

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		Dennis Dawes, Position at Large, Mayor Pro Tem
Daryl J. Lund, District 2		Chad E. Taylor, Position at Large
Dr. Isaac S. Pope, District 4		Bob Spahr, Position at Large

April 11, 2011

5:30 p.m.

WORK SESSION		
1. <u>Water System Plan Update.</u> (Public Works Director, Water Superintendent, and Jeff Hansen – HDR Engineering, Inc.)		

Regular Meeting of April 11, 2011

6:00 p.m.

ITEM	ADMINISTRATION RECOMMENDATION	PAGE
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.		

PROCLAMATIONS / PRESENTATIONS

4. XII Step Club of Lewis County Day of Recovery. (Mayor)

CONSENT CALENDAR

5. Minutes of the Regular Meeting of March 28, 2011. (City Clerk)

APPROVE

1

6. Vouchers and Transfers. (Finance Manager)

APPROVE

4

STAFF AND CITY COUNCIL REPORTS

7. Staff Reports.

a. Council goals and projects work session. (City Manager)

INFORMATION ONLY

8. Council Reports.

a. Councilor reports. (City Council)

INFORMATION ONLY

b. Council committee reports. (City Council)

INFORMATION ONLY

UNFINISHED BUSINESS

9. Ordinance No. 870-B, Second and Final Reading – 2011 Amendments to the Chehalis Comprehensive Plan. (Community Development Director)

PASS

6

NEW BUSINESS

10. Ordinance No. 871-B, First Reading – Creating and Establishing the Duties and Responsibilities of the Sister City Committee. (Mayor, City Manager)

PASS

11

11. Ordinance No. 872-B, First Reading – Revising the Chehalis Parking Code. (Police Chief)

PASS

14

**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, APRIL 25, 2011

March 28, 2011

The Chehalis city council met in regular session on Monday, March 28, 2011, 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, 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; Glenn Schaffer, Police Chief; Kelvin Johnson, Fire Chief; Eva Lindgren, Finance Manager; Bob Nacht, Community Development Director; Herta Fairbanks, Public Works Director; Rick Sahlin, Street Superintendent; and Dave Vasilauskas, Water Superintendent. Members of the news media included Lee Hughes from *The Chronicle*.

1. **Sexual Abuse/Assault Awareness Month.** Mayor Ketchum presented Human Response Network Program Manager Katie Braae with a proclamation declaring April 2011 as 'Sexual Abuse/Assault Awareness Month' in the city of Chehalis.

2. **National Crime Victim's Rights Week.** Mayor Ketchum presented Human Response Network Interim Lead Crime Victims Advocate Joe Keen with a proclamation declaring the week of April 10-16, 2011, as 'National Crime Victim's Rights Week' 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 March 14, 2011; and
- b. Claim Vouchers No. 99476-99621 and 22011 in the amount of \$189,865.90 dated March 15, 2011.

The motion was seconded by Councilor Lund and carried unanimously.

4. **Staff Reports.**

a. **February Financial Report.** Ms. Lindgren reported the variance for the sales and use tax revenue was positive, but cautioned the council from getting too enthusiastic about it. She noted they did a better job of budgeting for 2011 than they did in 2010, adding the \$3 million budgeted was more in-line with what was anticipated.

Ms. Lindgren reported on the general fund expenditures, noting the large positive variance in the non-departmental fund was still due to the interfund loans that will be repaid to the water and wastewater funds once the debt is issued. She indicated she still had some adjustments to do for the police department, adding some of the officers' salaries and benefits are being paid out of the gambling enforcement fund.

Ms. Lindgren reported on the wastewater fund, noting the large negative variance was mostly due to the interfund principal repayment, which was tied to the issuance of debt. She noted the same thing was happening in the water fund, with the exception of some additional negative variances.

5. **Council Reports.**

a. **Update from Councilor Spahr.** Councilor Spahr reported he attended a Cowlitz-Lewis Economic Development District Board sub-committee meeting, adding they were working on the by-laws, membership, and designation of small and large cities. He noted they would be going over the information for the next few months, and in the process they may talk a little about membership dues. Councilor Spahr reported the current by-laws refer to two large cities and two small cities from each county, but they don't distinguish between what's considered as being a large city or a small city. He reported they were also talking about bringing in Ports and EDCs, which some thought might become too cumbersome.

b. **Update from Councilor Dawes.** Councilor Dawes reminded Councilors Spahr and Lund about the Regional Fire Protection Service Authority Planning Committee meeting on Wednesday at 6:00 p.m. at the Lewis County District #6 fire hall.

Councilor Dawes reported he attended the Chamber of Commerce Business After Hours event at Live 95/KITI on March 17. He also attended a special meeting with Congresswoman Jaime Herrera Beutler, along with the rest of the council and members of the Centralia City Council, on Friday, March 25, at the Vernetta Smith Chehalis Timberland Regional Library.

March 28, 2011

Councilor Dawes indicated they were able to identify a number of issues that the cities could use her assistance on.

6. **2011 Water System Plan (WSP) Update for Council Review.** Herta Fairbanks presented the council with copies of the 2011 WSP update and asked them to review the document over the next couple of weeks. She reported a public workshop was scheduled for April 11, at which time the council could comment on the plan. Ms. Fairbanks suggested Chapters 4, 7, 11, and 12 would be of the most interest to the council, and noted the following:

- Chapter 4, Planning Data and Demand - takes existing city data and extrapolates it into the future over the 20 and 50 year time horizons, which will give an idea of what the demands are going to be on the system based on the population and growth projections for the city;
- Chapter 7, System Analysis - provides the technical detail of the plan, and at the end of each section would be a brief discussion of any improvements necessary for different components of the system, such as: distribution, storage, source, etc.;
- Chapter 11, Capital Improvement Plan - summarizes the improvements over the six-year and 20-year planning horizons; and
- Chapter 12, Financial Plan - projects the impacts of the planned capital improvements and the effects on the financials of the water system.

7. **Resolution No. 7-2011, First and Final Reading – Adopting the Lewis County Hazardous Waste Management Plan Dated March 2011.** Mark Bronson, Lewis County Hazardous Waste Coordinator, reported in October of 2008, the City of Chehalis adopted the Lewis County Solid and Hazardous Waste Management Plan Update. He noted in 2009, the Washington State Department of Ecology (DOE) adopted new guidelines and instructed all counties who had adopted the hazardous waste management plan to re-write their current plans in order to be in compliance with the new guidelines.

Mr. Bronson reported the Lewis County Solid Waste Advisory Committee took on the task of creating an amendment to the hazardous waste management plan to bring Chapter 6 into compliance with DOE guidelines. He stated the update of Chapter 6 was completed at the end of 2010 and given to DOE for their comments, which have been added to the document being presented to the council for adoption.

Mr. Bronson reported the plan adopted in 2008 was pretty bare-bones, adding there were only five pages on hazardous waste management. He noted the updated plan incorporated more educational materials and explained what actions Lewis County was going to take to manage hazardous materials.

Mr. Bronson stated Lewis County was asking all of the cities to adopt the amended Chapter 6 to make the county's plan compliant with DOE guidelines.

Councilor Harris thanked Mr. Bronson and the staff at the Transfer Station for their contributions, and for doing so much of the groundwork. He noted, although the plan was adopted in 2008, they had no clue as to what DOE was going to require in their guidelines. Councilor Harris commented on the fact that it only took half of the life of the plan for it to finally come to fruition. Councilor Harris suggested residents take advantage of the hazo-hut at the Transfer Station, adding it was a wonderful program.

Councilor Spahr talked briefly about the new florescent light bulbs, commenting on how dangerous they were. He inquired about the disposal of the florescent bulbs, wondering what the consumer was supposed to do with them once they burn out. Mr. Bronson reported they worked really hard with the State Legislature to get the mercury light law passed, and at the beginning of 2013 they will have a system of take-back locations where people can more readily take back their florescent tubes.

Councilor Spahr stated the oil recycling station on State Street was no longer there. Mr. Bronson reported that was correct; however, they picked up a new recycling station at the Forest Grange on Jackson Highway, adding they hoped to have the new tank on site in April. He noted it was hard to get site sponsors to agree to put the oil recycling stations on their property, simply because they are real messy. Councilor Lund suggested the county set an example by putting an oil disposal tank at the county courthouse.

Councilor Dawes moved to adopt Resolution No. 7-2011 on first and final reading.

March 28, 2011

The motion was seconded by Councilor Lund and carried unanimously.

8. **Ordinance No. 870-B, First Reading – 2011 Amendments to the Chehalis Comprehensive Plan.** Bob Nacht introduced LaJane Schopfer, adding she had been the backbone of the effort over the last couple of years, and was instrumental in putting the technical language into the current proposal. He indicated Ms. Schopfer was very well versed at writing comprehensive plans, noting she understands what the Growth Management Act (GMA) requires.

Mr. Nacht reported the Chehalis Planning Commission had been dealing with the issue in earnest for the last two years. He noted they had several public meetings and two or three public hearings, the last being in February 2011. Mr. Nacht stated the proposed amendments to the comprehensive plan had been posted on the city's website for several weeks. He reiterated that the document itself, or portions of the document, would be revised and changed prior to the second reading of the ordinance.

Mr. Nacht reported the State received the plan on January 28, adding the termination of the 60-day review process by all state agencies would end at 5:00 p.m. on Tuesday, March 29. He noted any comments received from the State would be addressed in the plan as part of the amendments, or revisions. Mr. Nacht stated the next agenda report would identify any specific changes made to the plan from the one currently posted on the website.

Councilor Spahr asked if the city would automatically accept what the state tells us to do. Ms. Schopfer reported they would look at the comments as recommendations, noting they wouldn't normally comment unless it was for a good reason. Mr. Nacht indicated the comments that might come from the state may be recommendations as how to change things to make it more suited for their agencies priorities. He noted they may also comment on the GMA requirements, in which case, the city may need to take a look at altering the plan to satisfy some of the statutory requirements of GMA.

Councilor Harris moved to pass Ordinance No. 870-B on first reading.

The motion was seconded by Councilor Lund and carried unanimously.

There being no further business to come before the council, the meeting adjourned at 6:35 p.m.

Mayor



Attest:

City Clerk

SUGGESTED MOTION

I move that the council approve the minutes of the regular city council meeting of March 28, 2011.

CITY OF CHEHALIS
AGENDA REPORT

DATE: March 31, 2011
TO: The Honorable Mayor and City Council
FROM: Eva Lindgren, Finance Manager 
PREPARED BY: Michelle White, Accounting Tech II 
SUBJECT: Vouchers and Transfers

ISSUE

Council approval is requested of the following financial transactions:

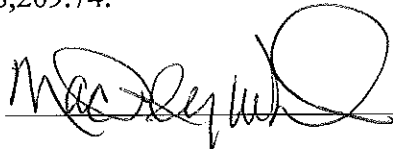
1. Claim Vouchers No. 99622 through 99720 in the amount of \$68,209.74 dated March 31, 2011 and the transfer of \$43,848.90 from the General Fund, \$132.25 from the Gambling Enforcement Fund, \$13,832.97 from the Wastewater Fund, \$8,831.11 from the Water Fund, \$78.84 from the Storm & Surface Water Utility Fund and \$1,485.67 from the Firemen's Pension Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED



The administration recommends that the council approve the March 31, 2011 Claim Vouchers No. 99622 through 99720 in the amount of \$68,209.74.

SUGGESTED MOTION

I move to approve the March 31, 2011 Claim Vouchers No. 99622 through 99720 in the amount of \$68,209.74.

Reviewed by:  _____, City Manager

CITY OF CHEHALIS
AGENDA REPORT

DATE: April 4, 2011
TO: The Honorable Mayor and City Council
FROM: Eva Lindgren, Finance Manager 
PREPARED BY: Michelle White, Accounting Tech II 
SUBJECT: Payroll Vouchers and Transfers

ISSUE

Council approval is requested of the following financial transactions:

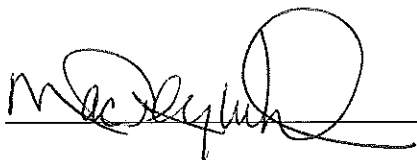
1. Payroll Vouchers No. 34541 through 34622, Direct Deposit Payroll Vouchers No. 2170 through 2237, and Electronic Federal Tax Payment No. 97 in the amount of \$681,913.87 dated March 31, 2011, and the transfer of \$499,937.06 from the General Fund, \$11,063.75 from the Arterial Street Fund, \$74,266.47 from the Wastewater Fund, \$78,203.26 from the Water Fund, \$13,412.43 from the Storm & Surface Water Utility Fund, and \$5,030.90 from the Firemen's Pension Fund.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends that the council approve the March 31, 2011, Payroll Vouchers No. 34541 through 34622, Direct Deposit Payroll Vouchers No. 2170 through 2237, and Electronic Federal Tax Payment No. 97 in the amount of \$681,913.87.

SUGGESTED MOTION

I move to approve the March 31, 2011, Payroll Vouchers No. 34541 through 34622, Direct Deposit Payroll Vouchers No. 2170 through 2237, and Electronic Federal Tax Payment No. 97 in the amount of \$681,913.87.

Reviewed by:  _____, City Manager

CITY OF CHEHALIS
AGENDA REPORT

TO: The Honorable Mayor and City Council
FROM: Bob Nacht, Community Development Director
DATE: April 4, 2011
SUBJECT: Ordinance No. 870-B, Second Reading – Amending the Chehalis Comprehensive Plan

ISSUE

The State Growth Management Act (GMA) requires that adopted Comprehensive Plans must be reviewed and updated to reflect new State mandates. The proposed amended Plan for Chehalis has been reviewed and revised by the Planning Commission over the past several years. A consultant has drafted the provisions in the amended Plan to satisfy the GMA requirements. This effort has culminated in the current proposed amendments to the Plan.

ANALYSIS OF REVISIONS (General)

The following comments describe, in general terms, the changes from the previous (1999) Comprehensive Plan. The administration will be available at the council meeting to answer questions regarding specific provisions:

Chapter 1 – Introduction:

The statistics contained in the Plan have been updated from the 1990 data to the 2010 data.

References to other associated plans have been updated to reflect the current versions of those plans.

Chapter 2 – Natural Environment:

This chapter has been re-written almost entirely to comply with current environmental requirements.

All maps have been updated with digital mapping and converted to PDF format for electronic review.

Current floodplain management requirements have been introduced in this chapter.

This chapter also adopts the Chehalis River Basin Flood Authority's model floodplain management plan. That plan is consistent with current FEMA requirements for the National Flood Insurance Program.

A history of significant flooding events has been incorporated into this chapter to support the floodplain management policies.

Wetland protection, and the current Corps of Engineers and Department of Ecology requirements are included in this Plan.

Agricultural land has been included in this chapter because the interlocal agreement with Lewis County has the potential for urban planning documents (this Comp Plan) to regulate rural areas (the UGA).

Chapter 3 – Land Use:

All statistical references have been updated to reflect 2009 or 2010 data.

New digital maps have been inserted to reflect current zoning designations and special districts.

Current population trends submitted by the state Office of Financial Management and adopted by Lewis County have been included in this Plan. The city's 'share' of the Growth Management population distribution within the county is reflected in this Plan.

The Urban Growth Areas have been updated to reflect existing conditions and future land use trends. This element will be important for future requests for additional Urban Growth Areas.

Chapter 4 – Housing:

The 1990 census data has been replaced with the 2000 data. (The 2010 census data was not available at the time of writing this Plan)

Population estimates include the 2009 Office of Financial Management data for trends and housing units, as well as selected demographics.

Housing for special needs populations and unconventional housing types are addressed in the Plan.

Chapter 5 – Transportation:

The current adopted Six Year Transportation Improvement Program (STIP) has been included, although this element will be revised annually.

New streets and roads constructed since 1999 have been included in this chapter.

Elements from the proposed Parks, Recreation and Open Space (PROS) plan that relate to bicycle and walking trails have been included in this chapter

The Level of Service (LOS) standards for the city's street system have NOT been changed.

Chapter 6 – Utilities:

This chapter includes brief discussion on each of the city's utilities – water, stormwater and wastewater, but each of these utilities has it's own master plan. This Plan seeks to avoid being redundant in those areas, but refers to those master plans.

Chapter 7 – Capital Facilities:

The city's Capital Facilities Plan (or Capital Improvement Plan (CIP)) has been incorporated into this Plan. The CIP will be reviewed annually during the city's budget preparation cycle, and will be revised during the budget process. Those revisions will be incorporated into this Plan by reference.

Chapter 8 – Economic Development:

This chapter is entirely new. It incorporates elements of the Renaissance Plan as well as efforts of the Port of Chehalis, Economic Development Council, Chamber of Commerce and the Industrial Commission.

Chapter 9 – Parks, Recreation and Open Space:

The Comprehensive Plan document contains elements from the draft Parks, Recreation and Open Space (PROS) plan, but does not adopt it by reference yet. The PROS plan will need additional review by the administration, the public and the council before it is presented for adoption.

DISCUSSION

This Plan was submitted to the State for the required 60-day review process on January 28th. The Planning Commission held a public hearing on this proposal on February 22nd. There have been no citizen comments on this proposal at the hearing (although the annual review process each April has generated some citizen comments on specific proposed changes in the past).

There have been no state agency comments submitted for consideration. It is likely that the annual review and revision process conducted by the council each April has resulted in regulatory and planning changes consistent with the state requirements, and acceptable to the public. The current proposal creates the Comprehensive Plan document to incorporate all of those annual changes.

The Plan makes reference to additional specialty plans that will be reviewed and adopted separately. An example is the water system plan currently being discussed by the city. Other such plans will include the proposed Parks Plan and updates to the existing Fire Services Master Plan, the Sewer Master Plan, and others.

The city's regulations provide an annual opportunity for citizens to propose changes to the adopted Comprehensive Plan and development regulations. Typically, the annual review process includes many changes proposed by the administration to reflect current operational needs or new state mandates. This current proposal includes some changes to the requirements for protecting the natural environment as well as a new section on promoting economic development.

As the current economic challenges affect the city's ability to implement the CIP over time, revisions to this element of the Plan will be presented for consideration. The CIP is a required and significant element of the city's budgeting process – it will be important for the administration to monitor the provisions of the CIP as it relates to capital expenses each year.

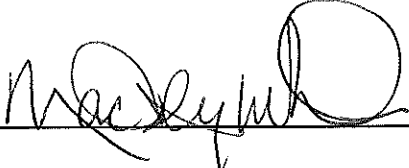
A copy of the final version of the Plan is attached to Ordinance 870- B in electronic format (a compact disk (CD)), and remains available on the city's website.

RECOMMENDATION / COUNCIL ACTION DESIRED

The administration recommends that the council pass Ordinance No. 870-B on second and final reading.

SUGGESTED MOTION

I move that the council pass Ordinance No. 870-B on second and final reading.

Reviewed by  _____ City Manager

ORDINANCE NO. 870-B

**AN ORDINANCE OF THE CITY OF CHEHALIS,
WASHINGTON, AMENDING THE CHEHALIS
COMPREHENSIVE PLAN DATED JULY, 1999, AND
ESTABLISHING AN EFFECTIVE DATE HEREOF.**

Whereas, the city of Chehalis is required to develop a Comprehensive Plan and implementing regulations that are consistent with the state Growth Management Act, RCW 36.70A; and,

Whereas, Chehalis adopted a compliant Comprehensive Plan and Development Regulations in July, 1999; and,

Whereas, the Chehalis Comprehensive Plan and Development Regulations have been reviewed annually since adoption, and revised as required to be consistent with the Act; and,

Whereas, the 2011 amendments to the adopted Comprehensive Plan have been developed over the past three years through the Chehalis Planning Commission at open public meetings thereof, and with the assistance of a consultant, to update the Plan as required by RCW 36.70A.130; and,

Whereas, the proposed amendments to the Plan were reviewed under the requirements of the State Environmental Policy Act (SEPA); and,

Whereas, the Chehalis Planning Commission held a public hearing on the draft amendments to the Plan on February 22, 2011, and subsequently recommended adoption of the proposed amendments; and,

Whereas, the draft amendments to the Plan were submitted to State agencies on January 28, 2010, for the 60-day state agency review as required by RCW 36.70A.106; and,

Whereas, comments submitted relating to the draft Plan have been addressed in the Plan; and,

Whereas, the city of Chehalis is desirous of implementing a Comprehensive Plan that reflects the vision of the city for future development, including economic opportunities for it's citizens while protecting the natural environment; and,

Whereas, the proposed amendments to the Plan provide that the city of Chehalis remains consistent with the requirements of the Growth Management Act; now, therefore,

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

Section 1

The Chehalis Comprehensive Plan dated July, 1999, shall be, and the same hereby is, amended to reflect the elements contained in the document titled "Chehalis Comprehensive Plan, 2011 Amendments", which is posted on the City of Chehalis website, and incorporated by reference as if fully set forth herein.

Section 2

The effective date of this ordinance shall be immediately upon its passage and publication.

PASSED by the City Council of the city of Chehalis, Washington, and **APPROVED** by its mayor this 11th day of April, 2011.

Mayor


Attest:

City Clerk

Approved as to Form:

City Attorney

**CITY OF CHEHALIS
AGENDA REPORT**

DATE: March 24, 2011
TO: The Honorable Mayor and City Council
FROM: Merlin MacReynold, City Manager 
SUBJECT: Sister City Committee Ordinance

ISSUE

The sister city committee was established in 1994. Several policies and practices have changed and the existing ordinance needs to be updated.

DISCUSSION

The ordinance establishing the sister city committee originally provided for seven members, with one member being a city councilor. The committee was expanded to its present make-up of 8 citizen members and one council member in 2006.

The administration is recommending that the citizen membership be expanded to allow for up to 12 members, to provide opportunity for greater participation. There is a lot involved in the preparation and implementation of a visit, and, for the most part, this has been accomplished by the City Manager's Office. Over the last couple years, however, members of the sister city committee have become more involved with the planning of incoming delegation visits. This has been extremely helpful in spreading out the responsibilities.

Another change since 1994 relates to funding for sister city activities. Historically, city funds have been used to support the program; however, those funds are no longer available based upon guidance from the State Auditor's Office. The proposed ordinance provides that the sister city committee shall be responsible for raising funds for its work and activities, and The Chehalis Foundation has agreed to accept and account for donations earmarked for the program.

RECOMMENDATIONS/COUNCIL ACTION DESIRED

It is recommended that the council pass Ordinance No. 871-B on first reading.

SUGGESTED MOTION

I move that the council pass Ordinance 871-B on first reading.

ORDINANCE NO. 871-B

AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON, CREATING AND ESTABLISHING A SISTER CITY COMMITTEE; CREATING AND ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF THE SISTER CITY COMMITTEE; PROVIDING FOR THE METHOD OF SELECTION OF MEMBERS FOR SAID COMMITTEE; AND REPEALING ORDINANCE NO. 533-B, PASSED THE 28TH DAY OF FEBRUARY, 1994, AND ORDINANCE NO. 803-B, PASSED THE 24TH DAY OF APRIL 2006.

WHEREAS, the city of Chehalis, Washington, entered into a sister city relationship with the Town of Inasa, Shizuoka, Japan, on October 22, 1990; and

WHEREAS, the purpose of this sister city relationship is to promote goodwill and friendship among the peoples of the two communities; and

WHEREAS, the City and the Town have had numerous types of exchanges, creating an understanding and trust in each other, and have created a lasting friendship between the two communities; and

WHEREAS, the existing ordinances creating the Sister City Committee need to be updated to reflect current policies and practices; now, therefore,

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

Section 1. There is hereby created and established the Sister City Committee, consisting of thirteen (13) members serving at the pleasure of the City Council, one of whom shall be a councilor appointed by the City Council. The members shall serve without compensation.

Section 2. The powers and duties of the Sister City Committee generally shall be to report to and advise the City Council about all aspects of sister city activities involving the City of Chehalis and the Town of Inasa, and to plan, develop, promote, coordinate, and maintain records of such activities, including but not limited to:

a. visits of individuals and exchanges of delegations between the two communities; and

b. informational and educational events about the two communities, their nations, and their cultures; and

c. any other activities which may be logical or necessary for the conduct of the sister city program and which the Council may delegate from time to time.

Section 3. The twelve (12) non-councilor members of the Committee shall serve for terms of four (4) years each. Members may be reappointed to serve consecutive terms.

Section 4. The Sister City Committee shall establish its own meeting schedule, organize itself, and adopt its own policies and procedures, subject to generally accepted parliamentary procedure and the state's open public meetings law.

Section 5. The Committee shall be responsible for accepting and raising funds for its work and activities, which funds shall be deposited with and accounted for by The Chehalis Foundation.

Section 6. The Sister City Committee shall report to the City Council from time to time on its work and activities.

PASSED by the City Council of the City of Chehalis, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting there of this _____ day of _____, 2011.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

CITY OF CHEHALIS

AGENDA REPORT

DATE: April 4, 2011
TO: The Honorable Mayor and City Council
FROM: Glenn Schaffer, Police Chief
SUBJECT: Adoption of an ordinance revising the Chehalis Parking Code.

ISSUE

Attached is proposed Ordinance No. 872-B.

DISCUSSION

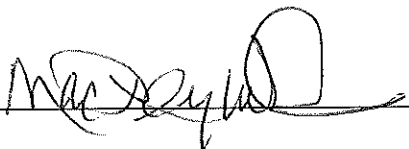
The City Prosecuting Attorney, in conjunction with the Chehalis Police Department and Chehalis Municipal Court, has determined that the City of Chehalis would benefit by revising the Chehalis Municipal Parking Code Title 10.08. The revisions would provide further clarity with the addition of definitions and clarifying text on the violations and provisions. Aside from the establishment of a late fee for the \$10.00 parking violation, which was not present and inconsistent in the existing ordinance, no additional fees or changes to the parking rules have been established.

RECOMMENDATION/COUNCIL ACTION DESIRED

The administration recommends the council pass Ordinance No. 872-B as presented.

SUGGESTED MOTION

I move that the council pass Ordinance No. 872-B on first reading.

Reviewed by:  _____, City Manager

ORDINANCE NO. 872-B

**AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON,
ESTABLISHING THE CHEHALIS PARKING CODE AND REPEALING
CHAPTER 10.08 OF THE CHEHALIS MUNICIPAL CODE**

WHEREAS, the City Council of the city of Chehalis has determined that it is in the best interests of the city and its citizens that Chapter 10.08 of the Chehalis Municipal Code be repealed and replaced in its entirety to clarify and update the same; now therefore,

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

Section 1. Chapter 10.08 of the Chehalis Municipal Code, the Parking Code, shall be, and the same hereby is, repealed; and

Section 2. The following provisions shall replace Chapter 10.08 of the Chehalis Municipal Code, the Parking Code, together with future amendments thereto:

Chapter 10.08

PARKING

Sections:

- 10.08.010 Definitions.
- 10.08.020 Stopping, standing, or parking prohibited in specific places.
- 10.08.030 Additional rules and regulations – Establishment.
- 10.08.040 Applicability.
- 10.08.050 Rules and regulations – Violation – Penalty.
- 10.08.060 Parking prohibited at all times on certain streets – Penalty for violation.
- 10.08.070 Parking limited on certain streets.
- 10.08.080 Angle parking.
- 10.08.090 Physically disabled parking.
- 10.08.100 Zone 1 – Two-hour parking.
- 10.08.110 Zone 2 – Two-hour parking.
- 10.08.120 Parking adjacent to schools.
- 10.08.130 Parking time limits – Penalty for violation.
- 10.08.140 Civil assessments.
- 10.08.150 Parking zones – Sign posting.
- 10.08.160 Parking of motorcycles, motor-driven cycles, and mopeds within parking spaces.

- 10.08.170 Tampering with parking enforcement process is a violation.
10.08.180 City parking lots – Regulations.
10.08.190 City parking lots – Fee schedule.
10.08.200 City parking lots – Penalty for violation.

10.08.010 Definitions.

“Camper” means a structure designed to be mounted upon a motor vehicle which provides facilities for human habitation or for temporary outdoor or recreational lodging and which is five feet or more in overall length and five feet or more in height from its floor to its ceiling when fully extended, but shall not include motor homes as defined in RCW 46.04.305.

“Motor home” means a motor vehicle originally designed, reconstructed, or permanently altered to provide facilities for human habitation, which include lodging and cooking or sewage disposal, and is enclosed within a solid body shell with the vehicle, but excludes a camper or like unit constructed separately and affixed to a motor vehicle.

“Motor vehicles” means any and all vehicles licensed in accordance with RCW Title 46, with the exception of motor vehicles licensed for a gross weight of 20,000 pounds or more, including their trailers.

“Right-of-way” means all public streets and property granted or reserved for, or dedicated to, public use for streets, together with public property granted or reserved for, or dedicated to, public use for walkways, sidewalks, and bikeways, whether improved or unimproved, including air rights, subsurface rights, and easements related thereto.

“Travel trailer” means a trailer built on a single chassis transportable upon the public streets and highways that is designed to be used as a temporary dwelling without a permanent foundation and may be used without being connected to utilities. [Ord. 725B, 2002; Ord. 679B, 2000.]

“Full trailer” means every vehicle without motive power, designed for carrying persons or property, drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

“Semitrailer” means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by the towing vehicle.

“Utility trailer” means any full trailer or semitrailer constructed and used solely for the purpose of carrying property and not to exceed a gross weight of 6,000 pounds.

10.08.020 Stopping, standing, or parking prohibited in specific places.

A. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

1. Stop, stand, or park a vehicle:

- a. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- b. On a sidewalk or street planting strip;
- c. Within an intersection;
- d. On a crosswalk;
- e. Opposite the direction of authorized traffic movement.
- f. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- g. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- h. On any railroad tracks;
- i. In the area between roadways of a divided highway including crossovers
- j. In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;
- k. Within 15 feet of a fire hydrant;
- l. Within 20 feet of a crosswalk;
- m. Within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;
- n. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signposted; or
- o. Within 50 feet of the nearest rail of a railroad crossing; or
- p. At any place where official signs prohibit stopping, standing, or parking.

B. Stopping, standing, or parking shall be permitted in the manner provided by law at all other places, except a time limit and/or other restrictions as otherwise designated may be imposed.

C. No person shall move a vehicle not lawfully under his or her control into any such prohibited area or away from a curb such a distance as is unlawful.

D. It shall be unlawful for any person to reserve or attempt to reserve any portion of a highway for the purpose of stopping, standing, or parking to the exclusion of any other like person, nor shall any person be granted such right.

E. It shall be unlawful for any person to cause or allow their vehicle to remain parked on city streets or rights-of-way for longer than 24 hours after notice by city officials requesting removal of said vehicle for municipal purposes and/or posting of impending parking restrictions.

F. Campers, motor homes, travel trailers, full trailers, semitrailers, utility trailers, and boat trailers are prohibited from parking on a city street, alley, or right-of-way, unless the owner/operator is in the process of loading or unloading supplies, or in the process of cleaning. Further, any camper, motor home, travel trailer, full trailer, semitrailer, utility trailer, or boat trailer parked in a manner that constitutes traffic or visibility obstruction shall be removed immediately. If an officer is unable to locate the owner within a reasonable period of time, the officer may cause the vehicle to be impounded. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.030 Additional rules and regulations – Establishment.

The Chief of Police shall establish rules and regulations for the parking of motor vehicles in or upon the public streets and rights-of-way of the city. Said rules and regulations shall make provision for no-parking areas, limited-parking areas, and methods of parking. The Chief shall also have the authority to establish rules and procedures for the validation of parking tickets in conjunction with any system for validation. The rules and regulations promulgated by the Chief shall be accepted by the city upon presentation and notice as determined appropriate by the city. Said rules and regulations shall have no force and effect until such time as they are promulgated by the Chief, together with notification being made to the public. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.040 Applicability.

The provisions of this chapter prohibiting the stopping, standing or parking of a vehicle shall apply at all times or those times specified in this chapter or as indicated on official signs, except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic control device. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.050 Rules and regulations – Violation – Penalty.

Any person, firm, or corporation violating any provision of the rules and regulations promulgated under this chapter may, upon notice being received, be responsible for payment of a civil assessment in an amount to be established from time to time by the city, dependent upon the type of violation occurring. Should any person, firm, or corporation found to have violated any provision under this chapter fail to pay the assessment in the time required by the city, said person, firm, or corporation subjects himself, herself, or itself to a misdemeanor charge for failure to comply with a mandate of the city. In addition, whenever a police officer finds a vehicle standing upon the roadway in violation of any provision of CMC 10.08.020, the officer may provide for the removal of the vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway in accordance with RCW 46.55.113. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.060 Parking prohibited at all times on certain streets – Penalty for violation.

A. When signs are erected giving notice thereof, no person shall stop, stand, or park a vehicle at any time upon streets so posted. Such areas shall be so designated by the police department and/or public works department.

B. A vehicle found in violation of this section may incur an infraction of \$15.00 per violation and/or impoundment of the vehicle. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.070 Parking limited on certain streets.

When signs are erected giving notice thereof, no person shall stop, stand, or park a motor vehicle for a period longer than the time indicated for the various streets so posted; provided, these limitations shall not apply on Saturdays, Sundays, or those legal holidays enumerated in RCW 1.16.050; and provided further, these limitations shall apply only between the hours of 8:00 a.m. and 5:00 p.m. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.080 Angle parking.

There shall be authorized within the city, subject to the approval of the Chief of Police, angle parking, which currently exists on Chehalis Avenue, Cascade Avenue, and Market Boulevard. Such parking shall be authorized subject to any modification of this rule by the Chief. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.090 Physically disabled parking.

No vehicle shall be parked in a parking place reserved for physically disabled persons pursuant to RCW 46.19, without a special license plate, card, or decal issued by the State of Washington Department of Licensing. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.100 Zone 1 – Two-hour parking.

A. There shall be a two-hour parking zone at N.E. Boistfort Street from and including the intersection with N.W. Pacific Avenue and N.W. Chehalis Avenue to and including the intersection with N.E. Washington Avenue; N.E. Washington Avenue from and including the intersection with N.E. Boistfort Street to and including the intersection with N.E. Cascade Avenue; N.E. Cascade Avenue from and including its intersection with N.E. Washington Avenue to and including its intersection with North Market Boulevard and N.W. Park Street; N.W. Park Street from and including its intersection with North Market Boulevard to and including its intersection with N.W. Chehalis Avenue; and all streets in between, unless otherwise indicated.

B. No person, firm, or corporation shall stop, stand, or park any vehicle on the streets within the parking zone created by this section for a period of more than two hours, or other time as indicated for a particular street, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.110 Zone 2 – Two-hour parking.

A. There shall be a two-hour parking zone at N.E. Washington Avenue from, but not including, its intersection with N.E. Division Street to, but not including, its intersection with N.E. Boistfort Street; N.W. Front Street from and including its intersection with North Market Boulevard to and including its intersection with N.W. Pacific Avenue; N.W. Pacific Avenue from and including its intersection with N.W. Front Street to, but not including, its intersection with N.E. Boistfort Street; and all streets in between unless otherwise indicated.

B. No person, firm, or corporation shall stop, stand, or park any vehicle on the streets within the zone created by this section for a period of more than two hours, or other time as indicated for a particular street, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.120 Parking adjacent to schools.

A. The public works department is authorized to erect signs indicating no parking upon that side of any street adjacent to any school property when such parking would interfere with traffic or create a hazardous situation.

B. When official signs are erected indicating no parking upon the side of the street adjacent to any school property, no person, firm, or corporation shall park a vehicle in any such designated place. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.130 Parking time limits – Penalty for violation.

A. No person, firm, or corporation shall park any vehicle on streets designated as timed parking for a consecutive period of more than the indicated limit set forth in CMC 10.08.100 and 10.08.110, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding legal holidays. It shall be no defense that the vehicle has been moved from one parking space to another within the same parking zone or that the vehicle traversed streets not within the zone in so being moved.

B. A showing that a vehicle was found parked in any on-street parking space within said parking zone or within the city lots more than two hours after it was previously noted in the same or any other on-street parking space within the zone, within any consecutive eight-hour period, shall constitute a prima facie presumption that the vehicle has been parked in violation of this section.

C. A first infraction shall constitute overtime parking and shall result in a penalty of \$5.00. If a vehicle is found, pursuant to this chapter, parked within the areas designated herein subsequent to the issuance of the first violation notice in that same day, the same shall constitute chain parking and shall be assessed a penalty pursuant to CMC 10.08.140. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.140 Civil assessments.

The following shall constitute the assessment for parking violations within the city not otherwise prescribed in this chapter:

A. Overtime parking – exceeding the established time limit for a designated parking space: \$5.00 for the first (1st) offense in a 24 hour period and \$10.00 for the second (2nd) and/or each subsequent offense within the same 24 hour period. If any parking ticket is not paid within seventy-two (72) hours of the time of issuance, the penalty shall be \$20.00 for each parking violation regardless of the time-period in which the offense(s) occurred.

B. Chain parking – parking in a designated zone as set forth in CMC 10.08.100 and 10.08.110 and relocating the vehicle within the same zone during the original time limit and thereafter exceeding the zone limit (i.e. parking in a two-hour time zone for 20 minutes in one space then moving the vehicle to a different space within the same two-hour time zone for a period exceeding the two hour time-zone limit) constitutes overtime parking as defined in Section A.

C. Handicapped parking violations shall be penalized as established by state statute, incorporated herein by reference. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

D. Miscellaneous parking violations as defined by in CMC 10.08.020: \$15.00 per violation within a 24 hour period. If any parking ticket is not paid within seventy-two (72) hours of the time of issuance, the penalty shall be \$50.00 for each parking violation regardless of the time-period in which the offense(s) occurred.

10.08.150 Parking zones – Sign posting.

Appropriate signs shall be erected in established time parking zones to reasonably inform the public of parking regulations enacted in this chapter. Neither failure of a person to observe any sign nor the nonexistence of a sign in a particular location shall be a defense to any violation of CMC 10.08.100 and 10.08.110. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.160 Parking of motorcycles, motor-driven cycles, and mopeds within parking spaces.

A. Notwithstanding any provisions of the model traffic ordinance as adopted in this chapter or any other provisions of this chapter, more than one motorcycle, as defined in RCW 46.04.332, and/or moped, as defined in RCW 46.04.304, may be parked within a single parking space within the city, subject to the following provisions:

1. That no more than three motorcycles, motor-driven cycles and/or mopeds be allowed within a single parking space and that same are parked so as not to unreasonably interfere with other such vehicles;
2. That the vehicles be parked at any angle with the rear tire touching the curb and in a manner so as not to interfere with traffic;
3. That any violation would result in a citation being given to all the vehicles then and there parked; and
4. That each vehicle must comply with the relevant time limits established for that parking zone.

B. In all other regards, the vehicles must comply with all other appropriate traffic and/or parking regulations. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.170 Tampering with parking enforcement process is a violation.

A. It shall be a violation of this chapter for a person to erase chalk marks placed on tires or vehicles by enforcement officers of the city to enforce provisions of this chapter or to tamper with any other enforcement process implemented by the officials, with the intent of circumventing that enforcement process or the provisions of this chapter.

B. The penalty for violation of this section shall be \$47.00. [Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.180 City parking lots – Regulations.

When signs are erected giving notice thereof, no person, firm, or corporation shall stop, stand, or park a vehicle within any city-maintained parking lots for a period of time longer than indicated, contrary to any restrictions or without paying the applicable parking fee established pursuant to this chapter. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.190 City parking lots – Fee schedule.

The city council shall establish and post a fee schedule, where applicable, for the city-owned and operated parking lots and to implement the parking regulations by the installation of appropriate signs and/or collection devices. The fee schedule, and any changes thereto, shall be filed with the police department. [Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

10.08.200 City parking lots – Violations/penalties.

A. Failure to pay fees in a time-regulated municipal parking lot pursuant to this chapter shall constitute a parking infraction and shall be penalized as follows:

1. City parking lots - 4-hour and 24 hour: If a vehicle is found, pursuant to this Chapter, parked within a time-regulated municipal lot in excess of the established time, the same shall constitute an infraction resulting in a penalty of \$15.00 per violation. Nothing in this section will prohibit a vehicle from being cited for multiple violations.

2. Permitted City parking lots: If a vehicle is found pursuant to this Chapter parked in a permit lot without a valid City-issued permit, the same shall constitute an infraction resulting in a penalty of \$15.00 per violation. Nothing in this section will prohibit a vehicle from being cited for multiple violations.

B. Moving vehicle is not a defense: It shall be no defense that a vehicle has been moved from one parking space to another within a parking lot if the vehicle remains in the lot at the end of the applicable time limit or without a permit.

C. Towing vehicles: Vehicles found in violation of this Chapter may be impounded and towed at the direction of the Chehalis Police or other law enforcement agencies.

[Ord. 766B, 2004; Ord. 725B, 2002; Ord. 679B, 2000.]

Section 3. The City Clerk shall be, and she hereby is, instructed to repeal Chapter 10.08 of the Chehalis Municipal Code and replace the same as set forth herein.

PASSED by the City Council of the city of Chehalis, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof this _____ day of _____, 2011.

Mayor

Attest:

City Clerk

Approved as to form and for content:

City Attorney