

**UNION GAP CITY COUNCIL REGULAR MEETING**  
**Council Chambers, City Hall**  
**Union Gap, Washington**  
**August 9, 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, Roger Wentz, Dave Matson, James Murr and Chad Lenz were present.

Staff Present Robert Noe, City Attorney; Bill Steele, Fire Chief; Robert Almeida, Police Chief; Dave Spurlock, Development Coordinator; and Kathryn Thompson, City Clerk were present.

Audience Present Joe & Linda Jackson, Michael & Joshua Murr, Jack Galloway, Jo Collier, Carla Woolen, Scott Steinloski, John Cooper, and others were present.

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

Special Award Presentations Mayor Lemon presented certificates to the Police Chief for Larry Worden, Police Sergeant, for 25 years of service; Pat Thompson, Police Officer, for 20 years of service; and Renard Edwards, Police Officer, for 5 years of service.

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

Approve the Regular Council Meeting Minutes, dated July 26, 2010, as sent out on pages 5094 through 5096 of the Minute Book.

Approve Claim Voucher Nos. 77714 through 77748, in the amount of \$144,066.69 dated July 29, 2010 and transfer from the operating funds to the Claims Fund.

Approve Payroll Voucher Nos. 33620 through 33702, in the amount of \$185,571.73 dated July 29, 2010 and transfer from the operating funds to the Payroll Fund.

Approve Claim Voucher Nos. 77749 through 77822, in the amount of \$198,745.92 dated August 9, 2010 and transfer from the operating funds to the Claims Fund.

Motion carried unanimously; Council Member Vanover absent.

Excuse Council Member Vanover from Meeting Motion by Council Member Wentz, seconded by Council Member Lenz to excuse Council Member Vanover from tonight's Council meeting. Motion carried unanimously.

Ordinance No. 2687 – Amending Municipal Code – Code Enforcement Position Mayor Lemon informed this ordinance creates an option of having the Code Enforcement position be full time or part time.

Motion by Council Member Wentz to adopt and publish Ordinance No. 2687, An Ordinance repealing Chapter 2.84 of the Union Gap Municipal Code and adopting a new Chapter 2.84, Code Enforcement Officer.

Council Member Matson questioned if this ordinance should be postponed until after the budget workshop.

Mayor Lemon informed this just creates the position, it doesn't fund the position. The City is going to need a full time Code Enforcement Officer next year and this allows for the position.

The City Attorney informed this ordinance gives flexibility to the Council later, if funding becomes available. The ordinance says the position can be full time, part time, or a combination of both.

Council Member Matson questioned how many hours the current Code Enforcement Officer is working.

Mayor Lemon stated he is restricted to part-time.

Council Member Matson stated he is working about 36 hours a week, which is only 4 hours less than full time.

Mayor Lemon stated he is part-time, but this ordinance gives the option of having a full time position instead. He informed the Code Enforcement Officer is doing all the inspections at the Valley Mall and the owner of the mall is very happy we are able to accommodate the construction crews with inspections. He also commented people shouldn't be building their houses without a permit and people in town are also complaining about weeds and want that taken care of. He stated it should be full time right now and if the budget allows for it we need to make the position full time.

Council Member Wentz commented the Council has budgetary control to keep the position part-time if needed.

Mayor Lemon informed when the previous Code Enforcement Officer retired, the Police Department picked up abatement and the Development Coordinator picked up permits and building inspections and that never should have happened because this is a union position. He stated if you really value development and the life blood of our town, you will want to create a full time Code Enforcement Officer position like we had previously. If not, we will have to contract it out to Yakima County and wait until they are available to come and provide that service for us.

Council Member Lenz seconded the motion by Council Member Wentz to adopt and publish Ordinance No. 2687, An Ordinance repealing Chapter 2.84 of the Union Gap Municipal Code and adopting a new Chapter 2.84, Code Enforcement Officer. Motion carried unanimously; Council Member Vanover absent.

Ordinance No. 2688 –  
Amending 2010 Budget  
Transferring Funds  
from the Current  
Expense Fund to the  
Police Department  
Budget

The Police Chief informed he included explanatory memorandums in the Council packet regarding shortfalls in the fuel and repair and maintenance budgets and asked if the Council had any questions.

Council Member Wentz questioned what the cost of the transmission repair was.

The Police Chief stated he did not have that figure broken out, but the administrative assistant is here with the figures.

Mayor Lemon questioned if the administrative assistant was asked to be at the meeting or here on her own.

Carla Woolen, Administrative Assistant, stated she volunteered to be at the meeting. She informed the transmission repair charges in April were \$153.64.

Mayor Lemon questioned if the vehicles are under warranty.

The Police Chief stated some of the vehicles are under warranty and some are not.

Council Member Wentz questioned what kind of warranty the vehicles have.

The Police Chief stated most of the vehicles have a 30,000 – 36,000 mile warranty.

Motion by Council Member Wentz, seconded by Council Member Lenz to adopt and publish Ordinance No. 2688, An Ordinance amending the 2010 budget for the City's Police Department. Motion carried unanimously; Council Member Vanover absent.

Resolution No. 888 –  
Appointing members to  
the Yakima Hotel and  
Motel Commission to  
represent Union Gap on  
the Yakima County  
Tourism Promotion  
Area

Motion by Council Member Wentz, seconded by Council Member Murr to adopt Resolution No. 888, A Resolution appointing Brandy Summers to the Yakima Hotel and Motel Commission to represent Union Gap on matters relating to the Yakima County Tourism Promotion Area. Motion carried unanimously.

Items from the  
Audience

Code Enforcement Officer. Jack Galloway informed the City needed a full time Code Enforcement Officer 10 years ago because the City had someone that did not do the job and now things are getting done.

Police Department Vehicles. Jack Galloway stated it is important to repair and maintain the Police Department vehicles.

Appreciation. Mayor Lemon stated he appreciates the volunteer work Mr. Galloway does for the City.

Building Department. Mayor Lemon stated he wants to recognize the entire building department: Dave, Brian, and Sylvia for all working together very well and doing an excellent job.

Police Department. Carla Woolen commented on the certificates presented earlier this evening. She stated the Police Department has very hard workers and a lot of people with many years with the department. She informed it is a pleasure working with them and reminded everyone they have a tough job.

Develop Agenda for  
Aug. 23, 2010 Council  
Meeting

Airport Overlay and Master Plan. Council Member Wentz requested an Interlocal Agreement with Yakima County and City of Yakima for the Airport Overlay and Master Plan be added to the August 23<sup>rd</sup> agenda.

Mayor Lemon questioned if the City Attorney reviewed the RCW and has any concerns regarding the Interlocal Agreement.

The City Attorney stated there are some provisions he will be proposing be changed and with those changes the Interlocal Agreement will be ready for adoption.

Washington Cities Insurance Authority (WCIA) Liability Assessment Notice. Council Member Wentz stated the City received the assessment from WCIA for 2011, but he would like to know what the assessment was for 2010. He stated the notice says it increases 6.3 percent for cities who did not complete the compact points.

Mayor Lemon informed the compact points are completed by him and he completed the points so the 6.3 percent does not apply to us.

Labor Negotiations. Council Member Wentz questioned if the Council needs to take action on retaining a labor negotiator, and commented they received a

proposal from a law firm.

Council Member Matson commented it looks like a lot more money than the City was paying before.

Council Member Wentz stated it looks like a lot of money plus travel time, and questioned where the firm is located.

The City Attorney informed the firm is located in Issaquah. He stated he used to be associated with this firm so he does not want to make a recommendation to the Council and did not read their proposal. He stated he understood they would be billing half of their travel time.

Council Member Wentz questioned if there is time to go out for proposals.

Mayor Lemon informed police mediation is coming up.

Motion by Council Member Wentz, seconded by Council Member Olson to add labor negotiations to the agenda. Motion carried unanimously; Council Member Vanover absent.

Motion by Council Member Wentz, seconded by Council Member Lenz to authorize the Mayor to advertise a Request For Proposals and use the law firm of Kenyon Disend, PLLC in the interim. Motion carried unanimously; Council Member Vanover absent.

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 Reports – June & July 2010; Tourism Promoter Status Report – July 2010; Tax Revenue Reports – July 2010; and Public Works Department Communications.

Communications/  
Questions/Comments

Budget Workshop. Council Member Lenz questioned if all the department heads would be attending the budget workshop on August 28<sup>th</sup>.

Mayor Lemon stated not all the department heads will be attending. He stated the City Treasurer and Fire Chief will not be present, and he does not know about the others. He stated the workshop is just for the Council to decide what they wish to do with the 124 fund next year, and he will not be able to attend the workshop either. He informed the unions were invited and will probably all be there. He stated Council Member Vanover wanted this workshop and wanted three or four priorities and the unions can give their priorities.

Council Member Lenz stated he would like the department heads to give priorities also.

Council Member Wentz requested the department heads identify what items in their budget are discretionary and what are non-negotiable.

Mayor Lemon informed last month the sales tax revenues were 11 percent short compared to last July; but he feels confident the City will meet our projections.

He informed he has had two meetings with Fred Bruning, owner of the Valley Mall, and more business is coming in. He stated that is why it is crucial to have a full time Code Enforcement position.

Council Member Lenz stated if the department heads will not be at the budget workshop, he would still like their written input.

Mayor Lemon commented the Council has extended the Memorandum of Understanding for another fire fighter three times and if the money is available the City will need to hire one. He stated hopefully the Council will give him priorities so he and the City Treasurer can make a budget the Council is comfortable with.

Adjournment

At 7:40 p.m., Mayor Lemon adjourned the Regular Council meeting.

*These minutes dated August 9, 2010 were approved at the Regular Council Meeting of August 23, 2010.*

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Jim Lemon  
Mayor

ATTEST:

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Kathryn Thompson, CMC  
City Clerk