

March 11, 2013

The Chehalis city council met in regular session on Monday, March 11, 2013, in the Chehalis city hall. Mayor Ketchum called the meeting to order at 5:30 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; Bill Hillier, City Attorney; and Judy Schave, City Clerk.

1. **Executive Session.** Mayor Ketchum announced the council would be in executive session pursuant to RCW 42.30.110(1)(i) – potential litigation for approximately 30 minutes and there would be no decision following conclusion of the executive session.

Mayor Ketchum closed the executive session at 5:57 p.m. and announced the council would take a four minute recess before opening the regular meeting at 6:01 p.m. Additional staff included: Brian Kelly, Assistant City Attorney; Glenn Schaffer, Police Chief; Dennis Osborn, Community Development Director; Herta Fairbanks, Public Works Director; and Patrick Wiltzius, Wastewater Superintendent. Members of the media included Christina Crea, from *Business to Business*.

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

a. Minutes of the regular meeting of February 25, 2013.

The motion was seconded by Councilor Taylor and carried unanimously.

3. **Administration Reports.**

a. **Update on Collaboration of City/County Services Analysis.** City Manager MacReynold reported the city was jointly exploring different avenues for collaboration with Lewis County and several other cities within the county. He reported they've had two meetings to date and decided as a group to focus on three primary areas: facilities maintenance and parks; streets and roads; and development/permit services.

City Manager MacReynold reported most of the cities in Lewis County were represented at their last meeting and they had a very good discussion. He added Lee Napier from the county was the lead on the committee.

City Manager MacReynold stated their first focus would be on facilities and parks. He noted Community Development Director Dennis Osborn would be looking at alternative ways to approach it.

b. **Update on Taco Time Development.** City Manager MacReynold reported he received a message last Thursday that Taco Time had withdrawn their proposal to develop in the Twin City Town Center.

Public Works Director Herta Fairbanks briefed the council on the sequence of events and what the city had gone through to try to get the project going.

- June 21, 2012 – Pre-applicant conference held; packet presented by RB Engineering that included a preliminary site plan and description of what the project would look like.

The city identified the following:

- Civil plans would be required at the time of application to include onsite utilities, access locations, stormwater management, fill and grade, parking spaces, and size.
 - A utility service attachment would be required at the time of application.
 - A full-level traffic analysis would be required; any work in the right-of-way would require a right-of-way permit; late-comer fees would be associated with the project; and the airport sewer lift station may need some upgrades.
- June 27, 2012 - written comments were submitted back to the applicant summarizing what was discussed at the pre-applicant conference.

March 11, 2013

- July 9, 2012 – Airport Manager Allyn Roe attended the council meeting and requested some reconsideration of the latecomer fees for Taco Time. After some dialog with the council, Mr. Roe indicated Taco Time was okay with the \$9,700 in latecomer fees.
- June 13, 2012 – City received an email from RB Engineering asking for clarifying questions as a result of the pre-applicant conference. The clarifying questions had to do with:
 - Access from Louisiana Avenue
 - Deferral of frontage improvements
 - Clarification on the airport lift station upgrade
 - On-site stormwater requirement
- June 31, 2012 – City submitted memo to applicant responding back to the four clarifying questions.
- October 30, 2012 – City received report from RB Engineering on the lift station (analysis of the capacity).
- November 26, 2012 – Airport Manager Allyn Roe attended the city council meeting to provide the airports' quarterly report. The issue of Taco Time was briefly discussed; city was in the process of reviewing the lift station analysis submitted by RB Engineering.
- November 30, 2012 - Comments on the clarifying questions were provided to the applicant and associated parties.
- As a result of the report filed by RB Engineering, the Development Review Committee (DRC) granted an extension of the pre-applicant conference.
- December 27, 2012 – the DRC determined they would close the pre-applicant conference and leave the matter to public works, RB Engineering, and Neltac, Inc. to discuss.
- December 31, 2012 – RB Engineering resubmitted the lift station report, noting after adjusting the bottom-line assumptions the results indicated there was a deficiency in capacity for the lift station.
- March 8, 2013 - City resubmitted comments back to Neltac, Inc. The bottom-line - upgrades are necessary for the lift station to accommodate any additional growth. (It was conveyed that the city has a latecomer mechanism in place that would allow them to recover some of their investment that's not specifically identifiable to them.)

Ms. Fairbanks reported in their review of the historical information it was identified that the earliest mention of the lift station being deficient was in 2004. She noted it was a comment provided on the 60-Acre Master Plan for Rick Peterson (CCA Retail).

Ms. Fairbanks reported in 2006 there was a determination of non-significance issued on the SEPA for the project, and the deficiency was again identified. In 2010 there was an email from Bob Nacht to Mr. Roe stating the K-Mart pump station was to have been upgraded by Mr. Peterson, and has sometimes exceeded its capacity.

Ms. Fairbanks reported city Ordinance Nos. 817-B and 818-B provided latecomer fee schedules for that area and included the following language: "Developer or Airport upgrades pump station and any required extensions for development." She pointed out that this was not new information for any of the parties involved, with the exception of perhaps Taco Time.

Councilor Taylor asked what the cost would be to upgrade the lift station. Ms. Fairbanks reported a straight replacement of the pumps would be in the realm of \$15,000; however, that would not solve the problem. She stated what they really need is more capacity, which would run between \$40,000 and \$50,000.

March 11, 2013

Councilor Taylor stated it sounded like a good project for the airport to do, in order to accommodate development. He added they could collect the latecomer fees as they develop.

Councilor Dawes believed the latecomer fees would come to the city.

Ms. Fairbanks indicated whoever makes the investment would have the ability to collect the latecomer fee.

Councilor Dawes suggested a partnership between the city and the airport, adding whatever they do out there would benefit the city.

City Manager MacReynold reported the administration had only recently been working on it. He stated they were open to suggestions, but it couldn't be just the city's problem; otherwise, it falls on our ratepayers.

Councilor Spahr felt it was in the best interest of the city to make sure it gets taken care of; otherwise, the city wouldn't be able to develop our 35 to 40 acres at the north end of the airport. He indicated he didn't mind looking at some kind of partnership with the airport.

Councilor Dawes stated it was a shame they didn't take care of it sooner, especially since they've known about the deficiency since 2004.

Councilor Taylor reported he had a chance to meet with City Manager MacReynold and Ms. Fairbanks, adding he thought they did a good job of communicating the things the city wanted to see addressed. He felt they went above and beyond to look at the different options that were out there. Councilor Taylor stated it was disheartening that Taco Time withdrew their application after all of the work the city has done to show we want to help new business come here. He hoped the city could find a way to bring them back to the table.

Ms. Fairbanks reported she received an email from Taco Time stating at the time they felt it was best to cancel their agreement with the airport, but they were certainly open to revisiting the issue because they were still attracted by the potential of the area.

Councilor Spahr inquired about the pumps at the lift station, wanting to know if they needed to be replaced. Ms. Fairbanks reported they did, but the replacement of the pumps wouldn't solve the problem for future development. She stated it's been a known limiting factor for that area, but didn't feel it would be a good use of ratepayers' funds, knowing at some point in the near future they would be pulled out and replaced with something larger.

Councilor Pope asked if the city had specs for what was needed to upgrade the lift station. Wastewater Superintendent Patrick Wiltzius reported Bob Balmelli from RB Engineering did a good job in his report of outlining what development was ready to occur out there, but didn't recall if he included the wastewater property. He noted the report indicated they would need another 30 gallons per minute capacity per pump. Mr. Wiltzius stated an upgrade would require upsized pumps, additional starters, rails and motor controls, adding it could be designed by the pump manufacturer. He noted they could also reuse a lot of the stuff they already have.

Councilor Pope asked if the upgrade would take care of any additional development that may occur in that area in the future. Mr. Wiltzius stated if Mr. Balmelli's calculations are correct it would, but he would also have to make sure the city's property was included. Councilor Pope asked if \$50,000 would take care of it. Mr. Wiltzius stated yes.

Councilor Dawes suggested the figures that Mr. Balmelli used were probably based on the airport's master plan, and probably included what they had laid out for future development. Mr. Wiltzius stated they spent a lot of time reviewing the numbers and calculations and pretty much agree with the report provided by Mr. Balmelli.

Mayor Ketchum suggested the city make a proposal to the airport stating if they want to develop, the city would be willing to help.

March 11, 2013

City Manager MacReynold stated there were different ways to approach it, adding the more things we can do cooperatively, the better off we all are. He stated we want to see development out there, but we need to ensure that we don't do harm to the city, or our customers.

Councilor Taylor inquired about frontage improvements. Ms. Fairbanks reported the frontage issue would come when they build the new roundabout for Arkansas Way. She noted at the pre-applicant conference the city stated it would entertain a temporary access from Louisiana Avenue, but once more development occurred to necessitate the new leg of the roundabout, the access to Taco Time would be moved to Arkansas Way.

c. **Update on Chehalis Avenue Beautification Project.** Ms. Fairbanks reported they were still working with the Washington State Department of Transportation (DOT) on the project. She noted, in September, the city submitted a bid packet and specifications for the entire project for DOT and the Transportation Improvement Board (TIB) for their review. Ms. Fairbanks reported TIB signed off almost instantaneously; however, DOT responded back in January and indicated they had some questions. She noted the issues were addressed and the information was resubmitted back to DOT.

Ms. Fairbanks reported there was an issue with regard to identifying a specific manufacturer for the irrigation items, and they were working with DOT to buy off on that. She stated the specifications also noted the contractor would need to work with city crews to remove street signs, but apparently we can't do that. Ms. Fairbanks was told, as long as there's federal funding in the mix, you can't use your own crews because it could be viewed as a reimbursement.

4. **Council Reports.**

a. **Update From Councilor Harris.** Councilor Harris stated he attended the Chehalis Community Renaissance Team meeting on Friday, March 8. They reported the Discover! Children's Museum had 3,000 paid admissions in their first 30 days of operation, not including those who bought packages for multiple visits.

Councilor Harris also thanked Chamber Executive Director Alicia Bull, Community Librarian Corine Aiken, and Annalee Tobey from Vitality Marketing for joining him on the Christmas "Holiday Decoration" Committee.

b. **Update From Mayor Ketchum.** Mayor Ketchum reported he had received some good news on Stan Hedwall Park, adding it was his understanding that it was in the House and Senate budget proposals for consideration. He stated the Department of Social and Health Services and the Department of Natural Resources had already signed off on it, adding if everything goes as planned, the city could own the park at the end of this session.

c. **Update From Councilor Lund.** Councilor Lund reported there has been interest by the city of Centralia and the Great Wolfe Lodge to run the steam train to each of their locations. He had also heard that Tacoma Rail wants to get rid of their track and suggested the council direct staff to put together a roundtable discussion of all of the major players to see if we can generate some interest to help preserve the tracks for our community. Councilor Lund noted the Tacoma Rail line also goes down to Morton, which could enhance economic development to that area.

Councilor Pope indicated he had spoken with Chehalis Tribe Chairman David Burnett and Jeff Warnke, adding they both had an interest in seeing the railroad come out to the Great Wolf Lodge.

Councilor Lund suggested there might be some issues regarding federal and state funding received by Tacoma Rail to repair the tracks, which would need to be discussed.

The consensus of the council was to have staff arrange for a roundtable discussion to include all of the major players.

d. **Update From Councilor Spahr.** Councilor Spahr noted he was having an ongoing problem with his cable, and recently found out that Councilor Pope was having problems, as well. He noted City Manager MacReynold asked the City Clerk to contact Comcast Cable regarding the matter.

March 11, 2013

5. **Ordinance No. 908-B, Second and Final Reading – Extending the Six-Month Moratorium on Medical Marijuana and Dispensaries**. City Manager MacReynold reported the administration was requesting that the moratorium be extended because the state and federal government still had not given any clear guidance on how to proceed. He hoped by extending the moratorium we would get that guidance and be able to bring something back to the council for their consideration.

Councilor Spahr moved to pass Ordinance No. 908-B on second and final reading.

The motion was seconded by Councilor Harris and carried unanimously.

There being no further business to come before the council, the meeting adjourned at 6:42 p.m.

Mayor

Attest:

City Clerk

SUGGESTED MOTION

I move that the council approve the minutes of the regular city council meeting of March 11, 2013.