

Study Session Minutes
Selah City Council
April 12, 2016
3:00pm

Mayor Raymond opened the Study Session.

City Administrator Wayman introduced Jacob Davis, Director of Sales for the Buxton Company.

Mr. Davis handed out folders to the Mayor and Council regarding his company and their proposal for Selah, then gave a PowerPoint presentation, speaking about taking a look at Selah and seeing what people are looking for within the community. A question and answer session followed.

The Study Session ended at 4:00pm.

City of Selah
Council Minutes
April 12, 2016

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

A. Call to Order Mayor Raymond called the meeting to order at 4:00pm.

B. Roll Call

Members Present: Paul Overby; John Tierney; Roy Sample; Laura Ritchie; Roger Bell;
Russell Carlson; Diane Underwood

Members Excused:

Staff Present: Don Wayman, City Administrator; Bob Noe, City Attorney; Gary Hanna,
Fire Chief; Jim Lange, Deputy Fire Chief; Rick Hayes, Police Chief; Joe
Henne, Public Works Director; Ty Jones, Public Works Utility Supervisor;
Harmit Bedi, City Planner; Dale Novobielski, Clerk/Treasurer; Dave
Mullen, Recreation Manager; Bree Tait, Civic Center Manager; Andrew
Potter, Human Resources Manager; Monica Lake, Executive Assistant

C. Pledge of Allegiance

Council Member Tierney led the Pledge of Allegiance. Pastor Mark Griesse gave the prayer.

D. Agenda Changes

1. Add to Agenda: E – 1: John Baranowski, Chairman, Selah Parks Board

E. Public Appearances/Introductions/ Presentations

1. John Baranowski, Chairman, Selah Parks Board

John Baranowski approached the podium and addressed the Council. He introduced himself, saying that he is the current chairman of the Selah Parks Board, a five person voting board per City Ordinance, whose two functions are to approve the preliminary budget for Parks, and to approve fees for the Recreation programs. He added that they also do a lot of advisory work. The board is comprised of community people interested in parks and recreation activities, who are advocates for the parks and informational outlets for the community.

F. Getting To Know Our Businesses **None**

G. Communications

1. Oral

Mayor Raymond opened the meeting. Seeing no one else rise to speak, she then closed the meeting.

2. Written

- a. March 2016 Monthly Report for Building Permits and Inspections, and Code Enforcement

H. Proclamations/Announcements **None**

I. Consent Agenda

Executive Assistant Lake read the Consent Agenda.

All items listed with an asterisk (*) were considered as part of the Consent Agenda.

- * 1. Approval of Minutes: March 22, 2016 Council Meeting

- * 2. Approval of Claims & Payroll:

Payroll Checks Nos. 79450 – 79477 for a total of \$247,343.15
Claim Checks Nos. 67447 – 67557 for a total of \$467,036.84

Council Member Tierney moved, and Council Member Ritchie seconded, to approve the Consent Agenda as read. By voice vote, approval of the Consent Agenda was unanimous.

J. Public Hearings **None**

K. New Business **None**

L. Old Business **None**

M. Resolutions

1. Resolution Authorizing the Mayor to Sign an Agreement with Central Washington Insurance Agency, Inc. for Brokerage Services

City Administrator Wayman addressed M – 1. He said that he is asking Council to go back to retaining a broker to work as intermediary between the City and CIAW, as he feels they have spent more money based on mistakes with direct contact with claimants than if an insurance broker was acting on the City's behalf. He listed some of the services a broker can provide, such as processing claims more efficiently, reviewing how the City can economize in the long run to mitigate any future actions, and market their

insurance needs better, adding that this is a skill set that should be sought outside of City staff. He stated that the cost is five percent of the annual premium, with the current year prorated for half the year.

Jamie Morford, Central Washington Insurance Agency, approached the podium and addressed the Council. He said that he was the City's insurance agent for approximately fifteen years before they canceled the contract, and explained that an agent is a level between the City and the insurance company, someone who can be the bad guy. He noted that CIAW has several loss control programs that can assist in lowering long-term rates and get the City back in the good graces of their insurance company, and that he would talk to CIAW about claims and special event coverage.

Council Member Ritchie inquired if he could negotiate insurance premiums for 2017.

Mr. Morford responded in the affirmative, saying that he would have to analyze current loss trends.

Council Member Ritchie pointed out the number of recent claims.

Mr. Morford replied that they have some wiggle room. He will need to see where the claims are coming from, look at doing different things with coverages.

Council Member Sample asked if he went out to check on claims people wish to make.

Mr. Morford responded in the affirmative, saying that what a person wants is someone to discover what the problem is and who is at fault.

City Administrator Wayman remarked that the current representative for the City is Executive Assistant Lake, who is not an insurance agent; they need to have a separation of City staff from claimants.

Council Member Sample thought that someone from Public Works would be on site if a household had a claim.

City Administrator Wayman replied that they may be but staff is not authorized to speak to them.

Council Member Tierney observed that it shows an annual fiscal impact of thirteen thousand five hundred dollars.

Council Member Bell commented that, while he does not have experience with government like he does insurance, the usual fees range from two to fifteen percent.

Mr. Morford responded that they are looking at ten to seventeen percent of the premiums.

Council Member Carlson inquired about coverage for liquor at City sponsored events.

Mr. Morford replied that it needs to be looked into.

Council Member Carlson commented that, in his industry, law says they cannot charge extra for a broker's services.

Mr. Morford responded that municipality insurance is different from others, with the fee build into the premium. He said that CIAW charges a pure premium, with no commission, and their relationship charges a broker fee.

Council Member Tierney moved, and Council Member Overby seconded, to approve the Resolution Authorizing the Mayor to Sign an Agreement with Central Washington Insurance Agency, Inc. for Brokerage Services. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

2. Resolution authorizing the Mayor to sign contract between the City of Selah and Chinook Entertainment for the Selah 4th of July Celebration

Recreation Manager Mullen addressed M – 2. He said that this contract is for Chinook Entertainment to book Keith Anderson, Austin Jenks, and Cody Beebe himself for the 4th of July event. They set up the whole production and book the talent, the City only has to provide two double hotel rooms for night of July 4th.

Mayor Raymond asked if the rooms are being donated.

Recreation Manager Mullen responded that he only inquired about availability.

Council Member Ritchie wondered if the City has used them before.

Recreation Manager Mullen responded that they might not have been called Chinook Entertainment before.

Council Member Ritchie asked if this is something that they can do without him.

Recreation Manager Mullen replied in the negative, saying that he talks to artists and agents, and will procure them the best talent available at that time.

Council Member Bell inquired as to whether this was the total cost.

Recreation Manager Mullen responded in the affirmative, adding that there would also be the expense of the hotel room if it were not donated.

Council Member Underwood wondered if Cody Beebe would be performing.

Recreation Manager Mullen replied in the affirmative.

Council Member Overby moved, and Council Member Underwood seconded, to approve the Resolution authorizing the Mayor to sign contract between the City of Selah and Chinook Entertainment for the Selah 4th of July Celebration. Roll was called: Council Member Overby –

yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

N. Ordinances

1. Ordinance Amending Section 1.06.030 of the Selah Municipal Code, “Order of Procedure”; Establishing an Effective Date; and, Providing for Severability

City Administrator Wayman addressed N – 1. He said that this is simply a housekeeping matter that provides a mechanism to excuse absences, as only the Council can excuse a member.

Council Member Ritchie asked if he wanted them to create a policy for absences.

City Administrator Wayman responded that he feels it should be case by case.

Council Member Bell wondered why City Attorney Noe was left off the reports section.

City Attorney Noe responded that he, as the Legal Department, falls under Departments.

Council Member Sample wondered what happens if they do not excuse someone.

City Administrator Wayman replied that three consecutive unexcused absences could be grounds for removal of a Council Member.

Council Member Overby remarked that it is a backstop in case they need it, if they have a Council Member who will not show up at meetings after being elected.

Council Member Overby moved, and Council Member Sample seconded, to approve the Ordinance Amending Section 1.06.030 of the Selah Municipal Code, “Order of Procedure”; Establishing an Effective Date; and, Providing for Severability. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

1. Ordinance of the City of Selah, Washington, amending Selah Municipal Code Section 9.16.010 relating to utility latecomer agreements

City Planner Bedi deferred to City Attorney Noe.

City Attorney Noe addressed N – 2. He said that the proposed Ordinance amends the City’s code to match State law regarding latecomer agreements.

Council Member Tierney wondered if they would need to go back and adjust existing contracts if they approve the Ordinance.

City Attorney Noe replied in the negative, saying that the statute reads up to twenty years.

Council Member Sample asked if the latecomers for developers is different from one outside the City.

City Attorney Noe responded that he believes Council Member Sample is referring to an outside utility agreement, which provides a surcharge for services, rather than a latecomers agreement.

Council Member Bell inquired as to whether the twenty-year timeframe will be negotiated in each case, and if so, who makes that decision.

City Attorney Noe replied that usually the developer determines the time period, and that the change exists because the building industry went to the State legislature and asked for longer time period to recapture their money.

Council Member Tierney asked if the City collects the fees and passes them on to the developer.

City Attorney Noe responded in the affirmative.

Council Member Carlson wondered how developers were recovering their costs with the ten-year agreement.

City Attorney Noe replied that they would have to eat any remaining costs at the end of the timeframe.

Council Member Sample asked who determined whether a developer gets a latecomers agreement.

City Attorney Noe responded that statute for utilities says the City shall accept a latecomers agreement; there is no option regarding utilities to not accept it.

Council Member Tierney moved, and Council Member Ritchie seconded, to approve the Ordinance of the City of Selah, Washington, amending Selah Municipal Code Section 9.16.010 relating to utility latecomer agreements. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council Member Ritchie – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

O. Reports/Announcements

1. Mayor

Mayor Raymond said that Community Days is coming up, and asked Public Works Utility Supervisor Jones to have someone spray the side of the Community Days trailer with the Selah apple.

2. Council Members

Council Member Ritchie had no report.

Council Member Overby had no report.

Council Member Sample asked if the Buxton matter would come up at the next meeting.

City Administrator Wayman responded that there will be an AIS presented at the next meeting.

Council Member Sample wondered where they would put new retail businesses.

City Administrator Wayman replied that he has some ideas regarding that. He suggested that Mr. Davis come back in two weeks if his schedule allows.

Mr. Davis indicated he was available.

Council Member Tierney inquired if he needed a consensus polling.

City Administrator Wayman responded that would be fine, and would not bind them to a particular course of action.

Council Member Overby said that he would like to see it.

Council Member Carlson wondered about getting private feedback regarding citizens to collaborate on that.

City Administrator Wayman replied that they could have that as a complementary effort, but added that his preference is towards scientifically collected data without emotions. This method is scientific.

Council Member Carlson felt that having the community involved in a complementary aspect would be intriguing.

City Administrator Wayman remarked that Buxton could see whom the City was a match with and raise the level of awareness of what we are competitive in.

Council Member Tierney asked if he had enough to move forward with the matter.

City Administrator Wayman responded that it would be coming.

Council Member Sample commented that two employees from the Wastewater Treatment Plant were the first to sign up for the classes his son would be teaching, and that his wife was voted in as a member of the Selah Downtown Association (SDA).

Council Member Tierney had no report.

Council Member Bell gave a brief report on the Selah School District board meeting he attended the previous month. He suggested that the City proclaim a day as Dance and Drill team Day in Selah, to honor the team for placing first three years in a row.

Council Member Underwood had no report.

Council Member Carlson commented that he has been hearing about trolley agreement.

City Administrator Wayman responded that he has not seen anything come up yet, and while he knows they have significant deficit to overcome to get back into operation, no one has contacted him regarding what they need from Selah to make that happen.

Council Member Tierney remarked that the Yakima Council had a study session on the matter.

Council Member Carlson noted that he has heard from multiple sources that they think they have an agreement with the City of Selah.

3. Department

Clerk/Treasurer Novobielski gave a brief update on sales tax revenues, noting that the City received approximately seventy-three thousand for March, which is twenty-seven percent of the annual budget.

