

City of Selah
Council Minutes
February 11, 2014

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; Dave Smeback; Allen Schmid; Brooke Finch; Roy Sample; Jane Williams

Members Excused: John Tierney

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

C. Pledge of Allegiance

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

Mayor Gawlik drew everyone's attention to the new City of Selah flag that arrived earlier that day. He briefly talked about the new yellow packet folders given to each Council Member, and the quick tips reference document on the left-hand side inside the folder.

D. Agenda Changes

1. Remove from Agenda:

a. Executive Session Q – 1: 10 Minute Session – Potential Litigation RCW 42.30.110(1)(i)

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

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

G. Communications

1. Oral

Mayor Gawlik opened the meeting.

Norman Dole, 202 W Bartlett Ave., approached the podium and addressed the Council. He expressed concern regarding people parking in the designated no parking zone along the street, saying that it is impeding traffic and making it difficult for residents to exit their driveways safely. He added that he doesn't have an issue with special events or school buses, but asked that something be done to address the problem.

Mayor Gawlik asked if he has reported this matter to the Police Department.

Mr. Dole responded in the affirmative, adding that this has been an ongoing issue for quite some time.

City Administrator Kelly said that Police Chief Hayes has indicated to him that the officers will start enforcing the no parking signs this weekend; the City wants to educate people and let them know that the signage will be enforced.

Police Chief Hayes remarked that they have given Recreation Manager Brown a couple weeks to notify coaches and parents, and that they have also notified the Selah School District about the matter. He went on to say that he will notify the sergeants in writing that officers are to start enforcing the signage this weekend with either tickets or written warnings at their discretion.

Norma Smith, 906A Speyers Road, approached the podium and addressed the Council. She introduced Pastor Brad Hill, the new minister of the Selah Covenant Church.

Pastor Hill spoke briefly about his delight in being part of the Selah community, adding that his family was from this area in the 1950s and 1960s, and he is bringing things full circle. He said that the church is looking for ways to engage the community and do community service, and that he looks forward to dialogue with the City on participating in the effort to improve life in the Selah area.

Sherry Dawson, 110 Pleasant Ave., approached the podium and addressed the Council. She wondered why the parade route had been changed, saying that she came to Council for answers on the subject.

Mayor Gawlik responded that he and Police Chief Hayes recently attended a meeting of the Community Days Parade committee, at which they were given a map of the proposed route and asked for their input. He noted that they have gotten in trouble with the Washington State Department of Transportation in the past for violating agreements and traffic rules, and wanted input on what they felt was an advantageous route that wouldn't affect vehicular traffic.

Police Chief Hayes commented that last year they had problems with attempting to have both the parade and vehicular traffic on Clements Way, and that he supports the route change for reasons of safety.

Council Member Schmid wondered if one reason for the change was due to the de-staging location, adding that they could de-stage on school grounds further down.

Ms. Dawson responded that it is so congested in that area she doesn't feel there is room to have them de-stage there as well.

Council Member Schmid said that he is not thrilled with the plan of running the parade down Clements Way.

Ms. Dawson remarked that people have been coming to the King's Row area to sit and watch the parade for over twenty years; even though it is the worst day of the year for her from a business standpoint, it is the best day for families and the community.

Mayor Gawlik noted that the City has no Ordinance or written policy saying that the City has input regarding Community Days; the Community Days Parade committee is responsible for the parade and route. He noted that the he didn't have anything prepared as a possible alternative at the time.

Police Chief Hayes commented that the members of the Lions Club, who have done the all the staging for years, will not be helping this year due to last year's fiasco. He agreed with Ms. Dawson regarding the tradition, but added that the proposed route makes more sense from a safety perspective.

City Administrator Kelly suggested that they get the interested parties together to discuss the matter. He noted that Fire Chief Hanna had suggested running the parade from north First Street up to the high school as a safer alternative, with barricades to keep them separate from traffic.

Police Chief Hayes remarked that he likes the idea of going the opposite direction with the parade. He noted that the permits need to be sent in by March first.

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

2. Written

- a. Yakima Transit Service Ridership Report for December 2013
- b. Recycling Data Report for the 4th Quarter of 2013

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: January 28, 2014 Council Meeting
- * 2. Approval of Claims & Payroll:

Payroll Checks Nos. 77139 – 77171 for a total of \$206,307.40
Claim Checks Nos. 63338 – 63405 for a total of \$119,133.88

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

J. Public Hearings

- 1. Public Hearing to consider the Resolution to amend the Six Year Transportation Improvement Program for the year 2014 to 2019

Public Works Director Henne addressed J – 1. He said that the City was successful in acquiring a Transportation Alternative Program (TAP) grant for the sidewalk improvements along Wernex Loop, and that the City's Six Year Transportation Improvement Program (TIP) needs to be amended to add the new priority project. He noted

that a public hearing for testimony both for and against the proposal must be held as part of the process of amending the TIP.

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

K. New Business

1. New Prices for the Selah Civic Center

Recreation Manager Brown addressed K – 1. He talked about the need to have a consistent price base, saying that in the past prices have ranged from fifty dollars to five hundred dollars for non-profits and other events that might come into the Civic Center and he would like to be consistent on pricing for facility use.

Council Member Schmid asked why weddings and birthday parties were different amounts, and why a birthday party was more than a wedding.

Recreation Manager Brown responded that the reason is due to the larger mess created by a birthday party, which is why they stopped allowing rental of the facility for those events. The increased price covers the additional clean-up expenses.

Council Member Schmid still felt that it was a high fee for a birthday party.

Council Member Finch wondered if the American Legion room would still be free for use by non-profit groups from Monday to Friday.

Recreation Manager Brown replied in the affirmative, saying that it will continue to be free to those service groups who have contributed money to the facility.

Council Member Williams stated that she didn't understand the different rates for fundraisers on page one.

Recreation Manager Brown responded that there are different rates for Friday night and Saturday night.

Council Member Williams asked why there were different prices on page two.

Recreation Manager Brown replied that page one has rates specifically for non-profit entities and page two lists the fees for everyone else.

Council Member Williams asked for clarification that the difference was due to non-profit status, not dependent on Selah residency.

Recreation Manager Brown replied in the affirmative.

Council Member Finch wondered if we would continue the previous policy of taking ten percent of the profits raised by any non-profit organization using the facility.

Recreation Manager Brown responded that they will not be doing that; the fees listed are what they pay for facility usage.

Council Member Williams inquired about the one hundred fifty dollar Friday night price for set-up.

Recreation Manager Brown remarked that, in the past, when holding a Saturday wedding one was given Friday night free of charge. He went on to say that they also have requests for facility use on Friday nights and don't wish to lose out on additional revenue, hence the charge for set-up on a Friday night. He noted that there have been no complaints thus far regarding the set-up fee.

Council Member Smeback moved, and Council Member Finch seconded, to approve the new pricing schedule for the Selah Civic Center. Roll was called: Council Member Overby – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.

L. Old Business

1. Yakima Transit Schedule Change

City Administrator Kelly addressed L – 1. He said that Yakima Transit is proposing to eliminate the double loop through Selah and offer a bus route to the Training Center for no additional cost, which would allow the route to meet up with the Ellensburg commuter without impacting their schedule. He mentioned that the reduction of the Selah route from a double loop to a single loop is what allows for a change in service without additional financial impact to the City. He noted that Zirkle Fruit has been talking with Yakima Transit about a route stop at their facility, which would not impact the cost or timing of the Selah bus service. He remarked that this will allow the church parking lot to be utilized for a park and ride as intended, and that it seems like a win/win situation for all parties.

Mayor Gawlik commented that he was unaware that the bus looped twice in Selah.

Council Member Schmid observed that is the reason why there are bus stop signs on both sides of Fremont Avenue.

City Administrator Kelly said that it was explained to him and he understood why it was done that way.

Council Member Overby wondered about the little bit of loop that would still come down Fremont Avenue and over to Naches Avenue.

City Administrator Kelly explained that the reason it does that is due to a jog back over to drop off people who transferred from the Ellensburg bus at the park and ride area. He noted that whether the City opts to pave the parking lot will be determined at a later date, and that the route will not change until the new schedule books come out on March 24th.

Council Member Smeback asked if we could request that they double check the maps and stops on north First Street in Yakima, adding that he was following a bus from Selah into Yakima that stopped at the mission, the AMPM, and the Bali Hai motel before continuing on to the transit center.

City Administrator Kelly responded that not all of the numbers are designated route stops; these are time stamped for when the bus will arrive at each stop.

Council Member Smeback remarked that it appears that there are only a couple designated stops in Yakima and many in Selah, which is not entirely accurate.

City Administrator Kelly said that he sees his point.

Mayor Gawlik asked if there was a way to bring this to Yakima Transit's attention, to ensure that we have an accurate ridership count. He expressed concern that it might be an inflated report due to those who get on the bus on First Street in Yakima en route to the transit center.

Council Member Overby stated that the count is taken when someone steps on the bus in Selah, and that is the count they report to the City.

City Administrator Kelly said he will check on that.

Council Member Overby wondered about having City tax monies funding a bus stop at Zirkle Fruit, since they are outside the City limits.

City Administrator Kelly had no answer at this time, but felt it was a good question.

Council Member Overby said that he feels having Zirkle Fruit contribute to the funding of the bus service would be appropriate.

Mayor Gawlik remarked that, in talking with LTC O'Steen about the training schedule at the Yakima Training Center, he indicated that it would be beneficial for the soldiers to have access to the transit system during the spring, summer and early fall training sessions.

Council Member Overby commented that, when the matter was discussed in the past, they weren't expecting not to participate in funding. He felt that the City should proceed consistently.

Council Member Williams observed that the City would directly benefit from workers using the transit system to get to jobs outside the City, including Zirkle Fruit and the Yakima Training Center. She felt that there would need to be later return stops for those soldiers using Yakima Transit to come in to town and asked that we discuss that with Yakima Transit.

Mayor Gawlik noted that he has a meeting with LTC O'Steen next week and will discuss the transit matter at that time.

2. Annexation Follow Up

City Administrator Kelly addressed L – 2. He said that there were some concerns and questions on annexations brought up at the last meeting, and that he asked City Attorney Noe to look into the matter.

City Attorney Noe remarked that he spoke with the legal counsel for the Boundary Review Board (BRB) on why they didn't act to straighten out the lines of the annexation, and that they do not act on annexations if there is no concern raised by any of the parties involved. He referred Council to the memo provided in their packets for additional details on the matter.

Council Member Schmid commented that this is certainly something for Council to keep in mind when doing future annexations, as they will need to make sure that the boundary is exactly what they want. He felt that Council learned a lot on this annexation.

Mayor Gawlik wondered how many previous annexations were done using the same methodology of approval.

Council Member Schmid reiterated that it is something to keep in mind for future annexations.

M. Resolutions

1. Resolution Adopting the Amended Six-Year Transportation Improvement Program for the Years 2014-2019 to Reflect the Phase Start Year of 2014 for the Addition of a Transportation Alternative Program Project for a Sidewalk on Wernex Loop

Public Works Director Henne addressed M – 1. He said that this is the formal Resolution to adopt the amendment to the Six Year Transportation Improvement Program, which will add the Wernex Loop sidewalk project consisting of a two hundred fifty thousand dollar grant with no match. He requested that Council approve the Resolution so that the project can continue moving forward.

Council Member Schmid moved, and Council Member Williams seconded, to approve the Resolution Adopting the Amended Six-Year Transportation Improvement Program for the Years 2014-2019 to Reflect the Phase Start Year of 2014 for the Addition of a Transportation Alternative Program Project for a Sidewalk on Wernex Loop. Roll was called: Council Member Overby – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.

2. Resolution authorizing the Mayor to sign a Consultant Agreement with Torkelson Construction, Inc.

Recreation Manager Brown addressed M – 2. He said that they have several renovation projects for the Civic Center, such as a new sound system, new floors in the main hall and bathrooms, and bringing the bathrooms up to code. He would like to hire Mr. Torkelson as a consultant to help with the project.

Council Member Finch asked if the agreement was put out for bid.

Mayor Gawlik responded in the negative.

Council Member Finch expressed concern over that, saying that while she is thankful for the job Mr. Torkelson did on the new Council Chambers, she feels that public perception is important and if he is being compensated then the project should go out for bid to allow others to fight for the bid. She felt that the City is not putting its best ethical foot forward in the matter.

City Administrator Kelly responded that the City can enter into an agreement without going out to bid, although he understands her concerns regarding public perception.

Council Member Smeback felt it was similar to using the small works roster, and is a minute project.

City Administrator Kelly clarified that Mr. Torkelson will not be doing any work; he will simply be drawing out a plan and making a list of things to be done to the Civic Center that will allow them to look at it and see what is out there. He added that the list will come before Council for decisions on the remodel, and that once the list is solidified it will put out to bid.

Council Member Sample stated that he was in favor of approval, saying that the small amount of one thousand dollars or less is appropriate for a consulting fee.

Council Member Williams wondered if the City has a Small Consulting Roster to refer to for City jobs.

Mayor Gawlik replied in the negative, saying that they have had no need for one in the past.

Council Member Williams wondered how it would be handled in the future if the need arose for improvements on another civic building; would they use a consultant or have Public Works review to determine what is needed.

Mayor Gawlik responded that, in the past, the only consulting activity that he is aware of was done by Huijbregtse, Louman Associates, Inc. (HLA). He went on to say that usually the City needs engineering consultation regarding phases of construction on roads and infrastructure, and that he doesn't believe they have ever had a need for a small construction or consulting activity roster.

Council Member Williams said that the Municipal Research Center has a small works roster and a consultant roster that cities can use and refer to available on their website and wondered if the City was a member.

City Administrator Kelly stated that the City does is a member of Municipal Research.

Mayor Gawlik remarked that, regarding this particular issue, they are looking for the lowest possible amount to spend to get some information, adding that to simply bring someone in from outside to give them a consultation would be upwards of one hundred fifty dollars an hour. He said that it was his suggestion to extend Mr. Torkelson's consultation beyond the new Council Chambers to the Civic Center, as he wants to move on with getting things accomplished in the Civic Center. He noted that whatever decision the Council makes will be the final say on the matter.

Council Member Schmid commented that, in looking at the project, it states that it is not to exceed one thousand dollars, and that they have the capability to use a person in the community they have worked with in past who has provided a good product. He felt that sending everything out for bid would cost more than a thousand dollars, and that he thinks there are some personal biases in this thing. He suggested that everyone put things in the past and move on towards what is best for Selah.

Council Member Finch hoped that the personal bias comment made by Council Member Schmid wasn't directed at her, adding that her issue stems from having little knowledge of the construction industry. She stated that it is the Council's job is to make sure they don't cast a vote until all the information is in front of them.

Public Works Director Henne observed that the City does have a consultant; every three years they go out to select consultant services. He went on to say that HLA is the City's current consultant, and that they would bring in an outside architectural firm if asked to consult on the project. He concurred with the comments that it would be more money to do it that way; a cost of up to a thousand dollars seems reasonable and will provide them with enough information to move forward.

City Attorney Noe remarked that, if it was a Public Works project, it would have to go out to bid, but statutory requirements are for Public Works projects and this is not one. He noted that Mr. Torkelson will not be doing any physical work on the facility, and that there are no bid requirements for a professional services contract unless it involves either architectural or engineering work, although Council can choose to have bids submitted.

Council Member Williams stated that she is not opposed to this, and appreciates that others are trying to move ahead and improve the Civic Center. She felt that, in the interest of the appearance of fairness, they might get two other bids on the project before making a decision.

Council Member Schmid moved, and Council Member Smeback seconded, to approve the Resolution authorizing the Mayor to sign a Consultant Agreement with Torkelson Construction, Inc. Roll was called:

Council Member Overby – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – no; Council Member Sample – yes; Council Member Williams – no. Motion passed with four yes votes and two no votes.

N. Ordinances

1. Ordinance Amending the 2014 Budget for the Purchase of Real Estate at Naches Ave & 4th Street

Clerk/Treasurer Novobielski addressed N – 1. He said that, at the January 14, 2014 meeting, Council had an Executive Session regarding real estate acquisition and that immediately following the session they voted to proceed with the purchase of approximately two point three acres of land on the north side of Naches Avenue across from Lince Elementary. He noted that this budget adjustment amends the current year's budget for a transfer of funds for legal appropriation to allow for dispersion for the transaction.

Council Member Sample observed that the City has purchased property in the past to build a new facility.

Council Member Schmid commented that they have previously bought property two times for this purpose.

Council Member Sample wondered if everything has been vetted and checked that we can use the land for its intended use.

City Administrator Kelly replied that they will look into those issues.

Council Member Schmid suggested that they make sure the City will have water rights for the property.

City Attorney Noe remarked that the City has received the Preliminary Title Report and there is nothing of concern listed in Schedule B.

Council Member Overby moved, and Council Member Finch seconded, to approve the Ordinance Amending the 2014 Budget for the Purchase of Real Estate at Naches Ave & 4th Street. Roll was called: Council Member Overby – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – 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 had no report.

2. Council Members

Council Member Finch had no report.

Council Member Overby had no report.

Council Member Sample had no report.

Council Member Smeback expressed his thanks to both City Administrator Kelly and Mayor Gawlik for looking at the Civic Center and moving forward with that project. He felt that some valid concerns were raised, but it is a minor amount of money compared to an architect who could start at one hundred fifty dollars per hour and may also have a minimum fee amount.

Council Member Schmid wished to add to Mayor Gawlik's comments regarding the Public Works crew and the amount of work they put in to get the job done. He said that it proves the quality of the people working in the Public Works Department, Fire Department and the Police Department; they do a tremendous job keeping the community safe. He noted that the Seahawks won the Superbowl.

Council Member Williams echoed the thanks to the Public Works crew, saying that she saw rigs out many times on the hill in front of her house. She commended Fire Chief Hanna for coming to her church to give a session on using the defibrillator, adding that he did so as a concerned citizen and good guy, not as the Fire Chief.

3. Departmental

Public Works Director Henne said that he thinks his department did a good job dealing with snow; it was kind of a futile effort plowing Saturday night but they were trying to get an edge on Sunday morning plowing. He noted that it snowed the entire time they were out on Saturday. He believes that they may have taken out a fire hydrant, adding that they won't admit guilt but will assume responsibility to fix it. He commented that they started work on the gazebo but were shut down due to the weather.

Mayor Gawlik commended the Public Works crew for their efforts in removing fourteen inches of snow from the streets.

Community Planner Davison had no report.

Recreation Manager Brown said that his department will be putting on an adult basketball tournament in March for both men and women.

Clerk/Treasurer Novobielski said that part of the services the City provides to its customers for making utility payments is e-pay, and that the year-end summary for 2013 had two thousand sixty-seven transactions for a total of one hundred seventy-one thousand dollars. He expressed amazement the popularity of the APP payment program, which deducts utility payments out of customers' bank accounts and places them into the City's account. He noted that there were four hundred eighty-five customers using this in 2012, and that the number grew to five hundred and nine in 2013.

Mayor Gawlik expressed his thanks, saying that this is another example of the City making things more convenient for its citizens.

Fire Chief Hanna had a brief update regarding the new position, saying that he made a job offer yesterday, contingent on a pending physical. He said that he won't share the name until after he has passed the physical, but will bring him to Council once he is on board. He noted that the new firefighter will start on March 1st, and they are excited to get him up and going.

Mayor Gawlik remarked that he is anxious to see who the gentleman is.

Police Chief Hayes said that there have been very few accidents in the snow. He noted that he will be taking the Polar Plunge for Special Olympics this weekend, adding that if anyone wishes to donate they can go online to the Special Olympics website to do so. He commented that the Citizens Academy this week will feature the gang unit from Yakima, and that next week will be a jail tour of the Yakima County jail. He stated that he hopes to introduce the Chief for a Day program at the next Council Meeting.

City Administrator Kelly had no report.

City Attorney Noe had no report.

4. Boards **None**

Q. Executive Session **None**

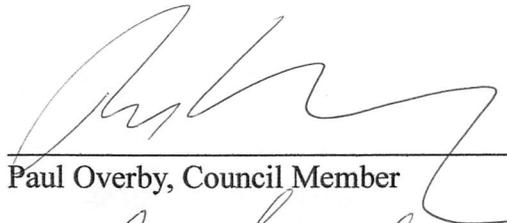
R. Adjournment

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

The meeting adjourned at 5:26pm.



John Gawlik, Mayor



Paul Overby, Council Member



Dave Smeback, Council Member



Brooke Finch, Council Member



Jane Williams, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer

EXCUSED

John Tierney, Council Member



Allen Schmidt, Council Member



Roy Sample, Council Member