

Study Session
Selah City Council
October 23, 2012
5:30pm

The Mayor Pro Tem opened the Study Session and invited City Administrator Kelly and Clerk/Treasurer Novobielski to speak.

Clerk/Treasurer Novobielski opened the discussion with information on the Marudo property fund, and answered questions regarding the Banner Bank property. He addressed the funding of the new Public Works Facility, informing the Council that there are no outstanding loans and it is paid in full.

City Administrator Kelly talked briefly about the various properties currently owned by the City and the possibility of selling some of those to pay down the principal on the loan. He noted that there will be further discussion of the surplus properties and the direction Council wishes to go regarding them at the next Council Meeting. He then moved on to a discussion of the proposed utility tax increase, and how the proposed increase would resolve the debt issue. He noted that there will be a Public Hearing on the matter at the next Council Meeting. He also outlined other possibilities for dealing with the debt, such as reducing the number of City employees, and the need to sell some of the City's real estate holdings.

Discussion of the proposed utility tax increase followed, and included having a sunset clause in place for the proposed utility tax and the need to build the City's reserves back up.

Mayor Pro Tem Schmid thanked City Administrator Kelly and Clerk/Treasurer Novobielski for their time.

The Study Session concluded at 6:20pm.

City of Selah
Council Minutes
October 23, 2012

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

A. Call to Order Mayor Pro Tem Schmid called the meeting to order at 6:30pm.

B. Roll Call

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

Members Excused: Mayor Gawlik

Staff Present: David Kelly, City Administrator; Bob Noe, City Attorney; Dale Novobicski, Clerk/Treasurer; Jerry Davis, 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. Parks, Recreation & Tourism Director Hagler led the opening prayer.

D. Agenda Changes

Add the following to the Agenda:

1. Resolution M – 8 Resolution of the City Council of the City of Selah, Washington, setting a public hearing to consider amendments to Selah Municipal Code Chapter 4.34, for purpose of increasing the Utility Tax imposed against the City as it relates to City operated utilities and to consider a rate decrease to the consumer for water, sewer, and garbage services.

Remove the following from the Agenda:

1. Executive Session Q – 1 Preliminary Contract Negotiations – 30 minutes

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

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

G. Communications

1. Oral

Mayor Pro Tem Schmid opened the Public Meeting. Seeing no one rise to speak, he then closed the Public Meeting.

2. Written

- a. Wastewater Treatment Clarifier Upgrades Progress Estimate No. 5
- b. Letter from the Wapato Police Department regarding the Interlocal Agreement between the City of Selah and the City of Wapato for calendar year 2013
- c. Letter from Basin Disposal of Yakima, LCC re: Recycle Data Report for the 3rd quarter of 2012

H. Proclamations/Announcements **None**

I. 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: October 9, 2012 Council Meeting
- * 2. Approval of Claims & Payroll:
Payroll Checks Nos. 74502 – 74632 for a total of \$173,207.54
Claim Checks Nos. 60986 – 60987 for a total of \$ 17,965.50
Claim Checks Nos. 60988 – 61054 for a total of \$265,153.87
- * 3. Resolution M – 4 Resolution authorizing the Mayor Pro Tem to Sign the Interlocal Jail Agreement between the City of Selah and the City of Yakima
- * 4. Resolution M – 5 Resolution Authorizing the Mayor Pro Tem to Accept the Wastewater Treatment Plant Clarifier Upgrade Project as Complete
- * 5. Resolution M – 6 Resolution authorizing the Mayor Pro Tem to Sign a Municipality Tourism Promotion Management Contract with the Yakima Valley Visitors & Convention Bureau for the Year 2013
- * 6. Resolution M – 7 Resolution Authorizing the Mayor Pro Tem to Sign an Advertisement Contract with Yakima Valley Visitors and Convention Center for the Year 2013

- * 7. Ordinance N-2 Ordinance Amending the 2012 Budget for Completion of 2011 Water System Improvements

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

J. Public Hearings

- 1. Public Hearing - Revenue Sources for 2013 Budget

Clerk/Treasurer Novobielski addressed J-1. He said that they are proposing a one percent increase in 2013 property taxes as permitted by law. He apologized for not being fully prepared to discuss the revenue sources and requested that the Public Hearing be tabled for approximately ten minutes to allow him time to gather the necessary documentation for presentation.

Mayor Pro Tem Schmid tabled the item for ten minutes.

K. New Business

- 1. Riverview Manor - Presentation of Hearing Examiner's Recommendations

Community Planner Davison addressed K-1. He said referred the Council to the information provided with their packets, along with a larger map posted on the wall. He noted that the property in question consists of a house and ten units, which Mr. Torkelson proposes to break into individual lots with a private interior road and a common area open space at the north end of the property. He went on to say that the individual homeowners would be responsible for the upkeep of their properties, payment of utilities, upkeep of the open space area, and maintenance of the private road. He stated that the Hearing Examiner held a Public Hearing on the matter earlier this month, which was attended only by himself and Mr. Torkelson. He commented that the staff report was presented at that time, and briefly summarized its contents. He said that the property is currently zoned R-2, or moderate density, which allows for the requested development on the subject property. He remarked that the Hearing Examiner prepared a written Findings, Facts and Conclusions, in which he recommends that the planned developments be approved and the preliminary plat be approved with the seven conditions listed. He reiterated that the development would have a private street and privately owned utilities, and noted that the proposal consists of small lots with homeownership rather than rental or lease. He noted that the Fire Department had previously reviewed the development for hydrants and fire prevention, and that they would connect to public water and sewer. He finished by saying that the staff recommendation is to adopt the Hearing Examiner's recommendation for the Resolution for preliminary plat with its conditions and the Ordinance amending the zoning map.

Council Member Tierney asked for clarification on item eight of the Hearing Examiner's recommendations, saying that he was unclear as to which lot was designated as lot seven, block four.

Community Planner Davison responded that the west half of property was previously short platted and five feet of right of way was dedicated at that time; however, the City wishes to secure an additional five feet on the south half of the east half of the property.

Council Member Tierney remarked that there is no lot seven shown on the map.

Mayor Pro Tem Schmid commented that lot seven is on the northern end.

Council Member Tierney read the description from the information provided.

Community Planner Davison replied that, prior to subdivision, the property was designated as Lot seven Block four of Garden Acre Tracts, and that the previously dedicated five feet was done when the property was first subdivided. He went on to say that the City is requesting an additional five feet on the south side of the east half of the property.

Council Member Tierney indicated the area on the map.

Community Planner Davison said that the City will have a continuous forty-five feet of frontage across the front of the property.

Council Member Larson moved, and Council Member Finch seconded, to adopt the Hearing Examiner's Recommendation for approval, to include the eight requirements as listed. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

J. Public Hearings

1. Public Hearing - Revenue Sources for 2013 Budget

Clerk/Treasurer Novobielski addressed J-1. He said that a major source of revenue for the City is the property tax, noting that for 2012 the City levied \$1,370,000. He went on to say that the law allows for a one percent increase each year, which would amount to an additional \$13,700 collected, and that the County Assessor has updated their evaluations and indicated that the City can also increase their new construction levy by \$16,300, which would bring the total proposed increase to \$30,000. He commented that the new levy would be \$1,400,000, resulting in a levy rate of approximately \$2.50 cents. He noted that the City would receive \$375.00 on \$150,000 home, or \$400.00 on a \$200,000 home, from the increase. He briefly reviewed the allocation of the \$1,400,000, indicating that \$909,500 is proposed for the General Fund, one percent would support the City's partnership in the library, ten percent goes to the Street Fund for maintenance, and the remaining twenty-four percent is allocated for the Fire Control Fund. He remarked that Fire Control Fund has increased four percent over last year, to meet the current requested level of expenditure requested by the Fire Chief.

Mayor Pro Tem Schmid asked what dollar amount was allocated to the General Fund.

Clerk/Treasurer Novobielski replied that it is \$909,500, going on to say that the General Fund is receiving \$942,000 in the current budget and that the approximately \$30,000 difference is being allocated for the Fire Control Fund in the 2013 Budget.

L. Old Business

None

M. Resolutions

1. Resolution authorizing the Mayor Pro Tem to sign a Joint Use of Property and Facilities Agreement between the City of Selah and the Selah School District No. 119

City Administrator Kelly addressed M-1. He said that the City has a contract with the Selah School District which has come to the Council every year for approval. He expressed his opinion that, if we have a good relationship with the School District, he would prefer to make the contract automatically renew. He went on to say that they made a change in the language to require thirty days' notice to discuss any changes, as opposed to having the same discussion every year. He commented that he has discussed the contract with Shane Backlund, the new superintendent, and Chris Scacco, the assistant superintendent, regarding the contract. He remarked that they have developed a good working relationship, and that the goal is to have this contract simply roll over on an annual basis, with no discussion unless there's a problem to be addressed.

Council Member Tierney moved, and Council Member Jorgensen seconded, to approve the Resolution authorizing the Mayor Pro Tem to sign a Joint Use of Property and Facilities Agreement between the City of Selah and the Selah School District No. 119. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

2. Resolution Approving the Preliminary Plat of Riverview Manor (912.79.12-02) and Adopting Findings and Conditions of Preliminary Plat Approval

Council Member Jorgensen moved, and Council Member Larson seconded, to approve the Resolution Approving the Preliminary Plat of Riverview Manor (912.79.12-02) and Adopting Findings and Conditions of Preliminary Plat Approval. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

3. Resolution authorizing the Mayor Pro Tem to Sign the Agreement between the City of Selah and Selah School District regarding the School Resource Officer

Police Chief Hayes addressed M-3. He said that the new contract is almost identical to the previous one we had with the Selah School District. He deferred to City Administrator Kelly for additional information, saying that he was out of town during negotiations.

City Administrator Kelly said that this is a positive thing between the City and the School District. He went on to say that when School Resource Officer (SRO) was established the School District agreed to contribute \$30,000, or approximately half, of the SRO's wages while they are at the school. He commented that there has been no increase over the year to adjust for rising costs, and when discussing this with Superintendent Backlund they agreed to raise the amount to \$35,000 with an annual three percent cost of living increase. He noted that the same thirty day clause inserted into the Joint Use Agreement was also added in this contract.

Council Member Tierney wondered what percentage of the School Resource Officer's salary it is.

City Administrator Kelly replied that it is approximately half of the salary while the SRO is at the school, or half of nine months.

Council Member Tierney moved, and Council Member Finch seconded, to approve the Resolution authorizing the Mayor Pro Tem to Sign the Agreement between the City of Selah and Selah School

District regarding the School Resource Officer. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

- * 4. Resolution authorizing the Mayor Pro Tem to Sign the Interlocal Jail Agreement between the City of Selah and the City of Yakima
- * 5. Resolution Authorizing the Mayor Pro Tem to Accept the Wastewater Treatment Plant Clarifier Upgrade Project as Complete
- * 6. Resolution authorizing the Mayor Pro Tem to Sign a Municipality Tourism Promotion Management Contract with the Yakima Valley Visitors & Convention Bureau for the Year 2013
- * 7. Resolution Authorizing the Mayor Pro Tem to Sign an Advertisement Contract with Yakima Valley Visitors and Convention Center for the Year 2013
- 8. Resolution of the City Council of the City of Selah, Washington, setting a public hearing to consider amendments to Selah Municipal Code Chapter 4.34, for purpose of increasing the Utility Tax imposed against the City as it relates to City operated utilities and to consider a rate decrease to the consumer for water, sewer, and garbage services

City Attorney Noe addressed M-8. He said that he is asking for a public hearing on the utility tax increase to be set for the next Council meeting, saying that they feel the public would have significant input on the matter. He went on to say that, if necessary, it could be continued to the next meeting to get additional public input.

Council Member Tierney remarked that the next meeting is at 4pm, and wondered if this can be changed to the later meeting time, as he feels we have a larger turnout on the later meeting times.

Mayor Pro Tem Schmid recommended opening the Public Hearing at the next meeting, then continuing it the following meeting, which would allow more people to attend.

Council Member Jorgensen asked if the motion for Resolution should include both sessions, or just one.

City Attorney Noe responded that it only needs to include the one to start, which can then be continued to the following Council Meeting.

Council Member Smeback moved, and Council Member Larson seconded, to approve the Resolution of the City Council of the City of Selah, Washington, setting a public hearing to consider amendments to Selah Municipal Code Chapter 4.34, for purpose of increasing the Utility Tax imposed against the City as it relates to City operated utilities and to consider a rate decrease to the consumer for water, sewer, and garbage services. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

N. Ordinances

1. Ordinance Amending Ordinance No. 1634 Zoning Map Amendment No. 914.79.12-03 Rezone to Planned Development (PD)

Council Member Tierney moved, and Council Member Jorgensen seconded, to approve the Ordinance Amending Ordinance No. 1634 Zoning Map Amendment No. 914.79.12-03 Rezone to Planned Development (PD). Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Tierney – yes; Council Member Jorgensen – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes. By voice vote, approval was unanimous.

- * 2. Ordinance Amending the 2012 Budget for Completion of 2011 Water System Improvements

O. Communications

1. Oral

Mayor Pro Tem Schmid opened the meeting.

Jane Williams, 701 South 7th Street, approached the podium and addressed the Council. She thanked the Council for considering having a Public Hearing on the earlier Study Session issue before presenting it as a utility tax increase, saying that she feels if the public gets an opportunity to understand this better that some ideas will come forth. She noted that the community is an educated one, and someone may come forward with an idea on the matter. She commented that the Council has spent considerable time on the matter, but reiterated that someone from the community may have additional ideas that they have not considered. She inquired if the public meeting be here and be part of a regular Council meeting, or if it could be moved to the Civic Center as an open forum.

Mayor Pro Tem Schmid replied that it would be a part of the regular Council Meeting, and noted that the location would be decided by both the Mayor and the City Administrator prior to that meeting.

City Attorney Noe remarked that there has to be at least ten days' notice prior to holding a public hearing.

Mayor Pro Tem Schmid noted that he doesn't feel the Council can make a decision regarding a change of venue at this time.

Ms. Williams asked if notice will go out through the reader boards and the local newspaper.

Mayor Pro Tem Schmid replied in the affirmative.

Council Member Jorgensen commented that he thought city administrator Kelly had said something about a press release on the matter.

City Administrator Kelly responded that a press release will be done. He noted that another suggestion is to send a letter to all the utility users, which could then result in a change of venue.

Council Member Overby said that we might consider a change of venue for the second one, saying that the first meeting might generate significant interest in the community to attend the second meeting.

Council Member Larson remarked that we will know more after the first meeting.

Norma Smith, 906 Speyers, approached the podium and addressed the Council. She wondered what time the meeting would be held.

Mayor Pro Tem Schmid replied that it is currently scheduled to be at the normal 4pm time, with the following meeting at its regular time of 6:30pm.

Ms. Smith then asked if the Council will hold the Public Hearing twice.

Mayor Pro Tem Schmid responded that that is the Council's intention at this point.

Herb Schmidt, 107 Highland Court, approached the podium and addressed the Council. He remarked that, in the past, an announcement regarding changes could be made on the water bill.

City Administrator Kelly commented that there is a character limitation on the utility bills, but said that we will do our best to get something on there for the next billing cycle.

Kathy Hoffert, 606 Southern Avenue, approached the podium and addressed the Council. She strongly encouraged the Council to send a letter to everyone, noting that the other options suggested are good but not everyone looks at their water bill, the reader boards or the newspaper. She went on to say that she feels, in the interests of transparency, that a letter should be sent to everyone giving them the option of whether or not to come.

Mayor Pro Tem Schmid remarked that he feels that the press release will likely generate some activity on the news media in the next two weeks.

Bruce Williams, 701 South 7th Street, approached the podium and addressed the Council. He said that he appreciates the information generated by Clerk/Treasurer Novobielski. He went on to say that he would like to see a detailed explanation of how we got to this point with regards to the utility tax, and would like some background on the steps that led up to this proposed tax increase.

Seeing no one else rise to speak, the Mayor Pro Tem then closed the meeting.

P. Reports/Announcements

1. Mayor Pro Tem

Mayor Pro Tem Schmid reminded the Council about the notice of budget meeting times given to them this evening.

City Administrator Kelly noted that the first Budget meeting will be in the conference room at the Fire Station rather than in Council Chambers.

Mayor Pro Tem Schmid encouraged the Council to read the Parks & Recreation Board minutes. He expressed hope that the Mayor recuperates quickly, and thanked everyone for coming out this evening to attend the meeting. He finished by saying that it has been a pleasure to host the meeting.

2. Council Members

Council Member Tierney wondered if the City could get a large-scale GIS map of the City, along with a laser pointer, as a visual aid to refer to in discussions of plats, boundary changes and such.

Mayor Pro Tem Schmid commented that budgets are coming up.

Council Member Tierney remarked that there's something wrong if the City can't afford to spend thirty or forty dollars on a larger map.

Public Works Director Henne said that you'd spend that amount on the laser pointer.

Council Member Tierney responded that he's loan his pointer, but didn't feel that anyone would want the three eighty to go with it.

Council Member Larson had no report.

Council Member Jorgensen had no report.

Council Member Smeback said that the pool looks great and commended the Public Works crew and the volunteers who worked on it this fall.

Mayor Pro Tem Schmid asked how doing repairs and maintenance in the fall compared to doing it in the spring.

Public Works Director Henne replied that works out better time-wise, as they are scrambling in the spring to get the pool ready for the swim team as well as preparing for Community Days.

Council Member Overby thanked both City Administrator Kelly and Clerk/Treasurer Novobielski for their presentation during the Study Session. He noted that the facts and figures are a bit difficult and not necessarily accessible, and mentioned to the audience that this is the second or third time that the Council has discussed the issue. He remarked that City Administrator Kelly and Clerk/Treasurer Novobielski have their work cut out for them to distill this information down for the citizens at the public hearing. He opined that the details are important but it needs to be accessible and understandable.

Council Member Finch said that she and the Mayor attended the Yakima Valley Conference of Governments (YVCOG) meeting last week, and enjoyed an informative presentation from the Department of Ecology regarding water rights in the Yakima Valley. She noted that the Department of ecology is working on a plan to overcome some of the water shortage issues.

3. Boards

4. Departmental

Clerk/Treasurer Novobielski had no report.

Community Planner Davison had no report.

Public Works Director Henne said that the last residential meter reads of the year started yesterday and would be finished tomorrow, after which the crew will begin stuffing meters with sawdust bags to winterize them. He went on to say that they getting ready for winter and they should be receiving a bulk delivery of coarse salt tomorrow.

Mayor Pro Tem Schmid complimented the Public Works employees for the outstanding job they are doing this year.

Parks, Recreation & Tourism Director Hagler said that, with the passing of the levy, the Selah Parks & Recreation Service Area Board (SPRSA) is beginning to take shape. He went on to say that the board met last Monday night, noting that Council Members Jorgensen and Larson, along with Ms. Williams from the audience, are members of the board. He commented that the Board is coordinating with the County regarding the levy; they have already issued a Resolution regarding the levy and that they will continue to work on the necessary steps for the pool.

Mayor Pro Tem Schmid inquired who was compiling the paperwork for the Board.

Parks, Recreation & Tourism Director Hagler answered that the Board has selected a chairman, a vice chairman, and a secretary as of the last meeting.

Police Chief Hayes said that you will start to see a different graphic design on the patrol cars, as they are eliminating the old grey graphic in favor of a more patriotic version. He commented that he has been hunting up in the mountains of Idaho for the last two weeks.

Mayor Pro Tem Schmid asked if he was successful.

Police Chief Hayes replied that he was not, but everyone else was.

Mayor Pro Tem Schmid thanked the Parks & Recreation people for their excellent work this past summer, and expressed his thanks to the Police Department for doing an outstanding job.

City Attorney Noe had no report.

Fire Chief Davis said that the onsite audit was finished last week, and they are waiting to see if the rating stays the same. He noted that they expect to remain at the same rating.

Mayor Pro Tem Schmid remarked that the Selah Fire Department is composed of outstanding individuals. He noted that they have had a busy summer, and asked Fire Chief Davis to relay his compliments to the troops for their hard work.

City Administrator Kelly said that he has been working on a number of things. He remarked that he had the opportunity to tour Woods Field with Mike Archer, and has since has begun contract discussions with the School District and the Pepsi Pak regarding Woods Field. He noted that it has been an informative, and at times spirited, dialogue thus far.

Q. Executive Session

Executive Session was cancelled.

R. Adjournment

Council Member Jorgensen moved, and Council Member Larson seconded, that the meeting be adjourned. Motion passed with six voting yes and one voting no.

The meeting adjourned at 7:19pm.

EXCUSED

John Gawlik, Mayor

Paul Overby, Council Member

Kevin Jorgensen, Council Member

Allen Schmid, Council Member/Mayor Pro Tem

Keith Larson, Council Member

John Tierney, Council Member

Dave Smeback, Council Member

Brooke Finch, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer