City of Selah
Council Minutes
February 12, 2019

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

A. Call to Order — Mayor Raymond called the meeting to order at 4:00pm.

B. Roll Call

Members Present: Jacquie Matson; John Tierney; Roger Bell; Russell Carlson; Diane Underwood; Kevin Wickenhagen

Members Absent:

Staff Present: Donald Wayman, City Administrator; Dale Novobielski, Clerk/Treasurer; Rick Hayes, Police Chief; Gary Hanna, Fire Chief; Jeff Peters, Community Development Supervisor; Ty Jones, Public Works Utility Supervisor; Monica Lake, Executive Assistant

C. Councilmember Absence – Motion to Excuse **None**

D. Pledge of Allegiance

Mayor Raymond led the Pledge of Allegiance.

E. Invocation

Pastor Scott Ruark gave the prayer.

F. Agenda Changes **None**

G. Public Appearances/Introductions/ Presentations

1. Mary Wurtz, Public Records Officer

Clerk/Treasurer Novobielski presented Mary Wurtz, the new Public Records Officer, saying that she comes to the City from Yakima County Clean Air Authority, with good experience in the records management area, and he thinks she will do a fine job.

Mayor Raymond asked Ms. Wurtz how long she had been with the City.

Ms. Wurtz replied that she has been here for nine days and loves it, saying that it is such a great place to work and live. She went on to say that she has lived in Selah for a while and wanted to get involved in things, and was thankful for the opportunity.

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

I. Communications

1. Oral

Mayor Raymond opened the meeting.

Barb Petrea, 604 Lancaster Road, approached the podium and addressed the Council. She said that fundraising for the pool was at approximately one hundred thousand of the two hundred fifty thousand needed for 2019, and that the fundraiser held was very successful. She spoke next about the Selah Downtown Association, saying that they are doing the Easter egg hunt in local businesses and have over thirty-two eggs posted in various businesses throughout Selah. Lastly she talked about Community Days, saying that their next meeting would be Thursday at 5:30pm at Nana Kate's, and that they were still looking for someone to do the Saturday pancake feed.

Seeing no one else rise to speak, Mayor Raymond closed the meeting.

2. Written **None**

J. Proclamations/Announcements **None**

K. Consent Agenda

Council Member Tierney moved to add N – 3, N – 4, N – 5, N – 6 and N – 7 to the Consent Agenda.

Council Member Matson requested that N – 7 not be added.

Council Member Bell seconded to add N – 3, N – 4, N – 5, and N – 6 to the consent agenda. By voice vote, approval was unanimous.

Executive Assistant Lake read the Consent Agenda.

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

* 1. Approval of Minutes: January 22, 2019 Study Session & Council Meeting

* 2. Approval of Claims and Payroll:

Payroll Checks Nos. 82476 – 82515 for a total of $304,676.70
Claim Checks Nos. 72501 – 72591 for a total of $285,451.10

* 3. Resolution N – 3: A Resolution Authorizing the Mayor to sign Task Order 2019-04 between the City of Selah and HLA Engineering and Land Surveying, Inc. to Evaluate the Capacity of Well No. 7

* 4. Resolution N – 4: Resolution Authorizing the Mayor to sign the HLA Engineering and Land Surveying, Inc. Supplemental Agreement Number 4 for the East Goodlander Road Improvements project

* 5. Resolution N – 5: Resolution Declaring Certain Public Works Property as Surplus and Authorizing its Disposal

* 6. Resolution N – 6: Resolution Authorizing the Mayor to sign the Washington State Department of Transportation (WSDOT) Local Agency Agreement Supplement Number 3 for the East Goodlander Road Improvements Project

Council Member Bell moved, and Council Member Tierney seconded, approval of the amended Consent Agenda as read. By voice vote, approval was unanimous.

L. Public Hearings **None**

M. General Business

1. New Business **None**

2. Old Business **None**

N. Resolutions

1. Resolution of the City Council of the City of Selah, Washington, providing for the submission to the qualified electors of the City at the August 6 2019 a Proposition authorizing an increase in the regular property tax levy in excess of the increase otherwise allowed by Chapter 84.55 RCW for Fire Services purposes; setting forth the Ballot Title therefore; requesting that the Yakima County Auditor (Elections) place the Proposition on the August 6, 2019 election

Fire Chief Hanna addressed N – 1. He said that this was the Resolution discussed at the last meeting, which would authorize a measure to be put on the ballot for voters to decide whether to provide funding for the Fire Department to maintain service levels.

Council Member Carlson commented that Clerk/Treasurer Novobielski had talked at the last meeting about an option to increase the public utility tax on utilities, with the City Administrator responding that they weren't going there. He expressed curiosity as to what options are and why not going there

Fire Chief Hanna replied that would be a Council decision, and he didn't have an opinion either way, although it would be a fairly large amount for the City to impose without voters having a say on it.

City Administrator Wayman remarked that, because they were talking about a large amount of money, they didn't want to propose an increase on utility taxes as an option without giving residents a say in it. He added that they want to run the levy when the Fire Commission does so, which would give folks in

the City and the District both a chance to vote on the proposed levies, and not appear disjointed like a utility tax increase for the City's forty percent could be.

Council Member Carlson stated that his reason for asking was that if one passes and other doesn't he wants to know what would they do at that point.

Fire Chief Hanna answered that they would both have to pass to keep the funding relationship equal, and his recommendation if one failed would be to go right back out with it again.

Council Member Carlson said that he was hearing that the recommendation is not to just say this is needed, and if it doesn't pass to increase the utility tax to cover.

City Administrator Wayman responded that might be an option for the Council to take, but pointed out that it would be contravening what voters just voted on if they voted against the levy.

Council Member Carlson commented that it wouldn't be the first time.

Council Member Tierney inquired if the verbiage from the last page of the Resolution was what would appear on the ballot.

City Administrator Wayman answered in the affirmative.

Council Member Tierney wondered if the last sentence was required or necessary.

Clerk/Treasurer Novobielski responded in the affirmative, saying that State RCW requires that language if they want that to take place, otherwise it wouldn't become the new base and allow for an annual one percent increase.

Council Member Carlson asked about the last levy run in the County, wanting a feel for the District versus the City.

Fire Chief Hanna said that the people he's talked to, who run these levies, feel confident about it, and that the last levy run was the Yakima County EMS levy, with a seventy-eight percent approval.

Council Member Carlson inquired if the levy's approval was due to following a big fire season.

Fire Chief Hanna answered that he didn't know, although the levy wasn't for an increase, just to continue the one that had been in place.

Council Member Wickenhagen remarked that he was in the elections department for eleven years, and that fire protection districts tend to do very well on the ballot.

Council Member Carlson wondered if running the levy would meet with approval.

Council Member Wickenhagen opined that it was most likely, in his experience.

Council Member Tierney asked if there were any other levies on the ballot.

Fire Chief Hanna replied that there would also be a pool levy.

Council Member Bell moved, and Council Member Tierney seconded, to approve the Resolution of the City Council of the City of Selah, Washington, providing for the submission to the qualified electors of the City at the August 6 2019 a Proposition authorizing an increase in the regular property tax levy in excess of the increase otherwise allowed by Chapter 84.55 RCW for Fire Services purposes; setting forth the Ballot Title therefore; requesting that the Yakima County Auditor (Elections) place the Proposition on the August 6, 2019 election. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote approval was unanimous.

2. Resolution Authorizing the Mayor to sign Task Order 2019-03 between the City of Selah and HLA Engineering and Land Surveying, Inc. to provide Professional Engineering services for the Taylor Ditch Outfall Reduction project

Public Works Utility Supervisor Jones addressed N – 2. He said that this was a task order for the Taylor ditch project and that Ted Pooler from HLA was there to help answer questions that Council might have.

Council Member Matson inquired about the fiscal impact, reading the amounts listed on page three regarding fees for service then asking if they anticipate needing additional funds for services that may be authorized by the City.

Ted Pooler, HLA Engineering and Land Surveying, Inc., approached the podium and addressed the Council. He explained that when Public Works Director Henne put the agenda together he included construction costs as well as engineering and services, adding that the additional costs are the Department of Energy's (DOE) share of the project, construction and engineering services and the City's share of the project, plus the Selah School District's (SSD) share of paying for improvements. He added that their part was only forty-seven thousand dollars but the total City contribution is sixty thousand dollars, including the contribution towards construction.

Council Member Bell wondered if that included an increase in overall costs, as it looked like the SSD wasn't participating in the increased costs.

Mr. Pooler responded that the project used to be really big but the DOE scaled back the project to better fit the funding program. He went on to say that the overall cost increased due to delays in funding, and that while the DOE's portion didn't increase the SSD increased their share in the project.

Council Member Bell asked for confirmation that they did.

Public Works Utility Supervisor Jones replied in the affirmative.

Mr. Pooler added that their amount had increased over what it was two to three years ago.

Council Member Bell remarked that he thought theirs remained stagnant.

Public Works Utility Supervisor Jones replied in the negative, saying that everyone pays a percentage.

Council Member Wickenhagen commented that he assumes this to already be in the City's budget.

Public Works Utility Supervisor Jones answered in the affirmative.

Council Member Carlson moved, and Council Member Underwood seconded, to approve the Resolution Authorizing the Mayor to sign Task Order 2019-03 between the City of Selah and HLA Engineering and Land Surveying, Inc. to provide Professional Engineering services for the Taylor Ditch Outfall Reduction project. Roll was called: Council Member Wickenhagen – abstain; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. Motion passed with five yes votes and one abstention.

* 3. A Resolution Authorizing the Mayor to sign Task Order 2019-04 between the City of Selah and HLA Engineering and Land Surveying, Inc. to Evaluate the Capacity of Well No. 7

* 4. Resolution Authorizing the Mayor to sign the HLA Engineering and Land Surveying, Inc. Supplemental Agreement Number 4 for the East Goodlander Road Improvements project

* 5. Resolution Declaring Certain Public Works Property as Surplus and Authorizing its Disposal

* 6. Resolution Authorizing the Mayor to sign the Washington State Department of Transportation (WSDOT) Local Agency Agreement Supplement Number 3 for the East Goodlander Road Improvements Project

7. Resolution authorizing the Mayor to sign an Amended Industrial Wastewater User Contract with SunRype Products (USA), Inc.

Public Works Utility Supervisor Jones addressed N – 7. He said that this was the amended agreement with SunRype as previously discussed, and that Mr. Pooler was there to answer any questions.

Council Member Matson commented that she didn't see any clause regarding installation of the monitoring station as discussed before, although they said it was going to happen.

Mr. Pooler replied that the requirement was included in the original contract. They have budgeted for that, placed it into their capital improvement schedule, discussed it with DOE and would have it installed by June.

Council Member Matson inquired if they had a previous deadline.

Mr. Pooler answered in the negative, explaining that metering and monitoring was done further down the pipeline but they wished to ensure they received a good example of flow and accurate monitoring.

Council Member Matson wondered about penalties if they fail to meet the installation deadline.

Public Works Utility Supervisor Jones responded that they send a letter stating it would be done by June.

Mr. Pooler noted that the purpose was to adjust the allocation of the treatment plant capacity with what they are sending down the pipe.

Council Member Wickenhagen read aloud from page two of the agreement, asking if he was correct that an increase would reduce the amount of surcharge SunRype pays for exceeding their agreed amount.

Public Works Utility Supervisor Jones responded that to his knowledge they aren't even close to exceeding the current amount, and he doesn't think they have ever exceeded their discharge.

Council Member Carlson remarked that he thought they were exceeding and paying fees accordingly.

City Administrator Wayman replied that they were paying fees for the City to do the testing, not exceeding their discharge amount.

Public Works Utility Supervisor Jones noted that they were exceeding some testing requirements with DOE.

Council Member Carlson asked what he was missing, as he recalled that they were paying penalties.

City Administrator Wayman stated that the penalties were for testing.

Council Member Bell thought the same thing as Council Member Carlson, adding that Council had talked about whether they had the capacity to overwhelm the City's capacity.

Public Works Utility Supervisor Jones commented that they discharge to the industrial lagoon.

Community Development Supervisor Peters said that SunRype was under obligation with the DOE where they needed the treatment plant to adjust the numbers of flow and types of waste treated to comply with DOE mandates, and as the previous contract terms didn't well with DOE requirements they needed to amend the contract.

Mayor Raymond inquired if this was because DOE changed their requirements.

Mr. Pooler answered in the negative.

Council Member Bell moved, and Council Member Matson seconded, to approve the Resolution authorizing the Mayor to sign an Amended Industrial Wastewater User Contract with SunRype Products (USA), Inc. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member

Underwood – yes; Council Member Carlson –abstain. Motion passed with five yes votes and one abstention.

O. Ordinances

1. Ordinance Amending the 2019 Budget for Civic Center Parking Lot Electrical Improvements

Clerk/Treasurer Novobielski addressed O – 1. He said that Council was presented with a proposal at the last council meeting regarding electrical improvements in the parking lot area of the Civic Center, which was approved, and that this Budget adjustment authorizes the expenditure of the money. He noted that the funding source would be the capital improvement fund, not Fund 118 as previously mentioned.

Council Member Tierney moved, and Council Member Wickenhagen seconded, to approve the Ordinance Amending the 2019 Budget for Civic Center Parking Lot Electrical Improvements. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Tierney – yes; Council Member Bell – yes; Council Member Underwood – yes; Council Member Carlson – yes. By voice vote approval was unanimous.

P. Public Appearances **None**

Q. Reports/Announcements

1. Departments

Clerk/Treasurer Novobielski said that he closed the books on 2018 at the end of last week, and briefly reviewed the end results with Council per the handout provided. He noted that there would be a budget adjustment at a future meeting to bring the opening balances of the various funds back into line so they reflect what they actually have available.

Council Member Carlson requested additional information on the amounts.

Clerk/Treasurer Novobielski explained that over six hundred thousand is from the bond utility tax money, which is restricted to repayment of some funds and for paying on the bonds, with about half of that waiting for future debt schedule payments.

Council Member Tierney asked if footnote six was monies for the pump house fire.

Clerk/Treasurer Novobielski responded in the affirmative, saying that the money came in very late in the year.

Council Member Tierney inquired if it covered the expense in full.

Clerk/Treasurer Novobielski answered that it did not, as they opted to upgrade the booster station.

Council Member Tierney asked for confirmation that the rest of expenditure was for improvements.

Clerk/Treasurer Novobielski replied in the affirmative.

City Administrator Wayman remarked that they were still evaluating the other pump house fire to determine the best course of action, and that whatever replaces the heater would be more fire resistant.

Clerk/Treasurer Novobielski said that he would be reaching out to the finance committee for a fourth quarter summary, and would provide additional information at that point.

Council Member Carlson asked when the bond utility tax is due to sunset.

Clerk/Treasurer Novobielski answered that it was set for 2021.

City Administrator Wayman commented that they would have a year where they have no payments due to what has already been paid off.

Community Development Supervisor Peters said that there would be a public hearing for the Lince expansion next Tuesday at the Planning Commission meeting, followed by a hearing before Council at the first meeting in March. He commented that Save-On Foods is being replaced by Tractor Supply and Grocery Outlet, and that the last he heard Tractor Supply would be opening sometime next spring.

Fire Chief Hanna thanked Council for allowing them to move forward to the voters with the levy. He said that his department has been knee deep in snow removal, trying to keep the stations clear, and that the increase in accidents has been pretty minor for the most part. He finished by saying that Firefighter Cline gave a presentation at the Citizens Academy last night, and that Deputy Fire Chief Lange had been in Olympia almost two weeks ago meeting with state legislators and making contacts to enable them to secure additional funding for some things.

Public Works Utility Supervisor Jones said that it has been all about snow, with other projects put on hold for the time being. He noted that their primary focus for plowing is the arterial collectors.

City Administrator Wayman requested that he list which streets those are.

Public Works Utility Supervisor Jones replied that it would be streets such as First Street, Speyers, and Crusher Canyon Road. He went on to say that they keep pushing those in the morning and evening, and finally started to get caught up this afternoon.

Council Member Carlson remarked that he's grateful when he wakes up at 5am and sees that the plow truck has already come by his house.

Public Works Utility Supervisor Jones commented that the new Kubota with its snowplow is impressive, as the old vehicle wouldn't have moved some of that snow.

Council Member Carlson expressed his appreciation of the crew working morning, night and weekends.

City Administrator Wayman thanked the Public Works crew, saying they do a good job.

Police Chief Hayes said that the Citizens Academy was going strong and thanked the Fire Department for joining them the night before. He remarked that the reserve officer graduation would be next week, with two of the thirteen officers going into the Selah Police Department reserves. He commented that he's seen positive responses on Facebook posts about the snow removal on streets and commended Public Works for their efforts.

Council Member Carlson asked if they are paid for attending the reserve academy.

Police Chief Hayes replied that they are not, although the City would pay L&I if they were injured on the job.

Council Member Carlson requested the names of the two new officers.

Police Chief Hayes answered that they are Nolan Riste and Rikki Rainville.

Council Member Tierney inquired if all officers were equipped with narcan.

Police Chief Hayes replied in the negative, adding that they don't have AEDs in cars either.

Council Member Tierney asked the same question of the Fire Chief.

Fire Chief Hanna answered that they do not yet but they are checking into the costs.

City Administrator Wayman remarked that they are aware of the concern, and they take great precaution by gloving up, being aware that can being inhaled as well, and undergoing training. He added that narcan would be another layer of protection.

Police Chief Hayes observed that years ago it didn't mean what it means today, but now they glove up for pretty much everything.

Council Member Carlson requested an explanation of what narcan is.

Fire Chief Hanna replied that it reverses the effects of an opium drug.

City Administrator Wayman said that the issue is fentanyl, as touching or inhaling it can cause a deadly overdose, and that it's far more dangerous because it's so concentrated.

Police Chief Hayes commented that it soaks right through the skin.

Council Member Tierney remarked that it's a good idea to use sanitary wipes before grabbing a cart at the grocery store.

2. Council Members

Council Member Wickenhagen had no report.

Council Member Matson said that the Volunteer Park meeting was delayed to this Thursday at noon, and that they would be making a decision on trees and other items with the intent of moving forward and making some firm decisions. She expressed her appreciation and enjoyment of the Citizens Academy.

Council Member Tierney said that an LTAC meeting has not been held yet, and when they do have one, hopefully they would have requests for funding from community groups. He thanked Public Works for taking care of the streets.

Council Member Bell spoke briefly about the SPRSA's successful fundraiser, thanking everyone who participated in that. He said that the contractor continued to work on the project and hoped to be back on schedule by March 1. He commented that he lives on a secondary street and it was plowed several times.

Council Member Underwood said that she attended her first SPRSA meeting, which she found really enjoyable. She noted that she didn't make the most recent Selah School Board meeting due to emergency surgery after the last council meeting.

Council Member Carlson said that the Citizens Academy is phenomenal, opening his eyes to things he didn't know that go through the minds of the first responders. He expressed appreciation for the effort put forth by Public Works.

3. City Administrator

City Administrator Wayman noted that City Attorney Noe was absent due to an injury earlier that afternoon. He said that they would have an executive session to discuss litigation shortly, and he would cover the City Attorney's end of things. He reminded Council that they would have a study session next meeting to bring on another council member, which would start at 4:30pm, adding that there wouldn't be rounds of questioning as the candidates were all interviewed the previous time, so this time they would each have a short presentation followed by a question from each Council Member, after which they would go into executive session to discuss the candidates.

Executive Assistant Lake reminded him that the executive session would be held during the Council Meeting, not the Study Session.

Council Member Underwood said that she might not be able to arrive at the meeting prior to 4:40pm.

4. Boards **None**

5. Mayor

Mayor Raymond reminded Council to file their F-1 forms. She spoke briefly about the AWC scholarship, requesting that anyone who knows of a high school student involved in the community who could use extra help encourage them to fill out and submit an application prior to March 1. She thanked the Public Works Department for their assistance with the recent snow.

P. Executive Session

1. 30 Minute Session – Potential Litigation RCW 42.30.110 (1) (i) and Real Estate RCW 42.30.110 (1) (b) & RCW 42.30.110 (1) (c)

Council went into Executive Session at 5:02m. At 5:32pm, Council went back on the record. Mayor Raymond stated that they would be extending the Executive Session for an additional 5 minutes.

Council went back into Executive Session at 5:33pm. At 5:39pm, Council went back on the record. Mayor Raymond stated that no action was taken during the Executive Session.

Q. Adjournment

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

The meeting adjourned at 5:39pm.

Sherry Raymond, Mayor

John Tierney, Council Member

Roger Bell, Council Member

Russell Carlson, Council Member

Diane Underwood, Council Member

Jacquie Matson, Council Member

Kevin Wickenhagen, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer