



White Salmon City Council Meeting

A G E N D A

October 01, 2025 – 6:00 PM

119 NE Church Ave and Zoom Teleconference

Meeting ID: 873 2712 1130

Call In: 1 253 215 8782 US (Tacoma)

Zoom Link: <https://us02web.zoom.us/j/87327121130>

- I. **Call to Order, Land Acknowledgement, and Presentation of the Flag**
- II. **Roll Call**
- III. **Changes to the Agenda**
- IV. **Presentations**
 - A. Hispanic Heritage Month
- V. **Public Comment**

Any public in attendance at the meeting (either in person or via Zoom) will be provided with an opportunity to make public comment of a general nature in the time allotted. No registration is required. Each person will be allowed three minutes for comment.
- VI. **Consent Agenda**
 - A. Approval of Change Order No. 1 - North Main-Spring Street Water Improvements
 - B. Approval of Small Works Contract with SMP
 - C. Approval of Meeting Minutes - Special Joint Council Meeting Minutes 09.10.2025, Council Meeting Minutes 09.17.2025, Special Council Meeting Minutes 09.24.2025, and Special Joint Council Meeting Minutes 09.24.2025.
 - D. Approval of Vouchers
- VII. **Business Items**
 - A. Ordinance 2025-09-1183 – WSMC 5.04 - Business Licenses
 - 1. Presentation
 - 2. Discussion
 - 3. Action
- VIII. **Reports and Communications**
 - A. Staff Reports
 - B. Council Member/Committee Reports
 - C. Mayor's Updates
- IX. **Executive Session (if needed)**
- X. **Adjournment**



File Attachments for Item:

A. Approval of Change Order No. 1 - North Main-Spring Street Water Improvements



COUNCIL REPORT



Business Item

Needs Legal Review:

Meeting Date:

Agenda Item:

Presented By:



Consent Agenda

No, Not Necessary

10-1-25

Change Order No. 1- North Main-Spring Street Water Improvements

Chris True, Public Works Director

Action Required:

Approval of Change Order No. 1 North Main-Spring Street Water Improvements with Ajax Northwest not to exceed \$3,335.60.

Motion for Business Item / Proposed Motion for Consent Agenda:

Motion to approve Change Order No. 1 North Main-Spring Street Water Improvements with Ajax Northwest not to exceed \$3,335.60.

Explanation of Issue:

This change order is to address the following item:

1. At the City's request, the Contractor exercised the Spring Street Reservoir isolation valve and verified its operation. The existing reservoir valve, when operating correctly, eliminates the need to install a 10-inch insertion valve on the existing 10-inch steel water line (which had a bid price of \$25,000), thereby reducing the potential for damage to the steel water line during insertion valve installation. The Work includes accessing the existing valve vault at the Spring Street Reservoir site and establishing confined-space access safety apparatus. The cost of the Work includes all labor, equipment, and materials. The cost of the change order is an agreed upon lump sum of \$3,100.00. With sales tax, the total cost of the change order \$3,335.60. No additional working days are added to the Contract Time.

Council Options:

City Council has the following options available at this time:

1. Accept the Staff Recommendation.
2. Revise the Staff Recommendation.
3. Other action as desired by council.

Fiscal Analysis:

This project is funded with a loan from Public Works Board.

Policy & Plan Implications:

This project is represented in the Water System Plan (WSP).

Recommendation of Staff/Committee:

Staff recommends approval of Change Order No. 1 North Main-Spring Street Water Improvements with Ajax Northwest not to exceed \$3,335.60.

CHANGE ORDER

Change Order No.: 1

Date of Issuance: **September 23, 2025**
 Owner: **City of White Salmon, Washington**
 Contractor: **Ajax Northwest, LLC**
 Engineer: **Anderson Perry & Associates, Inc.**
 Project: **North Main-Spring Street Water Improvements - 2025**

The Contract is modified as follows upon execution of this Change Order:

Description of Changes (Supplemental description, Plans and Specifications attached, as applicable)		DECREASE in Contract Price	INCREASE in Contract Price
1-1	Exercise Spring Street Reservoir Isolation Valve		\$3,100.00
Subtotal		\$0.00	\$3,100.00
Total, Increase Less Decrease		\$3,100.00	
Sales Tax (7.6%), if applicable		\$235.60	
Net Change in Contract Price for this Change Order		\$3,335.60	

JUSTIFICATION:

- 1-1 At the City's request, the Contractor exercised the Spring Street Reservoir isolation valve and verified its operation. The existing reservoir valve, when operating correctly, eliminates the need to install a 10-inch insertion valve on the existing 10-inch steel water line (which had a bid price of \$25,000), thereby reducing the potential for damage to the steel water line during insertion valve installation. The Work includes accessing the existing valve vault at the Spring Street Reservoir site and establishing confined-space access safety apparatus. The cost of the Work includes all labor, equipment, and materials. The cost of the change order is an agreed upon lump sum of \$3,100.00. With sales tax, the total cost of the change order is \$3,335.60. No additional working days are added to the Contract Time.

The amount of the Contract will be Increased for this Change Order
 by the sum of:

\$3,335.60

Total Contract Price prior to this Change Order:

\$2,134,634.44

The Contract Price incorporating this Change Order:

\$2,137,970.04

Contract Times prior to this Change Order:

Date of Substantial Completion:

3/30/2026

Date Ready for Final Payment:

4/27/2026

The Contract period provided for Substantial Completion will be (Increased) (Decreased) (Unchanged).

0 days

Revised Date of Substantial Completion:

N/A

Revised Date Ready for Final Payment:

N/A

RECOMMENDED:

By: **Jay Peninger**
Engineer (if required)

Name: Jay Peninger
Title: Project Manager
Date: 9/23/2025

ACCEPTED:

By: _____
Owner (Authorized Signature)

Name: _____
Title: _____
Date: _____

ACCEPTED:

By: **Catherine Loke**
Contractor (Authorized Signature)

Name: Catherine Loke
Title: Project Manager
Date: 9/23/25

File Attachments for Item:

B. Approval of Small Works Contract with SMP



COUNCIL REPORT



Business Item

Needs Legal Review:

Meeting Date:

Agenda Item:

Presented By:



Consent Agenda

Yes, Completed

10/1/2025

Approval of Small Works Contract with SMP

Chris True, PW Director

Action Required:

Approval of Small Works Contract for Specialized Pavement Marking LLC (SMP) not to exceed \$16,775.00.

Motion for Business Item / Proposed Motion for Consent Agenda:

Approve Small Works Contract for Specialized Pavement Marking LLC (SMP) not to exceed \$16,775.00.

Explanation of Issue:

SMP was the only bidder of three to submit a bid for striping for Dock Grade after Klickitat County chip sealed from HWY 14 to HWY 141 (Jewett Blvd). The striping work will include a bike lane, bike chevrons, fog lines, stop bars, turn arrows, and cross walks.

Council Options:

City Council has the following options available at this time:

1. Accept the Staff Recommendation.
2. Revise the Staff Recommendation.
3. Other action as desired by council.

Fiscal Analysis:

This work is paid for with grant funds from Transportation Improvement Board (TIB).

Recommendation of Staff/Committee:

Approve Small Works Contract for Specialized Pavement Marking LLC (SMP) not to exceed \$16,775.00.

SMALL PUBLIC WORKS AGREEMENT

Contract #: SWC 2025-001		WO#:	
Contractor:	Specialized Pavement Marking, LLC	Department:	Public Works
Name:		Date:	Sep.-22-2025
Address:	11095 SW Industrial Way Tualatin, OR 97062	Department Contact:	Chris True
		Phone:	(509) 493-1133
Contact:	Mark Cooper		
Phone:	(503) 885-0420	Email:	PWSooperations@whitesalmonwa.gov
Email:	Michelle.Virtudazo@spmnw.com		

Insurance and Indemnification: The Contractor shall defend, indemnify and hold the City and all of its employees harmless from any and all liabilities, claims, damages, costs or expenses (including reasonable attorneys' fees) arising from or relating to the work performed under this Agreement to the extent of the Contractor's negligence. The Contractor waives, with respect to the City, its immunity under industrial insurance, Title 51 RCW. This waiver has been mutually negotiated by the parties. This indemnification shall survive the expiration or termination of this Agreement. Contractor shall secure and maintain, at its own cost and expense, Comprehensive General Liability and Property Damage insurance in the amount of not less than \$1,000,000 for death or injury in any one occurrence and \$1,000,000 for property damage in any one occurrence which provides, at a minimum, the following coverage:

Premises and Operation; Explosions, Collapse and Underground Hazards (Where Applicable);
Products/Completed Operations; Contractual Liability; Broad Form Property Damage; Independent Contractors; and Personal Injury.

Contractor shall secure and maintain, at its own cost and expense, Comprehensive Auto Liability insurance in the amount of not less than \$1,000,000 per occurrence which provides, at a minimum the following coverages:

Owned Vehicles; Non-Owned Vehicles; Hired Vehicles; Property Damage.

This coverage shall be issued from an insurance company authorized to do business in the State of Washington. The City shall be named as additional insured on said insurance coverage at least as broad as ISO CG 20 10 10 01 in a form acceptable to the City Attorney. The Contractor agrees to repair and replace all property of the City and all property of others damaged by the Contractor, Contractor's employees, subcontractors and agents. It is understood that the whole of the work under this contract is to be done at the Contractor's risk and that the Contractor is familiar with the conditions of materials, climatic conditions, and other contingencies likely to affect the work and has made their bid accordingly and that the Contractor will assume the responsibility and risk of all loss or damage to materials or work which may arise from any cause whatsoever prior to completion.

Warranties: If within one year after the completion date of the Work, defective and unauthorized Work is discovered, the Contractor shall promptly, upon written order by the City, return and in accordance with the City's instructions, either correct such work, or if such Work has been rejected by the City, remove it from the site and replace it with non-defective and authorized Work, all without cost to the City.

Nondiscrimination: The Contractor shall comply with all applicable federal and state laws, and city ordinances, for equal employment opportunity and nondiscrimination laws.

Gifts: The City's Code of Ethics and Washington State law prohibit City employees from soliciting, accepting, or receiving any gift, gratuity or favor from any person, firm or corporation involved in a contract or transaction. To ensure compliance with the City's Code of Ethics and state law, the Consultant shall not give a gift of any kind to City employees or officials.

Business License: The Contractor is required to submit proof of a City business license (\$50) within ten (10) days of contract award. Failure to provide proof of a business license may delay payment of invoices.

Prevailing Wages: This contract is subject to prevailing wages according to RCW 39.12.020. Contractor shall file an Intent to Pay Prevailing Wage form and Affidavit of Wages Paid form with L&I and pay for all fees associated with filing the forms. Contractor shall submit the Intent and Affidavit forms, approved by L&I, to the City with payment request. No payment will be issued to the Contractor until the City receives both approved forms. If any work is subcontracted on this project, an approved Intent and Affidavit form must be submitted for each sub-contractor. If progress payments are made on this project, an approved Intent form must be received prior to issuing the first payment. An approved Affidavit form must be received prior to issuing final payment.

Bonds/Retainage: No Bid Bond is required. Contract Bond is required. For projects with an estimated total cost of less than \$35,000, the contractor may elect to a 50% retainage in lieu of a Contract Bond. Retainage is required.

Industrial Insurance Status: Contractor is responsible for maintaining a current status of their industrial insurance premiums with the Department of Labor and Industries (L&I). Prior to issuing final payment, the City will verify with L&I the status of the contractor's premiums. Under RCW 60.28 the City can withhold and pay the contractor's delinquent premiums from the final payment.

Payment Processing: The City shall pay the Contractor after final acceptance of each work order within 30 days

B.

Completion Date: 60 Days after Start Date

Total Contract Fixed Price (Including Tax):

\$16,775.00

OR

Not to Exceed Total (Including Tax) applying schedule of rates and charges attached as Exhibit A:

Description of Work:

The contractor should send invoices to the following address: PO Box 2139, White Salmon WA 98672. Unless otherwise agreed, payment is net 30 days less retainage.

Note:

The contractor shall not start work until the City orally provides a Notice to Proceed. This agreement shall terminate without cost if a Notice to Proceed is not issued within 60 days. The City will not issue a Notice to Proceed before approved evidence of insurance is received.

Contractor:City Department Approval:

(Signature)

(Date)

(Signature)

(Date)

Print Name _____

Print Name Christopher True

Approved as to form:

City Attorney

(Date)

Approved by Council: _____, 20____

Distribution Account Codes: TIB Grant-2025 Dock Grade Chip Seal Project

334-03-82-26



PROPOSAL

11095 SW Industrial Way
Tualatin, OR 97062
Ph (503) 885-0420
CCB #238621

ATTENTION: ALL GENERAL CONTRACTORS

PROJECT: Dock Grade Road

BID DATE: 8/22/2025

QUOTE NUMBER 2501-592 MH

ITEM #	DESCRIPTION	PLAN QTY	UNIT	UNIT BID	TOTAL BID
1	PAVEMENT MARKINGS Painted Lines Type B: Arrows Type B: Chevrons Type B: X-Walk Type B: Stop Bar	LUMP SUM		\$	16,775.00

TOTAL \$ 16,775.00

PLEASE NOTIFY ME AS SOON AS POSSIBLE IF YOU INTEND TO USE SPM ON THIS PROJECT. THIS WILL EXPEDITE THE SUBMITTAL PROCESS, AND SCHEDULING.

Specialized Pavement Marking, LLC proposes to furnish all labor, equipment and materials necessary to complete referenced project
Quote good for 30 days from above date, after which time a price adjustment may be necessary.

- STIPULATION: 1 ALL STIPULATIONS ARE REQUIRED TO BE INCLUDED IN ANY SUBCONTRACT ISSUED AND WILL TAKE PRECEDENCE OVER ANY CONFLICTING LANGUAGE IN THE SUBCONTRACT.
2 GENERAL CONTRACTOR TO PROVIDE TRAFFIC CONTROL & LAYOUT.
3 PROPOSAL EXCLUDES BOND. BOND CAN BE PROVIDED AT 1.35% OF CONTRACT TOTAL.
4 THIS PROPOSAL TO BE INCLUDED WITH CONTRACT DOCUMENTS.
5 GENERAL TO PROVIDE A CLEAN SURFACE.
6 BID ITEMS MAY NOT BE EXCLUDED WITHOUT WRITTEN AUTHORIZATION FROM SPM.
7 BID EXCLUDES ANY FORM OF FOG SEALING/SEAL COATING.
8 PRICES ON THIS PROPOSAL INCLUDE ONE MOBILIZATION.
9 GENERAL TO PROVIDE A DUMP SITE FOR GRINDINGS / REMOVAL DEBRIS WITHIN JOB LIMITS.
10 GENERAL TO DISPOSE OF ALL GRINDINGS / REMOVAL DEBRIS.

PLEASE SEND CONTRACT TO Michelle.Virtudazo@spmnw.com and CC Mark.Henning@spmnw.com

Mark Henning
Estimator

mark.henning@spmnw.com

File Attachments for Item:

C. Approval of Meeting Minutes - Special Joint Council Meeting Minutes 09.10.2025, Council Meeting Minutes 09.17.2025, Special Council Meeting Minutes 09.24.2025, and Special Joint Council Meeting Minutes 09.24.2025.



DRAFT

White Salmon Joint Special City Council WORKSHOP MINUTES

**September 10, 2025 – 6:00 PM
119 NE Church Ave and Zoom Teleconference**

Attendance:

Council Members:

Patty Fink
Jason Hartmann
Morella Mora
Ben Giant

Staff:

Marla Keethler, Mayor
Erika Castro Guzman, City Clerk
Shawn MacPherson, City Attorney
Rowan Fairfield, City Planner
Jennifer Niel, Director of Finance and Director

I. Call to Order (6:00 p.m.)

Mayor Marla Keethler called the meeting to order at 6:00 p.m. There were six members of the public in attendance in person and via teleconference.

II. Roll Call (6:00 p.m.)

City Clerk Erika Castro-Guzman conducted roll call, confirming a quorum was present.

III. Presentation (6:03 p.m.)

A. Rules and Responsibilities for Elected and Appointed Officials

This joint workshop brought together members of the White Salmon City Council and the Planning Commission for training on rules, responsibilities, and ethical obligations of elected and appointed officials.

City Attorney Shawn MacPherson emphasized statutory requirements, the separation of legislative and executive roles, and the need for fairness and objectivity, especially in quasi-judicial contexts.

City Attorney MacPherson reminded members to operate strictly within their defined authority and avoid directing staff or signaling outcomes on matters that may later come before them. He stated that the Open Public Meetings Act (OPMA) applies broadly, including to email and text exchanges that involve a quorum; “serial meetings” can occur when separate messages collectively amount to deliberation.

OPMA Requirements: A meeting occurs whenever a quorum discusses city business, including through electronic communications. While passive receipt of information from the mayor or staff is permissible, members should not discuss substance among themselves outside a properly noticed meeting. Special meetings require stricter notice and adherence to listed agenda items.

Roles and Authority: Council’s work is legislative and policy-setting, including budget approval, while the mayor and administration manage day-to-day operations. Individual

officials should not direct staff or step into executive functions, as this blurs accountability and can create inter-branch conflict. Staff have professional and legal duties that may extend beyond specific council directions; respecting these lanes supports sound governance and reduces risk.

Quasi-Judicial Proceedings: When acting in a quasi-judicial capacity, officials must remain objective and base decisions on adopted codes, procedures, and evidence in the record. Ex parte contacts should be avoided; potential conflicts of interest or bias must be disclosed; and members should abstain when appropriate. Public statements that could be construed as prejudging pending matters should be avoided. The hearing examiner system is intended to reinforce objectivity and consistency.

Liability and Ethics: City insurance generally covers officials acting within the scope of their roles. That protection can be jeopardized when officials exceed their authority or disregard legal advice; the Spokane example, resulting in a \$1.2 million exposure, was cited as a caution. The code of ethics prohibits using one's position for personal gain, and members owe a duty of confidentiality for executive-session discussions and attorney-client-privileged communications.

Planning Commission Role: As the hearing examiner assumes more quasi-judicial work, the Planning Commission will focus increasingly on advisory responsibilities. Commissioners should flag code issues and recommend updates through staff, who can route items to the council agenda. This process preserves integrity and aligns with the Commission's evolving role.

Members are encouraged to contact the mayor or administration with ethics questions, proactively disclose potential conflicts ahead of discussions or votes, and continue proposing code updates through staff channels.

City Attorney Shawn MacPherson stated that annual refresher training will be scheduled to reinforce OPMA compliance, ethical standards, and role clarity.

IV. Adjournment

The meeting was adjourned at 7:18 p.m.

Marla Keethler, Mayor

Erika Castro Guzman, City Clerk



DRAFT

White Salmon City Council MEETING MINUTES

**September 17, 2025 – 6:00 PM
119 NE Church Ave and Zoom Teleconference**

Attendance:

Council Members:

Ben Giant
David Lindley
Patty Fink
Morella Mora

Excused:

Jason Hartmann

Staff:

Marla Keethler, Mayor
Erika Castro Guzman, City Clerk
Shawn MacPherson, City Attorney
Rowan Fairfield, City Planner
Jennifer Neil, Director of Finance and Operations
Chris True, Director of Public Works
Jason Kinley, Public Works Operations Manager

- I. **Call to Order, Land Acknowledgement and Presentation of the Flag (6:00 p.m.)**
Mayor Marla Keethler called the meeting to order at 6:00 p.m. There were 19 members of the public in attendance in person and via teleconference.
- II. **Roll Call (6:02 p.m.)**
Moved by Ben Giant. Seconded by David Lindley.
Move to excuse the absence of Council member Jason Hartmann from the September 17 City Council meeting.
MOTION CARRIED 4-0
Giant – Aye, Fink – Aye, Lindley – Aye, Mora – Aye.
- III. **Changes to the Agenda (None)**
- IV. **Presentation**
 - A. **Celebrating Ross Lambert’s 30-year Career and Retirement (6:03 p.m.)**
The city honored the retirement of Ross Lambert, celebrating his 30 years of dedicated service in Public Works. Mayor Keethler shared stories and anecdotes highlighting Lambert’s commitment, humor, and memorable adventures with the street sweeper. Lambert reflected on the many changes he witnessed over his career and expressed gratitude to the city and its residents. In recognition of his service, the city presented him with a plaque and flowers for his wife, Sue Lambert, acknowledging her support throughout his career.
 - B. **White Salmon Valley Pool District (WSVPD) Presentation (6:13 p.m.)**
Commissioners Lily Von Mosh and Ben Briggs from the White Salmon Valley Metropolitan Pool District provided an update on the new pool project. They reported securing \$2.7 million in grant funding, bringing the total raised to \$5.7 million toward the \$8.4 million goal. The district aims to reach at least 80% funding by late 2025 or

early 2026 in order to proceed with bidding, with construction targeted to begin in 2026 and the pool opening in 2027. The council expressed appreciation for the progress made and discussed ways to support the project.

C. Hispanic Heritage Month: Grito de Dolores, the first time in 215 years, a woman leads Mexico's Cry of Independence (6:20 p.m.)

Councilmember Ben Giant led a discussion on the city's recognition of Hispanic Heritage Month, which the city formally adopted in September 2020. He outlined the history of the celebration, noting that it began as a week-long commemoration in 1968, expanded to a month in 1988, and now runs from September 15 to October 15 to coincide with the independence days of several Latin American countries.

Giant highlighted the recent El Grito Festival organized by Washington Gorge Action Program (WAGAP), explaining that "El Grito" refers to the cry for Mexican Independence in 1810. He also shared a New York Times article about Mexico's first female president leading the traditional independence cry in 2025, the first time in 215 years a woman has done so. He emphasized the symbolic importance of this moment, noting how the president celebrated women's contributions and Mexican sovereignty, and how the enthusiastic crowd response, especially among younger women, underscored the significance of the occasion.

V. Public Comment (6:27 p.m.)

Doug Rainbolt, Inside City Resident

Doug Rainbolt, White Salmon resident, complimented staff on the detailed meeting packet, noting how the level of detail helps both the public and the council better understand key issues. He suggested organizing a community volunteer group to clean up and maintain the old youth center property, which he described as neglected since its former use and in need of care to restore its welcoming presence. Rainbolt also recommended committee review of the fire oversight MOU, expressing concerns about the absence of a designated fire code official as required under the international fire code and the implications of relying on an MOU for enforcement. He further noted that the fee structure outlined in the agreement should be carefully reviewed to ensure alignment with existing city ordinances.

Bob Landgren, Inside City Resident

Bob Langren, owner of Vanguard Nursery, raised concerns about the Federal quiet zone railroad crossing near S Dock Grade Road, noting that damage to barriers and cones has resulted in trains frequently sounding their horns. He requested that the city address the issue promptly and restore the quiet zone. Langren also questioned the city's imposition of a 6% utility fee on top of the state-mandated cap on investment fee for natural gas, expressing concern about the cumulative financial burden on local businesses and requesting clarification.

Mayor Marla Keethler responded to public comments, noting that the old youth center is planned for demolition, with a council presentation forthcoming to determine future use of the lot. Regarding the Federal Quiet Zone, she stated that staff are aware of barrier damage and will meet soon to review improvements, ensuring solutions address traffic needs while minimizing impacts on neighboring properties.

VI. Consent Agenda (6:34 p.m.)

- A. Approval of Payment - SCADA**
- B. Approval of Payment - N Main Booster Pump Station**
- C. Approval of Resolution 2025-09-630 - Amending White Salmon Procurement Policy**
- D. Approval of Meeting Minutes – Council Meeting 09.03.2025 Minutes**
- E. Approval of Vouchers**

Vouchers audited and certified as required by RCW 42.24.080 and expense reimbursement claims as required by RCW 42.24.090 as of this 17th day of September 2025.

Type	Date	Beginning Check	Ending Check	
Claims	09/10/2025	EFT	EFT	\$7,920.00
	09/15/2025	EFT	EFT	\$240.00
	09/17/2025	42759	42825	\$193,371.47
	09/22/2025	42826	42826	\$325,792.35
			Claim Total	\$527,323.82
Payroll	09/19/2025	EFT	EFT	\$86,420.95
			Payroll Total	\$86,420.95
Manual Claims	N/A			
			Manual Claim Total	-
VOIDED Checks	N/A			
				-
			Toal Vouchers	\$613,744.77

Moved Ben Giant. Seconded by David Lindley.

Motion to approve Consent Agenda and Vouchers for \$613,744.77.

MOTION CARRIED 4-0

Giant – Aye, Fink – Aye, Lindley – Aye, Mora – Aye.

VII. Business Items**A. Utilities Reimbursement Request: 1 E Jewett Blvd (6:36 p.m.)****1. Presentation**

Finance Director, Jennifer Niel, presented a utility reimbursement request for East Jewett Blvd. She explained that the City of Bingen had a meter replacement, and an incorrect meter factor had been applied. After auditing the account, including review of the audit journal, vendor correspondence, and supporting documentation, staff confirmed the error and recommended reimbursing the City of Bingen \$44,180. Staff noted that auditing of other utility accounts is ongoing to ensure accuracy.

2. Discussion

Councilmember Ben Giant briefly noted that the topic had been discussed in personal finance matters earlier in the month and acknowledged the situation without further comment.

3. Action

Moved by Ben Giant. Seconded by Morella Mora.

Move to approve the Usage Reimbursement Bingen for Account: 1308 – Jewett Blvd in the amount of \$44,180.14.

MOTION CARRIED 4-0

Giant – Aye, Fink – Aye, Lindley – Aye, Mora – Aye.

B. Ordinance 2025-09-1182 – Budget Amendment (6:42 p.m.)

Mayor Keethler opened the public hearing at 6:42 p.m.

1. Presentation

Finance Director, Jennifer Niel, presented updates on the city's budget and infrastructure projects. She explained that the budget amendments incorporate previously approved and funded projects, including grant, loan, and bond revenues, without requiring additional general fund dollars. The amendments also realign the clerk and treasurer positions with the SAO BARS manual and capture prior-year awarded grants and active programs.

Finance Director Niel noted the State Auditor's Office audit, with an estimated cost of \$23,000, and highlighted additional revenues from the housing rehabilitation program, middle housing program, FMAG reimbursement for the Burdoin Fire, and the Bluff Connector Trail grant. General fund expenditures increased by \$232,632, covering legislative costs, the audit, programs, and council-requested items, leaving \$14,000 of fund balance to be used while maintaining the fund above the 10% threshold. She also reviewed the city's project dashboard, which tracks seven infrastructure projects: one in application, two awarded, and four in active construction, with continued opportunities for reimbursement.

2. Public Comment

Mayor Keethler opened the public comment portion of the hearing at 6:46 p.m. No written public comment or spoken testimony was made.

Mayor Keethler closed the public comment portion of the hearing at 6:46 p.m.

3. Discussion

Councilmember Ben Giant acknowledged the Personnel Finance Committee's prior review of the budget updates and commended staff, particularly Finance Director Jennifer Niel, for preparing the materials. He asked if any further significant budget adjustments were anticipated. Finance Director Niel responded that no major adjustments are expected at this time, noting that the amendments primarily finalize project budgets and allow flexibility for year-end reimbursements, with only minor payroll or project-related adjustments anticipated.

Councilmember Morella Mora thanked Finance Director Niel for the clear and detailed presentation materials, noting that the slides and explanations help council members and the public understand the budget.

4. Action

Moved by Ben Giant. Seconded by David Lindley.

Move to adopt Ordinance 2025-09-1182 amending the budget for the city of White Salmon for fiscal year ending December 31, 2025.

MOTION CARRIED 4-0

Giant – Aye, Fink – Aye, Lindley – Aye, Mora – Aye.

The public hearing closed at 6:50 p.m.

C. Ordinance 2025-05-1180 – Unit Lot Subdivision (6:50 p.m.)

Mayor Keethler opened the public hearing at 6:50 p.m.

1. Presentation

Planner Rowan Fairfield provided an overview of the proposed Unit Lot Subdivision (ULS) ordinance, noting this was the second public hearing on the matter. The ordinance, drafted by the Planning Commission to support the Housing Action Plan, adds Chapter 16.66 to Title 16 of the Municipal Code and is intended to expand housing options by allowing fee-simple home ownership, providing an alternative to condominiums. The ULS applies zoning and development standards to the parent lot while allowing flexibility for individual unit lots.

Planner Fairfield summarized revisions made since the May 2025 version, including reorganization of sections, clarification of approval criteria, revision of the purpose statement, and consolidation of tree protection and critical areas standards. The Planning Commission decided to retain RL zones within the ordinance and remove the restriction against stacked dwellings to allow more flexibility for attached and detached ADUs. Modifications to plat recording requirements were made to align with Senate Bill 5559, and minor grammatical and phrasing changes were incorporated. Shared utilities were discussed but not addressed, as they would require broader code changes. After multiple meetings and a public hearing, the Planning Commission recommended adoption of the ordinance by a 5-0 vote at its August 13 meeting.

2. Public Comment

Mayor Keethler opened the public comment portion of the hearing at 6:55 p.m. No written public comment or spoken testimony was made.

Mayor Keethler closed the public comment portion of the hearing at 6:56 p.m.

3. Discussion

Councilmember Patty Fink thanked Planner Rowan Fairfield for the update and clarified her earlier comments regarding RL zoning. She stated her concern was less about density and more about long-term implications of lot splits in RL zones, noting potential issues with property transfers and recordkeeping. Fink

suggested that rezoning RL lots to R1 could provide clearer guidance, while noting her overall support for Unit Lot Subdivisions.

Planner Fairfield responded that the Planning Commission felt excluding RL zones entirely was unnecessary, as they comprise a small proportion of the city and were not expected to create major issues.

Councilmember David Lindley thanked the planner and commission for their work, noting that multiple subsequent meetings had allowed thorough review of this new and complex land-ownership tool and that the resulting ordinance was well-organized and easier to understand, demonstrating the effectiveness of the review process.

4. Action

Moved by Ben Giant. Seconded by David Lindley.

Move to approve Ordinance 2025-05-1180 to amend WSMC Title 16, adding Chapter 16.66 for “Unit Lot Subdivisions.”

MOTION CARRIED 4-0

Giant – Aye, Fink – Aye, Lindley – Aye, Mora – Aye.

The public hearing closed at 7:01 p.m.

D. MOU with WKRFA (7:01 p.m.)

1. Presentation

Planner Rowan Fairfield presented a proposed Memorandum of Understanding (MOU) with the West Klickitat Regional Fire Authority. The MOU, reviewed and revised with legal input, clarifies the role of the fire chief in pre-construction reviews and fire life and safety matters, outlining responsibilities and specific topics for review. The agreement also addresses collaboration on ownership and maintenance of city fire hydrants. The Fire Authority requested the inclusion of a fire review fee to cover the chief’s time, similar to existing consultant fees, with a recommended rate of \$75 per hour, which would require an amendment to the city’s fee schedule in Chapter 3.36 of the White Salmon Municipal Code. Staff indicated that, if approved, a draft ordinance would be prepared to implement the fee.

2. Discussion

Councilmembers discussed details of the proposed MOU with the West Klickitat Regional Fire Authority, focusing on the administration of the fire review fee, authority of the RFA fire chief, and the transfer of responsibilities from the city’s former fire chief. Councilmember David Lindley inquired whether fees collected from applicants would be directly transferred to the RFA and about the legal authority of the RFA chief under city code. Planner Fairfield and Mayor Keethler explained that fees would be collected through the city’s online permit center and that the MOU formalizes past practices and clarifies the fire chief’s authority.

City Attorney Shawn MacPherson noted that, per state law, responsibilities previously held by the city fire chief transfer to the RFA, and the MOU provides

additional clarification. The discussion also addressed distinctions between fire review responsibilities and the role of a fire code official under the International Fire Code.

Councilmember Ben Giant confirmed that the RFA had reviewed prior drafts of the MOU and, after clarifications, expressed support for the amended agreement.

3. **Action**

Moved by Ben Giant. Seconded by Morella Mora.

Move that the MOU between the City of White Salmon and the Western Klickitat Regional Fire Authority regarding fire and life safety matters for current planning applications be approved, and establish a fee for service.

Discussion

Councilmember David Lindley encouraged ongoing dialogue between the city planner, mayor, and RFA chief regarding fire code responsibilities, noting that some duties represent new or expanded roles not currently covered at the county level.

MOTION CARRIED 4-0

Giant – Aye, Fink – Aye, Lindley – Aye, Mora – Aye.

VIII. Reports and Communications (7:13 p.m.)

1. Staff Reports

Jason Kinley was welcomed in his new role as Operations Manager following Chris True's promotion to Public Works Director.

City Attorney Shawn MacPherson addressed public comments, affirming the city's support for freedom of speech while noting that discriminatory or disparaging remarks based on protected classes are not tolerated. MacPherson also shared that he attended a training session in White Salmon, which he found positive and educational, and thanked staff for their work on the Unit Lot Subdivision ordinance.

2. Council Member/Committee Reports

Councilmember Ben Giant recognized staff, particularly Code Compliance Officer Jenne Patterson, for their contributions to the El Grito Festival.

Councilmember Morella Mora echoed these sentiments and highlighted the importance of maintaining decorum and safety during public comment.

Councilmember David Lindley welcomed Jason Kinley to the table.

Councilmember Patty Fink provided updates from the Solid Waste Management Advisory Committee, noting an upcoming survey for an organics feasibility study. She shared challenges with plastic bag recycling and noted that local recycling bins have higher contamination levels than those in neighboring areas. Fink also reported on Tree Board activities, including upcoming meetings with DNR staff and a community tree walk.

3. Mayor's Updates

Mayor Marla Keethler provided updates on ongoing IT issues, discussions with Go-Forth regarding EV car-share and e-bike lending programs, and ongoing wildfire preparedness efforts, including neighborhood-led initiatives and the recently approved Emergency Preparedness and Wildfire Committee. She also shared updates on interlocal agreements, upcoming presentations, and community events such as the Mountain Town Throwdown and Downtown Halloween activities.

Councilmember Patty Fink asked about the timing and format for the upcoming council retreat. Mayor Keethler and staff explained that the retreat is tentatively scheduled for the week of October 6th and will focus on aligning council priorities with the budget, Housing Action Plan goals, and staff workload, while allowing space for additional council initiatives.

IX. Executive Session (None)

X. Adjournment

The meeting was adjourned at 7:35 p.m.

Marla Keethler, Mayor

Erika Castro Guzman, City Clerk

**DRAFT**

White Salmon Special City Council MEETING MINUTES

September 24, 2025 – 3:45 PM
119 NE Church Ave and Zoom Teleconference

Attendance:**Council Members:**

Ben Giant (Zoom)
 David Lindley (Zoom)
 Patty Fink (Zoom)
 Morella Mora (Zoom)
 Jason Hartmann (Zoom)

Staff:

Marla Keethler, Mayor (Zoom)
 Erika Castro Guzman, City Clerk
 Kelly Hickok, City Attorney (Zoom)
 Rowan Fairfield, City Planner

I. Call to Order (3:45 p.m.)

Mayor Marla Keethler called the meeting to order at 3:45 p.m. There were two members of the public in attendance in person and via teleconference.

II. Roll Call (3:45 p.m.)

City Clerk Erika Castro-Guzman conducted roll call, confirming a quorum was present.

III. Business Items (3:46 p.m.)**A. Approval of a Grant Application for an E-Bike Lending Library Program****1. Presentation**

Planner Rowan Fairfield (city staff) and Avery Morris (Forth Mobility) presented the proposed e-bike lending library program. The program would be funded by a grant from the Washington Department of Transportation's Climate Commitment Act, with Forth Mobility acting as the main applicant and administrator. The program aims to serve low-income residents and overburdened populations in Klickitat County, working in partnership with the City of Bingen and Gorge Aspirations.

The program would have three locations: downtown White Salmon, downtown Bingen, and Skyline Hospital in Rhine Village. It would offer 20–30 e-bikes for checkouts of up to one month. Each bike comes with a helmet, lock, safety gear, and basic training. Materials and staff will be bilingual (English/Spanish) to make the program accessible to all. The grant covers two years (2025–2027) and could be extended or converted into an ownership model. The city would not need to provide any funding.

2. Discussion

Councilmembers asked questions and shared comments regarding the proposed e-bike lending library program.

Councilmember Jason Hartmann raised concerns about charging infrastructure. In response, Avery Morris with Forth Mobility explained that the bikes have removable batteries, allowing flexible charging options, and that a full-time operations person would manage charging.

Councilmember Patty Fink asked about connections to e-bike rebate programs. Morris noted that participants would be connected to Washington's e-bike incentive program, and there is potential for bikes to be given to participants at the end of the program.

Councilmember David Lindley inquired about the program's scale. Morris with Forth Mobility confirmed that the library would offer 20–30 bikes.

Councilmember Morella Mora emphasized cultural competency and community engagement. Morris confirmed that the program will provide bilingual staff and materials, offer in-person orientations for new users, and host community events and group rides.

3. Action

Moved by David Lindley. Seconded by Ben Giant.

Move that the City approve the submission of a grant application for establishing an electric bicycle lending library.

MOTION CARRIED 5-0

Giant – Aye, Fink – Aye, Hartmann – Aye, Lindley – Aye, Mora – Aye.

IV. Adjournment

The meeting was adjourned at 4:03 p.m.

Marla Keethler, Mayor

Erika Castro Guzman, City Clerk

**DRAFT**

White Salmon Joint Special City Council WORKSHOP MINUTES

September 24, 2025 – 6:00 PM
119 NE Church Ave and Zoom Teleconference

Attendance:**Council Members:**

Jason Hartmann, Mayor Pro Tempore
 Ben Giant
 David Lindley
 Patty Fink
 Morella Mora (Zoom)

Staff:

Erika Castro Guzman, City Clerk
 Kelly Hickok, City Attorney
 Rowan Fairfield, City Planner

I. Call to Order (6:00 p.m.)

Mayor Pro Tempore Jason Hartmann called the joint meeting to order at 6:00 p.m. There were five members of the public in attendance in person and via teleconference.

II. Roll Call (6:00 p.m.)

City Clerk Erika Castro-Guzman conducted roll call, confirming a quorum was present.

III. Discussion Items (6:01 p.m.)**A. Review of the PC 2025 Workplan**

Planner Rowan Fairfield presented the Planning Commission's draft 2025 work plan to the City Council and Planning Commission members, originally developed in May at the recommendation of the Interim City Administrator. Planner Fairfield stated that the plan captured near-term housekeeping, substantive code work, and an operational self-assessment focused on bylaws and clarifying roles and responsibilities.

B. The role of the Planning Commission (6:06 p.m.)**1. What is the Commission's authority from WSMC 2.20.020?**

Planner Fairfield discussed the Planning Commission's authority as outlined in the White Salmon Municipal Code, Chapter 2.20.020. The code specifies that the Planning Commission is vested with powers set forth under Revised Code of Washington (RCW) and additional powers and duties. These include holding public hearings and making recommendations to the City Council on subdivision applications, comprehensive plan amendments, and zone changes. The code also states that the City Council may refer matters to the Planning Commission for recommendations. It was noted that the code doesn't explicitly give the Commission authority to pursue its own ordinances.

2. How is work assigned to the Commission?

Members debated how work should be assigned to the Planning Commission. They discussed whether the Commission should only work on items explicitly directed by the Council or if they could set their own priorities. It was agreed

that a balance was needed between Council-directed work and allowing the Planning Commission to leverage its expertise and interests. The idea of a work plan approved by the Council was seen as a way to achieve this balance.

3. How does the Commission Interact with Council's set priorities?

Members agreed that better communication between the Council and Planning Commission was necessary. Council decided to implement a system where the Planning Commission's work plan would be approved shortly after the Council's budget retreat, ensuring alignment with Council priorities. Additionally, members agreed to hold a mid-year joint check-in meeting and have the Planning Commission chair provide quarterly updates to the Council.

4. How does the Commission interact with other boards and committees?

Members mentioned the Planning Commission's unique position as a commission without a council member present, unlike other committees. This highlighted the need for improved communication channels between the Planning Commission and the Council.

C. How we move forward (6:45 p.m.)

1. How should new items be added (mid-year) to the Workplan?

The group decided that the work plan should be fluid, allowing for the addition of urgent items or shifting priorities throughout the year. They agreed that any significant changes or additions to the work plan mid-year should be discussed and approved during the joint check-in meetings or through the quarterly update process.

2. What can we do better in the next year?

Members discussed several improvements for the coming year.

First, they agreed to create a work plan extending through 2026, to be developed after the Council's budget retreat. They also decided to implement periodic joint meetings and updates to improve communication. Further discussion revolved around the need for better public engagement on planning issues, considering ideas like quarterly workshops or engagement sessions.

Finally, members agreed to develop a standardized format for Planning Commission recommendations to the Council, striking a balance between thoroughness and efficiency. This format will include links to meeting minutes and public testimony, allowing Council members to dive deeper into topics if desired. Planning staff and Commission chair also agreed to collaborate on creating a revised reporting format.

IV. Adjournment

The meeting was adjourned at 7:17 p.m.

Marla Keethler, Mayor

Erika Castro Guzman, City Clerk

File Attachments for Item:

A. Ordinance 2025-09-1183 – WSMC 5.04 - Business Licenses

1. Presentation
2. Discussion
3. Action



CITY COUNCIL REPORT



Business Item

Needs Legal Review:
Meeting Date:
Agenda Item:
Presented By:



Consent Agenda

Yes, Under Review
October 1, 2025
Ordinance 2025-09-1183 — Business Licenses
Erika Castro Guzman

Action Required

Adopt the updated City Business Licenses Ordinance with changes to the threshold for out-of-city businesses and periodic inflation adjustments.

Motion for Business Item

Move to adopt Ordinance No. 2025-09-1183, regarding WSMC 5.04—Business Licenses, effective January 1, 2026, including the revised \$4,000 threshold for out-of-city businesses and periodic CPI-based adjustments.

Explanation of Issue

Washington State law (RCW 35.90.080) requires cities to update their ordinances for licensing out-of-city businesses. The City's Business License Ordinance has the following key changes:

- **Effective Date:** The update take effect on January 1, 2026.
- **Threshold Increase:** Out-of-city businesses must pay the licensing fee (\$75 for new registration / \$50 for annual renewal) if they earn more than \$4,000 per year within the City.
- **Periodic Adjustment:** Starting in 2026, this \$4,000 threshold will be reviewed every four years and adjusted for inflation (using the CPI-U Western). Increases are capped at 5% per year, decreases count as 0%, and the total adjustment will be rounded to the nearest \$100.
- **Local Options:** The City already requires businesses below the threshold to complete a free registration (adopted in June 2020). The City also has the option to set the threshold higher than \$4,000 if it chooses.

City Council Options:

1. Adopt the Staff Recommendation to approve the updated ordinance.
2. Deny the ordinance update.
3. Take no action at this time.
4. Other action as determined by the Council.

Fiscal Analysis:

No direct cost implications are anticipated from adopting the ordinance updates. Changes primarily affect administration of business licensing and threshold calculations.

Recommendation of Staff:

It is recommended that the City Council adopt the updated City Business Licenses Ordinance, effective January 1, 2026, including the \$4,000 threshold and periodic CPI-based adjustments to maintain consistency with RCW 35.90.080.

**CITY OF WHITE SALMON
ORDINANCE NO. 2025-09-1183**

AN ORDINANCE OF THE CITY OF WHITE SALMON, WA, AMENDING WSMC 5.04 BUSINESS LICENSES, INCLUDING SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City of White Salmon entered into Business Licensing Services Agreement with the Washington Department of Revenue, Business Licensing Service in June 2020; and

WHEREAS, Washington state law requires cities to adopt provisions addressing the licensing of out-of-city businesses, including establishing a \$4,000 annual minimum threshold for business activities within city limits before a business license is required, while also allowing cities to require a no-fee registration for businesses operating below that threshold; and

WHEREAS, the City desires to amend 5.04 to comply with RCW 35.90.080 and maintain consistency.

NOW THEREFORE, the City Council of the City of White Salmon do ordain as follows:

That the following amendments be made to the WSMC 5.04, regarding business licenses:

Key: ~~**Bold and Strike through**~~ means repealed.
 Bold and underline means new.

SECTION 1. WSMC 5.04 is hereby amended as follows:

Chapter 5.04 - BUSINESS LICENSES

5.04.010 - Definitions.

Except as otherwise expressly declared or clearly apparent from the context in which used, the following definitions shall be applied in construing the provisions of this chapter.

1. The term "engaging in business" means commencing, conducting, or continuing in business, and also the exercise of corporate or franchise powers, as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business.
2. This section sets forth of examples of activities that constitute engaging in business in the city, and establishes safe harbors for certain of those activities so that a person who meets the criteria may engage in ~~de minimus~~ the minimum activities in the city without having to pay a business license fee. The activities listed in this section are illustrative only and are not intended to narrow the definition of "engaging in business" in subsection 1. If an activity is not listed, whether it constitutes engaging in business in the city shall be determined by considering all the facts and circumstances and applicable law.

3. Without being all inclusive, any one of the following activities conducted within the city by a person or its employee, agent, representative, independent contractor, broker, or another acting on its behalf constitutes engaging in business and requires a person to register and obtain a business license.
- a) Owning, renting, leasing, maintaining, or having the right to use, or using, tangible personal property, intangible personal property, or real property permanently or temporarily located in the city and generating any income therefrom, whether in cash, cash equivalent, barter, trade or other boot.
 - b) Owning, renting, leasing, using or maintaining, an office, place of business, or other establishment in the city.
 - c) Soliciting sales.
 - d) Making repairs or providing maintenance or service to real or tangible personal property, including warranty work and property maintenance.
 - e) Providing technical assistance or service, including quality control, product inspections, warranty work, or similar services on or in connection with tangible personal property sold by the person or on its behalf.
 - f) Installing, constructing, or supervising installation or construction of, real or tangible personal property.
 - g) Soliciting, negotiating, or approving franchise, license, or other similar agreements.
 - h) Collecting current or delinquent accounts.
 - i) Picking up and transporting tangible personal property, solid waste, construction debris, or excavated materials.
 - j) Providing disinfecting and pest control services, employment and labor pool services, home nursing care, janitorial services, appraising, landscape architectural services, security system services, surveying, and real estate services including the listing of homes and managing real property.
 - k) Rendering professional services such as those provided by accountants, architects, attorneys, auctioneers, consultants, engineers, professional athletes, barbers, baseball clubs and other sports organizations, chemists, consultants, psychologists, court reporters, dentists, doctors, detectives, laboratory operators, teachers, veterinarians.
 - l) Meeting with customers or potential customers, even when no sales or orders are solicited at meetings.
 - m) Training or recruiting agents, representatives, independent contractors, brokers or others, domiciled or operating on a job in the city, acting on its behalf, or for customers or potential customers.

- n) Investigating, resolving, or otherwise assisting in resolving customer complaints.
 - o) In-store stocking or manipulating products or goods, sold to and owned by a customer, regardless of where sale and delivery of the goods took place.
 - p) Delivering goods in vehicles owned, rented, leased, used or maintained by the person or another acting on its behalf.
4. If a person, or its employee, agent, representative, independent contractor, broker or another acting on the person's behalf, engages in no other activities in or with the city but the following, it need not register and obtain a business license.
- a) Meeting with suppliers of goods and services as a customer.
 - b) Meeting with government representatives in their official capacity, other than those performing contracting or purchasing functions.
 - c) Attending meetings, such as board meeting, retreats, seminars, and conferences, or other meetings wherein the person does not provide training in connection with tangible personal property sold by the person or on its behalf. This provision does not apply to any board of director member or attendee engaging in business such as a member of a board of directors who attends a board meeting.
 - d) Renting tangible or intangible property as a customer when the property is not used in the city.
 - e) Attending, but not participating in a "trade show" or "multiple vendor events". Persons participating at a trade show shall review the city's trade show or multiple vendor event ordinances.
 - f) Conducting advertising through the mail.
 - g) Soliciting sales by phone from a location outside the city.
5. A seller located outside the city merely delivering goods into the city by means of common carrier is not required to register and obtain a business license, provided that it engages in no other business activities in the city. Such activities do not include those listed in subsection 3.

The city expressly intends that engaging in business include any activity sufficient to establish nexus for purposes of applying the license fee under the law and the constitutions of the United States and the State of Washington. Nexus is presumed to continue as long as the taxpayer benefits from the activity that constituted the original nexus generating contact or subsequent contacts.

"Person" means one or more natural persons of either sex, corporations, partnerships, associations of other entities capable of having an action at law brought against such entity, but shall not include employees of persons licensed pursuant to this chapter.

"Special event" means any event or activity which is organized primarily for the purpose of promoting cultural, artistic or entertainment endeavors, including, but not limited to, arts and crafts fairs, cultural exhibitions, vocal or instrumental concerts, shows, festivals and camps, and is open to members of the public. Special events are not limited to those events conducted on public streets or in public buildings but may include events occurring entirely on private property.

"Business Licensing Service" or "BLS" means the office within the Washington State Department of Revenue providing business licensing services to the city.

5.04.020 - Required—Exceptions.

- A. It is unlawful for any person to conduct, operate, engage in or practice any business in the city of White Salmon without first having obtained a business license from the city. If more than one business owner conducts business on a single premises, a separate license is required for each separate business owner. If business is transacted at two or more places by a person within the city, a separate license shall be required for each place at which business is transacted.
- B. A nonprofit organization must obtain a business license, however, if it submits proof of federal tax exemption under a provision of 26 USC § 501(c) it will be exempt from paying the city license therefor; provided that religious organizations, as defined in 26 USC § 501(c)3, when engaged solely in their core religious activities will be fully exempted from the licensing requirements of this chapter. When proof of tax exemption is required, the following are acceptable forms:
 - 1. IRS Determination Letter; or
 - 2. IRS Affirmation Letter.
- C. Pursuant to RCW 36.71.090, no business license shall be required of any farmer, gardener, or other person to sell, deliver or peddle any fruits, vegetables, berries, eggs or any farm produce or edibles raised, gathered, produced or manufactured by such person. Furthermore, no business license shall be required of any minor engaging in a de minimis entrepreneurial venture with permission of the property owner, including, but not limited to such trade and activities as running a lemonade stand.

5.04.030 - Application—Procedure.

- A. Application for a city business license is made through the Business Licensing Service (BLS) and must include all information required for all licenses requested, the total fees due for all licenses, and the application handling fee per RCW 19.02.075.
- B. Upon receipt of the application information from BLS, the city clerk-~~treasurer~~ or designee will forward it to the appropriate city departments for review. The city-~~administrator~~ planner or designee and building inspector will indicate whether the proposed business meets all current zoning and building code requirements. If any city department recommends denial of the license, the department must submit the recommendation in writing to the city clerk-~~treasurer~~. If all departments confirm the application is in compliance with all requirements, the city clerk-~~treasurer~~ will approve issuance of the business license through BLS. If an application is denied by the city clerk-~~treasurer~~ or designee, the city clerk-~~treasurer~~ will provide the applicant the reason for denial.

- C. Neither the filing of an application for a license nor the payment of the fee authorizes a person to engage in or conduct a business in the city until such license has been granted.

5.04.055 - Threshold exemption from free license/registration requirement.

To the extent set forth in this section, the following persons and business shall be exempt from the registration, license and/or license fee requirements outlined in this chapter:

- A. Any person or business whose annual value of products, gross proceeds of sales or gross income of the business in the city is equal to or less than two thousand dollars and who does not maintain a place of business within the city shall be exempt from the general business license requirements of this chapter. The exemption does not apply to regulatory license requirements or activities that require a specialized permit.
- B. Beginning January 1, 2026, the threshold amount is four thousand dollars. The threshold amount will be adjusted every forty-eight months on January 1, by an amount equal to the increase in the Consumer Price Index ("CPI") for "West Urban, All Urban Consumers" (CPI-U) for each 12-month period ending on June 30 as published by the United States Department of Labor Bureau of Labor Statistics or successor agency. To calculate this adjustment, the current rate will be multiplied by one plus the cumulative four-year (forty-eight month) CPI increase using each 12-month period ending on June 30 of each prior year, and rounded to the nearest \$100. However, if any of the annual CPI increases are more than five (5) percent, a five (5) percent increase will be used in computing the annual basis and if any of the annual CPI decreased during the forty-eight-month period, a zero (0) percent increase will be used in computing the annual basis.**

5.04.060 - License fee – Change of location.

- A. The fee for the original license required by this chapter is seventy-five dollars. The fee for annual renewal of the license is fifty dollars. Businesses that meet the qualification under WSMC 5.04.055 shall not be charged a fee for a business license.
- B. All businesses required to obtain a business license under this chapter must do so prior to commencing business in the city. Any business which fails to obtain a license prior to engaging in business in the city, in addition to any other penalties provided in this chapter, may be assessed by the city a sum of ten dollars per month as penalty for each month such late application and/or payment is over due until paid.
- C. Any business relocating to another address in the city must notify the Business Licensing Service sufficiently prior to the change to allow the city to review and approve the new location prior to commencing business at the new location. Such a change may require submitting a new application for license as provided for in this chapter.

5.04.070 – License term and renewal - Penalties.

All business licenses issued pursuant to the provisions of this chapter are valid for one year unless otherwise prorated as provided for in this section. ~~Business licenses issued by the city in 2020 shall expire January 31, 2021.~~

- A. The city business license expires on the date established by the Business License Service (BLS) and must be renewed on or before that date in order to continue to engage in business in the city after that date.
- B. Application for renewal of the license is made through BLS, and must include all information required to renew all licenses involved, the total fees due for all licenses being renewed, and the renewal application handling fee required by RCW 19.02.075.
- C. The license term and respective fee therefore may be prorated as necessary to synchronize the expiration date with the expiration of the business license account maintained by BLS.
- D. Failure to complete the renewal of the license by the expiration date will incur the late renewal penalty required by RCW 19.02.085 in addition to all other fees due.
- E. Failure to complete the license renewal within 120 days after the expiration date will result in the cancellation of the license and will require submitting a new application for license, as provided for in this chapter, in order to continue to engage in business in the city.

5.04.080 - Change of ownership—Reapplication.

Upon the sale or transfer of any business licensed pursuant to this chapter, the license issued to the prior owner or transferor will automatically expire on the date of such sale or transfer and the new owner intending to continue such business in the city of White Salmon will apply for and obtain a new business license pursuant to the procedures by this chapter prior to engaging in, conducting or operating the business in the city.

5.04.090 - Fee—Temporary license.

A. Temporary Business License.

1. Any person engaged in business within the city for a period not to exceed ten days within any three consecutive months may obtain a temporary business license upon application directly to the city clerk ~~clerk-treasurer~~. The fee for this temporary license is twenty dollars. The temporary license may not be renewed during that calendar year. If a business that is seeking a temporary business license meets the qualifications under WSMC 5.04.055, a temporary business license will be issued free of charge.

5.04.100 - Prohibitions upon issuance.

Notwithstanding any other provisions of this chapter, a license hereunder may not be issued to or held by any person who uses or occupies to use or occupies any real property or otherwise conducts or proposes to conduct any business in violation of the provisions of any ordinances of the city of White Salmon or the

statutes of the state of Washington or any other applicable law or regulation. No license will be issued to or renewed for any business object to payment of a business improvement area assessment of such assessment, any install thereof or interest thereon is delinquent. The granting of a business license does not authorize any person to engage in any activity prohibited by federal, state or local law or regulation.

5.04.110 - Revocation or suspension—Grounds.

The city clerk-~~treasurer~~ may, at any time, suspend or revoke any license issued under the provisions of this chapter whenever the licensee, or any officer, employee or partner thereof:

- A. Has violated any federal state or city statute, law, regulation or ordinance upon the business premises stated in the license or in connection with the business stated in the license, whether or not the licensee, or officer or partner thereof, has been convicted in any court of competent jurisdiction of such violation;
- B. Is or has conducted, engaged in or operated the business stated in the license upon premises which do not conform to the ordinances of the City of White Salmon;
- C. Has maintained or permitted the business stated in the license to be conducted, engaged in or operated in such a manner as to constitute a public nuisance;
- D. Has made any material false statement or representation in connection with obtaining the license.

5.04.120 - Appeal.

- A. Whenever the city clerk-~~treasurer~~ determines that there is cause for suspending, denying or revoking any license issued pursuant to this chapter, the clerk-~~treasurer~~ shall notify the person holding the license by registered or certified mail, return receipt requested, of the determination. Notice mailed to the address on the license shall be deemed received three days after mailing. The notice shall specify the grounds for suspension, denial or revocation.
- B. The licensee may appeal the decision of the city clerk-~~treasurer~~ to deny or revoke a business license by filing a written notice of appeal to the city council within ten day so of the city clerk-~~treasurer~~'s decision.
- C. Upon timely receipt of the notice of appeal, the city clerk-~~treasurer~~ shall set a date for hearing the appeal. The city clerk-~~treasurer~~ shall mail notice of the date of the hearing to the licensee at least twenty days prior to the hearing date.
- D. The hearing shall be De Novo. The city council shall affirm, reverse or modify the city clerk-~~treasurer~~'s decision.
- E. The decision of the city council shall be final. Any person desiring to appeal must file an appropriate action in Klickitat County Superior Court within fourteen days of the city council's decision.
- F. Following revocation, no business license shall be issued for a period of twelve months to the person or business entity whose license was revoked, or to any business entity owned or controlled by such person or entity.

5.04.130 - Violation—Penalty.

- A. Any person, as defined in this chapter, and the officers, directors, managing agents, or partners of any corporation, firm, partnership or other organization or business violating or failing to comply with any of the provisions of this chapter shall have committed a civil infraction ~~an, upon a determination by the White Salmon Municipal Court that such infraction has been committed,~~ and shall pay a civil monetary penalty to the city of a sum not to exceed two hundred dollars. In addition, each and every day during any portion of which a violation of any provision of this chapter is committed, continued or permitted constitutes a separate infraction. Penalties collected pursuant to this section shall be deposited in the city's general fund to be used for general purposes of the city.
- B. In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a public nuisance and all remedies given by law for the prevention and abatement of nuisances shall apply thereto.
- C. Any person deemed to have committed a civil infraction under subsection A of this section who shall fail to come into compliance, or remain in compliance, with the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment in jail for a term not to exceed ninety days or by a fine in an amount not more than one thousand dollars or by both such fine and imprisonment. Each day that such condition or violation continue shall be regarded as a new and separate offense and shall be punishable accordingly.

SECTION 2. Severability/Validity. If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

SECTION 3. Effective date. This ordinance shall take effect five (5) days after its publication according to law.

Passed by the City Council of the City of White Salmon at a regular meeting this 1st day of October 2025

Marla Keethler, Mayor

ATTEST:

Erika Castro Guzman, City Clerk

APPROVED AS TO FORM:

Shawn MacPherson, City Attorney