

**City of Selah
Council Minutes**

May 10, 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 4:01pm.

B. Roll Call

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

Members Excused: Keith Larson

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

C. Pledge of Allegiance

Councilman Schmidt 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

Mayor Jones noted he could easily find the Council Members who still do not have Community Days T-shirts. He suggested an appropriate penalty would be to work on the float.

2. Written

H. Proclamations/Announcements

1. Proclamation National Public Works Week – May 15 - 21, 2005

Mayor Jones read the Proclamation for Public Works Week 15-21, 2005. He stated he always believed Public Works was important, but finds the language of the proclamation a little flowery.

2. Proclamation National Tourism Week – May 10 – 18, 2005

Mayor Jones read the Proclamation for National Tourism Week 10-18, 2005, noting some of the statistics surprising. He handed a copy of the Proclamation to Verlyn Best of the Yakima Visitor & Convention Bureau. Ms. Best noted over 3,500 jobs in the Valley bringing in revenues of \$2.8 million.

Councilman Schmid stated next Tuesday, May 17, is the Visitor & Convention meeting, a noon appreciation luncheon. Councilman Schmidt, Councilman Schmid and Mayor Jones will attend.

I. Consent Agenda

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

- * 1. Approval of Minutes: Council Meeting April 26, 2005
- * 2. Approval of Claims & Payroll: Claims check nos. 45200 – 45288 for a total of \$204,645.06 and Payroll checks nos. 56010 – 56105 for a total of \$139,748.28.

Councilman Kobes moved to add Resolution M-4 to the Consent Agenda. Councilman McNew seconded. By voice vote, the motion carried unanimously.

Mayor Jones read the Consent Agenda as amended.

Councilman Schmid moved approval of the Consent Agenda as amended. Councilman Schmidt 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 handed out additional documents. He gave the history of amendments to the plat map after the Hearing Examiner made his initial recommendation. He noted it was then sent back to the Hearing Examiner to update his recommendations to reflect those changes. He stated the Hearing Examiner's amended recommendation is contained in the packet, except for amendment #5 allowing for barrier curbs and gutters along West Goodlander Road and the addition of condition #27 which stated the applicant will pay into a capital reserve account an amount calculated to compensate the City for the repair and ultimate replacement of a booster pump station, that amount calculated upon the actual cost of booster pump station. He reviewed the four phases of the project. He further clarified that forty-five lots will require service from the booster pump station, and the remainder will use gravity flow.

Councilman Kobes identified himself as a neighbor and declined to vote on any motion.

Councilman Schmid asked Councilman Kobes if he has any monetary interest in this issue. Councilman Kobes said, " No." Councilman Schmid asked Mr. Paulson if it is his intention to deed legal access to Mr. Kobes' property. Mr. Paulson's response was affirmative. Councilman Schmid

remarked it is a shame Mr. Paulson doesn't want to be in the irrigation water business since he has irrigation rights in the area. He asked about payment for pumping station operations.

City Attorney Bob Noe stated he did not include electrical operations because new booster pump system is so efficient that cost are insignificant (only \$45 per month).

Mayor Jones asked if the old booster pump will come out.

Joe Henne responded that Public Works would like to see it come out and also incorporate Goodlander Heights. He stated that would require a somewhat larger pump, and the City would have to pick up the difference in cost for the over-sizing.

Councilman Schmid asked the location of the proposed booster pump. Mr. Henne responded Goodlander Drive intersection with Goodlander Road, Lot 97 (across the road from the existing pump). Mr. Henne stated it would probably be a 12-foot diameter steel vault.

Rich Wehr stated the size would be okay, noting Mr. Paulson would work with Public Works to locate the vault within the city right-of-way. He noted the lots are large enough to provide for the setback.

Councilman Schmidt asked if there would be barrier curbs throughout the Plat.

Councilman Schmid responded they would just be along Goodlander. He stated the Council needs more discussion about barrier curbs.

Joe Henne stated the City will assign which side of the street has sidewalk and direct parking to the other side of the street.

Councilman Schmid moved and Councilman McNew seconded to approve the Resolution Adopting the Hearing Examiner's Amended Recommendation of Approval for the Preliminary Plat of Orchard View Estates as Further Amended by Council with Modification #1 - modification of Condition of Approval #5 Deleting the last line "Rolled curbs and gutters are permissible on Lots 33, 34, 35, 36, 39 40 and 41" and Modification #2 adding to the Examiner's recommended Condition of Approval condition #27 addressing the costs of repair and replacement of a booster pump station if utilized to provide municipal water service to lots; as follows: Item 27 The applicant shall pay into a capital reserve account an amount calculated to compensate the City for the repair and the ultimate replacement of the booster pump station. The schedule for such payment(s) shall be established by the Public Works Director based upon the actual cost of the booster pump station to include the existing booster pump on the Goodlander Heights addition and the new booster pump installed by Dainard Paulson will be combined into one at a future date. Roll was called. Mr. Kobes abstained. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Kobes – abstain; Councilman Harris – yes. Motion carried unanimously with Mr. Kobes abstaining.

- * 2. Resolution Authorizing and Approving that the Yakima County Auditor Conduct the September 20, 2005 Primary by Mail Ballot
- * 3. Resolution Authorizing the Mayor to Sign an Amendment to the Joint Operating Agreement with Yakima County Fire Protection District No. 2
- * 4. Resolution Authorizing the Mayor To Sign an Agreement between the City of Selah and

Selah School District for the City's Use of School District Property

5. Resolution Authorizing the Mayor To Sign an SIED Contract between Yakima County and the City of Selah for the North Park Drive Street/Selah Fitness Project, Contract No. YC-NP-05

City Supervisor Frank Sweet addressed Resolution M-5 stating this is the paperwork for \$288,000 grant and \$288,000 loan for SIED funding for North Wenas/North Park construction.

Councilman Schmid moved and Councilman Schmidt seconded to adopt the Resolution Authorizing the Mayor To Sign an SIED Contract between Yakima County and the City of Selah for the North Park Drive Street/Selah Fitness Project, Contract No. YC-NP-05. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – abstain; Councilman Kobes – yes; Councilman Harris – yes. Motion carried unanimously, with Mr. McNew abstaining.

N. Ordinances

1. Ordinance Vacating a Portion of Terry Lane, South of Apple Way, Petitioned by Dain Paulson and DP Land

Community Planner Dennis Davison called the Council's attention to Appleway south of Terry Lane to be vacated which is proposed to be vacated.

Councilman Schmid moved to strike "\$100" and insert "\$1" in the fourth paragraph and then moved the Ordinance as amended. Councilman Kobes seconded. Councilman Harris asked if there is precedent for the amount to be paid. He was reassured by the Community Planner that the law is permissive on the amount.

Dain Paulson stated he donated that property to the City in the past. Roll was called. Motion carried unanimously.

Councilman Schmid moved and Councilman McNew seconded to adopt the Ordinance Vacating a Portion of Terry Lane, South of Apple Way, Petitioned by Dain Paulson and DP Land. Roll was called. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Kobes – yes; Councilman Harris – yes. Motion carried unanimously.

2. Ordinance Repealing Selah Municipal Code (SMC) Section 9.02.050 Automatic Sprinkler Systems

Public Works Director Joe Henne stated the City has a Code on books that requires a minimum monthly fee be charged for fire suppression systems. He stated he didn't see why the City should charge monthly fee for a service that doesn't provide water. He stated the City doesn't charge when Fire Department puts out a fire. Councilman Smeback moved and Councilman Schmid seconded to approve the Ordinance Repealing Selah Municipal Code (SMC) Section 9.02.050 Automatic Sprinkler Systems. Councilman Smeback – yes; Councilman Schmid – yes; Councilman Schmidt – yes; Councilman McNew – yes; Councilman Kobes – yes; Councilman Harris – yes. Roll was called. Motion carried unanimously.

O. Communications

1. Oral

P. Reports/Announcements

1. Mayor
2. Council Members
3. Boards
4. Departmental
 - a. Fire Department Quarterly Report – 1st Quarter 2005
 - b. Police Department Monthly Report – April 2005

Jerry Davis reported Deputy Chief Hanna said meetings he covered both lasted well past 5:00pm. The Chief showed the Council the new helmet for his department. He expressed appreciation to the Mayor and Council for their support. He recognized the Mayor for his active participation with the Department. Fire Marshall Jim Martin presented the Mayor with his own new helmet. Council Members and staff rose to applaud the Mayor.

Mayor Jones noted the Mayors are the only ones who are not well trained in emergency response. He stated he will have Jim Hall conduct training for Mayor at the next few Valley Mayors' meetings.

Councilman Smeback reminded Department Heads to keep a close eye on finances.

Councilman Harris congratulated the Fire Department for honoring the Mayor. He state he will be in the dog kennel again soon.

Councilman Schmidt stated he was glad he wore his Community Days T-shirt and hopes the weather will cooperate.

Councilman Kobes reported he and the Mayor attended the New Vision dinner, and it was a good occasion. He stated he is glad we can participate as a Valley. He stated the money Selah is getting will be good for our City and hopefully bring benefit to the Valley at large. He invited Council Members to work on the float.

Mayor Jones stated the guest speaker at the New Vision dinner was great.

Councilman Schmid asked if we have heard anything from Yakima Transit, will they be at Community Days? Mayor Jones said either he or the City Supervisor will call. The Councilman praised the good article in paper. He stated he received a call from Bill Harris informing him enough votes have been turned in to validate the election.

Parks & Recreation Director Jeff Hagler reported the new Park & Rec brochure will be mailed to the entire Parks & Rec service area.

The Public Works Director reported DOT and Superior have been working hard getting wheelchair ramps in. He reported the reservoir is okay again roof is on, and now they are now welding seams. He further reported his department has been sweeping streets, painting, etc. in preparation for Community Days.

Councilman Schmid asked if the County has been out and if they are going to stripe Speyers.

Joe Henne responded they are having problems with their striping machine, but they'll get it done, hopefully before Community Days.

Clerk/Treasurer Dale Novobielski reported he has closed the books for April and given reports to the City Supervisor and Department heads.

Dennis Davison reported he will buy a T-shirt tomorrow. He stated the Hearing Examiner will hear the Torkelson planned development off Southern Wednesday May 11 and Thursday May 12 he will hear the SEPA appeal on Falconridge. He reported Heritage Hills Phase 3 has been submitted and will go before the Hearing Examiner. He noted there are a few other items coming up.

Mayor Jones reported the New Vision dinner was very good. He invited Council Members to walk with him in the Community Days parade (wearing the T-shirts). He stated the flags will go up shortly.

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 5:05pm.

Robert L. Jones, Mayor

(Excused) _____

Gerald Kobes, Council Member

Keith Larson, Council Member

Peter McNew, Council Member

Brian Harris, Council Member

Herb Schmidt, Council Member

Scott Smeback, Council Member

Allen Schmid, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer