City of Selah
Council Minutes
October 27, 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; Michael Costello

Members Absent: None

Staff Present: Donald Wayman, City Administrator; Rob Case, City Attorney; Joe Henne, Public Works Director; Jeff Peters, Community Development Supervisor; Gary Hanna, Fire Chief; Jim Lange, Deputy Fire Chief; Treesa Morales, Public Records Specialist; 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 Tom Morris 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 spoke first about the CARES Business Grants, saying that they have received all but three W-9s, and checks would go out tomorrow to be received around the end of this week or the beginning of next week. She thanked the Mayor and City Administrator for all their efforts with the grants. She provided information about the drive thru Trunk or Treats to be held at the Selah Middle School, and at Nana Kate's and Grocery Outlet, and reminded everyone to vote, noting that City Hall would be open until 8pm on November 3 to receive ballots. She finished by saying that the new Police Chief would like to connect with business owners, and the SDA would be providing an opportunity for businesses to meet him in groups, requesting that interested parties reach out to the SDA for details.

Mayor Raymond asked when they plan to start meetings with the Police Chief.

Ms. Henkle responded that they hope to start by mid-November, as the idea came up at the end of the previous week.

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

I. Communications

1. Oral

Mayor Raymond opened the Public Meeting.

City Attorney Case read aloud the rules of conduct as stated in the Agenda.

Executive Assistant Lake said that there were sixteen comments submitted, of which fourteen would not be read aloud. She read aloud the following statements provided via the online public comment submission form.

From Diane Underwood, Selah:

Now that the grass has finally been replaced along South 1st Street I would like to know when the trees will be replaced as promised with the exception of a few trees that business did not want them due to the possibility that it would not make their business as visually seen from the street.

Currently and in the past 10 years, Cities are planting Trees (Yes Trees) and beautifying the cities they live in, yet we took out all the trees and slowly ever so slowly replacing some of them. These trees that were removed all the way down 1st were enjoyed by many people and greenspace more so than artificial turf and silk plants (Parklets) on hot asphalt looking cheap.

From Mindy Clark, Selah:

Hello and good evening. I would like to address the Mayor, city council and our city administrator. I'd like you all to urge members of the public to stop taking yard signs. These signs have a right to be placed like any other. I think we can all agree that individual citizens should not be removing them, especially not from others private property, which has now happened several times. I, personally have had property destroyed, that my homemade signs were attached to, because they couldn't get the sign off. This has happened three times, on my own property. Thank you.

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: October 13, 2020 Study Session & Council Meeting

* 2. Approval of Claims and Payroll:

Payroll Checks Nos. 83798 – 83866 for a total of $231,623.91
Claim Checks Nos. 75506 – 75628 for a total of $716,565.72

Council Member Bell moved, and Council Member Peterson seconded, approval of the Consent Agenda as read. Motion passed with six yes votes and one abstention.

L. Public Hearings **None**

M. General Business

1. New Business **None**

2. Old Business **None**

N. Resolutions

1. Resolution authorizing the Mayor to sign a SunComm Interlocal Dispatch Service Agreement with the city of Yakima, and Yakima County Fire Protection Districts 1, 2, 3, 4, 6, 9, 12 and 14

Fire Chief Hanna addressed N – 1. He said that they were asking for authorization for the Mayor to sign a SunComm Interlocal Dispatch Service Agreement with the city of Yakima, and Yakima County Fire Protection Districts 1, 2, 3, 4, 6, 9, 12 and 14, which was a two-year contract to provide dispatch services for the Fire Department, as they have done many times in the past.

Council Member Vargas remarked that in looking over the fiscal impact, it appears that 2021 is based on a rate they know and multiplied by the number of calls.

Fire Chief Hanna responded that they take the last completed year of calls, which for the 2021 Budget it would be the call volume in 2019, and then to come up with a price per call based on what the current rate is along with an average obtained from consumer indexes.

Council Member Vargas asked if 2022 would be based on the year prior.

Fire Chief Hanna answered that it would be based on 2020, as the previous year isn't completed yet when they working are on the budget.

Council Member Wickenhagen moved, and Council Member Vargas seconded, to Approve the Resolution authorizing the Mayor to sign a SunComm Interlocal Dispatch Service Agreement with the city of Yakima, and Yakima County Fire Protection Districts 1, 2, 3, 4, 6, 9, 12 and 14. 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 Costello – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

2. Resolution Authorizing the Mayor to sign Change Order No. 3 for the East Goodlander Road Improvements

Public Works Director Henne addressed N – 2. He said that this was a Resolution Authorizing the Mayor to sign Change Order No. 3 for the East Goodlander Road Improvements, as throughout the duration of the project they ran into delays such as moving primary power poles, the subcontractors for concrete not on schedule, and procurement and COVID-related delays from installing poles for traffic control devices. He didn't feel that Granite Construction was responsible for the additional twenty-one days that the project ran over, and wished to grant an additional twenty-one days so they had no penalties. He noted that it was a no cost change order.

Council Member Carlson inquired if they were under budget on the project.

Public Works Director Henne replied that they were under by forty-eight thousand dollars.

Council Member Carlson asked if this was just a way to make sure they're getting paid appropriately and not to spend extra money.

Public Works Director Henne responded that he was correct.

Council Member Bell moved, and Council Member Carlson seconded, to Approve the Resolution Authorizing the Mayor to sign Change Order No. 3 for the East Goodlander Road Improvements. 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 Costello – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

O. Ordinances **None**

P. Public Appearances **None**

Q. Reports/Announcements

1. Departments

Fire Chief Hanna said that they have conducted interviews and testing for the Deputy Chief position last Thursday and developed a list from that, going on to say that he and Deputy Fire Chief Lange met with the two finalists that day for a little over an hour apiece and would be making a decision within the next day or two. He commented that they would be conducting interviews tomorrow night with fourteen applicants for volunteer membership, and they hope to get another good group to assist them.

Public Works Director Henne talked about the Wastewater Treatment facility, which has an aeriation basin with mixers at the north end that effluent comes into, saying that they noticed that the effluent

ditch was off-color a couple days ago, and after doing some testing they determined that there was a crack in the bottom of the pipe that disperses to the north and south clarifier that was spraying effluent out and it was seeping into a joint in the tile section of the storm sewer. He said that they patched the stormwater line to prevent further cross contamination, but they still have a leak on the mixed liquor line that needs repaired, and after talk with the Naches-Selah Irrigation District regarding their success with a material that will expand and seal around cracks and joints they will be coming down tomorrow to help with the repair process. He reviewed the costs for the repair work, adding that he would be bringing a budget adjustment at the next meeting to cover costs up to ten thousand dollars. He noted that they've contacted the Department of Ecology and the wastewater permit manager, and they did an ERTS report. He finished by saying that this was an emergency unbudgeted repair.

Council Member Bell wondered if it was considered an emergency repair because they were putting partially treated sewage into stormwater.

Public Works Director Henne responded in the affirmative, adding that they couldn't let it run like that and wait to ask Council for money.

Police Chief Christman said that he has been meeting with as many people as he could his first week, such as Ms. Henkle and the Selah Downtown Association to assist in his goal to meet with the business community and residential community, and that today he had a deep conversation with Comprehensive Mental Health about the forty-hour crisis intervention training they provide to law enforcement in the Yakima area. He went on to say that he had the department's two School Resource Officers working on reintegrating SROs into the school system and had delivered a schedule to the schools of who and when the officers were available, they are advertising for entry level and lateral officers an had discussed the process for that at a Civil Service Meeting, and ended by saying that Sergeant Rodriguez would be retiring as of November 1, with an unofficial sendoff that Thursday.

Community Development Supervisor Peters said that the Planning Department was working on a number of different items, such as a modification to the wastewater industrial availability fee that would be at the next Council Meeting; the State building codes for the 2018 building cycle that would need to be adopted prior February 1, 2021; and adopting the shorelines master program and critical area update January and February to make the City compliant with state regulations.

City Attorney Case addressed the supposedly political signs in placed in public rights of way recently, saying that the City government and its employees are not encouraging anyone to take any action against those signs, and that while some people have questioned whether they qualify as political signs or political advertising under the law, he was not going to provide an opinion or conclusion on that tonight. He remarked that someone has been placing surveillance devices on trees in City rights of way or other locations nearby City right of way, and that while he hasn't seen any devices himself, which he understood to have been placed to watch signs, anyone placing those in public locations was taking the risk that they would be removed, as the City hasn't granted permission to place any type of surveillance device on a City right of way. He advised those who had placed such devices to remove them immediately, as there is no law that allows someone to situate surveillance devices on City property.

2. Council Members

Council Member Carlson inquired if they were still considered to be under a state of emergency, and if so, what the plan of action was for that.

Mayor Raymond deferred to either the City Administrator or the City Attorney.

City Administrator Wayman answered that they were still under a state of emergency, as is the State of Washington, and that while it hasn't changed City operations much it allows them to apply for the CARES grant and other State or Federal money that might come through.

Council Member Costello commented that he would be working with Police Chief Christman, Ms. Henkle, the Selah Downtown Association, and Comprehensive Mental Health on a Zoom meeting Thursday night.

Council Member Vargas had no report.

Council Member Bell gave a brief report on the Code of Conduct committee, saying that they received input from council members and met yesterday to come up with a revision that Council would be seeing in the next few days for any further comments they might have on it and explanation of what the committee felt was addressing each concern raised. He said that SPRSA had board meeting last night, and that they have done appropriate winterization at the pool per the manufacturer of the equipment, so people might see water running occasionally just to circulate it through the pumps. He commented that the City has been gracious to allow the SPRSA board to meet in the conference room at City Hall for the meeting to provide social distancing, and that masks would be required of those in attendance.

Council Member Peterson had no report.

Council Member Matson remarked that she attended the Zoom meeting for YVCOG, which she found to be really informative, with quite a few speakers addressing an update on Yakima County homelessness, what they've been doing and what they could use for donations. She thanked everyone for their work on the CARES checks going out, and said that the Youth Representative committee was moving forward.

Council Member Wickenhagen had no report.

3. City Administrator

City Administrator Wayman said that they've received all the funding requested from the Department of commerce, expressing his thanks to Ms. Eaton for expediting the request, and that every dime requested and expended has been replenished back into the budget. He noted that they would be sending back about two thousand three hundred due to a CARES grant not being awarded to a business who wasn't qualified. He stated that they have completed the preliminary budget for Council to review, with copies at City Hall for them to pick up and review, then addressed a few highlights from it such as approximately two percent more than the current year's budget for public safety and utility expenditures; lower estimated revenue from retail sales tax than the current year's estimate; and personnel changes, including the Fire tech position transitioning from part-time to full-time, holding off on filling the Recreation Coordinator position until June, adjustments at the wastewater treatment plant to allow staff to qualify for a higher skill set position based on a recommendation from Wastewater Treatment Plant

Supervisor Neumeyer, and converting the contract attorney position to a full-time position combined with the vacant Human Resources position. He noted that they have managed to be frugal and have a surprisingly healthy economy even with COVID.

4. Boards **None**

5. Mayor

Mayor Raymond said that the budget packets are in binders in the mail room with Council Members' names on them. She remarked that the grass along First Street looks really nice, and the next step would be to put in some type of pavers on the corners where cars go over the curb and smash the grass.

Council Member Bell wished to bring up that Council had passed a temporary ordinance allowing any business to utilize parking spaces for customer use during COVID, which expired in September, and he would like to move to extend that through the remainder of the year for those businesses who could accommodate customers in that way.

Mayor Raymond asked if they could do that now.

City Administrator Wayman commented that he would prefer to bring back a resolution at the next meeting and hold in abeyance any enforcement on that at this point, if that was okay with Council.

Council Member Bell opined that they don't need a new Resolution, as they would be simply extending the date on a Resolution passed several months ago.

Community Development Supervisor Peters concurred with the City Administrator, saying that it wasn't listed on the agenda for that evening and they would need to make the public aware that they were doing this, along with updating the revised Resolution.

Mayor Raymond stated that they would put it on the next Council Meeting agenda. She wondered how many were using outdoor seating area from their parking lots, adding that Magic's Pizza was not.

Council Member Bell replied that he wasn't aware of any, but they were still under COVID and he felt they ought to do everything they could as a Council to accommodate businesses in the community to stay and survive through the pressures that continue to hit their businesses.

Mayor Raymond said they would have it on the agenda at the next Council Meeting, and would let it slide until then.

City Attorney Case remarked that, for the time being, all businesses should feel comfortable continuing to act under the letter and spirit of the Resolution, and that in the interim the City would be taking no enforcement actions against any business that might be violating existing code due to the sunset.

R. Executive Session **None**

S. Adjournment

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

The meeting adjourned at 6:23pm.

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

Michael Costello, Council Member

ATTEST:

Dale E. Novobielski, Clerk/Treasurer