

CALL TO ORDER:

Mayor Tim Wilson called the workshop to order at 7:00 p.m.

Present: Mayor Tim Wilson; Councilmembers: Eugene Bain, Kenneth Caylor, Dan Dever, Genna Dorow, Charles Garcia, Kenneth Johnson, and Mark Snyder.

Also Present: City Administrator Ehman Sheldon; Department Heads: Public Works Director Terry Clements, Police Chief Steven Dunnigan, Finance Officer Spencer Williams, Planner Darryl Piercy; and City Attorney Katherine Kenison.

HOMELESS COUNT REQUEST – D. O. H.

Brent Stenson with Adams County Health Department has been involved with the homeless count for several years. Mr. Stenson brought the Board Report that he prepared last year for the Board of County Commissioners. The homeless count is required by Federal Law and the Federal Government then it is passed down to the different States, and the States then turn to the counties to share some of the revenue which is used to pay for them to perform the count. This year's count is going to be January 24th, 2013, at 9:30 am to 3 pm. At the beginning, they provide training on how to fill out the form and to make sure everyone has a bilingual person, transportation, and that they know the area they are going to be surveying. In the past, they surveyed the Edson Tracks area, Saddle Road area, and our trailer parks in the area. Also they do the far west side of the county, McManamon Rd. off of Barden Rd, Washtucna, Lind and Ritzville. What they look for are people that are doubling up, two families to a home. We also look at the quality of the home, is there running water, do they have approved sewage disposal with a drain field, are they hooked to city sewer, do they have a functioning bathroom, can they cook a hot meal, can they heat the home to 60 degrees. These are a number of things that go into qualifying that structure for housing for human habitation. After all of the county data is collected, they feed it back to the Federal Government and it paints a picture of what the housing situation is across the United States, not only here in Adams County. Mr. Stenson would like to extend a request of ten or twelve volunteers. The project will be starting at the County Services Building. The Health Department phone number is 488-2031. In years past they handed out carbon monoxide detectors and will be handing them out again.

WSDOT – OTHELLO STAGE 2 PROJECT

Bob Romine with WSDOT was here to go over the final project going out for advertisement next week. A couple time lines are, the bid opening will be on the 14th of February and they anticipate work to start the last part of March, first part of April. They have 35 working days on this project. On 1st Avenue and Highway 26 they will lengthen the right turn lane to get the traffic off the highway sooner, improve the radiiuses, and restrict the traffic from going across highway 26 with some islands and some channelization devices. Improve the turning radius at the corner of the spur on highway 26 and 24. Channelization improvement on Broadway, improve sidewalk ADA ramps, complete and rebuild sidewalks on both Columbia and Waluke Street. They also moved a mid lot crossing with illumination to keep pedestrians away from the intersection on 1st Avenue and Highway 26. In the spring time the Maintenance will be cleaning up the runoff at the overpass on Broadway. The access to the local business was resolved by the intersection design. The approach was 96 ft. and they changed it down to 40 ft. The wider approaches tend to create a bigger point of conflict. The first stage will be the intersection on Broadway and the Highway 26 spur. Second will be at 1st avenue and Highway 26, third will be at Columbia and Waluke Street. Mr. Caylor wanted to know if there was going to be a sidewalk put under the bridge on Broadway. Mr. Romine indicated that it was not the scope of the project when they did stage 1. There would be some engineering and structures that would have to be placed under the embankment and the bridge to make it happen. This would cost over \$200,000 that was not there. Mr. Romine said that there were programs out there for walkable communities and suggested that we watch for them and also recommended that we get grant money to help with it because he thought there was value in it and they couldn't get it into this project. Council Member Caylor mentioned that a lot of people complain about the sight problem in that area and he felt that a retaining wall step back and a walk way put in at the same time, that technically that is the WSDOT's property and the City would have to do it on their property, because they have the overpass there and he thought it would be their responsibility, if not at the present time but in the future to at least put in the retaining wall and the sidewalk. Mr. Romine indicated that they are moving the stop bar out and placing a bulb out to make traffic going south bound to not cut the corner. This did gain them about 150 ft. sight distance. He felt that it would take them rebuilding the bridge to

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improve the sight distance. This would happen when an interchange came into this picture down the road. Mr. Romine suggested getting grant money from walkable communities. Administrator, Ehman Sheldon asked how the bids are coming in, high or low to the estimates? Mr. Romine said it was running within 10% of their estimates. It depended on how many people were plan holders. Mr. Romine wanted to express his appreciation for two people from the city that participated in the plan review, Dan Quick and Doug Jordan. Administrator, Ehman Sheldon commented concerning three or four people, business owners, which came and spoke to council previously expressing concerns. Modifications were made and we made specific phone calls and sent out about 20 letters to the business owners inviting them to tonight's meeting to see the final plan.

PUBLIC WORKS PROJECT BID SCHEDULE

Public Works Director Terry Clements talked about the Public Works Trust Fund 2013 projects. Council committee and staff have met on the water, sewer and street side. Last year we bid these projects out for TIB Scootney project and they came in a little high, so we rejected them and decided to send them out for re-bid early this year. We did this to get good pricing, spread out some of the work in the area. The 14th Avenue Water Main Replacement Construction is a Public Works Trust Fund Loan. At this time none of the spec or design work has been started and this needs to get started as early as possible to be able to complete this project in October 22, 2013. We bid the TIB project and whatever TIB doesn't come up with we have to fund out of our overlay project to complete this project. Whatever money is left over is where this portion of the Streets and overlays and alley approaches come in. The alley approach fund takes care of itself; our street overlay fund will take over the remainder. We are not sure what we will have left after our TIB, so whatever is left out of this, we have some street overlays down around Pine Street, Broadway to 4th, 2nd from Elm to Scootney, 3rd from Soda to Scootney and Venus, and Main to Cedar Street. Those have already had infrastructure work already, their behind the curb, so it would just be a street overlay and raise the iron in the street. We feel we should have enough money after the TIB that we should be able fund maybe at least 3 of these projects. We are going to look at doing Alley approaches that are somewhat close to the projects so that we do not have to pay a lot of mobilization, so we will concentrate on those as we do overlays. We have to see what we have for money from the TIB Scootney project and what's left can be taken out of there for the streets we have selected. SR 24 water and sewer improvement is on a Public Works Trust Fund, and W. Moon Street sewer improvements is on a CBDG grant. We have combined these two into a project to get a bigger dollar amount.

City Engineer, Larry Julius indicated that on the drilling of well #9, we are waiting on Adams County Water Conservancy Board to give their approval so that we can get plan specifications into the Department of Health, Department of Ecology for their final approval. We received an email from Department of Ecology Board had review what the Conservancy Board had put together, which is a long list of items that Conservancy Boards do, so we streamline the process instead of going through Department of Ecology for 12 to 18 months to get approval to drill a well, it takes Conservancy Boards much less time in theory. The Conservancy Board will now take the information from Department of Ecology, put their final paper work together, get an advertisement out in the newspaper, indicating what the City of Othello is trying to do, change the point of withdrawal for the new well. Even though we didn't get approval of withdrawal by December 31, 2012, we think we will still have approval by the end of January 2013. We are hoping to start advertising the first of February. Once the well is drilled and we can determine how much water we do have, we will be able to go forward with the water main back into town and equipping the well, sizing the pumps, the motors, the electrical gear and things like that. We don't want to build a pipeline into town from the site until we know for sure we have water and we won't be able to size all of the equipment until we know how much water we have. The schedules here reflect after the well is drilled and tested, going in and doing the design and construction of both the water main and the equipping of the well and building the well house.

Council member Ken Johnson indicated that the money coming through the state on Public Works Trust Fund came in about \$680,000,000 is contingent on what the Governors budget came in, which the Governors budget came in at half that, so there will be a lot of those projects cut. He thought the Moon Street project had been delayed enough, he felt we should have been on that last year and thought we should progress on the Moon Street project and wait on the SR-24 project until we know if the money is there. Mr. Julius indicated that we do have the money for the Moon Street Project if that is what the City

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wanted to do. Council Member Charles Garcia indicated that he felt while the road on Moon Street was tore up we should tap in the water and cap it off because eventually we will need it. The sewer and water will come from under the overpass where the tracks are. They will run parallel but no closer than ten feet from each other. There is water already there but it needs to be upsized. Mr. Julius indicated that there was time because the Legislature would not be making their decision until around April or May. Administrator Ehman Sheldon recommended that since we have time we should have the committee work through this and make a recommendation to the council.

MEDICAL MARIJUANA GARDENS MORATORIUM STATE AND FEDERAL LAWS

City Planner, Darryl Piercy stated back in July of 2012 the Council heard information in regards to the possibility of an extension of the Moratorium that was then in place regarding Medical Marijuana Gardens. The council directed the Planning Commission to look at the issue and examine information that they had available to them, take testimony from the public, and come back with a recommendation regards to dealing with Medical Marijuana Gardens and the Moratorium that was in place at that time. Mr. Piercy went over the background to refresh everyone's memory on Medical Marijuana. The State of Washington passed laws for the development of Medical Marijuana Gardens within jurisdictions in the State of Washington. There is a process under State Law that allows for cities to adopt a Moratorium to implement the law while their reviewing and developing regulations. The intent of the Moratorium Section in State Law is to provide that window of opportunity for cities to react to certain elements that have come forward from the State Legislation. The law allows for six months, but will allow for an extension of the Moratorium to go on should they need. There has been two issues that have happened recently that affects the City's ability to implement regulations dealing with Medical Marijuana because there continues to be a number of unanswered questions. One issue that occurred was in the November election where the use of recreational marijuana became legal in the State of Washington through the election results. That Legislation separates the use of recreational marijuana from medical marijuana. The Legislation specifically identifies that it would not affect the Medical Marijuana laws, however we are beginning to find that may or may not be the case. There has been a law suit filed against a city in Western Washington that deals with the prohibition against Medical Marijuana Gardens and the impact of the newly adopted Legislation allowing for the use of marijuana how it would affect the Medical Marijuana law. It's possible that we may get new information based on this court case that would change the relationship of Medical Marijuana and recreation use of Marijuana. The Planning Commission came down to 4 potential options they wanted to consider in developing their recommendation. One is to consider an extension of the existing Moratorium that the city has. Second was to develop regulation to allow for Medical Marijuana Gardens in select zones with regulations that would be done consistent with the adoption with the State Law allowing Medical Marijuana Gardens. Third is an example that they received from the City of Pasco. They adopted to allow the use of the Medical Marijuana Gardens within the city that was consistent with both the State and Federal Law, so where the State Law allows for Medical Marijuana Gardens, Federal does not. With that conflict in essence that became a prohibition. Fourth item looked at was to create a prohibition against Medical Marijuana Gardens within the city limits. After giving all of those items consideration the Planning Commission moved forward the recommendation, voted unanimously to prohibit Medical Marijuana Gardens in Othello. The Moratorium is good until February 27th, 2013, that would be a two year period when the cycle began.

City Attorney, Katherine Kenison stated that she had talked with the City Attorney at Kent and he stated that the plaintiffs have moved for direct review of the Supreme Court. If the Supreme Court grants review, they are anticipating argument this summer and probably a decision before the end of the year. If the Supreme Court grants the review, that would be a good thing for the cities. Mrs. Kenison felt asking for an extension on the moratorium was not a bad idea at this time. Going with an outright prohibition would land the city in court. Asking for an extension on the Moratorium would be the direction to go at this time, and wait to see what happens with the Supreme Court. Darryl Piercy said he would put together an ordinance for council consideration at a regular meeting prior to the expiration of the existing Moratorium to allow for the extension.

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TRANSPORTATION BENEFIT DISTRICT

City Administrator, Ehman Sheldon provided information on the Transportation Benefit District. In March and April of last year we conducted a Public Hearing to create a Transportation Benefit District and in August the council adopted an Ordinance that created a Transportation Benefit District. All paperwork that has been done so far is in the file folder that was provided to the council. Now that the council members are both council and Transportation Benefit District they need to set meeting times and schedules. There is staff time being devoted to the Transportation Benefit District efforts, and all those dollars have to be paid back to the city from the TBD once you have funding. Spencer is the Finance person for TBD and will be consolidating and keeping track of everything as we move forward. Ehman sent the council members an email of a copy of the Adams County Election process and the dates and times of submittals. It was decided that the Council would meet before the regular council meetings at 6:15 pm to 6:45 pm starting on January 28th, 2013,

2013 COMMITTEE APPOINTMENTS

In reviewing the committee appointments changes that were made were for the Adams County City Biannual Fire Council Meeting. Ken Johnson took Charles Garcia position. A new Street Committee was created with the following members- Genna Dorow, Mark Snyder, Dan Dever, and Ken Caylor as Alternate. The Adams County Community Network was removed. All other committees stayed the same.

COMMITTEE REPORTS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

None

Mayor's Announcements

The Adams County Development Council is having their Annual Luncheon in Ritzville on January 8th, 2013 at 12pm. The Carpool will be leaving City Hall at 10:30 am.

The Auditing Committee will be meeting on Friday, January 11th, 2013 at 12pm in Conference Room 3.

The Mayor would be accepting Department Head Reports at this time also.

ADJOURNMENT

With no further items to discuss, Mayor Wilson adjourned the workshop at 8:09 pm.

By: _____
TIM WILSON, Mayor

ATTEST:

By: _____
TRISHA TOLLEY, Building Secretary