

City of Selah
Council Minutes
May 25, 2010

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

A. Call to Order Mayor Jones called the meeting to order at 4:01pm.

B. Roll Call

Members Present: Keith Larson, Paul Overby, Summer Derrey, John Tierney, Kevin Jorgensen, Dave Smeback, John Gawlik

Members Excused:

Staff Present: Frank Sweet, City Supervisor; Bob Noe, City Attorney; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Gary Hanna, Deputy Fire Chief; Stacy Dwarshuis, Police Chief; Jeff Hagler, Parks & Recreation Director; Dale Novobielski, Clerk/Treasurer; Jason Horton, Firefighter/ Administrative Assistant

C. Pledge of Allegiance

Councilman Gawlik led the Pledge of Allegiance. Pastor Rex Van Beek led the opening prayer.

D. Agenda Changes

E. Public Appearances

1. Danielle Heitman, SOAR Program Selah Intermediate School

Mayor Jones called on Danielle Heitman. She reviewed the SOAR program, noting this program for highly capable students has been part of the curriculum since 1983. She said 9% of students in grades 4, 5 & 6 participate in the program whose goal is to prepare future leaders in an inventive atmosphere. She referred to her display showing the spread of curriculum including an independent project of the student's choice (dirt bikes, community service, optometry) resulting in the Project Fair, which this year will be held June 3. She stated 6th graders also have a community service independent project (animal health, recycling, tutoring) in a year-long framework.

She said the kids come to her one day a week for in-depth subject matter, critical thinking. She said they have a rigorous schedule, because they are required to do all the regular work plus SOAR. She said they have adopted a piece of land next to the school, and with the help of biologists have mapped the area. She said they were recipients of a \$5,000 grant from Lowes to replace non-native trees with native trees/plants. She said their goal is to provide an outdoor habitat/classroom for the rest of the school.

She said the culminating activity of the year is an out-of-town field trip. She said this past May 5 they traveled to Seattle for an oceanographic study on the University of Washington research ship in Puget Sound. She invited the Council to the SOAR Project Fair June 3 from 8:00am - 1:30pm and again that evening.

Mayor Jones said he and the Council have heard about the great things she has been doing with her students. He presented the Community Pride Award to her and read, "Community Pride Award presented this 25th day of May to Danielle Heitman for outstanding achievement in education. Congratulations! Your contagious enthusiasm for learning is reflected in the achievements of your SOAR students. We are very proud of you and very glad you teach in Selah."

2. Above & Beyond Award

Mayor Jones called Danny Speer forward, noting Danny will retire at the end of this month. He presented the Above & Beyond Award to Danny Speer for his many years of dedication to Parks & Recreation in the City of Selah. "From volunteer to Recreation Coordinator – you have provided expertise, leadership and enthusiasm to Selah's youth. You are the greatest!"

F. Getting To Know Our Businesses

G. Communications

1. Oral

2. Written

- a. Letter from Kelly Susewind, P.E., P.G., Water Quality Program Manager, Department of Ecology

Mayor Jones referred to correspondence, a letter from Kelly Susewind, noting this is the third year in a row Selah's Wastewater Treatment Plant has received an "outstanding" rating.

- b. Letter from Brian P. Curtain, CTR Program Coordinator, YVCOG

H. Proclamations/Announcements

I. Consent Agenda

Councilwoman Derrey asked to remove N - 1 from the Consent Agenda. It was removed.

The Mayor read the Consent Agenda.

- * 1. Approval of Minutes: Study Session & Council Meeting May 11, 2010
- * 2. Approval of Claims & Payroll:

Payroll Checks Nos. 68495 – 68605 for a total of \$138,112.66

Claim Checks Nos. 56218 – 56219 for a total of \$ 991.02

Claim Checks Nos. 56220 – 56300 for a total of \$285,835.94

- * 3. Resolution M – 2 Resolution Approving Progress Estimate Number 4 on the Well 8 Drilling, Casing, Testing and Pump Contract

Councilman Overby moved and Councilman Tierney seconded to adopt the Consent Agenda as read. By voice vote, approval was unanimous.

J. Public Hearings

K. New Business

L. Old Business

M. Resolutions

1. Resolution Awarding the Contract for Fiber Optics for Fire Station I to Paramount Communications

City Supervisor Frank Sweet addressed resolution M - 1, noting the City received an AG's opinion on Public Safety that was non-committal, but he and Mr. Noe believe this extension of fiber optics falls within the overview of "Public Safety." He said fiber optics will greatly enhance the Fire Department's communication. He referred to The Yakima Consortium for Regional Public Safety which met earlier this week. He said the Sheriff and Prosecuting Attorney were part of that meeting and agreed that the Fire Departments were an integral part of that "Public Safety" project, even though they don't agree with their inclusion when it comes to spending public safety funds. He encouraged support of this expenditure to support fire department communication.

Mayor Jones said he attended the meeting yesterday, and fire departments were there in force.

The City Supervisor said this was budgeted at \$40,000, and he believes the balance will fall to the Fire Department.

Councilman John Gawlik asked if this was a recent meeting that the Sheriff and Prosecutor were both part of.

The Mayor said it was, but they've been working on it for a couple of years.

Councilman Larson moved approval of the Resolution Awarding the Contract for Fiber Optics for Fire Station I to Paramount Communications. Councilman Overby seconded. Roll was called. Councilman Larson – yes; Councilman Overby – yes; Councilwoman Derrey – yes; Councilman Tierney – no; Councilman Jorgensen – yes; Councilman Smeback – yes; Councilman Gawlik – no. Motion carried with Councilmen Tierney and Gawlik voting no.

- * 2. Resolution Approving Progress Estimate Number 4 on the Well 8 Drilling, Casing, Testing and Pump Contract

2. Resolution Authorizing the Mayor To Sign an Addendum to the Professional Services Contract with Bob Tuck dba Eco-Northwest

Ted Pooler addressed Resolution M - 3 noting this extension of the contract is possible because there are remaining funds available. He said this will go to outreach to community and youth groups. He

noted these activities meet the requirements of stormwater grant permit. He said he just modified the original contract.

Councilwoman Derrey moved approval of the Resolution Authorizing the Mayor To Sign an Addendum to the Professional Services Contract with Bob Tuck dba Eco-Northwest. Councilman Jorgensen seconded. Roll was called. Councilman Larson – yes; Councilman Overby – yes; Councilwoman Derrey – yes; Councilman Tierney – yes; Councilman Jorgensen – yes; Councilman Smeback – yes; Councilman Gawlik – yes. Support was unanimous.

N. Ordinances

1. Ordinance Amending Ordinance No. 1785 – 2010 Salary Schedule for Management, Confidential and Unrepresented Employees for the Purpose of Adding a Temporary Office Assistant

Public Works Director Joe Henne said he usually hires a summer Ad Temp person. He said this year he wanted to hire a part time person directly. He said it's budgeted under professional services, but they will transfer it to salaries so he can hire a temporary for a few months.

Councilwoman Derrey asked how long this person would be employed.

Mr. Henne responded that she will be with Public Works over the summer, and that she is the same person he has previously employed through Ad Temp.

Councilwoman Overby moved approval of the Ordinance Amending Ordinance No. 1785 – 2010 Salary Schedule for Management, Confidential and Unrepresented Employees for the Purpose of Adding a Temporary Office Assistant. Councilman Jorgensen seconded. Roll was called. Councilman Larson – yes; Councilman Overby – yes; Councilwoman Derrey – yes; Councilman Tierney – yes; Councilman Jorgensen – yes; Councilman Smeback – yes; Councilman Gawlik – yes. Support was unanimous.

O. Communications

1. Oral

P. Reports/Announcements

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

Clerk/Treasurer Dale Novobielski reported on tax revenues, saying the first half of property taxes is due in April. He said those revenues came to the City May 10 and helped to catch us up to where we should be. He reported sales and utility taxes are still behind where they were anticipated to be, but he will continue to provide information to the Finance Committee.

Public Works Director Joe Henne reported the main pool is painted and patched up, and the wading pool will be finished soon. He said they will be starting water flushing and pot hole patching soon.

The City Supervisor asked about clean up of Speyers and Fifth.

The Public Works Director said he'd get to that soon.

Deputy Fire Chief Gary Hanna said they are continuing hydrant testing. He said the Council's approval of fiber-optics will be very much appreciated by all who use computers in the Fire Department.

Parks & Recreation Director Jeff Hagler reported the Youth Center received a grant from Legends Casino to help with their move to old Public Works building. He said this Thursday the City will host 16 AA teams at a dinner in Carlon Park to initiate this weekend's tournament. He said the hotel will be full again. He said he's been working on summer programs, hiring lifeguards, etc.

Councilman Tierney praised the great Selah Community Days.

Councilman Gawlik cited a letter to the editor praising Selah Police for their support of the PT Cruiser Show & Shine.

Councilman Larson praised the SOAR program, noting his three kids went through that program. He said the research projects kids do in that program are amazing.

Councilman Jorgensen said Community Days tremendous event. He said as a point of information that the City of Yakima has a couple of "free parking lots." He advised parkers to get the ticket and put it on their dash. He said if you stay too long it's a \$5 fine, but if you don't put the ticket there, you are charged \$20.

Councilman Smeback asked if the sign is up at Carlon Park.

Jeff Hagler said messages go up tomorrow.

Mayor Jones said he directed Jimmy the Butcher to take care of the tree that blocks the sign. He urged Council Members to look at the pool, saying the next few days will be critical for the cure. He said Ty suggested filling it with the pumper which will be much faster than traditional methods.

Councilman Tierney suggested providing trash receptacles along Community Days parade route.

Mayor Jones said he attended an Emergency Services Board meeting this morning. He said they are working on streamlining the emergency calls to 911 to direct calls to the services callers need

Q. Executive Session

No Executive Session is scheduled.

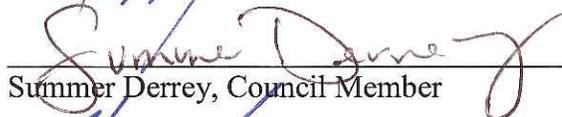
R. Adjournment

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

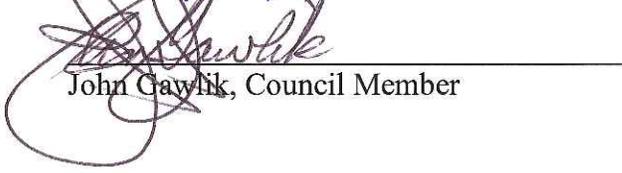
The meeting adjourned at 4:45pm.

Robert L. Jones, Mayor


Keith Larson, Council Member


Summer Derrey, Council Member


Kevin Jorgensen, Council Member


John Gaylik, Council Member


Paul Overby, Council Member


John Tierney, Council Member


Dave Smeback, Council Member

ATTEST:


Dale E. Novobielski, Clerk/Treasurer

Study Session
Selah City Council
May 25, 2010

Present: Council Members Tierney, Larson, Jorgensen, Smeback, Overby & Gawlik
Mayor Jones, Engineer Ted Pooler
City Supervisor Sweet, Public Works Director Joe Henne

Mayor Jones introduced Engineer Ted Pooler, who noted that last Study Session discussion on the stormwater ordinances was not complete. He reminded the Council that the Department Of Ecology requires two ordinances be adopted. 1. The Development and Redevelopment ordinance and 2. Construction Site Erosion and Sediment Control ordinance. The former contains provisions for inspection and maintenance of private stormwater facilities, and those areas raised concern for Council Members. He said this Study Session will allow for additional Council review. He said to this point he has not made any revisions to the actual ordinances. He suggested the first Council Meeting in June (June 8, 2010) would be an appropriate time for a Public Hearing and adoption of the revised ordinances.

He moved on to Inspection & Maintenance, noting those sections are required by DOE. He referred to section 9.23.110 and suggested limiting Inspection & Maintenance Agreements to lots over one acre. He said requiring the agreements for only larger projects would simplify requirements for staff.

Councilman John Tierney pointed out that some projects that are less than an acre are still "large" because they involve more than one structure.

Mr. Pooler said he's not suggesting limiting requirements, just limiting the maintenance agreement.

Councilman John Gawlik wished him "lots of luck."

Councilman Keith Larson said if stormwater goes off your property, then it becomes the business of the City.

Mr. Pooler agreed, stating he thinks you can still have a blanket requirement through the permitting process. He said Maintenance Agreements will be filed at Public Works. He said he will revamp section 9.23.110.

Councilman Kevin Jorgensen asked about the permit process.

Mr. Pooler referred to the second page of "Additional Council Review Considerations," noting it would be his recommendation to apply stormwater requirements through the regular permitting process to properties that are less than one acre.

Councilman Keith Larson suggested the Council could amend the ordinance later to include properties smaller than an acre if that seemed necessary.

Mr. Pooler said we'll back off the "all-inclusive" for now and adopt the requirements for properties over one acre.

Councilman Kevin Jorgensen noted the City will have to address the concerns of residents as stormwater run-off affects neighborhoods.

Councilman John Gawlik said we can require on-site stormwater systems to minimize the run-off.

Councilman Jorgensen asked what would happen if that fails.

Councilman Gawlik suggested we could fall back on nuisance ordinances.

Councilman Tierney said these ordinances seem to protect the City, not the homeowner.

Councilman Larson asked if there is a minimum size.

Ted Pooler said “minimum” is anything under 5000 square feet. He cited page 5 of the Construction Site Erosion and Sediment Control ordinance 9.24. He called Council Members' attention to item F - 9.24.20 relating to sediment controls (prohibition of sediment transport).

1. No sediment transport off the site will be allowed. All sediment shall be controlled on site.
2. In addition to sediment transport by stormwater runoff, sediment transport due to overwatering for dust control or site cleanup will not be allowed.
3. the transport of construction materials from the site, including cement and other water-born materials, whether they are carried in stormwater runoff or other runoff, is prohibited.

Mr. Pooler moved on to comments provided by the Central WA Homebuilders Association. He noted their suggestion to define "pollutant" is a good idea.

He said they want to eliminate discharges to groundwater, and they are correct that DOE does not set requirements for discharges to groundwater. - infiltration systems or ponds or dry-wells. The only thing that they would apply is surface water run-off to existing stormwater systems.

He stated his disagreement with CWHBA on this point, noting Ecology suggests applying it to all discharges. He said he has included all sediment stay on-site for all projects. He noted design standards and platting processes can protect the City. He said the City's adoption of the Eastern Washington Stormwater Manual will provide protection for the City.

Mayor Jones said at times builders have scraped off the land, then they don't sell and then sediment drains into storm drains.

Mr. Pooler said based on what we've been seeing from DOE, there is not one lot in Selah that would not require these stormwater permits. He noted a permit is not closed until the site is stabilized. He said we are applying State stabilization requirement in 9.24 page 5 Section E.1.

1. Soil stabilization shall be completed within the following time frames: within 30 days in the dry season (July 1 0 September 30), and within 15 days in the wet season (October 1 – June 30).
2. Special techniques that meet the design criteria outlines in the *Stormwater Management Manual for Eastern Washington* on steep slopes or in drainage ways shall be used to ensure stabilization.
3. The entire disturbed area must be stabilized, using a heavy mulch lay or another method that does not require germination to control erosion, at the close of the construction season.
4. Techniques shall be employed to prevent the blowing of dust or sediment from the site.
5. Techniques that divert upland runoff past disturbed slopes shall be employed.

Councilman Dave Smeback asked what the City does to come into compliance with its own standards. He gave the example of Crusher Canyon, saying the slope and barriers are a joke.

Mr. Pooler said that should take care of itself, because as you develop your stormwater requirements, you fall into your own standards. He said Public Works Director Joe Henne will need to have a maintenance plan for City lots.

Councilman Tierney said the City should bill to sweep streets for private projects.

Everyone talked at once.

The City Supervisor said if you incorporate billing for street sweeping into the permit process, it'll work.

Mr. Pooler referred to section D - the six key elements for entrance on private property. He said these elements from CWHBA could be included in the ordinance.

1. Inspector presents identification credentials;
2. Inspector states reason for entry;
3. Inspector requests entry;
4. Inspector entry onto private property is at reasonable times;
5. Inspector obtains permission to enter. If permission is denied, obtain warrant.
6. Inspector limited in scope for purpose of inspection.

Councilman John Gawlik said the International Building Code spells out the right to inspect. He said this is already adopted, so we would not have to be redundant.

Councilman Dave Smeback said it's okay to spell it out because many contractors have experienced "Little Hitler Inspectors" who interrupt the building process.

Mr. Pooler noted you are already covered, but there may be an occasion where these six are needed.

Councilman John Tierney referred to page 12, Section 9.23.160, saying 20 days is too short for an appeal period. The consensus was to change it to 30 days.

Mayor Jones suggested Mr. Pooler put the ordinances and suggestions together and bring them to the Council for consideration on June 8. The Study Session was ended at 3:55pm.