

May 14, 2012

The Chehalis city council met in regular session on Monday, May 14, 2012, in the Chehalis city hall. Mayor Ketchum called the meeting to order at 5:16 p.m. with the following council members present: Terry Harris, Bob Spahr, Daryl Lund, Chad Taylor, and Dennis Dawes. Councilor Pope was absent (excused). Staff present included: Merlin MacReynold, City Manager; and Judy Schave, City Clerk.

1. **Executive Session.** Mayor Ketchum announced the council would be in executive session pursuant to RCW 42.30.110(1)(g) – public employee review for approximately 30 minutes and there would be no decision following conclusion of the executive session.

Mayor Ketchum closed the executive session at 5:42 p.m. and announced the council would take a short recess before opening the work session at 5:43 p.m.

2. **Update From the Chehalis-Centralia Airport Board.** Airport Manager Allyn Roe and City Representative Dr. John McCord updated the council on what's been happening at the airport over the last few months.

Mr. Roe reported, in a special board meeting last week, the Airport Board executed a lease with Neltac, Inc., for the new Taco Time to be built just north of Applebee's. He noted they had a 90-day due diligence period in which to do their investigating, to see what needs to be done to the site. The Airport Board also executed a lease with Pacific Cataract and Laser Institute for their new hangar project, which will consolidate their operations into one hangar.

Mr. Roe reported the group that brought the B-25 to the airport last year will be bringing in a B-17 Bomber at the end of July. He stated they were excited to hear about the more popular aircraft coming in, adding it should be a big draw.

Mr. Roe reported they had been working on the roundabout project near Home Depot for the last month or so, adding they still had quite a bit of fill material to bring in. They also finalized the deal on the old Blaser Farm property with National Frozen Foods, noting it closed last month.

Councilor Dawes asked if the B-17 would be fully equipped. Mr. Roe noted it should be similar to what they brought last year, adding it was from the Commemorative Air Force Wing out of Arizona.

Councilor Taylor asked how long it would be before construction would start on the site north of Applebee's. Mr. Roe hoped it would be soon, especially with all the filling that's required for that particular site.

Mr. Roe brought up the issue of impact fees for new construction on their property. He believed it was the wish of the council to waive the impact fees to spur development, but didn't know if it was quite ironed out as to how they would handle that. Mr. Roe noted he would continue working with Bob Nacht on that issue.

Mr. Roe reported, prior to the bidding process on the I-5 project, they were contacted by several of the bidders wanting to know if they could place their cut materials on part of the airport's property near Home Depot. He noted the contractor who got the bid never made contact, so he called them and they were very interested in the offer.

Mayor Ketchum talked briefly about the kiosk project, noting the signs looked very nice. Mr. Roe reported the airport contracted with the city through an interlocal agreement to fabricate and deliver the signs.

Councilor Harris noted the kiosks were wonderful, but didn't realize until he walked around the sign that there was also information on the backside. He wondered if there was a way to add some kind of attachment to let people know about the additional information on the back. Mr. Roe stated that was a good point, adding they could probably put a graphic on the map area to direct attention to the additional information.

Mayor Ketchum closed the work session and announced the council would take a ten minute recess and reopen the regular meeting at 6:00 p.m. Additional staff included: Brian Kelly, Assistant City Attorney; Glenn Schaffer, Police Chief; Bob Nacht, Community Development Director; Eva Lindgren, Finance Manager; Peggy Hammer, Human Resources Administrator; and Herta Fairbanks, Public Works Director. Members of the media included Kyle Spurr from *The Chronicle*.

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3. **Public Hearing on the 2013-2018 Six-Year Transportation Improvement Program (STIP).** Herta Fairbanks reported the agenda item included a copy of the street department's capital improvement plan for 2013-2018. She noted it was a state-wide requirement to submit a STIP to the state on an annual basis. Ms. Fairbanks stated the final adopted STIP must be submitted to the Department of Transportation (DOT) by June 30.

Ms. Fairbanks reported on a few of the major projects, starting with the Louisiana Avenue/Airport Road Connection. She stated the project had been awarded by DOT and construction was due to begin on June 4. Ms. Fairbanks reported on the NW Chehalis Avenue Beautification and Traffic Calming Program and the NW Chehalis Avenue Preservation Grant Project, noting the city had received grant funding for both projects and the administration was working with the engineers on a design to make the two projects work together.

Ms. Fairbanks reported they added the National Avenue Bridge at Salzer Creek to the STIP, noting two of the four channels under the bridge were clogged from years of debris buildup. She stated they had Sargent Engineers produce a grant application for the city and submit it under the Bridge Scour Program. The project, including the permitting process and review requirements, would cost about \$190,000.

Ms. Fairbanks reported the improvements to Snively Avenue remained on the STIP for the 'Safe Route to School Program,' adding the administration was continuing to seek funding for the project.

Ms. Fairbanks reported they were continuing to explore funding options for the N. National Avenue rehab project, noting a section of roadway from the intersection of Washington Avenue to Kresky Avenue had been added to the project. She stated the Public Works Trust Fund (PWTF) has an overwhelming amount of money that was given to them this year by the Legislature and they are seeking applications for anything and everything. Ms. Fairbanks noted Chehalis was working in collaboration with the City of Centralia to include their section of National Avenue from the Gold Street viaduct to where the two city limits meet. She hoped between the two projects they can come up with something that will be 'fund worthy' that will make the whole section of roadway look good. Ms. Fairbanks stated they were also checking with the Transportation Improvement Board to see if they will allow the city to use the PWTF money as matching funds to off-set our costs for the project.

Ms. Fairbanks reported the rest of the STIP remained essentially the same.

Councilor Dawes stated he had never seen vehicles on the STIP before, and didn't know why they would be included. He noted it also seemed silly to go through the permitting and environmental process twice, first for the scouring project and a second time to raise it. He wondered why we couldn't do both projects at once if we have the money.

Ms. Fairbanks noted the attached report was different than what the council had seen in the past. She reported they used to receive a printout of DOT's program; however, at the end of the input period last year they changed their program so you can't input information until you have an adopted plan. Ms. Fairbanks reported the attachment was the latter pages they used to receive, just formatted a little differently. Ms. Fairbanks did not know whether or not vehicles had been included in past presentations, but they put them on the list because it's all part of the street program. She noted they could certainly remove those items in the future if the council would rather not see them.

Councilor Dawes stated, if we're not successful at crack sealing the roads or don't get the funds to repair them, they are just going to deteriorate more. Ms. Fairbanks agreed, noting the struggle they have is trying to balance resources with capabilities, and the amount of time they have available. She noted last year they had terrible weather throughout most of what they would consider to be the 'construction period,' so they focused their energy and efforts on getting as much oiling done as possible. Ms. Fairbanks reported they rely heavily on summer help because without them they are down to 1.5 street personnel, which makes it difficult to handle citizen issues, maintenance, and signage all at once.

Ms. Fairbanks reported the scour project was more on the horizon because of the potential for grant funding. She stated she had essentially been assured from the program manager that they have an abundance of money and we stand a very good chance of receiving funding to do the project. Ms. Fairbanks suggested it would make sense to do the full project all at once, adding if grant funding became available to raise the bridge over the next few years, there was always a possibility that some of the studies or permitting done for the scour project could be used, but that would remain to be seen.

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Ms. Fairbanks reported anything not listed in the immediate six-year column was essentially on the 'wish list.'

Councilor Spahr asked Ms. Fairbanks to briefly explain what 'scouring' meant. Ms. Fairbanks noted it's particularly a problem when you have bridges that cross a body of water. She noted bridges are designed with certain types of footings that structurally support the bridge. Over time, as the water flows through, it begins to scour away at the footings and they load up with debris. Ms. Fairbanks reported bridge inspections are required every two years by law. She stated the National Avenue Bridge was identified as the one with the greatest of having significant scour issues. Ms. Fairbanks reported DOT devised a program to help jurisdictions like ours, by providing grant funding to clean them out and structurally reinforce the footings, so they last longer.

Councilor Lund asked if the Chehalis Avenue project was going to happen, and if so, were the business owners contacted. Ms. Fairbanks stated it was, adding they were still in the process of identifying how to combine the two projects. She noted once they have a construction schedule and the design plans they would contact the business owners and community.

Councilor Lund asked if it wouldn't make more sense to talk to the businesses first. Ms. Fairbanks reported there had been some significant upfront work with the community through the Chehalis Renaissance program, and also through the beautification grant itself. She noted there was already a defined scope for the beautification portion of the project, to include park benches and trees. It was her understanding that it had already been presented to the community in 2009/2010. Ms. Fairbanks reported they received grant money to be able to do the rehabilitation of the road, which was to grind off the old asphalt and put new on. She noted they were simply melding the two together as one project, but there was nothing significantly changed about the design. Ms. Fairbanks stated it had already been presented and accepted by the community.

City Manager MacReynold reminded the council about the two workshops at the Chehalis Deli to review the materials with the business owners. He noted they also reviewed the materials with the council. Councilor Lund stated he just wanted to make sure we were talking with the businesses because they are the ones who pay the bills in this town.

Mr. Ketchum closed the regular meeting and opened the public hearing at 6:18:39. There being no public comment, Mayor Ketchum closed the public hearing and reopened the regular meeting at 6:18:55.

4. **Quiet Zone.** Mayor Ketchum reported the council was not 'quietly' looking into a "Quiet Zone," adding it was something that was proposed to them back in January. He noted, upon a citizen's request, the city has been investigating what quiet zones are and what they require, but no decisions had been made or approved.

Deanna Zieske (647 NW St. Helens Avenue), President of the Westside Chehalis Neighborhood Association, read a written statement outlining the Association's concerns with implementing a 'quite zone' in Chehalis. She noted, when the Association learned of the proposal, they decided to do some investigating themselves.

Ms. Zieske reported, as part of their research, they contacted 117 people. The recurring theme they heard and shared was, 'why was the city considering spending money to study and implement railroad crossings in these tough financial times.' Another major concern they heard was the issue of safety for people crossing the tracks.

Ms. Zieske provided the council with some handouts that included information they collected on existing quite zones in our state. She noted they visited the Wenatchee and Camas/Washougal quiet zones and obtained information about the effort to establish a quiet zone in Spokane, an effort that was abandoned because of its prohibitive cost.

Ms. Zieske reported the city budget was paid for by the citizens and right now more cuts didn't seem appropriate in order to reduce train noise. It was the request of the Association that the City Council take no action in establishing a railroad quiet zone in the city of Chehalis.

Bruce Baskin (785 NW New York Avenue) provided the council with a statement as well, which asked the following questions:

- How much genuine call for a "Quite Zone" in Chehalis has there been?

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- Are there Chehalis residents complaining that train whistles, crossing arms lowered across the road, flashing red lights and clanging bells already existing at crossings just aren't enough to let people know a train is coming?
- How does making trains cease the use of warning whistles to let people know they are coming actually improve safety?
- How much of an affect will "Quiet Zone" safety measures have in Chehalis, if implemented?
- What would be done to create a "Quite Zone?"
- How much would a "Quiet Zone" cost Chehalis taxpayers?
- Is this something that's really a priority during a time when we're in a recession and have 13 percent unemployment across the county, vacant store fronts, home foreclosures, and a lot of other thing that city government needs to attend to?

Mr. Baskins stated he was sure there were other people disturbed by train whistles at three or four in the morning, but most of us have come to live with it. He noted if this is a legitimate safety issue, as it was presented, why has it taken 140 years to address it? Mr. Baskins indicated he was not opposed to improving safety at the railroad tracks, or quieting down the trains that come through town, but personally, he didn't see it as a legitimate problem requiring the use of taxpayer dollars to solve.

Lew Zieske (647 NW St. Helens Avenue), a local attorney in Chehalis, noted he was bound by the rules of professional conduct and needed to disclose that information any time he speaks in public. Mr. Zieske stated he was speaking on behalf of Tanda Evans, a local businesswoman and co-owner of Smith's Mercantile. Ms. Evans statement included some of the same concerns as noted above, such as: the use of taxpayer dollars at a time of financial difficulty; and the dangers of trains not sounding a warning whistle. In her letter she asked that the city not let one individual dictate our way of life here in Chehalis.

Mr. Zieske stated he shared the same thoughts and echoed what Ms. Zieske stated earlier regarding being very cautious about moving slowing. He stated it was his hope that the council would reject the notion of putting in "Quiet Zones" here in Chehalis.

Darlene Held (451 NW Division Street) stated she was speaking on behalf of Cindy Tahl (616 NW Hawthorne Place) who was also co-owner of Smith's Mercantile. Ms. Held provided the council with a copy of the letter prepared by Ms. Tahl.

Ms. Tahl's letter expressed concerns for the number of people already killed on the tracks since she and her husband moved here 32 years ago. They were alarmed at the proposal to silence the horns and would never support it. Ms. Tahl's letter asked that the council not take away any of the safety signals currently in place because train horns save lives.

Ms. Held noted she and her husband live about three or four blocks from the train tracks, adding they just became accustomed to the sound of the horns. She noted when they owned Book'n'Brush it didn't bother their business either, other than occasionally having to pause a phone call until the train went by, but they managed.

Mayor Ketchum thanked everyone for coming, adding he appreciated their comments and efforts. He noted they did have an individual come and make a request, and as a council they were doing their due diligence to look into the matter. Mayor Ketchum did not believe the city was spending any extra tax money researching it, adding it was being investigated as time allowed. He noted, after Mr. Plotz came before the council, the administration did take a trip down to Washougal, as the council recommended.

Councilor Lund stated he owned locomotives and knows how dangerous it is when you're moving a hundred tons and you don't blow the horn.

Councilor Lund moved that the council drop the matter and forget about looking into a quiet zone.

Councilor Spahr reported, prior to Mr. Plotz coming to the council, he didn't even know there were quiet zones. He indicated they were just looking into it to see what they were about.

City Manager MacReynold stated they hadn't spent a lot of staff time on the matter, adding they did a site visit and compiled some information with the assistance of Mr. Plotz, just to begin to understand it. He suggested it was going to take some more staff time to put together a report for the council to review.

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Councilor Dawes stated whether it's an opinion they may agree with, or not, anyone who wishes to speak to the council and propose something has that right, and that's what Mr. Plotz did. He suggested at the time the council felt it was something they could certainly look at with what available resources the city had. Councilor Dawes reported there was no money appropriated and no decisions had been made. He stated the city was unaware that the Neighborhood Association did not know of the proposal until a couple of days after Mr. Plotz made his presentation. He thanked the citizens for coming and providing them with additional information.

The motion was seconded by Councilor Spahr.

Councilor Harris reported he represented the Westside and had only received one phone call from anybody concerning the matter. He stated he also had a nice conversation with Ms. Tahl, discussing economics. Councilor Harris reported he appreciated the fact that the warehouse type industry that parallel all railroad tracks can utilize that area more and more to produce family-wage jobs.

Councilor Harris stated it was all about saving lives and making sure what we have in place is the best we can provide. He noted he was also all about information and hoped part of what will come out of the study are things that can be done to the intersections to make them safer. Councilor Harris stated he was not at all ready to close down horns, unless what they can provide is better than that.

Councilor Taylor stated any time they have a citizen come in and request something it's their job to listen. He believed it was always best to have as much information as possible when making a decision, adding he hoped the information they receive will provide them with ways to improve the crossings. Councilor Taylor indicated he would be voting against the motion in order to allow more time to gather additional information.

Councilor Lund suggested they had the information in front of them, adding they didn't have to look at 'Quiet Zones' to figure out how to make a railroad crossing safer. He noted he could probably name off three or four things they could do, but it all costs money. Councilor Lund stated all they were talking about was blowing, or not blowing the whistle. He stated it was just common sense to blow the whistle for safety reasons, adding they've been doing it since they've had trains.

Councilor Taylor suggested there were a lot of things that had to be done in a "Quiet Zone" before they can have trains stop blowing their horns. Councilor Lund suggested people don't always cross the tracks at the designated crossings, and if they don't hear a whistle, they're gone. Councilor Taylor stated he didn't disagree.

Councilor Spahr stated he could see both sides of the issue; however, quieting the horns was not a priority to him. He reported when the proposal first came up he thought it might make some people happy if it was safe and didn't cost the city any money, but he didn't believe that was going to happen. Councilor Spahr didn't know why they would go any further, unless it was to make the crossings safer.

Councilor Dawes stated he didn't know what could be done to make the crossings safer. He noted during his time working for the city he had been to a number of fatal accidents involving trains, and although their whistles were blowing at every one of them, it still didn't prevent them from happening.

Councilor Dawes felt it was more of a 'quality of life' issue rather than a 'safety issue' and he was not comfortable compromising the safety of the crossings. He stated he was very supportive of Councilor Lund's motion.

Meri Bretthauer (Chehalis resident) suggested one thing they could do to make the tracks safer would be to put up signs regarding the danger of standing between the two sets of tracks, or near the tracks when trains are coming through.

Councilor Harris reported a "Quiet Zone" would not prevent trains from blowing their horns, adding if they see anything up ahead that requires a warning, they have the right to blow their horn.

Councilor Spahr inquired as to how much more information would need to be gathered before it can come back to the council for their consideration.

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City Manager MacReynold stated it would obviously depend on the council's discussion. He reported he and Ms. Fairbanks traveled down to Washougal for a site visit of their "Quiet Zone," which they invested between \$70,000 and \$100,000 to implement. City Manager MacReynold noted Washougal had a very simple railroad situation compared to ours, and based on what they learned we would be looking at significantly higher costs to implement a "Quiet Zone" here in Chehalis.

The motion carried 4-2, with Councilors Harris and Taylor voting against the motion.

5. **Update on the Housing and Urban Development Sustainable Communities Regional Planning Grant.** Steve Harvey from the Cowlitz-Wahkiakum Council of Governments reported he came before the council last summer to talk about the program and application process. He noted an application was submitted for the grant; however, notification was received last December that the application finished about one-hundredth of a point under what was needed to be awarded the grant.

Mr. Harvey provided a printout from the Cowlitz-Lewis Sustainable Communities Consortium that outlined the regional sustainability plan. He indicated the Federal Housing and Urban Development (HUD) Agency received a total of 190 applications for the grant, adding 29 were funded, while 23 were designated as 'preferred sustainability status.'

Mr. Harvey provided additional information on their debriefing with HUD, which they took back to the Cowlitz-Lewis Economic Development District Board last month. He noted they were able to identify some of the key issues that could be addressed by any future application process. Mr. Harvey noted the Board also identified two areas in which to boost their efforts, which included: engaging local officials and communities; and obtaining more input from a wider-spread of community groups in the region.

Mr. Harvey talked briefly about the regional sustainability plan, noting the importance of jurisdictions keeping their communities competitive for future grant opportunities. He noted they would be working in conjunction with the local economic development councils and jurisdictions to come back with a new approach that would hopefully benefit the participants in both Lewis and Cowlitz County.

6. **Consent Calendar.** Councilor Dawes moved to approve the consent calendar comprised of the following:

- a. Minutes of the regular meeting of April 23, 2012; and
- b. Claim Vouchers No. 102911-103022 and EFT No 32012 in the amount of \$135,592.84 dated April 30, 2012; and Payroll Vouchers No. 35573-35643, Direct Deposit Payroll Vouchers No. 3087-3158, and Electronic Federal Tax Payment No. 110 in the amount of \$685,359.69 dated April 30, 2012.

The motion was seconded by Councilor Lund and carried unanimously.

7. **Council Reports.**

a. **Update From Councilor Dawes.** Councilor Dawes reported he attended the Lewis County Historical Museum Board meeting on May 1. He noted he also had a chance to review the '100 year' video on the railroad and museum that KBTC put together.

Councilor Dawes reported on May 5 the museum put on an event to celebrate '100 Years of Transportation,' and on May 26 a similar event would be held to celebrate '100 Years of Technology.'

Councilor Dawes reported the next North Lewis County Regional Fire Authority Planning Committee meeting would be on Wednesday, May 16.

b. **Update From Councilor Spahr.** Councilor Spahr stated he didn't know if he would be going any place any more, the reason being: when he went to the Daytona 500 it rained (the first time in history) and the race was cancelled for that day; and then he went down to Baton Rouge for a bowling tournament and injured a tendon, so he didn't get to bowl.

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c. **Update From Councilor Lund**. Councilor Lund reported Frank and Barbara Mason had the Vintage Motorcycle Museum open to everyone for free on Saturday, May 5 during the Lewis County Historical Museum's 100 year event.

d. **CPR Class**. Councilor Spahr reported, since Dr. Pope's incident at Fairway Lanes a couple of months ago, donations were taken to buy a portable defibrillator for the bowling alley. He noted they had about 40 people participate in a CPR class put on by American Medical Response and the Centralia Fire Department. Councilor Spahr stated it was a worthwhile experience and suggested to anyone who hasn't gone to a CPR class that they do it, because it can save a life.

There being no further business to come before the council, the meeting adjourned at 7:20 p.m.

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Mayor

Attest:

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City Clerk

**SUGGESTED MOTION**

**I move that the council approve the minutes of the regular city council meeting of May 14, 2012.**