

Study Session Minutes
Selah City Council
February 25, 2014
5:30pm

Mayor Gawlik opened the Study Session. He explained the process for interviewing the Planning Commission applicants, noting that one additional question has been added to the prepared list of questions.

1. 5:30pm – Barb Binder

Ms. Binder approached the podium and answered questions posed by the Council.

2. 5:40pm – Eric Miller

Mr. Miller approached the podium and answered questions posed by the Council.

3. 5:50pm – David Ruck (telephonic)

Mr. Ruck was unable to call in for a telephonic interview.

Council Member Tierney moved, and Council Member Overby seconded, to declare him a now show on the application process. Roll was called: Council Member Overby – yes; Council Member Tierney – yes; Council Member Smeback – no; Council Member Schmid – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. Motion passed with six yes votes and one no vote.

4. 6:00pm – Carl Torkelson

Mr. Torkelson approached the podium and answered questions posed by the Council.

Mayor Gawlik thanked the applicants for their time. The Study Session ended at 6:08pm.

City of Selah
Council Minutes
February 25, 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; Brooke Finch; Roy Sample; Jane Williams

Members Excused:

Staff Present: David Kelly, City Administrator; Bob Noe, City Attorney; Dale Novobielski, Clerk/Treasurer; Eric Steen, Deputy 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 Smeback led the Pledge of Allegiance. Pastor Brad Hill led the opening prayer.

D. Agenda Changes

1. Add to Agenda:

a. Q – 2: 15 Minute Executive Session – Evaluate the Qualifications of a Candidate for Appointment RCW 42.30.110(1)(h)

2. Remove from Agenda:

a. E – 1: Police Chief Hayes – Introduction to “Chief for a Day” program with a video and meet Selah Police Department’s “2014 Chief for a Day” Kylee Ramsey

b. E – 2: Gary Green, Selah Community Days – Slideshow presentation

c. Q – 1: 10 Minute Executive 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. Seeing no one rise to speak, he then closed the meeting.

2. Written **None**

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: February 11, 2014 Council Meeting

* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 77172 – 77217 for a total of \$156,332.72
Claim Checks Nos. 63406 – 63465 for a total of \$415,309.12

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

J. Public Hearings

1. Shannon Road Proposed Right-of-way Vacation

Community Planner Davison addressed J – 1. He asked that Council hold a hearing on the proposed right of way vacation, adding that if Council approves the proposal then staff will come back with a final Ordinance vacation and findings of fact. He briefly outlined the proposal to vacate approximately one thousand linear feet of unused and unimproved right of way owned by the City, which was created when the City short platted the property for development in 1996. He noted that the Comprehensive Plan shows a mixture of land use designations in the area, and that the two lots owned by NCW Development are designated as low density residential. He commented that Public Works and the Planning Department recommend vacation of the right of way, and a merger of the vacated land into the two abutting properties to the north and south of the right of way. He outlined the formula used for determining the payment amount of \$5,615.50 that the City would receive from the developer in exchange for the vacated right of way. He stated that Gary Bates from NCW Development was in attendance if Council had any questions for him.

Council Member Sample wondered where the property values came from.

Community Planner Davison responded that they were obtained from the Yakima County Assessor's office.

Council Member Tierney asked where access for the new development would be if the City chose to vacate the Shannon Road right of way.

Mr. Bates replied that the original layout of Shannon Road was very steep and costly to develop, and that they would go north to Goodlander Road; it would be a better road with flatter grades.

Council Member Williams wondered how many City-owned lots were up there.

Community Planner Davison replied that a large property to the west, as well as another one to the east, are both owned by the City.

Council Member Smeback asked how the right of way was created.

Community Planner Davison responded that it came out of the middle of the City-owned property; the entire parcel was owned by the City at that time.

Council Member Smeback inquired why it is important to buy that sliver of ground if it is not used for a road.

Mr. Bates remarked that it was the original access point, adding that when development reaches a certain point it needs a second access which can now be provided through the subdivision to the north.

Council Member Tierney said that, in looking at the map provided, only half of the right of way of Shannon Road is highlighted. He asked why the City is keeping the other half.

Community Planner Davison commented that Public Works Director Henne had indicated a possible need for the remaining right of way to run water and sewer down the hill.

Mr. Bates stated that, if they develop the subdivision, they would be required to develop the road as well per City code.

Council Member Smeback didn't understand why the developer should be required to buy the right of way from the City and thought that the City should maintain the right of way themselves if the developer provides another access point.

Public Works Director Henne said that, when the land was originally short platted by the City, they created four lots with an access road in through the center. He noted that the upper two lots were sold off and are now owned by NCW Development, and that the acquisition of the right of way would allow them to create additional lots for their subdivision. He stated that the idea of vacating the right of way to allow them to create additional lots was his, made during discussions about the project with the developer.

Council Member Schmid commented that they didn't have to buy the right of way; it's a choice that allows them to increase the number of lots in the subdivision.

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

K. New Business

1. Selection of Planning Commissioners

City Administrator Kelly requested that this item be moved to the end of the meeting following the Executive Session.

2. Public Works - Creation of New Positions and Elimination of One Position

Public Works Director Henne apologized that this matter didn't come up during last year's budget discussions. He said that Public Works Administrative Assistant Turner is retiring in May, and when he started updating the job description it became apparent that trying to fill the position with one person is doable, but due to the increasing demands on the position he feels that the position would suffer to try to accomplish all of these goals. He noted that the city has grown 44 percent in population in last 25 years, and that over time, there have been numerous items added to the responsibilities of the position. He expressed a desire to have a more clerical position at the front desk, with a second person to do more technical work such as project files and keeping track of all paperwork with new contracts. He remarked that these projects take a lot of time and need timely responses; he has been doing more technical grunt work than department head work to keep up with the various projects. He asked for Council to approve the elimination of the one position and the creation of two new positions.

City Administrator Kelly felt that it was important to acknowledge that Public Works Director Henne has brought many grants to Council, and each one takes time to administer. He commented that this is a good opportunity for the City to look at having someone else help out at Public Works, adding that he is adamant about running the department well and also about getting everything digitized; if they had fire or water damage all of the records would be gone.

Council Member Smeback asked if plans could then be reviewed locally rather than sending them out for review.

Public Works Director Henne replied that 30 percent are done in house; the remaining percentage requires a stamp. He went on to say that he would like to have the Management Assistant position get permit technician certification to allow for that person to check the plans when they are submitted and do some basic plan checks.

City Administrator Kelly commented that it is important to remain cognizant of how much business the City has Huibregtse, Louman Associates, Inc. do that could be done in house with trained personnel.

Council Member Tierney noted that the fiscal impact for 2014 is just short of \$41,000, and that next year the fiscal impact would be roughly \$50-51,000. He wondered if they had the funds available for this purpose and if using them would have an adverse impact on any other programs.

Public Works Director Henne replied in the negative, saying that the amount is spread out through all the funds. He commented that they will eventually have to talk about either implementing stormwater fees to generate revenue or continuing to take money out of the sewer fund like they currently do. He noted that they will need an additional person in water and sewer in the future.

Council Member Finch moved, and Council Member Schmid seconded, to approve the Creation of Two New Positions and Elimination of One Position in the Public Works Department. Roll was called: Council Member Overby – yes; Council Member Tierney – 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

M. Resolutions

1. Resolution Authorizing the Mayor to Sign a Construction Contract between the City of Selah and Scout Lake Construction, Inc. for the 2013 DWSRF Water Systems Improvements DM12-952-093

Public Works Director Henne addressed M – 1. He said that the process for this project started in 2012; the bid opening was done on February 12th, and of the six bids received Scout Lake Construction, Inc. out of Selah had the low bid. He commented that this project is to replace wrapped steel lines in the Speyers Road and Hillview Avenue areas and listed the exact areas to be done. He noted that it will eliminate a large quantity of the wrapped steel lines in Selah.

Council Member Schmid asked who Scout Lake Construction is.

Public Works Director Henne replied that they are relatively new, and do a lot of private work for Zirkle Fruit.

Council Member Schmid inquired as to their location.

Public Works Director Henne responded that he doesn't know, but they have a Selah address.

Clerk/Treasurer Novobielski commented that they are located to the north of the city.

City Administrator Kelly noted a typo on the AIS regarding bid amount; the contract amount is 1,069,645.56, not \$1,183,771.30, which is the engineer's estimate.

Council Member Williams asked if the bid opening was held in 2013 or 2014.

Public Works Director Henne replied that it was done in 2014.

Council Member Tierney expressed delight that a Selah company got a construction bid, adding that it keeps the money in our community.

Council Member Overby moved, and Council Member Finch seconded, to approve the Resolution Authorizing the Mayor to Sign a Construction Contract between the City of Selah and Scout Lake Construction, Inc. for the 2013 DWSRF Water Systems Improvements DM12-952-093 in the amount of \$1,069,645.56. Roll was called: Council Member Overby – yes; Council Member Tierney – 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 Construction Contract between the City of Selah and AGR Contracting, Inc. for the Bartlett Avenue Intersection Improvements

Public Works Director Henne addressed M – 2. He said that this is for the Bartlett Avenue and Wenas Road radius improvements. He commented that, at the bid opening on February 18, 2014, AGR Contracting was the low bid, and asked Council to award them the contract for \$64,902.56.

Council Member Smeback moved, and Council Member Tierney seconded, to approve the Resolution Authorizing the Mayor to Sign a Construction Contract between the City of Selah and AGR Contracting, Inc. for the Bartlett Avenue Intersection Improvements. Roll was called: Council Member Overby – yes; Council Member Tierney – 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.

3. Resolution Authorizing the Mayor to Sign a Construction Contract between the City of Selah and Paragon Northwest LLC for the Goodlander Road Zone 4 Water Main

Public Works Director Henne addressed M – 3. He said that they opened bids on February 18, 2014, and that Paragon Northwest LLC out of Yakima was the low bid on the project. He stated that the project includes installation of a new waterline from the Valhalla subdivision south to the Goodlander Road water main, replacement of a booster pump where it will connect, and maintenance work on the Goodlander Reservoir. He requested that Council award the contract to Paragon Northwest LLC.

Council Member Schmid moved, and Council Member Overby seconded, to approve the Resolution Authorizing the Mayor to Sign a Construction Contract between the City of Selah and Paragon Northwest LLC for the Goodlander Road Zone 4 Water Main. Roll was called: Council Member Overby – yes; Council Member Tierney – 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.

4. Resolution authorizing the Mayor to sign a Software as Service Agreement with Active Network, Inc. for hardware, software, and services related to registrations for Parks and Recreation programs, rentals and other activities

Recreation Manager Brown addressed M – 4. He said that the Recreation Department would like to switch registration software from their current provider to the new one. He outlined the differences in between the two systems and the benefits to both the customers and City staff. He noted that the fiscal impact is slightly different from that in the AIS, which did not include the hardware; the total amount requested is \$13,203.00.

City Administrator Kelly remarked that Recreation Manager Brown did a good job of explaining the positives, adding that the new company will allow for online submittal of someone has a concussion, rather than having to fill out a paper form per the current system.

Council Member Tierney wondered what the amount per transaction would be.

Recreation Manager Brown replied that it would be 6 percent of the transaction plus \$1.00.

City Administrator Kelly asked what the current transaction fee is.

Recreation Manager Brown responded that it is 4.16 percent at present.

City Administrator Kelly commented that, if they switch to the new service, the City will not be paying a \$1,800.00 annual fee; instead, it will be more of a user fee for those using the system than everyone paying for software they may not use.

Recreation Manager Brown stated that they have been suing the current software for 4 years, and in that time they have paid over \$12,000 for lesser capability.

Council Member Tierney wondered what would be the most expensive fee to be impacted.

Recreation Manager Brown responded that it would be Civic Center rentals but the amount wouldn't have to be paid all at once with the new software.

City Administrator Kelly noted that it will be an additional 1.8 percent beyond the current 4.6 percent charged for card usage.

Council Member Schmid remarked that the funding is coming from the General Fund as a non-budgeted item. He wondered where that leaves the balance in the General Fund.

City Administrator Kelly replied that they are up \$150-170,000 in the General Fund over what they had anticipated last year.

Council Member Williams inquired if it was a secure site.

Recreation Manager Brown responded in the affirmative.

Council Member Williams asked if users will be notified about the fee or if it would be something that the City pays.

Recreation Manager Brown replied that they have the information posted in in their office and would simply update it to reflect the new fee.

City Administrator Kelly said that part of this would be the creation of a website for citizens to access, which will ask them if they are sure they want to proceed with the transaction and the 6 percent fee.

Council Member Williams wondered if this was put out for bid.

Recreation Manager Brown replied in the affirmative, saying that he looked at 3 different companies prior to selecting Active Network.

Council Member Williams asked if City Attorney Noe had reviewed the contract.

Recreation Manager Brown answered in the affirmative.

Council Member Tierney wondered if the webpage would be linked off the City's website.

Recreation Manager Brown replied in the affirmative.

Council Member Smeback moved, and Council Member Tierney seconded, to approve the Resolution authorizing the Mayor to sign a Software as Service Agreement with Active Network, Inc. for hardware, software, and services related to registrations for Parks and Recreation programs, rentals and other activities. Roll was called: Council Member Overby – yes; Council Member Tierney – 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.

5. Resolution of the City Selah Council supporting the design of, determining the location for, identifying financing for, and supporting the construction of a new community aquatics facility

City Administrator Kelly addressed M – 5. He said that he was approached by the Selah Parks Foundation about bringing a Resolution to Council, and turned the meeting over to them.

Tammy Allen, president of the Selah Parks Foundation, introduced herself and the other members of the Selah Parks Foundation in attendance, along with the President of the Selah Dolphins. She commented that they have made attempts for a new aquatic facility prior to this and they want to set it up the right way from the onset.

Kellianne Ergeson, Selah Parks Foundations, addressed the Council. She noted that 78 percent of the Selah Park and Recreation Service Area Board community approved the M&O levy in August 2013, and that they realize that Selah has something special going on at the pool. She said that it is the moments in time, such as those spent at the pool, make life worth living. She said that, while the Dolphins are four time valley league champs and the largest team in the league, the varsity team has to share use of Lions Pool in Yakima for swim practice, at a later time than their parents would like. She felt that it would also be of great benefit to the seniors in the community for use in therapy and maintaining their quality of life.

Ms. Allen asked the Council if they had any questions.

Council Member Overby wondered if the Selah School District Board would also be doing a resolution of support for a new aquatics facility.

Ms. Ergeson responded that Superintendent Backlund has endorsed the mention and inclusion of the Selah School District in this matter, and that, should their planning take them down a path where they need a resolution by the Selah School District the Board will take action at that time.

Council Member Tierney moved, and Council Member Sample seconded, to approve the Resolution of the City Selah Council supporting the design of, determining the location for, identifying financing for, and supporting the construction of a new community aquatics facility. Roll was called: Council Member Overby – yes; Council Member Tierney – 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.

Community Planner Davison asked that Council make a motion to approve the right of way vacation subject to the City receiving the money, the right of way merge, and having the property zoned single family residential.

Council Member Overby moved, and Council Member Schmid seconded, to approve the proposed vacation subject to the proponent paying the City \$5,615.50 for the vacated right-of-way; the vacated right-of-way be merged with the applicants property located adjacent to the East and North; and the vacated right-of-way be zoned Single-Family Residential (R-1) similar to the applicant's adjacent properties . Roll was called: Council Member Overby – yes; Council Member Tierney – 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.

N. Ordinances None

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 stated that he attended the Selah Park and Recreation Service Area Board meeting last night, which he found very interesting.

Council Member Tierney said that he is glad to be back in Selah.

Council Member Smeback had no report.

Council Member Schmid had no report.

Council Member Williams asked for an update regarding the parking situation on Bartlett.

Mayor Gawlik responded that they are moving forward regarding the placement of additional no parking signs.

Deputy Police Chief Steen remarked that they have not heard from the individual since that last meeting, adding that his department has stepped up attention with directed patrols in that area.

Council Member Williams asked about the reroute of the Community Days parade.

Mayor Gawlik replied that it will be discussed at a later time, adding that the Community Days President will do a presentation at an upcoming evening Council Meeting.

City Administrator Kelly commented that they held a meeting with City staff and the parties involved, where they discussed everyone's concerns and came to a group consensus.

3. Departmental

Public Works Director Henne said that they are still working on getting the parks ready and doing some general maintenance. He expressed his excitement for Council approval of the three contracts, adding that he is looking forward to moving on with those.

Clerk/Treasurer Novobielski noted that he provided the Finance Committee with the 2013 financial report last week, and that they will meet soon to discuss it.

Community Planner Davison said that there are several projects on horizon that the new Planning Commissioners will address, including a hearing on marijuana regulations and the City's Critical Area Ordinance, both of which will then come to Council for consideration. He noted that the Hearing Examiner will conduct a hearing tomorrow and forward his recommendation to Council, and that Mr. Bates will be submitting an application for subdivision of the property at the end of Goodlander tomorrow.

Mayor Gawlik expressed his amazement over how much the City is growing.

Recreation Manager Brown said that they canceled the 3 on 3 tournament scheduled for March 22nd due to a lack of participation, and briefly talked about the community donations for the Independence Day celebration planned for July.

Deputy Police Chief Steen advised Council that they will start to see the media blitz for the Chief for a Day event, adding that Yakima, Selah and Wapato are all participating this year. He noted that Selah's little chief couldn't make it tonight.

Fire Chief Hanna had no report.

City Administrator Kelly had no report.

City Attorney Noe had no report.

Council took a ten minute recess.

4. Boards **None**

Q. Executive Session

2. 10 Minute Session – Evaluate the Qualifications of a Candidate for Appointment RCW 42.30.110(1)(h)

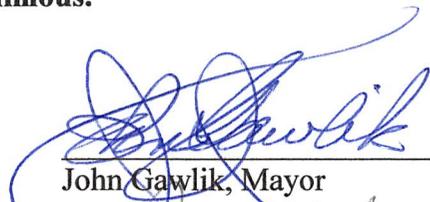
Council went into Executive Session at 7:54pm. At 8:01pm, Council went back on the record.

Mayor Gawlik stated that no action was taken during the Executive Session. He said that Carl Torkelson and Eric Miller will be appointed to the vacant Planning Commissioner positions.

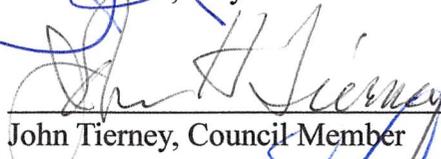
R. Adjournment

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

The meeting adjourned at 8:02pm.



John Gawlik, Mayor



John Tierney, Council Member

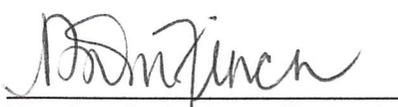
Paul Overby, Council Member



Dave Smeback, Council Member



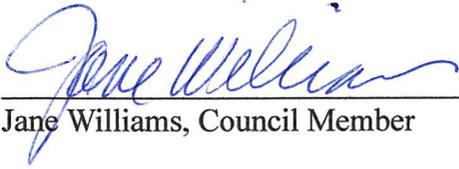
Allen Schmid, Council Member



Brooke Finch, Council Member

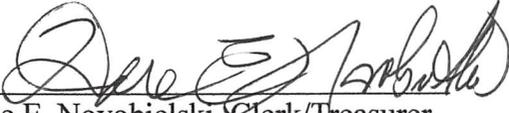


Roy Sample, Council Member



Jane Williams, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer