

City of Selah
Council Minutes
July 22, 2008

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

A. Call to Order Mayor Jones called the meeting to order at 3:57pm.

B. Roll Call

Members Present: Summer Derrey, Paul Overby, Herb Schmidt, John Tierney

Members Excused: Keith Larson, Denise Nichols

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

C. Pledge of Allegiance

Councilman Schmidt led the Pledge of Allegiance. Parks & Recreation Director Jeff Hagler led the group in prayer.

D. Agenda Changes

E. Public Appearances

F. Getting To Know Our Businesses

G. Communications

1. Oral

Martha Goudey Editor of *The Selah-Independent* asked if there would be a photo op on Friday at Veterans' Park.

Mayor Jones responded that they will start laying sod at 6:00am.

2. Written

- a. Letter from Randy Lee, Director of Operations Washing Group Charter Communications
- b. Thank You Card to Selah Police Department from Heidi

Mayor Jones reviewed written correspondence, noting a letter from Charter Communications and a thank you card to the Selah Police Department.

H. Proclamations/Announcements

1. Proclamation Relay for Life Paint the Town Purple Week , July 28 – August 3, 2008

The Mayor read the Proclamation for Relay for Life "Paint the Town Purple Week." He noted his strong feelings about cancer, having "been there."

I. Consent Agenda

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

- * 1. Approval of Minutes: Council Meeting July 8, 2008
- * 2. Approval of Claims & Payroll: Payroll Checks Nos. 63794 – 63962 for a total of \$159,630.44, Claims Checks Nos. 522010 – 52211 for a total of \$669.37 and Claims Checks Nos. 52212 – 52303 for a total of \$197,861.28.

Mayor Jones read the Consent Agenda.

Councilman Schmidt moved approval of the Consent Agenda. Councilman Tierney seconded. By voice vote, Consent Agenda was adopted unanimously.

J. Public Hearings

1. Public Hearing on the Six-Year transportation Improvement Program for the Years 2009 to 2014

Public Works Director Joe Henne addressed the Six-Year Transportation Improvement Program, saying the City of Selah updates it every year. He noted it lists streets the City has looked at and decided that work is necessary. He asked that the TIP be opened for Public Hearing to take testimony on the projects included. He noted there is flexibility to reprioritize the projects should that become necessary. He stated the no. 1 priority is East Fremont. He said no. 2 is Speyers Road from Fremont west to the city limits. He said the third priority is Goodlander Road from North 1st Street (Selah Loop) down to North Wenas. No. 4 is Park Avenue from South 1st Street to South 3rd Street., and no. 5 is West Goodlander Road from North 1st To Goodlander Drive. No. 6 is Valley View from South 1st Street (SR 823) to South 3rd Street and no. 7 is Southern Avenue from South 5th Street to South 1st Street. He stated no. 8 is South 3rd Street from Naches Avenue to Southern Avenue, and no 9 is East Naches from Wenas Road east to Railroad Avenue and out to Rushmore. He concluded that no 10 is North 4th Street from Fremont Avenue to West Naches Avenue; no. 11 is Valley View Avenue and South 5th Street from South 3rd and Valley View to South 5th and Southern; and no. 12 is Southern Avenue and East 5th Avenue to East 11th Avenue and 1st Street back on to SR 823.

Councilman Overby asked if that includes a traffic light at South 1st and Southern.

Mr. Henne responded that it does.

Mayor Jones opened the Public Hearing. Seeing no one rise to comment, he closed the Public Hearing.

Mr. Henne affirmed that.

Councilman Schmidt asked Mr. Sweet if the Public Hearing had been advertised.

The City Supervisor confirmed that.

Councilman Tierney said he was confused about the date.

K. New Business

L. Old Business

M. Resolutions

1. Resolution Adopting the Six-Year Transportation Improvement Program for the Years 2009 to 2014

Mr. Henne asks for acceptance of the Resolution Adopting the Six-Year Transportation Improvement Program for the Years 2009 to 2014

Councilman Tierney asked Mr. Henne to provide him a legend explaining all abbreviations and their meanings at his convenience.

Mayor Jones asked Mr. Henne about the inclusion of number 12, because of difficulty getting right-of-way.

Mr. Henne summarized his progress on right-of-way acquisition.

Councilman Tierney moved and Councilman Overby seconded to approve the Resolution Adopting the Six-Year Transportation Improvement Program for the Years 2009 to 2014. By voice vote, support was unanimous.

N. Ordinances

The Public Works Director spoke to all three Ordinances up for approval. He stated that at the time the new reservoir was built on Lookout Point, a benefit area was created that included Crusher Canyon, Southern and Lookout Point and also created another benefit area for those who would benefit from the additional fire capacity. He noted in the body of the Ordinances creating these areas, it stated a fee would be assessed; however, the three letters "ERU" were not included, nor were they included in the definitions.

Councilman Overby asked Mr. Henne if this is basically housekeeping on Ordinances previously passed.

The City Supervisor noted that those who apply after this Ordinance takes effect will have to pay more than those who paid the flat fee previously.

Mr. Henne said residential homes have been paying per ERU, but it's the commercial that they haven't had frequently. He noted they have been charging per the intent of the Ordinance, and he just realized that the "ERU" language was not included.

Mr. Sweet and Mr. Overby agreed the correction needs to be made.

Councilman Tierney asked about the total cost for connection.

Mr. Henne responded that we already have what is called a "Plant Investment Fee" for the existing infrastructure of \$800 plus if you are within the pressure area, that is an additional \$15.41, plus the \$605 is City-wide.

Councilman Overby asked for clarification regarding approving all three with one motion or handling them individually.

The Mayor and City Supervisor agreed that they would prefer it be handled in three separate motions.

1. Ordinance Amending Selah Municipal Code 9.02.010 Municipal Water Supply Definitions

Councilman Overby moved and Councilman Tierney seconded to approve the Ordinance Amending Selah Municipal Code 9.02.010 Municipal Water Supply Definitions. By voice vote, support was unanimous.

2. Ordinance Amending Chapter 9.02.136 and 20.90.010 Lookout Point Reservoir Capacity Capital Cost Recovery Program No. 1

Councilman Schmidt moved and Councilman Overby seconded to approve the Ordinance Amending Chapter 9.02.136 and 20.90.010 Lookout Point Reservoir Capacity Capital Cost Recovery Program No. 1. By voice vote, support was unanimous.

3. Ordinance Amending Chapter 9.02.138 and 20.91.010 Lookout Point Reservoir Pressure Capital Cost Recovery Area

Councilwoman Derrey moved and Councilman Schmidt seconded to approve the Ordinance Amending Chapter 9.02.136 and 20.90.010 Lookout Point Reservoir Pressure Capital Cost Recovery Area. By voice vote, support was unanimous.

O. Communications

1. Oral

P. Reports/Announcements

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

- a. Planning Commission Minutes of April 15, 2008 - Approved

Community Planner Dennis Davison reported on three items. He stated the Chuck Johnson-Snodgrass Annexation support is at 59.83% (.17% short of approval). He stated the Hearing Examiner heard Cherry Blossom Ridge proposed plat on July 21st. He noted the SEPA appeal and the Short Plat appeal of 503 Southern have been scheduled for September 15 at 1:30pm.

Clerk/Treasurer Dale Novobielski reported that the destination-based sales tax came into effect on July 1, 2008, saying that he is still researching it. He explained that it will affect retail transactions where the tax is computed based on the buyer's address, not the seller's. He said the Department of Revenue put out an estimate of what this would do to different entities within the state. He clarified that this would only impact stores in Washington State that sell to buyers in Washington State. He said for Selah they estimate a 2% increase over previous years. He said today he exchanged emails with a treasurer in a significantly adversely affected city and is trying to get more information on the types of vendors that create that adverse impact. He noted that he discussed this issue with an area builder who told him that spec homes are eligible for wholesale purchasing and, therefore, unaffected; however materials for custom homes are subject to the sales tax transfer, but an excise tax will not be imposed at the end. He said he is continuing to gather information.

Public Works Director Joe Henne he has secured right-of-way from the owners of Selah Plaza and received a corner cut from the Christian Church, so it looks like they'll be able to finish the work on Fremont. He said they'd like to start in September, but doesn't want to block fruit transport during harvest, so they may go out to bid with a construction date of next spring. He stated the Wenas Avenue project will begin in the spring of 2010.

City Supervisor Frank Sweet asked about construction time on East Fremont.

Mr. Henne responded that it should take about six weeks. He further reported that he plans to piggy back off the state DOT forum tomorrow on SR 823/Wenas Corridor project that will start at 4:30 and go to 7:30. He said they will cover East Fremont and they hand delivered notices to residents on Orchard, Bartlett and Fremont. He said they will discuss the East Fremont project and the alley project.

Mayor Jones asked if they will have enough to do projects with the price of asphalt as high as it is.

Mr. Henne said he's like to put in a TIB application for project monies for a sidewalk project for Speyers on the north side of the road. Then they would come back in with a two-lane pavement project.

The City Supervisor asked how much we are going to have to be into them for.

Mr. Henne said he doesn't know.

Mayor Jones said to go ahead and fill out the application.

Mr. Henne said he doesn't know what their chances would be.

Mr. Sweet said he hopes the School District would participate.

Parks & Recreation Director Jeff Hagler reported that the pool had to close last Friday afternoon because they were having clarity problems. He said the Health Inspector came out and determined the problem was a crack in the filter system, so dirt was coming into the system and clouding the water. He said it is now up and running. He said that does bring to light that the pool is old, and he will likely bring budget

items reflecting the need for repairs and/or updating. He reported that skate boarding is going well, and everything is progressing positively.

Police Lieutenant Stacy Dwarshuis reported that his department is still monitoring Southern Avenue traffic, and he hasn't seen much activity there. He reported that he and the City Supervisor went up to Crestview Drive regarding abatement issues, and Code Enforcement is dealing with those. He noted his department is looking for a lateral entry officer and hoping to get some good applicants for that. He said he will have information on National Night Out by tomorrow because they are having a meeting tonight of all of the people who will be hosting neighborhood parties. He confirmed that there will not be any activity at Wixson Park; rather it will all be neighborhood based. The date is August 5.

Fire Chief Jerry Davis reported that the closure of Selah Loop between McGonagle and Baker may impact traffic in town. He said emergency vehicles will be routed out Speyers to Collins. He said his department is working with Parks & Rec regarding parking issues at Carlon Park where people are parking in "no parking" areas, not leaving enough room for emergency vehicles. He said he's grateful for help from other departments on the L.T. Murray fire last week, and in turn they went up to East Valley last week. He said he's currently working on the problem of not getting apparatus out in a timely fashion.

City Supervisor Frank Sweet had no report

Councilman Herb Schmidt reported about the softball tournament held at Carlon last weekend, noting they were all proud to host that tournament. He noted that on behalf of the City, he received the plaque from the Yakima Valley Community Band at their concert last week.

City Attorney Bob Noe had no report.

Councilman Paul Overby had no report.

Councilwoman Summer Derrey reported on graffiti busting. She said it is her intent to take up where Allen Schmid left off and asked that people who see graffiti in Selah let her know about it. She encouraged involvement in the Relay for Life.

Councilman Kevin Jorgensen had no report.

Councilman John Tierney noted that at the last meeting there was discussion regarding the Yager property, saying he'd like more information on that. He said the delay in receipt of Planning Commission Minutes is unacceptable.

Community Planner Dennis Davison responded that the Planning Commission had not met between April and July. He promised that he would avail Council Members of draft minutes in the future.

Councilman Tierney asked if anything is happening on 83rd Brigade. He asked if the City is involved.

Jerry Davis noted that often the Fire Department shows its colors on overpasses for such occasions.

Mr. Tierney said there would be a picnic on the 18th and they would go through Selah when they leave on the 19th. He stated the contact person is Rene Rodriguez at 509-594-8853.

City Supervisor Frank Sweet noted the City is rarely involved in such things.

Councilman Herb Schmidt asked about SEPA signs, noting we need to step up on that.

The City Supervisor said there will be an Ordinance for the Council to consider at the August 12 Council Meeting.

Mayor Jones reported on his meeting with Yakima Mayor Dave Edler and Councilwoman Kathy Coffee in regards to the aquatic park and the property that once belonged to Boise Cascade. He said he told them that this issue should be decided by the people. He stated that if they want to put together a Study Session at such a time that our Council could attend, then we could make a decision on whether or not we want to put it on the ballot. He said that if Selah, Union Gap and Yakima were to form a Public Facilities District, they want to go for a 1/10 of 1% property tax increase hoping to raise \$33,000,000. The owners of the old Boise property are willing to donate ten acres for the project. He reminded those present that they will be laying sod at Veteran's Park on Friday morning. He said the lights are in, but they may delay putting up the flags until Veteran's Day.

Q. Executive Session

R. Adjournment

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

The meeting adjourned at 4:49pm.



Paul Overby, Council Member

(Excused)

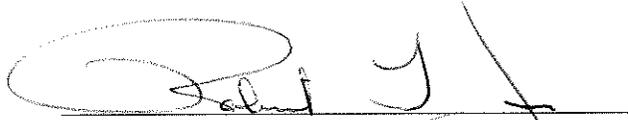
Denise Nichols, Council Member

(Excused)

Keith Larson, Council Member



Kevin Jorgensen, Council Member



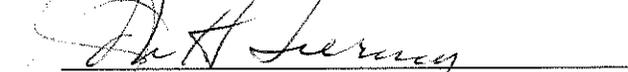
Robert L. Jones, Mayor



Summer Derrey, Council Member



Herb Schmidt, Council Member



John Tierney, Council Member

ATTEST:


Dale E. Novobielski, Clerk/Treasurer