

City of Selah  
Council Minutes  
May 14, 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 4:00pm. He requested that those in attendance turn off their cell phone and talked briefly about the new procedure for speaking during the open session portion of the meeting, displaying the new sign-up sheet that will be utilized as of the May 28, 2013 Council Meeting.

B. Roll Call

Members Present: Keith Larson; Paul Overby; John Tierney; Dave Smeback; Carl Torkelson

Members Excused: Allen Schmid; Brooke Finch

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

C. Pledge of Allegiance

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

D. Agenda Changes

Added to Agenda:

1. Ordinance N – 2: Ordinance of the City of Selah, Washington, amending section 9.02.175, “Temporary Use of Fire Hydrants and Meters”, of the Selah Municipal Code

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

F. Getting To Know Our Businesses

1. 24/7 Fitness for Life – Ty Senter, Manager

Ty Senter approached the podium and addressed the Council. He spoke briefly about his background and experience, commenting that he wants to help people remain fit and healthy, and able to do the things they want to. He remarked that the business name recently changed to 24/7 Results Training and talked about the various programs offered at their facility. He talked about the Community Days fitness competition they are sponsoring on Saturday from 11:30am to 4:30pm, noting that the funds from the

event will be donated to the Selah School District for the purchase of new fitness equipment. He mentioned the current discounts offered and talked about the current class schedule.

Mayor Gawlik commented that there will be a ribbon cutting for them this Friday at 10:00am.

Council Member Tierney asked if they have a defibrillator on site.

Mr. Senter replied that one is part of the new equipment coming in.

Council Member Overby wondered what the monthly rate was.

Mr. Senter responded that it can vary depending on whether the membership is set-up as individual, couple or family, and listed rates for each type.

#### G. Communications

##### 1. Oral

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

##### 2. Written

- a. Basin Disposal of Yakima, LLC – Recycle Data Report for the 1st Quarter of 2013

#### H. Proclamations/Announcements **None**

#### I. Consent Agenda

**Council Member Smeback moved, and Council Member Overby seconded, to add M – 1 and M – 2 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: April 23, 2013 Study Session & Council Meeting and May 2, 2013 Special Session
- \* 2. Approval of Claims & Payroll:
  - Payroll Checks Nos. 75795 – 75890 for a total of \$186,350.08
  - Payroll Checks Nos. 75891 – 78972 for a total of \$146,138.69
  - Claim Checks No. 61962 for a total of \$ 1,257.96
  - Claim Checks Nos. 61963– 62062 for a total of \$259,378.82
- \* 3. Resolution M – 1: Resolution Adopting Findings of Fact and Conclusions, Adopting the Planning Commission’s Recommendation, and Approving the Request for a Variance to Reduce Rear Yard Setback (File No. 915.79.2013-01)

- \* 4. Resolution M – 2: Resolution Adopting Findings of Fact and Conclusions, Adopting the Planning Commission’s Recommendation, and Approving the Selah School District’s Development Application for the Construction of a New Middle School Following Type 3 Review (File No. 928.66.13-01)

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

J. Public Meetings **None**

K. New Business **None**

L. Old Business **None**

M. Resolutions

- \* 1. Resolution Adopting Findings of Fact and Conclusions, Adopting the Planning Commission’s Recommendation, and Approving the Request for a Variance to Reduce Rear Yard Setback (File No. 915.79.2013-01)
- \* 2. Resolution Adopting Findings of Fact and Conclusions, Adopting the Planning Commission’s Recommendation, and Approving the Selah School District’s Development Application for the Construction of a New Middle School Following Type 3 Review (File No. 928.66.13-01)

N. Ordinances

- 1. Ordinance of the City of Selah, Washington, amending Ordinance No. 1914 which created a new Selah Municipal Code Chapter 1.28 and which created an Economic Development and Beautification Committee

City Administrator Kelly addressed N-1. He said that this is a follow-up to a suggestion from the previous Council Meeting regarding the addition of a member from the Parks Board to the Economic Development and Beautification Committee. He noted that the pros and cons were discussed at the last meeting when Council Member Schmid put this forward, and that approval of this Ordinance would take the members from twelve to thirteen.

**Council Member Overby moved, and Council Member Torkelson seconded, to approve the Ordinance of the City of Selah, Washington, amending Ordinance No. 1914 which created a new Selah Municipal Code Chapter 1.28 and which created an Economic Development and Beautification Committee. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – no; Council Member Smeback – yes; Council Member Torkelson – yes. Motion passed with four yes votes and one no vote.**

- 2. Ordinance of the City of Selah, Washington, amending section 9.02.175, “Temporary Use of Fire Hydrants and Meters”, of the Selah Municipal Code

City Administrator Kelly addressed N – 2. He said that the City has an Ordinance allowing contractors to rent a meter and use a fire hydrant for items such as filling a pool or cleaning up a construction area,

with a current usage fee charge of five dollars per day. He went on to say that he looked at the services offered by other entities and determined that a monthly fee of sixty dollars is a more reasonable rate that would allow contractors the opportunity to get water as they need it for various projects. He noted that a meter would cost approximately eight hundred dollars, which is roughly the same amount the City would receive in rental fees per year. He recommended adding the option of a monthly charge of sixty dollars per month for meter rental.

Council Member Overby asked how the meters are read.

City Administrator Kelly replied that either the contractor brings it in to be read or one of the utility crew goes out to read it.

Council Member Tierney wondered if the sixty dollars was for the full month or any portion thereof.

City Administrator Kelly responded that they could choose to pay five dollars per day or sixty dollars for the month.

Mayor Gawlik clarified that there will be two fees: one for rental of the meter and one for water usage.

City Administrator Kelly added that the water usage fee of one dollar and thirty-five cents per seven hundred fifty cubic feet is not a whole lot; it's rental of the meter that costs them money.

Council Member Tierney wondered if changing the fee would be neutral, a gain, or a loss compared to the current fee charged.

City Administrator Kelly responded that it will encourage contractors to keep a meter year round if they opt to, and the City could net anywhere from zero to two thousand dollars annually over time.

Council Member Tierney asked what happens if they damage the meter.

City Administrator Kelly replied that there is a deposit required.

Council Member Torkelson suggested that the City purchase more meters for people to rent.

Public Works Director Henne responded that he bought three more meters last fall.

Council Member Smeback remarked that it would be simpler to rent them by the month with a sixty dollar minimum.

City Administrator Kelly asked Public Works Director Henne how often a meter is rented for a day or two.

Public Works Director Henne replied that it doesn't happen very often.

Council Member Overby wondered if there was a fine for using a hydrant without a meter.

City Administrator Kelly responded that the penalty is up to a five hundred dollar fine and up to six months in jail.

Council Member Larson commented that the City would be giving up potential revenue by making this change and wondered what the plus side would be.

City Administrator Kelly replied that it will encourage the contractors to rent a meter and be aboveboard with their water usage.

Council Member Larson asked if this was in response to complaints or something else.

City Administrator Kelly said that they had an issue awhile back where a contractor simply hooked up to a hydrant without renting a meter, and that this has gone on over the years without being dealt with. He went on to say that the City will be more assertive going forward, starting with letters to all of the contractors in town reminding them of the consequences for hooking up illegally. He said that they are trying to get everyone in compliance.

Council Member Overby commented that this will make it more convenient for a contractor who wants to do the right thing and needs to use a hydrant after hours or on the weekend.

Mayor Gawlik remarked that the fine is classified as a misdemeanor.

Council Member Tierney suggested that they remove the five dollar a day fee entirely and simply charge a rental fee of sixty dollars per month or any portion of that month, and an additional sixty dollars for each additional month thereafter.

Council Member Overby asked if someone looking to rent a meter for single day usage would then pay the sixty dollar fee.

Council Member Tierney responded in the affirmative.

**Council Member Tierney moved, and Council Member Smeback seconded, to change the rental fee from five dollars per day to sixty dollars per month or any portion thereof, with a minimum fee of sixty dollars. By voice vote, approval was unanimous.**

**Council Member Tierney moved, and Council Member Overby seconded, to approve the nomination of Council Member Finch and Council Member Torkelson for the two Council positions on Economic Development and Beautification Committee. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Torkelson – 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 said that he has been appointed to the Yakima Regional Clean Air Agency Board as of yesterday, and asked that the Council Members consider volunteering to be an alternate when he is unavailable. He stated that the tabletop exercise will be held tomorrow, from 10:00am to 2:00pm, at Fire Station #1. He remarked that Community Days is this week and encouraged everyone to come out and join in the festivities. He reminded Council that they have until Thursday to let Executive Assistant Lake know if they will be attending AWC annual conference in Tri-Cities.

Council Member Tierney observed that there were a couple of Boy Scouts in attendance.

Mayor Gawlik welcomed them to the meeting.

## 2. Council Members

Council Member Tierney had no report.

Council Member Larson had no report.

Council Member Torkelson had no report.

Council Member Smeback inquired about the timeline for publication on the sale of surplus properties.

City Administrator Kelly replied that it was published on Sunday, and will be in next Sunday's paper as well. He noted that the closing date is June 10<sup>th</sup> at 2:00pm, and that a minimum bid for each property has been established. He added that the bids will be opened prior to the first Council Meeting in June, and will then be brought to Council to consider in Executive Session at that meeting.

Council Member Smeback expressed concern that the two properties on Second Street were listed separately, saying that he feels those properties should be sold together and should have been packaged together in the ad.

City Administrator Kelly responded that Council can make that decision if there are different bidders for the two lots.

Council Member Smeback reiterated his concern that they are listed as two separate line items.

City Attorney Noe remarked that the City might want to pull those two parcels out of the bid process and bundle them as a package deal for bidding.

City Administrator Kelly wondered if there was a way to achieve this without removing those parcels from the bid process.

City Attorney Noe replied that they could wait until the bid process is over, and reject any offers for the parcels as separate items.

City Administrator Kelly commented that the City may end up getting a decent bid for both parcels. He went on to say that he has discussed the parking issues around City Hall with Public Works Director Henne, and it also makes sense to consider holding on to property that could potentially be turned into parking for the downtown area.

Council Member Overby had no report.

3. Boards **None**
4. Departmental

Public Works Director Henne said that there are only three days left before Community Days and that the crew has been hard at work getting things completed in time. H went on to say that they have been working with the Selah School District regarding the new addition to the High School, and that they relocated the fire hydrant yesterday.

Mayor Gawlik remarked that he appreciates the hard work involved in cleaning up the town and putting our best face forward for Community Days.

Public Works Director Henne commented that he has put the crew on the summer hop shift.

Community Planner Davison said that all the legal descriptions have been written for the proposed annexation; he will be sending documents to the Mayor and City Administrator Kelly for review and hopes to mail letters out the first of next week. He went on to say that the Planning Commissioners will go through the first review and schedule a Public Hearing on the matter. He noted that people have been asking questions regarding setback rezoning and that activity appears to be picking up.

Clerk/Treasurer Novobielski said that he has no sales tax update at this time but noted that property taxes are eight percent higher than the first five months of 2012.

Parks, Recreation, & Tourism Director Hagler said that the activity brochures were mailed out last week. He went on to say that the pool is being prepared for opening to the swim team on June 3<sup>rd</sup>, and will be open to the public on June 7<sup>th</sup>. He commented that the 2A State Fastpitch Softball Tournament will be held at Carlon Park on May 24<sup>th</sup> and 25<sup>th</sup>, adding that this is a great tourism event for bringing people to our City. He remarked that he is looking forward to Community Days and will have a tourism booth in the park during the event.

Mayor Gawlik said that he was asked to pitch the first ball of the season but will be unavailable. He added that he would be willing to have a Council Member take his place if someone would like to do so.

Parks, Recreation, & Tourism Director Hagler noted that they are short a few lifeguards and are still looking for applicants. He added that there will be a certification course held at Lions Pool for anyone who would like to get certified and work at the pool this summer.

Police Chief Hayes said that his department is also getting ready for Community Days. He remarked that, based on current world events, concern was raised yesterday over the possibility of a bomb in a backpack left at the bus stop in front of the Civic Center. He added that it was harmless, and that the person who left it came back a couple hours later to pick it up.

Mayor Gawlik remarked that he observed the coordinated effort from the Police Department, the Fire Department and the Public Works Department, and eventually the Department of Defense, and that he was impressed with the response and professionalism of the departments.

Police Chief Hayes opined that Selah has the best department in the valley.

Fire Chief Davis noted that there is a Fire Commissioners meeting tonight at 6:30pm. He said that the tabletop exercise will be held tomorrow.

City Attorney Noe had no report.

City Administrator Kelly echoed the Mayor's comments regarding the Fire Department, Police Department, and Public Works Department, saying that they all did a good job. He noted that a library patron drove through the wall approximately two feet and busted up a ten foot by ten foot section of brick. He added that he is working with Jim Garner regarding damage repair.

Mayor Gawlik commented that, ten minutes prior to the collision, that section had been occupied by approximately twenty-five children from the local daycare who were there for story time, which had finished up approximately ten minutes prior to the incident.

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 4:46pm.

  
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Keith Larson, Council Member

  
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John Gawlik, Mayor

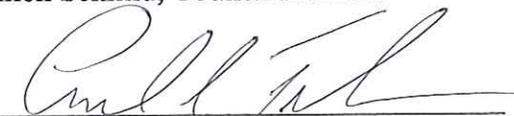
  
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Paul Overby, Council Member

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John Tierney, Council Member

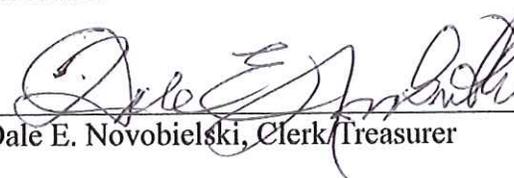
  
\_\_\_\_\_  
Dave Smeback, Council Member

EXCUSED  
\_\_\_\_\_  
Allen Schmid, Council Member

EXCUSED  
\_\_\_\_\_  
Brooke Finch, Council Member

  
\_\_\_\_\_  
Carl Torkelson, Council Member

ATTEST:

  
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Dale E. Novobielski, Clerk/Treasurer