

City of Selah
Council Minutes
September 9, 2008

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

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

B. Roll Call

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

Members Excused: Summer Derrey, 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

Councilman Keith Larson led the Pledge of Allegiance. Ted Pooler led the group in prayer.

D. Agenda Changes

The Mayor noted the addition of a 15-minute Executive Session on real estate.

E. Public Appearances

F. Getting To Know Our Businesses

G. Communications

1. Oral

2. Written

a. YBSA Monthly Report August 2008

b. New Vision (YCDA) Building the Next Generation Economy

Mayor Jones reviewed written communications, calling on Dave McFadden, President of New Vision.

Dave McFadden shared a progress report which highlights accomplishments over past 5 years, noting they are proud of those accomplishments. He said they have brought in new industries and have also raised the Valley's public image. He said the new five-year plan is also covered in the report. He said he and his board believe it is not the time to get complacent even though our economy is stronger than many in the nation. He expressed appreciation for the support of Selah and the partnerships they have formed through the past five years.

Mayor Jones praised New Vision for their excellent job, bringing industry to Selah and all over the Valley.

The City Supervisor asked Mr. McFadden to stay for the Council's consideration of Selah's contract renewal with New Vision.

1. Community Pride Award

Mayor Jones asked Martha Goudey to come forward to receive the community Pride Award. He said his mother has been happy with Martha's editorship because she hasn't written anything bad about him. He praised her work as editor of the paper, noting she has made the *Selah-Independent* a true community newspaper.

Martha Goudey thanked all at the City for their help.

Mayor Jones moved to the Consent Agenda.

H. Proclamations

I. Consent Agenda

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

Councilman Paul Overby moved to add Item M-2 to the Consent Agenda. Councilman Keith Larson seconded. By voice vote, the addition was unanimous.

Councilman Keith Larson proposed adding M-3 and M-7 to the Consent Agenda. Councilwoman Denise Nichols seconded. By voice vote, the addition was unanimous

Mayor Jones read the Consent Agenda as amended.

- * 1. Approval of Minutes: Study Session & Council Meeting August 26, 2008
- * 2. Approval of Claims & Payroll: Payroll Checks Nos. 64195 – 64300 for a total of \$168,490.20 and Claims Checks Nos. 52507 – 52581 for a total of \$263,552.00.
- * 3. M-2 Resolution Authorizing the Mayor To Sign an Agreement Between the City of Selah, Selah School District 119 and Selah Community Action Network Regarding the Youth Center
- * 4. M-3 Resolution Approving Payment to Columbia Asphalt & Gravel, Inc. for Work Performed through August 31, 2008

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

K. New Business

1. Relocation of Public Works Maintenance Facility

Public Works Director Joe Henne addressed Item K-1, explaining that the design for the Public Works Maintenance Facility was planned for Speyers Road, based on construction of Well 8 at that site. He noted that since that time Well 8 was relocated to Wixson Park. He explained that moving the Maintenance Facility to the Pretreatment Facility can save the City \$400-550,000. He said Chuck Johnson has inquired about exchanging some grading for some property on Speyers. He noted he had met with the Public Works Committee, and they have approved the move.

Councilwoman Nichols noted that the committee had some questions that they wanted to bring before the Council. One was about soccer fields.

Joe Henne responded that the City Supervisor plans to put a committee together to consider where to put the soccer fields.

City Supervisor Frank Sweet noted that there are three alternative sites, none of which are at the pretreatment plant location.

Councilman Larson asked if none of the three are at the Pretreatment Plant. Mr. Sweet said that is correct.

Mayor Jones noted at some point in time the City is going to grow north and west, and he thought maybe it would be better to leave the shop with its equipment, early morning start-ups, etc. down in the industrial area. He stated Public Works has been saving dirt over the long run which could be used to raise the site. In conclusion, he said it would be a much better place than in the middle of a residential area.

Councilwoman Nichols noted the committee talked about having another access road. The City Supervisor responded that the road would probably go through the western portion of the Elks property.

Mayor Jones said it would go along the railroad.

Councilwoman Nichols noted that citizens would have to go there to get permits, and to do Public Works business. She expressed concern about the visibility and accessibility of the site.

Mayor Jones noted it's a better location than Speyers. He further noted that now that BNSF has a drop bar, there's not a concern for cars traveling there, you just go straight to Graham Packaging, and it's right there. He said the original site is quite a ways up Speyers.

Councilman Tierney asked about the placement of the command center, noting it's inappropriate to put a command center in a place that might be subject to a rail disaster.

City Supervisor Frank Sweet said the ECC would not be located in the Public Works Facility. He said the City has a facility out on Speyers that could be converted into an ECC. He explained it is a big storage building, and the ECC would want it open to put up charts, etc.

Mayor Jones stated if we were to have a major emergency right now, the County would be hurting.

Frank Sweet suggested maybe we can have a joint venture with the Office of Emergency Management.

Councilman Overby stated a flood is the most likely disaster to happen.

The Public Works Director said they will elevate the building and provide access to the west. He said the river rises approximately three feet during a flood. There ensued discussion about the '96 flood. He said the road would continue straight down from Rushmore Road, but the other access would go west over the tracks.

Councilman Tierney moved and Councilman Larson seconded to approve the relocation of the Public Works Maintenance Facility. Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Jorgensen – yes. Support was unanimous.

L. Old Business

M. Resolutions

1. Resolution Authorizing the Mayor To Sign the Contract between the City of Selah, and the Yakima County Development Association for a Public Sector Services Contract

The City Supervisor addressed Resolution M-1 noting this provides for approval of a January 1, 2009 through December 31, 2013 contract, as an attempt to unify the contract agreement periods across the Valley.

Dave McFadden said they are asking Selah to renew a year early to synchronize with other cities.

Councilwoman Nichols asked if the amount is \$7,500 a year.

Mr. Sweet said no it is \$1,500 a year.

Councilwoman Nichols asked how the rate is determined.

Dave McFadden said it is partly based on history. Selah has been higher or lower, but the rate is currently above 10%.

Councilman Larson asked about the five-year budget of \$2.5million.

Mr. McFadden said local fund-raising brings in about \$1.8million, and the rest of the fund comes from state contracts, income from local projects and Washington Manufacturing Services.

Mayor Jones noted that New Vision is directly responsible for bringing Graham Packaging to Selah.

Mr. McFadden said their SIED initiative has also benefitted their partners.

Councilman Overby moved and Councilman Tierney seconded to approve the Resolution Authorizing the Mayor To Sign the Contract between the City of Selah and the Yakima County Development Association for a Public Sector Services Contract. Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Jorgensen – yes. Support was unanimous.

- * 2. Resolution Authorizing the Mayor To Sign an Agreement Between the City of Selah, Selah School District 119 and Selah Community Action Network Regarding the Youth Center
- * 3. Resolution Approving Payment to Columbia Asphalt & Gravel, Inc. for Work Performed through August 31, 2008
- 4. Resolution Authorizing the Mayor To Sign Change Order Number 1 for the South Park Drive Street Improvements

Ted Pooler addressed Resolution M-4 Change Order No. 1 for South Park Drive Street Improvements, explaining it provides for directional boring under North Park Drive to get power to all lots. He reported that \$442,000 was the project estimate and the cost to date is \$408,417. He recommended support, noting that the project will come in under budget even with the Change Order.

Councilman Larson moved support for the Resolution Authorizing the Mayor To Sign Change Order Number 1 for the South Park Drive Street Improvements. Councilman Overby seconded. Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Jorgensen – yes. Support was unanimous.

Ted Pooler reported that Carlon Park Paving Improvements came in under budget. He noted he brought that up because later on in the agenda there is an item where "things are going the other way."

- 5. Resolution Authorizing the Mayor To Sign the Hull Outside Utility Agreement

Community Planner Dennis Davison addressed item M-5 the Outside Utility Agreement for Larry Hull at 940 North Wenas. He said he received a letter from the Health District stating that there are two residences at that site that need direct connection to public sewer. He noted the City will need to cut the street to provide that extension, and recommended that if the Council approves the OUA, staff be allowed time to correct the paperwork to include both residences.

Councilman Tierney stated there is no documentation from the Health District on 942 in the packet. Mr. Davison cited two residences are on the property.

Councilman Overby asked if there will be two bills or only one.

The Community Planner responded that there will be two utility bills, since there is a sewer hook up for each residence. He noted it will be \$1900 per residence for sewer hookup.

Councilman Overby moved support for the Resolution Authorizing the Mayor To Sign the Hull Outside Utility Agreement for 940 and 942 North Wenas. Councilman Tierney seconded. Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Jorgensen – yes. Support was unanimous.

- 6. Resolution Adopting the Hearing Examiner's Conditions, Findings and Recommendation for the Preliminary Plat of Cherry Blossom Ridge

Community Planner Dennis Davison recommended that if the Council approve Item M-6, they also approve Ordinance N-1 rezone. He said in the packet there is all of the documentation, including a copy of the Hearing Examiner's ruling. He recommended adopting the HE recommendations, findings and conditions.

Councilman Overby said he was having a hard time seeing reference to the setback requirements.

Mr. Davison said the setback reference is in Condition #9 with a reference to SMC 10.08.120.

Councilman Larson asked if the designation of Planned Development will stay with the property if there is a change of ownership before development happens.

Mr. Davison said the Planned Development zone would continue unless new owners came back to the Council and Hearing Examiner to seek a rezone.

Councilman Tierney asked what this development would do as far as demands on law enforcement and fire and the increased traffic load on Crusher Canyon and Lookout Point Roads.

Lieutenant Dwarshuis said the demands would be the same as at the present.

Chief Davis said the same as now, since the Fire Department already serves the area.

The Community Planner noted they will be widening the Lookout Point road adjacent to the project up to Crusher Canyon and back down Crusher. He said they did do a traffic study and predicted the traffic service will remain the same.

Councilwoman Nichols asked if infrastructure would be built first, anticipating that the project will be built over the next five years.

The Community Planner said there is already water on the east side of property because of the new reservoir. He further said they'll be bring public sewer up from Southern Avenue at Seventh Street to the first couple of phases and then additional phases will come off that. He said internally the roads should be completed in each phase and then they'll connect as move on. He clarified his statements by referring to the plat map on the Council bulletin board. He said the Homeowners Association will pay for the roads, and the City owns water and sewer.

Councilman Overby asked if there is a right-of-way to Southern Avenue.

Mr. Davison answered yes and called Council Members' attention to the brown area on the top of the map. He noted there is an environmental assessment for pesticides, drainage and comments can be found before the red tab in the notebook.

Councilman Larson stated it is a future obligation on the part of the Homeowners Association to complete their half of the road, but he wonders what would happen if the Homeowners Association dissolved or chose not to complete the road. He said he does not want to see another half-road built.

Jeff Hakala, Cherry Blossom Ridge, LLC, 2073 Naches Heights Rd, Yakima, said there has to be a homeowners association to continue as a planned development. He said it is not bonded, but there has to be a homeowners association.

Councilman Larson said he is still concerned about what might happen in the event the project doesn't go through as planned.

The Community Planner said the City is not going to plow roads up there. He said the City could construct roads and then put liens on all of the lots.

Councilman Overby asked if the lot size is within R-1 standards.

The Community Planner said all lots exceed minimum R-1 requirements.

Councilman Larson asked the difference in construction between these interior streets and what we (the City) would do on City Streets.

Mr. Davison said these streets are 22-feet wide with sidewalks on one side with walking paths and no parking on the streets, whereas City streets are 32 feet wide.

Councilman Overby asked if down the road residents no longer wanted to be a part of the homeowners association they could petition the City to be rezoned into R-1.

Mr. Davison said the City would be ill-advised to accept that.

The City Supervisor asked if the streets will be wide enough for police and fire services to get in.

The Public Works Director said residents will not be permitted to park in front of their homes.

Mayor Jones said gated communities are neat and tidy because people put their cars in garages.

Mr. Davison said in the event that homeowners came to the City and asked them to take over the streets, he would advise that they not take over the streets without charging homeowners to redo the streets to City specifications. In response to a question from Councilman Overby, the Planner said walking paths are adjacent to the streets for the most part. He pointed out where community recreational facilities will be built.

Councilman Larson asked if electronic water meters will be installed when water service is extended to this area.

The Community Planner said there will be 55 foot easements.

Councilman Tierney asked if all HLA suggestions are included in the plan.

Mr. Davison responded that they are not in the Plan, but they are part of the conditions.

The Public Works Director said these are minimum design standards and other conditions may be necessary. He referred to Condition #13 which requires that all final plans and specifications for public improvements be reviewed and approved by the Public Works Director.

The City Supervisor stated each individual lot will pay utilities.

Councilman Larson asked the Public Works Director if he is upgrading meters as old one are replaced.

Councilman Larson moved support for the Resolution Adopting the Hearing Examiner's Conditions, Findings and Recommendation for the Preliminary Plat of Cherry Blossom Ridge. Councilman Overby seconded. Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Jorgensen – yes. Support was unanimous, subject to the property being rezoned as Planned Development.

- * 7. Resolution Adopting the Revised Yakima County Regional Shoreline Management Master Program
- 8. Resolution To Award Construction Contract for Congestion Mitigation and Air Quality (CMAQ) for Hard Surfacing Alleys and Gravel Streets to Granite Northwest, Inc.

Public Works Director Joe Henne passed around copies of a revised letter from the consultant which detailed an error in the amount over budget of \$135,000. He noted the new estimate of total costs is \$581,306, and that reflects increased asphalt costs, additional excavation, add storm drainage in alley behind Mining Company. He outlined their choices: they could take the money budgeted for local street improvements and use \$15,000 pledged by Tree Top or they could lose the \$30,000 expended so far in design and we could give that back and not do the projects.

Councilwoman Nichols asked if the alleys are prioritized.

Mr. Henne said they are not prioritized because he planned to do them all.

Councilman Overby asked if Public Works has money for overages.

Mr. Henne said he hasn't spent that money because prices have been sky-rocketing.

Mayor Jones said that OPEC met today to stabilize oil prices at \$120 a barrel.

The Public Works Director said he does not know what will happen with bids because Columbia Asphalt has announced they will no longer be selling to other companies.

Mayor Jones said he doesn't know if it is ever going to get any cheaper.

City Supervisor Frank Sweet said if we don't do it now, we know it will cost more to do it later. And this will surface every alley in the City.

Mayor Jones said doing an alley is not like doing a street, there's lots of hard work.

Joe Henne said there is no guarantee that we will find a match; it was higher because we decided to do them all.

Councilman Larson said even with this new number, the feds pay for 65%.

Councilman Overby moved support for the Resolution To Award Construction Contract for Congestion Mitigation and Air Quality (CMAQ) for Hard Surfacing Alleys and Gravel Streets to Granite Northwest, Inc.. Councilman Tierney seconded. Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Jorgensen – yes. Support was unanimous.

N. Ordinances

Community Planner Dennis Davison recommended approval of N-1 the ordinance to amend zoning map to designate Cherry Blossom Ridge land as Planned Development.

1. Ordinance Amending Ordinance No. 1634 § 15 with Zoning Map Amendment No. 2008-01 (Cherry Blossom Ridge Planned Development)

Councilman Larson moved and Councilwoman Nichols seconded to approve the Ordinance Amending Ordinance No. 1634 § 15 with Zoning Map Amendment No. 2008-01 (Cherry Blossom Ridge Planned Development). Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Jorgensen – yes. Support was unanimous.

O. Communications

1. Oral

P. Reports/Announcements

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

- a. Map Showing Annexations Since 1992 – last update 7/1/07

Mayor Jones welcomed the boys and girls from the High School who were visiting the Council Meeting.

Chief Davis reminded all present that they are flushing hydrants this week and next . He said other than that he's been working on his budget.

Lieutenant Dwarshuis reported he has been working with their new hire who will hopefully be on board by October 1. He reported that former Selah Police Chief Alan Baird is at Regional Hospital having suffered a heart attack earlier today.

Dennis Davison called Council Members' attention to a map in packet that shows annexations served by Yakima Waste. He noted the Trout annexation as an example, was annexed in 2000, and will be served by BDI in 2010. He reported the North Wenas project is coming along. Les Schwab is under construction. He said he'll be bringing the Speyers Road request for annexation to the Council which now has 72% support as certified by Yakima County. He thanked the Council for their support of the Shorelines Management.

City Supervisor Frank Sweet said he has received a request from the Sundome/State Fair Board. They are repainting the floor for the WIAA tournament. He urged the Council to support a contribution of \$3,000 for that project. He said the more exposure we can get, the more WIAA activities we are going to have coming to Selah.

Councilwoman Nichols moved and Councilman Jorgensen seconded to approve \$3000 support for the repainting of the Sundome floor with the WIAA logo. Roll was called. Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Jorgensen – yes. Support was unanimous.

Dennis Davison asked Council Members to leave their binders if they are done with them.

Councilman Larson reported that he received an email from a Yakima citizen who thinks we should thank the citizens of Yakima for providing YPAC coverage at no charge to the City of Selah.

Mayor Jones said he is surprised to know how many people watch Council Meetings.

Councilman Jorgensen reported he attended his first Parks Board meeting yesterday. He further reported that 990 kids signed up for soccer this year. He said he is looking forward to discussion about soccer fields and an aquatic center.

Mayor Jones thanked Councilman Keith Larson for taking his place at last Council Meeting. He said he enjoyed Canada very much. He announced there will be a short recess and then the Council will reconvene into a fifteen minute Executive Session on real estate.

Students in the audience came forward to have their papers signed by the Mayor and Council.

Q. Executive Session

Council moved into executive session at 5:25pm.

1. Executive Session – 15 minutes real estate

At 5:38pm Mayor Jones brought the Council Back into Regular Session.

City Supervisor Frank Sweet said the City has received an offer to purchase parcel 181436-21421. He noted this is the last parcel the City has on the east side of the North Park property. The offer made by Karen and Jake Jundt is at \$5.00 a square foot for a total of \$270,935 20. He said there will be 120 days of due diligence. The business manufactures modular facilities, and this will be sale office with demo of the buildings they put together. He said there will be no manufacturing on the site.

Councilman Larson moved and Councilwoman Nichols seconded to Authorize the Mayor To Sign a Purchase and Sale Agreement with Jake Jundt for approximately 54,187 square feet of property identified as Yakima County Auditor's Parcel No. 181436-21421. Roll was called: Council Member Larson – yes; Council Member Nichols – yes; Council Member Overby– yes; Council Member Tierney – yes; Council Member Jorgensen – yes. Support was unanimous.

Councilman Larson asked if this would generate any direct sales tax for the City.

The City Supervisor said it will not; however it will generate sales through customers staying at the hotel, and property tax.

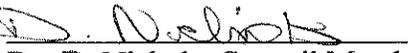
R. Adjournment

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

The meeting adjourned at 5:41pm.



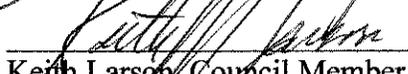
Paul Overby, Council Member



Denise Nichols, Council Member



John Tierney, Council Member



Keith Larson, Council Member

ATTEST:


Dale E. Novobielski, Clerk/Treasurer



Robert L. Jones, Mayor

(Excused)

Summer Derrey, Council Member

(Excused)

Herb Schmidt, Council Member



Kevin Jorgensen, Council Member