

**GOLDENDALE CITY COUNCIL  
REGULAR MEETING  
JUNE 7, 2021  
7:00 PM**

**NOTE: THIS MEETING IS BEING HELD REMOTELY BY TELEPHONE AND ZOOM VIDEO. TO PARTICIPATE YOU WILL NEED TO CALL 415-762-9988. THE MEETING ID NUMBER IS 373 290 5204. YOU WILL BE ABLE TO CALL IN AT 6:45. YOU CAN FIND THE INSTRUCTIONS FOR ZOOM ON THE WEBSITE.**

- A. Call to Order
  - 1. Pledge of Allegiance
- B. Roll Call
- C. Public Hearing
- D. Agenda
  - 1. Approval of Agenda
  - 2. Consent Agenda
    - a. Approval of Minutes
    - b. Claims
    - c. Payroll
    - d. Other
- E. Presentations
  - 1. Jay Olson – Fireworks Sales
- F. Department Reports
- G. Council Business
  - 1. Ireland Water Connection Outside the City Limits
  - 2. Agreement with Stillwater Ministries
  - 3. Budget Committee Recommendation
  - 4. Appointment of Succession Planning Committee
  - 5. Discussion on Filling Vacant Council Member Positions
- H. Resolutions
- I. Ordinances
- J. Report of Officers and City Administrator – Larry, Council, Mayor
- K. Public Comment – 3 Minute Limit (If you are going to be more than 3 minutes, please request a presentation for the following council meeting)
- L. Executive Session
- M. Adjournment

**NEXT REGULAR COUNCIL MEETING WILL BE ON JUNE 21, 2021 AT 7:00 PM.**

**AGENDA TITLE: CONSENT AGENDA**

**DATE: JUNE 7, 2021**

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION  X   
RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_  
MOTION  X

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**EXPLANATION:**

The consent agenda includes the following:  
Minutes of the May 17, 2021 regular council meeting, first pay period May checks #54472 – 54479, 901301, direct deposit 5/21/2021 in the amount of \$112,555.26, June 7, 2021 claims checks #54480 – 54512, 901302 - 901304 in the amount of \$245,775.62.

**FISCAL IMPACT:**

Payroll checks in the amount of \$112,555.26, claims checks in the amount of \$245,775.62.

**ALTERNATIVES:**

Approve the consent agenda.  
Remove certain items from the consent agenda for further discussion.

**STAFF RECOMMENDATION:**

Approve the consent agenda.

**MOTION:**

**I MOVE TO APPROVE THE CONSENT AGENDA.**

**GOLDENDALE CITY COUNCIL  
REGULAR MEETING  
MAY 17, 2021  
7:00 PM**

Mayor Michael A Canon called to order the regular meeting of the Goldendale City Council followed by the Pledge of Allegiance.

**Roll Call**

**Council Present:** Mayor Michael A Canon (Not voting), Council Member Andy Halm, Council Member Filiberto Ontiveros, Council Member Kevin Feiock, Council Member Loren Meagher, Council Member Miland Walling.

**Staff Present:** City Administrator Larry Bellamy (Not voting), Clerk-Treasurer Connie Byers (Not voting), Fire Chief Noah Halm (Not voting), Police Chief Jay Hunziker (Not voting).

Mayor Canon announced that Julie Buck has resigned from the council and amended the agenda to move the Event Committee Meeting to before the adjournment.

**Agenda and Consent Agenda**

**Motion:** I move to approve the agenda as amended and the consent agenda., **Action:** Motion, **Moved by** Council Member Miland Walling, **Seconded by** Council Member Filiberto Ontiveros. Motion passed unanimously.

**Presentations**

Corley McFarland – Airport Update

The contract was awarded to Mascott Equipment as well as the notice to proceed to start the fabrication of the equipment. We are waiting on the site development plan and design on the tanks.

Steve Johnston spoke on land use issues regarding property he owns in the city limits and stated that he does not like the fact that the state changed his business license to general business instead of mobile home park.

**Department Reports**

Chief Hunziker stated that the civil service results will be in tomorrow. When I receive the results, I will start the process of filling our vacant position. Also, KVH is planning on converting a room to a safe room.

Fire Chief Halm reported that the burn ban went into effect on May 15<sup>th</sup>.

**Ordinances**

RRR Rezone – 2<sup>nd</sup> Reading

**Motion:** I move to adopt ordinance no. 1507 a map/zone change for RRR Development, LLC Rezone 20-01., **Action:** Motion, **Moved by** Council Member Filiberto Ontiveros, **Seconded by** Council Member Miland Walling.

**Vote:** Motion passed (**summary:** AYES = 4, NAYS = 1, ABSTAIN = 0).

**AYES:** Council Member Filiberto Ontiveros, Council Member Kevin Feiock, Council Member Loren Meagher, Council Member Miland Walling.

**NAYS:** Council Member Andy Halm.

Moratorium on Ground-Mounted Solar Arrays

**Motion:** I move that we refer to the Ordinance Committee to evaluate and bring back any potential concerns or considerations., **Action:** Motion, **Moved by** Mayor Michael A Canon, **None seconded.**

Motion passed unanimously.

### **Report of Officers and City Administrator**

Larry reported in the financial statements, Public Works Committee meeting, the Stillwater Ministries agreement draft and the sewer line in back of the new county building.

Miland asked that the grass be mowed at the airport.

Filiberto thanked Julie for being on the council. He also volunteered to be on the Budget Committee.

Mayor informed council who is up for election.

### **Public Comment**

Kay Garner asked for clarification on handicap parking.

The meeting went on to the Event Committee meeting discussing the Community Days schedule.

The meeting was adjourned at 9:30.

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Michael A Canon, Mayor

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Connie Byers, Clerk-Treasurer

AGENDA BILL: G1

AGENDA TITLE: IRELAND WATER CONNECTION OUTSIDE THE CITY LIMITS

DATE: JUNE 7, 2021

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION  X

RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_

MOTION  X

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**EXPLANATION:**

Please find attached Dustin Conroy's letter of recommendation for water service connections outside city limits. The water service connections are being requested by Tom Ireland for four lots under short plat number 2021-05 with Klickitat County. As you can see on the aerial map Mr. Ireland has recently been approved for water service outside city limits on for properties south of Weona Drive. His short plat request with the county is waiting for approval pending an action for water service from the City of Goldendale. In accordance with GMC 13.04.010 (C) it states for connections outside the city limits, permission from the city council is required to obtain a connection permit.

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION:**

**I MOVE TO APPROVE FOUR WATER SERVICE CONNECTIONS FOR TOM IRELAND FOR LOTS 1 – 4 OF SHORT PLAT 2021-05 WITH KLICKITAT COUNTY SUBJECT TO THE EXECUTION OF AN ANNEXATION COVENANT.**



## Pioneer Surveying and Engineering, Inc.

Civil Engineering and Land Planning

June 4, 2021

Larry Bellamy  
City of Goldendale  
1103 S. Columbus  
Goldendale, WA 98620

RE: Water service connection outside City Limits for Tom Ireland

Dear Mr. Bellamy,

According to GMC 13.04.010C "For connections outside the city limits, permission from the city council is required to obtain a connection permit.

1. The City water system has the right to add connections and has adequate capacity to serve the requested connection.
2. The water main adjacent to that parcel is of adequate size to serve the lot.
3. The landowner will need to supply a private booster pump to serve the lot with adequate pressure if needed.
4. The lot is within the City's water right place of use boundaries.
5. The city currently serves other lots outside the City Limits on this mainline.
6. Many municipalities require an annexation covenant with outside City Limit Connections. I would recommend that a annexation covenant be a condition of approval.
7. I have attached a copy of the Short Plat that is pending approval.

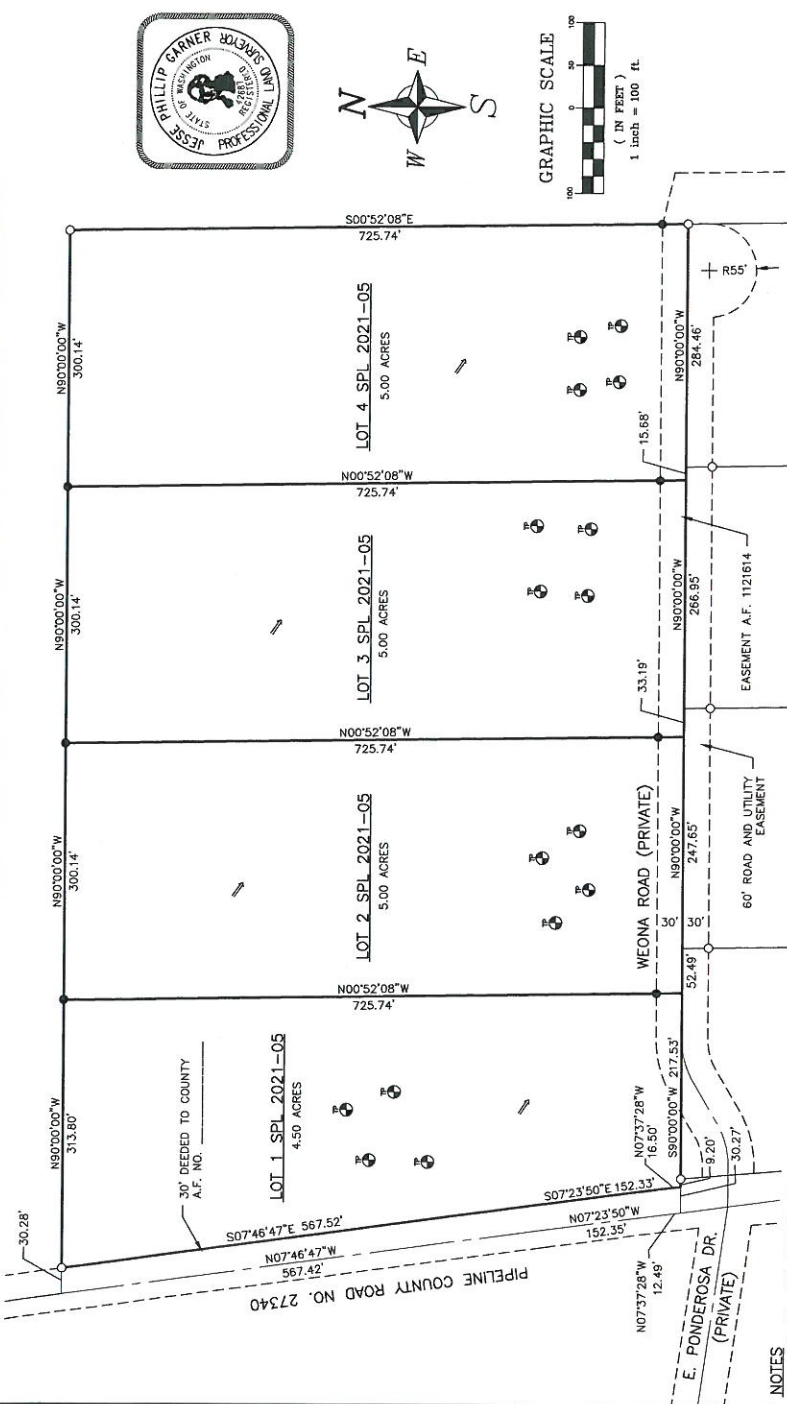
I recommend approving the water service connections for the attached short plat contingent on the signing of the annexation covenant.

Sincerely,

Dustin Conroy, PE/PLS

# KLICKITAT COUNTY, WASH. SHORT PLAT NO. SPL 2021-05

## RE-DIVISION OF LOT 2, SP 2007-39 IN THE E1/2 OF THE NW1/4 OF SECTION 33, T 5 N, R 16 E, W.M.



**NOTES**

Each of the lots within SPL 2021-05 meet the minimum acceptable standards for filling on onsite sewage systems as defined in the Washington State Department of Ecology's Minimum Standards for Onsite Sewage Treatment Systems. Any changes to the site plan or conditions of approval may void the on-site sewage evaluation. A satisfactory site evaluation does not constitute immediate approval for a sewage system.

The approved initial, reserve, and/or existing sewage system shall be protected from encroachment by buildings, roads, and other structures. These areas shall be subject to Washington State Department of Ecology's minimum standards and shall not be subject to Washington State Department of Ecology's minimum standards for septic installation.

The area affected by this short plat currently meets the definition of forest land under WAC 360-030-010. Conversion of forest land to another use requires a conversion permit from the Washington State Department of Natural Resources per WAC 360-030-010. Any conversion activities such as (1) clearing, (2) grading, (3) building, (4) driveway, etc. Contact the Washington State Department of Natural Resources Southeast Information Center at 509-325-8510 for further information.

Structures, existing and proposed, shall comply with Washington State Building Code, RCW 19.27. Structures on the lot shall require a completion report with questionnaire and/or soil conditions shall require a geotechnical report and/or soil analysis and an engineered foundation, at a minimum. The applicant shall maintain all off-site drainage that flows through the project site.

**LEGEND**

- FOUND MONUMENT OF RECORD
- SET 5/8"x24" REBAR W/ PLASTIC CAP
- ⊙ TEST PIT
- DIRECTION OF FLOW

**BASIS OF BEARINGS**

SURVEY 195719

**REFERENCES**

AS 195719, 205892, 1000130,  
177375, 1058980, 164894,  
1073466, 1121615, 1128247

**MONUMENTS VISITED**

JANUARY, 2021

**LEGAL DESCRIPTION**

LOT 2 OF SHORT PLAT SP-2007-39.

**TAX PARCEL NO.**

05163307390200

**ACCURACY STATEMENT (WAC 332-130)**

This survey was performed using a Leica Set-4 Total Station, by field traverse with relative accuracy greater than 1:15000. Mathematical analysis is by Compass Rule.

**WATER RIGHTS**

By approving this plat, Klickitat County does not guarantee that water rights from the WA State Department of Ecology for regulations relating to water rights.

**VICINITY MAP**

NOT TO SCALE



**Index**

1/4	1/4	Sec	T.	R.
		33	5N	16E

We, Owners of Short Plat No. SP \_\_\_\_\_, shown herein, hereby declare that this division of land has been made with our free consent and in accordance with our desire.

Owner \_\_\_\_\_

Witness My HAND AND OFFICIAL SEAL the day and year first written, Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for the State of Washington \_\_\_\_\_

I, Jesse P. Garner, registered as a land surveyor by the State of Washington, certify that this plat is based on a critical survey of the land shown hereon, and that the bearings and distances were measured during the period of \_\_\_\_\_ through \_\_\_\_\_, 2021, and that the distances, courses, and angles are shown hereon correctly, and that the bearings and distances were measured on the ground, and that the bearings and distances were measured on the ground as depicted on the plat. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Licensed Land Surveyor PLS NO. 42637 \_\_\_\_\_

I hereby certify that all taxes and compensating taxes and/or penalties and property contained within the plat shown herein have been paid, discharged or satisfied.

Klickitat County Treasurer \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

I hereby certify that this Short Subdivision has been examined by me and that the same complies with the requirements of the County Health Department. Each lot will require separate review to determine acceptability for on-site disposal. Adequacy of water supply is not guaranteed.

Klickitat County Health Officer \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

I hereby certify that this Short Subdivision has been reviewed and examined with Klickitat County standards for survey data, layout of roads, other structures, and other improvements as required.

Klickitat County Engineer \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

I hereby certify that this Short Subdivision has been examined by me and that the same complies with the Klickitat County Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, Environmental Ordinance and any other applicable laws or policies.

Klickitat County Planning Director \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Examined and approved \_\_\_\_\_

Board of Klickitat County Commissioners

Chairman \_\_\_\_\_

Commissioner \_\_\_\_\_

Commissioner \_\_\_\_\_

ATTEST:

Clerk of the Board \_\_\_\_\_

Land within this short subdivision shall not be further divided for a period of five (5) years unless a final plat is filed pursuant to Klickitat County Code, Title 19.

Construction and maintenance of any private road easements and the accessibility of Klickitat County roads to this short subdivision are not the responsibility of Klickitat County.

Building permits may not be issued within this short plat until evidence of a potable water supply is certified, except as provided by state law.

Existing agricultural uses adjacent to this property are protected by the Washington State Department of Ecology's Minimum Standards for Onsite Sewage Treatment Systems, per Klickitat County Ordinance No. 06-2000-0001.

At such time as the lots within this short plat are developed addresses will be assigned in accordance with the Klickitat County Addressing System.

**Pioneer Surveying & Engineering, Inc.**  
Civil Engineering and Land Planning  
135 Simcoe Drive  
Goldendale, Washington 99020  
Phone (509) 774-4945, Fax (509) 770-5888, E-Mail: pioneer@net.net, Job No. 2020-11

**TOM IRELAND SHORT PLAT**

SHORT SUBDIVISION FILED FOR RECORD AT THE REQUEST OF \_\_\_\_\_ OF \_\_\_\_\_ AND RECORDED IN VOLUME \_\_\_\_\_ OF SHORT PLATS, PAGE \_\_\_\_\_ RECORDS OF KLICKITAT COUNTY WASHINGTON.

Klickitat County Auditor \_\_\_\_\_ Auditor's No. \_\_\_\_\_



Proposed  
Water  
Service

Existing  
Water  
Service

WHEN RECORDED RETURN TO:

CITY OF GOLDENDALE  
1103 South Columbus Ave.  
Goldendale, WA 98620

Document titles or transactions contained therein:

**UTILITY SERVICE ANNEXATION COVENANT**

GRANTOR(S) (Last name, first, then first name and initials)

**Ireland, Tom**

WHEREAS, the undersigned own real property which is outside the present city limits of Goldendale and have requested for such property to be served with City of Goldendale water and/or sewer; and

WHEREAS, it is understood by the undersigned that the provision of city water and/or sewer to the land and improvements of the owners must be consistent with the policies of the City of Goldendale relative to such utility service and the annexation of properties served; and

WHEREAS, it is recognized that such land as will be served by the water and/or sewer is presently intended ultimately to become part of the City of Goldendale through annexation when deemed feasible and proper by the City;

NOW, THEREFORE, the undersigned warrant, agree and covenant as follows:

1. They are the sole owners and hold all legal and equitable interests in the property identified below and are fully authorized to execute this document and to forever bind themselves, their successors and assigns and the subject property to the City of Goldendale, Washington.
2. The terms of this covenant are intended as a covenant running with the land as a burden on the subject premises, commonly known as:

LEGAL DESCRIPTION of Parcel (Abbreviated: Lot, Block, Plat/Section, Township, Range, Qtr/Qtr)

**Lot 2 SP 2007-39 E2NW Lying W of County RW by Auditor File # 1131914; 33-5-16**

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER

**05163307390200**

REFERENCE NUMBER(S) of Documents released

**None.**

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

3. In the event that the City of Goldendale, in its discretion, furnishes water or sewer service to the above-described land, then as a condition to receipt thereof and in consideration thereof, the undersigned and each of them, for him/herself and for his/her successors in interest, hereby covenant to the City of Goldendale and also to the present and future owners of any property affected by the furnishing of City water provided for herein, that all or any of them shall, whenever so requested, sign any letter, notice, petition or other instrument that may be presented to them, addressed to the City under applicable laws of the State of Washington, initiating, furthering, or accomplishing the annexation to the City of Goldendale of any area contiguous to the City in which the above-described land is located. The undersigned further covenant and agree that they will not protest the annexation in any way.

4. It is understood that this covenant is made without regard to whether the annexation involves the assumption by the area to be annexed of the existing City of Goldendale indebtedness and/or whatever other conditions the City may lawfully impose.

5. The undersigned understand and agree that extension of this utility service to their land would not be authorized by the City without the undersigned's binding commitment to this covenant, on his/her own behalf and on behalf of his/her successors and assignees.

6. The undersigned further covenants and agrees to require execution and recording of a like covenant, including all of the terms hereof, by any party or parties to whom he/she conveys or transfers an interest in the above-described property.

7. If for any reason, any provision of this instrument is declared illegal or unenforceable, then the City may cancel and terminate the utility service referred to herein and the undersigned agrees immediately to remove all connections to said utility service, or the City may do so at its option.

8. No obligation provided for herein may be waived by the City except in writing. Failure to enforce any provision hereof in any instance shall not waive the City's right to enforce it in any subsequent instance. The undersigned acknowledges that he/she has had an opportunity to consult with legal counsel regarding the provision hereof.



## Chapter 13.04 WATER SUPPLY SYSTEM

Sections:

### ARTICLE I. CHARGES

- 13.04.010 Connection requirements.**
- 13.04.015 Domestic use wells prohibited.**
- 13.04.020 Water service system development charge.**
- 13.04.025 Special connection charge.**
- 13.04.030 Meter--Installation requirements.**
- 13.04.035 Meter--Installation expense.**
- 13.04.040 Monthly base meter charge.**
- 13.04.045 Account names.**
- 13.04.050 Meter rates.**
- 13.04.055 Multiple user service charge--Applicability.**
- 13.04.060 Multiple user service charge--Inside city limits.**
- 13.04.065 Multiple user service charge--Outside city limits.**
- 13.04.070 Turn on charge.**
- 13.04.080 Notice of delinquent account.**
- 13.04.090 Disconnection of utility service.**
- 13.04.100 Delinquent charge--Lien.**
- 13.04.110 Tap--Pipe connections.**
- 13.04.120 Shut-off--Turn-on order.**

**13.04.305 Permits.****13.04.310 Testing.**

## ARTICLE III. WATER USE

**13.04.320 Regulations--Irrigation districts.****13.04.370 Regulation publication.****13.04.380 Trough--Receptacle.****13.04.390 Violation--Penalty.**

## ARTICLE I. CHARGES

**13.04.010 Connection requirements.**

A. All dwelling units or other buildings within the city limits which need or require potable water shall be required to connect to the public water system of the city where there is adequate public water by the city, subject to subsection B of this section. This requirement may be waived if the city administrator, with the consent of the city council, and health officer, determines that such connection is not feasible. All property owners thereof shall make proper connections with the public water system and use the same for proper purposes. In case the owners of such property shall fail to make such connections, the city may cause such connections to be made and assess the costs and expenses thereof against the property served thereby.

B. This requirement shall not apply to those dwelling units or other buildings currently connected to a water well; provided, that the water well is legally existing and meets department of health rules and regulations. The owner of the subject water well must install a reduced pressure backflow assembly or disconnect the water well system from the public water supply.

C. For connections outside the city limits, permission from the city council is required to obtain a connection permit. (Ord. 1391 §1 (part), 2009)

**13.04.015 Domestic use wells prohibited.**

It is unlawful for any person, firm or corporation from and after May 1, 2006, to drill or construct any domestic water well within the city limits. "Domestic use wells" used in this section is as defined by RCW [90.44.050](#). (Ord. 1391 §1 (part), 2009)

**13.04.020 Water service system development charge.**

AGENDA BILL: G2

AGENDA TITLE: AGREEMENT WITH STILLWATER  
MINISTRIES

DATE: JUNE 7, 2021

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION  X

RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_

MOTION  X

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**EXPLANATION:**

At the Public Works Committee meeting a proposed agreement with Stillwater Ministries to share one half the cost of the installation of a sewer main crossing Simcoe Drive. The concept was approved but the matter was referred to our attorney to draft an agreement and to the city's engineer to develop a cost estimate. The agreement was prepared by the city's attorney and approved by Stillwater Ministries. An engineer's estimate was prepared and included as an exhibit to the contract.

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION:**

**I MOVE TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH STILLWATER MINISTRIES FOR THE PURPOSE OF SHARING COSTS FOR THE INSTALLATION OF A NEW MANHOLE AND A NEW SEWER MAIN CROSSING OF SIMCOE DRIVE.**

SEWER LINE CONSTRUCTION AGREEMENT

By and Between  
CITY OF GOLDENDALE  
and  
STILLWATER MINISTRIES

2021

This AGREEMENT, made and entered into this 4<sup>th</sup> day of June, 2021, between the City of Goldendale (hereinafter referred to as CITY) and Stillwater Ministries, a Washington nonprofit corporation (hereinafter referred to as STILLWATER) collectively hereinafter referred to as the "PARTIES".

I. RECITALS

WHEREAS, CITY desires to repair and advance a public utility sewer line along Simcoe Drive; and

WHEREAS, STILLWATER desires to secure sewer access to a proposed development located at 1100 South Roosevelt Avenue,

WHEREAS, the PARTIES hereto desire to enter into this Agreement for their mutual benefit and hereby acknowledge that the mutual promises contained herein constitute good and valuable consideration.

II. AGREEMENT

NOW, THEREFORE, in consideration of the foregoing, the PARTIES agree as follows:

Section 1. The purpose of this agreement is the installation of a new 8 inch sewer main beginning with an existing manhole on the south side of Simcoe Drive and terminating at a second manhole (New MH #1) on the north side of Simcoe Drive on or about the Grace Brethren Church lot, as more precisely depicted on the plans attached hereto as Appendix A, and referred to herein as the PROJECT.

A. CITY's obligations.

1. Within 90 days from the date this Agreement is executed by the PARTIES, CITY will endeavor to bid, contract, manage, and pay for the PROJECT in accordance with state law, municipal regulations, and the terms of this Agreement.

2. The City shall supply to the STILLWATER an itemized billing from contractors involved in the PROJECT and otherwise respond to reasonable inquiries from STILLWATER about the PROJECT and PROJECT status.

3. At the conclusion of the PROJECT, CITY shall deliver to STILLWATER an itemized invoice showing total project costs.

B. STILLWATER's obligations.

1. Within 90 days of conclusion of the PROJECT, STILLWATER shall reimburse CITY in an amount equal to fifty percent (50%) of the costs of the PROJECT as determined by the CITY and reflected on the invoice prepared by the CITY in accordance with Section 1(A)(3) of this Agreement, PROVIDED that the total amount to be paid by STILLWATER to the City under this Agreement shall not exceed \$34,768.

Section 2. The PARTIES acknowledge that the PROJECT is a public work as that term is defined at RCW § 39.04.010. CITY shall comply with state and local laws governing the bidding and administration of public works contracts. To the extent applicable, CITY shall comply with Chapter 39.12 RCW.

Section 3. CITY shall hold harmless, indemnify and defend STILLWATER, its officers, officials, employees and agents, from and against any and all claims, actions, suits, liability, loss, expenses, damages, and judgments of any nature whatsoever, including reasonable costs and attorneys' fees in defense thereof, for injury, sickness, disability or death to persons or damage to property or business, arising in connection with the work performed under this Agreement, PROVIDED, that CITY's obligation hereunder shall not extend to injury, sickness, death or damage caused by or arising out of the sole negligence of STILLWATER, its officers, officials, employees or agents.

Section 4. STILLWATER acknowledges that the CITY is undertaking to perform its obligations under this Agreement, and expending funds, in reliance on STILLWATER performing its obligations under this Agreement.

Section 5. The terms of this Agreement shall be effective from the date executed by the PARTIES and remain in effect until STILLWATER has satisfied its obligations under Section 1(B) of this Agreement.

Section 6. The laws of the State of Washington shall govern this Agreement. Venue for any action hereunder shall be in Klickitat County, Washington.

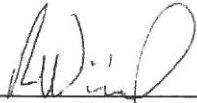
Section 7. If, by reason of default or breach on the part of either party in the performance of any of the provisions of this Agreement, a legal action is instituted, the losing party agrees to pay all reasonable costs and attorney fees incurred by the prevailing party in connection therewith.

Section 8. The PARTIES agree that this Agreement is the complete expression of its terms and conditions. Any oral or written representations or understandings not incorporated in this Agreement are specifically excluded.

III. EXECUTION

IN WITNESS WHEREOF, the parties have hereunto set their hands.

For Stillwater Ministries

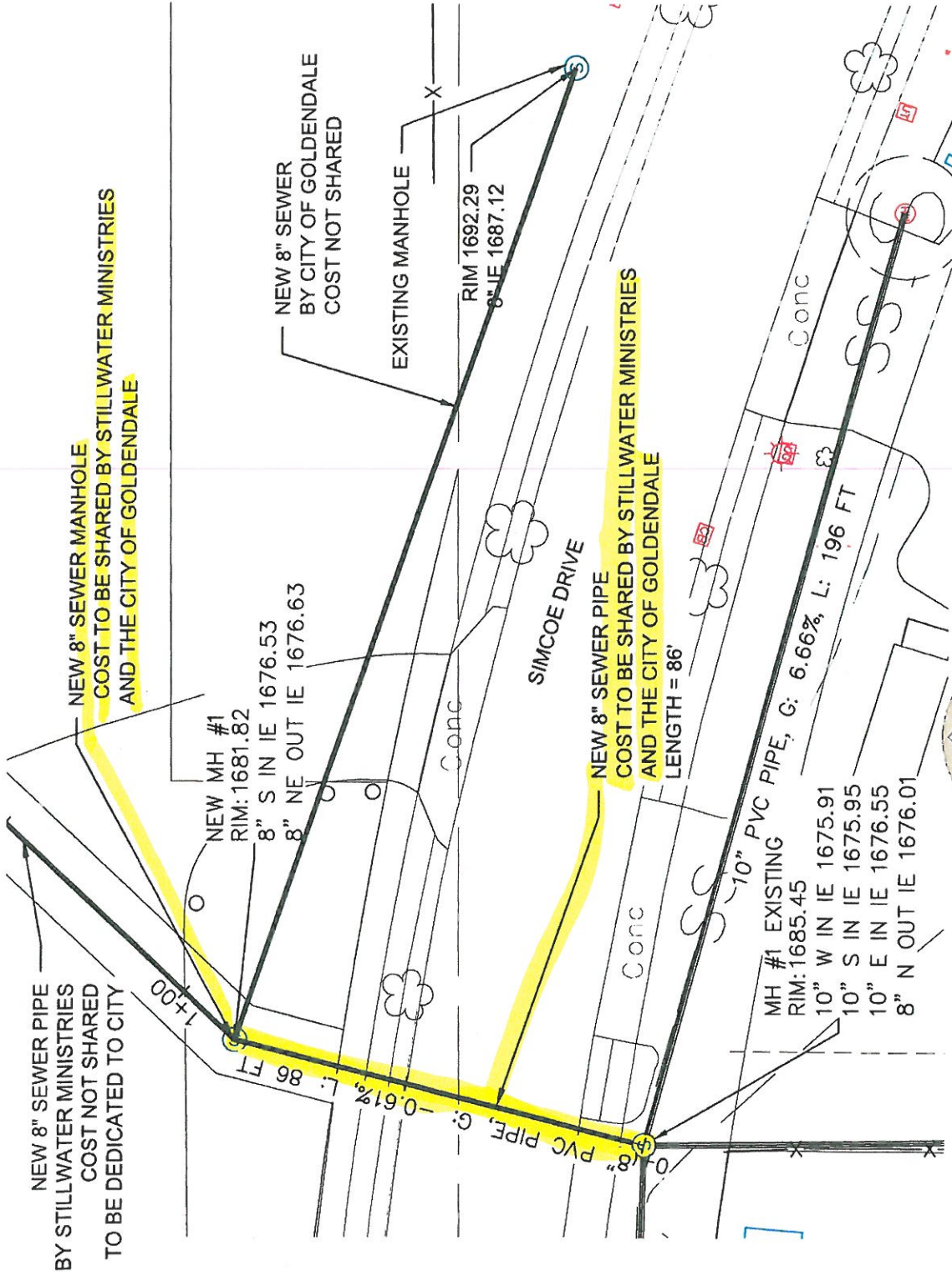
  
\_\_\_\_\_  
Randy Wirick, Operating Director

For City of Goldendale

\_\_\_\_\_  
Michael Canon, Mayor

Date \_\_\_\_\_

Attest: \_\_\_\_\_  
Connie Byers, City Clerk



NEW 8" SEWER PIPE  
BY STILLWATER MINISTRIES  
COST NOT SHARED  
TO BE DEDICATED TO CITY

NEW 8" SEWER MANHOLE  
COST TO BE SHARED BY STILLWATER MINISTRIES  
AND THE CITY OF GOLDFENDALE

NEW MH #1  
RIM: 1681.82  
8" S IN IE 1676.53  
8" NE OUT IE 1676.63

NEW 8" SEWER  
BY CITY OF GOLDFENDALE  
COST NOT SHARED

EXISTING MANHOLE

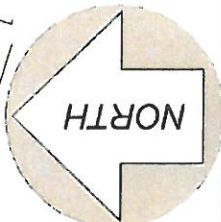
RIM 1692.29  
8" IE 1687.12

SIMCOE DRIVE

NEW 8" SEWER PIPE  
COST TO BE SHARED BY STILLWATER MINISTRIES  
AND THE CITY OF GOLDFENDALE  
LENGTH = 86'

MH #1 EXISTING  
RIM: 1685.45  
10" W IN IE 1675.91  
10" S IN IE 1675.95  
10" E IN IE 1676.55  
8" N OUT IE 1676.01

10" PVC PIPE, G: 6.66%, L: 196 FT



**PSE**  
**Pioneer Surveying & Engineering, Inc.**  
 Civil Engineering and Land Planning  
 125 Simcoe Drive Goldendale, Washington 98620  
 Phone (509) 773-4945, Fax (509) 773-5888,  
 E-Mail pse@pioneersurveying.com. Job No.

Connection on Simcoe Drive

					Engineer's Estimate		
Item No.	Description	Units	Quantity	Unit Price	Total Price		
1	MOBILIZATION	LS	1	\$ 5,000.00	\$ 5,000.00		
1	UNSUITABLE TRENCH MATERIAL (COMMON PROPOSAL)	CY	5	\$ 45.00	\$ 225.00		
2	TEMPORARY EROSION CONTROL	LS	1	\$ 200.00	\$ 200.00		
3	ESC LEAD	LS	1	\$ 200.00	\$ 200.00		
4	SURFACE RESTORATION	LS	1	\$ 8,000.00	\$ 8,000.00		
5	8" DIA SEWER CONNECT TO MANHOLE	EA	1	\$ 3,500.00	\$ 3,500.00		
6	8" DIA SANITARY SEWER PIPE	LF	86	\$ 150.00	\$ 12,900.00		
7	COMMERCIAL HOT MIX ASPHALT	TN	10	\$ 225.00	\$ 2,250.00		
8	CRUSHED SURFACING, TOP COURSE	TN	6	\$ 30.00	\$ 180.00		
9	CRUSHED SURFACING, BASE COURSE	TN	18	\$ 30.00	\$ 540.00		
10	PAVEMENT REMOVAL	SY	28	\$ 10.00	\$ 280.00		
13	48" DIA SANITARY SEWER MANHOLE	EA	1	\$ 6,500.00	\$ 6,500.00		
14	SHORING OR EXTRA EXCAVATION (CLASS A)	LS	1	\$ 3,000.00	\$ 3,000.00		
15	TEMPORARY TRAFFIC CONTROL	LS	1	\$ 9,000.00	\$ 9,000.00		
<b>SUBTOTAL OPTION 1</b>					<b>\$51,775.00</b>		
<b>SALES TAX AT 7.5%</b>					<b>\$3,883.13</b>		
<b>SUBTOTAL SCHEDULE 1 WITH SALES TAX</b>					<b>\$55,658.13</b>		

AGENDA BILL: G3

AGENDA TITLE: BUDGET COMMITTEE  
RECOMMENDATIONS

DATE: JUNE 7, 2021

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION \_\_\_\_\_ X \_\_\_\_\_

RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_

MOTION \_\_\_\_\_ X \_\_\_\_\_

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**EXPLANATION:**

Please find attached a report of the Budget Committee and recommendation to convert the existing part time position in Public Works to full time. This recommendation should be concurred by the council.

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION:**

# MEMORANDUM

**Date:** 06/04/2021

**To:** Mayor and Council

**Cc:** Department Heads

**From:** Larry Bellamy, City Administrator

**RE:** Budget Committee Recommendation

---

The budget committee reviewed the beginning cash balances and the schedule of capital outlay for 2021. Several of the capital outlays were performed under budget or postponed until next year. Because of these reductions in costs, the committee also discussed converting the current 6-month, and often extended to 9 months, seasonal employee to full-time status. For these reasons, including the public works need it was recommended by the budget committee to convert the existing part-time position in public works to full-time. No amendments to the budget are needed as this time. The recommendation should be concurred by the council.

AGENDA BILL: G4

AGENDA TITLE: APPOINTMENT OF SUCCESSION  
PLANNING COMMITTEE

DATE: JUNE 7, 2021

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION  X   
RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_  
MOTION  X

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**EXPLANATION:**

Please find attached a memorandum outlining the creation of a special committee on succession planning.

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION:**

# MEMORANDUM

**Date:** 06/04/2021

**To:** Mayor and Council

**Cc:** Department Heads

**From:** Larry Bellamy, City Administrator

**RE:** Creation of a Succession Plan

---

The Mayor wants to create a special committee, in accordance with the Goldendale Municipal Code Section 2.04.070. The purpose of the special committee is to development a succession plan for replacement of the City Administrator and the Clerk/Treasurer and other related additional administrative staff. The City Administrator and the Clerk/Treasurer have announced their intention to retire by July of 2022 but wish to participate in a smooth transition. The members on that committee are appointed by the mayor with confirmation by the council.

## Chapter 2.04 CITY COUNCIL

Sections:

**2.04.010 Election--Eligibility--Tenure.**

**2.04.020 Authority.**

**2.04.030 Meetings.**

**2.04.040 Special meetings.**

**2.04.050 Presiding officers.**

**2.04.060 Quorum.**

**2.04.070 Committees, boards, commissions and task forces.**

**2.04.075 Standing committees.**

**2.04.080 Records.**

**2.04.090 Disturbing meetings.**

**2.04.100 Sergeant-at-arms.**

**2.04.110 Order of business.**

**2.04.120 Council action/votes/motions.**

**2.04.130 Resolutions.**

**2.04.140 Addressing meetings.**

**2.04.150 Robert's Rules of Order.**

**2.04.160 City attorney.**

**2.04.170 Consideration and adoption of ordinances.**

**2.04.180 Council library.**

D. Seating and arrangement of the council chambers shall be determined by the council. (Ord. 1221 (part), 1998; Ord. 1182 (part), 1996)

#### **2.04.040 Special meetings.**

Special meetings of the council may be called by the mayor or by a request of a majority of the councilmembers; provided that a written notice or phone call of such meetings and its agenda shall be given to each member of the council and the press at least twenty-four hours before the time set for the meeting; provided, further, that in the case all of the elected members of the council are present at any special meeting then the requirement of notice shall be unnecessary and shall be deemed waived; provided, further, if, by reason of emergency, as described in RCW [42.30](#) there is the need for expedited action by the council, the foregoing requirement for notice shall be suspended and a meeting of the council may be held at a site other than the regular meeting site.

Special meetings are any meetings of the council, other than regular meetings, that include workshops, study sessions, and retreats. No final action may be taken on any matter not on the agenda. (Ord. 1182 (part), 1996)

#### **2.04.050 Presiding officers.**

The mayor shall be the presiding officer of the council at all regular or special meetings and when the council meets as a committee of the whole. In the absence of the mayor and mayor pro tempore, the council shall designate another member of the council as presiding officer as described in RCW [35A.12.110](#). (Ord. 1182 (part), 1996)

#### **2.04.060 Quorum.**

At all meetings of the city council, four councilmembers, who are present and eligible to vote shall constitute a quorum thereof, but no ordinance or measure for the expenditure of money or for the grant or revocation of any franchise or license shall be passed except upon the favorable vote of a majority of the elected members as provided by statutes. (Ord. 1182 (part), 1996)

#### **2.04.070 Committees, boards, commissions and task forces.**

The council may create special committees, boards and commissions to assist in the conduct of the operation of the city government with such duties as the council may specify, not inconsistent with the Goldendale Municipal Code or the Revised Code of Washington. Special, ad hoc and citizen advisory committees, or task forces may be created and its members appointed by the mayor with confirmation by the council. Any special, ad hoc and citizen advisory committee, or task force so created shall have no powers other than advisory to the council, and shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the council.

All special, ad hoc and citizen advisory committees, task forces, boards and commissions, whether

statutory, or created and appointed by the city, shall provide the city council with copies of the minutes, if any, or a report of the action or discussion that has taken place. These minutes and reports shall be noted in the official minutes of the council. (Ord. 1182 (part), 1996)

#### **2.04.075 Standing committees.**

A. Created. The following standing committees of the city council are created and established:

1. Finance;
2. Ordinance;
3. Public works;
4. Event.

B. Purpose. The purpose of each committee shall be to review matters within the following subject areas:

1. Finance Committee. The primary purpose of the finance committee is to review and advise the city council upon all matters involving financial affairs of the city, including the annual budget and amendments thereto, review of capital and financial planning, financial tracking and reports, and such other matters as may be assigned to this committee.
2. Ordinance. The primary purpose of the ordinance committee is to review and advise the city council on all matters involving the amendment and preparation of new ordinances for the Goldendale Municipal Code and other such matters as may be assigned to the committee.
3. Public Works. The primary purpose of the public works committee is to review and advise the city council upon all matters involving public utilities, including streets, storm drains, street lighting, water supply, treatment and distribution, wastewater treatment plant and collection system, and parks and other such matters as may be assigned to the committee.
4. Event. The primary purpose of the event committee is to review and advise the city council upon all matters pertaining to tourism development and promotion.

C. Term. The term and membership of each committee shall commence on the first regular meeting of the city council in January of every even year, and shall terminate effective the date prior to such meeting. The appointment to each council committee shall be made by the council during the first meeting of the council in January of every even year. No councilmember should serve on more than two committees at one time. The mayor shall be ex officio member of each committee.

AGENDA BILL: G5

AGENDA TITLE: DISCUSSION ON FILLING VACANT  
COUNCIL MEMBER POSITIONS

DATE: JUNE 7, 2021

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION  X   
RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_  
MOTION  X

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**EXPLANATION:**

Please find attached the memorandum summarizing the current situation regarding filling council vacancies. The memo provides background and a framework for discussion.

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION:**

# MEMORANDUM

**Date:** 06/04/2021

**To:** Mayor and Council

**Cc:** Department Heads

**From:** Larry Bellamy, City Administrator

**RE:** Filling Council Vacancies

---

There are currently two council vacancies that should be filled. Normally, the process of filling a council vacancy starts with an advertisement in the Goldendale Sentinel for letters of intent. The city advertised the open councilmember positions on April 28, May 5, May 26 and June 2 and no letters of intent were submitted. No other action has been taken on filling the open council member positions. Included with this memorandum is some information from Municipal Resource Services Council which outlines the legal requirements of filling a vacancy in a City Council. The appointment of a new councilmember being made within 90 days is time sensitive and, thus, needs to be brought up for discussion. Here is the background:

1. Shannon Middleton held Position #6. Notice of his resignation was announced at the April 5, 2021, council meeting. The appointment term for this position ends December 12/31/2021. The open filing for this position occurred the week of May 17-21. Elle Casey has filed for this elective position and is running unopposed.
2. Julie Buck held Position #7. Notice of her resignation was announced at the May 17, 2021, council meeting. The appointment term for this position ends December 12/31/2021. The open filing for this position occurred the week of May 17-21. Steve Johnston has filed for this elective position and is running unopposed.
3. Kevin Fieock currently holds Position #5 and has filed for this elected position. He is running unopposed.
4. Miland Walling currently holds Position #4 and has filed for this elected position. Ashley Cooper has also filed for this elected position. This is the only contested race.
5. Loren Meagher currently holds Position #3 and filed for this elected position. He is running unopposed.

# Filling a Vacancy in City or Town Councils

September 8, 2020 by [MRSC Insight](#)

Category: [Legislative Body](#)



MRSC often gets questions regarding how to handle vacancies on city or town councils. This post addresses the basics.

## When Does a Vacancy Occur?

Per [RCW 42.12.010](#), vacancies on a governing body can occur due to death, resignation, removal, loss of residency, conviction of a felony, refusal to take the oath of office, breach of duties, or voiding of an

election.

## When is a resignation of an elected official effective?

Until 2002, the common law rule in Washington was that the resignation of an elected official was a two-step process — the announcement of the resignation and the acceptance of this resignation by the governing body. However, the state court of appeals in [State ex rel. Munroe v. Poulsbo](#), 109 Wn. App. 672 (2002), held that the second step was no longer required. Instead, the court found that the mere announcement of a resignation meant to be effective immediately (e.g., a councilmember standing up and shouting, “I quit!” during a council meeting) was enough to complete the resignation process.

Resignation can also be made to be effective at some future date, but even then, the elected official may withdraw the resignation at any point up until the time specified for the resignation to be effective. Once the specified time for the resignation is reached, it is automatically effective without any further action being required by the governing body.

## Residency requirements

In [RCW 42.12.010](#), vacancy of an elective office due to residency loss is noted as:

ceasing to be a legally registered voter of the district, county, city, town, or other municipal or quasi municipal corporation from which he or she shall have been elected or appointed, including where applicable the council district, commissioner district, or ward from which he or she shall have been elected or appointed.

To continue to be a legally registered voter, a person must maintain residence in the precinct in which they are registered. See [RCW 29A.08.010\(2\)](#). “Residence” in this context means “a person’s permanent address where he or she physically resides and maintains his or her abode.” See [RCW 29A.04.151](#).

## How to Fill a Vacancy

If there is a vacancy, a replacement needs to be appointed by the governing body. But how?

[RCW 42.12.070\(1\)](#) addresses filling non-partisan vacancies: “(T)he remaining members of the governing body shall appoint a qualified person to fill the vacant position.” If there is more than one vacancy to fill, one position is filled first and then, with that added appointee, a vote is taken to fill the other position(s). *Id.* If, due to vacancies, there is only one councilmember remaining or if all council positions are vacant, the county legislative authority appoints a qualified person or persons until the council has two members who can then begin the appointment of the remaining members.

The appointment of a new councilmember should be made within 90 days of a vacancy’s occurrence. If an appointment does not occur by then, the city council loses its authority to fill this seat. Then the county legislative body, within 180 days of the vacancy’s occurrence, makes the appointment ([RCW 42.12.070\(4\)](#)). If the county legislative authority fails to make the appointment within that time period, the governor may be petitioned by the city council or county legislative authority to do so. *Id.*

One final note: The resigning councilmember can participate in the process of filling the vacancy *before* the vacancy actually occurs — advertising for interested candidates, gathering background information, and so on — but cannot participate in any vote *to fill* the position because, technically, the vacancy does not yet exist. See [AGO 1978 No. 20](#). Whether the resigning councilmember can vote on who to interview (and effectively vote to exclude applicants from the pool) is a grey area and should be reviewed with legal counsel.

## What are the appointee requirements?

The person appointed to the position must have the same qualifications at the time of appointment as would a person elected into the position. In second-class cities, code cities, and in towns, this person must be a registered voter and a city or town resident. (See [RCW 35.23.031](#) for second class cities; [RCW 35.27.080](#) for towns; and [RCW 35A.12.030](#) and [35A.13.020](#) for code cities). The code city statutes also provide that the person must be a resident of the city for a period of at least one year preceding their appointment. Cities with wards or districts also require that some or all council positions be filled by a resident of the particular ward or district.

The first-class city statutes are silent as to eligibility requirements, but a general statute, [RCW 42.04.020](#), requires that a person must be a U.S. citizen and an “elector” of the jurisdiction to hold any elective office. [Article six, section 1](#) of Washington State Constitution defines an elector as a person who is a U.S. citizen, 18 years of age or older, and a resident in the state, county, and precinct at least 30 days immediately preceding the election.

## Making the Appointment

What process should be followed to make the actual appointment? Must the vacancy be advertised? Are applications required? The answer is that there is no particular process that must be followed; the council itself determines the process to use. Some cities advertise vacancies online and some advertise the application process itself. The council may interview candidates or ask for written responses to questions.

The Open Public Meetings Act directs that any interviews of candidates for appointment to elective office must be held in a meeting open to the public. However, the evaluation of candidate qualifications may be done in executive session during an open public meeting. See RCW 42.30.110(1)(h).

Whatever process is used, the remaining councilmembers must vote on the appointment. If there is a tie vote among the members on the appointment, some jurisdictions allow the mayor to cast a tie-breaking vote.

## Once a New Member is Appointed

Before assuming office, the appointee must take the oath of office and post a bond if a bond is required pursuant to local ordinance or charter. Per RCW 42.30.205, the appointee must also obtain open government training within 90 days of assuming office, just as any elected official must do.

The appointed councilmember serves until a qualified person is elected at the next general municipal election at which a council seat is usually on the ballot. If a vacancy occurs in first year of a term, the appointee will serve until the next general election and the person who wins will immediately take office and serves a "short term" of the remainder. If the vacancy occurs in the third year, the appointee will serve until the next general election and the winner will immediately take office and then continue to serve their full four-year term.

## Resources

Here are examples of procedures cities have adopted for filling vacancies.

- Bothell City Council Protocol Manual Sec 10.02 – Describes the appointment process, from advertising the position to voting on a candidate.
- Sequim City Council Rules of Procedure Sec 3.4 – Describes the appointment process and the application for appointment to the city council lists eligibility requirements.
- Lacey Council Policies - Procedures Manual Sec 2.09 – Describes the appointment process and also includes how a councilmember must resign. The city advertises board and commission vacancies online.
- Vancouver Policy and Procedure # 100-38 – This 6-page documents covers filling council vacancies.

*MRSC is a private nonprofit organization serving local governments in Washington State. Eligible government agencies in Washington State may use our free, one-on-one Ask MRSC service to get answers to legal, policy, or financial questions.*



**About MRSC Insight**

## RCW 42.12.070

### Filling nonpartisan vacancies.

A vacancy on an elected nonpartisan governing body of a special purpose district where property ownership is not a qualification to vote, a town, or a city other than a first-class city or a charter code city, shall be filled as follows unless the provisions of law relating to the special district, town, or city provide otherwise:

(1) Where one position is vacant, the remaining members of the governing body shall appoint a qualified person to fill the vacant position.

(2) Where two or more positions are vacant and two or more members of the governing body remain in office, the remaining members of the governing body shall appoint a qualified person to fill one of the vacant positions, the remaining members of the governing body and the newly appointed person shall appoint another qualified person to fill another vacant position, and so on until each of the vacant positions is filled with each of the new appointees participating in each appointment that is made after his or her appointment.

(3) If less than two members of a governing body remain in office, the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person or persons to the governing body until the governing body has two members.

(4) If a governing body fails to appoint a qualified person to fill a vacancy within ninety days of the occurrence of the vacancy, the authority of the governing body to fill the vacancy shall cease and the county legislative authority of the county in which all or the largest geographic portion of the city, town, or special district is located shall appoint a qualified person to fill the vacancy.

(5) If the county legislative authority of the county fails to appoint a qualified person within one hundred eighty days of the occurrence of the vacancy, the county legislative authority or the remaining members of the governing body of the city, town, or special district may petition the governor to appoint a qualified person to fill the vacancy. The governor may appoint a qualified person to fill the vacancy after being petitioned if at the time the governor fills the vacancy the county legislative authority has not appointed a qualified person to fill the vacancy.

(6) As provided in chapter 29A.24 RCW, each person who is appointed shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected. The person elected shall take office immediately and serve the remainder of the unexpired term.

[ 2013 c 11 § 89; 2011 c 349 § 28; 1994 c 223 § 1.]

### NOTES:

**Effective date—2011 c 349 §§ 10-12, 27, 28, and 30:** See note following RCW 29A.24.171.