

**UNION GAP CITY COUNCIL REGULAR MEETING**  
**Council Chambers, City Hall**  
**Union Gap, Washington**  
**January 26, 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 (7:02 p.m.), Glenn Bateman, Dan Vanover, Roger Wentz, Dave Matson, and Jim Murr were present.

Staff Present Robert Noe, City Attorney; Dennis Henne, Public Works Director; 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 Fred Thomson, Clyde Southwick, Steve Simon, Michael & Joshua Murr, Stephanie Korn, Debbie Matson, Tyler Porter, Walter Daemer, Joe & Linda Jackson, John Hodkinson, Ray Kempf, Ron Davis, Al Coyner, Aubrey Reeves, Madelyn Carlson, Phil Salzman, Dawn & Nicholas Lemon, Julie Schilling, Erin Snelgrove, Juven Garcia, Ted Pooler, Andrea Vasquez, and others were present.

Pledge of Allegiance The Fire Chief led the Pledge of Allegiance.

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 January 12, 2009, as sent out on pages 4876 through 4878 of the Minute Book.

Approve Claim Voucher Nos. 73565 through 73626 in the amount of \$251,347.99 dated January 20, 2009 and transfer from the operating funds to the Claims Fund.

Approve Claim Voucher Nos. 73627 through 73700 in the amount of \$130,035.61 dated January 26, 2009 and transfer from the operating funds to the Claims Fund.

Approve Petty Cash Check Nos. 1541 through 1547, issued and paid in the month of December, in the amount of \$504.04.

Approve Municipal Court Check Nos. 3132 through 3148, issued and paid in the month of December, in the amount of \$3,664.61.

There were no Advanced Travel Checks issued in the month of December.

Approve Treasurer's Check No. 10201, issued and paid in the month of December, in the amount of \$594.02.

Adopt and publish Ordinance No. 2605, An Ordinance amending the 2008 Budget authorizing an expenditure of up to \$6,200.00 from the Contingency Fund (109) for City Hall computer server replacement and repair services.

Motion carried unanimously; Council Member Olson temporarily absent.

Public Hearing – Community Development Block Grant – Planning Only Funds for a Water & Sewer Feasibility Study At 7:03 p.m. Mayor Lemon opened the public hearing.

The Development Coordinator explained this public hearing is regarding a Community Development Block Grant for planning only funds for a water and sewer feasibility study for the South Broadway area. He informed there are handouts available in Spanish and English, an interpreter is present if any

audience member is in need of translation, and Ted Pooler from Huibregtse Louman Associates is present to answer questions.

The City Clerk informed no written comments have been received.

There was no one present wishing to speak.

At 7:04 p.m. Mayor Lemon closed the public hearing.

Resolution No. 761 –  
Community  
Development Block  
Grant Planning Only  
Fund for a Water &  
Sewer Feasibility Study

Motion by Council Member Olson, seconded by Council Member Wentz to adopt Resolution No. 761, A Resolution regarding the City of Union Gap applying to the state Department of Community, Trade and Economic Development for funding assistance. Motion carried unanimously.

Resolution No. 762 –  
Facility Use Agreement  
with Union Gap School  
District for use of  
Cahalan Park

Motion by Council Member Butler to adopt Resolution No. 762, A Resolution authorizing the Mayor to sign a Facility Use Agreement with the Union Gap School District for the use of Cahalan Park.

Council Member Wentz questioned if there should be an arbitration clause in case there is a conflict between the school district and Brooklyn Baseball Club with regard to dates of usage.

The City Attorney stated that is a good suggestion and stated a clause could be added that says in the event these parties cannot resolve a conflict the Mayor will arbitrate a solution.

The Public Works Director informed he received additional information tonight indicating there is already a scheduling conflict. He suggested the Council authorize the Mayor to negotiate an agreement with the parties so the scheduling conflicts can be resolved before we sign an agreement.

Council Member Butler withdrew his motion to adopt Resolution No. 762.

Motion by Council Member Wentz, seconded by Council Member Murr to authorize the Mayor to negotiate a schedule between the two parties for the use of Cahalan Park this year. Motion carried unanimously.

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

Council Member Olson recommended tabling this item to the next meeting because the information was not available in time to be included in the Council packet and the Council does not have time to read the material when it is presented at the meeting.

Motion by Council Member Olson, seconded by Council Member Bateman to table 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 carried unanimously.

Options for Fixed Route  
Bus Service

Mayor Lemon informed this item is for the Council to consider the 30 minute schedule option and consider making Miner's the layover point for all the fixed route buses.

Council Member Vanover questioned what the anticipated transit sales tax revenue is.

The City Treasurer stated it is difficult to project, but the City has collected \$444,000 since June. She stated based on the 2008 sales tax revenues she anticipates collecting \$650,000 to \$700,000 in 2009.

Council Member Wentz commented the City experienced a 20 percent drop in the sales tax received the last quarter of 2008.

The City Treasurer informed the City will receive November 2008 sales tax revenue later this month and December 2008 sales tax revenue will be received the end of February.

Council Member Vanover stated the anticipated sales tax revenue for transit was almost double our needs so there should still be excess revenues.

Council Member Wentz stated not if you extrapolate it out, especially since Dial- a-Ride has the most potential to continue to go up by the end of the year.

Mayor Lemon informed Yakima Transit said approximately 20 percent of what they were charging would be for Dial-a-Ride. Union Gap was paying about \$30,000 a month to Yakima and 20 percent of that was for Dial-a-Ride, but Yakima's cost for Dial-a-Ride was considerably less.

