

City of Selah
Council Minutes

September 12, 2006

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

A. Call to Order Mayor Jones called the meeting to order at 3:59pm.

B. Roll Call

Members Present: Keith Larson, Denise Nichols, Paul Overby, Allen Schmid,
Scott Smeback

Members Excused: Brian Harris, Herb Schmidt

Staff Present: Frank Sweet, City Supervisor; Jerry Davis, Fire Chief; Rick Gutierrez,
Police Chief; Joe Henne, Public Works Director; Dennis Davison,
Community Planner; Jeff Hagler, Parks & Rec Director

C. Pledge of Allegiance

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

D. Agenda Changes

E. Public Appearances

Selah Princess Lindzy Gentz introduced herself, Little Miss Selah Sarah Forenpohar and Little Miss Selah Princess Bailey Horton. They presented the Council with a picture of the 2006 Selah Community Days logo.

Jerry Henry said they are getting the new shop whipped into shape.

F. Getting To Know Our Businesses

G. Communications

1. Oral

Donald. Steinmetz, 703 Whitman Court, Selah addressed the Council noting that about 2 years ago he called Code Enforcement Officer John Gawlik about three properties on Whitman Court that are deteriorating. (Whitman Court is the first cul-de-sac off of Palmer Drive.) He stated that notices were posted but nothing else was done, so he subsequently brought this issue before the City Council.

Mayor Jones stated that John Gawlik has retired, and the new Code Enforcement Officer will take office Monday.

Mr. Steinmetz noted the addresses of the properties that are in disrepair -701, 704 and 705 Whitman Court. He asked how much time is allowed for repair after the notice is posted.

Public Works Director Joe Henne responded that he can pull those addresses and look into it. He noted the time period varies from two weeks to thirty days. He asked Mr. Steinmetz for his phone number.

Mr. Steinmetz asked if it is possible to get a full inspection front and back yards, noting the worst property is 705. He invited Public Works to come on his property to look over the fence at 705.

2. Written

- a. Letter to the Selah Parks & Recreation Service Area Board from Aaron Wasilewski, Chairman Selah Youth Soccer Association
- b. Article on Tobacco-free Parks

Parks & Recreation Director Jeff Hagler noted the article on Carlon as a tobacco free park was featured in the Washington Dept of Health newsletter which is distributed all over the state

- c. Parks & Recreation Department Activities

H. Proclamations/Announcements

I. Consent Agenda

Councilman Scott Smeback moved to add items M-1, M-3 and M-5 to Consent Agenda. Councilman Keith Larson seconded, Motion to amend the Consent Agenda passed unanimously by voice vote.

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

- * 1. Approval of Minutes: Council Meeting August 8, 2006
- * 2. Approval of Claims & Payroll: Claims check nos. 48199 – 48370 for a total of \$93,354.51 and Payroll checks nos. 59401 - 59470 plus 956811 and 959354 for a total of \$104,114.56.

Mayor Jones read the Consent Agenda.

Council Member Allen Schmid moved to accept the Consent Agenda as amended. Council Member Keith Larson seconded. By voice vote, motion passed unanimously.

J. Public Hearings

K. New Business

L. Old Business

M. Resolutions

- * 1. Resolution Establishing October 10, 2006 as the Public Hearing Date To Consider the Apodaca-Garner Annexation (920.67.06-02)

Council Member Keith Larson moved to approve the Resolution Authorizing the Mayor To Sign Change Order Number 1 for the Crusher Canyon Road Improvement Project. Council Member Allen Schmid seconded. Roll was called: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Larson – yes. Motion passed unanimously.

- 2. Resolution Requesting Yakima County Commissioners To Place on the November 2006 Ballot a Levy for a .3 of 1% Selah Sales Tax Increase for the Purpose of Continuing Yakima Transit Service to the Selah Community

City Supervisor Frank Sweet stated this item represents the conclusion of an ongoing discussion about ways to fund Yakima Transit Service to the City of Selah after the current grant runs out in June of 2007. He stated this would put the decision to voters whether to continue Yakima Transit Service. He stated passage of the ballot issue would increase sale tax rate to 8.2%.

Councilman Keith Larson asked what the estimated revenue of the .3 of 1% increase would be. Frank Sweet responded it would generate \$200,460.

Councilman Allen Schmid stated Selah would be responsible for 50% of the cost of Route 10, which is a shared route between the two cities. He noted this includes a Saturday route, but service is on an hourly rather than half-hourly basis (as it is at present). He stated the new contract would also include para-transit service (Dial-a-ride). He noted the City is unable to divert \$150,000 out of the current budget to pay for this service. He stated Selah citizens need to consider the value of this service to the City and decide which way to vote

Councilman Paul Overby asked if the remainder of the collected sales tax would be designated to a specific program.

The City Supervisor responded that the overage would be designated to transit services.

Councilman Allen Schmid stated he is also interested in getting part-time service to the Training Center. He stated adding four or six trips to the Training Center would run an additional \$60,000 per year.

Councilwoman Denise Nichols asked the cost of the election and whether it would require a simple majority. She asked if it would be a yearly contract.

City Supervisor Frank Sweet stated the cost has been about \$4500 in the past. He stated if it passes, an inter-local agreement would be entered into.

Councilwoman Denise Nichols asked what the strategy will be for promoting passage of the levy. The City Supervisor responded that Yakima Transit would promote the issue.

Council Member Schmid stated when the City entered into this it was a two-year test program, and the Council then discussed about how this would be paid for if continued beyond the two-year grant period.

The City Supervisor stated the tax should take effect January 1,2007 so it would have time to accrue enough to pick up expenses after June 30, 2007.

Council Member Overby stated if this doesn't pass, the bus service will end June 30, 2007.

Council Member Keith Larson moved to approve the Resolution Requesting Yakima County Commissioners To Place on the November 2006 Ballot a Levy for a .3 of 1% Selah Sales Tax Increase for the Purpose of Continuing Yakima Transit Service to the Selah Community. Council Member Allen Schmid seconded Roll was called: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Larson – yes. Motion passed unanimously.

- * 3. Resolution Accepting the Carlon Park Softball Complex Project as Complete and Authorizing the Close-Out of the Project and Release of Retainage
- 4. Resolution Authorizing the Mayor To Sign a Contract for Legal Services with Robert F. Noe, PLLC

City Supervisor Frank Sweet stated this contract for legal services provides that Mr. Noe will be on-site three days a week where he will handle City ordinances, legal issues and serve as prosecutor.

Councilwoman Denise Nichols asked if it would be wise to stipulate hourly rates in the contract.

Mr. Sweet responded Mr. Noe will track hours and submit detail, and if it appears he is working more hours than estimated, we can go back to include hourly. He further stated he would bring that back to Council if necessary.

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Council Member Nichols moved to approve the Resolution Authorizing the Mayor To Sign a Contract for Legal Services with Robert F. Noe, PLLC. Council Member Smeback seconded. Roll was called: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Larson – yes. Motion passed unanimously.

- * 5. Resolution Authorizing the Mayor To Sign a Contract for Courtroom Security Services with Bob Scott
- 6. Resolution Authorizing the Mayor to Sign an Agreement for EPAY Services

Clerk/Treasurer Dale Novobielski stated Item M-6 refers to c-pay (payments with debit or credit cards). It would allow the City to accept debit/credit card payments no cost to the City or to other utility customers, although there would be a charge to the card user. He explained, there are three ways to e-pay; customers can: 1. link to website 2. bring card in or 3. call in the card.

Councilman Paul Overby asked if it will change current ways of paying

Mr. Novobielski responded that he didn't think so, noting there are currently 300 on auto-payment. There ensued discussion about costs to customers using cards.

Council Member Schmid moved to approve the Resolution Authorizing the Mayor to Sign an Agreement for E-Pay Services.

Mr. Novobielski inserted that he has been negotiating with Banner Bank and will also give that consideration. He stated the City is under no time requirement with the current company.

Council Member Larson seconded. Roll was called: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Larson – yes. Motion passed unanimously.

7. Resolution Authorizing the Mayor to Sign an Agreement for Utility Cost Review Services

The Clerk/Treasurer introduced Item M-7 dealing with utility cost review services. He noted AuditHead LLC would request information from utility providers, analyze that information and advise the City of any ways to save money. He stated this company would work at no cost to the City unless the City realizes a savings, and then they split those savings. He noted the company also wanted “future savings” the City might gain.

Councilman Allen Schmid stated this is typical of utility auditing services. He noted they would contact local gas or electric company to make sure all services are being correctly billed. He stated there is enough local review on those services, and he believes they are correct. He also expressed concern about “future savings.”

City Supervisor Frank Sweet asked how they calculate “indirect savings.”

Mr. Novobielski said he didn't know, but there are other areas where the City could save, Mr. Sweet asked if item 3 requires the City to change to cost-savings AuditHead LLC identifies.

Councilman Schmid gave the analogy of telephone companies changing customers' services without notifying customers. What they are looking for first is that all bills are paid at the proper rate level.

Mr. Novobielski said he ran this proposal by both the City Supervisor and City Attorney prior to bringing it to Council.

Councilman Larson pointed out the City is not required to change vendors.

City Supervisor Sweet suggested it might be good to have the Finance committee review.

Council Member Smeback moved to deny the Resolution Authorizing the Mayor to Sign an Agreement for Utility Cost Review Services. Council Member Larson seconded. Roll was called: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Larson – yes. Motion to deny passed unanimously.

8. Resolution Authorizing the Mayor To Sign an Agreement Between the City of Selah and Yakima Valley Pepsi Pak for the City's Use of the Pepsi Pak Bus

Parks & Recreation Director Jeff Hagler presented the Resolution regarding the Parks Departments use of the Pepsi Pak bus to transport senior citizens to proposed activities.

The City Supervisor stated he talked with the President of Pepsi-Pak Board about modifying the wording of the agreement so the City would pay a monthly amount directly to the bank to make the payment on the van. He stated the concern is that there is still a note on that vehicle, so City pay the \$3000 in payments for 6 months and use the van for 9 months.

Councilman Schmid asked why the City won't pay the payment for 9 months.

The City Supervisor said the real issue is whether Parks & Rec can generate enough revenue to pay the \$3000.

Jeff Hagler stated he has been working with the Ellensburg Adult Services Center which has assured him he will break even this year and make even more in subsequent years.

Mr. Sweet stated the need to deduct staff time, fuel, and maintenance.

Councilman Schmid said he was stuck on the issue of paying for 6 months while using it for 9.

Mayor Jones stated it is better to use the van than to have it sitting around, and \$3000 is their price.

Mr. Hagler stated he will need to work out an inter-local agreement with Ellensburg for joint recreation trips.

Councilman Smeback asked if the overage from .3 of 1% Transit tax could be used for this. Mr. Sweet responded that it could not.

Council Member Nichols moved to approve the Resolution Authorizing the Mayor To Sign an Agreement Between the City of Selah and Yakima Valley Pepsi Pak for the City's Use of the Pepsi Pak Bus. Council Member Overby seconded.

Councilman Schmid reminded the Council that the motion includes the wording change to make payments directly to the bank holding the note on the bus rather than paying Pepsi-Pak directly.

Roll was called: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Larson – yes. Motion passed unanimously.

9. Resolution Awarding the Contract for 2006 Street Improvements to Superior Paving Company and Authorizing the Mayor To Sign Contract Documents upon Preparation

Public Works Director Joe Henne passed around information supplemental to Resolution M-9, noting he received two bids, and Superior Asphalt was 42% below the engineer's estimate. He stated he would like to put new asphalt from Mullins Lane all the way to the top of the hill. He recommended acceptance of the Resolution that included that addition.

Council Member Schmid moved to approve the Resolution Awarding the Contract for 2006 Street Improvements to Superior Paving Company and Authorizing the Mayor To Sign Contract Documents upon Preparation as proposed by Mr. Henne. Council Member Nichols seconded. Roll was called: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Larson – yes. Motion passed unanimously.

N. Ordinances

1. Ordinance Amending the 2006 Salary Schedule for Management, Confidential and Unrepresented Employees for the Purpose of Adding a Part-Time Teen Center Supervisor

Clerk/Treasurer Dale Novobielski introduced the Ordinance providing for a part-time supervisor for Teen Center.

Council Member Schmid moved to approve the Ordinance Amending the 2006 Salary Schedule for Management, Confidential and Unrepresented Employees for the Purpose of Adding a Part-Time Teen Center Supervisor. Council Member Nichols seconded. Roll was called: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Larson – yes. Motion passed unanimously.

Fire Chief Jerry Davis announced his department has a new Expedition. For this reason, they no longer have need for a used Ford Explorer and would like to surplus that Explorer to the Parks Department.

Council Member Schmid moved to approve the surplus of the Ford Explorer owned by the Fire Department and assign its use to the Parks & Recreation Department. Council Member Smeback seconded. Roll was called: Council Member Smeback – yes; Council Member Schmid – yes; Council Member Overby – yes; Council Member Nichols – yes; Council Member Larson – yes. Motion passed unanimously.

At 5:07 Mayor Jones announced the suspension of the Council meeting in order to move into a Study Session with the Trustees of School District #119.

Mayor Jones reconvened the meeting at 6:33pm.

O. Communications

1. Oral

P. Reports/Announcements

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

Q. Executive Session

R. Adjournment

Council Member Allen Schmid moved and Council Member Denise Nichols seconded that the meeting be adjourned. By voice vote, the motion passed unanimously. The meeting adjourned at 6:36pm.

Robert L. Jones, Mayor

Paul Overby, Council Member

Keith Larson, Council Member

Denise Nichols, Council Member

(Excused)
Brian Harris, Council Member

(Excused)
Herb Schmidt, Council Member

Allen Schmid, Council Member

Scott Smeback, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer