

**CHEHALIS CITY COUNCIL AGENDA**  
 CITY HALL  
 350 N MARKET BOULEVARD, CHEHALIS, WA 98532

Terry F. Harris, District 1, Mayor Pro Tem Daryl J. Lund, District 2 Dr. Isaac S. Pope, District 4	Dennis L. Dawes, Position at Large Mayor	Anthony E. Ketchum Sr., District 3 Chad E. Taylor, Position at Large Bob Spahr, Position at Large
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**Regular Meeting of Monday, August 8, 2016**

**5:00 p.m.**

ITEM	ADMINISTRATION RECOMMENDATION	PAGE
1. <u>Call to Order.</u> (Mayor)		
2. <u>Pledge of Allegiance.</u> (Mayor)		

<b>CITIZENS BUSINESS</b>		
This is an opportunity for members of the audience to address the council on matters not listed elsewhere on the agenda. Speaker identification forms are available at the door and may be given to the city clerk prior to the beginning of the meeting.		
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<b>CONSENT CALENDAR</b>		
3. <u>Minutes of the Special Meetings of June 30, July 12, and July 28, 2016, the Regular Meeting of July 27, 2016.</u> (City Clerk)	APPROVE	1
4. <u>Vouchers and Transfers.</u> (Finance Manager)	APPROVE	16
5. <u>Approve Separation Agreement between the City and Current City Manager.</u>	APPROVE	

**ADMINISTRATION AND CITY COUNCIL REPORTS**

6. Administration Reports.

- a. Transportation Benefit District funding. (City Manager, Finance Manager, Public Works Director)

INFORMATION ONLY

7. Council Reports.

- a. Councilor reports. (City Council)
- b. Council committee reports. (City Council)

INFORMATION ONLY

INFORMATION ONLY

**NEW BUSINESS**

- 8. Ordinance No. 961-B, First Reading – Amending Title 17 of the Chehalis Municipal Code dealing with Allowable Fence Height. (City Manager, Interim Community Development Director)

PASS

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**THE CITY COUNCIL MAY ADD AND TAKE ACTION ON  
OTHER ITEMS NOT LISTED ON THIS AGENDA**

**NEXT REGULAR CITY COUNCIL MEETING WILL BE ON MONDAY, AUGUST 22, 2016**

June 30, 2016

The Chehalis city council met in special session with the Lewis County Fire District 6 Commissioners on Thursday, June 30, 2016, in the Lewis County Fire District 6 meeting room. Mayor Dawes called the meeting to order at 6:32 p.m. with the following council members present: Terry Harris, Dr. Isaac Pope, Bob Spahr, Daryl Lund, and Chad Taylor. Tony Ketchum was absent (excused). Staff present included: Merlin MacReynold, City Manager; Bill Hillier, City Attorney; Judy Schave, City Clerk; and Ken Cardinale, Fire Chief. Fire District Commissioners present included: Jeri Lux and Jim Martin. Kirk Johnston was absent (excused). Staff Present included: Fire Chief Tim Kinder and Attorney Brian Snure. Members of the media included Natalie Johnson from *The Chronicle*.

1. **Discuss Fire Service and Future Annexation of the Chehalis Urban Growth Area.** The city council held a special meeting with the Lewis County Fire District 6 Commissioners to discuss fire service and future city annexations.

Commissioner Jim Martin stated, in addition to the agenda items noted, the District would also like to discuss a possible Mitigation Agreement relating to the Chehalis Industrial Park Phase 1 Annexation.

Brian Snure, Attorney for Fire District 6, reported the city approached the District back in October about the Industrial Park annexation, at which time they also talked about short and long-term measures to deal with annexation. He noted the Board followed up with a letter to the city suggesting three different topics for discussion, to include:

- Consider agreement to have the District continue servicing the annexed area and the city would pay the District the tax revenue lost
- Consider Mitigation Agreement to delay and minimize the impact to the District over a period of time
- Take a long-term approach to consider consolidation of Fire District 6 and the Chehalis Fire Department

Attorney Snure reported City Manager MacReynold responded to the District's letter in November indicating there wasn't much interest in the District continuing to serve the area, but there might be some interest in mitigation and consolidation.

Attorney Snure reported the District invoked the jurisdiction of the Boundary Review Board (BRB) to review the Industrial Park Phase 1 Annexation, partially out of necessity so they could talk about a possible Mitigation Agreement with the city. He stated the District is not committed to opposing the annexation, but wanted to make sure they had an opportunity to discuss some sort of mitigation to the District.

Mayor Dawes provided some history on looking at joint consolidation for fire service. He noted the city has always wanted to work with District 6 because we basically serve the same constituency. Mayor Dawes reported the council gave the city manager direction to get something done with annexation and to have District 6 involved at the ground floor.

City Manager MacReynold stated the city tried to minimize the impact to the District and would like to focus the discussion on future annexations and moving forward. He reported he's been trying to set up meetings with the District consistently for two years to talk about the future and suggested the impression Attorney Snure is giving, that somehow the District had to force the city to the table, is not correct.

Attorney Snure stated that was not the impression he was trying to give. He noted the District has been very clear that they do consider the Industrial Park Annexation as something that needs to be discussed at a policy/contract level. Attorney Snure stated if it's the city's position that no type of mitigation will be considered then the District needs to hear that, but that doesn't mean the District isn't interested in the bigger picture.

Attorney Snure stated he viewed the meeting as a time for the Board to have a meaningful discussion with the council and hopefully move forward with some type of Mitigation Agreement that can address annexations, both current and future; and to focus on the bigger picture of consolidation.

Councilor Spahr reported the city has been talking annexation for 30 years and spent the last 2-3 years talking consolidation. He noted, finally, the city does an annexation and at the 11<sup>th</sup> hour the District comes in to challenge it.

Commissioner Martin stated their letters were sent before the 11<sup>th</sup> hour. He noted the District's position has not changed since the city was talking annexation in 2006.

June 30, 2016

Mayor Dawes stated the reason the annexation in 2006 did not move forward is because the numbers didn't pan out. He suggested no jurisdiction is going to annex something if it's going to cost money to do it.

Mayor Dawes reported he didn't want to talk about the past, adding he wants to move forward. He asked the Commissioners if they were opposed to forming a RFA with Chehalis.

Commissioner Jeri Lux stated she couldn't speak for the other Commissioners, but she was not opposed to forming one with Chehalis if the possibility is open.

Mayor Dawes reported the working relationship between the two departments is probably the best he's ever seen, and if two of the three Commissioners feel strongly about consolidation, why not work towards that goal. He noted if they can focus their efforts on consolidation then the revenue issue isn't a problem.

Commissioner Martin reported they need to look at what's best for the citizens. He stated he is not opposed to researching and discussing this in the future, but right now the District is fairly young with the new direction its going. Commissioner Martin stated he's not opposed to the idea; he would just like to see some hard numbers, facts, and projections before he could make a decision on it. He suggested if consolidation comes down the line that might change everything, but for now, if the city is going to annex and take revenue away they need to make sure the District is protected as best as it can be.

City Attorney Hillier reported if the city is comfortable with a Mitigation Agreement he would advise that it only be for this particular annexation.

Commissioner Martin agreed that this is one of the best Boards that the District has had and this is probably the best time for the city and the District to come together.

Mayor Dawes agreed that they need to know what the numbers are before any decisions can be made. He stated they're both going to grow and it seems like it would be easier to grow together than it would be not to.

Councilor Pope stated it's important to think about the future and what condition we're going to leave it in 30 to 40 years from now. He noted many departments have failed because nobody thought about the future.

City Manager MacReynold reported the city's general fund, based on the numbers the city has, will benefit \$62,000 to \$65,000 from the Phase 1 Industrial Park annexation. He noted the city can't do anything about the utilities because those are enterprise funds, but suggested they could look at splitting the general fund revenue over a three-year period.

Commissioner Martin stated they're only talking about what the District would be losing with regard to fire protection, which is less than the \$60,000.

Councilor Taylor inquired as to what the number is that the District is asking for.

Commissioner Lux stated they stand to lose \$34,000 to \$35,000 per year.

Commissioner Martin suggested the District would continue to provide all of the services in order to recover what they're losing. He noted they're not asking to make money they just want to recover what they're losing and work towards a long-term solution.

City Attorney Hillier stated, from the city's perspective, we can't have the District provide the service, but we can have automatic aid agreements to show there's justification for the city to pay the District the money. He noted the city's union is the sole provider for fire service within the city limits.

Attorney Snure stated that's the reality that the city has to deal with and it's not the District's position to say differently.

June 30, 2016

Commissioner Martin agreed that they need to look long-term and if they can come to an agreement, such as a three-year agreement as suggested by City Manager MacReynold, they can get through this annexation and start meeting to have something figured out in that three-year period.

Mayor Dawes reported the city still has a sub-committee that could ultimately meet with the District to discuss future consolidation.

Councilor Lund asked what the District wants from the city.

Attorney Snure stated the District is looking to see if the council is open to a Mitigation Agreement for this one annexation.

City Attorney Hillier suggested if we can't come to an agreement on a long-term solution in three years, we'll never come to that agreement. He noted the Mitigation Agreement will need to include language stating this is a one-time deal and will not be a precedent for future annexations.

Commissioner Martin asked what the city's timeline is for the next annexation.

Councilor Harris reported since annexation has been on course for decades it seems that the weaning down of the budget should have taken place ahead of the proposed annexation. He stated failure to plan by the District is not an emergency on the city's part. Councilor Harris suggested this is the same argument they had in 2006 when the District was fighting the fire station being built downtown.

Mayor Dawes stated, in all fairness, this Commission was not involved in those discussions.

Commissioner Martin stated he wanted to get beyond the history, adding right now is the best time to move forward.

Commissioner Lux reported the city talked about annexation in 1984, 1992, and 1996, adding it was almost a standing joke in the Assessor's Office. She stated she would take some of the blame for not thinking about what the future would hold.

City Manager MacReynold stated the Council and the Board could direct their staff/attorneys to develop a Mitigation Agreement to bring back to the two bodies for consideration.

Councilor Harris moved that the council direct the city administration to work with the District's attorney to develop a Mitigation Agreement to bring back for council consideration.

Councilor Pope seconded the motion.

Attorney Snure stated he would have a draft of the Mitigation Agreement sent to Assistant City Attorney Mark Scheibmeir by the following day.

The motion carried unanimously.

The Commissioners voted on the same motion and it carried unanimously.

The Council and Board briefly discussed the amount that would be paid over the three-year period.

City Manager MacReynold stated, for clarification, the city would provide the fire service and the attorneys will have to figure out how we get by the money issue.

City Manager MacReynold asked if they wanted to move forward with discussions on future fire service.

A majority of the council stated yes.

June 30, 2016

Chehalis Fire Chief Ken Cardinale agreed with Councilor Pope, stating they need to look into the future and work together. He noted they're here for the citizens and it should be their goal to protect them.

Chief Cardinale felt it would be natural for the two to come together and briefly discussed the benefits to the citizens if they did. He suggested if they can't come together formally as a consolidation, they can certainly come together collaboratively to improve the level of service.

Mayor Dawes suggested the two would come in as equals and work at it together.

The council and Board briefly discussed the upcoming meeting with the BRB and the time it would take to prepare for it. Attorney Snure suggested there might be some general agreement on terms and requested a five minute recess for the Board to meet with counsel pursuant to RCW 42.30.110(1)(i).

At 7:19 p.m., Mayor Dawes announced the council would be in recess for approximately five minutes while the Commissioners met with their counsel, Attorney Snure, in executive session pursuant to RCW. 42.30.110(1)(i) -- potential litigation.

Mayor Dawes reopened the regular meeting at 7:24 p.m.

Attorney Snure reported he would agree that everyone would like to avoid the time and expense of going before the BRB. He stated if there's a general good-faith consensus of the council, that they would be agreeable to a three-year agreement in which the District would be made whole, as follows: a 1/3 reduction in year one; another 1/3 reduction in year two; another 1/3 reduction in year three; and zero in year 4, the Board would have no objections to the non-precedence things.

Mayor Dawes asked if the council had any concerns with the 30/20/10 mitigation payoff over a three-year period.

Councilor Spahr asked if there would be any mitigation with Lewis County.

City Attorney Hillier stated, no, adding after the county bailed out of the UGA agreement all of the promises in that agreement went away.

The consensus of the council was to work out a Mitigation Agreement with the District, as discussed.

Mayor Dawes asked if the payoff would start in 2017.

City Attorney Hillier stated, yes. He also suggested if the District were to drop the appeal to the BRB the city could get the annexation completed sooner.

Commissioner Lux asked what the deadline is to get the annexation to the Lewis County Assessor's Office, in order for the agreement to be effective in 2017.

Attorney Snure stated it has to be in by August 1, but under current law the city has the right to start receiving the revenues the effective date of the annexation.

City Attorney Hillier suggested any amount received by the city prior to 2017 could be pro-rated, adding those details would be worked out in the agreement.

Attorney Snure reported he would send a letter the following day to the BRB stating they have no objections to the annexation and wish to withdraw their appeal.

A special meeting was set for July 12, 2016, at 6:00 p.m. for the the Council and Commissioners to review and consider the Annexation Mitigation Agreement.

There being no further business to come before the council the meeting was adjourned at 7:42: p.m.

June 30, 2016

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Mayor

Attest:

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City Clerk

**SUGGESTED MOTION**

I move that the council approve the minutes of the special city council meeting of June 30, 2016.

July 12, 2016

The Chehalis city council met in special session with the Lewis County Fire District 6 Commissioners on Tuesday, July 12, 2016, in the Lewis County Fire District 6 meeting room. Mayor Dawes called the meeting to order at 6:09 p.m. with the following council members present: Terry Harris, Dr. Isaac Pope, Bob Spahr, Daryl Lund, and Chad Taylor. Tony Ketchum was absent (excused). Staff present included: Merlin MacReynold, City Manager; Bill Hillier, City Attorney; Judy Schave, City Clerk; and Ken Cardinale, Fire Chief. Fire District 6 Commissioners present included: Jeri Lux and Jim Martin. Kirk Johnston was absent (excused). Staff Present included: Fire Chief Tim Kinder and Attorney Tom Burke.

1. **Review and Consider Annexation Mitigation Agreement.** The city council held a special meeting with the Lewis County Fire District 6 Commissioners to review the proposed Annexation Mitigation Agreement that was discussed at the special meeting of June 30, 2016.

City Attorney Hillier reported the city requested one change to the Mitigation Agreement prepared by Fire District 6 Attorney Brian Snure. He noted the change had to do with how much notice had to be given under Section 8. City Attorney Hillier reported the draft agreement required one (1) year notice; however, since most annexations typically take less than one year, the city proposed to change that to three (3) months. He indicated he talked with Attorney Snure's Office and they agreed that three (3) months would be appropriate for this particular agreement.

City Manager MacReynold explained that the city could have a sole property owner who wants to annex into the city, and to hold it up for one year seemed unreasonable.

Attorney Tom Burke suggested the city could negotiate around that issue, noting in order for the District to get its ducks in a row, a little more time might be good.

City Attorney Hillier stated the city would agree with that in the future, but this would only apply to the three-year agreement. He noted the city does not project any significant annexations in the next two years.

City Manager MacReynold suggested the District is probably more concerned about the Urban Growth Area. He stated the city knows it's going to have to sit with the District to discuss any future annexations because it will have a significant impact, and the city respects that.

Councilor Spahr asked if the proposed Mitigation Agreement would have any bearing on future annexations.

City Attorney Hillier stated, no.

Commissioner Jim Martin stated it would only affect the current two annexations, adding any other annexation during the three-year period would require a separate agreement.

Mayor Dawes stated the agreement really didn't apply to the school annexation because nobody fought it. He reported it will actually take the tax off the role because it becomes public property; therefore, it's not subject to tax.

Councilor Spahr inquired about the statutory asset transfer.

City Attorney Hillier stated, because the city took such a small percentage of the District, the city has no right to acquire any of their assets.

Councilor Harris moved to accept and enter into the Annexation Mitigation Agreement, as presented, between the city and Fire District 6.

The motion was seconded by Councilor Lund and carried unanimously.

The Fire District 6 Commissioners voted unanimously to accept the Annexation Mitigation Agreement, as presented.

July 12, 2016

Mayor Dawes suggested they look at some potential meeting dates to sit down and talk about the future, and to explore the potential of a RFA between the city and District 6. He noted the Committee for the city would include Councilors Lund and Spahr, and himself.

The Committee agreed to meet with the District Commissioners on the 2<sup>nd</sup> Wednesday of each month at 6:00 p.m., starting on August 10, at the District 6 Station. Mayor Dawes stated he would like to have the two fire chiefs and City Manager MacReynold attend the meetings, as well.

There being no further business to come before the council the meeting was adjourned at 6:39: p.m.

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Mayor

Attest:

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City Clerk

**SUGGESTED MOTION**

I move that the council approve the minutes of the special city council meeting of July 12, 2016.

July 25, 2016

The Chehalis city council met in regular session on Monday, July 25, 2016, in the Chehalis city hall. Mayor Dawes called the meeting to order at 5:00 p.m. with the following council members present: Dr. Isaac Pope, Bob Spahr, and Chad Taylor. Councilor Lund participated telephonically and Councilors Harris and Ketchum were absent (excused). Staff present included: Merlin MacReynold, City Manager; Bill Hillier, City Attorney; Judy Schave, City Clerk; Glenn Schaffer, Police Chief; Trent Lougheed, Interim Community Development Director; Judy Pectol, Finance Manager; Peggy Hammer, Human Resources Administrator; Rick Sahlin, Public Works Director; Patrick Wiltzius, Wastewater Superintendent; and Dave Vasilaukas, Water Superintendent. Members of the media included Justyna Tomtas from *The Chronicle*.

1. **Citizens Business - Chamber Way Overpass Closure.** Joy Templeton (1090 NW State Avenue) reported the closure of the Chamber Way overpass is already hindering her business, after just two days. She noted people are confused about how to get to her business and wondered who she might address about putting up some detour signs.

Mayor Dawes stated, if Ms. Templeton could wait, he would be providing a detailed report later in the meeting that contains some very positive news.

2. **Public Hearing on Establishment of Tourism Promotion Area (TPA).** Lewis County Public Facility District Chair Todd Chaput reported the TPA is something the local hotels have all agree on, adding they see sporting events as a valuable resource that brings people into the community, not only for events, but to shop and eat. He noted the \$2 fee collected on rented hotel rooms would be used to create a local Sport Commission to facilitate and actively market large scale tournaments to bring to the area. Mr. Chaput reported, during the month of July, youth sports brought in an excess of \$60,000 to his hotel.

Councilor Pope wanted it to be clear that this is not a tax on the local citizens.

Mr. Chaput stated that is correct, noting the \$2 fee only applies to people who stay at the hotels.

Councilor Spahr asked if the \$2 fee had anything to do with the two percent hotel/motel tax.

Mr. Chaput reported it's a completely separate fee.

Mayor Dawes asked if the Commission will be a taxing authority.

City Attorney Hillier stated, no.

Mr. Chaput noted the Commission would be a sub-committee of the Public Facilities District (PFD) that receives taxes, but it's not a taxing jurisdiction.

Mayor Dawes stated during the infancy of the sports center in Centralia there was talk about expanding things to Chehalis. He asked if this is something the Pacific Athletic Center (PAC) could be involved with.

Mr. Chaput reported they've spoken with the PAC and they would like to have a position on the Sports Commission Board. He stated they will definitely be utilized, especially with the expansion of the Boys and Girls Club.

Mayor Dawes stated the city would like to do some improvements at Recreation Park, but the original estimate to do the work would have required a bond to pay for it. He asked if the Commission would be looking at some of our facilities to possibly help out with improvements.

Mr. Chaput reported the Sports Commission will be doing marketing research both locally and nationally to help steer communities into what's really needed. He noted they will not have funds to construct any new facilities, but hoped the PFD might be able to grow in that direction.

Mayor Dawes closed the regular meeting at 5:09:59 p.m. and opened the public hearing.

There being no public comment, Mayor Dawes closed the public hearing at 5:10:34 p.m. and reopened the regular meeting.

July 25, 2016

City Manager MacReynold reported City Attorney Hillier is working with Centralia's city attorney to put together an agreement between the two jurisdictions, which will come back before council for their consideration at a later date.

3. **Consent Calendar.** Councilor Spahr moved to approve the consent calendar comprised of the following:

- a. Minutes of the regular meeting of July 11, 2016;
- b. Claim Vouchers No. 116252-116421 and Electronic Funds Transfer No. 62016 in the amount of \$447,804.64 dated July 15, 2016;
- c. Authorize city manager to execute Amendment 1 with the Drinking Water State Revolving Fund to reflect a new loan amount of \$858,500 for the construction of the High Level Reservoir Replacement Project;
- d. Authorize city manager to execute Amendment 1 to the engineering services agreement with Gibbs & Olson in the amount of \$52,077 for construction management services on the Basin 1022 I&I Rehabilitation Project;
- e. Accept final grant amount of \$526,810 and award bid for the National Avenue at Salzer Creek Bridge Scour Countermeasures Project to JamesCo Pro, Inc., in the amount of \$284,247.50, and authorize the city manager to execute a contract agreement for the same; and
- f. Authorize city manager to execute a lease agreement between the city and the State of Washington Department of Social and Health Services – Green Hill School for use of their parking lot through September 16, 2019.

Councilor Taylor seconded the motion.

Councilor Spahr asked why the \$52,077 for construction management services was not include in the original bid.

Wastewater Superintendent Patrick Wiltzius reported at the time they designed the project the city did not know the entire scope, and suggested it was not appropriate to development a construction management service contract until the city knew what the actual design and scope of the project was.

Councilor Spahr stated he appreciated the fact that it came in \$26,000 lower than their original bid.

The motion carried unanimously.

#### 4. **Administration Reports.**

a. **Quarterly and June Financial Reports and Quarterly Sales and Use Tax Report.** Finance Manager Judy Pectol reported everything is pretty much where she expected it to be. She noted the utility tax from the Lewis County Public Utility District appears to be over-estimated by \$20,000, so she'll be coming back to the council with a budget amendment for that. Ms. Pectol stated there are some other activities that she'll be bringing back to the council, as well, but there are no big surprises to report at this time.

Ms. Pectol reported, at the end of June, the city had received 49.9 percent of the budgeted amount for sales and use tax and expects to receive sales tax revenue at a higher dollar value for the remaining months of the year.

#### 5. **Council Reports.**

a. **Councilor Spahr.** Councilor Spahr stated he was asked by a citizen why the city doesn't have any handicap parking stalls in the downtown area.

Public Works Director Rick Sahlin reported the city is not required to provide on-street handicap parking stalls, adding parking lots, and business owners who own parking lots are supposed to provide them. He indicated there are also ADA requirements that the city cannot meet because of the slope of the street in the downtown area.

July 25, 2016

b. **Councilor Pope.** Councilor Pope asked if there is a process that a private property owner has to go through in order to get a permit to block a city street to do work.

Mr. Sahlin stated they are supposed to get a right-of-way permit from Community Development and submit a traffic control plan for approval.

c. **Councilor Taylor.** Councilor Taylor reported they should be starting work soon, if not already, on the new bus pull-out at the Vintage At Chehalis. He noted, in addition to the pull-out, they plan to build a shelter for people who are waiting for the bus and a sidewalk that will lead up into the property.

d. **Mayor Dawes.** Mayor Dawes reported he attended the Lewis County Boundary Review Board meeting on July 12, at which time they passed a resolution to approve the city's two annexations. On July 13, he attended a groundbreaking at the Boys and Girls Club, noting it was a great event.

Mayor Dawes requested to take a short recess at 5:19 p.m. and reopened the meeting at 5:21 p.m.

Mayor Dawes reported he attended the first of four 'Music in the Park' events at Recreation Park on July 15, and on July 21, he attended the Business After Hours at the Visiting Nurses.

e. **Update on Chamber Way Overpass.** Mayor Dawes reported, earlier in the day, he and Councilor Taylor attended a special meeting at Senator Braun's Office regarding the recent incident with the Chamber Way overpass. He noted the three major concerns at this time are: safety, the short-term fix, and the long-term fix. Mayor Dawes reported he had to applaud our local representatives, Senator John Braun, Representative Richard DeBolt, and Representative Ed Orcutt, as well as the Washington State Department of Transportation (WSDOT) for being so responsive.

Mayor Dawes reported four of the six girders were damaged on the overpass, one of which was damaged beyond repair. He noted the plan is to demolish part the bridge, and within two weeks, have an "Acrow" bridge in place that will allow for two-way traffic. Mayor Dawes reported there may be some restrictions on 'truck' traffic using the temporary bridge, which will be an inconvenience for some, but not as much as having it closed for up to a year. He noted a special council meeting has been scheduled for Thursday, July 28 at 5:00 p.m., for WSDOT to brief the council.

Mayor Dawes reported WSDOT plans to demolish the damaged portion of the overpass on Tuesday, which means the freeway will be closed during the evening hours. He noted the overpass is currently on the state's replacement schedule, but not until 2021-2023. Mayor Dawes reported the state could move the project up, but for right now their focus is on a short-term fix to keep traffic moving through there. He suggested city staff could look at putting up signage locally and make contact with the state to see what can be done with regard to signage on the freeway.

Mr. Sahlin reported he had received some emails about detour signage, as well as additional signage on the freeway on how to access the local areas. He stated they should know more by the end of the week on what the state is willing to do with reader boards along the freeway.

City Manager MacReynold reported he's been in communication with WSDOT Regional Director Bart Gernhart, adding he would be coordinating with the state to make sure they have signage on the freeway, and within the city.

Mr. Sahlin reported they plan to use the same detour route that was used in 2013 when they had the single lane closure.

Mayor Dawes stated he was encouraged by how fast the state is moving on this, but they still have more studies to do because the bridge was built in the 1950s and they don't build them that way anymore.

Councilor Taylor offered to help Ms. Templeton get temporary diversion routes to her restaurant set up on the various on-line apps.

July 25, 2016

e. **Councilor Lund.** Councilor Lund reported he attended a Fair Commission meeting last week, adding the volunteers have been doing lots of painting and getting things spruced up for opening day.

6. **Ordinance No. 960-B Second and Final Reading – Amending Ordinance No. 956-B Limiting the Number of Indoor Cannabis Production and Processing Facilities and Placing Requirements for Odor Control.** City Manager MacReynold reported, at the meeting of July 11, the council amended the ordinance based on the discussion and proposed amendments, to include the following key elements: limiting the number of production/processing facilities to one; developing significant language around improvements to odor control; and vesting applications.

City Manager MacReynold reported the ordinance before the council has those three elements included. He noted the issue regarding the number of facilities is addressed in #19, which states, "The number of production, processing and growing facilities shall be limited to one within the city limits of Chehalis." The issue of odor control is addressed in #16, which states, "The facility must comply with City restrictions regarding control of odor so that no odor can be detected outside the facility. Every applicant (before commencing business) must conduct their operations in a manner that results in no detectable odor outside of the facility. All facilities must provide an Odor Control Plan identifying locations and model numbers of all odor control systems as well as sizing calculations for the proprietary devices to be installed. If at any time the City determines that the odor control system is not sufficient, the facility must upgrade their Odor Control Plan and implement identified upgrades within 30 days of a written notice from the city. During operation, if the building official detects odor problems, the business shall be immediately shut down and will not be allowed to operate until the odor issue is resolved to the City Manager or designee's satisfaction." And lastly, the vesting issue is addressed in #20, which states, "Even though this City Ordinance limits production and processing facilities to one (1) operation, the City recognizes the following business applicants as being vested to operate in the City subject to state and municipal regulations. These businesses are: Washington State Producers, LLC; CBD Management, LLC/Loaded Soda; Chiliwist Creek Farms; Wild Mint, LLC; and Doc Croc."

Jeremy Wildhaber (172 Pier Rd) suggested the council not make any changes to the existing ordinance in place. He stated the building department already addressed the odor issues and all of the other worries have been proven false. He noted at the last meeting they heard from members of the community that stated: property values actually go up; that there are no odor issues in the areas where marijuana growers are going in; that they have security cameras to protect their businesses from thieves; and it's only the retail stores that are advertising. Mr. Wildhaber stated the proposed ordinance sounded very subjective, noting there are several industries in town that put out smells and odors. He suggested the council should not be in a position to be the dictators of commerce.

Pastor Armin Kast (Chehalis Four Square Church - 990 NW State Avenue) stated he agreed with what the council is doing. He reported he read on-line that cannabis processing plants need to be so many feet away from where children are present and asked if that would have any impact on future licensing for childcare facilities at their place of business.

City Attorney Hillier stated if they meet all of the city requirements to permit a daycare facility at their location they would probably be granted a license. He noted it would not impact the ones that are grandfathered in; however, it might have a reverse effect on any new marijuana operations.

Mayor Dawes reported the city also received some correspondence from Pam Fuller who thought she was vested, but according to staff, that's not the case.

Patty Kaija (1743 SW Snively) reported she's a business owner at 623 NW State Avenue and she's all for the growing facilities. She noted, as a cancer patient, she uses marijuana every day. Ms. Kaija believed the growing facilities would bring a lot to our city in the form of tax revenue and jobs. She suggested the issue around the odor is ridiculous, adding restaurants put off odors and National Frozen Foods puts off the stench of rotting vegetables that has never been addressed. Ms. Kaija stated the odor from the marijuana facilities may be offensive to some, but not to others. She reported, as a garden center, these businesses purchase a lot of items from her, adding the tax benefits far out way any of the restrictions by the city.

Councilor Spahr moved that the council pass Ordinance No. 960-B on second and final reading.

Councilor Pope seconded the motion.

July 25, 2016

Councilor Spahr reported when they first passed the ordinance to allow processing and the sale of marijuana they were headed into uncharted territory. He suggested the city wanted to get ahead of the curve and control its own destiny, but the state ended up throwing us a curve by making some changes in what we could and couldn't do. Councilor Spahr stated, in looking back, the city should have probably not allowed it in until the issues were resolved.

Councilor Spahr reported he would be taking a step back to look at it for the future. He noted he was sorry for those who were inconvenienced, such as Ms. Fuller, but the council needs to think of the whole city and they're just trying to do the right thing.

Mayor Dawes stated he didn't doubt there were benefits from medicinal marijuana, but wished it was something people could just go to the drug store to get. He reported he looked at the ordinance as somewhat of a compromise to try and address both sides of the issue as best they can. Mayor Dawes stated, while Initiative 502 passed statewide, it did not pass locally. He noted we have a number of councilors that are totally against it, but saw that we need to look at the bigger. Mayor Dawes reported a future council may decide to change the ordinance to allow more, but felt the reasonable step to take right now is to limit it. He stated he was willing to support it for the compromised value that it brings.

An unidentified gentleman stated he is very ashamed of the council for allowing this to happen. He noted he wants them to remember down the road when one of their grandkids is run over by some pothead that they helped destroy that child's life, adding it's going to happen.

The motion carried unanimously.

Mayor Dawes reminded the council about the special meeting on Thursday, July 28 at 5:00 p.m., to receive an update from WSDOT on the latest information about the Chamber Way Overpass situation. He noted the meeting would be open to the public.

Mayor Dawes announced at 5:46 p.m. that the council would take a short recess before going into executive session.

7. **Executive Session.** Mayor Dawes announced the council would be in executive session pursuant to RCW 42.30.110(1)(g) – review performance of a public employee for approximately 15 minutes and there would be no decision following conclusion of the executive session.

Mayor Dawes closed the executive session at 5:56 p.m. and there being no further business to come before the council the meeting immediately adjourned.

---

Mayor

Attest:

---

City Clerk

**SUGGESTED MOTION**

I move that the council approve the minutes of the regular city council meeting of July 25, 2016.

July 28, 2016

The Chehalis city council met in special session on Thursday, July 28, 2016, in the Chehalis city hall. Mayor Dawes called the meeting to order at 5:00 p.m. with the following council members present: Terry Harris, Dr. Isaac Pope, Bob Spahr, Chad Taylor, and Tony Ketchum. Councilor Lund was absent (excused). Staff present included: Merlin MacReynold, City Manager; Judy Schave, City Clerk; Glenn Schaffer, Police Chief; Ken Cardinale, Fire Chief; Judy Pectol, Finance Manager; Peggy Hammer, Human Resources Administrator; Rick Sahlin, Public Works Director; and Don Schmitt, Street/Stormwater Superintendent. Members of the media included Natalie Johnson from *The Chronicle* and Susan DeLaire from *DeVaul Publishing*.

**1. Update From Washington State Department of Transportation (WSDOT) on Short-term and Long-term Solutions for the Chamber Way Bridge.** Mayor Dawes reported representatives from WSDOT would be providing a brief update on the Chamber Way Bridge that was significantly damaged on July 22. He noted our state and federal representatives have been working together with WSDOT to come up with some short-term and long-term solutions for the bridge, noting their main interest in the short-term is to get traffic moving across the bridge. Mayor Dawes stated it's a very complex issue and it will take a lot of time, data, and analysis to come up with a long-term solution.

City Manager MacReynold introduced WSDOT Regional Director Bart Gernhart to brief the council and the public on what's happening with the bridge and to talk about their plans for the future.

Mr. Gernhart reported their top priority over the last six days has been to make the bridge safe for the public and to get it open as soon as possible. He noted the first step was to stabilize the bridge, so they could analyze it to be sure it wasn't going to fall down in the short-term.

Mr. Gernhart noted the bridge was hit by a truck carrying two excavators, which damaged four of the six girders beyond repair. He briefly described the damage to the steel located in the middle of the bridge, noting the damage was so great they couldn't repair it. Mr. Gernhart suggested if it were to be hit by another oversized vehicle there's a good chance that it would all come crashing down because there's not enough steel left in the critical location of the span to hold the bridge up. He noted, with safety being their number one priority, it was very quickly decided that they had to take the entire southbound span down.

Mr. Gernhart reported they looked at several solutions to address the gap in the bridge and identified the Acrow Bridge as being the best overall; and they just happen to be located in the Port of Centralia. He noted the span across the southbound lanes is 51 feet and six inches; however, the Acrow Bridge only comes in even increments, with 50 feet being the closest without being too large to fit. Mr. Gernhart reported they spent every waking hour trying to figure out how to make it fit, noting since it was built in 1958 they don't have a good model for how it will react when they add loading to it, or how it would function when cars and trucks go across it. He stated it can be done, but it's going to take a few days to actually go through the design to modify it to fit.

Mr. Gernhart reported, with the modifications describe, he believed they could get two lanes of traffic that will handle full truck loads. He noted the Acrow Bridge does not have a standard guardrail, so they'll have to design a custom guardrail that will connect to the old section of the bridge.

Mr. Gerhart believed the contractor, Atkinson Construction, would start work on the bridge the following day. He noted the critical path is to first design the bearing pads and the guardrail connection, and to come up with a design for the nine inch gap on each side of the bridge. Mr. Gernhart reported once the design is done everything will be given to the manufacturing company and the final step will be to put everything on the bridge. He noted they hope the Acrow Bridge will line up with the existing bolts because they don't want to cut into any critical steel.

Mr. Gernhart reported the bridge should be open in two weeks unless something unusual happens, which they would clearly communicate to the public. He noted once the bridge is in place and traffic is moving they'll try to figure out how and if they can connect a temporary sidewalk, adding they want pedestrians to be able to cross, as well. Mr. Gernhart stated they hope to have a better idea about where they are next week and plan to provide an update and press release.

Mayor Dawes inquired about interim signage to guide folks who may have used the overpass to get to the businesses on State Avenue, or the Twin City Town Center.

July 28, 2016

Mr. Gernhart reported they didn't do a real good job on signage initially, and they realize that. He noted they made their best guess of where they thought signs were needed, but would welcome any comments and suggestions on how to do it better. Mr. Gernhart stated they know how much of an impact this has been on the community and the businesses, and they're willing to help out any way they can with signage. He noted the Chamber of Commerce has arranged for WSDOT to meet with the businesses on Monday, August 1 at the Holiday Inn, adding they hope to get feedback from them on the signage, as well.

Councilor Spahr reported a lot of people are using the frontage roads now and wondered if WSDOT could look at changing the timing of the stoplight at Highway 6 and Louisiana Avenue. He noted there's also an issue of traffic backing up at West Street and Louisiana Avenue.

Mr. Gernhart reported they should absolutely change the timing of the stoplight to give more time to Louisiana Avenue.

City Manager MacReynold noted the city is responsible for the issues at West Street and Louisiana Avenue.

Councilor Spahr asked if the Acrow Bridge would be higher than the old bridge.

Mr. Gernhart reported the Acrow Bridge would be six to eight inches higher than the old bridge deck and will have a 16-foot clearance under it.

Mr. Gernhart reported they have a lot of options to consider regarding a long-term plan and committed to providing that information to the public as soon as possible.

Mr. Gernhart reported the initial design funding for the replacement of the Chamber Way interchange and auxiliary lanes starts in the 2019-2021 biennium, and construction funding would not begin until the end of the 2021-2023 biennium. He noted there's \$75 million available, but the question is will the temporary fix last that long.

City Manager MacReynold reported he was part of the focus group that looked at this section of the freeway a few years back. He stated he had concerns about some of the alternatives that were discussed at that time and wondered if they would be moving the Chamber Way Bridge, or if they plan to keep it where it's at.

Mr. Gernhart reported WSDOT would be engaging the city, as well as folks from Centralia, Lewis County, and stakeholders in the community to provide input. He stated they would not do anything counter to what the city wants.

Councilor Spahr inquired about the height of the new bridge to be built in 2021-2023.

Mr. Gernhart reported the bottom of the bridge will be at least 16.5 feet off the ground, so they have room for a couple of overlays down the road. He noted, in order to allow for more lanes to come through in the future, it could be up to 10 feet higher than the current bridge.

Councilor Ketchum reported when they first talked about replacing the bridge they knew it would have to be higher and wider, which would change everything in the area including the intersections and ramps. He suggested a 16-foot bridge would require a lot of fill to go back down to Louisiana Avenue and over to National Avenue.

Councilor Harris noted they also talked about having to raise Louisiana Avenue as much as four feet, including the roads sloping up to it from all directions.

Mr. Gernhart suggested that could still happen, they just don't know right now because they haven't done the work.

Ron Averill (Centralia) reported he's been involved in the design of the new bridge along with several others over the years. He noted one of his concerns is the East span of the bridge, which is also too low and has been hit more often than the West span. Mr. Averill stated there doesn't seem to be an adequate warning system in place and wondered if they're looking at improving it, noting it would be terrible to have the East span hit right now.

July 28, 2016

Mr. Gernhart reported they're looking at it and plan to put up some additional signage. He noted the challenge they have with the current detection system is that birds, rain, high antennas, etc., can easily set it off. Mr. Gerhart suggested the truckers just seem to ignore it, so they're trying to figure out a better way to do it. He indicated they also have issues with the bridge on Highway 6, which they're trying to collect data on. Mr. Gernhart noted reader boards seem to be the most visible, but people tend to grow numb to signs after a while and they definitely don't want that to happen either.

Joe Thomas (Winlock) asked Mr. Gernhart what he meant by 'full' truck loads, noting there's the regular 53-foot governed for 80,000 pounds (federally), and the trucks that he owns and drives that are governed by Washington State.

Mr. Gernhart reported both of those trucks described by Mr. Thomas would be allowed, noting it really has to do with axle spacing. He suggested the Acrow Bridge will handle any legal load that's not oversized.

Mr. Gernhart stated when they move forward with the future widening project, WSDOT will conduct a number of open houses to allow the public to give input.

Mayor Dawes thanked Senator John Braun for taking time out of his schedule to attend the meeting. He noted Senator Braun, as well as Representatives Richard DeBolt and Ed Orcutt were on the phone with WSDOT before the dust even settled, adding he could not emphasize enough how much the council appreciated that.

Mayor Dawes stated he also appreciated our federal representatives, Senator Patty Murray, Senator Maria Cantwell and Representative Jaime Herrera Beutler, noting they've been very involved with the situation and will be working with the local representatives to see what funding assistance they can help with in the interim.

Mayor Dawes reported WSDOT has also been very good about getting information out to the public and suggested people go to their website for regular updates.

Mr. Gernhart reported Senator Braun and his staff have been great, noting they helped organize the first meeting to pull everyone together so WSDOT had more time to focus on all of the details. He also thanked the council for setting up this meeting and for using all of our tools to inform the public.

Mayor Dawes stated there's a very good possibility that the bridge could be open to traffic in two weeks. He noted WSDOT wants to make sure that what they put up is safe to cross over. Mayor Dawes suggested if anyone wants to talk about a long-term solution that they work with our local representatives because they have the contacts with the people that run the different committees. He suggested these types of decisions are made collectively at the legislative level and that our local representatives would like to hear from people to ask them to do what they can when the Legislature is back in session.

There being no further business to come before the council the meeting adjourned at 5:52 p.m.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**SUGGESTED MOTION**

**I move that the council approve the minutes of the special city council meeting of July 28, 2016.**

**CITY OF CHEHALIS**  
**AGENDA REPORT**

DATE: July 29, 2016  
TO: The Honorable Mayor and City Council  
FROM: Judy Pectol, Finance Manager *JP*  
PREPARED BY: Michelle White, Accounting Tech II *MW*  
SUBJECT: Vouchers and Transfers

ISSUE

Council approval is requested of the following:

Claim Vouchers No. 116422 through 116571 in the amount of \$378,786.94 dated July 29, 2016 and the transfer of \$90,893.38 from the General Fund, \$6,927.26 from the Dedicated Street Fund – 4% Sales Tax Fund, \$27,487.83 from the Arterial Street Fund, \$20,062.34 from the Tourism Fund, \$50,776.53 from the Wastewater Fund, \$35,384.86 from the Water Fund, \$593.04 from the Storm & Surface Water Utility Fund, \$145,690.24 from the Airport Fund and \$971.46 from the Firemen’s Pension Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council approve the July 29, 2016 Claim Vouchers No. 116422 through 116571 in the amount of \$378,786.94 .

SUGGESTED MOTION

I move to approve the July 29, 2016 Claim Vouchers No. 116422 through 116571 in the amount of \$378,786.94.

Reviewed by: *Mae Lynn [Signature]*, City Manager

**CITY OF CHEHALIS**  
**AGENDA REPORT**

DATE: July 29, 2016  
TO: The Honorable Mayor and City Council  
FROM: Judy Pectol, Finance Manager  
PREPARED BY: Michelle White, Accounting Tech II  
SUBJECT: Payroll Vouchers and Transfers

*JP*  
*MW*

ISSUE

Council approval is requested of the following financial transactions:

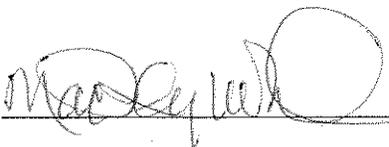
Payroll Vouchers No.38980 through 39065, Direct Deposit Payroll Vouchers No. 7325 through 7420 and Electronic Federal Tax Payment No. 162 dated July 29, 2016 in the amount of \$743,686.67 and the transfer of \$530,688.09 from the General Fund, \$8,853.00 from the Arterial Street Fund, \$74,404.73 from the Wastewater Fund, \$88,017.80 from the Water Fund, \$12,382.06 from the Storm & Surface Water Utility Fund, \$27,630.30 from the Airport Fund and \$1,710.69 from the Firemen's Pension Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council approve the July 29, 2016 Payroll Vouchers No. 38980 through 39065, Direct Deposit Payroll Vouchers No. 7325 through 7420, and Electronic Federal Tax Payment No. 162 in the amount of \$743,686.67.

SUGGESTED MOTION

I move to approve the July 29, 2016, Payroll Vouchers No. 38980 through 39065, Direct Deposit Payroll Vouchers No. 7325 through 7420, and Electronic Federal Tax Payment No. 161 in the amount of \$743,686.67.

Reviewed by: , City Manager

**CITY OF CHEHALIS**

**AGENDA REPORT**

**DATE:** August 3, 2016  
**TO:** The Honorable Mayor and City Council  
**FROM:** Trent J. Lougheed, P.E., Interim Community Development Director  
**SUBJECT:** Ordinance No. 961-B – Amending Section 17 of the Chehalis Municipal Code Dealing with Allowable Fence Height

**ISSUE**

The existing Chehalis Municipal Code Title 17 limits fence heights to six feet, which conflicts with Section 5.02 of the International Building Code, which limits was also adopted by the City.

105.2(2)

Attached is proposed Ordinance No. 961-B for council consideration.

**DISCUSSION**

The City Administration has determined that the City of Chehalis would benefit by revising Title 17 of the Chehalis Municipal Code. The revisions expressly increases the allowable fence height from six (6) feet to seven (7) feet, which will allow the City to be consistent with the International Building Code (current building code adopted by the City).

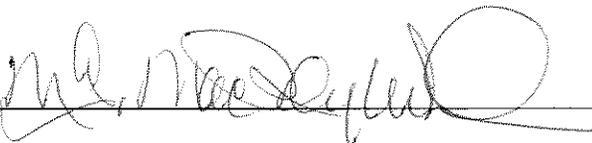
**RECOMMENDATION/COUNCIL ACTION DESIRED**

The administration recommends the council pass Ordinance No. 961-B on first reading.

**SUGGESTED MOTION**

I move that the council pass Ordinance No. 961-B on first reading.

Reviewed by:



, City Manager

**PETITION FOR AMENDMENT**

*(check only one)*

- Chehalis Comprehensive Plan (July 12, 1999)
- X Chehalis Uniform Development Regulations (March 25, 2002)
- Chehalis Public Works Standards (July, 2005)
- Chehalis Zoning Map (Rezone)
- Other (specify): \_\_\_\_\_

To: The Honorable Mayor and City Council  
Chehalis Planning Commission  
Chehalis Development Review Committee

From: The City of Chehalis, Community Development Department

Date: May 6, 2016

***Subject: Request for Formal Review and Decision on a Proposed Change to the Indicated Document.***

1. The specific location (page number, section number or other identification) of the referenced text or map to be considered for amendment:

17.42.040(B), 17.45.040(B), 17.48.040(B), 17.51.040(B), 17.52.040(B), 17.54.040(B), 17.57.040(B), 17.63.040(B), 17.66.040(A), 17.69.040(A), 17.72.040(B), 17.75.040(B)

2. The specific text proposed to be changed. Use strikethrough format to indicate text proposed to be deleted, and underline format for text proposed to be added. If lengthy, attach additional pages:

17.66.040(A) & 17.69.040(A):

Fences which are not located within any street setback area shall be limited to six seven feet high above adjacent finished grade plus not more than an additional two feet of ornamental, decorative and/or security devices, or fixtures atop a regular fence structure. Height shall be measured from the ground elevation at the location of the fence posts.

17.42.040(B), 17.45.040(B), 17.48.040(B), 17.51.040(B), 17.52.040(B), 17.54.040(B), 17.57.040(B), 17.63.040(B), 17.72.040(B), 17.75.040(B)

Fences which are not located within any street setback area shall be limited to six seven feet high above adjacent finished grade, which shall be measured from the ground elevation at the location of the fence posts.

3. Submit a map for the alternative to the existing map. (Attach). Use dashed lines to indicate new lines proposed to be added or moved, and 'X's on removed or revised lines.

Not applicable

4. The specific reason (in detail) why this change is necessary:

The I.B.C. limitation for fence height has changed since this requirement was put into effect in the Chehalis Municipal Code. The current I.B.C. now allows for fences to be built up to seven feet high without a permit. The proposed change to the Chehalis Municipal Code is to have our local code match the adopted International Code for fence heights allowable without a permit.

5. The anticipated/expected affect of this change on the location, vicinity and/or overall community:

It is anticipated that the public will welcome this update to the Chehalis Municipal Code because it will now be consistent with the I.B.C.

6. **By my signature hereon,** I hereby certify that I have a full understanding of the implications of the above proposal, and request an opportunity to present testimony at any public hearing(s) held on this petition. I further understand that the Chehalis city council will consider this and any other similar petitions only during the second quarter of a calendar year.

Signature (x): Trent J. Loughheed

Printed name: Trent J. Loughheed

Mailing address: 1321 S. Market Blvd.  
Chehalis, WA 98532

Phone #: (360) 345-2227

**OFFICE USE ONLY:**

Received \_\_\_\_\_ By \_\_\_\_\_ File # PFA-2016-001

Fee paid on \_\_\_\_\_ Check #: \_\_\_\_\_ Receipt # \_\_\_\_\_

Submit to the Development Review Committee on: \_\_\_\_\_

Submit to the Planning Commission on: \_\_\_\_\_

Submit to the City Council on: \_\_\_\_\_

SEPA-16-0007

## **SEPA ENVIRONMENTAL CHECKLIST**

### ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

The help links in this checklist are intended to assist users in accessing guidance on the checklist questions. Links are provided to the specific sections of the guidance applicable to the questions. However, the links may not work correctly on all devices. If the links do not work on your device, open the guidance at [www.ecy.wa.gov/programs/sea/sepa/apguide/EnvChecklistGuidance.html](http://www.ecy.wa.gov/programs/sea/sepa/apguide/EnvChecklistGuidance.html) and navigate to the appropriate section.

### ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

## A. Background

1. Name of proposed project, if applicable: **CMC text amendment changes**
2. Name of applicant: **The City of Chehalis Washington, U.S.A.**
3. Address and phone number of applicant and contact person: **1321 S. Market Blvd. Chehalis, WA**
4. Date checklist prepared: **March 31, 2016**
5. Agency requesting checklist: **City of Chehalis**
6. Proposed timing or schedule (including phasing, if applicable): **Annual code update**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **Not applicable**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **Not applicable**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.  
**Not applicable**
10. List any government approvals or permits that will be needed for your proposal, if known.  
**Not applicable**
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)  
**Amend fence height in CMC from 6 feet to 7 feet to coincide with the 2012 International Building Code**
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

### Chapter 17 of Chehalis Municipal Codes:

**17.42.040 (B), 17.45.040 (B), 17.48.040 (B), 17.51.040 (B), 17.52.040 (B), 17.54.040 (B), 17.57.040(B), 17.63.040(B), 17.66.040(A), 17.69.040(A), 17.72.040(B), 17.75.040(B)**

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

a. General description of the site: **Not applicable**

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other \_\_\_ **Not applicable**

b. What is the steepest slope on the site (approximate percent slope)? **Not applicable**

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. **Not applicable**

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **Not applicable**

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. **Not applicable**

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

**Not applicable**

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

**Not applicable**

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

**Not applicable**

### 2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **Not applicable**

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **Not applicable**

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:  
**Not applicable**

**3. Water**

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

**Not applicable**

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

**Not applicable**

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

**Not applicable**

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

**Not applicable**

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

**Not applicable**

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

**Not applicable**

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

**Not applicable**

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the

c. Proposed measures to reduce or control housing impacts, if any: **Not applicable**

#### 10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? **Not applicable**

b. What views in the immediate vicinity would be altered or obstructed? **Not applicable**

a. Proposed measures to reduce or control aesthetic impacts, if any: **Not applicable**

#### 11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Not applicable**

b. Could light or glare from the finished project be a safety hazard or interfere with views?  
**Not applicable**

c. What existing off-site sources of light or glare may affect your proposal? **Not applicable**

d. Proposed measures to reduce or control light and glare impacts, if any: **Not applicable**

#### 12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?  
**Not applicable**

b. Would the proposed project displace any existing recreational uses? If so, describe.  
**Not applicable**

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:  
**Not applicable**

#### 13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.  
**Not applicable**

number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

**Not applicable**

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

**Not applicable**

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

**Not applicable**

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

**Not applicable**

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

**Not applicable**

4. Plants

- a. Check the types of vegetation found on the site: **Not applicable**

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

- b. What kind and amount of vegetation will be removed or altered? **Not applicable**

- c. List threatened and endangered species known to be on or near the site. **Not applicable**

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **Not applicable**

e. List all noxious weeds and invasive species known to be on or near the site. **Not applicable**

## 5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. **Not applicable**

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other \_\_\_\_\_

b. List any threatened and endangered species known to be on or near the site. **Not applicable**

c. Is the site part of a migration route? If so, explain. **Not applicable**

d. Proposed measures to preserve or enhance wildlife, if any: **Not applicable**

e. List any invasive animal species known to be on or near the site. **Not applicable**

## 6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

**Not applicable**

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

**Not applicable**

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

**Not applicable**

## 7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. **Not applicable**

1) Describe any known or possible contamination at the site from present or past uses.

**Not applicable**

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

**Not applicable**

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

**Not applicable**

4) Describe special emergency services that might be required. **Not applicable**

5) Proposed measures to reduce or control environmental health hazards, if any:

**Not applicable**

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **Not applicable**

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. **Not applicable**

3) Proposed measures to reduce or control noise impacts, if any: **Not applicable**

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. **Not applicable**

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? **Not applicable**

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: **Not applicable**

- c. Describe any structures on the site. **Not applicable**
- d. Will any structures be demolished? If so, what? **Not applicable**
- e. What is the current zoning classification of the site? **Not applicable**
- f. What is the current comprehensive plan designation of the site? **Not applicable**
- g. If applicable, what is the current shoreline master program designation of the site?  
**Not applicable**
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.  
**Not applicable**
- i. Approximately how many people would reside or work in the completed project?  
**Not applicable**
- j. Approximately how many people would the completed project displace? **Not applicable**
- k. Proposed measures to avoid or reduce displacement impacts, if any: **Not applicable**
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **Not applicable**
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: **Not applicable**

**9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **Not applicable**
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. **Not applicable**

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. **Not applicable**

d. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

**Not applicable**

e. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

**Not applicable**

#### 14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

**Not applicable**

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

**Not applicable**

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

**Not applicable**

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

**Not applicable**

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

**Not applicable**

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

**Not applicable**

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

**Not applicable**

h. Proposed measures to reduce or control transportation impacts, if any:

**Not applicable**

#### 15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

**Not applicable**

b. Proposed measures to reduce or control direct impacts on public services, if any.

**Not applicable**

#### 16. Utilities

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_ **Not applicable**

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

**Not applicable**

### C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_

Name of signee Celest Diller

Position and Agency/Organization City of Chokwalis

Date Submitted: 3-31-16

### D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or

at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

**Not applicable**

Proposed measures to avoid or reduce such increases are:

**Not applicable**

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

**Not applicable**

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

**Not applicable**

3. How would the proposal be likely to deplete energy or natural resources?

**Not applicable**

Proposed measures to protect or conserve energy and natural resources are:

**Not applicable**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

**Not applicable**

Proposed measures to protect such resources or to avoid or reduce impacts are:

**Not applicable**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

**Not applicable**

Proposed measures to avoid or reduce shoreline and land use impacts are:

**Not applicable**

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

**Not applicable**

Proposed measures to reduce or respond to such demand(s) are:

**Not applicable**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

**This proposal is to amend the current text in the Chehalis Municipal Code to coincide with adopted state code. No Conflict is anticipated.**

ORDINANCE NO. 961-B

AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON, AMENDING SECTION 17 OF THE CHEHALIS MUNICIPAL CODE, PROVIDING FOR THE REFERENCE TO FENCE HEIGHT; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

THE CITY COUNCIL OF THE CITY OF CHEHALIS, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1.** Section 17.42.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.42.040 (R-1 – Single Family, Low Density) Fences, walls, and hedges.**

"B. Fences which are not located within any street setback area shall be limited to seven feet high above adjacent grade."

**Section 2.** Section 17.45.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.45.040 (R-2 – Single Family, Medium Density) Fences, walls, and hedges.**

"B. Fences which are not located within any street setback area shall be limited to seven feet high above adjacent grade."

**Section 3.** Section 17.48.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.48.040 (R-3 – Multifamily, Medium Density) Fences, walls, and hedges.**

"B. Fences which are not located within any street setback area shall be limited to seven feet high above adjacent grade."

**Section 4.** Section 17.51.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.51.040 (R-4 – Multifamily, High Density) Fences, walls, and hedges.**

"B. Fences which are not located within any street setback area shall be limited to seven feet high above adjacent grade."

**Section 5.** Section 17.52.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.52.040 (R-UGA – Urban Growth Area Residential) Fences, walls, and hedges.**

"B. Fences which are not located within any street setback area shall be limited to seven feet high above adjacent grade."

**Section 6.** Section 17.54.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.54.040 (EPF – Essential Public Facilities) Fences, walls, and hedges.**

"B. Fences which are not located within any street setback area shall be limited to seven feet high above adjacent grade except when a higher fence is required by statute or an agency with jurisdiction."

**Section 7.** Section 17.57.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.57.040 (C-O – Commercial Office) Fences, walls, and hedges.**

"B. Fences which are not located within any street setback area shall be limited to seven feet high above adjacent grade."

**Section 8.** Section 17.63.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.63.040 (C-G – General Commercial) Fences, walls, and hedges.**

"B. Fences which are not located within any street setback area shall be limited to seven feet high above adjacent grade, plus not more than an additional two feet of ornamental, decorative, and/or security devices, or fixtures atop a regular fence structure."

**Section 9.** Section 17.66.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.66.040 (C-F – Commercial Freeway) Fences, walls, and hedges.**

"B. Fences shall be limited to seven feet high above adjacent grade, plus not more than an additional two feet of ornamental, decorative, and/or security devices, or fixtures atop a regular fence structure."

**Section 10.** Section 17.69.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.69.040 (CBD – Central Business District) Fences, walls, and hedges.**

"B. Fences shall be limited to seven feet high above adjacent grade."

**Section 11.** Section 17.72.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.72.040 (I-L – Light Industrial) Fences, walls, and hedges.**

"B. Fences which are not located within any street setback area shall be limited to seven feet high above adjacent grade, plus not more than an additional two feet of ornamental, decorative, and/or security devices, or fixtures atop a regular fence structure."

**Section 12.** Section 17.75.040 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.75.040 (I-H – Heavy Industrial) Fences, walls, and hedges.**

"B. Fences which are not located within any street setback area shall be limited to seven feet high above adjacent grade, plus not more than an additional two feet of ornamental, decorative and/or security devices, or fixtures atop a regular fence structure."

**Section 13.** Section 17.78.020 of the Chehalis Municipal Code, shall be, and the same hereby is, amended to read as follows:

**"17.78.020 Use chart adopted.**

**USE CHART – Sorted Alphabetically within the UTILITY (ACCESSORY)  
Occupancy Group  
(See Appendix Chapter F for Definitions)**

CODE	USE OR OCCUPANCY	PARKING	R-1	R-2	R-UGA	R-3	R-4	EPF	C-O	C-N	C-G	C-F	CBD	I-L	I-H
U112	Agricultural building 1,000 square feet or less	None	A	A	A	A	A			x			x	A	A
U113	Agricultural building over 1,000 square feet	None			A					x		x	x		
U204	Antenna tower 30 feet high or less //	1				A	A	A	A	A	P	P	P	P	P
U205	Antenna tower over 30 feet high //	1						C						A	A
U201	Fence over 7 feet high	None						A			A	A		A	A

**Section 14.** The effective date of this ordinance shall be the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**PASSED** by the City Council of the city of Chehalis, Washington, and **APPROVED** by its Mayor at a regularly scheduled open public meeting thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form and content:

\_\_\_\_\_  
City Attorney