

**City of Selah
Council Minutes**

September 28, 2004

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

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

B. Roll Call

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

Members Excused:

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

C. Pledge of Allegiance

Councilman Harris led the Pledge of Allegiance. Pastor Lowell Welker led the group in prayer.

D. Agenda Changes

E. Public Appearances

F. Getting To Know Our Businesses

G. Communications

1. Oral

Josh Hodges, 831 Collins Road, addressed the Council regarding a proposal to start a Community Theater in Selah. He stated he wants funding and a place to rehearse and perform, perhaps Lince School. He stated he hopes to get kids and adults involved in family theater.

Mayor Jones asked how much money Mr. Hodges was looking for. He stated he is looking at \$1,500, and he wants to get everyone involved.

Mayor Jones stated the City will consider this request as part of budget process. He thanked Mr. Hodges, and then called Council Members' attention to the 2005 YVCOG budget.

2. Written

a. 2005 YVCOG Preliminary Budget

H. Proclamations/Announcements

1. Proclamation Fire Prevention Week 2004

Mayor Jones read and signed the Proclamation for Fire Prevention Week October 3-9, 2004.

Fire Chief Jerry Davis stated Fire Department staff will be out in the schools during Fire Prevention Week. Deputy Chief Hanna, working with Helms Hardware and Save-on-Foods, has a program to donate batteries and fire alarms to the elderly and needy.

I. Consent Agenda

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

- * 1. Approval of Minutes: September 14, 2004
- * 2. Approval of Claims & Payroll: Claims check nos. 43869 – 43953 for a total of \$59,088.16 and Payroll check nos. 54483 – 54555 for a total of \$98,578.13.

Mayor Jones read the Consent Agenda.

Councilman Schmid and Councilman Kobes seconded to approve the Consent Agenda. By voice vote, the motion passed unanimously.

J. Public Hearings

K. New Business

L. Old Business

M. Resolutions

1. Resolution Authorizing the Mayor To Sign an Agreement Between the City of Selah Parks & Recreation and the Washington Service Corps for Americorps Member Services

Jeff Hagler addressed Resolution M-1, noting this is the 4th year for a contract with Americorps to fund a staff person for the Teen Center. He stated this person works forty hours per week for ten and one-half months. He noted the cost is \$5,000 with expenses split between the School District and the City.

Councilman Schmidt moved and Councilman Schmid seconded to adopt the Resolution Authorizing the Mayor To Sign an Agreement between the City of Selah Parks & Recreation and the Washington Service Corps for Americorps Member Services. Councilman Smeback – yes; Councilman Schmidt – yes; Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris - yes. Approval was unanimous.

2. Resolution of Approval Heritage Hills Phases II & III

Community Planner Dennis Davison addressed Resolution M-2, reminding the Council that the original plat for Heritage Hills was approved in 1993 with additional phases contingent upon provision of a second alternative access route. He noted developers have accomplished that with access down 10th Street. He recommended the Council approve the Heritage Hills Plat Phases II and III 45-lot subdivision and adopt the Hearing Examiner's recommendation of approval with 18 conditions.

Councilman Herb Schmidt asked about the Planner's concern about water and soil retention, whether that issue had been addressed to the Planner's satisfaction.

Mr. Davison stated that issue is addressed with dry wells and French drains. He stated there will be no additional water coming down 10th, noting the reason there is so much water running down 10th is that no drainage system was included in subdivisions approved in years past. He stated the Heritage Hills and Highland Court systems are in public right-of-way so the City will be responsible for taking care of any problems.

Councilman Keith Larson asked if once the new reservoir built this would go on gravity feed system.

Councilman Brian Harris declared a potential conflict of interest since his father-in-law is one of the developers. Councilman Schmid objected to his participation. Councilman Harris excused himself.

Mayor Jones asked what the slope is on Hillcrest. The Public Works Director responded that the slope is about 17%.

The Mayor asked how many more lots could be in Lot 43. The Community Planner estimated eighteen lots could be subdivided in Lot 43, noting developers would have to come back through the hearing process and before the Council for approval. He stated Lot 44 would probably not be amenable to homes because it is too steep. There ensued discussion about which roads could be accessed from various areas of the subdivision.

Councilman Kobes noted the City engineer recommended a chain-link fence along lots 34 and 35, but the Hearing Examiner did not address that issue.

Dennis Davison responded that there was some discussion, but the Hearing Examiner was aware of the stop work order on contiguous property that requires installation of a chain-link fence for the entire property.

Councilman Schmid expressed his concern about potential danger of the abrupt slope.

Developer Roy Sample, 111 Highland Court, stated Lots 34 and 35 are 70-100 feet from the edge of the cliff. He informed the Council that Pacific Power may run power right over 34 and 35 and predicted those lots will never be built upon. He stated the map he received from Pacific Power shows the removal of a guywire on Lot 2 of Highland court, moving the road approximately fifty feet to the east, right along the easement adding size to Lots 31, 32 and 33.

Dennis Davison assured Council Members there will not be a problem as long as they are reducing the number of lots.

Councilman Schmid asked if something will come in with Highland Court which also addresses water going down 10th Street. The Community Planner referred to the drainage map exhibit #15 in the packet. Councilman Schmid asked if there is any potential for directing any of this water into natural drainage.

Mr. Davison responded there is always that possibility; however, upkeep of natural drainage is a potential problem, mosquitoes, viruses, etc.

Councilman Schmid said he also wanted assurances on item 11, the dust control plan, noting several "dust bowls" have been created in recent years where neighbors suffer because developers do not control dust in a timely fashion. Councilman Schmidt echoed the concern.

Dennis Davison responded that in past practice Mr. Sample's company has been very responsive to dust complaints. He reiterated the planned "decommissioning" of booster pumps once new reservoir is completed, emphasizing the hope that all lots will be able to be served by gravity flow up 10th, with a potential that only Lots 3 and 4 of Highland Court will be served by the booster.

Councilman Schmid stated his preference for barrier curbs on 10th Street.

Councilman Smeback stated he can sympathize with concerns expressed by those who fear traffic and growth will impact them.

Councilman Schmid said it is important as the area grows to make connections from West Naches into Crusher Canyon important to ease traffic pressure on Fremont.

Mayor Jones said when Crusher Canyon is developed, West Naches will funnel into Hillcrest.

Councilman Schmidt expressed his hope that people will look at the kinds of residences that are going in these areas and how they will increase property values.

Councilman Smeback moved and Councilman Schmid seconded that Preliminary Plat No. 912.63.04-1 designated as "Heritage Hills, Phases II & III" be approved as recommended by the Hearing Examiner with eighteen (18) specific conditions contained in the Examiner's Findings and Recommendations. Councilman Smeback – yes; Councilman Schmidt – yes; Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes. Approval was unanimous.

3. Resolution of Approval Highland Court Phase II Preliminary Plat

Community Planner Dennis Davison addressed Resolution M-3 approving the Preliminary Plat for the seven lots of Highland Court. He reported the Hearing Examiner recommended approval with 17 conditions. He noted the issue was appealed by area residents, a hearing was held, and the Hearing Examiner concluded there was not significant impact and uphold his original recommendation and conditions. The Planner requested approval.

Councilman Schmid noted Item 4 requiring barrier curbs and suggested they be required all the way up 10th Street.

Mayor Jones stated it is easier for pedestrians to walk on mountable curbs than barrier curbs with cutouts. He stated police should issue tickets if people are parking in yards.

Councilman Larson moved and Councilman Smeback seconded that Preliminary Plat No. 912.63.04-2 designated as "Highland Court, Phase II" be approved as recommended by the Hearing Examiner with seventeen (17) specific conditions contained in the Examiner's Findings and Recommendations. Councilman Smeback – yes; Councilman Schmidt – yes; Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes. Approval was unanimous.

Councilman Harris returned to the meeting.

N. Ordinances

1. Ordinance Amending Chapter 6.46 Park Closing Time Providing for Severability and Establishing an Effective Date

Public Works Director Joe Henne stated he and the Parks & Recreation Director spoke about problems the City is having with vandalism in City parks. He stated Ordinance N-1 amends the Code on park closing hours at Wixson and Playland to close one hour after sunset. He stated that can't be done at Carlon because athletic activities go into the evening. There ensued discussion about other parks and the potential impact.

Councilman Schmid moved and Councilman Schmidt seconded to adopt the Ordinance Amending Chapter 6.46 Park Closing Time, Providing for Severability and Establishing an Effective Date. Councilman Smeback – yes; Councilman Schmidt – yes; Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris - yes. Approval was unanimous.

Public Works Director Joe Henne promised to check the Code for a variance procedure.

2. Ordinance Amending the 2004 Budget for the Purchase of a Thermal Imaging Camera for the Fire Dept.

Fire Chief Jerry Davis addressed Ordinance N-2 for the purchase of a thermal imaging camera. He demonstrated the original camera purchased in the 1980's, noting one of those is currently in England being repaired. He showed the new MSA 5000 camera, noting it can be held in one hand and is much more accurate. He explained the department needs two cameras, one of which will be purchased by the Fire District. These could be purchased new, but used ones allow money to go farther. He stated the \$7600 is in reserves.

Deputy Fire Chief Gary Hanna stated earlier cameras were based on the ambient temperature in the room, displaying heat but not degrees of heat. He explained the new camera illustrates degrees of temperature.

Chief Davis stated his department hasn't used the camera in an actual house fire because they've only had it for one week. He noted the new equipment should allow firemen to be much more exact in identifying what is on fire and getting directly to it.

Councilman Schmidt moved and Councilman Kobes seconded to adopt the Ordinance Amending the 2004 Budget for the Purchase of a Thermal Imaging Camera for the Fire Dept. Councilman Smeback – yes; Councilman Schmidt – yes; Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris - yes. Approval was unanimous.

3. Ordinance Amending Ordinance No. 1615 – 2004 Salary Schedule for Management, Confidential and Unrepresented Employees for the Purpose of Amending the Salary for the Firefighter/EMT

Fire Chief Jerry Davis stated Ordinance N-3 reflects employee John Shiply's successful completion of his six-month probation. He stated Mr. Shipley has been a volunteer for 20 years, adding that this salary adjustment will still keep him low on the career staff “totem pole.”

Councilman Smeback moved and Councilman Larson seconded to adopt the Ordinance Amending Ordinance No. 1615 – 2004 Salary Schedule for Management, Confidential and Unrepresented Employees for the Purpose of Amending the Salary for the Firefighter/EMT. Councilman Smeback – yes; Councilman Schmidt – yes; Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Kobes – yes; Councilman Harris - yes. Approval was unanimous.

O. Communications

1. Oral

P. Reports/Announcements

1. Mayor
2. Council Members
3. Boards
4. Departmental
 - a. Police Department Monthly Report – August 2004
 - b. Planning Commission Minutes – May 18, 2004 - Approved

Clerk/Treasurer Dale Novobielski reported the City is in the process of changing banks. The Finance Committee went over several proposals, and because of internet banking service and improved interest rates, the City will change to Banner Bank.

Community Planner Dennis Davison reported Council Members will shortly be getting changes for their Zoning Ordinance books. He urged them to search for their books.

Parks & Recreation Director Jeff Hagler reported the skateboard group will meet tonight at 6:00pm. He stated they recently asked permission of the School Board to have a temporary skatepark at the teen center, but the request was denied.

Police Chief Rick Gutierrez requested a meeting with the Safety Committee to discuss the Explorer proposal.

Fire Chief Davis reported tenders got tanker credit moving the District from 8A to an 8 and they're now in the process of rating the City. He stated he will travel to Spokane to witness Brian Robertson's receipt of a life saving award at state conference.

City Supervisor Frank Sweet thanked the Police, Fire and Public Works Departments for taking staff and vehicles to the Central Washington State Fair Parade.

Councilman Scott Smeback stated his amazement at the way the community came together in disappearance of Teri Smith. He noted it showed great community spirit.

Councilman Harris echoed Councilman Smeback's praise for community spirit. He asked to be excused to attend his daughter's volleyball game in Ellensburg.

Councilman Schmidt thanked the Council for passing \$2,000 for Convention & Visitors publication. He reported he attended tourism board meeting and they seem to be handling money wisely.

Councilman Allen Schmid reported he spent six hours at the fair at the Visitor & Convention Bureau booth in the Sun Dome to which he took Parks & Rec brochures and copies of the Selah Signals. He suggested it would be nice to have some kind of polo shirt available when out representing City. He requested a 10-minute Executive Session to discuss property.

Councilman Kobes suggested everyone could work at Community Days and get a free shirt with a Selah logo. He reported the City of Selah was well represented this weekend earning 3 awards. He stated he was proud to see City equipment out at the Fair.

Mayor Jones thanked Councilmen Allen Schmid and Keith Larson for the hours they spent cutting soundboard at the Civic Center. He reported he and his wife Judy hosted three members of the Japanese contingent and also attended a reception for the Japanese troop at the Clarion Hotel.

Councilman Pete McNew reported the Library Board met last Tuesday and is amenable to Council proposal.

Mayor Jones declared a two-minute recess prior to the Executive Session. The Council moved into Executive Session at 5:38pm.

Q. Executive Session

1. Executive Session to discuss real estate.

They moved out of Executive Session at 5:58pm.

R. Adjournment

Council Member Kobes moved and Council Member Schmidt seconded that the meeting be adjourned. By voice vote, the motion passed unanimously. The meeting adjourned at 5:59pm.

Robert L. Jones, Mayor

Gerald Kobes, Council Member

Keith Larson, Council Member

Peter McNew, Council Member

Allen Schmid, Council Member

Herb Schmidt, Council Member

Scott Smeback, Council Member

Brian Harris, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer