

City of Selah
Council Minutes
August 27, 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 6:30pm.

B. Roll Call

Members Present: Keith Larson; Paul Overby; John Tierney; Dave Smeback; Allen Schmid;
Brooke Finch; Carl Torkelson

Members Excused:

Staff Present: David Kelly, City Administrator; Jerry Davis, Fire Chief; Eric Steen,
Police Sergeant; Joe Henne, Public Works Director; Dennis Davison,
Community Planner; Jeff Hagler, Parks, Recreation & Tourism Director;
Monica Lake, Executive Assistant

C. Pledge of Allegiance

Council Member Tierney led the Pledge of Allegiance. Pastor Jason Williams led the opening prayer.

D. Agenda Changes

Add to Agenda:

1. Q – 1 Executive Sessions: 20 Minute Session re: Real Estate RCW
42.30.110(1)(c)

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

F. Getting To Know Our Businesses

1. Kathryn Platt, owner – Nana Kate's

Mayor Gawlik welcomed Ms. Platt and invited her to speak.

Ms. Platt said that she will be doing a soft opening of her business this weekend. She stated that the business will be a coffee with sweet and savory pastries, and will include gluten-free and sugar-free selections. She listed some of the pastries available, noting that she will be featuring as much local product as she can in the pastry fillings.

Council Member Larson inquired as to the business location.

Ms. Platt responded that they will be at 432 Goodlander, next to Save-On-Foods. She added that the drive-thru will be open from five a.m. to seven p.m.

G. Communications

1. Oral

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

2. Written

a. Building Permit and Code Enforcement for the period January, 2013 to 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: August 13, 2013 Council Meeting
- * 2. Approval of Claims & Payroll:

Payroll Checks Nos. 76544 – 76643 for a total of \$152,859.84

Council Member Tierney 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

1. West Goodlander Annexation

Community Planner Davison addressed J – 1. He stated that notice was given to all concerned as required by statute, and that this is an opportunity for those with concerns to address the Council prior to a vote on the Resolution. He noted that the original petitioners were Zucker-Sample L.L.C. and Carl Torkelson Construction and that this was expanded to include all holders of Outside Utility Agreements (OUAs) within the proposed boundary. He went on to say that the proposed area consists of fifty-one parcels with thirty-nine owners and thirty-eight residences, plus a portion of the adjacent West Goodlander Road, and that the area consists of single family residential homes currently zoned single family residential per Yakima County. He noted that the areas to the north, south and west are zoned as R-1 and the area to the south is zoned R-1 and Planned Development.

Mayor Gawlik opened the Public Hearing.

Jane Williams approached the podium and addressed the Council. She stated that she had some questions on clarification of the annexation request. She wondered if Council Member Torkelson should recuse himself from the hearing since he is a petitioner for annexation.

Mayor Gawlik replied that Council Member Torkelson will recuse himself when the matter comes to a vote.

Ms. Williams said that she read the abbreviated list of steps in the annexation process provided on the City's website and wondered if the City had received the certification from the Auditor's Office prior to holding the hearing, as it appears that the petition must be certified as sufficient per number of owners represented according to assessed valuation before the City holds a Public Hearing on the matter.

Community Planner Davison responded that the documentation has been submitted to the Assessor's Office; they will review it and will certify it as being approved if they find that more than sixty percent of the assessed value is in favor, after which it will go to the Boundary Review Board.

Ms. Williams commented that, according to the information provided on the website, the City should have the certified documentation from the Assessor's Office prior to setting a date for the Public Hearing; otherwise we are putting the cart before the horse.

Mayor Gawlik asked at which stage the certification takes place.

Community Planner Davison replied that he has submitted the documentation to them and that it typically takes seven to ten days for them to respond. He noted that it has been two weeks since submittal but added that, based on the City's information, there are seventy-three percent signed not to oppose. He went on to say that it has to be certified prior to going to the Boundary Review Board, and when we started the annexation process Council Member Schmid made a motion with specific language as required by statute. He added that an annexation is a long and lengthy process.

Ms. Williams expressed concern that the citizens that received a notice of hearing are assuming that the certification has already come from the County.

Mayor Gawlik responded that, per Community Planner Davison, the City Council doesn't need certification in hand when they hold the Public Hearing.

Ms. Williams commented that the website information doesn't state that, but rather implies that the certification must come first. She asked if this is a new request for annexation or if it is a modification of Council Member Torkelson and Mr. Sample's original request.

Mayor Gawlik replied that the people in the reconfigured annexation arrangement have existing OUAs and understood that when time came for annexation they would be automatically included in the annexation. He noted that the remaining property owners that do not have an OUA were the petitioners for annexation into the City .

Ms. Williams wondered if the initial petition was available to the public to review.

Community Planner Davison responded that it is available for viewing at the Public Works Maintenance Facility.

Roy Sample approached the podium and addressed the Council. He stated that he had a lot to do with most of the OUAs in this area, saying that he was involved with the installation of every water and sewer line that was put in. He said that he is confident that there is a minimum of seventy percent in favor of annexation, adding that Mr. Zucker and himself have already signed an OUA for the largest piece of property in the proposed annexation area. He added that he is one hundred percent in favor of annexation, as he feels it is too difficult to develop a subdivision in the County and would prefer to do so within City limits.

Seeing no else rise to speak, Mayor Gawlik closed the Public Hearing.

K. New Business **None**

L. Old Business **None**

M. Resolutions

1. Resolution Accepting the “West Goodlander Annexation”

Community Planner Davison addressed M – 1. He said that the Resolution accepts the annexation and directs staff to proceed to the Boundary Review Board, adding that staff recommends approval of the Resolution.

Council Member Overby asked if the matter would sit on his desk until the certification comes in, saying that the motion could be contingent on receipt of the certification.

Community Planner Davison responded that it will not go before the Boundary Review Board until the certification is done.

Council Member Smeback moved, and Council Member Larson seconded, to approve the Resolution Accepting the “West Goodlander Annexation”. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – no; Council Member Finch – yes; Council Member Torkelson – recusal. Motion passed with 5 yes votes, 1 no vote, and 1 recusal.

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 reminded Council Members to pick up the budget schedules from their boxes.

2. Council Members

Council Member Finch had no report.

Council Member Schmid had no report.

Council Member Overby had no report.

Council Member Smeback had no report.

Council Member Torkelson had no report.

Council Member Larson had no report.

Council Member Tierney had no report, but remarked that the new chiropractor's office is a great improvement to both the community and the area it is located in.

3. Boards **None**

4. Departmental

Public Works Director Henne said that their new backhoe came in and thanked the Council for allowing him to purchase the equipment. He noted that the Civic Center roof will be replaced the week of September 9th, adding that they are using the same contractor who will be constructing the Junior High. He commented that he will be attending the Public Works Trust Fund workshop tomorrow, adding that Mayor Gawlik signed an intent for the Department of Ecology for a couple of grants that he hopes the City will be able to acquire.

Community Planner Davison said that there has been some interest recently in developing two different subdivisions of ten to twenty parcels, as well as some discussion regarding a South 1st Street property that the owner wants to do a lot line adjustment on and develop for commercial usage. HE thanked the Council for their approval of the Resolution.

Parks, Recreation, & Tourism Director Hagler said that school started back up this week, and the Youth Center has also been opened up. He noted that this program is a great partnership between Selah C.A.N., the Selah School District, CWU and the City. He went on to say that this is the final week of early registration for the army base race, which includes both a half marathon and a 5K marathon, and that the Japanese army will again be participating with a minimum of two hundred soldiers. He added that they anticipate four to five hundred runners in total and are working on event preparation.

Mayor Gawlik commented that everyone had a great time last year and that the Japanese soldiers' energy level was sky-high.

Parks, Recreation, & Tourism Director Hagler remarked that the Training Center will have several vehicles on display, both at the park and on the base, and that this is a fun and unique race for runners to do.

Police Sergeant Steen said that things are running smoothly. He noted that they are working on filling the vacant entry-level position; the written test has been administered and the oral boards are scheduled for next month.

City Administrator Kelly said that a friend of his who helped him obtain quotes for medical insurance is involved with a group trying to organize a company that handles VBA, which is similar to a 401K or a 457 plan, and noted that the Police Department currently participates in one. He commented that, while most City governments and employees think it is a government-run organization, it is actually a private entity, and that the only one currently operating in Washington State charges a one point five percent fee for their services. He went on to say that the new company is interested in lowering the fee rate to three-fourths of a percent, and that they also have a more robust software package which more options for those who participate in the program. He remarked that he is bringing this up because they are trying to establish their by-laws and their board, and have asked if the City of Selah would be willing to be one of the first to help sponsor the organization to get it started. He added that there is no financial requirement for the City, although as a board member he would have annual and semi-annual telephonic meetings to attend. He stated that he likes the idea of fostering the ability of other cities to have retirement plans that will save employees over time, as it is nice to keep more of what you've invested rather than have it eaten up by fees. He referred to the draft that was handed out, saying that it is for informational purposes only at this point. He ended by saying that they have more VBAs in the United States than any other organization and the company is willing to let him participate in that so they can get a foothold in Washington State.

Council Member Larson asked what the participation would involve.

City Administrator Kelly replied that he would participate as a board member.

Council Member Smeback commented that, if it benefits the employees and doesn't cost the City financially, it's a no-brainer.

Council Member Tierney saw no conflict.

City Administrator Kelly noted that he will not be making any money by participating.

Fire Chief Davis had no report.

Council took a ten minute recess.

Q. Executive Session

1. 20 Minute Session re: Real Estate RCW 42.30.110(1)(c)

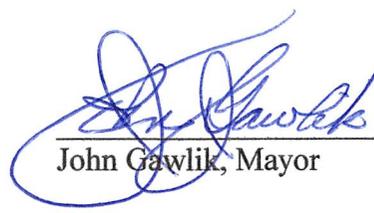
Council went into Executive Session at 7:19pm. At 7:39pm, Council went back on the record.

Mayor Gawlik stated that no action was taken during the Executive Session.

R. Adjournment

Council Member Finch moved, and Council Member Overby seconded, that the meeting be adjourned. Motion passed with 6 voting yes and 1 voting no.

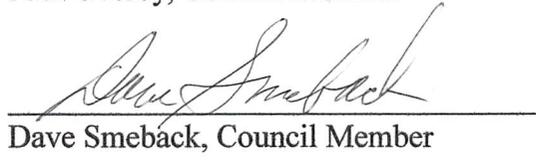
The meeting adjourned at 7:40pm.


John Gawlik, Mayor

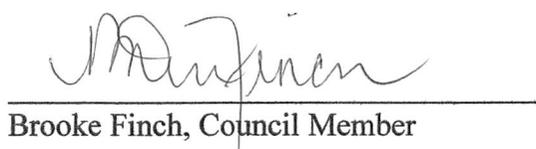

Keith Larson, Council Member

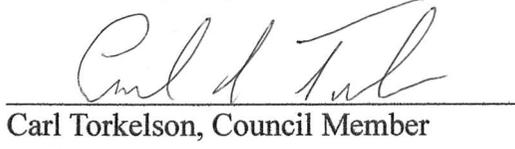
Paul Overby, Council Member


John Tierney, Council Member

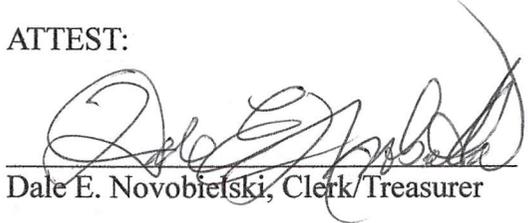

Dave Smeback, Council Member


Allen Schmid, Council Member


Brooke Finch, Council Member


Carl Torkelson, Council Member

ATTEST:


Dale E. Novobietzki, Clerk/Treasurer