

UNION GAP CITY COUNCIL REGULAR MEETING
Council Chambers, City Hall
Union Gap, Washington
April 12, 2010

- Call to Order Mayor Lemon called the Regular Meeting of the Union Gap City Council to order at 7:02 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; Bill Steele, Fire Chief; Robert Almeida, Police Chief; Mark Reynolds, Development Coordinator; and Kathryn Thompson, City Clerk were present.
- Audience Present Joe & Linda Jackson, Debbie Matson, Michael Murr, Aubrey Reeves, Fred Thomson, Jo Collier, Kip Kendrick, and others were present.
- Pledge of Allegiance Council Member Wentz led the Pledge of Allegiance.
- Consent Agenda Council Member Vanover requested Ordinance No. 2672 be removed from the consent agenda.
- Motion by Council Member Vanover, seconded by Council Member Wentz to approve the consent agenda, as amended, as follows:
- Approve the Study Session Council Meeting Minutes, dated March 22, 2010, as sent out on page 5039 of the Minute Book.
- Approve the Regular Council Meeting Minutes, dated March 22, 2010, as sent out on pages 5040 through 5048 of the Minute Book.
- Approve Claim Voucher Nos. 76846 through 76884, in the amount of \$263,451.64 dated March 31, 2010 and transfer from the operating funds to the Claims Fund.
- Approve Payroll Voucher Nos. 33338 through 33408, in the amount of \$136,263.01 dated March 31, 2010 and transfer from the operating funds to the Payroll Fund.
- Approve Claim Voucher Nos. 76885 through 76990, in the amount of \$541,864.89 dated April 12, 2010 and transfer from the operating funds to the Claims Fund.
- Approve Petty Cash Check No. 1581, issued and paid in the month of January 2010, in the amount of \$36.00.
- Approve Municipal Court Check Nos. 3267 through 3275, issued and paid in the month of January 2010, in the amount of \$46,720.90.
- Approve Advanced Travel Check Nos. 1079 through 1083, issued and paid in the month of January 2010, in the amount of \$759.12.
- There were no Treasurer's checks issued in the month of January 2010.
- Adopt Resolution No. 858, A Resolution authorizing the Mayor to sign a Memorandum of Understanding with the Teamsters Local No. 760, representing Office Clerical employees, regarding a Part-Time Code Enforcement Officer position.
- Adopt and publish Ordinance No. 2671, An Ordinance amending the 2010 Budget to change the name of Fund No. 132 – Community Events Fund to Community Events Reserve Fund.

Motion carried unanimously.

Council Member Vanover stated he would like an explanation of this ordinance because it looks like a blank check.

Ordinance No. 2672 –
Amending 2010 Budget
– Authorizing
Expenditure from
Community Events
Reserve Fund

Mayor Lemon informed he recently met with Julie Schilling, Scott Steinloski, and the City Treasurer and discovered that this fund had money that was not spent last year, and not authorized for expenditure in the 2010 Budget.

Council Member Vanover commented that typically the Council approves specific expenditures.

Mayor Lemon stated the Community Events Fund does have line items for Old Town Days, advertising, etc. He also informed there is an additional \$20,000 in the hotel/motel tax budget approved for expenditure in this fund. The Special Events Committee would like to use this money for events and replenish the fund.

Council Member Vanover stated he would like to see the line items because this looks like a blank check and he cannot support that.

After discussion, motion by Council Member Vanover, seconded by Council Member Wentz to amend Ordinance No. 2672 to require that specific expenditures come back to the City Council for approval. Motion carried unanimously.

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt and publish Ordinance No. 2672, as amended, An Ordinance amending the 2010 Budget authorizing an expenditure of \$38,000 from the Community Events Reserve Fund (132). Motion carried unanimously.

The Mayor informed the City Treasurer would provide a copy of the breakdown in the Community Events Fund to the Council.

Resolution No. 863 –
Contract with Phoenix
Protective Corp. for
Courtroom Security
Services

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 863, A Resolution authorizing the Mayor to sign a contract with Phoenix Protective Corporation for Courtroom Security and Inmate Transport. Motion carried unanimously.

Resolution No. 864 –
Turnback Agreement
with Washington State
Department of
Transportation

The Public Works Director informed Washington State Department of Transportation is building a new interchange in conjunction with Valley Mall Boulevard Phase IV. He stated this agreement will dedicate some of the right of way and improvements for the roundabout at South Rudkin Road back to the City of Union Gap. He displayed a map and explained what areas are included.

Council Member Wentz questioned who will maintain the roundabout.

The Public Works Director stated he believes the City will maintain the roundabout at South Rudkin Road, but the State will maintain the other two roundabouts. He stated the City's contribution is providing irrigation water that will be billed to the Union Gap Street Department.

Council Member Wentz questioned if any thought has been given to getting away from green grass in the roundabout.

The Public Works Director stated the grass is the most inexpensive to maintain, other than using rocks. He informed it will be low maintenance landscaping, there will be a 10-12 foot retaining wall, and this will also be used to meet stormwater requirements.

Motion by Council Member Vanover, seconded by Council Member Wentz to adopt Resolution No. 864, A Resolution authorizing the Mayor to sign a Turnback Agreement with Washington State Department of Transportation related to I-82 Valley Mall Boulevard Interchange (Roundabout) right of way acquisition and improvements.

Council Member Olson stated when the State was at the Council meeting, he told them he was not in favor of roundabouts and if they built one they would need to maintain it, so he will vote no on this item.

Mayor Lemon called for a vote on the motion by Council Member Vanover, seconded by Council Member Wentz to adopt Resolution No. 864, A Resolution authorizing the Mayor to sign a Turnback Agreement with Washington State Department of Transportation related to I-82 Valley Mall Boulevard Interchange (Roundabout) right of way acquisition and improvements. Motion carried: Council Members Butler, Vanover, Wentz, Matson, Murr and Lenz voting in favor; Council Member Olson voting no.

The City Attorney explained, by this agreement, the City is being asked to subordinate our interest in Pacific CA Systems' equipment. He informed the Rural Washington Fund Loans are loans to local businesses to stimulate jobs. The City is a pass through for the loan and the State does not hold the City liable if Pacific CA Systems defaults.

Resolution No. 865 –
Subordination
Agreement – Rural
Wash. Fund Loan –
Pacific CA Systems,
Inc. and Oxarc, Inc.

Motion by Council Member Olson, seconded by Council Member Wentz to adopt Resolution No. 865, A Resolution authorizing the Mayor to sign a subordination agreement with respect to a Rural Washington Fund Loan and Pacific CA Systems, Inc. Motion carried unanimously.

Resolution No. 866 –
Interlocal Agreement
for Yakima Property
owners to Connect to
Union Gap Sanitary
Sewer

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 866, A Resolution authorizing the Mayor to sign an interlocal agreement between the City of Union Gap and the City of Yakima to permit certain Yakima property owners to connect to Union Gap sanitary sewer collection facilities. Motion carried unanimously.

Resolution No. 867 –
Supplemental
Agreement No. 1 to
Yakima Non-Motorized
Loop – Phase II with
Huibregtse, Louman
Assoc., Inc.

The Public Works Director stated this is Supplemental No. 1 to our agreement for Phase II of the Yakima Non-Motorized Loop. He informed, for some reason, the agreement was only for two months. We are now looking at acquiring easements for the pathway and since this is a grant, we need a current agreement in place. This supplemental is good until 2012.

Council Member Wentz questioned if we should be giving Huibregtse, Louman Associates (HLA) more work when we have a couple of other studies we have not received from HLA.

The Public Works Director stated we do have other agreements that are delinquent, but this project got muddied up because of the beltway study. He informed this supplemental does not require any additional money.

Council Member Olson commented this has been delayed because we do not know exactly where the loop will be because of flood maps, etc.

Motion by Council Member Olson, seconded by Council Member Vanover to adopt Resolution No. 867, A Resolution authorizing the Mayor to sign a Supplemental Agreement No. 1 with Huibregtse, Louman Associates, Inc. extending the completion date under the Local Agency Standard Consultant Agreement executed on December 4, 2009 related to the Non-Motorized Loop - Phase II project to March 31, 2010. Motion carried unanimously.

Resolution No. 868 –
Facility Use Agreement
with the Yakima
Infantil Soccer League

Council Member Vanover questioned is this agreement is the same basic financial arrangement the City has with Yakima Youth Soccer Association. (YYSA).

The Public Works Director informed this is the same agreement the City has with YYSA except Infantil will not be using as much of the park.

Council Member Butler questioned if this organization is taking over from YYSA.

The Public Works Director stated no, Infantil will be using 4 fields from April through September. YYSA has first priority and the four Saturdays they overlap Infantil will use the fields when YYSA is finished.

Motion by Council Member Vanover, seconded by Council Member Wentz to adopt Resolution No. 868, A Resolution authorizing the Mayor to sign a Facility Use Agreement with Yakima Infantil Soccer League for the use of parts of the Youth Activities Park. Motion carried unanimously.

Resolution No. 869 –
Licensing Agreement
for Financial Software
with BIAS Software

Mayor Lemon informed Jo Collier, the Teamsters shop steward, would like to speak.

Jo Collier informed her responsibilities include Accounts Payable and Fire Department Secretary. She stated she understands the need to eventually have new financial software to make the City more efficient and be compatible with the BARS system. However, the two systems were only briefly looked at and there was not enough time to get a good feel of either system. She stated neither one of the companies has all the modules Springbrook has plus this was not budgeted for and we are depleting another reserve fund. She also informed a lot of employees are still learning Springbrook and questioned why not wait until staff can take a better look and make sure the companies make good on their other modules.

Mayor Lemon informed we will not be depleting the reserve fund because we can finance this purchase over 5 years with 0 percent interest. The maintenance fees for BIAS are \$6,000 a year versus \$15,000 a year for Springbrook. He stated the savings will continue after the software is paid for. He also stated BIAS should be easier for the employees to use because it is single input and Springbrook is double input.

Ms Collier stated the City has already paid the Springbrook maintenance fee this year and the new software is still going to cost the City money we do not have.

Mayor Lemon informed the City Treasurer, Deputy Treasurer, and Executive Assistant travelled to Benton City and Wapato today to compare BIAS and Vision software programs. They were very impressed with BIAS. He stated BIAS also has on-line payments so people can pay their bills on-line and the front office clerk will not have to do anything with those payments.

Ms Collier stated it would be nice to have time to research this more fully, and commented that most organizations take time to decide matters such as this.

Council Member Wentz commented the Council has been discussing this for some time and the City Treasurer is begging for this software.

Mayor Lemon informed Monte Scacco is also recommending this change.

Council Member Matson questioned what the bottom line cost is over 5 years.

Mayor Lemon stated the cost is roughly \$6,000 a year and the savings is roughly \$10,000 a year.

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 869, A Resolution authorizing the Mayor to sign a software licensing agreement with BIAS Software covering the software BIAS Software will provide for use in the City's Finance Department. Motion carried unanimously.

Resolution No. 870 –
Service Agreement for
Financial Software with
BIAS Software

Motion by Council Member Vanover, seconded by Council Member Wentz to adopt Resolution No. 870, A Resolution authorizing the Mayor to sign a service agreement with BIAS Software for the service of software BIAS Software will provide for use in the City's Finance Department. Motion carried unanimously.

Ordinance No. 2673 –
Amending 2010 Budget
– City Hall Equipment
Reserve Fund –
Purchase of Financial
Software

Motion by Council Member Vanover, seconded by Council Member Wentz to amend Ordinance No. 2673 to allow expenditures of up to \$11,000 from the City Hall Equipment Reserve fund for costs associated with the purchase of BIAS Accounting Software. Motion carried unanimously.

Motion by Council Member Vanover, seconded by Council Member Wentz to adopt Ordinance No. 2673, as amended, An Ordinance amending the 2010 Budget to allow expenditures of up to \$11,000 from the City Hall Equipment Reserve Fund (120) for costs associated with the purchase of BIAS Accounting Software. Motion carried unanimously.

Authorize Mayor to
Negotiate Contract with
Huibregtse, Louman
Assoc., Inc. for E.
Washington Ave./
S. 18th Street
Improvements Project

The Public Works Director informed this contract is for preliminary design and construction engineering in the event the City receives job stimulus funding coming out of Washington D.C. He stated we need to have this in place because if the funding is received, we will have 90-120 days to be under contract.

Council Member Vanover questioned the other projects such as gravel alleys and paving.

The Public Works Director informed this approval is only for the E. Washington Avenue/South 18th Street Improvements, and stated he would like the Council to separate their other issues from this project. He informed a committee meeting is being scheduled to discuss the other projects.

Motion by Council Member Olson, seconded by Council Member Murr to authorize the Mayor to negotiate a professional service agreement with Huibregtse, Louman Associates, Inc. for the E. Washington Ave./So. 18th Street Improvements Project. Motion carried unanimously.

Consider authorizing
Municipal Court
Judge's Private
Attorney Fees

Mayor Lemon informed the first portion of Attorney Gary Lofland's bill was previously paid. He recommended the Council authorize paying this also and commented the separation of powers issue needed to be decided and this was not for the Judge's personal gain.

Kip Kendrick, Municipal Court Judge, stated this bill is for \$5,278.75 and he believes this is the final bill.

Mayor Lemon commented the City previously paid approximately \$10,000.

Council Member Vanover commented the Superior Court action answered some serious questions.

Motion by Council Member Vanover, seconded by Council Member Lenz to approve paying Attorney Gary Lofland's bill for recent Superior Court proceedings in the amount of \$5,278.75. Motion carried: Council Members

Olson, Vanover, Matson, Murr and Lenz voting in favor; Council Member Butler voting no; Council Member Wentz abstaining.

Council Member Wentz questioned if this will be paid out of the court's budget. Mayor Lemon stated it will come out of the court's professional services and they will need to watch the bottom line of their budget.

The City Clerk informed Julie Schilling had another meeting tonight and requested this item be moved to the April 26, 2010 agenda.

Report from Special
Events Committee
Regarding Old Town
Days

Mayor Lemon commented that Julie Schilling and the whole committee are working hard and doing a good job.

Cracks on Main Street. Fred Thomson commented the cracks on Main Street from Miners to Valley Mall Boulevard are getting bigger every year.

Items from the
Audience

Mayor Lemon stated the City is working on that, but the street fund has taken a hit as well as the general fund.

The Public Works Director informed there will be a grind and overlay of Main Street along with Valley Mall Boulevard, Phase IV.

There were no additional items for the April 26th Council meeting.

Develop Agenda for
April 26, 2010 Council
Meeting

Departmental Reports

Mayor Lemon informed the following reports are in the packet and questioned if the Council has any questions of the departments: Building/Mechanical & Plumbing Report – March 2010; Tourism Promoter Status Report – March 2010; Treasurer's Reports – December 2009 & January 2010; and Tax Revenue Report – February 2010.

Valley Mall Blvd. Phase IV. Council Member Wentz requested a report on Valley Mall Boulevard Phase IV.

The Public Works Director informed the contract has been awarded and the pre-construction meeting was held last week. He stated they are starting to build the temporary ramps this week and there will be temporary signals installed also. He informed there will be a meeting every Wednesday at 10:00 a.m. if the Council has any questions.

Truck Access on Lilac Lane. Council Member Vanover questioned if truck access will be allowed on Lilac Lane.

The Public Works Director stated Lilac Lane is signed no trucks from N. Rudkin Road to S. 18th Street westbound, but there are no signs eastbound. He stated he will look into allowing trucks.

Mayor Lemon commented the residents asked for the signs to be installed and he would like to get input from the residents before a change is made.

Council Member Vanover commented the signs were put in when Lilac Lane was a dirt road and there was a person suffering from asthma.

The Public Works Director stated if a change is made, he would like it signed for local trucks only.

Mayor Lemon questioned how long of a time period this might be.

The Public Works Director stated it could be 2 years.

Council Member Vanover commented the south side of Lilac is commercial.

Council Member Olson commented Lilac Lane is hard surfaced now.

Mayor Lemon commented the 10 mph signs could probably be changed now also, but he would like input from the residents.

S. 18th Street & Mead Avenue. Council Member Wentz commented he knows full signalization of this intersection would be expensive, but with Valley Mall Interchange under construction there will be increased usage of this intersection that may cause overload. He stated this intersection already has many accidents.

The Public Works Director stated he has contacted the Washington State Department of Transportation (WSDOT) Project Manager and asked for a temporary signal or for WSDOT to work with City of Union Gap and City of Yakima to see if the intersection would warrant a permanent signal. The project manager is looking at his budget and will be getting back to the City.

Crosswalk on Ahtanum Road. Mayor Lemon reported the crosswalk on Ahtanum Road by Union Gap School should be installed soon.

Fire Reports. Mayor Lemon informed he recently began receiving the fire reports through text messages and questioned if the Council would like to receive a monthly report showing all the calls.

The Fire Chief stated as long as the fire department is able to complete the data entry, the figures will be available monthly.

Mayor Lemon questioned if Yakima dispatch could print a report for Union Gap.

The Fire Chief stated he would check and see if Yakima dispatch can print a report.

Jo Collier, Fire Secretary, stated the monthly report the Council receives does list all types of calls. She stated she would look into whether or not they can do a print screen of the calls.

At 8:15 p.m., Council Member Vanover was excused to report for work.

Council Member
Excused

Code Enforcement. The Development Coordinator informed the City has hired Lee Hargroves as part-time Code Enforcement Officer. Lee has 25 years of experience from Yakima County. He also thanked the Mayor and Council for moving Code Enforcement back into the Building/Planning Department.

Council Member Wentz questioned if they can expect to see results in about a month.

Mayor Lemon stated Mr. Hargroves is already working on issues, but he is part-time.

Council Member Wentz questioned where the calls are routed when citizens call in with a code enforcement complaint.

The Development Coordinator stated all complaints are referred to the Building/Planning Department. He informed citizens will be requested to fill out complaint forms also.

Council Member Wentz questioned if the complaint form can be put on the website.

The Development Coordinator stated he and the Mayor are working on getting all land use applications and forms on the website.

Mayor Lemon informed the Development Coordinator is working vigorously on streamlining the application process.

At 8:19 p.m., Mayor Lemon adjourned the Regular Council meeting.

Adjournment

These minutes dated April 12, 2010 were approved at the Regular Council Meeting of April 26, 2010.

Jim Lemon
Mayor

ATTEST:

Kathryn Thompson, CMC
City Clerk