

**City of Selah  
Council Minutes**

**March 22, 2005**

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: Jerry Kobes, Keith Larson, Allen Schmid, Herb Schmidt,

Members Excused: Brian Harris, Pete McNew, Scott Smeback

Staff Present: Frank Sweet, City Supervisor; Bob Noe, City Attorney; Gary Hanna, Deputy Fire Chief; Joe Henne, Public Works Director; Dennis Davison, Community Planner; Jeff Hagler, Parks & Recreation Director; Dale Novobielski, Clerk/Treasurer

**C. Pledge of Allegiance**

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

**D. Agenda Changes**

**E. Public Appearances**

Rebecca Lunning identified herself as a Selah teen who attends the Teen Center regularly. She presented a check from the Selah Community Days Board for \$600 to Jerry Kobes for Selah CAN.

**F. Getting To Know Our Businesses**

**G. Communications**

1. Oral
2. Written
  - a.

**H. Proclamations/Announcements**

**I. Consent Agenda**

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

- \* 1. Approval of Minutes: Council Meeting February 8, 2005
- \* 2. Approval of Claims & Payroll: Claims check nos. 44915 – 44998 for a total of \$124,444.96 and Payroll checks nos. 55672 - 55767 for a total of \$104,182.42.

Councilman Schmidt moved to add Item N-1 to Consent Agenda. Councilman Larson seconded. By voice vote, motion carried unanimously.

Mayor Jones read the Consent Agenda as amended.

Councilman Kobes moved approval of the Consent Agenda as amended. Councilman Schmid seconded. By voice vote, motion carried unanimously.

**J. Public Hearings**

**K. New Business**

**L. Old Business**

**M. Resolutions**

- 1. Resolution Adopting the Hearing Examiner’s Recommendation of Approval for the Preliminary Plat of Orchard View Estates

Community Planner Dennis Davison reviewed the preliminary plat of Orchard View Estates. He explained the changes in the plat and the order of construction. He stated Mr. Paulson traded some land with the State of Washington and submitted a new preliminary plat. He explained the new map reflects the recommendations of the Hearing Examiner. He stated the new map includes the Hearing Examiner's recommendations including phasing, widening Goodlander Road, extending water and sewer lines, limited access on some lots, etc. He recommended adoption as Hearing Examiner recommended with the 26 listed conditions.

Councilman Jerry Kobes identified himself as a neighbor of the property and a friend of Mr. Paulson’s. Mayor Jones asked if anyone had objection to Mr. Kobes hearing this issue. There were no objections.

Councilman Schmidt asked for clarification on the maps in his packet. Mr. Davison clarified that the last map in the packet was the original plat proposed and the other map was updated from the Hearing Examiner’s report.

Councilman Schmid asked for clarification, noting the staff report dated February 2 and map that accompanied that staff report were not being considered. Mr. Davison confirmed that only the new map and the Hearing Examiner's report and findings with 26 conditions were up for consideration.

Councilman Schmidt asked the degree of involvement of the Fire Department. Mr. Davison stated that involvement was extensive. Councilman Schmidt asked if there was room to turn around in the cul-de-sacs. He also asked about booster pump service to this area.

Public Works Director Joe Henne stated that as was discussed previously, the new reservoir will not serve this subdivision. Instead, a booster pump will be used, which must be designed by a professional engineer. He further noted the developer will pay for the pump and its operation. Councilman Kobes asked if that would replace the existing pump that serves Goodlander Drive.

Councilman Schmid whether there was discussion that if we went to pumping station that the redesign or refurbishing of existing one would take place to have it all in one.

Councilman Kobes asked the vintage of the existing pumps.

The Public Works Director stated one pump has been in for twenty years and the other fourteen or so. He noted one has been rebuilt but neither has a lot of extra capacity.

Councilman Schmid asked if there would be only one pumping station. He asked what kind of precedent the City is setting when previously the position was that we will not have pump stations.

Public Works Director Henne stated the City is not planning any new reservoir to serve the area in the near future, whereas we were planning reservoir service to other areas. Councilman Schmid asked if there could be a problem in the northwestern part of the City. Mr. Henne predicted the problem could arise anywhere in the City limits.

Councilman Schmid wanted to know how the plat ensures that Councilman Kobes' property is not land-locked. Mr. Paulson stated there will be a dedicated piece of property going straight to the Councilman's property. He moved on to the topic of rolled curb and gutter versus barrier curbs.

Mayor Jones stated the City will be looking at stormwater very soon, and barrier curbs are preferable for drainage.

Councilman Schmid said he would prefer barrier curbs throughout the subdivision, but at the very least on Goodlander.

Councilman Schmidt asked about Hearing Examiner Condition Number 18, the note placed on each final plat map regarding surface water. He asked who would enforce that. The Community Planner responded the language is standard. The Councilman asked if any consideration has been given to tree-lined streets or green space. He stated his concern about paving everything. The Community Planner said he believes people will landscape up to the curbs. He reminded the Council that if they desire to change the proposal, they will need to go Public Hearing.

Councilman Larson asked how many lots will be served by the booster pump as opposed how many by gravity feed. The Planner stated about half, and those would be above 1300 feet. He said he remembered the discussion about an additional booster pump for the area. He expressed concern about seeing no reference in this recommendation to who's paying for what.

The Community Planner stated those costs would be included in engineering designs cost which would be transferred to the developer or lot owner. After it is built and consumption costs are known, then the City can bill property owners. He noted Goodlander Heights will be grandfathered in and will not share the cost.

Councilman Schmid noted the report refers to 73 lots, not 101 lots. Mr. Davison said he did not have the opportunity to check the numbers after the Hearing Examiner changed the plat.

Councilman Larson stated he wants to learn more about how costs will be passed along to the property owner. He asked if details about the costs and responsibility therefore are not spelled out in the Plat, how the City can be sure they will be paid.

Mayor Jones suggested that the front office assess 1/56<sup>th</sup> of the bill.

Public Works Director Joe Henne suggested the developer, owner of lots not yet sold, would absorb costs for vacant lots. He stressed the need to get a handle on how much those costs will be.

Councilman Larson stated he still would like to have a clearer picture of how it will work.

City Attorney Bob Noe agreed, noting a statement regarding assignment of costs should be included in Section C on Page 8 of the Hearing Examiner's report.

Mr. Henne stated his opinion that it will be included in the engineering report.

City Supervisor Frank Sweet noted the engineering report will refer to technical aspects, but might not speak to costs.

Mayor Jones stated his opinion that all new meters should be able to be converted to electronic reading.

Councilman Schmid stated Phase 1 would not require the pumping station. Mr. Davison agreed, stating Phase 1 would be gravity flow, but parts of Phase 2 (21 lots) will require the construction of the booster station.

Mr. Davison asked the City Attorney if he sat down with the developer and came up with plan for calculating the cost of the booster pump and payment could it be added under one of the existing conditions without having to go back to Public Hearing. Mr. Noe said he believed the Council could add it under one of the existing conditions.

City Supervisor Sweet suggested bringing this back to the Council with actual numbers of the new plat. He further stated if the payment process is not stated as a condition then the City would have no enforcement power. He said it would make sense to vote on a clarified version.

City Attorney Bob Noe suggested the Council send the recommendation back to the Hearing Examiner for revision and clarification as well as consideration of the booster pump.

City Supervisor Sweet stated the Hearing Examiner made his recommendation based on original proposal. The Community Planner stated the Hearing Examiner then expanded proposal based on concerns (such as the cul-de-sacs being too long) that arose during consideration of original proposal.

Councilman Schmid asked whether the Hearing Examiner had seen a copy of the proposal prior to making his recommendation. The Community Planner responded no, he had not. The Councilman asked how the Hearing Examiner could make recommendations without basing them on the revisions.

Mr. Davison stated PLSA made revisions in the map based on the Hearing Examiner's recommendations to provide additional street access because of cul-de-sacs. He read from the Hearing Examiner's recommendation.

Councilman Larson moved to send the preliminary plat back to the Hearing Examiner to make sure the proposal meets with his recommendations and so that he clarifies the issue of booster pumps. He stated he is uncomfortable with the proposal because of the discrepancy in the number of lots, etc.

Councilman Schmidt seconded.

Bob Noe stated it needs to be clarified by Hearing Examiner clarified, but there is no need for additional public hearing.

Councilman Kobes suggested that the review should also clarify names "Golden Way" or "Golden Avenue." He also asked about stormwater and drainage plans within the subdivision.

Dennis Davison stated the Phase 1 grading and drainage plan have been submitted and are being reviewed by staff and engineers.

Dain Paulson, 700 West Goodlander, stated he was all set to go and this cul-de-sac issue came up. He stated the Code calls for 600 feet, a requirement he has met. Then the Hearing Examiner put other stipulations in. He stated now there is a roadblock, and he doesn't know how to address it.

Public Works Director Joe Henne stated that Public Works thought the 600 feet was from the junction to cul-de-sac not from the main street, but the Hearing Examiner's interpretation was different.

Councilman Schmid stated he likes the proposal, but need to settle the technical side so City is protected.

Mayor Jones stated it needs to be down in writing. He said it's great subdivision, a welcome addition to the City.

Dain Paulson said he is concerned about time and wants to start on Phase 1.

Mr. Henne praised Mr. Paulson's land swap with the state.

Roll was called. Councilman Schmid – yes; Councilman Schmidt – yes; Councilman Larson – yes; Councilman Kobes abstained. Motion carried, three in favor, one abstention.

## **N. Ordinances**

- \* 1. Ordinance Amending the 2005 Budget for a Teen Center Youth Assistant

## **O. Communications**

- 1. Oral

John Tierney, 835 South 4th Street Loop, remarked he would object to the City of Selah absorbing any expense of a new subdivision. He addressed the Council on Traffic Safety issues. The first issue was the school zone at Lince is flagged all say long. He noted flags are designed to be used when student traffic is heavy and to be taken down for light student traffic periods. He stated that would improve the safety. The second issue was speed postings on First Street. After enumerating discrepancies in the signage, he requested someone standardize speed limits and postings.

The Public Works Director noted the sign says what the sign says.

Councilman Schmid asked why we use flags when we have lights.

Mr. Henne said the lights are for crossings. He stated they will put up solar powered beacons when they do Crusher Canyon Project.

Mayor Jones suggested the Public Works Director, Police Chief Gutierrez and he ride around together tomorrow to review signage.

Jerry Henry agreed that speed postings are goofy.

Councilman Kobes reported YVCOG met last week. He stated they will kick Don Skone out for a month, and then he'll come back as interim Executive Director.

Councilman Schmidt praised Chief Gutierrez for a good report.

Councilman Larson reported the Parks & Rec Service Area Board bond issue is moving toward the ballot in May, noting end of this month is a deadline for Board approval of the proposal. He stated they are proposing revamping Carlon Park Fields for girls' softball, improving Little League facilities at McGonagle, putting in a soccer field complex near the Treatment lagoon and a skate park. He stated the SEPA report for the soccer fields is still in process. The Board will meet again Monday.

Mayor Jones took the blame, explaining they need a letter from the Elks because part of the soccer complex will be on Elks property. He asked about the railroad.

Councilman Larson said he didn't know about railroad. The Community Planner stated the crossing is viable. The City Supervisor assured the Councilman that City staff will attend the next meeting.

Mayor Jones reported he met with Emergency Management regarding the Emergency Incident Command. He stated the new guide is out; Chief Davis has reviewed it, and Chief Gutierrez will get it next. He stated his belief that the proposed Public Works Facility would be a logical site for a backup ECC. He stated they will meet again Monday. He complimented Fire, Police and Public Works on their preparedness.

**P. Reports/Announcements**

1. Mayor
2. Council Members
3. Boards
4. Departmental
  - a. Police Department Monthly Report – January 2005

**Q. Executive Session**

**R. Adjournment**

Council Member Schmid moved and Council Member Kobes seconded that the meeting be adjourned. By voice vote, the motion passed unanimously. The meeting adjourned at 5:24pm.

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Robert L. Jones, Mayor

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Gerald Kobes, Council Member

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Keith Larson, Council Member

(Excused)  
\_\_\_\_\_  
Peter McNew, Council Member

(Excused)  
\_\_\_\_\_  
Brian Harris, Council Member

\_\_\_\_\_  
Herb Schmidt, Council Member

(Excused)  
\_\_\_\_\_  
Scott Smeback, Council Member

\_\_\_\_\_  
Allen Schmid, Council Member

ATTEST:

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Dale E. Novobielski, Clerk/Treasurer