

Study Session
Selah City Council
May 22, 2012
6:00pm

The Mayor welcomed Public Works Director Henne and invited him to speak.

Public Works Director Henne reviewed the agreement between the City and Matson Fruit, which includes items such as landscaping and road improvements. He discussed the difficulties encountered with the Bartlett Avenue improvements and outlined a plan to move the northbound access from Wenas Avenue to Larson Drive, which will not only allow Matson Fruit to have a better handle on employee parking, but also allow for the curb cut necessary for trucks using Larson Drive. He mentioned discussions with Larson Fruit about directing their trucks to use Bartlett Avenue and Railroad Avenue rather than Larson Drive. Discussion followed.

Mayor Gawlik thanked Public Works Director Henne for his presentation.

The Study Session concluded at 6:29pm.

City of Selah
Council Minutes
May 22, 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 6:30pm.

B. Roll Call

Members Present: Paul Overby; John Tierney; Kevin Jorgensen; Dave Smeback; Allen Schmid; Brooke Finch

Members Excused: Keith Larson

Staff Present: Dale Novobielski, Clerk/Treasurer; Bob Noe, City Attorney; Rick Hayes, Police Chief; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Monica Lake, Executive Assistant

C. Pledge of Allegiance

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

D. Award Presentation

Mayor Gawlik spoke briefly about the various awards to be presented. He read a brief biography on Richard Hayes, and another one on William Hayes, the two veterans being honored. He then presented each man with a United States flag that had flown over the City of Selah on September 11, 2001. He thanked both men for their service to the country and its citizens.

Master Patrol Officer Martin spoke briefly about the assistance rendered by Sonja Brooks and Linda Benscoter, two evidence technicians from the Yakima Sheriff's Office, noting that they not only helped with the reorganization of the Selah Police Station evidence room, but also provided hands-on training during the process. Mayor Gawlik presented each woman with a Community Pride Award and a Community Pride Coin; Police Chief Hayes presented each woman with a Selah Police Department Challenge Coin.

Police Chief Hayes presented Master Patrol Officer Martin with her second Meritorious Service Award, for her willingness in taking on the challenge of reorganizing the evidence room.

Police Chief Hayes reviewed an incident in which Sergeant Rodriguez, Sergeant Steen, and Sergeant Reeves were involved, and awarded each officer with the Medal of Valor for their actions.

Mayor Gawlik thanked the four officers for their service and dedication, and presented each with a United States flag that had flown over the City of Selah on September 11, 2001.

E. Agenda Changes

Add the following items:

1. Resolution N – 4 Resolution Authorizing the Mayor to Approve an Extended Hour of Service for Yakima Transit
2. Resolution N – 5 Resolution Authorizing the Mayor to sign an Employment Agreement with David Kelly for the City Administrator position
3. Ordinance O – 3 Ordinance of the City of Selah, Washington, relating to contracting indebtedness; providing for the issuance, sale and delivery of a Limited Tax General Obligation Refunding Bond, 2012, in the maximum principal amount of \$3,785,000, for the purpose of providing funds to pay the cost of refunding, paying and redeeming certain outstanding nonvoted obligations of the City; fixing the date, form, interest rate, maturity, terms and covenants of the bond; providing for the call, payment and redemption of the outstanding obligations to be refunded; approving the sale and providing for the delivery of the bond to Banner Bank of Walla Walla, Washington; and providing for other matters properly related thereto, all as more particularly set forth herein

F. Public Appearances/Introductions **None**

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

H. Communications

1. Oral

Mayor Gawlik opened the Public Meeting.

Bill Harris approached the podium and addressed the Council. He asked if he would be allowed to speak when his agenda item comes up.

Mayor Gawlik responded in the affirmative.

Mr. Harris remarked that sometimes an item is not open for public input.

City Attorney Noe confirmed that he will have a chance to speak when his item comes up on the agenda.

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

2. Written **None**

I. Proclamations/Announcements

1. National Safe Boating Week May 19 – 26, 2012

Mayor Gawlik read aloud the Proclamation.

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: May 8, 2012 Council Meeting
- * 2. Approval of Claims & Payroll:
 - Payroll Checks Nos. 73500 – 73591 for a total of \$141,731.20
 - Claim Checks Nos. 60146 – 60166 for a total of \$ 288.81
 - Claim Checks Nos. 60167 – 60239 for a total of \$170,378.82
- * 3. Ordinance N – 1 Ordinance Amending the 2012 Budget to finish Funding the Apparatus Apron and Contract Installation of Energy Efficiency Lighting per Pacific Power Incentive Programs using Reserve Funds from Fund 150 Fire Equipment

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

K. Public Hearings

- 1. Public Hearing for Granting a Franchise Agreement to Lightspeed Networks Inc. for Telecommunications Network

Public Work Director Henne addressed J-1. He said that he had a discussion with City Attorney Noe a few weeks ago regarding Lightspeed Networks' request for a franchise agreement, and has brought it to Council for approval. He went on to say that they would like to use fiber optics to connect to the cell tower at Goodlander Road, down through the City and over to a facility in Yakima, primarily through the existing poles and ductwork. He noted that the first step in this process is a Public Hearing, and that he will answer any questions the public or Council might have at this time.

City Attorney Noe noted that Robin Smith from Lightspeed Networks is in the audience if the Council wished to hear from her.

Mayor Gawlik opened the Public Hearing.

Robin Smith, Lightspeed Networks, approached the podium and addressed the Council. She handed out a packet of information, noting that the company deals with telecommunications and internet. She went on to say that they have been contracted by US Cellular to connect all their cell phone towers all the way up the Yakima Valley, and that they need a franchise agreement to go through the City of Selah. She briefly reviewed the information in the packet, noting that they are a small Oregon company whose founding shareholders were five rural electric company cooperatives. She noted that they work primarily in rural areas, and that they are currently in the process of extending their network into Washington State. She reviewed their policy of using existing rights of way, rather than disrupting streets, and commented that they already have agreements with local utilities to share those rights of way. She

highlighted the benefits to the local community, such as a 4G high speed internet connection, and observed that they will be offering these services to the local businesses, schools and other entities. She mentioned that they pay a utility tax on the services they provide, along with other fees and taxes, which results in additional revenue for the City.

Council Member Schmid inquired if the next step in the process is having City Attorney Noe work with them on a franchise agreement to be brought before the Council at a later date.

City Attorney Noe replied that the franchise agreement is in today's packet.

Council Member Tierney remarked that it is in the packet.

Ms. Smith commented that they met with Public Works Director Henne and City Attorney Noe a couple weeks ago to hammer out the details of the agreement.

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

L. New Business

1. Harris Subdivision Variance (915.80.12-01)

Community Planner Davison addressed L-1. He said that the Subdivision Variance is to create a lot without available street frontage and that Mr. Harris has indicated that there is an appearance of fairness issue with the Planning Commission. He recommended the Council let Mr. Harris speak at this time, and then determine whether there is an appearance of fairness.

Mr. Harris gave a quick overview of the matter, noting that he and his wife have owned the property for fifteen years, which was prior to the surrounding land being developed into a subdivision with covenants and restrictions. He went on to say that when the land was originally short platted there was no frontage for the subject property, and when they did a lot line adjustment it was to put up a pole barn for use as a shop. He commented that his wife thought that their kids could build a house on the property, as they sold their house and are currently residing with them. He noted that the requested variance is for the house currently occupied, and that the subject property does have permanent access from the west side. He remarked that he erred by not discussing this with his neighbors prior to the process, as the neighbors wrote letters opposing this. He went on to say that he has talked to them since then, and they are now not opposed to it. He said that City Staff recommended approval to the Planning Commission, although the Commissioners chose to deny the application. He stated that he believes Commissioners Torkelson and Quinnell both have a conflict of interest in the area, which he then described for the Council. He gave a description of the house they wish to build on the one lot and offered to answer any questions the Council may have concerning the matter.

Council Member Smeback noted that he lives within six hundred feet of the project and asked if that would be considered a conflict of interest.

Mayor Gawlik remarked that he was going to pose that question to City Attorney Noe.

Mr. Harris interjected that Council Member Smeback has no financial interest; therefore he would not be in conflict.

Mayor Gawlik reiterated his desire to have City Attorney Noe speak as to a possible conflict of interest, and whether he should poll the Council on the matter at hand.

City Attorney Noe said that if a Council Member has an apparent conflict, he or she would need to disclose that, but if the applicant doesn't have a problem with it then it's fine. He asked if any other Council Members had a possible conflict.

Council Member Jorgensen noted that he has commissioned Bill Hordan to do some work, in both a professional capacity and a personal capacity, but that he doesn't see it as a fairness issue.

Mr. Harris replied that this is just a vacant lot at this point, and while building a house there would have a positive impact, he will erect a pole barn if his petition is denied.

Mayor Gawlik inquired if any Council Members wished to recuse themselves at this time.

City Attorney Noe said that the next step is to apply the Municipal Code criteria for a variance. He went on to say that the appearance of fairness issue cannot be used in a subsequent hearing if the matter is not raised at the initial proceedings.

Mr. Harris remarked that neither of the Commissioners in question disclosed that they owned property in the area, were involved with the architectural control committee or lived in the area. He opined that this put them both in direct conflict with the issue.

Community Planner Davison said that he has researched the accusations regarding the appearance of fairness, and listed the possible conflicts being questioned. He went on to say that the Commissioners held a public hearing on the matter, and that the neighbors objected because they felt that the covenants on their properties should be enforced on his property. He commented that all five of the Planning Commissioners voted to deny the application, noting that neither Commissioner Torkelson nor Commissioner Quinnell made or seconded the motion to deny. He finished by indicating that he can either review the staff report and Planning Commission's findings or the Council can make a decision regarding the appearance of fairness in the matter.

Mayor Gawlik opined that the City has no say in the enforcement of covenants in a subdivision.

Community Planner Davison agreed, saying that the City would not place covenants on a property.

Council Member Schmid inquired if it was a moot point to bring up the appearance of fairness issue at this time, as it was not an issue when originally stated at the Planning Commission hearing.

City Attorney Noe replied that it cannot be used as a basis for invalidating their decision, and that the issue at hand is whether the application meets the criteria for a variance.

Council Member Overby commented that the appearance of fairness issue is moot since the Council will be making the decision.

Council Member Tierney wondered if property access is a moot issue, since the City granted Mr. Harris a fifteen foot easement several years back that has been regularly used. He went on to say that the front property would still have a sixty foot frontage, and the access easement would remain in place for the back lot, so he was unclear why this has become such a huge issue.

City Attorney Noe responded that this could be considered a special circumstance under the criteria.

Council Member Jorgensen clarified that they are discussing whether to grant a variance for lot one, so they aren't required to have a sixty foot road frontage.

Council Member Schmid asked why this is even in front of the Council, as there is an easement listed on the plat for the driveway and the frontage is not their access at this point in time.

Community Planner Davison replied that, due to the steepness of the property, Mr. Harris had negotiated an access easement with Council some time ago.

Council Member Schmid said that Council granted an access easement to this property in the past, regardless of whether it had the sixty foot frontage or not.

Community Planner Davison commented that access was granted to a building site on the east property line.

Council Member Schmid said that you couldn't get a driveway through there.

Community Planner Davison remarked that one could put a driveway through there.

Council Member Schmid commented that he felt people were grasping at straws, as Mr. Harris has had this property for several years.

Mr. Harris said that he's been up there for twelve years.

Council Member Schmid wondered how long he's been living in the new house.

Mr. Harris responded that it has been approximately five years.

Council Member Tierney remarked that it's longer than he has served on the Council.

Council Member Schmid wondered why we are penalizing someone who wants to split off a lot, with legal access, to build a house on.

Community Planner Davison replied that the Planning Commission found no grounds for a variance to create a lot without frontage to a street as required by code.

Council Member Schmid noted that lot two conformed to this.

Community Planner Davison said that when you split up the lot, one doesn't fit the code.

Council Member Schmid reiterated that the lot already has legal access through an easement granted by the City. He went on to say that he felt the Planning Commission had no authority to impose covenants upon the property.

Community Planner Davison replied that the Planning Commission did indicate that they could not impose the covenants of the adjacent subdivision upon this property.

City Attorney Noe remarked that some of the neighbors testified that they wanted to have covenants imposed upon the property.

Council Member Schmid commented that it sounds like someone wants to block a lot being made to build on.

Community Planner Davison said that the Planning Commission doesn't want to set a precedent by allowing a land-locked parcel to be created without the required abutting access to a public street.

Council Member Jorgensen opined that the lot is not land-locked due to the access easement.

Community Planner Davison agreed.

Council Member Jorgensen went on to say that a variance could be granted citing the condition that it not be a land-locked property, and asked if there were two issues to discuss or if this was only about the variance.

Community Planner Davison responded that this was only for the variance.

Council Member Jorgensen remarked that he had disclosed a working relationship with Bill Hordan, on personal and professional projects, and said that in light of this he does see how a Commissioner who lives in the area, and owns a lot across the street from Mr. Harris, could be seen as having a conflict of interest. He expressed his surprise that, as the Commissioners in question did state their possible conflicts on record and no objection was stated at the time, this cannot be used as grounds for a conflict of interest now.

Council Member Smeback remarked that the City had codes in place for a reason, and that variances are put in place precisely for situations such as this, and it comes down to the spirit of what we're trying to achieve. He said that he can understand why the Commissioners chose to vote the way they did, but that Mr. Harris has indicated that further communication with his neighbors had them agreeing to the variance.

Council Member Schmid wondered if a list of reasons for the variance would need to be provided.

Community Planner Davison replied in the negative, saying that a second hearing on the matter cannot be held.

City Attorney Noe responded that the Council could adopt the Staff Report recommending approval as part of the motion, as the Staff Report lists the reasons for the variance.

Council Member Jorgensen inquired about recommended conditions in the Staff Report.

Community Planner Davison replied that he did not believe there was.

Council Member Overby wondered if the neighbors had communicated with the City regarding their consent to the variance, as Mr. Harris had indicated.

Community Planner Davison replied in the negative.

Council Member Overby asked if what was on the record at the Hearing is everything that the City has received from the neighbors.

Community Planner Davison replied in the affirmative.

Mr. Harris opined that they would be in attendance now if they still had any objections.

Council Member Jorgensen wondered if Lot Two has anything to do with the variance issue currently under discussion.

Community Planner Davison replied that this deals with the creation of Lot Two.

Council Member Jorgensen reiterated that the first step is the variance, based on the existing easement.

Community Planner Davison remarked that he is looking through his paperwork for the Staff Report.

Council Member Tierney noted that the conditions are listed on page ten of the Staff Report.

Community Planner Davison read through the conditions for Lot Two, which include the size and shape of the lot, as well as any conditions on the face of the Short Plat. He noted that the Short Plat will need to be recorded within five years, and that Lot Two will connect into the existing water and sewer system.

Council Member Jorgensen moved, and Council Member Tierney seconded, to Reject the Planning Commissioners' recommendation and grant the variance, based on a legal easement allowing access to the property, and to Adopt Conditions stated within the Staff Report dated March 12, 2012. By voice vote, approval was unanimous.

2. Update on Rehabilitation of Well Number 5

Public Works Director Henne addressed L-2. He said that the pump for Well No. 5 has failed, and he would like to hire a well contractor to rehabilitate the well. He stated that the engineer's estimate for the project is approximately \$130,000, and that the 2012 budget had \$176,000 allotted for the refurbishment of the Goodlander Reservoir and replacement of waterlines. He went on to say that the Goodlander Reservoir portion of the allotted amount was included in State Drinking Water Fund application, which is currently headed for approval. He commented that he has not received any notification yet on the Public Work Trust Fund application, and that he would like to spend \$130,000 of the budgeted \$176,000 to get Well No. 5 back online.

Council Member Tierney asked what will happen if the funds do not come through on the application.

Public Works Director Henne responded that, if the funds do not come through, he will look at doing projects on a pay as you go basis. He went on to say that it is more important to get Well No. 5 back online than to refurbish the reservoir. He outlined the difficulties stemming from the last time the booster station had a problem, and reiterated the need to get the well back online.

Council Member Smeback wondered if sand damage caused the booster station malfunction.

Public Works Director Henne replied that the upper perforations were plugged and the lower perforations were clear but had sustained some damage from pea gravel.

Council Member Jorgensen asked the age of the pump.

Public Works Director Henne responded that it is approximately eight years old.

Council Member Jorgensen asked if that was the last time anyone had looked at it.

Public Works Director Henne replied that they did a similar type of rehab at that time, and has not been looked at since. He noted that the City's water right is shared by Wells 3, 4, 5, 6, and 8; the rehab of Well No. 6 feeds the booster stations that run up Goodlander, which leaves Wells 5 & 8 to use the balance of that water right. He went on to say that Well No. 8 can do eight hundred to nine hundred gallons a minute now, and they will likely reduce the size of the pump at Well No. 5 from 100 horsepower to 75 horsepower to keep it within the City's water right.

Council Member Jorgensen asked if that was in Well No. 5 now.

Public Works Director Henne responded that it currently has a 100 horsepower pump, and reducing the size will make it less taxing on the booster station.

Council Member Jorgensen wondered if Public Works monitors the flow and knew that it was tapering off.

Public Works Director Henne replied in the affirmative, saying they had turned the valves down to limit the amount of discharge.

Council Member Jorgensen asked if they knew something was happening.

Public Works Director Henne indicated that they did, but thought it was simply plugging back up again.

Council Member Tierney said that there appears to be money for the project in Fund 411.

Public Works Director Henne replied in the affirmative, saying that there is money that was set aside from the old project.

Council Member Schmid moved, and Council Member Tierney seconded, to approve the expenditure of \$130,000 from Fund 411 for the Rehabilitation of Well No. 5. By voice vote, approval was unanimous.

Council took a ten minute recess.

Council Member Tierney requested the item O-3 be moved up to accommodate Mr. Parker from Banner Bank.

O. Ordinances

3. Ordinance of the City of Selah, Washington, relating to contracting indebtedness; providing for the issuance, sale and delivery of a Limited Tax General Obligation Refunding Bond, 2012, in the maximum principal amount of \$3,785,000, for the purpose of providing funds to pay the cost of refunding, paying and redeeming certain outstanding

nonvoted obligations of the City; fixing the date, form, interest rate, maturity, terms and covenants of the bond; providing for the call, payment and redemption of the outstanding obligations to be refunded; approving the sale and providing for the delivery of the bond to Banner Bank of Walla Walla, Washington; and providing for other matters properly related thereto, all as more particularly set forth herein

Clerk/Treasurer Novobielski addressed O-3. He indicated that this is a walk-on item, noting that Darwin Parker, from Banner Bank, had contacted him to discuss the City's bonds for the Marudo properties, as current rates for such bonds are very low right now and it would be in the City's interest to refinance these bonds. He stated that the City also has three SIED loans, two of which were for improvements on the Marudo property development. He noted that one of those loans has an interest rate of approximately 2.8%, and the other two are at 4%. He went on to say that Banner Bank reviewed these items and proposed a loan of approximately \$3,800,000 to refund debt, which would have a fixed rate of 3.6%. He said that, even with bank fees of approximately \$8,000 and a bonding attorney fee of approximately \$12,000, the City will save \$188,000 as well as cut back repayment time on the bonds by roughly four years.

Council Member Schmid asked if this was brought up by Jack McLaughlin, the City's bond attorney from Spokane.

Clerk/Treasurer Novobielski replied that in the affirmative.

Darwin Parker, Banner Bank, said that he occasionally works together with Mr. McLaughlin. He went on to say that he was made aware of the City's bonds as an option for private placement into the bank's loan portfolio, noting that Banner Bank can customize a loan to fit the needs of the customer.

Council Member Schmid again asked if Mr. McLaughlin had brought this to the attention of Banner Bank.

Mr. Parker replied that Mr. McLaughlin had mentioned it to him earlier in the year, when the City Administrator was still here, and that he stopped in to talk to Clerk/Treasurer Novobielski a few months later to discuss it further.

Council Member Schmid wondered if the bonds would be paid off and the debt then be solely to Banner Bank, and if that would lift the current restrictions on use of funds from the sale of any of the Marudo properties.

Mr. Parker responded that the bonds would be paid off.

Clerk/Treasurer Novobielski noted that it would be a refinance, and that the restrictions would then be removed.

Mr. Parker indicated that he has no knowledge of restrictions on monies resulting from any future sales.

Council Member Schmid said that he was glad to hear this, as there has been some confusion regarding this in the past.

Clerk/Treasurer Novobielski opined that some of the bond holders will not be happy with this, as they will lose revenues from higher interest loans.

Mayor Gawlik inquired about a penalty clause regarding some interest issues.

Clerk/Treasurer Novobielski responded that it is in the City's best interest to refinance the SIED loans on the next debt service repayment date, June first, because they would have to pay approximately \$17,000 in additional interest they refinance past the repayment date. He noted the County has responded with a payoff quote.

Council Member Schmid asked if the SIED loans are included in the refinance.

Clerk/Treasurer Novobielski replied in the affirmative.

Council Member Tierney remarked that the Finance Committee reviewed the proposal earlier today and found it very favorable.

Clerk/Treasurer Novobielski commented that the two SIED loans are approximately \$408,000, and that their higher interest rates will be reduced to 3.6%.

Council Member Finch said that this is a really good rate being offered, and that if the City can save \$188,000 over the next several years it is worth pursuing.

Council Member Jorgensen moved, and Council Member Tierney seconded, to approve the Ordinance of the City of Selah, Washington, relating to contracting indebtedness; providing for the issuance, sale and delivery of a Limited Tax General Obligation Refunding Bond, 2012, in the maximum principal amount of \$3,785,000, for the purpose of providing funds to pay the cost of refunding, paying and redeeming certain outstanding nonvoted obligations of the City; fixing the date, form, interest rate, maturity, terms and covenants of the bond; providing for the call, payment and redemption of the outstanding obligations to be refunded; approving the sale and providing for the delivery of the bond to Banner Bank of Walla Walla, Washington; and providing for other matters properly related thereto, all as more particularly set forth herein. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

M. Old Business None

N. Resolutions

1. Resolution Authorizing the Mayor to Sign a First Amendment to the Development Agreement between Matson Fruit Company and the City of Selah, Washington

Public Works Director Henne addressed N-1. He said that during the earlier Study Session, where the Council discussed the first amendment to Matson Development Agreement, Council indicates their desire to continue with the existing agreement and to pursue making the improvements to Bartlett Avenue. He noted that they also discussed meeting with Matson Fruit to discuss the possibility of eliminating any connection to Wenas Avenue.

Council Member Jorgensen inquired if it would be appropriate to table this matter for a period of six months and then review it at that time.

City Attorney Noe responded that they could, but noted that there will be a meeting with Matson Fruit in the near future that may require this to be brought back to the Council.

Council Member Smeback felt that the Council needs more guidance on this issue, saying that he is opposed to fruit truck traffic driving on Larson Drive or through the area north of Les Schwab. He stated that the retail areas should remain available for retail, and that the truck traffic should only be those delivering to the retail stores. He went on to say that the amount of truck traffic will only increase over time, which will tie up traffic and create problems by making left-hand turns in places where there are no designated turn lanes.

Public Works Director Henne remarked that Jordan Matson is in the audience if they would like to ask him any questions.

Council Member Schmid said that, if the City hasn't heard anything from the property owner within fifteen days, he would like to see condemnation proceedings started for the Bartlett Avenue improvements.

Public Works Director Henne replied that it won't happen that quickly; they have thirty days once the City sends them an offer. He went on to say that he's been working on the Matson Fruit deal and hasn't talked to the owners for approximately three weeks, and that the DOT also wants an intersection review, which will take a significant amount of time.

Council Member Schmid responded that he would like to have something in there stating that the City will start condemnation proceedings if they don't get any responsive movement from the property owners.

Public Works Director Henne remarked that Council has also discussed having no access to Wenas Avenue through Bartlett Avenue.

Council Member Tierney commented that no access at that point would be preferable from the standpoint of traffic safety, and reducing the amount of liability to Matson Fruit, by having them route all the trucks out to Naches Avenue where there are traffic signals for making turns.

Council Member Finch wondered why Matson Fruit is fighting so hard to use Bartlett Avenue.

Council Member Tierney responded that it was part of the original Development Agreement.

Public Works Director Henne remarked that he was not involved in the original negotiations and is therefore unsure about their desire to use Bartlett Avenue.

Council Member Smeback commented that this was a twelfth hour add-on, as part of the concessions, because it would prevent them from crossing lanes to get to the warehouse.

Council Member Overby said that he feels the agreement needs to be amended simply because the City is out of compliance with the time period.

City Attorney Noe responded that page eleven of the agreement deals with remedies for default, and that as long as it is not part of section 4A and you are making diligent effort to comply, it is not considered default.

Council Member Overby asked if the City needs to stick with the agreement as is to prevent a default.

City Attorney Noe reiterated that the City is in compliance as long as they are making diligent effort.

Mayor Gawlik asked Mr. Matson if he had any comments to make.

Jordan Matson, Matson Fruit, responded in the negative, but went on to say that Larson Fruit blocks a portion of North Railroad Avenue during a portion of the year, and having Larson Fruit trucks along there as well will block the road even more.

Council Member Tierney asked who blocks the road.

Mr. Matson responded that it is Larson Fruit.

Council Member Tierney remarked that the City needs to have a discussion with Larson Fruit about that.

Mr. Matson replied that there is verbiage in the Development Agreement that indicates that.

Council Member Finch thanked Mr. Matson for his explanation.

Council Member Tierney asked if this agenda item needs to be acted on and rejected in order for Public Works Director Henne to pursue the Bartlett Avenue improvements, or if the matter can be tabled.

City Attorney Noe replied that the Agreement is what it is, and if Council chooses not to amend it, the Agreement still stands. He noted that Council could table it if they chose.

Council Member Jorgensen asked if it needed to be tabled for a certain time period, or simply until they have something to bring back.

City Attorney Noe responded that they could deny it, and then when they have something it will be brought before Council at that time.

Council Member Jorgensen moved, and Council Member Schmid seconded, to deny approval of the proposed Resolution Authorizing the Mayor to Sign a First Amendment to the Development Agreement between Matson Fruit Company and the City of Selah, Washington. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

2. Resolution Authorizing the Mayor to sign a TIB Consultant Agreement for Professional Construction Services for the Grind and Overlay of West Fremont Avenue and West Naches Avenue Improvements

Public Works Director Henne addressed N-2. He said that the grind and overlay for both East Fremont Avenue and East Naches Avenue will be ninety percent funded by a grant from the Transportation

Improvement Board. He went on to say that the Transportation Improvement Board will authorize funding on the first part of it for design engineering and require the City to contract with a consultant for design of the project. He stated that the finished design is then submitted to the Board for approval before coming to the Council for contract approval for construction. He noted that the Board then requires the City to contract with a consultant for construction engineering and inspection during the next phase, and this agreement is for that phase. He remarked that the agreement has to be in place before the Board will release construction funds.

Council Member Schmid moved, and Council Member Overby seconded, to approve the Resolution Authorizing the Mayor to sign a TIB Consultant Agreement for Professional Construction Services for the Grind and Overlay of West Fremont Avenue and West Naches Avenue Improvements. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

3. Resolution Authorizing Special Market Conditions Allowing for the Purchase of a 2009 Buick LaCrosse for the Use of the City Administrator

Clerk/Treasurer Novobielski addressed N-3. He spoke briefly on how the vehicle came to his attention, noting that it is white like most City vehicles. He said that the Mayor had indicated his desire to dispose of the 1996 Ford Explorer currently available for staff use, which has approximately 96,000 miles on it and is of an age to be replaced. He went on to say that the vehicle, which was offered to the City for \$14,200, was valued at approximately \$15,000 - \$17,000 in the retail market. He noted that it was owned by an older couple and only has approximately 17,000 miles on it. He finished by saying he discussed this with the Mayor, who indicated his approval, and is now presenting it to Council.

Council Member Overby wondered what the mileage per gallon is on the car.

Clerk/Treasurer Novobielski replied that it is rated for 17 mpg in the City and 28 mpg on the highway, for a combined rate of 21 mpg on a 3.8 liter V-6. He noted that the Ford Explorer is rated at 13 mpg in the City and 19 on the Highway, for a combined rate of 15 mpg, which puts the car at approximately a fifty percent improvement over the Explorer for fuel economy. He said that the City spent approximately a thousand dollars on fuel on 2012, and that the car would have saved them roughly four hundred dollars in fuel costs over the same period.

Council Member Tierney commented that the original agenda item was to provide a vehicle for the City administrator, which he indicates in the contract that he does not want, so the vehicle would then be for City Staff use. He remarked that this would be a fifteen thousand dollar impact on the City's budget that they don't have to spend on this. He opined that the City would be much better off to reimburse employees the mileage for using their personal vehicles, as this would have a minimal impact on the budget for the remainder of this fiscal year.

Council Member Schmid remarked that it isn't that they don't have the money; it's which fund would the money come from.

Council Member Jorgensen said that he has heard two options: option A, which is to buy the car and have it available for staff to use, and option B, which is to reimburse staff the going rate of fifty-five cents per mile to use their own vehicles. He noted that option C would be to retain the Explorer and have it available for staff use.

Council Member Tierney remarked that option D would be to sell the Explorer and use those funds to reimburse employees for mileage.

Council Member Finch asked what the current value of the Explorer is.

Clerk/Treasurer Novobielski replied that Kelly's Blue Book lists a value of \$2300 in fair condition, \$2800 in good, \$2900 in very good and \$3000 in excellent condition, but noted that he would classify it in the fair to good range. He went on to say that he would list it for sale at a starting price of \$1500 and hope to drive the price up from there. He commented that the funds to purchase the vehicle would come out of funds in Fund 170 that were set aside specifically for the purchase of a staff vehicle, as noted on the bottom of the AIS.

Council Member Schmid moved, and Council Member Smeback seconded, to table the item until a decision has been reached on Item N-5. Motion passed with five voting aye and one voting no.

4. Resolution Authorizing the Mayor to Approve an Extended Hour of Service for Yakima Transit

Council Member Overby addressed N-4. He said that the extended hour of service provided by Yakima Transit over the past year used grant money to pay for it, which has run out. He went on to say that if the Council votes to continue this service, they will need to pay an additional \$750 a month to continue the service.

Council Member Tierney asked how late the service ran.

Council Member Overby responded that he thought it was until 7pm.

Council Member Tierney wondered if the extra hour of service was in the morning or the evening.

Council Member Overby replied that it was in the evening.

Council Member Finch asked approximately how many people use the Transit system during that time.

Council Member Overby replied that he did not know.

Mayor Gawlik commented that they asked the Transit supervisor for those numbers, and he indicated that he would attempt to provide the City with that information.

Council Member Jorgensen wondered if the transit fund was still building a surplus.

Council Member Overby replied in the affirmative saying that this is being pushed through right now because Yakima transit will be printing their quarterly schedule soon and will need this information for the schedule.

Council Member Tierney remarked that the City does have a fair amount of money in the Transit Fund.

Council Member Smeback opined that having the money available wasn't necessarily a reason to spend it.

Council Member Finch agreed, saying that just because we have it doesn't mean we should spend it.

Council Member Smeback remarked that we are over-taxing the people and building a fund, which we are now looking for ways to spend. He suggested that they go back to the previous schedule prior to getting the grant money for an extra hour of service.

Council Member Jorgensen commented that it is a valid suggestion but skewed towards the premise that the extras hour isn't used. He recommended tabling the issue until ridership data can be provided by Yakima Transit.

Council Member Overby suggested that they continue the service for three months, and revisit it at that time, as Yakima Transit can accommodate them in this.

Council Member Tierney asked Executive Assistant Lake if she would be able to retrieve the ridership data from the last report received.

Executive Assistant Lake asked if he wanted it right now.

Council Member Tierney replied in the affirmative.

Mayor Gawlik asked Public Works Director Henne for his input.

Public Works Director Henne said that he thought the last call for ridership is at 7:45pm. He commented that Yakima Transit needs to have a decision for their summer schedule, but noted that there is a new schedule out in the fall and the service can be discontinued at that point.

Council Member Overby said that was his impression as well.

Public Works Director Henne said that the summer period starts around the 26th of June.

Council Member Jorgensen asked if this encompasses their summer schedule.

Public Works Director Henne replied that they have four seasonal schedules, and the extra hour of service could be removed from the fall schedule.

Mayor Gawlik asked those in the audience if they had any comments to share.

Jack Smith, Selah Sound, wondered how this would affect those who utilize the bus system to attend schools, such as Yakima Valley Community College, during the school year of fall, winter and spring.

Council Member Jorgensen remarked that the question on the table is what numbers were provided by Yakima Transit to support continuing the additional hour of service.

Mr. Smith wondered if the ridership numbers would be less during the summer, and how that would affect a decision for the fall schedule. He noted that there seems to be a time crunch for this.

Public Works Director Henne replied that there is a time constraint to get the summer schedule set.

Council Member Overby said that the decision needs to be made based on the additional costs that will be paid starting at the end of June.

Council Member Tierney asked for a brief recess to allow Executive Assistant Lake to retrieve recent Transit information from her computer.

Council took a five minute recess.

Council Member Overby said that Route 10 is showing roughly 900 riders a month.

Council Member Schmid remarked that it is about sixty percent North First Street and forty percent Selah riders.

Council Member Jorgensen commented that the citizens voted to add a three-tenths percent sales tax to have a transportation system, which has been expanded upon, and the funds still provide for that expanded level of service. He proposed approving through the duration of the summer schedule and scheduling a Study Session to discuss this further. He expressed a desire to receive feedback from the citizens regarding the bus service and what will suit their needs.

Council Member Overby said that it would be interesting to know what the citizens want for their transit system. He reminded the Council that they could scale back on the three-tenths of a percent tax revenue, and felt that a Study Session would be appropriate.

Council Member Schmid asked if it was possible to put together a survey for the bus drivers to hand out to riders entering and exiting the transit system in Selah.

Council Member Overby remarked that those who use the service will be most interested in the expansion, but that other taxpayers may have a different opinion from those who ride the bus.

Council Member Schmid suggested putting the survey out for those who do not use the system to express their opinions as well.

Council Member Overby opined that it would be interesting to see what the result would be, but he wasn't sure what mechanism was available to do a survey of the community.

Council Member Jorgensen suggested doing a Study Session to come up with options. He also recommended asking Yakima Transit to track ridership numbers to allow the Council to look at the level of service and amount of tax collected.

Council Member Tierney remarked that one could ask one of the High School math classes to do a random sampling of the citizens to get their opinions.

Council Member Overby said that he doesn't think it is a good idea to pull in three-tenths of a percent in sales tax if they don't need it; however, when opportunities for expansion become available he feels the route should be expanded. He went on to say that the bigger question is whether to keep the three-tenths of a percent or reduce it.

Council Member Jorgensen said that the voters were told it would take three-tenths of a percent sales tax to bring public transportation into Selah, which they now know can be done for less, and suggested that the

Study Session could discuss how much service could be provided using two-tenths instead of three-tenths of a percent.

Council Member Overby remarked that they need to look at what level of service is needed in an area where most folks have cars, and tax according to what the cost is for the level of service needed.

Council Member Tierney commented that they have also discussed an expansion of service to the Training Center in the past.

Council Member Schmid moved, and Council Member Jorgensen seconded, to approve the Resolution Authorizing the Mayor to Approve an Extended Hour of Service for Yakima Transit through the Summer Schedule and to Revisit the Issue in September. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – no; Council Member Schmid – yes; Council Member Finch – yes. Motion passed with five voting aye and one voting no.

5. Resolution Authorizing the Mayor to Sign an Employment Agreement with David Kelly for the City Administrator position

City Attorney Noe addressed N-5. He briefly explained the contract that was negotiated between Mayor Gawlik and David Kelly, noting the salary offer of \$7500 a month was countered with a 5.4% increase in July of 2013 and again in July of 2014 and a car allowance of \$225 a month in lieu of a City vehicle. He went on to say that the only other change was in the accrual of vacation days, and that the rest of the agreement is as they originally offered it. He reviewed the severance section and asked Council to review.

Council Member Finch said that she felt the 5.4% increase was unreasonable, as he would be at his maximum salary in approximately two years. She remarked that he is going from a job with a higher cost of living and more responsibilities to one with a lower cost of living and fewer responsibilities, yet making more, and she feels that is unreasonable.

Council Member Tierney agreed, saying that being locked into those increases is risky, given the state of the budget currently, and that Mr. Kelly should have the same raises allocated to all the City employees.

Council Member Finch remarked that he is asking for 5.4% plus a cost of living increase, which makes it closer to 7.5%. She felt it is not in the City's best interests to agree to that.

Council Member Smeback commented that the car allowance should be looked at as part of the salary. He suggested changing the wording to read "to increase no more than five percent".

Council Member Tierney asked if the pay increase is a deal breaker.

Mayor Gawlik replied that he does not know at this point.

Council Member Finch wondered if it would they give it to him.

Council Member Tierney replied in the negative.

Council Member Finch responded that she wouldn't either. She noted that they have three very qualified candidates, and if this is a deal breaker than she suggests going with candidate number two.

Council Member Jorgensen felt that Council Member Smeback brought up an interesting point, and said that an employee is trying to build in a pathway towards achieving that high-end salary.

Council Member Overby remarked that it would only be for two years, as there are no provisions beyond that.

Council Member Jorgensen said that he feels it all hinges on the completion of satisfactory work performance. He asked City Attorney Noe if the 5.4% would still happen if the Mayor determines that his work performance was not satisfactory.

City Attorney Noe replied that it's subjective, and that he could see this being disputed.

Council Member Jorgensen said that it seems like he's trying to place the ball in the Mayor's court.

City Attorney Noe responded that there is a merit increase under section B, but it looks like he is trying to build in a level and ease into a higher salary category.

Council Member Jorgensen remarked that he sees it as a desire for a salary increase as he advances in his position and that without a guarantee he is relying on the Mayor and Council to see his merit and award him accordingly.

City Attorney Noe commented that they could include some language saying that it is at the sole discretion of the Mayor.

Council Member Schmid remarked that 5.4% is excessive in today's economy, and that he doesn't feel comfortable giving one employee that kind of raise while giving everyone else only one or two percent. He feels that they should be cautious and deal with all the employees fairly. He went on to say that he is adamantly opposed to providing a car allowance, and that a City vehicle should be used for him to drive back and forth. He stated that he likes the idea of a City vehicle sitting in a neighborhood, and that it lets people know that person is a part of the City. He noted that most of the department heads take home a City vehicle at night and he likes the visibility of a City car in the neighborhood.

Council Member Smeback remarked that it could lead to an overabundance of vehicles in his driveway, and he may not want another car taking up space.

Council Member Schmid commented that he only has one son.

Council Member Smeback said that the previous administrator was in the \$8400 range, and that in two years he would still be under that amount.

Council Member Tierney remarked that he's overlooking any cost of living increases.

Council Member Jorgensen suggested making it dependent on whether anyone else is receiving an increase.

Council Member Overby said that he is not against the increase in principal, and has no issue with renegotiating the salary increase every year, but is not completely comfortable with a set 5.4% increase.

He went on to say that the car allowance will be paid for one way or another, and said that he personally has felt that driving a government vehicle is very limiting.

Council Member Finch recommended writing in that the employee shall maintain insurance and gasoline expenses.

Council Member Overby said that was a good point.

Council Member Finch asked Council Member Smeback to repeat his comment about the salary increases.

Council Member Smeback stated that if he starts at \$7500 a month, then in the second year he would be \$7905, and in the third year at \$8331 a month.

Council Member Finch noted that he would be at his max at that point.

City Attorney Noe said that the ad offered a range of \$84,000 to \$100,000 for the position, which he would be beyond within a couple of years.

Council Member Finch remarked that she has never had a job where she reached her maximum range in two years.

Council Member Smeback asked if that was the maximum salary range or the starting salary range.

Mayor Gawlik replied that it was the starting salary range.

Council Member Jorgensen observed that in the private sector you have steps for increases, and that this seems to be along the same lines to him.

Council Member Overby replied that it is a really consistent step raise for covered employees, but not for management employees.

Council Member Tierney commented that he likes the idea of having him come before the Council in twelve months to renegotiate his salary, and suggested putting that in to replace the 5.4%. He remarked that it gives them some flexibility in the budget, as he doesn't want them to be in a position where someone tries to shove a pay raise down their throats.

Council Member Schmid noted that when one person in an organization gets a raise, everyone knows what it is, and if we have one administrator get a huge raise and the department heads get none, then there will be some unhappy individuals.

Council Member Smeback remarked that both the City Administrator and the Police Chief can be replaced at the whim of the Mayor, and the other department heads aren't sitting in the same risk chair.

Council Member Finch said that the other managers don't care; they simply see someone getting a raise when they aren't.

Council Member Jorgensen remarked that this is why they call it a step increase, as it avoids all that other dialogue.

City Attorney Noe remarked that another way to avoid this is to simply start him at a higher salary.

Council Member Finch felt that would be giving him compensation before he has necessarily earned it, and that he needs to prove himself before getting fantastic pay increases.

Council Member Tierney opined that he hasn't had nearly the scope of responsibility in his current job that he will have here.

Council Member Finch noted that he's great with budgets but lacking in other areas.

Council Member Schmid suggested that the Council have further discussion on the percentage, and that three percent is stretching it. He went on to say that he still feels that a City vehicle is the way to go.

City Attorney Noe said that it sounds like Council Member Schmid is suggesting a modification to three percent and an elimination of the car allowance.

Council Member Finch remarked that she doesn't feel there should be a number in there at all.

Council Member Overby commented that the only thing they all seem to agree on is that it should be modified.

Council Member Schmid wondered if it would be beneficial to go into Executive Session at this point.

City Attorney Noe responded that all discussion of salary and conditions of employment must be done in open session.

Council Member Jorgensen wanted to know if this was negotiated and was brought to Council for approval or if the candidate was writing his own ticket.

City Attorney Noe replied that this is his offer, that they had initially offered him \$7500 a month, and that they can counter his offer.

Council Member Tierney agreed that they should counter.

City Attorney Noe stated that they are looking to the Council for some direction with this.

Council Member Smeback thought that the question should be what salary would be acceptable to everyone in twenty-four months. He suggested the possibility of 2.5% raises as an alternative, and said that he views this as Mr. Kelly wanting compensation for what he is worth as an employee.

City Attorney Noe said he feels that Mr. Kelly is trying to build in a step for salary increases, which most union contracts have built into their contracts. He went on to say that it's a policy matter for the Council to address.

Council Member Overby asked to look at Section B and Section C separately, which allows for feedback on each item.

Council Member Tierney remarked that he likes Section C, because it doesn't have a lot of liability for the City.

Council Member Finch felt that gasoline needed to be included in Section C.

Council Member Overby agreed.

Council Member Tierney asked for clarification that she is saying the City will not pay additional money for mileage or gasoline.

Council Member Jorgensen said that it should read that the employee is responsible for both insurance and gasoline costs.

Council Member Tierney moved to table the item until a telephone poll for approval, and then withdrew the motion.

Council Member Overby moved, and Council Member Tierney seconded, to Deny Authorizing the Mayor to Sign the Employment Agreement as written. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

City Attorney Noe requested a motion to accept Section C with clause to stating that the employee is responsible for vehicle maintenance, fuel costs, and maintaining insurance on the vehicle.

Council Member Finch moved, and Council Member Overby seconded, to accept Section C of the contract with an additional clause stating that Mr. Kelly is responsible for vehicle maintenance, fuel costs and maintaining insurance on his vehicle. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – no; Council Member Finch – yes. Motion passed with five voting yes and one voting no.

City Attorney Noe requested that Council address that portion of Section B dealing with the yearly 5.4% increase in July.

Council Member Finch suggested wording it as “upon completion of satisfactory performance, and at the Mayor’s discretion, the employee’s pay will increase up to 3%.”

Council Member Schmid suggested adding “in 2013 and 2014” to the end of the sentence.

Council Member Smeback asked if they were establishing a range with this wording change, saying that he thought there was an annual salary schedule for administrative staff.

City Attorney Noe said that the annual Resolution set forth by the Council is for non-represented employees, and noted that the last one reflected a monthly salary of approximately \$8700 for the City Supervisor.

Council Member Overby commented that Mr. Kelly would need to conduct salary negotiations with the Mayor on an annual basis.

Council Member Finch moved, and Council Member Overby seconded, to accept Section B of the contract with the additional wording of “upon completion of satisfactory work performance, and at the Mayor’s discretion, the employee’s pay will increase up to 5% in 2013 and 2014” and to remove the verbiage pertaining to a cost of living increase. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

After N-5 was considered, the Council revisited N-3.

Council Member Tierney moved, and Council Member Overby seconded, to Deny Purchasing the 2009 Buick LaCrosse. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – no; Council Member Finch – yes. Motion passed with five voting aye and one voting no.

O. Ordinances

- * 1. Ordinance Amending the 2012 Budget to finish Funding the Apparatus Apron and Contract Installation of Energy Efficiency Lighting per Pacific Power Incentive Programs using Reserve Funds from Fund 150 Fire Equipment
2. Ordinance of the City of Selah, Washington, granting Lightspeed Networks, Inc., dba “LS Networks” an Oregon Corporation, a Non-Exclusive Franchise to Construct, Operate & Maintain a Telecommunications Network with the City of Selah

Council Member Overby moved, and Council Member Tierney seconded, to approve the Ordinance of the City of Selah, Washington, granting Lightspeed Networks, Inc., dba “LS Networks” an Oregon Corporation, a Non-Exclusive Franchise to Construct, Operate & Maintain a Telecommunications Network with the City of Selah. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

P. Communications

1. Oral

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

Q. Reports/Announcements

1. Mayor

Mayor Gawlik restated his gratitude to all of the City Departments for their hard work in polishing up the City for Community Days.

Council Member Smeback opined that the City looked really good.

2. Council Members

Council Member Tierney had no report.

Council Member Jorgensen commented that he feels David Kelly is an excellent choice for City Administrator. He remarked that he remembered the hearing for the Heritage Hills subdivision years ago, and the letters written in opposition of the development, and how ironic it is that residents of the Heritage Hills subdivision are now opposing this new short plat.

Council Member Smeback had no report.

Council Member Overby had no report.

Council Member Schmid said that the sixteen team WIAA/2A Girls' State Fastpitch Tournament kicks off on Thursday night with a barbeque jointly hosted by the City of Selah and the Selah Parks & Recreation Department. He noted that DC Bound will be cooking hamburgers for the event. He went on to say that the Mayor will be tossing out the opening pitch Friday morning at 9am, and that Mr. Smeback will be keeping the books both Friday and Saturday. He invited everyone to come down for the games.

Council Member Smeback remarked that his brother Scott will be keeping the books, not him.

Council Member Schmid said that he is invited to attend as well. He listed the hometowns of the various teams, including CWAC.

Mayor Gawlik wondered what they would do if they ran out of acronyms, and asked what CWAC stood for.

Council Member Schmid replied that it stands for the Central Washington Athletic Conference.

Mayor Gawlik commented that it was called something else in the Navy.

Executive Assistant Lake remarked that the Ordinance listing the 2012 Salary Schedule does list the former City Supervisor's salary, along with the other non-represented employees.

Mayor Gawlik thanked her for the information.

Council Member Finch said that she discussed the relationship between the City Council and the Police Department with Police Chief Hayes at the street dance, along with her desire to meet all of the officers, and that he suggested she do a ride along with one of the officers. She noted that he would also like to see the rest of the Council do a ride along.

Council Member Tierney remarked that he has been there and done that.

Council Member Schmid commented that he was a ride alone.

Council Member Overby wondered if they would ride in the front or the back.

Council Member Finch replied that she didn't know yet. She went on to say that she feels there has been a lack of partnership between the Council and the Police Department over the last several years, and that this will help to bridge the gap.

Council Member Tierney noted that Police Chief Hayes has invited several people to come out and shoot when the department has their annual qualifications testing, and encouraged people to take advantage of the opportunity.

Council Member Smeback asked if she requested a taser demonstration.

Council Member Finch replied that she owns one and already knows how to use it.

Council Member Schmid asked if she had to be tased.

Council Member Finch responded that she has never been tased, although she has tased someone.

Council Member Tierney complimented Mayor Gawlik on the new look for the Community Pride Award plaque.

Mayor Gawlik responded that the credit for the new design belongs to Executive Assistant Lake, and that he is very appreciative of all her hard work.

Melinda Wilson, secretary for DC Bound, said that the walking tacos, which are nacho cheese Doritos and various toppings in a bag, were huge success at Community Days.

Council Member Schmid remarked that Melinda and Bo Wilson spend a lot of time volunteering at the Youth Center.

Mr. Wilson asked if it would be possible to have City Council meetings on a conference call, not for comments but simply to listen in.

Mayor Gawlik commented that Mr. Kelly's expertise includes the establishment of a teleconference between three of the San Juan Islands for their Commissioner meetings.

Council Member Jorgensen remarked that it is a great idea, noting that they utilized the conference call feature when talking to the Today in America folks.

3. Boards

4. Departmental

City Attorney Noe had no report.

R. Executive Session

Mayor Gawlik cancelled the scheduled Executive Session.

S. Adjournment

Council Member Schmid moved, and Council Member Finch seconded, that the meeting be adjourned. Motion carried with five aye votes and one abstention.

The meeting adjourned at 9:34pm.

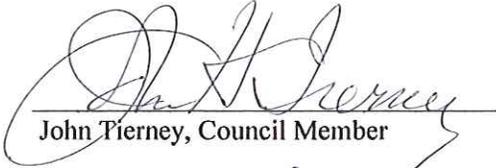


John Grawlik, Mayor

EXCUSED

Keith Larson, Council Member

Paul Overby, Council Member



John Tierney, Council Member



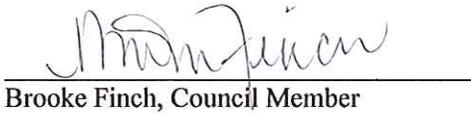
Kevin Jorgensen, Council Member



Dave Smeback, Council Member



Allen Schmid, Council Member



Brooke Finch, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer