

City of Selah
Council Minutes

June 12, 2007

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, Keith Larson, Paul Overby, Allen Schmid

Members Excused: Denise Nichols, Herb Schmidt, Scott Smeback

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

C. Pledge of Allegiance

Mayor Jones led the Pledge of Allegiance. Parks & Recreation Director Jeff Hagler led the group in prayer.

D. Agenda Changes

Mayor Jones noted the addition of M-5 Resolution Authorizing the Mayor To Sign the Fizzell Outside Utility Agreement (OUA 171.42.07-01)

E. Public Appearances

Mayor Jones presented an award to Lieutenant Stacy Dwarshuis in recognition of his 25 years of outstanding service to the City of Selah. Lt. Dwarshuis introduced family members who were in the audience: his wife Kim, brother Brian, father-in-law Mike and step-daughter Jennifer.

1. Community Pride Award – Alan Pelzel for exceptional service and dedication to Selah Community Days Parades

Mayor Jones called Alan Pelzel from the audience. He presented him with a Community Pride award in recognition of his many years of service to the Community Days Parade.

2. Community Pride Award – Brett Blanshan – State Champion Long Jump

Mayor Jones presented Selah High School student Brett Blanshan the Community Pride Award in recognition of his first place finish at state track in Long Jump with a winning jump of 21 feet 10 and 3/4 inches. Brett introduced his father and his coach.

3. Community Pride Award – Shene Davis – State Champion triple Jump

Mayor Jones presented Selah High School student Shene Davis the Community Pride Award in recognition of her first place finish at state track in Triple Jump with a winning jump of 36 feet 3 and 3/4 inches. She introduced her mother Wendy Culver, who noted Shene also placed first in state last year. She also introduced her coach Patti Becker.

F. Getting To Know Our Businesses

G. Communications

1. Oral

2. Written

1. Parks & Recreation Soccer Program

Parks & Recreation Director Jeff Hagler noted he included the soccer report because he wanted the Council to be aware of the numbers of kids in soccer. He stressed the need for a permanent soccer fields.

Mayor Jones praised Mr. Hagler's recreation program for its outstanding service to area youth.

H. Proclamations/Announcements

I. Consent Agenda

Councilman Paul Overby moved to take N-1 off Consent, noting he had some questions. Mayor Jones encouraged him to ask those questions now. Mr. Overby asked what kind of notification residents of the annexed area receive now that the annexation has been approved.

Community Planner Dennis Davison responded that he sends a letter to each resident welcoming him/her to the City.

Councilman Overby withdrew his motion, stating he was comfortable leaving N-1 on the Consent Agenda.

Mayor Jones read the Consent Agenda.

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

- * 1. Approval of Minutes: Council Meeting May 22, 2007
- * 2. Approval of Claims & Payroll: Claims Checks nos. 49768 - 49878 for a total of \$577,771.26 and Payroll Checks Nos. 61021 – 61110 for a total of \$160,323.03.

- * 3. Resolution Authorizing the Mayor To Sign the Supplement to Interlocal Agreement for Transfer of STP Funding
- * 4. Ordinance Providing for Annexation of the property known as the Driscoll Lane Annexation by the City of Selah and Incorporating the Same within the Corporate Limits Thereof and Zoning said Real Property Single Family Residential (R-1)
- * 5. Ordinance of the City of Selah Amending Selah Municipal Code Section 6.58.180 “Landscape Maintenance” To Clarify That the Provision Applies to Properties within Residential Areas of the City as Well as Other Areas of the City; Providing for Severability; and, Establishing an Effective Date
- * 6. Ordinance Amending Ordinance No. 1693 – 2007 Salary Schedule for Management, Confidential and Unrepresented Employees for the Purpose of Adding a Part-Time Teen Center Assistant and a Park & Recreation Office Assistant
- * 7. Ordinance of the City of Selah Amending Selah Municipal Code Section 5.06.020 “Dogs in Parks, Playgrounds or Schools Prohibited” To Permit Dogs in Public Parks if on a Leash; Providing for Severability; and, Establishing an Effective Date

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

J. Public Hearings

K. New Business

L. Old Business

- 1. Roy Sample’s Request To Increase the Size of the Outside Utility Agreement North of the Somerset 1 Subdivision

City Supervisor Frank Sweet addressed L-1, reminding the Council that staff was directed to refer the OUA extension to HLA Engineer Ted Pooler.

Ted Pooler stated he was available for questions.

Fire Chief Jerry Davis asked if there was a provision for a fire hydrant in that segment of the water system.

Mr. Pooler confirmed that provision.

The City Supervisor stated that staff would like to receive direction to bring this item back to the next Council Meeting as an Ordinance approving extension of the Outside Utility Agreement to cover Mr. Sample's property.

Councilman Harris noted that the proponent of this item is his father-in-law Roy Sample.

There was no objection to Councilman Harris' participation in the consideration.

Councilman Larson moved to direct staff to bring this item back as an Ordinance changing the Outside Utility Agreement. Councilman Schmid seconded. Roll was called: Council Member

Schmid – yes; Council Member Overby – yes; Council Member Larson – yes; Council Member Harris - yes. Motion passed unanimously.

2. Evolution Land Enterprises' Request To Begin Construction of Street and Utility Improvements for Valhalla Heights Phases 1 and 2

Ted Pooler addressed the Council on Item L-2, noting that Evolution Land Enterprises is asking to move forward with this subdivision, which includes a fairly significant expansion of the City's water system, some of which requires permission of the Department of Health. He noted some elements of this project are lower risk. He suggested if the developer is willing to take the risk, it is reasonable for the City to allow him to go ahead. He stated there are some specific improvements will need to have state approval prior to moving forward. He referred to Mr. Louman's letter, which includes the following conditions:

1. A written, notarized statement shall be executed by ELE stating that they are proceeding with construction of improvements prior to approval of water system facilities by the Washington Department of Health (WDOH), and are accepting all risks and costs of proceeding with construction. The statement shall clearly state that ELE holds the City of Selah harmless of any WDOH required revisions, modifications, or replacements, including non-approval of all water system improvements. The City Attorney shall review and approve said statement prior to its execution.
2. A bond in the amount of 150% of the total estimated cost of all infrastructure improvements, as determined by the City of Selah based on public bid prices, shall be provided by ELE.
3. Compliance with the submittal of required engineering reports and construction plans and specifications to the City and WDOH shall occur within 60 calendar days of City approval of construction. Failure to comply with this requirement may result in the City issuing a stop construction order until compliance is achieved.
4. No work shall proceed on pump station or reservoir facilities prior to WDOH approval.

Mr. Pooler noted if the City has the bond in hand, then there is backing to protect the City.

City Supervisor Frank Sweet stated he and Mr. Pooler are bringing this item before the Council today so the Council is aware of what is happening with this development.

Councilman Larson stated his understanding of this is that the proponent needs to submit engineering reports and construction plans 60 days after the City allows him to proceed. He asked how the City will determine 150% of a plan before the construction plans are presented.

Ted Pooler responded that they asked for a detailed estimate and that estimate will include all of the Health Department considerations.

Councilman Overby asked what the delay is with the engineering reports.

Chuck Johnson, 11 E. 1st Avenue, noted he actually has the preliminary water system plan and the City can review that. He stated the water system plan will be a separate set of plans. He explained he'd like to get the grading, etc. done and wants to do this while waiting for the rest to be approved. Mr. Johnson said he has been assured by Mr. Louman that as long as the City approves this, the Department will as well.

Ted Pooler noted that was his understanding as well.

Councilman Larson moved approval of Evolution Land Enterprises' Request To Begin Construction of Street and Utility Improvements for Valhalla Heights Phases 1 and 2. Councilman Overby seconded.

Councilman Schmid said he would like the motion to include "based on the recommendation of Mr. Louman including the conditions set forth in Mr. Louman's letter."

Councilman Larson rephrased his motion as follows:

"I move approval of Evolution Land Enterprises' Request To Begin Construction of Street and Utility Improvements for Valhalla Heights Phases 1 and 2, based on the recommendation of Mr. Louman including the conditions set forth in Mr. Louman's letter."

Public Works Director Joe Henne stated his belief that Mr. Johnson wants to include all utilities between the existing reservoir and the new reservoir. He noted the transmission main.

Mayor Jones called for the vote.

Roll was called: Council Member Schmid – yes; Council Member Overby – yes; Council Member Larson – yes; Council Member Harris - yes. Motion passed unanimously.

M. Resolutions

1. Resolution Authorizing the Mayor To Sign Change Order Number 4 for the 2006 Wastewater Treatment Facility Improvements

Ted Pooler addressed item M-1, noting this Change Order on the Treatment Plant is well within the contingency fund on this project. He reviewed the requested changes:

- 4-1 Revise the sludge grinder flange diameters to match the piping.
- 4-2 Add extra conduit for future controls for the generator at the main plant MCC.
- 4-3 Install three 4" conduits from the main service to the overhead transformers and six 4" conduits from the main service to the future pad mounted transformer.
- 4-4 Install conduit from CT enclosure to utility pole at the pre-treatment facility
- 4-5 Install additional conduits and junction boxes at the main plant MCC and Pump Gallery per RFI 32.

He recommended approval of the Change Order in the amount of \$12,210.91.

Councilman Schmid moved approval of the Resolution Authorizing the Mayor To Sign Change Order Number 4 for the 2006 Wastewater Treatment Facility Improvements. Councilman Larson seconded. Roll was called: Council Member Schmid – yes; Council Member Overby – yes; Council Member Larson – yes; Council Member Harris - yes. Motion passed unanimously.

- * 2. Resolution Authorizing the Mayor To Sign the Supplement to Interlocal Agreement for Transfer of STP Funding

3. Resolution Approving Payment to Mountain States Construction Company for Work Performed through May 31, 2007

Ted Pooler addressed agenda item M-3 noting this \$4.4million Wastewater Treatment Plant project is now happening above the ground. He noted the clarifier doesn't look much different, but the sludge pump building, a masonry structure, looks quite different. He stated the biggest difference is the bio-solids treatment building which has all of the steel framing up and, as of today, the roof. He noted they are putting in a water main and had to take that under the railroad spur line to Graham Packaging. That line is about half done. He noted they are now installing two 6" pipelines one of which will carry effluent to a storage tank where they will chlorinate it and use for cleaning the centrifuge and sludge dryer. He stated the 10" pipe previously used in the dewatering process at the beginning of the project will now be inserted in the concrete casing under the main railroad line and used as a water main. He stated the main plant is kind of messy because the contractor wanted to changes to the pump around there, and it now consists of belt suspenders and rope pumps. He noted that simplifies work for the contractor. He said there's lots of activity at the main plant now, and there are still weekly construction meetings. He recommended approval of the payment to Mountain States.

Councilman Harris asked for clarification on the overage in some items in the statement.

Mr. Pooler explained that the "Common Borrow" item helps to balance out the expense when unanticipated over-expenditures are necessary.

Councilman Schmid moved approval of the Resolution Approving Payment to Mountain States Construction Company for Work Performed through May 31, 2007. Councilman Larson seconded. Roll was called: Council Member Schmid – yes; Council Member Overby – yes; Council Member Larson – yes Council Member Harris – yes. Motion passed unanimously.

4. Resolution Authorizing the Mayor To Sign an Intergovernmental Cooperative Purchasing Agreement with Vancouver School District No. 37 for a Period Beginning June 1, 2007 and Ending June 1, 2009

Police Lieutenant Stacy Dwarshuis thanked the Mayor and Council for honoring him for his first 25 years of service. He addressed Resolution M-4 noting he and Chief Gutierrez are in search of the best equipment for their new offices. He stated that he learned the Vancouver School District has an existing agreement with Hon Office equipment which could be accessed through an interlocal agreement with that District. He noted this will save the City a couple of thousand dollars.

Councilman Larson moved approval of the Resolution Authorizing the Mayor To Sign an Intergovernmental Cooperative Purchasing Agreement with Vancouver School District No. 37 for a Period Beginning June 1, 2007 and Ending June 1, 2009. Councilman Harris seconded. Roll was called: Council Member Schmid – yes; Council Member Overby – yes; Council Member Larson – yes Council Member Harris – yes. Motion passed unanimously.

5. Resolution Authorizing the Mayor To Sign the Fizzell Outside Utility Agreement (OUA 171.42.07-01)

Community Planner Dennis Davison introduced Resolution M-5 by calling the Council's attention to the colored map in the packet. He noted that while working on Selah Loop Road the County hit Ms.

Fizzell's drainfield and fouled the system. He noted this resolution asks the City to extend the same opportunity to Ms. Fizzell as it has to others in the same area.

Councilman Harris asked for clarification on the City limits in this area.

Councilman Schmid asked if the City is tapping into the pressure system to extend water here.

The Public Works Director responded that it is the same source gravity.

Councilman Schmid moved approval of the Resolution Authorizing the Mayor To Sign the Fizzell Outside Utility Agreement (OUA 171.42.07-01). Councilman Paul Overby seconded. Roll was called: Council Member Schmid – yes; Council Member Overby – yes; Council Member Larson – yes Council Member Harris – yes. Motion passed unanimously.

N. Ordinances

- * 1. Ordinance Providing for Annexation of the property known as the Driscoll Lane Annexation by the City of Selah and Incorporating the Same within the Corporate Limits Thereof and Zoning said Real Property Single Family Residential (R-1)
- * 2. Ordinance of the City of Selah Amending Selah Municipal Code Section 6.58.180 “Landscape Maintenance” To Clarify That the Provision Applies to Properties within Residential Areas of the City as Well as Other Areas of the City; Providing for Severability; and, Establishing an Effective Date
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O. Communications

- 1. Oral

P. Reports/Announcements

- 1. Mayor
- 2. Council Members
- 3. Boards
- 4. Departmental
 - a. Fire Department 2006 Annual Report
 - b. Police Department Monthly Report – April 2007

Police Chief Rick Gutierrez reported that Officer Tony Valencia received the Officer of the Year Award for his work on the Spanish Citizens Academy. He further reported that the Citizens Academy graduation was held Sunday, June 3, graduating 47 out of 65. He noted the graduation class wrote a letter to the Mayor thanking him for his support of the class and at a dinner following graduation recognized Officer Tony Valencia with a plaque.

Parks & Recreation Director Jeff Hagler reported a large softball tournament was held at Carlon Park last weekend. They lost power during the tournament, which meant the restrooms wouldn't work, and they had to bring in porta-potties.

Mayor Jones suggested the City explore putting a backup generator at Carlon.

Mr. Hagler further reported the Pool is open for school groups all this week and will open for the public on Saturday.

Councilman Overby reported a good turnout at the Council Forum held June 6. He noted it's the first time a Forum has been held where there were more community members in attendance than staff. He listed those on staff and Council who attended: Mayor Jones, Councilman Schmid, Councilman Harris, Councilman Schmidt and himself, Community Planner Dennis Davison, Police Chief Rick Gutierrez, Police Lieutenant Stacy Dwarshuis and Administrative Assistant Julie Gray. Fifteen citizens attended. He said presenters did an excellent job. He expressed his disappointment that no one from the *Yakima Herald* was there.

Councilman Harris reported his daughter has been involved in tournaments at Carlon Park this spring and the fields are awesome. He praised the parks maintenance crew Jeff Glaspie, Lonny Walker and Doug Sterns for their fine job. He noted a lot of the parents were helping pick up their trash. He said he was amazed at the number of RV's parked there.

Mayor Jones said they should remind school to turn off water on the weekends that tournaments are held.

Councilman Larson noted he was out of town on a business trip and apologized for missing the Forum.

Fire Chief Jerry Davis advised the Council about his capital expenditures, noting prices are coming in higher on many products he uses. He noted the Fire Department annual report is in the packet and he will answer questions anyone has.

Community Planner Dennis Davison reported two preliminary plats will likely come before Council by the end of the month. He stated there is more push for building on top of the hill. He thanked the Council for finalizing the Driscoll Road annexation.

Public Works Director Joe Henne reported a water service line blew across the street from City Hall. He noted his crew will be digging on this side of the street tomorrow. He reported they have the curb on 10th formed up and hopefully will pour this week. He reported he and the City Supervisor met with the power company about pursuing a service for the park area in Crusher Canyon. He stated Carlon Park was determined not to be eligible for funding, so he will have to come up with another avenue for that funding.

Police Lt. Dwarshuis reported he met with the contractor and the architect this morning, and things are progressing; they're even working inside the building now. He reported he ordered computers last week and will order furniture this week.

Mayor Jones noted he had a card for Jeff Louman for Council and staff to sign. He stated the Sheriff's Department called him this morning about the water leak and he had the crew out on it first thing. He noted he was concerned about water in the basement of the Mathes building, but it's barely damp there.

Q. Executive Session

No Executive Session is scheduled.

R. Adjournment

Council Member Larson moved, and Councilman Schmid seconded that the meeting be adjourned. By voice vote, the motion passed unanimously. The meeting adjourned at 5:05pm.

Robert L. Jones, Mayor

Paul Overby, Council Member

Keith Larson, Council Member

(Excused)

Denise Nichols, Council Member

Brian Harris, Council Member

(Excused)

Herb Schmidt, Council Member

(Excused)

Scott Smeback, Council Member

Allen Schmid, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer