

August 10, 2020

The Chehalis city council met in regular session on Monday, August 10, 2020. 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 included: Jill Anderson, City Manager; Caryn Foley, City Clerk; Erin Hillier, City Attorney (Zoom); Trent Lougheed, Public Works Director; Brandon Rakes, Airport Operations Coordinator; and Judy Schave, HR/Risk Manager. Due to orders from the Governor's office relating to COVID-19, members of the public and the press were able to view the meeting via live streaming or via telephone through Zoom. The public was also provided a process for submitting comments prior to the meeting.

1. **COVID-19 Update.** Andy Caldwell, Deputy Director of Lewis County Emergency Management, provided an update on COVID-19 and work being done by Emergency Management.

Mayor Dawes asked if zip code identification could be done and if there was a better way to identify how COVID was being spread. Mr. Caldwell stated community spread was here, while some spikes came from a singular location. The reproductive number was going down. He stated he would carry the message back to health department.

The council discussed a recent golf tournament at Riverside Golf that was stopped by the health department, and a baseball tournament that was cancelled that was to be held in Chehalis. It was noted that it was confusing to have to go back through numerous proclamations from the Governor to try and figure out the current status of things. Mr. Caldwell stated he would share the council's concerns and provide follow-up with regard to the stoppage/cancellation of the tournaments.

Mr. Caldwell noted one thing that everyone wanted was to get kids back to school, but the county needed to be below 60 new positive cases over a rolling 14-day average. The Governor set a number of 75 per 100,000. Anything above that, the Governor wanted to see distance learning. Lewis County's number is 60 since the population is 80,000.

Councilor Lord asked the scientific significance of 75. Mr. Caldwell stated he couldn't answer that question, but he would ask and report back to council.

2. **Citizens Business – Police and Protesters.** Sarah Brown with Amnesty International spoke about recent protests and the police. She provided a report completed by Amnesty International titled USA: The World is Watching: Mass Violations by U.S. Police of Black Lives Matter Protesters' Rights.

Mayor Dawes stated it was a tough situation. There are people peacefully trying to exercise their rights and there are troublemakers causing problems. They inter-mix with the people trying to do it the right way. The difficult thing was they tend to do things that are not correct and somebody has to take corrective action and innocent people get caught in the middle. He stated the council could only address situations in Chehalis, and fortunately, protests in Chehalis had been done the right way.

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

- a. Minutes of the regular city council meeting of July 27, 2020;
- b. July 31, 2020 Claim Vouchers No. 129616 – 129744 and Electronic Funds Transfer Check Nos. 904 -909, 620202 and 620203 in the amount of \$464,829.62 and voided Check No. 129400 in the amount of \$171.72 for the net total transfer of \$464,657.90;
- c. July 31, 2020, Payroll Vouchers No. 41362-41397, Direct Deposit Payroll Vouchers No. 12354-12468, Electronic Federal Tax and DRS Pension/Deferred Comp Payments No. 303-306 in the amount of \$770,353.37;
- d. Kresky Avenue Resurfacing Project – acceptance of project as complete; and
- e. Assumption of lease from Bass Enterprises (Dutch Bros.) to BB Holdings, WA LLC.

The motion was seconded by Councilor Taylor and carried unanimously.

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#### **4. Administration Reports.**

a. **City Manager Update.** City Manager Anderson stated Lewis County asked the city if they wanted to opt-in with the county to join a consortium to distribute CDBG (Community Development Block Grant) CV-1 (COVID) funds. The city was eligible to receive funds to benefit low- and moderate-income people from funds distributed through the State Department of Commerce from the federal government. Lewis County does not have the administrative capacity to administer the program, so they opted to join with Mason County. Mason County plans to contract with the Community Action Council in order to provide services to Lewis and Mason County residents. City Manager Anderson intended to let Lewis County know that Chehalis would like to opt in. She expected some sort of document to be brought to the council to formalize the arrangement.

Councilor Pope hoped the city's best interests would be represented.

Councilor Lord recalled that the City Manager stated there were about \$45,000 in delinquent utility bills. City Manager Anderson stated receipts were approximately \$45,000 to \$50,000 below last year, and indicated it was probable that a lot of the decrease was related to COVID deferrals related to the Governor's proclamations.

Mayor Dawes stated if they could use some of the money to offset the delinquent accounts would it be similar to the city's reduced rates for low-income seniors. City Manager Anderson stated there was criteria established by the federal government for low- and moderate-income households to participate in this assistance program.

Mayor Dawes asked if the City Manager knew what the cost would be for administering the program and the ability to have staff administer it, or would it be enough to request a certain amount of the funds for an intended use, such as utility payments. City Manager Anderson stated details still needed to be worked out. The city could actively publicize the program to make sure Chehalis residents were aware of its availability. She stated federal funds come with a lot of strings attached, and like Lewis County, the city did not have the administrative capacity to administer the program.

#### **5. Councilor Reports/Committee Updates.**

a. **Councilor Lord.** Councilor Lord stated the Liquor Control Board and L&I have been coming into Chehalis businesses. He didn't think any business had been fined, but he wanted the council to be aware. He reported a drone crashed into his building downtown.

b. **Councilor Taylor.** Council Taylor stated he had also heard about L&I inspectors being downtown asking workers COVID-related questions about how many pages their COVID handbook was, what chemicals were in their cleaners, and if they had been trained. He asked if there were any guidelines that businesses could refer to.

Mayor Dawes thought the information was available on the state website under Safe Start Washington.

City Attorney Hillier explained that whatever type of state license a business had, that business signed off on complying with the COVID rules that were in place and that opened them to inspection. She stated the city could not control what the state was doing with regard to investigations.

Councilor Lord stated he understood that, but it was one thing to educate a business, but it was another thing to start fining businesses when they allow people to riot businesses without recourse.

Councilor Pope stated there was a business downtown with a sign saying no masks or social distancing was required, which was totally against the current rules.

There was discussion about the city's responsibility for policing non-compliant businesses and the wearing of masks.

City Attorney Hillier stated the city was not responsible for policing non-compliant businesses or people not wearing masks. If a business felt harassed by an agent of a state agency, they needed to contact that state agency.

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City Manager Anderson noted Chief Schaffer had stated that the city's police department would be using education and information in those situations, and that they would not be high priority calls. The city was not the mask police and had emergencies to respond to. She stated that per the Governor's own directives the idea was to provide education and information, not issue fines and citations. If somebody had an issue with a state mandate, they should contact the appropriate state agency. City Manager Anderson reiterated that the Chehalis Police Department responds to issues related to criminal activity, threats, harassment, etc.

Councilor Spahr suggested that people could also contact their state legislators.

c. **Councilor Lund.** Councilor Lund reported a person camping in the parking lot next to Colony House and berry vines sticking out along Jefferson Avenue. He also asked about the status of non-working streetlights that Councilor Spahr brought up several months ago. Councilor Lund stated PUD was starting monthly billing and wondered if that could be looked into for city utility bills. Mayor Dawes stated the person camping was gone, as well as the motor home that was once there.

Councilor Lund stated the steam train group decided to go-through the engine again to do any needed repairs correctly to ensure its safety.

d. **Mayor Dawes.** Mayor Dawes attended a council budget committee meeting. The numbers looked better than they did earlier, but they don't know if that was due to stimulus money and additional unemployment. The committee will meet again in September.

6. **Executive Session.** Mayor Dawes announced the council would be in executive session pursuant to RCW 42.30.110(1)(g) – Performance of a Public Employee; RCW 42.30.110(1)(i) – Litigation/Potential Litigation; and RCW 42.30.140(4)(a) – Collective Bargaining, not to exceed 8:00 pm and there would be no action following conclusion of the executive session. Councilor Taylor stated he had a conflict of interest regarding the litigation/potential litigation topic and would not be part of that portion of the executive session. Mayor Dawes closed the regular meeting at 6:05 pm. The executive session began at 6:06 pm. Councilor Taylor left the meeting at 7:04 pm. Following conclusion of the executive session, the regular meeting was reopened at 7:23 and immediately adjourned.

Dennis L. Dawes, Mayor

Caryn Foley, City Clerk

Approved: 8/24/2020

Initials: cf