City of Selah
Council Minutes
May 12, 2020

Regular Meeting
Electronically Via Zoom
115 West Naches Avenue
Selah, WA 98942

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

B. Roll Call

Members Present: Kevin Wickenhagen; Jacquie Matson; Clifford Peterson; Roger Bell; Christopher Lantz; Russell Carlson

Members Absent:

Staff Present: Donald Wayman, City Administrator; Rob Case, City Attorney; Rick Hayes, Police Chief; Joe Henne, Public Works Director; Jeff Peters, Community Development Supervisor; Andrew Potter, Human Resources Manager; Treesa Morales, Recreation Manager; 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 Darin Brown gave the prayer.

F. Agenda Changes

**Add:**

**R – 1: 45 Minute Executive Session for Potential Litigation, RCW 42.30.110(1)(i)**

G. Public Appearances/Introductions/Presentations **None**

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

I. Communications

1. Oral **None**
2. Written **None**

J. Proclamations/Announcements **None**

R. Executive Session ****RELOCATED****

1. 45 Minute Executive Session – Potential Litigation, RCW 42.30.110(1)(i)

Council went into Executive Session at 5:35pm. At 6:20pm, Council went back on the record.

**Council took a five-minute recess to allow the public to rejoin the Zoom meeting.**

Mayor Raymond stated that no action was taken during the Executive Session.

K. Consent Agenda

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: April 28, 2020 Council Meeting

* 2. Approval of Claims and Payroll:

Payroll Checks Nos. 83541 – 83560 for a total of $294,880.33
Claim Checks Nos. 74804 – 74873 for a total of $309,799.58

**Council Member Carlson moved, and Council Member Wickenhagen seconded, approval of the Consent Agenda as read. By voice vote, approval was unanimous.**

L. Public Hearings

1. Closed Record Public Hearing to Consider the Hearing Examiner's Recommendation Regarding Approval of the Preliminary Plat of "Hillside Estates" (PLP-2020-001) and Adopting Findings and Conditions of Preliminary Plat Approval.

Community Development Supervisor Peters addressed L – 1. He said that this was a Closed Record Public Hearing to consider the Hearing Examiner's findings and adopting the findings and preliminary plat approval. He gave a brief history of the record as provided to Council in their packet, clarifying that Exhibit 1A on the first page should have read 'City of Selah staff recommendation' instead of 'Planning Commission Findings and Fact', and that the reference to a minimum lot size of approximately seven thousand eight hundred square feet should have read eight thousand square feet, as the Long Plat has no lots smaller than eight thousand square feet. He went on to say that there is a Planned Development being done immediately adjacent to the long plat that has lots with a smaller footprint, and an error was made by a Planning Department staff member when copying over information, as both the Planned Development and Long Plat were done on one environmental review. He requested that they hold a Closed Record Public Hearing on the matter.

Mayor Raymond opened the Closed Record Public Hearing. She welcomed Stephanie Flowers and Darral Moore to the hearing.

Council Member Carlson inquired if there was any input received during the initial Public Hearing.

Community Development Supervisor Peters responded that the only people who spoke were Ms. Flowers from Selland Construction and Mr. Moore from J&B Engineering.

Council had no questions.

Mayor Raymond closed the Closed Record Public Hearing.

M. General Business

1. New Business **None**

2. Old Business **None**

N. Resolutions

1. Resolution Approving the Preliminary Plat of "Hillside Estates" (PLP 2020-001) and Adopting Findings and Conditions of Preliminary Plat Approval

Community Development Supervisor Peters addressed N – 1. He said that this was the Resolution approving the Preliminary Plat of Hillside Estates, subject to eighteen conditions that the Hearing Examiner has recommended.

Council Member Carlson questioned how they were able to hold a Public Hearing on March 30 after the Emergency Proclamation done on March 13, as members of the public were told that City Hall was shut down except for essential business. He wondered how big a risk they took by holding a public meeting.

Community Development Supervisor Peters responded that they have put out public notice that meetings would be done via Zoom according to Governor's Proclamations, but that particular hearing came when things were changing rapidly, and the notices that had gone out indicated that citizens could come to City Hall to testify as usual, but there would be a sign in sheet for them to put down their name and a phone number to be contacted when they could come inside to provide public content to keep the number below ten individuals as required at that time. He noted that they also encouraged written comment in accordance with the Governor's Proclamations.

Council Member Wickenhagen felt that was very forward thinking and also taking citizens into consideration in a difficult time, and that he appreciated them taking the extra effort.

Community Development Supervisor Peters replied that it wasn't just him, but also the Public Works Director and the Planning Department staff looking at and finding the best way to work with loose guidelines that weren't well defined at that time.

**Council Member Bell moved, and Council Member Carlson seconded, to Approve the Resolution Approving the Preliminary Plat of "Hillside Estates" (PLP 2020-001) and Adopting Findings and Conditions of Preliminary Plat Approval. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Peterson – yes; Council Member Bell – yes; Council Member Lantz – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

O. Ordinances **None**

P. Public Appearances **None**

Q. Reports/Announcements

1. Departments

Community Development Supervisor Peters said that they have seen an increase in development and new building permits coming in, and that inspections for existing houses and construction has started to resume. He spoke briefly about upcoming projects such as the Class 3 review from the Selah School District, the Planned Development for Hillside Estates, and the land use fees review.

Public Works Director Henne had no report.

Council Member Wickenhagen asked when he anticipated construction to resume on Goodlander Road.

Public Works Director Henne replied that they were scheduled to do that the day after Memorial Day.

Recreation Manager Morales said that her department was in a unique position where they weren't doing regularly scheduled activities, so they've been able to work on projects that has been put on hold. She added that they continue to get calls wondering about events to bring the community together, and that she was looking to see what they could do, and when they could do it safely and lawfully while recognizing that the community misses each other.

City Administrator Wayman remarked that Andrew Lee had been assigned to the Wastewater Treatment Plant for the next three months due to his activities diminishing as a result of the current situation, which provided an opportunity to for cross-training and for him to get his Level 1 certification, and that Wastewater Treatment Plant Supervisor Neumeyer was happy with his progress. He went on to say that Zach Schab was corking with the Parks Department doing maintenance at the parks part-time, with the remainder on Recreation issues, and that Recreation Manger Morales was doing a great job.

Recreation Manager Morales acknowledged the importance of the 4th of July, and wanted the public to know that they would have a fireworks display put on by Alpha Pyrotechnics. She noted that the fireworks would still be shot from Carlon Park starting around 9:30pm, and that they encourage people to watch wherever they feel safe to do so.

City Administrator Wayman commented that they requested some high shot fireworks, and with the savings from not having a band have doubled the budget for the fireworks display.

Council Member Wickenhagen wondered if there was anything that would prevent them from having a cruise night, as the City of Yakima had just condemned both their unofficial ones.

City Administrator Wayman replied that there was nothing stopping people from driving up and down the boulevard, and that although their neighbors prohibited it they don't see an issue with people in their cars driving up and down the boulevard.

Council Member Carlson remarked that the position from last year holds true, in that they do not sponsor that event, but people are allowed to drive their vehicles as long as they are being safe. He encouraged anyone outside to take appropriate precautions.

Police Chief Hayes said that they have seen a rise in domestics, suicidal calls, and overdoses, and they can't wait until things are back to normal again. He noted that the new officer is on the street but on hold as far as the academy training.

City Administrator Wayman requested that he talk about the labor issue at Matson Fruit and explain why they aren't moving forward with the hiring process for another officer.

Police Chief Hayes explained that Matson Fruit called early that morning regarding an issue with some employees who were unhappy, and the police were called as the striking employees weren't wanting to leave the property. He went on to say that Matson Fruit has a policy that employees have policy can't be on premises unless they are working, and officers informed them that they needed to move out to the sidewalk off Matson Fruit property. He said that they aren't moving forward with the hiring process was due to the testing, both written and physical, that would put people in close proximity to each other, and that's probably not the best thing to do right now.

City Administrator Wayman commented that they are looking at sales tax revenue with trepidation, as a lot of that money goes into the General Fund, and they want to be cautious about hiring new personnel until they know what funds will be later this year. He added that they aren't contemplating layoffs, but a lot of part-time personnel won't be utilized and there won't be other revenues coming in to support the Recreation and Parks Departments.

Council Member Carlson asked what effect this has on Officer Owens.

Police Chief Hayes responded that it has none except for his anticipated graduation date being pushed down the road, as he was already a solo reserve officer. He went on to say that, as he doesn't have the academy training yet, he's on shift with two veteran officers all the time.

Human Resources Manager Potter said that there was discussion at the last Council Meeting regarding their preference to conduct interviews in person, but as the Governor's orders barring in-person meetings and modifying the Open Public Meetings Act had been extended to end of this month, there's no legal recourse to meet in person as a Council in May. He added that he had forwarded applications to Council Members, and that they have two avenues for going forward; they can either hold interviews via Zoom at the second meeting in May, or delay it another two weeks to the meeting in June. He cautioned that they only have ninety days to fill the position, and the June 9 meeting is the last day they could delay it to without a special meeting prior to the ninety-day mark.

City Administrator Wayman remarked that he discussed the matter with Executive Assistant Lake and Human Resources Manager Potter, and they have great confidence that they can handle the interviews and executive session electronically. He added that he asked them to present to Council whether they wish to handle them in person or electronically.

Council Member Wickenhagen asked if it was a social distancing issue, and if that was the case could they hold the interview process in the Civic Center to maintain the six-foot distance.

