

City of Selah  
Council Minutes  
April 14, 2015

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

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

B. Roll Call

Members Present: Paul Overby; John Tierney; Dave Smeback; Allen Schmid; Roy Sample;  
Jane Williams

Members Excused: Brooke Finch

Staff Present: Joe Henne, Interim City Administrator; Bob Noe, City Attorney; Gary  
Hanna, Fire Chief; Jim Lange, Deputy Fire Chief; Rick Hayes, Police  
Chief; Dale Novobielski, Clerk/Treasurer; Charles Brown, Recreation  
Manager; Tom Durant, Community Planner; Andrew Potter, Assistant to  
the City Administrator; Monica Lake, Executive Assistant

C. Pledge of Allegiance

Mayor Gawlik led the Pledge of Allegiance.

D. Agenda Changes

Add to Agenda:

1. P – 1: 15 Minute Session – Real Estate RCW 42.30.110(1)(b)

E. Public Appearances/Introductions/ Presentations

1. Mayor's Award – Sergeant Bill Rodriguez and Mr. Travis Lamb

Mayor Gawlik said that he wishes to present the Mayor's Award to Sergeant Rodriguez and Mr. Lamb for their actions during an incident several weeks ago. He invited Police Chief Hayes to speak.

Police Chief Hayes described the incident, which involved lifesaving efforts on a female jogger, and presented both men with the Selah Police Department's Lifesaving Award.

Mayor Gawlik noted that Sergeant Rodriguez will also receive the Selah Police Department's Lifesaving Medal. He presented them with the Mayor's Award, a red marble apple engraved with the City's logo on one side and 'Mayor's Award' on the reverse.

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

G. Communications

1. Oral

Mayor Gawlik opened the meeting.

Wayne Petterson approached the podium and addressed the Council. He challenged the Mayor and the Council Members to each purchase a brick in support of the Volunteer Park project, which will be an inclusive park.

Council Member Smeback commented that he has already purchased a brick.

Mr. Petterson hoped that people in the community will get on board with the project prior to the May 1<sup>st</sup> deadline for fundraising and make this park a reality.

Council Member Williams felt that this is a wonderful thing that the community can pull together on and support, and challenged her fellow Council Members to purchase a brick, which she intends to do following the meeting.

Seeing no one else rise to speak, Mayor Gawlik then closed the meeting.

2. Written

a. March 2015 Monthly Report for Building Permits and Inspections, Animal Control 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 24, 2015 Study Session & Council Meeting

\* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 78444 – 78529 for a total of \$196,848.18

Claim Checks Nos. 65541 – 65642 for a total of \$206,714.54

- \* 3. Resolution M – 2: Resolution Authorizing the Mayor to sign a Supplemental Agreement Number 1 with Huibregtse, Louman Associates, Inc. for Consultant Services for the Valleyview Ave./Third St./Southern Ave./S. First project
- \* 4. Resolution M – 3: Resolution Authorizing the Mayor to sign the Energy Contract Change Order Proposal (COP No.1) for Contract 2015-006 G (1-1P) between the Department of Enterprise Services and the City of Selah for the Energy Efficiency Project

**Council Member Schmid moved, and Council Member Overby 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 Contract Number 15-93209-067 between the Department of Commerce and the City of Selah for the Energy Efficiency Project

Interim City Administrator Henne addressed M – 1. He said the contract is part of the energy project upgrade, and that it outlines how they draw the funds, how they spend them, and where they aren't supposed to spend them.

Council Member Williams noted that there will be a lot of reporting. She wondered who would be doing the reporting.

Interim City Administrator Henne replied that the quarterly reports will be done by Ameresco, then it's up to the City to ensure that they are substantiating that the money is spent on this project and falls within the budget amount.

Council Member Williams asked if someone from Public Works would keep up on it.

Interim City Administrator Henne responded that it will be himself and his assistant.

Council Member Williams asked if the citizens would be paying any more out of pocket for this.

Interim City Administrator Henne replied that they will not.

**Council Member Schmid moved, and Council Member Smeback seconded, to approve the Resolution Authorizing the Mayor to sign Contract Number 15-93209-067 between the Department of Commerce and the City of Selah for the Energy Efficiency Project. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback –yes;**

**Council Member Schmid – yes; Council Member Sample – yes; Council Member Williams – yes.  
By voice vote, approval was unanimous.**

- \* 2. Resolution Authorizing the Mayor to sign a Supplemental Agreement Number 1 with Huibregtse, Louman Associates, Inc. for Consultant Services for the Valleyview Ave./Third St./Southern Ave./S. First project
- \* 3. Resolution Authorizing the Mayor to sign the Energy Contract Change Order Proposal (COP No.1) for Contract 2015-006 G (1-1P) between the Department of Enterprise Services and the City of Selah for the Energy Efficiency Project
- 4. Resolution Authorizing the Mayor to award the construction contract for the East Goodlander Transportation Improvement Board (TIB) Project

Interim City Administrator Henne addressed M – 4. He gave a brief synopsis of the original upgrade project for Goodlander Road, saying that he applied for funding from the TIB to be used as a match for Federal dollars which aren't available at this time, but the TIB funds need to be spent by the end of June unless they wish to simply give back the funds. He said that he would like to use the funds for a grind and overlay, picking up from where the County left off to Wenas Road, and that they will also be putting in water and sewer stubs. He noted that the three bids that came in were all over the engineer's estimate; Columbia Asphalt, the low bid, was thirty-one percent above estimate. He indicated his desire to go ahead with project, which would take additional funds from the streets, water, and sewer funds, and recommended approval by Council.

Council Member Schmid felt that thirty-one percent over the estimate was out of line, but agreed with Interim City Administrator Henne that they should move forward with the project. He inquired if there were sufficient funds in the reserves to handle to cost without bankrupting those funds.

Interim City Administrator Henne replied in the affirmative. He remarked that the road is in pretty bad shape, and that if they opt not to approve the bid then he'll still need to spend approximately thirty thousand dollars just to overlay the northwest bound lane. He added that one of the houses along the route will be applying for an Outside Utility Agreement (OUA) in the near future.

Council Member Smeback commented that they need to get the infrastructure in ground rather than wait and not have funds available for the project.

Council Member Tierney was appalled at the amount over the engineer's estimate but stated that he would hate to see the turn back money that could be used to improve the streets. He asked where the money would go if they gave it back to the TIB.

Interim City Administrator Henne responded that the funding came from a one shot grind and overlay preservation program not being offered next year, so they would go back into the standard fund.

Council Member Tierney asked if they could go back out to bid on the project.

Interim City Administrator Henne replied that they don't have time to do so, as they have to do the bidding according to Federal standards due to using Federal dollars for project design.

Council Member Tierney wondered if it was the Feds saying they needed to spend the funds by the end of June.

Interim City Administrator Henne responded that it's the TIB, not the Feds.

Council Member Tierney inquired about getting an extension on the project.

Interim City Administrator Henne replied in the negative, noting that he also has a bid for the Wernex Loop project later this month. He stated that they would need to repay funds expended for the engineering portion if the project is not to proceed.

Council Member Sample asked for clarification of the project along Lancaster.

Interim City Administrator Henne responded that they will be stubbing out both water and sewer.

Council Member Sample commented that there was a big difference between the estimate and the bid, but felt it was wise to do the project and get it done.

Mayor Gawlik noted that the road would have to be cut once the City accepted the OUA.

Council Member Sample asked if anyone else along there had similar problems.

Interim City Administrator Henne responded that one came in last summer about connecting to the sewer system, and another is applying for a water connection. He said that they will stub out water main lines up Lancaster Road, as there are some projects in the area that will require water and sewer access.

Council Member Tierney wondered if they were under a deadline for Wernex Loop.

Interim City Administrator Henne replied that it has to be completed by the end of the year, but they could go back out to rebid if the initial bids are unacceptable.

Council Member Overby commented that the engineer's estimate may not reflect what market will currently bear, and maybe this is the new norm.

Council Member Williams asked when Huibregtse, Louman Associates, Inc. prepared the estimates.

Interim City Administrator Henne responded that they were done January of this year.

Council Member Tierney observed that there is a ninety-three thousand dollar difference between the estimate and the low bid, and wondered where the other half of that amount would come from.

Interim City Administrator Henne stated that the calculations were based on the numbers he had, and that, with the budget being higher than originally estimated the additional expenditure came out at fifty thousand beyond that.

Council Member Williams inquired if the project will go all the way to First Street.

Interim City Administrator Henne responded in the negative, saying that it will stop where the County left off.

Council Member Williams asked if it will include the exit to the high school, and include sidewalks.

Interim City Administrator Henne replied in the affirmative regarding the exit, but told her that sidewalks aren't included, only paving and stubbing utilities.

Council Member Overby commented that, if they do the project now, they'll have utilities that won't have to be done in the future, and that, while he understands the regarding the estimate, he doesn't want to give the funds back to the TIB.

**Council Member Schmid moved, and Council Member Overby seconded, to approve the Resolution Authorizing the Mayor to award the construction contract for the East Goodlander Transportation Improvement Board (TIB) Project. Roll was called: Council Member Overby – yes; Council Member Tierney – no; Council Member Smeback –yes; Council Member Schmid – yes; Council Member Sample – yes; Council Member Williams – no. Motion passed with four yes votes and two no votes.**

N. Ordinances **None**

O. Reports/Announcements

1. Mayor

Mayor Gawlik said that he asked for an expenditure comparison regarding expenditures for the City Attorney and Community Planner for 2015, which were placed in Council mailboxes along with their packets. He noted that the Mayor's job is to moderate the meeting, provide a business like atmosphere, and maintain decorum, and asked the Council if they wished to establish hard and fast rules for meetings in the future or simply continue on as they have.

Council Member Williams expressed her concern about the open portion of the meeting only allowing someone to speak about an item not on the agenda, as it doesn't allow them to comment on agenda items if they have a concern.

Mayor Gawlik responded that it can be reworded if Council opts to do so.

Council Member Williams felt that people need a chance to speak and let Council hear their opinions.

Council Member Schmid wondered if the second one had a different wording.

Executive Assistant Lake responded in the negative.

Mayor Gawlik remarked that he's discussed the matter with City Attorney Noe, who indicated that Council doesn't have to give time for audience participation unless it's a public hearing to receive testimony, and that he feels things have gotten a bit too heated recently. He noted that the City has a procedure in place for complaints to be received.

Council Member Schmid suggested changing the wording of the oral comment section to allow people to speak regarding items both on and off the agenda.

Council Member Tierney wondered if the way to address it would be to have two different announcements, one for items on agenda and one for items not on the agenda.

Council Member Overby disagreed, saying that he doesn't feel there should be dialogue between the Council and those in the audience during Council Meetings, as Council has items that are quasi-judicial in matter as well as policy items, and that her personally needs time to digest things and ponder items. He recommended considering a time limit, adding that this is a business meeting and it's unfortunate that sometimes it gets abused.

Council Member Sample felt that Mayor Gawlik has done a pretty good job of determining when people can speak.

Council Member Smeback remarked that the oral portion has become a preaching pad for people's opinions;, all of the department heads are open and easy to get to, and if someone has a problem this isn't the place to bring it to. He opposed the idea of allowing anyone to come to the podium and talk about something that hasn't been vetted and present documents not vetted out, saying that it causes problems in getting to the right answer on issues brought before Council. He felt that the open forum delays meetings and causes more concerns to put out fires and delay projects in front of them.

Council Member Williams suggested limiting comments to one minute, and forwarding questions to the appropriate department head at that time.

Council Member Tierney observed that some of the items brought to them have nothing to do with City business, but are instead things such as inviting Council to attend an event.

Council Member Smeback suggested a sign-up sheet.

Mayor Gawlik expressed his desire to allow the citizens a right to express their concerns and needs. He said that they will continue with the open forum but modify how it will be done.

## 2. Council Members

Council Member Overby asked if there were plans for a retreat once the new City Administrator starts.

Mayor Gawlik responded in the affirmative.

Council Member Sample wondered if the presentations regarding an entrance sign needed a decision made, or if they were strictly informational.

Mayor Gawlik said that they're looking for feedback from the citizens on what kind of sign they want to see, and that he'd hoped for more input from residents than had been received.

Council Member Sample asked if Council will have to decide if they don't receive further input from the community.

Mayor Gawlik replied that he is trying to hold back from having the Council be the entity choosing the design, as he doesn't wish the citizens to feel that they are being dictated to.

Recreation Manager Brown suggested putting a poll on the website, complete with pictures.

Council Member Williams inquired if this should be part of the branding process.

Assistant to the City Administrator Potter commented that the Selah Downtown Association (SDA) is holding back on developing a logo and website, as well as any decision regarding a welcome sign, until the consulting firm has given their report.

Council Member Tierney remarked that he's tired of waiting.

Mayor Gawlik responded that it doesn't feel appropriate to have Council tell them what's going to happen.

Council Member Overby stated that he is prepared to say no for all three designs at this point; he'd need to be convinced that they need to do this. He noted that overwhelming community support would convince him, but felt that they needed to have a congruent image like other communities have.

Council Member Tierney commented that the Selah School District is making an effort to get every school under the Viking mascot and wondered if it would be appropriate to ask if they'd like to have a Viking on the street along with the apple logo.

Council Member Smeback had no report, but said that he thinks the City should wait until the rebranding effort has been vetted out before making any decisions on signage.

Council Member Williams expressed her pleasure with the SDA and their efforts to make this personal to the community. She noted that YVCOG discussed the law and order tax extension that will be on ballot this year at their last meeting, with Sheriff Brian Winter speaking on the matter.

Council Member Schmid commended the Police Department for their activity in that situation that happened, outstanding, adding that it was too bad it wasn't in the paper the next day. He agreed with the direction being taken by different organizations within the community, banding together to work for the betterment of the city.

### 3. Departmental

Clerk/Treasurer Novobielski said that the March financials and the complete 2015 budget are now available on the City website.

Council Member Schmid asked where they stood regarding sales tax.

Clerk/Treasurer Novobielski responded that there's been nothing new since the last report provided.

Recreation Manager Brown said that he and Public Works Utility Supervisor Jones went to Minnesota to check out equipment for the new park, and that he will present information on that at the next Council Meeting. He noted that the Easter event went well, and that the Spring fundraiser netted seven thousand five hundred dollars for Volunteer Park. He comment that he's been touring pols throughout the valley and that the committee hopes to have some designs to the public during Community Days.

Council Member Tierney suggested using the reader boards to entice people to donate funds for the park.

Assistant to the City Administrator Potter said that the SDA has been trying to get a grasp of an image, logo, and font to represent Selah thru tourism. He stated that several entities, including the SDA and the City, will discuss what they wish to obtain from a marketing firm, noting that he has been appointed as a liaison between the groups and the marketing firm.

Mayor Gawlik expressed his pleasure that those groups unanimously agreed upon this firm, saying that everybody was about as charged up as he was in wanting to make this work.

Assistant to the City Administrator Potter remarked that the various groups will need to make a decision regarding expenditures.

Council Member Schmid wondered if awnings in front of buildings, one of the suggested ideas, would conflict with the sign Ordinance.

Interim City Administrator Henne responded that they'd have to look at the building code; the sign Ordinance requires that they clear seven feet over the sidewalks.

Fire Chief Hanna said that the EDITH house at the fire station for the week, and they are doing fire safety training with the second graders in the school district. He remarked that the bid specs for the vehicles they are purchasing this year are all but complete, and that he hopes to advertise for bids within the next week or so. He noted that they have responded to three hundred fifty four calls thus far this year. He recognized both Sergeant Rodriguez and Mr. Lamb for their efforts, saying that it's nice to see that the system works when you have people willing and capable to intervene and do efforts until the Fire Department can get there.

Council Member Sample asked if they were ready for the fire season.

Fire Chief Hanna responded that they are as ready as the can be; the next two weeks they will be doing the annual wild land pressure stuff and getting everyone up to speed.

Police Chief Hayes had no report, but noted that traffic stats have doubled from last year although ticket levels aren't climbing.

Mayor Gawlik inquired about the emphasis.

Police Chief Hayes responded that he hasn't heard anything either positive or negative on it yet, noting that it's National Distracted Driver Month. He added that May is Motorcycle Safety Month.

Council Member Williams asked if a red caution flag could be placed on the speed limit sign on Naches hill.

Police Chief Hayes replied that he could bring in the radar wagon and park it up there for a period of time.

Mayor Gawlik suggested relocating the electronic signs showing speed to different locations.

Police Chief Hayes observed that it's time to take them down and change the batteries, and that they could be relocated at that time.

Interim City Administrator Henne said that the street crew has been out painting line and doing sidewalk repairs. He said that Planning has four development proposals in, ranging from twelve to forty-eight lots, and that the building inspector and code enforcement have been out most of the day each day. He remarked that the City will need to go into a transition plan and change their ADA requirements regarding accessibility, as a lot of the crosswalks aren't compliant.

City Attorney Noe had no report.

Council took a ten minute recess.

4. Boards **None**

P. Executive Session

1. 15 Minute Session – Real Estate RCW 42.30.110(1)(b)

Council went into Executive Session at 5:46pm. At 6:01pm, Council went back on the record. Mayor Gawlik stated that no action was taken during the Executive Session.

Q. Adjournment

**Council Member Smeback moved, and Council Member Overby seconded, that the meeting be adjourned. By voice vote, approval was unanimous.**

The meeting adjourned at 6:02pm.

  
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Paul Overby, Council Member

  
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Dave Smeback, Council Member

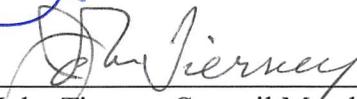
EXCUSED  
\_\_\_\_\_  
Brooke Finch, Mayor Pro Tem

  
\_\_\_\_\_  
Jane Williams, Council Member

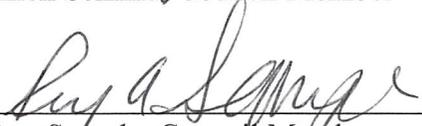
ATTEST:

  
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Dale E. Novobielski, Clerk/Treasurer

  
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John Gawlik, Mayor

  
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John Tierney, Council Member

  
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Allen Schmid, Council Member

  
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Roy Sample, Council Member