

UNION GAP CITY COUNCIL REGULAR MEETING
Council Chambers, City Hall
Union Gap, Washington
July 12, 2010

Call to Order Mayor Lemon called the Regular Meeting of the Union Gap City Council to order at 7:05 p.m.

Council Members Present Council Members David Butler, Dan Olson, Dan Vanover, Roger Wentz, Dave Matson, James Murr and Chad Lenz were present.

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

Audience Present Joe & Linda Jackson, Debbie Matson, Stephanie & Michael Murr, John Hodgkinson, Fred Thomson, Mary Ann Lockhart, Ron Davis, and others were present.

Pledge of Allegiance Council Member Matson 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 June 28, 2010, as sent out on pages 5086 through 5088 of the Minute Book.

Approve Claim Voucher Nos. 77500 through 77529, in the amount of \$264,762.97 dated June 30, 2010 and transfer from the operating funds to the Claims Fund.

Approve Payroll Voucher Nos. 33544 through 33619, in the amount of \$138,743.21 dated June 30, 2010 and transfer from the operating funds to the Payroll Fund.

Approve Claim Voucher Nos. 77530 through 77624, in the amount of \$198,702.22 dated July 12, 2010 and transfer from the operating funds to the Claims Fund.

Motion carried unanimously.

Ordinance No. 2685 – Amending Union Gap Municipal Code – Adopting 2009 International Building Codes Motion by Council Member Wentz, seconded by Council Member Vanover to adopt and publish Ordinance No. 2685, An Ordinance amending Title 14 of the Union Gap Municipal Code relating to building codes; adopting revised building codes as required by state law; adopting local option amendments; revising fee schedules; and establishing an effective date.

Council Member Matson stated he does not have enough information about what the changes are and what the costs of the fees will be.

The Development Coordinator informed we are going from the 2006 International Building Code (IBC) to the 2009 IBC. The City is on a three year cycle with new codes being adopted every three years. This code change has already been adopted by the State Legislature as a change to the Washington Administrative Code (WAC) and the City is required to begin using this version by July 1, 2010. He stated this ordinance adopts the codes by reference because the code is multiple binders of information.

Council Member Matson stated he would like to see the differences between the two codes and questioned if the fees for permits are increasing.

The Development Coordinator informed he is not recommending increasing fees

at this time, but according to the ordinance we will be reviewing the fees in January. He stated there is a new fee schedule recommended with the 2009 IBC, but it would be a 20-30 percent increase and he is not recommending that right now.

Mayor Lemon questioned if there are any major changes.

The Development Coordinator informed there are very minor changes. He stated one change is with accessory structures. Right now buildings less than 120 square feet do not need a permit, and under the new code buildings less than 200 square feet do not need a permit.

Council Member Matson stated he would still like to see the existing code and the new code.

The Development Coordinator stated he would be happy to show the new code to Council Member Matson, but there are five binders that are 300 to 700 pages each.

Council Member Matson questioned the reference to the Hearing Examiner.

The Development Coordinator informed the reference to the Hearing Examiner is not new; the City operates with a Hearing Examiner currently.

Council Member Vanover agreed stating the City changed to the use of the Hearing Examiner several years ago. He then called for a vote on the motion.

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt and publish Ordinance No. 2685, An Ordinance amending Title 14 of the Union Gap Municipal Code relating to building codes; adopting revised building codes as required by state law; adopting local option amendments; revising fee schedules; and establishing an effective date. Motion carried: Council Members Butler, Olson, Vanover, Wentz, Murr and Lenz voting in favor; Council Member Matson voting no.

Resolution No. 883 –
Memorandum of
Agreement Extending
the Collective
Bargaining Agreement
with IAFF Local 3680
Through 12/31/2010

Mayor Lemon explained this memorandum of agreement is a one year extension of the Fire Department Collective Bargaining Agreement.

Motion by Council Member Vanover, seconded by Council Member Olson to adopt Resolution No. 883, A Resolution authorizing the Mayor to sign a One Year Extension of the Collective Bargaining Agreement (CBA) between the IAFF Local 3680 and the City of Union Gap extending the CBA through December 31, 2010. Motion carried unanimously.

Resolution No. 884 –
Fire Department Mutual
Aid Agreement

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 884, A Resolution authorizing the Mayor to sign the Yakima County Fire Protection District and Cities Mutual Aid Agreement with Yakima County Fire Protection Districts, 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, and 14, the Cities of Naches, Selah, Tieton, Wapato, Granger, Toppenish, Sunnyside, Zillah, Grandview, Mabton, Yakima, and the United States Army – Joint Base Lewis McChord Yakima Training Center (JBLMYTC) Fire Department. Motion carried unanimously.

Council Member Olson questioned if there were any changes to the agreement other than adding the firing center.

The Fire Chief stated no.

Resolution No. 885 –
Yakima Consortium for

Motion by Council Member Vanover to adopt Resolution No. 885, A Resolution authorizing the Mayor to sign the Yakima Consortium for Regional Public

Regional Public Safety
Interlocal Agreement

Safety Interlocal Agreement.

Council Member Wentz questioned what the City's costs would be.

The Police Chief stated operation and maintenance for Fire and Police will be about \$10,000 a year plus we will be required to purchase modems for each mobile data terminal (MDT) plus pay a monthly wireless fee. He informed the set up fee is being covered to start the program, but after that the City will have to pay for the operation and maintenance of the server plus the monthly fee, which is currently \$43.00 a month from Verizon.

Council Member Wentz questioned how many MDT's the City has.

The Police Chief stated over 20 units between Fire and Police.

Council Member Vanover questioned if the City will still be using Yakima's system.

The Police Chief informed Yakima City and County are both changing to this new system and the old systems will not exist. All the cities will have to go to this system to be a part of the Yakima City or County system.

Council Member Vanover questioned if there would be any savings from not using the current system.

The Police Chief stated there would be no savings; our modems are not compatible with the new system. He informed Yakima's Finance Director stated YakCorp has agreed to pay for the cost of converting or replacing the modems.

Council Member Olson commented Spillman was looked at in the past and it was determined it was not a good system, and questioned if it is now a good system.

The Police Chief informed this is an updated Spillman system.

Council Member Olson stated the Fire Department only has a small piece of this system and they need a GPS.

The Fire Chief stated the GPS is an additional option Yakima County has adopted and it will be covered by the grant. He stated Fire has three MDT's so the annual cost will be about \$2,500 a year unless they increase the maintenance and operation fees. He stated he recommends approval because we have no option and they guarantee this system will work.

Council Member Matson questioned how the City will pay for this.

Mayor Lemon stated it will be part of the Police and Fire 2011 Budgets.

After discussion, Council Member Wentz seconded the motion by Council Member Vanover to adopt Resolution No. 885, A Resolution authorizing the Mayor to sign the Yakima Consortium for Regional Public Safety Interlocal Agreement. Motion carried unanimously.

Supplemental
Agreement No. 1 to
Construction Contract
with Kittelson & Assoc.
for W. Ahtanum Road
School Crossing
Improvements

Motion by Council Member Wentz, seconded by Council Member Vanover to authorize the Mayor to execute the Kittelson & Associates, Inc. Supplemental Agreement Number 1 to provide for the construction administration on the W. Ahtanum Road School Crossing Improvement Project.

Council Member Olson questioned if this was planned when the project went to bid.

The Public Works Director stated our funding partners will not allow us to award the design and construction of the project at the same time, but these costs were part of the project from the beginning.

Mayor Lemon called for a vote on the motion by Council Member Wentz, seconded by Council Member Vanover to authorize the Mayor to execute the Kittelson & Associates, Inc. Supplemental Agreement Number 1 to provide for the construction administration on the W. Ahtanum Road School Crossing Improvement Project. Motion carried unanimously.

Request from TC
Transportation to
Expend Transit Funds
for the 2010 Central
WA State Fair DRYVE/
TRANS-Action Fair
Booth

Motion by Council Member Wentz, seconded by Council Member Lenz to authorize staff to prepare an ordinance amending the 2010 Budget for the expenditure of \$425.00 from the Transit Fund. Motion carried unanimously.

Council Member Wentz commented this is good advertising for our system and offered to help with the fair booth.

Valley Mall Blvd. III,
Change Order No. 18

Council Member Olson commented there is a letter on the table requesting the City delay action on this item.

Mayor Lemon informed the letter pertains to the next item on the agenda.

Council Member Vanover questioned if \$4,719 is the end of the project.

The Public Works Director informed this is the final change order for the contractor, but there is one more progress estimate payment for the contractor.

Motion by Council Member Vanover, seconded by Council Member Lenz to authorize the Mayor to accept and sign Change Order No. 18 to the Valley Mall Boulevard Phase III Project. Motion carried unanimously.

Valley Mall Blvd. III –
Declare Project
Complete & Approve
Acceptance of Project

Mayor Lemon announced this item is being tabled to a later date.

Items from the
Audience

Ron Davis, TC Transportation, informed DRYVE is in a hurry to have the money for the fair booth and questioned if it would be okay for him to pay the money and then bill the City.

Mayor Lemon told Mr. Davis that would be fine.

Develop Agenda for
July 26, 2010 Council
Meeting

Mayor Lemon informed for a future agenda, he is scheduling Lew Leigh from Washington Cities Insurance Authority to speak to the Council about quasi-judicial and appearance of fairness matters.

Departmental Reports

Mayor Lemon informed the following reports are in the packet and questioned if the Council has any questions of the departments: Tourism Promoter Status Report – June 2010; Tax Revenue Report – June 2010.

Building/Planning. Mayor Lemon informed the Development Coordinator is doing a good job, and he is supervising the Code Enforcement Officer also. He informed Code Enforcement is no longer complaint driven, we are taking a proactive approach and fines are actually being issued.

Communications/
Questions/Comments

National Night Out. Council Member Wentz questioned the memorandum from the Police Chief regarding National Night Out.

Mayor Lemon informed the Police Chief's concern is that he will run out of overtime in the budget if he pays overtime for National Night Out. The Mayor

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stated with the kinds of things that are happening in the County he believes the City needs to have National Night Out and perhaps it could be held with the Chief, the Administrative Assistant, the Administrative Sergeant and volunteers.

It was the consensus of the Council to hold National Night Out keeping the costs down by minimizing staff presence and using volunteers.

Recess to 10-Minute
Executive Session –
Collective Bargaining

At 7:40 p.m. Mayor Lemon recessed the Regular Council meeting to a 10-minute Executive Session to discuss Collective Bargaining.

Reconvene & Adjourn

At 7:46 p.m., Mayor Lemon reconvened and adjourned the Regular Council meeting.

These minutes dated July 12, 2010 were approved at the Regular Council Meeting of July 26, 2010.

Jim Lemon
Mayor

ATTEST:

Kathryn Thompson, CMC
City Clerk