

City of Selah
Council Minutes

February 12, 2008

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

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

B. Roll Call

Members Present: Summer Derrey, Keith Larson, Denise Nichols, Paul Overby, Herb Schmidt, John Tierney

Members Excused: Brian Harris

Staff Present: Frank Sweet, City Supervisor; Bob Noe, City Attorney; Jerry Davis, Fire Chief; Stacy Dwarshuis, Police Lieutenant; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Jeff Hagler, Parks & Recreation Director

C. Pledge of Allegiance

Councilman Schmidt led the Pledge of Allegiance. Pastor Doug Perkins led the group in prayer.

D. Agenda Changes

Frank Sweet noted the Council should remove the following:

M-4 Resolution Approving Payment to Miller Construction Company for Work Performed in Completion of Selah Police Facilities Tenant Improvements at 617 South 1st Street and Authorizing Release of Retainage from the Agenda.

He further noted the Council should add the following:

M-8 Resolution Authorizing the Mayor To Sign a Letter Appointing Donna Garner To Represent the City of Selah on the Yakima County Tourism Promotion Area Hotel/Motel Commission for the Remainder of Eve Semon's Current Term, and

M-9 Resolution Authorizing the Mayor To Sign the Contract between the City of Selah and Teamsters Local No. 760 for the Selah Police Department Effective January 1, 2008 , and

M-10 Resolution Authorizing the Mayor To Sign the Contract between the City of Selah and Teamsters Local No. 760 for the Selah Public Works and Parks Departments Effective January 1, 2008, and

N-2 Salary Ordinance.

E. Public Appearances

1. Presentation of Flag to Selah Police Department

Mayor Jones presented Lieutenant Stacy Dwarshuis with a flag for the Selah Police Department. He noted this is one of the flags that was flying over the City of Selah on 9/11/2001.

Lieutenant Dwarshuis thanked the Mayor, noting they will hang it proudly in their new building.

2. Special Award

Mayor Jones presented former Councilman Allen Schmid with a plaque in honor of the twenty-three years he has served the City of Selah, first on the Planning Commission and more recently on the City Council. He noted Allen can be seen painting over graffiti. He noted Mr. Schmid also worked hard on the planning and completion of the Carlon Park Girls' Fastpitch Complex.

- F. Getting To Know Our Businesses

1. Introduction Chamber of Commerce Economic Development Committee

Mayor Jones introduced Bill Jenkin, Chair of the Selah Chamber of Commerce Economic Development Committee.

Mr. Jenkin said the other members of his committee are Larry Watkins, Wendy Culver, Steve Peterson, and Jean Brown.

City Supervisor Frank Sweet said this Chamber group will work with the Council's Business & Community Relations Committee Members Brian Harris and Paul Overby to improve things we need to improve for the business community. He expressed his thanks to the Committee.

Mayor Jones greeted John Tierney and Summer Derrey. He noted he has been gone for a month and looks forward to working with them on the Council. He moved to Communications

- G. Communications

1. Oral

John Cooper, CEO of the Yakima Valley Tourism and Convention Bureau introduced himself to the Council here to share annual report. He highlighted the fact that the \$370,000,000 tourism generates in the Yakima Valley, in turn generates \$23 billion in state and local taxes.

Wendy Culver thanked the City Council on behalf of the Kiwanis Prayer Breakfast to be held March 1 and urged Council Members to send her their "My hope for...." statements if they have not already done so.

Mayor Jones announced that he will be bringing the real Mrs. Jones this year, since his wife will not be gone to a sewing conference.

2. Written

- a. YBSA Monthly Report January, 2008 Regarding Black Rock Project
- b. YBSA Press Release 2/01/08

c. Parks Department Flyer on Washington Amateur Softball Association

Jeff Hagler noted he wanted the Council to be aware that the City is partnering with GYGSA to attract fastpitch activities to this area.

H. Proclamations/Announcements

I. Consent Agenda

Councilman Larson moved to remove M-6 Resolution Authorizing the Mayor To Sign SIED Contract Number YC SPD 08 between Yakima County and the City of Selah – South Park Drive from the Consent Agenda and to add M-1 Resolution Authorizing the Mayor Pro Tem To Sign the Agreement with ThyssenKrupp Elevator for Elevator Maintenance at the Selah Police Department and M-8 Resolution Authorizing the Mayor To Sign a Letter Appointing Donna Garner To Represent the City of Selah on the Yakima County Tourism Promotion Area Hotel/Motel Commission for the Remainder of Eve Semon’s Current Term. Councilwoman Nichols seconded. By voice vote, motion passed unanimously.

Mayor Jones read the Consent Agenda as amended.

- * 1. Approval of Minutes: Council Meeting January 22, 2008
- * 2. Approval of Claims & Payroll: Payroll Checks Nos. 62583 – 62718 for a total of \$142,035.28, Payroll Checks Nos. 62719 – 62820 for a total of \$159,191.03, Claim Checks Nos. 51125 – 51133 for a total of \$29,961.12, Claim Checks Nos. 51134 through 51136 for a total of \$8,413.91, and Claim Checks Nos. 51137 – 51260 for a total of \$286,412.29.
- * 3. Resolution Authorizing the Mayor To Sign the Agreement with ThyssenKrupp Elevator for Elevator Maintenance at the Selah Police Department
- * 4. Resolution Adopting the Commute Trip Reduction (CTR) Plan for 2007-2011
- * 5. Resolution Authorizing the Mayor To Sign the Agreement between the City of Selah and Selah School District Regarding the School Resource Officer
- * 6. Resolution Authorizing the Mayor To Sign the Interlocal Agreement between the City of Selah and the City of Wapato Relating to the Use of Inmate Workers
- * 7. Resolution Authorizing the Mayor To Sign a Letter Appointing Donna Garner To Represent the City of Selah on the Yakima County Tourism Promotion Area Hotel/Motel Commission for the Remainder of Eve Semon’s Current Term

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

Councilman Overby moved and Councilman Larson seconded to adopt the Consent Agenda as read. By voice vote, the Consent Agenda was unanimously adopted.

J. Public Hearings

K. New Business

1. Request for Bulb Replacement at Lince Soccer Field

Parks & Recreation Director Jeff Hagler, explained that there are dark areas on Lince Field because lights have burned out. He noted that area is used solely by the City's soccer teams. He further noted the School District is willing to pay half the cost of bulb replacement.

Councilman Schmidt moved and Councilwoman Nichols seconded to approve the Request for Bulb Replacement at Lince Soccer Field.

City Supervisor Frank Sweet noted we need to make sure we have a budget adjustment back to the Council before the expenses are incurred.

Roll was called: Council Member Schmidt – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Derrey – yes; Council Member Tierney – yes. Motion carried unanimously.

2. Notice of Intent To Annex Petition Goodlander Holding Company (Charles Johnson) and Bert Snodgrass

Community Planner Dennis Davison reminded the Council that this item was before Council last year, but the proponents did not have enough signatures to move forward. He noted that at that time the Council suggested configuration A-2 as a preferable annexation to square up the property.

Councilman Overby asked about support from residents of the area south of Speyers.

Councilwoman Nichols asked how many families are involved.

Mr. Davison stated there are seven families on the south and two on the north and proponents will need to have 60% of assessed valuation in order to proceed.

Councilman Overby asked if there are any Outside Utility Agreements in the area proposed for annexation.

Mr. Davison said there are not.

Councilman Herb Schmidt asked if the decision before the Council is to accept the language.

Dennis Davison answered that adoption of this language just allows the proponents to go forward with the process of securing signatures. He said it will come back to Council for approval or denial when the signatures are gathered.

Councilman Larson moved to accept the Goodlander Holding Company (Johnson)—Snodgrass “Notice of Intent to Annex” petitions; and

(1) Establish as the proposed annexation boundary the staff’s recommended Exhibit “A, Option #2”, and

(2) If ultimately annexed, require the assumption of a pro-rata share of existing City indebtedness, and

(3) If ultimately annexed, the property would be zoned One-Family Residential (R-1) on the date of annexation, and

(4) Furthermore, the annexation petition is to be conditioned in that petitioners covenant themselves granting the City of Selah a “right of first refusal” to secure ownership of any irrigation and/or domestic water rights appurtenant to the land.

Councilman Tierney seconded. Roll was called: Council Member Schmidt – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Derrey – yes; Council Member Tierney – yes. Motion carried unanimously.

L. Old Business

M. Resolutions

- * 1. Resolution Authorizing the Mayor Pro Tem To Sign the Agreement with ThyssenKrupp Elevator for Elevator Maintenance at the Selah Police Department
- * 2. Resolution Adopting the Commute Trip Reduction (CTR) Plan for 2007-2011
- * 3. Resolution Authorizing the Mayor To Sign the Agreement between the City of Selah and Selah School District Regarding the School Resource Officer
- * 4. ~~Resolution Approving Payment to Miller Construction Company for Work Performed in Completion of Selah Police Facilities Tenant Improvements at 617 South 1st Street and Authorizing Release of Retainage - Withdrawn~~
- * 5. Resolution Authorizing the Mayor To Sign the Interlocal Agreement between the City of Selah and the City of Wapato Relating to the Use of Inmate Workers
- 6. Resolution Authorizing the Mayor To Sign SIED Contract Number YC SPD 08 between Yakima County and the City of Selah – South Park Drive

Councilman Overby moved approval of the Resolution Authorizing the Mayor To Sign SIED Contract Number YC SPD 08 between Yakima County and the City of Selah – South Park Drive Councilman Larson seconded. Roll was called: Council Member Schmidt – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Derrey – yes; Council Member Tierney – yes. Motion carried unanimously.

- 7. Resolution Clarifying Previous Resolutions Numbered 1798 and 1841 Referring a SEPA Appeal and a Class I Use Appeal Respectively to the Hearing Examiner for Consideration Pursuant to Selah Municipal Code 1.60.080(b)

City Attorney Bob Noe addressed Resolution M-7 relating to the Torkelson Southern Avenue Project. He explained that two items were referred to the Hearing Examiner, and at the hearing there was some concern about the scope of authority of the Hearing Examiner in that Hearing.

City Supervisor Sweet clarified that it was always the Council’s intention that the Hearing Examiner would make the decision on this issue, and if that decision is appealed, it will be to Superior Court. He noted it was clear to City that the Hearing Examiner also had authority on the SEPA Appeal.

Councilman Tierney stated he sat in on both the Hearing Examiner hearing and the Planning Commission hearing. He asked if he should excuse himself from consideration of this issue.

City Attorney Noe said he could see no reason, since this Resolution clarifies the intent of the Council about the authority of the Hearing Examiner, not the matter before the Hearing Examiner.

Councilman Larson moved approval of the Resolution Clarifying Previous Resolutions Numbered 1798 and 1841 Referring a SEPA Appeal and a Class I Use Appeal Respectively to the Hearing Examiner for Consideration Pursuant to Selah Municipal Code 1.60.080(b). Councilwoman Nichols seconded. Roll was called: Council Member Schmidt – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Derrey – yes; Council Member Tierney – yes. Motion carried unanimously.

- * 8. Resolution Authorizing the Mayor To Sign a Letter Appointing Donna Garner To Represent the City of Selah on the Yakima County Tourism Promotion Area Hotel/Motel Commission for the Remainder of Eve Semon's Current Term
- 9. Resolution Authorizing the Mayor To Sign the Contract between the City of Selah and Teamsters Local No. 760 for the Selah Police Department Effective January 1, 2008

City Supervisor Sweet read the Resolution title, noting the contract provides for a 4% COLA and continued support of benefits at the current level, but adds an Article 2 referring to part time temporary employees.

Councilman Larson moved approval of the Resolution Authorizing the Mayor To Sign the Contract between the City of Selah and Teamsters Local No. 760 for the Selah Police Department Effective January 1, 2008. Councilman Overby seconded. Roll was called: Council Member Schmidt – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Derrey – yes; Council Member Tierney – yes. Motion carried unanimously.

- 10. Resolution Authorizing the Mayor To Sign the Contract between the City of Selah and Teamsters Local No. 760 for the Selah Public Works and Parks Departments Effective January 1, 2008

City Supervisor Sweet noted this contract also provides for a 4% COLA and continued benefit support.

Councilman Tierney moved approval of the Resolution Authorizing the Mayor To Sign the Contract between the City of Selah and Teamsters Local No. 760 for the Selah Public Works and Parks Departments Effective January 1, 2008. Councilwoman Nichols seconded. Roll was called: Council Member Schmidt – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Derrey – yes; Council Member Tierney – yes. Motion carried unanimously.

N. Ordinances

- 1. Ordinance Amending the 2008 Budget for the Purchase of a Bucket Truck

Public Works Director Joe Henne explained that he is bringing this issue back to the Council because he wants to keep the old truck, remove the bucket off the truck and make some other changes to his "fleet."

Councilman Schmidt moved approval of the Ordinance Amending the 2008 Budget for the Purchase of a Bucket Truck. Councilman Larson seconded. Roll was called: Council Member Schmidt – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Derrey – yes; Council Member Tierney – yes. Motion carried unanimously.

2. Ordinance Establishing the 2008 Salary Schedule for Management, Confidential and Unrepresented Employees

City Supervisor Sweet noted this contract also provides for a 4% COLA and continued bene fit support.

Councilman Schmidt moved approval of the Ordinance Establishing the 2008 Salary Schedule for Management, Confidential and Unrepresented Employees. Councilman Larson seconded. Roll was called: Council Member Schmidt – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Derrey – yes; Council Member Tierney – yes. Motion carried unanimously.

O. Communications

1. Oral

P. Reports/Announcements

1. Mayor
2. Council Members
3. Boards
4. Departmental
 - a. 2007 Selah Municipal Court Report
 - b. Minutes for Combined Meeting of City of Selah Parks Board and the Selah Parks and Recreation Service Area Board (SPRSA) February 4, 2008 – Unapproved
 - c. Minutes of the Planning Commission Meeting December 4, 2007 - Approved

Mayor Jones thanked Mayor Pro Tem Keith Larson for leading January Council meetings as well as the Valley Mayors' meeting January 24.

Fire Chief Jerry Davis reported his department has been feeling the string of bad weather. He noted damage to Station 1 has still not been repaired. He further reported that two weeks ago a citizen crashed into the newest command car resulting in damage to both vehicles. Also, two weeks ago someone broke into fuel vault at Station #4 and stole 220 gallons of gasoline and 200 gallons of diesel. He noted EMS has not slowed down this winter and that EMS Director Pat DeHuff had notified the Board that he will be leaving in June. He said they will be looking for a replacement.

City Supervisor Frank Sweet thanked the Mayor and Council for adopting the salary ordinance and teamster contracts. He announced the Council Retreat will be held Friday, February 22, from 8:30 - 12:30. Randy Beeler will serve as facilitator. He reported he and Jeff Hagler attended NIMS level 300 training last week, and it feels good to be in compliance.

Councilwoman Nichols suggested it would be more homey to go to Harris and Murphy's coffee shop for the Council Retreat.

The City Supervisor said he would look into it.

Council Member Tierney questioned the City Supervisor saying he believed the City Supervisor was going to give a short report on facility use and salmon recovery.

Frank Sweet stated he and Mr. Noe will put together a policy addressing use of City facilities by not for profit groups.

He further noted the City was involved in the Salmon Recovery group several years ago, and served as the Lead Entity in that effort. He stated he and Mr. Noe are putting together a demand letter for \$31,159.00 to reimburse the City for costs it incurred. He said the Salmon Recovery Executive "forgot" he had promised to reimburse the City.

Councilman Larson said he is glad the Mayor is back. He said he'd be glad to move the Retreat out of the Civic Center because his dad is starting renovations there that Friday and would likely put him to work.

Councilwoman Derrey welcomed the Mayor back.

Police Lieutenant Stacy Dwarshuis thanked the Mayor and Council for the flag.

Parks & Recreation Director Jeff Hagler praised the joint effort of the Parks Board and the Parks 7 Rec Service Area Board

Public Works Director Joe Henne thanked the Council for their newer office building on South Second Street. He referred to the 2:30 Study Session regarding the Well 8 Transmission Main Project. He said he would like to get consensus from the Council on moving forward with that Project. **Councilwoman Nichols moved support for the Project and Councilman Schmidt seconded. By voice vote, approval was unanimous.**

Ted Pooler presented the Mayor and Council with the first sample of dried sludge. He noted it has a musty odor. He explained that the sludge goes through a centrifuge and then they fill the hoppers full of de-watered sludge to dry. He noted the resulting powder does not have the high nitrogen content of commercial fertilizers, but does have organic material which has its own benefits. He stated they plan to take some down to Natural Selection Farms to see if there are possibilities, and they also may look at land reclamation at the Training Center. He noted that beginning tomorrow the Plant will switch over to automatic control.

Mayor Jones reported they had lots of rain down in Lompoc. He noted Selah looked wonderful when they arrived home. He thanked Public Works, Fire, Police and Parks for keeping the City beautiful and safe.

Q. Executive Session

Executive Session was scheduled as a Study Session - 3:00pm.

R. Adjournment

Council Member Larson moved, and Councilman Schmidt seconded that the meeting be adjourned. By voice vote, the motion passed unanimously.

The meeting adjourned at 5:02pm.

Robert L. Jones, Mayor

Paul Overby, Council Member

Summer Derrey, Council Member

Denise Nichols, Council Member

(Excused)

Brian Harris, Council Member

Herb Schmidt, Council Member

Keith Larson, Council Member

John Tierney, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer