

City of Selah  
Council Minutes  
August 23, 2016

Regular Meeting  
Selah Council Chambers  
115 West Naches Avenue  
Selah, WA 98942

A. Call to Order Mayor Raymond called the meeting to order at 5:30pm.

B. Roll Call

Members Present: Paul Overby; Roy Sample; Laura Ritchie; Diane Underwood; Russell Carlson

Members Absent: John Tierney; Roger Bell

Staff Present: Don Wayman, City Administrator; Bob Noe, City Attorney; Jim Lange, Deputy Fire Chief; Richard Hayes, Police Chief; Joe Henne, Public Works Director; Ty Jones, Public Works Utility Supervisor; Harmit Bedi, City Planner; Dale Novobielski, Clerk/Treasurer; Dave Mullen, Recreation Manager; Bree Tait, Civic Center Manager; Andrew Potter, Human Resources Manager

C. Councilmember Absence – Motion to Excuse

**Council Member Overby moved, and Council Member Sample seconded, to excuse Council Members Tierney and Bell. By voice vote, approval was unanimous.**

D. Pledge of Allegiance

Council Member Carlson led the Pledge of Allegiance.

E. Invocation

Pastor Mark Flippin gave the prayer.

F. Agenda Changes

Mayor Raymond added a Public Appearance by Paul Nagle-McNaughton to the agenda.

G. Public Appearances/Introductions/ Presentations

1. Paul Nagle-McNaughton from Northwest Employee Assistance Program

Paul Nagle-McNaughton approached the podium and addressed the Council. He thanked them for the opportunity to address them. He explained that he had been contacted by Human Resources Manager Potter to potentially provide the City of Selah with an Employee Assistance Program (EAP). He stated that Northwest EAP was the largest local provider in the Yakima area who serviced over 8,000 employees and their families. He emphasized that they serve both small and large companies, and the services provided are for an assortment of personal challenges families may face which are generally not covered by regular medical insurance. He explained that the drafted contract was a pay per use contract and would allow a City employee to receive three consultations before being given a referral. He also mentioned that the contract would allow for them to do supervisor trainings and critical incident debriefings.

Council Member Carlson asked whether he had any marketing materials.

Mr. Nagle-McNaughton replied that he had brought some brochures and business cards. He then handed them out to the Council.

## 2. Employee Award for Outstanding Service

Mayor Raymond requested Mr. Jeff Glaspie approach the podium. She then read a letter of appreciation for his outstanding service to the City of Selah. She then asked Josh Hernandez, Katie Knox, Kyle Dexter, Aaron Pimentel, and Derek Peters to approach to podium and be recognized. She presented Mr. Glaspie with a certificate for his work and a City of Selah pin for all of his crew. She also commented on their great work at the Fourth of July Celebration and thanked Mr. Glaspie for his leadership.

H. Getting To Know Our Businesses                      **None**

I. Communications

1. Oral

Mayor Raymond opened the meeting.

Bill Harris approached the podium and addressed the Council. He emphasized that Mr. Jeff Glaspie and his crew does an incredible job at Carlon Park during softball events. He expressed his feeling that Mayor Raymond and City Administrator Wayman have both been doing a great job supporting local businesses. He then stated that Recreation Manager Mullen has also been doing a great job within the community. He said that he was confident the pool issues would get resolved and that he is excited for Selah to have a nice new pool.

Wayne Worby approached the podium and addressed the Council. He inquired whether citizens wishing to speak concerning the agenda item relating to Bill Callahan should speak now or if they would be allowed to speak later in the meeting.

Mayor Raymond explained that they would be invited to speak at that point in the meeting. Seeing no one else rise to speak, she then closed the meeting.

2. Written

a. Selah Downtown Association Monthly Report

J. Proclamations/Announcements **None**

K. Consent Agenda

**Council Member Overby moved, and Council Member Ritchie seconded, to add Resolutions N – 1 to the Consent Agenda. By voice vote, approval was unanimous.**

Human Resources Manager Potter read the Consent Agenda.

All items listed with an asterisk (\*) were considered as part of the Consent Agenda.

- \* 1. Approval of Minutes: August 9, 2016 Study Session and Council Meeting
- \* 2. Approval of Claims & Payroll:
  - Payroll Checks Nos. 79979 – 80020 for a total of \$193,485.51
  - Claim Checks Nos. 68127 – 68188 for a total of \$165,698.74
- \* 3. Resolution N – 1: Resolution Authorizing the Mayor to accept the Third Street Water Main Replacement Project between the City of Selah and P.O.W. Contracting Inc., for the 2013 DWSRF Water Systems Improvements DM13-952-130 as complete and authorize release of retainage
- \* 4. Resolution N – 2: Resolution establishing September 13, 2016 as the public hearing date to consider the adoption of the “Selah Transit Development Plan” for the Six-year Plan 2016-2021
- \* 5. Resolution N – 3: Resolution Authorizing the Mayor to sign a Service Contract with Northwest Employee Assistance Program a Division of Comprehensive Healthcare for Employee Assistance Program Services

**Council Member Ritchie moved, and Council Member Overby seconded, to approve the Consent Agenda as read. By voice vote, approval of the Consent Agenda was unanimous.**

L. Public Hearings **None**

M. General Business

1. New Business

a. City of Selah – First Street Beautification Project

Public Works Director Henne addressed M – 1a. He briefly described the scope of work that would be required to replace the grass, adjust the sprinklers, add electricity conduits, and plant trees. He stated that they are working with an electrical engineer to develop plans and that at the next council meeting he hoped to have cost estimates for the design and electrical costs. He suggested they would save money by having the Public Works crew plant the trees and grass themselves.

Council Member Overby inquired if the power would be metered.

Public Works Director Henne said that they are planning on having electrical pedestals that can be locked to limit their use.

City Administrator Wayman noted that they are looking to put in an underground conduit from Pleasant Avenue to Naches Avenue and that the junction boxes would provide power on the street for special events and to light the trees.

Council Member Overby asked if they discussed whether to have grass at all.

City Administrator Wayman stated that they had discussed using a combination of grass and pavers, based on areas of foot traffic and transit.

Council Member Underwood wondered what percentage of the landscaping would contain pavers.

Public Works Director said he thought about twenty percent, and that he intended to use pavers to protect the sprinkler pipes in areas that have cars driving over them.

Council Member Overby agreed that grass looked nice but was not sure if it served much purpose beyond that. He wondered if the watering and maintenance costs had been evaluated.

Mayor Raymond said that the grass softens the appearance.

Council Member Overby stated that the City of Yakima does not have grass in their downtown, but has used other methods to soften the look of their streets.

Council Member Sample inquired if the trees were going to be a uniform species.

Public Works Director Henne replied in the affirmative.

Council Member Sample asked how much of the stretch was going to have power.

Public Works Director Henne explained that the entire stretch would have electrical and trees throughout.

Council Member Sample wondered if their proposal included large planted boxes designed like apple boxes.

Mayor Raymond stated that they were talking about doing something different from that.

Council Member Sample inquired if they would be running electrical across the street.

Public Works Director Henne responded that they will be running power across Yakima Avenue and will need to use a transformer. He said the other section they will need to run across would be Valleyview, noting the cost related to replacing the transformers and that they could provide power for two blocks.

City Administrator Wayman described the possible funding sources for this project as Fund 310, the Property Reserve Fund, as well as some from both Transit and Solid Waste.

Council Member Underwood asked if there would be power provided in front of the Civic Center.

Public Works Director Henne replied that the power pedestals would run from the North side of the Civic Center to Pingrey Ford, but they would look at putting in electrical outlets when they paved the Civic Center parking lot.

City Administrator Wayman remarked that it was something to consider and that it was not off the table of options.

### 3. Old Business

#### a. Approval to Remove Selah Parks and Leisure Services Board Member

City Administrator Wayman recommended that each citizen be given two minutes to voice their thoughts, and then allow Mr. Callahan to speak, and finally the staff would make their statements.

Mayor Raymond confirmed that they would follow this order and extended the time limit to four minutes.

Leslie Brown approached the podium and addressed the Council. She stated that she was here to support Mr. Callahan and she worried that dismissing him would be sending the wrong message to current and future volunteers. She then read a portion of the city website encouraging people to get involved in the city and finished by encouraging Mayor Raymond to take a step back from the situation and evaluate the impact this would have.

Amy Ozanich approached the podium and addressed the Council. She explained that Selah is a small town and everyone is interconnected with many local interests. She said that she was part of the Selah PTO and has personally seen that it can be hard to find dedicated volunteers. She felt that someone who is a dedicated volunteer should not be removed for his or her personal comments.

Wayne Worby approached the podium and addressed the Council. He felt that the issue the Council was dealing with was based on a conflict of interest. He then went on to give several examples of previous conflicts of interest, including Carl Torkelson, City Administrator Wayman, and Dave Smeback, which he felt were not dealt with impartially. He then referred to a section of one of the Facebook posts by Mr. Callahan referring to City Administrator Wayman as a carpetbagger, suggesting that the statement was accurate based on the definition of carpetbagger from the dictionary.

Kelly Blakney approached the podium and addressed the Council. She said she was there to vouch for Mr. Callahan's character and felt that Mr. Callahan was someone you could count on. She gave an example of Mr. Callahan's effort in organizing the 2013 swim championships here in Selah, which brought many people to the city to support the businesses. She noted that Mr. Callahan supports many different activities and is a volunteer you can count on.

Jessica Cavanaugh approached the podium and addressed the Council. She said she knew Mr. Callahan through the Selah Dolphins Swim Team. She acknowledged that some of the things Mr. Callahan posted on Facebook might have alarmed the Council. She explained that Mr. Callahan was on the original Parks and Recreation board that surveyed the community about what they wanted to have in their city. She remarked that he worked hard on that survey and likely has strong opinions because of that, and that he should be allowed to communicate those opinions.

Eric Neumeier approached the podium and addressed the Council. He stated that he was also a Board Member on the Parks and Leisure Board. He suggested that one of the most consistent things in Selah have been the members of that board, as they have seen several Mayors, Council Members, and Recreation Directors come and go but that the board has been consistent. He encouraged the City Staff and Council to work together with the Board.

Miles Blakney approached the podium and addressed the Council. He referred to Mr. Callahan's character as both hardworking and passionate, and thought that some of the comments Mr. Callahan has made may have been because of that passion.

Brad Smith approached the podium and addressed the Council. He said he was concerned about the City censoring people. He also reminded the Council Members that they ran so that things that have happened previously would not continue to happen.

Mr. Callahan approached the podium and addressed the Council. He thanked those that spoke on his behalf and reminded the Council that they live in a representative form of government where they are each entitled to their own opinions. He then requested a severance package of one hundred eighty-four thousand, two hundred ninety-seven dollars and fifty cents if he was fired.

City Administrator Wayman encouraged the removal of Mr. Callahan from the Parks and Leisure Services Board by reading the staff recommendation from the AIS in the Council packet.

Council Member Overby asked if Mr. Callahan had a desire to stay on the board, if he was allowed to do so.

Mr. Callahan responded that he was willing to stay because the Board Members have been there longer than some of the staff, and he would like to help inform them about decisions.

Council Member Ritchie felt that Mr. Callahan would not be an effective advisor to the City Administrator.

Mr. Callahan agreed that he would not be an effective advisor if the City Administrator could not professionally receive opinionated comments.

Council Member Underwood inquired when the presented materials were prepared.

City Administrator Wayman explained that it was an extract from the current municipal code and had not been revised.

Council Member Sample felt that Mr. Callahan's remarks on social media were very disrespectful. He said that this position was by appointment by the Mayor of the City and has the right to fire a board member without cause.

Council Member Carlson expressed that the most important concern is Mr. Callahan's ability to make impartial recommendations. He asked Mr. Callahan if he felt he could remain impartial.

Mr. Callahan felt that opinions could not, by their nature, be impartial. He said however that he does have the ability to remain neutral and consider all recreation programs.

Council Member Carlson wondered whether there was much difference in the passion used by Mr. Callahan in comparison to City Administrator Wayman. He clarified that he had seen several emails from Mr. Callahan, regarding being invited to the Council Meeting, which he considered rude.

Mr. Callahan said that what he wrote was not rude and felt that his government should be held accountable to invite him in advance.

Council Member Carlson invited Mr. Callahan to read the emails being discussed.

Mr. Callahan read the email responses that he wrote.

Council Member Carlson asked if he thought his comments were rude.

Mr. Callahan replied in the negative.

Council Member Carlson stated that, whether a person is being paid or not, there are ways to resolve issues on both sides without the rude comments. He emphasized that there are discussions going on with staff members about how to hold conversations with the public.

Mayor Raymond said that the real issue is about her confidence with Mr. Callahan serving on the Parks Board while posting untruths on social media. She reminded Mr. Callahan that in a small town, many people believe the things that you write on social media, and some of the things he said were untrue. She posed a question to the Council as to whether he was going to remain on the board or not.

Council Member Underwood reminded her fellow Council Members that the City does not have a policy regarding social media.

Mayor Raymond reminded her that the policy does allow her to remove Mr. Callahan without cause, with Council approval.

Council Member Underwood replied that she would have liked to receive an email before the Mayor sent a letter to Mr. Callahan. She commented that people have topics that they are passionate about, and that sometimes people's passions override their rationale, but everyone deserves a second chance, and that applies to the people they work with.

Council Member Ritchie said that she had not wanted Mr. Callahan to come present to Council because of what other volunteers might infer from him being fired. She felt that there is a way to voice opinions in a respectful manner even if sometimes they agree to disagree. She continued by saying that they would get nothing done if she posted her concerns directly to social media instead of working those concerns out. She encouraged Mr. Callahan to get answers to his questions without posting on social media. She emphasized her desire to have a social media policy, noting that the City Council still has to approve Mayor Raymond's decision. She doubted that Mr. Callahan could be an effective board member because of the rude comments that he made during the meeting, but felt that the Mayor should have met with him prior to sending a letter dismissing him. She finished by encouraging Mr. Callahan to meet with the Mayor and City Administrator in the future if he had concerns about the way they were handling things.

Council Member Carlson expressed some thoughts on free speech, saying that, even though they are all entitled to their opinions, there are often consequences to sharing those opinions. He opined that Mr. Callahan's rudeness and vindictiveness is an example of his inability to be impartial. He reiterated that no matter where these comments came from, they have affected people's lives. He wished that the community goal was to build others up and work together.

Council Member Overby expressed his opinion that the management of social media is a widespread concern. He remarked that they could not hold volunteers accountable for the things they share with their friends at social engagements. He opined that the reach of their comments made on social media should not be the qualifying factor that they use. He reminded the Council that there were decorum expectations for Council Members, but there was not a policy about decorum for board members. He suggested that it would be a difficult precedent to set to use social media comments against city employees because of their personal beliefs.

Council Member Underwood stated that her comments on social media prior to being a councilwoman were used against her.

Council Member Overby clarified that the reason her comments were used against her was because Council Members sit in a quasi-judicial manner.

**Council Member Carlson moved to approve the removal of Mr. Callahan from the Selah Parks and Leisure Services Board. Motion died for lack of second.**

Mayor Raymond stated that Mr. Callahan would retain his seat on the board.

N. Resolutions

- \* 1. Resolution Authorizing the Mayor to accept the Third Street Water Main Replacement Project between the City of Selah and P.O.W. Contracting Inc., for the 2013 DWSRF Water Systems Improvements DM13-952-130 as complete and authorize release of retainage
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- \* 3. Resolution Authorizing the Mayor to sign a Service Contract with Northwest Employee Assistance Program a Division of Comprehensive Healthcare for Employee Assistance Program Services

O. Ordinances **None**

P. Public Appearances **None**

Q. Reports/Announcements

- 1. Departments

Police Chief Hayes had no report.

Recreation Manager Mullen gave a summary of the registration for the Selah Base Race, explaining that they were trying to fill the runners’ bags with many offers from the community. He also said they had recently received donations of six hundred free haircuts for the runners and donations from Bill Harris for the winner’s prizes.

Council Member Underwood asked when the registration deadline was.

Recreation Manager Mullen responded that registration was available until two days beforehand.

Council Member Carlson shared that he had heard the advertisement on the radio earlier in the day and thought it was a good announcement.

Deputy Fire Chief Lange remarked that the Fire Department had been training with the Yakima Training center on their Blackhawk Helicopters and would be continuing next week. He also discussed some recent training he went to at the North Bend Fire Academy, adding that some of the fire department did a CPR training for a Selah High School reunion recently. He said that soon they would be starting hydrant flow testing and would be preparing for new volunteer recruits in the fall.

City Planner Harmit said that he continues to work on the comprehensive plan with the Planning Commission, and there would not be a Planning Commission meeting next Tuesday.

Public Works Director Henne stated that there might be some rough spots on the ground and overlay on North First Street but that his employees, who are not professional pavers, did their very best. He also explained that they had training for confined space entry last week.

Council Member Overby inquired whether anyone had looked into offering more monthly recycling services.

City Administrator Wayman responded that there was a meeting scheduled with BDI to discuss that very thing; they would be looking at the options offered by BDI, and he would give a report when he had more information.

Civic Center Manager Tait reported that they had repaired a door and the air conditioning in the Senior Room at the Civic Center. She also said that Public Works had been managing the project to cut open the concrete floor in the main bathrooms to replace a piece of the sewer line. She thanked Public Works for their diligent effort and the Civic Center users for being so flexible around the project.

City Administrator Wayman emphasized that those repairs were perfect examples of the condition of the Civic Center and that the Council should anticipate more maintenance cost to take place over time. He said that they need to start making decisions regarding the replacements or upgrades that need to be made on the building.

Council Woman Underwood said that she saw the condition of the kitchen and thought it was good.

Civic Center Manager Tait responded that, because the kitchen was installed a while ago, some of it would not pass current code if it had to be held to that standard, and that some elements needed to be updates.

Clerk/Treasurer Novobielski reported on the sales tax revenues, saying that the most recent report shows that this last month was the highest he had seen since late 2014.

Council Member Carlson asked if he could provide a comparison.

Clerk/Treasurer Novobielski replied that he could, and then gave a financial comparison for the same month across a multi-year span of time.

City Attorney Noe had no report.

## 2. Council Members

Council Member Ritchie had no report.

Council Member Overby had no report.

Council Member Sample expressed his concern that the City needs be working on a social media policy. He then officially resigned from his Council assignments on the Selah Parks and Recreation Service Area Board and the Selah Downtown Association. He explained that, with so many other things going

on in his life, he did not have the energy to continue to participate on those boards, but clarified that he would stay as a member of the Chamber of Commerce Board.

Mayor Raymond thanked Council Member Sample for his service.

Council Member Underwood had no report.

Council Member Carlson said that even though his opinion about removing Bill Callahan was not the most favorable one, he appreciated the process of discussion. He reaffirmed that it is important for citizens to attend the meetings even when there are not concerns. He expressed his appreciation for the hard work Kelliann Ergeson and the SPRSA had been putting in on the pool. He thanked the staff for their diligent effort and pointed out that recently Selah was listed as the sixth safest city in Washington.

3. City Administrator

City Administrator Wayman reminded the council that they would be holding a council retreat on September 9 at the Yakima Convention Center. He encouraged them to provide him with any topics they would like to discuss so he could put them on the agenda. He explained his vision of the outcome of the Council retreat.

Council Member Overby asked what time the meeting would be starting.

Mayor Raymond said that they would gather at 8:00am and would start at 8:30.

City Administrator Wayman reminded the Council that the agenda topics would largely be driven by what they wanted to discuss.

School Board Member Norma Smith reminded everyone the Selah Schools would be starting again next Monday and that everyone should be more careful because of the increase of children near the street.

City Administrator Wayman said that they had worked out an arrangement with the SPRSA, and intended to lease the land to them for \$1 annually, but would not sign a formal agreement until the design was finished. He added that the Design Committee will be meeting with the architects on August 31, and that there would be a meeting with a consultant to start discussing the business plan related to the operation of the pool, but that the business plan cannot be completed until after the design is. He noted that, once the design is finished, everything else could move forward quickly.

4. Boards **None**

5. Mayor

Mayor Raymond invited everyone to attend a ribbon cutting ceremony at Tailgaters on August 30 at 9:00am. She also explained that although she is still pursuing fixing the Christmas scene that used to hang on the Civic Center, although the students at Perry Tech would not be able to complete it because they could not find replacement lights.

**Council took a five-minute recess.**

P. Executive Session

1. 30 Minute Session – Potential Litigation RCW 42.30.110 (1) (i)

Council went into Executive Session at 7:19pm. At 7:49pm, Council went back on the record. Mayor Raymond stated that no action had been taken during the Executive Session.

Q. Adjournment

**Council Member Overby moved, and Council Member Underwood seconded, that the meeting be adjourned. By voice vote, approval was unanimous.**

The meeting adjourned at 7:49 pm.

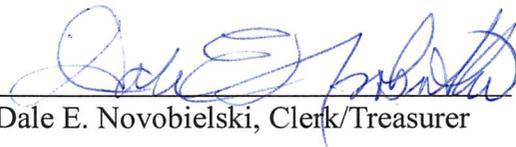
  
\_\_\_\_\_  
Paul Overby, Council Member

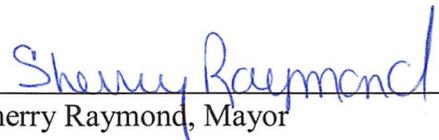
  
\_\_\_\_\_  
Roy Sample, Council Member

EXCUSED  
\_\_\_\_\_  
Roger Bell, Council Member

  
\_\_\_\_\_  
Diane Underwood, Council Member

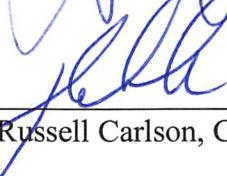
ATTEST:

  
\_\_\_\_\_  
Dale E. Novobielski, Clerk/Treasurer

  
\_\_\_\_\_  
Sherry Raymond, Mayor

EXCUSED  
\_\_\_\_\_  
John Tierney, Council Member

  
\_\_\_\_\_  
Laura Ritchie, Council Member

  
\_\_\_\_\_  
Russell Carlson, Council Member