

Study Session
Selah City Council
February 14, 2012
3:00pm

The Mayor welcomed Jeff Louman from Huibregtse, Louman Associates, Inc. and invited him to speak.

Mr. Louman talked about acquiring State administered Federal funds for water system improvements and recommended some improvements that could be done with these funds, such as booster pumps and Booster stations, reservoir improvements and water main replacements. He noted that the water mains are deteriorating and will need to be replaced in the near future. Discussion followed.

Mayor Gawlik poled the Council; unanimous consensus to proceed with the application.

Public Works Director Henne gave an update on the Goodlander Road project and talked about the points system for applications and the need to have more points for his application. He went on to say that the Department of Transportation has agreed to contribute some funds for this purpose, and that the City may need to contribute approximately \$1,000 over the initial amount. He also discussed the expansion of the water and sewer lines to those houses on the County side of Goodlander Road. Discussion followed.

Public Works Director Henne finished his presentation by commenting that he would prefer to present his information at a Study Session rather than a smaller committee followed by a Study Session. A brief discussion on the merits of Study Sessions versus committees followed.

The Study Session concluded at 3:48pm.

City of Selah
Council Minutes
February 14, 2012

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

Members Excused:

Staff Present: Dale Novobielski, Clerk/Treasurer; Bob Noe, City Attorney; Jerry Davis, Fire Chief; Rick Hayes, Acting 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

Councilman Schmid led the Pledge of Allegiance. Pastor Rex Van Beek led the opening prayer.

D. The 2012 State of the City of Selah Report

Mayor Gawlik read the 2012 State of the City of Selah Report and noted that copies will be available in the lobby following the meeting.

E. Agenda Changes

The following item was added to the Agenda:

1. H2 – e 2011 Water System Improvements Progress Estimate 3

F. Public Appearances **None**

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

H. Communications

1. Oral

Mayor Gawlik opened the Public Meeting.

Herb Schmidt approached the podium and addressed the Council. He stated that the Council will be selecting someone to fill the vacant Council position in the near future, and that he has urged several women to apply for the position. He went on to say that this is a real opportunity for the Council to change their dynamics by selecting one of the women who have applied for this position. He opined that the women of the community feel that they are invisible in the shadow of power and recommended that the Council that a serious look at the women who have applied for the position.

Mayor Gawlik noted that there are fifteen applicants for the vacant position and that interviews will be conducted on March first.

Gail Smith approached the podium and addressed the Council. She introduced herself, saying that she is an osteopathic physician opening up her practice at 118 South 2nd Street.

Mayor Gawlik welcomed Ms. Smith to Selah.

Wayne Warby, 200 Weams Way, approached the podium and addressed the Council. He said that he has been reading about the City's desire to garner support and financial backing for the pool. He went on to say that there are several fruit packing businesses located in Selah, and wondered if these businesses could be solicited regarding a membership opportunity for pool use for their employees. He noted that, while the City cannot give away public assets, having more people use the pool would bring more awareness. He commented that those memberships could also be used as an employee reward by the businesses that purchased memberships. He asked if the swim team finished their pool usage around the beginning of August.

Parks, Recreation & Tourism Director Hagler responded that the Team is finished at the end of July but noted that the pool will remain open until August Twelfth.

Mr. Warby said that one could go to people and solicit funds once a dollar amount has been established.

Mayor Gawlik remarked that he appreciated the opportunity to meet with Mr. Warby and discuss the matter.

Mr. Warby thanked Pastor Van Beek for his prayer at the beginning of the meeting.

Parks, Recreation & Tourism Director Hagler requested that Mr. Warby contact him to discuss this further.

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

2. Written

- a. Rushmore Road and Public Works Maintenance Facility photos
- b. City of Yakima, Transit Division Service Expansion Status for the period starting November 28, 2011 and ending January 1, 2012
- c. City of Yakima Transit Division Ridership Survey for the week of December 19, 2011

- d. Letter from Basin Disposal of Yakima, LLC re: Recycle Data Report for 2011
- e. 2011 Water System Improvements Progress Estimate 3

I. Proclamations/Announcements **None**

J. 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: Council Meeting January 10, 2012

* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 72683 – 72810 for a total of \$171,710.56
Payroll Checks Nos. 72811 – 72909 for a total of \$194,053.36
Claim Checks Nos. 59474 – 59529 for a total of \$153,923.50
Claim Checks No. 59530 for a total of \$325,300.05
Claim Checks Nos. 59531 – 59627 for a total of \$265,337.05

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

K. Public Hearings **None**

L. New Business

1. Seasonal Parks Department Staff

Parks, Recreation & Tourism Director Hagler addressed L-1. He said that they are looking to hire two seasonal workers to replace the jail trustee work crew, as they will no longer be used to supplement the Parks staff. He went on to say that, based on liability issues and other matter of concern, the decision was made not to use the jail crew. He stated that he has been discussing the matter with Public Works Director Henne and the Parks Maintenance staff, and they have decided that two full-time seasonal workers, working for five months out of the year, would provide the needed manpower to maintain the parks and do clean up after the tournaments. He noted that they will be coming back to the Council with a budget adjustment at the next Council Meeting. He commented that they have also increased the students employed as weekend ball field workers due to the number of tournaments.

Councilman Jorgensen wondered if the two full-time seasonal positions would have full benefits for those five months.

Parks, Recreation & Tourism Director Hagler replied that a seasonal position of less than five months does not carry over into many of the benefits, such as retirement.

Councilman Smeback asked if he had a rough estimate of the cost for the two workers.

Parks, Recreation & Tourism Director Hagler responded that they would need approximately \$26,000, but noted that some monies would be transferred from the fund for jail crew lunches.

Councilman Smeback inquired if the liability issue was an insurance issue.

Parks, Recreation & Tourism Director Hagler replied in the affirmative, and added that there were additional concerns with them being around the Public Works shop and the Parks shop.

City Attorney Noe remarked that there had been a break-in at the Public Works Maintenance facility, which is still an ongoing investigation, and that it was an area of concern.

Councilman Tierney asked if there had been another incident about a year and a half ago while the carnival was in town.

Mayor Gawlik replied in the affirmative, noting that it was an issue last year as well. He went on to say that the prisoner trustees had left the parks grounds and were apprehended while attempting to enter backyards along the street that borders the park. He noted that there have been other, similar circumstances reported to the Police Department over the last several years.

Councilman Overby wondered if there was a screening process used for the trustees brought in to work.

Acting Police Chief Hayes responded that there is no selection process; we are given whoever is on the list of trustees when they are picked up from the Wapato jail.

Mayor Gawlik remarked that these individuals are not only those who commit crimes in the Yakima County area, as Wapato contracts with west side of state as well as local law enforcement agencies. He commented that there have been numerous occasions where the trustees have been from the west side.

Councilman Schmid remarked that the majority of them over the last few years have been from west side of the State.

Parks, Recreation & Tourism Director Hagler stated that this is a big labor force to try to replace.

M. Old Business

1. Council Meeting Times

Mayor Gawlik addressed M-1. He reiterated his request from the previous Council Meeting to move the meeting time to 6:00 or 6:30pm, as requested by some citizens. He noted that those requesting the time change have said that they would be able to participate if the meetings were held after regular business hours.

Councilman Tierney said that he had some questions for the audience, particularly the students, and asked for a volunteer to speak for the group.

Taylor Vance introduced herself and indicated that she was willing to speak on behalf of her fellow students.

Councilman Tierney asked if there is an activity bus to take students home after Council Meetings, or if they relied on personal transportation.

Ms. Vance responded that they only have personal transportation

Councilman Tierney wondered if everyone in her program was required to attend a Council Meeting.

Ms. Vance replied that every senior is required to attend.

Councilman Tierney inquired about the impact to the seniors if the meeting time was moved to a later hour.

Ms. Vance responded that it depends on the season, as most practices run after 4pm, but noted that not every student is involved in a sport.

Councilman Overby remarked that the Council has some flexibility regarding both times and locations for Council Meetings, and wondered if a special session could be conducted at the High School to accommodate the entire Senior Class all at once.

Mayor Gawlik said that there had been discussion at the previous meeting of trying a split calendar with one meeting held at 4pm and one at a later time such as 6:00 or 6:30pm, and wondered if this could be done on a trial basis to see if it would be workable.

Councilman Schmid stated that he likes the idea of having two different times He suggested a four month trial period of alternating times for Council Meetings, with the first meeting of each month held at 4pm and the second meeting at 6:30pm, and see how the attendance is for those time periods. He opined that it is a compromise that will allow people to choose which meeting time they prefer.

Fire Chief Davis remarked that the Fire Commissioners meet at 6:30pm on the second Tuesday of each month, which the members of the Public Safety Committee also attend as needed, and leaving the first Council Meeting at 4pm will work with that schedule.

Councilman Smeback commented that his main concern is to give night-shift workers and the elderly an opportunity to attend meetings, noting that this is why the meetings were switched to 4pm several years ago.

Councilman Tierney asked if this would create any problems for Y-PAC.

Bonnie from YPAC replied in the negative.

Councilman Tierney inquired if this would crate any problems for the students.

Ms. Vance replied in the negative.

Council Member Schmid moved, and Council Member Overby seconded, to Approve a Change in Council Meeting times to 4pm for the first meeting of each month and 6:30pm for the second meeting of the month, for a four trail period starting in March. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member

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

2. Proposed New Park on Crusher Canyon Road

Parks, Recreation & Tourism Director Hagler addressed M-2. He said that the proposal was brought before the Parks & Recreation Board at their last meeting and that they are recommending that the Council remove the subject property from the surplus list and approve the park proposal. He went on to say that he has noted some additional maintenance hours, approximately four to six hours per week, will be needed.

Councilman Tierney suggested that the park promote a more natural, low maintenance landscape.

Mayor Gawlik commented that the citizens indicated that the proposed landscaping will be low maintenance during the last Parks Board meeting.

Councilman Jorgensen remarked that the citizens who submitted the request already have the design and funding to create this park and are merely asking that the City set aside this property to be used for a park.

Councilman Tierney commented that the City would have to maintain the park.

Council Member Overby moved, and Council Member Schmid seconded, to approve the . Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

N. Resolutions

1. Resolution Authorizing the Mayor to Sign the Interlocal Jail Agreement between the City of Selah and the City of Yakima

Acting Police Chief Hayes addressed N-1. He stated that the rate of this contract falls between the higher rate offered by Yakima County and the lower rate of the City of Wapato. He went on to say that they book the prisoners and call if there are any medical expenses.

Councilman Tierney expressed concern over the medical issue and wondered if the Court could mandate that the prisoner is responsible for all routine medical and dental care.

Councilman Schmid remarked that it would take a change in the State legislature.

City Attorney Noe responded that it would be nice if we could do that, but noted that State law says we are responsible.

Councilman Tierney asked if that would hold true even if it were mandated by the Court.

City Attorney Noe replied that the Court cannot mandate that.

Councilman Schmid observed that it would require a change in the RCW.

Council Member Smeback moved, and Council Member Larson seconded, to approve the Resolution Authorizing the Mayor to Sign the Interlocal Jail Agreement between the City of Selah and the City of Yakima. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

2. Resolution Authorizing the Mayor to Approve a Demolition Contract for the Public Works Maintenance Facility located at 219 East First Avenue

Public Works Director Henne addressed N-2. He said that a portion of the property swap agreement with Tree Top was the City being allowed to utilize the facility for up to a year after the deal was signed and to have the building demolished once Public Works relocated to the new facility. He noted that the contract amount is \$12,000, which is about half of what was budgeted. He requested approval of the contract, and that it is not to exceed \$15,000.

Councilman Overby wondered if there could be a standardized form used in the future to allow the Council to easily compare apples to apples.

Public Works Director Henne replied in the affirmative.

Councilman Overby requested that there also be a uniform list of requirements.

Councilman Schmid observed that the contract did not address the possibility of asbestos removal.

Public Works Director Henne replied that the company did an asbestos test last week, which came back negative.

Council Member Tierney moved, and Council Member Jorgensen seconded, to approve the Resolution Authorizing the Mayor to Approve a Demolition Contract for the Public Works Maintenance Facility located at 219 East First Avenue. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

3. Resolution Authorizing the Mayor to Sign an Amendment to the Interlocal Agreement for Transit Services with City of Yakima / Yakima Transit effective January 1, 2009

Council Member Overby addressed N-3. He noted that this amendment is part of the periodic review of the City's Interlocal Agreement with Yakima Transit. He referred the Council to the Transit information under the Communications portion of the meeting, and noted that there are around a thousand boarding in Selah alone out of the approximately ten thousand boarding in the Transit network. He outlined the changes made in the last year, including the expansion of routes in certain areas, the addition of peak periods from Monday to Friday, extended hours of service and Sunday service. He went on to say that a large percentage of the expenses related to the enhancements to the system have been offset by grants to Yakima Transit from the State and Federal governments, and that the Selah's yearly share of the Transit service is approximately \$196,000. He said that the City continues to have a healthy fund balance and recommended approval of the Resolution, but suggested a future Retreat to discuss whether the current level of service is appropriate to the needs of the community and ridership.

Councilman Tierney expressed concern over the route expansion to Ellensburg, saying that it was done to serve the college students, but that it has done nothing for this community. He asked that staff go back to Yakima Transit and request that they add a Selah stop for students on the Ellensburg route.

Councilman Overby replied that Yakima Transit is willing to do whatever the City needs, but noted that it would come with a price tag. He opined that adding in more services, which would reduce the fund reserves, might be a good thing. He commented that Yakima Transit is able to tie the Ellensburg service into Route Ten, which would tie in to the downtown area of Selah, if the Council opts to make that change. He went on to say that this amendment, which needs to be done on an annual basis, simply maintains the status quo, and any additions or subtractions from the agreement can be negotiated with Yakima Transit throughout the year. He mentioned that Yakima Transit has offered to provide additional bus service for special events, but remarked that it would come at a cost.

Councilman Larson wondered how the figures compared to last year.

Councilman Overby replied that that is a difficult question to answer, as the Council opted to add some additional services throughout the year in 2011. He said that it is approximately \$10,000 higher this year, but noted that this includes the additional services that were added.

Councilman Schmid remarked that it only makes sense to have a dedicated run to Ellensburg make a stop in Selah both coming and going, and that it provides the opportunity for people in Ellensburg to visit Selah.

Councilman Overby observed that it was a valid point and reiterated his recommendation of approval with further discussion at a future Retreat.

Councilman Smeback asked if discussion on expanding services was put aside at an earlier meeting.

Councilman Overby replied in the affirmative.

Councilman Schmid commented that Yakima Transit acquired grant funds.

Councilman Overby said that the grant is time limited to June of 2012. He noted that Sunday ridership tends to be more Dial-A-Ride and Para transit rather than the regular buses and said that the regular bus routes may be taken away once the grant runs out if the ridership isn't where it needs to be.

Councilman Smeback asked if the entire contract was up at the end of the year or if it would be another amendment.

Councilman Overby said that this is a yearly amendment to the contract we have with Yakima transit.

Council Member Larson moved, and Council Member Jorgensen seconded, to approve the Resolution Authorizing the Mayor to Sign an Amendment to the Interlocal Agreement for Transit Services with City of Yakima / Yakima Transit effective January 1, 2009. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

4. Resolution Authorizing the Mayor to Approve the Additional City Portion of the Funding for the Reconstruction of East Goodlander Road, from North First Street to North Wenas Road

Public Works Director Henne requested that the Council remove this item from the Agenda.

Council Member Schmid moved, and Council Member Overby seconded, to remove Resolution N-4, a Resolution Authorizing the Mayor to Approve the Additional City Portion of the Funding for the Reconstruction of East Goodlander Road, from North First Street to North Wenas Road, from the Agenda. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

O. Ordinances

1. Ordinance Amending the 2012 Budget for Professional Services to Perform a Swimming Pool Maintenance Needs Assessment

Parks, Recreation & Tourism Director Hagler addressed O-1. He said that he has talked with Huibregtse, Louman Associates, Inc. about having a pool consultant look at the entire facility to determine what is there, what will need immediate repair and what will need to be done over the next three to five years. He noted that this needed to be done prior to possibly handing over maintenance and operation of the facility to the Selah Parks & Recreation Service Area Board. He went on to say that they discussed different pool consultants and chose Wayne Smith & Associates, out of Ellensburg, to do the needs assessment.

Council Member Tierney moved, and Council Member Overby seconded, to approve the Ordinance Amending the 2012 Budget for Professional Services to Perform a Swimming Pool Maintenance Needs Assessment. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

P. Communications

1. Oral

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

Q. Reports/Announcements

1. Mayor

Mayor Gawlik said that he requested staff to look into the possibility of individual PC notebooks or mini laptops for the Council Members. He went on to say that he has discussed the matter with Clerk/Treasurer Novobielski and Executive Assistant Lake, noting that the costs associated with such a purchase are going down. He stated that they will continue to look into this, as it will reduce expenses for paper copies. He said that there will be a report on it at the next Council Meeting.

Councilman Jorgensen remarked that the Council Members would be happy to use their personal computers, and thereby save the City some expenses, but the Freedom of Information Act would allow the government to come into his house, take his personal computer, and not give it back. He went on to say that this is why the Council Members are not accessible by email at this point, and this is why they are looking into purchasing City equipment for the Council Members to use.

Councilman Tierney remarked that notepads have really come down in price.

Councilman Overby commented that the notepad itself would belong to the position and not the individual.

Councilman Jorgensen said that they would be City property, not owned by individuals.

Mayor Gawlik observed that it would give the citizens more accessibility to the Council Members.

Councilman Schmid commented that there have been several comments made in the past about a lack of Council Member emails on the website.

2. Council Members

Councilman Tierney had no report, but commented that he was glad it stopped snowing. He stated that he would like to explore the possibility of holding a City Council meeting at the High School in the future.

Councilman Larson had no report.

Councilman Jorgensen commented that he read in the paper that Tree Top will be moving their barbeque from the library to the Tree Top facility, which will tie in nicely with the Selah Fall Festival.

Councilman Smeback commented that he had the pleasure of a tour of the new Public Works facility and wondered when the official opening would be.

Public Works Director Henne replied that they still have a considerable amount of boxes to empty.

Councilman Smeback commented that it is a fabulous facility and wondered how many years it has been in the works.

Public Works Director Henne remarked that it has been at least fifteen or sixteen years in the planning, although it was in discussion twenty-two years ago.

Councilman Smeback reiterated that it is a wonderful facility.

Public Works Director Henne agreed, saying that they are really fortunate to have that facility. He thanked Councilman Larson for the boxes Larson Fruit donated for their move.

Councilman Larson replied that he was welcome.

Councilman Overby said that he was pleased to see a 41% recycling rate on the most recent report, as he feels this is a significant step in the right direction.

Councilman Schmid had no report.

3. Boards

4. Departmental

Clerk/Treasurer Novobielski had no report.

Public Works Director Henne had no report, but commented that he was glad to see that it had stopped snowing.

Councilman Tierney remarked that he wasn't as glad as he was to see it stop.

Community Planner Davison had no report.

Fire Chief Davis said that long-time Firefighter Gene Grimm passed away on Monday morning. He stated that Mr. Grimm had been with the Fire Department for 38 years. He went on to say that the Fire Department is helping the family put on the funeral, and that they will use one Selah 17 to transport his casket to the cemetery. He stated that the pallbearers would be from Selah Fire Department per Gene's request. He said that they will have one, possibly two, engine companies at the service and noted that it will be held on Thursday, February 16th at 10:00am in Union Gap. He remarked that they are working to get either the Yakima Training Center or the City of Yakima to cover calls during that time. He commented that Mr. Grimm was a great individual and was also active on the Parks & Recreation Board.

Parks, Recreation & Tourism Director Hagler affirmed that Mr. Grimm had been an asset to the Parks & Recreation Board.

Acting Police Chief Hayes remarked that they have a new hire in the department; he will be starting on February 16th and his first night of duty will be February 17th.

Parks, Recreation & Tourism Director Hagler had no report.

City Attorney Noe had no report.

R. Executive Session

Council took a ten minute recess, and then entered into an Executive Session for thirty minutes to discuss Potential Litigation.

Upon conclusion of the Executive Session, the Council went back to Public Session.

City Attorney Noe stated that the Council discussed potential litigation regarding the separation proposals for Mr. Sweet and Mr. Dwarshuis during the Executive Session. He entered a copy of both Separation and Release Agreements in the record.

Council Member Schmid moved, and Council Member Tierney seconded, to Authorize the Mayor to sign the Separation and Release Agreement between the City of Selah and Frank Sweet. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member

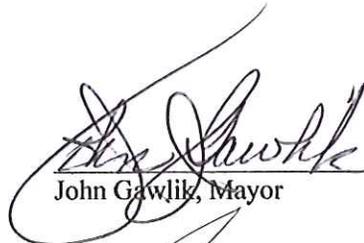
Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

Council Member Schmid moved, and Council Member Larson seconded, to Authorize the Mayor to sign the Separation and Release Agreement between the City of Selah and Stacy Dwarshuis. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

S. Adjournment

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

The meeting adjourned at 5:59pm.



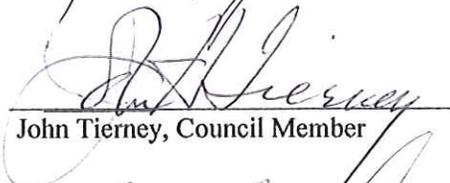
John Gawlik, Mayor



Keith Larson, Council Member



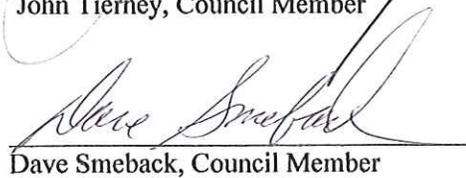
Paul Overby, Council Member



John Tierney, Council Member



Kevin Jorgensen, Council Member



Dave Smeback, Council Member



Allen Schmid, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer