

August 24, 2020

The Chehalis city council met in regular session on Monday, August 24, 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; Tammy Baraconi, Planning & Building Manager; Chelbi Brown, Permit Technician; Caryn Foley, City Clerk; Kiley Franz, City Manager's Administrative Assistant; Erin Hillier, City Attorney; Trent Loughheed, Public Works Director; Brandon Rakes, Airport Operations Coordinator; Chun Saul, Finance Director; and Lilly Wall, Recreation 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. **Proclamation – Childhood Cancer Awareness Month**. Mayor Dawes read a proclamation designating the month of September as Childhood Cancer Awareness Month.

2. **Discover! Children's Museum**. Board President Larry McGee spoke about Discover! Children Museum's decision to not locate in Chehalis. The museum plans to locate in Centralia as part of the United Learning Center. He thanked the city for its support.

3. **Chehalis Basin Partnership (CBP)**. Kirsten Harma, Watershed Coordinator, stated the Chehalis River Watershed had water rights over-allocated and not enough water for fish in the summer. In response, the Legislature passed the Watershed Planning Act and designated groups to deal with this issue and other associated issues. For the Chehalis Basin that planning group was the CBP, who released a watershed plan that was approved by the state. One issue not addressed in the plan was exempt wells – rural homes that take their water from a well that do not require a water permit from the Department of Ecology. In 2016, the Hirst Decision limited landowners' ability to get a building permit for a new home where the water source would be a permit-exempt well because counties had to prove there was no impact on stream use before issuing permits. That was resolved in 2018 through the Streamflow Restoration Act, which provided counties to issue permits without risk. The Streamflow Restoration Act provided for a 20-year projection for new permit-exempt well connections; a 20-year consumptive domestic water use estimate from new permit-exempt well connections; impact assessment for streamflow; projects and actions to offset estimated consumptive use and meet Net Ecological Benefit; and Net Ecological Benefit evaluation. The plan must be approved by CBP and adopted by Ecology before Feb 1, 2021 or Ecology must begin formal rulemaking. The CBP's role is to offset new well drilling, replace water with water, and help fish. The plan will be released August 26. Some of the results of the plan include City of Chehalis projects such as water supply diversion relocation, flood hazard reduction master plan and storage, and Coal Creek. She reviewed the schedule for CBP plan review and approval and invited the city to provide input and approve the plan by September through a resolution of support.

Terry Harris, the city's representative on the CBP, stated the benefits of the plan would go more toward counties, but it was important to Chehalis because of the city's Urban Growth Area. If needs for water arise the city needed to be prepared to do some off-set. It was an opportunity to do projects that may be funded. He stated Ecology was actively involved with the process.

4. **Letter from Kyle Wheeler, Lewis County Lollipop Guild**. Mayor Dawes read into the record a letter from Kyle Wheeler representing the Lewis County Lollipop Guild. Mayor Dawes stated staff was working with the Lewis County Lollipop Guild regarding property in the city's Urban Growth Area near the Hamilton sign on Rush Road, which was in the city of Napavine.

“ . . . My name is Kyle Wheeler and I represent the Lewis County Lollipop Guild, LLC - a group of county citizens working towards a more diversely represented Lewis County. Last month we purchased a parcel behind the controversial Hamilton Sign and began discussions with the city regarding our options for putting up our own billboard that says "Lewis County Welcomes Everyone."

Over the course of the last three weeks I have personally experienced a variety of concerning behaviors from both the city planner and the city manager: including disregard for environmental reporting, failure to address legitimate concerns of oversight, and most recently discovered - ignoring the interlocal agreement between the City of Chehalis and Lewis County. I was not even made aware of this agreement until this past week- after 3 weeks of talks - and I would have involved the county in our conversation from the beginning had the city made me aware that they share regulatory authority on our parcel still. I provided ample time after my initial inquiry for research and a correct response and there is no reason this very important detail should have been overlooked by anyone, let alone the remainder of concerns in our communications.

August 24, 2020

I am here today to request comment from the Mayor & Council in tonight's meeting on what the City plans to do in regards to this mismanagement by both the Planner and Manager? I am sure our full communication beginning July 30th will be made available for your review.

We look forward to you addressing these concerns this evening."

Mayor Dawes stated he reviewed the emails associated with this issue, noting the placement of signs goes through the Building and Planning Department consistent with land use regulations and the council was not part of that process. Staff was providing requested information and attempting to set up an informational meeting with the proponent, which he postponed until he was able to go through the materials he had requested. Since the process was not complete and could involve potential litigation, Mayor Dawes indicated the council would refer the matter back to staff for resolution.

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

- a. Minutes of the regular city council meeting of August 10, 2020;
- b. August 14, 2020 Claim Vouchers No. 129745 – 129886 and Electronic Funds Transfer Check Nos. 910 -920, in the amount of \$605,524.32 and voided Check Nos. 129606 and 129634 (Invoice #129634) in the amount of \$1,633.96 for the net total transfer of \$603,890.36; and
- c. CARES Act Grant for U.S. Airports.

The motion was seconded by Councilor Lund and carried unanimously.

6. **Permit and Asset Management Software Upgrades.** City Manager Anderson stated the item was a proposal to expand the city's internal permitting operations to provide customers on-line permitting, which had become an increasingly important service that the city could not provide because of COVID. Staff believed the expansion met all the CARES Act requirements. City Manager Anderson also introduced Chelbi Browne, the city's new Permit Technician in the Community Development Department.

Tammy Baraconi stated that because of COVID, online permitting was needed to accommodate the public, noting the city's current software only allowed five users at one time and did not allow for on-line permitting. She provided examples for what on-line permitting would look like from the user's side. Services could include on-line permitting, submitting concerns, signing up for notifications for hearings/notices, and parcel search information. The proposed upgrade would allow users to apply and pay for permits, schedule inspections, and upload large files. Other capabilities could include event planning that could be used by all departments (e.g., recreation program, event registrations, facility rentals, etc.). Ms. Baraconi acknowledged sensitivities of the council when it came to dealing with on-line payments and convenience fees. She stated those would not be addressed today, but rather at a future council meeting. The upgrade could also include GIS conversion to allow users to search for permits. Initial costs would cover implementation and the first year's software contract, which staff believed qualified for the use of CARES funds. Implementation costs were estimated at \$45,455.37, while annual expenses were estimated at \$25,861.37.

Councilor Spahr asked how much the annual costs were for the existing program used by the city. Ms. Baraconi stated those costs were about \$7,600. Councilor Spahr commented that the city was growing and needed this kind of software to address customer needs.

Councilor Lord asked if this would lead to increased permit fees. Ms. Baraconi stated that discussion had not been had, but there were no plans to increase fees. Councilor Lord asked how permit fees were set. Ms. Baraconi stated they were based upon the value of work being done.

Councilor Taylor stated the cost seemed very expensive and thought GIS information was already available through Lewis County's website. Ms. Baraconi stated the county's GIS did not have complete information on Chehalis properties. Councilor Taylor suggested there were other options for developing this type of software program, such as having someone build a program that wouldn't require annual fees.

Councilor Lord asked what the number one benefit of the upgrade would be. Ms. Baraconi stated it provided better customer service and it offered the benefit of the event management software.

August 24, 2020

Councilor Lord asked for an estimate of potential users. Ms. Baraconi stated it was hard to estimate, but Centralia reported that they dropped to almost zero on the number of people that came into file permits and sign up for events. Recreation Manager Lilly Wall estimated it would be in the thousands for parks and recreation programs and events.

Councilor Pope thought the program would improve staff efficiency and time and should be done.

Councilor Taylor agreed everything was moving toward on-line services, but was concerned about the up-front costs and ongoing annual costs. He questioned as to the need for some of the components.

Mayor Dawes asked where one would find a person to build this type of program outside of an industry and how ongoing maintenance would be handled. Councilor Taylor stated he knew several developers. Mayor Dawes was concerned about the ongoing support of developers.

Councilor Lund was in favor of moving to on-line services, but he didn't like the fact that someone could see what other people were doing or turn someone in for not having a permit. He also agreed with some of the points made by Councilor Taylor.

City Manager Anderson stated the matter was brought to the council because of the urgency related to COVID. She also noted that the proposed program would integrate with the city's financial system. The city has a part-time IT person, so it didn't have a lot of resources related to technical capabilities. She stated it was ultimately council's decision.

Mayor Dawes asked why staff didn't look at what the county and the city of Centralia used. Ms. Baraconi stated both agencies used different programs. The one being proposed today was similar, but a different program.

City Manager Anderson stated the city didn't need to proceed with the purchase at the current time; however, if it was not pursued now, CARES funds would not be available for reimbursement. The city could proceed without using the competitive bidding process because it qualified for COVID since it was being done in large-part to be able to meet a demand that had increased due to COVID by limiting the number of people coming into city offices which protected the public and staff.

Mayor Dawes asked if this was one of the council's strategic planning goals. City Manager Anderson stated that one of the goals set by the council was to improve and enhance technology.

Councilor Taylor stated he didn't like using the emergency declaration to not have to go out for competitive bids. He asked if this was the best company and best price the city could get. Ms. Baraconi stated she thought the company was probably in the top five companies. She thought the price was excellent and didn't think they would get a better price somewhere else.

Councilor Spahr asked if other cities that use this software were contacted. Ms. Baraconi stated the city had been using the program since 2013, so this was an expansion of an existing program. She noted she used it when working at the city of Kelso.

Lilly Wall stated the asset management would help with inventory of city facilities, replacement/maintenance schedules, and provide a work order program for all city facilities.

Trent Lougheed stated the program had a good tracking tool for utilities, such as system components. Automatic work orders would be sent to notify staff of various maintenance needs.

Councilor Spahr moved that the City Council authorize the City Manager to enter into agreements with Dude Solutions, AWC GIS Consortium, and Point and Pay to expand the City's online service capabilities and make the associated expenditures, not to exceed \$51,700, which represents a base cost of \$47,000 plus a 10% contingency, consistent with the authority granted in Resolution No. 5-2020, Section 3, signed on March 17, 2020 and confirmed by the City Council on March 23, 2020, which declares an Emergency Relating to the COVID-19 Pandemic. The motion was seconded by Councilor Lund and carried 5 to 2. Councilors Lord and Taylor voted against the motion.

7. Ordinance No. 1009-B, First Reading – Amending the 2020 Budget. Chun Saul stated the budget amendment included rebalancing the General Fund; updating revenue projections for other governmental funds and enterprise funds; and additional budget requests and adjustments. She stated the citywide budget amendment revised the current budgeted amount by a combined total decrease in fund balance by \$430,140.

August 24, 2020

Councilor Spahr moved to pass Ordinance No. 1009-B on first reading. The motion was seconded by Councilor Lund and carried unanimously.

8. Administration Reports.

a. **City Manager Update.** City Manager Anderson thanked the budget committee for their review of the budget amendment numbers. City Manager Anderson asked Trent Lougheed to provide follow-up on some issues brought up at prior council meetings.

Mr. Lougheed reported overgrown bushes along Jefferson Avenue were trimmed on August 19 and 20. Information on how to report streetlight outages will be included in a future utility billing as an insert. Staff is working on gathering information to go to monthly billing for utilities. The stop sign at Prospect and 16th Streets has limited visibility due to a decorative bush. The property owner will be contacted to see if they would like to maintain the bush or have the city proceed with maintenance.

Mayor Dawes asked that the grass strip along National Avenue be mowed.

9. Councilor Reports/Committee Updates.

a. **Councilor Taylor.** Council Taylor spoke to the permit and asset management software upgrade and staff's comment that they were not going to discuss the credit card processing fees. He thought it was disingenuous to take that conversation off the table.

City Manager Anderson explained that the idea of the processing fees and whether those fees are passed on to the customer was something staff would bring back to council for consideration consisted with previous direction to staff. The idea was to see if the council wanted to approve the software and then deal with the convenience fee. Mayor Dawes suggested that the issue could be discussed by the budget committee to form a recommendation to the full council for action.

b. **Mayor Dawes.** Mayor Dawes attended an I-5 improvement project meeting, noting the city's desire to maintain the West Street overpass open to both vehicular and pedestrian travel. He also participated in a meeting relating to consolidation of dispatch services, and a flood control update meeting.

10. **Executive Session.** Mayor Dawes announced the council would be in executive session pursuant to RCW 42.30.110(1)(i) – Litigation/Potential Litigation, not to exceed 7:45 pm and there would be no action following conclusion of the executive session. Councilor Taylor stated he had a conflict of interest regarding one item under litigation/potential litigation and would not be part of that portion of the executive session. Mayor Dawes closed the regular meeting at 6:52 pm. The executive session began at 6:53 pm. Councilor Taylor left the meeting at 7:10 pm. Following conclusion of the executive session, the regular meeting was reopened at 7:37 and immediately adjourned.

Dennis L. Dawes, Mayor

Caryn Foley, City Clerk

Approved: 9/14/2020

Initials: cf