City of Selah
Council Minutes
September 8, 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; Russell Carlson; Suzanne Vargas

Members Absent:

Staff Present: Donald Wayman, City Administrator; Rob Case, City Attorney; Dale Novobielski, Clerk/Treasurer; Eric Steen, Deputy Police Chief; Joe Henne, Public Works Director; Jeff Peters, Community Development Supervisor; Andrew Potter, Human Resources 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 Jason Williams requested a moment of silence to remember all those in the Selah community who have lost homes to fire and have been battling the fire, and to remember our firefighters. Following the moment of silence, he gave the prayer.

F. Agenda Changes **None**

G. Public Appearances/Introductions/Presentations

1. Katrina Henkle, Selah Downtown Association – Update

Katrina Henkle, Selah Downtown Association (SDA) Executive Director, addressed the Council. She said that they are still accepting applications for the CARES money grants, adding that their initial allocation of one hundred fifty thousand dollars has been increased by one hundred nineteen thousand four hundred, for a total of two hundred sixty-nine thousand, four hundred dollars. She noted that they have twenty-six applications currently, and they are due by September 30.

City Administrator Wayman remarked that there would be an amendment to the contract with the Department of Commerce presented at the next Council Meeting, and that they've also extended the date for submission of requests from October 31 to November 30.

Ms. Henkle commented that they are trying to get help out to those businesses who need it, saying that she had a number of free masks to distribute to businesses, along with a town hall type meeting every other Monday with the Yakima Health District and coffee chat on Facebook Wednesday mornings.

Council Member Carlson asked if the extension affected the City's reimbursement time from the State.

City Administrator Wayman answered that, from his previous conversations with the Department of Commerce, they could expect reimbursement within two weeks once they make submissions. He opined that a good strategy going forward would be when the committee finishes their work they take the applications, put them in order with a month to spare, and see if any remainder could be spent during that additional month of time. He added that Ms. Henkle, along with the SDA and the Selah Chamber of Commerce, was doing a great job getting the word out.

Council Member Vargas asked Ms. Henkle if they had had any childcare centers submit an application, as childcare is one of the biggest problems students and parents are facing and she would love to see some funds prioritized towards childcare centers.

Ms. Henkle responded that she would follow up and make sure they have applications, adding that she didn't believe they had received any from a childcare center yet.

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

I. Communications

1. Oral

Mayor Raymond opened the Public Meeting, reading aloud the rules of conduct stated in the Agenda.

Executive Assistant Lake said that there were thirty-two comments submitted, of which eight were duplicate submissions and twelve would not be read aloud. She requested that the public refrain from submitting duplicates of the same comment via the online portal for any one Council Meeting, adding that they would receive an automated notification that their comment had been received. She read aloud the following statements provided via the online public comment submission form.

From Xander Deccio, Yakima:

Currently there have been at least 20 different news sources that have reported on the potential censorship efforts our city has undertaken. Among the most notable are the New York Times, Seattle Times, Newsweek.com and the Associated Press. Our City Administrator and City Attorney have gone on smaller radio shows and been interviewed for articles defending their actions and calling into question the authenticity of the stories reported about the City. Do they really expect local citizens, Washingtonians and all Americans to believe them over all 20 of these news sources that have reported on these issues? Especially egregious was Don Wayman calling into question the New York Times article because the New York Times Magazine published the 1619 series. Please note the NYT

Magazine is technically a different publication released with the Sunday Edition of the New York Times. To call into question the accuracy of any article put out by the New York Times because of one series released by NYT Magazine, is utterly ridiculous and disingenuous. The NY Times has been around 170 years and has received countless awards including 130 pulitzer prizes. I am unaware of any journalistic awards or reputable press endeavors by Don Wayman. I would respectfully ask that until he has as storied and reupatable a reputation as these publications, that he refrain from trying to convince the community that he is more trustworthy than they are.

From Anna Whitlock, Selah:

On Friday 8/21 the City of Selah removed several lawfully placed signs from public property that were in support of Black Lives Matter and the removal of Donald Wayman as City Administrator. Upon retrieving these signs from Public Works, I was blocked from asking any clarifying questions and was instead instructed to speak with Don Wayman on the subject. I attempted to speak with the city's Code Enforcement Officer, and again was told to speak to Don Wayman. I feel this course of action by the city is inappropriate, considering Mr. Wayman is the subject of one of these signs. Since Mayor Raymond is Mr. Wayman's superior within the City's Administration I emailed her directly, requested a response, and did not receive one. So I ask again, why were these signs removed by the City using taxpayer dollars? And why are no other signs (political, yard sale, open house, etc.) being removed? In my opinion, this is discriminatory selective enforcement of a municipal code that no one is willing to clarify for me. I believe these signs fall under the protections of political signage, and at a larger scale my 1st Amendment Rights. Please explain what codes were violated, and why my many requests for clarifying information have been ignored. Please explain to me why it appears the City is making every attempt to silence my inquiries.

From Julie Field, Selah:

City officials like our Administrator and municipal attorney have stated that they are totally against defacement of public property. If this were true, why has the public not heard of any efforts to clean up dirt and gravel that gets on the road as a result of construction going on around town? While the new Lince building was being constructed there were a few areas of the sidewalk and street that were partially defaced by dirt. More recently there was a large amount of dirt tracked onto the street in front of John Campbell Primary, near where the portable buildings were removed. This dirt remained for multiple weeks, and was only dispersed eventually by the constant passing of cars. There were even large wooden planks that got into the westernmost lane of first street near John Campbell. The public has not been made aware of any efforts to cite, charge or prosecute any worker or group involved in these projects, despite the insistence that chalk artists drawing on the street must stop because it defaces streets and can cause distractions to drivers. If it were really true that our city officials were worried about drivers being distracted, why are they much more focused on cleaning a dead-end, residential neighborhood street with only one house on it, and not the busiest main street in the City, first street?

From Lorrie Smith, Yakima:

The recent removal of BLM and Fire Don Wayman signs by the city is unlawful. The city has allowed signs without permits before, and they do so now frequently. No permits have been applied for or granted for any of the signs that have been placed on public property for this entire year of 2020. To now only remove certain signs that the City Administrator doesn't like is not lawful. That sort of action is called "Selective enforcement" and has been proven time and time again to be unconstitutional. I would recommend that the City stop violating the United States Constitution, and only enforce rules and codes to the same level that they have always been enforced.

From Shea Mattson, Selah:

Madam mayor, 2 meetings ago your council voted 5-1 to recommend that you hire an independent investigator to look into Donald Wayman and his conduct. This vote and whether that recommendation was taken wasn't mentioned in the most recent meeting on August 25th. We the citizens of Selah request to know whether you took that advice and hired an investigator or ignored the City Council's motion. We the concerned citizens of Selah also demand that if you have not yet hired an outside investigator, that you do so. This is seemingly the only way to hold a City employee truly accountable, without any bias or conflict of interest arising. Doing so would ensure that no illegal orders are being given to employees of the city, that the civil rights of your constituents aren't being infringed, and your police force is not being put in a legally dangerous situation. If you support your citizens, officers and the integrity of the City, you will make sure these matters are properly investigated by an external entity. We thank you enormously for the attention and time you have given to these issues, and we hope that as one Selah community we can come together and find an appropriate, just, and peaceful resolution to all of this.

Thank you.

From Lisa Draney, Selah:

Over the course of the past several weeks, our Chief of Police has abruptly retired. Another police officer resigned. According to Union Rep Dave Simmons, several other officers are looking for jobs elsewhere. More recently, another valuable City Hall employee resigned. This makes it appear as though the City of Selah is not a welcoming work environment for these employees. The public would very much like to know what our leadership at City Hall intends to change about the work environment that's been fostered in order to properly retain civil servants. Last meeting, some of you mentioned that it would be very difficult to replace a city attorney at this time. I imagine it would be much more difficult to replace a large portion of your police officers, your police chief, and your HR manager.

Furthermore, during a previous City Council meeting, Donald Wayman stated that 2 potential candidates for Chief of Police were already interviewed. This is despite the fact that no job posting had yet been listed on the City of Selah website, nor could citizens find any other job listings in any other newspapers or job listing websites. This raises major concerns. By selecting candidates for interviews before even posting a job listing, the City of Selah is opening itself up to a possible discrimination lawsuit. Certain interested and qualified candidates may not have had the same opportunity to apply for this job as the at least two individuals who got interviews before any posting.

From Colton Backer, Yakima:

Mayor Raymond has stated that she has refused to take any action against City Administrator Donald Wayman for inappropriate statements he's made, citing his right to free speech. This shows the Mayor is ignoring what the First Amendment actually protects Americans from. Freedom of speech in no way provides job security, and especially doesn't protect somebody from reprimands. Mayor Raymond is well aware of this fact, because in the past she has tried to remove at least one person from a volunteer position, based solely on facebook posts that individual made outside of their city volunteer time. She sent a letter of termination, only to realize later that she as Mayor doesn't actually have the authority to terminate parks board volunteers. She admitted that she tried to remove this individual on her own, not in accordance with Selah municipal code, during a city council meeting on August 9th, 2016. This raises major concerns for many. It appears that our Mayor holds volunteers to a higher standard of conduct than the highest paid employee of the City of Selah.

From Maxwell Clark, Selah:

City council members and Mayor Raymond, I am frustrated. I am frustrated that Rob Case was given a raise despite an obvious conflict of interest. I am frustrated that the SPD is being ignored when they ask that chalk not be considered graffiti. I am frustrated that the voices of Selah citizens have been suppressed. I am frustrated that Selah citizens protesting for positive change have been labeled as "vile" and "bad actors." I am frustrated that Donald Wayman is still being employed by the city of Selah despite the public outcry and negative image he is creating. I am frustrated that nothing is changing. I don't want to be frustrated any longer. Please, listen to the people you are supposed to be serving. You all have the power to improve these situations and make a stronger, more inclusive community.

From Jason Moore, Selah:

The city of selah has recently taken down their official facebook page. They also took down a parody twitter account that many citizens consider legal fair use protected by parody law. This raises potential censorship concerns for many Selah citizens.

From Brendon Corbray, Selah:

The city's washer use on July 6th was improper and perilous for the general population of selah. I comprehend that a conventional grievance has been documented on the issue, with a solicitation for an examination connected. I would appreciate if someone would enlighten us whether an examination has been propelled investigating the City's pressure washing investigating whether any current arrangements were broken. Much obliged.

From Anita Callahan, Selah:

Over the course of the previous two city council meetings, 10 comments were censored from being read onto the record during the public comments section. All 10 were critical of city leadership in some way. No comments that were in support of the City were excluded from being read at the same meeting. This raises major censorship concerns for your citizens. Read the censored comments for yourselves, council members. Ask yourselves why city leadership doesn't want them to be read.

From Gabriel Fabian, Selah:

On August 29th 2020, hundreds of people gathered in selah for the back the blue rally as well as a Cruise Night. Many were intoxicated, running back and forward across the street, and maskless. That night there were only 2 officers on duty.

September 4th, 2020, there were rumors of an "unpeaceful" protest. That night, Several officers were called in for emergency, some of which would be receiving overtime.

Why were several officers on duty, and gain, including some on overtime, for completely unfounded rumors, and only 2 officers were on duty in all of Selah when the City had confirmation of a large gathering well in advance of the event?"

Having no further comments to be read, Mayor Raymond closed the Meeting.

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: August 25, 2020 Council Meeting

* 2. Approval of Claims and Payroll:

Payroll Checks Nos. 83744 – 83764 for a total of $317,587.76
Claim Checks Nos. 75313 – 75372 for a total of $411,668.51

Council Member Bell moved, and Council Member Carlson seconded, approval of the Consent Agenda. By a show of hands, approval was unanimous.

L. Public Hearings **None**

M. General Business

1. New Business **None**

2. Old Business **None**

N. Resolutions

1. Resolution Authorizing the Mayor to Enter into a Contract with Dude Solutions, Inc. for the Purchase of Their SmartGov Permitting Software and Submit for Reimbursement under the CARES Act

Community Development Supervisor Peters addressed N – 1. He stated that there was extensive background and findings provided in the packet, summarizing that the Planning Department and Public Works have been utilizing a Vision Software permit system for about five years and to date they haven't been happy with Vision's failure to fulfill the requirements in their contract for scheduling of inspectors, online presence for submittal of permits and payment, and improved tracking and reporting of different proceeds from different permits. He went on to say that they've had numerous problems with the system issuing permits including just today, providing an example from that morning, and that the new software is one he's familiar with as the City of Yakima utilizes it for their permiting, building and inspections. He listed some of the benefits, such as digital inspections; taking pictures to upload; a public portal to view permits, photos and notes from inspector; providing public access to see where permits are occurring in the city and what planning documents are available for projects, SEPA reviews and other decisions posted; and the ability to interact with plan reviewers at the City of Yakima. He finished by saying that Planning and Public Works both support the purchase of the software and requested that Council approve the resolution allowing the Mayor to sign the contract.

City Administrator Wayman requested that he cover the legacy costs for the software.

Community Development Supervisor Peters said that cost of the software, sixty-three thousand six hundred and six dollars and seventy-nine cents, was slated for reimbursement from CARES act funding, with additional language in the contract that should the City not be reimbursed they would annul the contract unless we ask them to start implementing it before receipt of the money,.

City Administrator Wayman commented that he was referring to the year to year costs to operate it.

Community Development Supervisor Peters answered that the annual subscription term is thirteen thousand six hundred eighty-five dollars and seventeen cents, which was covered in the total cost for the first year they were requesting reimbursement for.

Council Member Wickenhagen inquired what they were currently paying to Vision on an annual basis.

Community Development Supervisor Peters replied that he didn't recall the total cost for that, as it's broken down because the Finance Department pays for a portion of the software, but he believed it to be somewhere around six thousand dollars plus for the monthly subscription fee.

Council Member Carlson asked if they expected any change in subscription service every twelve months, assuming there would be increases.

Community Development Supervisor Peters responded that they could propose an increase, but their current direction is that they have not since they started implementing SmartGov, and instead they've reduced their fees down based on the size of the city.

Council Member Carlson wondered what the protection would be for twelve months.

Community Development Supervisor Peters answered that the contract was for purchase of the software and thirteen thousand for implementation and to provide services.

Council Member Bell inquired if there would be an annual cost in addition to the monthly cost.

Community Development Supervisor Peters replied that it isn't monthly; the thirteen thousand dollars is an annual cost.

Council Member Matson asked for confirmation that the first year was included ni the request.

Community Development Supervisor Peters responded in the affirmative.

Council Member Peterson commented that he assumes that they have the hardware necessary and there won't be additional needs beyond purchase of the software.

Community Development Supervisor Peters answered in the affirmative, saying that another reason they decided to go with Smart Gov was that it's totally cloud-based and would allow building inspectors to

upload directly to the cloud as well as reduce their dependence on Yakima IT to take care of the data storage needs for that database. He noted that they don't intend to sever ties from Vision Software on the financial side, as the Clerk/Treasurer was completely happy with it.

Council Member Carlson wondered about the cost of the current software and whether they would be eliminating it or if it would be all inclusive on the financial side.

Community Development Supervisor Peters replied that it would be eliminating six thousand from the Planning budget and replacing it with an increase to thirteen thousand, while getting several key features their current software doesn't provide.

Council Member Bell moved, and Council Member Wickenhagen seconded, to Approve the Resolution Authorizing the Mayor to Enter into a Contract with Dude Solutions, Inc. for the Purchase of Their SmartGov Permitting Software and Submit for Reimbursement under the CARES Act. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Vargas – yes; Council Member Peterson – yes; Council Member Bell – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

2. Resolution declaring Police Service Shotgun Surplus and Authorizing Disposition of the Same as Additional Consideration for Service Provided

Deputy Police Chief Steen addressed N – 2. He said that it's been a tradition to surplus a firearm to the outgoing retiring officer, and with Police Chief Hayes retiring recently they would like to surplus the shotgun he carried while on duty.

Council Member Carlson took a minute to publicly express his appreciation to Police Chief Hayes for his time and effort in the community and for his dedication, adding that he's a phenomenal human being and a fantastic Chief, and would be missed in the community.

Council Member Bell questioned that it appears as though they are surplusing two weapons.

Deputy Police Chief Steen replied that they were only surplusing the shotgun he carried.

Council Member Bell stated that the sidearm was not included.

Council Member Bell moved to Approve the Resolution declaring Police Service Shotgun Surplus and Authorizing Disposition of the Same as Additional Consideration for Service Provided.

Deputy Police Chief Steen agreed that the sidearm wasn't included.

Council Member Bell echoed Council Member Carlson's comments, saying that Chief Hayes would be missed and has done a fantastic job for the City.

Council Member Wickenhagen asked City Attorney Case if there was any issue with the gifting of public resources.

City Attorney Case answered that in this scenario, not to his knowledge.

City Administrator Wayman noted that they did the same for Officer Valencia when he retired.

Council Member Peterson seconded the motion.

Council Member Peterson pointed out a discrepancy in section two where it says 'transfer the pistol' when it should say shotgun, and wondered if there was a format issue with the Resolution as written.

City Attorney Case replied that there are three typos in total that need correction: the last whereas references a pistol, as does section two, and in section two it says 'retiring chief Hayes in a retirement'.

Council Member Bell moved, and Council Member Peterson seconded, to Approve the Resolution declaring Police Service Shotgun Surplus and Authorizing Disposition of the Same as Additional Consideration for Service Provided, as Amended by Attorney Case. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Vargas – yes; Council Member Peterson – yes; Council Member Bell – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

O. Ordinances

1. Ordinance Amending Section 8.70.020 of the Selah Municipal Code, "Parking Prohibited on Certain Streets", Providing for Severability; and Establishing an Effective Date

Public Works Director Henne addressed O – 1. He said that this Ordinance amends Section 8.70.020 for prohibited parking on certain streets, and they wish to add West Goodlander Road from North First Street to Lander to prohibit parking on the newly widened street, and the Police Department requested the addition of Friday Point Place off of Dwinell Drive to facilitate their effort to prohibit certain activities from taking place up there.

Council Member Carlson remarked that they paid for a security gate for that exact purpose at Lookout Point to avoid these problems and wondered it had solved the problem.

Public Works Director Henne answered that it had not, and that the gate had been rendered inoperable at least three times. He went on to say that Friday Point Place has six lots on it, and with development up there and residential applications for new homes in the future they would eliminate the gate.

Council Member Carlson asked if the gate was going away.

Public Works Director Henne replied that it is.

City Administrator Wayman commented that they were looking at current development plans up there, adding that the gate isn't up at present due to damage, and with construction up there they had no reason to put it back up. He said that they would be leaving it down while development is going on with a recommendation to the Friday Point Homeowners association that they install a gate connected to the electrical grid.

Council Member Carlson inquired if it would be their cost to cover it.

City Administrator Wayman responded in the affirmative.

Council Member Vargas asked if consideration was being given to lights or other deterrents in that area, adding that when she rides her bike up there that is just a small piece of the area where people are gathering and throwing glass and graffiti.

City Administrator Wayman answered that they did install a light simultaneously with the gate, and that while further lights may be necessary in future but the developer would be placing those.

Council Member Vargas inquired about the end of Lookout Point Drive.

City Administrator Wayman sked if she meant towards the water tower.

Council Member Vargas replied in the affirmative.

City Administrator Wayman said that they haven't looked to put one out there but could certainly consider doing so.

Council Member Bell wondered about the lack of fiscal impact shown, adding that he believes signs are around a hundred dollars each.

Public Works Director Henne replied that they have a number of no parking signs and poles in stock.

Council Member Bell wondered how many signs they would need.

Public Works Director Henne responded that it would be less than ten.

Council Member Peterson inquired as to a standard or guidelines for when they designate an area as no parking, like some kind of standard for traffic count and lane width, or was it primarily done because of complaints.

Public Works Director Henne answered that complaints are most heavily weighted component of that, but also the hazard of cars parking half on the street and half on the sidewalk on Goodlander, and reducing the unsavory types parking up on Friday Point Place now that the Yakima Health District has lifted the thirty year moratorium in that area and approving on-site septic systems called mound systems for four homes in that area.

City Administrator Wayman commented that Lookout Point is a law enforcement issue, with people who don't live there going up there, the drug issues, harassing residents there, and littering, while West Goodlander is about safety and maintaining the sidewalk just put in.

Council Member Peterson found it difficult to see where they did and did not have no parking when reading the Ordinance, adding that there are places listed as no parking areas in the Ordinance that he

didn't see signed to indicate as such, giving both Jim Clements Way and South Fifth Street as examples of what he meant. He expressed concern over the difficulty in following the Ordinance and suggested cleaning it up to make it easier and more consistently addressed and requested that they be more proactive in getting signage up to uniformly enforce the Ordinance.

Public Works Director Henne remarked that he remembered South Fifth Street, as that was the first time he revised the Ordinance and put up signs based on complaints to the City when the apartments were built down there. He went on to say that on Jim Clements Way, if there was someone parking there in middle of the travel lane that could be handled under another section of Ordinance where parking can be enforced if it's a traffic hazard, which he supposed could have also been done on West Goodlander Road. He commented that sometimes what seems like a no brainer just isn't, as some places are residentially zoned and you can park alongside a residential street, so they revise the Ordinance to single those out based on complaints and the need to enforce access or parking.

Community Development Supervisor Peters added that one of the things they look at with dead end roads and turnarounds is the need for fire apparatus to turn around, and as the Fire Code prohibits people from parking in those turnarounds, that would be another reason why it's required to be signed.

Council Member Carlson remarked that his understanding was that Goodlander would be enforced similar to Jim Clements as a safety issue.

Public Works Director Henne responded that it could be, but when he came to Council two years ago to prohibit parking on East Goodlander due to parking during ballgames, they had to go out and put up signs and post to take care of the problem.

Council Member Carlson asked if they could cite people without the signs in place.

Public Works Director Henne answered in the negative.

Council Member Carlson said that he was having a hard time understanding why they couldn't enforce East Goodlander Road.

Public Works Director Henne replied that some was done, but it was difficult to enforce when people were parking off road or partially on the road, and there were other associated problems as well.

Council Member Carlson pointed out that while they were being asked to amend the Ordinance at no additional cost, there would be a cost for signs at some point.

Public Works Director Henne responded that he would amend the AIS to five hundred to one thousand dollars for signage, adding that it was just out of pocket expenses and not including labor.

Council Member Wickenhagen moved to Approve the Ordinance Amending Section 8.70.020 of the Selah Municipal Code, "Parking Prohibited on Certain Streets", Providing for Severability; and Establishing an Effective Date.

Mayor Raymond asked if he was adding in costs.

Public Works Director Henne answered in the negative.

City Administrator Wayman commented that they could include it in next year's budget.

Public Works Director Henne added that they would still be doing the work this year, as it's a safety issue that can't wait.

Member Bell seconded the motion. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Vargas – yes; Council Member Peterson – yes; Council Member Bell – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

2. Ordinance Amending the 2020 Budget for Legal Services

Clerk/Treasurer Novobielski addressed O – 2. He said that an amendment for a thousand dollars per month, starting in September, was approved for the contract for legal services for City Attorney Case at the last Council Meeting, and this Ordinance increases the budget for that four thousand dollars, showing the distribution between the operating funds paying for legal services. He asked for approval.

Council Member Carlson stated that after the last vote he did some homework on the vote they took and came across RCW 35a.12.100, saying that about halfway down in the RCW is a section regarding the duties of the Mayor regarding a tiebreaking vote. He read aloud the pertinent section, adding that the way he read the RCW the Mayor was not allowed to break a tie on anything regarding the payment of money, which means the vote did not pass.

Mayor City requested that Administrator Wayman or City Attorney Case address the matter.

City Administrator Wayman responded that he would have to research the RCW and get back to them with an opinion on that.

Council Member Carlson moved to not approve the Ordinance at this time until they get a resolution on that specific RCW.

Mayor Raymond declared that they would table the discussion.

Executive Assistant Lake asked City Attorney Case for clarification regarding the tabling of the issue.

City Attorney Case opined that a motion to not take action is not valid, adding that if no one moved to approve O-2 they could move on without taking action on it.

Council Member Carlson withdrew his motion.

City Administrator Wayman remarked that they would have to see if the City has accepted this RCW and added it to their Municipal Code.

P. Public Appearances **None**

Q. Reports/Announcements

1. Departments

Deputy Police Chief Steen said that the Police Department was still functioning and expressed his thanks for them having faith in him and keeping him around to do interim work.

Public Works Director Henne said that the West Goodlander Road project was substantially complete, with just a few items to be done on the punch list; the tennis courts have had the south four courts resurfaced and are needing outlines applied, while the north courts are moving along; and the Taylor Ditch project has started back up after some delays in acquiring equipment.

Council Member Peterson asked how the City managed the windstorm the previous day, adding that he was one of those without power for fourteen to sixteen hours.

Public Works Director Henne replied that a few trees went down, and they hired a contractor to deal with a power pole on South First Street that broke off and fell against the Pacific Power pole.

Community Development Supervisor Peters said that the Planning and Building departments have been fairly busy with projects such as getting Lince School open with a temporary certificate of occupancy to allow teachers to go in and do online classes with students at home while the contractor works on a number of conditions of approval the project can be finalized; meeting with the contractor for John Campbell to go over demolition plans, who is working on acquiring the right of way for the SEPA conditions as well as clearing and hauling stuff off the site; working with Public Works on getting plans reviewed and back to developers for two long plats and one Planned Development developers are getting ready to submit, and working with Public Works to get plans reviewed and back to them, and working with Gregg Dohrn on amendments to the Comprehensive Plan.

Human Resources Manager Potter said that this was his last Council Meeting as Zoom administrator, and that Recreation Manager Morales was with him being trained to run logistics from behind the scenes. He remarked that he sent out the City Council applications today for review only, and that Community Development Supervisor Peters has already verified their addresses. He noted that he has requested confirmations that the applicants were still interested in participating, and that Council needed to decide on a time and date for a study session to conduct for interviews.

City Administrator Wayman remarked that they were looking at a study session prior to the next Council Meeting, followed by an executive session to determine who they want for the position. He said that there are eight applicants, and they would like to give each one twenty minutes, recommending that they start the study session at 3pm with enough time for a break to consider the applications, then make the determination to seat a new council member during the Council Meeting.

Council Member Carlson wondered if they would be able to have interviews in person.

City Administrator Wayman replied that it would be done as they did for the last replacement.

Council Member Carlson asked if the City of Yakima did an in person meeting recently.

City Administrator Wayman didn't know.

Human Resources Manager Potter commented that their city manager interviews were held via Zoom.

Council Member Carlson thought they did them in person.

Human Resources Manager Potter stated that they held those meetings via Zoom.

Council Member Peterson commented that their next Council Meeting would be in the middle of his jury duty term, so he won't know until that day whether he would be late or available for the meeting.

City Administrator Wayman inquired as to what time he thought he might be available that day.

Council Member Peterson replied that he really had no idea, since jury trials have been suspended since March and they would be the first jury group since March. He added that City Attorney Case might have a better guess of what jury trials would look like the second half of September.

City Administrator Wayman recommended rolling it to the first meeting in October if Council Member Peterson wasn't sure he would be available.

Council Member Carlson stated that he likely won't be available for the first meeting in October and suggested holding interviews at the next meeting if they have a quorum.

Mayor Raymond asked Council Member Peterson if that was his first week of jury duty.

Council Member Peterson answered that it would be his second week, and that there's a good possibility that it would be like any other day.

Council Member Carlson moved, and Council Member Wickenhagen seconded, to have a Study Session at 3pm at the next Council Meeting. By a show of hands, approval was unanimous.

Human Resources Manager Potter Deputy read aloud a brief report from Deputy Fire Chief Lange which thanked the community for their support and generosity and provided an update on the Evans Canyon Fire.

City Attorney Case said that in the future, if a Council Member has an issue regarding a statute, he would ask that it be submitted to him personally, and that if they have questions about executive sessions please to please copy him in the emails.

2. Council Members

Council Member Wickenhagen gave kudos to the community for the support showed with the vandalism done to vehicles, saying that it was amazing to see how Selah operates when someone needs something.

Council Member Peterson echoed Council Member Wickenhagen's sentiment about how the City pulls together for not only police and fire, but through yesterday's windstorm with a lot of schedules and things turned upside down. He went on to say that he lost power at three and got it back at eight that morning, and there were still power crews out working at noon. He thanked all those people who are behind the scenes most of the time and give them the conveniences they take for granted.

Council Member Bell had no report.

Council Member Vargas said that as they are coming up on selecting the next Council Member, she requested that an email concerning potential violations for executive sessions she sent would be looked into and guidance given to Council to make sure they aren't in violation.

City Administrator Wayman asked who she sent it to.

Council Member Vargas replied that she sent it to the Mayor and copied it to Council.

Mayor Raymond responded that she would look at it and get back to her.

Council Member Carlson reiterated Council Member Wickenhagen's comments, saying that he was grateful for the firefighters and the sleepless nights they put in. He remarked that there was a lot of lack of information because there wasn't a lot to share, and the alerts to the entire Yakima County caused fear even in Zillah. H expressed appreciation for the fire crews statewide, locally, and regionally, as well as their police force, and echoed the appreciation for Chief Hayes and the outstanding work he did for their community.

Council Member Matson had no report.

3. City Administrator

City Administrator Wayman said that a five-person panel consisting of himself; Yakima Police Captain Jay Seely; former Council Member and retired State Trooper John Tierney; Bill Harris; and Council Member Cliff Peterson screened applicants and selected Daniel Christman as the new Police Chief, to start between October 1 and October 15 pending a background investigation, lie detector test and reference check. He added that Mr. Christman was currently working at the CJTC and prior to that was a Police Commander in Sunnyside, and that the Mayor sat in on the interviews and she concurred with the unanimous board choice. He stated that Zack Schab is the new Recreation Manager as Ms. Morales has taken on the job of Public Records Specialist, and they would be putting out an announcement to fill the Recreation Coordinator position soon. He went on to say that Human Resources Manager Potter was leaving after doing a great job, and that they were happy to help him get his master's degree in public administration through San Diego State, making him the only Selah employee to date who has gotten through the program. He commented that they would be preparing packages of the potential council candidates to review by Council.

Executive Assistant Lake noted that Human Resources Manager Potter had emailed Council the applications earlier that day.

4. Boards

a. Lodging Tax Advisory Committee Minutes – April 27, 2020

5. Mayor

Mayor Raymond said that she was proud to be the Mayor of a community that pulls together in tough times.

R. Executive Session **None**

S. Adjournment

Council Member Bell moved, and Council Member Peterson seconded, that the meeting be adjourned. By a show of hands, approval was unanimous.

The meeting adjourned at 7:06pm.

Sherry Raymond, Mayor

Roger Bell, Council Member

Russell Carlson, Council Member

Jacquie Matson, Council Member

Kevin Wickenhagen, Council Member

Clifford Peterson, Council Member

Suzanne Vargas, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer