

**UNION GAP CITY COUNCIL REGULAR MEETING**  
**Council Chambers, City Hall**  
**Union Gap, Washington**  
**December 14, 2009**

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, and James Murr were present.

Staff Present Robert Noe, City Attorney; William Rathbone, Development Coordinator; Dennis Henne, Public Works Director; Bill Steele, Fire Chief; Chase Kellogg, Acting Police Chief; and Kathryn Thompson, City Clerk were present.

Audience Present Chad & MariaFrancesca Lenz, Michael, Josh, & Stephanie Murr, Jo Collier, Debbie Matson, Aubrey Reeves, Rona Nelson, Joe & Linda Jackson, Lydia Warehime, Scott Steinloski, John Hodkinson, Mike Morrisette, Ron Davis, Ron Doyle, Mike Brown, Jeff Louman, Mary Ann Lockhart, Jeff Huber, and others were present.

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

Consent Agenda Council Member Olson requested items C. 1-4 and D. 1-4 be removed from the consent agenda.

Motion by Council Member Olson, seconded by Council Member Vanover to approve the consent agenda, as amended, as follows:

Approve the Regular Council Meeting Minutes, dated November 23, 2009, as sent out on pages 5006 through 5010 of the Minute Book.

Approve Claim Voucher Nos. 75974 through 76016, in the amount of \$528,583.89 dated November 30, 2009 and transfer from the operating funds to the Claims Fund.

Approve Payroll Voucher Nos. 33056 through 33127, in the amount of \$151,466.76 dated November 30, 2009 and transfer from the operating funds to the Payroll Fund.

Approve Claim Voucher Nos. 76017 through 76156, in the amount of \$331,661.46 dated December 14, 2009 and transfer from the operating funds to the Claims Fund.

Confirm Appointment of Mike Brown to the Citizens For Union Gap's Future Committee.

Cancel December 28, 2009 Regular Council Meeting.

Motion carried unanimously.

Ordinance No. 2651 – Reclassifying Zoning & Resolution No. 839 – Preliminary Binding Site Plan – Sutherland Business Park The Development Coordinator suggested the Council consider Ordinance No. 2651 and Resolution No. 839 at the same time and suggested approval of these items as recommended by the Hearing Examiner. He also informed Jeff Huber and Ron Doyle are present.

Motion by Council Member Olson, seconded by Council Member Vanover to adopt and publish Ordinance No. 2651, An Ordinance reclassifying the zoning of approximately 21 acres from Light Industrial (L-1) to Regional Commercial (C-2) as recommended by the Union Gap Hearing Examiner. Motion carried unanimously.

Motion by Council Member Olson, seconded by Council Member Vanover to approve Resolution No. 839, A Resolution approving an application for Preliminary Binding Site Plan as recommended by the Union Gap Hearing Examiner. Motion carried unanimously.

Jeff Huber, White Leasure Developer from Boise, Idaho, informed they are in favor and agreement with the recommendations of staff and the Hearing Examiner.

Ordinance No. 2652 –  
Providing for 10  
Percent of Sales Tax  
Collected to be  
Deposited to the City’s  
Current Expense Fund  
for the year 2010

Mayor Lemon informed he asked the City Attorney to clarify the ordinance to show that 10 percent of the sales tax money will not be going into the 124 fund for 2010.

Council Member Olson stated he is not in favor of this ordinance because it is taking money out of water, sewer, and streets for the general fund, and the City needs to maintain its streets. He stated he realizes the general fund is short, but this is why he voted against the budget.

Mayor Lemon explained 10 percent of the property tax money goes for street maintenance.

Council Member Matson questioned if the money could be put back into the 124 fund if it is not used.

Mayor Lemon stated the Council could make paying the money back part of a motion to amend the ordinance.

The City Attorney explained the ordinance is phrased to put the money into the general fund instead of the 124 fund, not as a loan, and questioned how the City would repay the money.

Council Member Wentz questioned approximately how much money 10 percent of the sales tax revenue would be.

Council Member Olson stated \$340,000.

Council Member Wentz stated that is what the Council used to balance the budget and he does not see any way that can be paid back.

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt and publish Ordinance No. 2652, An Ordinance providing that ten percent (10%) of sales tax collected be deposited to the City’s Current Expense Fund, Fund No. 001, for the year 2010 only. Motion carried: Council Members Butler, Vanover, Wentz, Matson, and Murr voting in favor; Council Member Olson voting no.

Ordinance No. 2653 –  
Amending 2009 Budget  
– Interfund Loan from  
Fire Truck Reserve  
Fund to Current  
Expense Fund

Mayor Lemon informed this ordinance provides for an interfund loan that will be paid back evenly each month through 2010.

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt and publish Ordinance No. 2653, An Ordinance amending the 2009 Budget authorizing an interfund loan of \$200,000 from the Fire Truck Reserve Fund (113) to the Current Expense Fund (001). Motion carried: Council Members Butler, Vanover, Wentz, Matson, and Murr voting in favor; Council Member Olson voting no.

Council Member Olson stated he does not agree with taking money out of reserve funds and commented the City is in the position it is in because too much money has been taken from reserve funds.

Ordinance No. 2654 –  
Amending 2009 Budget  
– Transfer from Sewer  
& Water Fund to Water/  
Sewer Improvement  
Reserve Fund for  
Water/ Sewer Bond  
Redemption Payment

Mayor Lemon informed this ordinance is for the City's bond debt repayment.

Council Member Olson stated he thought the bond debt payment had been made this year.

Mayor Lemon informed the payment has been paid, but the budget needs to be amended for that payment.

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt and publish Ordinance No. 2654, An Ordinance amending the 2009 Budget authorizing a transfer of \$40,000 from the Sewer Fund (403) and \$40,000 from the Water Fund (401) to the 1998 Water/Sewer Bond Redemption Fund (431) and authorizing expenditure from Fund 431 to pay for 2009 bond redemption debt service costs. Motion carried: Council Members Butler, Vanover, Wentz, Matson, and Murr voting in favor; Council Member Olson voting no.

Resolution No. 836 –  
Contract with M. L.  
Scacco, LLC for Grant  
Management Services

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 836, A Resolution authorizing the Mayor to sign a Contract for Professional Services with M. L. Scacco, LLC, for interim accounting and financial grant management services.

Council Member Olson commented this does not look like much of a contract, and questioned why it starts on December 4, 2009 when Mr. Scacco has not been here.

The City Clerk informed Mr. Scacco did start on December 4<sup>th</sup> and then he took a pre-arranged vacation and has now returned.

Mayor Lemon informed he will mostly be working on the federal reimbursements for our projects.

Motion by Council Member Vanover, seconded by Council Member Butler to approve Resolution No. 836, A Resolution authorizing the Mayor to sign a Contract for Professional Services with M. L. Scacco, LLC, for interim accounting and financial grant management services. Motion carried unanimously.

Resolution No. 837 –  
Intergovernmental  
Agreement for  
Washington State  
Purchasing Cooperative

Motion by Council Member Wentz, seconded by Council Member Vanover to approve Resolution No. 837, A Resolution authorizing the Mayor to sign an Interlocal Agreement Between the City of Union Gap and the State of Washington, Department of General Administration, for participation in the State Purchasing Cooperative Program. Motion carried unanimously.

Council Member Olson questioned if this contract is the same as previous contracts.

The City Clerk informed the rate is higher, but the City has no control over the rate that is charged, it is based on information from the audits.

Council Member Matson questioned what the City purchases through this contract.

The City Clerk informed this allows purchases to be made off the State contract, and the City mostly uses this contract when purchasing vehicles.

Introduction of Mike  
Brown

Mike Brown, resident of Union Gap, introduced himself and offered to answer questions regarding the Christmas parade.

Mayor Lemon informed he now has a list of ten people who have volunteered to serve on the Citizens For Union Gap's Future Committee.

Council Member Olson stated he will be out of town for the Christmas Parade, but he is committed to helping with Old Town Days next summer.

Mr. Brown informed the Agricultural Museum is decorating a trailer for the Council Members to ride on in the parade, and encouraged the Council to take part. He explained staging will be at the Library, the parade begins at the Peppermint Stick, and entries will line-up on 1<sup>st</sup> Street first come first serve. He informed there are about 15 entries so far and the VFW color guard, Boy Scouts, and Selah Fire Department called him to confirm today as well.

Resolution No. 838 –  
Surplus Property  
Agreement with  
Washington State  
Department of General  
Administration

Motion by Council Member Wentz, seconded by Council Member Vanover to approve Resolution No. 838, A Resolution authorizing the Mayor to sign an Interlocal Agreement Between the City of Union Gap and the State of Washington, Department of General Administration, for surplus property services. Motion carried unanimously.

Public Hearing –  
Community  
Development Block  
Grant for Water &  
Sewer Services in the  
South Broadway Area

Mayor Lemon announced this is a Community Development Block Grant (CDBG) public hearing with special requirements. He reminded the elected officials and staff that they may not comment during the public hearing.

At 7:36 p.m. Mayor Lemon opened the public hearing to consider oral and written comments for the Community Development Block Grant (CDBG) for Water & Sewer Services in the South Broadway Area. Mayor Lemon announced that fact sheet handouts are available in English and Spanish on the back table, and a Spanish interpreter is present if anyone needs her services.

Aurora Pena-Torres then introduced herself and offered interpreting services to the audience in Spanish.

Mayor Lemon then introduced Jeff Louman, Huibregtse Louman Associates. Mr. Louman distributed maps to the Council and displayed a larger version for the audience. He informed the City was previously awarded a planning only grant of \$24,000 for a feasibility study for water and sewer services in the South Broadway area. The South Broadway area is triangular shaped and is bordered by South 3<sup>rd</sup> Avenue, Wide Hollow Creek to Valley Mall Boulevard to 16<sup>th</sup> Avenue. The area has some existing sewer and water mains with some connections, and part of the area's residents are connected to City of Yakima water or sewer. He informed the proposed application has been discussed by the Council committee, and it has been determined that the greatest public benefit would be for water installation at this time. He also informed this is a competitive process and there is no guarantee the City will be successful.

There was no one present wishing to speak to this item.

The City Clerk announced no written comments have been received.

At 7:39 p.m. Mayor Lemon closed the public hearing.

Resolution No. 835 –  
2010 SAFER Grant  
Application

Motion by Council Member Wentz, seconded by Council Member Butler to adopt Resolution No. 835, A Resolution authorizing the application by the Fire Department to the Department of Homeland Security under the 2010 SAFER grant.

Council Member Vanover questioned how long the City is committed to keeping a firefighter if the City receives the grant and hires a firefighter.

The Fire Chief stated if the grant is awarded to the City it is 100 percent funded for 2 years and then the City is committed to keep the position funded for one additional year. He informed it would be next spring before the City finds out if they are receiving the grant so the first budget that would be affected is 2012. He also informed the Mayor encouraged him to apply for a National mentor to help write the grant so the City has a better chance of success this year.

After discussion, Mayor Lemon called for a vote on the motion by Council Member Wentz, seconded by Council Member Butler to adopt Resolution No. 835, A Resolution authorizing the application by the Fire Department to the Department of Homeland Security under the 2010 SAFER grant. Motion carried unanimously.

Greater Yakima  
Chamber of Commerce  
Presentation and  
Annual Report

Mike Morrisette, President and CEO of Greater Yakima Chamber of Commerce, informed his annual report was provided in the Council packet and asked if the Council has any questions. Referring to page 3, Mr. Morrisette informed the Chamber would be happy to come back and talk with the Council about their ability to poll and survey community members for future direction.

Council Member Olson questioned if the Chamber has ever had any conversations with the members who are Union Gap business owners to get their input.

Mr. Morrisette stated no, but that is a good idea.

Addition to Agenda -  
4/10 Work Week

Mayor Lemon informed the City recently conducted a two month trial of 4/10 work weeks at City Hall to test the effectiveness, and the City Council has been given copies of the citizen surveys. He informed because of the reduction of staff at City Hall it has become a hardship and he feels the City could benefit from being on the 4/10 work week. He then asked the City Clerk to explain some of the issues.

The City Clerk explained that with the reduction of staff and bumping of positions through the union contract, several employees are trying to learn new jobs and some of those same people are trying to teach other people their previously held positions. It is difficult to find a block of time for concentrated instruction and it is difficult to cover lunch hours, etc. with the reduced staff. She also explained there has been an increase in the amount of overtime as well and informed if everyone worked 7:00 a.m. to 6:00 p.m. it would be easier to cover for each other with much less overtime.

Council Member Vanover questioned if the employees are in agreement to working those hours.

The City Clerk stated yes, the employees would prefer the 4/10 work week.

Motion by Council Member Wentz, seconded by Council Member Vanover to add implementation of the 4/10 work week to this agenda and approve the 4/10 work week of Monday – Thursday 7:00 a.m. to 6:00 p.m. beginning January 4, 2010. Motion carried unanimously.

Tourism Promoter  
Presentation of Year-  
End Report

Scott Steinloski, Tourism Promoter, requested to make his presentation in January due to technical difficulties with his PowerPoint presentation. He informed one of the highlights he will be covering is the new stay and save program on the website. He explained tourists can download a stay and save card that gives them 20 percent off the Union Gap hotels and 10, 15, or 20 percent off many restaurants and retailers. He informed this program will encourage people coming to wine country to stay in Union Gap and he will be able to track how many people have downloaded the card.

Items from the

Audience

Senior Center Issues. Lydia Warehime, Sr. Citizen Liaison, questioned if part of the rental money from the Activities Building could be used for janitor services because she is not able to clean the building. She informed she cleans her office and the kitchen already. She also informed she is a part-time employee and her work hours are supposed to be 9:00 a.m. to 3:00 p.m. Monday, Tuesday, Thursday, and Friday and 9:00 a.m. – 1:00 p.m. Wednesdays. However, if she does not arrive by 8:00 a.m. the volunteers are not able to get into the building and are left outside waiting in the cold. Since there is no overtime in the budget, the Mayor instructed her to leave early to make up the time, but she cannot leave early because four days a week they have an activity until 3:00 p.m. She requested she be able to save the extra hours and use them when she takes a vacation.

Mayor Lemon stated the problem is that part-time employees receive no benefits and are restricted in the number of hours they are allowed to work. He stated she could use part of those hours when she takes a vacation as long as she does not work more hours than part-time employees are allowed to work.

Ms Warehime then informed the seniors had a wonderful yard sale last year with a donated estate, as well as their spaghetti and chilli feeds, raising over \$1,000 that was placed in an account for the seniors to use for Christmas parties, etc. She recently presented a receipt to the City and checked to see how much money was left in the account, and no one can find the account. She stated this was supposed to be a separate account for the seniors only and she wants to know where the money went.

Mayor Lemon informed he was not aware of this issue and will check into the situation with the account.

Transit. Ron Davis, T.C. Transportation, informed in the first year of operation, they have transported 1,758 ambulatory dial-a-ride passengers and 1,625 wheelchair dial-a-ride passengers in one-way trips. He stated the buses have transported 18,628 passengers in the first 12 months, the sales tax revenue seems to be doing okay, and now that he knows about the parade, they will decorate a vehicle and participate in the parade.

Mayor Lemon commented the transit system is completely paid for by the sales tax.

Mr. Davis requested the Council consider extending the route to cover Fullbright Park and Leisure Hills because the buses could be going there instead of sitting at Miners for 15-20 minutes.

Mayor Lemon requested Mr. Davis submit a proposal for consideration in January.

Council Member Wentz commented there are residents on the East side of Main Street that they might want to consider serving also.

Council Member Olson informed after the first of year he would be available to show Mr. Davis around so he can see where the residents are on the East side of Main Street.

Mr. Davis also informed they have Union Gap dial-a-ride requests that go all the way out to 88<sup>th</sup> Avenue and requested the Council consider extending the dial-a-ride area because right now they only go  $\frac{3}{4}$  of a mile beyond the fixed route.

Mayor Lemon informed those people have 98903 zip codes, but the City limits of Union Gap only goes to 16<sup>th</sup> Avenue.

Council Member Wentz commented the City cannot go outside of the urban growth boundary.

The Development Coordinator informed the urban growth boundary stops at 42<sup>nd</sup> Avenue.

Mayor Lemon suggested this issue be presented to the Transit Committee after the first of the year.

Oaths of Office &  
Council Member  
Vanover Excused

The City Clerk administered the oath of office to re-elected Council Members Roger Wentz, Dan Olson, and Dan Vanover and newly elected Council Member Chad Lenz. Following the oath of office, Council Member Vanover was excused from the meeting.

Develop Agenda for  
Jan. 11, 2010 Council  
Meeting

There were no additional items for the January 11, 2010 Council agenda.

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 – November 2009 and Tourism Promoter Status Report – November 2009.

Communications/  
Questions/Comments

Conference Center. Council Member Matson questioned if the Lodging Tax Committee has discussed the conference center.

The Tourism Promoter informed he discussed the conference center with them, but it will take about one million dollars to build so the City would have to do a bond or save money for a conference center for about ten years. He also invited the Council Members to attend the Lodging Tax Committee meetings.

Adjourn to Public  
Corporation Meeting &  
Executive Session

At 8:20 p.m., Mayor Lemon adjourned the Regular Council meeting to a 5-minute Public Corporation Annual Meeting and a 15-minute Executive Session to discuss Collective Bargaining. Attending the Executive Session were the Mayor, Council Members Butler, Olson, Wentz, Matson, and Murr, the City Attorney, and the Development Coordinator.

*These minutes dated December 14, 2009 were approved at the Regular Council Meeting of January 11, 2010.*

\_\_\_\_\_  
Jim Lemon  
Mayor

ATTEST:

\_\_\_\_\_  
Kathryn Thompson, CMC  
City Clerk