City of Selah
Council Minutes
April 27, 2010

Regular Meeting
Selah Council Chambers
115 West Naches Avenue
Selah, WA 98942

A. Call to Order — Mayor Jones called the meeting to order at 3:59pm.

B. Roll Call

Members Present: Keith Larson, Paul Overby, Summer Derrey, John Tierney, Kevin Jorgensen, Dave Smeback, John Gawlik

Members Excused:

Staff Present: Frank Sweet, City Supervisor; Bob Noe, City Attorney; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Jerry Davis, Fire Chief; Gary Hanna, Deputy Fire Chief; Stacy Dwarshuis, Police Chief; Jeff Hagler, Parks & Recreation Director

C. Pledge of Allegiance

Councilman Gawlik led the Pledge of Allegiance. Parks & Recreation Director Jeff Hagler led the opening prayer.

D. Agenda Changes

E. Public Appearances

F. Getting To Know Our Businesses

G. Communications

1. Oral

2. Written

H. Proclamations/Announcements

Councilwoman Summer Derrey moved to strike the phrase "humbling ourselves before God, confessing our national sins and praying for His forgiveness and mercy for ourselves and for our nation" from the Proclamation for the National Day of Prayer.

She explained that the phrase contradicts the phrase before it, "each in our own manner."

Councilman Paul Overby seconded. By voice vote, motion was defeated five to two.

1. Proclamation National Day of Prayer in Selah, May 6, 2010

Mayor Jones read the Proclamation.

I. Consent Agenda

Councilman Paul Overby moved to add item M - 2 to the Consent Agenda. Councilman Keith Larson seconded.

Councilwoman Summer Derrey recused herself from voting on the Consent Agenda.

Councilman Larson also moved to add item M-4 to the Consent Agenda. Councilman Overby seconded.

The Mayor read the Consent Agenda as amended.

* 1. Approval of Minutes: Council Meeting April 13, 2010
* 2. Approval of Claims & Payroll:

Payroll Checks	Nos. 68242 – 68,399	for a total of $169,173.80
Claim Checks	Nos. 56060 – 56060	for a total of $ 25.00
Claim Checks	Nos. 56061 – 56061	for a total of $ 115.00
Claim Checks	Nos. 56062 – 56115	for a total of $147,707.39

* 3. Resolution M – 1 Resolution Authorizing the Mayor To Sign a Right-of-Way Use Agreement with Graf Investments, Inc.

* 4. Resolution M – 2 Resolution Authorizing the Mayor To Sign the 2010-2011 CMAQ Paving Application for South Rushmore Road

* 5. Resolution M – 4 Resolution Adopting the Department of Ecology's Required and Recommended Revisions to the Yakima County Regional Shoreline Master Program

Councilman Larson moved and Councilman Overby seconded to adopt the Consent Agenda as read. By voice vote, approval was unanimous by those voting.

Mayor Jones asked that the record show that Council Member Derrey had recused herself.

J. Public Hearings

K. New Business

L. Old Business

M. Resolutions

* 1. Resolution Authorizing the Mayor To Sign a Right-of-Way Use Agreement with Graf Investments, Inc.

* 2. Resolution Authorizing the Mayor To Sign the 2010-2011 CMAQ Paving Application for South Rushmore Road

3. Resolution Authorizing the Mayor To Sign a Commercial Lease Agreement with Purchase Option between Garner Rentals and the City of Selah and the Yakima Valley Regional Library for Property Located at 106 South Second Street, Selah

City Supervisor Frank Sweet expressed his belief that this agreement represents an extremely good partnership between the Yakima Valley Regional Library and the City of Selah. He stated for years our library has been less than capable of handling the needs of the community. He noted Michael Martin has brought attention to that deficit with his programs that have increased the usage of the Selah Library, which is now sitting at third or fourth in the entire system. He said this agreement will allow for more room, more diverse use. He said it is a joint agreement with the Regional Library Board to split the cost of the lease payment of $2,500 a month, $500 of which goes toward the purchase price. He said in five years it can be purchased by the City, by the YVRL or jointly between the two. He noted at that time, it will come back to Council for approval, but in the meantime, it will provide a really nice facility. He said the Regional Library Board meets next week and he anticipates they will enthusiastically approve the agreement. He passed around a diagram of the layout Michael Martin is proposing and which the YVRL Board has tentatively approved. He expressed his hope that the Council is in agreement, noting the South Second Street site also has adequate parking.

