

**UNION GAP CITY COUNCIL REGULAR MEETING**  
**Council Chambers, City Hall**  
**Union Gap, Washington**  
**June 22, 2009**

- Call to Order Mayor Lemon called the Regular Meeting of the Union Gap City Council to order at 7:01 p.m.
- Council Members Present Council Members David Butler (7:04 p.m.), Dan Olson, Glenn Bateman, Dan Vanover, Roger Wentz, Dave Matson, and Jim Murr were present.
- Staff Present Robert Noe, City Attorney; Dennis Henne, Public Works Director; William Rathbone, Development Coordinator; Bill Steele, Fire Chief; Robert Almeida, Police Chief; Karen Clifton, City Treasurer; and Kathryn Thompson, City Clerk were present.
- Audience Present Lewis & Donald Beddoe, Joe & Linda Jackson, Michael & Joshua Murr, Debbie Matson, Scott Steinloski, Ray Kempf, John Hodkinson, Andrea Vasquez, Todd & Don Monroe, Chad Lenz, Fred Thomson, Aubrey Reeves, Sally Billups, Al Karn, Erika Lemon, Ashley Davis, Mary Ann Lockhart, and others were present.
- Pledge of Allegiance Council Member Wentz led the Pledge of Allegiance.
- Amended Comprehensive Land Use Plan Motion by Council Member Wentz, seconded by Council Member Olson to table item III. I. Amended Comprehensive Land Use Plan to the July 13<sup>th</sup> Council meeting to allow time for review of the document. Motion carried unanimously; Council Member Butler temporarily absent.
- Consent Agenda Motion by Council Member Wentz, seconded by Council Member Vanover to approve the consent agenda, as follows:
- Approve the Regular Council Meeting Minutes, dated June 8, 2009, as sent out on pages 4928 through 4933 of the Minute Book.
- Approve Claim Voucher Nos. 74760 through 74865 in the amount of \$646,200.71 dated June 22, 2009 and transfer from the operating funds to the Claims Fund.
- Motion carried unanimously; Council Member Butler temporarily absent.
- Public Hearing – Six-Year Transportation Improvement Program Mayor Lemon opened the public hearing on the Six-Year Transportation Improvement Program (TIP) at 7:03 p.m.
- The Public Works Director explained this is the annual amendment to the six-year transportation improvement program. He informed this public hearing was advertised and is open for comment and review.
- The City Clerk announced no written comments have been received.
- There was no one present wishing to speak regarding this item.
- Council Member Olson questioned priority number 20 on page 5, Longfibre Road Reconstruction Phase 2B, and stated the Longfibre Road project has been completed.
- The Public Works Director explained priority number 20 is the City of Yakima portion of Longfibre Road and is listed in the event we need to partner with them by writing support letters, etc. to help complete their portion.
- Council Member Olson commented priority number 22 on page 6, South 10<sup>th</sup>

Avenue – North/South Connector (2 Phases), looks like we are going to pave and replace the bridge. He requested South 10<sup>th</sup> Avenue from Pioneer to Ahtanum curb and gutters and bridge replacement be added to the TIP in case the City is able to obtain funding. He also requested South 12<sup>th</sup> Avenue from Valley Mall Boulevard North to Washington Avenue, including the new bridge over Wide Hollow Creek be added to the TIP.

The Public Works Director stated those projects can be added to the TIP as planned since there is no funding available at this time.

At 7:09 p.m. Mayor Lemon closed the public hearing.

Resolution No. 786 –  
Adopting Revised Six-  
Year Transportation  
Improvement Program

Motion by Council Member Olson, seconded by Council Member Wentz to adopt Resolution No. 786, A Resolution providing for an amended Six-Year Transportation Improvement Program (Comprehensive Street Program) for the City of Union Gap, as amended to add South 10<sup>th</sup> Avenue from Pioneer to Ahtanum curb and gutters and bridge replacement and South 12<sup>th</sup> Avenue from Valley Mall Boulevard North to Washington Avenue, including the new bridge over Wide Hollow Creek. Motion carried unanimously.

The Public Works Director informed the Yakima Valley Conference of Governments Executive Committee will be reviewing the allocation of \$218,000 of CMAC funding for priority number 3, paving of gravel alleys. With this funding, practically all of the alleys in the City will be hard surfaced. He stated this item will be changed from a status P to S.

After discussion, Mayor Lemon called for a vote on the motion to adopt Resolution No. 786, A Resolution providing for an amended Six-Year Transportation Improvement Program (Comprehensive Street Program) for the City of Union Gap, as amended to add South 10<sup>th</sup> Avenue from Pioneer to Ahtanum curb and gutters and bridge replacement and South 12<sup>th</sup> Avenue from Valley Mall Boulevard North to Washington Avenue, including the new bridge over Wide Hollow Creek. Motion carried unanimously.

Resolution No. 787 –  
Agreement with Central  
Washington Antique  
Farm Equipment Club  
for 2009 Antique Farm  
Exposition

Todd Monroe, President of the Central Washington Antique Farm Equipment Club, thanked the Council for their past support of the Antique Farm Exposition.

Motion by Council Member Wentz, seconded by Council Member Murr to adopt Resolution No. 787, A Resolution authorizing execution by the Mayor of the annual Agreement for Distributing Information For Purpose of Attracting Visitors and Encouraging Expansion Re: 2009 Central Washington Antique Farm Exposition.

Council Member Butler questioned when this event is held and why this request did not come before the Lodging Tax Advisory Committee.

Mr. Monroe informed this event is always the 3<sup>rd</sup> weekend in August.

The City Clerk informed this request did not go before the Lodging Tax Advisory Committee because it was already included in the 2009 City budget.

Scott Steinloski, Tourism Promoter, stated he is concerned about the Council approving this request because there are members of the Lodging Tax Advisory Committee that would like to review all expenditures even if they have been approved in the past.

Council Member Wentz stated Mr. Steinloski will be able to go through the 2010 budget process so expenditures such as this will not be a surprise.

Mayor Lemon informed the Lodging Tax Advisory Committee can make

recommendations to the Mayor during the budget process.

Mr. Steinloski informed he would like to work hand in hand with the organizers of this event.

Council Member Olson commented the City has been helping pay for advertising for this event for many years, but the request can go through the Lodging Tax Advisory Committee next year if they wish.

After discussion, Mayor Lemon called for a vote on the motion to adopt Resolution No. 787, A Resolution authorizing execution by the Mayor of the annual Agreement for Distributing Information For Purpose of Attracting Visitors and Encouraging Expansion Re: 2009 Central Washington Antique Farm Exposition. Motion carried: Council Members Olson, Bateman, Vanover, Wentz, Matson, and Murr voting in favor; Council Member Butler voting no.

Resolution No. 789 –  
Consultant Agree. with  
Huibregtse, Louman  
Assoc. for Construction  
Services – N. Rudkin  
Rd. and Main/ Ahtanum  
Rd. I/S Project

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 789, A Resolution authorizing the Mayor to sign a Consultant Agreement with Huibregtse, Louman Associates, Inc. for construction services related to the N. Rudkin Road and Main/Ahtanum Road I/S Project. Motion carried unanimously.

Resolution No. 790 –  
Consultant Agree. with  
Huibregtse, Louman  
Assoc. for Construction  
Services – Wide Hollow  
Creek Pathway 2  
Project

Motion by Council Member Wentz, seconded by Council Member Vanover to adopt Resolution No. 790, A Resolution authorizing the Mayor to sign a Consultant Agreement with Huibregtse, Louman Associates, Inc. for construction services related to the Wide Hollow Creek Pathway 2 Project. Motion carried unanimously.

Request by Sally  
Billups & Al Karn for  
use of City-owned  
Facility to Provide  
Volunteer Tax  
Assistance

Mayor Lemon explained this item is a request to use part of the former probation office to provide free tax assistance to the public. He informed padlocks have been installed on all the storage rooms, so there is no security issue.

Sally Billups informed this service has been provided in Union Gap for 20 years. In the past they were located in the Valley Mall and then at St. Vincent DePaul Food Bank, but they have lost that location. She stated the use of the facility will only be during the tax filing season.

Council Member Wentz questioned if this use will be a problem for the Tourism Promoter.

The Tourism Promoter questioned how busy they will be.

Ms Billups stated they are usually quite busy, but the hours can be adjusted if necessary. She informed they would like use of the facility from February 1<sup>st</sup> through April 15<sup>th</sup> four hours a day 4 days a week.

Council Member Matson questioned if they could use the house at the Ahtanum Youth Park.

Mayor Lemon stated it is too far away to meet their needs.

Motion by Council Member Wentz to instruct staff to prepare a resolution and agreement for the facility determined most appropriate. Motion failed for lack of a second.

Mayor Lemon stated he showed both facilities to them, and they have asked to use the former probation building.

Motion by Council Member Wentz, seconded by Council Member Murr to approve this request and instruct staff to draw up a resolution and agreement. The Tourism Promoter informed he will probably have to work from home during this time because there will be too much activity.

Mayor Lemon stated the Tourism Promoter has an office door he can close to work during the hours the tax assistance is being conducted.

Council Member Butler questioned what part of the building they will be using.

Ms Billups stated the front reception area and part of the kitchen. She informed the house at the Youth Park is too far out for a lot of the elderly.

Council Member Matson stated it goes hand in hand with the Sr. Citizen's Center.

Mayor Lemon stated they will also be serving lower valley people and a lot of lower valley people travel through Union Gap. He stated they would either like to use the former probation building or the Youth Center, and the Council designated the Youth Center for the youth by ordinance.

The Tourism Promoter informed there is an issue of payment of the utilities because the lodging tax money pays 75 percent of the utilities.

Mayor Lemon stated he does not see a problem and questioned if the City Attorney sees a problem with the utilities.

The City Attorney informed he will review the issue, but does not see any problem with the utilities.

Council Member Vanover commented the Council needs to address the issue of gifting public funds.

Mayor Lemon commented this is a public benefit and asked the City Attorney to address the issue of uses for a public benefit.

The City Attorney informed the agreement will need to show that this is a public benefit and have a nominal fee. He stated he will check with the State Auditor's office to see what an acceptable amount will be.

After discussion, Mayor Lemon called for a vote on the motion to approve this request and instruct staff to draw up a resolution and agreement for the next Council meeting. Motion carried: Council Members Olson, Bateman, Vanover, Wentz, Matson, and Murr voting in favor; Council Member Butler voting no.

Auth. to Advertise for Bids – N. Rudkin Road and Main/ Ahtanum Road I/S Project

Motion by Council Member Vanover, seconded by Council Member Wentz to authorize staff to advertise for bids for the N. Rudkin and Main/Ahtanum Road I/S Project. Motion carried unanimously.

Auth. to Advertise for Bids – Wide Hollow Creek Pathway Phase 2 Project

Motion by Council Member Wentz, seconded by Council Member Vanover to authorize staff to advertise for bids for the Wide Hollow Creek Pathway 2 Project. Motion carried unanimously.

Amended Comp. Land

Mayor Lemon announced this item was tabled to the July 13<sup>th</sup> Council meeting.

Use Plan

Items from the Audience

Condolences. Fred Thomson stated he was sad to learn that Lorraine Brown, the former librarian died. He suggested the City name the library after her.

Youth Council. Donald Beddoe, Youth Council President, apologized for the way he spoke at the last Council meeting. Mayor Lemon stated his apology is accepted.

Erika Lemon thanked Council Member Wentz for donating the air hockey table and thanked the City Council for their support. She and Ashley Davis then distributed thank you cards to the Council members.

Develop Agenda for July 13, 2009 Council Meeting

Volunteer College Intern Program. Council Member Wentz requested the volunteer college intern program for fire fighters be added to the agenda.

The Fire Chief explained this is a college based program for second year students to complete internships. He stated there is a very successful program at Bates Community College in Tacoma and there happens to be two potential candidates that live here and attend Bates Community College. He informed he has been involved with this program for about 10 years and he would like the Council to consider this program that gives 2<sup>nd</sup> year students college credits for working part time for the fire department. He informed typically the sponsor pays their tuition and books, which is about \$500 a month in exchange for the part time work. Fire District 11 has agreed to pay half of the costs for 2009 and may continue for 2010 if the program is successful. He stated for the remainder of 2009 the cost will be about \$3500 which will come from existing funds for volunteers.

Council Member Wentz commented this program will provide consistent reliable volunteers.

The Fire Chief stated 75 percent of interns stay on the department as volunteer fire fighters until they get hired on some place.

Council Member Wentz questioned why the Chief proposed 3 interns.

The Fire Chief stated he proposed three for next year because that is one per shift, he is proposing two for the remainder of 2009.

Fire Department Report. The Fire Chief then reviewed the monthly report informing calls are up about 32 percent over last year. He also informed he is spending a lot of time on the survey and rating bureau information because it is important to maintain our rating of 5.

Wage Freeze. Council Member Matson stated due to the economic situation and budget woes, he would like to add a discussion of freezing employee wages and CPI increases temporarily until the City gets through this situation. He commented it appears the employees really like working for the City and if the Council starts giving CPI increases it is possible someone might have to be laid off.

Mayor Lemon informed the National CPI has decreased for the first time in 20 years.

Council Member Matson stated he does not want to see people lose their jobs.

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 – May 2009; Police Department Status Report – May 2009; New Businesses Report – May/June 2009; Fire Department Status Report – May 2009; and Tax Revenue Report – May 2009.

Mayor Lemon then called on department heads to report.

Finance. Mayor Lemon explained he requested a new format in the tax revenue report because he is trying to show the sales tax revenue projections vs. actual revenue.

The City Treasurer informed the sales tax revenue is about 4 percent below projections.

Mayor Lemon commented the projections were not increased this year; they are the same as the previous year.

The City Treasurer informed the City receives the majority of the property tax revenue in May and November; the Public Transportation Tax is doing very well; Lodging Tax is 27 percent low; and Public Safety Tax is 20 percent low. She explained the Public Safety Tax comes from three sources: criminal justice, the State, and a local tax.

It was the consensus of the Council that they like the new report format.

Council Member Olson questioned if this report is year to date showing the same months.

The City Treasurer stated yes.

Police. The Police Chief informed flyers were distributed and the first block watch meeting was held last week with a few residents in attendance. Those residents have gone out and sparked more interest and there will be another meeting with those people early in July.

Mayor Lemon requested the Police Chief report on Stanton School.

The Police Chief informed Yakima School District sent a letter notifying the City they are no longer funding the School Resource Officer (SRO) at Stanton School due to State funding cuts. The Police budget will be impacted because the school district was paying 75 percent of the wages and benefits and the City had no idea this was coming.

Mayor Lemon informed this information will be in the next newsletter and concerned citizens may contact the Yakima School District Superintendent.

Council Member Olson commented his understanding is that this is the only officer being pulled; officers will remain at other Yakima schools. He stated this sends a terrible message; the district is planning to increase the population at Stanton which is an alternative school, and take the officer away.

The Police Chief stated calls for service to that area will increase when there is no officer present.

Council Member Wentz commented the overtime for May was higher than April, even with the Traffic Safety Commission reimbursing part of the cost.

The Police Chief stated the overtime was due to training and unexpected family health problems. He stated the training is necessary, and they are trying to keep it local.

The Police Chief also informed the City/County Narcotics Unit is closing. Union Gap was a part of that program for many years and the money collected is going to be divided between the agencies. Per contract an agency can go back two years, so the City will receive a percentage of the money collected in 2007,

which should be about \$28,000.

Mayor Lemon informed a budget amendment will be done to use that money to help with the overtime costs.

Council Member Wentz commented there is not going to be overtime money for any department given the budget shortfalls.

Public Works. The Public Works Director stated the Valley Mall Boulevard paving should be finished by Tuesday at the latest. He stated there will still be stripping and cleanup to complete and the roadway will be closed until the ribbon cutting because the contractor has to put in manholes, etc. He then reviewed his monthly report and informed the last page is a new page showing the current projects. He informed he will be adding the school safety flasher on South 18<sup>th</sup> Street because Yakima notified him that is being fully funded.

Planning/Building. The Development Coordinator informed work is continuing on Union Gap School, and the planning department is working on Airport zoning again. He informed there is a Growth Management Act (GMA) requirement that we have appropriate zoning for Airports. He also informed he is continuing to work with developers at the pre-development level.

Mayor Lemon stated the Development Coordinator needs to inform the Council if he needs help with plan reviews of new projects so the City can keep projects moving along.

The Development Coordinator stated he has a good relationship with a firm on the West side that has been working well. He also informed the Planning Commission is working on billboard regulations.

Recess to 30 – Minute Executive Session

At 8:10 p.m. Mayor Lemon recessed the Council meeting to a 30-minute Executive Session regarding pending litigation and collective bargaining. The Mayor, Council Members Butler, Olson, Bateman, Wentz, and Matson, the City Attorney, Public Works Director, and Police Chief attended the Executive Session.

Meeting Reconvened

At 8:25 p.m. Mayor Lemon reconvened the Council meeting and excused Council Members Vanover and Murr, who had to leave.

Valley Mall Boulevard Phase IV

Motion by Council Member Wentz, seconded by Council Member Butler to authorize staff to convey to the Department of Transportation that the City wishes to settle with Dr. Truhler for \$850,000 total, which includes \$152,000 for relocation costs or costs of construction changes to his current business structure. Motion carried unanimously. Council Members Vanover and Murr absent.

Communications/ Questions/Comments

There were no communications/questions/comments from the Council.

Adjournment

At 8:25 p.m., Mayor Lemon adjourned the Regular Council meeting.

*These minutes dated June 22, 2009 were approved at the Regular Council Meeting of July 13, 2009.*

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Jim Lemon  
Mayor

ATTEST:

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Kathryn Thompson, CMC  
City Clerk