

SELAH CITY COUNCIL

4:00pm February 11, 2014



Selah City Council
Regular Meeting
Tuesday, February 11, 2014
4:00pm
City Council Chambers

Mayor:
Mayor Pro Tem:
Council Members:

John Gawlik
Brooke Finch
Paul Overby
John Tierney
Dave Smeback
Allen Schmid
Roy Sample
Jane Williams

CITY OF SELAH
115 West Naches Avenue
Selah, Washington 98942

City Administrator: David Kelly
City Attorney: Bob Noe
Clerk/Treasurer: Dale Novobielski

AGENDA

- A. Call to Order – Mayor Gawlik
- B. Roll Call
- C. Pledge of Allegiance
- D. Agenda Changes **None**
- E. Public Appearances/Introductions/Presentations **None**
- F. Getting To Know Our Businesses **None**
- G. Communications
 - 1. Oral

This is a public meeting. If you wish to address the Council concerning any matter that is not on the agenda, you may do so now. Please come forward to the podium, stating your name for the record. The Mayor reserves the right to place a time limit on each person asking to be heard.

2. Written

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

- H. Proclamations/Announcements **None**
- I. Consent Agenda

All items listed with an asterisk (*) are considered routine by the City Council and will be enacted by one motion, without discussion. Should any Council Member or member of the audience request that any item of the Consent Agenda be considered separately, that item will be removed from the Consent Agenda and become a part of the regular Agenda.

- Monica Lake * 1. Approval of Minutes: January 28, 2014 Council Meeting
- Dale N. * 2. Approval of Claims & Payroll

J. Public Hearings

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

K. New Business

- Charlie Brown 1. New Prices for the Selah Civic Center

L. Old Business

- David Kelly 1. Yakima Transit Schedule Change
- David Kelly/ 2. Annexation Follow Up
- Bob Noe

M. Resolutions

- Joe Henne 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
- Charlie Brown 2. Resolution authorizing the Mayor to sign a Consultant Agreement with Torkelson Construction, Inc.

N. Ordinances

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

O. Communications

- 1. Oral

This is a public meeting. If you wish to address the Council concerning any matter that is not on the agenda, you may do so now. Please come forward to the podium, stating your name for the record. The Mayor reserves the right to place a time limit on each person asking to be heard.

P. Reports/Announcements

- 1. Mayor
- 2. Council Members
- 3. Departmental
- 4. Boards

Q. Executive Session

- 1. 10 Minute Session – Contract Negotiations RCW 42.30.140

R. Adjournment

Each item on the Council Agenda is covered by an Agenda Item Sheet (AIS)

A yellow AIS indicates an action item.

A blue AIS indicates an information/non-action item.

Next Study Session
Next Regular Meeting

February 25, 2014
February 25, 2014



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING INFORMATIONAL ITEM

2/11/2014 G – 2A

Title: Yakima Transit Service Ridership Report for December 2013

Thru: David Kelly, City Administrator

From: David Kelly, City Administrator

Action Requested: Informational - No action

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Informational only

Background / Findings & Facts:

Informational item only. Information provided shows the number of people using the transit service for the month of December 2013, broken down by day and week.

Recommended Motion:

N/A

Print date

2/3/2014

		Yakima Transit Service Expansion Status - 2013				Systemwide	
		Selah				Weekly & Monthly totals	
		Selah Ridership	Selah Wkly tot.	% of tot. Ridership	Selah Total	Daily tot. Ridership	
Monday	11/25/2013	384		8.2%		4,681	
Tuesday	11/26/2013	388		8.3%		4,673	
Wednesday	11/27/2013	308		7.5%		4,101	
Thursday	11/28/2013	Holiday		N/A	No Service	N/A	
Friday	11/29/2013	188		11.1%		1,700	
Saturday	11/30/2013	158		10.4%	8,300	1,523	99,889
Sunday	12/1/2013	92		12.9%		712	
Total			1,518	8.7%			17,390
Monday	12/2/2013	372		7.2%		5,183	
Tuesday	12/3/2013	400		7.5%		5,341	
Wednesday	12/4/2013	475		9.0%		5,294	
Thursday	12/5/2013	393		7.9%		5,003	
Friday	12/6/2013	359		8.2%		4,385	
Saturday	12/7/2013	137		6.7%		2,047	
Sunday	12/8/2013	90		14.5%		622	
Total			2,226	8.0%			27,875
Monday	12/9/2013	354		8.3%		4,276	
Tuesday	12/10/2013	320		7.0%		4,594	
Wednesday	12/11/2013	397		9.0%		4,408	
Thursday	12/12/2013	363		8.0%		4,526	
Friday	12/13/2013	417		9.3%		4,471	
Saturday	12/14/2013	171		8.7%		1,974	
Sunday	12/15/2013	184		24.2%		759	
Total			2,206	8.8%			25,008
Monday	12/16/2013	343		7.2%		4,788	
Tuesday	12/17/2013	324		7.0%		4,638	
Wednesday	12/18/2013	350		7.5%		4,647	
Thursday	12/19/2013	210		4.9%		4,328	
Friday	12/20/2013	329		7.9%		4,160	
Saturday	12/21/2013	211		14.1%		1,498	
Sunday	12/22/2013	106		15.1%		702	
Total			1,873	7.6%			24,761
Monday	12/23/2013	323		10.9%		2,950	
Tuesday	12/24/2013	255		10.8%		2,362	
Wednesday	12/25/2013	Holiday		N/A	No Service	N/A	
Thursday	12/26/2013	298		11.8%		2,527	
Friday	12/27/2013	289		10.3%		2,795	
Saturday	12/28/2013	126		8.7%		1,448	
Sunday	12/29/2013	117		21.0%		556	
Total			1,408	11.1%			12,638
Monday	12/30/2013	305		10.3%		2,956	
Tuesday	12/31/2013	287		10.2%	8,397	2,815	96,765
Wednesday	1/1/2014	Holiday		N/A	No Service	N/A	
Thursday	1/2/2014	307		10.4%		2,955	
Friday	1/3/2014	328		10.5%		3,137	
Saturday	1/4/2014	113		7.4%		1,528	
Sunday	1/5/2014	99		16.0%		619	
Total			1,439	10.3%			14,010



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING INFORMATIONAL ITEM

2/11/2014 G – 2B

Title: Recycling Data Report for the 4th Quarter of 2013

Thru: David Kelly, City Administrator

From: Basin Disposal of Yakima, LLC

Action Requested: Informational - No action

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Informational only

Background / Findings & Facts:

Participation in the Recycling program fluctuated during the fourth quarter of 2013. October and December were lower than November for percentage participation, although the percentage set-out decreased from October through December. See attached for further details.

Recommended Motion:

N/A



January 20, 2014

City of Selah
113 W Naches Ave
Selah, WA 98942

Re: Recycle Data Report 2013

Attached you will find the recycling report for the fourth quarter Of 2013. I hope the City is pleased with the progress of the program. If you have any questions please feel free to give us a call.

Sincerely,

A handwritten signature in black ink that reads "Steven Wheatley". The signature is written in a cursive style and is positioned above a horizontal line that extends to the right and then curves downwards.

Steven Wheatley

cc: Darrick Dietrich

City of Selah
 Recycling Analysis
 10/01/13-12/31/13

Size	October		November		December	
	Quantity	No. Customers	Quantity	No. Customers	Quantity	No. Customers
32 Gallon Cart	1	4	1	4	1	4
64 Gallon Cart	1	1665	1	1670	1	1668
	2	172	2	172	2	173
	3	0	3	2	3	2
	4	0	4	0	4	0
96 Gallon Cart	1	491	1	491	1	494
	2	49	2	48	2	51
64/96 Gallon Cart	1/1	11	1/1	11	1/1	11
	Total	2,392	Total	2,398	Total	2,403
No. Recycle Customers		1,160		1,171		1,170
Percent Participation		48.49%		48.83%		48.69%
Number Set-outs		961		938		830
Percent Set-out		82.84%		80.10%		70.94%
Total Lbs.		27,440		24,180		24,460
Total Tons		13.72		12.09		12.23
Ave. Lbs./Set Out		28.554		25.778		29.470

City of Selah
 Single Stream Residential Curbside Recycling
 and
 Commercial Program Statistics
 2013

City of Selah

2013	January			February			March		
Date	Commercial	Commercial	Curbside	Commercial	Commercial	Curbside	Commercial	Commercial	Curbside
	Plastic	OCC		Plastic	OCC		Plastic	OCC	
1									
2		1,580							
3								3,500	
4									
5									
6				1,640	3,880	12,360			13,100
7		3,260							
8						11,180			11,580
9	3640	5,680	14,540						
10									
11			15,900		3,220			3,580	
12									
13							2,640	2,660	
14		3,540							
15									
16	2140	2,540							
17									
18								3,600	
19					2,020				
20							2,080	2,840	
21		3,480							
22					7,000				
23									
24									
25	2400	3,440			3,140			3,640	
26									
27				1,720	3,240				
28		3,400							
29									
30									
31									
Total Lbs.	8,180	26,920	30,440	3,360	22,500	23,540	4,720	19,820	24,680
Total Tons	4.09	13.46	15.22	1.68	11.25	11.77	2.36	9.91	12.34
Set Outs CS			880			892			900
Ave #'s/S.O.			34.591			26.390			27.422
Set Out %			81.33%			81.68%			82.04%
No. Recycle Customers			1082			1092			1097

City of Selah
 Single Stream Residential Curbside Recycling
 and
 Commercial Program Statistics
 2013

City of Selah

2013	April			May			June		
Date	Commercial Plastic	Commercial OCC	Curbside	Commercial Plastic	Commercial OCC	Curbside	Commercial Plastic	Commercial OCC	Curbside
1									
2	2,320	4,220		2,120	3,520				
3								2,800	
4									
5							1,980	2,040	12,780
6					3,260				
7									12,020
8		3,920				13,000			
9									
10	2,240		12,940			11,000		3,760	
11	2,600								
12			16,140				2,120	2,740	
13					3,420				
14									
15		3,200		2,480	5,160				
16									
17		3,360						4,760	
18									
19							2,380	3,320	
20					3,920				
21									
22		3,000							
23									
24	2,680							5,260	
25									
26									
27									
28							2,120	2,980	
29		3,060			6,220				
30				2,660	4,380				
31									
Total Lbs.	9,840	20,760	29,080	7,260	29,880	24,000	8,600	27,660	24,800
Total Tons	4.92	10.38	14.54	3.63	14.94	12.00	4.30	13.83	12.40
Set Outs CS			954			946			977
Ave #'s/S.O.			30.482			25.370			25.384
Set Out %			86.96%			85.53%			87.08%
No. Recycle Customers			1097			1106			1122

City of Selah
Single Stream Residential Curbside Recycling
and
Commercial Program Statistics
2013

City of Selah

2013	July			August			September		
Date	Commercial	Commercial	Curbside	Commercial	Commercial	Curbside	Commercial	Commercial	Curbside
	Plastic	OCC		Plastic	OCC		Plastic	OCC	
1		3,780							
2				2,560	3,720				
3	1900								
4								4,940	12,440
5					3,560				
6									10,800
7						12,320			
8	3220								
9				2,080	3,240	11,600		2,480	
10		4,460	13,880						
11							2,200	3,320	
12			13,520		2,680				
13									
14									
15		2,940							
16									
17	1940	2,940							
18							2,120	2,620	
19					2,540				
20									
21									
22		3,080							
23								3,140	
24	2100	2,420							
25							1,980	2,380	
26					6,820				
27									
28				2,020	2,860				
29		3,040							
30									
31									
Total Lbs.	9,160	22,660	27,400	6,660	25,420	23,920	6,300	18,880	23,240
Total Tons	4.58	11.33	13.70	3.33	12.71	11.96	3.15	9.44	11.62
Set Outs CS			954			958			961
Ave lb's/S.O.			28.721			24.969			24.183
Set Out %			84.20%			#DIV/0!			83.64%
Recycle Customers			1133						1,149

Commercial Recycling YTD Total

88,780 pounds

Plastic

44.39 tons

Plastic

Commercial Recycling YTD Total

278,080 pounds

OCC

139.04 tons

OCC

Residential Recycling YTD Total

307,180 pounds

commingled

153.59 tons

commingled

City of Selah
 Single Stream Residential Curbside Recycling
 and
 Commercial Program Statistics
 2013

	October			November			December		
	Commercial	Commercial	Curbside	Commercial	Commercial	Curbside	Commercial	Commercial	Curbside
	Plastic	OCC		Plastic	OCC		Plastic	OCC	
1	2,200	3,040							
2									
3					3,580				12,240
4									
5				2,260		12,360			12,220
6							2,240		
7				2,180	3,780	11,820			
8	2,100	2,780	14,780						5,040
9									
10			12,660		2,980		1,500	3,540	
11									
12									
13		2,940							
14									
15	2,140	2,380							
16									3,300
17					3,060				
18									
19				1,840	2,860		2,740	2,740	
20									
21					2,280				
22	2,080	2,640							
23									3,420
24									
25									
26				2,000	2,940				
27		3,060							
28									
29	1,420	3,740							
30									3,480
31									
	9,940	20,580	27,440	8,280	21,480	24,180	6,480	21,520	24,460
	4.97	10.29	13.72	4.14	10.74	12.09	3.24	10.76	12.23
			961			938			830
			28,554			25,778			29,470
			82.84%			80.10%			70.94%
			1,160			1,171			1170



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM

2/11/2014 I-1

Title: Approval of Minutes: January 28, 2014 Council Meeting

Thru: David Kelly, City Administrator

From: Monica Lake, Executive Assistant

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Approval of the Minutes from the last Council Meeting.

Background / Findings & Facts:

See Minutes for details.

Recommended Motion:

Motion to approve the Consent Agenda as read. (This item is part of the Consent Agenda)

City of Selah
Council Minutes
January 28, 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 6:30pm.

B. Roll Call

Members Present: Paul Overby; John Tierney; Dave Smeback; Allen Schmid; Roy Sample; Jane Williams

Members Excused: Brooke Finch

Staff Present: David Kelly, City Administrator; Bob Noe, City Attorney; Dale Novobielski, Clerk/Treasurer; 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

Council Member Tierney led the Pledge of Allegiance. Pastor Jason Williams led the opening prayer.

D. Agenda Changes **None**

E. Public Appearances/Introductions/ Presentations

1. Selah Adventures – Independence Day Parade and Celebration

Lisa Graham, Selah Adventures, approached the podium and addressed the Council. She said that they hope to have an Independence Day festival this year, which would start with a Boy Scouts pancake breakfast, followed by a parade, then activities at Wixson Park and a dinner. She stated that their goal is to keep the community in Selah, bring visitors to Selah, and support the local groups such as the Boy Scouts.

Mayor Gawlik asked if they would also put on a July 3rd fireworks display.

Ms. Graham responded that the Selah Parks & Recreation Department would put on the July 3rd fireworks; however, her organization is working with the Pastime to see if they can host on a street dance, featuring local entertainment, afterwards.

Mayor Gawlik remarked that he appreciates the thought and endeavor to offer an alternative to the fairgrounds event for Selah residents.

Ms. Graham commented that it would also bring people in to Selah.

Council Member Tierney wondered what size the parade would be.

Ms. Graham replied that they have six floats at this point, adding that there are no other 4th of July or Independence Day parades in Washington State. She said that they want to keep a Norman Rockwell or Mayberry-esque feel to the event, with an emphasis on community and hometown hospitality. She ended by saying that their next meeting will be Thursday at 7pm at Nana Kate's, and that they welcome any input regarding the event.

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

G. Communications

1. Oral

Mayor Gawlik opened the meeting.

Steve Shotwell approached the podium and addressed the Council. He said that the remodel is very nice, and that his understanding is that the material ordering and consultation were done free of charge. He expressed concern over a perception at the last meeting that there is a quid pro quo due to that, and would like to see the City put its best foot forward in the future, even if that means going outside the City for contractors. He commented that saw several people at the courthouse yesterday for Mr. Sweet's hearing, and wanted to encourage the City to ask for restitution for every cent that Mr. Sweet has taken from City, including items such as extra utility costs and the IRS fine.

Council Member Schmid felt that his remarks were out of line, saying that he doesn't think anyone on the Council felt that they had to support Mr. Torkelson's proposal and vote in his favor because of his volunteer work on the remodel project.

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

2. Written

a. Boundary Review Board – Review of Proposed Actions regarding the West Goodlander Annexation

Council Member Overby said that he read through the material Community Planner Davison provided, but had a difficult time understanding which sections the Boundary Review Board (Board) used for their decision.

Community Planner Davison responded that Glenn Rice, one of the Board members, provided the information citing RCW 36.93.150 (2). He noted that he was unaware that the law had changed so that the Board no longer had the ability to increase the size of annexations.

Council Member Overby observed that he didn't get that impression.

Community Planner Davison commented that he didn't either.

Council Member Overby remarked that there are limits if a town's population is greater than seventy-five hundred, but it didn't appear as if the annexation would put Selah outside of that percentage. He went on to say that they couldn't increase the annexation by one hundred percent but wondered what constitutes one hundred percent. He had a difficult time understanding and putting together the materials provided.

Community Planner Davison said that, while the City's annexation is already a done deal, his understanding is that the Board can opt to enlarge the boundary if the town or city population isn't over seventy-five hundred; Selah is not.

Council Member Sample wondered what use the Board is, as their primary interest is annexations.

Community Planner Davison responded that they deal with other boundary issues as well, such as the City of Yakima expansion into West Valley and the jurisdictional boundaries conflict between fire departments.

Council Member Sample remarked that, if someone wanted to annex, they wouldn't have to worry about the Board changing the annexation.

Community Planner Davison agreed.

Council Member Tierney noted that the Board can enlarge an annexation by up to one hundred percent.

Community Planner Davison responded in the affirmative, adding that if they City requests to annex fifty acres the Board could increase that up to an additional fifty acres.

Council Member Overby commented that he doesn't understand their logic.

Community Planner Davison opined that the Board was ill-advised when the statute was originally passed and now believe that they can't modify any boundaries. He noted that they haven't modified any since 2012.

Council Member Overby thought maybe they were under the impression that Selah had over seventy-five hundred residents.

Community Planner Davison replied in the negative.

Council Member Tierney asked if the City is able to go back and have a review of this or if they are simply beating a dead horse.

City Attorney Noe felt that a review of the pertinent RCWs might shed some light on the matter.

Council Member Smeback remarked that what the West Valley expansion, which was against the will of the people, was a bad deal all the way around. He felt that the City's peninsula annexation, which excluded those who were against coming into City limits, was more than proper.

Council Member Schmid said that, if the Board is no longer looking at the possibility of increasing annexations to prevent islands, the change should have been publicized. He went on to say that the Board came out of growth management with a primary directive to straighten city boundaries and to eliminate boundary issues in counties that had boundaries jogging in and out, as the State was concerned about islands and peninsulas being created via annexation. He felt that Council needs better clarification from the Board on the issues; maybe they didn't understand where the City was coming from.

Council Member Williams asked if they come back and said the decision was done improperly.

Community Planner Davison responded that the Board approved the annexation and taking those portions of West Goodlander Road, adding that he is prepared to record the documents later this week.

Council Member Overby expressed concern regarding future annexations, saying that if folks didn't want to be included there is no value in forcing them in.

Council Member Tierney stated that it left a bad taste in his mouth when residents of Herlou Drive and Herlou Place Came to the Council meeting and said that they already get police service from Selah, as they aren't contributing money to provide the services that the City gives to its citizens. He felt that the Board might have had a different attitude about the annexation area if they had known that.

City Administrator Kelly said that staff will go back and visit with the Boundary Review Board, and that City Attorney Noe will look at the statutes; more details and clarification will be presented at the next Council Meeting.

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 14, 2014 Council Meeting
- * 2. Approval of Claims & Payroll:
 - Claim Checks Nos. 63273 – 63282 for a total of \$39,445.36
 - Claim Checks Nos. 63283 – 63337 for a total of \$97,324.50
- * 3. Resolution M – 1 Resolution Establishing February 11, 2014 as the Date to Conduct a Public Hearing to Consider an Amendment to the Six Year Transportation Improvement Program for the Years 2014 to 2019

Council Member Overby 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

- 1. Parks & Recreation Comprehensive Plan 2014 – 2019

Community Planner Davison deferred to Recreation Manager Brown.

Recreation Manager Brown addressed J – 1. He said that the Parks & Recreation Comprehensive Plan (Plan) is a six year plan for the years 2014-2019, which includes a mission statement as well as goals and priorities for the next six years. He stated that, without a Plan, the City can't seek funding for grants to complete projects. He commented that the Plan was put together by himself, Public Works Utility Supervisor Jones, and Parks Board

Chairman John Baranowski; it includes an inventory of the existing parks, improvements to be made to them, and input from the community.

Mayor Gawlik opened the Public Hearing.

Miles Blakney, Selah Dolphins Foundation, approached the podium and addressed the Council. He said that he is here in support of the pool. He added that the pool dimensions on page 18 should be 40 yards by 20 yards, not 40 feet by 15 feet.

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

K. New Business **None**

L. Old Business **None**

M. Resolutions

- * 1. Resolution Establishing February 11, 2014 as the Date to Conduct a Public Hearing to Consider an Amendment to the Six Year Transportation Improvement Program for the Years 2014 to 2019

N. Ordinances

- 1. Ordinance Adopting the City of Selah Comprehensive Parks and Recreation Plan 2014-2019

Community Planner Davison addressed N – 1. He said that, after the conclusion of a public hearing, the Planning Commission adopted the attached findings of fact recommending that Council adopt the Comprehensive Parks & Recreation Plan (Plan) for the betterment of the community. He recommended an adoption of the Ordinance and findings of fact.

Council Member Williams requested that the motion to approve add the correction to the pool size.

Mayor Gawlik responded that it was a typo and will be corrected.

Council Member Smeback moved, and Council Member Overby seconded, to approve the Ordinance Adopting the City of Selah Comprehensive Parks and Recreation Plan 2014-2019. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.

- 2. Ordinance Amending the 2014 Budget for 2013 Surplus 15% Water, Sewer and Garbage Utility Tax

Clerk/Treasurer Novobielski addressed N – 2. He said that, as described in background section of the AIS, when he closed the 2013 books he was able to identify that the fifteen percent water, sewer and garbage tax resulted in revenues of six hundred twenty-two thousand, eight hundred eighty-six dollars, of which four hundred sixty-five thousand, six hundred fifty-five dollars was expended in debt service repayments for the Marudo properties. He briefly outlined what will happen with the remainder, noting that fifty thousand will be earmarked for early repayment on the bonds and the rest will go into the Reserves to rebuild what was depleted.

Mayor Gawlik mentioned that a citizen had inquired about the dispersal of the utility tax funds at the previous Council Meeting.

Clerk/Treasurer Novobielski responded that the citizen's request had prompted this Ordinance, even though the prepayment cannot be made until June.

Council Member Tierney moved, and Council Member Overby seconded, to approve the Ordinance Amending the 2014 Budget for 2013 Surplus 15% Water, Sewer and Garbage Utility Tax. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Schmid – 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 thanked the Selah Dolphins members and the Selah School Board member for coming to show their support for the Parks & Recreation Comprehensive Plan. He said that, at the Council Retreat last year, one of the items discussed was a 'cheat sheet' to be available to all Council Members with reminders of formalities, meeting criteria, and other items. He commented that they will be bringing this before Council in the near future to get input and hopefully approval, as he felt the two new Council Members would find it informative and helpful to them as they transition into their new positions.

2. Council Members

Council Member Overby had a question regarding the issue with Yakima Transit and HopeSource, and whether the City would be able to recoup any of the funds expended.

City Administrator Kelly responded that that is a good question. He said that he will meet with them on Thursday to discuss a proposal to resolve the issue; Yakima Transit is proposing to alter the existing Selah route so will go out to exit and meet up with the Ellensburg bus.

Council Member Sample had no report.

Council Member Tierney remarked that it would be nice to have a 'tickle file' recap sheet for Council Members that would enable them to follow up on items in a timely manner. He said that he had an opportunity to look at the damaged patrol car yesterday, and hoped that the Police Department would be able to keep the bullet-damaged hood.

City Administrator Kelly stated that the salvage value for the vehicle is fourteen hundred dollars. He liked the idea of buying a different hood for one hundred dollars to swap out with the holey one.

Council Member Tierney replied that he would recommend that the City do that; it is a reminder that no stop is simply routine.

Council Member Smeback had no report.

Council Member Schmid opined that, with the Seahawks in the Super Bowl, Sunday will be an exciting time in the Pacific Northwest.

Council Member Williams thanked the citizens who showed up for the sentencing hearing at the courthouse, saying that they were able to witness the judicial system and how it works. She expressed her appreciation for the new administration and what they are trying to accomplish.

3. Departmental

Public Works Director Henne said that the building permit activity is doing well; they have received the plan from Matson Fruit for their shipping facility and will issue a permit on the project soon. He went on to say that they have issued a permit to Tree Top for their new facility and have ordered the new shelter for Wixson Park. He commented that the rest of the department is busy doing maintenance work on park equipment and that field conditioner and other supplies will need to be ordered in the near future.

Mayor Gawlik enquired about surplus winter supplies.

Public Works Director Henne responded that he has plenty of deicer on hand. He commented that the tanks are full, and they will spray on the parking area, the easement along railroad tracks, and the unofficial alleyway along Wixson Park in the spring. He expressed his appreciation to Council for approving the Resolution setting a hearing for the TIP amendment, adding that he will also bring other documents to Council regarding the sidewalk.

Clerk/Treasurer Novobielski said that he has closed the books for 2013, and will be providing financials to the department heads and the finance committee by the end of the week. He noted that the 2014 budget will be headed to the printer soon.

Community Planner Davison commented that he is working on two new subdivisions and two rezones, along with the proposed right of way vacation on Goodlander Road. He went on to say that the Selah School District has to reduce classroom sizes, and will be coming to the City with a proposal for two additional portables at John Campbell Elementary as well as two modular units for dressing rooms at the Junior High, for use by the PE students and others, until a new gymnasium is completed.

Recreation Manager Brown said that his department has taken over Civic Center operations as of December 1st, and already have fifty-eight events scheduled for 2014. He noted that this is an increase over last year's event total of fifty-three, and that they have already started scheduling for 2015. He commented that they would like to start marketing the facility more aggressively as an event venue for weddings and other events, and hope to begin remodel work in the near future to increase its appeal as an event venue.

Mayor Gawlik remarked that he has been working with Recreation Manager Brown over the last month to address safety and health issues for the building, and that they are working on a list of modifications to the interior of the facility, primarily to the great room and the lobby. He noted that, once plans have been solidified, they will be coming to Council for project funding approval.

Police Chief Hayes said that the patrol car involved in the recent incident has been totaled, as the insurance has opted not to pay to have it fixed, and the department will use the insurance money to replace the vehicle. He stated that Officer Singletary is doing well at the academy, and is currently in the top to middle portion of his

class. He noted that the newest officer will start the academy on February 11 He went on to say that Officer Singletary will graduate the academy on March 20th, then have sixteen weeks of FTO before being cut loose. He commented that the active shooter training at the High School last Friday went well, although they scared a few janitors. He remarked that they are one officer down due to a sprained shoulder, and finished by noting that the Citizens' Academy this week will feature an active shooter demonstration and presentation.

Council Member Tierney wondered if they could take the hood from the totaled patrol car.

Police Chief Hayes responded that they won't let them simply take the hood, as they don't want a vehicle in impound lot without a hood. He added that there is no such thing as a general search warrant; they all have the potential of turning into a dangerous situation.

Mayor Gawlik was glad that the holes were in the vehicle, not the officer.

Police Chief Hayes observed that one can see what would have happened if the officers had been in the car when it was fired upon.

City Administrator Kelly said that they are looking into additional microphones for the Council table and hope to present some options at the next Council Meeting.

City Attorney Noe said that there will be a restitution hearing on Mr. Sweet's case in the near future, as State law requires one be held within 180 days. He stated that he is working with the Prosecutor's Office to see what can be recovered via restitution.

4. Boards

- a. Parks Board Minutes – December 17, 2013
- b. Planning Commission Minutes – December 12, 2013

Council took a ten minute recess.

Q. Executive Session

1. 15 Minute Session – Potential Litigation RCW 42.30.110(1)(i)

Council went back into Executive Session at 7:41pm. At 7:56pm, Council went back on the record. Mayor Gawlik stated that they would be extending the Executive Session for an additional 10 minutes.

Council went into Executive Session at 7:58pm. At 8:08pm, Council went back on the record. Mayor Gawlik stated that no action was taken during the Executive Session.

R. Adjournment

Council Member Overby moved, and Council Member Williams seconded, that the meeting be adjourned. Motion passed with 5 yes votes and 1 no vote.

The meeting adjourned at 8:09pm.

John Gawlik, Mayor

Paul Overby, Council Member

John Tierney, Council Member

Dave Smeback, Council Member

Allen Schmid, Council Member

EXCUSED

Brooke Finch, Council Member

Roy Sample, Council Member

Jane Williams, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM
2/11/2014 I - 2

Title: Claims & Payroll

Thru: David Kelly, City Administrator

From: Dale Novobielski, Clerk/Treasurer

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: See Check Registers

Funding Source: Various. See Check Registers.

Staff Recommendation:

Approval of Claims & Payroll as listed on Check Registers.

Background / Findings & Facts:

See Check Registers.

Recommended Motion:

Motion to Approve the Consent Agenda as read. (This item is part of the Consent Agenda)



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM

2/11/2014 J – 1

Title: Public Hearing to consider the Resolution to amend the Six Year Transportation Improvement Program for the year 2014 to 2019

Thru: David Kelly, City Administrator

From: Joe, Henne, Public Works Director

Action Requested: Public Hearing / Public Meeting

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

To hold a public hearing on the proposed resolution amending the Six Year Transportation Improvement Program (TIP) for the years 2014 to 2019

Background / Findings & Facts:

N/A

Recommended Motion:

Hold a public hearing.



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:	Action Taken:
6/13/2013	Resolution establishing July 9, 2013 as the Date to Conduct a Public Hearing to consider the Six Year Transportation Improvement Program for the Years 2014 to 2019
7/9/2013	Resolution Adopting the Six Year Transportation Improvement Program for Secondary and Collector Arterial Streets within the City of Selah for the Years 2014 to 2019
12/10/2013	Resolution Authorizing the Mayor to Sign a Project Application for Transportation Alternatives Program (TAP) Funding for Sidewalk along Wernex Loop
1/28/2014	Resolution Establishing February 11, 2014 as the Date to Conduct a Public Hearing to Consider an Amendment to the Six Year Transportation Improvement Program for the Years 2014 to 2019

[Click here to enter a date.](#) [Click here to enter text.](#)

[Click here to enter a date.](#) [Click here to enter text.](#)



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM

2/11/2013 K – 1

Title: New Prices for the Selah Civic Center

Thru: David Kelly, City Administrator

From: Charles Brown

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: Produce more revenue annually

Funding Source: Fund 118

Staff Recommendation:

I recommend that the board approve the new prices for the Civic Center.

Background / Findings & Facts:

Going forward we want to establish consistent prices for the use of the building. Patrons are contacted and don't know why or for what they are being charged. The new prices will be consistent for all events. Every wedding is the same, every fundraiser will be billed the same. Currently the Facility Coordinator walks through the building with the renters and goes over the facility agreement with them in detail. The patron knows their responsibilities and everything that is included in their rental. There are prices set for Non-Profit Groups, Residents and Non-Residents.

Recommended Motion:

I move for approval of the New Prices for the Selah Civic Center.

Old prices for Civic Center

Selah School District /Resident:

Rental: \$900.00
Janitorial: \$150.00
Deposit: \$500.00

Yakima / Non District:

Rental: \$1000.00
Janitorial: \$150.00
Deposit: \$500.00

Side rooms never had a solid price.

**Selah Civic Center
Rental Fees**

Reserve a Date

In order to hold a date or multiple dates a hold fee of \$150.00 per day will be required at time of request. We will credit the date you do take with the \$150.00. If multiple dates are held renter will not receive the fees paid back for additional dates.

Meeting Space

Renter is responsible for Set up/ take down & emptying garbage

If renting multiple days a 10 % discount after the first day.

(Main Hall – Monday – Friday would price out a \$1433.00 after discount)

Main Hall (includes Dining & Kitchen)

Monday – Friday \$350.00

Non Profit \$175.00

Saturday Non Profit \$350.00

Wedding Saturday Resident \$1000.00 Saturday Non District \$1200.00

Birthday Party Saturday Resident \$1500.00 Saturday Non District \$1700.00

American Legion Room (South Room)

Monday – Friday \$125.00

Non Profit \$75.00

Saturday Wedding / Birthday \$175.00

Senior Room (Apple Room)

Monday – Friday \$125.00

Non Profit \$ 75.00

Saturday Wedding / Birthday \$175.00

Kitchen/ Dining Area

Monday – Friday \$125.00

Non Profit \$75.00

Based on Availability

Fundraisers /Non Profit / Bazaars

Selah Resident

Friday Rental \$175.00

Friday Rental \$150.00 (with a Saturday rental)

Saturday Rental \$350.00

Deposit \$200.00

Janitorial Fee \$150.00

Non District

Friday Rental \$200.00

Friday Rental \$175.00 (with Saturday Rental)

Saturday Rental \$400.00

Deposit \$200.00

Janitorial Fee \$150.00

Additional Rooms / Additional Charges

American Legion Room \$75.00 + \$25.00 Walk Thru

Apple Room \$75.00 + \$25.00 Walk Thru

Saturday Events - Main Room, Kitchen & Dining Area

Selah Residents

Rent	\$1000.00
Deposit	\$1000.00 & Credit Card
Janitorial Fee	\$ 200.00 Non Refundable (CC Staff Clean)
Friday night prior	\$ 150.00

Non District

Rent	\$1200.00
Deposit	\$1000.00 & Credit Card
Janitorial Fee	\$ 200.00 Non Refundable (CC Staff Clean)
Friday night prior	\$ 150.00

Additional Rooms / Additional Charges

American Legion Room	\$175.00 + \$75.00 Cleaning Fee (CC Staff)
Senior Center	\$175.00 + \$75.00 Cleaning Fee (CC Staff)

Friday Birthday Party - Main room, Kitchen & Dining Area

Resident

Rent	\$700.00
Janitorial	\$300.00 Non Refundable
Deposit	\$1000.00

Non Resident

Rent	\$ 900.00
Janitorial	\$ 300.00 Non Refundable
Deposit	\$ 1000.00

Saturday Birthday Parties - Main Room, Kitchen & Dining Area

Selah Residents

Rent	\$1500.00
Friday Set Up	\$150.00
Deposit	\$1000.00 + Credit Card
Janitorial Fee	\$300.00 Non Refundable (Our Staff Clean)

Non District

Rent	\$1700.00
Friday Set Up	\$150.00
Deposit	\$1000.00 + Credit Card
Janitorial Fee	\$300.00 Non Refundable (Our Staff Clean)

Additional Rooms / Additional Charges

American Legion Room	\$175.00 + \$75.00 Cleaning Fee (CC Staff)
Senior Center	\$175.00 + \$75.00 Cleaning Fee (CC Staff)



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING INFORMATIONAL ITEM

2/11/2014 L - 1

Title: Yakima Transit Schedule Change

Thru: David Kelly, City Administrator

From: David Kelly, City Administrator

Action Requested: Informational - No action

Board/Commission Recommendation: Not applicable

Fiscal Impact: None

Funding Source: NA

Staff Recommendation:

None, this is informational regarding changes in our bus route.

Background / Findings & Facts:

The City of Yakima put together a plan to resolve our concerns regarding changing the Ellensburg commuter bus route times.

In our existing bus route, each time the bus comes to Selah, the bus makes two loops through Selah, before it goes on to Yakima. So for example if you wanted to pick up the bus on Fremont Avenue, you could pick up the same bus at 7:15am or 7:28am. This is because after you get on at 7:15am the bus goes around the same streets again before it leaves the City. So you could get on the same bus at 7:28am and it would then go on to Yakima.

The change that is being put forward is to eliminate this redundancy and add an additional stop out at Highway 82 by the Training Center. This new stop will



CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY



also be coordinated with the Ellensburg commuter bus schedule that currently exists. So our current commuter schedule will not have to change at all.

Regarding the Selah Christian Church park-ride that was graveled in the fall, customers can park their cars in that lot and the bus will take them out to meet the Ellensburg commuter. We will not pave that lot for now. We would like to collect more data, to see what the future holds.

Because this new route eliminates the redundancy in our current operation, the City of Yakima will not charge us anything for the changes. These changes will go into effect on March 24, 2014 when the new schedule is published. These changes will also not materially change our existing bus schedule times.

Lastly, the City of Yakima has informed us that the grant funding that has paid for our Sunday bus service will not be renewed. This service will likely discontinue March 23, 2014. It is simply a funding issue. I will keep you informed as to when the final decision has been made by the City of Yakima.

Recommended Motion:

None

Route 10 | Selah

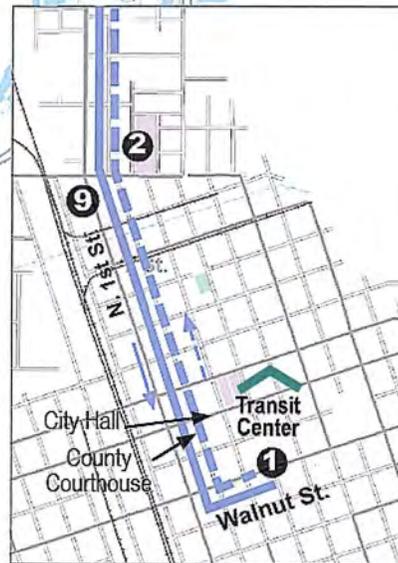
The shaded portion of the route — serving the Firing Center Road Park & Ride — runs seven times a day Monday through Friday. The schedule coincides with stops by the Yakima-Ellensburg Commuter.



Bus stops generally every 2 blocks on the route

YAKIMA LOCATIONS SERVED: County Courthouse, Yakima City Hall, Law and Justice Center.

SELAH LOCATIONS SERVED: Goodwill Store, Tree Top, Viking Village, North Park Centre, Firing Center Road Park & Ride, Selah High School, Selah Jr. High School, John Campbell Elementary, Yakima Valley School, Selah Intermediate School, Selah City Hall, Selah Civic Center.



 All routes served by lift-equipped buses

Yakima Transit ...Way to Go!



Selah | Route 10

Monday through Friday/lunes a viernes

	Yakima to Selah					Selah to Yakima				
	①	②	③	④	⑤	⑥	⑦	⑧	⑨	①
	Depart Transit Center	Yakima – No. 1st St. & 'I' St.	Selah – Fremont & N. Wenas	Selah – North Park Centre	Selah – Firing Ctr. Rd. Park & Ride	Selah – Goodlander & N. Wenas	Selah – 11th St. & Speyers Rd.	Selah – Civic Center	Yakima – No. 1st St. & 'I' St.	Arrive Transit Center
AM			6:14	—	—	6:19	6:24	6:29	6:35	6:40
	6:15	6:20	6:27	6:29	6:36	6:42	6:47	6:52	6:58	7:03
	6:45	6:50	6:57	6:59	—	7:12	7:17	7:22	7:28	7:33
	7:15	7:20	7:27	7:29	—	7:32	7:37	7:42	7:48	7:55
	7:45	7:50	7:57	7:59	8:06	8:12	8:17	8:22	8:28	8:33
	8:15	8:20	8:27	8:29	—	8:42	8:47	8:52	8:58	9:03
	9:15	9:20	9:27	9:29	9:36	9:42	9:47	9:52	9:58	10:03
	10:15	10:20	10:27	10:29	—	10:42	10:47	10:52	10:58	11:03
	11:15	11:20	11:27	11:29	—	11:42	11:47	11:52	11:58	12:03
	PM	12:15	12:20	12:27	12:29	—	12:42	12:47	12:52	12:58
1:15		1:20	1:27	1:29	1:36	1:42	1:47	1:52	1:58	2:03
—		—	2:14	—	—	2:19	2:24	2:29	2:35	2:40
2:15		2:20	2:27	2:29	—	2:42	2:47	2:52	2:58	3:03
2:45		2:50	2:57	2:59	3:06	3:12	3:17	3:22	3:28	3:33
3:15		3:20	3:27	3:29	—	3:42	3:47	3:52	3:58	4:03
3:45		3:50	3:57	3:59	—	4:12	4:17	4:22	4:28	4:33
4:15		4:20	4:27	4:29	4:36	4:42	4:47	4:52	4:58	5:03
4:45		4:50	4:57	4:59	—	5:12	5:17	5:22	5:28	5:33
5:15		5:20	5:27	5:29	—	5:42	5:47	5:52	5:58	6:03
5:45		5:50	5:57	5:59	6:06	6:12	6:17	6:22	6:28	6:33
6:15		6:20	6:27	6:29	—	6:32	6:37	6:42	6:48	—

Saturday/sábado

	①	②	③	④	⑤	⑥	⑦	⑧	⑨	①
	Depart Transit Center	Yakima – No. 1st St. & 'I' St.	Selah – Fremont & N. Wenas	Selah – North Park Centre	Selah – Firing Ctr. Rd. Park & Ride	Selah – Goodlander & N. Wenas	Selah – 11th St. & Speyers Rd.	Selah – Civic Center	Yakima – No. 1st St. & 'I' St.	Arrive Transit Center
AM	9:15	9:20	9:27	9:29	—	9:39	9:44	9:49	9:55	10:00
	10:15	10:20	10:27	10:29	—	10:39	10:44	10:49	10:55	11:00
	11:15	11:20	11:27	11:29	—	11:39	11:44	11:49	11:55	12:00
PM	12:15	12:20	12:27	12:29	—	12:39	12:44	12:49	12:55	1:00
	1:15	1:20	1:27	1:29	—	1:39	1:44	1:49	1:55	2:00
	2:15	2:20	2:27	2:29	—	2:39	2:44	2:49	2:55	3:00
	3:15	3:20	3:27	3:29	—	3:39	3:44	3:49	3:55	4:00
	4:15	4:20	4:27	4:29	—	4:39	4:44	4:49	4:55	5:00
	5:15	5:20	5:27	5:29	—	5:39	5:44	5:49	5:55	6:00
	6:15	6:20	—	—	—	—	6:30	6:33	6:39	—

For Sunday's schedule, see page 39

Sunday Schedules

6 Fair Ave./North 4th St.

North – North 4th St.						South – Fair Ave.						
	Departs Transit Center	Wal-Mart	Gateway Center	Barge-Lincoln School	Sun Tower	Arrives Transit Center	Departs Transit Center	Gateway Center	YV Tech	18th St. & Viola	Wal-Mart	Arrives Transit Center
AM	8:45	8:50	8:54	8:58	9:01	9:05	9:15	9:18	9:21	9:24	9:32	9:37
	9:45	9:50	9:54	9:58	10:01	10:05	10:15	10:18	10:21	10:24	10:32	10:37
	10:45	10:50	10:54	10:58	11:01	11:05	11:15	11:18	11:21	11:24	11:32	11:37
PM	11:45	11:50	11:54	11:58	12:01	12:05	12:15	12:18	12:21	12:24	12:32	12:37
	12:45	12:50	12:54	12:58	1:01	1:05	1:15	1:18	1:21	1:24	1:32	1:37
	1:45	1:50	1:54	1:58	2:01	2:05	2:15	2:18	2:21	2:24	2:32	2:37
	2:45	2:50	2:54	2:58	3:01	3:05	3:15	3:18	3:21	3:24	3:32	3:37
	3:45	3:50	3:54	3:58	4:01							

9 1st Street/Washington

Leaving City Center					Toward City Center					
	Transit Center	So. 1st St. & Mead	Miner's Drive-In	Washington & 3rd Ave.	Washington & 10th Ave.	40th Ave. & Nob Hill	40th Ave. & Fruitvale	Public Works	No. 1st St. & 'I' St	No. 1st St. & Lincoln
AM	8:45	8:50	8:55	8:59	9:00	9:06	9:14	9:17	9:23	9:25
	9:45	9:50	9:55	9:59	10:00	10:06	10:14	10:17	10:23	10:25
	10:45	10:50	10:55	10:59	11:00	11:06	11:14	11:17	11:23	11:25
	11:45	11:50	11:55	11:59	12:00	12:06	12:14	12:17	12:23	12:25
PM	12:45	12:50	12:55	12:59	1:00	1:06	1:14	1:17	1:23	1:25
	1:45	1:50	1:55	1:59	2:00	2:06	2:14	2:17	2:23	2:25
	2:45	2:50	2:55	2:59	3:00	3:06	3:14	3:17	3:23	3:25
	3:45	3:50	3:55	3:59	4:00	4:06	4:14	4:17		

10 Selah

Yakima to Selah				Selah to Yakima						
	Depart Transit Center	Yakima – No. 1st St. & 'I' St.	Selah – Fremont & N. Wenas	Selah – North Park Centre	Selah – Firing Ctr. Rd. Park & Ride	Selah – Goodlander & N. Wenas	Selah – 11th St. & Speyers Rd.	Selah – Civic Center	Yakima – No. 1st St. & 'I' St.	Arrive Transit Center
AM	8:45	8:50	8:57	8:59	—	9:09	9:14	9:19	9:25	9:30
	9:45	9:50	9:57	9:59	—	10:09	10:14	10:19	10:25	10:30
	10:45	10:50	10:57	10:59	—	11:09	11:14	11:19	11:25	11:30
	11:45	11:50	11:57	11:59	—	12:09	12:14	12:19	12:25	12:30
PM	12:45	12:50	12:57	12:59	—	1:09	1:14	1:19	1:25	1:30
	1:45	1:50	1:57	1:59	—	2:09	2:14	2:19	2:25	2:30
	2:45	2:50	2:57	2:59	—	3:09	3:14	3:19	3:25	3:30
	3:45	3:50	—	—	—	—	4:00	4:03	4:10	—



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING INFORMATIONAL ITEM

2/11/2014 L – 2

Title: Annexation Follow Up

Thru: David Kelly, City Administrator

From: David Kelly, City Administrator; Bob Noe, City Attorney

Action Requested: Informational - No action

Board/Commission Recommendation: Not applicable

Fiscal Impact: None

Funding Source: None

Staff Recommendation:

None, this is informational only

Background / Findings & Facts:

The Mayor and City Council had concerns regarding the information that we received back from the Boundary Review Board regarding our last Annexation. Attached is a letter from our City Attorney answering the questions that were raised.

Recommended Motion:

None

MEMORANDUM

FROM: Robert Noe, City Attorney

TO: Members of City Council
Mayor John Gawlik

Cc: David Kelly, City Administrator

Date: February 6, 2014

Re: West Goodlander Annexation – Boundary Review Board

The City Council inquired about the basis for the Boundary Review Board's (BRB's) decision related to the West Goodlander Annexation. David Kelly made inquiry with the Board and I spoke with Terry Austin, Yakima County Prosecutor's Office Corporate Counsel for Yakima County, regarding the matter. I learned that the BRB did not consider the proposed annexation because the BRB's jurisdiction was not invoked (invoke in this context means that the BRB's jurisdiction is called upon and that the BRB will take cognizance of and actively engage in considering a proposal). If the proposed annexation is not contested by a party with standing and where no affected entities (including the City) raises any objection or concerns, then the BRB's jurisdiction is not invoked and it does not consider the proposal for any purpose. The annexation simply goes forward as proposed after the passage of 45 days.

The statutory provision governing whether the BRB's jurisdiction is invoked is RCW 36.93.100 – "Review of proposed actions by board — Procedure". Since Yakima County has a population of less than one million, subsection (1) of the provision does not apply. In the City of Selah's matter, subsections (2) and (3) are applicable. Whether a private party (non-governmental entity) has "standing" to contest an annexation proposal is set forth in subsections (3) and (4). Standing means that the party has an interest in the outcome that is recognized as sufficiently significant. RCW 36.93.100 provides:

The board shall review and approve, disapprove, or modify any of the actions set forth in RCW 36.93.090 when any of the following shall occur within forty-five days of the filing of a notice of intention:

(1) Three members of a five-member boundary review board or five members of a boundary review board in a county with a population of one million or more files a request for review: PROVIDED, That the members of the boundary review board shall not be authorized to file a request for review of the following actions:

(a) The incorporation of any special district or change in the boundary of any city, town, or special purpose district;

(b) The extension of permanent water service outside of its existing corporate boundaries by a city, town, or special purpose district if (i) the extension is through the

installation of water mains of six inches or less in diameter or (ii) the county legislative authority for the county in which the proposed extension is to be built is required or chooses to plan under RCW 36.70A.040 and has by a majority vote waived the authority of the board to initiate review of all other extensions; or

(c) The extension of permanent sewer service outside of its existing corporate boundaries by a city, town, or special purpose district if (i) the extension is through the installation of sewer mains of eight inches or less in diameter or (ii) the county legislative authority for the county in which the proposed extension is to be built is required or chooses to plan under RCW 36.70A.040 and has by a majority vote waived the authority of the board to initiate review of all other extensions;

(2) Any governmental unit affected, including the governmental unit for which the boundary change or extension of permanent water or sewer service is proposed, or the county within which the area of the proposed action is located, files a request for review of the specific action;

(3) A petition requesting review is filed and is signed by:

(a) Five percent of the registered voters residing within the area which is being considered for the proposed action (as determined by the boundary review board in its discretion subject to immediate review by writ of certiorari to the superior court); or

(b) An owner or owners of property consisting of five percent of the assessed valuation within such area;

(4) The majority of the members of boundary review boards concur with a request for review when a petition requesting the review is filed by five percent of the registered voters who deem themselves affected by the action and reside within one-quarter mile of the proposed action but not within the jurisdiction proposing the action.

If a period of forty-five days shall elapse without the board's jurisdiction having been invoked as set forth in this section, the proposed action shall be deemed approved.

If a review of a proposal is requested, the board shall make a finding as prescribed in RCW 36.93.150 within one hundred twenty days after the filing of such a request for review. If this period of one hundred twenty days shall elapse without the board making a finding as prescribed in RCW 36.93.150, the proposal shall be deemed approved unless the board and the person who submitted the proposal agree to an extension of the one hundred twenty day period.

I hope that this responds to the inquiry. Please let me know if there are any further questions.



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM

2/11/2014 M – 1

Title: 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

Thru: David Kelly, City Administrator

From: Joe, Henne, Public Works Director

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: N/A

Funding Source: N/A

Staff Recommendation:

Staff is requesting the City Council to approve a Resolution to amending the 2014 to 2019 Six Year Transportation Improvement Program (TIP) to reflect the addition of a Transportation Alternative Program project for a sidewalk on Wernex Loop. This project has received full funding, \$213,000 with no required match.

Background / Findings & Facts:

N/A

Recommended Motion:



CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY



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

Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:	Action Taken:
6/13/2013	Resolution establishing July 9, 2013 as the Date to Conduct a Public Hearing to consider the Six Year Transportation Improvement Program for the Years 2014 to 2019
7/9/2013	Resolution Adopting the Six Year Transportation Improvement Program for Secondary and Collector Arterial Streets within the City of Selah for the Years 2014 to 2019
12/10/2013	Resolution Authorizing the Mayor to Sign a Project Application for Transportation Alternatives Program (TAP) Funding for Sidewalk along Wernex Loop
1/28/2014	Resolution Establishing February 11, 2014 as the Date to Conduct a Public Hearing to Consider an Amendment to the Six Year Transportation Improvement Program for the Years 2014 to 2019

RESOLUTION NO. _____

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

WHEREAS, the City Council of the City of Selah adopted on July 9, 2013 a Six-Year Transportation Improvement Program for the years 2014-2019, and

WHEREAS, that Program has been amended to reflect the addition of a Transportation Alternative Program project for a sidewalk on Wernex Loop,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON to adopt the amended Six-Year Transportation Improvement Program for the years 2014-2019 as amended attached hereto.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 11th day of February, 2014.

John Gawlik, Mayor

ATTEST:

Dale Novobielski, Clerk Treasurer

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. _____

Six Year Transportation Improvement Program From 2014 to 2019

Agency: Selah

County: Yakima

MPO/RTPO: YVCOG

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
19	13	WERNEX LOOP Wernex Loop N 1st Street to N 1st Street Construct sidewalk, curb and gutter and storm drainage all on the North side of street	WA-06482					38		0.190	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	PE	2014	TAP(UL)	25,900		0	0	25,900
S	CN	2014	TAP(UL)	187,100		0	0	187,100
Totals				213,000		0	0	213,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	25,900	0	0	0	0
CN	187,100	0	0	0	0
Totals	213,000	0	0	0	0

	Federal Funds	State Funds	Local Funds	Total Funds
Grand Totals for Selah	433,000	0	3,402,335	3,835,335



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM

2/11/2013 M – 2

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

Thru: David Kelly, City Administrator

From: Charles Brown, Recreation Manager

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: Not to exceed \$1000

Funding Source: Fund 118

Staff Recommendation:

I recommend that we sign a contract to let Carl Torkelson be a design consultant for the renovation of the Civic Center.

Background / Findings & Facts:

We want to complete several projects in the next couple years. What we would like from Mr. Torkelson is for him to draw up some sketches of the renovations and give opinions of what could be done to enhance the look and quality of the Civic Center. Once the drawing phase is over we will put the projects out for bid. We have a list of projects that need to be completed. This is phase one of a multi-step process to renovate the Civic Center building. This will give us an idea so that we can effectively take bids in the future. Remodeling the building will allow us to market the venue as a true event facility and generate more revenue throughout the year.



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



Recommended Motion:

Approval to sign the Consultant Agreement with Carl Torkelson for the renovations at the Civic Center.

Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:

Action Taken:

[Click here to enter a date.](#) [Click here to enter text.](#)

[Click here to enter a date.](#) [Click here to enter text.](#)

[Click here to enter a date.](#) [Click here to enter text.](#)

[Click here to enter a date.](#) [Click here to enter text.](#)

[Click here to enter a date.](#) [Click here to enter text.](#)

[Click here to enter a date.](#) [Click here to enter text.](#)

CITY OF SELAH, WASHINGTON
RESOLUTION NO. _____

A RESOLUTION authorizing the Mayor to sign a Consultant Agreement with Torkelson Construction, Inc.

WHEREAS, the City of Selah is considering whether to make improvements to the interior of the Civic Center and whether to make improvements to the façade and landscaping of City Hall;

WHEREAS, the City would benefit from conceptual drawings concerning such improvements prior to any architectural work or any other work being performed to such end;

WHEREAS, the City wishes to utilize the skill, experience, and expertise of Torkelson Construction, Inc. to perform the conceptual drawing services for the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, HEREBY RESOLVES as follows:

The Mayor is authorized to sign a Consultant Agreement with Torkelson Construction, Inc.

PASSED this 11th day of February, 2014.

John Gawlik, Mayor

ATTEST:

APPROVED AS TO FORM:

Dale Novobielski, Clerk/Treasurer

Robert F. Noe, City Attorney

CONSULTANT AGREEMENT

THIS CONSULTANT AGREEMENT (hereinafter referred to as the "Agreement") is made and entered into as of January 20, 2014 (hereinafter referred to as the "Effective Date"), by and between City of Selah (hereinafter referred to as the "City"), of 115 W. Naches Avenue, Selah, Washington, 98942 and Torkelson Construction, Inc. (hereinafter referred to as the "Contractor"), of PO Box 292, Selah, Washington, 98942.

RECITALS

WHEREAS, City considers Contractor qualified to perform certain services required by and for the benefit of City;

WHEREAS, City wishes to retain Contractor to perform such services in the capacity of independent contractor, and

WHEREAS, Contractor wishes to perform such services in exchange for the compensation as set forth in this Agreement;

NOW THEREFORE, in consideration of the mutual promises, covenants, warranties, and other good and valuable consideration set forth herein, City and Contractor hereby agree as follows:

TERMS

1. Work to be Performed Contractor shall perform the following services for the benefit of City: Provide consultation and conceptual drawing for the interior remodel of the Selah Civic Center and for the outside façade / landscaping for City Hall.
2. Compensation City shall pay a fee to Contractor, in consideration for the services to be provided by Contractor. City shall pay Contractor an hourly fee of Forty-Five Dollars (\$45.00) and a total amount not to exceed One Thousand Dollars (\$1,000.00). City shall pay Contractor regularly on a monthly basis.
3. Term Contractor shall start providing the services specified hereunder on January 1, 2014. Contractor shall complete services to the City no later than March 31, 2014.
4. Independent Contractor Relationship Contractor's relationship with City is that of an independent contractor, and nothing in this Agreement is intended to, or shall be construed to create a partnership, agency, joint venture, employment or similar relationship. Contractor will not be entitled to any of the benefits that City may make available to its employees, including but not limited to, group health or life insurance, profit-sharing or retirement benefits. Contractor is not authorized to make any representation, contract or commitment on behalf of the City unless

specifically requested or authorized in writing to do so by Cit. Contractor is solely responsible for, and will file, on a timely basis, all tax returns and payments required to be filed with, or made, to, and federal, state or local tax authority with respect to the performance of services and receipt of fees under this Agreement. Contractor is solely responsible for, and must maintain adequate records of, expenses incurred in the course of performing services under this Agreement. Provided that Contractor remains an "independent contractor" as defined in the Internal Revenue Code, no part of Contractor's compensation will be subject to withholding by City for the payment of any social security, federal, state or any other employee payroll taxes. City will report amounts paid to Contractor by filing Form 1099-MISC with the Internal Revenue Service as required by law.

5. Ownership and Return of City Property All City Property and any materials (including, without limitation, documents, drawings, papers, diskettes, tapes, models, apparatus, sketches, designs and lists) furnished to Contractor by City, whether delivered to Contractor by City or made by Contractor in the performance of services under this Agreement (collectively, the "City property"), are the sole and exclusive property of City, City's suppliers or customers. Contractor agrees to keep all Company Property at Contractor's premises unless otherwise permitted in writing by City. After any request made by City, Contractor shall destroy or deliver to City, at City's option, (a) all City Property and (b) all materials in Contractor's possession or control.
6. Opportunity to Cure If either party to this Agreement materially breaches this Agreement or any material clause hereunder, the parties shall have a period of seven (7) days to cure the breach upon written notice of the breach from the non-breaching party.
7. Observance of City Rules At all times while on City's premises, Contractor will observe City's rules and regulations with respect to conduct, health, safety and protection of persons and property.
8. Ownership of Works Created All original works resulting from the Contractor's performance of its duties hereunder are deemed to be "works made for hire" and will be and will remain the sole and exclusive property of the City. This includes potential copyrights, trademarks, and patents. The Contractor, at the City's request and sole expense, will assign to the City in perpetuity all proprietary rights that he may have in such works. Such assignment shall be done by documents as prepared by the City. Should the City elect to register claims of ownership to any such works of, Contractor will, at the expense of the City, do such things, sign such documents and provide such reasonable cooperation as is necessary for the City to register such claims, and obtain, protect, defend and enforce such proprietary rights. Contractor shall have no right to use any trademarks or proprietary marks of the City without the express, prior written consent of the City regarding each use, except as otherwise set forth herein.

9. No Conflict of Interest During the term of this Agreement, Contractor will not accept work, enter into a contract or accept an obligation inconsistent or incompatible with Contractor's obligations, or the scope of services to be rendered for City, under this Agreement. Contractor warrants that, to the best of Contractor's knowledge, there is no other existing contract or duty on Contractor's part that conflicts with or is inconsistent with this Agreement. Contractor agrees to indemnify City from any and all loss or liability incurred by reason of the alleged breach by Contractor of any services agreement with any third party.

10. General Provisions

- a) Successors and Assigns Contractor may not subcontract or otherwise delegate Contractor's obligations under this Agreement without City's prior written consent. Subject to the foregoing this Agreement will be for the benefit of City's successors and assigns, and will be binding on Contractor's assignees.
- b) Injunctive Relief Contractor's obligations under this Agreement are of a unique character that gives them particular value; Contractor's breach of any of such obligations will result in irreparable and continuing damage to City for which money damages are insufficient, and City shall be entitled to injunctive relief and/or a decree for specific performance, and such other relief as may be proper (including money damages if appropriate).
- c) Notices Any notice required or permitted by this Agreement shall be in writing and shall be delivered as follows, with notice deemed given as indicated: (a) by personal delivery, when actually delivered; (b) by overnight courier, upon written verification of receipt; (c) by facsimile transmission, upon acknowledgement of receipt of electronic transmission; (d) by electronic mail, upon acknowledgement of receipt or (e) by certified or registered mail, return receipt requested, upon verification of receipt. Notice shall be sent to the addresses set forth above or to such other address as either party may provide in writing.
- d) Governing Law; Forum This Agreement shall be governed by the laws of the State of Washington.
- e) Severability If a court of law holds any provision of this Agreement to be illegal, invalid or unenforceable, (a) that provision shall be deemed amended to achieve an economic effect that is as near as possible to that provided by the original provision and (b) the legality, validity and enforceability of the remaining provisions of this Agreement shall not be effected hereby.
- f) Waiver, Modification If City waives any term, provision or Contractor's breach of this Agreement, such waiver shall not be effective unless it is in writing and signed by City. No waiver by a party of a breach of this Agreement shall constitute a waiver of any other or subsequent breach by contractor. This

Agreement may be modified by mutual written agreement of authorized representatives of the parties.

- g) Entire Agreement This Agreement constitutes the entire agreement between the parties relating to this subject matter and supersedes all prior or contemporaneous agreements concerning such subject matter, written or oral.

IN WITNESS TEHREOF, the parties have executed this Agreement as of the date written above.

City of Selah

Contractor

John Gawlik
Mayor

Carl Torkelson
Its: _____
Torkelson Construction, Inc.

ATTEST:

Dale Novobielski, Clerk/Treasurer



**CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY**



COUNCIL MEETING ACTION ITEM

2/11/2014 N – 1

Title: Ordinance Amending the 2014 Budget For The Purchase of Real Estate at Naches Ave & 4th Street

Thru: David Kelly, City Administrator

From: Dale Novobielski, Clerk/Treasurer

Action Requested: Approval

Board/Commission Recommendation: Not applicable

Fiscal Impact: \$ 205,000.

Funding Source: Fund 310: Current Expense Building/Property Reserve

Staff Recommendation:

Approve an Ordinance amending the 2014 Budget for the purchase of real estate at Naches Avenue and 4th Street from the Selah School District.

Background / Findings & Facts:

At the January 14th City Council meeting approval was given for the City Administrator to purchase 2.34 acres of real estate, located at Naches Avenue and 4th Street, from the Selah School District.

Recommended Motion:

I move to approve the Ordinance amending the 2014 Budget for the purchase of real estate at Naches Avenue and 4th Street from the Selah School District.



CITY OF SELAH
CITY COUNCIL
AGENDA ITEM SUMMARY



Record of all prior actions taken by the City Council and/or a City Board, City Committee, Planning Commission, or the Hearing Examiner (where applicable)

Date:

Action Taken:

1/14/2014

Approval for the City to purchase real estate at Naches Avenue and 4th Street from the Selah School District.

[Click here to enter a date.](#) [Click here to enter text.](#)

[Click here to enter a date.](#) [Click here to enter text.](#)

[Click here to enter a date.](#) [Click here to enter text.](#)

[Click here to enter a date.](#) [Click here to enter text.](#)

[Click here to enter a date.](#) [Click here to enter text.](#)

ORDINANCE NO. _____

ORDINANCE AMENDING THE 2014 BUDGET FOR PURCHASE OF REAL
ESTATE AT NACHES AVE & 4TH STREET

WHEREAS, the City desires to amend the 2014 budget for the purchase of real estate at Naches Ave and 4th Street;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does ordain as follows: that the Clerk-Treasurer be authorized to amend the 2014 Budget as follows:

001 General

001.000.098.397.0000.00 Operating Transfers-In \$ 205,000

001.000.094.594.18.61.00 Land Purchase \$ 205,000

310 CE/Building Property Reserve

310.000.098.597.00.01.00 Operating Transfers-Out F001 General \$ 205,000

310.000.008.508.80.00.00 New Ending Unreserved Fund Balance \$ 423,421

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH,
WASHINGTON this 11th day of February 2014.

John J. Gawlik, Mayor

ATTEST:

Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:

Robert Noe, City Attorney

ORDINANCE NO. _____