

City of Selah  
Council Minutes  
August 12, 2014

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: John Tierney; Allen Schmid; Brooke Finch; Roy Sample; Jane Williams

Members Excused: Paul Overby; Dave Smeback

Staff Present: David Kelly, City Administrator; Bob Noe, City Attorney; Gary Hanna, Fire Chief; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Eric Steen, Deputy Police Chief; Monica Lake, Executive Assistant

C. Pledge of Allegiance

Council Member Tierney led the Pledge of Allegiance.

D. Agenda Changes **None**

E. Public Appearances/Introductions/ Presentations **None**

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

G. Communications

1. Oral

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

2. Written

a. Recycling Data Report for the 1st and 2nd Quarters of 2014

H. Proclamations/Announcements **None**

I. Consent Agenda

**Council Member Schmid moved, and Council Member Tierney seconded, to add Resolution M – 2 to the Consent Agenda. By voice vote, approval was unanimous.**

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: July 22, 2014 Study Session & Council Meeting
- \* 2. Approval of Claims & Payroll:
  - Payroll Checks Nos. 77735 – 77780 for a total of \$219,668.59
  - Claim Checks Nos. 64279 – 64300 for a total of \$ 1,057.04
  - Claim Checks Nos. 64301 – 64399 for a total of \$264,935.98
- \* 3. Resolution M – 1: Resolution adopting the Planning Commission’s Findings of Fact, Conclusions, and Recommendation for Approval, and Approving the Request for a Subdivision Variance under File No. 915.45.14-02
- \* 4. Resolution M – 2: Resolution to Donate a Portion of City Property, Parcel Number: 181436-21004, Carlon Park for Right of Way (ROW) for the East Goodlander Road Improvement Project

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

J. Public Hearing **None**

K. New Business **None**

L. Old Business **None**

M. Resolutions

- \* 1. Resolution adopting the Planning Commission’s Findings of Fact, Conclusions, and Recommendation for Approval, and Approving the Request for a Subdivision Variance under File No. 915.45.14-02
- \* 2. Resolution to Donate a Portion of City Property, Parcel Number: 181436-21004, Carlon Park for Right of Way (ROW) for the East Goodlander Road Improvement Project
- 3. Resolution Authorizing the Mayor to Sign a Local Agency Standard Consultant Agreement with Huibregtse, Louman Associates, Inc. for Engineering Design Services for the Wernex Loop, Transportation Alternatives Program (TAP)

Public Works Director Henne addressed M – 3. He said that Council approved the selection of Huibregtse, Louman Associates, Inc. at the July 8, 2014 meeting, and that this is the agreement for the project. He noted that the agreement has been reviewed by Yakima County, as they do certified acceptance on all Federal projects, and requested that Council approve the agreement.

**Council Member Schmid moved, and Council Member Williams seconded, to approve the Resolution Authorizing the Mayor to Sign a Local Agency Standard Consultant Agreement with Huibregtse, Louman Associates, Inc. for Engineering Design Services for the Wernex Loop, Transportation Alternatives Program (TAP). Roll was called: Council Member Tierney – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.**

4. Resolution Authorizing the Mayor to Sign the Notice of Intent (NOI) for Coverage under a National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater General Permit

Public Works Director Henne addressed M – 4. He reminded Council that they had approved a merger with Sunnyside and Union Gap a few months ago for stormwater, and that he is petitioning the Department of Energy (DOE) to include Selah in the general permit with the everybody instead of a separate permit just for Selah. He noted that this allows the City to share the responsibility for permit requirements like testing and public outreach, and referred Council to the spreadsheet included in the packet for details on the joint responsibility that Selah will have and what Yakima County will provide for us. He requested that Council approve the Resolution.

Council Member Tierney wondered how Selah would be effected if one community went out of compliance.

Public Works Director Henne responded that that is a good question, and that we would all be in non-compliance at that point. He went on to say that it has happened before, but that the DOE recognizes would focus on the specific community out of compliance.

Council Member Schmid asked what kind of impact that would have.

Public Works Director Henne replied that DOE has threatened those out of compliance with a fine, noting that the City of Yakima had that happen to them awhile back when they weren't in compliance.

Council Member Schmid inquired if everyone would share in the cost of the fine if someone was out of compliance.

Public Works Director Henne responded that DOE says they would understand, and that they are the ones who want Selah to be part of a regional group.

City Administrator Kelly said that he finds it hard to believe that DOE would punish us for someone else's non-compliance, and that we are in a decent position as long as we are in compliance.

Council Member Tierney posited a worst case scenario of Union Gap dumping in the river and needing to build a new wastewater treatment plant, and asked if DOE would fine us and not let us discharge.

Public Works Director Henne replied that he doesn't think that would happen; when the City of Yakima went out of compliance DOE had discussions with them about getting their act together. He commented that he wouldn't have brought it to Council if he thought it would be a problem.

Council Member Schmid remarked that Council needs to be comfortable with what they are asking us to do, and that there are valid concerns regarding someone being out of compliance.

Public Works Director Henne felt that the benefits outweigh the negatives, and that everyone can pool their resources together rather than each entity having to do everything on their own.

Council Member Tierney asked who the former contract for stormwater was.

Public Works Director Henne responded that it was Bob Tuck.

Council Member Sample asked who issues the permits.

Public Works Director Henne replied that DOE issued a permit to Selah as a regional operative.

Council Member Sample inquired about items four and five.

Public Works Director Henne responded that the City will enforce those; we have an Ordinance in place to address those items.

Council Member Sample asked if the permit is issued through DOE.

Public Works Director Henne replied in the affirmative, noting that regulations require a DOE permit.

Council Member Sample wondered if one would need to go through the City or DOE for a construction project.

Public Works Director Henne responded that one would go through DOE if the parcel was larger than 5 acres, and that DOE mandates that the City provide the first line of inspections. He noted that DOE will take over if a citation is issued.

**Council Member Tierney moved, and Council Member Schmid seconded, to approve the Resolution Authorizing the Mayor to Sign the Notice of Intent (NOI) for Coverage under a National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater General Permit Roll was called: Council Member Tierney – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.**

N. Ordinances **None**

O. Communications

1. Oral

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

P. Reports/Announcements

1. Mayor

Mayor Gawlik said that he has received several comments from members of the Selah Downtown Association stating how thankful the group is for the hard work and guidance provided by City Administrator Kelly to get them through the paperwork to apply for 501c3 status. He noted that they were awarded the non-profit designation, are currently working on the final stages to satisfy the State Department that administers funding for these types of projects.

## 2. Council Members

Council Member Finch had no report.

Council Member Sample had no report.

Council Member Tierney had no report.

Council Member Williams had no report.

Council Member Schmid had no report.

## 3. Departmental

Deputy Police Chief Steen had no report.

Council Member Williams asked how National Night Out went.

Deputy Police Chief Steen replied that he understands that things went very well, although he was here to assist with the event. He remarked that the City of Selah knows how to put on National Night Out.

Mayor Gawlik observed that there was a good turnout.

Fire Chief Hanna said that all is going well, and that he doesn't remember a time where all City Departments have had the relationship they do today. He felt that it was important for the Council to know that from his perspective things are going well, and that the other departments have been a huge help to him.

Mayor Gawlik commented that there is always someone to give him advice.

Recreation Manager Brown noted that the new registration software went live yesterday. He said that he went to Olympia yesterday with City Administrator Kelly and a Selah citizen to present the grant project for Volunteer Park, adding that they should hear back in early October as to whether they are awarded the grant. He commented that they should know about the Civic Center grant in early September.

Mayor Gawlik thanked him for his hard work on the grant applications in addition to his normal work load.

Community Planner Davison said that Tree Top is preparing to submit a construction plan to the City Administrator, along with a final environmental document. He remarked that the Harris project will see Phase 1 almost finished in the near future, and that Columbia Ridge Homes submitted a bond for the Fremont Heights subdivision, which will then come to Council for final approval of plat. He noted that River Canyon Espresso had their grand opening recently.

Mayor Gawlik commented that they spared no expense; it's definitely an upbeat piece of property.

Community Planner Davison remarked that City Administrator Kelly will review and sign a mitigated determination of non-significance for the Valhalla Heights subdivision this week.

Mayor Gawlik said that the owner of River Canyon Espresso would like to put a gate in the fence to make it more convenient for people at Carlon Park to access their business.

Community Planner Davison responded that that is a good question for Public Works Director Henne.

Council Member Sample stated that he presumes the lot on 16th was approved for a house on the parcel.

Community Planner Davison replied that the developer was authorized to have one house as a model, or display, house, and that the current parcel is allocated for one house. He noted that recording of the subdivision will take care of the other requirements.

Public Works Director Henne thanked Fire Chief Hanna for the compliment, adding that his fellow Department Heads are easy to work with. He said that he will discuss the gate situation with Recreation Manager Brown and Lead Parks Maintenance Worker Glaspie, and that he doesn't see why something couldn't be done to accommodate the request.

Mayor Gawlik commented that the business owner stated he would pay for alteration of the fence in question.

Public Works Director Henne remarked that he doesn't want to create an attractive nuisance; the area between fields one and two is more of a walkway.

Council Member Schmid asked what was behind the gates.

Public Works Director Henne replied that they give access to Well No. 7.

Council Member Schmid commented that one side of the gate is lockable.

Public Works Director Henne responded that he doesn't want that gate open, adding that the first gate south of the parking lot is usually open.

Council Member Schmid remarked that it is usually open except for approximately three times a year.

Public Works Director Henne stated that it is open during business hours and tournaments. He noted that the Hot August Nights Tournament is this weekend, and hoped that the weather will hold for it.

Council Member Schmid remarked that last year was the first year for Hot August Nights, and that the girls who played in the tournament, which includes several teams from the other side of the mountains, all had a ball. He added that they played from 10 pm to 6am.

Public Works Director Henne said gave a brief update on the water project, noting that they will be starting on the last phase in the near future. He stated that the project has gone really well. He commented that he met with Ameresco last Monday to get an update, and will meet again next week to go over where they're at. He noted that they are working on various projects such as two of the water lines and street sweeping. He remarked that the big wooden poles along Wenas, along with some galvanized poles that will be going up along Marudo, will be strung with netting to prevent stray balls from hitting motor vehicles traveling down the road.

Mayor Gawlik wondered if it would be November before they received the new machine.

Public Works Director Henne replied that he talked to the vendor and the delivery estimates are mid-September for the sweeper and October for the other equipment.

City Administrator Kelly mentioned that he and the Mayor are working on agenda topics for the September 4th retreat. He recommended that they forego the facilitator and work through several issues that need to be dealt

with. He noted that the retreat will be held at River Ridge. He commented that he is hopeful about getting the grant.

City Attorney Noe had no report.

Council took a ten minute recess.

4. Boards **None**

Q. Executive Session **None**

R. Adjournment

**Council Member Sample moved, and Council Member Finch seconded, that the meeting be adjourned. Motion passed with 4 yes votes and 1 no vote.**

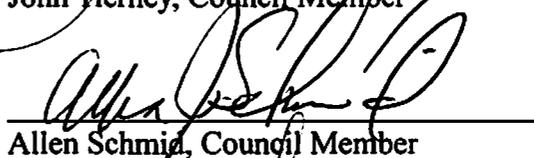
The meeting adjourned at 4:38pm.

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John Gawlik, Mayor

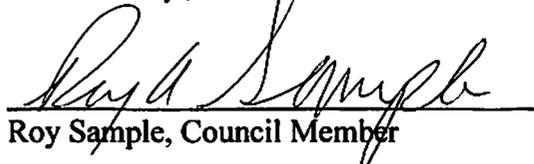
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EXCUSED  
Paul Overby, Council Member

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John Tierney, Council Member

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EXCUSED  
Dave Smeback, Council Member

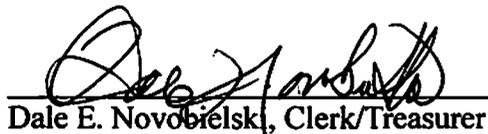
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Allen Schmid, Council Member

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Brooke Finch, Council Member

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Roy Sample, Council Member

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Jane Williams, Council Member

ATTEST:

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Dale E. Novobielski, Clerk/Treasurer