

City of Selah
Council Minutes
September 8, 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; John Tierney; Dave Smeback; Roy Sample; Jane Williams;
Laura Ritchie

Members Excused: Allen Schmid

Staff Present: Don Wayman, City Administrator; Bob Noe, City Attorney; 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; Monica Lake, Executive Assistant

C. Pledge of Allegiance

Council Member Williams led the Pledge of Allegiance. Pastor Brad Hill gave the prayer.

D. Agenda Changes

1. Postpone Resolution Approving the Final Plat of "Whispering Views Estates" (912.45.14-02) and Authorizing the Mayor to sign the Final Plat to September 22, 2015

City Administrator Wayman advised Council that staff did not receive an adequate amount of information to make a recommendation, and requested that it be continued to the next Council Meeting.

Council Member Tierney moved, and Council Member Sample seconded, to postpone Resolution M – 3: Resolution Approving the Final Plat of "Whispering Views Estates" (912.45.14-02) and Authorizing the Mayor to sign the Final Plat, to the September 22, 2015 Council Meeting. By voice vote, approval was unanimous.

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. August 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: August 25, 2015 Council Meeting and August 28, 2015 Council Retreat
- * 2. Approval of Claims & Payroll:
 - Payroll Checks Nos. 78909 – 78954 for a total of \$250,406.76
 - Claim Checks Nos. 66361 – 66428 for a total of \$126,547.03

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

J. Public Hearings **None**

K. New Business **None**

L. Old Business **None**

M. Resolutions

- 1. Resolution Authorizing the Mayor to Sign an Agreement for Animal Sheltering/Disposal Services between the City of Selah and the Humane Society of Central Washington for Calendar Year 2015

Police Chief Hayes addressed M – 1. He said that the contract the City had with the Humane Society was voided when they stopped using their animal control service, although the Society has been billing the City the same amount for animals as they paid under the contract. He stated that they now want to

have a contract for services, which won't affect the current costs. He noted that they may also look into having them provide other services, such as licensing.

Council Member Ritchie wondered why the fee schedule referenced in the agreement wasn't included as part of the materials provided.

Council Member Tierney observed that the fee schedule is on the signatory page. He noted that the method of payment indicates an intake fee as well as a per day shelter fee, and asked if the Humane Society recovered the money from the owner when they picked up their pet.

Police Chief Hayes responded that he didn't know for certain, but didn't think so.

Clerk/Treasurer Novobielski indicated that they did not.

Council Member Ritchie inquired if the invoice would reflect a 'no charge' to the City when someone dropped off an animal.

Council Member Tierney remarked that it was confusing to him as well.

Police Chief Hayes said that they have not been billed in the past for citizens dropping off animals that have been found.

Council Member Smeback asked if the citizens pay to get their dogs out.

Police Chief Hayes replied in the affirmative, saying that it may be subtracted from the bill. He noted that this is part of the reason why they have a temporary kennel at Public Works for us on the weekends, as it doesn't cost them anything.

Council Member Ritchie commented that it mentions them receiving five dollars for every dog license issued and wondered how much a dog license cost.

Police Chief Hayes responded that there are two different fees, a normal one and a lifetime one, as well as a reduced fee for seniors.

Council Member Ritchie asked why the Humane Society would get a cut if the Police Department was handling all the licensing.

Police Chief Hayes replied that they don't receive a cut unless they sell them, but it's an option available if the City chooses to do so.

Council Member Ritchie said that she was confused because the contract says they receive five dollars for every license, not just those they process.

Police Chief Hayes responded that he would look into the matter.

Council Member Smeback moved, and Council Member Overby seconded, to approve the Resolution Authorizing the Mayor to Sign an Agreement for Animal Sheltering/Disposal Services between the City of Selah and the Humane Society of Central Washington for Calendar Year 2015. Roll was called: Council Member Overby –yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – no. Motion passed with five yes votes and one no vote.

2. Resolution Approving the Preliminary Plat of “Somerset II” (912.42.15-02) and Adopting Revised Findings and Conditions of Preliminary Plat Approval

Community Planner Durant addressed M – 2. He said that a request for reconsideration was made at the last meeting by the applicant. He reviewed the staff report included in the packet and recommended that Council adopt the change with the amended condition to accommodate what would achieve the City's desire for quality of development. He noted that the applicant is proposing to put a sidewalk on the twenty foot street up to and including the hammerhead ‘T’ turnaround, and that the included site plan shows further diagrams as to how additional parking could be acquired.

Council Member Overby asked if this was an extension of the closed record hearing.

City Attorney Noe responded in the affirmative, saying that the only new information submitted was for the reconsideration, for Council to consider impact of condition #10, and that the new information is the actual drawing and impact of Council’s previous decision.

Council Member Tierney remarked that Council had previously rejected the Somerset II plat for a lack of sidewalks, yet approved a preliminary plat for Whispering Views Estates without any sidewalks, and wondered how it was fair to treat one developer differently than another.

Community Planner Durant responded that staff recommends approving Somerset II as proposed with a twenty foot access easement, and supported the Whispering Views development as well. He commented that the Hearing Examiner considered the private road in Whispering View Estates when making his decision to recommend approval, and that this is a smaller number of dwellings being serviced by a private road.

Council Member Overby inquired about what differentiates a subdivision in an R-1 zone from a Planned Development in an R-2 zone as far as waiving street requirements.

Council Member Tierney remarked that the hazards are greater in a Planned Development than an R-1 subdivision due to the volume of traffic and number of pedestrians.

Council Member Ritchie commented that the big difference here is the Hearing Examiner feeling a need for stricter requirements for this road, adding that it was surprising that he didn't recommend stricter requirements for Whispering Views Estates as well.

Council Member Tierney noted that the Hearing Examiner had recommended disapproval, and that staff had recommended approval.

Council Member Ritchie replied that his recommendation of denial was not for that reason.

Council Member Tierney observed that the matter could have been sent back to the Hearing Examiner for reconsideration.

Council Member Ritchie responded that the Hearing Examiner doesn't think it's a problem; Council does.

Council Member Overby remarked that a Planned Development has different requirements than a Subdivision in an R-1, and that he doesn't feel it's a valid comparison.

Council Member Tierney suggested they look at it from a public safety point of view.

Mayor Gawlik told him that Council Member Ritchie raised safety concerns regarding children going to residences without sidewalks to use, which was why Council had opted to require the installation of a sidewalk on at least one side of the road.

Council Member Ritchie expressed her satisfaction with the new map, both the sidewalk and the additional parking spaces for the duplexes.

Roy Sample, 1304 Heritage Hills Place, approached the podium and addressed the Council. HE said that he represents Zucker Sample LLC on the Somerset II project. He stated his opinion that the City needs to clarify what a private road should be, both in subdivision and Planned Developments, and that he has a presentation on the subject for Council.

City Attorney Noe asked to review the evidence.

Mr. Sample said that he desires to point out some of different roads that have done before.

City Attorney Noe asked if this was provided to the Hearing Examiner.

Mr. Sample replied in the negative.

City Attorney Noe recommended that he present the evidence as a Council Member, not the proponent.

Mr. Sample requested to present it after the current agenda item has been dealt with.

City Attorney Noe didn't think it should be done during the closed record hearing.

Council Member Overby suggested he present it during the reports portion of the meeting.

Council Member Williams wondered if they could ask questions.

City Attorney Noe responded that it could only be on what he's asking them to reconsider.

Council Member Williams asked why this was not appealed thru the appeal process.

City Attorney Noe replied that Council opted to modify the conditions during the original closed record hearing, including aspects that weren't contemplated. He went on to say that Mr. Sample looked at the impact and reviewed the matter with staff, and they agreed that there was no way to know the impact at the time and that Council might wish to reconsider their decision .He noted that Council agreed at their last meeting to reconsider the matter tonight.

Council Member Williams requested that he confirm Council agreed to reconsider the matter.

City Attorney Noe responded in the affirmative.

Mr. Sample added that Condition #10 was altered.

Council Member Williams asked for confirmation that there was still no parking along the entire length of the easement that begins at lot Seventeen and stretches to the parking pads on the east.

Mr. Sample replied in the affirmative.

Council Member Williams wondered if that included both sides of the street and down to Lyle Loop.

Mr. Sample responded in the affirmative.

Council Member Williams inquired about the depth of the asphalt.

Mr. Sample replied that the road will be built to a standard that Public Works Director Henne approves, which includes cuts in the road, compaction, and drainage.

Council Member Williams asked that he verify he isn't asking for that to be changed.

Mr. Sample remarked that it was included in his letter or the map.

Council Member Williams wondered if the parking pads would be hard surface.

Mr. Sample responded in the affirmative, adding that they will be exactly like the ones at Goodlander Square.

Council Member Williams asked if they would be concrete or asphalt.

Mr. Sample replied that they would be asphalt.

Council Member Williams inquired about the area in front of the garages.

Mr. Sample responded that those would be concrete.

Council Member Williams commented that the no parking signage would be at the expense of the developer per the agreement. She didn't understand why the developed wouldn't put in the additional six

feet easement to allow for a sidewalk to be put in to the duplexes, as it would still leave a twenty foot backyard for the effected lots.

Mr. Sample said he believes it would make them nineteen feet, not twenty.

Council Member Williams stated that it shows a twenty foot wide street and twenty-four feet for the driveway.

Mr. Sample replied that it wouldn't bother him to make the entire length twenty-six foot easements, but it would eliminate backyards for the houses affected.

Council Member Williams pointed out that the duplexes have a twenty foot yard, adding that she would still like to see a sidewalk to the last duplex.

Mr. Sample remarked that he can move the road close to the duplexes and build smaller units if need be.

Council Member Williams didn't see an issue with putting a sidewalk all way down the private easement.

Mr. Sample responded that he could show her three other subdivisions in Selah without sidewalks that were approved by Council, and that putting in a curb and gutter may cause drainage from the private road to the public one.

Council Member Williams wanted it like other neighborhoods with a sidewalk on one side.

Mr. Sample wondered if he should present his information now.

City Administrator Wayman replied that it can be done during reports and announcements.

Council Member Williams had one other issue regarding Condition #12, which talked about access by Lots 13 and 14, which should have been stricken when they redid conditions at the prior meeting.

City Attorney Noe felt that would be consistent with what was approved last time, and that it could be handled by a separate motion modifying Condition #12 to strike the last sentence.

Council Member Williams moved, and Council Member Smeback seconded, to modify Condition #12 to eliminate the last sentence. Roll was called: Council Member Overby –yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Sample – recused; Council Member Williams – yes; Council Member Ritchie – yes. Motion passed with five yes votes and one recusal.

Council Member Ritchie moved, and Council Member Overby seconded, to approve the Resolution Approving the Preliminary Plat of "Somerset II" (912.42.15-02) and Adopting Revised Findings and Conditions of Preliminary Plat Approval with the previously mentioned modification to Condition #12. Roll was called: Council Member Overby –yes; Council Member Tierney – abstain; Council Member Smeback – yes; Council Member Sample – recused; Council Member

Williams – no; Council Member Ritchie – yes. Motion passed with three yes votes, one no vote, one abstention and one recusal.

3. Resolution Approving the Final Plat of “Whispering Views Estates” (912.45.14-02) and Authorizing the Mayor to sign the Final Plat

POSTPONED TO SEPTEMBER 22, 2015 COUNCIL MEETING

4. Resolution authorizing the Mayor to sign an Interlocal Agreement with the Washington State Department of Social and Health Services (DSHS) for Fire and EMS services for the Yakima Valley School

Deputy Fire Chief Lange addressed M – 4. He said that DSHS mandated specific medical providers to pay a tax per square footage, which will result in a larger amount for the Selah Fire Department. He asked that Council approve the Interlocal Agreement.

Council Member Tierney moved, and Council Member Smeback seconded, to approve the Resolution authorizing the Mayor to sign an Interlocal Agreement with the Washington State Department of Social and Health Services for Fire and EMS services for the Yakima Valley School. Roll was called: Council Member Overby –abstain; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – yes. Motion passed with five yes votes and one abstention.

N. Ordinances

1. Ordinance Amending the 2015 Budget for the Purchase of an Executive Department Vehicle

Clerk/Treasurer Novobielski addressed N – 1. He said that this budget adjustment allows staff to purchase a vehicle within the current budget to for City administration, which will be used by City Administrator Wayman.

Council Member Tierney reminded him that Council asked at the last meeting if the local Ford dealership could accommodate the purchase.

Clerk/Treasurer Novobielski responded that the local dealer was unable to match or beat the State pricing, which is typical for these types of purchases.

Mayor Gawlik wondered which dealership it would be delivered to.

Clerk/Treasurer Novobielski replied that it would be to Columbia Ford.

Police Chief Hayes noted that they will deliver the vehicle for a price.

City Administrator Wayman noted that it’s a sixty dollar fee.

Clerk/Treasurer Novobielski asked the Police Chief if he knew where they are located.

Police Chief Hayes responded that it's either Vancouver or Longview.

Council Member Smeback moved, and Council Member Williams seconded, to approve the Ordinance Amending the 2015 Budget for the Purchase of an Executive Department Vehicle. Roll was called: Council Member Overby –yes; Council Member Tierney – yes; Council Member Smeback – yes; Council Member Sample – yes; Council Member Williams – yes; Council Member Ritchie – yes. By voice vote, approval was unanimous.

O. Reports/Announcements

1. Mayor

Mayor Gawlik said that he met with the commanding officer of the visiting Japanese Forces earlier that day, and that it's an honor to meet with military personnel from other countries. He noted that they've won the Army Base race for the last four years.

2. Council Members

Council Member Ritchie had no report.

Council Member Overby had no report.

Council Member Sample passed out a packet he'd compiled to Council Members and reviewed each subdivision included in the documentation, noting that each one, whether a regular subdivision or a Planned Development, had a different interpretation of what a private road should be. He discussed the importance of defining what a private road is to allow for consistency throughout the City.

Council Member Tierney preferred to have no private streets, just public roads.

Council Member Sample responded that they need to serve those instances where private streets are worthwhile, and that there should be rules for private streets just like the City has for public ones.

Council Member Tierney asked if there had been any progress made on a possible RV dump station.

City Administrator Wayman replied in the negative, adding that he will look into pursuing a vendor who might want to purchase property and put one in.

Council Member Smeback had no report.

Council Member Williams had no report.

3. Department

Public Works Director Henne had no report.

Clerk/Treasurer Novobielski advised Council that there will be a Public Hearing on 2016 Revenue Sources at the September 22nd Council Meeting, where they will discuss what is proposed for property tax revenue and utility rates.

Council Member Williams inquired if it would be earlier, or part of the regular meeting.

Clerk/Treasurer Novobielski responded that it would be part of the regular meeting at 6:30pm.

Community Planner Durant had no report.

Recreation Manager Brown said that the Army Base Race is next Saturday, and that they have over three hundred runners between the Japanese and United States; following that is the UW Huskies scrimmage against YVCC, with a clinic afterwards.

Deputy Fire Chief Lange informed Council that all firefighters and equipment were back from fighting fires around the State.

Police Chief Hayes apologized for not being ready earlier, saying that it is twenty-five dollars for a license, with a lower charge for seniors. He stated that there will be a retirement within his department in the near future. He invited Council Members to come out and shoot at the range on the 18th. He noted that the invite is not for the general public.

Council Member Tierney extended his thanks to Police Chief Hayes for allowing him to do a practice shoot the week prior, when the department went out to do qualifying rounds. He urged his fellow Council Members to go out and participate, and see what their Police Officers do to keep the community safe.

Police Chief Hayes noted that any citizens who've been through the firearms course via the Citizens' academy can also come out to the range.

City Administrator Wayman said that the 10.24 rewrite should be done tomorrow afternoon, and will be posted on the website. He added that the current plan is to have the Planning Commission sitting before them at the next meeting for a study session prior to the regular meeting.

Council Member Overby asked why they were doing it then.

City Administrator Wayman responded that it was to stay within the timeline for a final vote; the hour long Study Session is just to satisfy questions and have opportunity to discuss the topic in a more informal environment.

Council Member Ritchie suggested that they do it during the regular meeting, but was fine either way.

Council agreed to an hour long Study Session prior to the September 22, 2015 Council Meeting.

City Attorney Noe had no report.

Assistant to the City Administrator Potter had no report.

4. Boards

a. Planning Commission Minutes – August 18, 2015 Meeting

P. Executive Session **None**

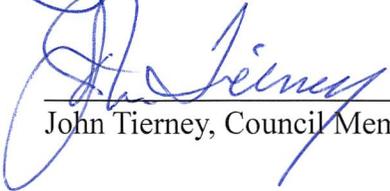
Q. Adjournment

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

The meeting adjourned at 5:24 pm.



John Gawlik, Mayor



John Tierney, Council Member

Paul Overby, Council Member



Dave Smeback, Council Member



Roy Sample, Council Member



Laura Ritchie, Council Member

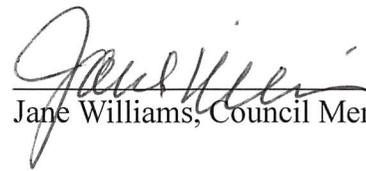
ATTEST:



Dale E. Novobielski, Clerk/Treasurer

EXCUSED

Allen Schmid, Council Member



Jane Williams, Council Member