

**City of Selah
Council Minutes
of
January 28, 2003**

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

A. Call to Order Mayor Pro Tem Herb Schmidt called the meeting to order at 4:02pm.

B. Roll Call

Members Present: Jerry Kobes, Pete McNew, Allen Schmid, Herb Schmidt; Scott Smeback

Members Excused: Ron Deatherage, Keith Larson

Staff Present: Frank Sweet, City Supervisor; Rick Gutierrez, Police Chief; Jerry Davis, Fire Chief; Dennis Davison, Community Planner; Joe Henne, Public Works Director; Dale Novobielski, Clerk/Treasurer; John Gawlik, Code Enforcement/ Building Inspector; Jeff Hagler, Parks & Rec Director

C. Pledge of Allegiance

Grace Maltzberger led the Pledge of Allegiance. Pastor Rex VanBeek led the group in prayer.

D. Agenda Changes

E. Public Appearances

F. Getting To Know Our Businesses

G. Communications

1. Oral

2. Written

a. Zirkle Fruit Company Letter to Selah Fire Department

Fire Chief Jerry Davis read the letter from Zirkle Fruit, praising the Fire Department's quick response and professionalism in handling a recent fire at the Zirkle warehouse.

H. Proclamations/Announcements

I. Consent Agenda

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

- * 1. Approval of Minutes: January 14, 2003
- * 2. Approval of Claims & Payroll – Claims check nos. 40177 - 40213 for a total of \$86,740.32, Claims check nos. 40215 – 40288 for a total of \$95,573.07 and Payroll checks nos. 50374 – 50513 for a total of \$129,938.89.

Mayor Pro Tem Herb Schmidt read the Consent Agenda.

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

J. Public Hearings

K. New Business

- 1. Our Lady of Lourdes Parish—Conditional Use Permit 917.63.02-1
(Considered subsequent to Council’s action on Item N – 3)

L. Old Business

M. Resolutions

- 1. Resolution Declaring Specified Equipment from the Police Department as Surplus (1)

Police Chief Rick Gutierrez stated these surplus items are uniforms which have been in storage and that they will be given to agencies who need them. He noted some old uniforms have been retained in case they are ever needed.

Councilman Kobes moved and Councilman Schmid seconded to approve the Resolution Declaring Specified Equipment from the Police Department as Surplus (1). Roll was taken: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Kobes – yes. Motion carried unanimously.

- 2. Resolution Declaring Specified Equipment from the Police Department as Surplus (2)

Police Chief Rick Gutierrez noted that surplussed used 9 mm Berettas and shotguns will be traded-in to a federally licensed firearms dealer for newer and higher caliber weapons.

Councilman Kobes noted he talked with Chief Gutierrez about whether these guns could be sold to the general public.

Chief Gutierrez informed the Council that the public can purchase these kinds of guns, but that is only possible after the high capacity magazines have been removed.

Councilman Smeback moved and Councilman Schmid seconded to approve the Resolution declaring Specified Equipment from the Police Department as Surplus (2). Roll was taken: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes, Councilman Kobes – yes. Motion carried unanimously.

N. Ordinances

1. Ordinance Amending the 2002 Budget for Unanticipated Public Works Improvements

Clerk/Treasurer Dale Novobielski stated that last fall improvements such as installation of sprinklers and electrical conduit were made along North Wenas, and at that time the budget did not contain an appropriation for funding the projects. He noted \$2500 for professional services went for surveying costs at the Elks Golf Course relative to sewer line and construction of River Ridge golf course.

Councilman Kobes moved and Councilman Schmid seconded to approve the Ordinance Amending the 2002 Budget for Unanticipated Public Works Improvements. Roll was taken: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes, Councilman Kobes – yes. Motion carried unanimously.

2. Ordinance Amending the 2002 Budget for Unanticipated Park Expenditures

Clerk/Treasurer Novobielski explained that this ordinance is similar to the previous one, in that there were purchases made which did not have appropriations or exceeded appropriations in the 2002 budget. He noted part of these expenditures are McGonagle Park cost, for temporary power at McGonagle, another a cost estimate for paving at Carlon Park, etc.

Councilman McNew asked if the 2003 Budget will cover expenses at McGonagle Park.

City Supervisor Frank Sweet explained these were development costs that arose while the City was working out there. He noted Little League paid part of cost. He stated this year's expenditures should be covered by the 2003 Budget.

Councilman Schmid asked about expenses relative to ingress and egress to trolley property. Mr. Novobielski explained the City pays for the privilege of having a wide driveway to the gazebo.

Councilman McNew moved and Councilman Smeback seconded to approve the Ordinance Amending the 2002 Budget for Unanticipated Park Expenditures. Roll was taken: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes, Councilman Kobes – yes. Motion carried unanimously.

Councilman Schmid suggested consideration of Item N – 4, another 2002 Budget adjustment prior to taking up consideration of zoning issues. Without objection, the Council considered the remaining 2002 Budget adjustment.

4. Ordinance Amending the 2002 Budget for Miscellaneous Adjustments

Clerk/Treasurer Novobielski enumerated the amendments to the 2002 Budget, explaining the variation in increased insurance payments, comp time cash-outs, changes in benefit costs, etc. He noted the largest item is park machinery and equipment to cover the cost of the mower purchased last fall with Council approval. He explained that the majority of the \$40,000+ price for the mower was moved from other unexpended funds with the budget, but he is requesting the remaining \$17,000 as a direct appropriation.

Councilman Kobes asked about the increase in solid waste. The Clerk/Treasurer explained no budget adjustment made at the time the City lost the arbitration to Superior Refuse. In addition, professional services were underestimated in 2002 creating an even larger gap.

Councilman Schmid asked about recreational services and whether the City has looked at some way of stabilizing that to get it to pay for itself. Parks and Rec Director Jeff Hagler responded that there was a spring and a fall league for men's basketball when only one was budgeted. He noted revenue did come in to cover that. The Clerk/Treasurer suggested that in the future those program change-related budget adjustments should be made mid-year.

Councilman McNew moved and Councilman Kobes seconded to approve the Ordinance Amending the 2002 Budget for Miscellaneous Adjustments. Roll was taken: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes, Councilman Kobes – yes. Motion carried unanimously.

3. Ordinance Amending Ordinance No. 420 Zoning Map Amendment No. 2003-1 Rezone to One-Family Residential (R-1) (Our Lady of Lourdes Parish)

Community Planner Dennis Davison reported the Planning Commission recommends approval of the conditional use permit, and this action must precede that. He noted this project has been anticipated for several years. It was recommended that they rezone the property to single family residential, qualifying the existing church, allowing for the expansion of the multi-purpose annex and providing for the rectory on the side. The benefit of that is that sometime in the future, if the church decides to expand one of those buildings, administrative approval can be authorized for an expansion, and the administrator can also authorize the modification of the site plan. He reviewed the procedure for securing public input, both at the Hearing Examiner and Planning Commission level.

Primary Architect Barbara Cline of TRAH Architects introduced herself to the Council, asking if Council members had questions.

Councilman Kobes asked the Fire Chief if the plans provide ample room for turning fire trucks around. Chief Davis responded that with changes made in plans for the driveway and parking, there will be ample room for pulling fire trucks in and maneuvering around.

Councilman Schmid expressed concern about the width of the driveway and expressed his fear that people will park along the 24-foot drive even if "No Parking" signs are put up. He stated he prefers a 32-foot width for streets and/or driveways. There ensued discussion about the pros and cons of various widths of the drive.

Ms. Cline explained that the entry of the multi-purpose building faces the church (east) and will not create a drop-off hazard to cars coming in the driveway. She said the primary consideration for the church is to contain costs while moving dirt to build a manageable grade for the parking lot and a solid base for the new building.

Community Planner Dennis Davison stated this is private property, and there is no liability for the City if this plan is approved with the projected driveway width. He stated this driveway has no relationship to a road or street width variance granted by the City in a subdivision.

City Supervisor Frank Sweet suggested the Council deal with the rezone now rather than discuss the issues more associated with the Conditional Use Permit.

Councilman Schmid moved and Councilman Smeback seconded to approve the Ordinance Amending Ordinance No. 420 Zoning Map Amendment No. 2003-1 Rezone to One-Family Residential (R-1) (Our Lady of Lourdes Parish). Roll was taken: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes, Councilman Kobes – yes. Motion carried unanimously.

New Business Item K - 1

Our Lady of Lourdes Parish—Conditional Use Permit 917.63.02-1

Councilman Schmid asked how the City arrived at the 165 parking spaces as the compromise figure. Community Planner Dennis Davison called the Council’s attention to page 8 of packet materials and pointed out the compromise between the numbers of anticipated use during various times of the day. He cited the example of a reception after church that might be held in the adjacent (new) building, the same people with no additional parking requirement.

The City Supervisor asked if staff supported the Planning Commission position. Mr. Davison responded affirmatively.

Mayor Pro Tem Herb Schmidt asked if thought had been given to pedestrian traffic. Barbara Cline responded that there is pedestrian traffic to the site, but noted that often more than one person arrives per car. She stated the new multi-purpose building is not designed to be rented out to the public. She stated functions other than worship will be held in the multi-purpose building, and the sanctuary is to be used as a sanctuary.

Councilman Schmid asked why they plan to have more parking instead of more green space. There ensued discussion about ways to achieve additional green space, plans for monitoring the parking, etc.

Dennis Davison suggested that if the Council wants to change the number of parking spaces they state the number as a minimum.

Councilman Schmid moved and Councilman Smeback seconded to approve Our Lady of Lourdes Parish—Conditional Use Permit 917.63.02-1 with the four conditions listed in the Planning Commission Report. Roll was taken: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes, Councilman Kobes – yes. Motion carried unanimously.

O. Communications

1. Oral

P. Reports/Announcements

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

- a. Planning Commission Minutes – December 3, 2002 – Approved
- b. Police Department Monthly Report – December 2002
- c. Police Department Annual Report – 2002

Clerk/Treasurer Dale Novobielski thanked the Council for their action which will allow him to close the books for the year 2002.

Parks and Recreation Director Jeff Hagler reported the Chamber is working on another *Selah Signals* newsletter.

City Supervisor Frank Sweet reported the complaint about traffic by Lince School. He reported he contacted Huibregtse, Louman Associates and Willard & Stokes to do an analysis and make recommendations for solutions. He stated the fee will be \$5000 and the School District will pay half of the cost. He asked the Council to approve the expenditure of \$2500 for the City half of the cost of this study. Councilman Kobes moved approval of the expenditure of \$2500 (half the cost) for a traffic study on the Lince School traffic problem. Councilman Smeback seconded. Roll was taken: Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes, Councilman Kobes – yes. Motion carried unanimously.

Community Planner Dennis Davison noted that spring is in the air and more people are talking about new projects.

Building Inspector/Code Enforcement Officer John Gawlik reported his new grandchild was born last Saturday.

Councilman Peter McNew noted his appreciation for the report of the Fire Department at the last meeting and of the Police at this one.

Councilman Allen Schmid reported he attended the YVCOG meeting January 15th. Their new board is in place: Commissioner Gamache is Chair, and Paul George (Yakima) and Al Hubert (Toppenish) are the other board members. He reported the speaker was from the health department and spoke about smallpox and other bio-terrorism issues. The Councilman praised the Police report, noting he liked the way both Chief Gutierrez and Chief Davis utilized the staff in preparing and executing the reports. He further explained why he addressed the issue of parking in regards to the Our Lady of Lourdes plans, noting parking is an issue to him and numbers seem arbitrary. He stated that we keep black-topping, and stormwater is becoming more and more of an issue.

Mayor Pro Tem Herb Schmidt agreed, noting we do need to think environmentally.

City Supervisor Frank Sweet praised Community Planner Dennis Davison for his creativity in working with Our Lady of Lourdes, noting he hopes that will continue as the Planner works with businesses that are having problems meeting the City's stringent parking requirements.

John Gawlik reported the Council Planning Committee will meet to discuss proposals regarding procedures to remove ambiguity in Codes. He stated he hopes to establish guidelines in print, which may well result in more green space.

The Mayor Pro Tem thanked the Council for the opportunity to serve in the Mayor's stead. He praised the City's ability to work as a team, noting he has held two staff meetings and assured staff that he

would be available if problems arose. He stated he appreciates being part of the team, and announced that Mayor Bob Jones will be back first of next week.

Councilman Schmid expressed the appreciation of the Council for a job well done.

Q. Executive Session

R. Adjournment

Council Member Kobes moved and Council Member Schmid seconded that the meeting be adjourned. With voice vote, the motion passed unanimously. The meeting adjourned at 5:35pm.

Herb Schmidt, Mayor Pro Tem

Ronald Deatherage, Council Member

(Excused)

Keith Larson, Council Member

Gerald Kobes, Council Member

Peter McNew, Council Member

Allen Schmid, Council Member

Scott Smeback, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer