

January 8, 1996

The Chehalis city council met in regular session on Monday, January 8, 1996 in the Chehalis city hall. Mayor Hatfield called the meeting to order at 3:00 p.m. with the following council members present: Scott Hamilton, Mattie Kirk, Dr. Isaac Pope, Bob Spahr, Bob Venemon and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; Mark Scheibmeir, Assistant City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Dennis Dawes, Deputy Chief for Police Services; Jim Fleming, Wastewater Superintendent; Andy Sennes, Properties Manager; and Caryn Foley, Deputy City Clerk. Members of the news media present included John Pierce of The Chronicle.

1. **Oaths or Affirmations for New City Council Terms of Office.** Municipal Court Judge Richard Brosey administered the oaths and affirmations of office for the following council members: Robert Venemon, District No. 1; Mattie Kirk, District No. 2; Scott Hamilton, District No. 3; and Dr. Isaac Pope, District No. 4. All were elected to four-year terms on the Council expiring December 31, 1999.

2. **1996-97 Council Committee Assignments.** The Council reviewed their current memberships on various council committees. Councilor Venemon agreed to take over Councilor Hamilton's position on the Southwest Washington Regional Transportation Planning Organization and also to serve as the city's representative to the Twin Transit Board.

3. **Election of Mayor and Mayor Pro Tem for 1996-1997.** Councilor Pope nominated Councilor Spahr for the position of Mayor. Councilor Hamilton seconded the nomination. Councilor Zylstra nominated Mayor Hatfield for a second term as Mayor. Councilor Pope then moved that the nominations be closed. The motion was seconded by Councilor Kirk and carried unanimously. By a vote of four to three, Councilor Spahr was elected as Mayor for 1996-1997, by Councilors Hamilton, Kirk, Pope and Spahr. Those votes cast for Mayor Hatfield were Councilors Hatfield, Venemon and Zylstra.

Councilor Kirk nominated Councilor Pope for another term as Mayor Pro Tem. The motion was seconded by Councilor Hamilton. Councilor Spahr moved to close the nominations for Mayor Pro Tem. The motion was seconded by Councilor Zylstra. Mayor Hatfield stated that since Councilor Pope was the only candidate he would continue as Mayor Pro Tem.

Councilor Hatfield handed the gavel to Mayor Spahr.

4. **Employee Service Awards.** Mayor Spahr presented employee service awards to Becky Fox, Court Administrator, Municipal Court for 15 years of service; Bud Hatfield, Councilor, City Council for 10 years of service; and Bob Spahr, Councilor, City Council for 10 years of service.

5. **1994 Special National Award for Outstanding Contribution and Leadership in the Beneficial Use of Biosolids to the Public Works Department, Wastewater Division.** Mayor Spahr presented Jim Fleming, Wastewater Superintendent, and plant operators, Jim Armstrong, Dan Chitwood, Ron Moeller and Bob Serl a certificate from the Northwest Biosolids Management Association. The goal of the organization is to promote the reuse of biosolids generated at the wastewater treatment plant.

6. **Consent Calendar.** Councilor Kirk stated that in regard to item number 11.a, paragraph 1 relating to the Chehalis-Centralia airport, a reference was made to a meeting that was held on December 15. Councilor Kirk noted that that meeting was cancelled.

Councilor Pope moved to approve the Consent Calendar, as amended, comprised of the following items:

- a. Minutes of the regular city council meeting of December 11, 1995;
- b. December 15, 1995, Claims Vouchers No. 36841 - 37030 in the amount of \$130,456.01; and
- c. Award bid for liquid aluminum sulfate to General Chemical in the amount of \$149.00 per ton.

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The motion was seconded by Councilor Kirk and carried unanimously.

7. **Citizens Business - Historic Preservation Commission.** Dr. Hank Kirk and Brenda O'Connor, members of the Historic Preservation Commission, distributed pamphlets which describe two historic districts in Chehalis - the downtown area and the Pennsylvania/West Side area.

Dr. Kirk stated that the Commission's reason for coming before the Council was to request \$1,300 to hire Jennifer Watson, a college intern, to research and prepare a national historic nomination proposal for the city's downtown area. He stated that a portion of the cost would come from a college work study grant.

Councilor Hamilton moved to allocate \$1,300 from the General Fund to hire Ms. Watson for the proposed project. The motion was seconded by Councilor Zylstra and carried unanimously.

Councilor Pope asked if a building is registered as a historic building, is the owner precluded from making changes to the building.

Ms. O'Connor stated that there are no restrictions on property owners if they choose to make any changes.

8. **Citizens Business - Late-Comer Fees and the Port of Chehalis.** Mr. Michael Kuehner, of Kuehner-Wallace Enterprises, explained that he is currently in a dispute with the Port of Chehalis over late comer fees for utilities on Port property. He requested clarification from the city on several questions.

He noted that on March 28, 1994, the council approved late comer agreements for the Port of Chehalis which stipulated that for a period not to exceed fifteen years and not to exceed \$330,000, the Port would collect fees to help reimburse them for construction costs for water and sewer utilities. He noted that these are recorded documents.

Mr. Kuehner stated that the documents also stated that real property owned by the Port now, or in the future, would not be subject to the charges. He pointed out that although the documents were approved by the City in March of 1994, they were not recorded until August 31, 1995. He stated that on April 11, 1994, when the documents were signed by the Port of Chehalis, the Fred Meyer facility was not owned by the Port. He questioned how the late comer fees were dealt with in that situation.

Mr. Kuehner reminded the Council that they approved Kuehner-Wallace the opportunity to buy 30 ERUs of water and sewer capacity. He stated that the Port's late comer agreement specifically talked about who would be able to access utilities. It states that it would be applicable to all fronting properties and developers wanting to extend from Port constructed facilities, and to all fronting properties. It does not mention any restrictions as to what type of development. He asked if the Council was aware that the utilities after construction would be added into an industrial development district.

Mr. Kuehner stated that RCW 53.25.100 states in part ". . . development districts all the powers now and hereafter conferred by law upon port districts in counties with a population of 125,000 or more." He did not believe that Lewis County had 125,000 people. The RCW is also submitted in the comprehensive scheme of development that the Port made in 1993, but the reading of the RCW in their document states in part ". . . law upon port district in counties of the first class." He requested that the council look into the discrepancy.

Mr. Kuehner contended that the Port collected close to \$700,000 in late comer fees and never informed the City, when they were only allowed to collect \$330,000.

He pointed out that in the water reimbursement contract between the City and the Port it stated that the investment was \$286,000. In the Port's late comer fee agreement it states that the investment was \$369,000. In regard to the sewer, the amount stated in the contract between the City and the Port was \$260,000. The Port's late comer fee agreement shows that the investment was \$339,000. Mr. Kuehner questioned the differing amounts.

Councilor Hamilton stated that Mr. Kuehner's questions justify that the Council ask the city attorney to review them.

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Mr. Hillier requested that Mr. Kuehner put his questions in a detailed letter, making references to all exhibits.

9. **Citizens Business - Port of Chehalis 1995 Annual Review.** Mr. Mark Giffey presented the Port of Chehalis 1995 annual review. He highlighted capital projects which included construction of the Menasha building, purchase of rail line from Weyerhaeuser, and completion of the first phase of landscaping improvements in its Business Park. Mr. Giffey also reviewed tenant and client information, and provided an explanation of the purpose and responsibilities of the Port.

10. **Disposal of Organic Waste.** Mr. Campbell stated that about three months ago the Council talked about the implications of not being able to reopen the organic dump site at Hedwall Park in 1996. The council expressed interest in providing city residents with some sort of organic waste disposal system. Staff was asked to request again to the County the ability to reopen Hedwall Park in 1996. A letter from the County confirmed that their decision was that it should not be reopened.

Mr. Campbell stated that staff have provided several suggestions including, having no program at all, having a separate curbside service at the individual residence or a commercial location. There could be a city-owned composting facility where waste could be taken once it is picked up. Staff's recommendation is to have a collection site, possibly at Hedwall Park, that could be used by Chehalis residents and then periodically have that material hauled away from the site for disposal at a permitted waste disposal facility. He stated that there is at least one vermiculture farm in this area that possibly could take organic waste. In addition, there are other facilities limited to organic waste in counties to the north of Chehalis. Mr. Campbell requested that the council authorize staff to prepare a request for proposals from potential haulers for a service like that.

Mr. Campbell noted that staff's initial reading of the contract with Superior Refuse for regular curbside solid waste pick-up and recyclables is that it is not required that the City contract with Superior for this service. The city attorney is still reviewing that issue. If it turns out that the City is limited to working with Superior Refuse staff can provide those proposals at a later time and discuss how to negotiate for that service.

Mayor Spahr asked if staff have looked into the possibility of storing the waste and then hauling it ourselves.

Mr. Campbell stated that that option has not been looked at, but it certainly can be.

Councilor Hatfield moved to direct staff to follow through on their request for bids and to take a look at the City hauling the waste so that the cost of taking it to the landfill might be part of the project, but the rest of the cost be absorbed in the current budget. The motion was seconded by Councilor Zylstra and carried unanimously.

11. **Ordinance No. 588-B, First Reading - Changing the Flow of Traffic from Two-way to One-way Southbound on SW Pacific Avenue Between W Main Street and SW Alfred Street.** Councilor Hatfield moved to pass Ordinance No. 588-B on first reading with an effective date of January 31, 1996. The motion was seconded by Councilor Pope and carried unanimously. Councilor Hatfield then moved to designate the Cascade Avenue intersection of Main Street as the one to be signalized under a joint city-county project. The motion was seconded by Councilor Zylstra and carried unanimously.

12. **Resolution No. 1-96, First Reading - Establishing the Rate for Mileage Reimbursement for City Employees.** Mr. Campbell stated that the resolution would update the mileage reimbursement for city employees who use private vehicles in the course of city business. The proposed resolution would tie the city to the allowable IRS rate which is currently set at \$0.31 per mile.

Councilor Hatfield moved to suspend the rules requiring to readings of the resolution. The motion was seconded by Councilor Zylstra and carried unanimously. Councilor Hatfield then moved to adopt Resolution No. 1-96 on first and final reading. The motion was seconded by Councilor Pope and carried unanimously.

13. **Agreement for Legal Services for Water Rights Representation.** Mr. Campbell stated that the proposed agreement with Bogle & Gates would allow the city to contract for special legal counsel regarding retention of water rights on the Chehalis River.

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Councilor Hatfield moved to approve the agreement with Bogle & Gates for legal services for water rights representation for an amount not to exceed \$6,000 for the calendar year 1996. The motion was seconded by Councilor Kirk and carried unanimously.

14. **Appointment to Airport Board.** Mayor Spahr excused himself from discussion on this item due to a conflict of interest.

Mayor Pro Tem Pope stated that one of the City's representatives on the Chehalis-Centralia Airport Board expires at the end of the month. The current member, Tom Spahr, is interested in being reappointed. Mr. John Wilson has also submitted an application for appointment.

Councilor Hamilton moved to reappoint Tom Spahr to another six-year term expiring December 31, 2001. The motion was seconded by Councilor Zylstra and carried unanimously.

Mayor Spahr returned to the council table.

15. **City Council/City Manager Reports.**

a. **Gambling Tax Ordinance and Nonprofit Organizations.** Councilor Pope stated that he requested an explanation of what a nonprofit organization is from Yergen & Meyer. He stated that the information he received showed that several organizations may fit into this category and may have the right to ask for exemption under Ordinance No. 586-B. He asked that the city attorney take another look at the ordinance.

b. **GMA Committee.** Mayor Spahr stated that a special meeting was held to discuss preliminary work that may have to be done in preparation for a potential annexation.

c. **Chehalis-Centralia Airport Board.** Councilor Pope stated that Council representatives met with members of the Airport Board. He stated that he hoped the discussions would be ongoing.

d. **Meeting Reminder.** Mr. Campbell reminded the Council that the AWC Newly Elected Officials workshop would be held on January 19.

e. **New NPDES Permit Status.** Mr. Campbell stated that the city has received a new draft permit from the Department of Ecology for the wastewater treatment plant. The city initially had a 30-day comment/question period, but it was extended another 30 days. Staff have many concerns about the draft permit and are talking with the City of Centralia and Darigold about those concerns. The services of a Seattle law firm have been retained for representation.

Barry Heid reviewed some of the concerns in detail that staff have with the draft permit. He stated that staff have been talking with a specialized engineer, Cosmopolitan Engineering, that deals with hydraulic modeling. The cost of modeling the Chehalis River would be about \$15,000. Mr. Heid requested that the Council approve an expenditure not to exceed \$15,000 for this project.

Following Council discussion, Councilor Pope moved to approve entering into an agreement with Cosmopolitan Engineering for a modeling of the Chehalis River not to exceed \$15,000, and to seek help in funding the project from other entities which have an interest in the project. The motion was seconded by Councilor Zylstra and carried unanimously.

There being no further business to come before the council, the meeting was adjourned at 4:25 p.m.

January 22, 1996

The Chehalis city council met in regular session on Monday, January 22, 1996, in the Chehalis city hall. Mayor Spahr called the meeting to order at 3:00 p.m. with the following council members present: Scott Hamilton, Bud Hatfield, Mattie Kirk, Dr. Isaac Pope, Bob Venemon and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Lilly Wall, Recreation Manager; Andy Sennes, Properties Manager; and Caryn Foley, Deputy City Clerk. Members of the news media present included John Pierce of The Chronicle.

1. **Presentation of Plaque to Bud Hatfield**. Mayor Spahr presented a plaque of appreciation to Bud Hatfield for his dedicated service to the City of Chehalis as mayor 1994-95.

2. **Consent Calendar**. Councilor Zylstra moved to approve the Consent Calendar comprised of the following items:

- a. Minutes of the regular city council meeting of January 8, 1996;
- b. December 29, 1995, Payroll Vouchers No. 29079 - 29257 in the amount of \$412,906.98; Transfer Voucher No. 1395 in the amount of \$718.43; December 28, 1995, Claims Vouchers No. 37031 - 37149 in the amount of \$184,529.71;
- c. Pay Estimate No. 2 in the amount of \$102,945.89 to Triad Mechanical for wastewater plant improvements;
- d. Appointment of Kris Larson to the Urban Forestry Board; and
- e. Approval of agreement for amendment to county-wide planning policies.

The motion was seconded by Councilor Pope and carried unanimously.

3. **Ordinance No. 588-B, Second Reading - Changing the Flow of Traffic from Two-way to One-way Southbound on SW Pacific Avenue Between W Main Street and SW Alfred Street**. Councilor Hatfield moved to pass Ordinance No. 588-B on second and final reading. The motion was seconded by Councilor Pope.

Councilor Hatfield asked if the parking on Lewis Street would be changed from west to east.

Chief Hamilton stated that Lewis Street would be changed because there is more parking available on the east side of the street.

The motion was carried unanimously.

4. **Resolution No. 2-96, First Reading - Creating and Establishing a Local Vendor Bid Advantage**. Mr. Campbell stated that the proposed resolution would replace Resolution No. 4-95, which currently establishes a local vendor bid advantage of five percent. The state auditor's office and the city attorney have found that a local vendor bid advantage must be based on a city's sales tax and B&O tax rate, not just a random percentage.

Councilor Hatfield felt that since the city's share of the sales tax is one percent, he did not see a need for the proposed resolution. He moved to repeal Resolution No. 4-95. The motion was seconded by Councilor Pope.

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Jo Ann Hakola stated that the city had an informal policy that gave local vendors an advantage when awarding bids, and it was suggested that the policy be put in writing.

Councilor Venemon stated that one percent is quite a bit to some people.

Councilor Pope asked if there were any problems with the policy before the resolution was adopted.

Mr. Campbell stated that the problem was internally. Staff did not know what the policy was and departments were using different policies.

Mr. Hillier stated that if the city adopts a policy it still must comply with state law.

The motion carried by a vote of six ayes and one nay. Councilor Venemon cast the dissenting vote.

Councilor Hamilton moved to adopt Resolution No. 2-96 on first reading. The motion died for lack of a second.

5. **Request for a Sewer L.I.D. South of the City Limits**. Mr. Campbell stated that a petition was received from several property owners requesting the formation of an L.I.D. to provide sewer service to an area on the east side of Jackson Highway near the former Rare Plant Nursery. He explained that a petition from the same group was received last March, but the properties were not contiguous to the city's existing sewer service areas. They were asked to amend the L.I.D. borders to be contiguous. He stated that the new petition is still not contiguous and staff is requesting that the petition be denied.

Barry Heid stated that he has spoken to Gail Shaw of the Chehalis Industrial Commission and they are interested in working with the petitioners to make the area contiguous with city services.

Mr. Clarence Avron, 1519 S. Gold Street, Centralia, stated that he owns property at 2980 Jackson Highway. He stated that the one property owner who is between the proposed L.I.D. area the city's services is objecting to the formation of an L.I.D. He did not feel that it was right that one property owner could hold up the formation of an L.I.D.

Mr. Hillier stated that just because one property owner is not in favor of the L.I.D. does not mean that it cannot go through. He stated that all Mr. Avron has to do is to redraw the proposed boundary lines and resubmit it to the city. If sixty percent of the property owners are in favor of the L.I.D. it will be formed.

Councilor Hatfield moved that the Council not act on the petition until such time as Mr. Avron comes back with evidence that he has gone through the statutory requirement regarding providing all of the assessed valuations and a vote to determine who is in favor of the L.I.D., and something in writing from the Industrial Commission indicating their desire to participate in the formation of the L.I.D.

Mr. Hillier stated that Mr. Avron should withdraw his application and contact city staff to get direction on what requirements must be met to resubmit the request.

Councilor Hatfield withdrew his motion.

6. **City Council/City Manager Reports**.

a. **Report from GMA Committee About Annexation Study.** Mr. Campbell reported that the city requested a proposed scope of work to undertake an annexation study of the Industrial Park from Michael Aippersbach & Associates, the city's GMA planning consultant. The GMA Committee reviewed the study

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which consists of three parts - a land use study, the annexation study itself, and an environmental impact statement to facilitate the annexation if and when it occurs. The total cost of the proposal is about \$50,000.

Councilor Hatfield asked if other entities (Port of Chehalis, Chehalis Power, Inc., and Chehalis Industrial Commission) that will benefit from the study have been asked to participate financially.

Mr. Campbell stated that they have not, but a letter could be sent to them.

Councilor Pope moved to accept the proposal of Michael Aippersbach & Associates to conduct a study of potential annexation of the Chehalis Industrial Park, approve the use of the unreserved general fund balance to pay for it, and to send letters to other entities that have a benefit in the study to participate in financially. The motion was seconded by Councilor Hatfield and carried unanimously.

b. **Meeting Reminders.** Mr. Campbell reminded the Council about a special council meeting on February 5 beginning at 5:00 p.m. to begin the goal-setting process for 1996-97.

He also requested that if council members were interested in the 1996 AWC City Legislative Action Conference on February 7-8 to let staff know so that registrations could be sent in.

c. **Southwest Washington Fair.** Councilor Hamilton reported that the Southwest Washington Fairgrounds task force is continuing its review of the viability of the fairgrounds.

d. Councilor Venemon stated that he had the opportunity to visit all city departments and meet several staff members. He said that he learned a lot about the city and thanked everyone for the time staff spent with him explaining city services.

7. **Executive Session.** Mayor Spahr stated that the council would convene in executive session at 3:40 p.m. pursuant to RCW 42.30.140(4) - Labor Contract Negotiations, for fifteen minutes and that no decisions would be made.

At 3:55 p.m. Mayor Spahr closed the executive session and reopened the regular meeting to announce that the council would continue in executive session for another ten minutes. The regular meeting was closed and the executive session was reopened. Following conclusion of the executive session, the regular meeting was reopened at 4:05 p.m.

8. **City vs. Chuck Haunreiter.** Mr. Hillier reported that a court ruling ordered that the city prevailed over Mr. Haunreiter in his case against the city over the purchase of the computer to enforce parking. Judgment was ordered against Mr. Haunreiter for \$1,100. Mr. Haunreiter made a motion for reconsideration, and it was denied. He has no other recourse at the Superior Court level.

There being no further business to come before the council, the meeting was adjourned at 4:10 p.m.

February 12, 1996

The Chehalis city council met in regular session on Monday, February 12, 1996, in the Chehalis city hall. Mayor Spahr called the meeting to order at 3:00 p.m. with the following council members present: Scott Hamilton, Bud Hatfield, Mattie Kirk, Dr. Isaac Pope, Bob Venemon and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Bob Nacht, Community Development Manager; Jim Fleming, Wastewater Superintendent; Dennis Dawes, Deputy Chief for Police Services; and Caryn Foley, Deputy City Clerk. There were no members of the news media present.

1. **Agenda Changes.** Mayor Spahr announced that the agenda item regarding council goals for 1996-97 would be moved to the February 26 meeting, and there would be a report on the recent flood at the end of today's meeting.

2. **Employee Service Award.** Mayor Spahr presented an employee service award to Jerry Boes, Fire Captain, for 20 years of service with the Police & Fire Services Department.

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

- a. Minutes of the regular city council meeting of January 22, 1996;
- b. December 31, 1995, Claims Vouchers No. 37150 - 37308 in the amount of \$224,900.84; January 31, 1996, Payroll Vouchers No. 29258 - 29414 in the amount of \$374,460.02; Transfer Voucher No. 1396 in the amount of \$95,000.00; Transfer Voucher No. 1398 in the amount of \$95,000.00 and Transfer Voucher No. 1399 in the amount of \$1,152.75; January 29, 1996, Claims Vouchers No. 37320 - 37486 in the amount of \$362,202.52;
- c. Reappointment of Tim Fuller to Library Board for a 5-year term expiring December 31, 2000;
- d. Reappointments of George Hauer and Wayne Galvin to the Historic Preservation Commission for 3-year terms expiring December 31, 1998;
- e. Approval of contract for ambulance services with CARE Ambulance; and
- f. Approval of grant application for Labree Road interchange and \$1,000 contribution to project. The motion was seconded by Councilor Kirk and carried unanimously.

4. **Ordinance No. 589-B, First Reading - Establishing a Uniform System for Numbering Lots and Buildings and Street Designation System.** Mr. Campbell explained that the proposed ordinance is a consolidation, and bringing up to date, of multiple ordinances relating to street names and house numbering.

Councilor Hatfield moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Zylstra and carried unanimously. Councilor Hatfield then moved to pass Ordinance No. 589-B on first and final reading. The motion was seconded by Councilor Zylstra and carried unanimously.

5. **Nomination of Hillside District to National Register of Historic Places.** Joanne Schwartz explained that the Historic Preservation Commission and the Community Services Department have been working to place in nomination the Hillside District. A public hearing will be held in March and a recommendation will be made to the council. The council in turn will provide a recommendation to the Washington State Advisory Council on placing the area on the National Register of Historic Places.

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Mayor Spahr asked if after all potential areas have been placed on the National Register, is the city eligible for any grants to develop a theme for the city?

Ms. Schwartz stated that she did not know the answer to Mayor Spahr's question.

6. **City Council/City Manager Reports.**

a. **Southwest Washington Fairgrounds.** Councilor Hamilton stated that the fairgrounds were hit very hard by the recent flood. He did not know in what direction the Fair Board would go with the ongoing study on the viability of the fairgrounds.

b. **Rentals.** Councilor Pope expressed concern about rental properties that have been flooded. He felt the city should ensure that the owners keep the properties up and make them safe. He suggested - as a potential goal - that the city develop a residential rental license. This would ensure inspections by city staff. Councilor Pope submitted a written proposal for the council to review.

c. **Flood of 1996.** Mayor Spahr commended and thanked city staff for their dedicated service to the city and its citizens during the recent flood. He stated that radio stations were kept up to date so that citizens were informed. He expressed appreciation to everyone who worked so hard.

Mr. Campbell reviewed damages to roads, water and sewer systems, vehicles, and parks. He stated that many non-FLSA exempt employees worked several hours of overtime. In addition, material, supplies, services, and equipment that are not normally used were purchased. He stated that this week staff will begin to total the amount of damages and costs for FEMA reimbursement.

Barry Heid gave a more detailed report on Public Works facilities. The wastewater treatment plant was only down for about a day. The intake suffered a landslide near it which knocked out power and prohibited entrance to the intake. Weyerhaeuser helicoptered a generator in. He added that all catch basins will need to be cleaned out a couple of times.

Randy Hamilton stated that the Chehalis area was cut off with the closure of I-5, and convoys of food were allowed passed road blocks to replenish stores. Staff began making calls to business owners early Thursday morning to warn them about potential flooding. Volunteers helped bag some of the 14,000 sandbags that were given out. About 25 houses were evacuated by boat, and about 10 citations were given out for going passed road closed signs. Airlift Northwest was called in for emergency transports to the hospital. He said coordination with Lewis County was excellent and well worth the funds that the city pays for emergency management services.

7. **Flood Cleanup.** Mr. Campbell stated that staff discussed the possibility of providing a city-sponsored pick-up for residents and possibly businesses for flood-damaged waste. Superior Refuse would haul the waste to the central transfer station at a reduced rate from the county.

Councilor Hamilton moved to approve a two-day special pick-up of flood waste, the cost to be incurred by the city's garbage fund for residential and commercial customers up to a certain volume to be worked out by staff in regard to commercial customers. The motion was seconded by Councilor Venemon and carried unanimously.

8. **Flood Damage to Chehalis Avenue Apartments.** Councilor Pope wondered if there was anything the city could do, in conjunction with the Lewis County Health Department, to condemn the Chehalis Avenue apartments. He stated that they flood almost every year and get severely damaged.

Bob Nacht stated that after the 1986 and 1990 floods, he spent considerable time with the property owners telling them how they could construct a landscaping dike around the property to help prevent flooding,

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but the owners did not wish to do that. He stated that they do repair the apartments after a flood. He added that the city has no legal authority to force the owners to flood-protect the property.

9. **Executive Session.** Mayor Spahr stated that the council would convene in executive session at 3:55 p.m. pursuant to RCW 42.30.110(i) - Potential Litigation, for twenty minutes and that no decisions would be made following the executive session. The executive session was closed at 4:20 p.m. and the regular meeting was reopened.

There being no further business to come before the council, the meeting was adjourned at 4:20 p.m.

February 26, 1996

The Chehalis city council met in regular session on Monday, February 26, 1996, in the Chehalis city hall. Mayor Spahr called the meeting to order at 3:00 p.m. with the following council members present: Scott Hamilton, Bud Hatfield, Dr. Isaac Pope, Bob Venemon and Dave Zylstra. Councilor Mattie Kirk was absent (excused). Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Bob Nacht, Community Development Manager; Dennis Dawes, Deputy Chief for Police Services; Andy Sennes, Properties Manager; Lilly Wall, Recreation Manager; Jerry Boes, Acting Deputy Chief for Fire Services; and Caryn Foley, Deputy City Clerk. Members of the news media present included John Pierce of The Chronicle.

1. **Proclamation**. Mayor Spahr read a proclamation proclaiming February 26, 1996, as C.K. Moore Day. Mayor Spahr stated that Mr. Moore, of Chehalis, recently bowled a 300 game on national television. He was the ninth person and first rookie to do that.

