

March 25, 2019

The Chehalis city council met in regular session on Monday, March 25, 2019, in the Chehalis city hall. Mayor Dennis Dawes called the meeting to order at 5:00 pm with the following council members present: Tony Ketchum, Daryl Lund, and Bob Spahr. Chad Taylor arrived at 5:07 pm. Councilors Terry Harris and Dr. Isaac Pope were absent (excused). Staff present included: Jill Anderson, City Manager; Caryn Foley, City Clerk; Bill Hillier, City Attorney; Hillary Hoke, Planning & Building Manager; Trent Lougheed, Community Development Director; Brandon Rakes, Airport Operations Coordinator; Rick Sahlin, Public Works Director; Chun Saul, Finance Director; Glenn Schaffer, Police Chief; and Dave Vasilauskas, Water Superintendent. Members of the news media included Will Rubin of *The Chronicle*.

1. **Port of Chehalis Update.** Chief Executive Officer Randy Mueller provided an update on Port activities.

Railroad: CCR&M (steam train) is nearly compliant with all legal and regulatory requirements of the Port and various railroad regulators. With just \$5 million in insurance coverage, the Port believes the CCR&M is insufficiently insured to cover Port assets, but increasing the coverage is financially unfeasible for the CCR&M. He stated the insurers for the city and the Port do not cover anything train-related, so any claims beyond the coverage amount would likely bankrupt both the city and Port. The Port is preparing to transfer the Curtis Rail Line out of Port ownership. If the city wanted to join the Port and “get out of the train business,” now would be the time. The city could transfer its rail assets to the Port for eventual sale with the rail line.

Construction: The Port will sign a construction contract this week to build its first new building in 20 years, with construction starting in the spring and finishing in the fall. The building is located at 105 McBride Court in the cul-de-sac behind the port offices and will have space for multiple small businesses. The Port is talking with multiple future tenants. Special thanks to Mayor Dawes for his leadership and support on the county’s Distressed Counties (.09 fund) committee. The city has been a consistent supporter of Port projects, which is greatly appreciated. Watch for an announcement soon about the name of the building.

RE Bennett and Cascade Schools: The project team began work on a feasibility study for renovating and repurposing the school properties. Last week Mr. Mueller accompanied the architectural and engineering team inspecting the roof, foundation, and everything in between at RE Bennett. It will be about four to six months to get the results of the study, along with detailed renovation costs for a few different types of uses.

Airport: For about a year now, city and Port staff have been talking about working together to better attract new commercial development at the airport. Both have common interests in seeing job growth in Chehalis, and each of the organizations has unique strengths. The Port has interest in working with the city in two main areas – a future airport office park to capitalize on the convenient freeway access and nearby amenities, and aviation-related industrial space such as commercial hangars and aviation-related light manufacturing. A business model for such an arrangement would be the development of an agreement where the Port leases areas in the city’s airport master plan. The Port would then develop and sublease the areas, with the city and Port splitting the proceeds after expenses. Work to refine these ideas will continue with direction from the council and the Port commission.

Mayor Dawes stated the project related to the .09 funding was a great project and multi-county effort. He stated a partnership between the Port and the airport would be exciting.

Councilor Spahr asked if the FAA required proceeds at the airport to stay with the airport. City Attorney Hillier stated the city could lease to the Port, and the Port would then sublease, which is no different than what is currently happening out there.

Mr. Mueller understood the airport was an enterprise fund. What they were looking at was job creation and any money would go back into airport property for future development. He stated they are looking at various models.

2. **Tree City USA Designation.** Pete Hammer (322 NE Washington Avenue, Chehalis) requested that the council consider becoming a Tree City USA through the National Arbor Day Organization. He cited several benefits that trees provide. Mr. Hammer stated there were four standards required to receive the designation – a tree board or department, which could include citizens and/or city officials; a tree care ordinance; a community forestry program with an annual budget of at least \$2 per capita; and an Arbor Day observance and proclamation.

Mayor Dawes asked if the city’s poplar tree plantation would count for the forestry program standard. Mr. Hammer believed it would.

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Mayor Dawes stated it was sometimes difficult to get people to serve on committees. He asked City Manager Anderson to follow up with Mr. Hammer.

3. **5G Technology.** Galilee Carlisle (635A Lost Valley Road, Chehalis) spoke about the proposed 5G technology. Ms. Carlisle stated she has done over 10 years of research and education on the impacts of digital technology on human health and behavior. She hoped that the cities of Chehalis and Centralia would let her present a longer presentation to help problem-solve and strategize in greater depth. She indicated that FCC radiation guidelines that regulate the siting of wireless antennas had not been changed since 1996, but what has changed was our exposure to wireless technology, which impacts human health and behavior. Doctors and scientists are saying it should be held off until other studies could be done, and many cities have passed resolutions to void the FCC regulations on siting antennas until further health studies could be done. Ms. Carlisle provided information to give the council additional background about 5G.

4. **Consent Calendar.** Councilor Spahr moved to approve the consent calendar comprised of the following:

- a. Minutes of the special meeting of March 7, 2019;
- b. Minutes of the regular meeting of March 11, 2019;
- c. March 15, 2019 Claim Vouchers No. 125229-125378 and Electronic Funds Transfer No. 22019 in the amount of \$397,003.15;
- d. Resolution No. 4-2019, first and final reading – declaring property to be surplus;
- e. Engineering services agreement with Kennedy Jenks in the amount of \$81,327 for design of the Chehalis River raw water pipeline;
- f. Shared services agreement for equipment and personnel rental; and
- g. Discontinue interlocal agreement with Lewis County for fire investigation services.

The motion was seconded by Councilor Lund.

Mayor Dawes wanted to make it clear that the discontinuance of the interlocal agreement with Lewis County for fire investigation services was due to staffing and no kind of dispute between the entities. He stated that once personnel that can do fire investigations was back up, it was certainly something that could be reexamined.

The motion carried unanimously.

5. **Amendments to Right-of-Way Permit Requirements.** Hillary Hoke stated that in December, the council directed staff to temporarily suspend the right-of-way permit fee of \$100 for signs and temporary uses until such time as code revisions could be drafted. The current code provides the following:

- Disturbance of Right-of-Way (construction activities) - \$50
- Short-Term and Temporary Use of Right-of-Way (less than 30 days) - \$50
- Long-Term and Permanent Use of Right-of-Way (permanent or more than 30 days) - \$100

Housekeeping Changes:

- Current code: Gives discretionary authority to City Manager for cash deposit and/or insurance requirements on a case-by-case basis.
Proposed change: At the recommendation of WCIA, all right-of-way uses should require standard commercial general liability insurance.
- Current code: City Manager listed as authority for reviewing, granting and/or denying ROW permits.
Proposed change: List City Manager or authorized designee.

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- Current code: Identifies specific departments responsible for adoption of policies and enforcement.
Proposed change: Delete references to specific departments. Responsibilities and enforcement can involve coordination with several different departments.

Major Changes:

- Right-of-way use permits for short-term temporary use of rights-of-way may be issued for activities that will not physically disturb or alter the right-of-way, but require the closure of a public street during such periods of time.
- Use of rights-of-way for structures and activities that involve short-term and temporary uses that require the closure of a public street must obtain this type of permit.
- The short-term and temporary uses requiring a public street closure include, but are not limited to, festivals, parades, street dances, concerts, etc.

ROW Permit Fees:

- For Disturbance of Right-of-Way Permit (construction activity) - \$50.
- For Short Term and Temporary Use of Right-of-Way Permit Not Requiring Public Street Closure - No Fee.
- For Short Term and Temporary Use of Right-of-Way Requiring Street Closure - \$100 fee per occurrence.
- For Long Term and Permanent Use of the Right-of-Way Permit - \$100 annual fee.

Changes to CMC 17.93.040.B(1):

- Current code: Restricts sandwich board signs to Central Business District only.
Proposed change: Allow sandwich board signs in any commercial zone where adequate space is available.

Councilor Spahr moved that the City Council approve the proposed changes to CMC 12.56, 17.93.040, and Appendix Chapter A, and direct staff to proceed with the CMC amendment process. The motion was seconded by Councilor Lund and carried unanimously.

6. Councilor Reports/Committee Updates.

a. Councilor Taylor stated around 65 applications for a new Twin Transit general manager are under review.

b. Mayor Dawes, along with Councilor Harris, attended the 2017 audit exit conference, and Business After Hours at Rainier Connect. He congratulated the staff involved on the WellCity committee in earning WellCity recognition once again, a designation that saves two percent on the city's medical premiums.

6. **Executive Session.** Mayor Dawes announced the council would take a short recess and then be in executive session pursuant to RCW 42.30.110(1)(g) – Review Performance of a Public Employee; and RCW 42.30.140(4)(b) – Collective Bargaining, not to exceed 6:15 pm and there would be no decision following conclusion of the executive session. Mayor Dawes closed the regular meeting at 5:41 pm. The executive session began at 5:45 pm. Following conclusion of the executive session, the regular meeting was reopened and immediately adjourned at 6:15 pm.

Dennis L. Dawes, Mayor

Caryn Foley, City Clerk

Approved: 4/8/2019

Initials: cf