

Study Session Minutes
Selah City Council
June 15, 2015
2:40pm

Mayor Gawlik opened the Study Session.

Community Planner Durant stated that he has verified that the addresses given by both applicants are within the City limits, and that both are residential.

Mayor Gawlik welcomed Laura Ritchie and Christina Morehead, and explained the interview procedure.

Council Members asked a series of prepared questions of each candidate relating to responsibilities of a Council Member to the citizens, the community, finance, and development.

Mayor Gawlik thanked both candidates. He announced there would be a short recess prior to the Council Meeting to tabulate the votes.

The Study Session ended at 3:36pm.

City of Selah
Council Minutes
June 15, 2015

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

A. Call to Order Mayor Gawlik called the meeting to order at 4:00pm.

B. Roll Call

Members Present: Paul Overby; Dave Smeback; Roy Sample; Jane Williams

Members Excused: John Tierney; Allen Schmid

Staff Present: Don Wayman, City Administrator; Bob Noe, City Attorney; Gary Hanna, Fire Chief; Jim Lange, Deputy Fire Chief; Rick Hayes, Police Chief; Joe Henne, Public Works Director; Dale Novobielski, Clerk/Treasurer; Charles Brown, Recreation Manager; Tom Durant, Community Planner; Andrew Potter, Assistant to the City Administrator

C. Pledge of Allegiance

Council Member Williams led the Pledge of Allegiance.

D. Agenda Changes

Relocated to beginning of Agenda:

1. Executive Session: 15 Minute Session - Public Employee Performance Review RCW 40.30.110(g)

Added to Agenda:

2. Swearing in of new Council Member

Mayor Gawlik requested that those in attendance step out for fifteen minutes while Council went into an Executive Session to discuss the two candidate interviewed for the vacant Council position.

Council went into Executive Session at 4:02pm. At 4:17pm, Council went back on the record.

Mayor Gawlik said that Council was split between the two candidates, which left him to cast the deciding vote. He stated that both candidates were qualified to sit at the table.

Council Member Overby moved, and Council Member Williams seconded, to appoint Laura Ritchie to vacant Council Position #1 for the remainder of calendar year 2015. By voice vote approval was unanimous.

Clerk/Treasurer Novobielski administered the Oath of Office to Laura Ritchie.

Council Member Ritchie took her seat at the Council table.

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

a. May 2015 Monthly Report for Building Permits and Inspections, Animal Control and Code Enforcement

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: May 26, 2015 Study Session & Council Meeting

* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 78568 – 78604 for a total of \$174,433.78

Claim Checks Nos. 65811 – 65890 for a total of \$185,221.21

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

J. Public Hearings

1. Public Hearing to consider the Resolution adopting the Six Year Transportation Improvement Program (TIP) for the years 2016 to 2021

Public Works Director Henne addressed J – 1. He requested that the Mayor hold a hearing to hear testimony for and against the six year TIP program, noting that it's brought before Council each year for hearing and adoption, then sent to the Yakima Valley Conference of Governments (YVCOG) to incorporate it into the metropolitan transportation element and the Washington State Department of Transportation (DOT) for adoption to the statewide STIP.

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

K. New Business **None**

L. Old Business **None**

M. Resolutions

1. Resolution adopting the Six Year Transportation Improvement Program for Secondary and Collector Arterial Streets within the City of Selah for the years 2016 to 2021

Public Works Director Henne addressed M – 1. He stated that the Department of Energy (DOE) asked that they ensure stormwater is managed during the permit process and construction, then read the list of projects from the information included in the council Packet.

Mayor Gawlik inquired if the order is a priority listing of projects.

Public Works Director Henne replied that they are listed by priority, although that priority isn't set in stone. He remarked that, if enough funding is available for a lower numbered project it could be submitted ahead of one higher on the list.

Mayor Gawlik observed that every project is extremely important for the safety and health of the citizens. He expressed some concern about laying down asphalt on East Goodlander Road at present, wondering if it is a waste of money if funds are found to widen the road and add curbs, cutters, and sidewalks.

Public Works Director Henne responded that they are shifting the center of the road to the south, and outlined what will be done during the overly versus the item listed on the TIB.

Mayor Gawlik asked if the item dealing with a traffic signal at the intersection of Lancaster and East Goodlander Road could be combined with it.

Public Works Director Henne replied that it's possible, adding that he's looking at putting in conduit for the electrical as part of the road widening project, then coming back later to set poles and possibly acquire additional rights of way. He explained that the separation for the project was due to different funding sources.

Council Member Sample inquired about the location of the West Goodlander project.

Public Works Director Henne responded that it runs from First Street to the start of the Valhalla subdivision.

Council Member Smeback asked if it was possible to add something onto the list later this year.

Public Works Director Henne replied in the affirmative, saying that they can do amendments as needed. He noted that funding for the first two items had been awarded then pulled, but the City is obligated to continue showing progress on both.

Mayor Gawlik observed that having something on the list doesn't mean that funds will be awarded.

Public Works Director Henne briefly explained the funding program and allocations.

Council Member Williams wondered about the conflicting start dates for projects.

Public Works Director Henne responded that they have different funding sources; the TIB usually has a call for projects every year, but the State is under a mandate to fund schools and is looking at the TIB and DWSRF as sources for funds.

Council Member Williams inquired why Wixson Park is designated as a park and ride, as she thought that was what the Civic Center was designated as.

Public Works Director Henne commented that he believes that came out of the Park and Recreation Comprehensive Plan; South Third Street was designated as a bike route and Wixson Park was to be a park and ride for that. He noted that, until recently, parking was at a premium at the Civic Center.

Council Member Williams expressed her concern that the Southern Avenue project keeps getting shoved back.

Public Works Director Henne replied that it's number two on the priority list.

Council Member Williams remarked that it shows a start date of 2020.

Public Works Director Henne commented that, based on the trickle-down effect, funding is now slated for 2023.

Council Member Overby observed that they do this exercise every year, and that it reflects the current funding realities they have to face.

Public Works Director Henne noted that every once in a while they do an amendment to change funding sources when money becomes available. He stated that he will be attending a TIB funding class next month, and that the North First Street grind and overlay is a preservation project that may have funds available to try for.

Council Member Overby moved, and Council Member Sample seconded, to approve the Resolution adopting the Six Year Transportation Improvement Program for Secondary and

Collector Arterial Streets within the City of Selah for the years 2016 to 2021. Roll was called: Council Member Overby – yes; Council Member Smeback –yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – abstain. Motion passed with four yes votes and one abstention.

2. Resolution Approving the Preliminary Plat of “The Draw at Speyers” (912.62.15-01) and Adopting Findings and Conditions of Preliminary Plat Approval

Community Planner Durant addressed M – 2. He stated that this is a closed record hearing review of the Hearing Examiner’s recommendation.

Mayor Gawlik requested that he explain what is allowed.

Community Planner Durant responded that they cannot take any testimony, but Council can ask questions regarding the application presented.

City Attorney Noe added that review is limited to the prepared record, but they can ask questions for clarification. He noted that arguments can be entertained.

Community Planner Durant said that he is presenting both the Resolution and Ordinance, briefly reviewing the project for Council. He commented that the Hearing Examiner recommended approval with the conditions listed in his recommendation.

Mayor Gawlik opened the hearing.

Diane Underwood approached the podium and addressed the Council. She stated that she’d sent in a letter regarding her concern about a stop sign on Speyers, feeling that a stoplight would better facilitate the increased traffic flow.

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

Council Member Smeback inquired if the proponent was present.

Community Planner Durant replied in the affirmative.

Council Member Smeback asked if he was well aware of the twenty-eight conditions.

Shane Snodgrass approached the podium and addressed the Council. He stated that he is aware and has no problem with them.

Council Member Overby observed that there was a substantial amount of material to review.

Council Member Williams wondered if the Planned Development was included because it was complete prior to removal of Chapter 10.24 from the City’s code.

Community Planner Durant responded that it was completed and brought before the Hearing Examiner prior to the repeal.

Council Member Williams asked if he felt it was complete.

Community Planner Durant replied in the affirmative.

Council Member Williams wondered if there was adequate staff to follow up on items four through seven regarding geological hazards, grading, and drainage.

Community Planner Durant responded that a report would have to be prepared by a qualified person, and that the City use Huibregtse, Louman Associates, Inc. (HLA) for professional services. He deferred to Public Works Director Henne regarding availability of City staff.

Council Member Williams felt that they needed to consider the elements of public use and how to best serve whole community, noting that some of the prior developments have resulted in significant drainage problems. She referred to the Hearing Examiner's recommendation, noting that the City has a responsibility regarding permits granted.

Mayor Gawlik remarked that the appropriate expertise is available when needed.

Council Member Williams asked if the developer covers the cost of outside expertise.

Public Works Director Henne stated that the City's Municipal Code allows for them to back bill a developer for any outside engineering reviews, and also requires that the developer has a set of as-builts and a report by an engineer stating that the development in compliance with the plans and specs approved. He added that all subdivisions received are reviewed in-house and by our consultant, and that any projects larger than d acre are required to obtain a stormwater permit from the DOE.

Council Member Williams felt that the average lot size was very misleading, adding that no topographical map was included in the materials. She commented that a development of this size should have a topography of the area, and that staff could have asked for that ahead of time.

Community Planner Durant responded that there were contours on the plat submitted, although they didn't show the final contours based on grading of streets and lots.

Council Member Sample wondered where the topography map was, as he understood they were a requirement for a Planned Development.

Community Planner Durant remarked that the contours were included on the map.

Mr. Snodgrass seconded that, adding that they are on the map in front of Council.

Council Member Williams commented that there have been issues in past with Council not receiving a complete packet.

Mr. Snodgrass replied that everything given to the Planning department and the Hearing Examiner had contours on it.

Council Member Williams observed that the water and sewer easements are only four feet, which would barely accommodate a truck or backhoe needing to do work. She expressed concern that there were no comments from the Fire Department, Police Department or the School District, and none from the community at large that spoke.

Community Planner Durant responded that all of those entities were notified for SEPA, but opted not to comment in writing.

Council Member Williams asked for confirmation that a request was sent but no response received.

Public Works Director Henne reiterated that there was no written response.

Council Member Williams wished that staff had sat down with Mr. Snodgrass to help him present a better project, expressing concern about the narrow setbacks and that they appeared to ignore the engineer's recommendation that the roadway be lined up with Fourteenth Street.

Community Planner Durant replied that the recommendation to the Hearing Examiner requested that the easement be provided from the proposed access road to alignment with Fourteenth Street, but the Hearing Examiner didn't agree with that and chose not to make it a condition.

Council Member Williams remarked that the DOE had indicated a concern regarding the area of vegetation coming down the swale.

Mr. Snodgrass stated that the DOE's concern was about irrigation water, which he holds the only rights to for the draw. He explained where the irrigation water comes from.

Council Member Williams expressed her concern that staff tighten up everything submitted, making sure they are done according to how things should be done. She added that she dislikes granting a Planned Development with a private road, saying that she'd prefer not to have those in developments

Mr. Snodgrass responded that every concern she had mentioned was addressed by the Community Planner and the Hearing Examiner, adding that he feels Planned Developments are suited for areas like his property, which is undevelopable by normal standards

Council Member Williams opined that the lot sizes were too small.

Council Member Ritchie observed that the civil engineer mentioned the offset intersection and requested that the Community Planner speak on the matter.

Community Planner Durant replied that his recommendation to the Hearing Examiner was to have an access easement that would tie into the existing intersection, which he acknowledged but left open for Mr. Snodgrass to work out with the owner of that property.

Council Member Ritchie asked for confirmation that it may or may not be adopted.

Community Planner Durant responded that it's up to the applicant.

Public Works Director Henne noted that the parcel in blue is a separate parcel.

Council Member Ritchie referenced a City Ordinance that states offset intersections aren't allowed, asking if adopting this development would violate that Ordinance.

Community Planner Durant stated that the Hearing Examiner had a different interpretation of the Ordinance, adding that a Planned Development allows for relaxing of standards and code.

Council Member Ritchie asked if the Ordinance was in the packet.

Community Planner Durant replied in the negative.

Council Member Williams inquired if HLA knew it was a Planned Development when they reviewed the intersection.

Public Works Director Henne said that he doesn't remember specifically mentioning that to them, and that addressing these issues is why they repealed Chapter 10.24.

Community Planner Durant commented that the letter from HLA references Planned Developments and comments about them specifically, which leads him to believe they know what type of development it is.

Council Member Williams wondered if the Council could add, modify or remand back.

City Attorney Noe answered that she is correct.

Council Member Williams asked about the overflow parking and turnaround at end of the private road, saying that it concerns her that there is nothing in writing from the Fire Department showing they reviewed it and consider it a safe development.

Public Works Director Henne responded that Fire Chief Hanna reviewed and accepted it.

Community Planner Durant remarked that the 'T' serves as a turnaround as listed in Fire Code.

Mr. Snodgrass noted that the Fire Department recommended placement of a fire hydrant on the 'T'.

Council Member Sample presented a topography map he obtained from Yakima County, saying that in the SEPA application it noted that the steepest slope is at fifty degrees.

City Attorney Noe stated that he couldn't submit the map because it's a closed record review.

Council Member Sample asked for confirmation that he can't say anything if there's an error.

City Attorney Noe replied that they can send it back to the Hearing Examiner for remand, but that's it.

Council Member Sample then inquired about lot sizes and street grades.

City Attorney Noe reiterated that he can't introduce new evidence or documents.

Council Member Sample noted that the length of the road requires another fire hydrant for fire protection.

Public Works Director Henne commented that there's one at the intersection.

Council Member Sample responded that it is past the one hundred fifty foot radius required for fire trucks, and wondered what the normal length was for distance between fire hydrants.

Public Works Director Henne said that there is another at the other intersection, and that Fire Chief Hanna is okay with that being the only fire hydrant.

Council Member Sample asked for him that it will be placed at the apex.

Public Works Director Henne replied in the affirmative.

Council Member Sample expressed concern that it is more like two hundred feet to the end.

Community Planner Durant reiterated that it was reviewed by Fire Chief Hanna.

Council Member Sample didn't agree with the lot designs for the subdivision, feeling that retaining walls five feet from the back of some of the houses, combined with a lack of room for off-street parking, was the worst distortion he'd ever seen of five units per acre.

Mr. Snodgrass responded that lots one through seven are virtually flat, with only three out of the twelve lots having a fifteen percent grade, and that all issues went through the City's process. He felt that development of high quality homes fit the needs of the community, and that there would be conditions, covenants, and restrictions (CCRs) recorded to address parking issues.

Council Member Sample wondered where there was room for a twenty foot yard.

Mr. Snodgrass replied that the parking apron is approximately twenty feet, with a twenty-four by twenty-four foot garage, and the front yard will be ten feet by twenty feet.

Council Member Sample asked if he meant ten feet from the asphalt.

Mr. Snodgrass responded in the affirmative.

Council Member Sample commented that the area is an R-1 zone, five units per acre, not an R-2. He requested confirmation that there will be no parking on the road.

Community Planner Durant answered, saying that it will be a requirement of the CCRs.

Mr. Snodgrass confirmed that there will be no parking on the road.

Council Member Sample didn't see how that could be enforced; people will drive up and park in front of the residences.

Community Planner Durant remarked that the Comprehensive Plan provides for cluster housing, provided it equals out for the whole property.

Mr. Snodgrass remarked that the purpose of a Planned Development is to allow a developer to build out developments in an area that would be virtually undevelopable without clustering lots, and that it's addressed in the Municipal Code and the Comprehensive Plan. He noted that it was approved by those who reviewed it.

Council Member Ritchie inquired as to the number of parking stalls in the overflow parking area.

Mr. Snodgrass replied that it isn't designed for parking stalls.

Community Planner Durant noted that City standard is ten feet by twenty feet, which would be roughly four stalls with striping, or more without..

Council Member Ritchie observed that it would take approximately five cars to fill the lot, and that if a car took a wrong turn that person would have to back up to turn around.

Community Planner Durant responded in the affirmative.

Mr. Snodgrass added that they could also use someone's driveway.

Council Member Ritchie said that most people have two or more cars, and it's likely that at least one family would constantly use an overflow parking space. She wondered where other people would park.

Council Member Smeback inquired if the streets designed there fit the City's parking code.

Community Planner Durant responded in the affirmative, saying that they are required to have two spaces in front of each unit.

Mayor Gawlik recommended that Council carry forward and vote on the matter.

Council Member Smeback felt that having the matter presented to the Hearing Examiner gave plenty of time for input.

Council Member Smeback moved, and Council Member Overby seconded, to approve the Resolution Approving the Preliminary Plat of "The Draw at Speyers" (912.62.15-01) and Adopting Findings and Conditions of Preliminary Plat Approval. Roll was called: Council Member Overby – yes; Council Member Smeback –yes; Council Member Sample – no; Council Member Williams

– no; Council Member Ritchie – abstain; Mayor Gawlik – yes. Motion passed with three yes votes, two no votes, and one abstention.

N. Ordinances

1. Ordinance Amending Ordinance No. 1634 Zoning Map Amendment No. 914.62.15-01 Rezone to Planned Development (PD)

Community Planner Durant addressed N – 1. He said that this is the rezone portion of the application and recommended approval.

City Attorney Noe noted that Council would need to take a vote because it requires a zoning change.

Council Member Smeback moved, and Council Member Overby seconded, to approve the Ordinance Amending Ordinance No. 1634 Zoning Map Amendment No. 914.62.15-01 Rezone to Planned Development (PD). Roll was called: Council Member Overby – yes; Council Member Smeback –yes; Council Member Sample – no; Council Member Williams – no; Council Member Ritchie – yes. Motion passed with three yes votes and two no votes.

O. Reports/Announcements

1. Mayor

Mayor Gawlik reminded those in attendance about the Sunrise Selah meet & Greet Wednesday mornings from 7-9am at Nana Kate's. He expressed his appreciation for City staff in their handling of the building permits and developments, noting that the City is in the process of changing the building codes to more accurately reflect the needs of the community.

2. Council Members

Council Member Ritchie thanked her fellow Council Members for giving her the opportunity to serve.

Council Member Overby welcomed his fellow Council Member.

Council Member Sample welcomed Council Member Ritchie. He commented that he has difficulty with false information and disinformation on the application presented that evening.

Council Member Smeback had no report.

Council Member Williams welcomed the newest member, thanking both applicants for applying. She noted that the Selah Park & Recreation Service Area Board (SPRSA) meeting had been rescheduled to the following Monday at five pm, and will be on proposed pool changes.

3. Departmental

Public Works Director Henne said that they hope to have the Goodlander grind and overlay completed by Thursday, and gave a brief update on the progress of the Wernex Loop project. He remarked that the City staff have had the same concerns regarding the Planned Development, which led to a repeal of that section of the Code to allow for a modification to it. He commented that, when staff reviews the proposals and applies the Code to them, they cannot allow personal feelings to effect the applicant's request. He expressed his hope that the new Planned Development Ordinance will be easier for staff to govern.

Clerk/Treasurer Novobielski said that he hasn't received any updated sales tax information, but noted that property taxes are almost dead even with the same time last year.

Community Planner Durant had no report.

Council Member Williams commented that she thought rezones only happened once a year.

Community Planner Durant responded that Comprehensive Plan Amendments are only done once a year, adding that it's possible to do a rezone and stay within the existing plan if it a minor rezone. He note that the Comprehensive Plan dictates gross density, and that if Council desires to have the standard set by net density than they will need to amend the Comprehensive Plan accordingly.

Deputy Fire Chief Lange said that the annual hydrant maintenance and servicing is in progress, with forty percent done to date. He added that they will do water flow testing later in the year, and that the volunteer and career staff have been extremely busy.

Police Sergeant Reeves had no report.

City Administrator Wayman said that he takes Council Member Sample's concern very seriously; he will look into the concerns expressed and discuss the matter with staff.

City Attorney Noe welcomed Council Member Ritchie. He commented that, if Council feels there is inaccurate information provided to the Hearing Examiner, they can opt to remand it back to him for further consideration.

Assistant to the City Administrator Potter stated that the consultant from WMS Aquatics will be at the SPRSA meeting next Monday to present the progress thus far on the pool. He noted that the Selah Downtown Association approved a contract for branding services From Arnett Muldrow, and that the firm will be in town the following week to meet with the various interested parties, talk with citizens, and formulate a brand to be revealed that Friday. He said that invites to different roundtable discussions were in each Council Member's box.

4. Boards **None**

Council took a ten minute recess.

P. Executive Session

1. 15 Minute Session - Public Employee Performance Review RCW 40.30.110(g)

RELOCATED TO THE BEGINNING OF THE MEETING

2. 10 Minute Session – Real Estate RCW 42.30.110(1)(c)

Council went into Executive Session at 6:25pm. At 6:40pm, Council went back on the record. Mayor Gawlik stated that they would be extending the Executive Session for an additional 15 minutes.

Council went into Executive Session at 6:41pm. At 6:56pm, Council went back on the record. Mayor Gawlik stated that no action was taken during the Executive Session.

Council Member Smeback moved, and Council Member Williams seconded, to move forward with the purchase of 107 West Selah Avenue, authorizing the Mayor to sign on behalf of the City. Roll was called: Council Member Overby – yes; Council Member Smeback –yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – yes. By voice vote approval was unanimous.

Q. Adjournment

Council Member Overby moved, and Council Member Smeback seconded, that the meeting be adjourned. Motion passed with four yes votes and one no votes.

The meeting adjourned at 8:52pm.



John Gawlik, Mayor

EXCUSED

Paul Overby, Council Member

- about Excused

John Tierney, Council Member



Dave Smeback, Council Member



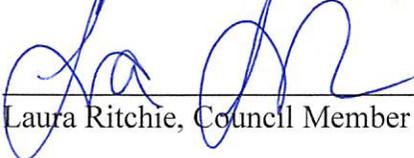
Allen Schmid, Council Member



Roy Sample, Council Member



Jane Williams, Council Member



Laura Ritchie, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer