

**UNION GAP CITY COUNCIL REGULAR MEETING**  
**UNION GAP COUNCIL CHAMBERS**  
**Union Gap, Washington**  
**October 11, 2021, Regular Meeting**  
**MINUTES**

<u>Call to Order</u>	Mayor Hodkinson called the Regular Meeting of the Union Gap City Council to order at 6:00 p.m.
<u>Council Members Present</u>	Council Members Murr, Wentz, Galloway, Hansen, Schilling, and Dailey were present.
<u>Staff Present</u>	Police Chief Cobb, Public Works and Community Development Director Henne, Civil Engineer Dominguez, Finance and Administration Director Clifton, City Attorney Brown, and Fire Chief Markham were present.
<u>Audience Present</u>	See attached list.
<u>Pledge of Allegiance</u>	Council Member Wentz led the pledge of allegiance.
<u>Consent Agenda</u>	<p>Motion by Council Member Wentz, second by Council Member Hansen to approve the consent agenda as follows:</p> <p>Regular Council Meeting Minutes dated September 27, 2021 as attached to the Agenda and maintained in electronic format.</p> <p>Payroll Vouchers – EFT’s and Voucher Nos. 103542 through 103548 for the month of September 2021, in the amount of \$464,277.64.</p> <p>Claims Vouchers – EFT’s and Voucher No. 103483 through 103541 for October 11, 2021, in the amount of \$366,282.72.</p>
<u>Items from the Audience</u>	None.
<u>General Items</u>	
<u>Public Works &amp; Community Development</u>	
Resolution No. – 21-29 – Yakima County SIED Program Application – Regional Beltway Area Utility Extensions	Motion by Council Member Wentz, second by Council Member Murr to adopt Resolution No. – 21-29 – authorizing and directing the City Manager to submit an application to the Yakima County SIED Board to finance public infrastructure improvements for a portion of Union Gap Regional Beltway project, under a County program known as S.I.E.D. (Supporting Investment for Economic Development).

***CITY OF UNION GAP REGULAR COUNCIL MEETING MINUTES – October 11, 2021***

City Attorney

Resolution No. – 21-30 –  
Censure of Council Member  
Julie Schilling

***Due to the content of the meeting, the services of Tina Steinmetz were utilized for the remainder of the meeting. See attached transcription.***

Items from the audience

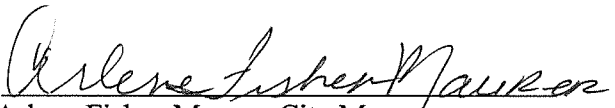
City Manager Report

Communications/Questions/  
Comments

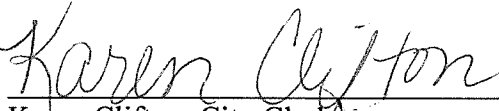
Development of next Agenda

Adjournment of Meeting

At 6:50 p.m., Mayor Hodkinson adjourned the October 11, 2021 regular Council Meeting.

  
Arlene Fisher-Maurer, City Manager

ATTEST:

  
Karen Clifton, City Clerk



1 packet when you walk in the door?

2 MAYOR HODKINSON: Well, I --

3 COUNCIL MEMBER SCHILLING: Well, that's --

4 MAYOR HODKINSON: -- okay, that's a question.

5 CHIEF COBB: I believe that the ones that we  
6 received prior to the packet going out were included.  
7 But the ones we received after the packet went out,  
8 obviously didn't.

9 COUNCIL MEMBER SCHILLING: -- my question is  
10 were they at the door for the people to pick up when  
11 they came in the door today.

12 CHIEF COBB: Understood.

13 COUNCIL MEMBER SCHILLING: Thank you.

14 CHIEF COBB: Yeah. If -- if -- if they're not  
15 there, then -- then they weren't but we can get sent  
16 out, if they so desire.

17 ATTORNEY BROWN: Good evening council. So, if  
18 you recall, two weeks ago, went into -- well, it was  
19 actually -- previously when we addressed this, this  
20 matter went into a little more detail on the com-  
21 plaints. I'm not going to go through all of that  
22 tonight. But before you, and you had a -- the oppor-  
23 tunity to review it, is the proposed resolution.

24 There's five items for the basis of the censure.  
25 These items, as -- as you can see in the resolution,

1 a couple of them deal with the code of conduct that  
2 requires council members, when they are going to --  
3 when they are going to -- when they have questions  
4 about City manner -- matters, administratively or oth-  
5 erwise, that they work through the City Manager and  
6 so, a couple of these matters deal with that, specif-  
7 ically on the -- on the homicide that happened at the  
8 mall. And then Ms. Schilling contacting Chief Cobb  
9 regarding another matter on September 8<sup>th</sup> where she  
10 didn't -- contact with the City Manager prior to that.

11 There's -- and then there are the three other  
12 matters. One is dealing with the City Clerk, Karen  
13 Clifton, where Ms. Schilling contacted her about li-  
14 brary bricks and didn't work through the City Manager  
15 before doing that.

16 And then the last two items deal with the code of  
17 conduct on -- regarding City Council members treating  
18 staff as professionals and -- it states honest commu-  
19 nication, the respect for abilities, experience and  
20 dignity of each individual is expected. Poor behavior  
21 towards staff is not acceptable.

22 So, then the last two items deal with the City  
23 Manager, Arlene Fisher, and interactions that she had  
24 with Council Member Schilling. One on August 23<sup>rd</sup> and  
25 then the other on June 10<sup>th</sup> and the -- June 10<sup>th</sup>, 2019.

1 The matter on June 10 -- 10<sup>th</sup>, 2019, City Manager Fisher  
2 reported the following: during this interaction Coun-  
3 cil Member Schilling yelled "How dare you. I will  
4 bury you." Pointed her finger at the City Manager and  
5 ended up touching her on the chest as the City Manager  
6 was backing away. So, those are the basis in the  
7 resolution for the censure.

8 One other item I want to bring up is I've had a  
9 -- a few discussions with Council Member Schilling's  
10 legal counsel through email and over the phone. We  
11 are in disagreement on how this meeting is to be run  
12 tonight. Council Member Schilling's counsel has re-  
13 quested a few times that there be a public hearing so  
14 public testimony can be taken. And the statute that  
15 he's citing is the statute under the Open Public Meet-  
16 ings Act which is -- in that section, the statute under  
17 reviewing complaints of public officials and employees  
18 in executive session. And then, if Council recalls,  
19 Council never went into executive session.

20 What that statute deals with is if Council goes  
21 into executive session to review complaints of a public  
22 official or an employee, and the person being com-  
23 plained of makes the request to have it not be in  
24 executive session, then the statute provides that mat-  
25 ter shall be reviewed in a public meeting, or in a

1 public hearing.

2 Now, you might hear from counsel that because we  
3 are not doing a public hearing, this violates the Open  
4 Public Meetings Act. I'm telling you that the Coun-  
5 cil's on solid ground. There is no violation of the  
6 Open Public Meetings Act. There was no -- Council  
7 never went into executive session. A publ -- we were  
8 doing this in a -- in a public meeting.

9 And so, if Council has any questions of me, I'm  
10 -- I'm free to answer those. But those are the main  
11 facts of -- of for the censure. That's the -- the  
12 realm [phonetic] of the information. There is a lot  
13 of other information that was -- that was -- included  
14 in other complaints and such that's not included in  
15 the resolution, it's not relevant. What bef -- what's  
16 before you in the resolution is what's -- what the  
17 basis of the censure -- proposed censure is. Thank  
18 you.

19 MAYOR HODKINSON: Thank you. Do we have a mo-  
20 tion?

21 COUNCIL MEMBER WENTZ: So moved.

22 COUNCIL GALLOWAY: Second.

23 ATTORNEY PICKETT: I was informed that I would  
24 speak on behalf of Ms. Schilling prior to there being  
25 a vote. Has that now been changed?

1           MAYOR HODKINSON:     No.   Okay.   I have a motion  
2           and a second to go ahead and pass the resolution and  
3           we're now open for discussion.

4           ATTORNEY PICKETT:   May it please the Council.  
5           My name is Bill Pickett.  I represent Ms. Schilling in  
6           this matter, and I appreciate you taking the time to  
7           be here.

8           One of the first things that this Council looked  
9           to and it reminded me deeply of the commitment we have  
10          as a nation and that is when you said that pledge of  
11          allegiance moments ago.  One nation, indivisible.  In-  
12          divisible.  I'm asking you tonight to stop this.  To  
13          stop this censure because what it does is it goes  
14          directly against that oath to be -- to not be divided.  
15          To not be divided.

16          Briefly, I want to back up because Mr. Brown ne-  
17          glected to kind of give the summary of how we got here  
18          accurately and it's important.  It's important because  
19          you're going to decide whether you censure one of your  
20          own or not.

21          I watched the meeting where this censure came  
22          about, and it was initially noticed to the public and  
23          scheduled to be a matter in executive session.  There  
24          was no material provided to the public.  And on the  
25          videotape, it was, at the last moment changed, pulled



1 out of executive session and you all were handed pack-  
2 ets of information. For the very first time, packets  
3 of information that were condemning of Council Person  
4 Shanklin [?] without her having ever seen that mate-  
5 rial, nor anyone in this public audience having seen  
6 the material.

7 The reason for an executive session is that when  
8 there is a complaint that it goes into executive ses-  
9 sion so that this body, all of you, have the oppor-  
10 tunity to discuss that information with the person who  
11 is being accused. And then that person, pursuant to  
12 statute, and this is where Mr. Brown and I vigorously  
13 disagree, by statute that person, not this Council.  
14 That person has the right to demand either a public  
15 hearing or a public meeting. That is in statute and  
16 Mr. Brown can read it to you.

17 RC -- the RCW on point is 42.30.110(f) states equ  
18 -- unequivocally - however upon request of such of-  
19 ficer, this is the person who the complaint is against,  
20 upon their request, a public hearing or a -- or a  
21 meeting -- or a -- or a public meeting shall be con-  
22 ducted. The request -- the only person that made the  
23 request was Ms. Schilling and she requested a public  
24 hearing. Why? So that the public, the people that  
25 you represent, have the opportunity to speak to this

1 matter.

2 And there is nothing more divisive in this Council  
3 or in -- I would say in this Country right now than  
4 not allowing people to be heard on matters that they  
5 care about. And when it comes to one of you as an  
6 elected public official, being censured -- accused  
7 openly, and demanding a public hearing. You put your-  
8 selves in that -- in those shoes, you would want your  
9 rights to be heard.

10 So, I'm asking you as a Council, for that reason  
11 alone, that you vote no on this resolution and stop it  
12 because of the divisiveness and also because it breaks  
13 the law. It does not -- it is -- you did -- the --  
14 you were assured you were on -- you were on solid  
15 ground. If you read the statute, you're not.

16 The other -- issue that I want to discuss very  
17 briefly is the actual resolution itself. If you read  
18 the resolution, the resolution is a cherry pick of the  
19 topics. If you go to Code Section 2.04.015, it's  
20 (k)(3) -- it's (k)(2), (3) and (4). In those sections  
21 it does not prohibit any of you, and nor should it  
22 ever, prohibit any of you from speaking to staff. And,  
23 in fact, if you look at the section that is marked sub  
24 part -- it's section (k)(3) and (4).

25 The resolution is not complete because it cuts

1 and paste only portion -- a portion of those -- that  
2 section. For instance, section (3) says questions of  
3 City and staff and/or requests for additional infor-  
4 mation. You should try to direct that to all of you.  
5 Nowhere in there does it say you cannot speak to the  
6 City Manager, nor should that ever be the case. Nor  
7 should you ever be censured for speaking to the City  
8 Manager. It's your obligation.

9 Sub part (4), it's a part of the resolution, is  
10 another cut and paste that talks about, again, com-  
11 municating with staff. And it says explicitly Council  
12 members must, when possible, keep communications with  
13 staff short. That's not in the resolution. The res-  
14 olution cuts and pastes selective provisions to try  
15 and persuade you that there was inappropriate con --  
16 tact with City staff.

17 I would submit to you that as elected officials  
18 you are not, in any way, shape or form, prohibited  
19 from speaking to staff. When you do it, you do it as  
20 -- at their -- you -- you try to pick the best time.  
21 You try to be as polite as you can, and you try to get  
22 to the issue that you're asking about. More specifi-  
23 cally than that, Mr. Brown, when he brought these  
24 charges to the Council, indicated that the State Stat-  
25 ute - RCW 35A.13.120 expressly forbid you as a Council

1 from speaking to anyone except the City Manager.  
2 That's not true. Not true.

3 RCW 35A.13.120 says explicitly - except for pur-  
4 poses of inquiry -- except for purposes of inquiry.  
5 When -- that means when you have an inquiry or a ques-  
6 tion, go to the staff. Why? I'd submit to you that  
7 the staff, and I mean no disrespect to the staff, they  
8 do the heavy lifting on any board or council or city  
9 or municipality. Staff do the heavy lifting, and they  
10 have the answers.

11 Censuring Ms. Schilling for going to staff with  
12 her concerns that are given to her by her constituents  
13 is wrong. It's not something you want to do because  
14 none of you would want to be shackled under that kind  
15 of provision. When you have a constituent that calls  
16 you on the phone and asks you for a answer to a ques-  
17 tion, it's your responsibility to seek out that answer.  
18 And if staff are -- become upset or staff feel bothered  
19 or burdened, that's part of the job. And staff may  
20 even be offended that you'd ask. I would submit to  
21 you that's part of the job.

22 So, in considering this censure I would ask you  
23 to -- to clearly stop this process because of the  
24 division and number -- more -- and -- and more im-  
25 portantly, well, not more importantly; because the law

1 actually doesn't permit this to proceed the way that  
2 it's proceeding. There are due process concerns and  
3 I've expressed those to Mr. Brown, and he is correct.  
4 We do not agree. I do not think this Council is on  
5 sound ground with proceeding with this censure at all.

6 The last thing I will say is this, and I remem-  
7 bered it coming down here today. Your vote here today  
8 sends a message to this community about how you will  
9 act in their interest. How you will act. And there  
10 is a -- there are a slew of letters that have been sub-  
11 -- submitted on behalf of Council Person Schilling  
12 commending her for the way she has represented those  
13 people.

14 And I know there are many of them here now and on  
15 that phone that also want to speak to you. I would  
16 encourage you to be bold enough and brave enough to  
17 speak to them. Even if you don't want to consider  
18 this a public hearing and take public testimony, they  
19 deserve the right as constituents, as the public from  
20 this community to be heard. And I would hope that all  
21 of you -- I trust that all of you will let them be  
22 heard.

23 I was reminded of a small little child of twenty-  
24 four years ago. And this is important, so I'll --  
25 I'll try to be brief. His mother would come from South

1 Fifty Street, just over the corner here, and to the  
2 public library here, every day. And she'd sit on the  
3 floor with him and she -- she taught him to read in  
4 your public library here. Here. And they played  
5 games. And I know that building doesn't exist anymore.  
6 And I know you're all working incredibly hard to bring  
7 another even better building back to this community.  
8 And I know that Council Person Schilling has worked  
9 tirelessly to make that project come into fruition as  
10 a benefit for the people of this community.

11 And I mention this because I know one of the  
12 things that this Council is being asked to do is to  
13 throw her off of the committee, the library committee,  
14 that she has put her life blood into. And the reason  
15 it's important, even if you don't like Council Person  
16 Schilling is this - that little boy that learned to  
17 read in that spot right there when the library was  
18 there is my son.

19 And because of this community, he's now in law  
20 school in Washington DC and he works on Capitol Hill  
21 during the day for Congressman Newhouse and that's  
22 because this community invested in a building and its  
23 youth and the Council at that time cared about it.

24 This Council, I hope, will do the right thing and  
25 keep her on that committee. Will not censure her.

1 Will not create division. So that the next young man  
2 from this community can come to this library, the new  
3 one that's coming, and they can learn, and they can  
4 grow, and they can then represent this community in  
5 faraway places, sometimes even our Nation's capital.

6 I thank you, Mr. Mayor, for indulging and being  
7 patient. I would specifically ask that this Council  
8 vote no on this resolute -- lution and send a message  
9 of unity to your constituents. Thank you.

10 MAYOR HODKINSON: Okay. I'll open it for Coun-  
11 cil discussion.

12 COUNCIL MEMBER SCHILLING: Do I not get a  
13 chance to talk?

14 MAYOR HODKINSON: You're part of the Council.

15 COUNCIL MEMBER SCHILLING: Okay. People can-  
16 not hear anything that you said, Bill, if they're on  
17 the phone, and so people are going to talk, and they  
18 couldn't hear you either. But I don't know what's  
19 happening with our phone system; but they can't hear.

20 MAYOR HODKINSON: And I'm afraid we can't back  
21 up and start over.

22 COUNCIL MEMBER SCHILLING: I know.

23 MAYOR HODKINSON: And we know that we are also  
24 getting an upgrade. So, we're trying to take care of  
25 those things.

1 COUNCIL MEMBER SCHILLING: Okay. Bill Cox  
2 wants to talk, that's all I can tell you.

3 MAYOR HODKINSON: We're not, as I mentioned be-  
4 fore, we're not taking comments --

5 MR. SCHILLING: Okay? [Inaudible - mumbled] we  
6 all have the right to talk. And I'm --

7 MAYOR HODKINSON: Not -- not on this issue.

8 MR. SCHILLING: -- and --

9 ATTORNEY BROWN: We're not allowing any public  
10 testimony at this hearing.

11 MR. SCHILLING: This is an open public meeting.  
12 This is an open public meeting. And [inaudible -  
13 mumbled].

14 ATTORNEY BROWN: Well, you don't get to speak.

15 MR. SCHILLING: I declare my rights of free  
16 speech.

17 MAYOR HODKINSON: This -- this is a Council ac-  
18 tion.

19 ATTORNEY PICKETT: Honorable Mayor, may I -- may  
20 I have one -- one moment.

21 MAYOR HODKINSON: I'll give you that.

22 ATTORNEY PICKETT: Thank you. I -- I would en-  
23 courage this Council to -- to move to allow people to  
24 speak. Your constituents, the people who put you in  
25 the seats, to bring a motion to allow those people who



1 are here today to briefly address this Council. If  
2 nothing more so that you are fully informed before  
3 making any decision. Thank you, Mr. Mayor.

4 MAYOR HODKINSON: The comments are directed di-  
5 rectly to the items in the resolution. We have the  
6 letters. The Council has had them in their hands. We  
7 have -- so they have had a chance to speak and voice  
8 their opinion, which we appreciate. But the letters  
9 that we have received have not addressed the issues  
10 that are in this document. And it appears that --  
11 that there is a difference between what has happened  
12 outside, and Julie has done some very good things. And  
13 I don't think anybody will deny that.

14 But the conversations and the actions with City  
15 staff is what has brought this about. So, Council  
16 will proceed.

17 COUNCIL MEMBER SCHILLING: And I want time to  
18 talk because number one --

19 MAYOR HODKINSON: You may.

20 COUNCIL MEMBER SCHILLING: -- okay. If you  
21 read through this packet, which there's quite a few  
22 letters in here, and there are things that pertain to  
23 the censure. So, I -- I'm hoping that you read the  
24 entire packet.

25 MAYOR HODKINSON: I have read every one of

1           them.

2           COUNCIL MEMBER SCHILLING:       Oh, that's why I am  
3           questioning you, because of your comments. The other  
4           thing is when it comes to our staff, I apologize if  
5           there was something that was said. I was in a hurry  
6           a couple of the times. I was trying to get things  
7           done and I only have so much time. And I think everyone  
8           is -- with time constraints. We had a time constraint.  
9           We had two people that were going to be out, and I was  
10          trying to push it through because that's what the com-  
11          mittee wanted and that's what I do.

12          When people call me, and they have a question I  
13          try to follow through with that and get an answer for  
14          them. That's what I believe our job is to our con-  
15          stituents. We need to take care of the City. They  
16          question us and that's what we're supposed to do.  
17          We're supposed to be the policymakers, that if there  
18          is a question, then it's our responsibility to answer  
19          those questions or get the answers for them. And I'm  
20          sorry if that offends you.

21          MAYOR HODKINSON:     Is there any more discus-  
22          sions?

23          COUNCIL MEMBER HANSEN:   And I've got something  
24          to say while two -- on page two, the last paragraph,  
25          it talks about the -- that -- that Ms. Schilling can't

1 -- can't -- can't --

2 MAYOR HODKINSON: Page two in what?

3 COUNCIL MEMBER HANSEN: -- in -- in the -- in  
4 the resolution. You got it?

5 MAYOR HODKINSON: The resolution is one page.

6 COUNCIL MEMBER HANSEN: What's that on here  
7 then?

8 MAYOR HODKINSON: That's the previous.

9 COUNCIL MEMBER SCHILLING: He's got the whole  
10 pack.

11 MAYOR HODKINSON: Okay. Go ahead.

12 COUNCIL MEMBER HANSEN: They -- they talk about  
13 -- [inaudible - mumbled] the two Yakima Basin [inau-  
14 dible - mumbled] -- that this is -- I think this state-  
15 ment is -- divides. It's a cruel and unus -- unusual  
16 punishment because you can't take everything away from  
17 her. You -- you've taken away everything. She's got  
18 to have something to move. The City Council wants to  
19 limit the -- pu -- take care of the public safety --  
20 deny persons -- and they take everything away from  
21 her. She's got to have something to do.

22 MAYOR HODKINSON: What -- what does that got to  
23 do with the -- with the information at hand, David?

24 COUNCIL MEMBER HANSEN: It's in the packet. It  
25 doesn't --

1           MAYOR HODKINSON:     I understand that but we're  
2 talking about dealing with staff.

3           COUNCIL MEMBER HANSEN:    I with -- I withhold it  
4 then.

5           MAYOR HODKINSON:     Anything further? Okay. All  
6 those in favor?

7           COUNCIL MEMBER SCHILLING:    I think you need to  
8 read what your censure actually is.

9           COUNCIL MEMBER HANSEN:    I don't think -- I don't  
10 think --

11          MAYOR HODKINSON:     We have. Or I have. I won't  
12 speak for the others --

13          COUNCIL MEMBER SCHILLING:    Well, taking me --

14          MAYOR HODKINSON:     -- but I'm sure they have.

15          COUNCIL MEMBER SCHILLING:    -- are you going -  
16 - you're asking to --

17          COUNCIL MEMBER HANSEN:    -- well, --

18          COUNCIL MEMBER SCHILLING:    -- take me off of  
19 committees that you have no control of. So, I think  
20 that needs to be rewritten. Your -- I believe your  
21 rights would only be to take me off of committees that  
22 you have control of. Would that not be correct here?

23          MAYOR HODKINSON:     That we appoint -- that we  
24 appoint to.

25          COUNCIL MEMBER SCHILLING:    You have the --

1           MAYOR HODKINSON:     As a Council rep.

2           COUNCIL MEMBER SCHILLING:     -- you've got the  
3 parade, which I've done since 2010. I have not been  
4 on Council since 2010. And the way you worded it, it  
5 said any and other.

6           MAYOR HODKINSON:     Right.

7           COUNCIL MEMBER SCHILLING:     Well, I'd suggest  
8 you look at it.

9           MAYOR HODKINSON:     Counselor?

10          ATTORNEY BROWN:     So, the -- for committees,  
11 it's -- just those committees that she's appointed to  
12 by the Council. As you know, the Council has the  
13 authority to divide up that work and appoint individual  
14 Council members to sit on individual committees and  
15 boards and that's -- that's what's part of the censure.

16          Ms. Schilling's right, the -- Council doesn't  
17 have any authority to remove her from -- from commit-  
18 tees that she wasn't appointed to by the City that she  
19 doesn't -- doesn't serve on there because of her Coun-  
20 cil role as the City. That's not what this censure  
21 goes to. It just goes to the Council's authority on  
22 -- on those appointments that they have made.

23          MS. ?:     So, can we have a list of those commit-  
24 tees that [inaudible - muffled]?

25          MAYOR HODKINSON:     I think there was, was there

1 not?

2 COUNCIL MEMBER SCHILLING: No.

3 COUNCIL MEMBER HANSEN: Well, there's a list of  
4 the there on the -- on page two at the bottom of the  
5 page, that talks about all of the committees she's on.  
6 Are any of those appointed committees? Are they [in-  
7 audible - mumbled].

8 ATTORNEY BROWN: So, the -- the language in  
9 the censure, the Council committee and assignments,  
10 not limited to Yakima Basin, Fish and Wildlife Recovery  
11 Board, the Yakima Greenway Foundation Board, Associa-  
12 tion of Washington Cities Nominating Committee, Union  
13 Gap Public Safety Committee, Union Gap Lighted Christ-  
14 mas Parade, Union Gap Library and Community Center  
15 Committee and any other non-City committees, boards  
16 and commissions and assignments.

17 That would -- this only goes as far as the Council  
18 has authority. And so, anything that the Council's  
19 appointed to her to serve on as a member of the Council  
20 is what she'd be removed from. Now, for example, she  
21 brings up the parade. If she had been serving on a -  
22 - on -- part of the parade before she was a Council  
23 member and there are positions there where you serve  
24 on as a citizen of the Union Gap, the Council doesn't  
25 have authority to remove her from something that she

1 serves as a citizen. Just those things that she is  
2 assigned to as a City Council Member.

3 COUNCIL MEMBER WENTZ: So, can you suggest an  
4 amendment to the resolution that would more accurately  
5 reflect those committees and commissions that relate  
6 to her position as City Council?

7 ATTORNEY BROWN: So, you could -- you could  
8 just make the simple amendment that the City Council  
9 also hereby removes City Council Member Julie Schil-  
10 ling from any and all City Council committees and  
11 boards that have been appointed by the City Council.

12 COUNCIL MEMBER WENTZ: I make that motion.

13 ATTORNEY PICKETT: Mayor?

14 UNKNOWN: Where is that?

15 MAYOR HODKINSON: Go ahead.

16 ATTORNEY PICKETT: Mr. -- Mr. Mayor, I would en-  
17 courage this Council that if you're going to take  
18 amendments from the floor, from the City's attorney,  
19 that that be properly noticed and put before the cit-  
20 izens of this community. There -- this -- this kind  
21 of -- this is the kind of thing that we are seeing at  
22 the highest levels of government, and it is not in the  
23 best interest of this City. It is divisive and you  
24 will forever set on this Council with a person that's  
25 been publicly shamed because of staff complaints.

1           None of you want this and I can guarantee you, no  
2           one in this community wants to see this kind of thing  
3           happen -- happening. You have significant important  
4           business to take care of. So, if this is going to be  
5           amended, it needs to be properly noticed, set on the  
6           agenda and then heard properly.

7           And again, the next time around, from the citizens  
8           of this community. They are a lot more important than  
9           any one of us sitting here. Any one of us - I'm  
10          pointing to all of you and myself included. Thank  
11          you.

12           MAYOR HODKINSON:     Right.

13           ATTORNEY BROWN:     Can I respond? So, as Coun-  
14          cil's aware, there's been numerous times where Council  
15          has had business items before them - either an ordi-  
16          nance or a resolution where when it was being consid-  
17          ered Council moved to pass a resolution or ordinance,  
18          but they wanted something changed from the proposed  
19          resolution.

20           Council has the -- if -- if they want to make a  
21          change to the proposed language, they can do that at  
22          that meeting. They don't need to wait until the next  
23          meeting. Council can -- can pass it. They can make  
24          a motion and second it and they can pass that amendment  
25          with that -- they can pass a resolution with that



1 amended language. Because right now the proposed res-  
2 olution is just a proposal.

3 Before Council is a reso -- is a resolution of  
4 censure that's -- that's Council. You -- you pass the  
5 resolution as you see fit. And so, if you don't like  
6 the proposed language, then you amend it how you want  
7 it and that's your right. That's -- that's the au-  
8 thority that you have.

9 COUNCIL MEMBER WENTZ: So, I think in point to  
10 order, since I made the motion, I hereby rescind my  
11 motion and make an alternate motion to reflect the  
12 resolution with the phrase -- phraseology that Mr.  
13 Bronson provided -- Mr. Brown provided us.

14 MAYOR HODKINSON: Karen, can you read that?  
15 Hopefully?

16 MS. CLIFTON: Honestly, I -- [inaudible - mum-  
17 bled].

18 MAYOR HODKINSON: Counsel?

19 ATTORNEY BROWN: So, -- so, it's -- that Coun-  
20 cil Member Schilling would be removed from any and all  
21 committees and boards that the City Council has spe-  
22 cifically appointed her to.

23 MAYOR HODKINSON: Period. Yeah. Okay. Any  
24 further discussion?

25 CHIEF COBB: Mr. Mayor, we need a second on

1           that motion.

2           MR. ? :     Sure.

3           MAYOR HODKINSON:     Pardon me?

4           COUNCIL MEMBER GALLOWAY: Second.    I second that  
5 motion.

6           COUNCIL MEMBER WENTZ:     Yeah.

7           MAYOR HODKINSON:     Hearing that, then I will  
8 call for a roll call vote.

9           COUNCIL MEMBER MURR:     I.

10          MAYOR HODKINSON:     Karen, let me call.

11          MS. CLIFTON:     Oh, okay.

12          MAYOR HODKINSON:     So, we've had a vote from  
13 Council Man Murr. And I will vote next, and because  
14 of the -- the treatment that I don't think anybody  
15 would appreciate in the audience or out of the audi-  
16 ence, my vote is yes also. Roger?

17          COUNCIL MEMBER WENTZ:     I.

18          MAYOR HODKINSON:     Jack?

19          COUNCIL MEMBER GALLOWAY: I.

20          MAYOR HODKINSON:     Sandy?

21          COUNCIL MEMBER DAILEY:    I really don't even know  
22 how to prevent this. I -- I do not feel comfortable  
23 voting on this matter. We have some issues here. We  
24 have a community here that is standing and what I'm  
25 afraid of or concerned about is dividing. So, we do

1 have an issue that needs to be addressed. The issue  
2 is clearly within the Union Gap City Hall employees,  
3 and we started this with the code of conduct, code of  
4 ethics that is very, very important and I think we're  
5 all surpr -- surpassing that. So, I don't know how I  
6 can do this, but I am going to decline to vote.

7 MAYOR HODKINSON: You would abstain then?

8 COUNCIL MEMBER DAILEY: I do.

9 MAYOR HODKINSON: Okay. And now we have Mr.  
10 Hansen.

11 COUNCIL MEMBER HANSEN: I abstain.

12 MAYOR HODKINSON: We have two abstentions. Ms.  
13 Schilling?

14 COUNCIL MEMBER SCHILLING: No.

15 MAYOR HODKINSON: And we have a four to three  
16 -- well, two abstentions and one no. So, the motion  
17 passes.

18 Okay. Moving on to the next item. We'll go back  
19 to items from the audience. Again, nothing has been  
20 on the agenda. Yes?

21 MS. CANATSEY: My name is Helen --

22 MAYOR HODKINSON: Yeah. Please step to the mi-  
23 crophone so they can hear.

24 MS. CANATSEY: -- my name is Helen Canatsey and  
25 Union Gap Council, citizens and Union Gap management

1 and attorney, I was at the Council meeting on the 13<sup>th</sup>  
2 and the meeting went okay all -- all until it got to  
3 the last. The public off -- officer of employee, per  
4 RCW 20 -- or 42.30. 10 -- 110. At this point Attorney  
5 Bronson stood up and began to speak Julie's name.

6 MAYOR HODKINSON: Ma'am?

7 MS. CANATSEY: He didn't give her a chance to  
8 even talk. And so, --

9 MAYOR HODKINSON: Ma'am?

10 MS. CANATSEY: -- she went ahead and she -- we  
11 went ahead and -- and listened to what Bronson had to  
12 say.

13 MAYOR HODKINSON: Ma'am, we've -- we've already  
14 discussed this.

15 MS. CANATSEY: Oh, yeah. But I -- no, I want to  
16 finish, please. And she turned around and he'd talk  
17 and do -- and then -- all of the sudden he gets through  
18 talking and he'd look at -- at Arlene and Arlene would  
19 shake her head yeah, go ahead. And the -- they went  
20 through this four, five, six times and I mean, it was  
21 -- it was not -- it was not pretty. I mean, she --  
22 she shouldn't have. And then, --

23 MAYOR HODKINSON: I -- I -- I don't know what  
24 --

25 MS. CANATSEY: -- she shouldn't have. And then,

1           besides that --

2           MAYOR HODKINSON:     -- what's the point?

3           MS. CANATSEY:   -- the point is you guys had a  
4 meeting before the meeting and you did not -- did not  
5 ind -- have Dave or Julie at the meeting.  And you  
6 turned around and you all decided that no, we'd just  
7 call it quits.  So, after she -- she said this and she  
8 was standing there and she says well, this is a girl-  
9 to-girl problem.  Okay.  If it's a girl-to-girl prob-  
10 lem, why doesn't she pick up her panties and use her  
11 own tongue and talk to people, which she doesn't do.

12           And I -- I just -- I'm not even happy with the  
13 people anymore.  I mean, we used to be the Gappers.  
14 We're not the Gappers anymore.  I don't even know if  
15 I want to be known as a Gapper anymore.  I mean, if  
16 you can do this to somebody who has pushed the law --  
17 pushed the -- the time for --

18           MAYOR HODKINSON:   Do you -- do you recall --

19           MS. CANATSEY:   -- for -- us --

20           MAYOR HODKINSON:   -- do you recall what I said  
21 before I voted?

22           MS. CANATSEY:   No, because you didn't speak loud  
23 enough.

24           MAYOR HODKINSON:   I believe others heard me.

25           MS. CANATSEY:   Well, I -- I still -- I -- it's

1 not fair. It's not fair to push her off of all com-  
2 mittees and everything else. After all, Jack is loving  
3 this because Jack used to be on --

4 MAYOR HODKINSON: Ma'am, we're -- we're --

5 MS. CANATSEY: -- the committee --

6 MAYOR HODKINSON: -- we're getting nowhere.

7 MS. CANATSEY: -- oh, no, we're -- we're not get-  
8 ting anything anymore. We have worked hard for this  
9 library and community center.

10 MAYOR HODKINSON: Correct.

11 MS. CANATSEY: Yeah. And Arlene is now wanting  
12 to go down to just the library.

13 MAYOR HODKINSON: Mmm hmm. [Affirmative].

14 MS. CANATSEY: And we've worked so damn hard on  
15 it.

16 MAYOR HODKINSON: Yes. [Inaudible - mumbled]  
17 because of the lack of money.

18 MS. CANATSEY: Forget it.

19 MAYOR HODKINSON: Okay. We'll go to City Man-  
20 ager's report.

21 MS. ?: You should all be ashamed of your-  
22 selves. It's ridiculous. You all got together --

23 MAYOR HODKINSON: Ma'am --

24 MS. ?: -- you all figured out what the hell  
25 you were going to say --

1           MAYOR HODKINSON:     -- ma'am --

2           MS. ? :     -- and all coordinated it and that's  
3           against the law and you should be ashamed of your-  
4           selves.

5           COUNCIL MEMBER ? :   We did not.

6           MAYOR HODKINSON:     -- that was not -- that did  
7           not happen. Go ahead.

8           CHIEF COBB:     Good evening, Mayor, Council. On  
9           behalf of City Manager Fisher, I'll be brief.

10           We got notice from YVCOG earlier last week with  
11           about a two-day notice to apply for a grant. The grant  
12           application will provide the City with housing -- a  
13           study for housing needs within the city limits of Union  
14           Gap allowing us to determine and accomplish our goals  
15           to be outlined in our periodic update of our housing  
16           element and our comprehensive plan. It didn't commit  
17           the City to any funding and it will come before the  
18           Council to accept.

19           So, I felt, given that we had this opportunity  
20           and only a two-day notice, I did sign a letter to opt  
21           into that grant funding -- or that proposal. But once  
22           again, if -- if -- if it requires any City funding  
23           later on, it'll come before the Council beforehand.  
24           So, we went ahead and -- and did opt in on that.

25           Also, on Wednesday at 11:00 a.m. the Veteran's

1 Administration is opening -- or doing a ribbon cutting  
2 ceremony for the community-based outpatient clinic,  
3 which is there in the Business Parkway development by  
4 -- just east of the Holiday Inn Express. That'll be  
5 a -- a virtual event. If you decide that you want to  
6 attend that virtually, send me an email and I'll get  
7 the coordinates to you.

8 And, if there's no questions, that's all I have  
9 for the Council tonight.

10 MAYOR HODKINSON: Okay. Any other communica-  
11 tions or questions? Development of the next agenda.  
12 Hearing none, this meeting is adjourned.

13 **(End of Recording)**