In response to a question from Councilman Larson, the City Supervisor said that Library funds support all of the equipment, from bookshelves to computers. He said the owner has agreed to install the doorway, automatic door, drinking fountain, etc. He said the purchase price $395,000.

Councilman Overby asked if that price will remain the same over the five years.

Mr. Sweet responded affirmatively.

Councilwoman Derrey asked why the City would go with lease agreement for five years if they intend to purchase the building.

Mr. Sweet responded that over the period of five years, both the City and the Library Board will have the opportunity to save their money and to decide if they want to purchase the property individually or jointly.

Councilwoman Derrey asked if it is fair that the lease payment is $2,500 and only $500 of that goes toward the purchase price.

The City Supervisor said he didn't think it was out of line, but deferred to Councilman Smeback who said the lease rate is fair for the fair market value. He noted for the sellers to give anything back (toward the purchase price) is a plus, a caveat on their part to encourage the purchase.

The City Supervisor said that negotiations revealed that we needed something to go toward that purchase price. He said normally you wouldn't have that. He noted that the owners also believe that this will be a great building for the Library.

Councilman Gawlik asked if money in our current budget would be moved over to this lease.

The City Supervisor said that was correct.

Councilman Gawlik asked if there would be other impact on the current budget as a result of this project.

The City Supervisor responded that there would be the lease payment and the City would share in insurance and utilities.

Councilman Larson asked if we have a maintenance agreement with the Library now.

Mr. Sweet said yes, but they may want to do their own maintenance on that building. He said our benefit from this agreement is not in our tangible use of that building, rather it is two-fold: We will help to create a bigger and better Library for the community and we will use that existing area in City Hall for the Selah Municipal Court. He noted when prisoners come in for Court, they will go directly into the Court and not come into the main part of City Hall, which will make it more secure for both the court and for our customers coming in to do business with the City.

Councilwoman Derrey asked if responsibility for maintenance costs was spelled out in the Agreement.

Mr. Sweet said the City and YVRL will work that out, reiterating that there is no reason the Library couldn't select its own janitorial service.

Councilman Overby suggested developing an inter-local agreement between the City and the Library for such details.

Mayor Jones said we have worked on this for many years. We have wanted a better facility, but coming up with one has been a problem.

Councilwoman Derrey said she wanted to clarify that we would purchase it right away, but neither party has the money.

Councilman Larson said the City will be spending $15,000 more than we have been in prior years. He said he remembers fighting with citizens and being accused of all kinds of things while all we wanted was a better Library.

The City Supervisor said the Selah community at large brings about $580,000 into the YVRL system, and YVRL is now bringing some of that money back to the City. He said that was all we ever wanted them to do.

Mayor Jones praised the work Michael Martin has done to improve the Selah Library and the programs it brings to our citizens.

Councilman Larson said having a good Library is important to the community as a whole.

Councilman Overby moved approval of the Resolution Authorizing the Mayor To Sign a Commercial Lease Agreement with Purchase Option between Garner Rentals and the City of Selah and the Yakima Valley Regional Library for Property Located at 106 South Second Street, Selah. Councilman John Tierney seconded. Roll was called. Councilman Larson – yes; Councilman Overby – yes; Councilwoman Derrey – yes; Councilman Tierney – yes; Councilman Jorgensen – yes; Councilman Smeback – yes; Councilman Gawlik – yes. Support was unanimous.

* 4. Resolution Adopting the Department of Ecology's Required and Recommended Revisions to the Yakima County Regional Shoreline Master Program

N. Ordinances – Information Only

1. Draft Ordinance Adopting a New Chapter to Selah Municipal Code Entitled "Stormwater Management for Development and Redevelopment"- Information Only

2. Draft Ordinance Adopting a New Chapter to Selah Municipal Code Entitled "Construction Site Erosion and Sediment Control" - Information Only

The City Supervisor explained that both ordinances are for information only, and we will have a study session on these prior to the next Council meeting.

Councilman Smeback asked if the City is doing the minimal amount on these stormwater regulations or doing more.

Public Works Director Joe Henne said we are doing more. He noted small lots contribute large amounts of run-off to Selah's streets. He said subdivisions applying for state permits are controlled in a way that small lots will not be. He said there will be more discussion in the study session two weeks from now.

Mayor Jones said he doesn't like mud in our streets.

Councilman Kevin Jorgensen asked what he might expect as a property owner. He asked if he would be able to walk into Public Works and have someone explain it to him.

Mr. Henne said if your lot is under an acre, the City will have its own regulations and requirements. He said with Best Management Practices (BMP's), the owner may choose. He said if you're over an acre, you have to go to the Department of Ecology, noting Ecology was required to rewrite rules for Eastern Washington.

Mayor Jones said that issue went back to the Department of Ecology because Valley Mayors disagreed with it.

Councilman John Gawlik asked if this is redundant to building codes already adopted.

The Public Works Director said these regulations provide more protection to adjacent property owners. This will be more in depth.

O. Communications

1. Oral

P. Reports/Announcements

1. Mayor
2. Council Members
3. Boards
4. Departmental

a. Fire Department 2009 Annual Report and 1st Quarter Newsletter

b. Yakima Transit – March Billing and Ridership

Community Planner Dennis Davison reported that any questions regarding stormwater should be addressed to Mr. Henne. He said Mr. Torkelson has submitted a Planned Development rezone and subdivision which will go before the Hearing Examiner in June and come before the Council in July. He thanked Council for adopting the Shoreline Resolution.

Public Works Director Joe Henne said Community Days is nearing and if anyone has requests, they should get them to him now. He said Wixson Park is almost complete with grassed terraces near the stage.

Fire Chief Jerry Davis reported his department's yearly report is in the Council Packet. He said they will be doing hydro-flushing soon.

Public Works Director Joe Henne said residents should stop the flow if their water is brown, and it will clean itself.

Chief Davis said they do not have as many problems as they used to because they do it more often.

Deputy Chief Hanna reported that 12 classes of second graders went through EDITH House last week.

Parks & Recreation Director Jeff Hagler reported that last weekend 28 teams played at Carlon Park, and North Park Lodge was completely full.

Councilman Gawlik said with so much construction business going on, he's received calls regarding start-up times.

Public Works Director Joe Henne said the City does not have a specific ordinance that outlines a time to start.

City Attorney Bob Noe said he thinks there is a 7:00am start time.

The City Supervisor said it is earlier in summer months.

Councilman Gawlik said this arose in regard to concrete work starting around six.

Councilman Smeback reported on his participation with the Tourism Promotion Area board. He said Kirsten Danielson has done a great job of circulating information for tourist promotion, noting spring barrel tasting was very successful.

Councilman Tierney stated that the Council approved the purchase of cameras for graffiti deterrence, and asked if Police Chief Dwarshuis could update the Council on their effectiveness at the next Council Meeting. He noted the lot in front of North Park Lodge is overgrown.

Mayor Jones said that area was mowed earlier today. He reported they will paint apples early Monday morning. He said the parks and ball fields look great. He noted 28 teams of 12 & 14-year-olds played at Carlon this weekend and had a great time. He said he has an idea about RV's.

Q. Executive Session

No Executive Session was scheduled.

R. Adjournment

Council Member Larson moved, and Council Member Gawlik seconded that the meeting be adjourned. By voice vote, the motion passed unanimously.

The meeting adjourned at 4:43pm.

Robert L. Jones, Mayor

Keith Larson, Council Member

Paul Overby, Council Member

Summer Derrey, Council Member

John Tierney, Council Member

Kevin Jorgensen, Council Member

Dave Smeback, Council Member

John Gawlik, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer