

City of Selah
Council Minutes
March 11, 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, Brian Harris, Keith Larson, Denise Nichols, Paul Overby, Herb Schmidt

Members Excused: John Tierney

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

D. Agenda Changes

E. Public Appearances

1. Community Pride Awards

Mayor Jones delayed presentation of Community Pride awards since one recipient was not present.

F. Getting To Know Our Businesses

1. Eric Gamache – Selah Mining Company

Councilman Paul Overby introduced Eric Gamache, new owner of Selah Mining Company.

Mr. Gamache addressed the Council, noting he purchased the Selah Mining company January 1, 2008. He stated he wants to expand the menu, and a new kitchen is currently being installed. He said they plan to continue to provide live entertainment on weekends featuring country and & rock roll. He said he wants to continue the focus of a family restaurant with kids until 9:00. He said Selah Mining operates a full catering company. He noted their downstairs works for parties or meetings. They have remodeled

and cleaned up the building, and people excited about having another place for lunch or dinner. He said he will start serving lunches 2 weeks.

Councilman Brian Harris asked if the new owner is aiming at more of a family atmosphere.

Mr. Gamache said for most of dinners they serve there are 1 or 2 children at the table. He said his own kids like to be able to come there.

Councilman Herb Schmidt suggested putting a menu in the local paper.

Mr. Gamache said they are waiting to have things up and running to do advertising.

Jeff Hagler asked about the size of his meeting room.

Mr. Gamache said it will hold about 100-125 people. He noted he also owns Hoops Bar and Grill in Yakima.

Mayor Jones said he's glad to have him in Selah.

Councilman Paul Overby asked if Mr. Gamache will still serve the stew Selah Mining is famous for.

Mr. Gamache said he has the original stew recipe. He said they have had great success with their ribs and their prime rib special on Fridays.

G. Communications

1. Oral

Allen Schmid, 1410 West Cherry, addressed the Council. He said he'd like to make note of a happening at the last Council meeting. He stated three Council Members belong to Kiwanis, and that they should have declared a conflict of interest on the meeting room decision.

Mayor Jones said he should have caught that.

Councilwoman Summer Derrey said she asked City Attorney Bob Noe if it was necessary for her to step down.

Mr. Noe said the item was a legislative action, so that was not necessary.

2. Written

- a. YBSA Monthly Report – February 2008
- b. Invitation to Yakima Valley School's 50th Anniversary Celebration March 19th from 9:00am – 3:30pm
- c. Running on Empty 2007 Annual Report WA Department of Transportation

H. Proclamations/Announcements

I. Consent Agenda

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

- * 1. Approval of Minutes: Study Session & Council Meeting February 26, 2008
- * 2. Approval of Claims & Payroll: Payroll 8 Checks Nos. 62901 – 63001 for a total of \$163,204.97 and Claim Checks Nos. 51338 – 51432 for a total of \$309,371.12.
- * 3. Resolution M-1 Approving Payment to Mountain States Construction Company for Work Performed through February 29, 2008, Accepting Project Estimate No. 15 as the Final for Work Performed by Mountain States, and Accepting the Project as Complete
- * 4. Resolution M-2 Authorizing the Mayor To Sign a new Water Rental Agreement between the City and the Naches-Selah Irrigation District for 2008
- * 5. Resolution M-3 Authorizing the Mayor To Sign a Contract with Pacific Power To Provide Electrical Services for Lighting for South Park Drive

Councilman Paul Overby suggested adding Item M-3 to the Consent Agenda.

Councilman Schmidt suggested adding Item M-2.

Councilman Keith Larson suggested adding Item M-1.

Councilman Larson moved to add M-1, M-2, and M-3 to the Consent Agenda. Councilwoman Denise Nichols seconded. By voice vote, support for the amendment was unanimous

Mayor Jones read the Consent Agenda as amended.

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

Mayor Jones presented the Community Pride award to Daniel Escamilla in recognition of his state wrestling championship in the 215lb. finals. He also asked Coach Ken Mazingo to come forward, praising his work with these wrestlers. The Mayor gave Daniel Escamilla the plaque and a medallion.

J. Public Hearings

K. New Business

L. Old Business

M. Resolutions

- * 1. Resolution Approving Payment to Mountain States Construction Company for Work Performed through February 29, 2008, Accepting Project Estimate No. 15 as the Final for Work Performed by Mountain States, and Accepting the Project as Complete
- * 2. Resolution Authorizing the Mayor To Sign a new Water Rental Agreement between the City and the Naches-Selah Irrigation District for 2008
- * 3. Resolution Authorizing the Mayor To Sign a Contract with Pacific Power To Provide Electrical Services for Lighting for South Park Drive

4. Resolution Authorizing the Mayor To Withdraw the Nomination of Donna Garner as Selah's Representative on the Tourism Promotion Area Board and To Substitute the Nomination of Rozanne Mecca until Such Time as the New Hotel Is Open and Mrs. Garner Is Ready To Serve

City Supervisor Frank Sweet said he thought Donna Garner would be eligible to serve on the TPA, but he was in error.

Allen Schmid addressed the Council, saying he thought that when the TPA was set up, it was stipulated that until such time as Selah had a hotel, their position would be filled by someone from Union Gap.

Councilman Herb Schmidt said he could get by-laws if there is a question.

Councilman Schmidt moved approval of the Resolution Authorizing the Mayor To Withdraw the Nomination of Donna Garner as Selah's Representative on the Tourism Promotion Area Board and To Substitute the Nomination of Rozanne Mecca until Such Time as the New Hotel Is Open and Mrs. Garner Is Ready To Serve. Councilman Harris seconded. Roll was called: Council Member Schmidt – yes; Council Member Larson – yes; Council Member Harris – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Derrey – yes. Motion carried unanimously.

N. Ordinances

1. Ordinance Relating To Health and Safety; Adding Chapter 6.85 to Selah Municipal Code To Prohibit the Retail Sale or Distribution of Novelty Lighters (Information only at this time)

Gary Hanna, Deputy Chief & Fire Marshal, addressed the Council, noting he put together packets for the Council's review. He said there has been a movement across America, and both the City of Yakima and the County Commissioners have adopted ordinances. He said the intent is not for us to become "lighter police." He stated this targets lighters designed to be attractive to young children, and would not affect Bics or grill lighters. He said novelty lighters are made primarily in China, and are very cheaply made. He noted Henry's Smoke Shop is the only place in town that carries them, and that manager has no intention of reordering. He said he could find nowhere else in Selah carries them. He noted they have also been banned in Europe.

Fire Chief Jerry Davis said he went around to businesses when Gary Hanna was working on this in Yakima, and only one place in Selah had Santa Claus lighters.

Mr. Hanna said they discussed the difference between "tools" and "toys" in their presentations to school children. He noted if Council would like, he will follow up on an ordinance.

Mayor Jones thanked Deputy Chief Hanna for his presentation and announced they will move to Communications Reports and Announcements then adjourn to Executive Session.

O. Communications

1. Oral

P. Reports/Announcements

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

- a. Planning Commission Minutes of February 6, 2008 - Approved

Public Works Director Joe Henne reported they've been moving the tractor to Carlon Park. He noted Community Days are coming soon, so if anyone has requests, they should get them in soon.

Councilman Keith Larson reported he attended the meeting with Yakima Training Center including a tour of the new drying facility. He said he was thoroughly impressed, and expressed the hope that the Training Center will be able to use the dried sludge. He reported work on the Civic Center bathroom is proceeding well.

Councilman Brian Harris said it is neat to have our own paper supporting Selah City Council. He pointed out an ad for the North Park Lodge in the Visitors Guide. He thanked the Mayor for giving Daniel Escamilla the Community Pride Award, noting he has gone 41 & 0 in his wrestling career. He further noted that last year Kenny Mazingo was awarded Coach of the Year.

Councilman Herb Schmidt said Joe Henne mentioned Community Days. He announced Kiwanis will sponsor the Pancake Feed again this year and all proceeds will go to scholarships.

Councilman Paul Overby announced there will be a Public Forum on the 19th at 7:00pm, a week from tomorrow.

Councilwoman Denise Nichols reported that she is the alternate for YVCOG, but she will not be able to be there March 19. Mayor Jones said he would cover that if Councilman Tierney cannot. She praised the Mayor's Prayer breakfast, saying Brian Harris did a great job at the Mayor's Prayer Breakfast.

Parks & Recreation Director Jeff Hagler handed out a sheet showing junior college teams coming to Selah April 19th & 20th.

The City Supervisor asked if we will be coordinating this with the Chamber to get it up on reader boards.

Mr. Hagler reported he has talked with the Chamber about putting together a welcome packet.

Brian Harris noted that's 44 games.

Mayor Jones reported he's been working on Veterans Park with Ken Pendleton, Keith Herke, several contractors, who have volunteered to work together on this project. He said they can put it together in one Saturday and a Sunday if Public Works has finished the irrigation and Herb Schmidt takes care of the lavender. He said in addition to the American flag, there will be flags for each military service, and the Park will be dedicated to anyone who has ever been in the service. At 4:42pm he declared a short recess before moving into executive Session.

Q. Executive Session

1. Personnel 15 minutes

2. Real Estate 15 minutes

Mayor Jones reconvened the City Council meeting at 5:06pm. He announced that Chief of Police Rick Gutierrez has submitted his resignation. He said the Chief wants to pursue other avenues of employment after 18 years with the City.

City Attorney Bob Noe stated the letter is effective April 1, 2008, and Mr. Gutierrez requested a severance package, which in view of his eighteen years of service to the community makes some sense.

Councilwoman Denise Nichols moved to accept Rick Gutierrez' resignation effective April 1, 2008 and to provide a severance package to Mr. Gutierrez to include:

- a. Severance pay of thirty-six thousand six hundred and six dollars (\$36,606.00) representing six month's salary, less standard deductions and withholdings.**
- b. Six month's medical insurance premium of four thousand three hundred dollars (4,300.00).**
- c. Mr. Gutierrez shall be permitted to be off work and shall receive sick leave through March 31, 2008.**
- d. Accrued vacation and sick leave according to policy**

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

City Supervisor Frank Sweet advised the Council that the City has received an offer from Moultray & Associates to purchase Lot 2 North Park Drive (Parcel 181436-12422) in the amount of \$327,468.54. He noted this is property adjacent to that owned by Otis Harlan and its purchase would leave only three lots remaining to sell.

Councilman Herb Schmidt moved and Councilman Larson seconded to accept the offer to purchase Lot 2 North Park Drive made by Moultray & Associates in the amount of \$327,468.54 and to authorize the Mayor to sign any and all documents related to that sale. Roll was called: Council Member Schmidt – yes; Council Member Larson – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Harris – yes; Council Member Derrey – yes. Motion carried unanimously.

R. Adjournment

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

The meeting adjourned at 5:10pm.

Robert L. Jones, Mayor

Paul Overby, Council Member

Summer Derrey, Council Member

Denise Nichols, Council Member

Brian Harris, Council Member

Herb Schmidt, Council Member

Keith Larson, Council Member

(Excused)

John Tierney, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer