

**City of Selah**  
**City Council Meeting Minutes**  
**July 25, 2023**  
Regular Meeting

- 1) **Call to Order:** Mayor Raymond called the meeting to order at 5:30 pm.
- 2) **Roll Call**
  - A. Members Present: Elizabeth Marquis, Roger Bell, Michael Costello, Russell Carlson, Kevin Wickenhagen, Clifford Peterson
  - B. Staff Present: Joe Henne, City Administrator; Rob Case, City Attorney; Daniel Christman, Police Chief; James Lange, Fire Chief; Rocky Wallace, Public Works Director; Dale Novobielski, City Clerk/Treasurer; Jeff Peters, Community Development Supervisor; Zack Schab, Recreation Director, and Treesa Morales, Human Resources Director.
- 3) **Registering in record of Councilmember absence(s) as excused absence(s), per SMC 1.06.070**

Councilmember Carlson moved to excuse Councilmember Iverson from the meeting. Councilmember Wickenhagen seconded. By voice vote, motion carries.

- 4) **Pledge of Allegiance**
- 5) **Invocation with President Bennett Packard, from the Church of Jesus Christ of Latter-Day Saints**
- 6) **Announcement of changes, if any, from previously-published agenda: None**
- 7) **Getting to know local businesses, agencies and/or people**

Representative Chris Corry, WA State Representative 14<sup>th</sup> District approached the podium and gave quick introduction and update on the recent 2023 session and asked Council if there were any questions.

Councilmember Bell asked if there was any hope for a resolution at the state level for building affordable housing when local municipalities cannot force a contractor to build something specific? Mr. Corry replied he hopes there will be, but with the rezoning laws and the fact that the state made it more expensive to build, the best way to do so is to remove the barriers. Mr. Corry said one of the ways to overcome this issue to provide tax incentives for builders, remove restrictive zoning, reduce the cost of materials and make it easier to for buyers.

Councilmember Wickenhagen asked for Mr. Corry's thoughts on rules that allow schools to keep secrets from parents regarding their children. Mr. Corry referenced HB 1601 regarding the

“parental bill of rights,” and stated that Senate Bill #5599 passed, allowing the state to select not to inform parents if a child ran away, or change wants to change their gender. Mr. Corry explained that it was sold as a bill to protect kids in state care, which, Mr. Corry said is not true, that the bill actually says if a kid has a disagreement with the parents and runs away and ends up in foster care, the state can now hide their information. Mr. Corry said they are pushing back on this, and seeing more and more support. Mr. Corry clarified the state does have good laws on abuse and neglect and good ways for the state to step in if necessary.

City Administrator Henne asked if there was any movement on the gas tax versus the miles traveled for electric vehicles. Mr. Corry said the idea is being floated, but not yet passed for miles traveled. However, Mr. Corry said, the gas tax is a whole other beast. Mr. Corry explained he was told be one side that the high gas tax was because of big oil, but Mr. Corry says he knows there are policies out of Olympia that are driving the tax – most notably, that it is the number one profit maker for the state.

Councilmember Carlson asked about Mr. Corry’s thoughts on a new police station. Mr. Corry said he plans to look at the direction the City is going and help along the way as possible, but that the City of Selah and City of Wapato are definitely on the list.

Councilmember Peterson stated he heard Washington State is number one in the country for drug overdose, and asked if there was any headway about returning hard drugs to a felony? Mr. Corry stated, yes, they will continue to push for it. Mr. Corry explained that Washington is one of the cheapest places to buy fentanyl, so there is definitely more to do. Mr. Corry said there was recently a huge fire in a homeless camp right next to a hospital, so he knows people are starting to see the consequences. Mr. Corry referenced the fixes to the “Blake decision” and stated even the members of the bill did not fully support it, so, Mr. Corry says, it is going to get better and public outcry is forcing change.

Councilmember Wickenhagen asked if there has been talk about expanding mental health facilities for homeless and addicted throughout the state? Mr. Corry said it requires more money, and he would rather see the money go to the local communities for support. Mr. Corry said they also need to figure out how to get to people before they become addicted, but until they can find ways to cut the drug use at the beginning, there will always be a struggle.

Councilmember Carlson asked for Mr. Corry’s opinion on Yakima having a regional airport. Mr. Corry replied he does not think it is feasible. Mr. Corry said he saw one proposal to build a light-rail from Yakima to Seattle, but it is just not possible. Mr. Corry agreed that he would like to see more flights out of Yakima, but he does not think it makes sense for a regional airport. Councilmember Bell said he was just at a presentation where he heard the Governor has someone looking and regional rail between central and eastern Washington, when just four years ago, the committee recommended not to. Mr. Corry agreed, stated it’s not feasible or fiscally responsible. Mr. Corry said Washington State is a large footprint, with lots of rural areas and the State has struggled to get a light rail from Seattle to Bellevue, so he is going to recommend no.

Hearing no further discussion, Mayor Raymond thanked Mr. Corry for his time.

8) **Comments from the public**

- A. Pre-arranged oral comments – None
- B. Reading of received written comments – None
- C. Oral comments by people in attendance - None

9) **Proclamations/Announcements:** None

10) **Consent Agenda (all items listed with an asterisk (\*) are considered part of the consent agenda and are enacted in one motion).**

Councilmember Carlson moved to approve the consent agenda as presented. Councilmember Peterson seconded. Hearing no further discussion, Mayor Raymond called for Roll Call. Ms. Morales called roll: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – yes; Councilmember Iverson – absent; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. Motion carries.

Ms. Morales read the Consent Agenda:

- A. Treesa Morales Approval of Minutes: July 11, 2023 Council Meeting
- B. Dale Novobielski Approval of Claims and Payroll:  
Payroll Checks No. 85713-85736 for a total of \$377,956.36  
Claim Checks No. 180225-180307 for a total of \$640,178.38

11) **Public Hearings**

- A. Open Record Public Hearing to Consider Adoption of the Body Worn Camera (BWC) Redaction Cost Study Completed by the Selah Police Department and City Staff's Proposed BWC-Specific Fee Schedule

Presented by Public Records Officer, Treesa Morales. After presentation, Mayor Raymond opened the public hearing at 5:58 p.m. Mayor Raymond asked for council discussion. Hearing none, Mayor Raymond closed the public hearing at 5:59 p.m.

**13-A (RELOCATED) Resolution to Adopt an Updated Public Records Policy, Allow the Mayor or Mayor's Designee to Sign Executive Order PRO-01, Order Covering Indexes for Public Records, and Executive Order PRO-02, Charges for Providing Copies of Public Records; as well as to Formally Recognize the Cost Study Completed by the Selah Police Department to Enable the Department to Charge for Body Worn Camera Records Requests.**

Introduced by Mayor Raymond, presented by Public Records Officer, Treesa Morales. After presentation, Councilmember Carlson moved to approve the resolution as presented. Councilmember Costello seconded. Mayor Raymond asked for discussion.

Councilmember Carlson asked about the charge of \$2.00 for Body Worn Cameras. Mrs. Morales provided explanation of the minimum charge permission in RCW 42.56, but explained that if an agency undergoes a cost study, they are permitted to charge the resulting amount.

Hearing no further discussion, Mayor Raymond restated the motion and requested roll call. Ms. Morales called roll: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – yes; Councilmember Iverson – absent; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. Motion carries.

## 12) General Business

- A. **New Business: None**
- B. **Old Business: None**

## 13) Resolutions

### **B. Resolution Authorizing the Mayor to Sign a Contract with Picatti Brothers, Inc., Related to the City's Well No. 3 Pump Replacement Project.**

Introduced by Mayor Raymond and presented by Mr. Wallace. After presentation,

Councilmember Wickenhagen moved to approve the Resolution as presented. Councilmember Peterson seconded. Mayor Raymond restated the motion and asked Council for discussion.

Councilmember Carlson asked why the last two projects are coming in under budget? Mr. Wallace replied, he was not sure, but he believes part of it is that the company is very local so there was no cost to mobilize. Mr. Wallace also explained that the public itself was less expensive than originally planned.

Councilmember Bell asked Mr. Wallace how confident he was that amount is a fixed price, and asked if something else could be found. Mr. Wallace explained the pump was diagnosed as bad, the electrical has been checked, and the crew is hopeful to go back online after repairs.

Hearing no further discussion, Mayor Raymond called for Roll Call. Ms. Morales called roll: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – yes; Councilmember Iverson – absent; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. Motion carries.

### **C. Resolution Granting a Non-Exclusive Franchise for Small Cell Wireless Facilities to Yakima MSA Limiting Partnership and Authorizing the Mayor to Sign a Fourteen-Page Master License Agreement.**

Introduced by Mayor Raymond and presented by City Attorney Case. After presentation,

Councilmember Peterson moved to approve the Resolution as presented. Councilmember Wickenhagen seconded. Mayor Raymond restated the motion and asked Council for discussion.

Councilmember Bell asked Mr. Case if he received any response from the public when the proposed resolution was published? Mr. Case replied, no.

Councilmember Wickenhagen asked Mr. Case if he knew how many poles the city owns. Mr. Wallace stood to the podium and said most of the poles in town are owned by PP&L, but the City owns the poles on Fremont Ave, and the ones on the west and east side for South 1<sup>st</sup> Street, and the ones on the east side of North 1<sup>st</sup> Street. Mr. Wallace explained that the County owns the ones on North Wenas, but most are owned by PP&L. Councilmember Wickenhagen asked if the company gave any indication of how many repeaters they plan to install? Mr. Wallace said he believed just two, one by the Wells Fargo building and one at the Civic Center. Mr. Case clarified they will have the ability to install more if they want to.

Councilmember Carlson asked how long they have to start the project before severability, and is it ok if they decide to wait to start? Mr. Case said he does not believe there is a deadline before the application lapses, and even if there was, they could just come back and re-apply. Mr. Case explained they have been very cooperative, and he believes they will get started very soon.

Councilmember Carlson then asked if it was appropriate to have the manager sign as stated on the final page of the contract. Mr. Case explained that a limited partnership is an entity and a general partner is similar to a manager. Mr. Case said he believes the title could be different, but in modern times, titles are interchangeable. Mr. Case said he was ok with it because the person has vested authority. Mr. Case stated again, he does not have concern with the manager signing the document.

Hearing no further discussion, Mayor Raymond called for Roll Call. Ms. Morales called roll: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes; Councilmember Carlson – yes; Councilmember Iverson – absent; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. Motion carries.

**D. Resolution Authorizing the Mayor to Sign a Three-Page Agreement with Northwest Striping and Sealing, LLC, for the City’s 2023 Crack Seal Project.**

Introduced by Mayor Raymond and presented by Mr. Wallace. After presentation,

Councilmember Wickenhagen moved to approve the Resolution as presented. Councilmember Carlson seconded. Mayor Raymond restated the motion and asked Council for discussion.

Councilmember Carlson asked if there were areas around town to add to the project since it came in under budget. Mr. Wallace said there are areas on Naches heading north to Fremont, there are areas on Fremont and also on First Street, and there are local access roads. Mr. Wallace said there are a lot of areas that need to be done so they will continue to work on it.

Hearing no further discussion, Mayor Raymond called for Roll Call. Ms. Morales called roll: Councilmember Marquis – yes; Councilmember Bell – yes; Councilmember Costello – yes;

Councilmember Carlson – yes; Councilmember Iverson – Absent; Councilmember Wickenhagen – yes; Councilmember Peterson – yes. Motion carries.

#### **14. Ordinances - None**

#### **15. Reports/Announcements**

##### **A. Departments**

- Fire Department – Chief Lange gave a department update, including recent incidences around the City. Chief explained he did not have any updates on the grants. Chief Lange explained the current status of the Deputy Fire Chief hiring process. And Chief stated he has received feedback from a neighboring agency that Station 21’s response time has improved and that this is the smoothest transition from a majority volunteer station to 24-hour coverage shift they have ever seen. Otherwise, Chief said, the staff is happy.
- Police Department – Chief Christman gave an update on recent cases around town, stating that the department has seen an increase in eluding, with motorcycles particularly. Chief said they have also seen an increase in DUI, DV assault, and graffiti cases in the City. Chief said, in regards to the graffiti around town, some of the officers are taking it upon themselves to take the report, document the damage, and then return after work to remove the paint, and that he is very proud of them. Chief updated the council on the Flock Cameras, and the 2023 National Night Out event on August 1<sup>st</sup>. Chief also informed council they found some duty cars from Arizona at an extremely good price and requested a discussion regarding the purchasing policy, and perhaps changing the rule. Chief explained that council has approved his budget to purchase cars, but the purchasing policy requires that he come back again to request to purchase the cars. Chief explained if he has to wait for a council meeting and approval, he will miss out on the deal. Chief requested explanation for requiring the second approval, if the budget was already approved.

Councilmember Carlson said understands the redundancy, but a lot can happen since the budget discussions, so the redundancy is necessary and it provides a second opportunity to assess the position. Mr. Carlson also referenced the potential blowback for financial savings and potential when granting final approval. Mr. Carlson said he was ok with the current policy, in an emergency, maybe it could be different, but that he likes it the way it is.

Chief Christman said the problem is that Ford is not opening bidding, and that when the department finds a car, it goes very quickly. Chief explained that because of the purchasing policy, the department has lost two sets of cars, and that this one is the third set. Chief also explained the he hoped the Council would trust him not to overspend the budget.

Councilmember Costello said he agrees with Chief, especially if it is specific to cars. Mr. Costello said if it was a broad purchase, the council should evaluate it, but with a specific planned purchase, the decision should be up to the department head. Mayor Raymond agreed, adding her approval for funds already budgeted, so long as the department head does not go over budget.

Councilmember Bell stated he believes Council has already approved the budget to purchase police cars, and if that is true, that the funds are specific to cars and not the whole department budget, then in a case like this, the City is losing money by not taking the deal when it is available. Mr. Bell also stated that if the purchase was going to use general funds, then the department head should have to ask again.

City Attorney Case said he follows what Council is saying, and requested they think of the expenditure part and the contract part. Mr. Case stated the purchasing policy stresses Council approval when a contract needs to be considered. Mr. Case also explained to Council that they do not need to decide tonight, and he could draft the proposed changes if Council wanted.

Councilmember Carlson suggested a second review by the finance committee. Mr. Case asked how often they meet? Mr. Carlson said they meet as needed. Mr. Case said that could work, and suggested the Council bump up the \$10,000 threshold, or a separate ordinance for items that department heads can spend up to an allocated amount. Mr. Case also reminded council the policy could be amended however they wanted.

Councilmember Carlson asked about the scenario where it is deemed an emergency? Mr. Case explained there are different statutes, and the most recent emergency purchases were related to public health and safety. Mr. Case said he can try to work something up for the Council to see.

Mayor Raymond asked Chief Christman if he had a timeframe to purchase. Chief responded he will be coming back at the next meeting for the purchase if he has to.

Finally, Chief reminded Council of the ribbon cutting for the Local Crime Lab in Zillah on August 3<sup>rd</sup>. Councilmember Wickenhagen pointed out that the NIBIN machine is working and has been processing casings. Mr. Wickenhagen also noted that ATF is going to send one of their own staff members to work at the Crime Lab at no cost to the Cities and County. Chief agreed, and notified council that the manager of the crime lab has already documented all the backlogged cases for brass, and that the information is in the system and ready for processing.

- Public Works – Rocky Wallace gave a department update starting with Well 5. Mr. Wallace said the well ran for an hour then shut down, so the crew pulled the pump and checked the camera, but didn't find any issues, however, they took 10 feet of gravel out. Mr. Wallace said the engineer is working to make sure the pump was installed correctly, and they are also look at the possibility of having to line the pump with a screen as the filter was covered in pea gravel after only 1 ½ hours. Mr. Wallace said the Engineers said it seems the well has an issue approximately every 10 years, and they are hopeful to have an answer by Wednesday, but for now, the well is down and they are doing what they can to fix it. Mr. Wallace addressed the project on Valleyview and Southern, which is marked for striping starting tomorrow. Mr. Wallace also said that because of the project, local properties are starting to get cleaned up, so he's happy with the project overall. Mr. Wallace updated Council on the Fremont project, stating that pipe was delivered to Speyers and he expects the manholes to be installed by the end of the week, and he anticipates the project will still be completed before school starts.

- Finance – Mr. Novobielski updated the council on the sales tax amounts. Mr. Novobielski said that in July, the City received \$165,000 in tax revenue which is \$10,000 more than July last year. Mr. Novobielski said he believes August will be a challenge as August 2022 reflected income from the school building projects, and said if the City receives more than \$195,000 in the next month, he will be surprised. However, Mr. Novobielski confirmed that he still anticipates to be \$200,000 over the budgeted amount for the year. Mr. Novobielski also stated he expects the Auditors to be in house by August and that he expects they will conduct work on site this year.

**a. Councilmembers**

Councilmember Bell reminded council of the Mid-Valley swim championships this weekend at Carlon Park.

Councilmember Carlson expressed his gratitude to the all the staff for working in the heat.

Councilmember Wickenhagen updated the council on his attendance at the Homeless Coalition meetings, claiming that Curtis is taking over leading the group and is working on completing the five-year plan that was started three years ago. Mr. Wickenhagen said he will also be attending the Yakima Valley Tourism meeting tomorrow.

**b. City Attorney – No report.**

**c. City Administrator** – Mr. Henne updated council on a recent letter received from the Department of Commerce for the Wastewater Treatment Plant. Mr. Henne explained that \$40,000 of the awarded funds will be consumed by the Department of Commerce for handling, but they are thankful for the financial support. Mr. Henne also said he is still in negotiations with the Union.

Councilmember Carlson asked about the costs on hiring a local outreach company to help gain interest in the job openings. Mr. Henne said the City received ten applications for the City Administrator position and two for the Clerk/Treasurer position. Mr. Henne stated he anticipated next week they would have the first round of interviews for the City Administrator applicants. Mr. Carlson asked about a cost estimate for the outside company. Mr. Henne said since the City received ten applications, they do not see the need. Mr. Carlson asked about using the outside company for the Clerk/Treasurer position. Mr. Henne said there were some applicants for the City Administrator position who might be interested in the Clerk/Treasurer position, so he is going to talk to them. Chief Lange added, that for the Fire Department, Prothman was \$3500. Mayor Raymond added that recently, in a nearby City, they hired Prothman to search for them, and they ended up hiring a local guy.

**d. Mayor Raymond** referenced the ribbon cutting for the Crime Lab and tours between 1:00 p.m. and 5:00 p.m., and asked who would like to attend. Noting the following names: Councilmember Wickenhagen, Councilmember Peterson, Councilmember Costello, Mr. Henne and Mr. Case. Councilmember Carlson noted he plans to attend another time.



At 7:08 p.m., Mayor Raymond noted the Council will take a 5-minute break before going into executive session.

At 7:13 p.m., Mayor Raymond came back on the record and asked Mr. Case how much time is anticipated needed. Mr. Case responded he expects no more than 15 minutes. Mayor Raymond noted the council will go into executive session under RCW 42.30.110(1)(b) regarding the acquisition of real estate until 7:31 p.m.

#### **16. Executive Session: RCW 42.30.110(1)(b) – regarding the acquisition of real estate.**

7:15 p.m.: Executive session began.

Mayor Raymond said they would return to the record at 7:31 p.m.

7:31 p.m.: Executive session ended. Mayor Raymond said they were back on the record, and that no decisions were made, no votes were taken.

7:31 p.m.: Closed session began. Mayor Raymond noted the Council would go into the Closed session regarding RCW 42.30.140(4)(b) – Regarding collective bargaining negotiations started. Mayor requested thirty (30) minutes for the closed session, and they would return to the record at 8:01 p.m.

8:01 p.m.: Closed session ended. Mayor Raymond said they were back on the record, and that no decisions were made, no votes were taken.

#### **17. Adjournment**

Councilmember Carlson moved to adjourn the meeting. Councilmember Costello seconded.

Councilmember Bell made a motion to allow the City to make an offer to purchase the property next to the Civic Center for up to \$140,000. Councilmember Carlson said to the Mayor, there was a motion for adjournment. Mayor Raymond asked Mr. Carlson if he would like to withdraw his motion. Councilmember Carlson agreed to withdraw his motion.

Mr. Henne clarified that it was approval to purchase up to \$140,000? Or did the Council want him to discuss with the property owner? Mr. Henne said he would go look at the property.

Councilmember Peterson clarified Mr. Bell's motion was for an "up to" amount? Councilmember Bell stated he made a motion to make an offer for up to \$140,000 and if it is rejected, to request first right of refusal. Councilmember Peterson seconded the motion. Mayor Raymond restated the motion and asked Council for discussion.

Councilmember Carlson said he believed it was highly inappropriate to discuss a dollar amount in the open session, and reminded Council that is the purposed of the executive session.

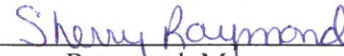
Hearing no further discussion, Mayor Raymond requested roll call. Ms. Morales called roll: Councilmember Marquis – no; Councilmember Bell – yes; Councilmember Costello – no;

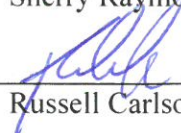
Councilmember Carlson – no; Councilmember Iverson – Absent; Councilmember Wickenhagen – no; Councilmember Peterson – yes. Motion fails.

Councilmember Carlson moved to adjourn the meeting. Councilmember Marquis seconded. Mayor Raymond asked for all those in favor, say “Aye.” By voice vote, motion carries.

The meeting adjourned at 8:06 p.m.

  
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Roger Bell, Councilmember

  
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Sherry Raymond, Mayor

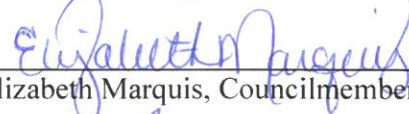
  
\_\_\_\_\_  
Russell Carlson, Councilmember

**ABSENT**


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Jared Iverson, Councilmember

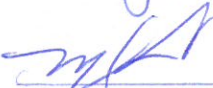
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Kevin Wickenhagen, Councilmember

  
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Clifford Peterson, Councilmember

  
\_\_\_\_\_  
Elizabeth Marquis, Councilmember

ATTEST:

  
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Dale Novobielski, Clerk/Treasurer

  
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MICHAEL COSTELLO, COUNCILMEMBER