

UNION GAP CITY COUNCIL REGULAR MEETING
UNION GAP COUNCIL CHAMBERS
Union Gap, Washington
June 12, 2023, Regular Meeting
MINUTES

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

Council Members Present Council Members Wentz, Galloway, Schilling, and Dailey were present.

Staff Present City Manager Bounds, City Attorney Foltz, Fire Chief Markham, Civil Engineer Dominquez, Finance and Administration Director Clifton were present.

Audience Present See attached list.

Pledge of Allegiance Council Member Dailey led the pledge of allegiance.

Excuse Council Member Motion by Council Member Schilling, second by Council Member Dailey to excuse Council Member Hansen. Motion carried unanimously.

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

Regular Council Meeting Minutes dated May 22, 2023, as attached to the agenda and maintained in electronic format.

Payroll Vouchers – EFT’s, and Voucher No. 106651 through 106657 for the Month of May 2023, in the amount of \$458,302.09.

Claims Vouchers – EFT’s, and Voucher No. 106562 through 106563 and Voucher Nos. 106565 through 106650 for June 12, 2023, in the amount of \$938,996.32.

Council Member Schilling asked what the check issued to Dave Hansen was for, which was listed in the claims vouchers, and where it was being mailed, because Council Member Hansen did not know what it was for. Finance and Administration Director Clifton replied that it was a water deposit refund, was not sure where it was being sent, but will check. Clifton also added that it would not be mailed

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until the following day. Clifton will talk with Schilling after the meeting to get the correct mailing address.

Motion carried unanimously.

General Items

Public Works & Community
Development

Ordinance No. – 3407 –
Amending UGMC Section
5.04.110 Classification –
Collection – Fees, and
section 5.04.112 Annual
Rate Increase

Motion by Council Member Wentz, second by Council Member Galloway to adopt Ordinance No. – 3047 – amending Union Gap Municipal Code section 5.04.110 Classification-Collection-Fees, and section 5.04.112 Annual Rate Increase. Council Member Schilling complimented staff on the fuel assessment not being permanent, and it will adjusted when possible. City Manager Bounds agreed. Motion carried unanimously.

Resolution No. – 23-32 – Set
Public Hearing; Six Year
Transit Development Plan
2024-2029

Motion by Council Member Wentz, second by Council Member Galloway to approve Resolution - No. – 23-32 – setting a public hearing regarding the Six Year Transit Development Plan 2024-2029, for July 10, 2023 at 6:00 p.m. to receive public testimony. Motion carried unanimously.

City Manager

Ordinance No. – 3408 –
2023 Budget Amendment –
Lodging Tax Advisory
Committee (LTAC) –
Yakima Airport Contribution

Motion by Council Member Wentz, second by Council Member Galloway to adopt Ordinance No. – 3048 – amending the 2023 budget authorizing an expenditure of \$7,500 from the Lodging Tax Fund (107), for a contribution to the Yakima Airport, to obtain additional flights in Yakima. Council Member Schilling asked if it was a one-time amendment. Mayor Hodkinson replied that it was. Motion carried unanimously.

Discussion – The current
Council Vacancy and
Information About
Residency Requirements

City Manager Bounds distributed a memo regarding Council Member residency requirements. Bounds explained what has been done with Council Member Murr’s vacated position; a term scheduled to end in 2025. The vacant position has been advertised in the newspaper, and on the City’s website. The applications are available at the City Hall front counter. The plan is that anyone who applies will come to the June 26th, 2023 Council meeting, going through the interview process, so the Council can make a selection.

City Attorney Foltz explained that residency is defined in the law, and states that the residential address provided must identify the actual physical residence of the voter, it is a person’s permanent address

where he or she physically resides and maintains his or her abode. Foltz then stated that there are limited exceptions, primarily where you would have to be away from your residence. For example, if you were injured and you had to be at a short-term rehabilitative facility. The general idea is this should be where you live the majority of the time, where you are in tune with the needs of your constituents. If there are more questions, she could do more study on case law. Council Member Schilling gave an example of another City's Council Member losing his residence, and asked since it was temporary, how does the law read. City Manager Bounds stated that she had a discussion with County Auditor, Charles Ross, who said the law is not clear on it, but there are examples on their website if someone wants to challenge residency. Ross will send a link if someone wants more information and any paperwork would have to be submitted to their office. Council Member Galloway stated that since he has been a snow bird for 17 years, because he was returning to his residency, he maintained utility services throughout the year. However, if you are gone, and shut all of those things off, you have probably vacated. Council Member Schilling asked how long Galloway would be gone. He replied five months. City attorney Foltz stated that she would like to make clear that it is not necessarily the City's obligation to ferret this out, but the risk is, if it becomes obvious that someone does not live within the jurisdictional limits, the victim of that conduct is the citizens. It is not entirely clear from the statute; it is related to the vote. There would have to be a challenge to a person's legal voting status. If it was determined that they did not meet the residency requirements, there is an additional procedure if they do not voluntarily leave Council at that time. Foltz explained that the discussion was not to suggest that action needed to be taken, but to be clear about actions that could be taken by others. Council Member Wentz stated that he felt that the law says you need to be a resident, if you move out of town and are not likely to return, the law would encourage you to use good judgement and step away. Foltz stated that the Council could consider it a violation of the *Council Code of Ethics*, which she would research further if directed. The Council did not make a recommendation.

Council Member Dailey asked about the timeframe for the vacant Council position. Bounds replied that the applications must be submitted by the 20th, with interviews the following Monday June 26th.

Items from the Audience

None.

City Manager Report

Bounds stated that she was working on the language access plan, and

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was able to get our website updated with a translation button that translates it to Spanish, with the exception of any PDF documents that are attached.

Communications/Questions/
Comments

Council Member Galloway requested adding striping on 2nd Street and Franklin. City Engineer Dominguez stated that due to budget constraints they were not able to do as much this year as they had hoped, but they are in the process of advertising for the following season.

Council Member Schilling asked if there is anything that can be done about all of the accidents on Valley Mall Blvd. City Engineer Dominguez replied that there are studies currently being done by WSDOT to see what options there are to resolve the issue.

Development of next
Agenda

None.

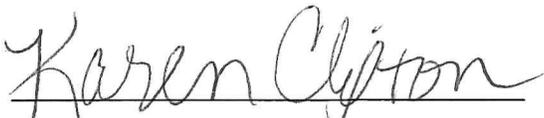
Adjournment of Meeting

Mayor Hodkinson adjourned the June 12, 2023 regular Council Meeting at 6:25 p.m.



Sharon Bounds, City Manager

ATTEST:



Karen Clifton, City Clerk

