

City of Selah  
Council Minutes

May 8, 2007

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

- A. Call to Order Mayor Pro Tem Schmid called the meeting to order at 4:04pm.
- B. Roll Call
- Members Present: Brian Harris, Keith Larson, Denise Nichols, Paul Overby, Allen Schmid, Herb Schmidt, Scott Smeback
- Members Excused:
- 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
- Councilman Larson led the Pledge of Allegiance. Pastor Mark Strobel, Selah Covenant Church, led the group in prayer.
- D. Agenda Changes
- The Mayor Pro Tem noted the addition of Item H-2 Proclamation National Police Week May 13 - 19, 2007
- E. Public Appearances
- F. Getting To Know Our Businesses
- G. Communications
1. Oral

Roy Sample, 111 Highland Court, addressed the Council. He stated in 1996 he was involved in the Crest Subdivision on Goodlander Road and installed a sewer line from Goodlander all the way to Goodlander Heights. He stated that at that time a portion of the Somerset Subdivision was covered by an Outside Utility Agreement with the City of Selah. He noted the Crest was already a part of the City, so it was not included in the OUA. He handed out a map showing the area of the Outside Utility Agree in orange. He explained that the Somerset Subdivision is not finished, but he can get the property that lies due north of it which is

designated in red. He stated he already owns the orange property. He stated there's not much sense in dealing further with the project unless he can include the "red" property in the OUA. He noted none of this property is contiguous to the City.

City Supervisor Frank Sweet stated engineer Ted Pooler should get involved in this consideration to determine what potential benefit there might be to the City in looping the water system. They could then bring it back to the Council in two weeks.

City Attorney Bob Noe said he had no comment at this time.

The Mayor Pro Tem said if it was agreeable to the Council, he would ask Ted Pooler to look at it to determine feasibility, and come back two weeks with a recommendation.

2. Written

- a. Letter from "The Old Crows of Selah" to Jeff Hagler & Danny Speers

Parks & Recreation Director Jeff Hagler read the letter. He complimented Danny Speer for his willingness to put in extra hours when the bus broke down on the way home from the tulip festival.

The Mayor Pro Tem complimented Jeff and the Parks Department.

H. Proclamations/Announcements

1. Proclamation National Public Works Week May 20 – 26, 2007

The Mayor Pro Tem read the Proclamation. He praised Joe Henne's Public Works Department and the great job they're doing

2. Proclamation National Police week May13 – 19, 2007

The Mayor Pro Tem read the Proclamation. He praised Rick Gutierrez and Stacy Dwarshuis' Police Department for their outstanding job in our community.

Police Lieutenant Stacy Dwarshuis passed out "COPS" ribbons for Council Members and staff to put on their car antennas.

I. Consent Agenda

Councilman Smeback suggested adding Item M-2 to the Consent Agenda. It was added without objection.

Councilman Schmidt suggested adding Item M-4, but it remained on the regular agenda for discussion.

Mayor Jones read the Consent Agenda as amended.

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

- \* 1. Approval of Minutes: Study Session & Council Meeting Minutes, April 24, 2007
- \* 2. Approval of Claims & Payroll: Claims check nos. 49415 – 49497 for a total of

\$529,591.30, Claims check nos. 49498 – 49580 for a total of \$205,749.53, Claims check nos. 49581 – 49581 for a total of \$808.50, Claims check nos. 49581 – 49667 for a total of \$441,725.39 and Payroll check nos. 60608 – 60691 for a total of \$153,733.26, Payroll check nos. 60692- 60837 for a total of \$136,325.56 and Payroll check nos.60838 – 60923 for a total of \$155,864.09

- \* 3. Resolution M-2 - Resolution Establishing May 22, 2007 as the Date for the Public Hearing To Consider the 2008-2013 Six-Year Transportation Improvement Program

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

J. Public Hearings

K. New Business

L. Old Business

Mayor Pro Tem Schmid read and passed around a plaque from Norma Joiner, Mayor of Tieton, thanking the City of Selah for its help during Tieton's water-main break. He expressed appreciation to Joe Henne and Public works for their help to Tieton.

M. Resolutions

- 1. Resolution Approving Payment to Mountain States Construction Company for Work Performed through April 30, 2007

Ted Pooler addressed the Mayor Pro Tem and Council and reviewed the progress Mountain States Construction has made on the Wastewater Treatment Plant Improvement Project. He stated they've been working hard on the pretreatment clarifier, and all of the concrete work is complete. He stated they have also completed work on the flow distribution box. He stated nearly all of the yard piping is complete, and they've been working hard on the Bio-Solids Treatment Building. 8,250 square feet of 8-inch concrete slab will be poured tomorrow, and all of the electrical and piping is in under where that slab will go. He noted in the next few weeks they'll begin additional work over at the old Treatment Plant to modify electrical work there. He predicted big changes in the next couple of weeks, noting the metal frame for the new Bio-Solids Treatment Building will be delivered next week. He stated about 45 days out they'll begin the block work on the Sludge Pumping Building. He noted the structure of pay elements matches the bid elements on the charts included in the packet. He recommended approval of the Resolution.

**Councilman Overby moved approval of the Resolution Approving Payment to Mountain States Construction Company for Work Performed through April 30, 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.**

Ted Pooler again invited Council Members to tour the Treatment Plat.

- \* 2. Resolution Establishing May 22, 2007 as the Date for the Public Hearing To Consider the 2008-2013 Six-Year Transportation Improvement Program
- 3. Resolution Declaring City Property as Surplus and Authorizing Its Disposal

Public Works Director Joe Henne explained that Resolution M-3 and Ordinance N-1 are related. He stated he checked with DOT, and learned they have available a John Deere loader referenced Ordinance N-1. He stated it is his recommendation to purchase this front-loader and there is money available in his budget. Action was taken on Ordinance N-1. (See below.)

**Councilwoman Denise Nichols moved approval of the Resolution Declaring City Property as Surplus and Authorizing Its Disposal. Councilman Keith Larson 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.**

4. Resolution Awarding the Selah Police Tenant Improvements Project to Miller Construction Services, Inc. and To Accept the Four Alternate Recommended by Wardell Architects

Lieutenant Dwarshuis addressed M-4 noting the lowest bid received was from Miller Construction, and Wardell Architects recommended awarding the bid to Miller. He stated they are hoping to move in sometime in July.

Councilman Brian Harris asked where Miller Construction is from.

The Lieutenant responded they are from Ellensburg. He noted they did the remodeling work at the Sheriff's Office.

Councilman Harris asked the Chief if he feels the quality of Miller Construction's work is satisfactory.

Chief Gutierrez responded that they did a nice job on the Sheriff's Department.

Councilman Herb Schmidt praised Lieutenant Dwarshuis as being prudent and doing a prudent job of keeping costs down.

Councilman Harris stated he would like to keep Selah's money in the Yakima Valley. He stated if we feel both companies are competent, he would like to see the contract awarded to somebody local.

Councilman Scott Smeback stated the additional \$3000 it would cost to keep it local is taxpayers' money, and we need to spend it responsibly.

City Supervisor Frank Sweet stated there is no vendor in Selah. He stated that if there were questions about the quality of one bidder's work, the Council might want to choose a higher bidder, but other than that, they should make the award based on the bid.

City Attorney Bob Noe stated you usually go with lowest "responsible" bidder, so you'd need to show that they are less than responsible if you deviate from that practice.

Councilman Herb Schmidt noted his opinion that open discussion is positive.

**Councilman Schmidt moved approval of the Resolution Awarding the Selah Police Tenant Improvements Project to Miller Construction Services, Inc. and To Accept the Four Alternates Recommended by Wardell Architects. Councilman Overby 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 – no. Motion carried 5 – 1.**

N. Ordinances

1. Ordinance Amending the 2007 Budget for the Purchase of a 1992 John Deere 544e Loader from WSDOT

(See M-3 above)

**Councilman Larson moved approval of the Ordinance Amending the 2007 Budget for the Purchase of a 1992 John Deere 544e Loader from WSDOT. 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.**

O. Communications

1. Oral

P. Reports/Announcements

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

Public Works Director Joe Henne reported that last Wednesday he met with the water conservancy board on Well 8 and learned they will support the City's application. He stated they will get with ecology to see if they have any problems with it, and if not, they will approve the application and send it on to the Department of Ecology who will have 75 days to review it. He reported about the first of September start on Speyers. He reported on Community Days activities, they're putting columns up on the stage at Wixson, have replaced the floor of the gazebo, drained and painted the pool, and installed the cooler in the kitchen at the Civic Center. He stated if he can work it out with the Fire Dept, they'll wash the sidewalks before community Days.

Fire Chief Jerry Davis noted his department had a fire truck in Tieton for 6 days during the water problems there.

Parks & Recreation Director Jeff Hagler urged Council Members to look through the new activity brochure, and he passed around a flier of up-coming senior trips. He noted the Carlon Park sound system should be up and running by the end of this week.

Chief Gutierrez reported he and Karen Thomas, security officer for the junior high, will fly to Washington DC next week to attend a conference on gang violence.

Lieutenant Dwarshuis reported last week he and the Chief traveled to correctional industries in Tumwater to tour their facility. He stated he and the Chief were impressed with their work and now hope for a competitive bid from them. He further reported he and the Chief will meet tomorrow with Yakima communications regarding dispatch, etc. He stated they are receiving bids for computers, etc. for their new facility.

City Supervisor Frank Sweet held up the brochure on the Central WA Business Conference, noting the Selah Chamber is heading in a more business oriented direction and hopefully we'll see an increase in membership in Chamber.

Councilman Scott Smeback reported that last week the Public Works Committee met, and Ted Pooler updated the group on stormwater. He stated they'll be looking for adoption by end of the year. He noted an issue arose at Carlon Park this weekend, and asked how to police dogs, scooters, etc. in park. He added that the signs say dogs are not allowed, but he questioned the enforceability.

There ensued discussion about the nature of the ordinance against dogs in the parks and whether that should be reconsidered.

Frank Sweet stated perhaps that issue should be revisited. He suggested if dogs are allowed on leashes, the City might want to provide bags for clean-up.

The Mayor Pro Tem stated if we are going to allow dogs, it should be leash only or perhaps provide a set-aside area. He gave the example of San Diego where he saw parks that had big dog-runs in them.

Councilwoman Denise Nichols noted she was not aware of any system that universally disallows dogs. She said she was disappointed to learn that Selah has that rule.

Councilman Smeback further noted cars were parked every which way at Carlon.

Joe Henne responded that dust abatement products going down now, and perhaps striping can be done after that is completed.

Jeff Hagler stated he will get with Joe Henne on that issue.

Councilman Brian Harris reminded Council Members of Friday's auction dinner for Annie John and a golf tournament this weekend. He noted his agreement about dogs in parks. He stated ballots are due Tuesday and urged everyone to vote on the school bond election.

Councilman Herb Schmidt reported the Local Kiwanis club sponsors scholarships for local seniors, and the pancake feed is going to finance those scholarships. He stated if businesses want to make contributions, they are free to do so. He noted it's important to keep money in the community.

Councilman Paul Overby reported the City is going to enter into an interlocal agreement with City of Yakima for bus service to Selah. He stated the contract needed revised language so that we can modify service, if funding is insufficient.

Frank Sweet stated this will keep the general fund off the hook.

**Councilman Overby moved and Scott Smeback seconded to authorize the Mayor or Mayor Pro Tem to sign the revised Interlocal Agreement with the City of Yakima for Yakima Transit Service to the City of Selah.** The Mayor Pro Tem noted that he and Councilman Overby will take this contract to the Yakima Transit meeting next week, and there may be further negotiations. **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.**

The Mayor Pro Tem noted Council Members Scott Smeback, Herb Schmidt, Allen Schmid and Brian Harris and Mayor Jones will be up for election this year. He stated since the primaries are changed, the filing period is June 4-8, and it's not too early to declare. He urged everyone not to forget Community Days and to buy their shirts.

At 5:20 a five-minute recess was declared.

Q. Executive Session

Council moved into Executive Session at 5:23pm.

15-minute Executive Session on Real Estate

Council moved out of Executive Session at 5:40pm.

R. Adjournment

**Councilwoman Nichols moved and Councilman Overby seconded to authorize the Mayor Pro Tem to sign a Purchase and Sale Agreement with Helms Hardware to purchase lots 3C and 3D (104,683 square feet) of Selah Business Park at the price of \$5.40 a square foot, with a non-refundable down payment of \$10,000. By voice vote, the motion carried unanimously.**

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

The meeting adjourned at 5:41pm.

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Allen Schmid, Mayor Pro Tem

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Paul Overby, Council Member

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Keith Larson, Council Member

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Denise Nichols, Council Member

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Brian Harris, Council Member

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Herb Schmidt, Council Member

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Scott Smeback, Council Member

ATTEST:

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Dale E. Novobielski, Clerk/Treasurer