

PLEASE NOTE SPECIAL MEETING TIME

CHEHALIS CITY COUNCIL AGENDA

CITY HALL

350 N MARKET BOULEVARD, CHEHALIS, WA 98532

Anthony E. Ketchum Sr., District 3
Mayor

Terry F. Harris, District 1
Daryl J. Lund, District 2
Dr. Isaac S. Pope, District 4

Dennis Dawes, Position at Large, Mayor Pro Tem
Chad E. Taylor, Position at Large
Bob Spahr, Position at Large

August 9, 2010

5:30 p.m.

EXECUTIVE SESSION

- | | | |
|---|--|--|
| 1. <u>Executive Session Pursuant to RCW 42.30.110.(1)(i) – Potential Litigation.</u> (City Manager, City Attorney, Public Works Director) | | |
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Regular Meeting of August 9, 2010

6:00 p.m.

ADMINISTRATION
RECOMMENDATION

PAGE

ITEM

- | | | |
|---|--|--|
| 2. <u>Call to Order.</u> (Mayor) | | |
| 3. <u>Pledge of Allegiance.</u> (Mayor) | | |

CITIZENS BUSINESS

This is an opportunity for members of the audience to address the council on matters not listed elsewhere on the agenda. Speaker identification forms are available at the door and may be given to the city clerk prior to the beginning of the meeting.

CONSENT CALENDAR

4. <u>Minutes of the Regular Meeting of July 26, 2010.</u> (City Clerk)	APPROVE	1
5. <u>Vouchers and Transfers.</u> (Finance Manager)	APPROVE	6
6. <u>Accept Newaukum Bridge No. 20 Waterline Replacement Project as Complete and Release Retainage.</u> (Public Works Director, Water Superintendent)	ACCEPT PROJECT AS COMPLETE AND RELEASE RETAINAGE IN THE AMOUNT OF \$14,209.48 TO PILCHUCK DIVERSIFIED SERVICES/DIV PILCHUCK CONTRACTORS, INC.	7

STAFF AND CITY COUNCIL REPORTS

7. <u>Staff Reports.</u>		
a. Report on Chehalis Avenue survey parking plan. (Ben Smith)	INFORMATION ONLY	
b. Update on transportation enhancement grant. (Public Works Director)	INFORMATION ONLY	
8. <u>Council Reports.</u>		
a. Councilor reports. (City Council)	INFORMATION ONLY	
b. Council committee reports. (City Council)	INFORMATION ONLY	

NEW BUSINESS

9. <u>Ordinance No. 858-B, First Reading – Updating Development Regulations for 2010.</u> (Community Development Director)	PASS	11
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THE CITY COUNCIL MAY ADD AND TAKE ACTION ON
OTHER ITEMS NOT LISTED ON THIS AGENDA

NEXT REGULAR CITY COUNCIL MEETING WILL BE ON MONDAY, AUGUST 23, 2010

July 26, 2010

The Chehalis city council met in regular session on Monday, July 26, 2010, in the Chehalis city hall. Mayor Ketchum called the meeting to order at 6:02 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; Brian Kelly, Assistant City Attorney; Judy Schave, City Clerk; Bob Nacht, Community Development Director; Peggy Hammer, Human Resources Administrator; Eva Lindgren, Finance Manager; and Tim Grochowski, Public Works Director. Members of the news media included Adam Pearson of *The Chronicle* and Paul Walker of KITI.

1. **Public Hearing on Proposed 2010 Amendments to the City's Development Regulations.** Bob Nacht reviewed the amendments being proposed to the 2010 development regulations, which included the following:

- Section 2 - adds two sections to the references because of information relevant to issues in other sections. Mr. Nacht noted they were trying to get all the information into one place.
- Section 2, Design Standards – clarifies that when you extend a water or sewer line it must be extended to and through the property frontage and not just stop at the location where the connection was needed. Mr. Nacht noted it was long standing regulation, but was not clearly defined in the current regulations.
- Section 3, General Considerations – further clarifies that water and sewer must go through the extremes of the property being developed, and the public works director would be the one to deal with those issues. He noted elsewhere in the ordinance there were references to different organizational structures the city no longer had, and they were trying to clarify it into an existing one, which was the Development Review Committee (DRC) process.
- Section 4, Driveways – proposed drawing would replace existing drawing to identify some of the technical information necessary for driveways.
- Section 5, Street Lighting – proposed to adopt the historic street light standard that was initially proposed by the Lewis County Public Utility District for implementation on city streets around their building. Mr. Nacht noted the issue had gone before the historic preservation commission, who approved the historic street light standard for adoption in the downtown historic district.
- Section 6, Water Mains – the existing language in water main extensions provided the city council had to review and approve water main extensions. Mr. Nacht noted the DRC process was not set up when originally written. He felt there was no reason the technical aspects of a water main extension that complies with city requirements couldn't be done by the DRC.
- Section 7, Appeal Process – prior language had an appeal process different from the city's standard appeal process through the DRC. The proposal would eliminate all of the other appeal processes and make them the standard appeal process.
- Section 8, Layout of Lots – inserts information regarding mailboxes.
- Section 9, Applicability – inserted for the benefit of the Port of Chehalis (Port). Mr. Nacht reported an issue came up having to do with property owned by the Port that was not contained within the Industrial Development District (IDD), because it was acquired after the IDD was established. By changing the language it provided that any property owned by the Port and brought to the city could be treated the same as if it were Port property inside the IDD.
- Section 10, Flood Hazard Zone – proposal was brought to the city by a citizen petition having to do with creating flood hazard zones within the city that were not on the Federal Emergency Management Administration (FEMA) flood map, of the FEMA floodplain. Mr. Nacht reported city staff had no objection to the proposal, adding it was a benign issue. He noted the city already had the power to establish flood hazard zones outside the FEMA floodplain map.
- Section 11, Appendices Index – clears up a couple of the appendix chapters, as follows:
 - Chapter B, Sample Forms - puts all the applications and forms into one place
 - Chapter M, Wetland Project Mitigation Area - (National Avenue site) the city no longer wants to have that area available for the general public for wetland mitigation
 - Chapter S, Critical and Resource Areas - was superseded by the critical areas ordinance contained in the development regulations
- Section 12, Appendix Chapter 'B' – language in Appendix Chapter 'B' would be changed to make reference to the City of Chehalis website, and that application forms are available through the Community Development Department.
- Section 13, Appendix Chapter 'E' – the State has mandated that the newest editions of the International Building, Fire, Mechanical, Plumbing, etc. codes be adopted, which went into affect July 1. The city needs to adopt them in order to be able to enforce them.
- Section 13, Appendix Chapter 'E' - two Washington State Codes, 51.13 and 51.19, are no longer mandated by the State and need to be stricken from Appendix Chapter 'E.'

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Mr. Nacht reported the appendices listed from 'I' through 'J' were optional, adding historically the city had adopted some of the appendices for their own benefit. He noted typically they were a little more lenient than the main body of the code. Mr. Nacht reported the proposed effective date of the ordinance would be the 1st day of September, 2010.

Mayor Ketchum closed the regular meeting at 6:13:27 p.m. and opened the public hearing. There being no public comment, Mayor Ketchum closed the public hearing and reopened the regular meeting at 6:13:43 p.m.

Mr. Nacht stated he would bring an ordinance back for the council's consideration at the next regular meeting.

2. **Cascade Country Cook-off 2010.** Mayor Ketchum presented Jerry Boes and Maretta Berg a proclamation declaring August 14-15, 2010, as Cascade Country Cook-off 2010 in the city of Chehalis.

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

- a. Minutes of the regular meeting of July 12, 2010; and
- b. Claim Vouchers No. 97354-97517 in the amount of \$257,586.87 dated July 15, 2010.

The motion was seconded by Councilor Pope and carried unanimously.

4. **Staff Reports.**

a. **Second Quarter and June Financial Report.** Ms. Lindgren stated the quarterly report represented all of the funds the city maintained, and asked if the council had any questions about any particular fund.

Councilor Dawes noted, based on the drop in sales tax, the numbers presented in the quarterly report did not look as bad as they could have. He stated they weren't great by any stretch of the imagination, but given the situation we're facing and the downturn in the economy, the numbers were a little better than what he anticipated.

Mayor Ketchum thought the conservative approach taken by the budget committee last year was showing. Councilor Dawes suggested if they would have waited another couple of quarters to do some things, they might not be in as good of shape. Ms. Lindgren agreed.

Ms. Lindgren reviewed the general fund revenues, noting the bottom line looked very grim. She reported the biggest contributor of the negative balance was the proceeds of long-term debt, which was not considered regular operating revenue. Ms. Lindgren noted the total tax revenue was close to what was budgeted with only a 2.5 percent negative variance.

Councilor Harris calculated they would be about a quarter of a million dollars under what their budget was for 2010. Ms. Lindgren noted if everything was equal throughout the end of the year, with regards to sales tax, they would fall behind by about \$280,000.

Ms. Lindgren reported the positive variance in the non-departmental fund expenditures was the opposite end of the debt issuance for the interfund loan repayment. She noted they budgeted for the interfund loan, but still had not issued the debt.

Ms. Lindgren pointed out they had over budgeted for connection fees in all three of the enterprise funds. She noted she spoke with the public works director and they were going to do a budget amendment to reduce the connection fees to be more in line with what they were seeing. Councilor Dawes thought it was probably because they had that large connection last year and they decided to budget a number somewhere in between. Ms. Lindgren noted she was working more closely with public works this year on projecting the 2011 revenues.

Councilor Harris inquired as to what would be cut from the budget, if they reduce the revenue side. Ms. Lindgren reported they budgeted to come out ahead by about \$50,000 in the wastewater fund in 2010. She indicated because they were not paying things evenly throughout the year, and they had some large debt service that was skewing things, it would actually bring them closer to a balanced budget.

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Ms. Lindgren reported, in terms of the water fund, they budgeted to build up the fund balance by over a half a million dollars. She stated even by cutting back significantly they would still be well beyond balancing the budget for the water fund in 2010.

Councilor Lund inquired as to how that would balance the budget when they planned on building the fund balance and were not doing it. Ms. Lindgren reported they had to reflect the reality. She noted even if they cut back on that particular revenue stream they were still building fund balance, just not as much. Councilor Lund indicated he wasn't arguing that part, adding he was arguing the fact that the budget was not coming in as it said it was going to. City Manager MacReynold stated their projections were just incorrect.

Councilor Pope inquired about the money borrowed from the utility funds for the remodel of the new city hall, wondering if had been paid back. Ms. Lindgren reported that was the interfund loan budgeted both in the general fund as money the city had to pay back, and in the water and wastewater funds as money they were expecting to get from the general fund.

Councilor Harris noted he was hearing from a lot of people who received property reassessments from the county, that even though their appraised values were dropping, their assessed values were climbing. He wondered if that could be a boom for the city in the end. Ms. Lindgren noted, as she understood it, the city was only entitled to a certain amount of money and the reassessments really wouldn't change what we receive. She reported if there was something new being built the city would receive an incremental tax increase for that, but otherwise, it was just spread around. Mayor Ketchum indicated the city would not receive any more than what the council approved in the budget.

City Manager MacReynold reported one of the things they were learning through the FEMA mapping issue was, if the maps turn out to be what they are proposing, it would change what people are paying for property tax. He noted those who are impacted by the change were going to pay a lot less and everybody else would be paying a lot more. City Manager MacReynold indicated staff would be briefing the council on that and other issues around the FEMA mapping in the near future. He reported there were a whole host of issues that revolved around property taxes that were very significant.

b. **Second Quarter Sales and Use Tax Report.** Ms. Lindgren reported the June payment was a little disappointing to say the least, adding it was right in line with 2005. She noted they were down 8.8 percent from 2009, as of June 30. Councilor Taylor inquired as to what might have attributed to the large drop in sales tax revenue during the month of April. City Manager MacReynold noted the city's sales tax revenues had always fluctuated from month-to-month. He stated the city had Microflex working for us, adding they were contacting people to make sure they were reporting correctly and that we're getting what we're supposed to be getting. City Manager MacReynold reported he was hearing from the county and Centralia that they were facing the same kind of situation.

Councilor Dawes thought he had seen something that indicated the county's situation was a little bit better, perhaps due to the streamlined sales tax. Ms. Lindgren noted she had the same thought, adding based on the numbers they were seeing, that was what it appeared to be. She noted the city really took steps to address our shortfalls as quickly as we could, but didn't know where the county was on that issue.

In response to Councilor Taylor's earlier question, Councilor Spahr noted in April federal income tax and property taxes were due, which probably didn't leave a lot of extra money for people to spend.

Councilor Taylor wondered if the county and Centralia saw the same 14 percent reduction. Ms. Lindgren stated she didn't know, but she could find out.

Councilor Harris suggested if they were to look back over the years they would see the same thing happening in May and June. He noted they started out in May about \$11,000 less than in 2005, and still went down by about the same percentage. Councilor Harris stated it would be interesting to see what happens over the next couple of months, adding he thought they were doing a pretty good job of staying on top of things, and not overreacting.

Councilor Lund wondered if they might need to start directing staff to cut back so they don't get caught out on a limb. He added if the sales and use tax continued to come in on the negative side they would need to start doing something. Mayor Ketchum suggested they direct the budget committee to analyze it to see what could be done for the rest of the year, adding he

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thought it would be a good charge for that committee. Councilor Lund stated he didn't want to wait for two months and asked the rest of the council for their input on the matter.

Councilor Harris first thanked Rick Sahlin and Tim Grochowski for the chip seal projects they were doing this year. He noted those were the types of things they were putting off, and in his opinion, staff was already watching their dimes a little tighter. Councilor Harris felt staff had held off on as many things as they could, for as long as they could. He noted if we were a larger community and he didn't see things going on he might be a little more skeptical, but for right now he didn't want to start jerking the reigns too hard until they see a little more of what was happening.

Councilor Pope stated the budget was a living document and it would continue to change regardless of what was done. He noted when they developed the 2010 budget they took a lot of steps to try and make sure it came as close to balancing as possible. Councilor Pope suggested they follow the Mayor's suggestion to let the budget committee take a look at it.

Councilor Taylor thought it was a good idea to have the budget committee look at it, but felt the real cuts and recommendations should come from the city manager. He admitted he wouldn't know by looking at the budget what the effects would be by cutting certain pieces out. Councilor Taylor asked if there was a prioritized list of things that could be cut should times get even harder.

Councilor Pope reported in the past they deferred doing things because of budget constraints, and in the long run it ended up costing the city more money. He felt they had to look at the bigger picture and consider how their decisions would impact the city two to three years from now. Councilor Taylor agreed.

Councilor Dawes reported anybody who served with him on the budget committee, as well as staff, knows they looked at the budget with about a sharp of a knife as they could. He noted there were many times when he questioned things that had come to the budget committee that were taken out because they had not been thought through or presented very well. Councilor Dawes thought by prioritizing and giving the departments an amount to operate with, it cut out a lot of the wish-list stuff. He understood and agreed with Councilor Lund, that we need to do what we can with what was available and continue to prioritize what needs to be done. Councilor Dawes also agreed it was going to cost a lot more money if they wait or hold off on things, rather than doing them at the time they are budgeted to be done. He stated the budget committee and staff had to work together to prioritize and make sure they maintain services to the citizens, and felt they had done a pretty fair job of that over the last few years.

Councilor Spahr noted he also appreciated what Councilor Lund had to say, but thought they were going to have to accept the 14 percent decrease and hope things get better in the future. He suggested they wait another month or two before they make any moves, but agreed it was something they needed to keep an eye on.

Councilor Harris noted when they received the budget last year the fat was pretty much already cut out, as Councilor Dawes stated. He indicated there was a lot of overtime reduction in the 2010 budget and thought it could end up damaging each department's budget. Councilor Taylor thought that would be good information for the budget committee to know, so when they develop the 2011 budget they don't try to balance it by reducing overtime. Mayor Ketchum agreed, noting they shouldn't balance a budget on an uncontrolled item. Councilor Harris requested a report on the overtime expenditures be provided to the council for their review.

Councilor Lund stated he appreciated everyone's comments.

c. **Community Rating System Classification Change**. Mr. Nacht reported he received official notice that the city went from a Class 6 to a Class 5 in the community rating system, which meant an additional five percent reduction in flood insurance premiums for those within the city who buy flood insurance. He noted the total reduction in premiums was now 25 percent. Mr. Nacht reported Bobbi Boone was instrumental in getting the reclassification accomplished, noting it involved a lot of hours, research, and proposals, some of which required ordinance changes that the council looked at in 2009. He stated they were doing a really good job with floodplain management.

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5. Council Reports.

a. **Meeting Attended by Councilor Spahr.** Councilor Spahr reported he recently attended a downtown business association meeting, adding they were busy working on the Planes, Trains, and Automobiles event taking place on August 7th. He noted there were a lot of other events going on that same weekend around town.

Councilor Spahr reported the people down along Chehalis Avenue were very pleased to have Ben Smith come down and talk with them about what the city was doing with that area, and taking their input. He noted communication was important and it really got noticed this time.

b. **Councilor Dawes Glad to be Home.** Councilor Dawes reported after a 4,985 mile trip to San Antonio and back through Las Vegas, it was very nice to be home where the weather is nice and cool.

c. **Report from Councilor Harris on Chehalis Basin Partnership.** Councilor Harris expressed his condolences to Just Wood Furniture and Cascade Tax Service, who lost their businesses in a fire over the weekend in Centralia. He also apologized for missing the last council meeting.

Councilor Harris reported at the last Chehalis Basin Partnership meeting they had a wonderful presentation on 'rain gardens,' adding he would like to talk with the public works department about them. He noted a rain garden was installed in the outside entry area of Centralia High School, which detailed what they were doing to recycle storm water. Councilor Harris noted they also discussed the different programs they are going to fund in the coming year, including one in Grays Harbor.

Councilor Harris reported he learned an interesting term which he thought they needed to start coining themselves, which was 'deepening and widening.' He reported the United States Army Corps of Engineers is talking about 'deepening and widening' restricted areas of the harbor at the mouth of the Chehalis River in Grays Harbor. Councilor Harris suggested from now on they remove the word 'dredging' from their requests and add the term 'deepening and widening.'

d. **Events Attended by the Mayor.** Mayor Ketchum reported he attended the groundbreaking ceremony for Centralia's new sports complex on July 16. On July 23, he attended Chehalis' first ever 'Music in the Park' event at Recreation Park. He noted they had great attendance by the people, but it was unfortunate that not too many showed up from the city council or city staff. Mayor Ketchum stated they still had a chance to redeem themselves, noting the next event was on Friday, July 30, starting at 6:15 at Recreation Park.

Mayor Ketchum reported he and City Manager MacReynold met with Representative Richard DeBolt to discuss what TransAlta could do for the city, noting they were looking to give money away to different communities. He stated they brought up the idea of the Children's Museum, fixes to the community pool, and upgrades to our ballparks. Mayor Ketchum indicated City Manager MacReynold would be getting back to Representative DeBolt on the different ideas, adding he hoped they would consider sending some money to our community.

There being no further business to come before the council, the meeting adjourned 7:01 p.m.

Mayor

Attest:

City Clerk

SUGGESTED MOTION

I move that the council approve the minutes of the regular city council meeting of July 26, 2010.

CITY OF CHEHALIS
AGENDA REPORT

DATE: July 28 , 2010
TO: The Honorable Mayor and City Council
FROM: Eva Lindgren, Finance Manager *EL*
PREPARED BY: Michelle White, Accounting Tech II *MW*
SUBJECT: Vouchers and Transfers

ISSUE

Council approval is requested of the following financial transactions:

1. Claim Vouchers No. 97518 through 97646 in the amount of \$257,666.75 dated July 30, 2010 and the transfer of \$89,673.16 from the General Fund, \$40,523.15 from the Tourism Fund, \$118.46 Automotive Equipment Reserve Fund, \$67,447.50 from the Second Quarter Percent REET Fund, \$27,439.95 from the Wastewater Fund, \$30,711.62 from the Water Fund, \$131.94 from the Storm & Surface Water Utility Fund, and \$1,620.97 from the Firemen's Pension Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council approve the July 30, 2010 Claim Vouchers No. 97518 through 97646 in the amount of \$257,666.75.

SUGGESTED MOTION

I move to approve the July 30, 2010 Claim Vouchers No. 97518 through 97646 in the amount of \$257,666.75.

Reviewed by:  , City Manager

CITY OF CHEHALIS
AGENDA REPORT

DATE: August 2, 2010
TO: The Honorable Mayor and City Council
FROM: Tim Grochowski, Public Works Director
Dave Vasilauskas, Water Superintendent
SUBJECT: Final Acceptance of the Newaukum Bridge Watermain Replacement Project and Release of Retainage to Pilchuck Diversified Services

ISSUE

Pilchuck Diversified Services has completed the Newaukum Bridge Watermain Replacement Project. We have reviewed the work and agree with our consultant, BergerABAM that the project conforms to the contract plans and specifications and retainage in the amount of \$14,209.48 should be paid (see attached letter) to Pilchuck Diversified Services. This information is being presented for the council's consideration.

DISCUSSION

This project was awarded to Pilchuck Diversified Services at the March 8 council meeting. The project consisted of the installation of 1500 feet of High Density Polyethylene pipe (HDPE) watermain by directional bore under the Newaukum River. The engineers estimate for the project was \$296,405; Pilchuck Diversified Services submitted the lowest responsible bid of \$347,664. They completed the project \$41,024 under their bid price. Funds in the amount of \$380,000 were appropriated in the 2010 water utility budget for this project.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the city council accept the Newaukum Bridge Watermain Replacement Project as complete and release the retainage in the amount of \$14,209.48 to Pilchuck Diversified Services.

SUGGESTED MOTIONS

I move that the council approve the Newaukum Bridge Watermain Replacement Project as complete and release the retainage in the amount of \$14,209.48 to Pilchuck Diversified Services after all statutory requirements have been met.

REVIEWED BY:  _____, CITY MANAGER

Certificate of Substantial Completion

Project: Newaukum River Bridge No.20 Waterline Replacement

Owner: City of Chehalis

Owner's Contract No.:

Contract: City of Chehalis – Pillchuck Contractors Inc.

Engineer's Project No.: 10-091

This definitive Certificate of Substantial Completion applies to:

All Work under the Contract Documents: The following specified portions of the Work:

All work under the contract documents including change orders, less two combination air/vacuum valves not installed at the Owner's request.

30 April 2010

Date of Substantial Completion

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby declared and is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below.

~~A [tentative] [definitive] list of items to be completed or corrected is attached hereto. This list may not be all inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.~~

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, heat, utilities, insurance and warranties shall be as provided in the Contract Documents except as amended as follows:

Amended Responsibilities Not Amended

Owner's Amended Responsibilities:

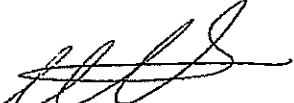
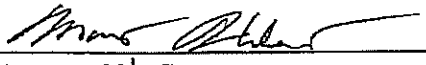

Contractor's Amended Responsibilities:

None

The following documents are attached to and made part of this Certificate:

None

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

	4/30/2010
Executed by Engineer	Date
	7/30/2010
Accepted by Contractor	Date
	7/28/2010
Accepted by Owner	Date



PILCHCI101MA

MAILING ADDRESS: P.O. BOX 2579 • KIRKLAND, WA 98083-2579
PHYSICAL ADDRESS: 6725 116TH AVE NE, SUITE 200 • KIRKLAND, WA 98033
PH: 425-952-6235 • Fax: 425-952-6244

Affiliated with Inland Northwest
www.pilchuckci.com

City of Chehalis
ATTN: Dave Vaslauska
2007 Kresky AV
Chehalis, WA 98532

Invoice Number RETENTION INVOICE
Date 7/28/2010
Job Number 102-130
Newaukum River Bridge No. 20 Waterline Replacement

ATTN: Matt Huxley matt.huxley@abam.com

Address of Work: Jackson Highway & Taylor RD - Chehalis, Washington

Description of Work: Installation of 1,140 lineal feet (LF) of 12-inch HDPE water line under the Newaukum River by horizontal directional drilling and connection to existing water mainline, plus installation of 440 LF of 2-inch and 1-inch copper water service line, and connections to two existing services.

Description as follows: RETENTION INVOICE

Retention Originally withheld on:

Invoice 405610, dated 3/31/10	\$1,666.70 ✓
Invoice 408210, dated 4/30/10	\$12,477.72 ✓
Invoice 409510, dated 5/25/10	\$65.06 ✓

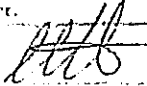
Total Retention Due

\$14,209.48 ✓

REMIT PAYMENT TO: Pilchuck Diversified Services ATTN: Candace Haines PO Box 2579 Kirkland, WA 98083-2579

- NO EXCEPTIONS TAKEN
- MAKE CORRECTIONS NOTED
- REVISE AND RESUBMIT
- REJECTED - SEE REMARKS

Corrections or comments made on the shop drawings during this review do not relieve contractor from compliance with requirements of the drawings and specifications. This check is only for review of general conformance with the design concept of the project and general compliance with the information given in the contract documents. The contractor is responsible for confirming and correlating all quantities and dimensions; selecting fabrication processes and techniques of construction; coordinating his work with that of all other trades; and performing his work in a safe and satisfactory manner.

By:  Date: 7/30/10

Berger ALAM
14000 Maclean Street, Suite 270, Portland, OR 97232

**CITY OF CHEHALIS
AGENDA REPORT**

TO: The Honorable Mayor and City Council
FROM: Bob Nacht, Community Development Director
DATE: August 3, 2010
SUBJECT: Ordinance No. 858-B, First Reading

ISSUE

The proposed changes to the city's development regulations and standards for 2010 have been reviewed at a public hearing, and are now presented in ordinance form for the council's consideration.

DISCUSSION

Most of the proposed changes are housekeeping changes to reflect the current practices and organizational structure of the city. Some are generated by citizen request or by adoption of new plans such as the Renaissance Plan. There have been no citizen comments on these proposed changes during the review and hearing process.

Adoption of the 2009 editions of the International Building, Fire, Mechanical and Plumbing Codes (section 13 of the ordinance) is mandated by the State. This 'update' will also generate a few credit points in the city's Community Rating System scoring.

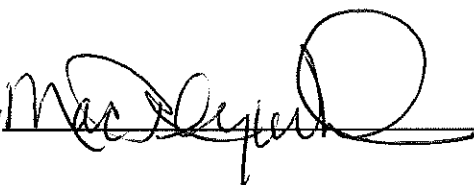
The attached ordinance is presented in strikethrough and underline format to identify the specific changes to the existing language. This formatting will be removed prior to second and final reading of the ordinance.

RECOMMENDATION / COUNCIL ACTION DESIRED

The administration recommends that the council pass Ordinance No. 858-B on first reading.

SUGGESTED MOTION

I move that the council pass Ordinance No. 858-B on first reading.

Reviewed by  City Manager

ORDINANCE NO. 858-B

**AN ORDINANCE OF THE CITY OF CHEHALIS,
WASHINGTON, AMENDING THE CHEHALIS
MUNICIPAL CODE BY AMENDING TITLE 12
(STREETS/SIDEWALKS/PUBLIC PLACES), AMENDING
TITLE 13 (PUBLIC SERVICES), AMENDING TITLE 17
(UNIFORM DEVELOPMENT REGULATIONS), AND
ESTABLISHING AN EFFECTIVE DATE HEREOF.**

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

Section 1

Chapter 12.04.210 of the Chehalis Municipal Code shall be, and the same hereby is, amended to read as follows:

See CMC 12.04.370, 12.04.570, 13.04.520 and 13.08.530. [Ord. 785B § 14 (1.17), 2005.]

Section 2

Chapter 12.04.370 of the Chehalis Municipal Code shall be, and the same hereby is, amended to read as follows:

12.04.370 Design Standards.

The design of any water extension/connection will shall conform to these standards and all other applicable standards. The layout of extensions will shall be extended to and through the property frontage to be developed to provide for continuation and/or looping of the existing system. The public works department and/or the engineering division has the authority to apply or necessitate items not covered or mentioned in this article.

The general notes that follow must be included on all plans dealing with the city of Chehalis water system.

General Notes (Water Main Installation)

1. All workmanship and material will be in accordance with city of Chehalis standards and the most recent copy of the WSDOT/APWA Standard Specifications for Road, Bridge and Municipal Construction, American Water Works Association (AWWA) Standards and ANSI/NSF Standard 60 or 61.
2. A preconstruction meeting will be held with the public works department and the engineering division prior to the start of construction.
3. All water mains will be ductile iron cement mortar lined thickness Class 52.
4. Gate valves will be resilient wedge, NRS (nonrising stem) with O-ring seals. Valve ends will be mechanical joint or ANSI flanges. Valves will conform to AWWA 509-80. Valves will be Mueller, M&H, Kennedy, Clow R/W or American Flow Control Series 2500. Existing valves and all valves

installed directly to and connected to a portion of the active water system are to be operated by city employees only.

5. Fire hydrants will be Mueller Centurion A-423, M&H Reliant Style 129, Clow Medallion, or Kennedy Guardian K81D, Waterous Pacer Model WB-67-250 or AVK 2780. Hydrants will be installed in accordance with the most recent version of the International Fire Code. Hydrants will be bagged and the connecting gate valves left closed until the system has been approved. Hydrants must be painted with sunburst yellow high-grade enamel after installation.

6. All lines will be chlorinated and tested in conformance with the above-referenced specifications (see Note 1).

7. All pipes and services will be installed with continuous tracer tape placed 12 to 18 inches under the proposed finished subgrade. The marker will be of plastic, nonbiodegradable, metal core, or backing marked "WATER" that can be detected by a standard metal detector. Tape will be Terra Tape "D" or approved equal. In addition to tracer tape, toning wire will be installed over all pipe and services. Toning wire will be UL listed, type UF, 14-gauge solid coated copper wire, taped to the top of the pipe to prevent movement during backfilling and laid loose enough to prevent stretching and damage before being brought up and tied off at the valve operating nut or valve box. If the operating nut is not easily accessible from the ground surface, the copper wire will be tied off at the valve box in such a way that the wire is easily accessible from the ground surface. Two feet of slack will be provided to allow for connection to the locator.

A one-pound magnesium anode will be buried with the pipe every 1,000 linear feet maximum for cathodic protection of the toning wire. Toning wire splices and connections to anodes will join wires both mechanically and electrically and will employ epoxy resin or heat-shrink tape insulation. Toning wire will be tested prior to acceptance of the pipe system. A written notice from the contractor to the city must be received two business days prior to when testing is required.

8. The contractor will provide traffic control plan(s) as required in accordance with MUTCD.

9. All water mains will be staked for grades and alignment by an engineering or surveying firm capable of performing such work. Staking will be maintained throughout construction.

10. All service line and water valve locations will be marked on the face of the adjacent curb with a "W" or "WV" embossed one-fourth inch into the concrete.

11. All water system connections serving buildings or properties with domestic potable water, fire sprinkler or irrigation systems will comply with the minimum backflow prevention requirements established by the Department of Health (DOH) and the city of Chehalis cross-connection control program.

12. Call Utilities Underground Location Center at 1-800-424-5555 a minimum of two business days prior to any excavations.

13. The city will be notified five business days prior to scheduling a water system shutdown. The city's water division will perform all water system shutdowns. When connections require "field verification," connection points will be exposed by the contractor and fittings verified by the city two business days prior to the distribution of shutdown notices. Customers involved with or affected by water service interruptions will be notified at least 48 hours in advance. Shutdowns will not be permitted on Fridays, weekends, or holidays without written authorization from the director of public works.

14. When connecting to an existing water line where a new valve is not to be installed, the existing valve must be pressure tested to these standards by the contractor prior to connection. If an existing valve fails to pass the test, the contractor will make the necessary additional provisions to test the new line prior to connecting to the existing system or will install a new valve. New lines will not be connected to the existing system until all required tests have been passed.

[Ord. 785B § 14 (4.02), 2005.]

Section 3

Chapter 12.04.570.A of the Chehalis Municipal Code shall be, and the same hereby is, amended to read as follows:

12.04.570 General Considerations.

A. General. "Sanitary sewerage" refers to wastewater derived from domestic, commercial and industrial pretreated waste to which storm, surface, and ground water are not intentionally admitted. Pretreatment will follow all the requirements as set forth by city ordinances and public works departmental policies.

Any extension of the city of Chehalis sanitary sewer system must be approved by the public works department and must be consistent with the city of Chehalis comprehensive sewer plan, city of Chehalis general sewer plan, Department of Ecology, and Department of Health requirements.

Within the corporate city limits, where public sewer is available it must be used. Connection is not required; provided, that the sewage from the structure originates more than 200 feet from the public sewer, except in the case of private residential or commercial developments where the developed property abuts a right-of-way in which a public sewer is located or where a service connection is otherwise provided. In this case, connection of all structures generating sewage will be required to connect to the public sewer regardless of distance.

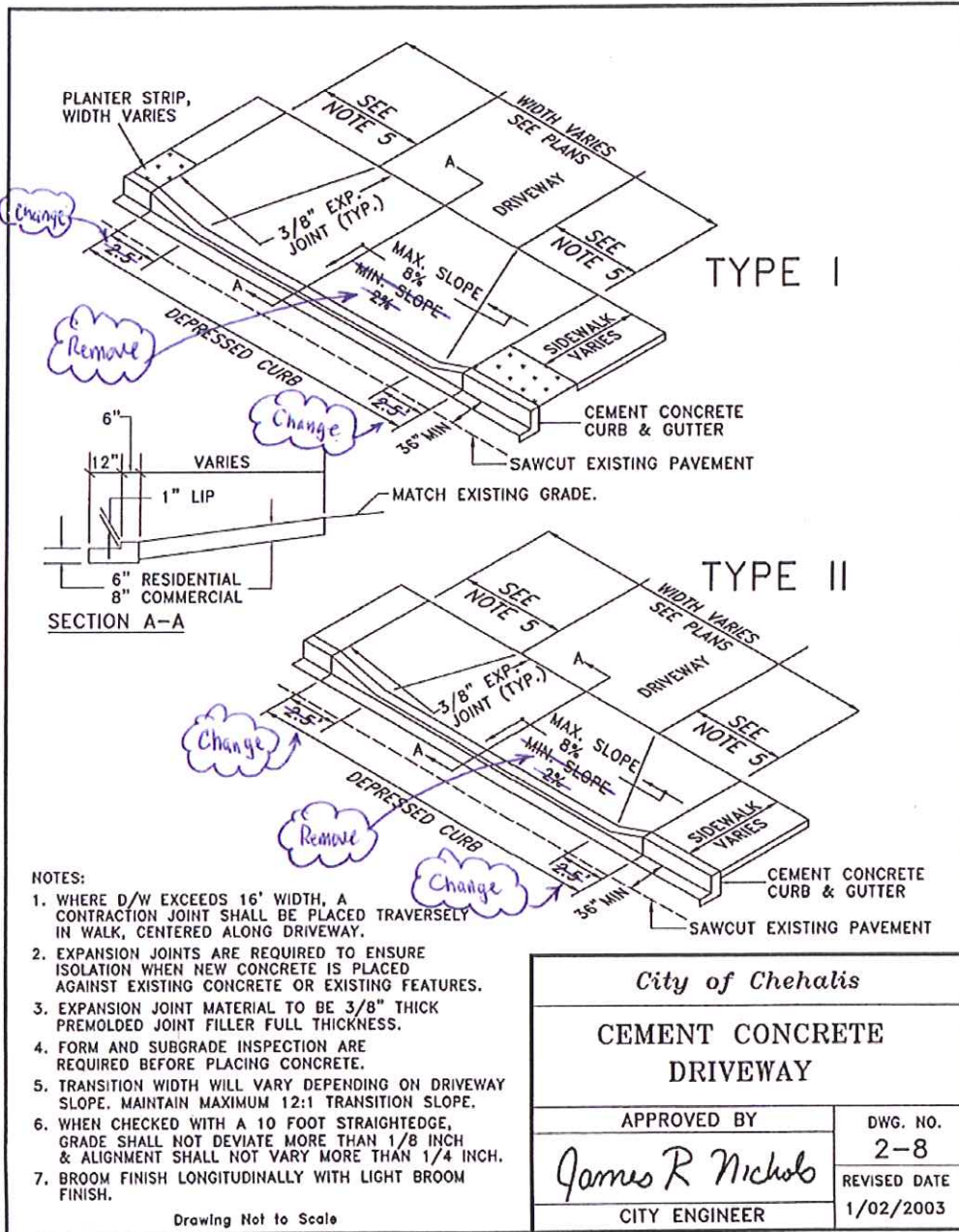
Anyone who wishes to extend or connect to the city sewer system will contact the ~~engineering division~~ Public Works Department for a water/sewer/storm application. If a sewer line extension is being requested, a written request that specifically lists and details the line extension must be submitted to the ~~engineering division~~ Public Works Department. The extension will be extended to and through the extremes of the property frontage being developed for future development provided that further utility extension is possible, as determined by the Public Works Director. After the water/sewer/storm application is returned to the engineering division approved, along with a written request and/or any other information as may be required or requested, city staff will determine costs or estimated costs and/or address council and other approvals as may be required estimated fees.

See CMC 12.04.060 for definitions of specific sewers. Maintenance of the building sewer will be the responsibility of the property owner, while the remaining sewer lateral will be the city's responsibility.

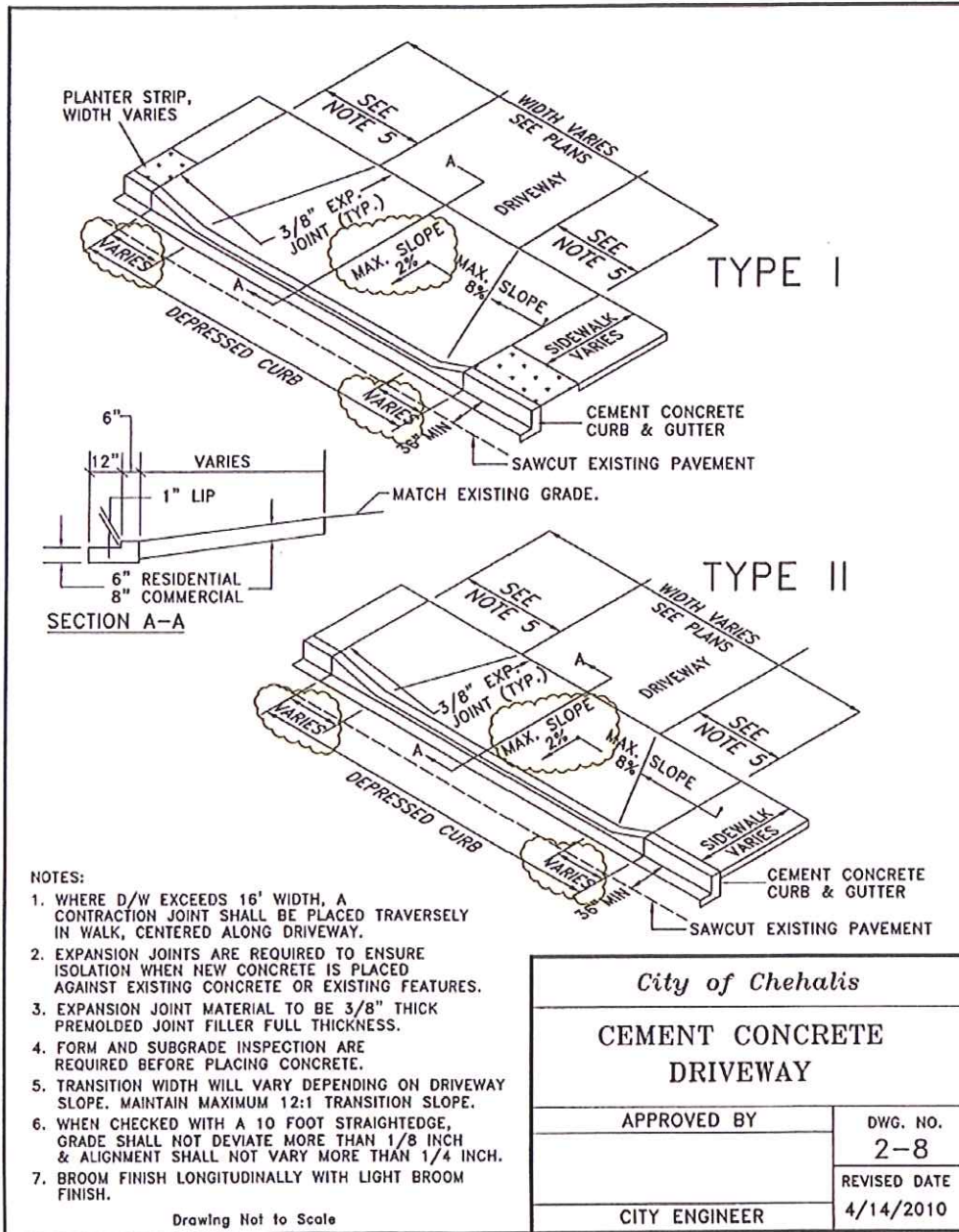
Section 4

Title 12 Article VII Standard Drawings 2-8 Cement Concrete Driveway, shall be, and the same hereby is, amended to read as follows:

EXISTING DWG 2-8

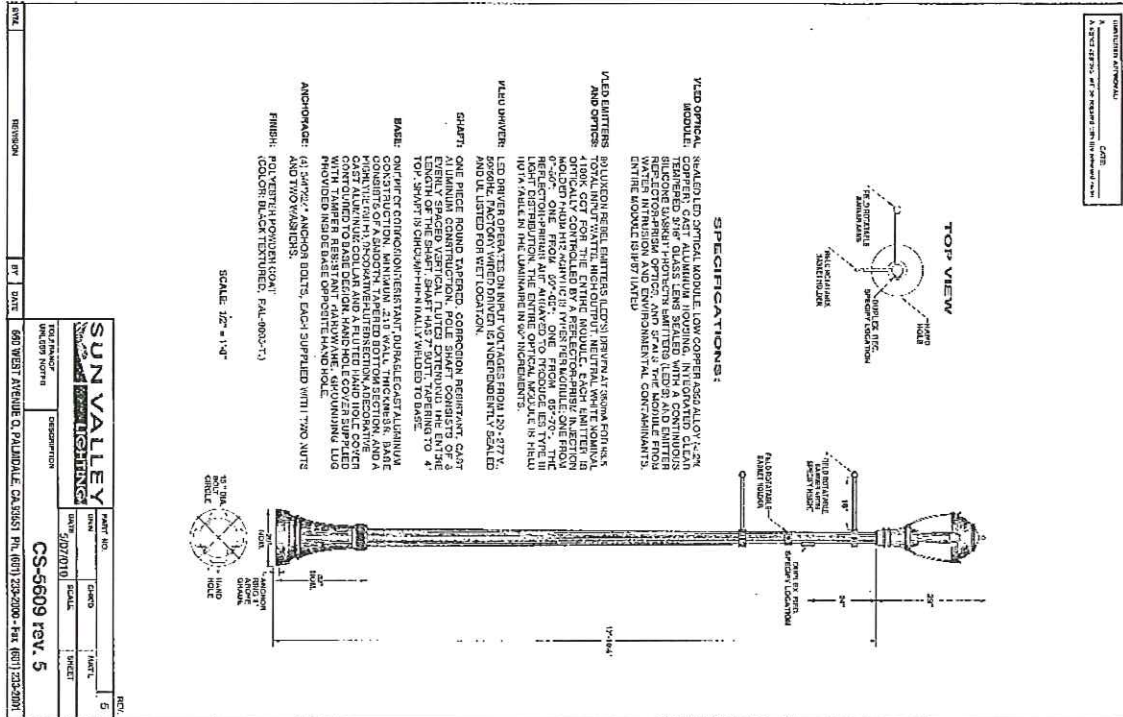


PROPOSED DWG 2-8



Section 5

Title 12 Article VII Standard Drawings of the Chehalis Municipal Code shall be, and the same hereby is, amended by adding a new standard drawing 2-28 Street Light Alternative 1 as follows:



Section 6

Section 13.04.520 of the Chehalis Municipal Code shall be, and the same hereby is, amended to read as follows:

13.04.520 Water Main Extension Request.

When a person desires to extend a city water main, that person must make a written request to the city and state on that request the location where the extension is desired, the purpose for extension, and give details and extent of any development he is considering, as well as any other factors as may be pertinent. The public works director shall evaluate all requests for main extensions, taking into consideration the availability of water in the existing mains, reservoir capacity, pressures in the area, and other local conditions. If the extension is considered feasible, the request shall be presented to the city council, along with recommended pipe diameter(s) and other factors that may be relevant, for their consideration. The city council may approve or deny the request, table the request pending submittal of additional information, refer the request to the planning commission, a council subcommittee, or other entity for review and comment prior to considering the request, or modify the extension proposal and/or make approval contingent upon other factors or conditions. In any event, approval by the city council shall be contingent upon meeting all city specifications and standards, payment of all applicable fees and charges, receiving approval from any other jurisdiction that may be required, and complying with all regulations that may apply. If the water main extension request is approved by the city council,

then the person requesting the water main extension shall coordinate arrangements to proceed with the installation of the water main extension with the public works director proposal is acceptable, specific conditions and requirements will be determined by the public works director. [Ord. 695B, 2001.]

Section 7

Section 13.04.550 of the Chehalis Municipal Code shall be, and the same hereby is, amended to read as follows:

13.04.550 Appeal.

A. Except for provisions required by local, state, or federal regulations, or by law, any water customer or person applying for water who questions, disputes, or feels aggrieved by the determination or decision of the public works director may submit an appeal in writing to the public works director Development Review Committee as provided in CMC 17.09.150 – Appeals, stating the reasons for the appeal and providing information supporting the basis of the appeal. The public works director will review the appeal to determine if there is justification for amending or reversing the determination or decision previously made. Within the authority designated in this chapter, he may uphold the previously made determination or decision, or may modify or reverse such determination or decision. The public works director will decide upon such written appeals within 10 days.

B. Any such customer or person that is not satisfied with the decision of the public works director may further appeal the decision by formally petitioning the city manager to review the decision and reasons for disapproval. The city manager may, at his discretion, approve, reverse, or revise the decision of the public works director.

C. Any such customer or person that is not satisfied with the decision of the city manager may further appeal the decision by formally petitioning the city council at a regular city council meeting. The city council may uphold the previous decision, or may concur with the appeal, or may modify or amend the decision, or may make a decision contingent upon other factors or performance. The decision of the city council will be considered final. [Ord. 695B, 2001.]

Section 8

Section 17.12.070 of the Chehalis Municipal Code shall be, and the same hereby is, amended to read as follows:

17.12.070 General Layout of Lots.

Except as provided in CMC 17.12.470:

A. All lots within a regular subdivision must meet the minimum size and dimension requirements established in the applicable zone for the property pursuant to this title and any other applicable land use regulations. The minimum lot area shall be deemed to have been met if:

1. The average lot area is not less than the minimum lot area required within the applicable zoning district; and

2. No lots contain an area of less than 80 percent of the prescribed minimum for the applicable zoning district (lot averaging).

B. All lots within a short plat must meet the minimum size requirements established in the applicable zone.

C. All lots must be shaped to permit reasonable use and development of the lot and provide for a minimum building dimension of 24 feet by 24 feet without encroaching into any setback area.

D. Not more than 10 percent of any proposed lot which is designated for development may contain environmentally sensitive, critical and/or resource areas (see Division III of this title), including wetland buffers.

E. Not more than two flag lots shall be created from any single lot of record.

F. The “flagpole” portion of any flag lot shall be a minimum of 12 feet wide if serving only one single-family dwelling or duplex; a minimum of 25 feet wide if serving any other residential development of up to nine dwelling units; and a minimum of 40 feet wide if serving any other residential or nonresidential development.

G. In any short plat or subdivision, a lot created for the exclusive purpose of utility fixtures or equipment need not comply with the dimensional standards required by this chapter; provided, that an easement or dedication is recorded for such utility purpose within the approval documents.

H. Mailboxes. Mailboxes shall be installed consistent with the Engineering Development Code (CMC Section 12.04.320.G Mailboxes and associated Figure 2-18).

1. Documentation of consultation with the United States Post Office is required to determine the proper location for the proposed mailbox(es).

2. Any proposed mailbox or mailbox cluster location must be shown on the subdivision or short plat map. [Ord. 847B § 10, 2009; Ord. 769B § 11, 2004; Ord. 720B § 1, 2002.]

Section 9

Section 17.12.410 of the Chehalis Municipal Code shall be, and the same hereby is, amended to read as follows:

17.12.410 Applicability.

The provisions of this section through CMC 17.12.485 shall apply to real property which is identified in an adopted master plan for development, located within an industrial development district, or owned by the Port of Chehalis, and proposed for segregation by the Port of Chehalis. [Ord. 847B § 10, 2009.]

Section 10

Chapter 17.22.040 of the Chehalis Municipal Code shall be, and the same hereby is, amended to read as follows:

17.22.040 Flood hazard zone created.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled “The Flood Insurance Study for Chehalis,” dated July 17, 2006, (Appendix Chapter W), with associated flood insurance rate maps (FIRMs), is hereby adopted by reference and declared to be a part of this chapter. The FIRMs are on file at the Community Development Department, 1321 S. Market Boulevard. The City of Chehalis shall also be empowered to create special flood hazard zones. Best available information shall also be used to determine the flood hazard zone based on elevation data, topographic information and flood-of-record data. [Ord. 849B § 3, 2009.]

Section 11

Appendices Index of the Chehalis Municipal Code shall be, and the same hereby is, amended to read as follows:

Appendices

<u>Chapter A</u>	Schedule of Fees and Charges
<u>Chapter B</u>	Sample Forms Applications and Forms
<u>Chapter C</u>	Port of Chehalis Comprehensive Plan
<u>Chapter D</u>	Chehalis/Centralia Airport Master Plan
<u>Chapter E</u>	List of International, Uniform and SBCC Codes Adopted
<u>Chapter F</u>	Definition of Words, Terms and Uses
<u>Chapter G</u>	State Environmental Policy Act (SEPA) Rules [WAC 197-11]
<u>Chapter H</u>	Flood Control Zone
<u>Chapter I</u>	Airport Service District (ASD) Legal Description/Designation
<u>Chapter J</u>	Historic District(s) (HIS) Legal Description/Designation
<u>Chapter K</u>	Foreign Trade Zone (FTZ) Legal Description/Designation
<u>Chapter L</u>	Industrial Development District (IDD) Legal Description/Designation
<u>Chapter M</u>	Wetland Project Mitigation Area (Resolution No. 1-97) (This appendix is not used)
<u>Chapter N</u>	Washington State Wetlands Rating System Manual
<u>Chapter O</u>	Historic District Building Guidelines and Landscape Criteria
<u>Chapter P</u>	Planned Unit Development (PUD) District Legal Description/Designation
<u>Chapter Q</u>	Graphics and Diagrams of Selected Identified Requirements
<u>Chapter R</u>	Shoreline Master Program (Resolution No. 19-81)
<u>Chapter S</u>	Critical and Resource Areas (This appendix is not used)
<u>Chapter T</u>	Priority Habitat and Species Listing (WDF&W)
<u>Chapter U</u>	Chehalis Renaissance Project
<u>Chapter V</u>	Mobile/Manufactured Home Park Development Standards
<u>Chapter W</u>	Flood Insurance Study (2006 FEMA)
<u>Chapter X</u>	State Environmental Policy Act Process and Office of Community Development Requirements for Adoption of this Title
<u>Chapter Y</u>	Criteria for Review and Decision on Specialized Permits and Approvals

Note: Plans, documents, publications, manuals, etc., which are published by agencies other than the city are not included in copies of these appendices. Such copies may be obtained from the Chehalis community development office or the publisher on request.

The appendices are expected to be revised and/or updated frequently. The user must contact the Chehalis community development office to determine the most current adopted version of any appendix.

Code reviser's note: All listed appendices are also available on the city of Chehalis's website.

Section 12

Appendix Chapter 'B' of the Uniform Development Regulations codified in the Chehalis Municipal Code as Title 17 shall be, and the same hereby is, amended to read as follows:

Appendix Chapter B

Sample Forms-Applications and Forms

Sample forms in Appendices B-1 through B-9 follow. Applications and Forms are located on the City of Chehalis website by using the following link: www.cityofchehalis.com . Applications and Forms can also be obtained by contacting the Community Development Department, 1321 S. Market Boulevard, Chehalis, WA or at (360) 345-2229.

Section 13

Appendix Chapter 'E' of the Uniform Development Regulations codified in the Chehalis Municipal Code as Title 17 shall be, and the same hereby is, amended to read as follows:

Appendix Chapter E

List of International, Uniform and SBCC Codes Adopted

A. WAC 51-50 - International Building Code (IBC), 2009 Edition, published by the International Code Council, as amended by the SBCC, provided:

1. IBC Section 105.2; Building, and IRC Section R105.2; Building, (exempted work) shall be amended to add the following exemptions:

'A. Non-structural modifications or repairs to any building which do not alter any building line defined herein, alter any required exitway, or otherwise violate any provision of this code, and the valuation or cost of construction does not exceed \$2,500'; and

'B. Non-structural roof recover, including strip and re-sheet projects, consistent with IBC Section 1510 - Reroofing; provided that no framing or other structural modifications are performed.'

B. WAC 51-51 - International Residential Code (IRC), 2009 Edition, published by the International Code Council, as amended by the SBCC.

C. WAC 51-52 - International Mechanical Code (IMC), 2009 Edition, published by the International Code Council, as amended by the SBCC.

D. WAC 51-54 - International Fire Code (IFC), 2009 Edition, published by the International Code Council, as amended by the SBCC.

E. WAC 51-56 and 51-57 - Uniform Plumbing Code and Appendices A, B, and I, 2009 edition, published by the IAPMO, as amended by the SBCC.

F. WAC 51-11 - Washington State Energy Code, 2009 updated edition, adopted by the SBCC.

G. WAC 51-13 - Washington State Ventilation and Indoor Air Quality Code, 2006 edition, adopted by the SBCC.

H. WAC 51-19 - Washington State Historical Building Code, adopted by the SBCC.

I.G. Uniform Code for the Abatement of Dangerous Buildings, 1997 edition, published by the ICBO.

J.H. Uniform Housing Code, 1997 edition, published by the ICBO.

K.I. IBC Appendix Chapter 'C', Agricultural Buildings.

L.J. IBC Appendix Chapter 'I', Patio Covers.

- M.K. IRC Appendix Chapter 'H', Patio Covers.
- N.L. IFC Appendix Chapter 'B', Fire Flow Requirements for Buildings.
- O.M. IFC Appendix Chapter 'C', Fire Hydrant Location and Distribution.
- P.N. IFC Appendix Chapter 'D', Fire Apparatus Access Roads (and Turnarounds)
- Q.O. IFC Appendix Chapter 'E', Hazard Categories.
- R.P. IFC Appendix Chapter 'F', Hazard Ranking.
- S.Q. IFC Appendix Chapter 'G', Cryogenic Fluids.

Section 14

The effective date of this ordinance shall be the 1st day of September, 2010.

PASSED by the City Council of the city of Chehalis, Washington, and **APPROVED** by it's mayor this 23rd day of August, 2010.

Mayor

Attest:

City Clerk

Approved as to Form:

City Attorney

[Scrivenors note: highlighting, strikethrough and underline format for the purpose of clarification and identification will be removed prior to final passage of this ordinance.]