

February 8, 2010

The Chehalis city council met in regular session on Monday, February 8, 2010, in the Chehalis city hall. Mayor Ketchum called the meeting to order at 5:01 p.m. with the following council members present: Terry Harris, Dr. Isaac Pope, Bob Spahr, and Dennis Dawes. Councilor Lund arrived at 5:12 p.m. and Councilor Taylor arrived at 5:55 p.m. Staff present included: Merlin MacReynold, City Manager; Brian Kelly, Assistant City Attorney; Judy Schave, City Clerk; and Peggy Hammer, Human Resource Administrator.

1. **Work Session – City Council Roles and Responsibilities.** Peggy Hammer introduced Lisa Roberts, Risk Services Manager for Washington Cities Insurance Authority (WCIA), to brief the council on their roles and responsibilities, as well as the do's and don'ts of council members. Ms. Roberts stated WCIA periodically visited with councils early each calendar year to identify public official conduct that can precipitate loss.

2. **Discussion on Code of Ethics Request.** Mayor Ketchum stated the council had been provided with some examples of 'codes of ethics' from three different cities. He asked if it was something the council would want to adopt, or would they just rather take the information and store it for themselves.

Councilor Harris stated he liked the simplicity of the example from Yakima, Washington; however there were certain things stated in the other two examples that he liked, as well. He asked if there was any interest in just spending some time to build their own. Mayor Ketchum felt they had enough information and didn't really need to build a new one, and suggested they just pick something they would all be willing to work with.

Councilor Lund wondered if it would give the appearance that they were doing something wrong, by doing it. Mayor Ketchum stated he only brought up the idea because for as long as he has sat on the council, people continue to accuse people of stuff, and he felt they needed to have something in front of them that they can all agree with. He stated it was fine with him if they didn't want to do it.

Councilor Dawes stated he agreed that the example from Yakima was short and sweet, and didn't feel it was necessary to make an exhaustive document that would be a verbatim copy of what state law already had. Mayor Ketchum agreed, noting it was something simplistic that they could give to council members and hand out to new council members after they are sworn in.

Councilor Spahr agreed, as well, adding the other two examples were too involved, and felt no one would read them anyway.

The consensus of the council was to direct staff to draft a 'Code of Ethics' based on the model from Yakima, and bring it back to the council for consideration.

Mayor Ketchum closed the work session at 6:00 p.m. and announced the council would take a two minute recess and reopen the regular meeting at 6:02 p.m. Additional staff included: Glenn Schaffer, Police Chief; Bob Nacht, Community Development Director; and Eva Lindgren, Finance Manager. Members of the news media in attendance included Adam Pearson from *The Chronicle*. Councilor Pope excused himself from the meeting at 5:55 p.m., to attend another engagement.

3. **New Chronicle Reporter.** Mayor Ketchum introduced Adam Pearson from *The Chronicle*, who replaced the city's former reporter Marquise Allen.

4. **Consent Calendar.** Councilor Dawes moved to approve the consent calendar comprised of the following:
- a. Minutes of the regular meeting of January 25, 2010;
 - b. Claim Vouchers No. 95864-95969 in the amount of \$461,431.76 dated January 29, 2010; and Payroll Vouchers No. 33250-33333 and 1213-1276 in the amount of \$700,674.83 dated January 29, 2010; and
 - c. Confirm re-appointment of Adam Holgate to the Chehalis Planning Commission for a four year term expiring December 31, 2013.

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The motion was seconded by Councilor Lund and carried unanimously.

5. **Staff Reports.**

a. **2008-2009 Crime Statistics for Chehalis.** Police Chief Glenn Schaffer walked the council through the general crime statistics for the city for 2008-2009. He provided the council with an updated list to include statistics from January 2010.

Chief Schaffer reported everything was pretty consistent; however, with regards to the total number of incidents handled in 2010, they had already exceeded last year by 80 incidents handled. He noted the reports taken had nearly doubled, and likewise the arrests were significantly up.

Chief Schaffer stated they anticipated crime would start skyrocketing about six months ago because of the economic crises; however, it didn't start increasing until December 2009.

Chief Schaffer updated the council on the uniform crime reports, which were required to be reported to the state monthly. Those crimes included: homicide, rape, robbery, assault, burglary, theft and vehicle theft. Chief Schaffer reported they already had 24 assault cases in January, and those particular numbers continued to go up during the first week of February.

Councilor Taylor noted there were a couple of drinking establishments in the downtown area that the department was having problems with, and asked if a lot of the assaults were coming from that area. Chief Schaffer indicated the majority of the assaults were not coming from those particular establishments; however, they were back to being busy and having similar problems with those types of businesses again.

Chief Schaffer reported on the increase in thefts, adding they were as high as 40 per month in 2009, and in December and January those numbers jumped up into the 70s, due to an increase in vehicle prowls.

Councilor Dawes inquired as to how many shoplifters they were getting. Chief Schaffer reported the single largest contributor of shoplifters was Wal-Mart, because they were aggressive enough and had full-time employees that go after it. He noted there was also a civil remedy for people to handle shoplifters, which sometimes dissuaded people from going after them criminally.

Chief Schaffer stated he included the department's 'use of force' numbers in the report, noting he had a very strict department policy for reporting it. He indicated if an individual does not voluntarily turn around and put their hands behind their back when being arrested, a use of force report was generated by the officers. Chief Schaffer reported they were at three percent, with 30 incidents reported in 2009. He indicated the national average was about two to three percent, adding most agencies required a higher level of force before the reporting requirements kicked in.

Councilor Harris inquired about vandalism, wanting to know what category it fit into in the report. Chief Schaffer indicated vandalism was not one of the uniform crime report numbers.

Councilor Taylor inquired about vehicle thefts, wanting to know if people were just taking the vehicles for a joyride and dropping them off somewhere. Chief Schaffer noted the statistics on the vehicle thefts also included vehicle theft recoveries. He stated the use of the new automatic license plate reader had accounted for a couple of those numbers, adding most of the vehicle thefts were found, usually in the state. Chief Schaffer noted Chehalis did not have a vehicle theft problem, where people are stealing high-end vehicles and converting identification numbers and things of that nature.

Councilor Harris asked if having the computers in the vehicles was making it easier for the officers to do their reports. Chief Schaffer stated for the small reports yes; however, it was awkward to sit in the vehicle and type reports. He indicated the primary function of the computers was to get information from the dispatch center back to the officers quicker. Councilor Dawes noted they could also do attachments with the computers, as well. Chief Schaffer stated that was correct, adding they could attach things such as recorded statements and photographs almost immediately. He reported another big roll of the computer was the automatic license plate reader and the two thermal imaging units, which all worked directly off the computers in the cars.

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Councilor Dawes stated when digital photography first came out there were concerns that photos would be doctored up. He asked if digital photography was a little more easily accepted now. Chief Schaffer stated as far as he knew, it was completely accepted, because forensically any digital enhancement was easily identifiable.

Councilor Lund inquired about the new earpiece cameras, wanting to know if they were expensive, and would they save the city on insurance. Chief Schaffer reported he had seen some advertisements and read some articles on them, and there were a couple of the larger agencies in the country with them, but not very many of them were running tests on them. He stated the cameras in the vehicles had become more of an accepted practice, but they also had the cameras that ran over the ear and some that clipped to the officers shirt, which ran a few thousand dollars each. Chief Schaffer indicated he didn't know if it would save the city anything on insurance.

6. Council Reports.

a. **Flood Authority Update.** Councilor Taylor reported on the flood maps that were put out by FEMA, noting they were causing quite a stir. He stated, because of the maps and how much of the city they encompassed, he felt it would be wise to take a more proactive approach in taking care of ourselves, and suggested the council think about hiring an attorney to represent the city to try and mitigate some of the impacts the maps would have on Chehalis. Councilor Taylor stated he would like to get the council's approval to work with Mayor Ketchum and City Manager MacReynold to get an attorney hired quickly.

Councilor Spahr asked what City Manager MacReynold and Mayor Ketchum's thoughts were on the subject. City Manager MacReynold agreed with Councilor Taylor, adding it would significantly impact this jurisdiction in the long run. Mayor Ketchum felt if they sat and waited, it would have a huge financial impact on the city that we would never be able to dig out of.

Councilor Taylor reported if the maps go into effect, the majority of the area they'd been working on to try and create tax revenue would go away, and the only way they would be able to cover inflation would be to raise taxes on the current businesses.

Councilor Dawes stated the airport was a little concerned about how the mapping was going to affect them, and he suggested we team up and pool our resources together. He reported it seemed to be a nationwide issue because he came across an article written by a gentleman from Iowa regarding the new FEMA mapping, in which case they were facing a similar type of situation. Councilor Dawes agreed that they needed to be proactive.

Councilor Spahr inquired about Centralia and the County, with regards to their participation. Mayor Ketchum felt perhaps Centralia had not looked at the maps as well, adding it appeared they had a lot of area to lose.

Councilor Taylor thought going in as a group was a great idea; however, he suggested the city not wait for others to come on board. He felt others could join the team down the road and share some of the costs, but the city needed to be the leaders on it and get it done.

Councilor Lund noted Assistant City Attorney Brian Kelly had dealt with the attorney that Councilor Taylor had mentioned to him earlier, adding if anyone had any questions about him, they could refer them to Mr. Kelly. Mayor Ketchum noted City Manager MacReynold also had an attorney in mind. City Manager MacReynold felt they needed somebody with good credibility, who was aggressive and knows the business of floods, water and wetlands.

Councilor Taylor noted another concern about the maps was, most of the levees in the Army Corps of Engineer (Corps) plan would be within the floodway; and if they are not allowed to build in the floodway that would make the Corps Plan unattainable. He added, in addition, in order to make the Corps plan a viable project they would need to make changes to the project, greater than 20 percent, which meant the project would have to go back to Congress for re-appropriation.

Councilor Taylor reported they just recently found out that the Corps plan and levee modeling and hydrology was based on a 1981 flood event, which did not take into consideration any of the more recent flood events. He stated that was concerning and very frustrating.

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Councilor Harris suggested they also look at bringing in the FAA because they had finances tied up in the airport. Councilor Dawes stated the Airport Board would automatically work with the FAA because of the amount of dollars they had invested into the airport and the importance of it. He noted the FAA wouldn't necessarily be interested in the retail operations, but they would be concerned about the operations of the airport.

Councilor Taylor moved that the council direct the city staff to hire an attorney with acceptable credentials to represent the city on FEMA mapping and land issues.

The motion was seconded by Councilor Harris and carried unanimously.

b. **Banquets Attended.** Councilor Dawes reported he attended the Chamber Banquet in Centralia at the Aerie, and the Lewis County Economic Development (EDC) banquet at the Washington Hotel. He added it was nice to see people get honored.

Councilor Lund noted he also attended the EDC banquet.

c. **Update from Councilor Spahr.** Councilor Spahr reported he had been in contact with some of the people from the committees he was recently appointed to, noting City Manager MacReynold was able to set up a meeting to go down and meet with a representative on the Cowlitz-Lewis Economic Development District Board to discuss project funding.

Councilor Lund noted he also attended the first meeting of the Cowlitz-Lewis Economic Development District Board, as a representative of the Port of Chehalis.

There being no further business to come before the council, the meeting adjourned a 6:29 p.m.

Mayor

Attest:

City Clerk

SUGGESTED MOTION

I move that the council approve the minutes of the regular city council meeting of February 8, 2010.