2. **Employee Service Award**. Mayor Spahr presented employee service awards to two members of the Fire Services Division. Captain Bill Nacht and Firefighter/Engineer Pete McChord each received awards for 25 years of service.

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

- a. Minutes of the regular city council meeting of February 12, 1996;
- b. February 16, 1996, Claims Vouchers No. 37487 - 37663 in the amount of \$167,799.56;
- c. Latecomers agreement for water and sewer facilities installed by Wal*Mart Stores, Inc.

The motion was seconded by Councilor Zylstra and carried unanimously.

4. **Resolution No. 3-96, First Reading - an L.I.D. to Provide Sewer Service to Properties in the Jackson Highway Vicinity**. Mr. Campbell stated that a petition was received by property owners asking for the formation of an L.I.D. to provide sewer service to an area on the east side of Jackson Highway near the former Rare Plant Nursery. The properties are contiguous with the city's existing sewer service area.

Councilor Hamilton moved to adopt Resolution No. 3-96 on first reading. The motion was seconded by Councilor Hatfield.

Mayor Spahr asked if properties across the street from Jackson Highway were connected to city sewer.

Barry Heid stated that they are not. The property is currently owned by the Industrial Commission and they have indicated an interest in extending sewer to the property. However, they are not included in the proposed L.I.D.

The motion carried unanimously.

5. **1996-97 Goal-Setting (Continued)**. The council reviewed and screened 54 potential goals. It was agreed that at least three council members would have to vote in favor of the goal to keep it on the list. The list was finally narrowed to 25 goals. The council then voted on which of the remaining goals were the most important.

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Mr. Campbell stated that he would prioritize the goals into "top priority, moderate, and other goals" and present the list to the council at their next meeting. The council could then modify and finalize the list.

6. **City Council/City Manager Reports.**

a. **Ordinances.** Councilor Pope asked what the protocol was for a councilmember presenting an ordinance to the council.

Mr. Hillier stated that the ordinance should be given to the city manager for presentation to the council.

b. **Downtown Cleanliness.** Councilor Hatfield commented that the downtown area is very unsightly and asked what the cleaning/ maintenance schedule is.

Andy Sennes stated that the sidewalks are swept the first of each month.

c. **Lawsuit Letters.** Councilor Hatfield stated that the council received two letters recently from an attorney, Dana Dorland, relating to lawsuits against the city.

Mr. Hillier stated that the letters have been forwarded to the city's insurance provider, WCIA. The claims will be reviewed by the investigating agent and they will provide a recommendation to the city whether to accept or reject the claims. Mr. Hillier stated that in one of the claims the city has already been voluntarily dismissed because the claimants did not go through the proper administrative procedures prior to filing suit. Mr. Hillier believed that neither claim had merit.

7. **Executive Session.** Mayor Spahr stated that the council would convene in executive session at 3:40 p.m. pursuant to RCW 42.30.140(4) - Labor Contract Negotiations, for thirty minutes and a possible decision could be made following the executive session. The executive session was closed at 4:00 p.m. and the regular meeting was reopened.

8. **Contract Negotiations with the Chehalis Employees Association (Teamsters).** Councilor Hamilton moved to accept the contract with the Chehalis Employees Association (Teamsters), and that the Police Administrative Assistant position remain a member of the bargaining unit at a pay range 17. The motion was seconded by Councilor Hatfield and carried unanimously.

There being no further business to come before the council, the meeting was adjourned at 4:05 p.m.

March 11, 1996

The Chehalis city council met in regular session on Monday, March 11, 1996, in the Chehalis city hall. Mayor Spahr called the meeting to order at 3:00 p.m. with the following council members present: Scott Hamilton, Bud Hatfield, Dr. Isaac Pope, Bob Venemon and Dave Zylstra. Councilor Mattie Kirk was absent (excused). Staff members present included: Dave Campbell, City Manager; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Dennis Dawes, Deputy Chief for Police Services; Andy Sennes, Properties Manager; Jerry Boes, Acting Deputy Chief for Fire Services; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included Erik Robinson of The Chronicle.

1. **Proclamation**. Mayor Spahr read a proclamation proclaiming March 30, 1996, as Official Garage Sale Day.

2. **Consent Calendar**. Councilor Hatfield moved to approve the consent calendar comprised of the following items:

a. Minutes of the regular city council meeting of February 26, 1996;

b. February 29, 1996, Claims Vouchers No. 37664 - 37777 in the amount of \$89,626.07 and the correction to the invoice run of December 31, 1995; February 29, 1996, Payroll Vouchers No. 29415 - 29577 in the amount of \$374,402.28; Transfer Voucher No. 1397 in the amount of \$181,872.62; Transfer Vouchers No. 1396 and 1998 voided February 12, 1996; Transfer Voucher No. 1400 in the amount of \$10,000; and Transfer Voucher No. 1401 in the amount of \$771.16; and

c. Reappointment of Larry Cook to the Board of Zoning Adjustment for a 5-year term expiring December 31, 2000.

The motion was seconded by Councilor Pope.

Councilor Hatfield asked if any other applications were received for the Board of Zoning Adjustment and how the city advertises for such openings.

Mr. Campbell stated that no other applications were received and that the city advertises through The Chronicle when there is an opening.

The motion carried unanimously.

3. **Resolution No. 3-96, Second Reading - Establishing an L.I.D. to Provide Sewer Service to Properties in the Jackson Highway Vicinity**. Mr. Campbell asked the council to amend the resolution on second reading to provide for the public hearing to be changed from March 11 to March 25.

Councilor Hatfield moved to adopt Resolution No. 3-96 on second and final reading. The motion was seconded by Councilor Pope.

Councilor Hatfield moved to amend the main motion to change the date of the public hearing from March 11 to March 25. The motion was seconded by Councilor Zylstra and carried unanimously.

Mayor Spahr then called for the vote on the main motion and it was carried unanimously.

4. **Completion of 1996-97 Goal-Setting Process**. Mr. Campbell stated that at their last meeting, the Council prioritized 25 goals for 1996-97. Mr. Campbell stated that from his perspective there were still more goals than might be appropriate or possible to keep track of or achieve.

After reviewing the list, Councilor Hatfield moved to adopt the following Council goals for 1996-97: downtown improvements; street improvements; improved fire protection rating; new public safety building;

growth management planning; new yard waste disposal service (top priorities); swimming pool repairs/improvements; new Westside Park playground; housing rehabilitation and code enforcement; improved freeway March 11, 1996

entrances to Chehalis; sidewalk repairs; consideration of a regional sewer system; involvement in arts activities; and timber management plan for Dobson and McFadden Parks (moderate priorities). The motion was seconded by Councilor Pope and carried unanimously.

5. **Ordinance No. 590-B, First Reading - Regulating and Licensing Businesses.** Chief Hamilton stated that staff looked at ways that could de-regulate certain types of businesses, but it was determined that the city is required to regulate some business by state law. However, the proposed ordinance does eliminate multiple licenses. For example, under current licensing process, a taxicab business is required to take out a general business license and a taxicab license which requires the payment of additional fees. The proposed ordinance would eliminate the special license. The additional requirements, such as background investigations on drivers and vehicle inspections, that are required through a special license would be triggered through the general business license process.

Councilor Pope asked if the definition of "business" in the proposed ordinance included the licensing of landlords for their rental properties.

Mr. Hillier stated that in his opinion it would not. The definition of "business" in the proposed ordinance talks about the sale of goods or providing of services for profit. He did not believe that providing a residential home was a service.

Chief Hamilton added that property management would be covered under the definition.

Councilor Hatfield asked if non-profit businesses were exempt from the ordinance.

Chief Hamilton stated that non-profit businesses are exempt from the ordinance.

Councilor Hatfield stated that the Cascade Mental Health thrift shop is non-profit, but has been paying for a business license.

Mr. Campbell stated that non-profit businesses are required to fill out an application and are issued a license, but they do not have to pay an application fee.

Councilor Hatfield suggested that for clarity, the proposed ordinance state that non-profit businesses be exempt from paying an application fee.

Mayor Spahr asked if it would hinder the ordinance if businesses only renewed every two years instead of every year.

Chief Hamilton stated that many things change in the course of a year so it might be a good idea to keep renewals every year, but he would speak to the Finance Director.

Councilor Zylstra moved to pass Ordinance No. 590-B on first reading. The motion was seconded by Councilor Hamilton and carried unanimously.

6. **Ordinance No. 591-B, First Reading - Repealing Ordinances Relating to the Water/Sewer Utility.** Councilor Hatfield moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Zylstra and carried unanimously. Councilor Hatfield then moved to pass Ordinance No. 591-B on first and final reading. The motion was seconded by Councilor Zylstra and carried unanimously. The ordinance repeals ordinances relating to the water/sewer utility that are no longer needed or in effect.

7. **City Council/City Manager Reports.**

a. **1995 Fourth Quarter Budget Status Report.** Mr. Campbell reported on the 1995 fourth quarter budget status report. In regard to the general fund, revenues were higher than budgeted overall, and expenditures were slightly lower than budgeted, so 1996 was started with a greater beginning fund balance than budgeted. Already in 1996 there have been some unanticipated expenses so the greater beginning fund balance is important to keep in the general fund to cover such unexpected expenses. With respect to the water-sewer March 11, 1996

fund, Mr. Campbell stated that revenues for 1995 were slightly lower than anticipated, and expenses were slightly lower than budgeted.

b. **1990 Storm Drainage Study Report.** Barry Heid reviewed the 1990 storm drainage report. He discussed priorities and costs associated with improvements to the storm drainage system and options for addressing those costs in the future. Mr. Heid stated that since the creation of the 1990 storm drainage study report a storm water utility was established along with the adoption of a storm water management plan. He explained that the storm water utility currently pays for maintenance of the existing system.

c. **Residential Rental Licensing.** Councilor Pope again brought up the issue of residential rental licensing. He stated that the city is seeing many more rental properties and as that happens some of the housing begins to deteriorate. Councilor Pope asked what the city could do to stop those particular houses from being in disrepair. The city must find some way to encourage property owners to keep their property up to code.

Councilor Hamilton asked if existing ordinances address the issues that Councilor Pope is concerned about.

Councilor Hatfield felt there was a lack of enforcement of existing city laws.

Following further discussion the council agreed that they should hold a special workshop with the appropriate staff and the municipal court judge to discuss the issues raised by Councilor Pope.

8. **Executive Session.** Mayor Spahr stated that the council would convene in executive session at 4:10 p.m. pursuant to RCW 42.30.140(4) - Labor Contract Negotiations and 42.30.110(d) - Contract Negotiations for thirty minutes and a possible decision could be made following the executive session. The executive session was closed at 4:30 p.m. and the regular meeting was reopened.

9. **Yard Waste Disposal Program.** Councilor Hatfield moved to direct staff to negotiate an amendment to the agreement with Superior Refuse for yard waste collection and disposal services based upon option 2 as submitted by Superior Refuse, and to increase the cost of the annual household permit to \$15.00, and to direct staff to implement a lengthened season for the program. The motion was seconded by Councilor Zylstra and carried unanimously.

10. **Executive Session.** Mayor Spahr convened the council in executive session at 4:32 p.m. pursuant to RCW 42.30.140(4) - Labor Contract Negotiations.

Following the executive session, the Mayor reopened the regular meeting at 4:40 p.m. There being no further business to come before the council, the meeting was adjourned at 4:40 p.m.

March 25, 1996

The Chehalis city council met in regular session on Monday, March 25, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Scott Hamilton, Bud Hatfield, Mattie Kirk, Dr. Isaac Pope, and Bob Venemon. Councilor Dave Zylstra was absent. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Dennis Dawes, Deputy Chief for Police Services; Andy Sennes, Properties Manager; Jerry Boes, Acting Deputy Chief for Fire Services; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included Erik Robinson of The Chronicle.

1. **Proclamation**. Mayor Spahr read and presented a proclamation to Dr. Hank Kirk of Centralia College, proclaiming April as Community College Month.

2. **Certificates of Appreciation**. Mayor Spahr, Randy Hamilton and Jerry Boes presented certificates of appreciation to Rob Gebhart and Frank Mako for the use of their personal boats and assistance in making rescues during the February, 1996 flood. Mel Canfield was also presented a certificate for his assistance to Frank Mako in making rescues.

3. **Employee Service Award**. Gary Wilson was recognized for ten years of service as a police officer. Officer Wilson was not in attendance.

4. **Consent Calendar**. Councilor Hatfield moved to approve the consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of March 11, 1996; and
- b. Pay Request No. 1 in the amount of \$56,076.25 to Triad Mechanical for grit auger replacement at the wastewater treatment plant.

The motion was seconded by Councilor Pope and carried unanimously.

5. **Ordinance No. 590-B, Second Reading - Regulating and Licensing Businesses**. Mr. Campbell stated that the proposed ordinance is a streamlining of the existing processes by which certain businesses are regulated and licensed. At the last meeting the council asked about changing the renewal of businesses from one year to two years, and about not-for-profit businesses. Mr. Campbell explained that not-for-profit businesses are exempt from paying a license fee. He stated that in regard to renewals, staff feels that an annual renewal allows for the best accountability of businesses.

Councilor Pope moved to pass Ordinance No. 590-B on second and final reading. The motion was seconded by Councilor Kirk and carried unanimously.

6. **L.I.D. for Installation of Sanitary Sewer Lines in the South Jackson Highway Area**. Mr. Campbell explained that the scheduled public hearing for the proposed L.I.D. would not be held today because requirements for notifying property owners could not be met. In addition staff would like to have an informal meeting with property owners which has been scheduled for March 26. Discussion will include options for how the assessments could be made and potential cost estimates.

7. **Resolution No. 4-96, First Reading - Authorizing Execution of an Agreement with Farmer's Insurance Companies to Settle Litigation Regarding Insurance Coverage for Costs Associated with Centralia Landfill**. Mr. Campbell explained that the resolution authorizes a proposed settlement with a former insurance

company of LeMay Enterprises, a former operator of the Centralia Landfill. The settlement is for \$1,300,000 of which about \$900,000 will go to the Centralia Landfill Closure Group.

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Councilor Hatfield moved to suspend the rules requiring two readings of a resolution. The motion was seconded by Councilor Pope and carried unanimously. Councilor Hatfield then moved to adopt Resolution No. 4-96 on first and final reading. The motion was seconded by Councilor Pope and carried unanimously.

8. **City Council/City Manager Reports.**

a. **Code Enforcement/Rental Licensing Workshop.** Mr. Campbell announced that the council would conduct a workshop on April 2 at 5:00 p.m. to discuss existing residential code enforcement and potential licensing of rental properties.

b. **Organic Waste Hauling.** Councilor Hatfield asked about the status of organic waste hauling negotiations with Superior Refuse.

Mr. Campbell stated that he received a proposed amendment to the existing contract with Superior Refuse today. Staff is working on getting the site at Hedwall Park ready. A slab must be poured and roadways need repair from flood damage. The estimated time for opening the site is mid-April.

c. **Southwest Washington Fair.** Councilor Hamilton reported that the final meeting of the Southwest Washington Fair task force is meeting March 26 at 1:30 p.m. The final report for the proposed development has been prepared and is on file with the city.

9. **Executive Session.** Mayor Spahr announced that the council would convene in executive session at 3:25 p.m. pursuant to RCW 42.30.140(4) - Labor Contract Negotiations. Mayor Spahr closed the executive session at 3:55 p.m. and reopened the regular meeting.

10. **Police Union Contract.** Councilor Hatfield moved to approve the tentative contract settlement with the police union, approve the immediate implementation of improved non-salary benefits, as reflected in Teamsters unit contracts, for non-union city employees, and approve appointing Sergeant Willy Shupp as the new D.A.R.E. officer. The motion was seconded by Councilor Kirk and carried unanimously.

There being no further business to come before the council the meeting was adjourned at 3:57 p.m.

April 8, 1996

The Chehalis city council met in regular session on Monday, April 8, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Scott Hamilton, Bud Hatfield, Mattie Kirk, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Dennis Dawes, Deputy Chief for Police Services; Andy Sennes, Properties Manager; Jerry Boes, Deputy Chief for Fire Services; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included Matthew Erlich of The Chronicle.

1. **Proclamations**. Mayor Spahr read and presented proclamations for CROP Walk Week, April 22-29; Volunteer Week, April 22-26; and D.A. R. E. Day, April 11.

2. **Employee Service Awards**. Mayor Spahr presented Bill Appleby, Storm/Wastewater Collection Specialist with the Public Works Department a service pin for 10 years of service to the city, and to Steve Gunsolley, Fire Captain with the Police & Fire Services Department for 25 years.

3. **Consent Calendar**. Councilor Pope moved to approve the April 8, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of March 25, 1996; and
- b. March 15, 1996, Claims Vouchers No. 37778 - 37958 in the amount of \$302,758.61; and March 28, 1996, Claims Vouchers No. 37959 - 38085 in the amount of \$168,361.66; and
- c. Mason County Housing Authority contract revisions.

The motion was seconded by Councilor Hatfield and carried unanimously.

4. **Counseling Services For Flood Victims**. Brad Bell, Executive Director of Cascade Mental Health Care, reported that from February 8 to April 5 Cascade Mental Health Care has seen about ten people who were impacted by the February, 1996 flood. Cascade Mental Health Care has received funding to continue to provide those services and to hire five outreach counselors who will travel throughout Lewis County to help people with the emotional aftermath of the flood.

5. **Introduction of Matthew Erlich**. Matthew Erlich introduced himself as the local news editor for The Chronicle.

6. **Introduction of New Deputy Chief for Fire Services**. Randy Hamilton announced that Jerry Boes was selected to replace Bill Cavinder as Deputy Chief for Fire Services effective April 1.

7. **City Council/City Manager Reports**.

a. **Tour of Parks Property and Facilities**. The council agreed to meet and tour city parks property and facilities on April 29 at 3:00 p.m.

b. **Valley View Estates Subdivision Street Overlay L.I.D.** Mr. Campbell stated that the city received a request from Brett and Susan Shepherd, and Ken and Connie VanEgdom, to reconsider the L.I.D. in the Valley View estates subdivision. The letter requested that the steep part of the road remain chip sealed, instead of asphaltting, for traction safety during the winter months. Mr. Campbell explained that staff would like to go to construction as soon as possible because of the warmer temperatures.

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Connie VanEgdom stated that the city should have also received a letter from the post office expressing their concerns about the safety of asphaltting the steep part of the road.

Mayor Spahr asked Ms. VanEgdom if she was asking the city to review how the L.I.D. was assessed to property owners and to be removed from the L.I.D., or if she was asking that the project be changed relating to how far up the asphaltting begins.

Ms. VanEgdom stated that she would like the city to not asphalt the steep part of the hill and to remove her from the L. I. D.

Mayor Spahr stated that it would be difficult to remove anyone from the L. I. D. at this time because everything would have to be deleted and completely started over again.

Ms. VanEgdom stated that she was never asked to sign the petition.

Mr. Paul Dugaw explained that he was the person who drafted the petition that included all Valley View estates. He stated that he did not request signatures from the VanEgdoms on the petition because he had already received signatures from sixty percent of the property owners which is what was needed to initiate the L. I. D. process. He felt that there were only a few days a year in which the hill is difficult to get up, and he did not want to start the process all over again.

Councilor Hatfield agreed that the project should not be put off any longer and should be completed as planned.

Susan Shepherd also expressed concern about asphaltting the steep portion of the hill. She felt that chip sealing that part of the roadway would be safer for the residents.

Following further discussion the council agreed to proceed with the project as planned.

c. **AWC Annual Conference**. Mr. Campbell announced that the AWC annual conference will be held June 11-14 in Pasco. He asked that anyone interested contact the Deputy City Clerk as soon as possible.

d. **Board/Commission Vacancies**. Mr. Campbell reported that staff will be issuing a news release stating that there are currently two vacancies on the Board of Zoning Adjustment. Mr. Campbell stated that anyone wishing to volunteer for this board must be a city resident. Applications can be obtained at city hall.

e. **Meeting Reminder**. Mr. Campbell reminded the council about an elected officials briefing on flood planning in Lewis County scheduled for this evening at 5:30 p.m. at the courthouse annex.

f. **Interim Urban Growth Area**. Mr. Campbell stated that the council GMA subcommittee is submitting revised, proposed revisions to the interim growth areas that must be submitted to Lewis County through the GMA planning process.

Joanne Schwartz and Bob Close, chair of the citizen comprehensive planning task force, reviewed a map showing the proposed interim urban growth areas which are being recommended by the council GMA subcommittee and the citizen comprehensive planning task force. Ms. Schwartz stated that the next step is to hold a public hearing.

Councilor Pope asked if there would be any type of public education for those citizens that might not understand what this issue is about.

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Ms. Schwartz stated that she will discuss that with the city's consultant, Michael Aippersbach, on how to educate the community.

Councilor Pope moved to set May 13 at 3:05 p.m. to hold a public hearing relating to the proposed interim urban growth area. The motion was seconded by Councilor Kirk and carried unanimously.

7. **Executive Session.** Mayor Spahr announced that the council would convene in executive session at 4:05 p.m. for approximately 30 minutes pursuant to RCW 42.30.110(i) - Potential Litigation and 42.30.110(c) Real Estate, and a possible decision could be made following the executive session.

Following closure of the executive session, Mayor Spahr reopened the regular meeting and there being no further business to come before the council, the meeting was adjourned at 4:55 p.m.

April 22, 1996

The Chehalis city council met in regular session on Monday, April 22, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Scott Hamilton, Bud Hatfield, Mattie Kirk, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Sharon Ferrier, Community Services Office Manager; Don Chambers, Code Enforcement Officer; Andy Sennes, Properties Manager; Bob Nacht, Community Development Manager; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included Matthew Erlich of The Chronicle.

1. **Proclamation**. Mayor Spahr read and presented a proclamation designating May 5-11 as Optimist Week of Non-Violence.

2. **Consent Calendar**. Councilor Zylstra moved to approve the April 22, 1996, consent calendar comprised of the following items:

a. Minutes of the regular city council meeting of April 8, 1996;

b. Approval of remodeling of emergency operations center space in the Activity Building for office space using \$7,000 originally budgeted for a storage shed at Hedwall Park; and c. Approval of lease agreement with Civil Air Patrol for use of the basement at the Scout Lodge. The motion was seconded by Councilor Hamilton.

Councilor Hatfield asked if the electrical problem at the Scout Lodge had been corrected.

Joanne Schwartz stated that the problem has not yet been corrected, but it will be.

Councilor Pope asked if the storage shed planned for construction at Hedwall Park is still needed.

Joanne Schwartz stated that it is still needed and will be budgeted for in 1997.

Councilor Kirk asked if there were any ADA problems regarding remodeling of the emergency operations center.

Joanne Schwartz stated that all ADA requirements have been taken care of.

The motion to approve the consent calendar carried unanimously.

3. **Resolution No. 5-96, First Reading - Setting a Public Hearing on May 13 Regarding a Proposed L.I.D. for Installing Sanitary Sewer Lines in the South Jackson Highway Area**. Councilor Hatfield moved to suspend the rules requiring two readings of a resolution. The motion was seconded by Councilor Zylstra and carried unanimously. Councilor Hatfield then moved to adopt Resolution No. 5-96 on first and final reading. The motion was seconded by Councilor Zylstra and carried unanimously.

4. **Ordinance No. 592-B, First Reading - Adoption of Uniform Codes**. Councilor Zylstra moved to pass Ordinance No. 592-B on first reading. The motion was seconded by Councilor Kirk and carried unanimously. The ordinance adopts the 1994 editions of the uniform codes.

5. **Nomination of Hillside District to the National Register of Historic Places**. Mr. Campbell explained that the Chehalis Historic Preservation Commission held a public hearing in regard to placing the Hillside District on the National Register of Historic Places. If approved by the Council today the nomination

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will go to the State Advisory Council on Historic Preservation, and ultimately to the National Register for final review and action.

Dr. Henry Kirk, chair of the city's Historic Preservation Commission reviewed the properties included in the nomination. Dr. Kirk felt the Hillside District would promote tourism in Chehalis.

Councilor Hatfield moved to approve the Hillside District as a historic district for recommendations to the State Advisory Council on Historic Preservation. The motion was seconded by Councilor Kirk and carried unanimously.

6. **City Council/City Manager Reports.**

a. **Community Services Property Tour.** Mr. Campbell reminded the council about the special City Council meeting on April 29 at 2:00 p.m. to tour Community Services properties.

b. **Community Flood Meeting.** Mr. Campbell stated that there will be a community flood meeting on May 1 beginning at 6:30 p.m. at the Centralia College cafeteria.

c. **Potential Storm Drainage Improvement Costs.** Mr. Campbell stated that meetings have been held with residents in the 21st Street area to discuss storm drainage improvements. Public Works staff have calculated potential costs of storm drainage improvements based upon the city's 1990 storm drainage study.

Barry Heid reviewed the potential costs for both the 21st Street area and throughout the city. The cost through a special purpose district for a city-wide project ranged from \$211.50 to \$321.00 per equivalent service unit per year. The costs for the 21st Street area under the same scenario ranged from \$433.00 to \$589.00, however those costs could be lowered with county participation.

Mayor Spahr stated that he has talked with county representatives and they are interested in looking into the storm drainage problems in the south city limits.

The Council agreed that a survey be sent to the residents in the 21st Street area outlining the potential costs for storm drainage improvements to determine the interest of the property owners in pursuing some sort of special purpose district.

d. **Spring Rally Results.** Barry Heid stated that staff collected 90 cubic yards of brush, limbs and tree trimmings. The materials were taken to Hedwall Park and chipped.

e. **FEMA Reconstruction Information Center (RIC).** Bob Nacht reported that FEMA will have an RIC in Lewis County on April 26-28. He explained that this is a motor home that travels to flood-damaged communities offering information and on-site assessment services. They will be in Chehalis on April 27 from 10:00 a.m. to 8:00 p.m. at the old Weyerhaeuser site on Newaukum Avenue near the corner of Elzina Avenue.

f. **New Yard Waste Disposal Service.** Andy Sennes introduced Don Kangas as the new caretaker at Hedwall Park, along with his wife Aileen. He reported that 15 yards of waste were hauled to the vermiculture farm in Centralia. He stated that 90 permits have been sold. He added that wood chips can be picked up at the park free of charge.

g. **Southwest Washington Fair.** Councilor Hamilton reported that the final meeting of the Southwest Washington Fair steering committee was held and is recommending that somewhere down the road a public development agency be formed to explore, more in depth, the economic impact and problems associated with the fair.

7. **Work Session - Code Enforcement/Rental Licensing Inspection Concept.** Bob Nacht stated that there are a number of issues that staff deal with in regard to code enforcement and nuisance abatement. The

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three types of nuisances include animal, general public nuisances, and real property related issues. All types of nuisances are dealt with through the COMPLY system which is the computer program that manages nuisance activities. Mr. Nacht explained how the COMPLY system operates. He added that all nuisances are dealt with based on the Chehalis Municipal Code.

The Council then asked questions about how specific nuisances are dealt with through the system. Mr. Nacht explained what the process was for each situation under existing ordinances and state laws.

Joanne Schwartz added that staff contacted several other cities to determine whether they imposed fees on single family rental homes, and they did not. Some multiple dwelling units were charged a fee under the city's business license ordinance.

Councilor Pope asked if having rental properties is a business.

Mr. Hillier stated that relating to the city's business license application, rental properties have not been considered a business subject to a license. One of the reasons is that the city bases licenses on whether a business is subject to business and occupation taxes. Rental property owners do not pay for such a tax.

The Council agreed that they did not wish to require a license and fee for rental properties.

Councilor Hatfield suggested that all the council members review the existing ordinances and summarize what they would like to see changed or added, then have another work session with staff to review those suggestions.

Tom Guyer, owner of T.J. Guyer, Inc. located at 585 South Market Boulevard, stated that the philosophy of most landlords is to keep the property clean. He asked the Council to understand that landlords have to follow state law and the lengthy processes that go along with those laws when dealing with problems with tenants.

Mike Kuehner of Kuehner-Wallace Enterprises, 111 Boistfort Avenue, stated that some renters will leave a property "in the middle of the night", and leave a mess for the landlord to clean up. He suggested that there be some sort of system to keep track of those types of renters so that when they tried to get service at another location within the City they would have to pay for bills that the landlord incurred. He also suggested that kids who get into trouble and are on work release go around and mow grass that has become a nuisance issue. Mr. Kuehner stated that maybe if the City formed some sort of safety organization to look at unsafe issues its insurance carrier would be willing to give the City a rebate which could be put into a fund to deal with the issues being discussed.

Frank Mason, 215 Glenn Road, a local landlord, expressed concern about the costs of taking materials to the landfill. He stated that many tenants cannot afford to take it there. He suggested that there be some free dump days for tenants and landlords. He also felt there should be a list kept of tenants who move from rental to rental leaving unpaid bills and garbage.

Ethel McGovern, 1747 SW Gails Avenue, stated that Canada has an incentive program whereby if you keep up your property they give you a tax break. She felt maybe that was something to look at here. She stated that she has contacted the Thurston County housing authority about their block grant program to improve properties.

Bob Nacht stated that the Community Services Department does have a block grant program in place for 1996 for low and very low income owner occupied housing and also rental housing that is occupied by low and very low income tenants. He asked that anyone interested in the program, or other programs offered by the Community Services Department, to contact the office for more details.

Mr. Louis Cottriel, president of the Lewis County Rental Owners Association, stated that members of the association are willing to help the City in any way to resolve the problems that have been discussed. He

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stated that he did take offense to Councilor Pope's comment in his rental licensing proposal that being a landlord was an illegitimate business.

Councilor Pope explained that it was only a proposal.

Mayor Spahr suggested that a task force be formed to look at these issues, and that Councilor Pope be the chair of that committee.

Mr. Eric Sandell, 739 Brown Road East, stated that he has several rental properties. He felt that improving rental properties and increasing the rents would get rid of a lot of low income housing.

Ms. Eleanor Wiediger, 247 Lake Creek Road, stated that she has been a landlord for about three years. She explained that she goes through a site evaluation along with the tenant and that seems to help. She stated that she has several requirements that the tenant must agree to before they can move in.

8. **Executive Session Pursuant to RCW 42.30.110(b) and (c) - Real Estate.** Mayor Spahr announced that the council would convene in executive session at 5:25 p.m. for approximately 15 minutes pursuant to RCW 42.30.110(b) and (c) - Real Estate, and no decisions would be made following the executive session.

Following closure of the executive session, Mayor Spahr reopened the regular meeting and there being no further business to come before the council, the meeting was adjourned at 5:40 p.m.

April 29, 1996

The Chehalis city council met in special session on Monday, April 29, 1996, at 2:00 p.m. at the Chehalis Community Services Department. The purpose of the special meeting was to tour parks facilities and properties. Council members participating in the tour included Scott Hamilton, Mattie Kirk, Dr. Isaac Pope, Bob Spahr and Bob Venemon. Staff members present included: Dave Campbell, City Manager; Bill Hillier, City Attorney; Joanne Schwartz, Community Services Director; Sharon Ferrier, Community Services Office Manager; Andy Sennes, Property Manager; Lilly Wall, Recreation Manager; Chris Cruzan, Recreation Assistant; and Dennis Dawes, Deputy Chief for Police Services. Members of the news media in attendance included Matthew Erlich and John Henderer of The Chronicle, and Bill Macky of the Lewis County News. Nancy Batt, Communications Director for the Twin Cities Chamber of Commerce, was also present.

May 13, 1996

The Chehalis city council met in regular session on Monday, May 13, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Bud Hatfield, Mattie Kirk, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Councilor Scott Hamilton was absent (excused). Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Lilly Wall, Recreation Manager; Andy Sennes, Property Manager; Jim Fleming, Wastewater Superintendent; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Hinderer of The Chronicle.

1. **Proclamation**. Mayor Spahr read and presented a proclamation designating May 25 as Buddy Poppy Day. Ken Rollins accepted the proclamation on behalf of Chehalis VFW Post 2200.

2. **Employee Service Awards**. Dan Chitwood was presented an employee service award for five years of service with the Public Works Department.

3. **National Nursing Home Wee**. Mayor Spahr announced that May 12-17 is National Nursing Home Week, and encouraged everyone to stop and visit a local nursing home.

4. **Olympic Relay Torch Recognition**. Mayor Spahr stated that the city received a certificate from the Atlanta Committee for the Olympic Games for the city's involvement and celebration of the 1996 Olympic Torch Relay.

5. **Consent Calendar**. Mayor Spahr announced that Item No. 8, Six-Month Extension for Water and Sewer Capacity Allocation to Kuehner-Wallace Enterprises, would be removed from the consent calendar.

Councilor Pope moved to approve the May 13, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of April 22, 1996;
- b. Minutes of the special city council meeting of April 29, 1996;
- c. April 15, 1996, Claims Vouchers No. 38086 - 38281 in the amount of \$198,582.16; March 29, 1996, Payroll Vouchers No. 29578 - 29740 in the amount of \$412,565.66; Transfer Voucher No. 1402 in the amount of \$988.45; April 30, 1996, Payroll Vouchers No. 29741 - 29987 in the amount of \$376,877.14; Transfer Voucher No. 1403 in the amount of \$580.75; and April 29, 1996, Claims Vouchers No. 38282 38428 in the amount of \$144,922.67;
- d. Appointment of Robert M. Amrine to the Board of Zoning Adjustment to fill the unexpired term of Carol Gilmon expiring December 31, 1997; and
- e. Easement across city property for the benefit of Uhlmann Motors.

The motion was seconded by Councilor Zylstra.

Councilor Hatfield asked if any other applications were received in regard to item "d".

Mr. Campbell stated that no other applications were received.

The motion to approve the consent calendar carried unanimously.

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6. Six-Month Extension for Water and Sewer Capacity Allocation to Kuehner-Wallace Enterprises.

Barry Heid stated that Mr. Mike Kuehner has requested a six-month extension for water and sewer capacity for a residential mobile home park development in the Chehalis Industrial Park because of his inability to complete the project at this time. Staff have reviewed the request and recommend approval since conditions appear to have not changed from the time that the city council originally authorized the capacity, and since past actions of the city council have granted extensions in cases like this where interest was there on the part of the proponent to complete a project but perhaps beyond his control to do so.

Mayor Spahr noted that the original approval of this issue was done on October 23, 1995 and stated in part as follows: ". . . approve the allocation of 30 ERUs of water and sewer capacity to Kuehner-Wallace Enterprises for property located off Maurin Road, contingent upon acquiring the appropriate permits to develop the property and, in the event a mobile home park is permitted on the property, perimeter landscaping/fencing, recreation facility, and school bus access conditions proposed by the Chehalis Planning Commission shall be met by the developer. The approval capacity shall be good for a period of six months from this date and this action shall not be construed to be a precedent for future land use planning decisions in the same vicinity."

Ron Clark, Hardel Mutual Plywood Corporation, 1210 West Bay Drive, Olympia, stated that his company recently purchased the former PPG facility with the intention of expanding operations in a more favorable location for manufacturing. He stated that the primary attraction was the industrial zoning. He also stated that his company hopes to employ 300 people. He expressed concern about a residential development in an industrial area, and stated that his company is strongly against the development.

Mark Giffey, a Port of Chehalis Commissioner, stated that Port taxpayers have invested in water, road and sewer for industrial/commercial use. He felt the area should remain an industrial area because that is what the Port's comprehensive plan states. He stated that the water, road and sewer were built with assistance from the city in obtaining financing from public works trust fund loans which were dedicated to areas that were economically depressed, and especially for industrial/commercial uses. Mr. Giffey questioned whether it makes sense to put high density residential in the middle of a growing industrial park.

Don Dery, Menasha Corporation, 321 Maurin Road, spoke against the proposed residential development. He stated concern about school buses, foot traffic and residents that the development would bring. He stated that his company has had problems with being next to a residential area at their plant in the Centralia Industrial Park. He asked the council to reconsider allowing this development.

Bill Lynn, an attorney for the Port of Chehalis, PO Box 1157, Tacoma, stated that when it comes to extending water and sewer lines outside the city limits, the council has unfettered discretion whether to grant the capacity or not. He felt that anyone would agree that putting a residential development in the middle of an industrial park makes no sense. Mr. Lynn requested that the council deny the request, or, as an alternative, hold off taking any action until all permits are in place.

Bill Lotto of the Lewis County Economic Development Council (EDC), stated that the EDC board of directors has been involved for a number of years in attempting to ensure capability of new industry with possible community benefit, and being sensitive to location to ensure industry impacts on residential areas are kept to a minimum. He added that studies show that industrial areas should not encroach on residential areas.

Kevin Merrick, maintenance manager of Fred Meyer, located at 222 Maurin Road, also spoke against the project. It stated that his company has 24-hour truck traffic at certain times of the year. He expressed concern about additional safety issues that his company would have to undertake if a residential development was approved.

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Mike Kuehner, PO Box 863, Chehalis, stated that the current Chehalis comprehensive plan for the area is zoned residential, not industrial, and the city should have not allowed continued industrial development in a residential area. He stated that if the Port of Chehalis would have followed the law when they built the Fred Meyer facility, they would have been required, as the city requires of all extensions of water and sewer, to adhere to the comprehensive plan of development, this confusion would not have arose. He added that the Port has not done any short platting, and according to a letter in his possession, the Port will not do any more development until they submit to 10-83, the long subdivision plan of Lewis County. Mr. Kuehner stated that he has gone through the correct planning procedures and is only three days away from a planning hearing with Lewis County. He stated that he has made a SEPA application, and was given a decision of non-significance. Mr. Kuehner also expressed concern about the size of the proposed industrial development district (IDD). He stated that if they are allowed this large of an area, the Port will have all of the control as to what is and is not allowed. He added that he believes he has done everything asked of him to this point.

Bill Hillier stated that a Yakima case concluded at the Supreme Court level that cities do have unfettered discretion to grant or deny extension of utilities for any reason. There is no requirement that the city extend services, but there may be legal arguments as to detrimental reliance or other things that may come into play which haven't been brought up at this point.

Councilor Pope expressed concern about mixing residential and industrial uses.

Councilor Hatfield stated that at the October 23, 1995, meeting he voted in favor of granting water and sewer capacity to Mr. Kuehner for his development. However, he now believes the council made a mistake and that residential and industrial areas should not be mixed together. He suggested that sometime in the future that area would be inside the city limits and that he could foresee potential problems.

Councilor Zylstra agreed with Councilors Pope and Hatfield. He moved that the council decline the extension for six months for water and sewer capacity at this time. The motion was seconded by Councilor Hatfield.

Mr. Kuehner reiterated that the subject area is zoned residential according to the Chehalis comprehensive scheme of development, as required by the city's own annexation agreement which states that all development in that area has to follow the comp plan. He stated that he is the only developer in that area that has done thorough planning. Since approval of his extension of utilities, the city has extended a number of units for Port development in direct violation of the city's own annexation agreement. Mr. Kuehner felt that the council voting this down just three days before his hearing before Lewis County was unbelievable and unfair.

Bill Hillier stated that the Chehalis comprehensive plan has nothing to do with the council granting or denying the extension of utilities. It does, if utilities are granted outside the city limits, allow the council the right to put conditions on the extension. He added that the comprehensive plan can be changed at any time.

The motion carried unanimously.

7. Public Hearing - Proposed L.I.D. for Installing Sanitary Sewer Lines in the South Jackson Highway Area. Mr. Campbell stated that three letters have been received against the proposed L.I.D.

Barry Heid stated that due to the small number of participants and the capacity that was being requested, the cost for each unit of capacity was estimated to be \$21,875. The city's bond counsel stated that, based on the appraised value of the properties included in the proposed district, there does not appear to be sufficient valuation to secure the sale of bonds. Mr. Heid requested that the council discontinue efforts to form the L. I. D. at this time.

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Mayor Spahr closed the regular meeting and opened the public hearing at 3:50 p.m.

Daniel Griffiths, 2613 Jackson Highway, spoke against the proposed L.I.D. He stated that the costs are too high at this time.

Lawrence Pankowski, Chehalis Valley Drive, also spoke against the proposed L.I.D. He stated that the costs would be three times the value of his property.

Clarence Avron stated that he would like the proposed L.I.D. to go forward. He stated that the properties are in need of the sewer.

There being no other public comment, the public hearing was closed and the Mayor reopened the regular meeting at 3:55 p.m.

Councilor Hatfield moved that the council direct staff to discontinue efforts to form the L.I.D. The motion was seconded by Councilor Kirk and carried unanimously.

8. **Public Hearing - Proposed Interim Urban Growth Areas.** Joanne Schwartz reviewed the city's proposed interim urban growth areas.

Michael Aippersbach, the city's growth management consultant, explained that under the State Growth Management Act, Lewis County requires that each city submit their proposed interim urban growth areas for county review by June 1. Mr. Aippersbach reviewed the processes that determined what the proposed IUGA would be.

Councilor Pope asked if the boundaries could be changed.

Mr. Aippersbach stated that the proposed IUGA can be amended or changed.

Councilor Hatfield asked until such time that proposed IUGA becomes part of the city, who has the authority and control over that property.

Mr. Aippersbach stated that the city is part of the adoption of county-wide planning policies. The policy states that the county and cities need to come to agreement about how development is going to be handled, and this is done through interlocal agreements.

Mayor Spahr closed the regular meeting and opened the public hearing at 4:07 p.m.

Harold Holloway, 1392 Rush Road, spoke in favor of being included within the city's IUGA.

Clarence Avron spoke in favor of the proposed IUGA if sewer service can be available.

Robert Brown, 255 Crego Hill Road, stated that he owns property on Rush Road. He asked who would have authority over the sewer system in that area.

Mayor Spahr stated that Napavine would probably maintain authority over that sewer system.

Greg Lund, 278 Brockway Road, a local realtor, spoke in favor of the proposed IUGA. He stated that one of the problems that has arisen in various proposed developments near the Rush Road exit is the lack of sewer capacity. He said that a group of people were looking at ways to solve the problem and made great

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strides toward that. He hoped that with adoption of the IUGA, the city and other entities can work toward that goal.

There being no other public comment, the public hearing was closed and the regular meeting was reopened at 4:15 p.m.

Councilor Pope moved to adopt the proposed IUGA for the city and forward them to the county for review. The motion was seconded by Councilor Hatfield and carried unanimously.

9. **Ordinance No. 592-B, Second Reading - Adoption of Uniform Codes.** Councilor Hatfield moved to pass Ordinance No. 592-B on second and final reading. The motion was seconded by Councilor Kirk and carried unanimously. The ordinance adopts the 1994 editions of the uniform codes.

10. **Revisions to Chehalis Comprehensive Plan.** Dave Campbell stated that the council GMA committee saw a need to look at the city's existing comprehensive plan and potentially provide some new clarifying language. The committee felt it was important to recognize the Port's scheme or plan for development in the southeast extension area outside the city limits. The committee recommends that the Planning Commission undertake a review of the existing comprehensive plan and recognize the Port's long range plan as the interim design for development in that area. The Planning Commission's recommendations would be brought back for council ratification.

Councilor Pope moved to direct staff to draft appropriate changes to the city's comprehensive plan to be consistent with goals of the Port of Chehalis comprehensive plan and present them to the Chehalis Planning Commission for consideration and recommendation. The motion was seconded by Councilor Zylstra.

Mike Kuehner stated that the Port of Chehalis has not adopted a comprehensive plan. He found it unbelievable that the city would make a recommendation being aware of that.

The motion carried unanimously.

11. **Bid Award for Rehabilitation of Sanitary Sewer Basins 2051-L and 4006 and Schedule B.** Barry Heid stated that bids were opened on May 8, and the apparent low bidder was J.J. Sprague of Puyallup in the amount of \$900,160.92. Mr. Heid added that J.J. Sprague has done work in the past for the city and staff has been satisfied with that work.

Councilor Hatfield asked how much of the project costs will be paid by centennial clean water grant funds.

Jo Ann Hakola stated that this particular grant is up to 83.6 percent of whatever the bid is.

Councilor Zylstra moved to award the bid for Alternative 2 for rehabilitation of sewer basins 205 1 -L, 4006 and Schedule B to J.J. Sprague in the amount of \$900,160.92. The motion was seconded by Councilor Kirk and carried unanimously.

Councilor Pope asked if there was a limit on how many change orders a contractor can submit during a construction project.

Barry Heid stated that there is not, but there are inspectors who watch for them.

12. **City Council/City Manager Reports.**

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a. **First Quarter 1996 Budget Status Report.** Jo Ann Hakola stated that there was not much abnormal activity. She reported that the city started with a greater beginning fund than was anticipated, but many things this year have already taken that money away including the closure of Sunbirds, labor union contract settlements, costs for flood damage and cleanup, and Darigold prevailing in court on an assessed value challenge that will result in a \$60,000 decrease in property taxes this year.

b. **Joint-Tenant Task Force.** Councilor Pope stated that this committee is meeting every Thursday to discuss housing, licensing and code enforcement. It is hoped that a report will be presented to the council on June 24. The council representatives on this committee are Councilors Kirk, Pope and Zylstra.

c. **Vehicular Nuisances.** Councilor Hatfield expressed concern about certain vehicles throughout the city, particularly vehicles with "for sale" signs in them, vehicles in various states of repair, and junk vehicles sitting around and on private property. He stated that Randy Hamilton explained that current ordinances sometimes do not allow for the abatement of such nuisances on private property. He wondered if the existing ordinances could be reviewed and possibly amended to solve these problems.

Randy Hamilton explained what the city can and cannot do in regard to vehicle nuisances on private property and within the city right-of-way.

Councilor Hatfield stated that he would like to see an ordinance drafted that would give staff more latitude to abate vehicular nuisances.

d. **Proposed Crosswalk on Main Street.** Randy Hamilton stated that a proposed sidewalk on Main Street in front of the Masonic Lodge is being looked at. Staff will meet with members of the Lodge regarding this project.

13. **Executive Session - Pursuant to RCW 42.30.110(c) - Lease/Sale of Real Estate.** Mayor Spahr announced that the council would convene in executive session at 4:50 p.m. for approximately 20 minutes pursuant to RCW 42.30.110(c) - Lease/Sale of Real Estate, and no decisions would be made following the executive session.

Following closure of the executive session, Mayor Spahr reopened the regular meeting and there being no further business to come before the council, the meeting was adjourned at 5:05 p.m.

May 28, 1996

The Chehalis city council met in regular session on Tuesday, May 28, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Scott Hamilton, Bud Hatfield, Mattie Kirk, Dr. Isaac Pope, and Dave Zylstra. Councilor Bob Venemon was absent. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Andy Sennes, Property Manager; Jerry Boes, Deputy Chief for Fire Services; Dennis Dawes, Deputy Chief for Police Services; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Hinderer of The Chronicle, and Bill Mackey of The Lewis County News.

1. **Presentations.**

a. **Employee Service Award.** John Smith was presented an employee service award for five years of service with the Community Services Department.

b. **Certificates.** Mayor Spahr announced that Russ Cox and Monte Marine of the Public Works Department each received certificates for participation in a pavement condition rating workshop. Steve Secrest, also a public works employee, received a certificate for completion in a trouble shooting hydraulic systems course. None of the employees were in attendance.

c. **Certification Recognition.** Finance Director Jo Ann Hakola and Assistant Finance Director Peggy Morant were both recognized as certified government financial managers. Both were presented pins for their achievement.

2. **Consent Calendar.** Councilor Zylstra moved to approve the May 28, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of May 13, 1996;
- b. May 15, 1996, Claims Vouchers No. 38429 - 38612 in the amount of \$141,727.06;
- c. Appointment of Larry Cook to the Parking Commission to fill the unexpired term of Ona Felker expiring September 30, 1999; and
- d. Prospect Avenue water line extension request by Mr. Jim Day.

The motion was seconded by Councilor Hatfield and carried unanimously.

3. **Citizens Business - Request for Reconsideration Regarding Denial of Utility Services.** Councilor Hamilton stated that he has an appearance of fairness issue with this item due to the fact that his employer sold property in question to Mr. Kuehner, and because he serves as an officer on the Chehalis Industrial Commission. Councilor Hamilton left the council table.

Mayor Spahr stated that the GMA committee met this afternoon to discuss this issue and agreed that the Council should postpone action on this item until legal counsel is consulted.

Councilor Pope moved to table the issue until the Council's next meeting. The motion was seconded by Councilor Kirk and carried by a vote of three ayes and two nays. Councilors Hatfield and Zylstra cast the dissenting votes. Councilor Hamilton returned to the table.

4. **Citizens Business - CRSS/CPI.** Mrs. Rose Spogen, 174 Yates Road, addressed the Council regarding the proposed Chehalis Power, Inc. power generation facility. Mrs. Spogen read a letter addressed to the Council in which she explained that she submitted a list of questions to Tom Schneider of Chehalis Power, Inc. on May 20 for his written response, but to-date has not received a reply. She went on to say that over the

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past 20 months there have been many hearings and meetings to discuss the proposed plant and where concerns were pointed out to Lewis County and City officials; developers and investors; every state department, including EFSEC and BPA; and CRSS/CPI. She stated there are still unanswered questions. Mrs. Spogen submitted fourteen questions to the Council in hope that the Council could provide the answers.

5. **Creation of Wastewater Treatment Lead Operator Position.** Mr. Campbell stated that this issue was postponed in the 1996 budget. Since the hiring of a new wastewater superintendent and after his evaluation of the need for the proposed position, staff is recommending that this position be approved.

Barry Heid explained that there has been a tremendous increase in regulations that the City must comply with resulting in additional demands being placed on plant operations. The position would allow staff to address those requirements and still comply with operational requirements at the plant. The position would coordinate and oversee the general operations of the plant and other activities to take some of the burden off the wastewater superintendent. Mr. Heid added that this will not create a new position in that the City will not be hiring a new employee.

Councilor Hatfield moved to approve the establishment of a wastewater treatment lead operator position. The motion was seconded by Councilor Zylstra and carried unanimously.

6. **Proposed LaBree/Hamilton/Rush Roads Utility Extensions and L.I.D.** Barry Heid provided a brief history regarding this issue. He explained that several years ago the Department of Ecology and Lewis County Environmental Health identified a number of wells in the area that were contaminated. Property owners requested permission from the City Council to provide water service to the area. After numerous meetings with staff it was concluded that sewer should also be provided to the area. Mr. Heid added that the concept is in-line with the City's proposed interim urban growth area.

Mr. Heid stated that the City is now in receipt of a petition from Scott Blinks, an attorney acting on behalf of property owners, to form an L.I.D. to fund the improvements. He stated that there is one issue that must be addressed and which is included in the proposal from Mr. Blinks. One of the participants, Tri-Mountain Resources proposes to eliminate the bottleneck on the interceptor sewer (between Interstate Avenue/Bishop Road and Maurin Road) by installing a parallel sewer line to increase capacity in the vicinity of the Industrial Park and Port development area in return for capacity to develop property on the west side of 1-5 east of Bishop Road and north of the Newaukum River.

Mr. Heid noted that another request for water and sewer capacity and utility extensions for property along Rush and Bishop Roads was received several months ago by Mr. Steve Bergstrom. He recommended that the Council refer the issue to the GMA committee.

Councilor Hatfield moved to refer the request to the Council GMA committee for further consideration and report back to the full Council at the next meeting. The motion was seconded by Councilor Pope and carried unanimously.

7. **City Council/City Manager Reports.**

a. **Property "Buy-Out" Program Meeting.** Mr. Campbell reported that a meeting will be held on Thursday, May 30 beginning at 7:00 p.m. at the V.R. Lee Community building to discuss a property buy-out program through the State to buy property from owners in habitual flood areas and allow them to relocate.

b. **American Crossarm Site.** Councilor Hamilton asked about the status of the former Crossarm site.

Mr. Campbell stated that he did not know much more than what appeared in a recent article in The Chronicle in regard to ownership or use of the property.

c. **Kresky Avenue Slide**. Councilor Hatfield asked about the Kresky Avenue slide area.

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Barry Heid stated that staff has been meeting with Washington State Department of Transportation representatives. He explained that the City will receive 100% funding under a federal aid system grant to study the site and determine what needs to be done. He estimated that the site should be cleared and again open to traffic within six months.

d. **Main Street Grant**. Councilor Hatfield asked about the status of the grant application to improve Main Street.

Barry Heid stated that the City has submitted two applications for this project. They have been reviewed, but the City has not been informed about the outcome. Staff have taken steps to try to be prepared in the event the applications are successful.

e. **Various Signalization Projects**. Mayor Spahr asked about the various signalization projects throughout town.

Barry Heid reported that basically all the equipment is up and the signals should be functioning by mid-June.

f. **SW 21st Street Storm Drainage Problems**. Councilor Pope asked about the status of the 21st Street area storm drainage problems.

Barry Heid stated that about 700 surveys were mailed out to property owners from 13th Street south to the city limits. The surveys will be used to determine the interest level of property owners in possible funding the costs of making the necessary improvements to solve the storm drainage problems in the south area of the City.

g. **Resignation of Councilor Scott Hamilton**. Mayor Spahr announced that he received a letter from Councilor Hamilton stating that effective July 1 he will be moving out of his district and will therefore have to resign his position on the City Council.

8. **Executive Session - Pursuant to RCW 42.30.110(i) - Potential Litigation**. Mayor Spahr announced that the council would convene in executive session at 3:35 p.m. for approximately 20 minutes pursuant to RCW 42.30.110(i) - Potential Litigation, and no decisions would be made following the executive session.

Following closure of the executive session, Mayor Spahr reopened the regular meeting and there being no further business to come before the council, the meeting was adjourned at 4:10 p.m.

June 10, 1996

The Chehalis city council met in regular session on Monday, June 10, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Scott Hamilton, Bud Hatfield, Mattie Kirk, Bob Venemon, and Dave Zylstra. Councilor Isaac Pope arrived at 3:03 p.m. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Sharon Ferrier, Community Services Office Manager; Andy Sennes, Property Manager; Jerry Boes, Deputy Chief for Fire Services; Dennis Dawes, Deputy Chief for Police Services; Bob Nacht, Community Development Manager; Rob Gebhart, Fire Captain; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Hinderer of The Chronicle.

1. **Consent Calendar.** Councilor Hatfield asked if Brenda O'Connor was the only applicant for the Board of Adjustment. It was stated that she was the only applicant. Councilor Hatfield then moved to approve the June 10, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of May 28, 1996;
- b. May 30, 1996, Claims Vouchers No. 38612 - 38740 in the amount of \$160,787.21; May 31, 1996, Payroll Vouchers No. 29988 - 30155 in the amount of \$378,655.71; and Transfer Voucher No. 1404 in the amount of \$841.29;
- c. Appointment of Brenda O'Connor to the Board of Zoning Adjustment to fill the unexpired term of Mike Boring expiring December 31, 1999; and
- d. Set date of June 24 at 3:05 p.m. for a public hearing regarding the proposed six-year transportation improvement program for 1997-2002.

The motion was seconded by Councilor Kirk and carried unanimously.

2. **Citizens Business - Lewis County Housing Assessment.** Reverend Ralph Carr presented the results of the Lewis County Housing Assessment. He commended the Council for working for housing for low income people. Reverend Carr explained that a task force was formed after Lewis County and the nine incorporated cities received a \$40,000 grant to do a needs assessment of housing in Lewis County. A final report was completed in December, 1994. The recommendation of the task force was that the County Board of Commissioners authorize establishment of a Lewis County Consolidated Housing Authority, and that the city councils of the incorporated cities and towns be requested to participate by enacting unified enabling legislation and appoint a representative to serve on the consolidated housing authority Board of Directors as authorized by the Housing Authorities Law, RCW. 35.82. Reverend Carr explained what a housing authority is and how it functions. He added that the task force is not asking for any money. The task force believes that since it would be a business it needs to find its own capital to get started, and have the business and entrepreneurial skills to make it go once it gets started.

Mayor Spahr stated that he would like the Council to hold a work session to discuss the issue in more depth.

Councilor Hamilton asked that the City Attorney review the proposed resolutions/ordinances that would formally adopt the housing authority.

The Council agreed to hold a work session following the regular city council meeting on July 8.

3. **Request for Reconsideration Regarding Denial of Utility Services to Kuehner-Wallace Enterprises.** Councilor Hamilton excused himself from the table during this item due to an appearance of fairness issue.

Mr. Campbell stated that the Council received a request for reconsideration regarding denial of an

extension for water and sewer service to property south of town by Kuehner-Wallace Enterprises. The property was intended to be developed as a residential mobile home park. Mr. Campbell explained that the Council, in

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executive session, agreed that the city would provide utility service to the property on the condition that it be developed in an industrial way rather than residential.

Councilor Pope felt there were two issues before the Council. The first being whether or not the Council wished to reconsider its decision to deny utility services, and the second being whether the Council would consider granting utility service to the property if the proposal was for a commercial use.

Councilor Hatfield added that the Council could not approve utility service extensions for an industrial use until the Kuehners submitted a written request. He agreed that the only issue before the Council was whether the Council wished to entertain a reconsideration of the action taken a month ago.

Brenda Wallace-Kuehner, owner of Kuehner-Wallace Enterprises, read a letter to the Council asking for reconsideration regarding the Council's denial of utility services to her property. The letter outlined the history of the issue to-date. In the letter, Ms. Kuehner contended that the proposed project met all the requirements of the Chehalis comprehensive plan. She stated that she did not believe the City should become involved in land use decisions. The letter also stated that our area is in need of low to moderate income housing, and that is what this development would provide. She explained that she is outside the boundaries of the Port of Chehalis, but by not granting utility service, the City is allowing another entity to control her property without having to own it. She stated that if the City does not change their decision to grant a utility extension, her company will have no choice but to litigate with the City in court.

William Lynn, an attorney on behalf of the Port of Chehalis, urged the Council to stay with their decision to deny utility extension to the proposed Kuehner-Wallace development.

Mayor Spahr stated that if the Council wished to reconsider the denial of the utility extension, it should be in the form of a motion. There being no motion, the Council's decision to deny the utility extension stood.

Mayor Spahr explained to Brenda Kuehner that it was not the Council's intention to take away water and sewer capacity from the property. The Council is interested in providing utility capacity to the property, but for an industrial use. If a project that meets the City's land use needs in that area is submitted, the Council would certainly provide water and sewer to the property.

Councilor Hamilton returned to the table, and Councilor Hatfield left the meeting to attend another meeting.

4. **GMA Committee Recommendation on New Utility Extension Request South of Town.** Mr. Campbell reported that during the May 28 Council meeting a request for the formation of an L.I.D. for water and sewer service on the west side of 1-5 near the LaBree/Hamilton/Rush Roads area was presented. The Council referred the issue to the GMA committee for a recommendation. The GMA committee met with proponents of the development and is recommending that the Council approve the concept and ask the proponents to bring more specific details and engineering information back to the City.

5. **Sidewalk Repair Proposal.** Mr. Campbell stated that the City has about \$11,000 remaining from the 1995 curb ramp installation project, and sidewalk repair is one of the Council's moderate priority goals for 1996-97. Staff has come up with four options on how to use the remaining funds.

Barry Heid reviewed the four options identified by staff. He stated that staff's first choice would be to install new sidewalks, with curb ramps, on SW Cascade Avenue from 11th to 12th Streets on both sides (520 feet); SW 13th Street from Market Boulevard to William Avenue on both sides (929 feet); and on SW 13th Street from William to Mills Avenues on the south side (425 feet). The proposal would involve hiring temporary help to perform the work with help from public works employees and equipment.

Councilor Hamilton moved to approve the expenditure of \$1 1,000 to undertake new sidewalk work identified by Mr. Heid. The motion was seconded by Councilor Zylstra and carried unanimously.

June 10, 1996

6. **Hazard Mitigation Grant Program "Buy-Out" Application.** Mr. Campbell reported that over 100 residents of frequently flooded properties attended a public meeting last week to discuss a potential "buyout" approach to reduce flood damage in the community.

Bob Nacht, Community Development Manager, explained that staff surveyed the people who attended the "buy-out" program meeting to determine their interest in the program, and results showed that there is a fair amount of interest. Mr. Nacht went on to explain the many aspects of the program and the long term actions that would have to be undertaken by the City. He added that the project is too preliminary at this point to come up with how much it would cost the City to implement. Mr. Nacht requested that the Council allow staff to send a letter of intent by the June 14 deadline to apply for a hazard mitigation grant.

Councilor Hamilton asked if commercial properties were included.

Mr. Nacht stated that commercial properties are not precluded from the program, but the focus of the program is for residential.

Bill Brumsickle of the Flood Action Council, stated that the goal of the Flood Action Council is to bring together the cities of Chehalis and Centralia, and Lewis County to alleviate flood problems. The Flood Action Council would like to see a feasibility study done and brought back for a vote of the affected people to establish a flood control district to help with the local share of the hazard mitigation program.

Councilor Pope moved to endorse the submittal of a letter of intent to apply for a hazard mitigation grant based upon a buy-out approach to reducing future flood damage and authorize the City Manager to sign the letter. The motion was seconded by Councilor Zylstra and carried unanimously.

7. **City Council/City Manager Reports.**

a. **Washington Surveying and Rating Bureau (WSRB) Status Report.** Chief Hamilton explained that the WSRB is used by the insurance industry as a guide regarding how much premium to charge for fire insurance for residential and commercial properties. Chief Hamilton and Deputy Chief Boes reported on how the Fire Services Division has been responding to the May 1990, WSRB's class 6 (1 being the best and 10 being the worst) grading of the City from a class 5. As a result of the downgrading, a fire service master plan committee was appointed to work on recommendations for improvement in the City's fire rating. The committee's report was adopted by the Council in June of 1993. Since that time, staff have been working to reduce the deficiency points that were assigned by the WSRB in 1990. Chief Hamilton noted that some policy decisions will need to be made during the 1997 budget planning process to facilitate improving the current rating.

b. **Council Goals Quarterly Report.** Mr. Campbell reported on the first quarterly status report on the 1996-97 City Council goals adopted this year. Those goals highlighted included street improvements; a new yard waste disposal service; and sidewalk repairs.

c. **Joint Landlord-Tenant Task Force.** Councilor Pope stated that the task has completed its report and would like to present its findings and recommendations to the Council during a work session. The Council agreed to hold a work session on Monday, July 15 at 3:00 p.m. at the V.R. Lee building.

d. **D.A.R.E. Graduation.** Mr. Campbell reported that there would be a D.A.R.E. graduation tonight beginning at 7:00 p.m. at the Chehalis Middle School.

8. **Executive Session - Pursuant to RCW 42.30.140(4) - Labor Relations, and RCW 42.30.110(e) Real Estate.** Mayor Spahr announced that the Council would convene in executive session at 5:00 p.m. pursuant to RCW 42.30.140(4) - Labor Relations, and RCW 42.30.110(e) - Real Estate for approximately 30 minutes and there may be a possible decision made following the executive session. Following conclusion of the executive session, Mayor Spahr reopened the regular meeting.

June 10, 1996

9. **Non-Union Salary Review.** Councilor Kirk moved to approve the recommended pay range reassignments for non-union positions, making them effective retroactive to January 1, 1996, for the following positions:

Community Development Manager	25E to 26E
Recreation Manager	20E to 21E
Office Manager	16E to 17E
Deputy Chief for Police Services	26E to 28D
Deputy Chief for Fire Services	26D to 28C
Departmental Administrative Assistant - Fire Services	16E to 17E
Municipal Court Administrator	20D to 21D
Assistant Finance Director	22E to 24D
Deputy City Clerk	18C to 19C
Human Resources/Risk Management Director	25C to 26C

There being no further business to come before the council, the meeting was adjourned at 5:25 p.m.

June 24, 1996

The Chehalis city council met in regular session on Monday, June 24, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Bud Hatfield, Mattie Kirk, Dr. Isaac Pope, and Bob Venemon. Councilor Scott Hamilton arrived at 3:01 p.m. Councilor Dave Zylstra was absent (excused). Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Andy Sennes, Property Manager; Jerry Boes, Deputy Chief for Fire Services; Dennis Dawes, Deputy Chief for Police Services; Bob Nacht, Community Development Manager; Lilly Wall, Recreation Manager; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Presentation of Certificates.** Mayor Spahr presented certificates for completion of a forty-hour confined space rescue training course from the Emergency Medical Training Associates to John Chenoweth, Dan Chitwood, Rick Sahlin and Dave Vasilauskas of the Public Works Department.

A certificate of appreciation and city pin were presented to Angela Bear for painting the interior of the community pool as her Girl Scout gold award project. The Mayor thanked Angela for her service to the City.

2. **Consent Calendar.** Councilor Kirk moved to approve the June 24, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of June 10, 1996;
- b. June 14, 1996, Claims Vouchers No. 38741 - 38894 in the amount of \$169,897.35; and
- c. Acceptance of Department of Community, Trade and Economic Development planning and environmental review fund grant in the amount of \$61,5 10, and authorization for City Manager to sign said grant agreement.

The motion was seconded by Councilor Pope and carried unanimously.

3. **Public Hearing - Six-Year Transportation Improvement Program for the Years 1997-2002.** Barry Heid stated that the recommended program only included projects for which funding has been sought and/or which are listed in the current capital improvement plan.

Mayor Spahr closed the regular meeting and opened the public hearing at 3:10 p.m. There being no public comment the public hearing was immediately closed and the regular meeting reopened.

Councilor Hatfield moved to suspend the rules requiring two readings of a resolution. The motion was seconded by Councilor Pope and carried unanimously. Councilor Hatfield then moved to adopt Resolution No. 6-96 on first and final reading. The motion was seconded by Councilor Pope.

Councilor Hatfield asked if items listed on the recommended program that were already in progress or for which grant funding has been obtained could be deleted from the list.

Mr. Heid stated that the Department of Transportation recommends leaving the items on the list through the duration of construction and finalization of the project in case some question comes up.

The motion carried unanimously.

June 24, 1996

4. **Citizens Business - Eleanor Wiediger.** Ms. Eleanor Wiediger, 247 Lake Creek Road, Chehalis, read and presented a letter to the Council regarding her thoughts on City ordinances. She stated that she did not believe current City ordinances were enforceable. She explained that repeated complaints to the City regarding various nuisances are not being resolved. She felt the citizens of Chehalis must do their part to be responsible neighbors in keeping the community a pleasant and inviting place to live.

Mayor Spahr invited Ms. Wiediger to the Council work session regarding the recommendations of the Joint-Tenant Task Force which will be held on July 15.

5. **Citizens Business - Westside Park Playground Project.** Representatives from the Chehalis Rotary Club presented an update on the Westside Park playground project. Bob Close stated that a neighborhood meeting was held at which interested citizens attended, and several volunteered to help with the project.

Rob Grant reviewed the two phases of the project. The first phase will consist of the purchase of bike racks and play equipment for smaller children which should be delivered within the next month. Phase two will consist of a climber and extension of a 30 x 60' basketball court with four new hoops.

Dr. Pope expressed concern about equipment with springs. He felt they may be a safety issue.

Andy Sennes explained that the Washington Cities Insurance Authority has reviewed all of the equipment and it meets all of the consumer product safety guidelines.

Bill Vanderhoeff stated that the equipment has been a joint purchase between the City and the Rotary Club, each contributing \$5,000 for phase one. He noted that some money may be left over from phase one to use for phase two.

Bob Close presented a check in the amount of \$5,000 for phase one of the project. Mr. Close reported that following the neighborhood meeting and after monitoring the type of use at the park, it was realized that children between the ages of 12 and 17 needed to be considered during planning of the project. That is why the expansion of the basketball court with four new hoops is being proposed. This would bring the cost of phase two of the project to about \$10,000. Mr. Close stated that the Rotary Club has agreed to contribute another \$5,000 to the project if the City would match that amount. He added that the project would be completed by the end of October.

Mr. Campbell stated that he would meet with the Finance Director to determine how the City could finance the City's portion and would report back to the Council at the next meeting.

6. **Ordinance No. 593-B, First Reading - Adopting Findings of Facts and Conclusions of the City Regarding Basic Cable Television Service Tier Rates and Equipment and Installation Charges of TCI Cablevision.** Jo Ann Hakola stated that she reviewed FCC Rate Forms 1240 and 1205 filed with the City by TCI Cablevision. The forms include the cost of doing business in Chehalis and the justification for the cable TV rate charges per FCC regulations. She explained that in working with the City's cable TV consultant, Mike Katz, it was determined that the basic service tier rate submitted by TCI is equal to the maximum permitted rate. However, Ms. Hakola reported that TCI was improperly including certain insurance costs within installation costs. Ms. Hakola reviewed the reductions in equipment and installation charges that the City will ask TCI to reduce to comply with allowed costs. She noted that TCI may appeal the order.

Councilor Hatfield moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Pope and carried unanimously. Councilor Hatfield then moved to pass Ordinance No. 593-B on first and final reading. The motion was seconded by Councilor Hamilton. Following Council discussion, the motion carried unanimously.

June 24, 1996

7. **City Council/City Manager Reports.**

a. **Nuisance Vehicle Enforcement.** Mr. Campbell explained that staff was directed to research what could be done to put some more teeth into existing ordinances regarding nuisance vehicles, such as vehicles parked on the street for long periods of time and vehicles with "for sale" signs.

Chief Hamilton reported that he reviewed other cities' ordinances relating to this subject, and felt that Chehalis has a better program than what other cities have. Chief Hamilton stated that the City currently has authority, through City ordinances, to restrict how vehicles are parked on streets (i.e., if they display advertising or display such vehicles for sale, or offer merchandise for sale without a permit, and for washing, greasing, or repairing vehicles except in an emergency). Chief Hamilton requested Council direction on how aggressively the Council would like his department to enforce these types of situations.

Following Council discussion, Bill Hillier recommended that Council direct staff to enforce what is currently on the books. He felt that a majority of the problems discussed could be resolved through enforcement of current ordinances.

Following further discussion, Chief Hamilton suggested that the department could do some emphasis patrols for the next couple of months and report back to the Council.

The Council agreed, and instructed Chief Hamilton to enforce vehicles that remain parked in one spot for longer than 72 hours, or display vehicles for sale in one spot for longer than 72 hours.

b. **Analysis of Street/Sidewalk Grant Match Requirements.** Barry Heid reported that the City has received grants for two street construction projects from the Washington State Department of Transportation. The Main Street project will involve widening portions of the street surface, installing new curbs and sidewalks, incorporating bicycle lanes, overlaying the street (from Market Boulevard to Quincy Avenue), and installation of traffic signals at Main Street and Cascade Avenue. The City's share of the project is \$168,000 of which Lewis County will contribute \$40,000 towards the signalization of the intersection of Main Street and Cascade Avenue. The 20th Street/Salsbury Avenue project consists of the installation of sidewalks and bicycle lanes along 20th Street and a portion of Salsbury Avenue in the vicinity of the Chehalis Middle School and Olympic Elementary School. The City's share of this project is estimated to be \$65,000. He noted that \$15,000 will be funded through the stormwater utility fund. Mr. Heid stated that the 1996 budget includes \$200,000 for street overlays, and ISTE A discretionary funds remain from 1994, 1995 and 1996 in the amount of about \$100,000. He noted that both projects will take place in 1997. Mr. Heid stated that after subtracting all the funds necessary to fund the two projects there is about \$100,000 left. He recommended that those funds be used to overlay a part of National Avenue.

Councilor Hamilton moved to approve the appropriation of remaining ISTE A discretionary funds, and reallocation of currently budgeted street overlay and traffic signal funds, to provide the local matches for the Main Street and 20th Street/Salsbury Avenue projects to be done in 1997, and for a National Avenue overlay project to be done this year. The motion was seconded by Councilor Kirk and carried unanimously.

c. **AWC Conference.** Councilor Kirk reported that she, Mayor Spahr, Councilor Hatfield and Joanne Schwartz recently attended the AWC conference in Pasco. She felt it was a very worthwhile conference and appreciated the City for funding the trip.

d. **Councilor Hamilton's Final Meeting.** Mayor Spahr noted that this would be Councilor Hamilton's last meeting. He thanked Councilor Hamilton for his contributions to the Council over the last few years.

e. **Olympic Trials**. Councilor Pope stated that his son recently competed in track and field events in the Olympic trials in Atlanta, Georgia. He stated that he did quite well the first day, but unfortunately became dehydrated the second day and was unable to participate.

June 24, 1996

8. **Executive Session - Pursuant to RCW 42.30.110(g) - Review of Performance of a Public Employee**. Mayor Spahr announced that the Council would convene in executive session at 4:20 p.m. pursuant to RCW 42.30.110(g) - Review of Performance of a Public Employee for approximately 20 minutes and there would be no decisions made following the executive session.

Following conclusion of the executive session, Mayor Spahr reopened the regular meeting at 5:05 p.m., and there being no further business to come before the council, the meeting was adjourned at 5:05 p.m.

July 8, 1996

The Chehalis City Council met in regular session on Monday, July 8, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Councilors Bud Hatfield and Mattie Kirk were absent (excused). Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Andy Sennes, Property Manager; Jerry Boes, Deputy Chief for Fire Services; Dennis Dawes, Deputy Chief for Police Services; Bob Nacht, Community Development Manager; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Presentation of Plaque to Former Councilor Scott Hamilton**. Mayor Spahr presented a plaque to former Councilor Scott Hamilton in appreciation for his service to the City as Councilor of District No. 3 from November 23, 1992 to June 30, 1996.

Mr. Hamilton thanked the Council, City Manager and staff for all of their assistance during his time as a councilor. He stated that he truly enjoyed the experience, and hoped that he would again have an opportunity to serve on the Council.

2. **Consent Calendar**. Councilor Pope moved to approve the July 8, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular City Council meeting of June 24, 1996;
- b. Award bid for chlorine and sulfur dioxide to All Pure Chemical Company;
- c. Agreement for engineering services with Gibbs & Olson, Inc., in an amount not to exceed \$15,154 for assistance and certification of the City's water system plan; and
- d. Pay Estimate No. 3 in the amount of \$43,740.10 to Triad Mechanical for sewage facility improvements.

The motion was seconded by Councilor Zylstra and carried unanimously.

3. **Request for Additional Funding for Westside Park Project**. Mr. Campbell explained that at the last meeting, representatives of the Chehalis Rotary Club gave an update on the status of their participation with the City in renovation of the Westside Park playground. During the presentation a request was made for an additional match of City funding for \$5,000 to further expand the project to include an improved and expanded basketball court complex.

Jo Ann Hakola explained that after reviewing the financial condition of the City at the end of June she did not feel that the general fund was strong enough to appropriate the additional funds. However, since this project would be an improvement to a City park, she recommended that the funds be taken from the unappropriated balance in the public facilities reserve fund which would require a budget amendment.

Councilor Zylstra moved to amend the 1996 budget for the public facilities reserve fund by reducing the unreserved ending fund balance and appropriating \$5,000 for "Phase II" of the Westside Park improvements. The motion was seconded by Councilor Pope and carried unanimously.

Bob Close of the Chehalis Rotary Club thanked the Council for their support of the project.

4. **National Avenue Overlay Project**. Mr. Campbell stated that at the last Council meeting staff was directed to research costs and funding options to undertake an asphalt overlay project on National Avenue.

July 8, 1996

Barry Heid explained that about \$152,000 is available in excess of the amount of estimated expenditures for already identified projects. He stated that the estimate for the National Avenue overlay project (from West Street to Kresky Avenue) is about \$150,000, excluding a portion which will be included as part of the signalization project at the intersection of National Avenue and Chamber of Commerce Way.

Councilor Zylstra moved to direct staff to prepare specifications and bid documents, and advertise for a National Avenue asphalt overlay project this year, from West Street to Kresky Avenue, to be funded from the sources as identified by staff. The motion was seconded by Councilor Pope and carried unanimously.

5. **Resolution No. 7-96, First Reading - Setting a Date for a Public Hearing to Consider Vacation of a Portion of Street Right-of-Way Adjacent to West Main Street.** Barry Heid explained that the property was turned back to the City from the State after completion of the Main Street interchange. It is adjacent to an area currently being used as a park and ride. It would allow the property owner, Mr. John Panesko, to develop the property.

Following Council discussion Councilor Pope moved to suspend the rules requiring two readings of a resolution. The motion was seconded by Councilor Zylstra and carried unanimously. Councilor Pope then moved to adopt Resolution No. 7-96 on first and final reading, setting a date of Monday, August 12, at 3:05 p.m. The motion was seconded by Councilor Zylstra and carried unanimously.

6. **City Council/City Manager Reports.**

a. **Storm Drainage Improvement Survey.** Barry Heid reported that 770 survey questionnaires were sent to residents from 13th Street to the south city limits. The purpose of the survey was to determine how much interest there would be in property owners helping to pay for some additional storm drainage improvements. He stated that 214 surveys were returned and the vast majority were not interested in any kind of participation. He added that many comments were received which made staff aware of concerns not yet brought forth by property owners.

Councilor Pope asked if there was anything the City could do to help solve the storm drainage problems in the area without property owner participation.

Mr. Heid stated that the City has been installing a number of catch basins, clearing lines and making repairs as necessary to maintain the existing system.

b. **Reminder about Special Council Meeting of July 15.** Mr. Campbell reminded the Council about the special meeting on July 15, at 3:00 p.m. at the V.R. Lee Community Building. Items on the agenda include the findings and recommendations of the Joint Landlord-Tenant Task Force and interview of candidates for the vacant District No. 3 position on the Council.

Mayor Spahr introduced Tony Ketchum, a candidate for the position.

c. **Selection Process for Filling Council District 3 Vacancy.** Mayor Spahr stated that there are three candidates for the vacant position. He recommended that the Council conduct informal interviews during the special meeting on July 15 then discuss the candidates' qualifications in an executive session.

The Council agreed with Mayor Spahr's recommendation.

d. **Centralia Depot Opening Ceremony.** Mayor Spahr announced that the Council has been invited to this event to be held July 9, at 10:00 a.m.

e. **Board of Health**. Councilor Pope stated that he is the City's representative on the Health Advisory Board. He reported that there is currently no chair for the board. Recent discussion has included how to inform the public about health crises such as meningitis and measles outbreaks.

July 8, 1996

Mayor Spahr adjourned the regular meeting at 3:30 p.m. to hold a work session regarding housing authorities.

7. **Work Session – Housing Authorities**. Following a report presented by Rev. Ralph Carr of the Lewis County Housing Task Force regarding the formation of a county-wide housing authority, the Council agreed to hold a work session on this subject.

Joanne Schwartz gave a brief history of how the concept of a housing authority got to this point. She stated that staff recommends the formation of a housing authority with the provision that no City money be expected to help pay for its start-up costs; that the City would have a representative on the board of the housing authority; and that the City would retain the Section 8 program unless and until such time as a mutually agreeable transition plan for its operation is negotiated with the housing authority.

Rev. Carr distributed information on the steps in forming a consolidated housing authority.

Bill Hillier stated that he hoped the Council would not request an ordinance to be prepared at this time. He explained that if the City enacts an ordinance to establish the formation of a housing authority, the City could not continue its relationship with the Mason County Housing Authority. Mr. Hillier stated that the City has already expressed their intent of interest in forming a housing authority through passage of a resolution in February.

8. **Council Meeting Televised**. Mayor Spahr stated that Community Cable TV was present today to film the City Council meeting. He asked citizens who may think this is worthwhile to contact their council representative and let them know.

There being no further business to come before the Council, the meeting was adjourned at 3:50 p.m.

July 15, 1996

The Chehalis City Council met in special session on Monday, July 15, 1996, in the V.R. Lee Community Building at Recreation Park. Mayor Spahr called the meeting to order at 3:00 p.m. with the following council members present: Bud Hatfield, Mattie Kirk; Dr. Isaac Pope, Bob Venemon and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Bob Nacht, Community Development Manager; Dennis Dawes, Deputy Chief for Fire Services; and Jerry Boes, Deputy Chief for Fire Services. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Joint Landlord-Tenant Task Force Findings and Recommendations.** Councilor Pope introduced the subject of the workshop by explaining his request for a license for rental units and discussion of the task force and its members. He indicated the task force had no specific recommendations for the Council. He stated the workshop would begin with staff presentations, information from Reverend Carr on the potential housing authority, and then comments from the public.

Jo Ann Hakola made a presentation on proposed changes to the utility service hook-up procedures. She indicated she had discussed these changes with the City Manager and City Attorney and reviewed the four points of the proposed changes. They are as follows: 1) City will require renters to provide a copy of the rental agreement (or receipt from the landlord if no agreement) to provide utility service to a tenant; 2) City will keep a list of customers who have not paid their final bills and a record of who was responsible for payment; 3) Landlords must certify that all or a portion of the amount they pay for the tenant is not from the deposit they collected; (i.e., it is actually the landlord's expense); and 4) City will collect those final bills from anyone on the list who returns for service and refund it to the previous party that paid the bill, be that landlord or renter.

Mr. Hillier pointed out that item 4 would have a six-year statutory limit.

Council unanimously approved the proposed changes and advised staff to implement the policy necessary.

Bob Nacht discussed nuisances, abatement, and property rights and referred to the synopsis included in the agenda packet. He stated the City must have an invitation to enter the property from the landlord or the tenant before staff could inspect any property. A search warrant is the only other mode of entry, and there must be cause already established to get the warrant. He again reminded everyone that property rights are a large issue when dealing with perceived nuisances and the need for abatement.

Reverend Carr explained the housing needs task force conclusions and the need for a consolidated housing authority. He reviewed the five priorities developed by the task force. He also reassured the public that it was not the intent of the housing authority to compete with landlords or remove their tenants.

Louis Cottriel indicated the Rental Association agreed with the staff report included in the agenda packet.

Eleanor Widieger spoke of her rental agreement, how she helps tenants know how to make a house look occupied, and how she does her own inspections.

Councilor Pope again expressed his desire for a business license for landlords and stated he felt if they were not to be charged, the ordinance should be changed to make them exempt.

Millie Lofberg stated she buys a business license and thinks landlords should too.

Ken Conrad said he was willing to buy a license, but not willing to pay \$100 per rental unit.

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Councilor Hatfield reminded the Council that this meeting was not to pursue a license issue, it was to improve the safety and appearance of rental units. He indicated he didn't think licensing landlords was going to accomplish that. He asked what the task force proposed to improve these conditions?

Bill Hillier indicated that the public needed to be educated about legal remedies that are already in the Landlord/Tenant Act. He suggested that perhaps the proposed housing authority could include tenant education as one of their duties.

Councilor Pope pointed out that the Rental Association is going to try to resolve these issues with friendly negotiations with the landlords.

Louis Cottriel indicated he was willing to try counseling landlords and forming groups to advise tenants and teach them about rights and how to be a good neighbor.

Councilor Pope said he thought the task force was successful because of the educational process for all involved and the utility policy changes. He also felt he already saw some voluntary changes since the articles in the newspaper.

Randy Hamilton stated he would like to see a list of landlords provided to the fire department so they know who to contact in case of emergency. He felt such information would enhance the information the department currently has.

Millie Lofberg stated she thought we needed a law to make people comply with safe homes and nice appearances.

Louis Cottriel stated he did not. The articles have already helped and he feels that more pressure can be put on landlords at the peer level.

Randy Hamilton also encouraged more active community policing or involvement in problem solving. He stated he would like to see more discussion and negotiation between neighbors without the police becoming involved in the dispute.

Mayor Spahr suggested using the Spring Rally to do more clean-up. He thought letting the Rental Association know of the event would allow them to encourage landlords to take advantage of the event. He also thought we should make a point of encouraging clean-up of neighborhoods to make them look nice.

Councilor Hatfield suggested the Spring Rally clean-up be expanded so more could be picked up.

Louis Cottriel asked for a two-week notice on Spring Rally.

Mayor Spahr indicated he thought we needed a bigger splash so people would notice.

Councilor Pope thanked the task force members.

Louis Cottriel told the Mayor to call him anytime and he'll try to help however he can.

Mayor Spahr then closed the workshop and reopened the meeting. He stated the Council would take a fifteen-minute recess to meet the councilmember candidates and, at the end of recess, an interview process would take place.

2. **Council District No. 3 Vacancy - Candidate Interviews.** Mayor Spahr reopened the meeting and stated they would do the interviews in alphabetical order.

July 15, 1996

Gary Best was the first interviewed. In answer to Council questions, he indicated that his time was flexible and he could meet in the evenings also. He thought the Flood Action Council was a good cooperative effort to deal with the issue of flooding. He indicated his personal business was flooded out and ended during February's flood, and he was interested in the flood buy-out program. He also felt that the discharge into the Chehalis River was a big issue for the City.

Council thanked him for his comments, and called Tony Ketchum next.

In response to Council questions, Mr. Ketchum indicated he felt this was a close-knit Council who worked well together with each other and staff. He stated Chehalis was a well-run City and he would like to be another team member. He indicated his time was flexible and that he had Callison's support. He stated he would like to be more involved in flooding solutions, but didn't know any now. He indicated the bumps didn't slow traffic down on Chehalis Avenue and he would like to see speed berms. He thought Chehalis' biggest problem would be budgets, in the area of money and staffing. He also thought this landlord issue would continue, as would flooding issues. He concluded by stating he wanted to serve.

Council thanked him for his comments, and called Bill Logan.

Bill Logan began by asking the Council how much time is involved? Mayor Spahr said you could devote as much time or as little time as you wished, but the Council was looking for someone who would devote as much time as they do. In response to Council questions, Mr. Logan indicated he would be gone about two months in the winter and that he had a trip to Alaska for a few weeks planned also. He felt flooding problems were connected with fill, changing weather patterns, and the three major water sheds all having an overload at the same time. He felt dredging and diking may improve the problem. He also indicated a need for a more advanced warning system. He didn't know of any problems with the City, which indicated to him that something was being done right.

Council thanked him for his comments. Mayor Spahr thanked all three applicants for applying.

3. **Executive Session - Pursuant to RCW 42.30.110(h) - Evaluation of Candidates'** Qualifications. Mayor Spahr recessed the regular meeting and went into executive session to discuss the possible appointment to fill the Council position vacancy. He indicated that there may be action after the meeting is reopened to make the decision on the appointment.

4. **Appointment to Fill Vacancy.** Following conclusion of the executive session, Mayor Spahr reopened the regular meeting. After voting on the appointment, Tony Ketchum was the successful applicant receiving votes from Mattie Kirk, Bud Hatfield, Isaac Pope, Dave Zylstra, and Bob Spahr. Bob Venemon voted for Bill Logan.

There being no further business, the meeting was adjourned.

July 22, 1996

The Chehalis City Council met in regular session on Monday, July 22, 1996, in the Chehalis city hall. Mayor Pro Tem Isaac Pope called the meeting to order at 3:00 p.m. with the following council members present: Bud Hatfield, Mattie Kirk, Bob Venemon, and Dave Zylstra. Mayor Bob Spahr was absent (excused). Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Mark Scheibmeir, Assistant City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Municipal Court Administrator; Andy Sennes, Property Manager; Sharon Ferrier, Office Manager - Community Services; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Swearing-in of Tony Ketchum to Council District No. 3 Position**. Municipal Court Judge Richard Brosey administered the oath of office to Tony Ketchum, who was appointed by the Council during the July 15 special meeting to replace the vacancy left by Scott Hamilton. Councilor Ketchum took his seat at the table and the Council and staff introduced themselves.

2. **Consent Calendar**. Councilor Hatfield moved to approve the July 22, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular City Council meeting of July 8, 1996;
- b. Minutes of the special City Council meeting of July 15, 1996;
- c. June 27, 1996, Claims Vouchers No. 38895 - 39041 in the amount of \$104,408.16; June 28, 1996, Payroll Vouchers No. 30156 - 30363 in the amount of \$410,009.21; Transfer Voucher No. 1405 in the amount of \$141,000; and Transfer Voucher No. 1406 in the amount of \$704.83; and
- d. Change Order Nos. 2, 3, and 4 in the amount of \$23,775.54 to Triad Mechanical for sewage facility improvements.

The motion was seconded by Councilor Zylstra.

Councilor Hatfield asked if there was a target date to start the National Avenue overlay project as discussed in the minutes of the July 8 meeting.

Barry Heid expected that the project should begin about late summer/early fall.

The motion carried unanimously.

3. **Citizens Business - Business Licensing**. Millie Lofberg questioned the Council as to why she is required to purchase a City business license for her small business when landlords do not have to.

Assistant City Attorney Mark Scheibmeir stated that he did not know the answer and was not familiar with the historical reasons for not requiring landlords to take out a business license. He stated that there are several reasons he can think of from a reporting standpoint why they do not, but that he would have to do some research and would contact Ms. Lofberg within the next week.

4. **Potential Athletic Club at Recreation Park Involving Public-Private Partnership**. Mr. Campbell explained that several weeks ago staff began soliciting statements of qualification from individuals or businesses that might be interested in working with the City to provide an athletic club using city-owned property at Recreation Park. He stated that two responses were received.

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Joanne Schwartz stated the next step is to conduct interviews with the two businesses - Hilltop Fitness Center and Thorbecke's Parkside Fitness Center. She requested that two representatives from the Council be on the interview panel. She explained that following the interviews one of the businesses will be selected and would then work with staff to put together a proposal that would ultimately come back to the Council.

Councilors Hatfield and Kirk agreed to be a part of the interview panel.

5. **Consolidated Housing Authority**. Mr. Campbell stated that staff is recommending that the City participate with other cities and Lewis County to discuss the formation of a county-wide consolidated housing authority with the provisions that no City money be expected to help pay for its start-up costs; that the City would have a representative on the board of the housing authority; and a mutually agreed upon plan be negotiated for the transition of the Section 8 program.

Councilor Hatfield moved to direct staff to proceed with the concept of the Lewis County Housing Authority based on the conditions identified by staff. The motion was seconded by Councilor Zylstra and carried unanimously.

6. **Ordinance No. 594-B, First Reading - Establishing a Water Policy Ordinance; Ordinance No. 595-B, First Reading - Establishing a Wastewater Policy Ordinance; Ordinance No. 596-B, First Reading - Establishing a Water Rate Ordinance; Ordinance No. 597-B, First Reading - Establishing a Wastewater Rate Ordinance; and Ordinance No. 598-B, First Reading - Repealing Prior Ordinances Relating to the Water and Sewer Systems Which Are No Longer Needed or In Effect.**

Barry Heid stated that the ordinances presented simply consolidate into four ordinances provisions that currently cover over forty ordinances. He added that it is anticipated that staff will be recommending rate increases during the budget process.

Councilor Zylstra moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Hatfield and carried unanimously. Councilor Zylstra then moved to pass Ordinance Nos. 594-B, 595-B, 596-B, 597-B, and 598-B on first and final reading. The motion was seconded by Councilor Kirk and carried unanimously.

7. **Ordinance No. 599-B, First Reading, - Providing for a Budget Amendment**. Jo Ann Hakola explained that several budget adjustments have been approved by the Council over the last six months, and this mid-year budget amendment would formally take care of those transactions. Ms. Hakola explained what the amendments were.

Councilor Hatfield moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Zylstra and carried unanimously. Councilor Hatfield then moved to pass Ordinance No. 599-B on first and final reading. The motion was seconded by Councilor Zylstra and carried unanimously.

8. **City Council/City Manager Reports.**

a. **Nuisance Vehicle Enforcement Update**. Chief Hamilton stated he had made a comment during the June 24 meeting that staff had authority to cite vehicles parked over 24 hours. However, after further research it appears that the vehicle must be abandoned and parked in an area where parking is not usually allowed.

He stated that the police services division is surveying parking trends to identify the extent of parking problems and to determine how long vehicles are parking on the streets. He noted that it has caused concern in some neighborhoods. He added that no one has been cited. Chief Hamilton stated that staff is about half way through the City and has found that less than two percent of vehicles are parking longer than three days. He

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stated that current enforcement is being taken on vehicles that are in a state of disrepair/inoperable; vehicles that have expired licenses; and vehicles that present a hazard. He noted that this is only being enforced on vehicles parked on the street.

Chief Hamilton stated that staff needs direction in two areas. He asked if the Council wished to have limited time parking in residential areas, and if vehicles with for sale signs and advertising should be cited.

Councilor Hatfield recommended that an ordinance be prepared to allow the police services division the authority to cite vehicles that park in excess of seventy-two hours in a residential area, and that they enforce the current for sale/advertising prohibition on a notified basis.

Councilor Venemon felt that if the Council was going to enforce these types of things there should be a notice in the newspaper to let people know what was happening. He stated that he received many calls from concerned citizens when tires were being marked. He stated that Chehalis is a small community and did not feel that parking in residential areas should be limited.

Mayor Pro Tem Pope stated that these issues must be dealt with through the whole City. He understood that it may cause concern in some areas, but other citizens may appreciate it because they are having problems.

Councilor Zylstra agreed with Councilor Venemon. He felt the Council had more important issues to deal with than how long people park in front of their houses. He said it was something you take up with your neighbor and get it worked out.

Councilor Hatfield stated that some neighbors are not reasonable and there is a problem.

Chief Hamilton stated that one alternative is to implement a cleaning schedule to get vehicles removed from the street. He stated that he would work with the Public Works Department in drafting an ordinance.

b. **Information Kiosk Installed at Lewis County Mall.** Mr. Campbell stated that the Washington Department of Information Services has invited him to speak at a ribbon cutting ceremony at the Lewis County Mall on July 25 for a new information kiosk. Mr. Campbell asked if anyone from the Council would like to speak at the ceremony. Councilor Kirk stated that she would serve as a backup to Mr. Campbell if needed.

c. **Presentation by Councilor Venemon.** Councilor Venemon stated that he recently met with a group of Chinese teachers at the Lewis County Museum during a visit to the United States. He stated that they presented him with a beautiful scarf that he would like to raffle off to one female City employee. Councilor Venemon asked that Councilor Ketchum draw a number. The winner of the scarf was Mattie Kirk.

9. **Work Session - 1997 Budget.**

a. **1996 Mid-Year Budget Status Report.** Jo Ann Hakola stated that revenues and expenditures are where they need to be and holding their own. She noted that sales tax is not growing because of the closure of Sunbirds; Darigold prevailing in court on an assessed value challenge resulted in a \$60,000 decrease in property taxes; and flood reimbursement has not been received yet. She reported that in regard to utilities we are a little low, but this is typical.

b. **1997 Budget Preparation Guidelines.** Mr. Campbell requested guidance from the Council in preparing the 1997 budget. He stated that several assumptions have been made by staff for the preparation of the budget. He added that an overall inflation rate of 3.0 percent was projected to maintain existing service levels. Mr. Campbell stated that projected general fund revenues to be about \$5,760,000 with expenditures

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expected to be about \$5,920,000 yielding a deficit of approximately \$160,000. Mr. Campbell added that when the recommended budget is presented to the Council it will be balanced by one means or another.

Mr. Campbell then explained what the anticipated budget review schedule was and asked the Council to review the issue papers included in the agenda and rate their importance level.

The Council discussed budget-balancing options and reviewed issue papers submitted by staff, ranking them as high, medium, or low priorities.

10. **Executive Session Pursuant to RCW 42.30.110(i) - Potential Litigation.** Mayor Pro Tem Pope announced that the Council would convene into executive session pursuant to RCW 42.30.110(i) at 5:20 p.m.

Following conclusion of the executive session, the Mayor Pro Tem reopened the regular meeting at 5:30 p.m., and there being no further business to come before the Council, the meeting was immediately adjourned.

August 12, 1996

The Chehalis City Council met in regular session on Monday, August 12, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Bud Hatfield, Tony Ketchum, Dr. Isaac Pope, and Bob Venemon. Councilors Mattie Kirk and Dave Zylstra were absent (excused). Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Dennis Dawes, Deputy Chief for Police Services; Jerry Boes, Deputy Chief for Fire Services; Andy Sennes, Property Manager; Bob Nacht, Community Development Manager; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Presentation of Reserve Firefighter of the Year Award.** Chief Hamilton and Deputy Chief Boes presented the 1995 Reserve Firefighter of the Year award to Steve Emrich. Chief Hamilton noted that this is the third year in a row that Mr. Emrich has earned this award. Deputy Chief Boes stated that Mr. Emrich responds to most calls and attends a majority of the meetings and training sessions, and is very deserving of the award.

2. **Consent Calendar.** Councilor Pope moved to approve the August 12, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular City Council meeting of July 22, 1996;
- b. July 15, 1996, Claims Vouchers No. 39042 - 39208 in the amount of \$305,861.84; and July 26, 1996, Claims Vouchers No. 39209 - 39305 in the amount of \$181,461.44; and
- c. Appointments to Planning Commission - Scott Hamilton to fill the unexpired term of Ray Muyskens expiring May 31, 1999, and Judy DeVaul to a four-year term expiring May 31, 2000, replacing Jim Lund.

The motion was seconded by Councilor Hatfield and carried unanimously.

3. **Public Hearing - Vacation of a Portion of Street Right-of-Way Adjacent to West Main Street.** Mr. Campbell explained that a letter against the proposed vacation was received from the only other abutting property owner, and according to state law the public hearing must be cancelled.

4. **Citizens Business.** Rosemarie Hartgrove of Properties of Lewis County, representing Denise Vincent, addressed the council in regard to 62 acres of property on Tauscher Road. Ms. Hartgrove explained that Mrs. Vincent is selling one of the parcels which is 55 acres to Mr. McCormick who was in attendance. She stated that the reason for her addressing the Council was to request that the parcel being purchased by Mr. McCormick be released from the annexation agreement that was signed by Mrs. Vincent since that parcel will not have water service available.

Mr. Hillier stated that no additional water connections are being given in that area, so if the property is divided there wouldn't be service available to the divided-off parcel. Therefore, there is no reason it should be held to the annexation agreement if it cannot receive the service anyway.

Following further discussion Mr. McCormick proposed that if the city desired, he would agree to keep the annexation agreement as-is, and if water does become available he would accept it.

Mr. Hillier stated that that would solve the problem. The sellers agreed to Mr. McCormick's proposal.

5. **Citizens Business.** Mr. Dean Johnson, 554 NW Pennsylvania Avenue, stated that he and his wife, Lorna, are concerned about the proposed on-street parking ordinance changes that have appeared in The Chronicle. He stated that he does not have off-street parking available, and is against this kind of enforcement. He asked exactly what changes were being proposed.

Chief Hamilton stated that a media campaign will be started tomorrow to inform residents what is going to take place. He explained what is currently being enforced. Chief Hamilton added that he is working with

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the Public Works Department to establish a schedule for street sweeping. He assured Mr. Johnson that before a car is impounded, the department tries to contact the registered owner of the vehicle.

The Mayor asked Mr. Johnson to monitor the issue in his neighborhood and report back to the Council if he sees any problems.

6. **Ordinance No. 600-B, First Reading - Repealing Various Ordinances Which Are No Longer Needed or In Effect.** Mr. Campbell stated that the proposed ordinance repeals ordinances which are no longer needed or in effect. He added that the ordinances have either been covered in other ordinances or have been amended, but never repealed.

Councilor Hatfield moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Pope and carried unanimously. Councilor Hatfield then moved to pass Ordinance No. 600-B on first and final reading. The motion was seconded by Councilor Pope and carried unanimously.

7. **Ordinance No. 601-B, First Reading - Establishing a Criminal Code.** Bill Hillier reviewed what updates and changes were included in the proposed ordinance which combines a number of ordinances. He noted that a section relating to incarceration costs was inadvertently left out. He stated that the section will be included in the final reading of the ordinance.

Councilor Hatfield asked if the curfew section included in the ordinance was enforced.

Chief Hamilton stated that there has not been a cause to enforce the curfew, but it is a tool if needed.

Councilor Hatfield moved to pass Ordinance No. 601-B on first reading. The motion was seconded by Councilor Pope and carried unanimously.

8. **City Council/City Manager Reports.**

a. **Councilor Committee Assignments.** Mr. Campbell stated that with the recent resignation of Scott Hamilton, there are now vacancies on various Council committees. He noted that Councilor Kirk has expressed an interest in being reassigned from the solid waste-related committees to the GMA committee.

It was agreed that Councilor Kirk be reassigned to the GMA committee, and that Councilor Ketchum be assigned to the voucher approval committee, the Lewis County solid waste advisory committee and the Lewis County solid waste disposal district executive (advisory) committee.

b. **Visit by Sister City Delegation from Inasa, Japan.** Mr. Campbell reminded the Council that another delegation from Inasa would be arriving in town on Friday, August 16. He invited them to attend the reception for the delegation which is expected to begin around 2:00 to 3:00 p.m., and all of the other activities scheduled for their visit.

There being no further business to come before the Council, the meeting was adjourned at 3:35 p.m.

August 26, 1996

The Chehalis City Council met in regular session on Monday, August 26, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Bud Hatfield, Tony Ketchum, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Bob Nacht, Community Development Manager; Jerry Boes, Deputy Chief for Fire Services; Andy Sennes, Property Manager; Sharon Ferrier, Community Services Office Manager; Betty Hoisington, Community Services Office Clerk/Receptionist 1; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Recognition of Professional Finance Officer Certification to Jo Ann Hakola and Peggy Morant.**

Mayor Spahr recognized Finance Director Jo Ann Hakola, and Assistant Finance Director Peggy Morant for achieving the Professional Finance Officer Certification for 12 and 9 years respectively.

2. **Presentation to the Family of Mattie Kirk.** Mayor Spahr presented an inscribed crystal vase to Dr. Henry Kirk and his daughter Rebecca in memory of former councilor, Mattie Kirk.

Dr. Kirk thanked the Council, staff, and community for their out-pouring of love and support in the passing of Mattie. He also thanked the city for the signs throughout the city saying "In loving memory of Mattie Kirk", and for the flags flying at half-mast. He stated that service to the city meant a great deal to Mattie, and she had the highest praise for her fellow council members and staff. Dr. Kirk stated that one passion of Mattie's was teddy bears. Dr. Kirk and Rebecca presented each council member with a teddy bear from Mattie.

3. **Consent Calendar.** Councilor Zylstra moved to approve the August 26, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular City Council meeting of August 12, 1996;
- b. July 31, 1996, Payroll Vouchers No. 30364 - 30557 in the amount of \$401,877.70; and Transfer Voucher No. 1407 in the amount of \$1,193;
- c. Pay Estimate No. 1 in the amount of \$213,900.37 to J.J. Sprague, Inc. for the 1996 sanitary sewer rehabilitation project; and
- d. Sewer line extensions by Port of Chehalis in Industrial Park.

The motion was seconded by Councilor Pope and carried unanimously.

4. **Ordinance No. 601-B, Second Reading - Establishing a Criminal Code.** Councilor Hatfield moved to pass Ordinance No. 601-B on second and final reading with an effective date of September 3. The motion was seconded by Councilor Zylstra and carried unanimously.

5. **Resolution No. 8-96, First Reading - Setting the Date of September 23, 1996, at 3:05 p.m. for a public Hearing on the Final Assessment Roll for L.I.D. No. 254.** Mr. Campbell stated that the resolution sets the date and time for a public hearing on the final assessment roll for L.I.D. No. 254 - the asphalt overlay of the Valley View subdivision/Prospect Street area.

Councilor Hatfield moved to suspend the rules requiring two readings of a resolution. The motion was seconded by Councilor Zylstra and carried unanimously. Councilor Hatfield then moved to adopt Resolution No. 8-96 on first and final reading. The motion was seconded by Councilor Zylstra and carried unanimously.

6. **Five-Year Strategic Urban Forestry Plan.** Mr. Campbell stated that late last year the city received a grant from the Department of Natural Resources for an urban forestry program. A citizen board was appointed to help guide staff and make a recommendation to the Council with respect to an urban forestry plan.

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Kris Larson, chair of the Urban Forestry Board stated that other members of the board include Adrian Schraeder, John Helm, Stanley Krajewski, and Rick Smith. She also recognized Andy Sennes and Betty Hoisington of Community Services for all of their help. Ms. Larson explained that the board has been meeting since December to try to take forward the goals of the grant. She reviewed the five-year strategic plan as recommended by the Urban Forestry Board.

Councilor Hatfield asked about logging the timber in the Dobson and McFadden Parks.

Andy Sennes stated that that project is being addressed by the Timber Management Committee.

Councilor Hatfield moved to approve the five-year strategic plan and direct staff to implement the projects subject to annual budget appropriations. The motion was seconded by Councilor Zylstra and carried unanimously.

7. **City Council/City Manager Reports.**

a. **Department of Labor & Industries Retrospective Rating Plan.** David Kelly stated that the city has participated in the retrospective rating plan for the past four years and received a maximum refund each year. He stated that this year the city was refunded \$6,733. Mr. Kelly added that he believes this reflects on the good job department heads do in safety training and employees paying attention in what they do each day.

b. **South Puget Sound Foreign Trade Zone Status Report.** Mr. Campbell reported that the South Puget Sound Foreign Trade Zone has officially been declared, through the lead jurisdiction of the Port of Olympia, a foreign trade zone, including property within the Chehalis city limits. With that designation in place, businesses that are interested may take advantage of the designation to help improve their economic position, which in turn may help the local economy. Mr. Campbell explained that promotion and marketing the FTZ will soon begin throughout the region. An administrator has been hired and will be in the area on September 11 to discuss the FTZ. Mr. Campbell expected that \$1,000 to \$2,000 will be needed per agency for the cost of keeping the zone in place on annual basis.

c. **Council District 2 Vacancy.** Mr. Campbell stated that he has prepared a news release to announce the vacant council district 2 position. He stated that if the release was approved by the Council he would distribute it. Interested persons would have until September 13 to apply. The Council would then review the applications during the September 23 meeting. The Council approved the release and application process.

d. **GMA Committee.** Mayor Spahr stated that with the passing of Mattie Kirk there is a vacancy on the GMA committee. He stated that Councilor Hatfield has expressed an interest on serving on the committee.

e. **Proposed Fitness Center at Recreation Park.** Councilor Hatfield asked if staff would like to report on the recent interviews that were held for the potential private-public partnership for a fitness center at Recreation Park.

Mr. Campbell stated that a written report will be provided to the Council at the September 9 meeting, but mentioned that interviews were conducted with Hilltop Fitness Center and Thorbecke's Fitness Center.

Mayor Spahr noted that the executive session scheduled for today was cancelled.

There being no further business to come before the Council, the meeting was adjourned at 3:30 p.m.

The Chehalis city council met in regular session on Monday, September 9, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Tony Ketchum, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Councilor Bud Hatfield was absent (excused). Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Bob Nacht, Community Development Manager; Jerry Boes, Deputy Chief for Fire Services; Andy Sennes, Property Manager; Lilly Wall, Recreation Manager; Dennis Dawes, Deputy Chief for Police Services; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

Mayor Spahr announced that staff has requested an addition to the consent calendar regarding retrospective rating worker compensation insurance that was distributed through the weekly newsletter mailed on September 6.

1. **Employee Incentive Program Award to Chuck Moses.** Chuck Moses explained that the water and technical crews bring water samples to the water plant lab to determine if fluoride is present. This tells them if the water that is standing in a puddle or flowing out of the ground is from a city water line. This test currently takes staff about an hour to perform. Chuck stated that he purchased a vacuum pump at a garage sale for \$10 and rigged it so the test could be performed in several seconds. Chuck was presented with a certificate and \$50 for his great idea.

2. **Consent Calendar.** Councilor Pope moved to approve the September 9, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of August 26, 1996;
- b. August 16, 1996, Claims Vouchers No. 39306 - 39495 in the amount of \$170,853.28; August 30, 1996, Payroll Vouchers No. 30558 - 30748 in the amount of \$403,300.78; and Transfer Voucher No. 1408 in the amount of \$765.20;
- c. Award bid to Lakeside Industries in the amount of \$146,553.60 for the National Avenue overlay project; and
- d. Authorize the city manager to sign the retrospective rating plan agreement in Plan A2 at the MPR level of 1.10.

The motion was seconded by Councilor Venemon and carried unanimously.

3. **NW Division Street Sewer Line Replacement.** John McKerricher, an attorney representing property owners at 431, 441, and 451 NW Division Street, addressed the council regarding the property owners' dispute over staff's position on who has financial responsibility to replace a failed sewer line on that street. Mr. McKerricher stated that his clients feel strongly that the city should be responsible for hooking up from St. Helens Avenue to their homes on NW Division Street at the estimated cost of \$7,600. He added that some of the property owners may be eligible to receive grant funding to help defray that cost according to Bob Nacht. Mr. McKerricher continued, stating that the street was dedicated to the city in 1921, and the oldest home on that street was not built until 1925. Therefore, his clients do not believe that it is their responsibility to replace the sewer line. He stated that Barry Heid contends that the sewer line is private since it crosses private property somewhere. Mr. McKerricher felt that the city does not really know exactly where the sewer lies. He stated that it was his understanding that in all prior cases, the city has paid for the sewer replacement. He concluded by noting that the city's own ordinance states that the cost will be borne by the city for sewer lines running from the curb to the street.

Barry Heid outlined on a map where the city believes the sewer lines run after video taping the area. He stated that there are a number of branches and the system is constructed in such a way to indicate that it was

clearly put in as a side sewer. It is not connected down to the flow line, and there are no manholes which also make it appear to be a side sewer.

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Councilor Pope asked if when a street is dedicated are the utilities underneath also dedicated.

Mr. Heid stated not normally. Many franchises own various utilities and it just depends on what was accepted in the dedication.

Councilor Pope felt that the property owners should not be responsible for replacing the sewer line. He thought they had fulfilled their obligation to the city by replacing their side sewers from their homes to the curb.

Mr. Heid stated that the city has received bids from contractors to replace the sewer line and is also willing to contribute \$3,000 to the replacement project. In addition there is also grant money available through Community Services' CDBG program.

Bob Nacht explained that two of the three property owners have qualified for a 50 % matching grant.

Mayor Spahr asked if the city was to do the project would it then become a city main.

Mr. Heid stated that it would not. If it was to become a sewer main it would require manholes and larger size pipe which raises the cost significantly.

Mrs. Tellevik, 431 NW Division Street, stated that the property owners understand that there is a city budget. She felt the owners have shown effort by applying for the grants, and she hoped that in the time that the council took to discuss this they would find some leniency. She stated that the owners have worked under the guidelines of city ordinances, and Public Works has provided no proof or pictures of any true-to-form system that is actually running under Division Street.

Mr. Ted Held, 451 NW Division Street, stated he never knew it was a private system. He did not feel that he should be responsible for something that was done over sixty years ago and that he was not aware of.

Larry Thurman of Bowers Realty, representing the owners of 441 NW Division Street, mentioned that the Garrett's have moved to Idaho and would appreciate in expediency to get the problem solved.

Councilor Pope moved to defer action on the matter until the council's September 23 meeting so more information could be obtained. The motion was seconded by Councilor Venemon and carried unanimously.

Mayor Spahr suggested that Mr. McKerricher and his clients work with staff on obtaining grant funding to get the project done while staying in the guidelines of city ordinances.

Mr. McKerricher stated concern about future responsibility for the sewer line. He stated that his clients do not want to be responsible for the line.

Bob Nacht noted that the grant program would not be available if the sewer replacement was done as a city project.

4. **Citizens Business - Chuck Haunreiter.** Mr. Haunreiter, 464 N. Market Boulevard, stated that he received a check in the amount of \$112.50 from a client for paralegal services. Immediately after leaving his business, the client went to the Police Department and informed them that she was stopping payment on the check. He stated that he turned the matter over to Bill Hillier's office, but Mr. Hillier refused to prosecute the individual.

Mr. Hillier explained that a 71-year-old woman went to Mr. Haunreiter for services which she felt, as stated in a police report, she did not receive and reported that she felt pressured to pay Mr. Haunreiter. He stated that the police were not aware at that time that she was intending to stop payment on the check, which she has the right to do. He explained that if the city is going to prosecute on a stop-payment, it must prove beyond a reasonable doubt that a person knowingly at the time they stopped payment, they stopped it invalidly. There is no way of proving beyond a reasonable doubt that this was an invalid stop-payment, so he would not prosecute this particular case. He also added that Mr. Haunreiter has civil recourse against the individual.

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5. **Proposed Public-Private Partnership for Fitness Center at Recreation Park.** Mr. Campbell stated that two businesses (Thorbecke's Fitness Center and Hilltop Fitness Center) were interviewed regarding the idea of a proposed public/private partnership to develop an athletic club/fitness center at Recreation Park. It was the conclusion of the interview panel that Thorbecke's Fitness Center was the choice to continue the concept with. There was also a consensus among the interview panel that there should probably be additional public comment and input from Chehalis citizens.

The council agreed to hold a public hearing on October 14, at 3:05 p.m. to provide the citizens of Chehalis the opportunity to comment regarding a potential fitness center at Recreation Park involving a public/private partnership.

Dale Pullin, owner of Thorbecke's, stated that his company wishes to work with the city for a win-win situation. He stated that his intent is to benefit the community and improve services and facilities for the community. He added that if it does not work for everyone, Thorbecke's does not want to be involved in it.

Mayor Spahr invited Mr. Pullin to the public hearing to present his idea to the council and citizens.

6. **Hazard Mitigation Grant Program Project.** Mr. Campbell explained the issue is for a potential grant application for mitigation of future flood damage in selected neighborhoods. Staff held a public meeting which had a large turnout in June. He noted that there was also much interest on a state level. As a result, the city has been limited to \$1.5 million with a maximum of two project applications which must be submitted by October 4. Barry Heid, Joanne Schwartz, and Bob Nacht explained the project chosen by staff which would meet all the eligibility criteria and could actually be funded. The project includes a buy-out of properties in the neighborhood of Shoreline, Cedar, Brace, Georgia, and Florida Streets. This would require a 12½ percent local match (\$174,000) which would come from the water/sewer fund.

Councilor Pope moved to authorize the city manager to submit a hazard mitigation grant application consisting of a "buy-out" of the identified properties in the neighborhood of Shoreline, Cedar, Brace, Georgia and Florida Streets, and approve in concept, the commitment of the 12½ percent local match from the water/sewer fund. The motion was seconded by Councilor Venemon and carried unanimously.

7. **Wetland Mitigation Bank Concept.** Mr. Campbell stated that this concept is a way of using city property to help develop the community, and also to enhance flood control and use of property that could benefit the community in an environmental standpoint.

Bob Nacht explained the wetland mitigation bank concept. The area being considered consists of 66 acres of city-owned property west of National Avenue and south of the fairgrounds. The consensus of the city's management team and planning commission was to make the property available for wetland projects which have Department of Ecology, Army Corps of Engineers, and Department of Fish & Wildlife approval. The developer would be responsible for any specific projects and there would be no costs or liability to the city for the project. Mr. Nacht requested that the council endorse the concept and adopt a resolution for approval.

Councilor Pope asked, other than development, what benefit this was to the city.

Mr. Nacht stated that through an environmental standpoint it allows the creation and enhancement of wetlands in the community. It allows for commercial development in the city which probably could not occur without it.

Councilor Pope felt the city should receive some type of impact money for allowing people to use the land.

Mr. Nacht stated that if the Council wished to have that included it could certainly be part of the program.

Councilor Zylstra moved to authorize staff to draft a resolution for council consideration which designates the city's 66 acres of wetland for mitigation projects subject to DOE, COE, and DF & W approval. The motion was seconded by Councilor Pope and carried unanimously.

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8. **City Council/City Manager Reports.**

a. **Quarterly Report on 1996-97 Council Goals.** Mr. Campbell reported on the 1996-97 council goals and what activities have taken place during the last quarter. He stated that progress has been made on most goals.

Councilor Pope felt that staff should be included during the goal setting session process to provide input to the council. He also suggested that the goals be used during budget planning.

Mayor Spahr mentioned the idea of holding a retreat where the council could sit down and really discuss issues.

b. **Community Visioning Process.** Mayor Spahr stated that a community visioning meeting will be held October 25, beginning at 7:00 p.m., at the V.R. Lee Building in conjunction with the Chamber of Commerce. The meeting is to discuss the city in general and where we are and where we would like to be.

c. **Kresky Avenue Slide Mitigation Work.** Barry Heid reported that a meeting was held with geotechnical engineers, and Lewis County, who is administering the project in some respects. A number of alternatives have been identified costing up to \$1 million. He explained, with the aid of a map, that there are several potential locations for additional slides. Mr. Heid stated that the recommended improvements include roadway ditch cleanout; collect surface water on hillside; fill middle slide bowl with rock; and construct a 6 to 10 foot high "H" pile wall at a cost of about \$282,000, not including associated engineering costs. Mr. Heid noted that the engineering costs would be covered 100 percent through grant funding.

The council concurred with staff's recommendations.

9. **Executive Session.** Mayor Spahr announced that the council would convene in executive session at 4:46 p.m. pursuant to RCW 42.30.140(4) to discuss labor contract negotiations.

Following conclusion of the executive, the Mayor reopened the regular meeting and there being no further business to come before the council, the meeting was adjourned at 4:55 p.m.

The Chehalis city council met in regular session on Monday, September 23, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Tony Ketchum, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Councilor Bud Hatfield was absent (excused). Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Court Administrator; Bob Nacht, Community Development Manager; Jerry Boes, Deputy Chief for Fire Services; Andy Sennes, Property Manager; Lilly Wall, Recreation Manager; Dennis Dawes, Deputy Chief for Police Services; Sharon Ferrier, Community Services Office Manager; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Proclamation - Fire Prevention Week.** Mayor Spahr presented a proclamation to Deputy Chief Boes and Captain Slater proclaiming October 6-12 as Fire Prevention Week.

2. **Employee Service Awards.** Three city employees were recognized for their service to the city. Melody Guenther, Court Clerk, was presented a five-year award pin, and Tracy Paddock received a ten-year pin as Office Clerk/Receptionist II with the Community Services Department. Rob Jenkins was not in attendance, but was recognized for ten years of service with the Public Works Department.

3. **Consent Calendar.** Councilor Zylstra moved to approve the September 23, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of September 9, 1996;
- b. August 28, 1996, Claims Vouchers No. 39496 - 39597 in the amount of \$281,501.31; and September 13, 1996, Claims Vouchers No. 39598 - 39762 in the amount of \$153,424.22;
- c. Request for sewer line extension for property near Downie Road by the Chehalis Industrial Commission; and
- d. Pay Estimate No. 2 in the amount of \$136,996.98 to J.J. Sprague, Inc. for the 1996 sanitary sewer rehabilitation project.

The motion was seconded by Councilor Pope. In regard to item 7, Councilor Pope asked if this request was connected to a previous request.

Barry Heid stated that the previous request was from the Port of Chehalis, this request is from the Chehalis Industrial Commission and are totally unrelated.

The motion to approve the consent calendar carried unanimously.

4. **Final Assessment Roll on L.I.D. No. 254 - Valley View Subdivision/Prospect Street Asphalt Overlay Project.** Jo Ann Hakola reported that the project has finally been completed and a recap of the expenses and the amount of the assessment per lot is included in the agenda report. She noted that there is no change between the original assessment and the final assessment which is \$288.68 per lot.

Mayor Spahr closed the regular meeting and opened the public hearing at 3:07 p.m. There being no public comment the public hearing was closed and the regular meeting was reopened.

Councilor Pope moved to approve the final assessment roll. The motion was seconded by Councilor Zylstra and carried unanimously.

5. **Citizens Business - Chehalis-Centralia Airport Board.** Jerry Otto, representing the Airport Board, addressed the council in regard to a grant offer/agreement from the FAA for the airport. He requested that the city

of Chehalis approve, along with the city of Centralia and Lewis County, an FAA grant agreement which would allow major maintenance work and repairs to be done at the airport.

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Councilor Pope asked about legal responsibility if the grant agreement is not fulfilled by the airport.

Mr. Otto explained that the agreement between the cities of Chehalis and Centralia and Lewis County stipulates that the Airport Board is responsible for the operations and maintenance of the airport.

Councilor Pope asked where the FAA would fit in future decisions relating to the airport.

Mr. Otto stated that since the federal government is a partner in the airport due to contributions it has made, the airport is considered a federal airport under the airport system. Any leasing or developing of the airport are subject to FAA review.

Councilor Pope noted that he has still not received information that he requested from the airport. He stated that he has asked for specific documents that have not been given to him.

Councilor Zylstra moved to authorize the Airport Board to pursue the FAA grant. The motion was seconded by Councilor Venemon and carried unanimously.

6. **NW Division Street Sewer Line Replacement**. Mr. Campbell stated that, at the last council meeting, staff was directed to collect more information on the costs to the property owners affected by the sewer line replacement. In addition, an alternate method will also be presented today.

Barry Heid stated that cost estimates were obtained for replacing the sewer line as a new city sewer main and as a joint side-sewer. He noted that the costs for the latter were significantly less. Mr. Heid stated that based on the estimates and based on precedent that has been established in the past, staff recommends that the city work with the property owners to help facilitate the project, approve city participation in the amount of \$3,000, and provide funding assistance to the qualifying property owners through the CDBG program.

Bob Nacht explained an alternate method and how funding would work under the CDBG program.

John McKerricher, on behalf of the property owners (Garretts, Helds, Telleviks), stated that his clients would like the city to assume any costs, besides the portion from their homes to the street. He noted that tax has not been included in the estimates and his clients are concerned that the actual bids might come in higher than the estimates. He asked the council to consider contributing another \$1,250 to meet those anticipated costs. Mr. McKerricher stated that at the last meeting he gave several reasons the council should fund this project, specifically the wording in the city's own ordinance and the fact that no one is actually sure where the sewer line runs.

Barry Heid reminded the council that if the city were to undertake this project as a city sewer main it would cost a significant amount more. He also stated that the location of the line has been identified and it does cross the road. A videotape is available to anyone who wishes to view it. Mr. Heid stated that there have been previous precedents set supporting staff's recommendation.

Mayor Spahr asked if the city were to assume the responsibility of replacing the line as a side-sewer would the city's cost be the same as the property owners' cost.

Mr. Heid felt the city could not do the project for the same cost because the city would be required to pay prevailing wage rates.

Councilor Zylstra felt that the city should meet the property owners half-way and split the difference of the \$1,250 requested by Mr. McKerricher to meet the costs of taxes and in case the actual bid is more than the estimate, for a total city contribution of \$3,625, and direct staff to pursue all possible grant alternatives. The motion was seconded by Councilor Venemon.

Mr. McKerricher stated that the offer is appreciated, but he felt his clients would rather have the council pay the entire amount.

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Councilor Pope asked whose responsibility it is to know where the sewer lines are. He felt that if the city does not know where they are, they should find out.

Mr. Heid explained that city maps show where the sewer mains run, unfortunately side-sewers were not included until recent years when side-sewer permits began to be issued. He agreed that it is unfortunate that this information is not known.

Councilor Ketchum was concerned about the way the city's ordinance is written. The ordinance states that the property owner is liable from the house to the street, and the city is liable from the street to the main. He was concerned that with the way it is written the city could end up paying for the entire project if the property owners back out of the proposal.

Bill Hillier agreed that the wording in the ordinance is not clear. He stated that there have been prior incidents similar to this case which resulted in what is being recommended with this situation. He noted that the city will have the opportunity to amend the language in the ordinance to clear it up. He did not think that what happens with this situation will affect the city in the future.

The motion as stated by Councilor Zylstra carried unanimously.

Ted Held expressed concern that the actual cost of the project will be more than the estimates.

Mayor Spahr stated that the property owners are welcome to come back to the council after completion of the project to discuss any additional costs.

7. **Resolution No. 9-96, First Reading - Set Date of October 28, 1996, at 3:05 p.m. for a Public Hearing for the Proposed Vacation of a Portion of NW Sitka Street.** Mr. Campbell stated that a request has been received from Mr. Richard Lennox of Cascade Trader, Inc. to vacate a portion of NW Sitka Street. The proposed resolution merely sets the time and date for the public hearing.

Councilor Zylstra moved to suspend the rules requiring two readings of a resolution. The motion was seconded by Councilor Pope and carried unanimously. Councilor Zylstra then moved to adopt Resolution No. 9-96 on first and final reading. The motion was seconded by Councilor Pope and carried unanimously.

8. **Replacement of Fire Service Aerial Truck.** Randy Hamilton explained that the 1960 snorkel was inspected by a commercial vehicle inspection person and was found to have very serious mechanical problems. Although it is operable, it will take in excess of \$100,000 to refurbish the truck. Chief Hamilton stated that the truck is very limited in its use. He explained that the truck is primarily used as a lift to help fight fires, but it can only be used on flat ground, and requires another fire pumper to support it. He added that many changes have occurred over the last 37 years in the fire industry. Chief Hamilton stated that a demonstrator vehicle has been found which will meet the city's future needs, and is available at a substantially reduced price. Chief Hamilton stated that the city must go out to bid for a vehicle, but he felt that no other vendor could bid the snorkel at the same price as the demonstrator vehicle. The truck would be paid for by using a portion of reserve funds and a municipal lease.

Councilor Venemon asked what year the vehicle was.

Chief Hamilton stated that the truck is a 1996.

Councilor Pope asked how many years the vehicle would be expected to last.

Chief Hamilton estimated the truck should carry the city through the next 25 to 30 years.

Councilor Zylstra stated that since this type of vehicle is used so infrequently could the city not establish some sort of sharing agreement with Centralia.

Chief Hamilton stated that the area is actually understaffed with regard to aerial units. This area should have a minimum of 2 to 3 units according to the Washington State Rating Bureau and departmental tactics. He

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noted that sometimes you cannot afford to wait for a second unit to arrive at the scene of a fire. He added that some modifications would have to be made to the bay next to the Police Department to accommodate the new truck.

Councilor Venemon moved to authorize a call for bids for a new fire services aerial apparatus; to authorize staff to use \$250,000 from the automotive-equipment reserve fund for a down payment; and to place the balance on a municipal lease that would require seven annual payments of about \$67,000 to come from the EMS levy and unrestricted general fund money in lieu of the annual contribution to the automotive-equipment reserve fund. The motion was seconded by Councilor Pope and carried unanimously.

9. **William Avenue Development Division III Final Plat Approval.** Mr. Campbell stated that a request for approval of Division III of the William Avenue development is being requested. The developer has complied with all responsibilities for installation of utilities and other public works items, and has made payment for those.

Councilor Zylstra moved to approve the final plat approval for the William Avenue Development Division III and authorize the mayor to sign the necessary documents. The motion was seconded by Councilor Pope and carried unanimously.

10. **City Council/City Manager Reports.**

a. **National Avenue Overlay Project.** Barry Heid reported that the National Avenue overlay project is expected to begin on Tuesday with completion on Thursday or Friday. Work will be taken care of entirely during the evening, but there may be delays and detours.

b. **Market Street Water Main Break.** Barry Heid stated that a water main broke early Sunday morning downtown in front of the St. Helens Inn which caused several problems and affected several citizens. There was sidewalk damage and personal property damage which staff is dealing with, gathering estimates and working with the insurance company.

c. **Community Visioning Meeting.** Mr. Campbell reminded the council about the community visioning meeting scheduled for September 25 at 7:00 p.m. at the V.R. Lee building.

d. **City Council District 2 Vacancy.** Mayor Spahr stated that five applications were received for the position. He stated he would like to conduct interviews with the applicants using about six possible questions from the council and staff. In appointing a new member, Mayor Spahr asked if the council wanted to appoint someone by a simple majority or should the field be narrowed down to two applicants and another vote taken.

The council agreed to conduct interviews on Monday, October 7 beginning at 3:00 p.m. with a location to be announced. The council and staff were asked to submit questions that they would like asked. Six questions will be decided on. A vote would then be taken and the top two applicants would be voted on again.

Mayor Spahr introduced Jewel Palmquest and Jim Shouse, two of the applicants for the council vacancy.

There being no further business to come before the council, the meeting was adjourned at 4:25 p.m.

October 7, 1996

The Chehalis city council met in special session on Monday, October 7, 1996, in the Activity Building at Henderson Park. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Bud Hatfield, Tony Ketchum, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Barry Heid, Public Works Director; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Court Administrator; Peggy Morant, Assistant Finance Director; Dennis Dawes, Deputy Chief for Police Services; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **City Council District 2 Vacancy Interviews**. Mayor Spahr explained the procedure for how the interviews would be conducted. Each interview would last about twenty minutes. The council would then convene in executive session to discuss the candidates' qualifications. The regular meeting would be reopened, and a vote taken. If one applicant received at least four votes he or she would be the winner. If not, another vote would be taken for the top two candidates in the first round of voting.

The first candidate was Mr. Paul Dugaw. He stated that his family has lived in Chehalis since 1903 and this city is very important to him and his family. He added that he appreciated the opportunity to be an applicant for the position. Mr. Dugaw then answered questions from the council.

Mr. Wayne Galvin was the next candidate. He stated he has been a member of the board of adjustment for several years, and has been active in other community affairs. He added that he would like to be part of the solution. He also mentioned that he has been married for forty-four years and has been a Chehalis resident for five years. The council then asked questions of Mr. Galvin.

The third candidate was Mr. Roy Kalich. Mr. Kalich stated it is important for citizens to be involved, and felt that he could represent many different citizens. He stated that he wants to see Chehalis grow and prosper. Mr. Kalich answered questions from the council.

Jewel Palmquest was the fourth candidate. Ms. Palmquest stated that she has been interested in government since high school. She felt she could devote time to the council if appointed. Ms. Palmquest added that she thought all of the applicants were good and would feel comfortable with whoever is chosen. Ms. Palmquest then answered questions from the council.

The final candidate was Jim Shouse. Mr. Shouse explained that he has not been able to participate in community affairs because of his career in the newspaper business. Now that he is retired he would like to give something back to the community. Mr. Shouse was then questioned by the city council.

Executive Session. Mayor Spahr announced that the council would convene in executive session pursuant to RCW 42.30.110(h) at 4:30 p.m. for about ten minutes to discuss the candidates' qualifications. A decision would be made following the executive session.

Appointment of Candidate to District 2 Position. Following conclusion of the executive session, Mayor Spahr reopened the regular meeting at 4:35 p.m. By ballot, the council voted to appoint a candidate to the District 2 position. Mr. Wayne Galvin received four votes from Councilors Hatfield, Pope, Venemon and Zylstra, and Jim Shouse received two votes from Councilor Ketchum and Mayor Spahr.

Mr. Campbell stated that he would see if the municipal court judge would be available to swear-in Mr. Galvin at the council's regular meeting of October 14.

There being no further business to come before the council, the meeting was adjourned at 4:37 p.m.

October 14, 1996

The Chehalis city council met in regular session on Monday, October 14, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Tony Ketchum, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Councilor Bud Hatfield was absent (excused). Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Court Administrator; Bob Nacht, Community Development Manager; Jerry Boes, Deputy Chief for Fire Services; Andy Sennes, Property Manager; Lilly Wall, Recreation Manager; Dennis Dawes, Deputy Chief for Police Services; Sharon Ferrier, Community Services Office Manager; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Swearing-in of Wayne W. Galvin to District 2 City Council Position.** Municipal Court Judge Richard Brosey administered the oath of office to Wayne Galvin who was appointed by council during a special meeting on October 7. Mr. Galvin fills the unexpired District 2 position on the council left by Mattie Kirk.

2. **Consent Calendar.** Councilor Zylstra moved to approve the October 14, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of September 23, 1996;
- b. Minutes of the special city council meeting of October 7, 1996;
- c. September 26, 1996, Claims Vouchers No. 39763 - 39878 in the amount of \$279,976.36; September 30, 1996, Payroll Vouchers No. 30749 - 30949 in the amount of \$403,054; and Transfer Voucher No. 1409 in the amount of \$864.73; and
- d. Pay Estimate No. 4 in the amount of \$22,103.91 to Triad Mechanical for sewage facility improvements.

The motion was seconded by Councilor Pope and carried unanimously.

3. **Public Hearing - Proposed Fitness Center at Recreation Park.** Joanne Schwartz explained that the city was approached last April with a conceptual proposal to develop an athletic club/fitness center at Recreation Park. With council approval, a request for statements of qualifications was sent out. Thorbecke's and Hilltop fitness centers submitted applications to the city. An interview panel was put together and interviews were conducted using a standard rating form. It was the consensus of the panel to select Thorbecke's Fitness Center as the applicant to work with if the city decided to pursue the project. It was then decided to hold a public hearing. Ms. Schwartz stressed that the concept is very preliminary at this stage.

Mr. Hillier added that he is looking into the legal aspects of the use of the property for private purposes. He explained a review of the quit claim deed does provide that there are certain conditions that restrict the use of the property for public park or playground purposes. The penalty for violating that restriction is a reversionary clause that allows the state of Washington to exercise a reverter to take the property back to be used for state purposes. Staff is now communicating with the state to determine if they would be willing to waive that reversionary provision.

Mayor Spahr stated that the council wants to know today if the proposal is a consistent use of the park, and if it goes further and the city negotiates with Thorbecke's what should the city be trying to get from them? Mayor Spahr explained that comments will be taken for, then against the proposal, and that each person would have approximately three minutes to speak. He asked if there were any questions before the public hearing was opened.

A member of the audience asked if it would be appropriate for speakers to state if they are members of one of the clubs.

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Mr. Hillier stated that during a public hearing any information is relevant, but he did not feel that it was necessary in this case.

Ramona Ray, owner of Hilltop Fitness Center, wanted to make it clear that in her statement of qualifications she never intended to take away any of the park. Her proposal was simply to manage the pool.

Mayor Spahr also pointed out that The Chronicle printed an article stating that Thorbecke's would not pay property tax if the project went through. He stated Thorbecke's would be required to pay a leasehold tax instead of property tax which is equivalent to property tax. It is paid to the state instead of the county.

An audience member asked if only city residents would be allowed to speak.

Mayor Spahr stated that the council would take comments from anyone wishing to speak. He then closed the regular meeting and opened the public hearing at 3:15 p.m.

Dale Pullin, owner of Thorbecke's Fitness Center presented his proposal for developing a fitness center at Recreation Park. Mr. Pullin offered some possible benefits to the city, the community, and to Thorbecke's if the facility is built. He then reviewed the proposed layout of the facility and site reconfiguration using visual charts, including the pools, parking, existing trees, and the McKinley Stump. Mr. Pullin added that he is willing to listen and try to address any concerns or issues.

Councilor Zylstra stated that he is a member of Thorbecke's Fitness Center, and also has a potential conflict of interest, so he would not be voting on the issue.

Brian Baker, representing Ramona Ray, spoke against the project. He also noted that he owns three rental properties on 13th Street which are across from Recreation Park. He stated that when Ramona Ray submitted an application to the city and was interviewed by the committee it was with some reservation. She explained that she could not propose such a facility because she already owns a fitness facility in town, and it did not make sense for her to own two facilities. She simply looked at covering the pool so that it could run year-round. He pointed out that Thorbecke's proposal does not address that concept. She also proposed to enter into a management agreement to help facilitate and defray the costs to the city for operating the pool. Mr. Baker then submitted a petition against Thorbecke's proposal with over 600 signatures. He noted that he does not know how many are actually city residents. Mr. Baker stated that other concerns include taking away playing fields, relocating the wading pool, cutting down old maple trees, and removing the McKinley Stump.

Mr. Harold Schwartz, 861 SW 18th Street, read a letter supporting the proposal. Mr. Schwartz wondered how many children actively use the southern triangle of land that is being discussed. He did not feel that anything would be taken away. The wading pool and picnic areas would be relocated, and most trees would remain. He did not see how construction of a fitness facility would detract from preserving the park. He concluded by saying that public/private relationships are being formed on a daily basis and results have shown that privatization has been beneficial to the communities which have been involved.

Mr. Dick Elder, 1418 SW Wilson, stated that he lives about two blocks from the park, and is against the proposal because he can see no benefit to the city or residents by allowing this facility to be built, unless the city is willing to open up any park or public property to any private enterprise. He felt private enterprise should operate on private property.

Chuck Haunreiter, 464 N. Market Boulevard #4, spoke against the proposal. He felt that we need more park space, not less. He stated that it is the most beautiful part of the park and would like to see it enhanced with

more picnic shelters. He also expressed concern about the relocation of the kiddie pool next to a softball field, and increased traffic congestion.

Barb Harrell, 168 SW 12th Street, spoke in favor of the proposal. She explained that her son has to drive clear to Centralia in order to utilize the gym to play basketball. She applauded Mr. Pullin for proposing something that would benefit the young people of the community.

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Darlene Brasher, 18325 Citrus Street SW, Rochester, stated that she is an instructor at Hilltop, but that is not why she is speaking to the council. She stated that she spends about 90 % of her time and money in Chehalis. Ms. Brasher was concerned about parking. She did not feel that 50 spaces would be enough for the type of facility that Mr. Pullin is proposing, adding that she would hate to see park property paved over. She felt there were other ways to deal with the operating of the pool other than entering into a public/private relationship with Thorbecke's.

Larry Cook, 445 SE Washington Avenue, spoke against the project, stating that if there is a problem with funding the pool you have to deal with that problem, and this is not the solution. He would like to see the pool used more than it currently is and volunteered to help on any committee. He also expressed concern about the possibility of losing some of the playing fields.

Lee Johnson, 334 SW 14th Street, stated that he spends time with his grandchildren at the park, and complimented the city with the way in which it keeps its parks up. He could not understand why such a facility should be built on public property, but he noted that fitness is an important issue. He concluded that the city should hold on to any parks that it has.

Jewel Palmquest, 170 SE Adams Avenue, stated her opposition to the proposal. She stated that city parks have been well cared for and all can use them, and she wanted to see that continue. She felt that private business should be on private property.

Tom Attaway, 388 SW 10th Street, stated that he has seen Alexander, McFadden, and Henderson parks disappear. He stated that he was in favor of seeing the swimming pool covered and would be glad to donate money to such a cause. Mr. Attaway stated that current parking is hard to find, and felt that this would increase the parking and traffic problem.

Don Plotz, 888 NW Ohio Avenue, felt that the 13th Street entrance was the nicest one into our city. He thought that the park is not only utilized by city residents, but by travelers going along 1-5 and other Lewis County residents. He would like to see the picnic area enhanced.

Cindy Wilson, 377 Tune Road, supported the proposal. She stated that when she works out at Borst Park her children play at the park, and they also see the benefits of being physically fit. She stated that her son dropped out of school as a Junior because of drugs. He met a trainer at Thorbecke's who inspired him because he had been in the same situation. She stated that her son will be graduating this year. She felt the facility would be utilized by Lewis County residents in the southern and western parts of the county because of a more central location. She thought that it would also be used by students and would be a great benefit to the community.

Elaine Schmidt, no address given, stated that she has seen much development in the area, and she would like to see the city keep what green there is.

Pat Budziszewski, 443 SW 15th Street, felt the park is used a great deal. She thought that taking away any part of the park was wrong. She expressed concern about the traffic and parking that would be created by the facility. She did not want city property used by a private enterprise.

Karen Monroe, 1587 SW William Avenue, spoke against the proposal. She stated that she chose to live in Chehalis a year ago. One of the main reasons her family chose Chehalis over Centralia was because of the parks that were available, especially Penny Playground. She was concerned about the relocation of the wading pool being next to a softball field, along with the increased traffic.

Amber Rose Monroe, six years old, stated that, "she likes the park."

Ramona Ray, owner of Hilltop Fitness Center, stated that this has nothing to do with competition. She felt that she has a good working relationship with Dale Pullin. She hoped that the council would read the over six hundred names on the petition.

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John Smith, 214 Widgeon Hill Road, spoke in favor of the proposal. He felt that the proposal would benefit hundreds of Lewis County residents. He thought the joint partnership of public and private could be successful.

Merle Rolfe, 555 NE Adams Avenue, expressed his opposition to the proposal. He felt the park should be kept green, and that private business should be on private property.

An audience member asked Mr. Pullin about traffic congestion, in an already congested area.

Mr. Pullin stated that at his facility in Centralia usage is normally down by about 50% during the summer months. During the winter usage is increased, so at the time that the park is busiest his facility usage is decreased. He stated that his proposal is to have the entrance/exit onto 13th Street, but this is preliminary and can be readdressed if it is found not to be the best location.

There being no further public comment, the public hearing was closed and the regular meeting was reopened at 4:30 p.m.

Mayor Spahr thanked everyone for coming. He reiterated that this concept is preliminary.

Councilor Ketchum stated that he heard several people say that they would be willing to form a committee to find and raise funds to upgrade and cover the pool. He stated that he would like those set aside for future reference.

4. **Public Hearing - Shorelines Management Substantial Development Permit.** Mr. Campbell stated that the purpose of the public hearing is to comply with the city's shoreline master program adopted 15 years ago. The program requires that the council conduct a public hearing on any substantial shoreline development permit which has a value of over \$500,000.

The location of the development is at 2660 NE Kresky Avenue. The two aspects of the application include: 1) whether there are any impacts of the proposal which would be detrimental to the shoreline if the project was constructed as proposed and in compliance with all applicable regulations; and 2) is there an alternative location for the parking lot which would remove it from the floodway and place it on the opposite (landward) side of the subject building?

Bob Nacht stated that the agenda report has all the information to determine the procedure that the council needs to take with this issue.

Mayor Spahr closed the regular meeting and opened the public hearing at 4:40 p.m.

Scott Homer, a realtor with Remax Key Land Company, representing the proponent (Mr. David Beckman), stated that the property will remain a commercial site. He explained how development of the property will take place in three segments taking fill from one location on the site and placing it in another location on the site, with no outside fill to be used so that water is not displaced on someone else. He did say that some crushed rock will have to be used for constructural fill.

There being no other public comment, the public hearing was closed and the regular meeting was reopened.

Bob Nacht pointed out that the parking area of the project is located within the regulatory floodway, but the building portion is not. Therefore there are a number of critical regulations that will apply to one part of the project but not the other part. Mr. Nacht asked for council approval on the application.

Councilor Zylstra moved to approve the application and variance with the following conditions: 1) the stormwater management system shall be subject to Department of Ecology approval; 2) the surface elevation of the parking lot shall be no higher than the existing topography unless a corresponding reduction in elevation is accomplished elsewhere on site within the floodplain for the same surface area; and (3) compensatory excavation within the floodway for all filling activity, including parking lot construction, shall exceed the

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calculated volume of fill by at least 10% to allow for landscaping, vegetation, etc. The motion was seconded by Councilor Venemon and carried unanimously.

5. **Citizens Business - Port of Chehalis.** Heidi Pehl, manager of the Port of Chehalis invited the council to a public hearing to be held Tuesday, October 15 at 5:30 p.m. at the Activity Building at Henderson Park. The purpose of the hearing is to accept public comment on the Port's consideration of expanding its industrial development district no. 1 boundaries, or creating a contiguous industrial development district.

6. **Ordinance No. 602-B, First Reading - Approving and Confirming the Final Assessment Roll for L.I.D. No. 254.** Mr. Campbell stated that the ordinance is a follow-up to a public hearing held on September 23. It would approve and confirm the assessment roll for L.I.D. No. 254. Mr. Campbell noted that no objections to the assessment roll were heard at the hearing.

Councilor Zylstra moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Pope and carried unanimously. Councilor Pope then moved to pass Ordinance No. 602-B on first and final reading. The motion was seconded by Councilor Zylstra and carried unanimously.

7. **Ordinance No. 603-B, First Reading – Granting a Nonexclusive Franchise to Worldcom Network Services Regarding Fibercable Communications.** Dave Campbell stated that the proposed ordinance would grant a nonexclusive franchise to Worldcom Network Services to install fibercable for the purposes of telecommunications.

Bill Hillier stated that Worldcom plans to install about 240 feet which is representative of three railroad crossings. The franchise ordinance is required in the event that if Worldcom is accessing their cable on city property, the city wants to be able to control how it is done.

Councilor Zylstra moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Pope and carried unanimously. Councilor Pope then moved to pass Ordinance No. 603-B on first and final reading. The motion was seconded.

Councilor Ketchum asked what areas will be affected.

Mr. Hillier stated that he believes the company will be going along the east side of the Burlington Northern right-of-way from the north to the south city limits.

The motion carried unanimously.

8. **City Council/City Manager Reports.**

a. **Chehalis River Water Right Extension.** Mr. Campbell stated that the city has a water right on the Chehalis River that supplies the city's secondary intake for drinking water. Last spring the city had to address the

expiration of that water right by applying for an actual certificate to finalize the permit. A response from the Department of Ecology stated that they are not willing to certificate that permit for 15 cubic feet per second, but instead to give the city another extension.

Barry Heid spoke about DOE's reasoning for not certificating the permit, and added that the extension is for a 10-year period.

b. **Special Council Meeting for November 4 to Review 1997 Recommended Budget.** The council agreed to hold a special meeting at 3:00 p.m. on November 4 to review the 1997 recommended budget. The location of the meeting would be determined at a later date.

c. **Councilor Committee Assignments.** Mr. Campbell stated that there is a vacancy for the city's representative to the Lewis County Historical Museum Board. Councilor Galvin volunteered to fill that position.

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d. **Introduction.** Bill Hillier introduced Wendy Tornow Mickelsen, a new attorney in his office. Mr. Hillier stated that Wendy recently passed the bar and will be sworn in during a ceremony tomorrow evening. Ms. Mickelsen will be taking over prosecution for the city, among other duties.

e. **Christmas Decorations.** Mayor Spahr stated that he was approached by the Chamber of Commerce regarding Christmas decorations. Those that have been used over the years have become so deteriorated that they are no longer usable and have become a hazard. The Chamber would like the city to match \$3,000 so that new decorations can be bought.

Mr. Hillier suggested that service clubs be contacted to see if they are interested in participating. Mr. Hillier volunteered to be responsible for taking on the task of contacting the local clubs to see if they would like to make a contribution.

Joanne Schwartz thought the downtown merchants should also be contacted since they are the ones who actually benefit.

There being no further business to come before the council, the meeting was adjourned at 5:15 p.m.

November 4, 1996

The Chehalis city council met in special session on Monday, November 4, 1996 at the Activity Building at Henderson Park to review the recommended 1997 annual budget. Mayor Spahr called the meeting to order at 3:00 p.m. with the following council members present: Wayne Galvin, Bud Hatfield, Tony Ketchum, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Court Administrator; Jerry Boes, Deputy Chief for Fire Services; Dennis Dawes, Deputy Chief for Police Services; Sharon Ferrier, Community Services Office Manager; Bob Nacht, Community Development Manager; Andy Sennes, Property Manager; and Lilly Wall, Recreation Manager. Members of the news media present included John Henderer of The Chronicle.

Dave Campbell provided an overview of the 1997 recommended budget and future issues the council will need to address such as GMA planning, water filter plant capacity expansion, and response to the NPDES permit and requirements.

The first presentation was made by Bill Hillier. He indicated the only change in the city attorney's budget was an increase in his contract price, the first in six years.

Becky Fox discussed the municipal court budget, indicating that the professional services increase was due to caseload. She also pointed out that the repair and maintenance category had decreased due to the use of state owned equipment and the new computer maintenance contract.

Jo Ann Hakola stated there was no real change in the finance department budget other than the salary increases due to reclassifications and labor contract requirements.

David Kelly pointed out that his budget has decreased in the area of supplies, but had increased due to the CDL drug testing requirement and his salary increase.

Dave Campbell discussed the city council budget, indicating there was very little change. He also discussed the non-departmental budget. There was discussion about the Chamber of Commerce espresso stand lease and how the money was spent by the Chamber. Mr. Campbell indicated the lease needed to be renegotiated, and asked the council if they would like to discuss the item during a future meeting. Council consensus was that they would.

Dave Campbell also discussed the city manager's budget, stating that there was little remarkable about his budget this year. His salary is increasing due to the provisions of his contract.

Dave Campbell stated the Tourism Fund had no change in the appropriation level. Current revenues are used in total for current expenditures. There is a small cash reserve.

Dave Campbell also discussed capital outlay. Arterial street is increasing the most, due to state grants and construction projects for next year. There is also money budgeted in the water-sewer fund for the replacement of the water main line on Main Street (part of the arterial street overlay funds). The automotive/equipment reserve fund remained at the same level as 1996.

Councilor Hatfield asked how much it would cost to overlay Washington Avenue from Cascade to National? Dave Campbell indicated staff would research the issue and report back to the council on the cost.

Joanne Schwartz and Bob Nacht made a presentation on the community services budget. They brought up three issues that had not been addressed in the current budget. Bob indicated that the land use technician that was presented as an issue paper was not included in the budget. He indicated the department could not be proactive on land use issues without this position, only reactive.

Bob Nacht then discussed the fact that the housing assistance fund is no longer able to fully fund the administrative costs of the program. He stated we could receive sanctions from HUD for non-compliance if

work is not done on time. He and Joanne indicated they would negotiate with Mason County the issue of administrative funds since the employee is now doing administrative work by modem for the county. They also
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indicated they would be speaking with Centralia regarding funding. However, in the interim, they would like the council to budget sufficient funds to continue full funding of this division.

They then discussed the need for a code inspection specialist position. This position was again presented in the issue papers, but not included in 1997 recommended budget. Bob indicated this person would do building and fire code inspections. If this position is not funded, it will be necessary to eliminate enforcement of non-essential code violations. Council indicated an interest in exploring the issue and seeing if funding could be found to add this position.

Joanne Schwartz asked them for direction on the Section 8 housing position. Council indicated a desire to use grant repayment funds to cover this year only.

Councilor Galvin made a motion to use grant repayment funds in the amount of \$3,000 to continue fully funding housing assistance. Further discussion indicated the actual amount needed could be between \$3,000 to \$5,000 depending on HUD guideline changes. Councilor Galvin withdrew his motion. Mayor Spahr suggested the costs be defined and brought to the council at a later date.

Randy Hamilton stated his departments had cut their budgets to minimum levels due to budget constraints this year. The only actual increases were in contractual salary increases. He indicated that the fire budget was higher in a few categories, but lower overall. He also stated that he felt inspection fees of \$4,000 to \$5,000 would be generated as new revenue if the code inspection specialist position was added.

Dennis Dawes made quick report on the parking commission fund, stating that everything remained status quo.

Barry Heid indicated the street department budget was at a bare bones level, with not much opportunity for local discretion on how funds may be spent. The arterial street shows the largest increase due to grant funds and construction projects. The water-sewer fund did not replace the technical services manager, but created an office manager position and added an office clerk/receptionist position, thus providing some salary savings. He also indicated the water division would be replacing the water main line on West Main and replacing various pieces of equipment. The sewer division has wastewater treatment plant repair as well as more sewer rehabilitation work and various equipment replacement. The storm & surface water fund is status quo.

Barry advised the council he was working on a rate study of water and sewer charges to see what impact the various projects and mandates the city faces will have. He suggested that perhaps timed implementation would have a smaller impact on rates.

Dave Campbell asked the council to confirm if the issues for future discussion included: renewal of the sub-lease on the Chamber of Commerce espresso stand; establishing the cost of overlaying NE Washington; explore finding \$20,000 more funding for the code inspector specialist; and the possibility of fully funding the housing assistance program. Council concurred those were the remaining issues.

Randy Johnson also appeared before the council and requested funding for CCTV. He stated they would provide more than council meeting coverage. They would cover events, Chamber of Commerce speakers, parades, and other public affairs presentations. He indicated he had a firm belief in the value of public broadcast TV. He stated he was requesting \$8,000, and felt the issue was about educating the public.

There being no further input, the meeting adjourned at 5:10 p.m.

October 28, 1996

The Chehalis city council met in regular session on Monday, October 28, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Wayne Galvin, Bud Hatfield, Tony Ketchum, and Bob Venemon. Councilors Isaac Pope and Dave Zylstra were absent (excused). Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Court Administrator; Andy Sennes, Property Manager; Dennis Dawes, Deputy Chief for Police Services; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Consent Calendar.** Councilor Hatfield moved to approve the October 28, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of October 14, 1996; and
- b. Pay Estimate No. 3 in the amount of \$221,407.70 to J.J. Sprague, Inc. for the 1996 sanitary sewer rehabilitation project.

The motion was seconded by Councilor Venemon and carried unanimously.

2. **Public Hearing - Vacation of a Portion of Right-of-Way at the Easterly End of NW Sitka Street.** Barry Heid stated that the city received a request from Richard Lennox of Cascade Trader, Inc. to vacate the easterly end of NW Sitka Street so the property can be developed. He stated that the city does not have any infrastructure except for a waterline. Mr. Lennox has agreed to raise the elevation of the waterline to meet city standards. Mr. Heid stated that staff supports the vacation.

Councilor Venemon stated that there are several houses in that area.

Barry Heid explained that only the very end of the street is being requested to be vacated, so the homes will not be affected.

Mr. Hillier stated that the homes are owned by Mark Giffey who has stated that he has no objections to the vacation.

Mayor Spahr opened the public hearing at 3:05 p.m. There being no public comment the public hearing was closed and the regular meeting was reopened.

3. **Ordinance No. 604-B, First Reading - Vacating a Portion of Right-of-Way at the Easterly End of NW Sitka Street.** Councilor Hatfield moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Venemon and carried unanimously. Councilor Hatfield then moved to pass Ordinance No. 604-B on first and final reading. The motion was seconded by Councilor Venemon and carried unanimously.

4. **Citizens Business – Dale Pullin.** Mr. Dale Pullin, owner of Thorbecke's Fitness Center, addressed the council regarding his proposal to develop a fitness center at Recreation Park. He expressed his gratitude to the council for their time and consideration, and although he believes public-private partnerships will become more common place, he would be withdrawing his proposal. He added that he would like to keep the lines of communication and negotiation open, as he plans to return to the council with a project that is acceptable to both the city and public.

5. **Citizens Business - Ramona Ray.** Ms. Ramona Ray stated that she would be addressing the council on behalf of herself and Hilltop Fitness Center to set the record straight. She read a letter to the council to be entered into the minutes and which was also being sent to The Chronicle. The letter read as follows:

"I would like to set the record straight. In the Saturday, October 12 edition of The Chronicle,

John Henderer reported that Ramona Ray and Hilltop Fitness Center had proposed to build a fitness club in Recreation Park in Chehalis. Upon reading this article, I called John in an

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effort to straighten out what I supposed was a mistake. John informed me that he had gotten the story directly from the report of a Chehalis city council meeting. I attended the next city council meeting and again I heard a report being given that I had proposed to build a fitness club in the same park in Chehalis. Citizens of Chehalis, I want you to know - I love Chehalis too much to do such a thing. Recreation Park is the only truly family recreation park within the city limits, at least that has a swimming pool. Now, I would like to see the existing pool covered so that we could use it year round and have swim meets and competitions during school sessions. The proposal I put before the committee was to take over the management of the pool and run it in a very economical manner, and to look into covering the pool. Apparently, I was not taken seriously. The committee chose to cut the trees, pave the green grass picnic area -- allow a metal building to be built and citizens charged to use it. As a result, there is a *Save the Park/Cover the Pool Committee* forming. Frankly, I'm proud to be a member of a community that rallies for such a cause to save their park where kids can play, and parents and kids can enjoy together."

Councilor Hatfield stated that he was at the committee meeting, as was Mayor Spahr, when he suggested that the committee defer any action until such time as the public was invited to come to a meeting and express their opposition, or their being in favor of such an idea. The committee made no motion to cut trees, pour asphalt, pour concrete, or anything of the kind. The motion was to refer Mr. Pullin's proposal to the entire citizenry through a public meeting in front of the council on October 14. He added that in defense of Ms. Ray, she never made a proposal to do anything other than to take over pool operations and advocate the idea of covering the pool.

Mr. Pullin asked what the meeting was for then?

Councilor Hatfield explained that the meeting was to receive and review proposals.

6. **Citizens Business - Randy Johnson, CCTV.** Mr. Randy Johnson of CCTV asked for the council's consideration on funding CCTV. He pointed out some of the values of CCTV, stating that the broadcasting of council meetings and other local events and activities are important to the community. Mr. Johnson requested \$8,000 to broadcast six Chehalis council meetings.

Mayor Spahr invited Mr. Johnson to the special council meeting on November 4 at which time the council will review the recommended 1997 annual budget.

Councilor Hatfield felt the amount of money per meeting was high.

Mr. Johnson felt it was hard to place a value on broadcast television, and added that it is something to give back to the subscribers.

Mayor Spahr commented that he has not heard from his constituents that the city should be spending money on cable television. He added that he is not against CCTV, stating that the more people can see the better off they are. Mayor Spahr stated that he would like to hear from the citizens.

Councilor Hatfield added that the 1997 budget is tight and there will not be a lot of discretionary funding available, so \$8,000 is a lot of money right now.

Councilor Galvin stated that there needs to be more advertising about when programs will be on. Right now you don't know when something is scheduled to air.

Mr. Johnson stated that that takes money, but CCTV will start advertising scheduling on an hourly basis.

7. **Citizens Business - Gail Haberstroh.** Ms. Haberstroh addressed the council about Recreation Park. She thought that since there was such a division on the issue of a fitness center, the council should allow the people

to vote, and include people who are not in the city limits because there are many Lewis County residents who use the park. She also stated that a committee has been formed to look at covering the pool.

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Mayor Spahr asked the committee to work with the Community Services Department because they need to be involved throughout the process.

8. **Telephone System Replacement.** Jo Ann Hakola explained that specifications were sent to seven vendors and four proposals were received. Two of the proposals were more expensive and expansive than the city could afford or actually needs right now, so the two local vendors were looked at. The systems from WarMur Electric and Rakoz Electric were comparable and had some of the same attributes, but after review by the management team and some revised bids, it was Rakoz Electric's bid that came in a little lower.

Councilor Hatfield asked if the 1997 recommended budget was in balance.

Ms. Hakola stated that it was, and added that the telephone system is being funded with 1996 funds.

Councilor Hatfield stated that just because something is budgeted does not mean that it must be funded.

Ms. Hakola stated that the current telephone system is having failures, so this is not necessarily a voluntary change.

Councilor Hatfield moved to approve purchase of the telephone system proposed by Rakoz Electric in the amount of \$49,194. The motion was seconded by Councilor Ketchum and carried unanimously.

9. **City Council/City Manager Reports.**

a. **Third Quarter 1996 Budget Status Report.** Jo Ann Hakola reported on the third quarter 1996 analysis of revenues and expenditures.

Councilor Ketchum asked about flood reimbursement money.

Ms. Hakola stated that a majority of the money has been collected.

b. **Meeting Reminders.** Mr. Campbell reminded the council about the new comprehensive plan public meeting on October 28 at 7:30 p.m.; the special council meeting to review the recommended 1997 budget on November 4 at 3:00 p.m. at the Activity Building; and the next regular city council meeting on a special date of Tuesday, November 12 at 3:00 p.m. due to the Veterans Day holiday.

c. **Tri-Agency Meeting.** Mayor Spahr stated that the city of Centralia would like to hold a tri-agency meeting regarding the airport.

Councilor Hatfield suggested that the mayors of Centralia and Chehalis, the chairman of the Lewis County Commissioners and the airport board chairman meet. If it is determined that another meeting is necessary with the full councils then that can be arranged.

Mr. Campbell stated that he would contact Craig Nelson, Centralia city manager, to get more specific information on the purpose of the meeting.

There being no further business to come before the council, the meeting was adjourned at 3:45 p.m.

November 12, 1996

The Chehalis city council met in regular session on Monday, October 12, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Wayne Galvin, Bud Hatfield, Tony Ketchum, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Court Administrator; Jerry Boes, Deputy Chief for Fire Services; Dennis Dawes, Deputy Chief for Police Services; Jim Fleming, Wastewater Superintendent; Bob Nacht, Community Development Manager; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Certificate of Achievement to Paul Campbell.** Mayor Spahr and Melani Case, Lewis County Recycling Coordinator, presented Paul Campbell with a certificate of achievement as the Olympic Elementary overall school winner in the Recycle Week 1996 essay contest, "Tame the Paper Tiger." Paul, the son of City Manager Dave Campbell and Pat Campbell, was also honored with several gifts and had lunch with Mayor Spahr. Paul then read his essay to the audience.

2. **Consent Calendar.** Councilor Pope moved to approve the November 12, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of October 28, 1996;
- b. Minutes of the special city council meeting of November 4, 1996;
- c. October 15, 1996, Claims Vouchers No. 39879 - 40052 in the amount of \$375,233.79; October 28, 1996, Claims Vouchers No. 40053 - 40178 in the amount of \$463,595.84; October 31, 1996, Payroll Vouchers No. 30950 - 31109 in the amount of \$376,984.47; and Transfer Voucher No. 1410 in the amount of \$701.31;
- d. Reappointment of John McKerricher to the Planning Commission for a 4-year term expiring September 30, 2000;
- e. Agreement for engineering services with Gibbs & Olson for the Main Street waterline replacement project; and
- f. Agreements for engineering services with Gibbs & Olson for the Main Street reconstruction project and the Salsbury/20th Street improvement project.

The motion was seconded by Councilor Zylstra.

In regard to items "e" and "f", Mayor Spahr asked why the hourly rate schedules differed from project to project for the same employees.

Barry Heid suggested that it may be because the employees that are working on one project are not working on the other projects. He stated that he would contact Gibbs & Olson for an explanation.

Councilor Pope amended the main motion to delete items "e" and "f" from the consent calendar. The motion was seconded by Councilor Hatfield and carried unanimously.

The main motion, to approve items "a", "b", "c", and "d" on the consent calendar, carried unanimously.

3. **Public Hearing - Recommended 1997 Annual Budget.** Mr. Campbell explained that the purpose of the hearing was to receive public comment on the 1997 budget. The council held a work session last week to review the recommended budget and heard from a number of staff regarding different aspects of the budget. Mr. Campbell stated that the agenda report includes responses to questions that came up during the work session that he would discuss following the public hearing.

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Mayor Spahr closed the regular meeting and opened the public hearing at 3: 10 p.m.

Paulette Kotter, Executive Director of the Lewis County Museum, thanked the council for their past support. She explained that the \$3,000 that the city contributes to the museum is very important to its operations since only 20% of the museum's funding comes from local governments. The other 80% is raised by the museum itself. Ms. Kotter mentioned some of the benefits and attractions of the museum, and asked the council to consider raising its contribution to \$5,000.

Mayor Spahr explained that funding for the museum comes from hotel/motel taxes, and at this point that source, at \$15,000, is already allocated.

There being no other public comment, the public hearing was closed and the regular meeting was reopened at 3:15 p.m.

Councilor Venemon felt that the museum is important.

Mayor Spahr agreed that the museum is an integral part of the downtown, but he didn't know where additional funding could come from.

Mr. Campbell discussed the four issues that were brought up at the work session. The first issue related to the sub-lease of a portion of city property which the Twin City Chamber of Commerce leases along Chamber of Commerce Way for an espresso stand, which expired at the end of October. During the work session the council asked if the lease money that is collected, which now goes back to the Chamber, could be dedicated to holiday decorations for the downtown area.

Councilor Hatfield stated that he would like to see that the lease proceeds be used for holiday decorations.

Richard DeBolt, Executive Director of the Chamber, stated that the Chamber would also like to see that money used for Christmas decorations, but they do have some concerns. They would like the city to be responsible for putting up and taking down the decorations because the Chamber cannot accept responsibility or liability for them. He added that there are service clubs willing to help with this responsibility.

Councilor Hatfield stated that his comments did not include the city being responsible for the decorations, but it is something that the city can take a look at down the road.

Mr. DeBolt asked if the city were to dedicate the lease proceeds to Christmas decorations would that mean that they could not use the proceeds for the upkeep of Chamber property as they have in the past.

Councilor Hatfield stated that the lease payments could not be used for that purpose if the council dedicated those funds to holiday decorations.

Mr. Campbell stated that a new sub-lease agreement would have to be negotiated and a memorandum of understanding created to make those changes.

The second issue was the estimated cost for an asphalt overlay on a portion of Washington Avenue from Cascade to Division Street at an estimated cost of \$27,000.

Mayor Spahr stated that funding could be made available by reducing other expenditures, including the ending fund balance in the general fund, the arterial street fund, or the public facilities reserve fund.

Councilor Hatfield moved to amend the budget to use \$27,000 from the public facilities reserve fund for an asphalt overlay of Washington Avenue from Cascade to Division Street. The motion was seconded by Councilor Zylstra.

Mr. Hillier stated that the council action should be to modify the recommended budget for consideration by the council.
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Councilor Hatfield withdrew his motion and moved to recommend that the council modify the proposed budget to include the asphalt overlay of Washington Avenue from Cascade to Division Street with \$27,000 from the public facilities reserve fund. The motion was seconded by Councilor Zylstra.

Councilor Pope asked what this would do to the public facilities reserve fund.

Jo Ann Hakola explained that it would decrease the fund and there probably wouldn't be money for projects the next year. She noted that the fund has been taken from \$859,000 down to \$244,000.

Mayor Spahr felt that that is what the fund was for.

The motion carried unanimously.

Issue three was the creation of a new full-time code inspection specialist position at a cost of about \$40,000. Funding could be made available by reducing other expenditures, including the ending fund balances in the general fund, the 1982-90 CDBG fund, and/or the HUD block grant fund; or by increasing revenues available to those funds.

The council discussed where funding for this position could be taken from, and if it was wise to fund a position with no guarantee where future funding would come from. The council also discussed a property tax increase, but agreed to think about this issue further and discuss it again at their next meeting.

The issue related to limited funding for the housing assistance program due to limitations from outside funding sources. It is estimated that there will be a shortage of \$3,000 to \$5,000 to pay for a full-time position in that program. Funding for the position could come from reducing other expenditures, including the ending fund balance in the general fund, the 1982-90 CDBG fund, or the HUD block grant fund; or by increasing revenues available to those funds.

Joanne Schwartz stated that staff has been talking to the Mason County Housing Authority discussing various options, and a meeting is scheduled for December 10 to negotiate additional funding from them.

Following discussion, the council agreed to hold off on this issue until more information is available.

Mr. Campbell stated that the budget and property tax ordinances would be presented at the next council meeting.

4. **Ordinance No. 605-B, First Reading - Establishing a Wastewater Policy Ordinance.** Mr. Campbell stated that the proposed ordinance is to amend language to clarify the responsibility for side sewer repairs. All other language contained in the current ordinance would remain the same.

Councilor Hatfield moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Pope and carried unanimously. Councilor Hatfield then moved to pass Ordinance No. 605-B on first and final reading. The motion was seconded by Councilor Zylstra and carried unanimously.

5. **Resolution No. 10-96, First Reading - Declaring Certain City Property to be Surplus.** Mr. Campbell stated that the proposed resolution declares certain city property from the Community Services Department to be no longer useful to the city and staff would like to declare it surplus and sell it at an auction.

Councilor Hatfield moved to suspend the rules requiring two readings of a resolution. The motion was seconded by Councilor Galvin and carried unanimously. Councilor Hatfield then moved to adopt Resolution No. 10-96 on first and final reading. The motion was seconded by Councilor Zylstra and carried unanimously.

6. **City Council/City Manager Reports.**

a. **New NPDES Permit.** Mr. Campbell announced that the city received a new NPDES permit for the wastewater treatment plant. He stated that steps have been taken to defend the city against new onerous conditions of the permit, including hiring legal counsel between the cities of Centralia and Chehalis, and November 12, 1996

Darigold which are commonly affected in some ways by the new permit which is based on the TMDL study that DOE released a couple of years ago. Staff has not completed its review of the new permit, but a report will be given about possible consequences of it.

Barry Heid presented costs related to alternatives that the city may be faced with, and he added that there are significant, potential impacts to the city should the permit stand as currently written. Mr. Heid provided a more detailed review of the permit and the TMDL study, and the reasons that staff believe that the study is not justified.

Councilor Hatfield asked what would happen if the city did not meet the new permit requirements.

Mr. Heid stated that the city could be fined.

Mr. Hillier added that the permit could be revoked, or an injunctive order could be issued to keep the city out of the river.

b. **Meeting Reminder.** Mr. Campbell reminded the council about the new comprehensive plan public meeting on Thursday, November 14, at 7:30 p.m.

7. **Executive Session - Pursuant to RCW 42.30.140(4).** Mayor Spahr announced that the council would take a short break and then convene into executive session at 4:25 p.m. to discuss labor contract negotiations for about 20 minutes, and there would be council action taken after the executive session. Following conclusion of the executive session, the Mayor reopened the regular meeting at 4:33 p.m.

8. **Firefighters Union Contract.** Councilor Hatfield moved to approve the contract with the firefighters union and authorize the city manager to sign a new three-year contract with the union. The motion was seconded by Councilor Venemon and carried unanimously.

Councilor Hatfield congratulated Chief Hamilton, Deputy Chief Boes, and David Kelly for a successful negotiation process with the firefighters union.

Chief Hamilton stated that thanks should go to Deputy Boes and David Kelly for their outstanding efforts.

There being no further business to come before the council, the meeting was adjourned at 4:35 p.m.

November 25, 1996

The Chehalis city council met in regular session on Monday, November 25, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Wayne Galvin, Bud Hatfield, Tony Ketchum, Dr. Isaac Pope, Bob Venemon, and Dave Zylstra. Staff members present included: Dave Campbell, City Manager; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; Becky Fox, Court Administrator; Jerry Boes, Deputy Chief for Fire Services; Dennis Dawes, Deputy Chief for Police Services; Jim Fleming, Wastewater Superintendent; Peggy Morant, Assistant Finance Director; Bob Nacht, Community Development Manager; Andy Sennes, Property Manager; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Wastewater Treatment Plant 5-Year Safety Award.** Mayor Spahr presented Jim Fleming a plaque from the Pacific Northwest Pollution Control Association recognizing the wastewater treatment plant's safety record of five years without a loss time accident.

2. **Introduction of New Employee.** Andy Sennes introduced Ryan Chaney to the council. Mr. Chaney is a new property maintenance worker with the Community Services Department.

3. **Employee Service Award.** Mayor Spahr presented a 10-year service award pin to Deputy City Clerk Caryn Foley.

4. **Consent Calendar.** Councilor Zylstra moved to approve the November 25, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of November 25, 1996;
- b. Adjustment of John McKerricher's term expiring date on the Planning Commission from September 30, 2000, to May 31, 2000, to be consistent with other members of the commission;
- c. Set date of December 9 for a meeting with representatives of Woodland Estates Retirement Center to discuss their request to annex property to the city;
- d. Adjustments to employee rules and regulations to provide granting leaves of absence, on a case-by-case basis, for Civil Air Patrol, Search and Rescue, volunteer firefighting, and donating blood;
- e. Agreements for engineering services with Gibbs & Olson, Inc., for the Main Street reconstruction, Salsbury Avenue/20th Street improvement, and Main Street waterline replacement projects; and
- f. Pay estimate no. 4 in the amount of \$78,085.79 to J.J. Sprague, Inc., for the 1996 sanitary sewer rehabilitation project.

The motion was seconded by Councilor Galvin.

Councilor Pope stated that he had questions about item "d".

Mr. Campbell stated that the proposal would allow employees to take time off without having to take compensation time or holiday time to fulfill opportunities for volunteering.

Councilor Pope stated that those are volunteer organizations so why should the city be obligated to pay employees for volunteering.

Councilor Hatfield asked if there would be limits on how long an employee could be gone.

Mr. Campbell stated that the department head would determine what would be acceptable.

Councilor Hatfield asked about the city's policy on jury duty.

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Mr. Hillier stated that jury duty is covered under state law and is a duty. Employees must be paid their regular rate of pay, but they are required to return pay that they receive from being a juror.

Councilor Pope moved to amend the main motion to delete item "d" from the consent calendar. The motion was seconded by Councilor Hatfield and carried unanimously.

In regard to item "e", Councilor Ketchum asked who sets the engineering budgets.

Mr. Campbell explained that the budgets are set by an agreement between the city and the engineering firm. The engineers propose a budget which is brought to the council for consideration.

The main motion to approve items "a", "b", "c", "e", and "f" on the consent calendar carried unanimously.

5. **Citizens Business - Dissolved Oxygen Problem in the Chehalis River**. Mr. Corky Smith, representing Boone Electric and Air-Aqua addressed the council about problems in the Chehalis River. He stated that he knows of a company that is innovative in solving problems like those with the Chehalis River. He felt that there is a short-term solution to fix the river at costs which are much cheaper than what will be paid if requirements from the Department of Ecology must be met. He felt the city needs additional time to figure out a solution, and other communities along the river should be included since the whole river is involved. He asked if the city staff, engineers, and the city attorney would like to meet with representatives of Boone Electric and Air-Aqua to discuss their plan in detail.

Mayor Spahr stated that the council would be interested in meeting with the parties. He asked Mr. Smith to contact staff to arrange a meeting.

6. **Consent Calendar Items "d" and "e"**. Councilor Hatfield brought up item "d" on the consent calendar again. He pointed out that the agenda report was broken into two different requests - one being blood donation leave of absence. He stated that he had no problem with employees being able to take time to donate blood. Councilor Hatfield moved to amend section 14 of the employee rules and regulations to approve a leave of absence for employees to donate blood with specific approval being granted on a case by case basis by the supervisor depending on the needs of the city. The motion was seconded by Councilor Venemon and carried unanimously.

Councilor Hatfield also asked for an explanation of a question that was brought up at the last meeting. It was asked why there were different hourly rates in the engineering services agreements with Gibbs & Olson for the same job positions.

Barry Heid explained that the Department of Transportation requires that overhead and fixed cost charges to be separated from salary costs for DOT's bookkeeping processes. Typically, those costs are calculated all together.

7. **Ordinance No. 606-B, First Reading - Determining and Fixing the Amount of Revenue to be Raised by Ad Valorem Taxes; and Ordinance No. 607-B, First Reading - Adopting the 1997 Budget**. Mr. Campbell stated that new versions of both ordinances were distributed to the council. He explained that the ordinances which were included in the agenda packet had numbers from last year's budget.

Councilor Zylstra moved to pass Ordinance No. 606-B on first reading. The motion was seconded by Councilor Hatfield.

Mayor Spahr asked what the 1996 property tax was.

Mr. Campbell stated that the current rate is \$2.3127 per \$1,000 of assessed value. The proposed 1997 budget is set at \$2.245.

Mayor Spahr noted that there are still two items in the recommended budget that need to be addressed. Those include a full-time code inspection specialist and a full-time housing assistance administrator. Mayor

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Spahr stated that a memo from the finance director indicates that if the council was to levy the same property tax rate as in 1996 (\$2.3127) it would bring in \$23,566 in additional revenue beyond what is budgeted. That \$20,000, along with \$20,000 from the CDBG fund could be used to fund the code inspection specialist position.

Councilor Pope thought the code inspection specialist position was needed, but he did not like the idea of funding a position with grant funds. There is no guarantee to the employee that they will have the position the next year, and he did not feel that was fair.

Councilor Hatfield moved to amend Ordinance No. 606-B by setting the property tax rate at \$2.3127. The motion was seconded by Councilor Zylstra.

Councilor Pope asked if the levy rate would cover the code inspection specialist position.

Mr. Campbell stated that it would not. Funds would also have to come from some other source.

The motion to amend Ordinance No. 606-B carried unanimously.

Councilor Hatfield then moved to appropriate \$20,000 for the code inspection specialist position, and \$3,566 for the housing assistance administrator position from the additional revenue from the property tax levy, and that the balance of the code inspection specialist be funded through the 1982-90 CDBG fund. The motion was seconded by Councilor Galvin.

Councilor Pope asked how long the grant funds would be in existence.

Mr. Campbell stated that it depends on how quickly they are spent. There is currently a reserve in the CDBG fund of \$124,000.

Councilor Pope again expressed his concern about filling a position when you cannot guarantee that the position will be funded the following year.

The motion carried by a vote of 6 ayes and 1 nay. Councilor Pope cast the dissenting vote.

The main motion to pass Ordinance No. 606-B, as amended, carried unanimously.

Councilor Hatfield moved to pass Ordinance No. 607-B on first reading. The motion was seconded by Councilor Zylstra.

Mr. Hillier stated that the general property taxation amount would need to be amended to reflect the amendments made in Ordinance No. 606-B.

Councilor Hatfield withdrew his motion, and then moved to pass Ordinance No. 607-B to reflect the changes made to Ordinance No. 606-B regarding ad valorem taxes. The motion was seconded by Councilor Galvin and carried unanimously.

8. **Resolution No. 11-96, First Reading - Authorizing the Execution of a Second Amended Interlocal Agreement Regarding Centralia Landfill Closure.** Mr. Campbell explained that the amendment will give the Centralia Landfill Closure Group permission to return money to the solid waste disposal district which provided quite a bit of money for the cleanup and closure of the landfill. It is hoped that the continued investigation of the landfill itself will result in a finding that there is less pollution and less costly cleanup necessary, and that the group will be able to trigger this provision if it is approved.

Councilor Zylstra moved to suspend the rules requiring two readings of a resolution. The motion was seconded by Councilor Hatfield and carried unanimously. Councilor Zylstra then moved to adopt Resolution No. 11-96 on first and final reading. The motion was seconded by Councilor Hatfield.

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Mayor Spahr commented that this is hopefully the first step in relieving the citizenry from enormous tipping fees.

The motion carried unanimously.

9. **City Council/City Manager Reports.**

a. **December 23 Council Meeting.** Mr. Campbell stated that staff will try to make the meeting of December 9 the last one for the year.

b. **Chamber of Commerce.** Councilor Hatfield asked about the memorandum of understanding with the Chamber regarding holiday decorations.

Mr. Campbell reported that a draft MOU has been sent to the Chamber for their consideration. The Chamber is also supposed to be working on a new sub-lease agreement with the espresso stand owner.

c. **Wastewater Treatment Plant.** Councilor Galvin pointed out that the Chamber is having a meeting to discuss issues for the 1997 legislative year, and asked if it would be appropriate to discuss the city's wastewater treatment plant problems at that meeting.

Mayor Spahr stated that he would be attending that meeting (Government Action Council) and would bring it up.

d. **Stan Hedwall Yard Waste Site.** Councilor Hatfield complimented the Community Services Department for the success of the Stan Hedwall Yard Waste site. He stated that he had several residents tell him that it was a good idea, and the site was clean and efficient.

e. **Holiday Decorations.** Mayor Spahr stated that Bob Nacht recruited a good crew over the past weekend to put up Christmas decorations in the downtown.

There being no further business to come before the council, the meeting was adjourned at 3:50 p.m.

December 9, 1996

The Chehalis city council met in regular session on Monday, December 9, 1996, in the Chehalis city hall. Mayor Bob Spahr called the meeting to order at 3:00 p.m. with the following council members present: Wayne Galvin, Bud Hatfield, Tony Ketchum, Dr. Isaac Pope, and Dave Zylstra. Councilor Bob Venemon was absent. Staff members present included: Dave Campbell, City Manager; Jo Ann Hakola, Finance Director/City Clerk; Randy Hamilton, Chief of Police & Fire Services; Barry Heid, Public Works Director; Bill Hillier, City Attorney; David Kelly, Human Resources/Risk Management Director; Joanne Schwartz, Community Services Director; Becky Fox, Court Administrator; Jerry Boes, Deputy Chief for Fire Services; Dennis Dawes, Deputy Chief for Police Services; Bob Nacht, Community Development Manager; Andy Sennes, Property Manager; and Caryn Foley, Deputy City Clerk. Members of the news media in attendance included John Henderer of The Chronicle.

1. **Consent Calendar.** Councilor Zylstra moved to approve the December 9, 1996, consent calendar comprised of the following items:

- a. Minutes of the regular city council meeting of November 25, 1996;
- b. November 15, 1996, Claims Vouchers No. 40179 - 40354 in the amount of \$191,909.91; November 26, 1996, Claims Vouchers No. 40355 - 40465 in the amount of \$190,365.57; November 27, 1996, Payroll Vouchers No. 31110 - 31270 in the amount of \$379,006.77; and Transfer Voucher No. 1411 in the amount of \$1,179.08;
- c. Reappointments of Dr. Hank Kirk and Brenda O'Connor to the Historic Preservation Commission for 3-year terms expiring December 31, 1999;
- d. Appointments of Dave Zajac to fill the unexpired term of Wayne Galvin expiring December 31, 1998, and of Paul Dugaw for a 5-year term expiring December 31, 2001, replacing Dean Tauscher, on the Board of Zoning Adjustment;
- e. Reappointment of Patti McKerricher and appointments of Jackie Clark and Clarice Stefon, replacing George Blomdahl and Paula Barr, to the Sister City Committee for 4-year terms expiring September 30, 2000; and
- f. Award bid for a Fire Services aerial truck to W.S. Darley & Company in the amount of \$687,989.70.

The motion was seconded by Councilor Galvin.

Councilor Zylstra asked why the city had to make a \$325,000 down payment for a demo unit that won't be delivered until June, 1997.

Randy Hamilton explained that the city must pay for the chassis and aerial unit that has already been purchased by the company. The build-up of the vehicle will be the balance of the cost.

Councilor Zylstra expressed concern about what the over-weight vehicle would do to city streets.

Barry Heid stated that Randy Hamilton has indicated that the location where the vehicle will be used would not run on residential streets most typically at risk for those kinds of over-weight vehicles.

Randy Hamilton added that the current unit is 12,000 pounds over-weight while the new vehicle is only 9,000 pounds over-weight. He stated that the new vehicle shouldn't have any problem on roads in the city, except for some of the hillside roads which is recognized. It will be used on most inclines from Adams Avenue down. There may be problems on the upper side of the hill, but that will not be known until the unit is here.

Councilor Hatfield asked what the balance would be in the automotive/equipment reserve fund after the down payment is made.

Jo Ann Hakola estimated the balance to be about \$100,000.

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Councilor Hatfield posed the same question in regard to the EMS reserve fund.

Jo Ann Hakola stated that there would be about \$75,000 left in the EMS fund. She added that the money which was previously appropriated to go to the automotive/equipment reserve fund will be used as part of the payment, and the remainder will come from the EMS levy fund.

Councilor Hatfield asked about equipment replacement during the next six years.

Randy Hamilton assured the council that he did not anticipate any large expenditures or replacement of any current equipment for the next eight to nine years.

The motion to approve the consent calendar carried unanimously.

2. **Ordinance No. 606-B, Second Reading - Determining and Fixing the Amount of Revenue to be Raised by Ad Valorem Taxes; and Ordinance No. 607-B, Second Reading - Adopting the 1997 Budget.** Dave Campbell stated that the ordinances have been amended to reflect council action during the last meeting to include a full-time code inspector and a full-time housing assistance program during 1997.

Councilor Hatfield moved to pass Ordinance No. 606-B on second and final reading. The motion was seconded by Councilor Pope.

Mayor Spahr noted that the tax rates would remain the same as in 1996.

The motion carried unanimously.

Councilor Hatfield moved to pass Ordinance No. 607-B on second and final reading. The motion was seconded by Councilor Zylstra and carried unanimously.

3. **Woodland Estates Annexation Petition.** Dave Campbell stated that the city has received an annexation request from Woodland Estates. The council must set a public hearing date on the proposal, and make other decisions with respect to the potential annexation.

Bob Nacht explained the request is to annex 5.75 acres of property from Woodland Estates to further their development of the retirement center, including water and sewer service. The three decisions the council must make today are: 1) will the city accept, reject or modify the proposal; 2) will the city require the comprehensive plan and development regulations to be imposed on the subject property; and 3) will any existing indebtedness of the city be equitably assumed by the subject property? He added that a representative of Woodland Estates is in attendance, and has a formal petition to present. He stated that staff's recommendations are contained in the agenda report before the council.

Councilor Hatfield moved that: 1) the city accept the annexation of the property as submitted; 2) the Chehalis comprehensive plan be applicable to the subject property and that the zoning of the property be R-3 (high density residential) which is consistent with the existing R-3 development; and 3) the subject property be taxed at the same rate and on the same basis as all other property within the city limits, and that the city accept the formal petition to annex and set a date of Monday, January 13, 1997, at 3:05 p.m. for a public hearing on the subject petition. The motion was seconded by Councilor Pope and carried unanimously.

4. **Port of Chehalis Request for Utility Capacity Commitment.** Dave Campbell stated that the city has received a letter from the Port of Chehalis requesting the city to commit or reserve water and sewer capacity for the port's Industrial Development District (I.D.D.). Staff is recommending that the request be referred to the council's GMA committee for a more detailed discussion with port representatives.

Councilor Hatfield asked how much capacity the port is requesting.

Mr. Campbell stated that the port has no specific development at this time.

Heidi Pehl, port director, stated that the port is certainly not requesting to reserve all the remaining December 9, 1996

capacity in the area, but would like to work with the city to make sure that there is some capacity that remains available for the lines that are constructed by the port to serve the I.D.D.

Councilor Zylstra moved to refer the request to the council's GMA committee. The motion was seconded by Councilor Pope and carried unanimously.

5. **Ordinance No. 608-B, First Reading - Providing for a Budget Amendment; and Ordinance No. 609-B, First Reading - Providing for Interfund Loans.** Dave Campbell explained that several budget adjustments have previously been approved by the council this year. Formal appropriation of monies for the transactions would be accomplished by Ordinance No. 608-B.

Ordinance No. 609-B provides temporary loans from the HUD Block Grant Fund to the 1993 CDBG Fund and the Housing Assistance Fund. Such loans are necessary because CDBG activities are reimbursed after expenditures have been made, and payment of administrative fees after services have been provided in the Housing Assistance Fund, causing a deficit condition on a cash basis at year-end.

Councilor Hatfield moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Zylstra and carried unanimously. Councilor Hatfield then moved to pass Ordinance Nos. 608-B and 609-B on first and final readings. The motion was seconded by Councilor Zylstra and carried unanimously.

6. **Resolution No. 12-96, First Reading - Set Date of January 13, 1997, at 3:05 p.m. for a Public Hearing to Consider Vacation of a Portion of SW Pacific Avenue.** Dave Campbell stated that the city received a petition to vacate a portion of SW Pacific Avenue adjacent to Green Hill School. The school is conducting a public meeting with representatives and neighbors on January 6 at 6:30 p.m. at the V.R. Lee Community Building. He added that there is no staff position on the issue yet.

Councilor Hatfield moved to suspend the rules requiring two readings of a resolution. The motion was seconded by Councilor Galvin and carried unanimously. Councilor Hatfield then moved to adopt Resolution No. 12-96 on first and final reading to set a public hearing date of Monday, January 13, 1997, at 3:05 p.m. The motion was seconded by Councilor Pope and carried unanimously.

7. **Resolution Nos. 13-96, 14-96, and 15-96, First Readings – Authorizing Execution of Agreements to Settle Litigation Regarding Insurance Coverage for Costs Associated with Centralia Landfill.** Dave Campbell reported that the Centralia Landfill Closure Group's (CLCG) attorneys have negotiated settlements for insurance coverage which was available at the time Centralia had its landfill open. The settlement amounts will be used to offset local contributions to help clean-up of the site.

Councilor Ketchum stated that the agenda report talks about keeping the settlement agreements confidential.

Bill Hillier stated that it was his opinion that the settlement agreements are public records.

Councilor Pope moved to suspend the rules requiring two readings of a resolution. The motion was seconded by Councilor Zylstra and carried unanimously. Councilor Pope then moved to adopt Resolution Nos. 13-96, 14-96, and 15-96 on first and final readings. The motion was seconded by Councilor Hatfield and carried unanimously.

8. **City Council/City Manager Reports.**

a. **Quarterly Report on 1996-97 Council Goals.** Dave Campbell highlighted some of the activities of the council's top priority goals which occurred during the third quarter of 1997, including downtown improvements, street improvements, improvements of the city's fire protection rating, growth management planning, and yard waste disposal service.

- b. **Boistfort Plaza**. Councilor Hatfield asked about the status on the Boistfort Plaza concept.

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Randy Hamilton stated that from a public safety standpoint staff is encouraging that something be done at the Boistfort Street/Market Boulevard intersection. A proposal is being worked on to remove the traffic light. It would make the situation much better if Boistfort Street, from Market Boulevard to Pacific Avenue was closed.

Joanne Schwartz stated that she has talked to a number of retailers. Some like the idea, but others are concerned. She plans to hold a meeting with retailers after the holiday season.

c. **December 23 Council Meeting**. Mr. Campbell reminded the council that there would be no December 23 council meeting.

d. **GMA Committee Meeting**. Councilor Hatfield mentioned that the council GMA committee met today and received a preliminary report relating to the annexation of the Chehalis industrial park. He added that overall the report was very positive.

e. **Housing Rehabilitation**. Councilor Hatfield also expressed appreciation to Joanne Schwartz and Bob Nacht for coming up with grant money to allow some low income houses to be rehabilitated and fixed up.

9. **Executive Session**. Mayor Spahr announced that the council would convene into executive session at 4:45 p.m. pursuant to RCW 42.30.140(4) - labor contract negotiations - for about fifteen minutes, and there would be council action following the executive session.

Following conclusion of the executive session, Mayor Spahr reopened the regular meeting at 4:50 p.m.

10. **Employee Reclassifications**. Councilor Pope moved to reclassify the Finance Department Utility Customer Service Representative I position at a pay range 13D to a Utility Customer Service Representative II position at a pay range 16B, and the Community Services Office Clerk/Receptionist I at a pay range 9E to an Office Clerk/Receptionist II at a pay range 11D effective January 1, 1997. The motion was seconded by Councilor Zylstra and carried unanimously.

11. **Letter from Dr. John McCord**. Councilor Pope asked about a letter received from Dr. John McCord in regard to water seeping into a building which he owns on Market Boulevard.

Mr. Campbell stated that the letter contends that water is entering a building owned by Dr. McCord as a result of storm drainage and sewer rehab work done in the alley behind the building.

It was determined that the entire council did not receive Dr. McCord's letter. Mr. Campbell stated that he would make sure that all the council members got a copy of the letter.

There being no further business to come before the council, the meeting was adjourned at 4:55 p.m.