

Study Session #1
Selah City Council
October 9, 2012
3:00pm

The Mayor opened the first Study Session and invited City Administrator Kelly to speak.

City Administrator Kelly discussed the loan taken out by the City to purchase the Marudo property, the lack of clearly designated monies to pay the loan off, and misuse of funds received from the sale of those lots. He touched on the recent refinance of City loans, the lack of a revenue stream for repayment of these loans, and the prior drain out of some City reserve funds to make payments, the current state of the City's reserve funds, and the need for Council to decide how they would like to remedy the situation. He reviewed some possible solutions and asked for Council feedback.

Discussion followed, and included items such as how much money has been received from sales of the Marudo properties, where the funds for the Carlon Park redevelopment and the new Public Works Maintenance Facility came from, the need to spread the payments across all areas of the City rather than identifying only one area to make the payments, the City's accountability to the citizens regarding the money received and how it was spent, whether future sales of Marudo properties could be used to pay off the restructured loan, and to continue this Study Session at the next Council Meeting with all information requested by Council members available at that time.

Mayor Gawlik thanked City Administrator Kelly and continued the Study Session to the next Council meeting.

The Study Session concluded at 3:29pm.

Study Session #2
Selah City Council
October 9, 2012
3:30pm

The Mayor opened the second Study Session and invited Community Planner Davison to speak.

Community Planner Davison talked briefly about the three annexations currently being considered, and requested that Council consider revising the City's standing practice of requiring seventy-five percent of property owners down to the sixty percent as required under State law. A brief discussion followed on why the City has been opting for seventy-five percent rather than the lower level required by the State.

Community Planner Davison discussed the proposed Goodlander annexation, including his desire to send out letters to see if there is interest from additional property owners before proceeding with the annexation. Discussion on what amount of property should be considered for annexation and where any opposition to annexation in that area is likely to be.

The Mayor polled the Council members for a Consensus on whether to go with the Washington State law of sixty percent for annexations. Consensus was unanimous.

The Study Session concluded at 3:55pm.

City of Selah
Council Minutes
October 9, 2012

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

A. Call to Order Mayor Gawlik called the meeting to order at 4:00pm.

B. Roll Call

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

Members Excused:

Staff Present: David Kelly, City Administrator; Bob Noe, City Attorney; Jerry Davis, Fire Chief; Gary Hanna, Deputy Fire Chief; Eric Steen, Police Sergeant; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Charles Brown, Parks & Recreation Coordinator; Monica Lake, Executive Assistant

C. Pledge of Allegiance

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

D. Agenda Changes

Add the following to the Agenda:

1. Resolution M – 5 Resolution Authorizing the Mayor to Award a Leak Inspection and Repairs Contract of North Reservoir to Hydro Tech International

E. Public Appearances/Introductions/Award Presentations

1. Community Pride Award to Tree Top, Inc.

Mayor Gawlik presented Tom Stokes, President and CEO of Tree Top, Inc., with a framed Community Award. He spoke briefly about the joint Fall Festival and Skewered Apple Barbeque held on the Tree Top campus, saying that the City wishes to recognize both the company and its employees for their hard work regarding the joint event. He then read aloud the Community Pride Award.

Mr. Stokes accepted the award on behalf of Tree Top, thanking the City of Selah, the Mayor and the Council Members for the honor.

Council Member Schmid mentioned that Mr. Stokes and two others comprised one of the crews in the barbeque contest, and observed that they had some good barbeque.

Mr. Stokes remarked that they didn't win but weren't in last place either.

Council Member Schmid commented that it was probably better that he didn't win since the barbeque contest was sponsored by his company.

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

G. Communications

1. Oral

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

2. Written

a. Letter from Ms. Eckert commending the Public Works Department

Mayor Gawlik read aloud a letter from Ms. Eckert commending Public Works, Code Enforcement and Community Planning regarding her recent abatement issue.

Public Works Director Henne commented that it was not in his packet.

Mayor Gawlik responded that he kept it under wraps until the Council Meeting, and noted that copies of the letter will be placed in the appropriate personnel files.

H. Proclamations/Announcements

1. Fire Prevention Week October 7-13, 2012

Mayor Gawlik read aloud the Proclamation.

Fire Chief Davis asked Deputy Fire Chief Hanna to list the fire prevention activities scheduled.

Deputy Fire Chief Hanna said that they have fire evacuation drills scheduled at the schools, meeting with the kindergarten classes both this week and next week, and speaking with the Cub Scout groups over the next few weeks. He noted that it can be challenging to get things scheduled in the fall and the spring, but they do the best they can.

Fire Chief Davis remarked that Governor Gregoire and the Lieutenant Governor have extended the burn ban through Monday, October 15th at midnight. He commented that the hunters are having a hard time right now, and even the shooting ranges have been shut down.

Mayor Gawlik requested an update on the fires around the region.

Fire Chief Davis replied that most of the big ones are surrounded, although they will continue to burn until the snow flies. He went on to say that there are some new fires starting up and said that we won't be done with the fires until the rain and snow fall.

I. Consent Agenda

Council Member Schmid moved to add M-1 and M-3 to the Consent Agenda.

Council Member Tierney requested that M-1 not be added to the Consent Agenda.

Council Member Schmid amended his motion to add only M-3 to the Consent Agenda. Motion seconded by Council Member Larson.

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: August 28, 2012 Council Meeting
- * 2. Approval of Claims & Payroll:
 - Payroll Checks Nos. 74343 – 74415 for a total of \$135,399.04
 - Payroll Checks Nos. 74416 – 74501 for a total of \$182,076.57
 - Claim Checks Nos. 60824 – 60845 for a total of \$ 304.94
 - Claim Checks No. 60846 for a total of \$ 3,449.89
 - Claim Checks Nos. 60847 – 60911 for a total of \$126,753.15
 - Claim Checks Nos. 60912 – 60913 for a total of \$ 26,773.27
 - Claim Checks Nos. 60914 – 60985 for a total of \$ 96,797.93
- * 3. Resolution M-2 Resolution Authorizing the Mayor to Sign an Agreement between the City of Selah, Selah School District 119 and Selah Community Action Network regarding the Youth Center
- * 4. Resolution M-3 Resolution Authorizing the Mayor to sign a Jurisdictional Transfer Agreement between Yakima County and the City of Selah for East Goodlander Road

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

- J. Public Hearings **None**
- K. New Business **None**
- L. Old Business **None**
- M. Resolutions

1. Resolution Authorizing the Mayor to Sign a Fire Communication Services Contract with the Cities of Yakima and Union Gap, and Yakima County Fire Protection Districts 1, 2, 3, 4, 6, 9, 12 and 14

Fire Chief Davis addressed M-1. He said that there has been some contention with the Fire Districts and the Fire Chiefs regarding the contract, noting that the County Commissioners' decision not to renew or extend the tax for six months meant that they had to use reserves to keep up. He went on to say that the Selah Fire Department, along with various other fire departments and police departments, used to be dispatched through Hitech, but the County has since mandated a change to Spillman. He remarked that, while this is good for the police departments, it is not as positive a change for the fire departments. He commented that the Upper Valley dispatch is at the City of Yakima. He commented that a percentage of the funds had been allocated for dispatch the past several years, and went on to explain the restructure of the dispatch center and why they are requesting a flat five percent increase for both 2013 and 2014. He ended by saying that this contract will run through December 2014, at which time a new contract will be drawn up that recalculates the amount based on the numbers of calls over the next two years. He requested that Council authorize the Mayor to sign the contract for dispatch services.

Council Member Tierney expressed his concern regarding the five percent increase the first year and again the second year, saying that it far exceeds the current CPI. He went on to say that he can understand the need for first increase, but he would like to see the second year set at a zero percent increase with the understanding that they would come back to Council to negotiate any increase for the second year. He also expressed a concern over the County's antiquated 911 dispatch system, saying that they waste a considerable amount of money because of multiple dispatch centers around the valley. He opined that there should be one site where all calls go to be handled, noting that this has been discussed over the last several years but nothing has gotten done.

Fire Chief Davis replied that they are working on it, as shown by everyone now using Spillman, which is good for Police Departments and tolerable for Fire Departments. He went on to say that Brad Helms, the chair of the Fire Commission and a member of the 911 Committee, has discussed this with the committee members, but they feel that a single dispatch center will never happen because too many law enforcement agencies want to do their own dispatch services. He mentioned that the fire service has two, one in the Upper Valley area and one in the Lower Valley area.

Council Member Tierney remarked that it would only take one prisoner committing suicide at a smaller jail for them to change their minds about doing their own dispatch.

Mayor Gawlik asked Council Member Tierney for confirmation that he is fine with the first five percent increase but not the second one.

Council Member Tierney replied in the affirmative, saying that there is a complicated overlap in the two systems that would necessitate the first five percent but not the second five percent.

Fire Chief Davis remarked that, while he is not saying that he agrees with both of the increases, their reason for this is that they need to hire more 911 operators.

Council Member Tierney responded that he understands the need for dispatch, but feels that the Council should send a message back saying that they need to adjust this or alternatively approve it and send a letter to them indicating our displeasure with second five percent increase.

Mayor Gawlik noted that Fire Chief Davis will also be presenting this to the Fire Commissioners tonight.

Council Member Larson asked what the annual dollar amount is for this line item.

Fire Chief Davis replied that it is around \$50,000, with an increase of \$3-4,000.

Council Member Tierney commented that it is approximately \$40 per call.

Fire Chief Davis agreed, and added that if he has a mutual aid call he also pays the dispatch fees for the initial call out to each department.

Council Member Larson remarked that he agrees with Council Member Tierney, saying that it seems excessive to have a five percent increase two years in a row. He acknowledged that the fact that our Fire Commission Chairman was a part of the process and the group that came up with numbers makes him feel better about the numbers.

Council Member Tierney opined that the Chief is between a rock and a hard place.

Council Member Jorgensen asked what would be done if they declined the contract.

Council Member Tierney thought that perhaps the Fire Commissioners would attempt to renegotiate the contract if the City refused to approve the contract, but admitted that he has no true idea of what they would do.

Fire Chief Davis informed the Council that these contracts, signed by all the different agencies, are due back within the next two days. He reminded the Council that this contract used to be done annually in the summer, and commented that the Fire Commission has fielded complaints from the majority of the Fire Chiefs regarding the increases.

Council Member Smeback wondered where we will be in two years regarding a solution for the Spillman and dispatch issues.

Fire Chief Davis replied that Spillman is working fine now for both law enforcement agencies and fire departments, although there are occasional errors. He said that he doubts there will be a combined dispatch within two years.

City Administrator Kelly suggested an addition in the letter saying that the City would like to renegotiate in eighteen months, which would give us enough time to corral everyone together and have something decided.

Fire Chief Davis suggested having the Fire Commissioners sign the letter too.

Mayor Gawlik asked if it would be Brad Holmes who would need to sign it.

Fire Chief Davis answered in the affirmative.

Council Member Schmid moved, and Council Member Larson seconded, to Approve the Resolution Authorizing the Mayor to Sign a Fire Communication Services Contract with the Cities of Yakima and Union Gap, and Yakima County Fire Protection Districts 1, 2, 3, 4, 6, 9, 12 and 14,

and to send a letter expressing the Council's displeasure over the 5% increase for 2014. 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 Authorizing the Mayor to Sign an Agreement between the City of Selah, Selah School District 119 and Selah Community Action Network regarding the Youth Center
- * 3. Resolution Authorizing the Mayor to sign a Jurisdictional Transfer Agreement between Yakima County and the City of Selah for East Goodlander Road
- 4. 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 increase to the consumer for water and sewer services

City Administrator Kelly addressed M-4. He said that, in light of earlier Study Session, he would like to gather the information requested and present it at a Study Session prior to the next Council Meeting. He expressed his desire to answer the questions raised by Council, and to talk through the options available before proceeding with a possible increase in the utility tax.

Mayor Gawlik asked for clarification that he was asking for an hour long Study Session prior to the next Council Meeting.

City Administrator Kelly replied in the affirmative, saying that the Council can decide at that time if and when to have a Public Hearing on the matter.

Mayor Gawlik wondered if it should be held on same night if approved by the Council.

City Administrator Kelly responded that he thinks they should discuss it all at the next meeting, decide which way to go, and then send out an informational press release.

Council Member Tierney moved, and Council Member Smeback seconded, to Table 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 increase to the consumer for water and sewer services until further notice. 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.

- 5. Resolution Authorizing the Mayor to Award a Leak Inspection and Repairs Contract of North Reservoir to Hydro Tech International

Public Works Director Henne addressed M-5. He said that the reservoirs were rehabilitated earlier this year, which included replacement of the ventilation system, replacing ladders, putting in new hatch covers, replacement of caulking, and changing pipes. He commented that they still have a leak, although the engineer believes that the contractor fulfilled the terms of his contract and no further action is due on their part. He expressed his desire to bring in a dive team to test the reservoirs and look for leaks, saying

that they will either find some new areas that will need repairs or discover that previous work isn't holding up.

Mayor Gawlik asked if this is the same reservoir that had a re-inspection of the ceiling material.

Public Works Director Henne replied in the affirmative, saying that the manufacturer repaired a few spots where there were problems and then did another inspection to check for any other problems. He went on to say that the divers will go in with a dye to view where the leaks are, and seal any minor leaks while they are in the tank. He indicated that they may also seek some reimbursement from the contractor after the inspection is done.

Council Member Tierney inquired as to the estimated volume of the leakage.

Public Works Director Henne responded that that it varies a bit, but it is approximately six gallons a minute.

Mayor Gawlik remarked that the leakage was greater prior to the rehabilitation done over the summer.

Council Member Larson moved, and Council Member Finch seconded, to Approve the Resolution Authorizing the Mayor to Award a Leak Inspection and Repairs Contract of North Reservoir to Hydro Tech International. 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 the 2012 Budget for Miscellaneous Expenditures

Clerk/Treasurer Novobielski addressed N-1. He gave a brief rundown of items listed, which included an unanticipated insurance payment to the City for a portion of the forensic audit costs, changes approved in March regarding the Court Clerk position, and a transfer from the General Fund to the Water Fund to pay for fire hydrant repair and maintenance.

Council Member Schmid asked for Public Works Director Henne for some clarification regarding the fire hydrants, noting that this has gone back and forth between him and Fire Chief Davis over the years.

Public Works Director Henne deferred to City Attorney Noe for a response.

City Attorney Noe responded that the law currently states that repair and maintenance of the fire hydrants is a general obligation of the City, not the rate payers.

Public Works Director Henne commented that they neglected to take the reservoirs into consideration when creating that law.

Council Member Jorgensen asked if the court collection methods have made up the difference.

Clerk/Treasurer Novobielski replied that they are approximately one thousand dollars away from their target with three months still left to collect additional monies.

Council Member Finch moved, and Council Member Overby seconded, to Approve the Ordinance Amending the 2012 Budget for Miscellaneous Expenditures. 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.

O. Communications

1. Oral

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

P. Reports/Announcements

1. Mayor

Mayor Gawlik expressed his thanks to City Administrator Kelly, Clerk/Treasurer Novobielski, and City Attorney Noe for their work in dealing with the Marudo project, and welcomed the Boy Scouts to the meeting. He reiterated his congratulations to Mr. Stokes and Tree Top Inc., saying that he is looking forward to another joint festival in the future.

2. Council Members

Council Member Finch had no report.

Council Member Schmid expressed his thanks to the Boy Scouts and students in the audience for attending the meeting.

Council Member Overby had no report.

Council Member Smeback expressed his thanks to City Administrator Kelly and Clerk/Treasurer Novobielski for their work on the Marudo project.

Council Member Jorgensen had no report.

Council Member Larson seconded Council Member Smeback's thanks to both City Administrator Kelly and Clerk/Treasurer Novobielski regarding the Marudo project.

Council Member Tierney echoed Council Member Schmid's thanks to the Boy Scouts and students attending the meeting.

3. Boards

4. Departmental

Community Planner Davison said that the Comprehensive Plan amendment application period closes next Monday. He went to say that he knows of two possible applications at this point, along with some

rezones and some subdivision activity. He noted that these will likely be presented to Council in December or January.

Deputy Fire Chief Hanna advised everyone to be rabbit ready with two ways out of their homes, and to practice escape routes.

Public Works Director Henne said that they will be starting the final reading of the year for residential water, as well as insulating them, and asked that anyone who will be out of town for an extended period of time this winter call the Public Works office so they can add additional insulation to prevent freezing. He mentioned that they are getting ready for winter, and that the pool repairs have been completed. He remarked that they have finished replacing the roof structure on the East shelter at Wixson Park, and noted that the neighbor across the street from Ms. Eckert has thus far neglected to deal with his abatement issue.

Clerk/Treasurer Novobielski said that he will be distributing the September financial reports to City Administrator Kelly and the department heads tomorrow. He commented that the first preliminary budget meeting was held yesterday and that the meetings will continue for the next week. He noted that the Council budget meetings will be held in November.

Fire Chief Davis said that he will present his joint budget to the Fire Commissioners tonight, followed by a presentation to the Mayor, the City Administrator and the Clerk/Treasurer tomorrow. He commented that his department and the Public Works Department presented their written packets to the Washington Surveying and Rating Bureau earlier in the year, and that they will be here next week for an on-site inspection.

Mayor Gawlik asked if this was a follow-up physical inspection to the earlier written one.

Fire Chief Davis replied in the affirmative, saying that they will view the water service and fire protection and then make a decision on any movement in the insurance rating. He noted that they are fine with a five but are always looking to go up to a four.

Mayor Gawlik expressed his complete confidence in the Fire Chief.

Sergeant Steen had no report.

City Attorney Noe had no report, but noted that the Executive Session would be cut back from thirty minutes to fifteen minutes.

City Administrator Kelly noted that budget season is upon us. He said that he will be meeting with the department heads over the next week to discuss their preliminary budgets, adding that he has also requested each department head to compile a list of their accomplishments for 2012 and their goals for 2013. He feels this is an opportunity to hold each other accountable, and that this will be an annual occurrence. He also expressed his excitement over getting the Marudo financial issues behind us. He went on to say that there is a need for job descriptions to be redone, and that the process has started with the Fire Department. He noted that they are finishing the first set of job descriptions, and will create evaluations based on the new descriptions. He commented that he had the opportunity earlier today to meet with Public Works Director Henne to discuss the Selah Ditch, the TMDL study we have and what the Department of Ecology is wanting done. He suggested a partnership between the City and the local Scout Troops for planting trees along the ditch.

Q. Executive Session

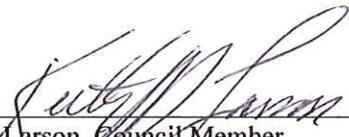
Council took a ten minute recess, and then entered into Executive Session for fifteen minutes to discuss Potential Litigation.

Upon conclusion of the Executive Session, the Council went back to Public Session. Mayor Gawlik stated that no action was taken during the Executive Session.

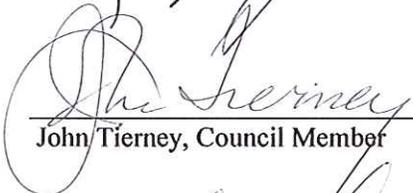
R. Adjournment

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

The meeting adjourned at 5:16pm.



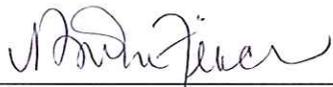
Keith Larson, Council Member



John Tierney, Council Member



Dave Smeback, Council Member



Brooke Finch, Council Member

ATTEST:



Dale E. Novobietzki, Clerk/Treasurer

John Gawlik, Mayor



Paul Overby, Council Member



Kevin Jorgensen, Council Member



Allen Schmid, Council Member