

UNION GAP CITY COUNCIL REGULAR MEETING
Council Chambers, City Hall
Union Gap, Washington
November 26, 2007

Call to Order Mayor Reeves called the Regular Meeting of the Union Gap City Council to order at 7:07 p.m.

Council Members Present Council Members Jim Lemon, David Butler, Dan Olson, Glenn Bateman, Dan Vanover, and Roger Wentz were present.

Staff Present Bob Noe, City Attorney; Dennis Henne, Public Works Director; Tim Whitehurst, Interim Fire Chief; Robert Almeida, Police Chief; William Rathbone, Development Coordinator; Karen Clifton, City Treasurer; and Kathryn Thompson, City Clerk were present.

Audience Present Phil Salzman, John Hodkinson, James & Michael Murr, Stephanie Korn, Dave & Debbie Matson, Pastor David Dalton, Ray Kempf, Tony Reise, Jay Sentz, Pastor David Dalton, Fred Thomson, Mike Morrisette, Bill Cook, Rich Lindros, and others were present.

Invocation Pastor David Dalton presented the invocation.

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

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

Approve the Study Session Council Meeting Minutes, dated November 13, 2007, as sent out on pages 4724 through 4727 of the Minute Book.

Approve the Regular Council Meeting Minutes, dated November 13, 2007, as sent out on pages 4728 through 4730 of the Minute Book.

Approve Claim Voucher Nos. 70446 through 70548 in the amount of \$214,932.81, dated November 26, 2007 and transfer from the operating funds to the Claims Fund.

Adopt Resolution No. 692, A Resolution authorizing the Mayor to sign a Professional Services Contract for Hearing Examiner with Gary Cuillier.

Adopt Resolution No. 693, A Resolution authorizing the Mayor to sign a professional services agreement with Huibregtse Louman Associates for professional engineering services.

Cancel the December 24, 2007 Regular Council meeting.

Motion carried unanimously; Council Member Webb absent.

Public Hearing – 2008 Budget At 7:09 p.m. Mayor Reeves opened the public hearing for oral and written comments regarding the 2008 Budget.

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

The City Clerk announced no written comments were received.

At 7:10 p.m. Mayor Reeves closed the public hearing.

Public Hearing – City limits boundary line adjustment between City of Yakima and At 7:10 p.m. Mayor Reeves opened the public hearing for oral and written comments regarding the boundary line adjustment between the City of Yakima and the City of Union Gap.

City of Union Gap

Bill Cook, City of Yakima Community Development Director, thanked the Council for considering this item. He explained this adjustment looks simple, but there were a lot of factors that had to be reconciled.

The Development Coordinator, informed staff supports this adjustment because the property in Union Gap is too small to develop and is not a viable piece of land. With this adjustment, the land will be in the City of Yakima.

John Hodkinson informed he saw a different map that showed a line across from the new Toyota property and this map looks kiddie corner instead of straight.

Mayor Reeves stated the proposed adjustment is to make the roads line up at the intersection of Longfibre and Valley Mall Boulevard.

John Hodkinson questioned where the City is with the development of Longfibre Road.

Mayor Reeves informed the City is waiting for a site plan from Toyota.

The City Clerk announced no written comments were received.

At 7:15 p.m. Mayor Reeves closed the public hearing.

Ordinance No. 2542 –
Adopting the 2008
Budget

Motion by Council Member Vanover, seconded by Council Member Wentz to adopt and publish Ordinance No. 2542, An Ordinance adopting the 2008 Budget for the City of Union Gap, Washington. Motion carried: Council Members Lemon, Butler, Vanover, and Wentz voting in favor; Council Members Olson and Bateman voting no; Council Member Webb absent.

Resolution No. 694 –
Boundary Line
Adjustment

Council Member Wentz questioned the map provided with the boundary line adjustment.

The Development Coordinator explained the map shows the lands currently in the area that are in Union Gap. He stated Longfibre Road is proposed to go straight across at the William Douglas parcel and staff is requesting approval of this with the condition that the legal description be changed to reflect that line.

After discussion, it was the consensus of the Council that they would prefer to clean up and square up the area with the edge of Valley Mall Boulevard and make all of Longfibre Road in the City of Union Gap.

Motion by Council Member Wentz, seconded by Council Member Lemon to table Resolution No. 694, A Resolution approving boundary line adjustment, to the December 10th meeting. Motion carried unanimously; Council Member Webb absent.

Resolution No. 695 –
Authorizing Agreement
with City of Yakima for
Battalion Chief services

Motion by Council Member Olson, seconded by Council Member Bateman to table Resolution No. 695, A Resolution authorizing the Mayor to sign an interlocal agreement between the City of Union Gap and the City of Yakima for Fire Battalion Chief services until the December 10th meeting for the Council to receive input from the new Fire Chief.

The Interim Fire Chief informed he faxed the agreement to the new chief and had two conversations with him and he is in favor of the agreement. He stated this agreement was driven by the department not having the capability to cover supervision for all nights and weekends since the loss of the previous chief and there no longer being a deputy chief. Even with the new chief, one chief cannot cover 365 days a year and the Captain program just started today.

Council Member Lemon questioned if the department is still looking into an automatic aid agreement with Yakima.

The Interim Fire Chief stated once this agreement is in place, they are hopeful of starting automatic aid by February next year.

Council Member Vanover questioned why this agreement calls for the Battalion Chief to make rounds every 48 hours.

The Interim Fire Chief stated he requested that section so the Battalion Chiefs would have good communication and be familiar with the volunteers as well as career staff. He informed there is no charge for that service, we will only be charged for emergency response.

Council Member Lemon questioned if this will help with overtime.

The Interim Fire Chief stated this will not help with overtime, the Captain program will help, but the department is down on volunteers again.

Council Member Wentz commented this agreement says it begins October 22nd, and questioned how many emergency responses there have been since that date.

The Interim Fire Chief stated there have been 7 responses and one of those was 4 hours at Weyerhaeuser so the total cost would be \$418, but Yakima has not billed us because we have no agreement. Because of the delays, Yakima has provided about 75 days of free service.

Council Member Lemon commented the agreement could be terminated with 45 days notice so the new Chief could cancel the agreement if he does not think we need it.

Mayor Reeves called for a vote on the motion to table Resolution No. 695, A Resolution authorizing the Mayor to sign an interlocal agreement between the City of Union Gap and the City of Yakima for Fire Battalion Chief services until the December 10th meeting for the Council to receive input from the new Fire Chief. Motion failed: Council Members Olson and Bateman voting in favor; Council Members Lemon, Butler, Vanover and Wentz voting no. Council Member Webb absent.

Motion by Council Member Lemon, seconded by Council Member Wentz to adopt Resolution No. 695, A Resolution authorizing the Mayor to sign an interlocal agreement between the City of Union Gap and the City of Yakima for Fire Battalion Chief services.

Mayor Reeves stated he does not see the urgency with this agreement; the new chief is not here yet, is not familiar with the department, and there is only one week left until he arrives. He also informed Yakima is not providing a free service, as he authorized the Interim Fire Chief to pay Yakima for their services.

The Interim Fire Chief stated the Yakima Fire Chief said he would not charge Union Gap without an agreement in place.

Mayor Reeves stated he has also sat in a lot of meetings on automatic aid and the need for a Battalion Chief agreement was never brought up.

Council Member Lemon commented the Interim Chief has been in communication with the new chief and he was in favor of this agreement.

Council Member Vanover stated one man cannot cover 365 days no matter how good he is.

Phil Salzman, Civil Service Chairman, informed the Civil Service rules do not have the position of Battalion Chief.

Ray Kempf, Civil Service Commissioner, informed only the position of Fire Chief is exempt from Civil Service. He stated if this is a temporary position there may not be any harm, but this has not been discussed with the Commission and they would like to understand what the position is.

The City Attorney stated he has not looked at the Civil Service rules, but if this position does not supplant any current position it would be okay.

Council Member Vanover stated he was the former Civil Service Chairman and his gut feeling is that there is no impact to the rules. This is contracted service of a chief level officer.

Council Member Lemon commented this is not an employee relationship or a way to consolidate departments; this covers a safety concern.

Council Member Butler questioned why the City needs this service now since we have been functioning for years without it.

The Interim Fire Chief stated at the recent Weyerhaeuser fire he had a 4-person crew on their own for about 7 minutes. He called a second alarm and got engines and fire fighters from Yakima in about 8 minutes. He informed he was able to use the Battalion Chief to lead another crew because there are not always qualified people to lead crews.

Council Member Lemon informed he talked with Volunteer Lieutenant Brother Jack Henderson, and he stated he was very nervous about being in charge of three other volunteer fire fighters at the King Brothers fire.

The City Attorney questioned if the Battalion Chief would be taking over for Union Gap Captains, and expressed concern over a non-union person taking the role of a union employee.

The Interim Fire Chief informed the Captain would decide what role the Battalion Chief would take, and the Battalion Chiefs are in Yakima's union.

Mayor Reeves called for a vote on the motion to adopt Resolution No. 695, A Resolution authorizing the Mayor to sign an interlocal agreement between the City of Union Gap and the City of Yakima for Fire Battalion Chief services. Motion failed: Council Members Lemon, Vanover, and Wentz voting in favor; Council Members Butler, Olson, and Bateman voting no; Mayor Reeves breaking the tie by voting no; Council Member Webb absent.

Greater Yakima
Chamber of Commerce
Presentation & Annual
Report

Mike Morrisette, Greater Yakima Chamber of Commerce President and CEO, informed he is presenting the annual written report from the chamber according to the service agreement with the City. He informed because of the location of the chamber office, they have a lot of drop in visitors and they provide information regarding the valley communities. He stated the chamber stands ready to help the City in any way it can.

Council Member Olson stated the chamber represents more than Yakima and he would like to see Leadership Yakima changed to Leadership Yakima Valley.

Mr. Morrisette stated he agrees, but there are others who do not want the name changed. He then explained what would be included in a new proposal for the cost of \$10,000 and informed if successful, citizens would sign up to assist the City. He offered to meet again and discuss the new proposal further with the Council if they are interested.

Discuss City Manager/
City Administrator
Position

Council Member Wentz commented that the City's form of government is strong Mayor so City Manager is not the appropriate title and recommended changing the title to City Administrator.

Mayor Reeves stated most outside people think we are a City Manager form of government when they see the title City Manager.

After discussion, it was the consensus of the Council to add grant writing experience and human resource experience to the job description, and to delete paragraph (B) from the Education & Experience category on page 3 of the job description.

The City Attorney informed he would prepare an ordinance repealing City Manager and Assistant City Manager from the Municipal Code book and adding language stating references to City Manager mean City Administrator for the next Council meeting.

Council Member Lemon informed, as the new Mayor, he is not planning on hiring anyone immediately, if at all, and he will not be taking anyone by surprise as he plans to work with the City Council.

2008 National League
of Cities Conference

Mayor Reeves informed staff would like an idea of who will be attending the National League of Cities conference in Washington D.C. in March 2008.

Council Members Olson and Wentz stated they plan to attend. Council Member Butler stated he will check his schedule. Newly elected Council Member Matson stated he may be able to attend as well.

Recommendation from
Lodging Tax Advisory
Committee Regarding
Creation of a Tourism
Promotion Manager
position

Council Member Butler stated this item might be premature for Council discussion. He informed the Lodging Tax Advisory Committee met and wants this position, but there was a Council committee formed and they have not met yet.

Motion by Council Member Olson, seconded by Council Member Bateman to table this item until January. Motion carried unanimously. Council Member Webb absent.

Items from the
Audience

Litter. Fred Thomson commented he has seen a lot of litter around Ahtanum Road and Valley Mall Boulevard and suggested having community service people clean up the litter.

Brooklyn Baseball Club. The City Attorney informed Rich Lindros from the Brooklyn Baseball Club is present tonight if the Council has any questions of him. The City Attorney also explained he finalized the agreement for use of Cahalan park today and distributed it to Council in hopes of passage on December 10th.

Motion to Add
Discussion of Budgeted
Expenditures to the
Agenda

Motion by Council Member Olson, seconded by Council Member Wentz to add discussion of budgeted expenditures to tonight's agenda. Motion carried unanimously. Council Member Webb absent.

Council Member Olson stated he would like an ordinance stating that budgeted expenditures over \$2,000 come back to the Council for approval prior to the money being expended.

Mayor Reeves questioned the legality of such an ordinance.

The City Attorney informed staff can report to the Council on expenditures.

Mayor Reeves questioned if the Council can require staff to obtain approval a

second time once the item is approved in the budget.

The City Attorney stated once the items are approved in the budget the Council cannot require another approval to spend the money, but the staff can report to the Council as to when the money is being expended.

The Public Works Director informed staff has been notifying Council except on items such as maintenance, repairs, and operating supplies. He stated large vehicle bids have come back to the Council with an explanation before they have been purchased.

Council Member Wentz stated a \$2,000 limit would cause undue delays.

Council Member Vanover stated it should only apply to Capital Expenditures.

Council Member Lemon questioned if this would be for permission or just a report.

Council Member Olson stated it would be a report, and as a courtesy show the bids and get Council permission to spend the money.

The Public Works Director stated a lot of items brought to the Council do not arrive for several months.

Council Member Olson requested this item be added to the December 10th Council meeting.

Add to the Agenda –
Longfibre Road Bids

Motion by Council Member Wentz, seconded by Council Member Olson to add Longfibre Road bids to this agenda. Motion carried unanimously. Council Member Webb absent.

Motion by Council Member Olson, seconded by Council Member Wentz to advertise for bids for Longfibre Road Improvement Project as soon as all the paperwork is in place. Motion carried unanimously. Council Member Webb absent.

Departmental Reports

Mayor Reeves informed the following reports are in the packet and questioned if the Council has any questions of the departments: Public Works Department Status Report – October 2007; Police Department Status Report – October 2007; New Businesses Report – October/November 2007; and agenda for December 10th Council meeting.

Communications/
Questions/Comments

Valley Mall Boulevard Project. Council Member Olson questioned the status of the Valley Mall Boulevard project.

The Public Works Director informed Washington State Department of Transportation (DOT) reviewed the files and certified the right-of-way with three items to be resolved. One issue is an agreement with the Federal Aviation Administration (FAA) for two parcels and the other issue is the relocation of one property owner to a new mobile home. He informed the letter of understanding with FAA is in Olympia being reviewed and the mobile home is set up and the property owner should be moving soon.

Mayor Reeves informed he spent one and a half hours at the Airport last Wednesday trying to call the FAA representative and was never able to reach her.

Adjournment

At 8:49 p.m., Mayor Reeves adjourned the Regular Council meeting.

These minutes dated November 26, 2007 were approved at the Regular Council Meeting of December 10, 2007.

Aubrey C. Reeves, Jr., Mayor

ATTEST:

Kathryn Thompson, CMC, City Clerk