

**CITY OF VADER**

317 8<sup>th</sup> Street  
VADER, WA 98593  
(360) 295-3222

*Remote MEETING*

**LOCATION:** Vader City Hall  
**DATE:** August 27, 2020  
**TIME:** 6:00 p.m.

CITY COUNCIL MEETING

**MINUTES**

**Call to order:** 6:00 p.m.

**Roll Call:** Dianne Floyd

In Attendance	Absent Excused	Absent Unexcused	Name/Title
		X	Mayor -Joe Schey
		X	Donna Rogers, Position #1
		X	Jason Dailey, Position #2
		X	Randy Hall Position#3
		X	Mike Parsons Position #4
	X		Samantha Lovelady - Position #5

Due to the Covid-19 virus, the meeting was held remotely via *\*GoToMeeting*

<https://global.gotomeeting.com/join/717729925>

Pledge of Allegiance: Randy Hall

**Mayor Report:**

1. Planning Committee: Minimum Lot Size, Rear Yard Set Back, Historical District Definition. No recommendations at this time.
2. Planning Committee: Next Meeting 9/17/2020
3. Park Board Meeting: Next Meeting 9/16/2020

**Council Reports:** **Donna Rogers** -Short Plat application for Cindy Radcliffe. Donna concerned about the City Planner being involved and the process being delayed.

**Agenda Approval:** City Council Meeting for 8/27/2020

**Agenda: Action-----I move to approve the Agenda for the 8/27/2020 City Council Meeting.**

**Motion Submitted by:** Jason Dailey  
**2<sup>nd</sup> the motion:** Mike Parsons  
**Vote:** unanimous, 4-0/ Motion carried

**Minutes Approval:** City Council Meeting on 8/14/2020

**Minutes: Action-----I move to approve the minutes for the 8/14/2020 City Council Meeting.**

**Motion Submitted by:** Jason Dailey  
**2<sup>nd</sup> the motion:** Randy Hall  
**Vote:** unanimous, 4-0/ Motion

**Voucher Approval:**

**Voucher: Action-----I move to approve the vouchers for:**

**End of August 2020:** \$12,923.04  
**Total Aug 2020:** \$42,253.71

**Motion Submitted by:** Jason Dailey  
**2<sup>nd</sup> the motion:** Mike Parsons  
**Vote:** unanimous, 4-0/ Motion

**Special Reports:** Andy Caldwell, Deputy Director of Lewis County Emergency Management  
If an event occurs in Vader, I am your emergency contact. Emergency Mgt is playing a logistics role with the Public Health's response to Covid-19. Most of that has been providing PPE. We now have low-income masks provided by the state being distributed by the food banks. We have given out almost 90,00 low-income masks so far through the food banks and we have held back 1000 in our office to be distributed as needed. The Statute that requires us to have an Emergency Management organization. The plan which is combined by all the individual organizations together. Every political subdivision is required to have a continuity of government plan. This plan consists of two major things -the Succession Plan (if the Mayor and City Council are unavailable because of a natural disaster who has the authority to act in their absence) and an Alternate Location where the city can conduct business in the event of a disaster. We will be coming out to walk you through this process. There is a template that you have to fill out. Covid-19 Each county is categorized at Low to High Risk. This is based on many positive tests in the last 14 days per 100,000 citizens. Lewis county only has 80,000 so they have to take that into consideration. Low Risk County is less than 25 positive tests per 100,000. High Risk is anything over 75 per 100,000. With the adjustment we sit at 100.3 which is High Risk. The Governor uses this to base whether schools can reopen. We did have an outbreak of 12 at the jail which affects our numbers.

### **City Business**

1. Council to consider Resolution 17-2020: Elwood Holdings Variance VAD 20-16  
Randy Hall recused himself as his wife, Kathi Hall is on the Planning Committee and Victoria Parsons recused herself from the Planning Committee meeting as her husband, Mike Parsons is on City Council.

Scott Gross, Planning Committee Chair -After having considered all of the documents in the record and noting the absence of any testimony or written comments offered, the Planning Committee makes the following findings of fact:

1. *The complete application for the variance was submitted on July 20, 2020.*
2. *Elwood Holding's request for the variance is based on the following facts:*
  - a. *The property is a historically small and narrow lot.*
  - b. *The applicant wants to build a modest home of approximately 1,500 square feet on the lot and cannot do so unless the south side yard setback is reduced from 10 feet to 7 feet.*
3. *Elwood Holdings did not create the narrowness or size of the lot but acquired it with this historic size.*
  - A. **Conclusions.**

*The Planning Committee makes the following conclusions of law:*

1. *The City complied with all notice requirements for the variance hearing under Vader Development Regulations, Chapter 13.000.*
2. *The side yard setbacks applicable to Elwood Holding's property are ten (10) feet on both the north and south sides in accordance with Vader Development Regulations §3.060.D.*
3. *Side yard setbacks may only be modified by the granting of a variance under Vader Development Regulations §13.010.*
4. *The Planning Committee is tasked with making a recommendation to the City Council on whether a variance should be granted.*
5. *In order to grant a variance, all of the conditions set forth in Vader Development Regulations §13.020 (below) are required to be met. The use of the term "and" means that if one or more of these conditions is not satisfied, then the variance cannot be granted.*

**13.020 Conditions for granting.**

*No application for variance shall be granted unless the city council finds:*

*A. The variance shall not constitute a grant of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and*

*B. That such variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use, rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and*

*C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity and zone in which the subject property is situated; and*

*D. The hardship asserted by the applicant is not the result of the applicant's or the owner's action.*

6. *All properties in the R-1 zone have 10-foot side yard setbacks for any structures built after the adoption of the current zoning code. The lot at issue was never developed and is historically narrow and small. Many lots in the R-1 zone are developed with modest homes (or even large homes in some cases) while either meeting the setbacks in the City's code or were developed with much smaller setbacks under a prior zoning code. Therefore, the granting of this variance would not constitute a grant of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and zone in which the property is located because it would allow the Applicants do what other property owners in the area have done: to build a modest home on residentially zoned property under the current zoning code. Thus, condition A of Vader Development Regulations 13.020 has been met by this application.*
7. *There is evidence of special circumstances relating to the size, shape, topography, location or surroundings of the subject property that demonstrate that the variance is necessary. The lot is undeveloped and is historically small and narrow. This narrowness creates a special circumstance which justifies a variance in this case in order to allow the use of this property for development of a single-family home in a single-family zoning district. Thus, condition B of Vader Development Regulations 13.020 has been met by this application.*
8. *The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity and zone in which the subject property is situated because it allows the applicant to build a single-family home in a single-family neighborhood. The Planning Committee received no comments or testimony from neighbors or other stakeholders objecting to this variance application, therefore there is no evidence that this variance would be injurious to other properties in the area. Thus, condition C of Vader Development Regulations 13.020 has been met by this application.*
9. *The Applicant claims there will be hardship if they are required to comply with the current ten (10) foot side yard setbacks on both sides as this would prevent them from building a reasonably sized home on this R-1 lot. Furthermore, the applicant did not plat this lot or make a boundary line adjustment to reduce the size of this lot. The size and narrowness of this lot is historic and pre-dates the applicant's ownership. This hardship meets condition D of Vader Development Regulations 13.020 which requires that "the hardship asserted by the applicant is not the result of the applicant's or the owner's action." Thus, condition D of Vader Development Regulations 13.020 has been met by this application.*

**B. Recommendation.**

Based on the findings of fact and conclusions of law set forth above, the Planning Committee recommends the Variance Application (VAD 20-01-V) of Elwood Holdings, LLC be **GRANTED**.

*Mayor asked if the applicant would like to make a statement to be on the record. Hearing none we move on.*

**Action-----I move to adopt Resolution 17-2020: Elwood Holdings Variance VAD 20-16**

**Motion Submitted by:** Mike Parsons  
**2<sup>nd</sup> the motion:** Jason Dailey  
**Vote:** unanimous, 3-0/ Motion

*Randy Hall rejoined the meeting.*

2. Council discussion on sewer ordinances: 2020-08, 2020-09, 2020-10
  - Discussion about the 150 ft from the property line vs the structure.
  - Some provision to be made for those citizens who have a working septic to not be forced to be connect.
  - Discussion about the reference to human/animal waste as mentioned in the code. Does that mean fertilizer?
  - Should people be able to repair a failing septic tank instead of having to connect?
  - Capping sewer lines for nonpayment?
  
3. Council to consider authorizing \$1000.00 expense for McMurphy Park security camera system

**Action-----I move to purchase a security camera system for McMurphy Park for up to \$1000.00.**

**Motion Submitted by:** Jason Dailey  
**2<sup>nd</sup> the motion:** Randy Hall  
**Vote:** unanimous, 4-0/ Motion

**Public Comment:**

Kathi Hall 705 10<sup>th</sup> Street -If you want the community up and make it nice so families will come we have to take care of our parks spend real money.

Doug Guinn 915 G Street -If you force citizens to hookup you aren't just forcing the hookup but also a monthly sewer fee. Being a senior citizen on a fixed income. Once it is set it is hard to stretch it. I appreciate what you are doing but don't forget the low-income families. Also, our water has very low pressure.

**Elected Official Comment:**

**Mayor** -The only reason we are updating the sewer code is that part of the grant funding we have for our sewer system requires that certain items are included. None of those have anything to do septic systems. In fact, all of the changes that are in there don't involve septic systems at all. Everything that is in the new ordinances we are looking at are the same as what is currently on the books of the City of Vader. Nothing is changing as far as septic systems. What has people worried is that they finally read what's on the books and they realized that there is nothing being said about existing septic systems being grandfathered in. City Council has been made aware of and understands that and will make sure that that protection is in there.

**Donna Rogers** - I gave paperwork for the Council to look at about helping people pay for this over time. An ordinance from the City of Toledo where they financed the collection fees over time. Since we are updating our ordinance, we should consider this.

**Mike Parsons** -The City of Vancouver connection fee for a friend of mine was \$20,000.00.

**Randy Hall** -Neighbors could help neighbors...if one had a backhoe.

**Meeting Adjourned:** 7:33p.m.

Approved by:

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Mayor

Attest:

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City Clerk/Treasurer