City of Selah
Council Minutes
May 26, 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 requested a moment of silence in honor of Memorial Day, followed by prayer.

F. Agenda Changes **None**

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**

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: May12, 2020 Council Meeting

* 2. Approval of Claims and Payroll:

Payroll Checks Nos. 83561 – 83575 for a total of $210,606.04
Claim Checks Nos. 74874 – 74933 for a total of $214,141.45

Council Member Bell moved, and Council Member Matson 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 City of Selah Planning Commission's Recommendation regarding a Class 3 Review, and Nonconforming Use applications for the relocation of five portable classrooms from the John Campbell Elementary School to Selah High School, Intermediate School, and Kindergarten.

Community Development Supervisor Peters addressed L – 1. He asked that Council consider the Planning Commission's recommendation regarding the Class 3 review and application for relocation of five portables from John Campbell Elementary to the high school, intermediate school and kindergarten. He said that the Planning Commission considered the application and determined it to be in the public's interest and compatible with surrounding land uses, and that representatives from the Selah School District and HLA Engineering and Land Surveying Inc. where the only people who attended the public hearing. He noted that staff recommends that Council accept the Planning Commission's approval of the land use recommendation.

Mayor Raymond opened the Closed Record Public Hearing.

Shane Backlund, Selah School District (SSD) Superintendent, addressed the Council. He stated that there were six portables in total at John Campbell, one of which was sold, and the other five were being repurposed for various uses across the district. He expressed hope that they could get this done soon to allow for construction at John Campbell later in the summer, and noted that Frank Reno was not in attendance. here

Mayor Raymond closed the Closed Record Public Hearing.

Council Member Carlson inquired as to the various locations where the portables would be moved to and their intended uses.

Mr. Backlund responded that they would all be used as classrooms, with two placed just south of the concession stand by the football field, two in the lower parking lot of Selah Intermediate, and one north of the gym on the Robert Lince campus.

Council Member Peterson remarked that the Fire Department seemed concerned about the two at the High School, as addressed in condition number seven, and asked how the School district would address those concerns.

Mr. Backlund asked if he was looking for the details on how they would address the concerns.

Council Member Peterson replied that he didn't need to know the exact details on how they would be addressed. He was concerned that what seemed like a significant concern was met with a response of yes, we will take care of it.

Community Development Supervisor Peters commented that he believes that has already been taken care of. He went on to say that the School District's engineer has been in contact with the Selah School District and the City Fire Marshal's office regarding locations, and they have come to an agreement for fire apparatus and fire safety conditions.

Mr. Backlund said that they did look at alternate locations but went with making changes to fire access due to costs.

Council Member Peterson inquired if they took care of the fire hydrant issue.

Community Development Supervisor Peters answered in the affirmative.

Council Member Wickenhagen remarked that, in reading through the information, it said that for every portable there had to be a parking space made available. He questioned whether that should be changed in the code if they were talking portables for elementary students, as it seemed odd to him to have assigned parking spaces for elementary school portables.

Community Development Supervisor Peters replied that the requirement was based on the teachers and the amount of staff associated with each individual type of school, and that their parking standards come from the Institute of Engineers Parking Standard adopted by the City, which is much more lenient than what the City used to have.

Council Member Wickenhagen moved, and Council Member Carlson seconded, to approve the nonconforming use application. 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.

M. General Business

1. New Business

a. Six-Year Transportation Improvement Program 2021 to 2026

Public Works Director Henne addressed M – 1a. He said that he brought the Six-Year Transportation Improvement Program and list of eleven projects to Council for them to review prior to the next Council Meeting, when they would be conducting a public hearing and adopting it.

Council Member Carlson commented that they're told every year that the rank doesn't have significance but comes down to when money is available for a project. He wondered if there was a specific priority on the list, as they have had significant discussion on mediating traffic on south First Street using roundabouts or additional entrances into Selah, and wondered if either of those would make that list.

Public Works Director Henne responded that priority number two would be the Fremont sidewalk improvements, for which he submitted a second application for funding last Wednesday and would know sometime in June if it was successful. He went on to say that priority number one is Valleyview, which is currently in the design phase with a timeline coming up in a few years for the ten-year window threshold when they would to move forward for construction of the project or risk default. He remarked that as far as south First Street traffic goes, they were still working on the sub area plan, and that there would be some future discussions looking at an east Naches Avenue extension or acquiring additional funds to do a roundabout at the end of town.

City Administrator Wayman requested that he address their discussion earlier that day regarding available funds and changes, and why they were running into problems.

Public Works Director Henne said that no one has been traveling or buying fuel, which means that gas taxes are decreasing, and at a Transportation meeting he attended last week the Washington State Department of Transportation (WSDOT) brought up that a lack of gas tax and what they believe will happen with a reduction in vehicle license tabs will have a significant impact on projects in Washington State. He went on to say that they believe WSDOT would cancel a lot of projects currently on the books, and that WSDOT would be functioning and looking totally different for next few years due to funding shortfalls, with projects and requests for applications for transportation projects very limited if not put on hold for moving forward.

Council Member Wickenhagen commented that priority number six is south Third Street, and as they just did Naches down to Third, that only leaves one block unfinished.

Public Works Director Henne replied that he didn't take it off because the work done by the SSD was an overlay with the addition of sidewalks, and south of Selah Avenue received no improvements. He added that it's been looked at and estimated, but he saw no reason to take it off the list.

Council Member Wickenhagen asked about the Third Street and West Fremont school beacons cost.

Public Works Director Henne responded that the fifteen-million-dollar figure was a total of all the projects, and there should have been another line there. He went on to say that there was also a transportation network analysis for three hundred thousand for looking at south First Street and East Naches, but that they have spent down Fund 115, the reserve fund for transportation projects, with money coming out of that for the widening of West Goodlander and for the match of the overlay on West

Goodlander, and need to bring that back up again. He didn't know how they would accomplish that, as less fuel tax in the State means less shared with cities and counties.

City Administrator Wayman felt that a partial solution to rebuilding was to look at what they are pulling in on Transit, as there's a portion of that they are not necessarily spending, which would be looked at when going into the budget process this year.

Council Member Bell questioned the improvements of east Naches Avenue from Wenas Road to Rushmore Road with regard to the Sub Area Plan and crossing the railroad tracks to do improvements.

Public Works Director Henne answered that it could complement the Sub Area Plan, and although the south sidewalk got some improvement help from Tree Top, it's almost nonexistent on the north side, and the last overlay was done fifteen years or so ago. He commented that it may need a little extra oomph to it if they move forward with the east Naches intersection, as currently they squeezed in a wider west-bound lane to allow trucks to stage and people to make right hand turns, but that intersection would need to be looked at and they would need to get right of way improvements.

Council Member Peterson remarked that he understands the priorities are because they have to prioritize somehow but opined that numbers eight and nine have been in the improvement plan for ages. He noted that north Fourth doesn't go anywhere but to a dead-end residential area.

Public Works Director Henne replied that the area on north Fourth between Fremont and Naches runs along a school parking lot, and that has to move forward because that is a local access street and not applicable for outside funding. He added that they are working on a sewer improvement project to run sewer lines from Naches to Fremont, and would probably wind up rebuilding that road with sewer funds and something like lock and load walls along the west side, after which the project would be removed. He said that number nine was part of an analysis of Valleyview to south Fifth that they did years ago, as the thought was that it would open up development in that part of town with a better road.

Council Member Matson inquired if any of them were eligible for Safe Route to School funds.

Public Works Director Henne responded that they had applied for that with number two but had no luck, so this year they applied for a different grant with SSD to provide the match, but looks like the State will eliminate that requirement and will provide the match themselves.

Council Member Matson wondered if they were only allowed to apply once for Safe Route to School.

Public Works Director Henne answered that they only do that every two years. He noted that they applied for the Transportation Improvement Board (TIB) sidewalk program and received funding, but from what he understands TIB had to relinquish four to five million and would not be offering that program in the fall.

Council Member Carlson commented that the fuel tax scenario was not a corona virus caused issue, as two years ago he and Mayor Raymond went to a YVCOG meeting where they were touting a loss of revenue due to fuel efficient vehicles. He opined that it's self-created by Olympia, self-inflicted because they fund projects like animal bridges over I-90 instead of local projects.

Public Works Director Henne responded that the State had been projecting that fuel taxes were going down because of fuel efficient and electric cars, and that they have had resistance from the public on other options they've explored.

City Administrator Wayman suggested they don't underestimate Olympia trying to pick their pockets.

Public Works Director Henne remarked that he brought it to Council today for discussion, and that they would be holding a public hearing on it at the meeting in June.

Council Member Carlson inquired if line 11 would be revised by then.

Public Works Director Henne answered in the affirmative.

Mayor Raymond asked if he wanted a consensus to move forward.

Public Works Director Henne replied in the affirmative.

Mayor Raymond polled the Council, and had a unanimous consensus to move forward.

Human Resources Manager Potter stated that he and Executive Assistant Lake have discussed methods and feel comfortable using Zoom to hold an open public meeting regarding the STIP.

2. Old Business **None**

N. Resolutions

1. Resolution approving a Class 3 Review and Nonconforming Use applications for the relocation of five portable classrooms from the John Campbell Elementary School to the Selah High School, Intermediate School, and Lince Kindergarten for the Selah School District

Community Development Supervisor Peters addressed N – 1. He said that this was the Resolution approving a Class 3 Review and Nonconforming Use applications for the relocation of five portable classrooms from the John Campbell Elementary School to the Selah High School, Intermediate School, and Lince Kindergarten for the Selah School District that adopts the Planning Commission's findings and approves the application.

Council Member Carlson moved, and Council Member Peterson seconded, to Approve the Resolution approving a Class 3 Review and Nonconforming Use applications for the relocation of five portable classrooms from the John Campbell Elementary School to the Selah High School, Intermediate School, and Lince Kindergarten for the Selah School District. 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.

2. Resolution Authorizing the Mayor to sign a Construction Contract between the City of Selah and Central Paving, LLC, of Ellensburg Washington, for the West Goodlander Road Improvements, Transportation Improvement Board (TIB) Projects P-E-182(P01)-1 and 3-E-182(005)-1

Public Works Director Henne addressed N – 2. He said that they went out to request for bids and opened five bids on May 13, with the low bid from Central Paving LLC from Ellensburg. He briefly reviewed the overlay project sidewalk project and widening contract, referring Council to the information provided in the packet. He requested that Council approve the Resolution and authorize the Mayor to sign a TIB project contract with Central Paving LLC.

Council Member Carlson inquired about the requirements for Safe Routes to School and why they have to have it.

Public Works Director Henne asked if he was talking about the funding program or why it was deemed a safe route to school.

Council Member Carlson responded that he was talking about why it was a safe route to school and why they were asking SSD to match it, as the area was already deemed a safe route to school, and he felt that the requirements had been met by sidewalks on one side of road.

Public Works Director Henne explained that there are two gaps in the sidewalk that will be completed, and the wheelchair ramps at Second Street and Fourth Street that aren't ADA compliant will be upgraded to current ADA requirements.

Council Member Carlson asked if this was a repair of what's negligent on existing sidewalk.

Public Works Director Henne replied that the sidewalk pieces that are there have been put in by developers, and this would complete those nuisance sections.

Council Member Carlson wondered if it was just filling gaps, not redoing.

Public Works Director Henne answered in the affirmative.

Council Member Matson moved, and Council Member Bell seconded, to Approve the Resolution Authorizing the Mayor to sign a Construction Contract between the City of Selah and Central Paving, LLC, of Ellensburg Washington, for the West Goodlander Road Improvements, Transportation Improvement Board (TIB) Projects P-E-182(P01)-1 and 3-E-182(005)-1. 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 were seeing an increase in permit activity regarding new construction for single family homes as the Governor has backed off on that, and that they were also seeing an increase in inspections for existing projects to almost what they were.

City Administrator Wayman remarked that they never stopped issuing permits; the only reason for a cease in construction in Selah was a either a lack of crew or a contractor voluntarily ceasing work. He added that there may have been an instant or two where a supplier wouldn't give a contractor the necessary materials, but any reason for a delay in construction was not from the City.

Community Development Supervisor Peters agreed with City Administrator Wayman, saying that has been the case all along. He spoke briefly about the review of land use application fees that the Planning Commission had reviewed, which would be brought as an informational item at the next Council Meeting with the intent to hold a study session later this year, and finished by saying that there would be another application coming to Council after the Hearing Examiner renders his decision regarding the Planned Development of Speyers Road.

Public Works Director Henne said that they haven't stopped maintaining the streets, parks, water and sewer systems, along with water leaks the last couple weeks and a power outage over the weekend that effected wells and streetlights. He remarked that Eric Neumeyer is the new Supervisor at the Wastewater Treatment Plant. He went on to say that he has been updating process control, seems to be reducing their issues with sludge paneling, replacing some equipment, and doing electrical updates at the pretreatment lagoon to allow for more aerators in the lagoons.

Mayor Raymond requested that Wastewater Treatment Plant Supervisor Neumeyer provide a report on the wastewater treatment plant.

Wastewater Treatment Plant Supervisor Neumeyer said that they've been really busy getting to know each other and how everybody works, and have the process fine-tuned to where it's a little more controlled and not so chaotic, along with a lot of cleanup and preventative maintenance.

City Administrator Wayman remarked that Wastewater Treatment Plant Supervisor Neumeyer has hit the ground running. He noted that Andrew Lee from Parks & Recreation was temporarily assigned there.

Police Chief Hayes stated that the academy and all training was still on hold until someone in Olympia decides they can train again.

City Administrator Wayman commented that they would hold off on hiring an additional police officer until they see further results on sales tax revenues, with the intent to discuss with Council around September whether they wished to go forward with that.

City Attorney Case said that it warmed his heart to hear Mr. Brown talk about freedom at start of the meeting. He spoke about the question of holding meetings via Zoom, what the current Governor's

Proclamation allows, and the Public Records Act, saying that the many proclamations are available online. He went on to say that the one that speaks directly to the matter is Proclamation 20-28, which waives and relaxes some of requirements of the Open Public Meetings Act, and that doing meetings electronically via Zoom was a required way to conduct a meeting.

Council Member Matson asked about the applications and process for a new council member.

City Administrator Wayman replied that they're in a bit of a waiting mode to see how the Governor rules for the next month, and that he's been assured that they can manage it online as they're doing it now, with an executive session and applicants coming in and presenting themselves to Council on the same computer in the same venue. He added that Council questions to applicants wouldn't be limited, but their presentations to Council would be.

2. Council Members

Council Member Peterson asked Police Chief Hayes how the crime was doing with regard to domestic violence and suicide attempts.

Police Chief Hayes replied that both were up, and that they were taking care of a couple hot spots in town accordingly.

Council Member Peterson wondered if they were able to keep up with business inspections and fire inspections to avoid a backlog when businesses open up, and if Council needed to follow up on adjusting off street parking for every business in Selah.

City Administrator Wayman answered that he talked with Council Member Matson about that earlier, and that they have so few retailers who would need that they could do on a case by case basis with a very permissive approach to that.

Community Development Supervisor Peters said that they haven't had any requests from businesses coming in to speak to the Planning Department for that service. He went on to say that he knows that the Clerk/Treasurer and Utility Billing Clerk have been processing all the normal business license renewals for those waiting to open up, and Deputy Fire Chief Lange had indicated to him last week that they were trying to get caught up and ahead of the game with fire inspections.

City Administrator Wayman noted that he was personally reaching out to all the retailers to make sure they understand the nature of what the City is willing to do, which is pretty much anything within reason to help them get started.

Council Member Carlson said that the only thing he had was parking spaces, saying that he would like some clarification on why they don't just have a resolution for anyone who wants to use it rather than on a case by case basis.

City Administrator Wayman understood his desire to have it done that way, but felt that the sales requirements for retailers who sell a certain type of merchandise would be so disparate that putting together a resolution temporarily suspending parking requirements for them may not be as easily

applicable as it is for restaurants in creating outdoor seating. He gave a few examples and said that they could put it together if Council wishes but he didn't think it was necessary for them.

Community Development Supervisor Peters commented that when they put the Resolution together it was specific for restaurants because they knew they would be in the next wave of things to open up. He agreed with City Administrator Wayman that if they going to try to expand that Resolution or do a new one that might create some legal challenges that City Attorney Case might be better able to speak to.

City Administrator Wayman stated that they have so few businesses that actually sell merchandise beyond those already open that they can manage it on a staff to proprietor level.

City Attorney Case remarked that they were not trying to be discriminatory and give special treatment to restaurants, and can either address the matter on a case by case basis or consider an additional Resolution to relax the restrictions for every business. He said that what Community Development Supervisor Peters was saying is that was specific to restaurants because they are trying to figure out what the Governor's next action would be; it would likely have limitations on indoor seating and would prevent the owner from running a profitable business if they don't have outdoor seating.

City Administrator Wayman added that they would be proactive and aske businesses what they need.

Council Member Carlson opined that doing a Resolution would lower the burden on the city and reduce their workload, and that his recommendation was to loosen enforcement of parking standards and that anyone who chooses to do so should submit a formal letter to the City of what their plan is.

City Administrator Wayman responded that they could draft a resolution notifying the proprietors within the City that they may contact the City for permission to expand their footprint into the walkway and parking areas, with a sunset on that, depending on what Council wishes to do.

Council Member Carlson welcomed input from his fellow Council Members.

Council Member Wickenhagen was concerned with opening it up if a place has shared parking lots and thought it better handled on a case by case basis.

Council Member Peterson agreed with City Administrator Wayman that the only thing they need to do is to let staff know they're in favor of doing everything they can, opining that to try and come up with a resolution that is one size fits all would likely take up more staff time than if they handle it case by case.

Council Member Bell also agreed that reviewing on case by case basis was the better choice, and that he liked being proactive because does maintain a connection with the businesses in the City.

Mayor Raymond polled the Council as to whether they would like a Resolution or to let City Administrator Wayman talk to them personally. Council Member Carlson was in favor of a Resolution. Council Members Peterson, Matson, Lantz, Wickenhagen, and Bell were not.

Mayor Raymond said that she liked the personal touch with business owners to let them know what could be done to help them open back up.

Council Member Carlson felt that the personal touch should be a requirement regardless, but didn't see why they wouldn't just allow them to submit a plan when they did that for restaurants.

Council Member Matson had no report.

Council Member Lantz asked if the computers and cruiser approved and ordered a while back where slowed down due to the current situation.

Police Chief Hayes answered that one of the cars was still on hold but they have received one, and that all of the computers, modems and hardware have been mounted.

Council Member Lantz inquired if the cruise nights have been okay.

Police Chief Hayes replied in the affirmative, saying that he's heard some grumbling but hasn't seen anything.

City Administrator Wayman commented that the vast majority of input ha has received has been good news, and that he would be getting back with some of organizers about keeping engine revving down but they were well-behaved aside from that.

Council Member Wickenhagen said that he has a meeting with the Yakima Valley Visitors and Convention Bureau tomorrow.

Council Member Bell had no report.

3. City Administrator

City Administrator Wayman said that the City was allocated roughly two hundred and thirty thousand dollars form the Federal Government with a list of conditions for use, and that he directed principal staff members to look into expenditures related to the consequences of the Wuhan virus. He talked about needs such as additional money for the Goodlander projects to monitor the ongoing performance of workers with regard to complying with Governor's requirements for PPE and social distancing, the decontamination unit ordered for the Fire Department, shortfalls in Civic Center revenue, and that his intent is to spend every dime appropriately. He touched on staff health, noting that they've been healthy but they are being very cautious whenever anyone develops cold-like symptoms. He remarked that they had an interesting political event this past Sunday at Wixson Park, which turned out very well, and that while this may be in defiance of Governor Inslee's orders the City won't stand in the way of people who want to use a public space for political speech.

4. Boards

   a. Planning Commission Minutes from May 5, 2020

5. Mayor

Mayor Raymond had no report.

City Administrator Wayman reminded Council that their ultimate responsibility was to protect the rights of the citizens, applauding them for their approach to this crisis.

Mayor reminded everyone that garbage pickup would be Thursday instead of Wednesday due to the Memorial Day holiday.

R. Executive Session None

S. Adjournment

Council Member Carlson moved, and Council Member Peterson seconded, that the meeting be adjourned. Council Member Bell voted no.

The meeting adjourned at 6:55pm.

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