

UNION GAP CITY COUNCIL REGULAR MEETING
Council Chambers, City Hall
Union Gap, Washington
February 23, 2009

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

Council Members Present Council Members David Butler (7:09 p.m.), Dan Olson, Glenn Bateman, Dan Vanover, Dave Matson, and Jim Murr were present.

Staff Present Robert Noe, City Attorney; Bill Steele, Fire Chief; William Rathbone, Development Coordinator; Robert Almeida, Police Chief; Karen Clifton, City Treasurer; and Kathryn Thompson, City Clerk were present.

Audience Present Michael & Joshua Murr, Stephanie Korn, Debbie Matson, John Hodkinson, Ron Davis, Al Coyner, Aubrey Reeves, Scott Steinloski, Ron Doyle, and others were present.

Pledge of Allegiance Aubrey Reeves led the Pledge of Allegiance.

Memorandum from Mayor Lemon Mayor Pro-Tem Wentz read a memorandum from Mayor Lemon informing that Senator Murray's office notified the Mayor that \$570,000 will be coming to the City of Union Gap from last year's congressional budget for the Valley Mall Boulevard Phase IV project.

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

Approve the Regular Council Meeting Minutes, dated February 9, 2009, as sent out on pages 4884 through 4886 of the Minute Book.

Approve Claim Voucher Nos. 73842 through 73951 in the amount of \$484,914.10 dated February 23, 2009 and transfer from the operating funds to the Claims Fund.

Approve Petty Cash Check Nos. 1548 through 1549, issued and paid in the month of January, in the amount of \$198.75.

Approve Municipal Court Check Nos. 3150 through 3156, issued and paid in the month of January, in the amount of \$53,171.55.

Approve Advanced Travel Check Nos. 1046 through 1048, issued and paid in the month of January, in the amount of \$228.00.

There were no Treasurer's Checks issued in the month of January.

Motion carried unanimously.

Ordinance No. 2608 – Reclassifying Zoning Requested by Sutherland Business Park, LLC The Development Coordinator explained the applicant, Sutherland Business Park LLC, filed a request to reclassify the zoning of approximately 22.4 acres from Light Industrial to Regional Commercial. He informed the Council can accept the recommendation of the Hearing Examiner to approve the reclassification or can reject the recommendation and conduct its own closed record public hearing. He also informed Ron Doyle, Sutherland Business Park, is present if the Council has any questions.

Motion by Council Member Olson, seconded by Council Member Vanover to adopt and publish Ordinance No. 2608, An Ordinance reclassifying the zoning of approximately 22.4 acres from Light Industrial (L-I) to Regional Commercial (C-2) as recommended by the Union Gap Hearing Examiner. Motion carried

Resolution No. 763 –
Memorandum of
Understanding
Regarding Community
Service Officer
Compensation

unanimously; Council Member Butler temporarily absent.
Mayor Pro Tem Wentz explained this Memorandum of Understanding would raise the Community Service Officer's compensation by 3 percent retroactive to January 1, 2009.

Council Member Matson stated he read the agreement and saw the percentage, but questioned what the dollar amount of the increase is.

The Police Chief stated the dollar amount will be \$99 per month due to the rounding up of the figures.

Council Member Matson commented he remembered discussing \$97.75 at the committee meeting.

The Police Chief stated he believed it was \$98.75 and then rounded up to \$99.

Motion by Council Member Vanover, seconded by Council Member Matson to adopt Resolution No. 763, A Resolution authorizing the Mayor to sign a Memorandum of Understanding with the City of Union Gap Police Officers' Association regarding Community Service Officer compensation. Motion failed: Council Members Vanover, Matson, and Murr voting in favor; Council Members Olson, Bateman, and Wentz voting no. Council Member Butler temporarily absent.

Resolution No. 768 –
Amendment No. 1 to
Yakima Valley Conf. of
Governments
Professional Service
Agreement

The Development Coordinator explained this amendment extends the housing rehabilitation contract from May 31, 2009 to July 31, 2009. He stated there were title clearing issues that took longer than anticipated, and it took longer than anticipated to establish the oversight committee for the program. He informed this extension does not affect the cost to the city or the grant.

Motion by Council Member Olson, seconded by Council Member Vanover to adopt Resolution No. 768, A Resolution authorizing the Mayor to sign the attached Professional Service Agreement Amendment #1 between the City of Union Gap, Washington and the Yakima Valley Conference of Governments. Motion carried unanimously; Council Member Butler temporarily absent.

Resolution No. 769 –
Facility Use Agreement
with Tourism Promoter

Scott Steinloski, Tourism Promoter, informed this is an agreement to use the facility at 3106 1st Street for the tourism office.

Council Member Olson stated he will vote no on this agreement as proposed because every department in the City has to pay their fair share of water, sewer, garbage, electricity, etc. He also stated this is an independent contractor and the fees for utilities and rent need to be included in the budget.

Mayor Pro Tem Wentz questioned if the agreement could be changed to include water, sewer, and garbage.

Council Members Matson and Olson added if the agreement is changed rent, lights, and gas also need to be added.

Council Member Olson stated the rent should be the fair market value.

Scott Steinloski stated the Lodging Tax Advisory Committee is looking at setting up a Union Gap tourism effort and calling it Union Gap tourism. He stated he is a contractor but the committee wants people to call Union Gap tourism, rather than a separate business.

Mayor Pro Tem Wentz explained the Council's comments are not an attack on Mr. Steinloski or the tourism effort; it is just that every department pays their fair share for the expenses related to the facility they are located in. He stated the tourism effort will have its own address and the costs for operating that facility need to come out of the Lodging Tax budget.

Council Member Olson stated if the City gives him use of the facility without charge he becomes an employee, and he is not an employee and not a department of the City. The tourism effort needs to stand alone.

Mr. Steinloski questioned if the Council wants him to set up Union Gap tourism or a separate company. He suggested Union Gap tourism be set up so it appears to be a department to the public, even though he is contracted.

Mayor Pro Tem Wentz stated the Council wants to be supportive of the tourism effort, but the budget issues need to be clear. He informed the facility use agreement needs to include rent and address paying water, sewer, gas, and electricity.

Council Member Butler questioned if Code Enforcement is paying part of the expense for using the building.

Mayor Pro Tem Wentz stated Code Enforcement uses the building about 2 days a week and they need to be paying their share also.

Council Member Olson stated the tourism position needs to be more defined so the City does not run into problems later.

The City Attorney informed the more the City provides for this effort, the closer Mr. Steinloski comes to being an employee. He suggested asking a tax adviser where the City needs to draw a clear line.

Motion by Council Member Olson, seconded by Council Member Vanover to table Resolution No. 769, A Resolution authorizing the Mayor to sign a Facility Use Agreement with Scott Steinloski, Tourism Promoter until the use agreement can be rewritten and this can be discussed with the Lodging Tax Advisory Committee. Motion carried unanimously.

Mayor Pro Tem Wentz questioned what the SWOT analysis listed in the Lodging Tax Advisory Committee minutes stands for.

Mr. Steinloski informed it stands for Strengths, Weaknesses, Opportunities, and Threats.

Council Member Matson informed those type of abbreviations are usually spelled out the first time they appear in documents.

Mayor Pro Tem Wentz explained this item is for telephone and internet services for the tourism promoter to be paid by Lodging Tax money, and commented connecting to the existing system will be the cheapest.

Motion by Council Member Vanover, seconded by Council Member Bateman to table Resolution No. 770, A Resolution authorizing the use of Lodging Tax money to pay for telephone and internet services for the Tourism Promoter's use, and bring this back with the revised Facility Use Agreement. Motion carried unanimously.

Mayor Pro Tem Wentz informed this addendum is to clarify prices for Dial-a-Ride services.

Motion by Council Member Olson, seconded by Council Member Bateman to adopt Resolution No. 771, A Resolution authorizing the Mayor to sign an Addendum to the Transit Contract with T.C. Transportation Services, LLC. Motion carried: Council Members Butler, Olson, Bateman, Vanover, Wentz,

Resolution No. 770 –
Telephone & Internet
Service for Tourism
Promoter

Resolution No. 771 –
Addendum to T.C.
Transportation Services
Contract

and Murr voting in favor; Council Member Matson voting no.

Council Member Olson stated this will save the City a lot of money and it was T.C. Transportation's idea.

Mayor Pro Tem Wentz explained this memorandum is a housekeeping measure to allow the finance department to receive the police officers' timesheets in a timely manner for February and November, 2009, due to the lack of working days at the end of those months.

Resolution No. 772 –
Memorandum of
Understanding with
Police Officers'
Association Regarding
Feb. and Nov. Pay

Motion by Council Member Olson, seconded by Council Member Bateman to adopt Resolution No. 772, A Resolution authorizing the Mayor to sign a Memorandum of Understanding with the Union Gap Police Officers' Association regarding end of pay period for February and November 2009. Motion carried unanimously.

Motion by Council Member Vanover to table this item. Motion failed for want of a second.

Approval of Proposed
Tourism Promoter
Budget for 2009

Mr. Steinloski informed this issue is separate from the office location and needs to move forward because there are expenses here that he needs to proceed with. He then reviewed the budget and explained the items.

After discussion, motion by Council Member Butler, seconded by Council Member Vanover to approve the proposed Tourism Promoter Budget for 2009.

Mayor Pro Tem Wentz questioned if Council could approve this budget tonight and address the cost of the facility rent and utilities later.

The City Treasurer informed it will all have to be incorporated into the 2009 City budget.

The City Clerk informed the Council can approve this budget if they wish to, and staff will bring a budget amendment ordinance to the Council with the total amount after the amounts for rent, utilities, etc. are approved.

Mayor Pro Tem Wentz called for a vote on the motion to approve the proposed Tourism Promoter Budget for 2009. Motion carried: Council Members Butler, Vanover, Wentz, Matson, and Murr voting in favor; Council Members Olson and Bateman voting no.

Request by Youth
Council for Business
Cards

Council Member Olson informed the youth council may use the City logo, but they need to decide what design they want on the cards.

Motion by Council Member Vanover, seconded by Council Member Murr to authorize the Youth Council to purchase business cards after the design is approved by the Mayor. Motion carried unanimously.

There was no one present wishing to speak.

Items from the
Audience

The Council had no additions to the March 9th agenda, except the tourism issues that were tabled from tonight's meeting.

Develop Agenda for
March 9, 2009 Council
Meeting

Departmental Reports

Mayor Pro Tem Wentz informed the following reports are in the packet and questioned if the Council has any questions of the departments: Public Works Department Status Report – January 2009; Police Department Status Report – January 2009; New Businesses Report – January/February 2009; Fire Department

Status Report – January 2009; Treasurer’s Report – January 2009; Tax Revenue Report – January 2007/2008/2009; and Tourism Promoter Status Report – January 2009.

Communications/
Questions/Comments

Police Tasers. Council Member Olson questioned why the letter justifying the expense of tasers was included in Council information.

The Police Chief stated this expenditure is included in the 2009 Budget, but informed the Mayor wanted the Council to be aware of the expense involved with maintaining the equipment.

Council Member Olson questioned how long the batteries last.

The Police Chief stated it depends on the usage, but they are currently replacing batteries purchased in mid 2006.

2009 Revenue. Mayor Pro Tem Wentz commented the January revenue is down 10 percent from 2008.

Council Member Olson stated the revenue is ahead of 2007 though.

Adjourn to 20-Minute
Executive Session –
Pending Litigation

At 7:32 p.m., Mayor Pro Tem Wentz adjourned the Regular Council meeting to a 20-minute Executive Session to discuss pending litigation.

These minutes dated February 23, 2009 were approved at the Regular Council Meeting of March 9, 2009.

Jim Lemon
Mayor

ATTEST:

Kathryn Thompson, CMC
City Clerk