

June 8, 2020

The Chehalis city council met in regular session on Monday, June 8, 2020, in the Chehalis city hall. Mayor Dennis Dawes (present in the council chambers) called the meeting to order at 5:00 pm with the following council members present via Zoom: Tony Ketchum, Jerry Lord, Daryl Lund, Dr. Isaac Pope; Bob Spahr; and Chad Taylor. Staff present in the council chambers included: Jill Anderson, City Manager; Ken Cardinale, Fire Chief; Caryn Foley, City Clerk; Erin Hillier, City Attorney; and Trent Lougheed, Public Works Director. Due to orders from the Governor's office relating to COVID-19, members of the public and the press were restricted from the meeting room but were able to view the meeting via live streaming and were provided a process for submitting comments prior to the meeting.

1. **Citizens Business**. Mayor Dawes stated two comments were received.

a. Michael Holst (Chehalis resident) asked what plans the police had to deal with rioters that had bad intentions. Mayor Dawes stated there had been a couple of events in Chehalis, but they went without a hitch. He conveyed to Mr. Holst that all local law enforcement agencies were working together to respond as needed.

b. Mark Peterson (Owner of 1660 Bishop Road) inquired about facility charges for his property, which he intends to use for affordable housing. He asked the Community Development Department to assess the capacity facility charges as each home was built instead of paying all fees up-front at a cost of just over \$120,000, but the request was denied.

Trent Lougheed stated Mr. Peterson's correspondence makes reference to the Community Development Department, but this was actually a Public Works Department issue. A request from Mr. Peterson's engineer was received. The letter provided data for reduced ERUs (Equivalent Residential Units), which was approved for an 80% reduction of fees. The issue in question related to capital facilities charges. When the development was proposed the applicant requested that all 29 homes be served on one 2-inch meter. Staff recommended an individual meter for each home that would have allowed the applicant to pay fees as each application for a building permit was applied for. The applicant elected to go with the 2-inch meter, so the full amount has to be charged for the meter.

The council concurred to refer the matter to staff and to meet with Mr. Peterson.

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

a. Minutes of the regular city council meeting of May 26, 2020;

b. May 29, 2020 Claim Vouchers No. 129127 – 129226 and Electronic Funds Transfer Nos. 420201, 420202 and 420203 in the amount of \$1,203,738.32;

c. May 29, 2020 Payroll Vouchers No. 41298-41327, Direct Deposit Payroll Vouchers No. 12134-12241, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 295-298 in the amount of \$763,730.81;

d. Correction to Vouchers and Transfers dated May 15, 2020; and

e. Set June 22, 2020 at 5:00 pm to conduct a public hearing on the city's 2021-2026 six-year transportation improvement program.

The motion was seconded by Councilor Taylor and carried unanimously.

3. **Emergency Fire Station Alternatives Analysis**. City Manager Anderson stated a number of sites had been evaluated for an emergency fire station. She provided background on how the finding of asbestos led to the Chehalis Fire Department relocating to Fire District 6 in August 2018, where it continues to operate. An agreement between the two agencies was entered into, which included a 60-day termination notice. When the firefighters were relocated to District 6, the city continued to find a site for a new fire station and was currently in the due diligence portion of the process of buying a site. While in the process of the buying property, District 6 provided notice that the current situation was no longer working and that the city needed to vacate by July 5, 2020. Since that notice, staff evaluated a number of sites, including Station 48. Unfortunately, the structural assessment done in 2017 and a more recent peer review, indicate the building has significant structural issues that make it subject to collapse in a seismic event, along with significant water damage. It was her strong recommendation that Station 48 not be used as an emergency fire station.

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City Manager Anderson stated there were three issues in regard to housing the firefighters that included 1) an emergency fire station; 2) a long-term interim station; and 3) a permanent fire station. The issue before the council tonight was the emergency station. She stated a number of criteria was used to evaluate over 15 sites. The three sites that came to the top were the City Hall basement, a city-owned property on Arkansas Way, and a vacant property on Main Street/Chehalis Avenue owned by Darigold. The property the city was trying to buy on State Avenue for the permanent station was considered, but could be problematic if the sale fell through.

Trent Lougheed reviewed the pros and cons of each of the three sites, while Chief Cardinale spoke to how each location would work operationally. Mr. Lougheed noted that at looking at all of the sites, no site was ideal and each had its issues. Any site not owned by the city would require a lease agreement that would take time. He noted a contractor was ready to begin work immediately.

Councilor Lund asked if District 6 had been approached to see if the July 5 date was a hard deadline. City Manager Anderson said she had not contacted District 6. Chief Cardinale believed an extension was highly unlikely.

City Manager Anderson stated that in addition to a decision on this issue, a resolution was also on the agenda to declare an emergency to allow staff to facilitate the improvements without having to go through the competitive bidding process. She stated it was the recommendation of staff to focus on one of the city-owned sites, with the airport site being the first choice.

Councilor Spahr believed the airport site was the best alternative.

Councilor Taylor asked when the due diligence report was expected on the State Avenue site. City Manager Anderson stated she put in a request to extend the due diligence to July 9. The next council meeting was July 13 and would be the time to look at a plan to fund the site, assuming all purchase details were worked out and that the phase 2 environmental comes through. She expected the phase 2 results by end of June/early July. Councilmatic bonds would be needed to fund the project, which would require a period of six to eight weeks, so you could be looking at the middle of September to have the funding. You would then figure a couple of weeks to close, so you could be looking at taking ownership in November.

Trent Lougheed added the consultants doing the phase 2 environmental did their sampling last week. Those samples were taken to the lab and should be tested by the end of the week. The consultant requested two weeks to prepare and provide a report to the city once they receive the test results.

Councilor Lund stated he preferred the Darigold site.

Councilor Spahr moved to authorize the City Manager to take the steps necessary, including the expenditure of funds and the signing of agreements, to establish an Emergency Fire Station location at the city owned property on Arkansas OR alternatively at city hall. The motion was seconded by Councilor Pope and carried 5 to 2. Councilors Lund and Taylor voted against the motion.

4. Resolution No. 7-2020, First and Final Reading – Formally Declaring an Emergency Relating to the Need of an Emergency Temporary Fire Station Facility and Assigning Emergency Contracting Authority to the City Manager. City Manager Anderson stated it was an emergency situation in terms of needing to find a fire station location, so staff was asking the council to approve the emergency resolution that would allow the City manager to proceed with flexibility in terms of bidding requirements.

Trent Lougheed stated the city had 27 days to move the fire department out of District 6. He stated staff had a contractor who could start as early as tomorrow. It would be strictly time and material.

Councilor Taylor asked if the contractor was local. Mr. Lougheed indicated it was KBH Construction out of Tumwater.

Councilor Lord asked if there were limits on the amount of money the City Manager could expend. City Manager Anderson stated the site preparation work was estimated to be \$75,000, plus some contingencies, so they were probably looking at \$150,000, which did not include any structures.

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Councilor Lund stated he was very disappointed that no local contractors were contacted. Mr. Lougheed stated other contractors could be contacted if that was what the council wanted. Councilor Spahr thought the contractor search should be expanded. Mayor Dawes thought staff should try to contact local contractors, but understood the city was under the gun.

Councilor Spahr asked how much could be paid by the Airport Fund. Mr. Lougheed stated the airport could pay for all site improvements, except structures. City Manager Anderson stated arrangements would be made with Pacific Mobile Structures for them to place a building to house the firefighters which would be paid through the General Fund.

Councilor Pope stated this was an emergency situation not created by District 6, but from within the city's own structure. He did not see any advantage in delaying it to find a local contractor. He thought the city should determine why this happened and make sure it never happened again as it cost the city a tremendous amount of money and time, and put the community at risk. Councilor Pope moved to adopt Resolution No. 7-2020 on first and final reading. The motion was seconded by Councilor Spahr.

Councilor Lord asked if a limit of the amount of money the City Manager was authorized to spend should be part of the motion. Mayor Dawes stated that a dollar amount was not part of the resolution. He believed the City Manager understood that \$150,000 was the limit. The motion carried 5 to 2. Councilors Lund and Taylor voted against the motion.

5. Ordinance No. 1007-B, First and Final Reading – Providing for and Establishing Charges, Rates, and Fees for Installations and Connections to the Water System and the Providing of Water Services. Trent Lougheed stated this related to the LaBree superfund site application for temporary water and sewer connections to remediate groundwater pollution near LaBree Road. The current sewer code has a provision that allows for the reduction of fees for a temporary connection for 2.5% of the standard fee per year that it was needed; however, the water code did not. The additional cost to the applicant would be in excess of \$100,000. The applicant (EPA and the Department of the Army) requested a reduced capacity facilities charge for the size of meter they need for this short, interim use of water and sewer.

Councilor Lord asked if there were different rates for commercial and residential capital facilities charges. Mr. Lougheed stated it was based on the size of the meter. There will not be a reduction in the water and sewer usage charges.

Councilor Lord asked if the EPA had given any reductions in fees to anyone in the city of Chehalis. Mr. Lougheed stated no. Their letter points out that this is all taxpayer money and one reason they are requesting the reduction.

Councilor Spahr moved to suspend the rules requiring two readings of an ordinance. The motion was seconded by Councilor Pope and carried unanimously. Councilor Spahr moved to pass Ordinance No. 1007-B on first and final reading. The motion was seconded by Councilor Lund and carried 6 to 1. Councilor Lord voted against the motion.

6. Administration Reports.

a. **City Manager Update.** City Manager Anderson stated the executive session included on the agenda was not needed. She reported the police department has been monitoring and taking appropriate steps in regards to some of the protests and demonstrations that have been going on. She stated protests in Chehalis had been peaceful. There are concerns about the budget due to impacts of COVID-19 and the associated recession. Staff has taken steps to stop spending on non-essential items and large purchases. Staff continues to focus on the Recreation Park and the pool projects. Seasonal staff has been reduced and there are 5½ vacant positions in the budget, so drastic cuts to the budget have not had to be made. She anticipated working with the budget committee beginning late June/early July and then coming to the council with provisions to reduce the budget as needed. Staff continues to watch the Governor's actions in allowing us to move into different phases, and are taking steps to comply with the Governor's orders for health and safety requirements for employees, as well as the public.

7. Councilor Reports/Committee Updates.

a. **Councilor Taylor.** Councilor Taylor acknowledged all the work being done by staff during this time. The work being done by the contractor at Recreation Park was great, but he was disappointed that when people are struggling in Lewis County it was not a priority to contact local contractors for the emergency fire station.

b. **Councilor Lund.** Councilor Lund echoed Councilor Taylor's comments. The steam train will begin operating this Saturday.

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c. **Mayor Dawes**. Mayor Dawes reported he presented a plaque to Don Schmitt for his retirement. He responded to several comments on social media relating to the Hamilton sign and continues to attend meetings relating to COVID. Mayor Dawes prepared a letter to the county in support of moving to phase 3. He hoped the order prohibiting in-person meetings that was set to expire June 17 would allow the next council meeting to be held in-person.

d. **Councilor Ketchum**. Councilor Ketchum stated he appreciated all of Councilor Taylor's comments.

There being no further business to come before the council, the regular was adjourned 6:55 pm.

Dennis L. Dawes, Mayor

Caryn Foley, City Clerk

Approved: 6/22/2020

Initials: cf