

UNION GAP CITY COUNCIL REGULAR MEETING
Council Chambers, City Hall
Union Gap, Washington
December 10, 2007

- Call to Order Mayor Reeves called the Regular Meeting of the Union Gap City Council to order at 7:01 p.m.
- Council Members Present Council Members Jim Lemon, David Butler, Dan Olson, Toni Webb, Glenn Bateman, Dan Vanover, and Roger Wentz were present.
- Staff Present Robert Noe, City Attorney; Dennis Henne, Public Works Director; William Rathbone, Development Coordinator; Robert Almeida, Police Chief; Keith Yamane, Fire Chief; Karen Clifton, City Treasurer; and Kathryn Thompson, City Clerk were present.
- Audience Present Bob & Mary Ann Lockhart, Jim E. Lemon, Dave & Debbie Matson, Dawn & Jimmy Lemon, Fred Thomson, Tony Reise, Pastor David Dalton, James & Michael Murr, Stephanie Korn, Phil Salzman, John Hodgkinson, Bill Cook, Neal McClure, Ken Mehin, Wayne Wantland, Rich Lindros, Jay & Chris Sentz, Nathan Kwak, and others were present.
- Invocation Pastor David Dalton presented the invocation.
- Pledge of Allegiance Council Member Webb led the Pledge of Allegiance.
- Introduction Mayor Reeves introduced the new Fire Chief, Keith Yamane.
- Consent Agenda Motion by Council Member Wentz, seconded by Council Member Vanover to approve the consent agenda, as follows:
- Approve the Study Session Council Meeting Minutes, dated November 26, 2007, as sent out on pages 4731 through 4734 of the Minute Book.
- Approve the Regular Council Meeting Minutes, dated November 26, 2007, as sent out on pages 4735 through 4740 of the Minute Book.
- Approve Claim Voucher Nos. 70549 through 70578 in the amount of \$243,288.33, dated November 30, 2007 and transfer from the operating funds to the Claims Fund.
- Approve Payroll Voucher Nos. 31159 through 31227 in the amount of \$140,707.03, dated November 30, 2007 and transfer from the operating funds to the Payroll Fund.
- Approve Claim Voucher Nos. 70579 through 70655 in the amount of \$304,031.89, dated December 10, 2007 and transfer from the operating funds to the Claims Fund.
- Adopt Resolution No. 696, A Resolution authorizing the Mayor to sign a Facility Use Agreement with Brooklyn Baseball Club of Yakima for the use of Cahalan Park.
- Adopt Resolution No. 697, A Resolution authorizing the Mayor to execute an Interlocal Jail Agreement with the City of Yakima.
- Adopt Resolution No. 698, A Resolution authorizing the Mayor to execute the attached 2008-2009 Interlocal Corrections/Detention Agreement with Yakima County.
- Adopt Resolution No. 700, A Resolution authorizing the Mayor to sign a Contract with the Humane Society of Central Washington for animal control services for 2008-2010.

Adopt and publish Ordinance No. 2543, An Ordinance amending the 2007 Budget authorizing the expenditure of \$175,955 from the Fire Truck Reserve Fund.

Adopt and publish Ordinance No. 2544, An Ordinance repealing Union Gap Municipal Code Chapter 2.48, City Manager, and adopting a new Chapter 2.48 entitled City Administrator.

Adopt and publish Ordinance No. 2545, An Ordinance repealing Union Gap Municipal Code Chapter 2.07, Assistant City Manager.

Adopt and publish Ordinance No. 2546, An Ordinance amending the Union Gap Municipal Code, replacing all references to “City Manager” within the Municipal Code to “City Administrator” and changing the words “City Manager” to read “City Administrator”.

Motion carried unanimously.

Resolution No. 694 –
City limits boundary
line adjustment between
the City of Yakima and
City of Union Gap

The Development Coordinator informed at the last meeting the Council instructed staff to make changes to the proposal. He informed the new proposal in the packet will eliminate the angular crossing of Longfibre Road, making the north/south intersection totally in Union Gap; and he discussed Valley Mall Boulevard with the City of Yakima, but Yakima does not support changing Valley Mall Boulevard.

Neal McClure, Yakima Council Member, stated Yakima does not support the change on Valley Mall Boulevard because Yakima’s easement would then be controlled by Union Gap, and with the limited access of Valley Mall Boulevard Union Gap might choose to not give Yakima access.

Council Member Vanover commented Union Gap has been performing all the maintenance in the area and questioned if Yakima wants to start maintaining their portion.

Mr. McClure stated no, Yakima likes that Union Gap is performing the maintenance. He stated there are other areas much like this one, such as Washington Avenue.

Mayor Reeves informed Washington Avenue was changed so Yakima goes up to the sidewalk and Union Gap has all of Washington Avenue.

Council Member Vanover stated Union Gap is not in favor of this adjustment because it makes no sense.

Mr. McClure stated there is also an issue on the other side of the railroad tracks by Old Town Road and Yakima is concerned about the limited access.

Council Member Lemon informed this road was designated limited access when it was built because of the capacity of the road.

Council Member Olson commented Yakima should get access from Longfibre Road.

Mr. McClure stated Yakima supports the property owner having all of his property in one jurisdiction and does not want to hold him hostage.

Council Member Olson stated Union Gap does not want to hold Mr. Sentz hostage either, but Valley Mall Boulevard has to be limited access.

Mayor Reeves commented most boundary lines do not go to the center of a

roadway.

Council Member Vanover stated the issue of screwed up city limits lines needs to be solved in a logical manner. He informed Union Gap is not trying to block Yakima from access, and if there is no traffic safety issue there will be no problem, but Union Gap passed an ordinance regarding limited access before Valley Mall Boulevard was built.

Council Member Olson questioned if the property owner has concerns about how the line is adjusted.

Jay Sentz, property owner, stated this issue has been going on for over a year, and informed he met with Union Gap staff and Bud Clary Toyota in November 2006. He stated at that time, they reached an agreement with the City's engineer, Jeff Louman, and he would like to go back to that agreement and get this approved. He informed Yakima has already approved this and Mr. Clary would like to build the road as soon as possible.

Council Member Wentz commented the issue is Valley Mall Boulevard, rather than Longfibre Road.

Mr. Sentz stated the discussion tonight has very little to do with the agreement reached one year ago.

Council Member Olson commented the Council is not privy to that agreement.

Mayor Reeves stated whether Yakima city limits goes to the edge of the road or the centerline has nothing to do with Mr. Sentz' proposal.

The Development Coordinator informed the Council reviewed and passed development agreements with Bud Clary Toyota and Printing Press Inc. (PPI) several months ago. That agreement addressed that PPI was wishing to change the boundary line and Union Gap agreed to support that.

Council Member Lemon commented he does not remember talking about Valley Mall Boulevard when the PPI agreement was discussed.

The Development Coordinator commented there was no issue made about Valley Mall Boulevard at that time.

Council Member Vanover stated the Council rejected this several months ago and at the last meeting, because it makes no sense to adjust the boundary lines this way.

The Development Coordinator informed the City of Yakima does not want to discuss changing the lines on Valley Mall Boulevard, but access to Valley Mall Boulevard in this location is impractical because of the altitude of the overpass. He informed Mr. Sentz is also waiting City of Yakima approval of his binding site plan, and that can only happen after this boundary line adjustment.

Bill Cook, Yakima Community Development Director, stated half of Valley Mall Boulevard is already in Yakima. He stated the Yakima Council has not met to discuss this, but he met with 5 of the 7 Council members and explained this situation and they are not inclined to move the line and give Union Gap all of Valley Mall Boulevard. He commented it would seem that getting started on the Toyota development would be important enough for Union Gap to proceed, and Mr. Sentz has no intention of needing access from Valley Mall Boulevard.

Council Member Olson commented there is an agreement with the property owners to build Longfibre Road to the north and he does not foresee a problem with this right now, but in the future there will need to be some give and take

because the two jurisdictions are neighbors.

Mr. McClure informed he cannot speak for the Yakima City Council, but he is on the Intergovernmental Committee and he would like that committee to work on the boundary lines that do not make sense.

Council Member Vanover commented attempts have been made in the past and they have fallen on deaf ears.

Mr. McClure stated no one has approached the City Council since he has been a member, and he would like to deal with these issues after the first of the year.

Council Member Vanover questioned if Mr. McClure could talk to his Council and straighten this out if this item was tabled to January 14, 2008.

Mr. McClure informed this is going to take some time to discuss and he does not want to hold up this development.

Council Member Lemon commented that Union Gap bought Valley Mall Boulevard so Yakima should not have a problem moving the boundary line.

After discussion, motion by Council Member Webb, seconded by Council Member Wentz to adopt Resolution No. 694, A Resolution approving boundary line adjustment.

John Hodkinson, Almon Commercial Realty, informed there is also a development planned west of Toyota and part of that development being successful is contingent on Longfibre Road being developed. He informed Union Gap could lose a large chunk of sales tax if this is delayed. He encouraged the Council to set up a committee to work with Yakima on the other issue, but to move forward on this adjustment so the road can be put out to bid and built.

The Public Works Director informed once the agreements are signed, the City is ready to go out to bid on the road with construction in February.

Council Member Olson questioned if the SEID agreement is signed.

The Development Coordinator stated the developer agreement is waiting to be signed and the City has signed an agreement with the SEID board, but this boundary adjustment is part of the project.

Mayor Reeves called for a vote on the motion to adopt Resolution No. 694, A Resolution approving boundary line adjustment. Motion carried unanimously.

Motion by Council Member Wentz, seconded by Council Member Vanover to form an Intergovernmental Committee of Council Members Vanover, Olson, and Wentz to work with Yakima on boundary line adjustments. Motion carried unanimously.

Resolution No. 699 –
Authorizing Processing
of an Emergency
Amendment to the
City's Comprehensive
Plan

The Development Coordinator informed this is similar to the emergency Comprehensive Plan amendment done for Bud Clary Toyota.

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 699, A Resolution authorizing processing of an amendment to the City of Union Gap's Comprehensive Plan, on an emergency basis. Motion carried unanimously.

Council Member Vanover questioned when the rezone would come before Council.

The Development Coordinator informed the Planning Commission will consider the Comp Plan amendment, send the amendment to the City Council, and then rezone the property. He stated there is a meeting later this week with the developer and the City needs a complete traffic study from the developer before committing to timelines.

Council Member Olson questioned if there will be a problem getting a quorum for the Planning Commission.

Council Member Lemon questioned if the Mayor has replaced the Planning Commissioner that resigned.

Mayor Reeves stated he does not currently have any names to make a replacement with.

The Development Coordinator stated he should be able to get a quorum together and he would like to have a Planning Commission Study Session before Christmas if possible.

John Hodkinson, representing White Leasure distributed documents and asked the Council to replace the site plan provided in the packet with the new documents.

Resolution No. 701 –
Authorizing Police
Communications
Service Contract with
City of Yakima

The Police Chief informed the old contract the City has been operating under was very general and was not itemized or broken down and the Communications Manager needs everything detailed for his accountability to his superiors.

Council Member Vanover questioned the percent of increase in fees for next year.

Wayne Wantland, Yakima Communications Manager, informed Selah PD just signed on and a formula was developed for the cost per incident. He stated Union Gap's increase would have been about 10 percent, but he knew that would be difficult to pass, so he has proposed 4.5 percent in 2008 with the remaining increase the next year.

Council Member Wentz questioned if the City has been paying all of the charges listed on page 2 of the contract.

Mr. Wantland stated the City has paid some of these charges, however, the City's fleet has doubled since the contract began. Also, the City has not been paying for software licenses and other technology that keeps going up in price.

Council Member Wentz questioned the charge being based on 12 patrol units.

The Police Chief stated 12 is the number of patrol cars that use computers.

Council Member Vanover questioned if this increase was included in the 2008 Budget.

The City Treasurer stated she was not aware of the increases, but there is \$90,000 in the budget which should cover these charges.

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 701, A Resolution authorizing the Mayor to execute a Police Communications Service Contract with the City of Yakima. Motion carried unanimously.

Resolution No. 702 –

Mr. Wantland informed the charges for the contracts attached to Resolutions 702

Authorizing Police Communications Equipment Repair and Maintenance Services Agreement with City of Yakima

and 703 are included in the listed prices also.

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 702, A Resolution authorizing the Mayor to execute a Police Communications Equipment Repair & Maintenance Services Agreement with the City of Yakima. Motion carried unanimously.

Resolution No. 703 – Authorizing Police Information Systems Services Agreement with City of Yakima

Motion by Council Member Webb, seconded by Council Member Wentz to adopt Resolution No. 703, A Resolution authorizing the Mayor to execute a Police Information Systems Services Agreement with the City of Yakima. Motion carried unanimously.

Resolution No. 704 – Authorizing Interlocal Agreement for Public Transportation System with City of Yakima

Motion by Council Member Webb, seconded by Council Member Olson to adopt Resolution No. 704, A Resolution authorizing the Mayor to sign an Interlocal Agreement between the City of Yakima and the City of Union Gap, Washington for Public Transportation Services. Motion carried unanimously.

The City Clerk informed one change was made to the agreement; the beginning date was changed from January 2nd to January 1st.

Council Member Wentz questioned why the change was made since the bus does not operate on holidays and January 1st is a holiday.

Ken Mehin, Transit Manager, informed the change was made because Dial-A-Ride operates on January 1st.

Expenditure Request – Police Dept. Bulletproof Vests

Motion by Council Member Webb, seconded by Council Member Wentz to authorize the expenditure of \$12,000 from the 2008 Current Expense Fund for 19 bulletproof vests, with \$6,000 to be reimbursed from the bulletproof vest partnership grant, and authorize staff to prepare an ordinance amending the 2008 budget for the January 14, 2008 meeting. Motion carried unanimously.

Council Member Olson questioned the life of the vests.

The Police Chief stated the manufacturer will guarantee the vests for 5 years.

Discuss ordinance regarding expenditures

Council Member Olson stated with or without a policy he would like the Council to be kept up to date on major expenditures.

Council Member Vanover suggested including expenditures in monthly reports.

The Public Works Director informed maintenance expenditures that are budgeted are procured as needed, but capital expenditures usually come back to the Council after the bid process.

After discussion, Council Member Olson requested this topic be left open for discussion next year, but informed he wants better communication so the Council knows what is being purchased and received.

2008 YVCOG General Membership Alternate Designation

Mayor Reeves informed he is currently the voting member of YVCOG and Council Member Webb is the alternate, and the Council needs to select new voting members for 2008.

Motion by Council Member Olson, seconded by Council Member Vanover to appoint Mayor elect Jim Lemon as the voting member and Council Member Wentz as the alternate to represent the City as voting members of the 2008 YVCOG General Membership. Motion carried unanimously.

TransAction trip to

Mayor Reeves informed he received an e-mail stating TransAction Chair Trent

Washington D.C.
February 6-8, 2008

Marquis, Paige Scott, and Norm Johnson are going to Washington D.C. February 6-8, 2008 and would like to know if Union Gap would like to send someone also. He informed he has accompanied TransAction in the past.

Council Member Olson informed he is part of TransAction and would like to go. Council Member Butler suggested limiting the number of people going to Washington D.C. in March due to the expense.

Mayor Reeves commented that if everyone who wants to go to Washington D.C. goes plus those going to Olympia in January, the travel budget will be depleted.

Council Member Olson stated the budget can be amended next year. He also commented the trip in February is worthwhile because the legislators have more time to discuss the projects.

Mayor Reeves informed the legislators are so busy in March there is not much time to meet with them, and the legislators suggested they have more time in February. He commented even though the trips are expensive, the City has received a lot of money in return for going.

After discussion, motion by Council Member Lemon, seconded by Council Member Webb to send Mayor Reeves to Washington D.C. with TransAction February 6-8, 2008. Motion carried unanimously.

The City Attorney stated Mayor Reeves can represent the City with TransAction as long as TransAction does not have a requirement that the person must be an elected official.

Council Member Wentz suggested paying for the February trip from the Executive travel budget.

National League of
Cities Washington D.C.
Trip in March 2008

Mayor Reeves informed Trent Marquis has joined the Union Gap delegation in Washington D.C. in March in the past, and questioned if the Council would like Trent to join them this year.

Council Member Wentz stated there are plenty of people going already.

Council Member Webb expressed her opinion that new Council members should be on the Council for at least one year before going on this trip. She stated she went in her third year and found it beneficial, but new members need ground work on the Council before attending.

Council Member Olson commented that TransAction works with businesses, City of Yakima, Yakima County, and Union Gap and DRIVE is also going to Washington D.C. next year. He stated it is good to work as a team and be cohesive to get the money, Mr. Marquis pays his own way, and it would be beneficial to have him with the group.

After discussion, it was the consensus of the Council to have Mr. Marquis join the Union Gap delegation in Washington D.C.

Items from the
Audience

There was no one present wishing to speak.

Departmental Reports

Mayor Reeves informed the following reports are in the packet and questioned if the Council has any questions of the departments: Building/Mechanical & Plumbing Report – November 2007; Code Enforcement Activity Report – November 2007; Treasurer's Report – October 2007; and Agenda for 1/14/08.

Certificate of

Mayor Reeves presented a certificate of recognition to Council Member Webb

- Recognition for her service on the Council from January 1, 2004 to December 31, 2007, and presented a service medallion from the Mayor of Selah that was presented at the recent Mayor's meeting.
- Add to the Agenda – Discussion of National League of Cities Washington D.C. Trip in March 2008 Motion by Council Member Lemon, seconded by Council Member Webb to add discussion of the National League of Cities Washington D.C. trip in March 2008 to the agenda. Motion carried unanimously.
- Council Member Butler recommended limiting the number of people attending and requiring that people be on the City Council at least one year prior to attending.
- Council Member Lemon commented that in the past the number has been limited because of the expense, and the City does seem to be falling short money wise and the budget is not meant to send everyone.
- Council Member Webb agreed that persons should be on the Council at least one year prior to attending, and recommended limiting the number of people attending also. She also recommended if a newer person wishes to attend, someone that has already gone should step aside for that person to attend.
- Mayor Reeves stated there is \$15,000 in next year's budget for Council travel for the entire year and recommended no more than the Mayor plus 2 people attend, making a total of 3 people attending.
- Motion by Council Member Butler, seconded by Council Member Lemon to approve three people going to National League of Cities in Washington D.C. in March, 2008. Motion carried unanimously.
- After discussion, it was determined that Council Members Olson and Wentz would attend and the City will be able to save money by sending 2 people this year.
- Council Member Lemon stated he would like to see the youth council be able to attend local training next year also, and since everyone on the Council does not want to pass the 1 percent property tax increase every year the City needs to save money in other areas.
- Communications/ Questions/Comments Good-byes. Council Member Butler commented it has been a pleasure working with Mayor Reeves and Council Member Webb and they will be missed.
- Mayor Reeves thanked everyone for 10 years as Mayor, and commented that a lot of progress has been made that should continue into a wonderful year next year under new leadership. He wished everyone prosperity and health and informed his telephone number will remain the same and he is willing to answer questions or help if needed.
- Oaths of Office The City Clerk administered the Oath of Office to newly elected Mayor Jim Lemon, and newly elected Council Members David Butler, Dave Matson, and James Murr, and announced that the new Mayor and Council Members will assume office January 1, 2008.
- Recess to Executive Session At 8:45 p.m. Mayor Reeves recessed the Regular Council meeting to a 10-minute Executive Session to discuss personnel issues.
- Reconvene Meeting & Adjourn At 8:55 p.m., Mayor Reeves reconvened the Regular Council meeting and adjourned the meeting.

Jim Lemon, Mayor

ATTEST:

Kathryn Thompson, CMC, City Clerk