City Administrator Wayman responded that they considered that option, but there's a requirement for recording and capturing what everyone's saying that they don't have at the Civic Center.

Human Resources Manager Potter reiterated that the Governor's order states that government agencies should not hold in-person public meetings through May 31.

Council Member Carlson opined that there's more in an interview than just a screen, and he didn't mind giving that extra two weeks if they could still accomplish the interviews before the ninety-day deadline.

Council Member Matson stated that she also prefers face to face.

Council Member Wickenhagen didn't believe that would be possible with the phasing rolled out by the Governor, but was willing to postpone an additional two weeks.

Council Member Lantz agreed with Council Member Carlson, saying that the opportunity to see someone in person was important.

Council Member Bell agreed to hold off an additional two weeks.

Council Member Peterson also concurred with face to face interviews and waiting two more weeks.

City Administrator Wayman said that they would prepare the candidates.

City Attorney Case had no report.

2. Council Members

Council Member Peterson had no report.

Council Member Lantz suggested that they look into doing the fireworks online, such as on Facebook, for people to enjoy. He added that he would welcome a cruise night in Selah.

Council Member Bell said that the SPRSA board was looking closely at Federal CDC guidelines for pool and water facilities for the coming season, and that they would be updated at the board meeting next Monday night.

Council Member Wickenhagen had no report.

Council Member Matson said that she had received notice that the YVCOG meeting was canceled and that the next meeting would be in September. She remarked that even with Selah Community Days canceled they still had a city cleanup Saturday.

Council Member Carlson said that they had a Selah Downtown Association meeting yesterday and addressed several topics, one being cleanup day along with the placement of apple bin flower boxes around town and another being the issuance of money for grant projects. He commented that he was still thinking heavily about background checks for appointed council members and felt that the issue should be reconsidered and discussed at a later time.

3. City Administrator

City Administrator Wayman said that the Civic Center was falling short by approximately a hundred thousand dollars on expected revenues, and they were starting to see some initial downticks in revenue to the City in relation to the shutdown. He went on to say that their delinquency rate on utility payments had increased by a hundred percent that month, from an average of around forty to just over eighty, and that both Utility Billings Clerk Bigby and Clerk/Treasurer Novobielski have contacted those who are behind on their payments, with the result that they were slowly getting folks to pay. He noted that although the City wasn't doing shutoffs at this time, they weren't excusing people from paying their bills either. He remarked that it has been a busy week for himself, the Mayor, and City Attorney Case, praising the City Attorney for his performance and ensuring what they did was a hundred percent legal. He opined that the Mayor has taken a courageous stand and stuck her neck out for the City of Selah and the residents of Selah, and requested on his behalf and on behalf of the City that Council put forth a Resolution of support for the Proclamation done Friday. He noted that the Mayor would continue to engage with the Governor and his offices as well as the County Prosecutor, and felt it appropriate for Council to back her up and support her in this very unusual and trying time.

4. Boards

a. Lodging Tax Advisory Committee Minutes – February 24, 2020

5. Mayor

Mayor Raymond said that it had been a tough week but they were moving forward, and would make clarifications to last Proclamation put out for citizens and Council Members who didn't understand part of it. She stated that the City was not open for business, and would follow the Governor's rules, but they as the City will not come knocking on doors to see if people were in compliance.

Council Member Bell moved, and Council Member Wickenhagen seconded, that Council support the Mayor and her stand of clearly saying that there are legal ramifications here but they are talking about maintaining and setting the stage to be able to return safely when possible.

City Administrator Wayman requested that he clarify what language they would be in support of, and that he specifically state the motion as a Resolution by the City Council Expressing Support for the

Recently-Issued "Proclamation by the Mayor of Selah, Washington, In Regards to Recent Proclamations by Governor Jay Inslee".

Council Member Bell clarified his motion to support the Mayor and her stand with regard to the "Proclamation by the Mayor of Selah, Washington, In Regards to Recent Proclamations by Governor Jay Inslee" from last Friday and the supporting clarification letter.

City Attorney Case noted that what occurred on May 8, 2020 was a Proclamation by the Mayor, and that he understands the motion being advanced is for the City Council to signify their support for the Proclamation issued.

Council Member Bell replied in the affirmative.

**Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Peterson – yes; Council Member Bell – yes; Council Member Lantz – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.**

Mayor Raymond thanked Council for their support. She reminded them to stop in and sign the paperwork, and said that copied of the information would be placed in their boxes.

R. Executive Session ****Relocated to the beginning of the agenda**

1. 45 Minute Executive Session – Potential Litigation, RCW 42.30.110(1)(i)

S. Adjournment

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

The meeting adjourned at 7:11pm.

Sherry Raymond, Mayor

Roger Bell, Council Member

Russell Carlson, Council Member

Jacquie Matson, Council Member

Kevin Wickenhagen, Council Member

Clifford Peterson, Council Member

Christopher Lantz, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer