

Chehalis City Council

Meeting Minutes

June 28, 2021

The Chehalis City Council met in regular session on Monday, June 28, 2021. Mayor Dennis Dawes called the meeting to order at 5:00 pm with the following members present: Michael Bannan, Tony Ketchum, Jerry Lord, Dr. Isaac Pope, and Bob Spahr. Councilor Daryl Lund participated via Zoom. Staff present included: Jill Anderson, City Manager; Tammy Baraconi, Planning and Building Manager; Kiley Franz, City Clerk; Tedd Hendershot, Fire Chief; Erin Hillier, City Attorney; Randy Kaut, Interim Police Chief; Rick Mack, Fire Marshal; Brandon Rakes, Airport Operations Coordinator; Chun Saul, Finance Director; and Amelia Schwartz, City Planner. Due to orders from the Governor's office relating to COVID-19 and ongoing capacity limitations, members of the public and the press had the option of viewing the meeting via live streaming or Zoom. The public was also provided a process for submitting comments prior to the meeting.

1. **Approval of Agenda.** A motion to approve the agenda was made by Councilor Ketchum. The motion was seconded by Councilor Pope and carried unanimously.

2. **Citizens Business.**

- a. Hurshell Smith expressed his frustration with the recent increase in parking permit fees and the lack of maintenance for City owned parking lots.
- b. John Csernotta informed the Council that the dealership project was progressing well. An architect, general contractor, fill contractor, and fill supplier have been selected for the project and permits have been submitted to the City for approval.

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

- a. Minutes of the regular City Council meeting of June 14, 2021; and
- b. June 15, 2021 Claim Vouchers No. 131908 – 132012 and Electronic Funds Transfer Check Nos. 1345 – 1378, and 13 in the amount of \$301,595.04; and
- c. Interlocal agreement for the Washington State Department of Children, Youth, and Families (Green Hill School); and
- d. Resolution No. 5-2021, first and final reading, declaring property to be surplus.

City Manager Anderson explained that a typo had been corrected in the surplus property agenda report, the reference to a 1997 fire truck had been corrected to 1977. Councilor Ketchum asked if the agreement with Green Hill School covered the cost for the Fire and Police Departments to respond to the facility. Chiefs Kaut and Hendershot confirmed that the funds received likely did not cover the cost. The motion was seconded by Councilor Pope and carried unanimously.

4. **Ordinance No. 1020-B, Second and Final Reading, Amending CMC 10.08 to Address Impound/Immobilization of Unlawfully Parked Vehicles and to Incorporate City Fee Schedule for Penalties.** City Manager Anderson informed the Council that there had been no changes since the first reading on June 14, 2021.

Mayor Dawes referred to Chapter 6, paragraph 2 regarding permitted City parking lots; he asked if the language in the ordinance should include 'as posted'. Erin Hillier confirmed that the reference could be clarified.

A motion to amend Ordinance No. 1020-B, section six, subsection two to state "If a vehicle is found, pursuant to this chapter, parked in a permit lot without a valid City-issued permit during the restricted hours, the same shall constitute and infraction resulting in a fee penalty in the amount set forth in the current City Fee Schedule. Nothing in this section will prohibit a vehicle from being cited for multiple violations" was made by Councilor Ketchum. The motion was seconded by Councilor Pope and carried unanimously.

Councilor Spahr asked for clarification regarding the hours that the parking lots were restricted. Mayor Dawes confirmed that the restricted hours were 8:00 A.M. to 5:00 P.M. Monday through Friday. Councilor Spahr asked what good a rented parking

spot would be for renters living downtown if they only utilized the spot in the evenings. Mayor Dawes explained that the intent was to ensure parking for those living and working downtown during the busiest times of the day.

A motion to pass Ordinance No. 1020-B as amended on second and final reading was made by Councilor Ketchum. The motion was seconded by Councilor Pope and carried unanimously.

5. **Ordinance No. 1018-B, Second and Final Reading, Implementing the 2018 International Building Code.** City Manager Anderson explained that a special meeting to review the 2018 international building code had been held on June 7, 2021.

Tammy Baraconi informed the Council that the following optional sections were included in the proposed ordinance: the international property maintenance code, and the international existing building code; portions of the international wildlife and urban interface code are proposed to be adopted; and all mandatory sections are proposed to be adopted as well. Ms. Baraconi briefly reviewed these sections. Fire sprinklers are not required unless there is insufficient fire flow available.

Councilor Lord asked if there would be any duplication of nuisance codes with the adoption of the international property maintenance code. Ms. Baraconi stated that the code provided a clearer path forward.

Councilor Ketchum asked if the estimated ten houses built with the fire sprinkler requirement in the past ten years would have been able to be built without that requirement. Rick Mack stated that they would have not been able to provide sufficient fire flow, so the house would not have been able to be built. Councilor Lund asked why houses were being built without sufficient city services to provide that fire flow. Ms. Baraconi informed Councilor Lund that the houses were able to be built because of the mitigation provided by the fire sprinklers.

Councilor Lund asked why water tender services could not be utilized as mitigation. Councilor Spahr clarified that the code did not require fire sprinklers, it required fire flow; mitigation could be in the form of fire sprinklers, water tenders, or other such methods.

A motion to approve the Building Code as presented, adopting only what is required in WAC 51-54 and maintaining the status quo for the City and UGA on fire sprinklers; adopting only the portions of the International Wildland Interface Code as required by the State; and adopting the optional text of the International Existing Building Code and the International Property Maintenance Code was made by Councilor Ketchum. The motion was seconded by Councilor Spahr and carried four to two. Councilors Lord and Lund disapproved.

A motion to amend the motion to exclude the international property maintenance code was made by Councilor Lord. The motion was seconded by Councilor Spahr. The motion failed to pass with only Councilors Lord and Lund approving the motion.

6. **Resolution No. 6-2021, First and Final Reading, Adopting the 2022-2027 Six-Year Transportation Improvement Program.** City Manager Anderson explained that the six-year transportation improvement program was presented in a public hearing at the last City Council meeting on June 14, 2021; there were no public comments received.

A motion to adopt Resolution No. 6-2021 on first and final reading was made by Councilor Ketchum. The motion was seconded by Councilor Pope and carried unanimously.

7. Administration Reports.

a. **City Manager Update.** Tammy Baraconi introduced Amelia Schwartz as the new planner. City Manager Anderson informed the Council that the pool will open on July 1, 2021 and Music in the Park will take place this summer. On August 6, 2021, a community celebration for Recreation Park and Penny Playground is planned to acknowledge the individuals that assisted with the project.

8. Councilor Reports/Committee Updates.

a. **Councilor Ketchum.** Councilor Ketchum thanked the individuals that cleaned up trash under the railway bridge near Chamber Way.

b. **Councilor Spahr.** Councilor Spahr informed the Council that he took part in an EDC meeting; the City has been invited to participate with the EDC and the County for infrastructure planning on July 21, 2021.

- c. **Mayor Dawes.** Mayor Dawes attended the funeral service for Mike Roewe, a business after hours, and a ribbon cutting for Chehalis West for their new memory care unit.

9. **Executive Session.** Mayor Dawes announced the council would take a short recess and then be in executive session pursuant to RCW 42.30.110(1)(i) – Litigation/Potential Litigation and RCW 42.30.110(1)(c) – Sale/Lease of Real Estate, not to exceed 7:00 pm and there may be action taken following conclusion of the executive session. Mayor Dawes closed the regular meeting at 6:10 pm. and the executive session began at 6:15 pm. Councilor Bannan recused himself at 6:36 pm before the discussion regarding sale/lease of real estate. Following conclusion of the executive session at 6:51 pm, the regular meeting was reopened.

10. **Amendment to the Agenda.** A motion to amend the agenda to include the consideration of agreement to lease Tract 8 at 1800 NW Louisiana Avenue to KEM Northwest, a Washington LLC was made by Councilor Ketchum. The motion was seconded by Councilor Pope and carried unanimously.


11. **Consideration of Agreement to Lease Tract 8 at 1800 NW Louisiana Avenue to KEM Northwest, a Washington LLC.** Brandon Rakes informed the Council that an offer to lease Tract 8 to KEM for an auto dealership. The effective date would be 90 days after the execution of the agreement to lease. The earnest money that the City would receive for this site is \$74,339.50, this will be credited towards the payment of rent.

Mayor Dawes acknowledged that Councilor Bannan had recused himself from any discussion regarding this agreement.

A motion to approve acceptance of the lease for Tract 8 at 1800 NW Louisiana Avenue by KEM Northwest, LLC and authorize the City Manager to execute the documents was made by Councilor Ketchum. City Manager Anderson asked that the motion be amended to include both the agreement for ground lease and the ground lease. The motion was amended by Councilor Ketchum to approve the agreement for ground lease and the ground lease for Tract 8 at 1800 NW Louisiana Avenue by KEM Northwest, LLC in proposed form and to direct the City Manager to execute the documents. The amended motion was seconded by Councilor Spahr and carried unanimously. Councilor Bannan abstained as he had recused himself from the meeting at 6:36 pm.

There being no further business, the meeting was adjourned at 6:59 pm.


Dennis L. Dawes, Mayor


Kiley Franz, City Clerk

Approved:

Initials: 