

City of Selah  
Council Minutes  
December 10, 2013

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

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

B. Roll Call

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

Members Excused: John Tierney; Brooke Finch; Carl Torkelson

Staff Present: David Kelly, City Administrator; Bob Noe, City Attorney; Dale Novobielski, Clerk/Treasurer; Gary Hanna, Fire Chief; Rick Hayes, Police Chief; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Charlie Brown, Recreation Manager; Monica Lake, Executive Assistant

C. Pledge of Allegiance

Mayor Gawlik led the Pledge of Allegiance. Pastor Mark Griesse led the opening prayer.

D. Agenda Changes **None**

E. Public Appearances/Introductions/ Presentations

1. Presentations

a. Keith Larson

Mayor Gawlik presented Council Member Larson with an engraved marble apple. He said that he has been a faithful and dedicated Council Member to the City of Selah and that at this, his last meeting, the City wishes to present him with a memento for his years of service to the City and its citizens. He read aloud the Community Pride Award before presenting it to Council Member Larson.

Council Member Larson thanked the Mayor, the City Council, and the city staff, saying that he has enjoyed being on the Council. He said that it has been a great learning experience and he appreciated the opportunity to serve and help out.

b. Private Ryker Belton

Mayor Gawlik said that it is the City's policy to recognize our sons and daughters who answer the call of duty to protect and provide for us the safety we have within our country. He invited Private Belton to come forward and read aloud a brief biography. He presented Private Belton with a United States flag flown over Selah on 9/11, along with a certificate of authenticity, on behalf of the citizens of Selah.

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

G. Communications

1. Oral

Mayor Gawlik opened the meeting.

Kevin Jorgensen approached the podium and addressed the Council. He said that Council Member Larson is a great mentor and a great civic leader who continues to be an example to those around him, and that he has left a good legacy for the Council to follow.

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

2. Written

a. Yakima Transit Service Ridership Report for October 2013

H. Proclamations/Announcements **None**

I. Consent Agenda

**Council Member Overby moved, and Council Member Smeback seconded, to add M – 6 to the Consent Agenda. By voice vote, approval was unanimous.**

Executive Assistant Lake read the Consent Agenda.

All items listed with an asterisk (\*) were considered as part of the Consent Agenda.

\* 1. Approval of Minutes: November 26, 2013 Council Meeting

\* 2. Approval of Claims & Payroll:

Claim Checks Nos. 66014 – 63086 for a total of \$114,461.43

\* 3. Resolution M – 3 Resolution Authorizing the Mayor to Sign a Local Agency Standard Consulting Agreement for Professional Municipal Engineering Services with Huibregtse, Louman Associates, Inc. for the Valleyview Avenue/South Third Street/Southern Ave/South First Street Project

\* 4. Resolution M – 4 Resolution Authorizing the Mayor to Sign the Huibregtse, Louman Associates, Inc. Supplemental Agreement Number 1 for the East Goodlander Road Improvements Project

- \* 5. Resolution M – 5 Resolution Authorizing the Mayor to Sign a Legal Advertising Contract with the Yakima Herald-Republic for the 2014 Calendar Year
- \* 6. Resolution M – 6 Resolution Authorizing the Mayor to Sign an Agreement for Certified Acceptance Services with Yakima County, Washington - STP Paving Project on Valleyview Avenue/South Third Street/Southern Avenue/South First Street

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

J. Public Hearings **None**

K. New Business

1. Latecomer Agreements

City Administrator Kelly addressed K – 1. He referred Council Members to their packets, saying that they were provided with information explaining the two different statutes that discuss latecomers’ agreements, and requested some direction regarding who to proceed with them. He noted that there are several ways the City could proceed, and suggested coming up with a simple way to handle them, based on City policy, so when developer does something they know the criteria the City needs and can meet it. He went on to say that the City wants to encourage developers to do that, and that one way would be to state that anyone who desires to connect to the side will pay the developer a fee if it was put in within the last twenty years. He felt that it would be good to create an Ordinance or Resolution to make clear exactly how things will go.

City Attorney Noe said that there are two statutory statements that are explicit as to authority but list no criteria, adding that what has been done in the past was discretionary. He recommended that Council come up with policies and criteria that would be applicable.

Council Member Schmid remarked that he would prefer to have a study session early next year on this topic, along with more defined requirements to look at.

Roy Sample, 1304 Heritage Hills Place, approached the podium and addressed the Council. He stated that he will be taking over Council Member Larson’s position in January, adding that he hopes he can do half the job he has done. He said that he brought this up at the previous meeting as he has had an interest in latecomers’ agreements in the past, and he feels that, since the taxpayers are paying for this increase the City should take advantage of their right to collect a fee from someone wishing to connect to the water or sewer lines.

City Attorney Noe commented that there are areas for specific infrastructure where the City recovers their costs when property owners connect. He requested direction from the Council regarding policy on latecomers’ agreements for both the City and private developers.

Mayor Gawlik stated that they have a motion from Council Member Schmid to do a study session after the first of the year and asked if there was a second.

Council Member Smeback stated that he would like to see staff work with the Planning Commission on this issue first.

Council Member Overby agreed, saying that it might be difficult to do in a study session.

City Administrator Kelly stated that he just needs direction from Council on the matter.

L. Old Business None

M. Resolutions

1. Resolution Revising Rates for 2014 Water Utility Services

Clerk/Treasurer Novobielski addressed M – 1. He said that, as a result of the 2014 budget meetings and an analysis of the utility services, it was deemed appropriate to increase water rates by three percent. He noted that the financial impact on the base price for water would be fifty cents per month including the utility tax, and that the increase on low income would be approximately sixty cents.

Council Member Schmid inquired about the balances in the City's reserve accounts.

Clerk/Treasurer Novobielski replied that the 2014 budget reflects an increase in water and sewer reserves by the end of the fiscal year. He said that the beginning balance in the water reserves in 2014 is three hundred thirty-three thousand dollars and the end balance is estimated at six hundred ninety-three dollars, while the sewer reserve fund will have a beginning balance of four hundred ninety thousand dollars and an ending balance of six hundred ninety-five thousand dollars.

City Administrator Kelly remarked that the City is growing reserves to maintain the infrastructure, saying that he wants to make sure that citizens understand they are simply taking care of business.

Clerk/Treasurer Novobielski commented that the City rolled back their rates ten percent for 2013 due to the temporary utility tax increase.

**Council Member Overby moved, and Council Member Smeback seconded, to approve the Resolution Revising Rates for 2014 Water Utility Services. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.**

2. Resolution Revising Rates for 2014 Sewer Utility Services

Clerk/Treasurer Novobielski addressed M – 2. He said that the Sewer rate increase is the same three percent increase as water rates, noting that billing in Selah is a flat rate for sewer services. He went on to say that the regular rate for 2013 is thirty-four dollars and ninety-six cents and the rate for 2014 will be thirty-six dollars and one cent, and for low income households the current rate is twenty-one dollars and forty-two cents and it will increase to twenty-two dollars and seven cents for 2014.

**Council Member Larson moved, and Council Member Overby seconded, to approve the Resolution Revising Rates for 2014 Sewer Utility Services. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.**

- \* 3. Resolution Authorizing the Mayor to Sign a Local Agency Standard Consulting Agreement for Professional Municipal Engineering Services with Huiibregtse, Louman Associates, Inc. for the Valleyview Avenue/South Third Street/Southern Ave/South First Street Project

- \* 4. Resolution Authorizing the Mayor to Sign the Huibregtse, Louman Associates, Inc. Supplemental Agreement Number 1 for the East Goodlander Road Improvements Project
- \* 5. Resolution Authorizing the Mayor to Sign a Legal Advertising Contract with the Yakima Herald-Republic for the 2014 Calendar Year
- \* 6. Resolution Authorizing the Mayor to Sign an Agreement for Certified Acceptance Services with Yakima County, Washington - STP Paving Project on Valleyview Avenue/South Third Street/Southern Avenue/South First Street
- 7. Resolution Authorizing the Mayor to Sign a Project Application for Transportation Alternatives Program (TAP) Funding for Sidewalk along Werner Loop

Public Works Director Henne addressed M – 7. He said that this program funding does sidewalk continuance preservation projects for those that are non-primary. He referred Council to the aerial photo of Wernex loop included in their packets, noting that part of the old highway serves as the entrance to the middle school for parents, along with access to athletics field and the homes and church on the loop. He remarked that there is not a sidewalk currently along that stretch, although they did spray a line along the side of the road five to eight years ago to create a four foot sidewalk. He stated that it is quite congested currently when the buses leave, and that people are driving in the oncoming traffic lane to go around kids walking along the side of the road. He noted that he picked up an endorsement from the Selah School District today, and that the funding request is for two hundred thirteen thousand dollars with no dollar match.

Council Member Schmid thought that there was a sidewalk on north side from north First Street down along the School District's property.

Public Works Director Henne replied in the negative, saying that the sidewalk in front of the high school wraps around approximately one hundred feet and stops; on the south end is gravel and a fence in two feet from the curb. He noted that that section of the shoulder will be widened and the fence will be relocated by the Selah School District.

Council Member Schmid wondered when they would be moving the fence.

Public Works Director Henne responded that they will do that as part of the school building project currently underway.

**Council Member Schmid moved, and Council Member Smeback seconded, to Approve the Resolution Authorizing the Mayor to Sign a Project Application for Transportation Alternatives Program (TAP) Funding for Sidewalk along Wernex Loop. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.**

- 8. Resolution Authorizing the Mayor to Sign an Agreement with Promantek, Inc. for the Purchase of Trakstar Employee Evaluation Software

City Administrator Kelly addressed M – 8. He explained his desire to have all employees on a software evaluation program, saying that this will allow the department heads to score them on an annual, quarterly, or semi-annual basis and have the ability to review the information on a year to year basis. He went on to say that it will allow employees to see what management thinks of them, give them the opportunity to evaluate their

peers if we choose to go that route, and is very user-friendly. He commented that he has seen the software being utilized at Larson Fruit

Council Member Overby wondered how flexible the program is, and if it is customizable by the City or through the vendor.

City Administrator Kelly replied that they will be able to change things around, although major changes would likely be through the vendor. He went on to say that they can also create custom items, although they have already developed an exhaustive list for evaluation of police and firefighters. He stated that he is excited about this and feels that it is a good opportunity.

Council Member Overby remarked that they recently went through a big transition like this at his place of employment and that was a nightmare.

Council Member Larson stated that the software is very user-friendly; one can set it up to receive automatic reminders throughout the year rather than doing right before evaluations. He said that Larson Fruit uses approximately five percent of what one could use; adding that it is a huge database and they selected what makes sense for their business and employees.

Council Member Overby wondered if the individual employees would participate in its use.

Council Member Larson responded that it can be set up any way a company would like, and that some people like to have employees do a self-evaluation first.

Council Member Overby commented that the one his company is using will lock up if things aren't done in the correct order.

Council Member Larson replied that this program is very user-friendly.

City Administrator Kelly said that they can set up the system for reminders to do particular things, adding that it would be nice to write down positive and negative items throughout the year, which the manager can then review later on. He said that it has an intuitive drop-down menu, which one doesn't have to be a computer genius to use.

Council Member Larson remarked that it can also do goal setting and planning, and progress reports.

Council Member Smeback asked him to name one thing that really helped company in regards to this program.

Council Member Larson responded that his employees know what's expected of them and how they are doing now, whereas before they were simply expected to know. He felt that it has really helped the employees know what and how they are doing.

**Council Member Schmid moved, and Council Member Smeback seconded, to Approve the Resolution Authorizing the Mayor to Sign an Agreement with Promantek, Inc. for the Purchase of Trakstar Employee Evaluation Software. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.**

N. Ordinances

1. Ordinance Amending the 2013 Budget for Miscellaneous Adjustments

Clerk/Treasurer Novobielski addressed N – 1. He said that this will be the final adjustment to the 2013 budget and briefly reviewed the various line items to be adjusted.

**Council Member Overby moved, and Council Member Larson seconded, to Approve the Ordinance Amending the 2013 Budget for Miscellaneous Adjustments. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.**

2. Ordinance Amending the 2013 Budget for the Purchase of a Water Truck

Public Works Director Henne addressed N – 2. He said that he has a standing request with the Washington State Department of Transportation (DOT) regarding equipment they decide to surplus, and that they currently have a water truck available for twenty-three thousand dollars. He referred Council to the picture provided in the packet, noting that it is in good shape and similar trucks price out at fifty thousand dollars. He felt this was an exceptional deal, as it has side, front and back discharges which can be used to spray weeds or deicer, unlike the current water truck with gravity feed tank.

Mayor Gawlik asked if it was a diesel truck.

Public Works Director Henne replied in the affirmative, adding that it comes from the Pasco area.

City Administrator Kelly Public commended Works Director Henne and Public Works Utility Supervisor Jones for their ongoing efforts to find deals for City equipment purchases.

Council Member Schmid asked if it would be painted white.

Public Works Director Henne responded in the affirmative.

**Council Member Schmid moved, and Council Member Larson seconded, to Approve the Ordinance Amending the 2013 Budget for the Purchase of a Water Truck. Roll was called: Council Member Larson – yes; Council Member Overby – yes; Council Member Smeback – yes; Council Member Schmid – yes. By voice vote, approval was unanimous.**

O. Communications

1. Oral

Mayor Gawlik opened the meeting.

Maryjo Quinn approached the podium and addressed the Council. She requested an update regarding the contract between the City of Selah and Hopesource, saying that she understands that the contract was approved by Selah and then sent to Hopesource, although they have not signed it as of yet. She wondered why the City would do work on a parking lot without having a fully executed contract in place.

City Administrator Kelly responded that he discussed the matter yesterday during a meeting with Yakima Transit and Hopesource. He noted that the City signed the contract proposed by Hopesource, but when it was returned to them their attorney wanted to make changes to it. He added that they also conducted a survey of some individuals riding the system, and opted to change things without consulting with all parties involved. He

went on to say that they City has a good relationship with Yakima Transit, and that his interest is to move this forward and resolve the routes in a way that will allow the City to use that developed area for a park and ride; Yakima Transit will come up with routes that will mimic what we currently have and figure out a way to do a park & ride in the City so that everyone is happy. He commented that some mistakes were made regarding communication, adding that the City would not have spent that money if they knew Hopesource would not sign the contract.

Council Member Schmid commented that the City may be back in the money for the Ellensburg route come through town.

City Administrator Kelly remarked that it will happen; they just need to work out the logistics of running it through town with a pick up at that location. He noted that there is currently a route from Selah to Exit 26, adding that their interest is to make it safer with designated parking inside the City limits.

Norma Smith approached the podium and addressed the Council. She expressed concern regarding the medical marijuana shop discussed at the last meeting, saying that she feels if the City's youth see people buying and using pot openly they will question the values that the community has been instilling in them.

City Attorney Noe remarked that the City currently has a moratorium in place, and that they will be looking at their options prior to making a final decision. He noted that several cities are banning it outright, and that the Liquor Control Board is still developing regulations.

Ms. Smith commented that people in the community are not happy about it.

Council Member Schmid responded that there is nothing listed within the City limits; the one for the Selah area was for a piece of property located in the County. He suggested that she address the County Commissioners with her concerns.

Ms. Smith thanked him for the suggestion.

City Attorney Noe stated that the Liquor Control Board has asked the Attorney General to render an opinion regarding local jurisdictions prohibiting the location of marijuana facilities, and that he hopes the Attorney General will issue an opinion soon. He remarked that it will be interesting to see how they address this issue with regard to the interplay with Federal law.

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

P. Reports/Announcements

1. Mayor

Mayor Gawlik said that he can't add more elegant words beyond what has already been stated regarding Council Member Larson's contribution to the community, but wanted to personally thank him for the times they have talked openly about different things. He added that he is looking forward to playing on the greens and fairways with him in 2014. He read a brief announcement regarding the Giving Tree in the foyer, and expressed his thanks to the staff for a good year and all their hard work. He wished everyone a merry Christmas and a happy prosperous new year.

2. Council Members

Council Member Schmid commended Council Member Larson for his long term as a Council Member, adding that he has appreciated serving with him on the Council through both the good times and the shaky times. He felt that this community is a better community because of him, and that it is something to be proud of. He wished everyone a merry Christmas and hoped they would have a good and safe holiday.

Council Member Overby remarked that he has appreciated the eight years he has served with Council Member Larson on the City Council, saying that he is a good role model and shows good volunteerism. He noted that a lot of hard work went in to the Civic Center. He wished everyone a merry Christmas.

Council Member Smeback echoed the previous comments, adding that Council Member Larson brought financial guidance to the Council and the community during his years on the finance committee. He said that the City has benefitted greatly from him, and that his fingerprints can be seen all over the community. He wished everyone a merry Christmas.

Council Member Larson thanked everyone for their kind words, saying that it has been a good experience working with everyone; it wasn't always fun or easy, but it has been good. He remarked that he has learned a lot about how city governments work and is tickled with what he has seen recently with Mayor Gawlik and City Administrator Kelly. He wished everyone a merry Christmas.

3. Boards None

4. Departmental

Clerk/Treasurer Novobielski wished everyone a merry Christmas.

Community Planner Davison remarked that it was nice to see former Council Member Jorgensen this evening, and wished everyone a happy holiday. He said that he and Public Works Director Henne met last week with the developers of a twenty-eight lot subdivision on 16th and Naches, adding that they want to start on the project as soon as they can get their equipment onsite. He went on to say that Tree Top will be presenting a proposed Comp Plan amendment to the Planning Commission next Thursday, which will be brought before Council at the first meeting in January. He stated that the Boundary Review Board actions will be final on January 5th, after which he will create an Ordinance for Council to consider at the second meeting in January.

Recreation Manager Brown had no report.

Public Works Director Henne said that they are working on various projects, noting that there were a few frozen meters around town due to the low temperatures, mostly to do with people being out of town during that period. He expressed his appreciation of the approval for the water truck purchase. He stated that he received one hundred ninety-one thousand, nine hundred and seventy dollars for Goodlander Road improvements last week, noting that they are getting close to the amount needed for the project.

Police Chief Hayes commented that the cold weather is slowing some things down. He said that Officer Singletary is doing well at the academy and will graduate on March 20th. He went on to say that the 15th officer is potentially on for January 1st; he took the polygraph test yesterday and all of the tests should be done before the months' end. He noted that the citizens' academy starts January 9th, with the first meeting held at the Fire station and the remainder at the Police station. He remarked that he looks forward to seeing as many as possible attend the academy.

City Attorney Noe wished everyone a merry Christmas.

City Administrator Kelly told Council Member Larson that he will be missed. He said that the City has expressed interest in some Selah School District-owned property across the street from Lince Elementary, noting that it is on their surplus list. He went on to say that they have identified the City as the party to sell the property to once they have gone through the process of surplusizing various properties, and that the appraisal is similar to the Assessor's valuation. He wished everyone a merry Christmas.

Fire Chief Hanna said that they are moving ahead with regard to filling the vacant position, noting that there will be a Civil Service Board meeting held on Friday. He added that the time frame would be to have the new hire start in February. He thanked Council Member Larson for his service on the Council and remarked that he looks forward to another great year working with the Council. He wished everyone a merry Christmas. Council took a ten minute recess.

Q. Executive Session

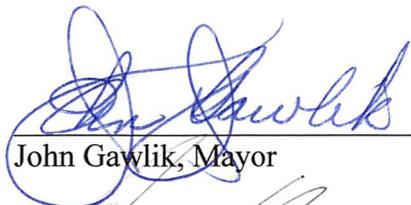
1. 20 Minute Session – Contract Negotiations RCW 42.30.140

Council went into Executive Session at 5:31pm. At 5:51pm, Council went back on the record. Mayor Gawlik stated that no action was taken during the Executive Session.

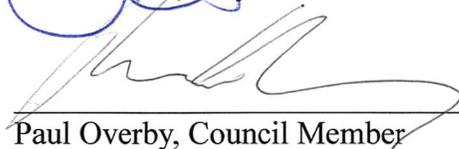
R. Adjournment

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

The meeting adjourned at 5:51pm.

  
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John Gawlik, Mayor

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Keith Larson, Council Member

  
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Paul Overby, Council Member

EXCUSED  
\_\_\_\_\_  
John Tierney, Council Member

  
\_\_\_\_\_  
Dave Sméback, Council Member

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

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

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

ATTEST:

  
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Dale E. Novobielski, Clerk/Treasurer