Council Member Olson stated it is important to make sure our rider ship is at the transfer points before Yakima Transit arrives so there will be easy transfers.

Motion by Council Member Vanover to accept the 30 minute schedule as presented unless the City experiences a financial downfall in revenues, and to use Miner's as the layover point for all fixed route buses.

Council Member Wentz commented the revenue projections are generous considering the economic climate, he does not see the City collecting \$600,000 in transit revenue, and there is only about \$40,000 left from last year.

Mayor Lemon stated the City has been repaying the building fund for the loan to the transit fund so he is not certain if there is \$40,000 left from last year. He informed the City is receiving almost double the sales tax we needed to pay for Yakima Transit, but we also want to be able to install benches and signs.

Council Member Vanover stated if there is a revenue problem with the 30 minute schedule, the City can go back to the 60 minute schedule, but the City needs to maximize rider ship and match the Yakima Transit schedule.

Council Member Wentz questioned why the City switched if we are going to match the Yakima Transit schedule and as a whole this service is not much cheaper.

Mayor Lemon commented the transit service is cheaper but Dial A Ride is more. The City can control Dial A Ride by adding a fare, but then there would have to be a bus fare.

Council Member Olson seconded Council Member Vanover's motion to accept the 30 minute schedule as presented unless the City experiences a financial downfall in revenues, and to use Miner's as the layover point for all fixed route buses.

Council Member Matson stated he will agree as long as it is clear that the City can go back to a 60 minute schedule if revenues drop off.

Mayor Lemon called for a vote on the motion to accept the 30 minute schedule as presented unless the City experiences a financial downfall in revenues, and to use Miner's as the layover point for all fixed route buses. Motion carried: Council Members Butler, Olson, Bateman, Vanover, Matson, and Murr voting in

favor; Council Member Wentz voting no.

Request by Dan Leslie  
for Sewer Line  
Easement and  
Temporary Sewer  
Connection

The Public Works Director explained that sewer connections are made to the City's sewer lines, but usually the connections are made in alleys. This request will require a 10 foot easement into the Youth Park so Mr. Leslie can connect to our sewer line. He informed this request is similar to one approved last fall on the opposite side of the park.

Council Member Olson questioned going under Bachelor Creek.

The Public Works Director stated Mr. Leslie has already obtained an easement through Mr. Hill's property and he has approval from the state to go under Bachelor Creek.

Motion by Council Member Olson, seconded by Council Member Wentz to authorize staff to proceed with establishing a sewer easement and authorizing a temporary sewer connection in the Youth Park for Mr. Leslie. Motion carried unanimously.

Items from the  
Audience

Old Town News. Andrea Vasquez, citizen, suggested the telephone number for transit be included on the back of the Old Town News so people will know where to call for information.

Mayor Lemon requested City Clerk add the transit telephone number to the last page of the Old Town News, and the Mayor informed new bus stop signs with the telephone number are also ready to be installed.

Transit. Steve Simon, property owner, stated he found a driver sleeping in the Costco parking lot and because the car had City of Union Gap on the side he thought it was a City employee. When he called City Hall he was informed the transit service is contracted out and not run by City employees.

Mayor Lemon stated it was a Dial-a-Ride driver, the transit company was notified, and they assured the City this will not happen again.

Mr. Simon questioned if the City wants City of Union Gap on the cars.

Council Member Bateman stated absolutely.

Mayor Lemon informed the Council previously decided they wanted Union Gap Transit on the vehicles.

Mr. Simon stated when he called the City about the incident he thought it was odd that the Mayor wanted him to call the transit company.

Mayor Lemon informed he wanted the transit company to hear the complaint firsthand because the drivers are not employees of Union Gap; they are the contractor's employees.

Develop. Agenda for  
February 9, 2009  
Council Meeting

Council Members Olson and Wentz stated they will be out of town at the next meeting.

Community Service Officer. Council Member Olson requested the Memorandum of Understanding Regarding the Community Service Officer be postponed until the February 23<sup>rd</sup> meeting.

Steve Simon stated he understands the Code Enforcement Officer retired and the complaints are now being handled by the Police Department. He stated over the last 4 to 5 years there have been several complaints made, but it appeared that

the City staff did not have the power to get anything done about the complaints.

Mayor Lemon informed that is why he wanted nuisance abatement to be under the Police Department. He informed the Community Service Officer is not taking the whole job, Bill Rathbone will be doing building inspections, and the Community Service Officer will be doing nuisance abatement. He stated it is a lot more effective having the Police Department working on the complaints, and he and the Police Chief are aware of the issues.

Mr. Simon stated he realizes people have rights and the City cannot trample on people, but some of these issues have been to court many times.

Infiltration Repairs. The Public Works Director informed he will be gone at the next Council meeting also, but he has an important item that will need to be addressed regarding financing additional infiltration repairs while the contractor is currently on sight.

Mayor Lemon requested the Public Works Director present this information to the Public Works Committee.

Departmental Reports

Mayor Lemon informed the following reports are in the packet and questioned if the Council has any questions of the departments: Public Works Department Status Report – December 2008; Police Department Status Report – December 2008; New Businesses Report – December 2008/January 2009; Fire Department Status Report – December 2008; and Tax Revenue Report – December 2006/2007/2008.

Communications/  
Questions/Comments

Council Member Olson commented he is really impressed with the liner being used in the sewer pipe and explained it has epoxy resin that solidifies when heated and nothing will infiltrate this product.

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

Adjournment

*These minutes dated January 26, 2009 were approved at the Regular Council Meeting of February 9, 2009.*

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Jim Lemon  
Mayor

ATTEST:

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Kathryn Thompson, CMC  
City Clerk