Council Member Tierney asked about sales tax revenues if a resident purchased an item in another city.

Clerk/Treasurer Novobielski replied that the tax credit would go to Selah if the item were delivered here.

Council Member Tierney inquired if it applied to contractors purchasing goods.

Clerk/Treasurer Novobielski responded in the affirmative.

Council Member Carlson wondered about the difference between February and March.

Clerk/Treasurer Novobielski replied that the February amount of one hundred one thousand dollars was an all-time high, likely due to construction.

City Planner Bedi said that the Planning Commission slated for next week has been canceled. He spoke briefly about the planners' conference he attended the previous week and the three hot topics of discussion, which were urban design, economic development, and water.

Civic Center Manager Tait said that they had some minor sewer backups at the Civic Center yesterday, which have been resolved, but they could happen again.

Mayor Raymond wondered if there should be a maintenance program for the pipes.

Public Works Utility Supervisor Jones responded that it could not hurt.

Civic Center Manager Tait noted that they have a blood drive tomorrow. She commented that she is working on a surplus list of items that are hanging around the Civic Center, as it is time for them to move on.

Council Member Carlson asked if the City has to hunt down owners.

Civic Center Manager Tait responded that some may be donated items, and when they have a good list will be asking people who utilize the Center about them.

City Administrator Wayman observed that they will do their due diligence regarding the inventory of excess property then will bring to Council whatever items of value will need to be surplused.

Recreation Manager Mullen said that they are also going to compile an inventory list for all of parks and recreation, with the same thought in mind regarding possible surplus or donation. He added that they are working on summer programming at the Civic Center for the teen population, as he feels it is the City's responsibility to provide them with something to do.

City Administrator Wayman remarked that he has already volunteered to be a chaperone, although they need more. He encouraged the Council Members to volunteer.

Recreation Manager Mullen stated that the website for the base race is now live, and runners can register there for the race. He noted that they are working on a layout for the 4th of July event, which will be mirrored for the Autumn Festival, and that a contract for fireworks will be presented at an upcoming Council Meeting.

Human Resources Manager Potter said that the SDA board has decided to not apply for a 4th of July parade this year, as they feel it would be better to support the City's activity. He noted that the new court clerk, Vanessa Ibarra, started yesterday.

Council Member Tierney asked about her past experience.

Human Resources Manager Potter replied that she was an in court clerk for Yakima County, and prior to that worked as dispatch for the Prosser Police Department. He noted that they are starting into employee evaluations, which are no longer tied to pay, and are trying to have a simplified approach. He added that, once they are complete, it would be a great opportunity to review the personnel rules and regulations.

Public Works Utility Supervisor Jones said that Public Works is busy, giving a brief update on various projects, including repair of sprinkler lines along First Street, the water project, painting cross walks and spraying for broadleaf, and the wastewater treatment plant project slated to be complete by the end of the month.

City Administrator Wayman remarked that City Planner Bedi is working on options to replace the trees along First Street, which will be presented to Council at a later date.

Council Member Underwood asked what type of trees they were looking to plant.

City Administrator Wayman responded that he and the Mayor went to the Arboretum to look at them, and are still exploring what type of tree will be used.

Police Chief Hayes said that they are preparing for Community Days, and will be wrapping up Citizens Academy soon, with the range safety course next Monday then Saturday at the YTC range.

Council Member Bell thanked him for putting on the Citizens Academy.

Public Works Director Henne said that he needs to discuss the sewer backup with Civic Center Manager Tait, and maybe look at purchasing a sewer snake for that facility. He commented that he would get with Mr. Morford to get a policy in place for Public Works to tell homeowners. He briefly talked about the CMAQ application for paving the graveled lots at the Civic Center, noting that it would cost the City a thirteen point five percent match.

Council Member Tierney wanted to know how the City is assured of the lumberyard designating the correct portion of sales tax to Selah.

Public Works Director Henne responded that they do not know, although Clerk/Treasurer Novobielski has caught a few mistakes.

Clerk/Treasurer Novobielski remarked that they have to report to the State, and occasionally vendors are audited and then notify him that they need proof about reporting taxes. He noted that they have to report based on where the goods are delivered, not where the store is located.

Fire Chief Hanna said that they have the Edith house at the fire station this week, and are doing exit drills in the home for all second graders. He spoke briefly about the training his volunteers are doing, both at a fire station in Yakima and out at the Yakima Training Center, saying that in the past they have had to go to North Bend for Class A fires.

Council Member Tierney inquired about any progress with the County on the homeless factor.

Fire Chief Hanna replied in the negative, saying that he will follow up with Sheriff Winter.

City Attorney Noe had no report.

City Administrator Wayman informed the Council that they have started enforcing the code regarding commercial large garbage containers, which have to be off the public right of way and out of sight from the frontage of the property. Property owners are given ten days to remove from the right of way and ninety days to screen. He noted that this is simply enforcing an existing code, which will help clean up the City and create a better image. He went on to say that they are also going after junk cars and attractive nuisances, and looking into creating a rental licensing fee for landlords, which would require a check list to be completed before the unit can be rented, noting that other municipalities have done so.

Council Member Underwood commented that she keeps her garbage can on the side of her house.

City Administrator Wayman replied that they are talking about commercial bins for multi-family housing, as well as those who are over-filled consistently. He talked about the review of man hours spent on legal services, which have increased in the last eight months due to research and aggressive planning for the future, and once the options had been explored, talked with City Attorney Noe about a flat rate

fee, which will be presented at the next Council Meeting. He stated that they are working on a presentation to lay out options regarding a future City Hall/ Police Station, noting that Selah's centennial will be in 2019. He said that they had to dig deeper pits at Volunteer Park, as the eighteen-inch excavations revealed arsenic beyond that, and the results have not come back from the lab.

Council Member Sample inquired as to what method would be used.

City Administrator Wayman laid out the options, adding that they have less flexibility at this point due to the depth of contamination.

Council Member Underwood wondered if the heavier concentrations were down along the bottom or the slope.

Public Works Utility Supervisor Jones responded that it does go down the hill a little, saying that they do not have the latest results back.

- 4. Boards None

Council took a five-minute recess.

P. Executive Session

- 1. 30 Minute Session – Real Estate RCW 42.30.110 (1) (c); Employee Evaluation RCW 42.30.110 (1) (g)

Council went into Executive Session at 5:49m. At 6:19pm, Council went back on the record. Mayor Raymond stated that no action was taken during the Executive Session.

Council Member Bell moved, and Council Member Overby seconded, to accept the counteroffer of \$45,000 for Parcel Number 181435-43480, located on Crusher Canyon Road. Rolls was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Sample – yes; Council member Ritchie – no; Council Member Bell – yes; Council Member Underwood – no; Council Member Carlson – no. Motion passed with four yes votes and three no votes.

Q. Adjournment

Council Member Tierney moved, and Council Member Overby seconded, that the meeting be adjourned. Motion passed with six yes votes and one no vote.

The meeting adjourned at 6:20 pm.



Paul Overby, Council Member



Roy Sample, Council Member

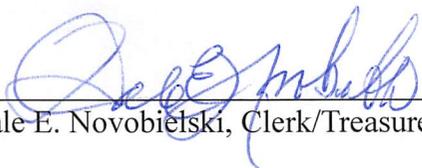


Roger Bell, Council Member

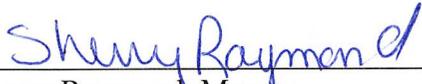


Diane Underwood, Council Member

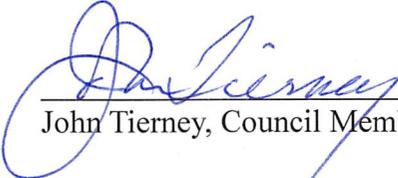
ATTEST:



Dale E. Novobielski, Clerk/Treasurer

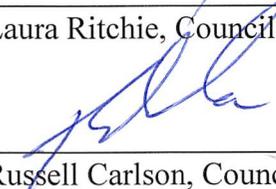


Sherry Raymond, Mayor



John Tierney, Council Member

Laura Ritchie, Council Member



Russell Carlson, Council Member