan, and will likely seek funding for an updated Buildable Lands Inventory in the future. She said, however, there is no requirement to apply any update needs associated with those plans to this amendment.

#### **Input in Favor:**

Shelly Sandford of 1330 Second Street encouraged the City Council to pass this amendment for the people that own townhomes in River Club Estates because their homes are currently undefined, and if they were destroyed they would not be able to replace them. She said she believes the emergency clause is fitting in the particular instance.

#### Input in Opposition:

None

Questions and/or Discussion in General:

None.

Public Hearing closed.

#### AGENDA ITEM 7 NEW BUSINESS:

7.1 <u>Council Bill No. 15-768-A; Ordinance No. 15-691-O:</u> An Ordinance amending Ordinance No. 03-586-O, the Columbia City Development Code, Chapter 7.25 Definitions, and Chapter 7.50 (R-3) High Density Residential Zone; declaring an emergency.

MOVED (MARSON), SECONDED (FROMM) AND CARRIED UNANIMOUSLY TO DECLARE AN EMERGENCY.

MOVED (MARSON), SECONDED (THISTLE) AND CARRIED UNANIMOUSLY TO ADOPT COUNCIL BILL NO. 15-768-A WITH THE EMERGENCY CLAUSE.

#### AGENDA ITEM 2 PUBLIC HEARINGS (continued):

2.2 <u>Public Hearing:</u> To accept testimony about proposed amendments to the Columbia City Zoning Map and the Columbia City Comprehensive Plan, which were adopted by Ordinance No. 03-585-O, as recommended by the Columbia City Planning Commission.

Mayor Young gave a brief opening statement describing how there were just about a dozen homes on the west side of the highway when she first moved to Columbia City in 1952, and how difficult it has been for her to accept the many changes she witnessed as the years went by. She said she has also learned through the years that these changes will happen, and she has always supported careful planning. She said it is difficult for elected officials to make difficult decisions, especially in small towns.

Public Hearing opened.

Lisa said this is a quasi-judicial hearing for an application for a Comprehensive Plan Map amendment and zone change. The applicable criteria include Columbia City Development Code Chapters 7.15, Amendments to the Development Code Comprehensive Plan and Related Maps, 7.50, (R-3) High Density Residential Zone, and 7.162, Procedures for Decision-Making Quasi-Judicial. She said Chapter 7.162 requires compliance with all of the Comprehensive Plan policies. All testimony and evidence must be directed towards these criteria or to any other criteria in the Comprehensive Plan or the Code which apply to the decision. Oregon law requires that any issues of concern must be raised at this hearing or they are waived. The failure to raise an issue accompanied by statements or evidence to afford the hearings body and the parties to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue.

Lisa said the hearing will start with the staff report. Then the applicant and those in favor of the application will have an opportunity to testify and present evidence in favor of the application. Next, those that oppose the application will testify and present evidence. The testimony by the opponents will be followed by testimony from persons who are neither in favor nor in opposition of the application. Written testimony received prior to the hearing will be entered into the record. The applicant will be provided an opportunity to rebut any points. Finally, staff may comment on testimony or evidence presented. Failure to raise constitutional issues with sufficient specificity to allow the local government or its designees to respond to the issues precludes an action for damages in Circuit Court. When the presentation of evidence is complete the City Council may close the hearing and deliberate on the application or they may continue the hearing to a date certain.

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Lisa asked if any Council Members have ex parte contact, bias or conflicts of interest to declare.

Councilor Harrison said she does. She said she lives in River Club Estates, signed the petition that was circulated, and went to all of the Planning Commission Meetings.

Lisa said Councilor Harrison is recusing herself from the decision making process for this application.

Mayor Young declared that she had ex parte contact with Wil Knoop, who frequents the St. Helens Senior Center where she works. She said despite her repeated requests that he not speak with her about the situation, he continued to talk with her about the matter. She said in spite of the ex parte contact, which occurred against her will, she knows a lot of people that have an interest in this matter - both the applicants, and the residents in River Club Estates and other many other City residents - and she can be unbiased and will make the decision that she makes according to law and the rules that we have to live by. She said she does not believe she will have a problem with being open minded and hearing all sides.

Lisa said this Comprehensive Plan Amendment Map and Zone Change application involves approximately 1.3 acres of vacant land on Second Street, and is located immediately adjacent to the River Club Estates Subdivision. The property is currently zoned R-2, and River Club Estates is zoned R-3. The applicant has requested the City's approval to amend the zoning of their property to the R-3 zone.

Lisa said the staff report outlines the process that the City has gone through to meet the statutory requirements for coordination with other agencies, including the State of Oregon. She said the State has been involved with this application at several levels. She said there is a lengthy discussion in the Staff Report outlining the way in which this application complies with the requirements of the Columbia City Development Code, the goals of the State of Oregon, and the City's Comprehensive Plan. She said if there are any questions about any of the individual goals or policies, she'll be happy to address them.

Lisa said this application involves a Zone Change, which involves a change to the Comprehensive Plan, and which involves an amendment that is adopted by Ordinance. She said the City has prepared the Ordinance, Council Bill No. 15-769, which would amend the Comprehensive Plan and the Zoning Map. She said the Ordinance includes a 2015 projected dwelling units analysis, which the State of Oregon has said is adequate for a City our size. She said this is based upon case law filed December 31, 2008, GMK Developments LLC vs. City of Madras, which she entered into the record. She said the case law is related to ORS 197.296 which has to do with buildable lands and urban growth boundaries, and it essentially says that the language contained in ORS 197.296 refers to cities with populations of 25,000 or more.

Sue Marble of 1420 Fourth Street said, for clarification, that she felt that the Mayor's opening story felt a bit pressured. She said everyone here is not necessarily against change, and she thought she heard bias on the Mayor's part.

Lisa said Sue's concerns will be entered into the record.

#### **Applicants Presentation:**

Al Petersen of 155 Park Street, St. Helens, said he is one of the owners of the subject property and he went through the Planning Commission hearings. He said he believes the Council has the transcript from the last Planning Commission in their packet, but he does not know if they have the transcripts from the previous meetings. He said the Planning Commission went through the staff report line by line, and they agreed with the staff report and made comments on the items that staff had left for them to decide. He said the Planning Commission recommended the City Council approve the application, and he asked the Council to approve the application. He said they have met all of the

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Comprehensive Plan's required criteria, and the Council should approve the application as recommended by the Planning Commission.

**Input in Favor:** 

None.

#### **Input in Opposition:**

Gary McBride, Esq., of 1400 Fourth Street presented written testimony for the record dated September 17, 2015. Gary said he does not subscribe to the theory that decision makers can read testimony that is presented at a hearing and have a thorough understanding of it prior to making a decision at that same meeting without being seen as rubber stamping a decision that has been made by the Planning Commission. Gary reviewed the contents of the written document dated September 17, 2015 in detail, and urged the City Council to deny the application.

Mayor Young asked if manufactured homes are considered to be single family residences that could be put in the R-2 zone, and Lisa confirmed that they are.

Shelly Sandford of 1330 Second Street said she believes the City's Buildable Lands Inventory is flawed and has misrepresented the River Club Estates zoning as R-3. She said she does not know how it came to be zoned R-3, which would allow her to tear down her home and replace it with a fourplex if it weren't for the covenants of the association. She said it is a mistake in zoning, and it's absurd to think you could construct fourplexes in her subdivision. She said it won't happen and the area is inappropriately zoned R-3. She said the way to correct the problem would be to update the Buildable Lands Inventory, which would determine that R-3 is not appropriate for that area. She said the City would then lose the R-3 land it has showing in the Buildable Lands Inventory, but duplexes are allowed in R-2. She asked the City Council to either postpone making a decision or deny the application until such time as an accurate Buildable Lands Inventory is available rather than making a flawed decision based upon a flawed inventory.

Mayor Young said the River Club Estates subdivision came about as a Planned Unit Development.

Richard Bourassa of 1455 Second Street said he and his wife just moved here in July because they have a son and grandson that live on Second Street close to the property. He said he likes to listen to people and hear what the issues are and how they feel about things. He said each of the options available within each zone do not necessarily enhance a community. He said the applicants may have made a really good case meeting all of the rules, criteria, and expectations needed for a zone change request, but what he is hearing from the community indicates that something is missing - the spirit of the law. He said the idea of satisfying requirements with little consideration of the people being affected leaves people feeling disenfranchised. They feel like they are not a part of this, and they feel like the applicants really don't care about them. What the applicants want is the zone change, for whatever purpose they want it for, because they don't tell us why they want it. He questioned the real intent of the applicant. He said the applicant seems unwilling to say, which leaves us no choice but to look at the worst case scenario - a 65-person residential facility. He referred to a recent newspaper article involving property in Happy Valley that was purchased to construct a large bed and nursing facility and retirement complex in a residential zone. He said when you don't know the intent, you are forced to speculate about impacts such as traffic. He said the applicant has made no effort to share his hopes and dreams for this property with the community, so we have no knowledge the impacts of this zone change might have, and we've lost trust and confidence in the applicant. He said a 65-person care facility is very different from the uses around it, and the R-3 zone would permit such a facility, and he recommended the Council deny the application.

Beverly McBride of 1400 Fourth Street presented written testimony for the record dated September 17, 2015, which she read aloud, and she urged the Council to deny the application.

Sheila Rule of 210 Spinnaker Way said, for clarification, that she believes there is a separate zone for manufactured homes.

Lisa said State Statute in Oregon permits manufactured homes on any lot that permits a site built home.

Sheila said she thought she had seen a zone for manufactured homes.

Leahnette said there is a specific zone for manufactured home parks, but manufactured homes are also permitted in the R-1 and R-2 zones.

#### **Neutral Input:**

Joseph Turner of 2920 Sixth Street presented written testimony dated September 17, 2015, which he read aloud. He concluded that he supports rezoning the property to R-3 and the construction of three townhome duplex units because it would result in the optimal use of the property.

Ron Schlumpberger of 1400 Second Street asked what happens after a decision is made tonight.

Lisa Smith said State Statute identifies the procedure in ORS 197, which is an appeal to the Land Use Board of appeals. She said an appeal must be filed within 21 days from the date the final notice of decision is mailed, and anyone wishing to appeal is advised to seek legal counsel.

Ron asked when the impacts to the neighborhood are considered, and when conditions for sidewalks, etc. are addressed.

Leahnette said those things occur at a later date when the property owner submits an application to develop the property.

Lisa said every use in the R-3 zone requires Site Development Review, which is another land use process involving the Planning Commission.

Ron said he's lived in Columbia City for a long time, and has invested his life savings in the house he lives in on Second Street. He said now, all of a sudden, he's faced with this type of development going in across the street from him. He said he already has trouble with people trespassing across his property to get to the river, and now we are talking about adding high density development next door. He said he thinks the R-3 area along the highway is appropriate because it has buffers like Highway 30, the Forestry Station, and the Mini-Mart, but high density development is not appropriate for his neighborhood because there are no buffers.

Dave Rule of 210 Spinnaker Way said if the Council hasn't been down to that area, they need to go down there and see it before they make a decision.

Eileen Bourassa of 1455 Second Street asked if the property develops, it is possible that additional improvements will be required for the street, and if so, who will pay for them. She asked if the residents that already live on that street will be required to share in the cost of those improvements.

Lisa said if the application for a Zone Change is approved, it changes information on a map. She said if the applicant submits an application for development of the property, then an assessment will be completed to determine what improvements will be required, including whether or not a traffic study will be required, or whether or not water and sewer

services need to be brought in to serve whatever is constructed there. She said in the engineering world, this type of development on 1.3 acres of property does generally result in large impacts. She said a Fred Meyer, for example, would be required to put in more improvements. She said the improvements that are required are based upon the impacts of the specific development that is proposed.

#### Applicant's Rebuttal:

Elaine Albrich, Attorney with Stoel Rives, LLP, 900 SW 5<sup>th</sup> Avenue, Ste. 2600, Portland, said there have been a lot of issues and concerns raised tonight. She said tonight the City Council needs to consider the issues and concerns that were raised that are within the scope of the criteria that apply, but a lot of what was heard tonight fell outside of that area, and were more general community concerns which are likely to be addressed in the site development phase when an actual development is proposed for construction. She said as staff pointed out, there will be another public process for input.

Elaine said the applicant supported the R-3 legislative amendment that we heard earlier tonight and worked with staff craft a definition for a Townhome to allow an attached single family development in the R-3 zone, which demonstrated some of the efforts that the applicant has made that go towards good, solid development that is consistent with the community.

Elaine said there's been a lot of terminology used tonight about the different types of residential uses in the different zones, and we need to look at what is actually multifamily development vs. multifamily zoned. She said, with some additional findings, that issue can be clarified. She said they provided a written letter for the record to the Planning Commission about some of the concepts that were being proposed for the R-3 legislative amendment, and you can see from the attached illustrations the type of development that the applicant is thinking about and why it was important to the legislative process because the legislative amendment will facilitate more nicely designed residential development, which is important to point out because there have been some questions raised about the applicant's intent.

Elaine said this application has been carefully scrutinized on two levels prior to tonight - first by the planning staff who evaluated it and prepared staff reports, and then by the Planning Commission who spent a considerable amount of time hearing testimony and scrutinizing the application and materials. She said the Planning Commission went step by step through the criteria and adopted findings that addressed the criteria, and they presented that package to the Council. Elaine said the Council has been presented with a solid record that supports approval of the proposal that is consistent with the approved plan and the policies that are in place now, which is what you need to look at.

Elaine recommended the City Council adopt its own findings to supplement the Planning Commission findings to address some of the issues that we've heard tonight, and she would be happy to work with staff on drafting those supplement findings for the Council's future consideration. She recommended the Council approve the proposal that is before them with additional findings to supplement the Planning Commission findings. She said the extra step would not only make the decision more defendable in the event of an appeal, but it would also show a good effort to the community to address the concerns that were raised tonight.

#### Written Comments:

Lisa entered a letter dated September 1, 2015 from Wil Knoop into the record.

#### Comments from Staff:

Lisa said the Wil Knoop letter speaks to updating the Comprehensive Plan, which was mentioned tonight on several occasions. She said we have entered into the record the case law that outlines the legal requirements related to Comprehensive Plan updates to

address that. The community may choose to update the Plan on their own, but that would take place outside of processing this quasi-judicial application, which was submitted according to current standards.

Lisa said staff has not identified any specific evidence based threat to health, safety and welfare as defined by the law and as defined by case law and as stated by various regulatory agencies such as the Environmental Protection Agency or Department of Environmental Quality.

Lisa said no oaths are required for quasi-judicial hearings and no oaths are administered in the quasi-judicial process. In fact, what the City's ordinance requires is a reasonable quality of evidence that reasonable people would rely on in the conduct of every day affairs. She said more formal rules of evidence used in courts of law do no apply at this level.

Lisa said there are development standards within each zone, and tonight the City adopted additional development standards that apply to the R-3 zone and will apply to the development of this property. Prior to this evening, she said the City had no limits on the size and scale of multifamily buildings. She said the does have the term "village" in the Comprehensive Plan, and generally when you have a term that is open for definition, it needs to be resolved. She said one of the tools for resolving that is to have specific standards that are consistent with the phrase. She said staff reviewed the building permits for the 1996 apartment construction and the size of them. She said "village" could be understood a function of scale and separation of structure, and how things look rather than how they are used. She said staff generated a proposed amendment that would limit the square footage of the buildings. Input came in from several sources that caused her to realize that it may have been problematic because it may have resulted in some very unattractive development. She said instead of limiting the size of each building, we then moved to the method of limiting the number of units per building.

Lisa said the Site Development Review process is when the specific standards are applied to the development, which includes the public improvement standards relating to streets, storm drainage, water and sewer facilities.

Lisa said some developers choose to consolidate their application for development with this type of application, but it is a choice that the applicant makes, and it is not a requirement of this application.

Lisa said staff reviewed this application carefully and thoroughly and she is certain, from a planning perspective, that the questions that have known answers have been answered, and the others will be answered through the development process.

Lisa said the City has a Buildable Lands Inventory that reflects the actual existing construction within the City, and it uses terms like single family, duplex, multifamily, manufactured homes in parks. She said it refers to four different types of home construction, and it does not link these types of construction with the types of zoning. She asked Council to please not confuse high density zoning with types of construction.

Lisa said the City's current population forecast is as current as the State of Oregon requires it to be. She said in 2009 the City expanded its Urban Growth Boundary. At the time the State of Oregon required we update our population forecasts based upon some information coordinated through the Portland State University, who makes population projections for each County, and then all of the jurisdictions within the County work together to divide the projection up between each jurisdiction.

Lisa said Shelly is right in requesting a Buildable Lands Inventory update, but not as part of this process. She said it should be a project on the City's work list.

Lisa said the community has participated a great deal in this process. She said notices have been distributed on this application three separate times, and there's been a lot of

citizen participation that has been greatly appreciated. She said the process did identify that the R-3 zone did not have scale and separation, and it left some people vulnerable in River Club Estates. She noted that River Club Estates is currently zoned R-3, even though some may think it is inappropriate.

Lisa said the Council is authorized to adopt its own conclusions and findings. She said staff simply makes recommendations to the Council about the process. She said she appreciates the offer to assist with drafting the additional findings, and those additional findings will be subject entirely to the Council's review. She said the applicant is entitled to write the supplementary findings and submit them to the Council for consideration. She said if the Council believes that the applicant has satisfied its burden of proof and the criteria has been met, they can adopt a motion approving the application subject to review of additional findings.

Public Hearing closed.

Lisa said the Council needs to look at the evidence before them and determine whether or not the application meets the criteria. She said it is not a decision that can be made based upon emotions, or what is presumed to be good or bad. She said the Council adopted a code that outlines criteria that must be met, and that is what must be looked at when considering an application. She said if even one of the criteria has not been met, the Council may deny the application.

Mayor Young said she read what the Planning Commission went through and she believes their findings are accurate. She said we have to follow the law, and she cannot find any criteria that have not been met. She noted that the ship building activities took place all over that neighborhood, not just on this 1.3 acres, and she said any concerns about the soil don't apply until development is proposed. She said the applicants stated that something similar will be developed that will compliment the development that is already there.

Lisa said in land use terms, any residential development would be considered to be similar to the development that is already there, vs. a commercial or industrial use. She said, from a land use perspective, the only difference between the R-2 and the R-3 zone is the density.

Leahnette said River Club Estates was developed under the City's R-3 zone. She said it was not developed under County zoning. She said under a contract of annexation, it was developed to the City's R-3 zoning standards that were in place at the time. She said R-3 was the designated future zoning on the City's zoning map for the River Club Estates property. She said the property was not accidentally zoned R-3, and it was not developed to County zoning standards.

Lisa said the size of the acreage limits the amount of impact that any development can have - it is a small piece of property consisting of just 1.3 acres of land.

Councilor Marson asked if the River Club Estates property could have been developed differently at that time.

Leahnette said it could have - they could have constructed apartments. She said at the time, the City permitted Planned Unit Developments and single family residences within its R-3 zone.

Mayor Young said River Club Estates was a great addition to the City when it happened, but at the time it was a Planned Unit Development.

Lisa said the theoretical calculations indicate that a 65-person residential care development could be constructed on 1.3 acres in the R-3 zone. However, no one has actually sat down and drawn a design for a facility of that size to show that it could meet all of the required standards, such as set backs, parking, lot coverage, access, building

separation, etc. She said she suspects it cannot be done considering the shape of the land.

Mayor Young said developers tend to want to get as much development out of the land as they can. She said the bottom line is that we don't know what is planned, and it is not their responsibility to tell us at this time. She said she thinks the Planning Commission did a great job. She said she feels badly about how people feel.

Councilor Marson said it seems that the biggest concern was the potential for the development of a residential care facility. She said townhouses or fourplexes aren't that much different than the development that is already there.

Lisa noted that anyone with a single family residence is eligible within the State of Oregon to provide residential care in their home for up to five residents. Lisa said the applicant has testified on the record that they intend to build townhouses, although there are no legal requirements for them to do so. She said the Council needs to determine whether or not the applicant has satisfied the criteria, and whether or not they want to adopt supplemental findings.

The Council continued to discuss this matter and the decision making process with staff at length.

MOVED (FROMM), SECONDED (THISTLE) AND CARRIED TO TENTATIVELY APPROVE THE APPLICATION SUBJECT TO THE REVIEW OF SUPPLEMENTAL FINDINGS DURING THE OCTOBER 1, 2015 COUNCIL MEETING. Councilor Thistle cast a nay vote and Councilor Harrison abstained from voting.

The Council meeting recessed.

The Council meeting reconvened.

#### AGENDA ITEM 3 CITIZEN INPUT:

None.

#### AGENDA ITEM 4 COUNCIL REPORTS:

- **4.1** Parks Committee: Chair Marson said the Veterans Park looks great. She said the Boy Scouts installed a section of split rail fencing along the bike path, new flowers have been planted, and the base of the All American monument has been painted. She said another Boy Scout will be installing the new see saw in Harvard Park for his Eagle Scout project. She said the sprinkler system has been modified to keep the water from hitting the monuments, and more bricks will be added at the base of each monument to replace some of the lawn.
- **4.2** <u>Water and Sewer Committee:</u> Leahnette said the preconstruction meeting was recently held for the Sewer Improvements Project, and construction is scheduled to start in October.
- **4.3** Street Committee: Leahnette asked Council to ratify the decision to expand the Second Street closure area during the Celebration to include the area between the southerly parking area at the school to the northerly edge of the Knapp Center driveway.

MOVED (THISTLE), SECONDED (MARSON) AND CARRIED UNANIMOUSLY TO RATIFY THE SECOND STREET CLOSURE PLAN.

**4.4** Audit Committee: Secretary Harrison said the Audit Committee found no issues during the most recent review period, and they plan to meet again on October 20.

- **4.5** <u>Hazard Mitigation Planning Group:</u> Team Member Fromm said he hopes the new police car will be ready and on display during the upcoming Prepare Fair and car show.
- 4.6 Other Reports: None.

# AGENDA ITEM 5 CONSENT AGENDA:

- 5.1 <u>Minutes of the Regular City Council Meeting on August 6, 2015.</u>
- 5.2 Minutes of the Regular City Council Meeting on August 20, 2015.
- 5.3 Activities report from the City Administrator/Recorder.
- 5.4 Financial reports for the period ending June 30, 2015.
- 5.5 Financial reports for the period ending July 31, 2015.
- 5.6 Financial reports for the period ending August 31, 2015.
- 5.7 <u>Bills paid with check numbers 18914 through 18976 during the month of</u> August 2015.
- 5.8 <u>Investment and Cash Balance Summary for the quarter ending June 30, 2015.</u>
- 5.9 Parks Committee resignation submitted by Theodore Burns.

Councilor Marson said Theodore Burns did not want to resign from the Parks Committee, but he is so busy that he felt he had no choice. She said this is his senior year and he has been into the Marines and plans to become a medic.

MOVED (HARRISON), SECONDED (THISTLE) AND CARRIED UNANIMOUSLY TO APPROVE THE CONSENT AGENDA.

#### AGENDA ITEM 6 UNFINISHED BUISNESS:

None.

## AGENDA ITEM 7 <u>NEW BUSINESS (continued):</u>

7.2 <u>First reading of Council Bill No. 15-769:</u> An Ordinance amending the Columbia City Comprehensive Plan as adopted by Ordinance No. 03-585-O, and amending the Columbia City Comprehensive Plan and Zoning Map.

Action on this item was postponed until the next meeting.

7.3 <u>Lien Releases:</u> Release of liens established under Resolution Nos. 11-1020-R, 12-1060-R, 12-1064-R, and 14-1130-R against property described as Tax Account No. 5121-CA-05900, located at 3325 Fifth Street, Columbia City, Oregon, under the ownership of Tye E. and Rebecca A. Holien.

MOVED (MARSON), SECONDED (HARRISON) AND CARRIED UNANIMOUSLY TO AUTHORIZE SIGNATURE TO THE LIEN RELEASES.

7.4 <u>Nuisance Declaration:</u> Request from City Administrator that the multi-trunk maple tree located at 3325 Fifth Street, Columbia City, on property owned by Tye E. and Rebecca A. Holien be declared a nuisance.

MOVED (FROMM), SECONDED (THISTLE) AND CARRIED UNANIMOUSLY TO DECLARE THE TREE TO BE A NUISANCE AND AUTHORIZE ABATEMENT.

# AGENDA ITEM 8 OTHER BUSINESS:

None.

## AGENDA ITEM 9 ADJOURNMENT:

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|---|---|--------------------------|
|   | There being no further business to come before the Council, the meeting adjourned 9:15 p.m. |                          |
|   |   | APPROVED:                |
|   |   | Cheryl A. Young<br>Mayor |
| ATTEST:                                     |   |                          |
| Leahnette Rivers                            |   |                          |

City Administrator/Recorder