

Study Session
Selah City Council
January 8, 2013
3:00pm

Mayor Pro Tem Schmid opened the Study Session and invited Public Works Director Henne to speak.

Public Works Director Henne discussed the South Selah Transportation Study and the Surface Transportation Application for Road Improvement Project. He briefly outlined the recommendations made in the study, and then talked about potential funding sources to implement some of the recommendations.

Ted Pooler and Jeff Louman, from Huibregtse, Louman Associates, Inc., discussed the transportation study and the road improvement project from an engineering perspective and gave their recommendations to the Council.

Discussion followed, including the possibility of putting in a traffic circle, the need to apply for money while funds are available, concern over turning a residential road into a major arterial, and the match funds that the City will need to allocate for the project, and the financial benefits gained from applying for grants that would cost the City one point three million dollars to do a two point nine million dollar improvement project.

Mayor Pro Tem Schmid thanked Public Works Director Henne for his time.

The Study Session concluded at 3:51pm.

City of Selah
Council Minutes
January 8, 2013

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

A. Call to Order Mayor Pro Tem Schmid called the meeting to order at 4:00pm.

B. Roll Call

Members Present: John Tierney; Dave Smeback; Allen Schmid; Brooke Finch

Members Excused: Keith Larson; Paul Overby

Staff Present: David Kelly, City Administrator; Bob Noe, City Attorney; Dale Novobielski, Clerk/Treasurer; Jerry Davis, Fire Chief; Gary Hanna, Deputy Fire Chief; Rick Hayes, Police Chief; 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 Finch led the Pledge of Allegiance. Pastor Rex Van Beek led the opening prayer.

Mayor Pro Tem Schmid requested that all cell phones be turned off during the meeting.

D. Agenda Changes

Add to Agenda:

1. New Business K – 2: Sale Listing Agreement with the Neil Walter Company for the Marudo properties

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

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

G. Communications

1. Oral

Mayor Pro Tem Schmid opened the meeting. Seeing no one rise to speak, he closed the meeting.

- 2. Written None
- 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: December 11, 2012 Council Meeting
- * 2. Approval of Claims & Payroll:
 - Payroll Checks Nos. 74936 – 75013 for a total of \$135,757.46
 - Payroll Checks Nos. 75014 – 75100 for a total of \$148,872.97
 - Claim Checks No. 61280 for a total of \$ 1,053.60
 - Claim Checks Nos. 61281 – 61333 for a total of \$131,561.92
 - Claim Checks Nos. 61334 – 61385 for a total of \$107,499.27
 - Claim Checks Nos. 61386 – 61417 for a total of \$ 38,272.50

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

- J. Public Hearings
 - 1. Selah Urban Growth Area Comprehensive Plan Amendment 2012-2 and Official Zoning Map Amendment 914.84.12-06 (City of Selah)

Community Planner Davison addressed J-1. He referred the Council Members to the maps included with their packets, noting that the property in question is a narrow strip running parallel to the alley. He said that the property owners, T&T Tavern and Magic’s Pizza, would like to see the property designation changed from Industrial to Commercial and have it rezoned from M-1 to B-2, which will allow them to legally use that property as expanded parking for both businesses. He went on to say that the Planning Commissioners considered their proposal at a December Public Hearing, at which time they adopted the findings of fact. He noted that the Planning Commissioners recommend approval of both the rezone and the Comprehensive Plan amendment.

Mayor Pro Tem Schmid wondered if the land was currently being used for parking lots.

Community Planner Davison replied in the affirmative, adding that the owners would like to correct the zoning and Comprehensive Plan to allow for legal use of the property as parking space.

Mayor Pro Tem Schmid opened the Public Hearing. Seeing no one rise to speak, he closed the hearing.

- 2. Selah Urban Growth Area Comprehensive Plan Amendment 2012-1 and Official Zoning Map Amendment 914.84.12-05 (Tree Top Incorporated)

Community Planner Davison addressed J-2. He said that this rezone and Comprehensive Plan amendment is proposed by Tree Top, Inc. He referred Council to the map included in the packet showing the subject property, noting that tree Top, Inc. would like to have it reclassified as Commercial and rezoned as B-2 General Business. He stated that the Planning Commissioners considered the proposal at the December Public Hearing and their recommendation is for approval of both the rezone and Comprehensive Plan amendment. He commented that there is also a letter from Tree Top, Inc. included in the packet.

