

City of Selah
Council Minutes
February 10, 2009

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

A. Call to Order Mayor Jones called the meeting to order at 3:58pm.

B. Roll Call

Members Present: Summer Derrey, Kevin Jorgensen, Keith Larson, Denise Nichols, Paul Overby, John Tierney

Members Excused:

Staff Present: Frank Sweet, City Supervisor; Bob Noe, City Attorney; Jerry Davis, Fire Chief; Stacy Dwarshuis, Police Chief; Joe Henne, Public Works Director; Dennis Davison, Community Planner, Jeff Hagler, Parks & Recreation Director

C. Pledge of Allegiance

Councilman Jorgensen led the Pledge of Allegiance. Pastor Doug Perkins led the group in prayer.

D. Agenda Changes

E. Public Appearances

1. Community Pride Award

Mayor Jones and Police Chief Stacy Dwarshuis presented the Community Pride award to Christine Lepe and Sharon Schreiber for their dedication in forming a Block Watch and cleaning up their neighborhood on East Bartlett Avenue.

Chief Dwarshuis stated that over the past year and a half these ladies have gone far beyond what Block Watch people usually do, and now they are offering to paint out graffiti in other areas in the City. He said, "They have done an awesome job!"

2. Special Presentation

Mayor Jones presented a plaque to former City Council Member Scott Smeback, praising the work he has done both on the Planning Commission and the City Council.

The Mayor presented a plaque to retiring City Council Member Herb Schmidt, noting Herb has been on the Council for thirteen years, the entire time Bob has been Mayor. He praised Mr. Schmidt for a great job, noting how the City has grown in those thirteen years and how clean it is.

Mr. Schmidt said the choices in life are like a symphony, every turn has a different rhythm and a different tone. He expressed his pride in having worked with this Council.

F. Getting To Know Our Businesses

G. Communications

1. Oral

2. Written

H. Proclamations/Announcements

I. Consent Agenda

Councilman Overby moved to add Item M-2 to the Consent Agenda. Councilman Larson seconded. By voice vote the Consent Agenda was amended.

Mayor Jones read the Consent Agenda as amended.

Councilwoman Nichols moved approval of the Consent Agenda. Councilman Overby seconded. By voice vote, Consent Agenda was adopted unanimously.

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

* 1. Approval of Minutes: Council Meeting January 13, 2009

* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 64913 – 64989 for a total of \$	124,012.04
64990 – 65077	168,067.31
65078 – 65212	156,597.82
65213 – 65298	169,583.98

Claims Checks Nos. 53115 – 53116 for a total of \$	662.68
53117 – 53202	143,350.34
53316 – 53316	6,565.00
53317 – 53322	5,253.12
53323 – 53324	1,259.93
53325 – 53382	94,382.20
53384 – 53480	122,481.59

* 3. Item M – 2, Resolution Approving Payment of Invoice Submitted by Eco-Northwest for Stormwater Education Services Provided under the Terms of Their Professional Services Agreement with the City of Selah

* 4. Item N – 1, Ordinance Amending the 2009 Budget for Transit Grant from Washington State Department of Transportation

J. Public Hearings

K. New Business

1. Approval of Timeline for Selection of a Council Member

City Supervisor Frank Sweet Address Item K-1, noting that there is a 90-day timeline for replacing a Council Member, and if the City Council does not make that appointment within that timeline, the County Commissioners can make it. The Council considered proposed timelines in their packets.

Councilman Tierney pointed out that the time between publication of the opening and the application deadline is not sufficient for applicants to respond.

The City Supervisor proposed that the interviews could be held at the regularly scheduled council Meeting on March 10.

Councilwoman Nichols said it is important that all Council Members be present for that March 10 meeting.

Councilwoman Derrey said it seems like we go through this process a different way every time, so it would make sense to establish a policy stipulating which day the ad would go in and how much time, a consistent procedure for the application process.

Mr. Sweet pointed out that it is most unusual to have Council Members resign their positions and to need to replace them. He noted the Council has choices to make about the process and timelines, and he would not presume to second-guess their preferences or personal schedules.

Councilman Tierney moved and Councilman Overby seconded to close the application period on February 24 and to send Council Members a list of applicants later that week. By voice vote, support was unanimous.

Mr. Sweet asked if all Council Members would be available to attend the March 10 meeting. The response was positive. Council Members expressed a preference for conducting interviews at the end of the regular meeting.

L. Old Business

M. Resolutions

1. Resolution Approving the Johnson-Snodgrass Annexation and Directing Staff To Submit Application to the Yakima County Review Board

Community Planner Dennis Davison addressed Resolution M – 1. He noted a Public Hearing on this matter was held at the previous Council Meeting where testimony was received. He further noted that at that meeting, staff was directed to bring options back to the Council and that three options are outlined in the packet as follows:

- To leave the proposed annexation as it is, and take no action (No Action Alternative),
- To decrease the proposed annexation to only that property north of Speyers Road as it was originally proposed by the proponents (Preferred Alternative),

To decrease the proposed annexation to property both north and south of Speyers Road to include only property of owners who signed the petition (Alternative A)

He noted Mr. Bauman, whose property lies north of Speyers Road and contiguous to the western City limits, is willing to be annexed and signed the annexation petition. He recommended adoption of the "Preferred Alternative" which would annex land lying to the north of Speyers.

Councilman Overby asked how that option would affect Speyers Road itself.

Mr. Davison responded that the balance of the road would remain in the County.

Councilman Tierney asked Chief Dwarshuis if he would prefer to have that roadway in the City.

Chief Dwarshuis responded that he would prefer to have the roadway in the City. He said he would prefer his patrols to the City limits be on City roadways.

Public Works Director Joe Henne said he did not understand what the road has to do with it.

Chief Dwarshuis said they don't want to travel by County roads to patrol areas within the City limits.

Dennis Davison gave background, noting in two previous annexations, Crusher Canyon and Lookout Point Road, they discussed with the Boundary Review Board that the only people traveling those roads would be County residents, so the roads should remain in the County so City doesn't have to maintain them.

Joe Henne said that would add \$350,000 worth of road improvement.

Councilman Overby asked whether, in the event that area were to be developed, the County would require road improvements.

The Community Planner responded that the City would normally require a developer to include those improvements as part of a subdivision.

Councilwoman Nichols asked if the County requirements for road improvement are the same as the City's. She said she'd hate to see part of the road be developed and part not improved. She cited Goodlander as an example.

The Public Works Director said curb, gutter, sidewalks and street lights are routinely required.

The Community Planner stated those are required within the Urban Growth Area.

Council Members questioned the Community Planner about property owners' desire or objection to being included in the annexation.

Councilman Larson moved approval of the Resolution Approving the Johnson-Snodgrass Annexation as Outlined in the Preferred Alternative and Directing Staff To Submit Application to the Yakima County Review Board. Councilman Overby seconded. Roll was called: Council Member Tierney – no; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Jorgensen – yes; Council Member Derrey – yes. Motion carried with Councilman Tierney voting in opposition.

- * 2. Resolution Approving Payment of Invoice Submitted by Eco-Northwest for Stormwater Education Services Provided under the Terms of Their Professional Services Agreement with the City of Selah

N. Ordinances

- * 1. Ordinance Amending the 2009 Budget for Transit Grant from Washington State Department of Transportation
- 2. Ordinance Amending Selah Municipal Code 1.06.100 Mayor Pro Tempore

The City Supervisor addressed Ordinance N - 2, noting it would move the selection of Mayor Pro Tem to December and provide for a 2-year term. He noted Mayor Jones is away in the month of January and it takes about a year for a Mayor Pro Tem to see what's going on and feel comfortable.

Mayor Jones said he suggested this change partly because he's involved with the Valley Mayors Association. He said they encourage Mayors Pro Tem to participate and network with other city leaders up and down the Valley.

Councilman Tierney said he was probably one of the first people who brought this to the attention of the Council because last year the Council was going to vote on a Pro Tem in December and the Ordinance said January. He said he also objected because he believes new Council Members should have a chance to vote for that Mayor Pro Tem position. He said he doesn't object to a two-year term.

Mayor Jones said that too is a learning process. It takes some time for new Council Members to get their feet on the ground, even if they've served on the Planning Commission or in some other capacity.

Councilwoman Nichols said it's good for the Mayor have stability when he is gone.

Councilman Overby said likes the idea of a two-year term but he would like to keep the election in January.

Councilman Larson said he has mixed feelings about the January vote because when he came on Council it took a good year for him to get a feeling for what the role of a Council Member is. He said he is in favor voting in December with an experienced Council.

City Supervisor Frank Sweet said new Council Members inherit the budget that has been adopted by a previous Council, so there is a certain amount of commonality in inheriting a Pro Tem.

Councilman Tierney said, on the other hand, when he decided to run for Council, he stayed involved, he came to meetings and after he was elected he took the time to attend budget hearings to acquaint himself with the process. He said he would expect other incoming Council Members to do that as well. He said he did not think the budget issue was what the Council was dealing with, rather it's the timing of when the Council elects the Mayor Pro Tem. He reaffirmed his belief that the incoming Council Members are going to have to work with the Mayor Pro Tem and should be involved in that selection. He said he knew most of the Council Members, and he voted for Keith (Larson the current Pro Tem). He said he felt confident about that.

Mayor Jones said what he was concerned about was the two-year term because going to these Mayor meetings is good training, and he encourages all Mayors to bring their Pro Tems.

Councilman Overby said five out of seven Council Members are up for election. He joked that Councilman Tierney and Councilwoman Derrey could be flipping a coin to select a Pro Tem next December.

Councilman Tierney moved approval of the Ordinance Amending Selah Municipal Code 1.06.100 Mayor Pro Tempore with the Mayor Pro Tem elected to a two-year term and the election to be held in January. Councilwoman Derrey seconded. Roll was called: Council Member Tierney – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Jorgensen – yes; Council Member Derrey – yes. Motion carried unanimously.

O. Communications

1. Oral

Jane Williams, 701 South 7th Street, requested a status update on the steps the City will take to come into compliance with the court ruling on 605 Southern.

City Supervisor Frank Sweet said staff is currently reviewing the information to determine the right process to follow. He said by the next Council Meeting, packets will include what has been done, where it's going and what's going to happen.

City Attorney Bob Noe said the City has received modifications, forwarded those to plan reviewer Chuck Williams and has received a response.

Councilman Overby asked if that information has been shared with the South Selah Neighborhood Association.

City Supervisor Frank Sweet said he suspected it has been shared with everybody. He said there are no secrets in City Hall.

Jane Williams affirmed that SSNA has received all information it has requested. She clarified that at the next City Council meeting the City Supervisor will present the course of action.

The City Supervisor responded that she was correct.

She clarified that that course of action will not already have happened, but will be presented to the Council.

The City Supervisor responded that she was correct. He said Torkelson Construction stopped construction at 2:45 this afternoon.

Kathy Hoffert asked when he complied.

Councilman Tierney asked if the court decision applies to 503 Southern (614 a & b and 622 a & b South 5th St.) since the structures are the same as 605 Southern.

City Attorney Bob Noe said there is no retro-active effect. He said he would like to let these go through the process since 503 Southern (614 a & b and 622 a & b South 5th St.) is still in process, and court rulings are under consideration.

Kathy Hoffert asked when 503 Southern (614 a & b and 622 a & b South 5th St.) will go back to the Planning Commission.

Community Planner Dennis Davison said that is waiting for Lochner, and one issue was traffic.

The City Supervisor said he will notify SSNA when that is ready.

LeRoy Bauman said someone from the City came by his house and made it sound as though the decision had already been made that he would have to go on City sewer and water.

Public Works Director said that was a consultant who was looking for the best position for a future sewer line. He said they are not going that far out, so Mr. Bauman doesn't need to worry.

P. Reports/Announcements

1. Mayor
2. Council Members
3. Boards
4. Departmental
 - a. SR 823 – Wenas Corridor Improvements
 - b. Compliments to the Police Department

The City Supervisor welcomed the Mayor back from his vacation, noting he wishes he'd brought sunshine with him.

Councilman John Tierney said a month ago the Council was promised an update on salmon recovery, and they have not have not heard back on that. He also noted the Council has not been receiving the project status sheet.

The City Attorney said there is a new replacement for Director of Salmon Recovery, and he hopes to get something on that next week.

Councilman Larson said he is glad the Mayor is back. He reported on the Civic Center kitchen remodeling, noting the cabinet fronts and drawer fronts will be here soon, and they will proceed.

Councilman Jorgenson welcomed the Mayor home.

Councilman Overby said he likes the snow. He asked the status of the aquatic survey and suggested a public hearing on that when the results of the study are in. He said the Council needs to set a time and make the commitment to have a Council retreat in April.

Councilwoman Nichols said she will be out of town on the date of the next Council Meeting.

Parks and Recreation Director Jeff Hagler showed brochures on Carlon Park Tournaments which features North Park Lodge.

The City Supervisor asked if everyone agreed on early May as a potential time for a Council retreat. There was agreement.

Mayor Jones said everything has come to a grinding halt in California in contrast to last year's booming growth. He said it's great to be home, and he thanked Mayor Pro Tem Larson for filling in for him.

Q. Executive Session

R. Adjournment

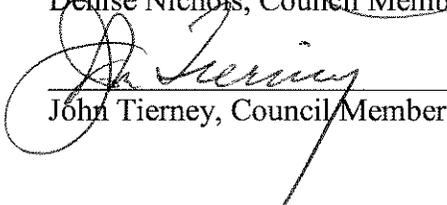
Council Member Larson moved, and Council Member Nichols seconded that the meeting be adjourned. By voice vote, the motion passed unanimously.

The meeting adjourned at 4:54pm.



Paul Overby, Council Member

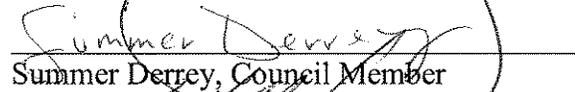
Denise Nichols, Council Member



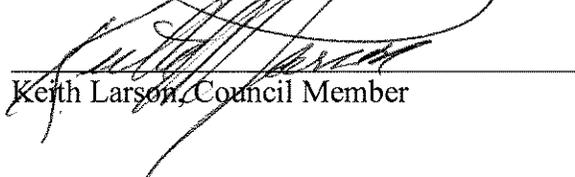
John Tierney, Council Member



Robert L. Jones, Mayor



Summer Derrey, Council Member



Keith Larson, Council Member

Kevin Jorgensen, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer