

UNION GAP CITY COUNCIL REGULAR MEETING
Council Chambers, City Hall
Union Gap, Washington
September 28, 2009

- Call to Order Mayor Lemon called the Regular Meeting of the Union Gap City Council to order at 7:02 p.m.
- Council Members Present Council Members Dave Butler, Dan Olson, 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 Michael & Stephanie Murr, Debbie Matson, Fred Thomson, Ray Kempf, Delta Vincent, Mark Carney, Lewis Beddoe, Joe & Linda Jackson, Janice Easter, Jack & Lodia Galloway, Wayne Wantland, Rande Van Luven, Aubrey Reeves, Joe Walsh, Erin Snelgrove, and others were present.
- Pledge of Allegiance Council Member Wentz led the Pledge of Allegiance.
- Special Award Presentation Mayor Lemon presented a certificate to Dennis Henne, Public Works Director for Ron Phillips, Public Works Maintenance, for 20 years of service to the City.
- 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 September 14, 2009, as sent out on pages 4970 through 4976 of the Minute Book.
- Approve Petty Cash Check Nos. 1570 through 1571, issued and paid in the month of August, in the amount of \$1,413.52.
- Approve Municipal Court Check No. 3235, issued and paid in the month of August, in the amount of \$54,038.24.
- Approve Advanced Travel Check No. 1075, issued and paid in the month of August, in the amount of \$116.51.
- Approve Treasurer's Check No. 10207, issued and paid in the month of August, in the amount of \$606.77.
- Approve Claim Voucher Nos. 75505 through 75581, in the amount of \$200,064.09 dated September 28, 2009 and transfer from the operating funds to the Claims Fund.
- Adopt and Publish Ordinance No. 2638, An Ordinance amending the 2009 Budget authorizing an expenditure of \$25,000 from the Convention Center Reserve Fund (107) for State Fair Park.
- Adopt and Publish Ordinance No. 2639, An Ordinance amending the 2009 Budget authorizing an expenditure of \$50,000 from the Sewer Fund (403) for expenses relating to the Washington State Department of Ecology Phase II Stormwater Pass-Through Grant Program.
- Adopt Resolution No. 819, A Resolution authorizing the Mayor to sign a Local Agency Standard Consultant Agreement with Kittelson & Associates, Inc. for engineering services related to the W. Ahtanum School Crossing Pedestrian Traffic and Sidewalk Improvements project.

Set public hearing regarding property taxes and other revenue sources for Monday, November 9, 2009 at 7:00 p.m.

Set public hearing for the 2010 Preliminary Budget for Monday, November 9, 2009 at 7:00 p.m.

Motion carried unanimously; Council Members Bateman and Vanover absent.

Ordinance No. 2640 –
Amending Municipal
Code – Sound
Equipment Within
Motor Vehicles

Mayor Lemon informed this ordinance amends the Municipal Code relating to audio and stereo equipment installed within motor vehicles. Persons violating the ordinance will be cited with a traffic infraction of \$250.00.

Motion by Council Member Wentz, seconded by Council Member Murr to adopt and publish Ordinance No. 2640, An Ordinance adding sections to the Union Gap Municipal Code, Chapter 9.08 “Driving Regulations” relating to the operation of sound equipment within motor vehicles; deleting Section 9.08.040 relating to penalties and adding a new section on penalties; providing for severability; and, establishing an effective date.

Council Member Olson questioned the 50 foot provision and stated many times windows are vibrating with the vehicle 300 feet away.

The City Attorney explained the ordinance provision is 50 feet or farther.

Mayor Lemon questioned when this ordinance would be effective.

The City Clerk stated 5 days after publication, and the ordinance will be published Friday.

Mayor Lemon called for a vote on the motion to adopt and publish Ordinance No. 2640, An Ordinance adding sections to the Union Gap Municipal Code, Chapter 9.08 “Driving Regulations” relating to the operation of sound equipment within motor vehicles; deleting Section 9.08.040 relating to penalties and adding a new section on penalties; providing for severability; and, establishing an effective date. Motion carried unanimously; Council Members Bateman and Vanover absent.

Rande Van Luven informed he has lived here for many years and hopes to retire here and feels this ordinance is long overdue. He read a statement into the record explaining that this is the greatest intrusion of privacy and it is time the intrusive music is stopped. He clarified this ordinance has a \$250.00 fine with zero tolerance.

Ray Kempf informed he lives across the street from Loudon Park and often people park their cars with the doors open and play their loud music. He thanked the Council for passing this ordinance and informed noise from street pipes is also a problem.

Jack Galloway informed he agrees with the previous comments and stated for some reason he lives on a street that boom cars like to cruise down. He stated he has heard the noise in his home 300 feet away. He stated this type of sound is also associated with criminal activity and it is now up to the Police Department to take care of business and enforce this ordinance.

Resolution No. 820 – In
Memory of Walter G.
Rippee

Mayor Lemon informed this resolution is in memory of Walt Rippee who served as a Union Gap volunteer Fire Fighter for 30 years; served on the Union Gap City Council for 6 years; was active in the Union Gap Lions Club; and was involved with the Central Washington Agricultural Museum during its beginning. Mayor Lemon informed flowers have been sent to Mr. Rippee’s wife

also.

Motion by Council Member Wentz, seconded by Council Member Butler to adopt Resolution No. 820, A Resolution in memory of Walter G. Rippee. Motion carried unanimously; Council Members Bateman and Vanover absent.

Resolution No. 821 –
2010-2012 Police
Communications
Services Contract with
City of Yakima

Motion by Council Member Wentz, seconded by Council Member Butler to adopt Resolution No. 821, A Resolution authorizing the Mayor to sign a Police Communications Services Contract with the City of Yakima for 2010-2012. Motion carried unanimously; Council Members Bateman and Vanover absent.

Council Member Butler questioned why the contract is for three years instead of one year.

The Police Chief informed the contract gives the figures for 2010 with increases for the next two years. He stated the City Attorney reviewed the contracts and this is the same contract the Fire Department recently presented.

Resolution No. 822 –
Police Information
Systems Services
Agreement with City of
Yakima

Motion by Council Member Wentz, seconded by Council Member Butler to adopt Resolution No. 822, A Resolution authorizing the Mayor to sign an Information Systems Services Agreement with the City of Yakima. Motion carried unanimously; Council Members Bateman and Vanover absent.

Resolution No. 823 –
Police Communications
Equipment Repair and
Maintenance Services
Agreement with City of
Yakima

Motion by Council Member Wentz, seconded by Council Member Butler to adopt Resolution No. 823, A Resolution authorizing the Mayor to sign a Communications Equipment Repair and Maintenance Services Agreement with the City of Yakima. Motion carried unanimously; Council Members Bateman and Vanover absent.

Valley Mall Blvd./ I-82
Interchange
Roundabout
Landscaping

The Public Works Director explained it is desirable to have landscaping in the roundabouts that provides sight obstruction by using tall grass, signs, etc. He stated this proposal is to place a wagon like the one by Miner's at the South Rudkin Road roundabout. He stated a covered wagon would be ideal because it goes with the City's logo and theme, but these wagons are not covered wagons.

Council Member Wentz questioned if it is possible to get canvas and cover one of the wagons.

The Public Works Director stated yes, and informed a cover could be made.

Council Member Wentz questioned if there will be barriers to keep a vehicle from destroying the wagon, if a genuine antique is used.

The Public Works Director stated it will sit up in the air about 4 feet on a mound. He informed another alternative might be to use a piece of iron equipment like the one located at the AM/PM.

Council Member Butler questioned what is being placed on North Rudkin Road.

The Public Works Director informed that roundabout will have a 60 square foot sign with a large light pole to light the intersection. He also informed he found some covered wagons back east, but shipping one is expensive.

Council Member Olson stated since the Department of Transportation says this is okay, the City has a year and a half to two years to look around for something to place there. He informed there is someone in Kennewick that builds covered wagons, but they are spendy. He also recommended getting one that is acclimated to this area because one from back east will dry out when brought out

here.

The Public Works Director informed nothing will be placed at the location for about a year, but the Department of Transportation needs to know what will be going there so they can make the correct provisions. He suggested having the Department of Transportation design the roundabout for the smaller wagon and the City can change their mind later as long as nothing larger is used.

Council Member Wentz requested we use the City's newsletter to get input from the community.

Mayor Lemon informed the opposite side of the questionnaire regarding the City Hall hours can be used for suggestions.

Fred Thomson stated he believes the City logo also includes a water mill and stated there is a water mill at the Ag Museum.

Motion by Council Member Wentz, seconded by Council Member Butler to declare the 1985 Darley Fire Engine surplus and authorize the money from the sale to be placed in the apparatus replacement account. Motion carried unanimously; Council Members Bateman and Vanover absent.

There was no one present wishing to speak.

Declare Surplus and
Authorize Sale of 1985
Darley Fire Engine

Items from the
Audience

There were no items added to the draft October 12th agenda.

Develop Agenda for
October 12, 2009
Council Meeting

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 - August 2009; Police Department Status Report – August 2009; New Businesses Report – August/September 2009; Fire Department Status Report – August 2009; and Tax Revenue Report – August 2009.

Council Member Wentz questioned if the revenues are still down overall by 7 percent.

The City Treasurer stated yes, the revenues are still down 7 percent.

Council Member Butler questioned where the swift water rescue was.

The Fire Chief stated the swift water rescue was in the Yakima River. He informed our career fire fighters are part of a technical rescue team made up of seven area agencies.

There were no Council Communications/Questions/Comments.

Communications/
Questions/Comments

Flood Hazard Protection. Council Member Olson stated Joe Walsh, Central Washington Home Builders Association (CWHBA), is present and may wish to speak.

Mr. Walsh stated he understood the Council discussed a flood hazard ordinance at the last Council meeting. He stated he would like to offer some information, and distributed a handout.

Council Member Wentz informed the ordinance was tabled at the last meeting.

Mayor Lemon stated the ordinance will be on the next agenda.

Mr. Walsh stated the International Building Codes adopted by the State and Union Gap establishes the minimum construction standards within a floodplain and these codes have been developed in the interest of providing for the basic health and safety needs of all citizens. The Federal Emergency Management Agency (FEMA) recognizes these codes. Under today's code, local residential construction practices generally put the actual lowest floor of a home 8 to 12 inches above the Base Flood Elevation (BFE). He also informed FEMA has provided cost data that could be incorporated into a trifold two sided handout to help citizens understand the cost considerations. He stated to add a foot to the height of the foundation for the average single-family home is \$4,831. If this is amortized out over 30 years at a 5.5% interest rate, the actual cost would be \$9,875.

The Development Coordinator informed FEMA is recommending one foot above the BFE and FEMA insurance rates are for one foot increments so anything less than one foot does not lower insurance rates. He stated homes built at the level of flood could get wet and suffer damage to the joists and electrical work. He explained the other reason for the one foot above BFE is that development built in a floodplain today will be okay, but over time the floodplain will increase a foot.

Council Member Wentz questioned how much of Union Gap is in the floodplain.

The Development Coordinator informed there are about 40 homes currently in the floodplain, but there is a proposed annexation to the west that would add substantially more area. He also stated flood studies show that in the future there will be more homes in the floodplain.

Council Member Wentz commented adding about 4 inches to today's practice would make most homes 1 foot above the BFE.

The Development Coordinator stated that is right; and informed manufactured homes are about 1 foot above the BFE anyway.

Council Member Wentz questioned if the price provided is to raise the elevation 1 foot or 4 inches.

Mr. Walsh informed FEMA's calculations are to add one foot to the foundation which is already 8-12 inches above the BFE. He informed adding the 1 foot above the BFE will be more restrictive than the International Building Code.

The Development Coordinator informed the minimum standard right now is 0.

Council Member Wentz questioned if the International Building Code is up for review.

The Development Coordinator stated no, there is a section in the code that meets the FEMA standards, and he thinks we should keep our ordinance the same unless we change the elevation requirements.

Council Member Matson questioned what areas are in the floodplain.

The Development Coordinator informed our current floodplain areas are not very severe and most of the city is fine if structures are built away from streams. The exceptions are the Holiday Mobile Town Park and the City shops area.

Council Member Matson questioned the South Broadway area.

The Development Coordinator stated there is no floodplain issue in the South

Broadway area.

Council Member Wentz questioned the proposed annexation area.

The Development Coordinator informed there are considerable floodplain issues in the proposed annexation area.

Mayor Lemon informed this ordinance will be discussed at the next Council meeting.

Adjournment

At 7:46 p.m., Mayor Lemon adjourned the Regular Council meeting to a 60-minute Executive Session to discuss Collective Bargaining. Attending the Executive Session were the Mayor, Council Members (Council Members Bateman and Vanover absent), City Attorney, and City Treasurer.

At 8:45 p.m., Mayor Lemon announced the Executive Session was being extended another 30 minutes.

These minutes dated September 28, 2009 were approved at the Regular Council Meeting of October 12, 2009.

Jim Lemon
Mayor

ATTEST:

Kathryn Thompson, CMC
City Clerk