

City of Selah
Council Minutes
January 22, 2013

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

A. Call to Order Mayor Gawlik called the meeting to order at 6:30pm.

B. Roll Call

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

Members Excused: Brooke Finch

Staff Present: David Kelly, City Administrator; Bob Noe, City Attorney; Dale Novobielski, Clerk/Treasurer; Jerry Davis, Fire Chief; Rick Hayes, Police Chief; Eric Steen, Police Sergeant; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Jeff Hagler, Parks, Recreation, & Tourism Director; Monica Lake, Executive Assistant

C. Pledge of Allegiance

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

D. Agenda Changes

Add to Agenda:

1. F-1 Getting To Know Our Businesses: Pastor Mark Flippin, Harvest Community Church

E. Public Appearances/Introductions/Award Presentations

1. Today in America with Terry Bradshaw (video presentation)

Mayor Gawlik gave a brief introduction.

Parks, Recreation, & Tourism Director Hagler played the video segment for those in attendance.

Mayor Gawlik expressed his appreciation for the quality of the production, and said that he feels it will bring more visitors to the Selah community. He briefly talked about the December meeting of the Yakima Valley Conference of Governments (YVCOG), held in Selah and hosted by Selah, and the positive reaction when the Today in America video segment was shown.

Parks, Recreation, & Tourism Director Hagler referred the Council to the information included in their packets, which lists the various markets the video will air in, along with times for the first market airing. He noted that additional airing times will be disseminated as information is available.

F. Getting To Know Our Businesses

1. Pastor Mark Flippin, Harvest Community Church

Pastor Mark Flippin approached the podium and addressed the Council. He said that their church is a newer one in the community, started in March 2009 with seventy-five adults and twenty-five children. He went on to say that the congregation meets in the Civic Center on Sunday mornings, with two services at 9:00am and 11:00am respectively, and that they have grown from the initial one hundred members to approximately two hundred fifty people in attendance. He commented that they a part of the Ministerial Association, and minister not just to those who attend services but also the greater Selah community. He noted that they are active in the community and listed both the Selah Community Days parade and the community Halloween celebration as examples of events they take part in.

Mayor Gawlik thanked Pastor Flippin for his time.

G. Communications

1. Oral

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

2. Written

- a. East Goodlander Road Improvements, North First Street to North Wenas Road – Funding Status

H. Proclamations/Announcements

1. Proclamation declaring the week of January 20 through 26, 2013 as Martin Luther King, Jr. Week

Mayor Gawlik read aloud the Proclamation declaring the week of January 20 through 26, 2013 as Martin Luther King, Jr. Week.

I. Consent Agenda

Council Member Overby moved, and Council Member Larson seconded, to add Resolution M-1 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: January 8, 2013 Council Meeting

* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 75101 – 75229 for a total of \$172,139.13
Claim Checks Nos. 61418 – 61485 for a total of \$146,047.95

* 3. Resolution M – 1 Resolution Adopting the Amended Six-Year Transportation Improvement Program for the Years 2013-2018 for Right of Way

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

J. Public Hearings **None**

K. New Business

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

City Attorney Noe addressed K-1. He said that this item was on the agenda for the last meeting, and that the Council needs to select a Mayor Pro Tem in the month of January per City Ordinance.

Council Member Tierney remarked that, while he agrees with City Attorney Noe regarding the Ordinance, he feels it is unfair to move forward with the voting when one candidate is ill and therefore unable to attend and cast a vote. He inquired if the voting could be delayed until all candidates are present to vote and be voted upon.

City Attorney Noe replied that, if that is the will of the Council, it is fine to delay the vote.

Council Member Tierney moved to postpone the Selection of a Mayor Pro Tempore to the February 12, 2013 Council Meeting.

Council Member Tierney reminded his fellow Council members that they voted at the last meeting to delay the vote until more Council Members were present.

Council Member Smeback commented that we have five Council Members present at this meeting, and that they are required by Ordinance to select a Pro Tem each January.

Council Member Tierney responded that one of the candidates cannot vote.

Council Member Smeback said that they may not have enough Council Members at the next meeting.

Council member Tierney replied that the norm is a full Council in attendance.

Mayor Gawlik stated that the motion died due to lack of a second, and opened up the floor for nominations.

Council Member Smeback nominated Council Member Schmid.

Council Member Overby seconded the nomination.

Council Member Tierney nominated Council Member Finch.

Mayor Gawlik asked if there were any more nominations. Hearing none, he then closed the nominations.

Roll was called: Council Member Larson – Council Member Schmid; Council Member Overby – Council Member Schmid; Council Member Tierney – abstain; Council Member Smeback – Council Member Schmid; Council Member Schmid – Council Member Schmid. By voice vote, Council Member Schmid was selected as the Mayor Pro Tem for 2013.

L. Old Business None

M. Resolutions

- * 1. Resolution Adopting the Amended Six-Year Transportation Improvement Program for the Years 2013-2018 for Right of Way
- 2. Resolution Authorizing the Mayor to Sign the 2013 Surface Transportation Program (STP) Funding Application for the South Selah Loop Improvement Project

Public Works Director Henne addressed M-2. He said that at the last meeting they held a study session to discuss the final draft of the South Selah Transportation Study and its suggested improvements to Valleyview Avenue, South Third Street, and Southern Avenue. He went on to say that the proposed project for the south end of town includes Southern Avenue from Third Street east to First Street, Third Street north to Valleyview Avenue, and Valleyview Avenue back to First Street, creating a loop for the improvements. He commented that there would be a traffic signal placed to stop southbound traffic on Southern Avenue along with other improvements, such as a left-hand turn lane for northbound traffic to turn onto Southern Avenue. He noted that applications are due by February 1st, and that, as he has not had an opportunity yet to meet with the Washington State Department of Transportation (WSDOT) regarding the proposed improvements on State Route 823, they may have to drop that off. He said that they would like to utilize a loan from the Washington State Drinking Water Revolving Fund to replace the water and sewer lines as well as some street patching. He finished by saying that the project hinges on getting a loan from the Washington State Drinking Water Revolving Fund, and that he would like Council to allow Mayor Gawlik to sign the application and acknowledge it will require us to complete the project within a ten year time frame.

Jeff Louman, Huibregtse, Louman Associates, Inc. talked about the unique opportunity available to the City right now for funding these types of projects. He briefly outlined the normal allocation of funds within the State in the past, and explained that the State's new approach to this has resulted in such a unique opportunity for Yakima County. He said that they have no idea how long this window of opportunity will last, and that the sooner we get to the construction phase the more likely it is that we can take advantage of this opportunity.

Mayor Gawlik asked what the time frame would be if the City is expeditious in getting the design phase done.

Mr. Louman replied that the City submits a prospectus to obligate funds for the design and environmental phase and upon completion of the environmental phase would then proceed to the right of way phase. He noted that Goodlander Road has some right of way issues which will require a bit of time, and the project cannot beat the time clock by September to get funded by 2013. He said that the South

Selah project also has right of way issues but it is possible the City can do both projects in 2014. He observed that the design process can be done in plenty of time, but that the City will need to get through the right of way process as quickly as possible. He remarked that it is unlikely that other counties will be able to meet the new criteria quickly, but noted that the difficulty for Cities is coming up with the thirteen point five percent match in funds. He ended by saying that it is very likely there will be another call for bids in six months.

Council Member Smeback moved, and Council Member Overby seconded, to approve the Resolution Authorizing the Mayor to Sign the 2013 Surface Transportation Program (STP) Funding Application for the South Selah Loop Improvement Project. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

3. Resolution Authorizing the Mayor to Approve Task Order 2013-01 between the City of Selah and Huibregtse, Louman & Associates, Inc. for 2013 Water System Improvements Project

Public Works Director Henne addressed M-3. He reminded Council that the City applied in 2011 for a loan from the Washington State Drinking Water Revolving Fund (WSDWRF). He said that he has met with staff from the WSDWRF, the environmental review has been completed, and he has received approval to start the design process. He finished by saying that this task order is to start the design for the water system improvement project.

Council Member Schmid moved, and Council Member Overby seconded, to approve the Resolution Authorizing the Mayor to Approve Task Order 2013-01 between the City of Selah and Huibregtse, Louman & Associates, Inc. for 2013 Water System Improvements Project. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

N. Ordinances

1. Ordinance Amending Ordinance No. 1909 Regarding the 2013 Salary Schedule for Management, Confidential, and Unrepresented Employees

Clerk/Treasurer Novobielski addressed N-1. He said that, at the last Council Meeting, Council approved an Ordinance which provided for a one percent cost of living adjustment for various unrepresented positions. He went on to say that it was brought to his attention that the Ordinance should have included the City Administrator position, along with a new Probationary Firefighter position created last April. He noted that he used the previous Ordinance as a template, and that this adds in the Probationary Firefighter position. He remarked that the Mayor has a slightly different version of the Ordinance modified earlier today, as the Parks & Recreation Assistant hourly wage was also given a one percent increase in salary from thirteen dollars and ninety cents an hour to fourteen dollars and four cents an hour. He commented that the ball field maintenance worker position is unchanged, but that it had never been introduced or disclosed in the Salary Ordinance; the Salary Ordinance now provides for that position as well.

Council Member Tierney wondered how many ball field workers are employed by the City.

Public Works Director Henne replied that there are four ball field workers on staff, although the number of workers increases to six upon occasion.

Council Member Schmid asked if complies with minimum wage.

Public Works Director Henne responded that it is above minimum wage.

Clerk/Treasurer Novobielski noted that the State minimum wage is now nine dollars and fourteen cents.

Council Member Tierney moved, and Council Member Schmid seconded, to approve the Ordinance Amending Ordinance No. 1909 Regarding the 2013 Salary Schedule for Management, Confidential, and Unrepresented Employees. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

2. Ordinance Amending Selah Municipal Code section 4.06.060 Late Payment – Penalty for Gambling Taxes

Clerk/Treasurer Novobielski addressed N-2. He said that he is proposing a reduction in the penalty percentage and an increase in the minimum penalty assessed on late gambling taxes. He went on to say that if a business is one day beyond the thirty day window they are currently subject to the greater of ten percent or ten dollars; if forty five days, currently it is the greater of twenty percent or twenty-five dollars greater; and if sixty days, it is currently the greater of thirty percent or fifty dollars. He commented that he discussed the matter with City Administrator Kelly and City Attorney Noe, and as Washington State penalizes at five, ten, and fifteen percent he is proposing that the City reduce the percentages to match those at the State level, but increase the minimum dollar amount assessed.

Council Member Tierney inquired as to when the City would suspend a business's gambling license for unpaid taxes.

City Attorney Noe replied that there are provisions in the City's licensing code, but that the City would likely turn the matter over to the State Gambling Commission. He noted that no one operating within the City is currently in arrears.

Mayor Gawlik asked if this change is being done to bring the City in line with what is being done at the State level.

Clerk/Treasurer Novobielski replied that it is an opportunity to update the City's code. He went on to say that the City hasn't collected any penalties in last four years, but he feels that a thirty percent tax penalty is heavy-handed.

Council Member Larson moved, and Council Member Tierney seconded, to approve the Ordinance Amending Selah Municipal Code section 4.06.060 Late Payment – Penalty for Gambling Taxes. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.

O. Communications

1. Oral

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

- P. Reports/Announcements

1. Mayor

Mayor Gawlik stated that we have three applicants for the vacant Council position. He handed out the list of questions used for the last interview process, and requested that Council review them, note any changes or suggestions, and deliver them to Executive Assistant Lake. He noted that the interviews will be conducted during the February 26th Study Session.

Council Member Tierney asked if the interviews would be thirty minutes apiece.

Mayor Gawlik replied in the affirmative. He reminded Council that they need to file an F-1 form with the Washington State Public Disclosure Commission. He said that he has been discussing the resurrection of the Welcome to Selah sign with City Administrator Kelly, and that they took a road trip to the lower valley with Parks, Recreation, & Tourism Director Hagler to see what cities down there have done for downtown revitalization. He went on to say that we will see what can be done to make the downtown area and the corridors more attractive; little things make a big impact. He thanked City Administrator Kelly and Clerk/Treasurer Novobielski for their hard work with the City's 2013 budget, noting that City Administrator Kelly is still finding ways to save the City money and leave some money in the coffers.

2. Council Members

Council Member Tierney had no report, but reminded everyone that the Selah School District maintenance and operation levy ballots will be mailed out soon. He urged everyone to get out and vote.

Council Member Larson had no report.

Council Member Smeback complimented Parks, Recreation, and Tourism Director Hagler on the hard work he did on the Today in America project, saying that it was a lot of busywork and he did a hell of a job putting it together.

Council Member Overby seconded Council Member Smeback, adding that he appreciated seeing the finished product.

Council Member Schmid thanked his fellow Council Members for selecting him as Mayor Pro Tempore for 2013. He gave a brief update on the Gang Commission, saying that their gang court is being used as a model for other States and Counties to set up their own gang courts. He noted that the Gang Commission is actively seeking grants to enable them to continue on with some of the programs; Yakima, Toppenish, and Sunnyside were all funded this year and will be effective once they get up and running.

3. Boards

- a. Parks & Recreation Board Minutes – December 3, 2012

4. Departmental

Community Planner Davison said that letters have gone out to the people in the North Goodlander area regarding the proposed annexation. He went on to say that he has received some phone calls on the matter, mostly positive, and primarily from the Lyle Loop area, where they currently pay a fifty percent surcharge on their water and sewer. He commented that a couple people have indicated that they are not interested in annexation at all. He noted that the comment deadline is February 1st; after the deadline he will review the pro and con comments, and then bring the matter to Council to pursue the annexation, reduce the scope of it, or delete it altogether. He added that notices have gone out to all homeowners within six hundred feet of the high school notifying them of the Class Two review; they have until February 2nd to comment, as which point the matter will be reviewed and the examiner will decide whether to approve or deny the school expansion.

Public Works Director Henne thanked the Council Members for approving Resolution on the application for the south Selah loop project. He talked briefly about the Goodlander Road project, noting that the Transportation Improvement Board indicated their approval of the project. He commented that he will bring a Resolution to Council around July to approve the application for two hundred thousand dollars with the Transportation Improvement Board. He indicated that he feels they will be supportive of that, and once the right of way is settled construction can start.

Council Member Schmid wondered if the project would be started this year.

Public Works Director Henne replied that he is working on environmental portion right now, and they still need to get right of way plans together. He noted that the Federal Highway administration will not allow the Selah School District or the City to donate land, which means that an appraiser will be hired to appraise the land needed and the City will then make an offer to purchase based on the appraisal. He said that he would like to have this done by September, so it can be finalized and set for construction in the spring.

Council Member Schmid remarked that it would be nice if we didn't have both the high school project and the intersection project going at the same time; he would prefer to see the Goodlander project get done this year.

City Administrator Kelly requested that Public Works Director Henne mention the positive twist in this.

Public Works Director Henne said that he doesn't think the Parks & Recreation Department will refuse the approximately twenty two thousand dollars they will be offered in exchange for the land needed for right of way.

Council Member Schmid asked for confirmation that the City would need to pay the Parks & Recreation Department for the necessary land.

Public Works Director Henne replied that we have to offer that amount, but it is up to the Parks & Recreation Department as to whether they will accept it.

City Administrator Kelly commented that we are essentially paying ourselves the money for the land.

Public Works Director Henne ended by saying that they are reading those water meters that still get read in the winter month. He noted that his wife is in the audience tonight as it is warmer here than at their house.

Council Member Schmid commented that someone needs to check that he isn't taking portable heaters home.

Clerk/Treasurer Novobielski said that he is still in the process of closing the 2012 books. He spoke briefly regarding 2012 revenues, noting that both the sales tax and property tax came in over budget.

City Administrator Kelly complimented Clerk/Treasurer Novobielski on his budget, saying that it is important to be conservative on revenue estimates while not being conservative on expenditures.

Fire Chief Davis had no report.

Parks, Recreation, and Tourism Director Hagler thanked the Council for their support with the Today in America video project. He noted that the video is currently playing on the City website, the tourism website, and YouTube, along with the Tree Top Visitor Center. He said that he will be traveling to Seattle next week to meet with the Seattle Visitors and Convention Bureau, and that he will be providing them with copies of the video to help further promote Selah.

Mayor Gawlik expressed his gratitude to Parks, Recreation, and Tourism Director Hagler for a job well done.

Police Chief Hayes commented that his department had a busy day today. He noted that he will be in training this Thursday and Friday to learn about grant writing. He said that the department was given seven complete Sector paperless ticket system sets by WASPC, as well as two complete radar sets from the Traffic Safety Commission. He commented that they had included the cost of Sector units for all vehicles in the 2013 budget, but with the donation from WASPC they will be spending significantly less than anticipated.

Mayor Gawlik asked how much seven Sector units would cost.

Police Chief Hayes replied that they are four to five hundred dollars per set.

City Administrator Kelly asked if a printer was included with each set.

Police Chief Hayes replied in the affirmative, saying that it includes a printer and a barcode scanner, which will scan any Washington ID card or Driver's license, as well as the bottom of a Washington vehicle registration form. He noted that additional work will need to be done if the individual is from out of state, but that it will not let an officer input erroneous information.

City Administrator Kelly commented that it works as long as the driver's license itself is correct.

Council Member Tierney remarked that it will also pick up on fraudulent licenses.

Police Chief Hayes agreed, saying that it won't register if the license is invalid.

Council Member Tierney commented that they never had it so good when he was in law enforcement.

Police Chief Hayes observed that the dispatchers and officers have become so dependent on technology nowadays that they are at a loss if the technology is unavailable.

Council Member Tierney commented that it similar to people attempting to make change when a computer goes down.

Mayor Gawlik remarked that he got a kick out of a comment from the last meeting about Master Patrol Officer Smith, saying that both he and Council Member Tierney were probably the hottest pencils in the Lower Valley during the 1970s.

Police Chief Hayes noted that forty-three percent of all tickets written in 2012 were written by Master Patrol Officer Smith.

City Administrator Kelly commented that Master Patrol Officer Smith would be the hot slider.

Police Chief Hayes remarked that Master Patrol Officer Smith is a big reason why the department was given two radar units from the Traffic Safety Commission. He said that tonight is the third night of the Citizens Academy, with the Gang Unit. He noted that it is the same unit at the Selah McDonalds earlier today. He added that next week is the active shooter demonstration; he invited the Council Members to come down and sit in on the class.

Council Member Smeback said that he hoped the active shooter wasn't also at McDonalds.

Police Chief Hayes replied that he was not.

Council Member Tierney asked about the gang unit being at McDonalds.

Police Chief Hayes responded that there was a drive-by shooting in Yakima, and officers followed the vehicle into Selah and made a stop at the McDonalds parking lot. He noted that Selah officers assisted in the stop. He commented that there were enough police cars there that they overflowed from the parking lot onto First Street.

City Attorney Noe had no report.

City Administrator Kelly said that he wanted to talk briefly about telephones, saying that in looking at the City's phone bill he discovered that we have seventy phone lines for fifty employees. He commented that the City has added additional phone over the years, to the point that the Police Department has seventeen phone lines and fifteen employees, even though we never have fifteen officers working at the same time. He mentioned that he visited with the Department Heads about this matter; they talked about which lines were needed and which ones could be eliminated. He estimated that as many as twenty-five to thirty phone lines could be eliminated, at a savings of approximately eight to ten thousand dollars per year.

Council Member Schmid remarked that he is glad to hear that the City is not going to cell phones only; so many people are dropping their land lines nowadays.

City Administrator Kelly commented that the City currently has forty-eight cell phones, and he will be reviewing those as well for possible additional savings. He remarked that it is nice to come in to a meeting and say that we can save a buck; we may have the money to build a Welcome to Selah sign without raising taxes.

Q. Executive Session

None

R. Adjournment

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

The meeting adjourned at 7:37pm.

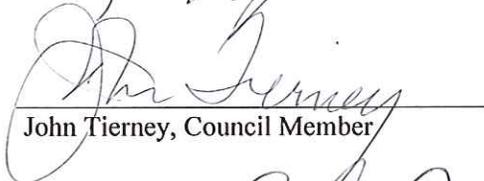


John Gawlik, Mayor



Keith Larson, Council Member

Paul Overby, Council Member



John Tierney, Council Member



Dave Smeback, Council Member



Allen Schmid, Council Member

EXCUSED
Brooke Finch, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer