

UNION GAP CITY COUNCIL REGULAR MEETING
Council Chambers, City Hall
Union Gap, Washington
April 26, 2010

Call to Order Mayor Lemon called the Regular Meeting of the Union Gap City Council to order at 7:00 p.m.

Council Members Present Council Members David Butler, Dan Olson, Dan Vanover, Roger Wentz, Dave Matson, James Murr and Chad Lenz were present.

Staff Present Robert Noe, City Attorney, Dennis Henne, Public Works Director; Mark Reynolds, Development Coordinator; Bill Steele, Fire Chief; Robert Almeida, Police Chief; and Kathryn Thompson, City Clerk were present.

Audience Present Michael & Joshua Murr, Debbie Matson, Ray Kempf, John Hodkinson, Susan & Al Maza, Julie Schilling, Pam Wickersham, Fred Thomson, Scott Steinloski, Kelly Rosenow, Erika, Aimee, and Nicholas Lemon, and others were present.

Pledge of Allegiance Council Member Wentz led the Pledge of Allegiance.

Consent Agenda Motion by Council Member Vanover, seconded by Council Member Butler to approve the consent agenda, as follows:

Approve the Study Session Meeting Minutes, dated April 12, 2010, as sent out on page 5049 of the Minute Book.

Approve the Regular Council Meeting Minutes, dated April 12, 2010, as sent out on pages 5050 through 5057 of the Minute Book.

Approve Claim Voucher Nos. 76991 through 77070, in the amount of \$157,092.74 dated April 26, 2010 and transfer from the operating funds to the Claims Fund.

Approve Petty Cash Check No. 1582, issued and paid in the month of February, 2010, in the amount of \$10.00. Check No. 2583 was voided.

Approve Petty Cash Check Nos. 1584 and 1585, issued and paid in the month of March, 2010, in the amount of \$248.00.

Approve Municipal Court Check Nos. 3276 through 3282, issued and paid in the month of February, 2010, in the amount of \$59,285.47.

Approve Municipal Court Check Nos. 3283 through 3294, issued and paid in the month of March, 2010, in the amount of \$54,356.29.

There were no Advanced Travel checks issued in the month of February, 2010.

Approve Advanced Travel Check No. 1084, issued and paid in the month of March, 2010, in the amount of \$150.00.

There were no Treasurer's checks issued in the month of February, 2010.

Approve Treasurer's Check No. 10213, issued and paid in the month of March, 2010, in the amount of \$606.77.

Motion carried unanimously.

Ordinance No. 2665 – Amending 2010 Budget – Community Events Reserve Fund Expenditures Mayor Lemon explained this ordinance amends the budget to identify the expenditures for the Community Events Reserve Fund and removes the requirement of prior authorization from the Council to make expenditures.

Motion by Council Member Vanover, seconded by Council Member Wentz to

adopt and publish Ordinance No. 2665, An Ordinance amending the 2010 budget providing the Union Gap Special Events Committee with authority to make expenditures from the Community Events Reserve Fund as budgeted.

Council Member Olson commented at the bottom of the budget worksheet there is a note that there is an additional \$15,000, but it does not show what that \$15,000 is for.

Mayor Lemon stated the additional \$15,000 is out of the Convention Center Reserve Fund.

Scott Steinloski, Tourism Promoter, informed the \$15,000 was included in the budget that went before the Lodging Tax Advisory Committee before he brought it to the Council last October.

Council Member Wentz questioned if the \$15,000 was for advertising.

The Tourism Promoter stated the \$15,000 was for operating supplies and advertising.

Julie Schilling, Special Events Committee, stated most of the \$15,000 will be spent on advertising. She also explained the ordinance and budget worksheet presented tonight is so the Council knows how the committee is spending the money.

Council Member Wentz commented he and some other Council members received a phone call saying there were issues between the Special Events Committee and the Tourism Promoter regarding the understanding of these funds, and questioned if the Tourism Promoter is okay with this ordinance.

The Tourism Promoter stated he is okay with the ordinance if the Council is okay with it.

Mayor Lemon commented a committee member questioned if this needed the Tourism Promoter's approval, but there is nothing in the ordinance that says the Tourism Promoter has to approve the expenditures.

The Tourism Promoter stated there was a question about whether or not he was required by his contract to do the advertising for the event, or if the committee could do their own advertising.

Council Member Wentz questioned if the advertising issue was worked out.

The Tourism Promoter stated it was worked out by splitting the advertising.

Ms Schilling stated the bills for the \$15,000 are going through the Tourism Promoter because the money is coming out of his budget.

Council Member Olson commented the Tourism Promoter's budget needs to be clarified.

The Tourism Promoter stated now that this fund is in place, the money from the Convention Center Reserve Fund dedicated to this purpose can be transferred to this fund.

Mayor Lemon stated the Council authorizes transfers of money, and that can be in next year's budget process.

After discussion, Mayor Lemon called for a vote on the motion by Council Member Vanover, seconded by Council Member Wentz to adopt and publish Ordinance No. 2665, An Ordinance amending the 2010 budget providing the Union Gap Special Events Committee with authority to make expenditures from

Resolution No. 871 –
Police Department
Towing Contract with G
& J Towing & Storage

the Community Events Reserve Fund as budgeted. Motion carried unanimously. Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 871, A Resolution authorizing the Mayor to sign a Contract for Towing Services with G & J Towing and Storage d/b/a Action Towing and Storage.

Council Member Olson questioned if there were any changes to the previous contract.

The Police Chief stated the contract was written by the City Attorney and is pretty close to the last contract, with the exception of rate changes.

Council Member Matson questioned if other towing companies were contacted.

The Police Chief stated yes, he had quotes from six towing companies.

Mayor Lemon called for a vote on the motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 871, A Resolution authorizing the Mayor to sign a Contract for Towing Services with G & J Towing and Storage d/b/a Action Towing and Storage. Motion carried unanimously.

Resolution No. 872 –
Contract for Tourism
Promotion with Central
Wash. Agricultural
Museum

The Tourism Promoter informed when his budget was approved last year there was money for upgrades to the museum and for a museum coordinator. This contract allows the Agricultural Museum to move forward with those plans.

Council Member Wentz questioned if these expenditures were identified in the budget.

The Tourism Promoter stated yes, they were identified in his budget presentation.

Council Member Olson stated the adopted budget shows \$25,000 for a retaining wall and other upgrades, but does not show \$25,000 for a museum administrator.

Mayor Lemon informed this contract allows for a lump sum payment to the museum like the flat fee the City pays to the Visitors & Convention Bureau for tourism. He stated he was concerned that this would be contracting with ourselves, but the City Attorney said that is not an issue and prepared this contract.

The City Attorney explained the Visitors and Convention Bureau have a special statutory provision to spend the money we give them. This contract is more specific because the museum does not have a special statutory provision, but the museum is a tourism destination in our City, and as such, we can give them money for tourism and there are no issues with ownership.

Council Member Olson stated there is nothing in the 2010 Budget for a museum coordinator.

The Tourism Promoter stated it was shown on his budget that was adopted by the Council last year.

Council Member Wentz commented it was probably embedded in the City's adopted budget and not spelled out.

The Tourism Promoter informed \$50,000 was the total for the Agricultural Museum plus \$20,000 to the Parks Department for maintenance.

Council Member Olson stated the budget shows the total amount, so apparently

it is included but not specifically broken out.

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 872, A Resolution authorizing the Mayor to sign a Contract with the Central Washington Agricultural Museum for Tourism Promotion. Motion carried unanimously.

Resolution No. 873 – In
Opposition to Proposed
Adult Business in
Yakima

Mayor Lemon requested the City Attorney read the resolution into the record.

Following the reading of the resolution, motion by Council Member Vanover, seconded by Council Member Murr to adopt Resolution No. 873, A Resolution expressing opposition to a proposed adult entertainment business in the City of Yakima in close proximity to the City of Union Gap.

Council Member Olson questioned where people will park because there is very little parking at the facility.

Mayor Lemon stated he does not know; he just feels this is an inappropriate business for the area.

Susan Maza informed they own property adjacent to this property that they lease to Color Tile. She stated there is acreage in the back that is accessible by driving beside the building. She stated they are concerned about property values and the existing businesses. She also stated there are already enough problems with drugs, gangs, violence, etc. that the area does not need this type of business.

Al Maza informed this came as a complete surprise. He stated they began contesting this business for all of the reasons the City Attorney cited in the resolution. He informed there is 4.9 acres of property, but they will have to drive South of his building to get there. He stated he spoke to Mr. Matthews about his issues with safety concerns and Mr. Matthews said he would put up a fence. Mr. Maza stated it would take an 8-foot high chain link fence with three strands of barbed wire on top and that still might not keep people out.

Council Member Wentz questioned how close this is to the school on 18th Street.

Mr. Maza stated it is further than 500 feet which is City of Yakima's requirement.

Ray Kempf stated Skateland is not very far from this location and he is concerned about his granddaughter going to Skateland if this goes in.

Erika Lemon stated it is sad and disgusting that women are doing these jobs and those at the revealing coffee stands. She stated she likes Union Gap because it is a nice small town and no one should have to see that type of business. She stated more positive businesses like drive-in theatres should be brought back.

Al Maza informed they contacted or attempted to contact every business in the area. He stated they left messages and cards but have had no response from the owners of Skateland. He stated the community needs to make themselves heard and suggested community members ask Skateland to speak up against this business.

Mayor Lemon informed at the next Council meeting the City will be looking at our ordinance to see if it needs tightening up, but our ordinance is pretty narrow right now. He stated this resolution is letting Yakima know Union Gap supports their challenge of this business, if they choose to challenge.

Mayor Lemon then called for a vote on the motion by Council Member Vanover,

seconded by Council Member Murr to adopt Resolution No. 873, A Resolution expressing opposition to a proposed adult entertainment business in the City of Yakima in close proximity to the City of Union Gap. Motion carried unanimously.

Mayor Lemon requested the City Clerk mail a copy of this resolution to the Yakima City Clerk for Yakima's public hearing.

Report from Special
Events Committee
Regarding Old Town
Days

Julie Schilling, Special Events Committee, informed Old Town Days will be June 19th and 20th. There will be a parade on Saturday at 10:00 a.m.; a poker run from Union Gap to Selah to Prosser to Ahtanum Park; the 2nd annual Show & Shine; the 1st annual Bed Race, and many other activities.

Council Member Wentz questioned what the parade route will be.

Ms Schilling stated the route will be on Main Street, the same as in the past. She informed they are also working with the Valley Mall this year.

Council Member Wentz questioned if there will be a carnival.

Ms Schilling stated all the carnivals are booked on the west side of the state. She informed the committee found out you have to book the carnival a year in advance and they are already booked for March through September. She informed Kaylynn is in charge of the idol contest again this year, and they anticipate more contestants than last year.

Items from the
Audience

Safety Symposium. Julie Schilling distributed flyers and coloring pages for the Safety Symposium and informed part of the symposium will be a coloring contest for the schools. She then introduced Kelly Rosenow and Pam Wickersham.

Kelly Rosenow informed this is the second annual symposium and this year it will be held upstairs at Legends Casino in Toppenish.

Mayor Lemon questioned if Union Gap School has been given the information.

Pam Wickersham stated no, this is the first time they have presented the information.

Mayor Lemon stated he will get the information to the Union Gap School tomorrow.

Ms Wickersham stated she hopes the City of Union Gap will support the symposium at Legends the way they supported it last year.

Develop Agenda for
May 10, 2010 Council
Meeting

Mayor Lemon informed the Council will be looking at a billboard ordinance, an ordinance regarding nuisance houses, and possibly tightening up the adult entertainment ordinance at the next Council meeting.

Council Member Wentz requested a discussion of the current budget and revenues and the impact on the remainder of this year. He stated the revenues for the first quarter of this year appear to be 10 percent below the first quarter of 2009, which is a huge decrease. He stated he would hate to wait to fix something when it is too late; the Council should have some safety plans in place.

Departmental Reports

Mayor Lemon informed the following reports are in the packet and questioned if the Council has any questions of the departments: Police Department Status Report – March 2010; Fire Department Status Report – March 2010; New Businesses Report – March/April 2010; and Treasurer's Report – February 2010.

Fire Department. Mayor Lemon questioned if the Fire Chief was able to obtain a list of the fire calls.

The Fire Chief informed the call list is attached to his report in the packet.

Mayor Lemon questioned if the Council likes receiving the call report. It was the consensus of the Council that they would like to continue receiving the call report.

Council Member Olson commented it is interesting how many calls are called back before arrival.

Communications/
Questions/Comments

Consolidation of Dispatching. Mayor Lemon reported Yakima County is considering consolidation of dispatching. The software they are proposing is \$700,000 plus \$300,000 for yearly maintenance. He questioned if the Police Chief or Fire Chief have been involved in discussions regarding this plan.

The Fire Chief stated he has been attending meetings regarding consolidation of dispatching.

2010 Yakima County Solid and Moderate Waste Risk Management Plan. The Public Works Director informed the Council received the 2010 Solid Waste Risk Management Plan tonight. He stated a Council committee meeting will be scheduled in a couple of weeks and then this will be coming to the Council for adoption. He encouraged the Council to keep the plan until it is adopted.

Adjournment

At 8:00 p.m., Mayor Lemon adjourned the Regular Council meeting.

These minutes dated April 26, 2010 were approved at the Regular Council Meeting of May 10, 2010.

Jim Lemon, Mayor

ATTEST:

Kathryn Thompson, CMC, City Clerk