

City of Selah  
Council Minutes  
December 13, 2005

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

A. Call to Order Mayor Jones called the meeting to order at 4:01pm.

B. Roll Call

Members Present: Brian Harris, Jerry Kobes, Keith Larson, Pete McNew, Allen Schmid, Herb Schmidt, Scott Smeback

Members Excused:

Staff Present: Frank Sweet, City Supervisor; Bob Noe, City Attorney; Rick Gutierrez, Police Chief; Jerry Davis, Fire Chief; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Jeff Hagler, Parks & Recreation Director; Dale Novobielski, Clerk/Treasurer

C. Pledge of Allegiance

Councilman Jerry Kobes led the Pledge of Allegiance. Tom Smith led the group in prayer.

D. Agenda Changes

Mayor Jones noted one Agenda change, the inclusion of Item M – 15, Resolution Authorizing the Mayor To Sign an Amendment to the Agreement Between Basin Disposal of Yakima, L.L.C. and the City of Selah for Collection and Disposal of Solid Waste.

City Supervisor Frank Sweet announced that Item N-1 will be removed.

E. Public Appearances

Derrick Dietrich, representing Basin Disposal, introduced the automated garbage service that will be offered by BDI after the first of the year. He noted there are two sample toters in the lobby. He stated information will be sent to Selah residents.

Councilman Allen Schmid asked if the 60 and 90 gallon containers will be given to residents at no cost.

Mr. Dietrich stated residents will no longer need to purchase their own cans, noting this service is designed for residential customers.

Councilman Harris asked if BDI will replace toters if they are lost or stolen. Mr. Dietrich responded affirmatively.

Mayor Jones praised Basin Disposal, saying he has heard nothing but good things about the service.

Mayor Jones called Councilman Jerry Kobes forward, acknowledging Mr. Kobes' 12 years on Council. He called him the total, ultimate Council Member. He presented Mr. Kobes with a plaque. Members of the Council and audience rose to applaud Mr. Kobes.

Councilman Kobes stated it has been a pleasure working with all of the Council and Staff.

Fire Chief Jerry Davis presented a special award to Councilman Kobes for his long-term participation with the Fire District. He thanked Mr. Kobes and presented him with a plaque. Councilman Kobes noted we're getting a good deal with the cooperation between the Fire Commission and the City.

1. Community Pride Award – Selah High School Champion Volleyball & Academic Team

Mayor Jones invited Selah High School Girls Volleyball Champs into the meeting. He presented them with a Community Pride Award honoring their achievement winning the State Volleyball Championship as well as the State Volleyball Academic Award. He noted they were also the prettiest team.

Councilman Brian Harris praised Coach Kay Aberle and presented Community Pride medallions to each girl on the team, ending with his daughter Emily. The Council and audience applauded the team and their coach.

2. Community Pride Award – Selah Skate Board Association

Mayor Jones called forward a representative of the Selah Skateboard Association. He presented Tom Smith with a Community Pride Award recognizing the Selah Skateboard Association for their efforts in making a skateboard park become a reality.

F. Getting To Know Our Businesses

G. Communications

1. Oral

Bill Harris addressed the Council, noting that GYGSA has a partnership with the City on Carlon Park. He presented the Mayor a check for \$75,000. He stated his excitement about the development of Carlon ball fields and GYGSA's partnership with the City. Mayor Jones accepted the check, praising GYGSA and the job they have done. He presented the check to the Clerk/Treasurer.

2. Written

- a. Yakima Transit Report – October 2005

Mayor Jones noted the written report from Yakima Transit.

Councilman Schmid stated he was confused by the report, particularly the ridership times.

City Supervisor Frank Sweet suggested they bring a representative from Yakima Transit in to explain this information.

Councilman Schmid noted it's important the City support the inclusion of the Yakima Training Center in the Yakima Transit route.

H. Proclamations/Announcements

I. Consent Agenda

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

- \* 1. Approval of Minutes: Council Meeting and Study Session November 22, 2005
- \* 2. Approval of Claims & Payroll: Claims check nos. 46414 – 46523 for a total of \$396,277.68.

Councilman Kobes stated he would like to take Item M-3 off the Consent Agenda and add Item M-7.

Councilman Schmidt proposed the addition of M-4 and M-5 to Consent Agenda.

Councilman Schmid seconded. By voice vote, motion carried. Mayor Jones read the Consent Agenda as amended.

Councilman Schmid moved and Councilman Kobes seconded to approve the Consent Agenda as amended. By voice vote, motion carried unanimously.

J. Public Hearings

K. New Business

L. Old Business

M. Resolutions

- \* 1. Resolution Authorizing the Mayor To Sign a Renewal of the Agreement for Animal Control Services between the City of Selah and the Humane Society of Central Washington for the 2006 Calendar Year
- \* 2. Resolution Authorizing the Mayor To Sign an Agreement with Barry Woodard, PS, Attorney at Law, for Public defender Services
- 3. Resolution Authorizing the Mayor To Sign any and all Documents Relative to the Purchase of a SludgeMASTER RK48 Biosolids Dehydration System from Fenton Environmental Technologies, Inc. and Stipulating Terms for that Purchase

City Supervisor Frank Sweet stated this item was presented to the Council during a budget session as a part of Public Works Trust Fund.

Councilman Jerry Kobes stated he is in favor of this, but there should be a performance guarantee on the agreement in terms of moisture both incoming and outgoing. The City should be aware that there are considerable issues with this requiring permitting from the Department of Ecology and/or EPA. He noted these vendors may have held us up. The City will need to contract with Cascade or someone to complete the permitting process.

Frank Sweet noted that during this process engineer Ted Pooler found that North Bend had purchased an identical dryer and that we have a purchasing agreement with that city that would allow us to save \$160,000 on the purchase.

Councilman Kobes moved and Councilman Schmid seconded to approve the Resolution Authorizing the Mayor To Sign any and all Documents Relative to the Purchase of a SludgeMASTER RK48 Biosolids Dehydration System from Fenton Environmental Technologies, Inc. and Stipulating Terms for that Purchase. Roll was called: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion carried unanimously.

- \* 4. Resolution Authorizing The Mayor To Sign the Letter of Understanding Contract Between the City of Selah and Teamsters Local No. 760 Amending the Selah Police Department Contract Effective January 1, 2006
- \* 5. Resolution Authorizing The Mayor To Sign the Letter of Understanding Contract Between the City of Selah and Teamsters Local No. 760 Amending the Selah Public Works Department Contract Effective January 1, 2006
- \* 6. Resolution Authorizing the Mayor To Sign the Agreement for Technical Assistance with Yakima Valley Conference of Governments for 2006
- \* 7. Resolution Authorizing the Mayor To Sign Change Order #2 for the 2004 Water System Improvement Project
- 15. Resolution Authorizing the Mayor To Sign an Amendment to the Agreement Between Basin Disposal of Yakima, L.L.C. and the City of Selah for Collection and Disposal of Solid Waste

The City Supervisor stated it has been two years since BDI took over the garbage contract from Waste Connections. He praised the working relationship between the Company and the City. He stated this proposal allows for a 9.75% increase and conversion to automated toters. He recommended Council approval.

Councilman Larson moved and Councilman Schmidt seconded to approve the Resolution Authorizing the Mayor To Sign an Amendment to the Agreement Between Basin Disposal of Yakima, L.L.C. and the City of Selah for Collection and Disposal of Solid Waste. Roll was called: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion carried unanimously.

- 8. Resolution Revising Rates for the Collection of Solid Waste

Clerk/Treasurer Dale Novobielski introduced the resolution for solid waste. He explained two-can service would increase by 52 cents per month.

Councilman Schmid asked if the 60 pound toter is equivalent to two-can service. Response was affirmative. He also asked about one-can service.

Mr. Novobielski stated BDI offers a 30 gallon toter.

Steve Wheatley, BDI, explained only two people currently have one-can service.

Councilman Schmid asked if BDI anticipates that most people will have 60 gallon toter.

Mr. Wheatley responded affirmatively.

Councilman Smeback moved and Councilman Larson seconded to approve the Resolution Revising Rates for the Collection of Solid Waste. Roll was called: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion carried unanimously.

Councilman Schmid stated it bodes well for the City that we are increasing the City's payment to BDI more than we are increasing the rates to the customer.

#### 9. Resolution Revising Rates for Water Utility Services

Jeff Louman, Huibregtse, Louman Associates, Inc., stated the Council has discussed this issue in several budget meetings and study sessions in recent months because for several years water revenues have not been keeping up with expenses in improvements to the water system such as the Lookout Point reservoir and booster station. He stated a variety of ways to correct this drain on City water utility funds have been discussed. One solution would be a large increase with COLA adjustments yearly. Another would be smaller, gradual increases. He stated the City is trying to correct a \$270,000 deficit, and he is recommending a rate increase that either happens in bulk or gradually over the next four years. He cited several additional impacts, such as bonds coming due and the proposed Public Works shop. He noted water revenues are the only revenues the City has for the water system.

Mayor Jones said water has been very economical for citizens of Selah, but we need to make changes for future growth. Council has been a good steward for water and costs.

Jeff Louman stated that the statewide average for 1,000 cubic feet of water is \$22.70, and currently in Selah it's \$15.50. He stated the other thing to consider is the value for the service. He said we all get used to buying a bottle of water for a dollar; the City of Selah delivers instantly 4-5 gallons to our residences for 1 cent. There have been changes in industrial consumption, and operating costs have increased about 65%.

Councilman Harris noted the City had three years in a row without rate increases.

Jeff Louman stated there have been some industrial changes that the Council could anticipate and others it could not.

Frank Sweet noted that with the increase, the average in Selah will be \$20.19 compared to \$22.70 statewide.

Councilman Larson moved and Councilman Smeback seconded to approve the Resolution Revising Rates for Water Utility Services. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – no; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes.

Councilman Schmidt explained his “no” vote, expressing his concern for those on fixed incomes.

Councilman Smeback noted that a lower rate is possible for low income senior or disabled persons.

#### 10. Resolution Revising Rates for Sewer Utility Services

Dale Novobielski addressed Resolution M-10, regarding sewer rates. He stated residential user would see an increase of \$1.75 per month.

Councilman Schmid asked the difference between multi-residential of more than four units and a multi-residential of three units.

Dale Novobielski responded there is usually one meter.

Councilman Schmid why is there a lower number than a single-family or a tri-plex for the larger units.

Mayor Jones stated that at the time this billing mechanism was developed, Dick Graf brought up explanations for the high density usage.

Mr. Novobielski stated he did not participate in the process, so doesn't know but thinks it is somehow a lesser cost to the treatment plant.

Mayor Jones asked Public Works Director Joe Henne, who responded that apartment house units will consume less water than a single family house.

Councilman Schmid stated there is significant percentage difference between the numbers. Frank Sweet suggested bringing the information to the next Council meeting.

Joe Henne suggested putting together a committee to study why there is a difference.

Councilman Schmidt said he would like that information too.

Mayor Jones suggested they bring information to the first Council meeting in January.

Councilman McNew stated there are two issues.

Frank Sweet stated the issue before the Council is an increase in rates on the existing schedule.

Councilman Schmid noted we charge the same for a multi-family single dwelling the same as we charge for a motel.

Mayor Jones noted that restaurants pay highest rate of all

Councilman Schmid said being fair and not being fair is not an adequate explanation.

Councilman Larson moved and Councilman Smeback seconded to approve the Resolution Revising Rates for Sewer Utility Services. Roll was called. Councilman Smeback – yes; Councilman Schmid – no; Councilman Schmidt – no; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion carried.

Mayor Jones promised Mr. Schmid he will have the information the first meeting in January.

11. Resolution Authorizing an Interfund Loan for Fund 309 2002 Marudo Land Acquisition

Dale Novobielski addressed Resolution M-11 to establish an interfund loan for Marudo approval for maximum of \$695,000 due in June subject to interest.

Councilman Schmid moved and Councilman Larson seconded to approve the Resolution Authorizing an Interfund Loan for Fund 309 2002 Marudo Land Acquisition. Roll was called: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – abstain; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion carried.

- \* 12. Resolution Authorizing the Mayor To Sign a Contract Renewal Agreement for the Management of Biosolids from the Selah Wastewater Treatment Plant at Cheyne Landfill
- \* 13. Resolution Authorizing the Mayor To Sign Crusher Canyon Road Improvements, Phase II – Local Agency Agreement Supplement No. 5
- \* 14. Resolution Authorizing the Mayor To Sign Change Order No. 1 for the North Park Drive Project
- 15. Resolution Authorizing the Mayor To Sign an Amendment to the Agreement Between Basin Disposal of Yakima, L.L.C. and the City of Selah for Collection and Disposal of Solid Waste – see after Item M - 7

N. Ordinances

- 1. ~~Ordinance Amending Section 8.70.020 of the Selah Municipal Code “Parking Prohibited on Certain Streets,” Providing for Severability and Establishing an Effective Date - Withdrawn~~
- 2. Ordinance Establishing the 2006 Salary Schedule for Management, Confidential and Unrepresented Employees

The Clerk/Treasurer stated this Ordinance establishes salaries for non-union employees, reflecting an over-all 3.5% increase.

Councilman Schmid moved and Councilman Schmidt seconded to approve the Ordinance Establishing the 2006 Salary Schedule for Management, Confidential and Unrepresented Employees. Roll was

called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris – yes.

3. Ordinance Adopting the Budget for the City of Selah, Washington for the Fiscal Year Ending December 31, 2006

Mayor Jones stated this budget season is the toughest he's participated in. Resources have been getting thinner and thinner. He stated this Council has been very frugal, and because of that has accomplished much. He noted street overlay was a priority, and was accomplished. Initiatives have cost the City mightily. It has taken lots of time and mental preparation to live within our means.

Councilman Schmid moved and Councilman Smeback seconded to approve the 2006 Budget. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – abstain; Councilman Harris – yes. Motion carried.

O. Communications

1. Oral

P. Reports/Announcements

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

Mayor Jones distributed a list of Council Assignments for 2006 and read the assignments aloud. He announced that Bill Huibregtse is retiring and may need a replacement on the Development Committee.

Councilman Kobes suggested the Mayor appoint someone to Selah CAN (Community Action Network).

Mayor Jones appointed Paul Overby to that position. He noted Mayor Pro Tem Allen Schmid will swear in the new Council Members in January.

Fire Chief Jerry Davis wished everyone a Merry Christmas.

Police Chief Rick Gutierrez thanked Mr. Kobes and Mr. McNew for their support, noting it has been a pleasure working with them.

Parks & Recreation Director Jeff Hagler reported progress on the Carlon Park Project. He stated they've been meeting weekly, and he'll be going to the Yakima sports commission to promote Carlon Park.

Public Works Director Joe Henne said he's dreaming of a white Christmas; so far winter has been easy on his snow removal budget. He stated a few people have called in with frozen water lines. He said it's important to take measures to stop that. He thanked Mr. Kobes and Mr. McNew.

Community Planner Dennis Davison thanked Council for their support. He thanked Councilman Kobes and McNew and welcomed new Council Members Nichols and Overby.

City Supervisor Frank Sweet thanked all for their great effort on budget, Staff and Council. He thanked the Council for salary support for employees, thanked both Mr. Kobes and McNew for their tireless support of City.

Councilman Smeback echoed thanks for Jerry and Pete, praising the Council for their participation in the budget process and collegiality. He welcomed the new Council Members.

Councilman Larson also welcomed Paul Overby and Denise Nichols to the Council. He wished all a Merry Christmas.

Councilman Harris stated there was no memo on wearing a tie. He thanked Pete and Jerry, noting his particular appreciation for Jerry Kobes' keen understanding of issues.

Councilman Schmidt stated it is important for all of us to wish Paul and Denise a Merry Christmas and welcome, and also to express friendship and respect for Jerry and pleasure to work with Pete.

Councilman Schmid stated he did not know what to say as he is losing his left and right hand. He stated he has known Jerry for a lot of years and respects him as a Council person and community leader. He noted Pete has dragged him into a couple of things this year.

Councilman McNew stated some people will do anything to get out of the budget process, even have a heart attack. He thanked for opportunity to serve this term.

City Attorney Bob Noe thanked Jerry and Pete and welcomed new members.

Councilman Kobes welcomed new members and thanked all staff members.

Mayor Jones said he's been involved in this process for ten years. This is the best group for engaging in heated exchanges and coming out friends. The City always comes out the winner. He stated we currently have the best Public Works and parks crew we've ever had. He stated he will be back the first of February.

Allen Schmid expressed his thanks to the staff, Department Heads and employees.

Mayor Jones said, "Yes, Joe, you do get a Public Works shop," and adjourned into a break before the 20 minute Executive Session to discuss real estate at 5:24. Mr. McNew excused himself from the Executive Session.

## Q. Executive Session

### 1. Executive Session Real Estate

At 5:30 the Mayor convened the Executive Session. At 5:50, the Council went into open session. Councilman Harris excused himself from discussion of an item in which he has a personal interest. The Council moved back into Executive session for an estimated twenty-five minutes at 5:51. The Council moved back into regular session at 6:23.

R. Adjournment

Council Member Larson moved and Council Member Schmid seconded to authorize the Mayor to sign a contract with Selah Fitness for property in North Wenas/Marudo Development. Roll was called: Councilman Larson – yes; Councilman Schmidt – yes; Councilman Kobes – yes; Councilman Schmid – yes; Councilman Smeback – yes.

Council Member Larson moved and Council Member Schmid seconded to extend the existing lease on the Old Fire Hall. Roll was called: Councilman Larson – yes; Councilman Schmidt – yes; Councilman Kobes – yes; Councilman Schmid – yes; Councilman Smeback – yes.

Council Member Schmidt moved and Council Member Kobes seconded that the meeting be adjourned. By voice vote, the motion passed unanimously. The meeting adjourned at 6:25pm.

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Robert L. Jones, Mayor

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Gerald Kobes, Council Member

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Keith Larson, Council Member

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Peter McNew, Council Member

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Brian Harris, Council Member

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Herb Schmidt, Council Member

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Scott Smeback, Council Member

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Allen Schmid, Council Member

ATTEST:

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Dale E. Novobielski, Clerk/Treasurer