WORKSHOPS (City Council Chambers)

Mayor Leavitt was absent for workshops. Mayor Pro Tem Smith presided.

4:30-5:15 p.m.  2016 CLARK COUNTY COMPREHENSIVE PLAN UPDATE

Council met with Bryan Snodgrass, Principal Planner.

Summary
Staff provided Council with an update on Clark County’s Comprehensive Plan Update process, outlining specific provisions within the proposed updates and potential impacts to City planning. (Bryan Snodgrass, 487-7946)

5:15-6:00 p.m.  2015 FIREWORKS UPDATE: REGULATION OPTIONS


Summary
The Vancouver Fire Chief and Fire Marshall reported to Council statistics on the 2015 Fourth of July fireworks activity within the City. Council discussed options for updating the regulations related to personal use fireworks and directed staff to provide further information about potentially banning them in the city limits. Council will discuss this option and whether to solicit citizen input through an advisory vote at a later date. (Joe Molina, 487-7201; Heidi Scarpelli, 487-7202)

COUNCIL REGULAR MEETING (City Council Chambers).

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL
The regular meeting of the Vancouver City Council was called to order at 7:04 p.m. by Mayor Timothy Leavitt in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

Present: Councilmembers Topper, McEnerny-Ogle, Turlay, Hansen, Burkman, Smith, Mayor Leavitt

Absent: None
APPROVAL OF MINUTES: AUGUST 3, 2015

Motion by Councilmember Smith, seconded by Councilmember McEnerny-Ogle, and carried unanimously to approve the minutes of August 3, 2015.

APPROVAL OF MINUTES: AUGUST 10, 2015

Motion by Councilmember McEnerny-Ogle, seconded by Councilmember Smith, and carried unanimously to approve the minutes of August 10, 2015.

SPECIAL PRESENTATION: MARINE PARK IMPROVEMENTS DONORS

Hailey Heath, Volunteer Coordinator, presented an acknowledgement of members from the Southwest Washington Contractors Association who donated time and materials to complete improvements to the picnic tables at Marine Park.

CITIZEN COMMUNICATION (ITEM 1)

Mayor Leavitt opened Citizen Communication and, receiving no testimony, closed Citizen Communication.

CONSENT AGENDA (ITEM 1)

Motion by Councilmember McEnerny-Ogle, seconded by Councilmember Burkman, and carried unanimously to approve the Consent Agenda.

1. APPROVAL OF CLAIM VOUCHERS

Motion approved claim vouchers for August 17, 2015, in the amount of $6,643,385.91.

PUBLIC HEARINGS (ITEMS 2-3)

2. EAST RESERVE STREET RIGHT-OF-WAY VACATION
(Staff Report 094-15)

Ryan Lopossa, Senior Civil Engineer, provided staff comments.

Mayor Leavitt read the title of the ordinance into the record.

AN ORDINANCE vacating a portion of an unimproved right-of-way associated with East Reserve Street, located within the Southwest Quarter of the Southeast Quarter of Section 23, Township 2 North, Range 1 East, Willamette Meridian, City of Vancouver, Clark County, Washington and within the Water Works Park; providing for an effective date.
Summary
The City’s Public Works Department is requesting to vacate a portion of an unimproved public street right-of-way associated with East Reserve Street. The right-of-way is specifically located within the Southwest Quarter of the Southeast Quarter of Section 23, Township 2 North, Range 1 East, Willamette Meridian and within the Water Works City Park.

The right-of-way was acquired by the City by way of a 1949 quit claim deed from the Federal General Services Administration (GSA), allowing the City to take jurisdiction of East Reserve Street between Fort Vancouver and Fourth Plain Blvd. This section of East Reserve Street remained in existence until the early 1980’s when it was removed as a part of the development of Water Works Park. Although the conveyance from the GSA included deed restrictions stipulating the use of the property for public streets and roads, a February 14, 2014 memorandum from the City Attorney’s Office stipulates that the 1949 deed restrictions were extinguished in 1951, therein enabling the City to freely use or convey an unconditional interest in the property. The City plans to utilize the right-of-way as a part of the reconstruction of the Water Station #1.

Staff has contacted all utility owners with facilities located within the subject area. Clark Public Utilities, Northwest Natural Gas and Centurylink have public utility services running through a portion of the subject area. Therefore, the City will retain a non-exclusive public utility easement under and over the vacated area for the construction, repair and maintenance of all public utilities and services.

Pursuant to VMC 11.05.130, the property associated with a vacated street shall belong to the abutting property owners, one-half to each.

RCW 35.79.030 and VMC 11.05.120 stipulate provisions for the City to collect compensation for the value of public right-of-way that is vacated. The applicant submitted an appraisal, which was completed by Jarvis Appraisal Company and dated November 22, 2013. The appraisal evaluated property values within all of Water Works Park. Pursuant to the findings of the appraisal, the value of the property associated with the subject right-of-way is equal to $3.51 per square foot. The total area of the proposed vacation is 15,744 square feet. This results in a total estimated property value equal to $55,261. Pursuant to VMC 11.05.120.C, Staff recommends the imposition of compensation equal to 100% of the total estimated property value, which is equal to $55,261. This sum shall be remitted to the City prior to the right-of-way vacation becoming effective.

Mr. Lopossa provided an overview of the proposed street vacation request. He noted that during the public hearing on July 20, citizen comments expressed concerns regarding pedestrian circulation and lighting at the site. He reported that the public works director had provided a response to the citizen addressing the concerns in detail.

Mayor Leavitt opened the public hearing and received the following testimony:

- Todd Boulanger, Vancouver, stated that he had been provided that update from the public works director, and said that he was supportive of the plan now given that the plan would not include fencing the entire perimeter of the site, but rather focusing site control as needed around the water
facilities; a new access point at East 20th Street would provide better connectivity for bicycles; and access across the site from the Fort Vancouver Way stub would be maintained. He noted that these provisions created a balance of security and public access to Waterworks Park.

There being no further testimony, Mayor Leavitt closed the public hearing.

Motion by Councilmember Topper, seconded by Councilmember Smith, and carried unanimously approved Ordinance M-4131. (Ryan Lopossa, 487-7706)

3. Continuance of Moratorium on Crude Petroleum Product Facilities
(Staff Report 119-15)

Brent Boger, Assistant City Attorney, provided staff comments.

Mayor Leavitt read the title of the ordinance into the record.

AN ORDINANCE declaring an emergency and continuing a moratorium for six months on applications for permits for the establishment or expansion of all crude petroleum facilities that will accept crude oil except those vested or contingently vested as of the effective date of prior ordinance M-4090 as extended by M-4118, and providing that the moratorium continuance will take effect upon the expiration of ordinance M-4118.

Summary
The existing moratorium prohibits until September 2, 2015, any application for the establishment or expansion petroleum facilities that would accept crude oil except those vested or contingently vested within the City of Vancouver. The ordinance will allow staff time to prepare a comprehensive review of existing and potential new regulations adopted through amendments to the VMC. Staff cannot estimate the time needed to complete this work plan especially because some of the steps under the control of third parties such as EFSEC (Energy Facilities Site Evaluation Council). The work plan has been delayed by delays in the EFSEC process. A comprehensive environmental impact study is now scheduled for release on November 24, 2015. In addition, the City will soon be undergoing a review of its hazardous materials ordinance which will likely have some relationship to the petroleum uses now under moratorium.

Mr. Boger provided background information on the proposed moratorium extension. He stated that much of the City’s work was dependent on information expected to come out of the EFSEC process for the Vancouver Energy proposal, and the timeline for that process is uncertain, therefore requiring an extension of the City’s moratorium.

Mayor Leavitt opened the public hearing and received the following testimony:

- Nancy Schultz, Vancouver, spoke in support of the moratorium extension.

There being no further testimony, Mayor Leavitt closed the public hearing.
Motion by Councilmember McEnerny-Ogle, seconded by Councilmember Smith, and carried unanimously to approve Ordinance M-4132. (Brent Boger, Assistant City Attorney, 487-8500; Jon Wagner, Senior Planner, 487-7885)

COMMUNICATIONS
A. From the Council
B. From the Mayor
C. From the City Manager

ADJOURNMENT

7:55 P.M.

______________________________
Timothy D. Leavitt, Mayor

Attest:

______________________________
R. Lloyd Tyler, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Meetings of the Vancouver City Council are electronically recorded on audio and videotapes. The audio tapes are kept on file in the office of the City Clerk for a period of six years.

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