

**GOLDENDALE CITY COUNCIL
REGULAR MEETING
JUNE 21, 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
- F. Department Reports
- G. Council Business
 - 1. Executive Session RCW 42.30.110 (h) – To evaluate the qualifications of a candidate for appointment to elective office.
 - 2. Filling Council Vacancies.
- 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 JULY 6, 2021 AT 7:00 PM.

AGENDA TITLE: CONSENT AGENDA

DATE: JUNE 21, 2021

ACTION REQUIRED:

ORDINANCE _____ COUNCIL INFORMATION X
RESOLUTION _____ OTHER _____
MOTION X

EXPLANATION:

The consent agenda includes the following:
Minutes of the June 7, 2021 regular council meeting, second pay period May checks #54514 – 54519, 901315, direct deposit 6/3/2021 in the amount of \$87,242.14, June 21, 2021 claims checks #54513, 54521 – 54573, 901319 – 901325, 52905V in the amount of \$117,753.57.

FISCAL IMPACT:

Payroll checks in the amount of \$87,242.14, claims checks in the amount of \$117,753.57.

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
JUNE 7, 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), Police Chief Jay Hunziker (Not voting), Public Works Supervisor Doug Frantum (Not voting).

Absent: Fire Chief Noah Halm.

Agenda and Consent Agenda

Motion: I move to approve the agenda and consent agenda., **Action:** Motion, **Moved by** Council Member Andy Halm, **Seconded by** Council Member Miland Walling. Motion passed unanimously.

Presentations

Jay Olson informed the council that the Lions Club would be selling fireworks again this year.

Department Reports

Chief Hunziker reported on a possible new hire, calls for service and incinerator to be purchased.

Doug reported that the crew is working on trimming trees, spraying weeds and crack sealing.

Council Business

Ireland Water Connection Outside the City Limits

Motion: I move to approve four water service connections for Tom Ireland and one additional connection for a neighboring lot subject to the execution of an annexation covenant., **Action:** Motion, **Moved by** Council Member Filiberto Ontiveros, **Seconded by** Council Member Andy Halm.
Motion passed unanimously.

Agreement with Stillwater Ministries

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., **Action:** Motion, **Moved by** Council Member Andy Halm, **Seconded by** Council Member Loren Meagher.
Motion passed unanimously.

Budget Committee Recommendations

Council concurred to the recommendations.

Appointment of Succession Planning Committee

Council concurred with the Mayor's appointment of Loren, Andy and Miland to the Succession Planning Committee.

Discussion on Filling Vacant Council Member Positions

Larry explained the process of filling the vacant council position. Action was tabled to the next council meeting.

Keven announced that he is resigning and this will be his last meeting.

Motion: I move that the council will dedicate itself in an effort to have better recruitment on our next election cycle. , **Action:** Motion, **Moved by** Council Member Loren Meagher, **Seconded by** Council Member Miland Walling.
Motion passed unanimously.

Report of Officers and City Administrator

Andy thanked Kevin for being on the council and happy Pride Month to the LGBTQ community.

Filiberto thanked Kevin.

Miland informed council that he has invited Alfie Alvarado, Director of the WA ST Department of Veteran Affairs to come to Goldendale.
Loren asked if the crosswalks could be painted and thanked Kevin for sitting on the council.

Kevin thanked everyone for the opportunity to be on council.

Public Comment

Larry Hctor commented on the adequate advertising for the vacant council position.

Eleonore Casey introduced herself as a candidate for a council position.

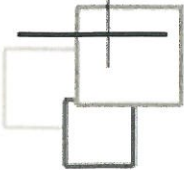
Adjournment

Motion: I move to adjourn the meeting., **Action:** Motion, **Moved by** Council Member Andy Halm, **Seconded by** Council Member Filiberto Ontiveros.
Motion passed unanimously.

Michael A Canon, Mayor

Connie Byers, Clerk-Treasurer

Register



Fiscal: 2021
 Deposit Period: 2021 - Jun 2021
 Check Period: 2021 - Jun 2021 - 1st Council Jun 2021

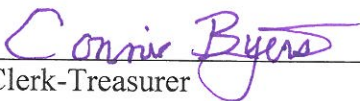
Number	Name	Print Date	Clearing Date	Amount
Columbia State Bank				
Check	20016310			
54513	US Bank	6/3/2021		\$5,787.57
54521	Allyns Building Center	6/21/2021		\$227.26
54522	Aramark Uniform Serv Inc	6/21/2021		\$549.58
54523	ATI Solutions LLC	6/21/2021		\$95.41
54524	Avista Utilities	6/21/2021		\$643.60
54525	Bishop Sanitation Inc	6/21/2021		\$240.00
54526	Brian Woodruff	6/21/2021		\$99.28
54527	Carquest Auto Parts	6/21/2021		\$586.53
54528	Class 5	6/21/2021		\$752.53
54529	Clifford & Martin Inc	6/21/2021		\$54.82
54530	Endustra Filter Manufacturers	6/21/2021		\$1,071.04
54531	Ferguson Enterprises Inc #3011	6/21/2021		\$4,760.23
54532	Goldendale Auto Supply	6/21/2021		\$61.27
54533	Goldendale Sentinel	6/21/2021		\$157.26
54534	Goldendale, City of	6/21/2021		\$3,963.11
54535	Hire Electric	6/21/2021		\$1,462.00
54536	IBS Incorporated	6/21/2021		\$780.57
54537	Inland Environmental Resources Inc	6/21/2021		\$3,507.19
54538	Kerns Shop & Propane	6/21/2021		\$70.00
54539	Klickitat CO Commissioner	6/21/2021		\$3,227.83
54540	Klickitat CO Emer Mgmt	6/21/2021		\$12,963.78
54541	Klickitat CO Health Dept	6/21/2021		\$140.00
54542	Klickitat County PUD	6/21/2021		\$11,668.58
54543	Klickitat Valley Health	6/21/2021		\$184.00
54544	Linda K Gouge Attorney at Law	6/21/2021		\$422.25
54545	Menke Jackson Beyer LLP	6/21/2021		\$2,018.50
54546	MES Northwest	6/21/2021		\$9,370.57
54547	Norco Inc	6/21/2021		\$49.32
54548	Onancock Building Supply Inc	6/21/2021		\$413.11
54549	One Call Concepts Inc	6/21/2021		\$20.33
54550	Optimist Printers	6/21/2021		\$1,044.91
54551	Pioneer Surveying & Engineering Inc	6/21/2021		\$2,835.00
54552	Precision Approach Engineering	6/21/2021		\$6,897.45
54553	Proforce Law Enforcement	6/21/2021		\$170.33
54554	Quill Corporation	6/21/2021		\$96.48
54555	Radcomp Technologies	6/21/2021		\$6,463.87

Number	Name	Print Date	Clearing Date	Amount
54556	Republic Services Inc	6/21/2021		\$561.24
54557	RH2 Engineering Inc	6/21/2021		\$304.43
54558	Riley Brothers Inc	6/21/2021		\$58.03
54559	Robert Thompson	6/21/2021		\$257.60
54560	Sawyer's True Value	6/21/2021		\$669.95
54561	Schuknecht's Polygraph Service	6/21/2021		\$175.00
54562	Sherwin-Williams Co, The	6/21/2021		\$131.97
54563	Sirchie Fingerprint Lab	6/21/2021		\$116.92
54564	Tannis Bauers	6/21/2021		\$97.40
54565	Trampas Fahlenkamp	6/21/2021		\$1,000.00
54566	Uline	6/21/2021		\$724.27
54567	US Bank	6/21/2021		\$5,734.77
54568	US Cellular	6/21/2021		\$2,317.13
54569	Vance Law Office	6/21/2021		\$210.00
54570	Verizon Wireless	6/21/2021		\$446.35
54571	WA ST Dept Nat Resources	6/21/2021		\$3,015.33
54572	WA St Dept of Licensing	6/21/2021		\$70.00
54573	Western First Aid & Safety	6/21/2021		\$447.91
54574	Green's Tree Removal	6/21/2021		\$4,837.50
901319	HSA Bank Employee Plan Funding	6/21/2021		\$15.75
901320	HSA Bank Employee Plan Funding	6/21/2021		\$11,100.00
901321	Invoice Cloud	6/21/2021		\$204.40
901322	Neopost Leasing Inc	6/21/2021		\$536.00
901323	PAYA	6/21/2021		\$37.50
901324	PAYA	6/21/2021		\$1,113.65
901325	WA St Dept of Revenue	6/21/2021		\$6,792.80
52905V	Hattenhauer Energy Co LLC	6/21/2021		(\$1,240.39)
	Total	Check		\$122,591.07
	Total	Total	20016310	\$122,591.07
	Grand Total			\$122,591.07

**CITY OF GOLDENDALE
CLAIMS REGISTER**

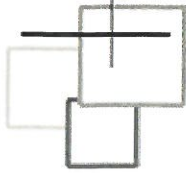
I, the undersigned, do hereby certify that the materials have been furnished, the services rendered or the labor performed as shown on Check numbers 54513, 54521 through 54574, 901319 – 901325, 52905V in the amount of \$122591.07, and unpaid obligations against the City of Goldendale, Washington and that I am authorized to certify said claims.

DATED this 16th day of June, 2021.



Clerk-Treasurer

Register Activity



Fiscal: 2021
 Period: 2021 - Jun 2021
 Council Date: 2021 - Jun 2021 - 1st Council Jun 2021

Reference	Date	Amount	Notes
Reference Number: 54513	US Bank	\$5,787.57	
Invoice - 6/3/2021 10:11:07 AM	6/3/2021	\$5,787.57	visa payment
Reference Number: 54521	Allyns Building Center	\$227.26	
317498	5/11/2021	\$11.80	utility knife
317619	5/12/2021	\$27.40	rake
317815	5/17/2021	\$36.15	pop-up head, half pop-up head
317913	5/18/2021	\$16.52	elbow, primer
317915	5/18/2021	\$37.60	fixall
317960	5/19/2021	\$3.24	metal cut off
318010	5/20/2021	\$15.56	hook blade, glove
318321	5/26/2021	\$73.09	plier
318337	5/26/2021	\$5.90	super glue
Reference Number: 54522	Aramark Uniform Serv Inc	\$549.58	
23545556	6/5/2021	\$65.54	mechanic belt
529000028867	5/4/2021	\$23.44	service
529000028885	5/4/2021	\$40.05	service
529000028886	5/4/2021	\$30.55	service
529000028888	5/4/2021	\$16.67	service
529000033685	5/11/2021	\$67.85	service
529000033691	5/11/2021	\$39.76	service
529000033694	5/11/2021	\$30.55	service
529000033697	5/11/2021	\$16.67	service
529000038875	5/18/2021	\$23.44	service
529000038911	5/18/2021	\$38.59	service
529000038914	5/18/2021	\$30.55	service
529000038927	5/18/2021	\$16.67	service
529000044622	5/25/2021	\$23.44	service
529000044640	5/25/2021	\$38.59	service
529000044643	5/25/2021	\$30.55	service
529000044650	5/25/2021	\$16.67	service
Reference Number: 54523	ATI Solutions LLC	\$95.41	
D27543	5/12/2021	\$95.41	teejet tip, strainer....

Reference	Date	Amount	Notes
Reference Number: 54524			
<u>Invoice - 6/15/2021 4:09:49 PM</u>			
		\$643.60	
		\$643.60	utility
Reference Number: 54525			
<u>99728</u>		\$240.00	
<u>99758</u>		\$120.00	ekone park
		\$120.00	airport
Reference Number: 54526			
<u>Invoice - 6/15/2021 4:14:41 PM</u>			
		\$99.28	
		\$99.28	refund/closed account 1748.0
Reference Number: 54527			
<u>4993-558130</u>		\$586.53	
<u>4993-558154</u>		\$5.36	battery cleaner
<u>4993-558682</u>		\$21.24	ups
<u>4993-558998</u>		\$151.45	banding
<u>4993-559710</u>		\$116.79	ups
<u>4993-559999</u>		\$20.15	ups
<u>4993-560434</u>		\$86.17	fram ant fs 1gl
<u>4993-560554</u>		\$13.23	shop rags
<u>4993-560984</u>		\$14.82	6 typec cbl
<u>4993-561344</u>		\$78.66	ups
		\$78.66	ups
Reference Number: 54528			
<u>138386</u>		\$752.53	
		\$752.53	
Reference Number: 54529			
<u>909605</u>		\$54.82	
<u>920165</u>		\$41.92	water
		\$12.90	cooler rent
Reference Number: 54530			
<u>G212491-3</u>		\$1,071.04	
		\$1,071.04	filter element
Reference Number: 54531			
<u>0989617</u>		\$4,760.23	
<u>0996380</u>		\$4,614.33	m520m-f1-tc-x-e-mi 1p pit w-id/lid
		\$145.90	brs mtr flg
Reference Number: 54532			
<u>S5-6572752</u>		\$61.27	
<u>S5-6624751</u>		\$1.29	nuts & bolts
<u>S5-6642227</u>		\$8.54	gloss blue
		\$51.44	copper connector, brazed #10 ring, screws
Reference Number: 54533			
<u>153786</u>		\$157.26	
<u>153812</u>		\$8.50	council member vacancy
		\$48.88	sepa/mccredy

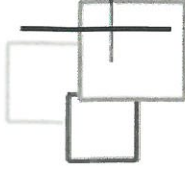
Reference	Date	Amount	Notes
Reference Number: 54533		\$157.26	
<u>153813</u>	Goldendale Sentinel	\$48.88	sepa/bible baptist church
<u>153814</u>	6/9/2021	\$51.00	sepa/new life assembly of God
Reference Number: 54534		\$3,963.11	
<u>Invoice - 6/16/2021 8:39:28 AM</u>	Goldendale, City of	\$3,963.11	water/sewer
Reference Number: 54535		\$1,462.00	
<u>612307</u>	Hire Electric	\$1,462.00	receptacle for projector
Reference Number: 54536		\$780.57	
<u>753202-2</u>	IBS Incorporated	\$73.86	crimp bench wheel
<u>757794-1</u>	5/14/2021	\$706.71	drill, lubricant, loctite....
Reference Number: 54537		\$3,507.19	
<u>2021-1678</u>	Inland Environmental Resources Inc	\$3,507.19	magnesium hydroxide
Reference Number: 54538		\$70.00	
<u>3222Z</u>	Kerns Shop & Propane	\$70.00	tank rent
Reference Number: 54539		\$3,227.83	
<u>Invoice - 6/16/2021 9:45:59 AM</u>	Klickitat CO Commissioner	\$3,227.83	2nd quarter district court
Reference Number: 54540		\$12,963.78	
<u>2021-02 QTR</u>	Klickitat CO Emer Mgmt	\$10,609.00	2nd quarter dispatch
<u>2021-09</u>	6/16/2021	\$2,354.78	inter-local agreement c27025
Reference Number: 54541		\$140.00	
<u>Invoice - 6/16/2021 9:55:44 AM</u>	Klickitat CO Health Dept	\$140.00	service
Reference Number: 54542		\$11,668.58	
<u>Invoice - 6/16/2021 9:56:35 AM</u>	Klickitat County PUD	\$11,668.58	electric
Reference Number: 54543		\$184.00	
<u>1259338</u>	Klickitat Valley Health	\$184.00	thompson exam
Reference Number: 54544		\$422.25	
<u>XZ0637970</u>	Linda K Gouge Attorney at Law	\$422.25	kevin oliver
Reference Number: 54545		\$2,018.50	
<u>Invoice - 6/16/2021 10:14:49 AM</u>	Menke Jackson Beyer LLP	\$2,018.50	acct 044
Reference Number: 54546		\$9,370.57	
<u>IN1580999</u>	MES Northwest	\$7,294.74	hose, nozzles, monitor....
<u>IN1585311</u>	5/19/2021	\$2,075.83	hose, nozzles, monitor....

Reference	Date	Amount	Notes
Reference Number: 54547 <u>32218592</u>	Norco Inc 5/31/2021	\$49.32 \$49.32	cylinder rental
Reference Number: 54548 <u>52804/1</u>	Onancock Building Supply Inc 5/27/2021	\$413.11 \$413.11	air pack shipping charges
Reference Number: 54549 <u>1059074</u>	One Call Concepts Inc 5/31/2021	\$20.33 \$20.33	utility notification
Reference Number: 54550 <u>52118</u> <u>52119</u>	Optimist Printers 5/31/2021 5/31/2021	\$1,044.91 \$495.58 \$549.33	envelopes envelopes
Reference Number: 54551 <u>20-902-6</u> <u>21-902-4</u>	Pioneer Surveying & Engineering Inc 5/27/2021 5/27/2021	\$2,835.00 \$495.00 \$2,340.00	court street sewer byars ave improvement
Reference Number: 54552 <u>5215</u> <u>5217</u>	Precision Approach Engineering 4/30/2021 4/30/2021	\$6,897.45 \$760.70 \$6,136.75	aircraft fueling system aircraft fueling system
Reference Number: 54553 <u>452114</u>	Proforce Law Enforcement 6/9/2021	\$170.33 \$170.33	tsr performance poser mag
Reference Number: 54554 <u>17032375</u>	Quill Corporation 5/26/2021	\$96.48 \$96.48	binder clips, add machine roll....
Reference Number: 54555 <u>87311</u> <u>87312</u> <u>87313</u> <u>MSP-87314</u>	Radcomp Technologies 6/3/2021 6/3/2021 6/3/2021 6/3/2021	\$6,463.87 \$123.50 \$779.00 \$806.79 \$4,754.58	service service service gold package
Reference Number: 54556 <u>0487-000722950</u>	Republic Services Inc 5/31/2021	\$561.24 \$561.24	garbage service
Reference Number: 54557 <u>82340</u>	RH2 Engineering Inc 6/8/2021	\$304.43 \$304.43	engineering services
Reference Number: 54558 <u>0015514</u>	Riley Brothers Inc 5/31/2021	\$58.03 \$58.03	washed drain rock
Reference Number: 54559 <u>Invoice - 6/16/2021 1:16:25 PM</u>	Robert Thompson 6/16/2021	\$257.60 \$257.60	travel reimbursement

Reference	Date	Amount	Notes
Reference Number: 54560 <u>491978</u>	Sawyer's True Value 5/26/2021	\$669.95 \$669.95	pole pruner
Reference Number: 54561 <u>Invoice - 6/16/2021 1:20:02 PM</u>	Schuknecht's Polygraph Service 6/11/2021	\$175.00 \$175.00	nolan randall
Reference Number: 54562 <u>0027-5</u>	Sherwin-Williams Co, The 5/18/2021	\$131.97 \$131.97	rac 5 striping 417
Reference Number: 54563 <u>0499766-IN</u>	Sirchie Fingerprint Lab 6/10/2021	\$116.92 \$116.92	evidence box
Reference Number: 54564 <u>Invoice - 6/16/2021 1:36:51 PM</u>	Tannis Bauers 6/16/2021	\$97.40 \$97.40	closed account 2822.0
Reference Number: 54565 <u>Invoice - 6/16/2021 1:37:28 PM</u>	Trampas Fahlenkamp 6/12/2021	\$1,000.00 \$1,000.00	tree removal
Reference Number: 54566 <u>134255783</u> <u>134673244</u> <u>134673324</u>	Uline 5/26/2021 6/8/2021 6/8/2021	\$724.27 \$308.76 \$129.26 \$286.25	tissue, paper towels roll towel, paper towels tissue, paper towels
Reference Number: 54567 <u>Invoice - 6/16/2021 1:50:00 PM</u>	US Bank 6/16/2021	\$5,734.77 \$5,734.77	visa payment
Reference Number: 54568 <u>441707061</u>	US Cellular 5/24/2021	\$2,317.13 \$2,317.13	cell phones
Reference Number: 54569 <u>1A0184663</u>	Vance Law Office 6/10/2021	\$210.00 \$210.00	dakota mcandie
Reference Number: 54570 <u>9881194312</u> <u>9881302280</u>	Verizon Wireless 6/4/2021 6/6/2021	\$446.35 \$360.09 \$86.26	police vehicles chlorination station
Reference Number: 54571 <u>18020028</u>	WA ST Dept Nat Resources 5/27/2021	\$3,015.33 \$3,015.33	fire cache supplies
Reference Number: 54572 <u>Invoice - 6/16/2021 2:13:22 PM</u> <u>Invoice - 6/16/2021 2:14:00 PM</u>	WA St Dept of Licensing 6/16/2021 6/16/2021	\$70.00 \$35.00 \$35.00	notary public/wells notary public/enderby

Reference	Date	Amount	Notes
Reference Number: 54573 GEG4-000502 GEG4-000503	Western First Aid & Safety 3/25/2021 3/25/2021	\$447.91 \$206.31 \$241.60	medical supplies medical supplies
Reference Number: 54574 <u>Invoice - 6/17/2021 1:44:44 PM</u>	Green's Tree Removal 6/17/2021	\$4,837.50 \$4,837.50	abatement service/622 nw 3rd st
Reference Number: 901319 <u>S313429</u>	HSA Bank Employee Plan Funding 6/4/2021	\$15.75 \$15.75	service fee
Reference Number: 901320 <u>Invoice - 6/16/2021 8:54:19 AM</u>	HSA Bank Employee Plan Funding 6/14/2021	\$11,100.00 \$11,100.00	plan funding
Reference Number: 901321 <u>359-2021_5</u>	Invoice Cloud 5/31/2021	\$204.40 \$204.40	biller portal fee
Reference Number: 901322 <u>Invoice - 6/16/2021 10:28:16 AM</u>	Neopost Leasing Inc 6/16/2021	\$536.00 \$536.00	postage refill
Reference Number: 901323 <u>Invoice - 6/16/2021 10:50:39 AM</u>	PAYA 6/16/2021	\$37.50 \$37.50	visa/admin
Reference Number: 901324 <u>Invoice - 6/16/2021 10:54:15 AM</u>	PAYA 6/16/2021	\$1,113.65 \$1,113.65	visa/utility
Reference Number: 901325 <u>Invoice - 6/16/2021 2:18:39 PM</u>	WA St Dept of Revenue 6/16/2021	\$6,792.80 \$6,792.80	excise tax
Reference Number: 52905V <u>Invoice - 6/14/2021 12:01:33 PM</u>	Hattenhauer Energy Co LLC 6/14/2021	(\$1,240.39) (\$1,240.39)	void check 52905

Register



Number	Name	Fiscal Description	Cleared	Amount
54514	American Family Life	2021 - May 2021 - 2nd Council May 2021		\$677.55
54515	Deferred Comp Program	2021 - May 2021 - 2nd Council May 2021		\$380.00
54516	Dept of Labor & Industries	2021 - May 2021 - 2nd Council May 2021		\$2,757.63
54517	Dept of Retirement	2021 - May 2021 - 2nd Council May 2021		\$12,716.37
54518	Employment Security	2021 - May 2021 - 2nd Council May 2021		\$143.10
54519	ICMA Retirement Trust (Plan 302195)	2021 - May 2021 - 2nd Council May 2021		\$112.50
901315	City of Goldendale	2021 - May 2021 - 2nd Council May 2021		\$19,223.07
Direct Deposit Run -	Payroll Vendor	2021 - May 2021 - 2nd Council May 2021		\$51,231.92
6/3/2021				\$87,242.14

AGENDA BILL: G2

AGENDA TITLE: FILLING COUNCIL VACANCIES

DATE: JUNE 21, 2021

ACTION REQUIRED:

ORDINANCE _____ COUNCIL INFORMATION _____ X _____

RESOLUTION _____ OTHER _____

MOTION _____ X _____

EXPLANATION:

See Larry Bellamy's attached memo.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION:

MEMORANDUM

Date: 06/17/2021

To: Mayor and Council

Cc: Department Heads

From: Larry Bellamy, City Administrator

RE: Filling Council Vacancies

Background:

1. There are currently three council vacancies (positions 5, 6 and 7) that should be filled.
2. In the past, the process of filling a council vacancy started with an advertisement in the Goldendale Sentinel for letters of intent, interviews of the interested persons (copies of sample interview questions are attached, in case you want to use them) and selection by a vote or by motion. The city advertised the open councilmember positions on April 28, May 5, May 26 and June 2. The deadline for receiving letter of interest was June 16.
3. Kevin Fieock's resignation notice was dated June 3 and was effective June 17. Three (3) letters of intent were submitted during this timetable. Ashley Cooper would be eligible to be appointed to any of the open positions.
4. Included with this memorandum is some information from Municipal Resource Services Council MRSC 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. And, additionally, the appointment needs to be done one at a time.
5. Recently, questions have been raised regarding elective office qualifications. In consultation with our civil attorney, it is suggested that the City Council hold an executive session in accordance with RCW 42.30.110(h) "to evaluate the qualifications of a candidate for appointment to elective office."

Here is the status of the open positions for council:

1. Shannon Middleton held Position #6. Notice of his resignation was announced at the April 5, 2021, council meeting. The open filing for this position occurred the week of May 17-21.

MEMORANDUM

The appointment for this position ends November 23, 2021. Eleonore Casey has filed for this elective position and is running unopposed. Whomever the council appoints to this position, that person will serve until November 23. The winner of the election would be eligible to take the oath of office at that time. The term for the elected person to Position #6 is December 31, 2025.

2. Julie Buck held Position #7. Notice of her resignation was announced at the May 17, 2021, council meeting. The open filing for this position occurred the week of May 17-21. The appointment for this position ends November 23, 2021. Steve Johnston has filed for this elective position and is running unopposed. Whomever the council appoints to this position, that person will serve until November 23. The winner of the election would be eligible to take the oath of office at that time. The term for the elected person to Position #7 is December 31, 2025.
3. Kevin Fieock held Position #5. During the open filing period, Mr. Fieock filed for this position and was running unopposed. Notice of his resignation, however, was announced at the June 3, 2021, council meeting and he gave a 2-week notice, making his resignation effective June 17, 2021. The appointment for this position ends November 23, 2021. Whomever the council appoints to this position, that person will serve until November 23. The winner of the election has already resigned. Someone would need to be appointed to fill this position after the election is certified. The term for the person appointed to Position #5 is December 31, 2023.
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.

Sample Questions for Councilmember Interviews

Candidate Name: _____

1. Mayor _____ Briefly describe your educational background, work experience and community service activities.

2. _____ Why are you interested in serving on the council and what do you hope to accomplish?

3. _____ What assets or strengths do you bring to the City Council?

4. _____ What is your vision for our city and community?

5. _____ What are the two highest priorities and/or issues you believe the City needs to address? How would you propose to address these issues?

6. _____ What do you think are the most important issues facing the City in the next two to five years.

7. _____ How do you plan to facilitate or foster economic growth and development in Goldendale?

8.

- Mayor Are there any follow-up clarification questions?
- Mayor Does the applicant have any questions for the Council?
-

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.

From: Kevn Feiock

To: City of Goldendale

Subj: Two week notice of Resignation from City Council.

Date: 06/03/21

On June second 2021 after a long and heart felt conversation with Mayor Mike Cannon and City Administrator Larry Bellamy it has been determined that it is in the best interest of the City of Goldendale to resign my position as a City Council Member. The RCW is clear and precise, you must be a resident of the city to be a member of local government.

In December, I went to southern California to assist my mother and her 89 year old husband move into a new home. Conflicts with Covid and a domestic issue has kept me in southern California with my parents.

However, It is abundantly clear that the RCW can interpret these set of unique circumstances as a violation of the RCW regardless that my permanent residence is Goldendale and I am still on the title and mortgage of my home on High St.

I would like to thank everyone involved and I wish you all the best. I hope to return to Goldendale as soon as possible. I sincerely hope that my service to Goldendale was beneficial to all in the community.

Thank You for the opportunity!

Kevin Feiock

Letter of Intent for
vacant Goldendale City Council Position

Dave Jones 915 S. Klickitat St

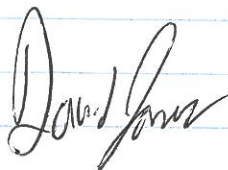
Goldendale High School Class of '93

Local Grocer for 29 years, current member of
the Goldendale High School CTE advisory board,
Goldendale Jaycee (retired).

Current and projected Future time availability:

- Monday - anytime after 5:10 pm
- Tuesday - anytime after 5:10 pm
- Wednesday - 5:10 pm until 6:15 pm
- Friday - emergencies or special circumstances only
- Saturday - anytime after 2:00 pm unless
for a special event.
- Sunday - available for special circumstances or events

Thanks -



phone 509-250-2870

RECEIVED
JUN 09 2021
BY: *JW*

Theone M Wheeler

Goldendale citizen

—
Theone Wheeler
409 East Main St
Goldendale, Wa 98620
509.767.7396
theone.wheeler@gmail.com

LETTER OF APPOINTMENT

06/10/2021

Dear City Council Members:

This letter confirms the mutual interest to appoint a reliable and competent citizen of the City of Goldendale, with regards to City Council Position #5.

Herein follows;

I Theone Wheeler am submitting this letter with the intention to join the Goldendale City Council as an appointee to position #5.

I've been a part of this community since 1990 and graduated from Goldendale high School in 1998. I frequently attend City Council meetings even during this past year on Zoom. I believe I was one of only a few citizens to engage in public comment periodically during 2020.

I have an entrepreneurial spirit. I possess many useful skills as I've been a business owner and employer here in Goldendale since 2017. I'm a hard working law abiding citizen. I'm friendly and outgoing. I have been the Secretary of our local Kiwanis club for 3+ years and enjoy volunteering for a number of businesses and charitable organizations in Goldendale and surrounding areas.

Although my knowledge of government is limited I am open and eager to learn without any preconceived notions or agendas. My compassion for this community and its citizens is great and I feel that I would be an asset to the Goldendale City Council in its efforts to maintain the lawfulness, growth and progressiveness of the City. With the discretion of the council I humbly ask for the opportunity to be recognized as an appointee candidate.

I understand there is an immediate need of fulfilment for this position. Respectively, I will be abroad from June 14th, 2021 until July 5th, 2021 at which time I am willing and available to meet in person for the interviewing process and introduction of duties for position #5.

I understand that the completion of the Prospective Appointee Position is anticipated to take place on 12/31/2021 with the possibility of extension into 2022.

As a potential candidate for the Prospective Appointee Position, I am aware this is a volunteer position and understand my obligations to fulfill the duties put forth by the state of Washington, the city of Goldendale and the Goldendale City Council.

Should my acceptance of the Prospective Appointee Position be approved, I understand there will be fiscal compensation for my service following the completion of formal legal oaths and documentation.

Very Respectfully,
Theone M Wheeler

Larry Bellamy

From: Darlene Williamson <hotrods@gorge.net>
Sent: Friday, June 18, 2021 1:56 PM
To: Larry Bellamy
Subject: [EXTERNAL] City council

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This letter is a letter of interest for city council position. I Darlene Williamson have lived in this town all my life (a very long time) lol and I have always had this city in my best intersection. I think I bring a lot of knowledge and effort with me about this town. I have brought problems to the city but I try to bring solutions. I think I would be a great person for this position because of my long knowledge and care for goldendale. I have had a Buisness here for 13 years I see the struggles that come with a small Buisness owner and I think that makes me more beneficial for the position. I listen and I'm not afraid to speak my mind (we know that) and to stick up for the city council and what's right. So I think it would be a great opportunity for both the city and me if you consider me for city council and I would give it my all and best. Thank you Darlene Williamson

Sent from my iPhone

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.**

2.04.190 Secretarial services and travel expenses for council.**2.04.200 Contracts let in open meetings.****2.04.210 Media at council meetings.****2.04.220 Vacancies.****2.04.230 Council involvement in city property.****2.04.240 Request for information.****2.04.010 Election—Eligibility—Tenure.**

The members of the city council shall be elected and serve for such terms as is provided by statute. (Ord. 1182 (part), 1996)

2.04.020 Authority.

The Goldendale city council shall be the legislative body of the city government, and in accordance with state statutes, may determine it's own rules of conduct, proceedings and business, and have such powers and duties as provided in this chapter and the Revised Code of Washington, as now or hereafter amended. (Ord. 1182 (part), 1996)

2.04.030 Meetings.

A. The regular meetings of the council shall be held on the first and third Monday of each month at the hour of seven p.m.; provided, that if the regular meeting falls on a legal holiday, the meeting shall take place on the next business day at the same hour. Adjourned meetings may be held at such times as the council may determine. All regular meetings of the city council shall be held at the council chambers in the city hall at Goldendale, Washington. Meetings shall last until nine p.m. unless sooner adjourned, with one-half-hour extensions allowed by a majority vote. Unfinished business will be continued to the next regular meeting or recessed to another time.

B. The city council, by majority vote, may cancel or reschedule regular meetings to a different date or time.

C. All official meetings of the council shall be open to the public except for executive sessions, as set forth in RCW [42.30](#), or meetings which are not subject to RCW [42.30](#) such as quasi-judicial hearings or collective bargaining issues, as set forth in RCW [42.30.140](#). Nothing shall prevent the council from holding an executive session during a regular or special meeting.

2.04.220 Vacancies.

If a vacancy occurs in the office of a councilmember the council will follow the procedure outlined in RCW [35A.12.050](#), RCW [42.12.070](#) and RCW [42.30.060 \(2\)](#). (Ord. 1182 (part), 1996)

2.04.230 Council involvement in city property.

Prior to the acquisition, or sale of city property the price and conditions of such transaction shall first be discussed with and determined by the city council in executive session. (Ord. 1182 (part), 1996)

2.04.240 Request for information.

All requests by councilmember(s) for information regarding the status of the city shall be provided to the councilmember(s), in a reasonably expedient manner, relative to developments, trends, conditions and issues in the various functional areas of city government. (Ord. 1182 (part), 1996)

The Goldendale Municipal Code is current through Ordinance 1502, passed July 20, 2020.

Disclaimer: The city clerk's office has the official version of the Goldendale Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.goldendale.wa.us/>

City Telephone: (509) 773-3771

[Code Publishing Company](#)

RCW 35A.12.050**Vacancies.**

The office of a mayor or councilmember shall become vacant if the person who is elected or appointed to that position fails to qualify as provided by law, fails to enter upon the duties of that office at the time fixed by law without a justifiable reason, or as provided in RCW **35A.12.060** or **42.12.010**. A vacancy in the office of mayor or in the council shall be filled as provided in chapter **42.12** RCW. An incumbent councilmember is eligible to be appointed to fill a vacancy in the office of mayor.

[**2008 c 50 § 4**; **1994 c 223 § 32**; **1967 ex.s. c 119 § 35A.12.050**.]

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**.

RCW 42.30.060**Ordinances, rules, resolutions, regulations, etc., adopted at public meetings—
Notice—Secret voting prohibited.**

(1) No governing body of a public agency shall adopt any ordinance, resolution, rule, regulation, order, or directive, except in a meeting open to the public and then only at a meeting, the date of which is fixed by law or rule, or at a meeting of which notice has been given according to the provisions of this chapter. Any action taken at meetings failing to comply with the provisions of this subsection shall be null and void.

(2) No governing body of a public agency at any meeting required to be open to the public shall vote by secret ballot. Any vote taken in violation of this subsection shall be null and void, and shall be considered an "action" under this chapter.

[1989 c 42 § 1; 1971 ex.s. c 250 § 6.]