Mayor Pro Tem Schmid opened the Public Hearing. Seeing no one rise to speak, he closed the hearing.

K. New Business

1. Selection of a Mayor Pro Tempore for Calendar Year 2013

Council Member Tierney nominated Council Member Finch for Mayor Pro Tempore.

Council Member Smeback nominated Council Member Schmid for Mayor Pro Tempore.

Mayor Pro Tem Schmid suggested that they take a vote, and if it results in a tie they would postpone selection until the next Council Meeting.

Council Member Finch said that she is in favor of tabling the item until the next more Council Members are present.

Council Member Tierney agreed.

Council Member Smeback also agreed.

Mayor Pro Tem Schmid concurred with his fellow Council Members.

Council Member Finch moved, and Council Member Smeback seconded, to table selection of a Mayor Pro Tempore for calendar Year 2013 until the January 22, 2013 Council Meeting. By voice vote, approval was unanimous.

2. Sale Listing Agreement with the Neil Walter Company for the sale of the Marudo properties

City Administrator Kelly addressed K-2. He said that the document shows an agreement between the City of Selah and Paul Stelzer to list the Marudo properties and get them on the market, noting that he visited with a couple different firms prior to making the decision to recommend signing a contract with Mr. Stelzer.

Council Member Finch commented that the price per square foot was reasonable but wondered if the City could negotiate the seven percent commission down to a lower percentage.

City Administrator Kelly replied that that was a good question, noting that he discussed this with Mr. Stelzer and found that for raw land the percentage is typically between seven and ten percent. He went on to say that we want to encourage him to get the land sold and that a seven percent commission will help motivate him to sell it.

Council Member Smeback remarked that commercial land generally falls in the seven to ten percent commission bracket.

City Administrator Kelly noted that this contract is on the low end of that scale.

Mayor Pro Tem Schmid asked Council Member Smeback if he is comfortable with this.

Council Member Smeback responded in the affirmative.

Council Member Tierney inquired about the duration of the contract.

City Administrator Kelly replied that it is for a year to start with, then on a month to month basis beyond that.

Council Member Tierney moved, and Council Member Smeback seconded, to Authorize the Mayor Pro Tem to Sign a Sale Listing Agreement with the Neil Walter Company for the sale of the Marudo properties. Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

L. Old Business None

Council Member Tierney asked Public Works Director Henne for an update on the state of the park and ride stop discussed at the previous Council Meeting.

Public Works Director Henne replied that there is a handshake deal to proceed, and that a formal agreement will need to be drafted before it can proceed further.

M. Resolutions

1. Resolution Authorizing the Mayor Pro Tem to Sign an Agreement for Accounting Software Upgrades

Clerk/Treasurer Novobielski addressed M-1. He said that the City currently has an agreement with Vision Municipal Solutions for technical support for the existing software acquired in 1998. He went on to say that in 2006 the company released new Windows software; however, the City opted to wait before purchasing rather than be beta testers for the new version. He noted that we are one of the few using the software who have not switched to the Windows version; approximately one hundred Cities and other governments are currently using the software. He commented that this company has been providing technical support to the City over the last six to ten years. He stated that this is a reasonable price with attractive no interest elective payment plans of two, three or five years. He recommended the five year purchase plan, which would have an initial year expense of fourteen thousand four hundred dollars, including conversion costs, and an annual expense of seven thousand two hundred sixty dollars for the remaining four years. He observed that this software upgrade benefits various operating funds, including the utility funds, and also provides for specialty items such as utility billings and an automated meter reader.

Council Member Tierney wondered if there was an early payoff option and if the City would be penalized for paying it off ahead of schedule.

Clerk/Treasurer Novobielski responded that the City can pay it off entirely at any time without penalty.

Mayor Pro Tem Schmid asked for confirmation that the total cost would be thirty-three thousand five hundred dollars.

Clerk/Treasurer Novobielski replied in the affirmative, but added that it will cost an additional six thousand eight hundred dollars for the transfer and conversion to the new software.

Mayor Pro Tem Schmid observed that the price on page three of the contract does not reflect the additional conversion costs.

Clerk/Treasurer Novobielski agreed, saying that the conversion costs will also be paid out of the 2013 budget.

Council Member Smeback asked if the software assurance was five thousand dollars per year.

Clerk/Treasurer Novobielski replied in the affirmative, saying that it is for software support.

City Administrator Kelly commented that San Juan County pays sixty thousand dollars a year for software support versus five thousand a year for Selah.

Clerk/Treasurer Novobielski remarked that, when he started work at the City in 1996, they were using Eagle systems and paying approximately seven thousand per year for annual software assurance.

City Administrator Kelly opined that it is nice not to be beta testers for new software, as others have been testing and using it for several years now.

Council Member Smeback moved, and Council Member Finch seconded, to approve the Resolution Authorizing the Mayor Pro Tem to Sign an Agreement for Accounting Software Upgrades. Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

N. Ordinances

1. Ordinance Adopting the 2005 Selah Urban Growth Area Comprehensive Plan Amendment 2012-1 (Tree Top, Inc.) as Recommended by the City of Selah Planning Commission

Community Planner Davison addressed N-1. He said that this Ordinance is to amend the Comprehensive Plan per request by Tree Top, which will re-designate approximately five acres along Jim Clements Way from Industrial to Commercial.

Council Member Tierney moved, and Council Member Finch seconded, to approve the Ordinance Adopting the 2005 Selah Urban Growth Area Comprehensive Plan Amendment 2012-1 (Tree Top, Inc.) as Recommended by the City of Selah Planning Commission. Roll was called: Council

Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

2. Ordinance Amending Ordinance No. 1634 § 15 of the Selah Municipal Code Zoning Map Amendment No. 914.84.12-05 Rezone to General Business (B-2)

Community Planner Davison addressed N-2. He said that this is the implementing ordinance to change the zoning map for the Tree Top property from Industrial to General Business, and recommended approval of the change.

Council Member Tierney moved, and Council Member Smeback seconded, to approve the Ordinance Amending Ordinance No. 1634 § 15 of the Selah Municipal Code Zoning Map Amendment No. 914.84.12-05 Rezone to General Business (B-2). Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

3. Ordinance Adopting the 2005 Selah Urban Growth Area Comprehensive Plan Amendment 2012-2 (City of Selah) as Recommended by the City of Selah Planning Commission

Community Planner Davison addressed N-3. He said that this property is owned by T&T Tavern and Magic’s Pizza, and that the Planning Commission recommends changing the Comprehensive Plan to designate the land Commercial rather than Industrial.

Council Member Finch moved, and Council Member Smeback seconded, to approve the Ordinance Adopting the 2005 Selah Urban Growth Area Comprehensive Plan Amendment 2012-2 (City of Selah) as Recommended by the City of Selah Planning Commission. Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

4. Ordinance Amending Ordinance No. 1634 § 15 of the Selah Municipal Code Zoning Map Amendment No. 914.84.12-06 Rezone to General Business (B-2)

Community Planner Davison addressed N-4. He said that this is to re-designate the property owned by T&T Tavern and Magic’s Pizza from Industrial to General Business and change the zoning map.

Council Member Smeback moved, and Council Member Finch seconded, to approve the Ordinance Amending Ordinance No. 1634 § 15 of the Selah Municipal Code Zoning Map Amendment No. 914.84.12-06 Rezone to General Business (B-2). Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

5. Ordinance Amending Ordinance No. 1634 § 15 Zoning Map Amendment No. 914.91.12-04 Rezone to Low Density Single Family (LDSF) Residential

Community Planner Davison addressed N-5. He said that the property in question, owned by Monson Fruit, is currently zoned Planned Development, and that they would like to have it rezoned to Low Density Single Family to allow them to plant an agricultural crop on the ninety-five acres in question. He referred Council the aerial maps included in the packet that show the subject property, which is located east of Lookout Point Road and north of the Friday Point Subdivision, and briefly explained

each. He noted that there are four parcels included in the rezone request. He went on to say that the Hearing Examiner considered the proposed rezone at a Public Hearing, and is recommending that Council approve the rezone from Single Family Residential to Low Density Single Family Residential to allow the agricultural pursuit. He added that there is also a letter from the applicant's attorney and ended by recommending approval of the rezone.

Council Member Tierney wondered what the zoning is on the land locked parcel.

Community Planner Davison replied that it is, and will remain, Single Family Residential as there is a residence on the property.

Mayor Pro Tem Schmid asked for confirmation that it was already zoned Single Family Residential.

Community Planner Davison referenced the map on the wall, saying that it is currently zoned Single Family Residential.

Mark Fickes, Velikanje Halverson P.C., approached the podium and addressed the Council. He noted that this is a procedural matter and a closed record hearing, meaning that no new evidence can be presented on the subject. He stated that this is a relatively minor rezone to allow for productive use of the property by the owner, as the City of Selah has a unique provision that allows for property zoned Low Density Single Family Residential to be used for agriculture as a transitional use. He finished by saying that the Hearing Examiner recommends approval, as do City staff, and that it is in the best interest of both the City and the applicant to approve the rezone.

Council Member Smeback moved, and Council Member Tierney seconded, to approve the Ordinance Amending Ordinance No. 1634 § 15 Zoning Map Amendment No. 914.91.12-04 Rezone to Low Density Single Family (LDSF) Residential. Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

O. Communications

1. Oral

Mayor Pro Tem Schmid opened the meeting. Seeing no one rise to speak, he then closed the meeting.

P. Reports/Announcements

1. Mayor Pro Tem

Mayor Pro Tem Schmid had no report, but wished everyone a Happy New Year. He noted that the departments are running smoothly and staff is doing an outstanding job.

2. Council Members

Council Member Finch had no report.

Council Member Smeback had no report.

Council Member Tierney asked Police Chief Hayes to extend his thanks to Master Patrol Officer Smith for the outstanding job he did as the School Resource Officer (SRO) for the Selah School District, and to give his best wishes to Master Patrol Officer Martin for continued success as the SRO. He commented that it was good to see Officer Smith on the streets.

Police Chief Hayes remarked that, of the four hundred forty-eight tickets written in 2012, forty-three percent were written by Officer Smith while he was still the SRO.

Council Member Tierney asked that Council consider a proposal at one of the next Council Meetings to require all businesses with occupancy of thirty-five or more to have a working defibrillator on site.

City Administrator Kelly inquired if he meant employees or capacity to hold that number or higher.

Council Member Tierney responded that he meant both, citing the example of a grocery store as a place with the capacity to hold thirty-five or more people, which would include both employees and patrons. He said that we can work on developing an Ordinance that would give general businesses a two year window to purchase one, but require those facilities that are fitness centers to acquire one immediately if they do not already have one available on site. He wished everyone a Happy New Year.

3. Boards

4. Departmental

Mayor Pro Tem Schmid noted that there is a December 2012 monthly Public Works project summary in the packet.

Council Member Tierney said that the City has only received one application for the vacant Council position, and suggested that the application period be extended for an additional two weeks to allow for more applicants to submit an application.

Mayor Pro Tem Schmid agreed that it is a good idea to extend the application period.

Council Member Smeback remarked that there were many very qualified candidates who applied for the prior vacant position, and suggested that the top three to four candidates from the last list be contacted and encouraged to submit an application again.

Mayor Pro Tem Schmid agreed, saying that we will figure out how to do that.

Council Member Tierney moved, and Council Member Finch seconded, to extend the application period for an additional two weeks, with a new deadline of 5:00pm on January 21, 2013, and to run an ad with the extended deadline in the Yakima Herald-Republic, to secure more applicants for the vacant Council Position. By voice vote, approval was unanimous.

Community Planner Davison said that he will start on getting the map amended to reconcile with the zoning changes over the last few months, noting that he will try to acquire a full-length map that can be pulled down for better viewing. He went on to say that a letter regarding the proposed annexation went out to all those North of Goodlander Road, and that they have an opportunity to respond before it comes back to Council for a vote on the proposed annexation. He noted that the boundary letter identifies how much property taxes will be reduced upon annexation, as well as an elimination of the surcharge for

those with an existing Outside Utility Agreement (OUA). He commented that several residents on Lyle Loop with an existing OUA started the request for annexation. He finished by saying that the draft criteria Ordinance has gone to the State for a sixty day review; once he receives it back appropriate changes can be made prior to presenting it to the Planning Commission, and then the Council for adoption.

Public Works Director Henne asked if any Council Members had questions regarding the project list, and said that his department is looking to keep up with the winter storms.

Parks, Recreation & Tourism Director Hagler said that Youth basketball started last Saturday with two hundred fifty kids in the program, noting that this is the second largest Parks & Recreation program. He passed around copies of last year's ad and this year's ad in the Yakima Valley Visitors and Convention Bureau's (YVVCB) Visitors Guide, noting that the YVVCB is changing it up a bit for the new brochure.

Police Chief Hayes said that tonight is first night of the 2013 citizens' academy. He went on to say that there aren't as many participants this time, and they will move the meetings to Thursday night next time. He remarked that they have been busy with the schools, working with the Selah School District to better secure their facilities and keep people out. He finished by saying that he is currently working on the 2012 year-end report.

Mayor Pro Tem Schmid commented that he is glad to see the exposure that is on streets now, as well as the police cruisers driving around town.

City Attorney Noe had no report.

Fire Chief Davis said that his department ended 2012 with one thousand two hundred twenty-nine calls, saying that he will be working on the City and District report in the next month or two. He remarked that the Mayor and the Fire Commissioners received a letter regarding Selah's rating; we remain at a five and the district remains at an eight with tanker credit. He noted that there is a Fire Commissioners meeting later this evening.

City Administrator Kelly said that he just has a couple reminders; firstly, he reminded the Council Members that they need to fill out their F-1 forms for the Public Disclosure Commission, and secondly, he mentioned that there will be two Wakeup Call forums held in Yakima, one on January 23rd and one on March 20th, at the Yakima Chamber of Commerce.

Council took a ten minute recess.

Q. Executive Session

1. 10 Minute Session

a. Collective Bargaining RCW 42.30.140(4) (a)

Council went into Executive Session at 4:57pm. At 5:07pm, Council went back on the record. Mayor Pro Tem Schmid stated that they will be extending the Executive Session for an additional ten minutes.

Council went back into Executive Session at 5:07pm. At 5:17pm, Council went back on the record. Mayor Pro Tem Schmid stated that no action was taken during the Executive Session.

Council Member Tierney moved, and Council Member Smeback seconded, to Approve both the Resolution Authorizing the Mayor to Sign the Contract between the City of Selah and Teamsters Local No. 760 for the Selah Public Works and Parks Departments Effective January 1, 2013 and Resolution Authorizing the Mayor to Sign the Contract between the City of Selah and Teamsters Local No. 760 for the Selah Police Department Effective January 1, 2013. Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

Council Member Tierney moved, and Council Member Smeback seconded, to Approve the Ordinance Amending Ordinance No. 1901 Regarding the 2013 Salary Schedule for Management, Confidential and Unrepresented Employees. Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

R. Adjournment

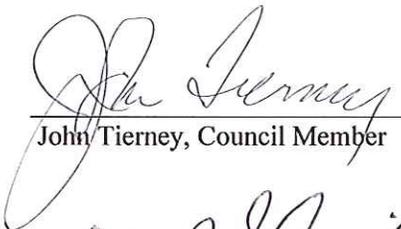
Council Member Tierney moved, and Council Member Smeback seconded, that the meeting be adjourned. By voice vote, approval was unanimous.

The meeting adjourned at 5:18pm.

EXCUSED
John Gawlik, Mayor

EXCUSED
Keith Larson, Council Member

EXCUSED
Paul Overby, Council Member


John Tierney, Council Member


Dave Smeback, Council Member


Allen Schmid, Council Member

Brooke Finch, Council Member

ATTEST:


Dale E. Novobilski, Clerk/Treasurer