

City of Selah
Council Minutes
August 13, 2013

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; Allen Schmid; Carl Torkelson; Brooke Finch

Members Excused: Keith Larson; Dave Smeback

Staff Present: David Kelly, City Administrator; Robert Noe, City Attorney; Dale Novobielski, Clerk/Treasurer; Jerry Davis, Fire Chief ; Rick Hayes, Police Chief; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Monica Lake, Executive Assistant

C. Pledge of Allegiance

Council Member Tierney led the Pledge of Allegiance. Pastor Mark Flippin led the opening prayer.

D. Agenda Changes **None**

E. Public Appearances/Introductions/ Presentations

Mayor Gawlik welcomed Daniel Cox. He presented him with a City of Selah ball cap and lapel pin, and invited him to say a few words.

Daniel Cox briefly spoke about himself, noting that he is a former Army Ranger medic. He said that he is traveling across the country, from Fort Lewis to Fort Banning, to commemorate the 20th anniversary of Operation Gothic Serpent, aka Black Hawk Down, which took place on October 3, 1993. He went on to say that he was in the Rangers at that time, and felt a calling to undertake this journey as a sign that we don't forget our own. He added that he is on full disability and has the time to undertake this task.

City Administrator Kelly asked if he was riding a bicycle on his journey.

Mr. Cox replied in the affirmative, adding that he did an eight hundred mile ride from Phoenix to Salt Lake City last year. He talked about how being in shape has contributed to his sense of wellbeing and how he hopes that his rides will inspire other veterans who suffer from PTSD. He commented that there is an average of twenty-two suicides per day in the veteran community.

Council Member Tierney inquired what years he served in the Second Battalion at Fort Lewis.

Mr. Cox replied that he served from December 1992 through April 1997, followed by Special Forces medical school and service in the 160th.

Council Member Tierney commented that he was there at the same time as his son-in-law.

Mr. Cox thanked the Council for their time, saying that it is an honor to be asked to speak at this Council Meeting on the second day of his journey.

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. Letter from Eric Herzog re: Selah Dolphins Swim Meet

b. Letter from Basin Disposal of Yakima, LLC re: Recycling Data Report for the 2nd Quarter of 2013

c. Yakima Transit Service Ridership Report for May, June & July 2013

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: July 23, 2013 Study Session & Council Meeting

* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 76436 – 76543 for a total of \$200,909.38

Claim Checks Nos. 62473 – 62568 for a total of \$215,286.49

* 3. Resolution M – 1 Resolution Establishing August 27, 2013 as the Public Hearing date to Consider the “West Goodlander Annexation”

* 4. Resolution M – 2 Resolution Authorizing the Mayor to Sign a Government Agreement for Aid with Washington State Department of Transportation for Aid in Land Acquisition, Relocation, and Related Services

- * 5. Resolution M – 3 Resolution Authorizing the Mayor to Sign a Drinking Water State Revolving Fund, Loan Contract, Third Street Water Main Replacement – DM13-952-130
- * 6. Resolution M – 4 Resolution Authorizing the Mayor to Sign the 2013 Transportation Improvement Board (TIB) Arterial Preservation Program (APP) Funding Application for the East Goodlander Road Grind and Overlay
- * 7. Resolution M – 5 Resolution Authorizing the Mayor to Sign the 2013 Transportation Improvement Board (TIB) Urban Arterial Program (UAP) Funding Application for the East Goodlander Road improvements

Council Member Tierney moved, and Council Member Schmid 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

1. Amend Development Agreement with Matson Fruit Company

City Administrator Kelly addressed K – 1. He said that this is a proposed amendment to the original development agreement from March of 2010 that the City entered in to with Matson Fruit Company. He went on to say that the Matsons have requested that some items from the original document be changed, none of which are significant enough to require a SEPA review, and that they want to make sure that everything is aboveboard and everyone understands the changes being made to the original agreement. He stated that they are interested in developing the property in the near future, and would like to flip the locations for the storage facility and the packing facility as well as installation of a bigger buffer and noise reduction barrier.

Council Member Overby asked for clarification of the difference between a warehouse and a storage facility.

City Administrator Kelly responded that a storage facility has ambient air and a warehouse is where the product is packed.

Council Member Schmid felt that the original agreement should have been included in the packet, as the amendment references material from the original agreement. He commented that he doesn't feel that the City should be setting time frames; there should be a time limit on the permit itself.

City Administrator Kelly agreed, saying that the original agreement that specified specific times limits but he would prefer not to tell people how many years they have to build a building.

Council Member Schmid expressed concern over the time frame for constructing the building, saying that it doesn't make sense to do so. He felt that item B4 sounds like the City is telling them how to build their building and what to put where.

City Administrator Kelly remarked that the time frame was in the original agreement.

Council Member Schmid reiterated that the City shouldn't be dealing with that, as they know what they are building and what to put in it and the City is going overboard by telling a business how to build a building.

Council Member Overby commented that Council had discussed ingress and egress to the property, as well as truck routes, when this was first brought before them a few years ago. He went on to say that they used the plans presented to Council without any discussion on things like the size of the facility.

Council Member Tierney remarked that this was all approved a long time ago, and that the only changes proposed today deal with which building is which and a little bit of setback. He felt it was a waste of time to dig into what was done three years ago.

City Administrator Kelly noted that B4 is simply general guidelines, which they can follow or not. He said that the City is getting out of their business, adding that they would need to redo the contract to fix that item.

City Attorney Noe commented that the timelines are part of the original agreement of which B4 is directive, but this amendment is more flexible.

Council Member Schmid stated that a more flexible agreement is still the City telling a person how to build a building.

City Attorney Noe said that he agrees with Council Member Tierney that Council should move forward with this item, adding that it can be further modified if needed.

Council Member Finch commented that a redraft would take more time to accomplish and that the Matsons appear to be fine with the timelines.

City Administrator Kelly remarked that they would like to have no timelines in the agreement.

Mr. Matson said that, while he agrees with Council Member Schmid, he is not hung up on it and simply wants to proceed with the project; as long as the Council is flexible they simply want to push forward with their project.

Council Member Schmid hoped that the Matsons can see the changes in how the City is doing business, and take that into consideration when looking at their concerns regarding Bartlett Avenue. He noted that Council is interested in working with each other and making this a win/win for everybody.

Council Member Tierney moved, and Council Member Torkelson seconded, to approve authorizing the Mayor to sign the Amended Development Agreement with Matson Fruit Company. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Torkelson – yes. By voice vote, approval was unanimous.

L. Old Business None

M. Resolutions

- * 1. Resolution Establishing August 27, 2013 as the Public Hearing date to Consider the "West Goodlander Annexation"

- * 2. Resolution Authorizing the Mayor to Sign a Government Agreement for Aid with Washington State Department of Transportation for Aid in Land Acquisition, Relocation, and Related Services
- * 3. Resolution Authorizing the Mayor to Sign a Drinking Water State Revolving Fund, Loan Contract, Third Street Water Main Replacement – DM13-952-130
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- 6. Resolution authorizing the Mayor to sign an Information Technology Services Agreement with the City of Yakima

City Administrator Kelly addressed M – 6. He reminded Council that they discussed moving the City’s IT support to the City of Yakima some months back, and that an agreement needs to be signed to formalize the move. He went on to say that it shows the additional money needed in addition to what was in the budget, adding that they are working on extending the fiber optics down to the Public Works Facility. He noted that all of the City’s emails and documents are being saved and that they are in a much better position than they were six to eight months ago. He concluded by saying that this is a good working relationship.

Mayor Gawlik remarked that he hopes the new fiber optics line being laid doesn’t get cut like the line along Martin Luther King Way has been during construction of the underpass.

City Administrator Kelly commented that they will also have a City email for each Council Member that will allow them to view their emails online without compromising their personal computers.

Council Member Overby wondered about saving a document to a personal computer, saying that he has an older version of XP and Word that doesn’t allow him to easily view some of the documents he receives.

City Administrator Kelly replied that they could be sent in an older version, saying that they will also discuss this with the City of Yakima.

Council Member Overby observed that, in the past, they had discussed acquiring tablets for Council Members to use.

Administrator Kelly responded that those discussions were prior to his tenure, although there is one tablet that was purchased for testing.

Mayor Gawlik remarked that he thought the Fire Department was using the tablet.

City Administrator Kelly replied that they haven’t taken possession of it yet.

Fire Chief Davis said that they would like to use it for Code Enforcement, as it will allow them to do the documentation at each location.

Council Member Tierney thought that Council Member Schmid had done a test of the tablet.

City Administrator Kelly felt that they needed to do additional research on the subject.

Council Member Overby stated that he would prefer to have documents in electronic format rather than a thick paper packet.

City Administrator Kelly replied that he hasn't really thought about the topic. He said that, while it would be much more efficient, the cost of acquiring a tablet for each Council Member would be considerably more than paper, and Council would need to decide whether to pursue that route.

Council Member Tierney commented that the current packet is available on the City's website.

An audience member suggested a drop box that everyone can look at.

City Administrator Kelly responded that City of Yakima has suggested that as an option.

Council Member Schmid wondered if the Police Chief and the Fire Chief were both satisfied with the service they get from City of Yakima IT.

Police Chief Hayes replied in the affirmative, saying that it is so much better than Fairpoint email.

Fire Chief Davis responded in the affirmative, adding that when you call the Help Desk you get help that day.

Council Member Schmid moved, and Council Member Overby seconded, to approve the Resolution authorizing the Mayor to sign an Information Technology Services Agreement with the City of Yakima. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Torkelson – yes. By voice vote, approval was unanimous.

N. Ordinances

1. Ordinance Amending the 2013 Budget for Temporary Code Enforcement Personnel

Public Works Director Henne addressed N – 1. He said that the current workload, which includes the school construction, is too much for one person to handle, and that the number of complaints requiring a Code enforcement Officer has increased recently. He added that Yakima Code Enforcement has been given several new home permits per the City's contract with them. He requested that Council approve an increase in code enforcement to cover salary and benefits to pay for a part-time Code Enforcement Officer.

Council Member Schmid asked if he had a trained individual in mind to fill the position.

Public Works Director Henne replied in the affirmative.

Mayor Gawlik remarked that Building Inspector & Code Enforcement Officer Brons mentioned at yesterday's staff meeting that there are a number of new housing starts currently in review. He felt that the recommendation is appropriate.

Council Member Finch moved, and Council Member Overby seconded, to approve the Ordinance Amending the 2013 Budget for Temporary Code Enforcement Personnel. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Torkelson – yes. By voice vote, approval was unanimous.

O. Communications

1. Oral

Mayor Gawlik opened the meeting.

Mary Jo Quinn approached the podium and addressed Council. She expressed interest in helping the City set up funding for the downtown beautification project.

City Administrator Kelly invited her to attend the next Economic Development & Beautification Committee meeting, on September 6th at 7:00pm to see what they are doing with the project.

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

P. Reports/Announcements

1. Mayor

Mayor Gawlik said that, with the unanimous approval of the City logo last meeting, he will be looking at some companies that make flags with the intent of purchasing both a ceremonial flag for Council Chambers and standard one for the flagpole out front. He thanked everyone for their efforts.

2. Council Members

Council Member Tierney wondered what the impact on delivery of emergency services will be once the empty coal carts start coming back on the route through Selah.

Mayor Gawlik commented that he has seen the railroad using the spur line along the cliffs for overnight parking of a number of empty coal cars.

Council Member Tierney remarked that they are so impacted with train traffic on the main line on the west side that they are starting to use this line for the return of the coal cars. He felt this might have a bit of impact due to increased railroad traffic.

Police Chief Hayes commented that they don't go over there a lot, but can see it being an issue for the Public Works Department.

Council Member Schmid opined that they could go out to the golf course to get out.

Council Member Tierney extended his compliments to Parks, Recreation, & Tourism Director Hagler and his staff, and the Public Works crew, for the way they managed the swim meet.

Council Member Torkelson noted that the library remodel is moving along, and that the permits will be turned in tomorrow.

Council Member Overby had no report.

Council Member Schmid had no report.

Council Member Finch had no report.

- 3. Boards **None**
- 4. Departmental

Clerk/Treasurer Novobielski said that there isn't much going on with property taxes sales at this time of year, and sales tax is a little behind due to the sixty day lag between the taxes getting sent in and the City receiving them from the State. He commented that the Selah School District has almost completed work at the high school and just barely breaking ground at the other new school. He added that he will have much better sales tax information in approximately ninety days. He noted one unusual sales tax transaction last month, wherein the City lost ten thousand dollars due to an error in reporting by a business located in the County and not within City limits.

Community Planner Davison thanked Council for approving the Resolution setting the public hearing for the next meeting, adding that notices will get mailed out, an ad placed in the paper, and signs posted at the properties. He went on to say that, if positive action is taken at the next Council Meeting, it will then be sent to the Boundary Review Board for a decision. He said that the Planning Commission is getting ready to review a critical Ordinance, which will be presented to Council once they have finished their review.

Public Works Director Henne said that, due to the recent turnover at YVCOG, they failed to pass on some documents for Selah and other jurisdictions, which means that the street sweeper funding likely not appear until October or November. He hopes to have put in for two more Department of Ecology grants by the next meeting, for the purchase of a vacuum truck as well as planning and design money for the stormwater project.

Mayor Gawlik remarked that stormwater is a big issue right now, and that there are several mandates coming in the near future.

Public Works Director Henne said that he hasn't heard back from the County as to the City of Yakima's position. He noted that they received a quit claim notice setback from the property owner for the Bartlett Avenue right of way, and once that is recorded the City will need to pay the thirty-eight hundred dollars for the right of way. He stated that he would like to go out for advertisement in January and hopes to get the project started in spring. He commented that they are moving services around for the new middle school and getting connecting them to closer mains. He noted that the City of Yakima is proposing to go from two to four Code Enforcement Officers for 2014, and that it goes in cycles. He expressed his appreciation for approval of the Ordinance.

Parks, Recreation, & Tourism Director Hagler said that they had a good summer pool season, which ended with the doggie swim last Sunday. He commented that the Dolphins hosted a great championship meet with seven different Cities in attendance. He wanted to recognize Dave Carpenter, the City's certified pool operator, for his excellent job in making sure the systems were working and they had clean, clear water in the pool. He noted that soccer registration is going on now, and that, due to school opening in two weeks, the Youth Center will be open starting August 26th.

Mayor Gawlik asked how it was staffed.

Parks, Recreation, & Tourism Director Hagler replied that he uses CWU students to run the center.

Police Chief Hayes said that National Night Out was a big success, with two hundred fifty people at the park. He added that the Reserve Officers did all the work for the event, and made one hundred twenty dollars from the car smash. He listed some of the organizations in attendance, which included a motorcycle club, two car clubs, the Selah Fire Department, Search & Rescue, the Citizens Patrol for Selah, and Selah's Smiles Dental. He commented that the written test for entry level officer applicants will be held this Thursday at the Police Station. He remarked that a lot of investigations will be coming to a head in August, including two Federal cases, but aside from that it is business as usual.

Fire Chief Davis stated that we've had a lot of smoke in our area from the big fires over the last couple weeks. He noted that grass fires dropped off considerably; however, the fire season will last for another couple months.

City Attorney Noe had no report.

City Administrator Kelly stated that he will be attending the City Manager group meeting in Port Townsend for the rest of this week, and that he hopes to get ideas on what other folks do. He appreciated the opportunity to attend.

Q. Executive Session **NONE**

R. Adjournment

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

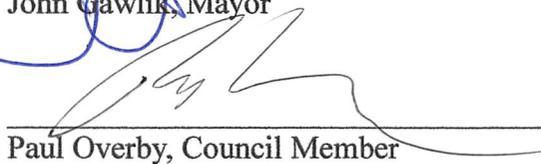
The meeting adjourned at 4:54pm.



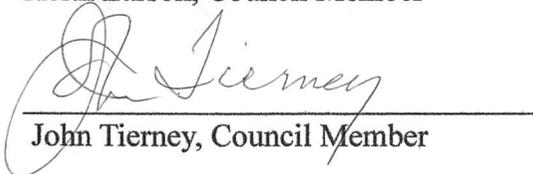
John Gawlik, Mayor

EXCUSED

Keith Larson, Council Member



Paul Overby, Council Member

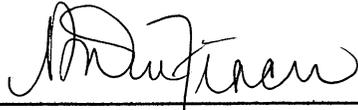


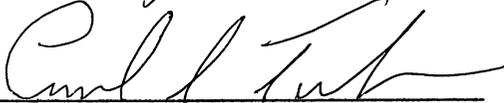
John Tierney, Council Member

EXCUSED

Dave Smeback, Council Member


Allen Schmid, Council Member


Brooke Finch, Council Member


Carl Torkelson, Council Member

ATTEST:


Dale E. Novobielski, Clerk/Treasurer