

City of Selah
Council Minutes

March 13, 2007

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

A. Call to Order Mayor Pro Tem Allen Schmid called the meeting to order at 4:03pm.

B. Roll Call

Members Present: Brian Harris, Keith Larson, Denise Nichols, Paul Overby, Mayor Pro Tem Allen Schmid, Herb Schmidt, Scott Smeback

Members Excused:

Staff Present: Frank Sweet, City Supervisor; Bob Noe, City Attorney; Jerry Davis, Fire Chief; Stacy Dwarshius, Police Lieutenant; Dennis Davison, Community Planner; Jeff Hagler, Parks & Rec Director

C. Pledge of Allegiance

Councilman Overby led the Pledge of Allegiance. Pastor Rex Van Beek led the group in prayer.

D. Agenda Changes

E. Public Appearances

1. Community Pride Award

Mayor Pro Tem Schmid presented the Community Pride Award and a Selah pin to Zach Schab, swimmer who placed first in the 100 freestyle at the State Swim meet.

2. Community Pride Award

Councilman Brian Harris presented a Selah coin to wrestling Coach Ken Mozingo, Coach of the Year. He presented Community Pride awards and Selah pins to Steve Schram (4th place), Carlos Torres (4th place), and Dan Escamilla (3rd Place).

The Mayor Pro Tem stated his pride in the youth of this community. He announced the appointment of Stacy Dwarshius as Police Lieutenant.

City Supervisor Frank Sweet noted there will be an Executive Session on real estate for 15 minutes.

F. Getting To Know Our Businesses

G. Communications

1. Oral

2. Written

H. Proclamations/Announcements

I. Consent Agenda

Councilman Schmidt moved and Councilman Smeback seconded to include M-1 on Consent Agenda. Without objection it was included.

Mayor Pro tem Schmid read the Consent Agenda.

Councilman Smeback moved and Councilwoman Nichols seconded to adopt the Consent Agenda as amended. By voice vote, the Consent Agenda was unanimously adopted.

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

* 1. Approval of Minutes: Council Meeting February 27, 2007

* 2. Approval of Claims & Payroll: Claims check nos. 49242 – 49343 for a total of \$711,360.74.

*M-1. Resolution Authorizing the Mayor To Sign a Contract with Pacific Power To Provide Electrical Services for Lights for Phase 1, Orchard View Estates

J. Public Hearings

1. Public Hearing—Driscoll Lane Annexation (920.63.06-04)

Community Planner Dennis Davison introduced the Driscoll Lane Annexation Public Hearing. He reviewed the process of petitioning the property owners several of whom previously had OUA's. Seven of the fourteen property owners signed the petition, in addition to two who had outside utility agreements. He drew Council Members' attention to the map. He stated this proposed annexation is zoned Single Family Residential by Yakima County, and it would be similarly zoned if it is brought into the City. He noted contiguous property in the City is similarly zoned. Services are available near the north and east edges of the proposed annexation, but not on the southern part. He stated if this annexation is approved, he will bring back an authorizing Ordinance and Findings of Fact and then take it to the County. He noted the packet includes a letter from Mr. Hagarty asking that his property not be included. He noted the Council can reduce, but not enlarge boundaries.

City Supervisor Frank Sweet asked what percentage of property owners approved the petition

The Planner said he would find the answer.

Councilman Harris noted a potential conflict of interest as he is buying property near the proposed annexation.

Councilwoman Nichols asked what the downside might be if the Hagarty triangle is not included in the annexation.

Community Planner Davison stated if it is not included, the boundary of the annexation would not be straight. He noted those signing the petition represented 59.89% and with the Outside Utility Agreements included, the total is 80.26% approval.

Dan Hollrah, 281 Driscoll Lane, (Lot 1 on the annexation map) stated he does not see why he should be annexed to the City. He said the City seems to be aggressively annexing property. He said he believes the City will have to buy some property in order to complete the proposed road. He said he has no desire to be a part of it and requested not to be included. He stated he believed some of his neighbors thought the meeting was at 7:30. The Mayor Pro Tem informed Mr. Hollrah that Council meetings are always held at 4:00pm.

Councilman Schmidt asked why Mr. Hollrah would delete himself from the possibility of annexation.

Mr. Hollrah responded he bought in the country and has no desire to be part of the City. He noted he can see congestion starting to affect the town. He added that he is also concerned with the road.

Mayor Pro Tem Schmid stated the reason why it was expanded from the original request was to "square off" the annexation.

Mr. Hollrah accused the Council of "actively and aggressively annexing."

The Mayor Pro Tem stated those with Outside Utility Agreements were told they were expected to support annexation if the time came.

Mike Wangler, 250 Driscoll Road, asked what will happen after this area is annexed. He asked who would maintain Driscoll Road. He expressed his concern that the traffic there is pretty aggressive and there are lots of potholes.

Public Works Director Joe Henne stated Heritage Hills paved part of that road, but it doesn't go all the way to 16th Street. He said right now there is no right-of-way. Mr. Wangler expressed his concern about the aggressive traffic in the area.

Councilman Larson stated the City usually requires a developer to improve and build a road to the City's standards.

The Mayor Pro Tem closed Public Hearing and called for questions and/or concerns from the Council.

Councilman Harris asked what would happen to the road, if it would become City property.

Mr. Henne responded that the plan is to extend Heritage Hills.

The Mayor Pro Tem asked how far to the east Heritage Hills is blacktopped.

Mr. Henne stated all the way in front of the Michaels to 10th Street.

In response to a question from Councilwoman Nichols, the Community Planner explained that several property owners who had OUA's signed the petition, so only two needed to be utilized.

City Supervisor Sweet asked the Community Planner what he wants today.

Community Planner Davison responded that he wants Council to adopt the annexation today then he'll come back with the Ordinance that approves the annexation and the Findings.

The Mayor Pro Tem stated he personally would like to adopt this as the Council originally intended, with straight edges and no islands.

The City Supervisor stated he sees nothing on the agenda indicating action to be taken on this annexation today. The Council may have a consensus to give direction to staff.

Councilman Larson noted his agreement with the Mayor Pro Tem about keeping the annexation as proposed.

The Mayor Pro Tem suggested the staff include that intent in their paperwork.

Councilman Larson again agreed with the Mayor Pro Tem.

The Mayor Pro Tem stated that will come back to the Council in 2 weeks. He moved on to Resolution M-2.

K. New Business

L. Old Business

M. Resolutions

- * 1. Resolution Authorizing the Mayor To Sign a Contract with Pacific Power To Provide Electrical Services for Lights for Phase 1, Orchard View Estates
- 2. Resolution Approving Payment to Mountain States Construction Company for Work Performed through February 28, 2007

Ted Pooler thanked the Council for the opportunity to update them on the WWTP Project. He noted this represents a considerable amount of \$536,462.50, but the overall project is over \$4million. He said the big pay item is mobilization, and 10% of work on that is done. He noted the sludge holding tank is 7% completed. He stated that is 50 feet in diameter and the walls are 21 feet high. They are removing forms from that right now. They also completed the excavation of the clarifier.

Councilman Schmidt recommended Council Members go look at it, noting it's impressive.

Mr. Pooler stated before they can pour the slab in the Bio-solids Building, they must complete the plumbing and electrical conduit. He noted they are also doing some work at the main Treatment Plant. He stated he is glad the contractors are keeping track of all of the conduits. He noted parts of it are

ahead of schedule; some activities have been re-sequenced. He stated he is please with the work of Mountain States.

The Mayor Pro Tem asked if there has been more groundwater since the river is rising.

Mr. Pooler noted there has been little effect, but the pumps are still in place if they are needed.

Councilman Schmidt moved approval of the Resolution Approving Payment to Mountain States Construction Company for Work Performed through February 28, 2007. Councilman Smeback seconded. Roll was called: Council Member Smeback – yes; Council Member Schmidt – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Larson – yes; Council Member Harris - yes. Motion passed unanimously.

N. Ordinances

O. Communications

1. Oral

P. Reports/Announcements

1. Mayor

2. Council Members

3. Boards

4. Departmental

a. Police Department Monthly Report – February 2007

b. Selah Civic Center Year-End Report - 2006

Fire Chief Jerry Davis reported he looked at the water south of town, and about ? of the course at River Ridge is filling up, but the buildings are okay. He said the water is dropping at the Elks. He further reported Training Officer Jim Martin started back on light duty, five hours a day. He stated they received a donation of dog respirator masks, and the small one works on cats. He stated he's looking forward to working with Lt. Dwarshius.

Police Lieutenant Dwarshius reported the Police Department received an \$85,000 grant for fiber-optics and will start work the end of this month. The Architect's blueprints will be done by the end of the month, and he will have some for the Safety Committee meeting Thursday.

Parks & Rec Director Jeff Hagler reported it is spring in the Parks. He stated all Parks are open and ready for the people. He passed out a flyer for Senior trips.

Public Works Director Joe Henne reported he's trying to keep projects moving. He reported he's assisting Jeff Hagler in getting park meters turned on, and dealing with some transportation issues. He noted Ecology's stormwater permits are prorated for half a year. He said the Department of Ecology looks at the state's mean average income per household, and base their fees, not on discharge, but rather on the ability to pay.

Councilman Smeback praised Zach Schab for working hard in swimming. He stated it's important to remember the parental commitment that is involved in kids' activities.

The Mayor Pro Tem said it's even more challenging for swimmers and their parents, since we don't have a pool and they have to share with Ike.

Councilman Larson reported he attended his first Community Forum last week. He stated there were only two citizens there, and he was disappointed with turnout.

Councilman Harris reported he drove down Crusher to Fremont and noted how nice it is to travel that way. He congratulated Stacy Dwarshius for his work for 25 years on the Police Force.

Councilman Schmidt reported Councilman Keith Larson has been added to the Safety Committee. He noted when driving up Crusher Canyon you'll see a tree on the left hand side. He noted that tree was donated by former Council Member Doug Howie and is a sequoia redwood. He stated it will be a will be a nice looking tree.

The Mayor Pro Tem noted everybody has a copy of the PDC short form, which must be in by April 15. He praised the Visitors and Convention booklet. He declared a recess before moving into Executive Session to discuss real estate.

Q. Executive Session

The Council moved into Executive Session to discuss real estate at 5:18pm.

The Council moved back into General Session at 5:36.

Councilman Larson moved and Councilwoman Nichols seconded to authorize the Mayor Pro Tem to sign the Purchase and Sale Agreement with Weber Properties Limited Partnership, an Oregon Limited Partnership for 75,993 square feet of unimproved real property known as Lot 1 Short Plat 7508362 located in the Selah Business Park for \$379,965.00. By voice vote, motion carried unanimously.

R. Adjournment

Council Member Schmidt moved, and Councilman Larson seconded that the meeting be adjourned. By voice vote, the motion passed unanimously. The meeting adjourned at 5:38pm.

Allen Schmid, Mayor Pro Tem

Paul Overby, Council Member

Keith Larson, Council Member

Denise Nichols, Council Member

Brian Harris, Council Member

Herb Schmidt, Council Member

Scott Smeback, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer