

City of Selah
Council Minutes
September 23, 2014

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

A. Call to Order Mayor Gawlik called the meeting to order at 6:30pm.

B. Roll Call

Members Present: John Tierney; Dave Smeback; Brooke Finch; Roy Sample; Jane Williams

Members Excused: Paul Overby; Allen Schmid

Staff Present: David Kelly, City Administrator; Bob Noe, City Attorney; Gary Hanna, Fire Chief; Joe Henne, Public Works Director; Rick Hayes, Police Chief; Dale Novobielski, Clerk/Treasurer; Dennis Davison, Community Planner; Charlie Brown, Recreation Manager; Monica Lake, Executive Assistant

C. Pledge of Allegiance

Council Member Tierney led the Pledge of Allegiance. Pastor Brad Hill led the opening prayer.

D. Agenda Changes None

E. Public Appearances/Introductions/ Presentations

1. Mike King, Lions Club – US flags for City flagpoles

Mike King, past president of the Lions Club, said that he and his fellow members were here to donate nine 3 foot by 5 foot American flags to replace any worn and tattered flags flown by the City. He noted that the flags were purchased through the executive membership of the Lions Club and given to the Selah Valley Lions Club for donation to the City.

Mayor Gawlik thanked them for their donation.

F. Getting To Know Our Businesses None

G. Communications

1. Oral

Mayor Gawlik opened the meeting.

Norma Smith approached the podium and addressed the Council. She expressed her concern that there are no sidewalks on the newly repaved West Home Avenue and West Pear Avenue, and of youngsters walking in middle of the road on the opposite side of the street from the existing sidewalks. She noted that there are also no sidewalks around Wixson Park.

Public Works Director Henne explained that Speyers Road was built hastily to expend the funds that the City had received for the project, and that they were unable to secure additional rights of way for the project. He said that the Home Avenue and Pear Avenue overlay, which was done to alleviate all the cuts, was done as part of the Water Department's project, which did not include funds for sidewalks and curbs. He remarked that the only sidewalk around Wixson Park is from Valleyview Avenue and 3rd Street to the school, although 3rd Street from Valleyview Avenue to Southern Avenue is in design right now. He stated that they don't typically put sidewalks on local access roads, although they do put them on collector roads and above that are eligible for State and Federal funding.

Council Member Tierney inquired about sidewalk requirements for new developments.

Public Works Director Henne replied that new developments are required to put in sidewalks.

Council Member Tierney asked if it applied to only one side of the street or to both.

Public Works Director Henne responded that it applies to both sides of the street; they are required to design a whole new road. He noted that there would be a significant expenditure to get something useable with curbs and gutters on an existing street.

Mayor Gawlik thought that everyone should be aware how streets got developed and how the City maintains and develops them. He added that students walking on the other side of street is simply a habit, and that the kids need to be educated to use the sidewalks.

Public Works Director Henne remarked that he has seen kids walking on the street even in new subdivisions, adding that pedestrian fatalities are on rise because of smart phones.

Council Member Tierney felt that another way to add sidewalks would be to have neighborhoods do an LID for improvements.

Public Works Director Henne commented that State law allows for 50% of the property owners and the City along a route to do a sidewalk, and that they could invite other folks in on it.

Council Member Sample said that an LID could be a good idea to solve the issue.

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

2. Written

H. Proclamations/Announcements **None**

I. Consent Agenda

Council Member Tierney moved, and Council Member Finch seconded, to add Resolution M – 1 to the Consent Agenda. By voice vote, approval was unanimous.

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: September 9, 2014 Study Session and Council Meeting

* 2. Approval of Claims & Payroll:

Payroll Checks Nos. 77874 – 77901 for a total of \$156,315.29

Claim Checks Nos. 64523 – 64593 for a total of \$314,636.96

* 3. Resolution M – 1: Resolution Authorizing the Mayor to Sign an Updated Section 125 Cafeteria Plan

Council Member Tierney 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 Hearing

1. Public Hearing on Revenue Sources for the 2015 Budget

Clerk/Treasurer Novobielski addressed J – 1. He said that the City is required by law to hold a public hearing to discuss proposed 2015 revenues. He went on to say that they are in the early stages of developing a budget for 2015, and that at the end of next week they will begin meetings of the City Council and Department Heads. He gave a brief review of where the City is for 2014 and the proposed revenues for 2015.

Fire Chief Hanna noted that estimates for the Fire Department levy went down this year. He noted that the amount received is based on a formula of assessed valuation, call volume, and population that divides the funds among the different agencies.

Clerk/Treasurer Novobielski discussed the taxes assessed by the City, which included sales tax, public safety tax, transit tax, electric and gas tax, and utility taxes.

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

K. New Business

1. Creation of a New Position

City Administrator Kelly addressed K – 1. He stated that this is a formal writing of the proposal from the Council Retreat to have an Assistant to the City Administrator, outlined the salary and funding for the position, and briefly reviewed the projects that the individual will assist with.

Council Member Tierney pointed out a typo on pages three and four regarding weight lift requirements. He asked if this is an at will employee.

City Administrator Kelly responded that it would not be a union position.

Council Member Tierney wondered if the qualifications could be amended to include that the individual be English-speaking and a U.S. citizen.

City Administrator Kelly replied that we can put anything we want in the job description, and that he would have a hard time with someone who doesn't speak English. He noted that any new hires are required to provide a valid driver's license and Social Security number.

Council Member Williams wanted to clarify that this position won't work for the Planning Department.

City Administrator Kelly responded in the affirmative.

Council Member Williams asked if the Human Resources part of the job should be listed at the beginning of the job description, as it seems to be a small portion of the actual job.

City Administrator Kelly commented that it can be moved to a different place.

Mayor Gawlik remarked that this matter was discussed at the Council Retreat, at which time the consensus from Council was that, due to the growth of the City and the complexity presented, we need to have the tools to meet those needs and demands, which will be providing better quality of life for the citizens.

Council Member Smeback expressed surprise at the extent of the job description and the salary expense, saying he thought they were talking about someone helping due to the load of the projects themselves, with no involvement in the budget or Human Resources.

Council Member Williams asked for a breakdown of the financial expense.

City Administrator Kelly replied that the salary would be \$53,000 per year.

Council Member Smeback commented that the others who make that kind of money are managers, and that he feels they went from a project manager to someone taking on a much larger role.

Mayor Gawlik suggested that the budget meetings may be the appropriate place for that to be addressed.

City Administrator Kelly stated that it can be addressed now, reminding Council that benefits do add to the total for the new position.

Council Member Tierney felt that it would be in their best interests to post and advertise for the position as a salary range from \$42-50,000, depending on qualifications, to give them some latitude.

Council Member Smeback thought that the salary was too big for someone who would spend hours on a computer searching for grants versus someone who was boots on ground.

City Administrator Kelly responded that they want someone professional; it's not a clerical position.

Council Member Sample observed that \$50,000 was what was projected, and wondered how many people with a Masters would apply for it.

City Administrator Kelly remarked that he called his alma mater to see how much it would cost to hire a better candidate straight out of school, and they said \$47-50,000.

Council Member Sample commented that such an individual would have no hands on experience, and he feels that the want a very professional person to fill the position.

Mayor Gawlik noted that Recreation Manager Brown, who had no prior experience with grants, worked very hard to submit an application for a grant for special needs for Volunteer Park and received \$375,000 in funds for the project. He said that the pay for the position should match the knowledge and experience.

Council Member Williams agreed with him, but added that she feels it is too big of a position for someone, as the job requires someone who is creative, highly organized and a good planner.

Council Member Smeback asked if it would be possible to have the position up for review this time next year, to allow Council to evaluate what they getting for their money.

City Administrator Kelly replied in the affirmative, adding that he wants to make sure that the individual produces results.

Council Member Finch moved, and Council Member Williams seconded, to Approve the Creation of a New Position. Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.

L. Old Business

1. Selah Parks & Recreation Program/Activity Price Increase Proposal

Recreation Manager Brown addressed L – 1. He reviewed the changes made, per Council's request, at the original presentation a month ago.

Council Member Williams inquired if he was recommending that 'residents' be defined as those who are within the 98942 zip code.

Recreation Manager Brown responded in the affirmative.

Council Member Williams commented that the coach prepared paperwork looks like might add quite a bit into the overall funds received.

Recreation Manager Brown noted that all registration will now be done online.

Council Member Williams asked if he liked the new system.

Recreation Manager Brown replied in the affirmative.

Council Member Smeback moved, and Council Member Finch seconded, to Approve the Selah Parks & Recreation Program/Activity Price Increase Proposal. Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – yes. By voice vote, approval was unanimous.

N. Ordinances

Per the request of Community Planner Davison, Ordinances were moved ahead of Resolutions on the Agenda.

1. Ordinance Amending Ordinance No.1634 Zoning Map Amendment No. 914.67.14-03 Rezone to Planned Development (PD)

Community Planner Davison addressed N – 1. He reviewed the Hearing Examiner's Findings of Fact on the proposed rezone, including the seven conditions recommended, and listed the amenities available at the location.

Council Member Sample wondered why it needed to be rezoned from an R-2 to a Planned Development.

Community Planner Davison responded that R-2 won't allow the owner to sell the individual lots; in the past he has suggested using the Planned Development for these projects.

Council Member Sample asked if there are there separations between the two units.

Community Planner Davison replied that they are as shown in the packet.

Council Member Sample inquired as to how it could be a duple if the units weren't joined together.

Community Planner Davison responded that the connection is on the second story.

Carl Torkelson approached the podium and addressed the Council. He stated that the Planned Development function gives more flexibility for lot size than an R-2, although it needs to be the same essence of zoning regarding densities. He added that it does have to be a duplex lot to require what one needs per City code.

Council Member Smeback observed that Planned Developments, and how they are addressed, is similar to a common wall structure, it's simply a horse with a different name on it.

Mr. Torkelson commented that he wouldn't be able to subdivide the property without the lot size flexibility provided for under a Planned Development.

Council Member Williams wondered if, in the past, Council had converted an R-2 to a Planned Development after construction had been completed.

Community Planner Davison responded in the affirmative.

Mr. Torkelson noted that Sunset Estates and Riverview Manor were both done in that fashion.

Council Member Tierney asked if there was a provision to add a sidewalk in front of the residences.

Community Planner Davison replied that there was no sidewalk requirement imposed; the existing street is similar to other places in town with a narrow right of way.

Council Member Williams expressed some concern about use of the alleyway as an exit.

Mayor Gawlik remarked that, during the time when this construction was proposed, he was the building inspector. He stated that the issue of alleyway entrances for those two residences had gone before the Planning Commission and was found to be acceptable, and was also approved by the City Council.

Council Member Williams inquired as to the addresses for those two properties.

Community Planner Davison responded that their addresses are Home Avenue. He said that the narrow width of the lots provided no way to build a driveway to get to the back units, at which point it was determined to allow them access off the alley.

Council Member Smeback commented that alleyway access is common in that area.

Mayor Gawlik reiterated that the access egress off of the alley was already approved by Council, and that they wouldn't be gaining anything by re-addressing the issue.

Mr. Torkelson stated that there is no lot size mandated in the Planned Development function.

Council Member Tierney inquired if the roof will remain connected between the two units or if it will need to be changed.

Mr. Torkelson answered that the roof doesn't need to be changed; the area between the units will become a common area in the covenants and be maintained by both residences.

Council Member Tierney moved, and Council Member Smeback seconded, to Approve the Ordinance Amending Ordinance No.1634 Zoning Map Amendment No. 914.67.14-03 Rezone to

Planned Development (PD). Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – no. Motion passed with four yes votes and one no vote.

Mr. Torkelson requested that Council Member Williams list the facts behind her no vote.

Council Member Williams asked City Attorney Noe if she was required to do so.

City Attorney Noe replied in the negative.

Council Member Williams explained that she felt the lots were too small and over the designated density for the area. She remarked that she voiced her opinion on the matter at the Council Retreat as well, as she feels that a lot of things in the City's code need to be looked at. She told Mr. Torkelson that she would be happy to discuss the matter later; she feels that the City needs to be careful regarding Planned Developments or they will end up way a community that is too dense. She stated that she is trying to protect neighborhoods and have a well-planned community.

Mayor Gawlik commented that this area is part of the older section of Selah; builders enter into older neighborhoods to get rid of blighter properties, working within the existing building and City codes in an attempt to resurrect neighborhoods and make a livable area. He noted that this provides housing for people who may not have had the financial ability to buy in a better neighborhood in Selah, and that he doesn't see this issue being as serious a mention in our newer development areas.

Council Member Williams remarked that she appreciates well-planned duplexes.

Council Member Smeback observed that the Planned Development allows for entry-level homes for those stuck in the R-2 renting world.

Council Member Williams said that a duplex could be owner-occupied and rent out the other side.

Mr. Torkelson stated that he and the other builders make their living based on codes, ordinances, and facts; they follow the process and he feels that it is very important that they are treated with courtesy. He noted that the Council votes on facts and codes, and if the matter ends up going to court the City would need to have facts & findings to support their vote.

M. Resolutions

- * 1. Resolution Authorizing the Mayor to Sign an Updated Section 125 Cafeteria Plan
- 2. Resolution Approving the Preliminary Plat of "First and Home Estates" (912.67.14-04) and Adopting Findings and Conditions of Preliminary Plat Approval

Community Planner Davison addressed M – 2. He referred Council to the packet, saying that the findings and conditions are based upon the Planned Development site plan; when the project is developed the subdivision will be a mirror image of the Planned Development layout, allowing for compliance with the approved Planned Development.

Council Member Tierney asked for clarification on condition number three, which states that road improvements that were not previously approved by the City shall be done by a professional engineer.

Community Planner Davison responded that there is nothing in the staff report requiring additional improvements, and nothing in the findings requiring additional improvements. He said that he is unsure where that condition came from, as nothing in the report addresses necessary improvements.

Council Member Sample remarked that it was approved once for duplexes.

Council Member Smeback commented that none of others on that street required the installation of sidewalks, gutters, and sewer.

Council Member Finch inquired if there would be any issues if Council approved the Resolution with an invalid condition.

Council Member Tierney asked if they should delete the sentence.

City Attorney Noe replied that it is not a problem; it's just a catchall condition.

Council Member Smeback moved, and Council Member Sample seconded, to Approve the Resolution Approving the Preliminary Plat of "First and Home Estates" (912.67.14-04) and Adopting Findings and Conditions of Preliminary Plat Approval. Roll was called: Council Member Tierney – yes; Council Member Smeback – yes; Council Member Finch – yes; Council Member Sample – yes; Council Member Williams – no. Motion passed with four yes votes and one no vote.

O. Communications

1. Oral

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

P. Reports/Announcements

1. Mayor

Mayor Gawlik said that it is hard to imagine that it is already budget planning this time, adding that he has been working with City Administrator Kelly on their presentation to Council, and also working with the department heads on their proposals. He noted that it isn't getting any easier but he is beginning to be more familiar with the process. He thanked the City staff for what they do.

2. Council Members

Council Member Finch had no report.

Council Member Sample said that the Selah Chamber of Commerce did a lot of food for the event last weekend. He reiterated what he and Council Member Schmid had stated at the Council Retreat regarding the enactment of the Growth Management Act and certain things that had to be done to comply with regulations.

Council Member Tierney had no report.

Council Member Smeback had no report.

Council Member Williams said that she attended the YVCOG meeting in Grandview last week, and that they had Tim Sullivan speak about the homeless network of Yakima Valley. She commented that there is quite a need for low cost and subsidized housing, and transitional and monitored housing, for the homeless to step back into a community.

3. Departmental

Police Chief Hayes had no report.

Council Member Williams remarked that she found some graffiti in the alley by the Planned Development discussed earlier in the meeting, and wondered if something new was going on.

Police Chief Hayes responded that it comes in waves, and usually gets covered up pretty quickly. He commented that it happens off and on around town and that his department has the means to monitor areas.

Council Member Williams asked if paint is available to homeowners.

Police Chief Hayes replied that there was none at the Police Station, adding that Council Member Schmid had something to cover up the markings.

Mayor Gawlik thought that the products that were being used were donated by suppliers in the City, and that Council Member Schmid donated his time to cover up or remove the graffiti.

Police Chief Hayes noted that it is usually juveniles committing the crime, and that Officer Martin keeps an eye on it.

Mr. Torkelson informed the Council that his company will make progress on the removal of the graffiti tomorrow.

Council Member Williams felt that it would be nice if the City had primer available for citizens to cover up graffiti.

Police Chief Hayes remarked that some of it will come off if you catch early.

Fire Chief Hanna said that they will finish hydrant testing this week and move on to hose testing, which will take a couple weeks to complete. He noted that tomorrow is their fair day doing recruiting and

public information at the fair, and that the FEMA grant bids have been awarded and everything has been ordered.

Council Member Finch asked if someone had been authorized to drive around taking pictures of fire hydrants recently.

Fire Chief Hanna responded in the negative.

Council Member Finch remarked that someone has been in her neighborhood taking pictures of fire hydrants.

Public Works Director Henne commented that Code Enforcement Officer Knox has sent correction notices to people regarding landscaping around hydrants and bushes growing over the top.

Mayor Gawlik commended Fire Chief Hanna for getting the most use possible out of his equipment, saying that old hose gets sold to contractors and such to use for construction sites, or to other entities that would have use of it.

Fire Chief Hanna stated that much of the old hose will go to the City's Public Works Department. He talked briefly about an email he received from the Newport Fire Department regarding the actions of one of his volunteers this last weekend; the volunteer administered CPR to a man who went into cardiac arrest, and the man was breathing when the Newport Fire Department arrived on the scene.

Recreation Manager Brown said that last weekend was the annual Army Base Race, with a total of six hundred thirteen runners participating in the event and a Japanese soldier taking the top prize.

Police Chief Hayes remarked that the Army Base Race is by far the most enjoyable out of all the functions they provide traffic control for.

Clerk/Treasurer Novobielski said that he will be providing Council with a budget calendar for the upcoming 2015 Budget meetings, and that the preliminary budget binders will be available by the end of this week.

Community Planner Davison thanked the Council for their approval of the Planned Development rezone and subdivision approval. He added that the Planning Commission will be holding a hearing on another Comprehensive Plan amendment, rezone, and subdivision that will go before Council on October 14th. He noted that there are several more projects in the works and gave a brief overview of them.

Public Works Director Henne had no report.

City Administrator Kelly had no report.

City Attorney Noe said that he has started the process of rewriting the municipal code, beginning with Title 1, and that it should be brought before Council in the near future.

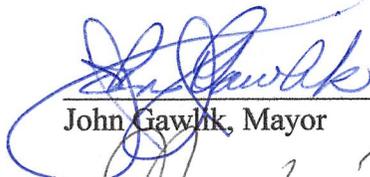
4. Boards **None**

Q. Executive Session None

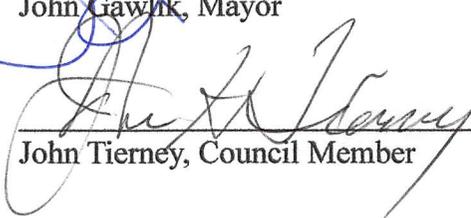
R. Adjournment

Council Member Sample moved, and Council Member Smeback seconded, that the meeting be adjourned. By voice vote, approval was unanimous.

The meeting adjourned at 8:16pm.



John Gawlik, Mayor



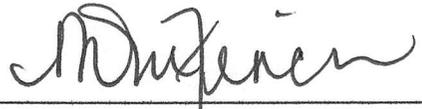
John Tierney, Council Member

EXCUSED

Paul Overby, Council Member



Dave Smeback, Council Member



Brooke Finch, Council Member

EXCUSED

Allen Schmid, Council Member



Roy Sample, Council Member

Jane Williams, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer