

UNION GAP CITY COUNCIL

SPECIAL MEETING AGENDA

TUESDAY, SEPTEMBER 6, 2016 – 6:00 P.M.

CITY HALL ANNEX, 3103 2ND STREET, UNION GAP

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

- II. CONSENT AGENDA:** There will be no separate discussion of these items unless a Council Member requests in which event the item will be removed from the Consent Agenda and considered immediately following the Consent Agenda. All items listed are considered to be routine by the Union Gap City Council and will be enacted by one motion

A. Approval of Minutes:

Regular Council Meeting Minutes, dated August 22, 2016, as attached to the Agenda and maintained in electronic format

- III. ITEMS FROM THE AUDIENCE: - First Opportunity** -The City Council will allow comments under this section on items NOT already on the agenda. Where appropriate, the public will be allowed to comment on agenda items as they are addressed during the meeting. Please signal staff or the chair if you wish to take advantage of this opportunity. Each speaker will have three (3) minutes to address the City Council. Any handouts provided must also be provided to the City Clerk and are considered a matter of public record

IV. GENERAL ITEMS

Police Department

Noise Ordinance – Draft Amendment

Public Works/Community Development

Resolution No. _____ - Notice of Intent to Annex

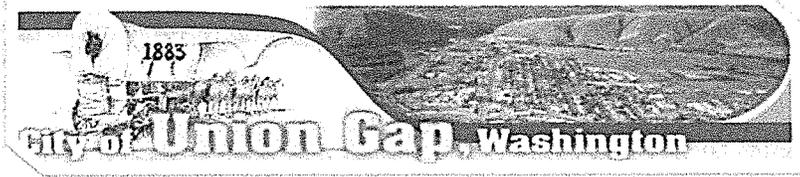
Finance & Administration

Budget Workshop Schedule for 2017 Budget

City Manager

Draft Resolution – Support of John Wayne Trail

- V. ITEMS FROM THE AUDIENCE: - Final Opportunity** - The City Council will allow comments under this section on items NOT already on the agenda. Each speaker will have three (3) minutes to address the City Council. Any handouts provided must also be provided to the City Clerk and are considered a matter of public record
- VI. CITY MANAGER REPORT**
- VII. COMMUNICATIONS/QUESTIONS/COMMENTS**
- VIII. DEVELOPMENT OF NEXT AGENDA**
- IX. ANY OTHER BUSINESS**
- X. RECESS TO 1 HOUR EXECUTIVE SESSION:**
1. To discuss litigation, pursuant to RCW 42.30.110(i)
 2. Personnel Issues pursuant to RCW 42.30.110(g)
 3. Labor Negotiations pursuant to RCW 42.30.140(4)(a)
- XI. ADJOURN REGULAR MEETING**



City Council Communication

Meeting Date: September 6, 2016

From: Gregory Cobb, Chief of Police

Topic / Issue: Noise Ordinance-Draft Amendment

SYNOPSIS: At the August 1, 2016 Public Safety Committee meeting staff advised Council on the need to modify the City's noise ordinance or amend the rental agreements at the Ahtanum Youth Park due to a conflict. Staff has prepared a draft amendment to the noise ordinance for Council's consideration.

RECOMMENDATION: Review the draft Ordinance amendment.

LEGAL REVIEW: The City Attorney has reviewed this draft ordinance.

FINANCIAL REVIEW: N/A

BACKGROUND INFORMATION: The City rents out two venues at the Youth Park for wedding receptions, Quinceañera and other events. These events typically have a DJ and music is played while attendees dance. The City has received numerous noise complaints from a residential neighborhood near the park. The current noise ordinance is at odds with the rental agreements and expectations from those who rent the venues.

ADDITIONAL OPTIONS: N/A

ATTACHMENTS: Noise Ordinance Amendment

- **8.06.090 - Unnecessary noises.**

(a)

Purpose. Inadequately controlled noise adversely affects the health, safety and welfare, the value of property, and the quality of the environment of the city of Union Gap. The purpose of this section is to provide limits for the control of noise in the city of Union Gap. The limits for the control of noise may be different than those adopted or controlled by the Washington State Department of Ecology because of unique and special conditions peculiar to the city of Union Gap.

(b)

Unnecessary Noise Prohibited. No person shall make or continue, or cause to be made or continued, nor shall any person in possession of property, make, continue, or cause to be made or continued or, to allow to originate from the property, any sound which:

(1)

Is of such a volume as to be plainly audible within any dwelling unit which is not the source of the sound, or is generated within fifty (50) feet of any dwelling unit; and

(2)

The noise disturbs, injures, or endangers the comfort, repose, health, peace or safety of others. Sound which is plainly audible is sound that can be understood or identified.

(c)

Exemptions. The following sounds are exempt from the provisions of this section:

(1)

Sounds originating from aircraft in flight and sounds that originate at airports and are directly related to flight operations;

(2)

Sounds created by safety and protective devices, such as relief valves, where noise suppression would defeat the safety release intent of the device;

(3)

Sounds created by fire alarms;

(4)

Sounds created by emergency equipment and emergency work necessary in the interest of law enforcement or, of the health, safety or welfare of the community;

(5)

Sounds created by auxiliary equipment on motor vehicles used for highway maintenance;

(6)

Sounds created by warning devices not operated continuously for more than thirty (30) minutes per incident;

(7)

Sounds created by the operation of equipment or facilities of surface carriers engaged in commerce by operating on the railroad;

(8)

Sounds created by construction or refuse removal equipment as approved by the city;

(9)

Sounds originating from officially sanctioned parades and other public events;

(10)

Sounds created by motor vehicles while being driven upon the public highways. Such motor vehicles are, nevertheless, subject to the provisions of WAC Chapter 173-62;

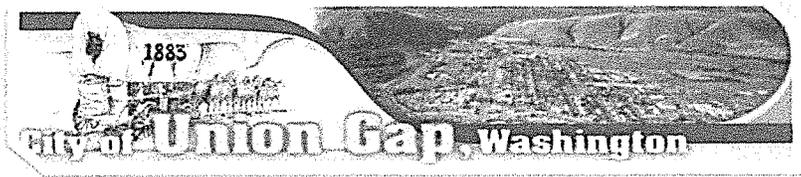
- (11) Sounds created by unamplified human voices from six a.m. to nine p.m.;
- (12) Sounds created by lawn and garden equipment from six a.m. to nine p.m.;
- (13) Sounds created by lawfully established commercial and industrial uses;
- (14) Sounds created by the noncommercial operation of chain saws from six a.m. to nine p.m.

(15) Sounds created by rental activities at the Ahtanum Youth Park Activities Building or Barn from six a.m. until 10 p.m. Sunday-Thursday and six a.m. until 12 a.m. Friday-Saturday.

The city council or its designee may, upon written application filed with the city clerk, grant a variance from the provisions of this section and authorize the issuance of a special permit for an activity when it finds that such variance is in the public interest, or when it finds the activity will have a substantial public participation.

Any person, firm or corporation who violates the provisions of this section shall be guilty of a misdemeanor, punishable by a fine not to exceed five hundred dollars (\$500.00).

(Ord. 1212, 1988; Ord. 771 § 1 (part), 1980)



City Council Communication

Meeting Date: September 6, 2016
From: David Spurlock; Dep. Director of Public Works & Community Development
Topic/Issue: Resolution - Notice of Intent to Annex

SYNOPSIS: Kwik Lok Inc. has brought a *Notice of Intent to Annex* to the City's attention and pursuant to RCW 35A.14.120, the City needs to set a public meeting and will at that time make a determination on whether:

- The City will accept the proposed annexation boundary;
- The petition will require the simultaneous adoption of a zoning classification;
- The City will require the assumption of all or any portion of the existing City indebtedness by the area to be annexed; and

RECOMMENDATION: Set public meeting date.

LEGAL REVIEW: The City attorney has reviewed.

FINANCIAL REVIEW: N/A

BACKGROUND INFORMATION:

- Proposed annexation area is within the City's adopted Urban Growth Area.

ADDITIONAL OPTIONS: N/A

ATTACHMENTS: 1. Resolution
2. Notice of Intent from Kwik lok Inc.

CITY OF UNION GAP, WASHINGTON
RESOLUTION NO. _____

A **RESOLUTION** setting a public meeting on Kwik Lok Inc. annexation request.

WHEREAS, Kwik Lok Inc. has brought a Notice of Intent to Annex to the City's attention pursuant to RCW 35A.14.120 (petition method);

WHEREAS, the City Council as, a consequence desires to hold a public meeting concerning the Notice of Intent to Annex and will at that time make a determination on whether the City will accept the proposed annexation boundary; will make a determination on whether the petition will require the simultaneous adoption of a zoning classification; will make a determination on whether the City will require the assumption of all or any portion of the existing City indebtedness by the area to be annexed, and will make a determination on whether a Development Agreement, pursuant to RCW 36.70b.170, will be required;

WHEREAS, following that public meeting and, if the City Council accepts of the Notice of Intent to Annex, the Petitioner will be required to then circulate for signatures a Petition for Annexation which includes:

1. The legal description of the property to be annexed.
2. A map that outlines the boundaries of the property sought to be annexed.
3. A statement that the City has required the assumption of all or any portion of existing City indebtedness and/or the adoption of a zoning classification for the area to be annexed.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNION GAP, WASHINGTON, HEREBY RESOLVES as follows:

A public meeting is scheduled for Monday, September 12, 2016 at 6:00 p.m. for the City Council to consider whether to accept the Notice of Intent to Annex and whether the provisions set forth above have been or will be addressed. If the Notice of Intent to Annex is accepted, then a Petition for Annexation will be circulated.

Notice of the public meeting shall be published in the Yakima Herald-Republic, which is the newspaper of general circulation in the City.

PASSED this 6th day of September, 2016.

Roger Wentz, Mayor

ATTEST:

APPROVED AS TO FORM:

Karen Clifton, City Clerk

Bronson Brown, City Attorney



Kwik Lok® CORPORATION

EXECUTIVE OFFICE P.O. BOX 9548 YAKIMA, WA 98909
TELEPHONE: (509) 248-4770 FAX: (509) 457-6531
Internet: www.kwiklok.com

May 3, 2016

City of Union Gap
P.O. Box 3008
Union Gap, WA 98903-0008

Attn: Dave Spurlock
Deputy Director of Public Works and Community Development

Re: Annexation of Kwik Lok/SKM Paxton property into the City of Union Gap

Dear Mr. Spurlock:

Kwik Lok Corp. and SKM Paxton, LLC currently own a total of three parcels of land along the South 16th Avenue, Union Gap, WA. Although all adjacent property to the north, east and west currently reside within the City, our property has not been annexed. We are requesting the following parcels be annexed into the City of Union Gap:

Kwik Lok Corp. Parcel 181202-42005, 2712 S. 16th Ave., Union Gap, WA 98903, 5.21 Acres

SKM Paxton, LLC Parcel 181202-42006, 2800 S. 16th Ave., Union Gap, WA 98903, 1.7 Acres

SKM Paxton, LLC Parcel 181202-42007, S. 16th Ave./Lower Ahtanum Rd., Union Gap, WA 98903, 77.21 Acres

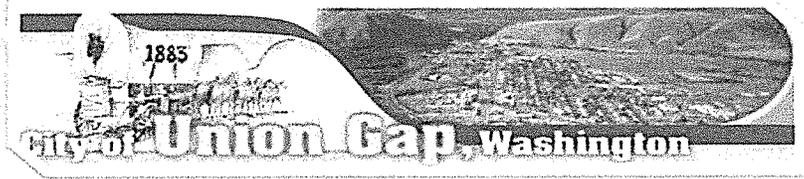
This annexation would be beneficial for Kwik Lok/SKM Paxton as the intent is to develop the property as a mixture of residential and commercial developments. The future development will benefit the City of Union Gap by providing an increase in tax base, as well as our property will need to be serviced by City utilities. Our parcels are surrounded by City property, some of which is already serviced by City utilities crossing our property. Another benefit with this annexation would be the uniformity of coverage for emergency services, such as police, EMS, and fire department.

Thank you for your consideration of our annexation request. We hope you agree this annexation would be a benefit to the City of Union Gap and that you approve our request.

Sincerely,

John K. Rothenbueler
President / CEO
Kwik Lok Corporation

John K. Rothenbueler
Manager
SKM Paxton, LLC



City Council Communication

Meeting Date: September 6, 2016
From: Karen Clifton, Director of Finance and Administration
Topic/Issue: Budget Workshop Schedule for 2017 Budget

SYNOPSIS: Attached is a schedule of the statutory deadlines for the 2017 budget, as well as the actual dates of the budget items. There are 3 budget workshops planned for the upcoming meetings as follows:

1. October 3rd Committee Meeting:
 - Police 2017 Budget presented
 - Finance & Administration 2017 Budget presented
2. October 10th Council Meeting:
 - Public Works & Community Development budget presented
 - 2017 Proposed revenues presented
3. October 17th Committee Meeting:
 - Budget Message and Preliminary budget presented to Council

RECOMMENDATION: Information only.

LEGAL REVIEW: N/A

FINANCIAL REVIEW: N/A

BACKGROUND INFORMATION: N/A

ADDITIONAL OPTIONS: N/A

ATTACHMENTS: 2017 Budget Dates

2017 Budget Dates

Required Due Date	Actual Date	Requirement
September 12	August 15	Call to Budget
September 26	August 26	Completed Departmental Budgets Due to Treasurer
October 3	September 7 September 8 September 9	Manager and Finance/Administration Director meet with directors to go over their departmental budgets 9:00 a.m. Finance & Administration 1:00 p.m. Public Works & Community Development 9:00 a.m. Police Department
October 3rd	October 3	Estimates and projections presented to Council Workshop - Police and Finance & Administration Departmental Budgets to Council
October 1 - 31	October 10	Public Hearing on revenue sources including possible increases in property tax Public Hearing - Property Tax Workshop - Public Works & Community Development and 2017 proposed revenues to Council
November 2	October 17	Preliminary budget and message presented to Council Workshop - Budget Message/Prelim. Budget to Council
November 2 - 15	October 24 November 9 November 9 November 14	Publish notice of preliminary budget and final hearing 1st notice of preliminary budget public hearing 2nd notice of preliminary budget public hearing 1st notice of final budget public hearing 2nd notice of final budget public hearing
November 2 - 29	November 14	Public hearing - Preliminary Budget
November 18	November 14	Copies of preliminary budget available to public Budget provided to Council and available to public
November 30	October 10	Property tax levies set and filed with County Property tax ordinance passed and filed with County
December 5	November 28	Public Hearing - Final Budget
December 31	December 12	Adoption of budget



City Council Communication

Meeting Date: September 6, 2016
From: Arlene Fisher – City Manager
Topic/Issue: Draft Resolution – John Wayne Trail

SYNOPSIS: We received a request from Ted Blaszak, from the *Friends of the John Wayne Trail* asking the Council to pass a resolution in support of the John Wayne Trail.

RECOMMENDATION: Discuss preparing a resolution in support of the John Wayne Trail.

LEGAL REVIEW: N/A

FINANCIAL REVIEW: N/A

BACKGROUND INFORMATION: N/A

ADDITIONAL OPTIONS: N/A

ATTACHMENTS: N/A

CONSENT AGENDA

UNION GAP CITY COUNCIL REGULAR MEETING
UNION GAP COUNCIL CHAMBERS
Union Gap, Washington
August 22, 2016 Regular Meeting
MINUTES

Call to Order Mayor Wentz called the Regular Meeting of the Union Gap City Council to order at 6:00 p.m.

Council Members Present Council Members Lenz, Carney, Olson, Matson and Schilling were present.

Staff Present City Attorney Brown, City Manager Fisher-Maurer, Police Chief Cobb, Deputy Clerk Treasurer Bisconer, Public Works/Community Development Director Henne, Deputy Public Works/Community Development Director Spurlock and Fire Chief Stewart were present.

Audience Present See attached list.

Pledge of Allegiance Deputy Mayor Schilling led the Pledge of Allegiance.

Excuse Council Member Motion by Council Member Olson, second by Council Member Carney to excuse Council Member Butler. Motion carried unanimously.

Consent Agenda Motion by Council Member Carney, second by Council Member Lenz to approve the consent agenda as follows:

Regular Council Meeting Minutes, dated August 8, 2016, as attached to the Agenda and maintained in electronic format.

Payroll Vouchers – EFT’s and Voucher Nos. 41539 through 41543, and 92966 through 92977 for July, 2016, in the amount of \$368,823.60.

Claims Vouchers – EFT’s and Voucher Nos. 92964, 92965, and 92978 through 93075 for August 22, 2016, in the amount of \$417,351.09.

Petty Cash Vouchers – Check No. 1849 for the month of July, in the amount of \$310.00.

Resolution No. 16-43 – Establishing City Manager Retirement Plan.

Motion carried unanimously.

CITY OF UNION GAP REGULAR COUNCIL MEETING MINUTES – August 22, 2016

Items from the Audience Darin Clark from Entertainment Plus Disc Jockey Services discussed the noise ordinance as it relates to Union Gap parks.

General Items

Employee Recognition City Manager Arlene Fisher presented Chief Cobb a plaque for extraordinary service as the Interim City Manager.

Public Works/Community Development Motion by Council Member Carney, second by Deputy Mayor Schilling to approve Resolution No. 16-44 authorizing the City Manager to sign HLA Task Order 2016-05 for the City Hall Sanitary Sewer Relocation Project. Motion carried unanimously.

Legislative City Manager Fisher-Maurer reminded that the City Council Committee meeting will be on Tuesday, September 6, 2016 due to the Labor Day holiday.

Items from the Audience None.

City Manager Report City Manager Fisher-Maurer stated that she has had outreach meetings with the Agricultural Museum; Master Gardeners; District Court Judges; Larry Matson of YVCOG; Yakima City Manager, Cliff Moore; and also attended the Union Gap School board meeting.

Manager Fisher-Maurer gave an update on the annual State audit, the Council IPADs; the Longfibre Road Extension Project, and the Skatepark project.

Recess to 15 – Minutes Executive Session At 6:42 p.m. Mayor Wentz announced a 15 minute executive session to discuss litigation pursuant to RCW 42.30.110(i); Mayor Wentz, Council Members, City Manager Fisher-Maurer, Director of Public Works & Community Development, and City Attorney Brown attended. Mayor Wentz reconvened at 6:57 p.m.

Adjourn Mayor Wentz adjourned the August 22, 2016 Regular Council Meeting at 6:57 p.m.

Arlene Fisher-Maurer, City Manager

ATTEST:

Karen Clifton, City Clerk

