

December 14, 2009

The Chehalis city council met in regular session on Monday, December 14, 2009, in the Chehalis city hall. Mayor Ketchum called the meeting to order at 6:00 p.m. with the following council members present: Terry Harris, Dr. Isaac Pope, Daryl Lund, Chad Taylor, and Dennis Dawes. Staff present included: Merlin MacReynold, City Manager; Brian Kelly, Assistant City Attorney; Judy Schave, City Clerk; Glenn Schaffer, Police Chief; Kelvin Johnson, Fire Chief; Eva Lindgren, Finance Manager; Bob Nacht, Community Development Director; Tim Grochowski, Public Works Director; Dave Vasilauskas, Water Superintendent; and Patrick Wiltzius, Wastewater Superintendent. Members of the news media in attendance included Marquise Allen of *The Chronicle*.

1. **Public Hearing – 2010 Recommended Budget and Revenue Sources.** City Manager MacReynold reported they went through the budget process and held two budget work sessions to review the 2010 budget document, which included no tax increases or utility rate recommendations. He stated the council budget committee gave very clear direction that they did not want to increase taxes or raise utility rates.

Mayor Ketchum closed the regular meeting at 6:02 p.m. and opened the public hearing. There being no public comments, Mayor Ketchum closed the public hearing and reopened the regular meeting at 6:03 p.m.

2. **Briefing on Walking Tour Brochure.** City Manager MacReynold introduced Larry McGee, Chairman of the Chehalis Community Renaissance Team (CCRT), and Lewis County Historical Museum Director Debbie Knapp, to brief the council on the brochure for the Historic Downtown Chehalis Walking Tour.

Mr. McGee reported that Ms. Knapp, Caryn Foley, Administrative Assistant to City Manager MacReynold, and Shelly Clemens from KELA, worked very hard on the brochure, and he considered it to be a historical document. He stated there were two main purposes of the tour: the first being something they would all enjoy as citizens; and second, to attract visitors to give them something to do when they're in town. Mr. McGee noted the museum's board approved to pay for the 1000 brochures because they, too, felt it was a legitimate historical document.

Ms. Knapp reported an ad would be coming out in *The Chronicle* about the walking tour, which was taking place on Saturday, December 19, at 11:00 a.m. She provided each of the council members with an invitation, asking them to attend. Ms. Knapp stated they were requesting donations from those going on the tour, which would go to the CCRT. She thought the tour would take approximately two hours, adding several merchants would be providing some refreshments during the tour.

Ms. Knapp reported the brochure started out as a tri-fold; however, as they began researching, it turned into a 24-page booklet. She stated they were very proud of the brochure, and as things change and they reprint, they would incorporate any new information into it.

Mr. McGee stated he would be back before the council in January to give a year-end recap, adding he hoped to have a couple of other interesting things underway at that point.

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

- a. Minutes of the regular meeting of November 23, 2009;
- b. Payroll Vouchers No. 33068-33155 and 1074-1142 in the amount of \$648,764.76 dated November 30, 2009; and
- c. Accept Wastewater Outfall Replacement Project as complete and release retainage to Sterling Breen Crushing, Inc. in the amount of \$9,995.63.

The motion was seconded by Councilor Taylor and carried unanimously.

4. **Staff Reports.**

a. **Briefing on Extension Letters to Utility Customers.** City Manager MacReynold reported he was recently briefed by Tim Grochowski and Eva Lindgren on a situation they had become aware of, which they felt needed to be rectified.

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Mr. Grochowski talked briefly about what had transpired to prompt the letter to go out to certain utility customers. He noted staff sent out approximately 78 letters the prior week to utility customers who were requesting an extension on their utility bill every billing cycle. Mr. Grochowski felt the city needed to put their foot down and let customers know that the city would no longer be extending credit. He indicated there was no department director authorizing the extensions, which did not comply with the city's own policy. City Manager MacReynold noted the city's policy gave the public works director the authority to grant an extension for an emergency situation.

Councilor Dawes suggested it toyed with the thought of gifting of public funds, which was certainly something the city should not be doing.

b. **Briefing on Funding of Foreign Trade Zone (FTZ).** City Manager MacReynold reported, in 2008, they had a brief discussion about funding for the FTZ for 2009. He stated he was recently briefed by the Port of Olympia on the matter, noting the city and the Port of Chehalis had areas that were identified as FTZs. City Manager MacReynold reported businesses that were involved in foreign trade received a tax benefit, noting Darigold, Inc., was one of the local businesses who utilized that benefit. He stated the fee for 2009 was \$985, and would drop to \$500 in 2010. City Manager MacReynold felt the benefit to Darigold, Inc., was significantly higher than the annual fee. He reported the Port of Olympia was also interested in talking with the Port of Chehalis regarding Fred Meyer because they believed they were involved in some level of foreign trade and could benefit from it, as well.

City Manager MacReynold recommended the council fund the requests for both 2009 and 2010.

Councilor Dawes asked if the 2009 fee could be added to the budget amendment ordinance if they approved it that evening on first reading. City Manager MacReynold stated it could, adding he had asked Ms. Lindgren to include it in the budget amendment. Ms. Lindgren indicated it would be included in the second reading of the ordinance.

Mayor Ketchum felt it was good to have a foreign trade zone, adding at one time it would have been a huge benefit to IP Callison because they had a lot of stuff they brought in and sent right back out overseas.

Councilor Dawes believed the amount of money the city would recognize in revenues would be much more than what they pay out for the annual fee. City Manager MacReynold agreed.

6. **Council Reports.**

a. **Code of Conduct.** Mayor Ketchum reported, while sitting on the council over the past ten years, there had been times when accusations had been made about councilors stepping over the line a time or two, and suggested City Manager MacReynold put together a 'Code of Conduct' for the council, so they know what the do's and don'ts are.

Councilor Pope stated they already had a document that outlined the functions and responsibilities of the council and city manager. Councilor Dawes noted the type of material Councilor Pope spoke of was available through the Association of Washington Cities (AWC). He noted AWC puts on a newly appointed officials workshop every two years, and they make it very clear what their roles and responsibilities are.

City Manager MacReynold reported he knew of many cities that had a 'code of conduct.' He stated the administration would be happy to provide the AWC information, and any other 'code of conduct' that Municipal Research might have on file.

5. **Ordinance No. 853-B, Second Reading – Establishing New Wastewater Rates for Lewis County Sewer District #4 (LCSD #4) and the City of Napavine.** Patrick Wiltzius reviewed the information presented at the prior meeting, noting the proposed rates for the provision of sewer services had been set for 2010 for the City of Napavine and LCSD #4. He reported Napavine's rate would increase \$2,332 per month, and LCSD #4 would increase \$1,708 per month. Mr. Wiltzius stated the rates had been fluctuating pretty severely over the last couple of years; however, the overall increase averaged out to about 2.8 to 3.3 percent over the life of the agreement.

Councilor Dawes moved that the council pass Ordinance No. 853-B on second and final reading.

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The motion was seconded by Councilor Pope and carried unanimously.

6. Resolution No. 18-2009, First and Final Reading – Adopting the 2010 Budget for the Chehalis-Centralia Airport. Airport Manager Allyn Roe reported the proposed budget for the airport was passed by the airport board last month. He stated it was a pretty standard budget, similar to last year and the years prior. Mr. Roe noted it included a 3.8 percent increase in revenues and a one percent increase in expenditures. He stated the revenue increases were attributed to some additional FAA funding and a couple of lease increases on their commercial property. Mr. Roe reported the budget included a slight increase in salaries, along with some operating supplies. He stated they had about \$150,000 in capital expenses for the installation of additional security fencing on the north end of the property, which was being funded by the FAA, as reflected on the revenue side. Mr. Roe noted they would not be doing any fencing around the levee until the levee rehabilitation work was done.

Councilor Harris moved that the council approve the 2010 airport budget by adopting Resolution No. 18-2009 on first and final reading.

Councilor Pope seconded the motion.

Councilor Dawes asked if the lease receipts-capital was for the annual or adjustments they do on the life of the leases. Mr. Roe noted every five years the lease rates adjust at the airport. He reported their largest revenue producing leases came from the Twin City Town Center, and were set to increase 10 percent.

The motion carried unanimously.

7. Resolution No. 19-2009, First and Final Reading – Designation of Applicant Agent and Alternate. Ms. Lindgren reported she recently attended some disaster training given by the military department and they strongly urged each city have an application agent in place in order to move forward very quickly should a disaster take place. She noted in the past, it had been sufficient for the mayor to sign off on the designation; however, that was no longer the case. Ms. Lindgren noted the resolution would qualify the city for whatever disaster happens to come along.

Councilor Harris was concerned about naming particular names rather than titles, noting at some point in time the persons designated might not be with the city. Ms. Lindgren reported a similar situation happened when she first started with the city and they were able to work it out with the military department to have Mayor Ketchum sign off on some letters making new designations. She noted in the event the city was not responding and signing off on things, we would somehow be contacted by the military department.

Ms. Lindgren recognized Judi Smith from the public works department for the work she did on the 2009 flood event. She indicated her work on that disaster allowed the city to qualify the county, as well as the state, for federal funding. Ms. Lindgren felt Ms. Smith was the appropriate person to be the alternate.

Councilor Harris thought it would be nice to have a list of who has authorization to sign off on what. Ms. Lindgren agreed.

Councilor Harris moved to adopt Resolution No. 19-2009 on first and final reading.

The motion was seconded by Councilor Pope and carried unanimously.

8. Ordinance No. 849-B, First Reading – Amending the City's Critical Areas Regulations. Bob Nacht reported the presentation of the ordinance was a culmination of about a year and half of work, which originally started out with the Planning Commission and others. Mr. Nacht introduced LaJane Schopfer whom the city hired to provide land use planning consulting services. He noted Ms. Schopfer was instrumental in putting the document together; adding she worked directly with the state agencies to make sure the document contained everything the state required.

Ms. Schopfer stated it was important for the city to be able to work with other agencies because there were so many laws with regards to critical areas. She noted the document was sent out to a number of agencies, as well as a design review

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team. Ms. Schopfer indicated the only response they received back came from the Department of Ecology (DOE), which didn't happen too often. She noted the document was 85 pages of detailed information, and felt the city worked very hard on gathering the information and in lending her the department tools to work with.

Mr. Nacht reported the document was submitted to the state for a 60-day review on October 30. He noted city would address the comments made by DOE next year when they go through the annual review process in April. Mr. Nacht asked that the council approve the ordinance on first reading, adding the second reading would be presented at the special meeting on December 21. He reported Ms. Schopfer would be working with the city on the update of the comprehensive plan, which was required by growth management.

Councilor Taylor moved that the council pass Ordinance No. 849-B on first reading.

The motion was seconded by Councilor Lund and carried unanimously.

9. Ordinance No. 854-B, First Reading – Adopting the 2010 Budget. City Manager MacReynold reported the proposed budget was balanced; however, the council still had an opportunity to give feedback and recommend any changes they would like to see in the budget. He noted the city clerk would identify any recommendations made, and during the second reading of the ordinance, they would be brought back before the council for their consideration.

Councilor Dawes moved to pass Ordinance No. 854-B on first reading.

Councilor Taylor seconded the motion.

Councilor Dawes reported the council fought very hard the last two years to not have any utility rate increases; however, based on what was coming down the road, that may not be the case next year. He stated as a council, holding taxes in-line was important, but they also understood there were things that needed to be done. Councilor Dawes noted it wasn't a threat, but a warning, adding they would probably seriously need to look at it as they go into the next year.

Councilor Taylor indicated there were a lot of important things that did not get put in the budget. He noted they had the discussion that if they came up with some extra funds, or if the economy does pick up, they would take a look at the budget mid-year to see if some of the necessary things, such as patrol cars and fire hose, could be added back in.

Councilor Harris echoed what Councilor Taylor stated, adding they asked all the senior staff to make a list of the items they would like to see added back into the budget should things turn around.

The motion carried unanimously.

10. Ordinance No. 855-B, First Reading – Amending the 2009 Budget. Ms. Lindgren walked the council through the highlights of the budget amendment, noting the single most significant adjustment in the general fund related to the deferral of the bond issuance of debt for city hall. She noted the revenue would be reduced because they were not issuing the debt, and the offset was they would not be paying it out to the utility funds this year. Ms. Lindgren noted it was vital to issue the long-term debt in 2010 with a fixed rate, which would assist in the planning for future years.

Ms. Lindgren talked briefly about the previous budget amendment, noting they did an across-the-board transfer between the office of economic development and the city manager budgets for \$50,000; however, they ended up transferring a little too much and would be taking a portion of it back. She noted they were still waiting for a PERS billing from the Department of Retirement, which was a component that had to be covered in the economic development budget and they planned on using that money to help cover those costs.

Ms. Lindgren reported she looked very closely at the general fund, adding there were some revenue streams that were not going to be seen in 2009, so they were removed. She noted the school district chose not to fund the DARE program this year; however, the police department was successful in getting a justice assistance grant to help cover part of the cost of the school resource officer position; but unfortunately they would not be receiving the cash for that grant until next year. Ms. Lindgren did not believe they would see the signage grant funding before the end of the year either, so that was taken into

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Account, as well.

Ms. Lindgren continued the review of the general fund and talked briefly about the lower than expected fuel costs and higher cost for benefits. She discussed the non-departmental budget, noting election costs had increased significantly, which were driven by a state mandate on how they collect and retain voter data.

Ms. Lindgren talked briefly about the police and fire benefits, noting she was reducing the fire LEOFF I benefit budget because the city would be picking up the pre LEOFF 1 firefighter benefits in the firemen's pension fund.

Ms. Lindgren reported she was requesting a \$25,000 transfer rather than the \$10,000 in the proposed garbage fund budget, noting she would rather be over budget, than under budget. She indicated they would not have to do the transfer for the full amount if it turned out they don't need it. Ms. Lindgren talked briefly about the revenue budgeted for solid waste fees, noting it was reduced significantly because the city was not doing the billing any more, and the professional services the city would have normally paid the contractor were also reduced.

Councilor Taylor inquired as to what the employee who was handling the garbage was now doing; now that the contractor had taken over the billing. Ms. Lindgren reported the garbage was only a small portion of the utility billing process, adding they still had the same workload of processing and mailing a utility bill to every customer. She felt it was a slightly lighter load because they didn't have the phone calls or excess tags to deal with. Ms. Lindgren noted they planned on fewer employees, but it was not in the budget because the reality was, they would run into coverage issues. City Manager MacReynold reminded the council that they did cut part of one position from the finance department in the latter part of 2009 as part of phase 2 of the workforce management plan.

Ms. Lindgren concluded her report by talking briefly about the water fund utility taxes and firemen's pension fund.

Councilor Dawes moved to pass Ordinance No. 855-B on first reading, and to suspend the reading of the ordinance.

The motion was seconded by Councilor Pope.

Councilor Dawes moved to amend Ordinance No. 855-B to include \$985 for the FTZ assessment for the calendar year 2009.

The motion was seconded by Councilor Pope and carried unanimously.

Councilor Dawes moved to pass Ordinance No. 855-B as amended, including suspending the reading of the ordinance.

The motion was seconded by Councilor Pope and carried unanimously.

11. **Request to Rename Little League Field #1 at Stan Hedwall Park to be Andy Sennes Field.** City Manager MacReynold reported the city recently received a formal request from Rich Bunker, who was representing the Chehalis Little League, to rename Little League Field #1 at Stan Hedwall Park to be Andy Sennes Field. He noted the request was made because of Mr. Sennes' significant contributions to recreation, and to our city facilities and ballfields.

Councilor Pope moved that the council rename Little League Field #1 at Stan Hedwall Park to Andy Sennes Field.

Councilor Taylor seconded the motion.

Councilor Pope stated he talked with City Manager MacReynold earlier in the day, noting if in the future somebody wanted to name or rename something because they made a large donation, it would have to be looked at on its own merit. He indicated they looked at this request based on Mr. Sennes' contribution and commitment to our city, its facilities, and the recreation department.

The motion carried unanimously.

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12. **Update on the Passing of Former Fire Captain Brian Slater.** Mayor Ketchum asked if Chief Johnson had any more information on former Fire Captain Brian Slater, who passed away on December 8. Chief Johnson reported he spoke with Fire Captain Kevin Curfman, and according to the Captain Slater's wife, Karen, they would not be having anything further in Chehalis, but were planning to do something on January 9 in Soap Lake, Washington. He stated that he asked Captain Curfman to keep him updated on the situation, and he would pass along any information to the council as it was received. Mayor Ketchum asked that a card be sent to the family from the council.

13. **Benefit for Officers Killed in Lakewood, Washington.** Chief Schaffer reported Paul Walker and Ron Hall of KITI-Live 95, established a fundraiser on Wednesday, December 16, for the four officers that were killed in Lakewood, Washington. He noted the event would take place at the Hub City Club in downtown Centralia, Washington, and they would be providing a spaghetti meal by donation starting at noon, with the main event starting at 6:00 p.m. Chief Schaffer stated 75 percent of the proceeds would go to the guild that would support the officers' families, and the other 25 percent would go towards establishing a local permanent law enforcement and fire department memorial fund.

14. **Intersection of West Street, Airport Road, and Louisiana Avenue.** Councilor Lund reported he was approached by Darrell Sorenson concerning the intersection of West Street, Airport Road and Louisiana Avenue. Councilor Taylor reported he brought the issue up about three months ago and suggested the city look at putting in a traffic calming circle. Mr. Grochowski reported the city looked at it in-house, but had not put a price on what it would cost to do the work. Mr. Grochowski felt it would be impossible to do a project in the near future with the current budget situation; however it was something they wanted to look at incorporating when they open up Louisiana Avenue to Airport Road at the North end.

Mr. Grochowski suggested they talk with the state about helping out with funding to improve that area, noting once they open the road at the north end there was going to be more traffic coming through that area. Councilor Dawes believed the state would rather take out the West Street overpass because of the discussion about widening I-5. City Manager MacReynold noted the state continued to push out the date for that particular project.

Councilor Taylor indicated he was told they didn't think a traffic calming circle would work because of the location and the legalities of putting something like it in the middle of the road on a main street. Mr. Grochowski noted it wasn't ruled out, but they still needed to look at the cost. City Manager MacReynold agreed it was a problem.

There being no further business to come before the council, the meeting adjourned at 7:02 p.m.

Mayor

Attest:

City Clerk

SUGGESTED MOTION

I move that the council approve the minutes of the regular city council meeting of December 14, 2009.