

August 23, 2010

The Chehalis city council met in regular session on Monday, August 23, 2010, in the Chehalis city hall. Mayor Ketchum called the meeting to order at 5:38 p.m. with the following council members present: Terry Harris, Dr. Isaac Pope, Bob Spahr, Daryl Lund, Chad Taylor, and Dennis Dawes. Staff present included: Merlin MacReynold, City Manager; Bill Hillier, City Attorney; Becky Fox, Court Administrator; Bob Nacht, Community Development Director; Tim Grochowski, Public Works Director; Dave Vasilauskas, Water Superintendent; and Russ Cox, Engineer Tech. III.

1. **Executive Session.** Mayor Ketchum announced the council would be in executive session pursuant to RCW 42.30.110(1)(i) – potential litigation for approximately thirty minutes and there would be no decision following conclusion of the executive session.

Mayor Ketchum closed the executive session at 6:14 p.m. and announced the council would take a three minute recess and reopen the regular meeting at 6:17 p.m. Additional staff included: Glenn Schaffer, Police Chief; Kelvin Johnson, Fire Chief; Eva Lindgren, Finance Manager; Peggy Hammer, Human Resources Administrator; and Rick Sahlin, Street Superintendent. Members of the news media included Adam Pearson of *The Chronicle* and Paul Walker of KITI.

2. **Update on Scout Lodge Remodel Project.** Bill Vander Hoeff, a member of the Chehalis Rotary Club, updated the council on the status of the remodel project at the Scout Lodge. He provided photos of the various projects the club has done on the Scout Lodge, including: foundation rot repair work; a new 200 amp electrical system; new outlets; a new high efficiency heating system; and they were about three days short from completing the restroom remodel project. Mr. Vander Hoeff reported the community service project was done at no cost to the city, adding the Rotary Club had provided all the labor and materials necessary for all of the projects, with some assistance of some local contractors.

Mr. Vander Hoeff reported, at the city's insistence, handicap restrooms were installed starting from the foundation up. He thanked the city for allowing the Chehalis Rotary Club to work with them, and hoped they would be able to continue with the historical project.

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

- a. Minutes of the regular meeting of August 9, 2010; and
- b. Payroll Vouchers No. 33840-33944 and 1619-1688 in the amount of \$724,122.06 dated July 30, 2010.

The motion was seconded by Councilor Spahr and carried unanimously.

4. **Staff Reports.**

a. **July Financial Report.** Eva Lindgren reported the expected variance in the general fund revenues showed a negative \$1 million dollars, but if they were to remove the loan proceeds out of the receipts they would be at 53.9 percent, leaving a variance of \$365,000 rather than the million dollars plus. Ms. Lindgren talked briefly about the general fund expenditures, noting if they were to pull out the principal repayment on the interfund loan it would show a percentage usage of 56.8 percent. She stated the report showed 50.3 percent expended, which took into account the \$1.1 million budgeted for the interfund principal repayments.

Councilor Harris inquired about the request from the previous council meeting regarding overtime paid out by all departments. He noted they had made great reductions of overtime in the 2010 budget and wanted to know if staff was able to come up with any numbers yet. City Manager MacReynold indicated the council should have received an email with that information attached. Ms. Lindgren noted she would print out a hard copy and make sure it gets to the council. City Manager MacReynold indicated the departments were pretty much within their budgets, even with the current overtime paid out.

Councilor Spahr inquired about the interfund loan, wanting to know if it was for the new city hall, and if so, how it was reflected in the revenues. Ms. Lindgren indicated the interfund loan was for city hall and she had devoted a single line item for the loan because the debt had to be treated as revenue in a governmental fund. She explained how the variance was calculated, adding the formula was used throughout the document in order to be consistent. Councilor Spahr asked if the money had been paid back to the utility yet. Ms. Lindgren stated it had not been paid back, adding they were working with a

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financial advisor on issuing that debt.

Councilor Dawes noted staff had been working with a financial advisor for some time and wanted to know when they would have some kind of answer. He felt they needed to deal with it and get it on some kind of schedule. Ms. Lindgren stated she had requested the advisor get the city a contract, so they can officially use the services.

b. **Community Rating System (CRS) Repetitive Loss Progress Report.** Bob Nacht reported, in order to maintain eligibility in the CRS program, there were a number of mandatory actions the city had to take over and above the credit point calculations that Bobbi Boone accomplishes each year. He noted one action was to submit a repetitive loss report, adding fortunately the city did not have any floods of any consequence last year. Mr. Nacht stated the information was being presented for the council's information, in order to remain eligible in the CRS program. He added a copy of the report had also been sent to the media, as required.

c. **Budget Reduction Briefing.** City Manager MacReynold reported the administration had been carefully monitoring the budgetary situation, especially the sales and use tax revenue. He noted over the last two months they had a significant reduction in that revenue source, and if they continued to do what they were currently doing they would only have about \$222,000 left in general fund reserves by the end of the year, which was an unacceptable level. City Manager MacReynold stated they needed to end the year with a minimum of \$500,000 in the general fund reserves.

City Manager MacReynold reported he and the management team had worked over the past few weeks to put together a proposal for council's consideration, noting over the past year the managers and employees had tightened everything up, but it continued to be a challenge. He felt in order to make any significant change they would need to start talking about positions.

City Manager MacReynold reported the proposal would further reduce the reductions already done for the year of \$158,000. He noted some of the reductions in the proposal included a reduction of medical benefit payments for non-represented employees, and the layoff of city employees.

City Manager MacReynold stated the focus was on how to maintain core services, which included: police, fire, parks and recreation programs, streets, water, wastewater, and facilities. He reported over the course of the past few weeks they had identified 16 possible positions that need to be reduced.

City Manager MacReynold reported the proposal included the layoff of five positions, and if the union agreed, they would reduce other positions within the city to half-time and three-quarter time. He indicated he had met with the union representatives and they were in the process of discussing those issues. City Manager MacReynold reported because of the sixty-day timeframe to notify employees about layoffs they planned to provide notices immediately. He talked briefly about bumping rights, noting anyone with seniority who receives a layoff notice will have the right to bump into another position, which was only going to complicate the situation.

City Manager MacReynold stated it was clearly not something they preferred to do, but they could not sit on their heels and end up with an ending fund balance that would jeopardize the city's situation in 2011.

Councilor Spahr asked if they had received the June sales and use tax revenue numbers. City Manager MacReynold noted Ms. Lindgren had received the numbers earlier that day, adding the report was not great, but it was a little better.

Councilor Pope wondered if reductions in certain areas would affect work that was required, and would it lead to having to pay overtime to get the work done. City Manager MacReynold reported that was something they would have to work out. He noted they couldn't cut a position and just have someone else do the work, adding that did not meet the requirements of the union contract.

City Manager MacReynold reported the economic information they were receiving was not good. He indicated they were probably looking at two to five years before things start to turn around.

Mayor Ketchum stated the information given was not what they wanted to hear, but he knew that City Manager MacReynold and the managers and employees had worked very hard over the last year to try and find ways to cut items out of

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the budget. He reported the council appreciated all of their hard work, adding he wished there could be a different outcome. Mayor Ketchum stated the city ran on a very lean budget that had no fluff. He noted they had already taken various projects out of the budget last year which were probably going to end up costing two to three times more down the road.

Councilor Dawes felt the situation was not unique to our city, adding everybody was being affected by the dramatic economic downturn. He stated they had hoped for a shorter turnaround, but it didn't appear it was going to be that way. Councilor Dawes suggested there were several agencies across the state having very similar discussions that, unfortunately, were going to affect a lot of good people statewide.

Councilor Spahr stated he was an optimist and saw the negative 3.2 percent in sales and use tax revenue somewhat of a positive, adding he hoped it would continue to climb. He asked what actions, if any, the council could take that evening. City Manager MacReynold stated the council didn't need to take any specific action, adding the specifics would be outlined in the next budget amendment. He noted, with reference to action on his part, they needed to provide notices to the employees so they can begin to start sorting things out.

Councilor Harris felt they needed to prepare for the worst, and until people start moving money again, we would continue to struggle.

Councilor Lund stated Councilor Dawes was right, it was happening everywhere. He added his vendors were saying they were getting winter numbers during the summer when they were supposed to be making hay, but they were not.

City Manager MacReynold felt they were only adding to the situation, noting having to lay more employees off was not good for the community or the city; however, it was their job to keep the city viable.

Councilor Harris stated his business was now closed, which added four more unemployed people to the list.

d. **Graffiti Issues.** City Manager MacReynold reported there were some questions being asked about the recent expansion in graffiti around town. He noted Councilor Dawes had requested the administration bring the council up to speed on what authority the city had with reference to the issue.

Councilor Dawes reported he had received an email from an individual wanting to know if there was a way he could become part of the solution with reference to the graffiti around town. He noted some of the information in the email had to do with graffiti that had been there for quite some time.

Councilor Dawes also mentioned some graffiti he had seen on one of the more prominent streets, but was glad to report sometime over the weekend it had finally been painted over. He stated he knew there was only so much they could do without some type of ordinance to back it up, and wondered if they should look at giving the police and other involved departments something with a little arm twisting behind it.

Police Chief Glenn Schaffer stated it was definitely a problem, adding graffiti pops up all the time. He reported sometimes it's gang related, and sometimes it's people who want it to be gang related. Chief Schaffer reported they did not have a municipal ordinance or any sort of leverage to compel people to paint over graffiti on private property. He noted last year they tried a cooperative effort with the City of Centralia, but after handing out pamphlets and actually going door-to-door talking with residents they had zero take them up on the offer.

Chief Schaffer reported they still had a basis for providing gift cards for paint and supplies to help with the cost. He noted he recently received an email from Airport Manager Allyn Roe, who co-chairs the Chehalis Community Renaissance Team, saying they would be willing to put together some volunteers to help paint over graffiti.

Chief Schaffer suggested the resources were out there, it was more a matter of whether the owners of the private property would paint over it themselves, or allow the volunteers to do it. He noted they pushed the issue on the basis that the quicker they paint over it, the better the issue would be.

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Chief Schaffer believed if those who are putting up the graffiti know it's just going to be painted over the next day, they probably won't waste their time painting it again. He stated the only suggestion he had, as Councilor Dawes mentioned, would be an ordinance, but he didn't particularly like the idea of having to enforce laws against people who had already been victimized.

Chief Schaffer reported he did some research and found that most jurisdictions use a nuisance ordinance, which essentially allows the city to send letters to inform residents and ask them to paint over the graffiti; if that didn't work, the city would have the right to go onto the property and do it themselves.

Councilor Pope asked what the consequences were to people who put up graffiti. Chief Schaffer indicated very little, adding the graffiti would be considered malicious mischief and the cost of repair was usually very little. He noted it was really just a low misdemeanor, but they do reports and log all graffiti crimes.

Councilor Dawes stated he had the same general thought and suggested an abatement process that would let people know it could be fixed at no cost to them, so they don't feel like they're being victimized again by the city. He didn't believe the victims were supporting gang activity, he just didn't think they understood the message it was sending out by leaving it up. Councilor Dawes noted he wanted to bring the issue to the council to think about and give the administration some direction one way or the other.

Councilor Lund felt education would help the most, and suggested putting something in the city newsletter. Chief Schaffer reported the information went out last year in the Chehalis and they have pamphlets available at the police department. He noted when they take the reports they educate the homeowners on how to take care of it.

Councilor Taylor asked if they still had the ability to put stuffers in the utility bills. City Manager MacReynold noted they did, adding they could also add it to the newsletter as a feature story on the city's new website.

Councilor Harris volunteered to work with the team to go around town to take care of it. Chief Schaffer noted he didn't believe there was a shortage of resources; all they were missing was permission and cooperation from the property owners to get it done, and thought that would be something a nuisance ordinance could do. Councilor Harris agreed.

Councilor Spahr stated he had concerns about the effectiveness of an ordinance with regards to graffiti, noting the city currently had an ordinance regarding the appearance of buildings in town, but they were not able to enforce it.

City Manager MacReynold believed education would be the first step, adding perhaps they needed to spend some considerable effort on educating people on the resources available.

Councilor Dawes stated there were a number of buildings in the community that could use a touch up, but unfortunately every community has graffiti issues, and with the economic downturn it was going to send a different message. He felt they had been pretty fortunate over the long run, but they needed to get ahead of it, or there were going to be more incidents.

Mayor Ketchum asked if the council would like staff to put together a proposed nuisance ordinance, adding he would like to see something. Councilor Dawes stated he didn't want anything that would penalize the victim a second time. Councilor Harris felt they should be able to write something up that would allow the city to get things done rather quickly.

Councilor Taylor stated he would probably vote against a nuisance ordinance, adding he liked the suggestion of education. Councilor Dawes noted he would just like to see something out there in order to get a quick resolution, adding he wasn't looking for a hammer.

The consensus of the council was to start with the education process.

e. **Chehalis-Centralia Airport Operating Agreement.** City Manager MacReynold stated the city received a letter from Lewis County, asking if the city would be willing to amend their agreement to allow for the floating position we share with the county to be a three year term, rather than a two year term. He stated he made a commitment to the Commissioners and staff that he would bring it to the council for their consideration.

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Councilor Spahr stated he had no problem with it, adding three years seemed adequate.

Mayor Ketchum stated he didn't want to give either entity another year of control over the board when things need to happen. Councilor Taylor agreed, adding he felt there were certain things the county would like to do with regards to the airport. He stated it was not something he would be in favor of.

Councilor Lund stated he was not in favor of a three year term either, adding things needed to happen out there, and believed things needed to change a little.

Councilor Dawes felt the city was an equal partner with the county and he wasn't necessarily opposed to a three-year term, unless there was something being done that he wasn't aware of. He suggested they think about appointing a council member to go to the board meetings, not as a member of the board, but to just sit and listen. He reported the county had one of their commissioners attending the board meetings just for that purpose.

City Attorney Hillier indicated the request was not generated by the city, nor was it generated by the airport board. He noted it came solely from the county.

Councilor Dawes reported the rotating person could be re-appointed, adding he himself went from the county rotating position right into the city rotating position as a rover, and later went on to a permanent position. Mayor Ketchum felt they seriously needed to consider not doing that anymore, suggesting they needed to find someone new each rotation.

Councilor Taylor stated he hoped the money generated from the airport would stay here to improve it, and not be used to improve other airports in the county. Councilor Dawes believed it had to stay here. Mayor Ketchum suggested the county was trying to find angles for it not to stay here.

Councilor Pope felt it should remain the same.

Councilor Harris didn't know why somebody would want to change something arbitrarily, adding he would rather leave things just the way they are.

Mayor Ketchum indicated a majority of the council felt things should remain the same with reference to the rotating position on the airport board.

f. **Street Work.** Tim Grochowski reported the county was planning to stripe city streets on Sunday, weather permitting. He noted the city would start crack-sealing National Avenue on Wednesday, also dependent on the weather.

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

a. **Events Attended by Councilor Spahr.** Councilor Spahr reported he attended the opening of the SW Washington Fair on Tuesday, and on Saturday, he spent the entire day at the Cascade Country Cook-off at Stan Hedwall Park. He noted he was honored to be one of the judges of the hamburger tasting contest.

b. **Events Attended by Councilor Dawes.** Councilor Dawes reported he attended the ribbon cutting ceremony at the Valley View Health Center, adding it was a very nice ceremony. He also put in a couple shifts at the Lewis County Historical Museum fair booth. Councilor Dawes stated he and a number of the other councilors attended the ribbon cutting ceremony at the airport prior to the meeting. He noting it was really nice to see the airport board continuing with the thought process started many years ago, about doing whatever they can to make it something of interest to the entire community.

c. **Events Attended by Councilor Harris.** Councilor Harris stated he also attended the fair, adding it was great to interact with Centralia city council members, county commissioners, and other elected officials. He noted it was nice to be able to meet and greet people when nothing's at stake. Mayor Ketchum added they had great weather all week, and he too had a good time at the fair.

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6. **Ordinance No. 858-B, Second Reading – Updating Development Regulations for 2010.** Bob Nacht reported they had been working on the updates since February, noting they held all the necessary public hearings, and the first reading of the ordinance took place at the prior regular meeting.

Councilor Dawes moved to pass Ordinance No. 858-B on second and final reading.

The motion was seconded by Councilor Pope and carried unanimously.

7. **Resolution No. 12-2010, First Reading – Amending the 2011-2016 Six-Year Transportation Improvement Plan (STIP).** Mr. Grochowski stated at the last regular meeting he mentioned they had submitted a transportation enhancement grant for Chehalis Avenue, which the city was awarded. He noted in order to receive the grant funding the project had to be included on the 2011-2016 STIP.

Councilor Lund moved to adopt Resolution No. 12-2010 on first and final reading.

The motion was seconded by Councilor Taylor and carried unanimously.

8. **Executive Session.** Mayor Ketchum closed the regular meeting at 7:10 p.m. and announced the council would take a 10 minute recess before going into executive session pursuant to RCW 42.30.110(1)(i) – potential litigation for approximately thirty minutes and there would be no decision following conclusion of the executive session.

Mayor Ketchum closed the executive session at 7:50 p.m. and there being no further business to come before the council the meeting immediately adjourned.

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Mayor

Attest:

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City Clerk

**SUGGESTED MOTION**

**I move that the council approve the minutes of the regular city council meeting of August 23, 2010.**