

City of Selah  
Council Minutes  
March 10, 2009

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

A. Call to Order Mayor Jones called the meeting to order at 4:03pm.

B. Roll Call

Members Present: Summer Derrey, Kevin Jorgensen, Keith Larson, Denise Nichols, Paul Overby, John Tierney

Members Excused:

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

C. Pledge of Allegiance

Councilman Larson led the Pledge of Allegiance. Pastor Doug Perkins led the group in prayer.

D. Agenda Changes

E. Public Appearances

F. Getting To Know Our Businesses

G. Communications

1. Oral

Wayne Petterson addressed the Council, asking if the City gets a fee for the (Community Days) carnival at Lince field, and if so, does the City share that with the School District.

City Supervisor Frank Sweet responded that the City receives no money as that use is between Community Days and School District.

Mr. Petterson asked who he could talk to about that.

Mr. Sweet suggested Jerry Henry.

Mr. Petterson asked how the City has supported the school district in the past year.

Mayor Jones said the ball fields are provided by the City.

Mr. Petterson asked who pays janitorial fees for activities such as Donkey Basketball.

Mayor Jones said he believes it would be the school district.

Mr. Petterson asked if the Selah City Council Members feel art is important.

Mayor Jones said he absolutely supports art, and that he would like to appoint Wayne Petterson to chair a committee to research interest in arts in the community.

Mr. Petterson asked if the City Council would support a downtown beautification effort. He spoke about vacant buildings and poor conditions in both Yakima and Selah by comparison to the beauty in Walla Walla, which, according to Mr. Petterson, was the result of a decision made by seven people like the Council. He said Selah is here because of apples, noting it is not here because of the Vikings. He said, rather, the economy of Selah is based on fruit.

Mayor Jones said that sounds like a job for Mr. Petterson, and cited the example of Solvang, CA which draws many tourists. He said people come to Selah because of ball fields.

Councilman Overby said the Economic Development Committee of the Chamber is interested in beautification. He noted their efforts to provide an entrance sign is an effort to make Selah a truly defined City.

Councilwoman Derrey said she'd like to see some other sign promoted because she doesn't like the one they have proposed.

Frank Sweet suggested it would be better to refer Mr. Petterson to Economic Development Committee.

Mr. Petterson said he has a meeting with TreeTop. He said it would be awesome to keep visitors' money in Selah, at the TreeTop store. He complained that there are too many secrets at TreeTop.

Mr. Sweet said there has already been talk about a tourist center utilizing the business community and the Chamber Committee.

Councilman Jorgensen said there will be a Chamber meeting this week at River Ridge.

Councilwoman Nichols said public art is very nice for a community, but it can also be very controversial. She said he should work with the business community and the Chamber.

Mr. Petterson said in two weeks he will bring a proposal to the Council, a layout for a piece of sculpture to go here in Selah.

Councilwoman Nichols said that should go to the businesses, and Mr. Petterson assured her it will, but it is coming to the Council first to get their ideas, not approval.

He said the name of the piece is "Fallen but not Forgotten" and it will go up at Veterans Park. He said he has been in contact with the Department of Veterans Affairs to learn the names of casualties from Selah. He said he has found none.

Mayor Jones explained that former Selah Mayor Frank Rowland drew the Selah apple out, and it became the logo for the City.

Wayne Petterson said people either love art or they hate it. He named some famous artists.

Councilman Larson expressed his agreement with Councilwoman Nichols that the City Council may not be the right venue for consideration of art.

Mayor Jones said the Council comes into the process at location and protection. He said he hopes Mr. Petterson will pursue his interest.

Mayor Jones moved on to the Consent Agenda.

2. Written

H. Proclamations/Announcements

I. Consent Agenda

Mayor Jones read the Consent Agenda.

**Councilwoman Nichols moved approval of the Consent Agenda. Councilman Larson seconded. By voice vote, Consent Agenda was adopted unanimously.**

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

- \* 1. Approval of Minutes: Council Meeting January 13, 2009
- \* 2. Approval of Claims & Payroll:
  - Payroll Checks Nos. 65394 – 65480 for a total of \$ 169,273.04
  - Claims Checks Nos. 53564 – 53564 for a total of \$ 57.25
  - Claims Checks Nos. 53565 – 53650 for a total of \$ 242,625.14
- \* 3. Item M – 2, Resolution Authorizing the Mayor To Sign an Agreement for Certification Acceptance Services between the City of Selah and Yakima County for the American Recovery and Reinvestment Act (ARRA) Speyers Road Improvement Project
- \* 4. Item M – 3, Resolution Authorizing the Mayor To Sign a WSDOT Local Agency Agreement for the Speyers Road Improvement Project
- \* 5. Item M – 4, Resolution Authorizing the Mayor To Sign a WSDOT Local Agency Federal Aid Project Prospectus for the Speyers Road Improvement Project
- \* 6. Item N – 1, Ordinance Amending Selah Municipal Code Title 1, Chapter 1.13 by Deletion

- \* 7. Item N – 2, Ordinance Amending Selah Municipal Code Title 1, Chapter 1.30 by Deletion
- \* 8. Item N – 3, Ordinance Amending Selah Municipal Code Title 1, Chapter 1.34 by Deletion

J. Public Hearings

- 1. Public Hearing To Consider an Amendment to the Six-Year Transportation Improvement Program for the Years 2009 to 2014

Public Works Director Joe Henne explained that this Public Hearing is to take testimony for or against the revised TIP. He explained that priority #2 needed to be modified from state to federal funding. He said he has been notified that Selah will receive \$1,598,000 in federal money for Speyers Road. He explained that he must have the project together and out to bid by June 1.

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

K. New Business

L. Old Business

Mr. Petterson asserted that he had some Old Business.

Mayor Jones admonished him to be quick.

Mr. Petterson said City Attorney Bob Noe was to find out about extending the City limits to include County residents on the City Council as well as a percentage of municipal funds dedicated to art projects.

Mr. Noe gave Mr. Petterson a copy of the response he had previously emailed to Mr. Petterson, saying he found nothing in law to support Mr. Petterson's contentions.

Mr. Petterson accused the City Attorney of not looking hard enough, noting that was the answer he expected to get. He cited Walla Walla as an example of municipal funds dedicated to art.

Mayor Jones suggested he check with Walla Walla then.

Councilwoman Nichols said there is opportunity for Selah School District residents to serve on quasi-City boards such as the Parks & Rec Service Area Board and the Fire District.

Mr. Petterson said he has talked to people in other towns who have included everyone in the school district as part of the City.

City Supervisor Frank Sweet said Mr. Petterson's information is false and suggested the City could put Mr. Petterson in contact with Municipal Research which has a whole group of attorneys who can tell him that his information is false.

Mayor Jones moved on to Resolution M - 1.

M. Resolutions

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

**Councilwoman Nichols moved approval of the Resolution Amending the Six-Year Transportation Improvement Program for the Years 2009 to 2014. Councilman Larson seconded. Roll was called: Council Member Tierney – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Jorgensen – yes; Council Member Derrey – yes. Motion carried unanimously.**

- \* 2. Resolution Authorizing the Mayor To Sign an Agreement for Certification Acceptance Services between the City of Selah and Yakima County for the American Recovery and Reinvestment Act (ARRA) Speyers Road Improvement Project
- \* 3. Resolution Authorizing the Mayor To Sign a WSDOT Local Agency Agreement for the Speyers Road Improvement Project
- \* 4. Resolution Authorizing the Mayor To Sign a WSDOT Local Agency Federal Aid Project Prospectus for the Speyers Road Improvement Project
- 5. Resolution Awarding the Construction Contract for the Zone 3 Transmission Main Parts A & B (N. 12<sup>th</sup> Street to Well # 6) to Ken Leingang Excavation

Public Works Director Joe Henne addressed Resolution M - 5 noting the need to award the construction contract for Zone 3 Transmission Main Parts A & B. He stated they will not do Part C, the overlay, at this time. He explained that they will extend sewer line west from 9<sup>th</sup> Street to 12<sup>th</sup> and then on up to Speyers Road. He noted they received good estimates on this and the money for Part B will come out of the Sewer Reserve Fund. He recommended awarding the contract to Ken Leingang. He said closing comments are due today on SEPA, so the Mayor will not sign until SEPA finalized.

**Councilman Overby moved approval of the Resolution Amending the Six-Year Transportation Improvement Program for the Years 2009 to 2014. Councilwoman Derrey seconded. Roll was called: Council Member Tierney – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Jorgensen – yes; Council Member Derrey – yes. Motion carried unanimously.**

N. Ordinances

- \* 1. Ordinance Amending Selah Municipal Code Title 1, Chapter 1.13 by Deletion
- \* 2. Ordinance Amending Selah Municipal Code Title 1, Chapter 1.30 by Deletion
- \* 3. Ordinance Amending Selah Municipal Code Title 1, Chapter 1.34 by Deletion

O. Communications

1. Oral

P. Reports/Announcements

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

- a. Building Permit/Code Enforcement Report – 4<sup>th</sup> Quarter 2008

Fire Chief Jerry Davis reported his new firefighter is on his way to Prineville, OR to pick up their new tender. He said the new schedule for career staff is working out well, and they had two calls this week.

Public Works Director Joe Henne thanked the Council for taking the "leap of faith" with him. He said the time clock started March 3. He handed out timelines to Council Members. He asked Council Members to look at page 3 of his handout, saying he wants to take \$20,000 out of Fund 115 and apply it to Fund 111, the Street Improvement account, so as to start on the Speyers Project.

Councilman Overby asked what the outside timeline is.

Mr. Henne said he will be out to bid by July 1.

Mayor Jones said \$20,000 isn't much to risk on a \$1.6M project.

Councilwoman Nichols asked if Huibregtse, Louman will do the engineering on this project.

The Public Works Director said HLA will do a Standard Consultant Agreement, but he hasn't talked to the Department of Transportation about it yet. He said the City has a three-year contract with HLA, and he wants to get a sole-source waiver. He said he wants to start getting plan and profile started and doesn't want to wait until the end of April.

Councilman Larson asked the City Supervisor if that is an appropriate use of that Fund 115 money.

Mr. Sweet responded affirmatively.

**Councilman Tierney moved and Councilman Larson seconded to approve the transfer of \$20,000 from Fund 115 and apply it to Street Improvement Fund 111. Roll was called: Council Member Tierney – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Jorgensen – yes; Council Member Derrey – yes. Motion carried unanimously.**

Mr. Henne passed around another handout noting Public Works is planning to spend \$76,000 on the variable frequency drive for Well 6. He said he talked with the power company, and if we want to get a \$38,000 rebate on our purchase of a variable frequency drive, we need to purchase it soon. He requested the Council authorize this purchase and the Mayor's signature on contract documents when they are prepared.

**Councilman Larson moved and Councilman Tierney seconded to approve the expenditure of \$36,000 toward the purchase of a variable frequency drive for Well 6 and to authorize the Mayor**

**to sign contract documents when they are prepared. Roll was called: Council Member Tierney – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Jorgensen – yes; Council Member Derrey – yes. Motion carried unanimously.**

Parks & Recreation Director Jeff Hagler asked Council Members to look over pool projections in the next couple of weeks, noting a decision needs to be made soon.

Police Chief Dwarshuis reported they are looking to bring their new hire on board in two weeks. He stated they are actively working on a multiple agency grant through Active Shooter for the schools, which incorporates not only training but equipment. He said he will be bringing a Memorandum of Understanding to the next meeting on that. He said Canfield & Associates are doing a driver simulator, and the trailer will be down by the pre-Treatment tomorrow. He invited Council Members to come down and take a look. He further reported that they exercised a couple of search warrants today through the LEAD Task Force, and as a result, two adult males and one adult female will be in jail tonight.

City Supervisor Frank Sweet reported that Friday, May 22 will be a Council Retreat from approximately 9 - 12:30 at the Civic Center. He reported that the ribbon cutting was held at Les Schwab last Friday at 11:00am. He stated that a 3:00pm Study Session will be held prior to the next Council Meeting (March 24) at North Park Lodge.

City Attorney Bob Noe reported that a meeting has been scheduled at 9am Thursday morning with representatives from SSNA, their Attorney, Mr. Torkelson and his Attorney, representatives from the City.

Councilmember Nichols expressed her appreciation for the Mayors Prayer breakfast saying it was very nice.

Council Members and staff generally agreed that the speaker was incredible.

Councilman Overby said he liked the presentation on the pool. He urged Wayne Petterson to work with available business interests.

Mayor Jones said the breakfast was very nice, and the new cabinets worked out well. He noted Allen Schmid and Councilman Overby will paint the Civic Center kitchen on Thursday.

Mr. Sweet reported that last Wednesday several from Selah attended a special dinner at the Sun Dome to thank Selah and Union Gap for making possible the WIAA logo on floor. He said that dinner also celebrated the 1000<sup>th</sup> game played in the Sun Dome.

Mayor Jones noted that Sid Morrison did the barbeque.

There was a short break prior to the interview of Council applicants.

\*\*\*\*\* Interviews of Applicants for Vacant Council Position:

Mayor Jones proceeded with the interview of Cary Roberts. He thanked him for applying.

Councilman Jorgensen disclosed that Mr. Roberts is an employee of Michelson Packaging whose supervisor reports to him. He said he would step out if anyone thought that would be a problem.

No one had any issues with his participation.

INTERVIEW:

*Mayor: Tell us a little about your background and why you feel you are the best candidate for the open Council position.*

Cary Roberts: I've lived in the Yakima Valley for 40 years, have an AA from YVC and a Bachelors in Electrical Engineering. I am currently serving on the board at my church. I like the idea of this being a 6-month term so I can see if it is a fit.

*Mayor: What do you believe a Council Member's responsibilities are?*

Cary Roberts: I see serving on the Council as an opportunity to do something, which should not necessarily be done with an iron fist.

*Mayor: Tell us your top five priorities for the City of Selah if you were selected to fill the Council position.*

Cary Roberts: Traffic is better now, but it's starting to clog up again. Selah is growing, and that compounds the traffic issue. I support controlled growth, and we need to control crime.

*Mayor: Cities across the state are dealing with tighter budgets. How could the City of Selah save money or generate additional revenue?*

Cary Roberts: Budgets always need additional revenue, and tourism is a good source. Selah's done a great job with the softball fields. It will be nice to have our own hotel now so money will stay in Selah.

*Mayor: If you could change one thing in the City of Selah, what would it be and why?*

Cary Roberts: I'd change traffic signs to make it easier to go down First and cut to Wenas

*Mayor: Housing needs are changing in the City of Selah. How would you reconcile Growth Management targets for increased density versus the community value of preserving the neighborhood character of our community?*

Cary Roberts: I don't like the idea of apartments in residential areas. I prefer neighborhoods be family-based. I haven't studied it, but basically think we should do what we've been doing.

*Mayor: How would you evaluate the Council's communication with the public? Could it be improved? If so, how?*

Cary Roberts: I would suggest a newsletter.

*Councilwoman Nichols: Are you willing to run when it comes up in November?*

Cary Roberts: This term would give me a chance to try it out and for the Council to try me out, then I'd decide.

*Councilwoman Derrey: What is your motivation in seeking this office?*

Cary Roberts: I want to be a part of the solution.

*Councilman Tierney: How many of the last four elections have you voted in?*

Cary Roberts: I voted in all four.

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Mayor Jones thanked applicant Dave Smeback for his interest.

Councilman Keith Larson disclosed that his cousin works with Mr. Smeback.

There was no object to the Councilman's participation.

INTERVIEW:

*Mayor: Tell us a little about your background and why you feel you are the best candidate for the open Council position.*

Dave Smeback: I worked 23 years with Pinnell where I dealt with budgetary situations, revenue generating budgets, customer relations and large sales opportunities. I spent time on the Planning Commission, YVCOG, worked on the Growth Management Act and served on the Council under Mayor John Sweesy. I currently work with real estate and deal with planning, zoning and resistance to growth.

*Mayor: What do you believe a Council Member's responsibilities are?*

Dave Smeback: In Bob Lince's history of Selah he says we're here as guests. We are renting, stewards of the land and of the taxes people pay.

*Mayor: Tell us your top five priorities for the City of Selah if you were selected to fill the Council position.*

Dave Smeback: The first is fiscal responsibility. I would uphold the fire & police departments. I believe infrastructure is a key point to a strong City and that the continued challenge of water & sewer is critical to growth potential. I would continue to support parks and recreation.

*Mayor: Cities across the state are dealing with tighter budgets. How could the City of Selah save money or generate additional revenue?*

Dave Smeback: It's important to save money and generate revenue. We don't get a lot of retail tax, but the tourism aspect will benefit the City. I would like us to find some more industrial land and be selective in encouraging industrial growth. Graham Packaging has shown us the potential for success.

*Mayor: If you could change one thing in the City of Selah, what would it be and why?*

Dave Smeback: My hat is off to developers who go through hoops to build their projects. I wonder what if we took the same attitude to private residences as we do to industry. We find a reason to pay to encourage industry; could we do the same to encourage residences?

*Mayor: Housing needs are changing in the City of Selah. How would you reconcile Growth Management targets for increased density versus the community value of preserving the neighborhood character of our community?*

Dave Smeback: Traffic funnels down Southern and down Speyers. Long-range we need to figure out a way to move traffic without jamming up the core

*Mayor: How would you evaluate the Council's communication with the public? Could it be improved? If so, how?*

Dave Smeback: The Council's been getting a helluva beating over South Selah. The City currently tells people about growth by meeting requirements for posting, publishing and sending letters. Maybe it would be good to doorbell an area, maybe even for rezoning. We constantly have to work at communications or some may feel brushed-off. I sympathize with the South Selah folks, same as West Valley, but they need to recognize growth is going to come.

*Councilwoman Nichols: Are you planning to run for this office in November?*

Dave Smeback: Yes.

*Councilman Tierney: How many of the last for elections have you voter in?*

Dave Smeback: I think I may have missed voting in one bond election.

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The Council moved into Executive Session to discuss applicant qualifications at 5:26pm.

Q. Executive Session

1. Executive Session to discuss applicant qualifications.

R. Return to General Session

The Mayor reconvened the General session at 5:32pm.

1. Action on Appointment of a Council Member to fill the empty position until the next General Election in November 2009

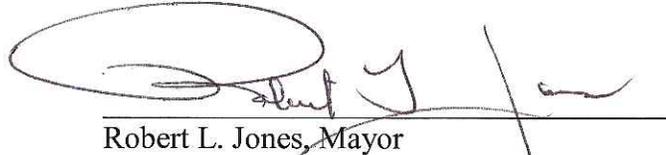
**Councilman Larson moved and Councilman Jorgensen seconded to appoint Dave Smeback to the City Council seat vacated by Herb Schmidt until the next General Election to be held in November of 2009. Roll was called: Council Member Tierney – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Jorgensen – yes; Council Member Derrey – yes. Motion carried unanimously.**

Mayor Jones encouraged Mr. Roberts to apply for appointment to the Planning Commission.

R. Adjournment

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

The meeting adjourned at 5:33pm.



Robert L. Jones, Mayor

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Paul Overby, Council Member



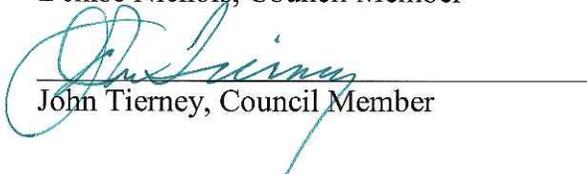
Summer Derrey, Council Member



Denise Nichols, Council Member



Keith Larson, Council Member

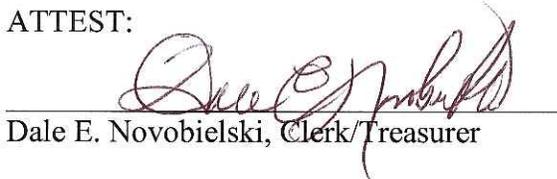


John Tierney, Council Member



Kevin Jorgensen, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer