

**City of Selah
Council Minutes**

August 10, 2004

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: Brian Harris, Keith Larson, Pete McNew, Herb Schmidt, Allen Schmid

Members Excused: Jerry Kobes, Scott Smeback

Staff Present: Bob Noe, City Attorney; Rick Gutierrez, Chief; Jerry Davis, Fire Chief; Jeff Hagler, Parks & Recreation Director; Dennis Davison, Community Planner; John Gawlik, Building and Code Enforcement Officer

C. Pledge of Allegiance

Mayor Jones led the Pledge of Allegiance. Jeff Hagler led the group in prayer.

D. Agenda Changes

E. Public Appearances

1. Corky Mattingly, Yakima County Auditor – Elections Information

Assistant County Auditor Lynda Sissom introduced herself to the Council. She stated the purpose of her visit was to discuss election changes taking place this fall. She reviewed the new partisan primary resulting from the court's ruling the blanket primary unconstitutional. She stated voters must pick a party as a part of choosing their ballot, but no record of party choice will be kept. She stated absentee or "mail-in" voters will be sent ballots for Republican, Democrat and Libertarian parties plus one limited to non-partisan races. Each voter will complete and return one ballot and destroy the others. The second major change she addressed in this election was the electronic device to be used in the polling places. She stated the voter will be given an access code which will allow him/her to bring up the proper ballot. She noted each polling place will have ADA compliant voting booth with audio access, Braille, etc. She stated paper ballots used for absentees will be scanned and imaged rather than using a punch system. She stated bilingual election requirements have been implemented since 2002, noting bilingual poll workers will be stationed at each polling place. She asked the City to provide her office with names of City employees who might be potential bilingual poll workers.

Councilman Schmid expressed the City's thanks for the Auditor's Office attending the National Night Out in Wixson Park August 3.

Ms. Sissom handed out samples of election information forms that could be included with payroll checks

Mayor Jones thanked Ms. Sissom for her presentation.

F. Getting To Know Our Businesses

G. Communications

1. Oral

Michael Southard, 41 Taylor Loop, addressed the Council representing the Skateboarder's Club. He stated his group is continuing with fundraisers to raise money toward a Selah Skate Park. He stated the finest skate parks run about \$118,000 each, but their information indicates \$39,000 could build a very nice park for Selah.

Mayor Jones thanked Michael for his information and wished him and his group well.

2. Written

H. Proclamations/Announcements

I. Consent Agenda

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

- * 1. Approval of Minutes: July 27, 2004
- * 2. Approval of Claims & Payroll: Claims check nos. 43566 – 43655 for a total of \$159,776.12 and Payroll check nos. 54180 – 54286 for a total of \$147,737.56.

Mayor Jones read the Consent Agenda.

Councilman Schmid and Councilman Larson seconded to approve the Consent Agenda. By voice vote, the motion passed unanimously.

J. Public Hearings

K. New Business

1. Contract Award – Yakama Juice Water Main Extension

Engineer Jeff Louman reported he opened bids yesterday for extension of a water main from Naches south to the south end of the Yakama Juice building. He stated the low bid offered by Tri Valley Construction at \$83,705.27, well within the project budget.

Mayor Jones asked if we have heard from railroad on right-of-way.

Mr. Louman responded that the railroad required casing on water main extension; however, the City was able to get waiver of that requirement so bidding was reopened. He stated contracts should be coming soon, but it could be as much as five or six weeks.

Councilman Schmid asked for information about Tri Valley Construction.

Mr. Louman stated his firm had worked with them on a sewer line in City of Moxee. He noted they are affiliated with Russell Crane.

Mayor Jones stated they have done several demolition jobs for the City.

Councilman Schmidt moved and Councilman Schmid seconded to award the contract for the Yakama Juice Water Main Extension to Tri-Valley Construction. Roll was called. Councilman Schmidt – yes; Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Harris - yes. Approval was unanimous.

L. Old Business

M. Resolutions

1. Resolution Authorizing the Mayor To Sign an Interlocal Agreement between the City Of Selah and the City of Bellevue for Joint Purchasing

City Attorney Bob Noe stated Resolution M-1 allows the City to enter into an interlocal agreement with the City of Bellevue which would allow joint bidding and purchasing.

Councilman Larson moved and Councilman McNew seconded to adopt the Resolution Authorizing the Mayor To Sign an Interlocal Agreement between the City Of Selah and the City of Bellevue for Joint Purchasing. Roll was called. Councilman Schmidt – yes; Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Harris - yes. Approval was unanimous.

N. Ordinances

1. Ordinance of the City of Selah, Washington Extending the Moratorium on the Acceptance of Business License Applications and Development Permits and Approvals Relating to Adult Entertainment, Adult Services, and Adult Retail Businesses and Land Uses; Providing for Severability; and, Establishing an Effective Date

City Attorney Bob Noe reminded the Council that in September of 2003 they established an Ordinance placing a Moratorium on Adult Entertainment. He noted the City is in the process of revamping its zoning code. He stated that original moratorium was good for a period of six months and then was extended for six more months. He noted this Ordinance asks for an additional six-month extension while the zoning code is still being worked through.

Councilman McNew moved and Councilman Larson seconded to approve the Ordinance of the City of Selah, Washington Extending the Moratorium on the Acceptance of Business License Applications and Development Permits and Approvals Relating to Adult Entertainment, Adult Services, and Adult Retail Businesses and Land Uses; Providing for Severability; and, Establishing an Effective Date.

City Supervisor Sweet, responding to a question posed by Councilman Schmid regarding when the Zoning Code might be adopted, noted he would need to check with the Community Planner, but he estimated about three years.

Roll was called. Councilman Schmidt – yes; Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Harris - yes. Approval was unanimous.

O. Communications

1. Oral

P. Reports/Announcements

1. Mayor
2. Council Members
3. Boards
4. Departmental
 - a. Selah Municipal Court Report – July 2004
 - b. Fire Marshal Monthly Report – July 2004

Councilman Schmid acknowledged boy scouts attending the meeting. He asked if they were observing for merit badge qualification, and welcomed them to the meeting.

Councilman Harris reported a group of kids are working to go to DC Bound and need to donate time for community service if anyone has jobs to be done.

Councilman McNew reported it was "rock and roll time" at Selah Night Out. He noted we missed Chief Gutierrez, but commended the Police Department on their accomplishment.

Police Chief Rick Gutierrez thanked everyone who helped with National Night Out, noting he was pleased the new commander made a helicopter available.

Parks & Recreation Director Jeff Hagler passed out new fall Parks & Recreation brochures.

Selah Librarian Diane Wilkinson reported the Friends of the Library are having a book sale Saturday at the Farmers Market.

Clerk/Treasurer Dale Novobielski reported one of the City's LEOFF 1 retirees passed away which will make about \$100,000 less expense in the General Fund.

City Supervisor Frank Sweet reminded the Mayor and Council of the Yakama Juice August 20 Grand Opening 10:30-3:30.

Mayor Jones reported he met with Richard Pingrey last week to inform him that the City has a proposal which Jerry Kobes will present to Yakima Valley Regional Library Board when he returns from Holland. He stated he invited Mr. Pingrey to attend that meeting with the YVRL Board. He noted the Selah Sun won the Valley Swimming Championship.

Fire Chief Jerry Davis reported his department is in the second phase of a FEMA Grant. He noted they may receive \$240,000 for state of the art air packs after completing the next phase.

Q. Executive Session

1. Executive Session concerning potential litigation and real estate was held immediately prior to the Council Meeting

R. Adjournment

Council Member Schmid moved and Council Member Harris seconded that the meeting be adjourned. By voice vote, the motion passed unanimously. The meeting adjourned at 4:33pm.

Robert L. Jones, Mayor

(Excused)

Gerald Kobes, Council Member

Keith Larson, Council Member

Peter McNew, Council Member

Allen Schmid, Council Member

Herb Schmidt, Council Member

(Excused)

Scott Smeback, Council Member

Brian Harris, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer