

City of Selah
Council Minutes
October 28, 2008

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

The Council moved out of Executive Session at 3:59pm.

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

B. Roll Call

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

Members Excused: Herb Schmidt

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

C. Pledge of Allegiance

Councilwoman Nichols led the Pledge of Allegiance. Parks & Recreation Director Jeff Hagler led the group in prayer.

D. Agenda Changes

Mayor Jones noted Agenda Changes - the addition of Item K – 2 Appointment of Police Chief and M – 6 Resolution Authorizing the Mayor To Sign a Purchase and Sale Agreement for the Sale of Real Property Adjacent to Kenneth and Jamie Yager’s Property to the Yagers for \$6,300.

E. Public Appearances

1. Above and Beyond Award

Mayor Jones presented the Above and Beyond Award to Parks Maintenance Worker Lonnie Walker. Mayor Jones said there was vandalism occurring on a playing field and Parks Worker Lonnie Walker, who was off-duty at the time, intervened, preventing a fire in the process. The Mayor said he told Lonnie one day that something needed to be painted, and it was finished by the next morning.

2. Mayor Jones named Stacy Dwarshuis Police Chief and introduced him to the audience. He praised Stacy for his 26 years of service to the Selah Police Force. Chief Dwarshuis introduced his family: wife, mother and other members of his family who were in the audience.

Mayor Jones moved on to Communication and to the Consent Agenda.

F. Getting To Know Our Businesses

G. Communications

1. Oral

2. Written

H. Proclamations

I. Consent Agenda

Councilman Overby suggested the addition of items M-1 & M-2 to the Consent Agenda.

Councilwoman Nichols said she had questions on those.

Councilman Larson moved that M-5 be added. Councilman Tierney seconded. The Council confirmed the addition by voice vote.

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

Mayor Jones read the Consent Agenda as amended.

- * 1. Approval of Minutes: Study Sessions & Council Meeting October 14, 2008
- * 2. Approval of Claims & Payroll: Claims Checks Nos.52790 – 52791 for a total of \$3,072.89 and Claims Checks Nos. 52792 – 52851 for a total of \$127,873.20.
- * 3. Item M – 5 Resolution Declaring Selah Police Department Property as Surplus and Authorizing Its Disposal

Councilwoman Derrey moved approval of the Consent Agenda as read. Councilman Tierney seconded. By voice vote, support was unanimous.

Mayor Jones explained that he would need to leave the meeting in a few minutes because he and his wife were hosting the Japanese visitation that evening at their home. He explained that this is a traditional part of the Japanese troops training at the Yakima Training Center each year. He moved to item J-1.

J. Public Hearings

1. Public Hearing on Revenue Sources for the 2009 Budget

Clerk/Treasurer Dale Novobielski introduced item J-1, noting the Council and staff are in the preliminary process of formulating the 2009 Budget. He said the current estimated total of all revenue funds is \$12, 279,000, 30% of which is the water fund, 28% general fund, 16% sewer fund and 6% solid

waste - representing 80% of anticipated revenues. He said property taxes for next year are proposed at \$1,274,000 or roughly 10% of anticipated revenue. He said, based upon information he has received from the Yakima County Assessor, next year's levy will be at \$2.47 per thousand of evaluation, which will be a decrease for taxpayers, providing their property evaluation has not increased. He stated sales tax is estimated at \$1,200,000. In regards to utility fees, the City is proposing a 5% increase in water, a 5% increase in sewer and a 10% increase in garbage. He stated the average monthly total of water, sewer and garbage fees is \$67.12 and next year it will be \$71.06 provided these increases are approved.

Councilman Tierney asked if the garbage increase is for both Yakima Waste and BDI.

The City Supervisor said that while the City does not bill for Yakima Waste, he anticipates those fees will increase because Yakima County has increased the tipping charges at Terrace Heights Landfill.

Mayor Jones opened the Public Hearing, inviting testimony. Hearing none, he closed the Public Hearing and moved on to New Business Item K-1

K. New Business

1. Approval of a Class 3 Use Communication Facility To Be Located at 260 Rushmore Road (NTCH-WA Inc. / CITY OF SELAH)

Community Planner Dennis Davison addressed the New Business Item noting that NTCH desires to locate a communications facility in the City of Selah which would consist of a 100-foot tower along with a small communications building. He stated maps included in packet show the facility and 6 ft. cyclone fence. He stated the Planning Commission conducted a Public Hearing, adopted Findings of Fact and recommended approval with 5 conditions.

Councilwoman Nichols asked if we have a lease and if not, what a lease would entail.

The City Supervisor explained that the City does not have a lease with the company yet because we need to have a conditional use permit first. He said he would bring a lease back to Council on November 25 if this item is approved.

Councilman Jorgensen moved and Councilman Larson seconded to approve the Class 3 Use Communication Facility To Be Located at 260 Rushmore Road. Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Derrey – yes; Council Member Jorgensen – yes. Support was unanimous.

2. Appointment of Police Chief

Appointment done under item E – 2: Mayor Jones appointed Police Chief Stacy Dwarshuis.

L. Old Business

M. Resolutions

1. Resolution Authorizing the Mayor Pro Tem To Sign a Professional Services Agreement with Kimberley Jones for Transcription Services

City Attorney Bob Noe addressed Resolution M-1 request from Police Department to enter into an agreement with a transcriptionist, and other parts of the City occasionally need a transcriptionist as well. He noted there is not a cap and he would be willing to have a cap.

Councilwoman Nichols explained that she thinks it's important that a contract not exceed a set dollar value unless that is expressly approved by the Council.

The City Supervisor said he has no idea how much it might run, how many appeals, etc.

Mayor Jones asked Mr. Noe how much transcription services have cost in connection with South Selah Neighborhood appeals.

Mr. Noe responded that he has been using a court reporter for that transcription, and this would be less expensive; however, he'd estimate it as several thousand dollars.

Councilwoman Nichols said she believes "not to exceed" language is appropriate. She said she does not approve of having "open-ended" agreements, and that she would approve of a \$10,000 limitation.

Councilman Larson moved and Councilwoman Derrey seconded to approve the Resolution Authorizing the Mayor Pro Tem To Sign a Professional Services Agreement with Kimberley Jones for Transcription Services with the inclusion of the “not to exceed \$10,000 without City Council approval” phrase. Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Derrey – yes; Council Member Jorgensen – yes. Support was unanimous.

Mayor Jones turned the gavel over to the Mayor Pro Tem Larsen and left the meeting.

2. Resolution Authorizing the Mayor Pro Tem To Sign a Contract for Court Security Services

Councilwoman Nichols stated this agreement and Resolution M-2 also need a "not to exceed" clause. She asked how this Reserve Officer was chosen to serve as Court Security Officer.

Police Chief Dwarshuis said this was the only reserve officer who was available during day hours.

The City Supervisor said the City would go outside if no one in the department was interested in serving. He suggested adding a cap of \$6,000 per year to this agreement and the “not to exceed” language.

Councilman Tierney moved and Councilwoman Nichols seconded to approve the Resolution Authorizing the Mayor Pro Tem To Sign a Contract for Court Security Services with the inclusion of the “not to exceed \$6,000 without City Council approval” phrase. Roll was called: Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Derrey – yes; Council Member Jorgensen – yes. Support was unanimous.

3. Resolution Awarding the Bids for Schedule A and Schedule B Equipment for the Well No. 6 and Zone 3 Pump Station and Authorizing the Mayor Pro Tem To Sign Equipment Contract Documents

Councilman Tierney moved and Councilman Jorgensen seconded to approve the Resolution Awarding the Bids for Schedule A and Schedule B Equipment for the Well No. 6 and Zone 3 Pump Station and Authorizing the Mayor Pro Tem To Sign Equipment Contract Documents. Roll was called: Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Derrey – yes; Council Member Jorgensen – yes. Support was unanimous.

4. Resolution Awarding the Contract for New Well No. 8 Project at Wixson Park to Schneider Equipment, Inc. and Authorizing the Mayor Pro Tem To Sign Contract Documents upon Preparation

Councilwoman Derrey moved and Councilman Overby seconded to approve the Resolution Awarding the Contract for New Well No. 8 Project at Wixson Park to Schneider Equipment, Inc. and Authorizing the Mayor Pro Tem To Sign Contract Documents upon Preparation. Roll was called: Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Derrey – yes; Council Member Jorgensen – yes. Support was unanimous.

- * 5. Resolution Declaring Selah Police Department Property as Surplus and Authorizing Its Disposal
6. Resolution Authorizing the Mayor Pro Tem To Sign a Purchase and Sale Agreement for the Sale of Real Property Adjacent to Kenneth and Jami Yager’s Property to the Yagers for \$6300.00

The City Supervisor addressed the Purchase and Sale Agreement between the City and the Yagers for property at the corner of Goodlander and North Wenas. He noted that language should be added to stipulate that the City has the first right of purchasing the property should the Yagers wish to sell it.

Councilwoman Nichols moved and Councilwoman Derrey seconded to approve the Resolution Authorizing the Mayor Pro Tem To Sign a Purchase and Sale Agreement for the Sale of Real Property Adjacent to Kenneth and Jami Yager’s Property to the Yagers for \$6300.00. Roll was called: Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Derrey – yes; Council Member Jorgensen – yes. Support was unanimous.

N. Ordinances

O. Communications

1. Oral

P. Reports/Announcements

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

- a. Planning Commission Minutes August 19, 2008 - Approved

City Supervisor Frank Sweet reminded the Council that there will be no Council meeting November 11 because of the Veterans Day holiday. He stated the next Council Meeting will be held November 25. He said a special meeting could be called if something urgent comes up. He reported that on November 25, the Study Sessions will be on Yakima Transit and the proposed Yakima Aquatic Center. He reminded Council Members that the dedication of Veterans' Park will be at 1:00pm Monday November 10.

Fire Chief Jerry Davis reported they received a bid of \$6101 for the command car that the Council previously surplussed. He stated he will meet with commissioners and be ready to present his budget Monday November 3.

Public Works Director Joe Henne reported Public works will pave driveways on East Fremont on Monday, then will do striping and cleanup and then will be done. He reported paving of alleys is complete, and they are in the process of winterizing water meters.

Parks & Recreation Director Jeff Hagler called Council Members' attention to the article from Selah newspaper on Carlon Park's state-wide recognition. He praised the work of the Parks Maintenance crew. He further reported that the Youth Center has averaged about 30 kids per night and they are inviting parents down for an open house.

Police Chief Stacy Dwarshuis thanked the Mayor and Council for their vote of confidence and promised to give his best to the position of Chief.

City Attorney Bob Noe said he looks forward to working with Stacy.

Councilwoman Nichols congratulated Chief Dwarshuis and welcomed the City Supervisor back to work after his illness.

Councilwoman Derrey offered her congratulations and welcome back.

Councilman Overby offered his congratulations to Stacy and said he is glad Frank is feeling better. He said he is hoping to finalize the agreement with Yakima Transit and put on the next Council agenda. He noted there is another study session with Yakima Transit, Yakima and Union Gap tomorrow.

Councilman Jorgensen offered his congratulations to the Chief and welcome back to the City Supervisor.

Councilman Tierney said it is good to have Frank back. He said he is looking forward to great things from Stacy as Chief. He urged people to vote in the up-coming election.

Mayor Pro Tem Larson reiterated his gratitude that Stacy stepped up, noting he is looking forward to working with the new Chief. He said the City is lucky to have both Stacy Dwarshuis and Frank Sweet. He urged Council Members to attend Budget Meetings as scheduled.

Councilwoman Nichols asked if they would receive budget books.

The City Supervisor said those will be available Thursday or Friday before the budget meetings begin.

Q. Executive Session

The Executive Session was held from 3:45 to 4:00pm.

R. Adjournment

Councilwoman Nichols Moved and Councilman Tierney seconded to adjourn. Support was unanimous. The meeting was adjourned at 4:39pm.

Robert L. Jones, Mayor

Paul Overby, Council Member

Summer Derrey, Council Member

Denise Nichols, Council Member

(Excused)

Herb Schmidt, Council Member

John Tierney, Council Member

Kevin Jorgensen, Council Member

Keith Larson, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer