

August 8, 2016

The Chehalis city council met in regular session on Monday, August 8, 2016, in the Chehalis city hall. Mayor Dawes called the meeting to order at 5:00 p.m. with the following council members present: Dr. Isaac Pope and Daryl Lund. Councilor Taylor participated telephonically and Councilors Harris, Spahr and Ketchum were absent (excused). Staff present included: Merlin MacReynold, City Manager; Brian Kelly, Assistant City Attorney; Judy Schave, City Clerk; Glenn Schaffer, Police Chief; Judy Pectol, Finance Manager; Trent Lougheed, Interim Community Development Director; Rick Sahlin, Public Works Director Don Schmitt, Street/Stormwater Superintendent; and David Fleckenstein, Airport Manager. Members of the media included Justyna Tomtas from *The Chronicle*.

1. **Citizen Business – Camping at Park and Ride on Main Street.** John Panesko (222 SE Spring Street) expressed concern about people living in their junk vehicles at the park and ride on Main Street. He noted it started out with two vehicles and today there are four, adding it looks like a homeless camp at the main entrance of the city. Mr. Panesko indicated he owns property next to the park and ride and the campers are using it as their garbage can and as their bathroom. He reported the nearby expresso stand has had four attempted break-ins since the campers arrived and they frequently crawl under their building to turn on a faucet to get water. Mr. Panesko stated the nearby convenience store described half of the campers as being fairly clean and respectful when they come in to use their bathroom, while the other half are dirty, smelly people who don't care about anyone else. He asked if camping on city property is legal, and if not, how the council plans to address the issue.

Mayor Dawes reported the city has been made aware of the problem. He noted they've been going back and forth with the state about who owns the property and recently determined that it was deeded over to the city a number of years ago. He reported work is underway to get signs posted regarding the amount of time a vehicle can park there and that no type of camping activities will be allowed.

City Manager MacReynold reported the city recognizes there's a problem and is beginning to take action; however, there is also the issue of civil liberties that the city needs to be respectful of.

Mr. Panesko asked if it's possible to inform them that it's illegal to be camping there and take action if they don't obey the law.

City Manager MacReynold stated he believed that could be done, but the city has to post it first.

Mr. Panesko stated he didn't believe you had to post your house as "no trespassing" before you can kick a burglar out, but he would leave that to the city's counsel.

City Manager MacReynold suggested trespassing is a very interesting law.

Police Chief Glenn Schaffer reported camping on public property is a tricky issue. He noted the city currently has ordinances that prohibit camping on public property, but the trend from California heading north is that supreme courts across the country are starting to rule against those ordinances. Chief Schaffer reported they're posting some "no trespassing" signs and will utilize the city's nuisance code to remove the campers from that area. He noted, as far as notifying people, this needs to be done in order to have any luck in prosecuting offenders.

Mr. Panesko suggested they're not talking about trespassing; they're talking about overnight camping.

Chief Schaffer reported it essentially falls under the same thing, and having to notify people of the ordinances is critical in most prosecutions.

Mayor Dawes suggested the best thing to do is to enforce the ordinances that we have on the books until we're notified otherwise. He noted the city limits parking in all of our other city lots to 24 hours and didn't know why we couldn't post it at the park and ride.

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

a. Minutes of the special meetings of June 30, July 12, and July 28, 2016, and the regular meeting of July 25, 2016;

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b. Claim Vouchers No. 116422-116571 in the amount of \$378,786.94 dated July 29, 2016; and Payroll Vouchers No. 38980-39065, Direct Deposit Payroll Vouchers No. 7325-7420, and Electronic Federal Tax Payment No. 162 in the amount of \$743,686.67 dated July 29, 2016; and

c. Approve Separation Agreement between the city and the current city manager.

The motion was seconded by Councilor Lund and carried unanimously.

3. **Administration Reports.**

a. **Transportation Benefit District Funding.** City Manager MacReynold reported this is an issue that they've talked about for quite a while and plan to move forward over the next couple of months. He briefly outlined the process, noting they're looking at a sales tax increase of two tenths of one percent over a 10-year period that will bring in \$800,000 - \$1 million annually. City Manager MacReynold proposed to first meet with the finance committee to lay out a timeline and would bring it back to the council soon after that.

Mayor Dawes reported this is an item that he asked City Manager MacReynold to bring up, noting the council approved the creation of a Transportation Benefit District in December 2015, but held off on establishing a funding mechanism for it. He indicated he would like to see the council move on this, or at least make a determination if they want to submit something to the taxpayers to vote on. Mayor Dawes stated he also wanted it on record that this is something that the city has been working on for a while, so it doesn't appear that the first thing the new city manager does when she comes on board is to propose a new tax.

Councilor Lund stated he agreed that they needed to get moving on it, noting he had also talked with City Manager MacReynold about it.

Mayor Dawes suggested they schedule a work session to discuss it, adding he would also like to have all seven members of the council present during the discussion.

b. **Special Work Session – Utility Rate Study.** City Manager MacReynold reported a special work session had been scheduled for Monday, August 29, at 5:00 p.m. to discuss utility rates. He noted Public Works Director Rick Sahlin is working with the Financial Consulting Solutions Group to update our analysis and to prepare some options for the council to consider.

4. **Council Reports.**

a. **Update From Mayor Dawes.** Mayor Dawes reported he attended a couple of meetings with the Washington State Department of Transportation (WSDOT) to receive updates on the Chamber Way overpass, which reopened last Thursday. He noted he also attended a small get-together on Friday at the Chamber Office to thank WSDOT and the contracting crew. Mayor Dawes reported the northbound span of the bridge was unfortunately hit again earlier in the day at about 9:25 a.m., but there was no significant damage to report. He noted he was putting some letters together to thank WSDOT and our local representatives who were very instrumental in getting the situation well in hand. Mayor Dawes stated he hoped that the remaining part of the structure will hold up until we can get the bridge replaced in 2023, or sooner if the Legislature is able to move the project up.

Mayor Dawes reported Music in the Park rapped up last week, noting it was very successful and well attended this year. He also reported they would be having their first meeting with Lewis County Fire District #6 on Wednesday, August 10 to discuss the future and the potential of a Regional Fire Authority between the city and the District.

5. **Ordinance No. 961-B First Reading – Amending Title 17 of the Chehalis Municipal Code Dealing with Allowable Fence Height.** City Manager MacReynold reported this is a housekeeping item that will bring our city code into compliance with the International Building Code.

Mayor Dawes reported fences that are not within the right-of-way of the road would now be allowed up to seven feet high, which is the same as what the International Building Code allowed for. He inquired about the setback, wondering if it would remain at four feet.

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Interim Community Development Director Trent Lougheed reported nothing would change except the actual height of a fence that's permitted within the city, adding all of the other portions of the fence code will stay the same.

Councilor Pope moved to pass Ordinance No. 961-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 5:18 p.m.

Mayor

Attest:
City Clerk

SUGGESTED MOTION

I move that the council approve the minutes of the regular city council meeting of August 8, 2016.