Study Session
Selah City Council
December 13, 2011
3:00pm

The Mayor welcomed Dr. Steve Chestnut, Superintendant of the Selah School District, and invited him to speak.

Dr. Chestnut gave a PowerPoint presentation that focused on Selah High School. He started off by reading the School District's mission statement. He talked about school demographics, end of course math assessments in grades 9-11, compared the 1999 and 2011 results of the High School WASL/HSPE for 10th graders, and discussed the athletic and academic accomplishments of the students. He expressed his concerns over budget cuts and the proposed funding cuts for 2012 along with recent maintenance projects. He talked about the facility bond proposal and how they have pared the proposed bond down so that it will remain at the same assessed rate of $1.23 per $1,000, which is the current bond rate. He outlined exactly what projects will be done with approval of the new bond and the need to have more parents become registered voters to help the bond pass. He expressed his desire to have the Council show their support for the pared down bond to help get it passed by the voters.

Councilman Tierney suggested that they concentrate on getting more people registered to vote.

Dr. Chestnut responded that they are working on that issue, but noted that the School District itself can only provide information.

Councilman Jorgensen remarked that the bond should pass if they stick to current rate, and wondered if Wapato had failed to get State matching funds.

Dr. Chestnut replied that Wapato received their funds and that Selah would eventually receive theirs if the bond were to pass.

Councilman Tierney asked when they would run the bond.

Dr. Chestnut responded that they had considered the later spring election date but opted to go with the earlier one.

Councilman Jorgensen inquired about maintenance and operations.

Dr. Chestnut remarked that the surrounding School Districts have better facilities than Selah does at the present time.

Mayor Jones thanked Dr. Chestnut for his presentation.

The Study Session concluded at 3:30pm.

City of Selah
Council Minutes
December 13, 2011

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

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

B. Roll Call

Members Present: Keith Larson; Paul Overby; John Tierney; Kevin Jorgensen; Dave Smeback; John Gawlik; Allen Schmid

Members Excused:

Staff Present: Frank Sweet, City Supervisor; Dale Novobielski, Clerk/Treasurer; Bob Noe, City Attorney; Gary Hanna, Deputy Fire Chief; Stacy Dwarshuis, Police Chief; Gerald Smith, Master Patrol Officer; Jeff Hagler, Parks, Recreation & Tourism Director; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Monica Lake, Executive Assistant

C. Pledge of Allegiance

Councilman Schmid led the Pledge of Allegiance. Pastor Jason Williams led the opening prayer.

D. Agenda Changes

1. Removed from the Agenda:

F – 2 Citizens' Proposed Use of City Property

E. Public Appearances **None**

F. Getting To Know Our Businesses

1. Community Pride Award to Sherry Dawson, King's Row Drive In

Mayor Jones talked briefly about the volunteers who donate their time to making our community such a great place to live in, saying that one of those people is Sherry Dawson. He commented that they have known one another for a long time and, in addition to owning King' Row for the past several years, she has been the driving force behind the Whispers of Christmas lighted parade and has been instrumental in bringing the farmer's market and the antique car show to Selah. He read aloud the Community Pride Award and presented it to Ms .Dawson.

Sherry Dawson thanked the Mayor, commenting that she learned how to be involved in the community while working for Mayor Jones at King's Row for fifteen years, and that she bought a part of the City when she purchased King's Row.

Councilman Tierney stated that the removal of Resolution M-14 and Resolution M-15 for further discussion in Executive Session at the December 27th Council Meeting had been overlooked under Agenda Changes.

Mayor Jones clarified for those in attendance that the Council feels they need more time in Executive Session to discuss potential resolutions regarding the employment contracts for the Chief of Police and the City Supervisor, and they will be discussed in an Executive Session at the December 27th Council Meeting. He went on to say that they would take public comment on the issue during Oral Communications.

G. Communications

1. Oral

Mayor Jones opened the Public Meeting.

Dave Hoffert, 606 Southern Avenue, approached the podium and addressed the Council. He said that the voters have elected a new Mayor and he hopes the Council Members and the Mayor will work together in making decisions for Selah. He went on to say that, after the Council Meeting, there will be a reception at the Civic Center for the community to meet the new Mayor.

Larry Briggs, 1031 North Wenas Road, approached the podium and addressed the Council. He spoke briefly about his employment and medical history. He said that when he purchased the property at 20 Taylor Loop Road in 1994, he was under the impression that the sewer hookup and connection fees were to be paid prior to closing, and found out two days ago that the sewer fee of $1477 was paid but the $128 hookup fee was not. He stated that he is trying to sell the property to pay off some debts; however, the City is requesting $1962.15 for the sewer hookup and permit. He went on to say that the High Valley Association had an agreement from 1994 regarding hookups for the properties, and noted that when notice went out two years ago regarding an in crease in the $128 fee only those who resided within the City limits were notified. He requested that the Council consider allowing him to pay the $128 hookup fee rather than the current hookup fee as he and the other property owners directly outside the City limits were not notified of the change.

Public Works Director Henne commented that the Council passed a Resolution saying that existing single-family residences within the City would be able to connect at the original rate for a period of ten years, but that it was specific to residents within the City limits.

Councilman Gawlik wondered if Mr. Briggs had an Outside Utility Agreement.

Public Works Director Henne responded that he was not aware of one.

Mr. Briggs said that he has documentation from Public Works Director Henne stating that the sewer fee of $1477 had been paid but that the $128 hookup fee had not been paid.

Public Works Director Henne asked what the date on the letter was.

Mr. Briggs replied that it was dated 1994. He went on to say that the Latecomers Agreement between the City and the High Valley Association, also dated 1994, contained verbiage regarding the right of those properties, including his property, contained in Exhibit A to hook up to the sewer line now or in the future at no further cost to the owner.

Public Works Director Henne remarked that the document refers to a Latecomers Agreement for a trailer park on Wenas that had a failing sewer system. He said that the Department of Health required the City to extend the sewer line out to said park around 1990, and at that time the property owners adjacent to the sewer line were invited to hookup and pay the fee established through the High Valley Association agreement. He noted that it appears as though Mr. Briggs' property had no hook up fee paid at that time, as it is not part of the system currently, and is now subject to the higher fee charged for sewer hookup.

Councilman Tierney recalled that the Council discussed the ten year grace period when approving the Resolution, and that they requested Public Works to contact all those people who were not hooked up to the City and give them the opportunity to hook up at the lower fee. He commented that they overlooked notification for those properties outside the City limits along the sewer line.

Public Works Director Henne responded that the notifications went out per the Council's direction to existing homes, not vacant lots, which were inside the City limits.

Mr. Briggs remarked that there were five lots, including his own, that are adjacent to the City limits.

Public Works Director Henne commented that there are more than five parcels in that area.

Mr. Briggs agreed that there are more than five in his area, but referred again to the Latecomers Agreement and asked the Council to allow him to pay the lesser fee of $128 for hookup.

City Attorney Noe inquired if the fee is an infrastructure fee or simply the hookup fee.

Mr. Briggs said that it is the hookup fee only.

Public Works Director Henne commented that the fee in question encompasses more than simply the hookup cost; it includes the permit fee, the connection fee and one additional fee.

City Attorney Noe said that if he has already paid the infrastructure fee…

Public Works Director Henne interjected that Mr. Briggs had paid the Outside Utility Agreement fee to High Valley Associates.

Mr. Briggs responded that the fee was paid to the City of Selah.

Public Works Director Henne replied that the City was the collection agent for High Valley Associates.

Mr. Briggs said that he paid $1477, and went on to say that he wondered why he did not receive notice in 1994 like those who lived within the City limits.

Public Works Director Henne reiterated that notice only went out to those who were inside the City limits at that time, but noted that he has not reviewed the documentation in question but is relying on memory from that time period.

Mayor Jones suggested that Mr. Briggs and Public Works Director Henne discuss the issue within the next week, come up with a solution, and present it to the Council at the December 27th meeting.

Mr. Briggs informed the Mayor that his extension date for closing on the property runs until the 23rd, and he needs a decision prior to that date. He went on to say that he has a contractor lined up to install the double-wall system and an application ready for the Health District, but feels that the application fee requested by the City is incorrect.

City Supervisor Sweet said that Public Works Director Henne can discuss the issue with Mr. Briggs, and if they come to an agreement that the fee should be waived, the Council Members can be contacted individually for concurrence prior to the next Council Meeting. He went on to say that the paperwork can be brought before the Council on the 27th for the administrative end of it.

Mr. Briggs commented that it needs to be done for the Health Department prior to the December 27th Council Meeting.

City Supervisor Sweet responded that it can be done before the next Council Meeting.

Councilman Jorgensen wondered if there was a residence on the property at this time.

Mr. Briggs replied in the affirmative, noting that the address is 20 Taylor Loop.

Councilman Jorgensen inquired if the residence was on a septic system currently.

Mr. Briggs said that it is on a septic system.

Public Works Director Henne asked for confirmation of 20 Taylor Loop as the property address.

Mr. Briggs replied in the affirmative.

Councilman Jorgensen asked if that the residence has never been connected to the City's sewer system but it now required to be connected in the purchase and sale agreement.

Mr. Briggs responded that the well agreement with the Health District requires that the residence be connected to a sewer system because of the 100 foot radius of the well to the septic system. He went on to say that Ted at the Health District has informed him that everything has been approved and he simply needs to provide the documentation from the City for the sewer hookup.

City Supervisor Sweet requested that Public Works Director Henne meet with Mr. Briggs the following morning to discuss the issue and come to a resolution.

Mr. Briggs suggested a meeting at 8am.

Public Works Director Henne noted that he has meetings scheduled for 9am and 2pm, but can meet with him prior to the 9am meeting.

Mr. Briggs observed that sooner would be better, as the contractor is ready to begin work on it.

Public Works Director Henne suggested that they meet at 8:30am, as that would give him time to pull the documents and review the issue.

Councilman Gawlik asked for clarification on whether Council approval is necessary if Mr. Briggs pays the fee.

City Supervisor Sweet remarked that the issue is whether to waive the $1900 fee and instead allow him to hookup for $128, which would require Council approval.

Mayor Jones wondered if he was grandfathered in.

Councilman Gawlik restated that the Council would need to consent to the waiver and agree to a lesser fee.

City Supervisor Sweet responded in the affirmative.

Councilman Jorgensen inquired if Mr. Briggs would have paid the lesser fee back in 1994 if he had been notified that the fee would be increasing.

Mr. Briggs replied in the affirmative.

Seeing no one else rise to speak, Mayor Jones closed the Public Meeting.

2. Written

   a. 2011 Water System Improvements Progress Estimate #1

   b. Summary of Payments to TW Clark for Utility Maintenance Facility

H. Proclamations/Announcements **None**

I. Consent Agenda

Councilman Tierney moved, and Councilman Overby seconded, to remove M-1 and M-2 from the Consent Agenda. By voice vote, approval was unanimous.

Councilman Overby moved, and Councilman Schmid seconded, to add M-8 and M-9 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: Study Session and Council Meeting November 22, 2011

* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 72419 – 72508 for a total of $190,747.17
Claim Checks Nos. 59239 – 59337 for a total of $243,499.29

* 3. Resolution M – 3 Resolution Revising Rates for Solid Waste Collection Services

* 4. Resolution M – 4 Resolution Accepting the Congestion Mitigation Air Quality (CMAQ) South Rushmore Road Improvements as Complete

* 5. Resolution M – 5 Resolution Authorizing the Mayor to Accept the 2011 Local Street Maintenance Program Improvement Project as Complete

* 6. Resolution M – 6 Resolution Authorizing the Mayor to Approve Staff to Proceed with an Application for the Reconstruction of East Goodlander Road, from North First Street to North Wenas Road

* 7. Resolution M – 7 Resolution Authorizing the Mayor to Sign a General Consultant Agreement for Professional Consulting Engineering Services with Huibregtse, Louman associates, Inc. for the Railroad Avenue Extension and Wenas Road/ Bartlett Avenue Improvements

* 8. Resolution M – 8 Resolution Authorizing the Mayor to Sign the Change Order Proposal No. 8 for the New Public Works Utility Maintenance Facility

* 9. Resolution M – 9 Resolution Authorizing the Mayor to Sign the Change Order Proposal (COP) No. 9R for the New Public Works Maintenance Facility

* 10. Resolution M – 10 Resolution Authorizing the Mayor to Sign a Municipality Tourism Promotion Management Contract with the Yakima Valley Visitors & Convention Bureau for the Year 2012

* 11. Resolution M – 11 Resolution Authorizing the Mayor to Sign an Advertisement Contract with Yakima Valley Visitors and Convention Center for a one page ad in the 2012 Yakima Valley Visitors Guide

* 12. Resolution M – 12 Resolution Authorizing the Mayor To Sign an Interlocal Correction / Detention Agreement with the Yakima County Department of Corrections for 2012

* 13. Resolution M – 13 Resolution Authorizing the Mayor to Sign the SIED Contract between Yakima County and the City of Selah for Assistance with the Railroad Avenue from South Park Drive to East Bartlett Avenue Reconstruction Project and for the Improvement of East Bartlett Avenue and the North Wenas Avenue Intersection

Councilman Schmid 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 2010-8 (Van Alstine)

Community Planner Davison addressed J-1. He briefly reviewed the staff report and the Planning Commissioners' recommendation that had been previously discussed at the January 11, 2011 Council Meeting regarding a petition to change the Comprehensive Plan designation of the subject property from industrial to high-density residential to allow for a multi-unit complex to be built on the site.

Councilman Larson interjected that the property is currently designated as commercial.

Community Planner Davison noted that this was correct. He went on to say that a Public Hearing on the matter was held and the Planning Commissioners had recommended denial of the proposed Comprehensive Plan Amendment. He noted that the petitioner is present to answer any questions the Council may have on the matter and spoke briefly about the project information provided by the petitioner for their review.

Mayor Jones opened the Public Hearing.

Councilman Larson stated that in the interest of fairness he wanted to make the Council aware that his company, Larson Fruit, owns the property adjacent to the one under discussion. He offered to recuse himself from the discussion if this was of concern to anyone.

Mayor Jones asked those in attendance if any individual wanted to request that Councilman Larson recuse himself from the meeting. He moved on with the Public Hearing after those in attendance declined to answer.

Dick Graf approached the podium and addressed the Council. He observed that there is a large amount of commercial property currently available in Selah and that these lots are more suited to commercial development than this particular property. He commented that there is a strong demand for rentals at this time, and wouldn't hurt to have more residential in this area along with the four-plex currently there. He opined that the applicants maintain their properties well.

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

2. Proposed 2012 Budget for the City of Selah

Clerk/Treasurer Novobielski addressed J-2. He reviewed the proposed 2012 Budget for the Council, noting the increases proposed for water, sewer and solid waste.

Mayor Jones remarked that the staff and Council worked long and hard to get a balanced budget.

Clerk/Treasurer Novobielski commented that the proposed budget is approximately $1300 in the black, as apposed to the initial proposals submitted by department heads that were approximately $200,000 in the red. He noted that there were many revisions, changes and cuts done to achieve a balanced budget.

Mayor Jones said that they take the projected numbers for both the revenues and expenditures, and adjust accordingly until the expenses match the funds coming in. He commended the Department Heads for their efforts in achieving a balanced budget.

K. New Business

1. Eagle Signs Quote for Lince Field Lights

Parks, Recreation and Tourism Director Hagler addressed K-1. He said that the lights are at Lince Field, where approximately 700 kids play in the spring and fall Youth Soccer programs. He went on to say that lights have been burning out over the last couple of years, making it increasingly hard to have an adequately lit field for evening games. He noted that they use the lights three nights a week and it is critical that they be replaced. He stated that the school District is working with the City on this, and requested approval to proceed with the light replacements.

Mayor Jones inquired how many bulbs there are.

Parks, Recreation and Tourism Director Hagler responded that there are approximately seven hundred and fifty bulbs.

Councilman Tierney asked for confirmation that the School District would only be paying for the three lights at the High School.

Parks, Recreation and Tourism Director Hagler replied in the affirmative.

Councilman Tierney went on to say that they are not paying for any of the lights at Lince Field.

Parks, Recreation and Tourism Director Hagler confirmed his statement, saying that the School District is not using Lince Field for any of their activities.

Councilman Smeback asked if the costs shown are simply for bulb replacement.

Parks, Recreation and Tourism Director Hagler replied that he is not sure, as the School District has been the lead on getting the quote for bulb replacements.

Councilman Larson moved, and Councilman Tierney seconded, to approve the expenditure for light replacement at Lince Field in the amount of $2,153.13. Roll was called: Council Member Gawlik – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Jorgensen – yes; Council Member Larson – yes; Council Member Tierney - yes. By voice vote, approval was unanimous.

L. Old Business **None**

M. Resolutions

1. Resolution Revising Rates for Water Utility Services

Clerk/Treasurer Novobielski addressed M-1. He briefly reviewed the proposed three percent increase for residential and commercial properties.

Councilman Tierney wondered why multiple-residence units paid a lower rate for water over single family residence rates.

Clerk/Treasurer Novobielski replied that he does not revise the rate structure; he does the update and collects the money. He went on to say that this was in place when he was hired on fifteen years ago, and he has no information regarding why this was put in place.

Mayor Jones asked former Council Member Graf if he would speak on the matter.

Mr. Graf said that there is a forty percent usage difference between a single family residence and a multi-family unit.

Councilman Gawlik asked for confirmation that it would be a seventy-three cent increase.

Clerk/Treasurer Novobielski replied in the affirmative, saying that it will be an increase of seventy-three cents per unit based on ten hundred feet consumption, and anything beyond that will be assessed at an increase of three cents per unit.

Councilman Overby moved, and Councilman Schmid seconded, to approve the Resolution Revising Rates for Water Utility Services. Roll was called: Council Member Gawlik – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Jorgensen – yes; Council Member Larson – yes; Council Member Tierney - yes. By voice vote, approval was unanimous.

2. Resolution Revising Rates for Sewer Utility Services

Clerk/Treasurer Novobielski addressed M-2. He reviewed the proposed rate increase of three percent for a single-family residence, along with the senior and disabled increases, and referred the Council to their packets for further information.

Councilman Tierney questioned the difference in rates between a single family residence and a multi-residential unit.

Mr. Graf said that the same usage difference of forty percent applies to the sewer rates as well as the water rates. He went on to say that the City of Yakima bills for sewer usage based on water usage but the City of Selah is not set up for that.

Councilman Tierney moved, and Councilman Schmid seconded, to approve the Resolution Revising Rates for Sewer Utility Services. Roll was called: Council Member Gawlik – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Jorgensen – yes; Council Member Larson – yes; Council Member Tierney - yes. By voice vote, approval was unanimous.

* 3. Resolution Revising Rates for Solid Waste Collection Services

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Mayor Jones stated that M-14 and M-15 have been removed from agenda to allow the Council more time to discuss the issue. He noted that there will be an Executive Session on December 27th at 2:30pm to address these issues.

N. Ordinances

1. Ordinance Establishing the 2011 Salary for Wastewater Treatment Plant Mechanic

City Supervisor Sweet addressed N-1. He said that the Wastewater Treatment Plant Mechanic needed to be brought on in December because of the timeline for the clarifiers, that this will establish a salary for the position, and that there is money in the budget for the position. He noted that this is also reflected in the 2012 Salary Schedule.

Councilman Schmid moved, and Councilman Overby seconded, to approve the Ordinance Establishing the 2011 Salary for Wastewater Treatment Plant Mechanic. Roll was called: Council Member Gawlik – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Jorgensen – yes; Council Member Larson – yes; Council Member Tierney - yes. By voice vote, approval was unanimous.

2. Ordinance Establishing the 2012 Salary Schedule for Management, Confidential and Unrepresented Employees

Clerk/Treasurer Novobielski deferred to City Supervisor Sweet.

City Supervisor Sweet addressed N-2. He said that the City is moving the employees from a 90-10 health plan to an 80-20 health plan, which is a savings of approximately two hundred dollars a month per employee. He went on to say that the Council agreed put these savings in the form of a salary adjustment to each employee to compensate for the additional health costs under the 80-20 health plan.

Councilman Tierney asked if it was a wash.

City Supervisor Sweet replied in the affirmative.

Councilman Schmid moved, and Councilman Smeback seconded, to approve the Ordinance Establishing the 2012 Salary Schedule for Management, Confidential and Unrepresented Employees. Roll was called: Council Member Gawlik – no; Council Member Schmid – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Jorgensen – yes; Council Member Larson – yes; Council Member Tierney - yes. Motion carried with 6 voting aye and 1 voting no.

3. Ordinance Adopting the Budget for the City of Selah, Washington for the Year Ending December 31, 2012

Clerk/Treasurer Novobielski addressed N-3. He said that the Ordinance before the Council is the culmination of the budget process, noting the end result as explained earlier in the meeting. He briefly reviewed the revenues and expenditures and stated that approval will put into place the spending plan for 2012.

Councilman Smeback moved, and Councilman Jorgensen seconded, to approve the Ordinance Adopting the Budget for the City of Selah, Washington for the Year Ending December 31, 2012. Roll was called: Council Member Gawlik – no; Council Member Schmid – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Jorgensen – yes; Council Member Larson – yes; Council Member Tierney - no. Motion carried with 5 voting aye and 2 voting no.

Community Planner Davison said that there should have been an Ordinance amending the Comprehensive Plan, but he forgot to submit it for the packet. He stated that it will be brought before the Council at the December 27th Council meeting and requested that the Council indicate whether they will decline or approve so that he can word the Ordinance accordingly.

Mayor Jones asked the Council if they would like to address the item.

Councilman Jorgensen stated that he doesn't mind going on record as being in favor of the Comprehensive Plan Amendment; he approves of the applicant's proposal and the Planning Commissions' recommendation to follow through on the planned development and will vote that direction.

Councilman Smeback agreed, saying that traffic is an issue in that area residential usage creates a lesser amount of traffic than commercial.

Councilman Jorgensen commented that he feels the plan addresses the parking issue quite well.

Councilman Smeback observed that the plan shows that the number of ingress and egress points has been reduced and that the alley will be utilized for access.

Councilman Gawlik agreed with the previous statements.

Councilman Overby commented that he would like to see it zoned as industrial, but is okay with it being zoned in favor of the planned development.

Mayor Jones polled the Council; consensus was unanimous to bring it back for approval.

O. Communications

1. Oral

Mayor Jones opened the meeting.

Charles Lance approached the podium and addressed the Council. He commended Mayor Jones for his years of service. He told the story of the first time he met Mayor Jones, during an election when the Mayor was canvassing door to door. He went on to say that he informed the Mayor that he doesn't vote as he hasn't found anyone worth voting for. He said Mayor Jones gave him a Cheshire grin and handed him a brochure, which he crumpled up and then suggested that he talk to his wife. He commented that he's gotten to know the Mayor quite well since then, and he knows many other City officials such as Councilman Gawlik and Police Chief Dwarshuis. He noted that this is a great town; we have the old coming out and the new coming in. He talked about the article in the paper and the comments from two people in the room regarding departure. He asked Councilman Gawlik if he was a police officer in another town prior to Selah.

Councilman Gawlik responded in the affirmative.

Mr. Lance asked which town.

Councilman Gawlik responded that it was Toppenish.

Mr. Lance inquired why he left.

Councilman Gawlik said he moved up to State.

Mr. Lance asked if he left on his own.

Councilman Gawlik responded in the affirmative.

Mr. Lance asked if he was a reserve officer in the City of Selah.

Councilman Gawlik replied that he was.

Mr. Lance inquired why he no longer served in that capacity.

Councilman Gawlik responded that he resigned.

Mr. Lance inquired about his reason for resigning.

Councilman Gawlik responded in the affirmative.

Mr. Lance asked if there was a conflict of interest.

Councilman Gawlik replied that there was a conflict.

Mr. Lance asked if he worked for the City as a Code Enforcement Officer.

Councilman Gawlik responded in the affirmative.

Mr. Lance wondered why he no longer served in that capacity.

Councilman Gawlik replied that he retired from the position.

Mr. Lance asked if there was a conflict of interest during that time.

Councilman Gawlik responded in the negative.

Mr. Lance noted that he is coming in on a new position and that questions will be asked, such as why City Supervisor Sweet is requesting a severance. He went on to say that he does not like a strong Mayor system, as it gives one person has the power to ruin another's livelihood. He commented that he was happy to see Yakima voters decide against it. He said to leave any vengeance at home, as we have a great town that has developed under Mayor Jones, with new roads and a new business complex, and this was achieved with teamwork between the Mayor and the Council. He praised the police for their quick response times, the lack of graffiti, low crime and their efforts in solving a fourteen year old murder. He ended by saying that if it isn't broke, don't try and fix it.

Mayor Jones said that he still owes him for that brochure he threw down.

Donna Garner, North Park Lodge, approached the podium and addressed the Council. She read aloud the following statement:

> When Mayor Bob Jones & Frank Sweet the City Manager of Selah do their job, they makes it look so easy that some people think they could do their job and even do it better. I have lived in this community all of my life and this is what I have observed about Selah. No one has done this job better than Bob Jones and Frank Sweet in the last 50 years. One of the reasons for this has been our Mayor and City Manager have years of experience dealing not only with our community, but in relationship with the other communities and government of our State. They know and can represent Selah's need when we compete with other communities for state dollars.
>
> Selah grows every year, with more houses in every price range being built; with the home values staying consistent even in a recession. I observe the City supporting the schools in all kinds of ways; from a new Public Library for the children to a Youth Center after school, to a police officer specifically to the support and build

relationships in the schools. In this time of recession and rising crime Selah has a crime rate of 1, on a scale of 1-10; when compared to other cities in the valley it is by far the best rating. This comes from the City leaders' support of the Police Dept. and Police Chief's excellent care of our City.

Selah has new businesses every year that bring new jobs to our community. To mention a few: Graham Packaging, Sun-Rype, Northtown Coffee, Love-Couture, Sentinel, Power Clean, Les Schwab, Auto Zone, Boost Mobile, H & R Block, Pizza Hut, Taco Bell, Selah Express, McDonalds, All-State Electric, Selah Lighting Co., Just Cuts, Selah Fitness, Curves, Rumors Salon, Los Primos Tacos, Funky Monkey, Selah Antique Mall, Munson Fruit, plus many more. Not to forget the businesses that have remained in town and grown: Graf Insurance and Investments, Pingrey Motor Co., Helms Hardware, T & T Tavern, The Pastime, El Caporel, Bill's Used Cars that is now three lots and another son has opened Brian's Used Cars, Zirkle Fruit, Larson Fruit, Matson Fruit, Tree Top and their new buildings and Visitor Center. All of these companies remaining and growing, and the next generation staying and becoming a part of the community. Banner Bank, and Yakima Credit Union, Selah Family Medicine and Selah Clinic have all grown to the point of building new and larger facilities. All of this has happened because the leaders of Selah, Mayor Bob Jones and City Manager Frank Sweet, have supported business and the future of our community. Some people may say I want Selah to stay the same, but Cities either grow or die. Anyone that goes out and looks at our community can readily see it is not dying, thanks to the hard work of Bob Jones and Frank Sweet.

The City, under Mayor Bob Jones and City Manager Frank Sweet's care and leadership, has two new roads to better facilitate our traffic flow. We have new and exciting Park and Recreation classes and team sports added for children and adults all the time, and tourists coming to town.

We have a new Youth Center, Skate Park, and ball fields all because of our City's strong and dedicated Mayor Bob Jones & City Manager Frank Sweet, our city council, and citizens that work together to make Selah the wonderful community it is. I feel the observations of the Selah community about our Mayor & City Manager are: Good job, well done, and we should show our appreciation for people that have done a great job for 20 years and continue to have Selah's best interests at the heart of their jobs & continue to support their work for our community. For a new Mayor to come in and try to fill the shoes of our outgoing Mayor will be an impossible job with no experience, but to try and even come close to also filling our City Manager's shoes with a new person is ridiculous.

Mike Hanratty, 703 North 4th Street, approached the podium and addressed the Council. He started by noting that each of the Department Heads in Selah work at the pleasure of the Mayor, which they knew when accepting their positions. He quoted Mr. Lance's comment of if it's not broke don't fix it, and went on to say that the intelligent citizens of Selah decided that something was broken and needed to be fixed. He commented that he knows some of the Department Heads and agrees that they do a great job. He said that he has listened to others today praise the efforts of the Mayor and City Supervisor and agrees that there has been some good done, but noted that change is on the horizon. He ended by saying that good things can be done in the future.

Mayor Jones said that this is a team affair; when he first came on in1996 the situation was volatile and the campaign was brutal. He noted that there was distrust on all sides, but they never lost sight of the fact that the City was the most important issue to address. He went on to say that they put together the best crew possible to make this a cut above any other City in the County. He commented that they wanted to attract above-average people with above average incomes, so they looked at what could be done to set this town apart. He noted that their first priority was to make it safe; they have been through a few Chiefs of Police over time, and the City currently has a Police Chief who does a good job, He commended Police Chief Dwarshuis for solving a fourteen year old murder, noting that the father of the victim would call him every few months to ask about the case. He stated that the father has Alzheimer's now, and the son said he couldn't relate anymore. He said that it is a team affair, and that they need to lay the swords down and keep the best interests of the City at heart. He said that he had worked hard for 16 years, and he had found that you cannot make everyone happy. He stated that he did the best he could with what he had. He thanked Ms. Garner for her comments, and said that he will continue to support this City. He went on the say that he will apologize for his comment, but noted that when he received a call from the Herald Republic around eleven thirty that night he had just been beaten and was upset about it. He said that he was also unhappy about some of the comments printed in the paper and said that when these people can match the amount of time and money he has put into the community they can come and talk to him. He ended by saying that he will continue to donate time and money to the youth and this community, and to protect the community.

Mr. Lance commented that the Mayor has put up and taken down the flags around town during his tenure, on his own time, for every event. He opined that that reflects pride.

Mayor Jones said that he has been at this business for over twenty years and he is ready to retire. He remarked that he will continue to work with the youth and oversee a couple of projects he wants to see completed, but stated that the important issue is that they unite to make Selah a better town. He stated that they need to lay down their swords, as vengeance solves nothing.

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

P. Reports/Announcements

1. Mayor

Mayor Jones introduced Jim Smith, noting that he is retiring from the Planning Commission after serving for many years. He went on to say that Mr. Smith is a cranky old man, but he has appreciated the great job he has done as a member of the Planning Commission. He expressed his thanks for Mr. Smith's hard work and dedication to the Planning Commission.

Jim Smith thanked Mayor Jones for his kind words and said that he agreed with those who spoke earlier and had good things to say about him.

Mayor Jones wished everyone a Happy Christmas and a Merry New Year, and expressed his hope that the issues that were removed from the agenda will be resolved at the December 27th meeting.

2. Council Members

Councilman Tierney had no report but wished everyone a safe and Merry Christmas.

Councilman Larson wished everyone happy holidays and Merry Christmas.

Councilman Jorgensen had no report but wished everyone a Merry Christmas.

Councilman Smeback wished everyone a Merry Christmas and remarked that he is looking forward to the December 27th Council meeting.

Councilman Overby wished everyone a Merry Christmas. He welcomed all the citizens who came for the meeting and said that they appreciate the comments.

Councilman Schmid wished everyone a Merry Christmas and safe holidays. He thanked Donna Garner and North Park Lodge for providing accommodation for the Selah Visitors Center and for their involvement in Selah Tourism.

Councilman Gawlik wished everyone a Merry Christmas.

3. Boards

4. Departmental

Clerk/Treasurer Novobielski had no report.

Deputy Fire Chief Hanna had no report.

Parks, Recreation and Tourism Director Hagler thanked the Council Members for approving the Tourism promotion items and

Police Chief Dwarshuis had no report, but wished everyone a Merry Christmas.

City Attorney Noe had no report, but wished everyone a Merry Christmas.

City Supervisor Sweet said that they are looking into some safety issues with the alley and Jim Clements Way. He wished everyone a Merry Christmas.

Public Works Director Henne had no report. He thanked the Council Members for passing the change orders on the new Public Works Maintenance Facility and remarked that they are still at 1% of the overall cost on the project. He commented that he's glad that we have no snow.

Q. Executive Session

An Executive Session to discuss Potential Litigation was held for 30 minutes. After 30 minutes, the Council went back to Public Session.

Mayor Jones stated that the Executive Session discussion.

R. Adjournment

Council Member Jorgensen moved, and Council Member Overby seconded, that the meeting be adjourned. Motion carried with 6 voting aye and 1 voting no.

The meeting adjourned at 5:17pm.

Robert L. Jones, Mayor

Keith Larson, Council Member

Paul Overby, Council Member

John Tierney, Council Member

Kevin Jorgensen, Council Member

Dave Smeback, Council Member

John Gawlik, Council Member

Allen Schmid, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer