

City of Othello
Regular Council Meeting
January 11, 2016

CALL TO ORDER:

Mayor Shawn Logan called the meeting to order at 7:00 p.m. and led an invocation and the Pledge of Allegiance.

Present: Mayor Shawn Logan; Councilmembers: Eugene Bain, Genna Dorow, Corey Everett, Angel Garza, Larry McCourtie, John Lallas, and Mark Snyder.

Also Present: City Administrator Wade Farris; Department Heads: Public Works Director Terry Clements, Police Chief Phil Schenck, Community Development Director Travis Goddard, City Clerk Debbie Kudrna, Finance Officer Spencer Williams and City Attorney Roger Reed.

CITIZEN INPUT

There was none.

APPROVAL OF AGENDA

Council carried a motion to approve the agenda. M/S Bain/Snyder.

CONSENT AGENDA:

1. Approval of City Council Minutes of December 14, 2015
2. Approval of City Council Workshop Minutes of January 4, 2016
3. Approval of 2015 Accounts Payable Checks
4. Approval of 2016 Accounts Payable Checks
5. Approve Appointments to the Independent Salary Commission – Connie Agenbroad, Bob Luhn, and Bob Blair

Accounts Payable was audited and certified by the Auditing Officer, as required by RCW 42.24.080; and those expense reimbursement claims certified and as required by RCW 42.24.090, have been recorded on a listing that has been reviewed by the Council audit committee and is available to the Council.

Accounts Payable Check No. 46113 to No. 46158 in the amount of \$448,136.74.

Accounts Payable Check No. 5249 to No. 5256 in the amount of \$1,482.32.

Accounts Payable Check No. 46159 to No. 46205 in the amount of \$136,696.25.

Accounts Payable Check No. 46206 to No. 46230 in the amount of \$341,756.66.

Payroll and Related Expenses Check No. 29689 to No. 29725 in the amount of \$360,538.78.

Council carried a motion to approve the Consent Agenda, as presented. M/S Garza/Dorow.

ELECT MAYOR PRO-TEM

Councilmember Everett nominated Councilmember Dorow to serve as Mayor Pro Tem for a period of one year. Seconded by Councilmember Bain. Motion carried.

AGREEMENT WITH SVZ – WASTE WATER DISCHARGE

City Administrator Wade Farris advised that SVZ approached the city and asked that they be allowed to discharge their waste into the city's wastewater during the winter time. He noted that discussions were held between the City, SVZ and Department of Ecology. Staff realized that we need to study the issue further and there appears to be a three tier solution to the SVZ issue: 1) SVZ will truck their waste to the City facility to dump and measure the amounts. 2) A temporary solution will be developed to measure the water until the proper equipment is installed. 3) The long term process, after the winter season, may be to install a pipe system to our city wastewater facility.

City Engineer Kurt Holland presented an amendment to the engineer agreement to provide the work needed to analyze the City's existing wastewater facility capacity, recommend interim and potential long term industrial discharge requirements and prepare recommendations for rate structures. He noted that the Othello codes do not currently address acceptance of industrial

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discharge. The proposed cost for the engineering study is \$36,330. Mr. Farris advised that SVZ has agreed to pay the engineer fees.

Ellie Key and Sean Thompson from the Department of Ecology addressed the Council. Both have been working on the details with the City and SVZ and to assure all parties are protected. Mr. Thompson noted that they agree with the proposed option to allow SVZ to discharge wastewater into the City's sewer lagoon system. He noted that SVZ will transfer wastewater from their holding pond and discharge it to the city facility. Ms. Key noted that they are in support of a temporary discharge order to allow SVZ to discharge approximately 50,000 g.p.d. into the City's treatment plant. During which time, they will look at a more permanent solution and SVZ would become an industrial user and will have to meet certain standards and DOE will have to change their permit constraints. The City currently has the hydraulic and organic capacity at the city's facility and will still be able to maintain capacity for municipal growth. Ms. Key noted that DOE is in the process of drafting the new discharge permit for the city and accepting this wastewater won't change that process.

Kurt Holland advised that the City's plant is at 45% capacity for flow and at 50% for loading and his recommendations are to allow up to 50,000 g.p.d. and approximately 1,000 lbs. BOD per day.

Council carried a motion to approve SVZ-USA to discharge their industrial wastewater into the City's collection system and treatment facilities, contingent upon meeting all city, county, state and federal regulations. M/S Snyder/Lallas.

AMENDMENT TO THE VARELA AGREEMENT - #2016-001

Council carried a motion to approve the amendment to the Varela contract, subject to SVZ-USA agreeing, in writing, to reimburse the City for said cost of the engineering fee. M/S Dorow/Lallas.

**PUBLIC HEARING ON THE COMMUNITY DEVELOPMENT BLOCK GRANT PLANNING ONLY
GRANT FUNDS**

Mayor Logan opened the public hearing at 7:27 p.m. He announced that there was a Spanish interpreter available. Community Development Director Travis Goddard explained that staff would like to continue the planning momentum by making changes to the Othello Municipal Code (OMC), with Community Development Block grant (CDBG) funding. He stated that the planning only grant can be used for updating the critical area ordinances and to reorganize the OMC. He asked for other project suggestions for pursuing grants. There was none. He noted that there are public documents available during the public hearing and we have a Spanish translator available.

Preliminary estimates are the City may spend approximately \$34,931.50 to update the codes. The request to CDBG will be for \$24,000 in grant funds. Mr. Goddard recommended the Mayor be authorized to submit for CDBG funds.

Mayor asked for Council comments. There was none. Mayor Logan asked for public testimony in support of the proposal. There was none. Mayor Logan asked for public testimony neutral to the proposal. There was none. Mayor Logan asked for public testimony in opposition to the proposal. There was none. Mayor Logan closed the public hearing at 7:35 p.m.

**RESOLUTION AUTHORIZING SUBMITTAL OF A COMMUNITY DEVELOPMENT GRANT
APPLICATION**

Council carried a motion to approve the Resolution authorizing the Mayor to pursue the CDBG funding. M/S Snyder/Lallas. This shall be known as Resolution No. 2016-01.

PUBLIC HEARING ON THE ALANIS 1ST AVENUE ZONE CHANGE

Mayor Logan opened the public hearing at 7:36 p.m. Community Development Director Travis Goddard stated that Agustin and Blanca Alanis are the owners of the commercial mall located on South 1st Avenue between Elm and Soda Streets. The building located on Lots 2 and 3 of the short

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plat began construction in 2013 and received a certificate of occupancy in July, 2014. Lots 2, 3, and 4 are currently zoned C-2.

In 2015, staff received a business license request for a clothing retail shop within the mall and it was determined that the use would not be permitted within the C-2 zoning district. Staff suggested that the property petition the Council for a zone change to rezone the properties to C-1, which allows retail stores. Mr. Goddard advised that we received no comments regarding the requested zone change. He explained that the benefit to the community will be additional retail in a building that is attractive and inviting.

Mayor asked for Council comments. There was none. Mayor Logan asked for public testimony in support of the proposal. There was none. Mayor Logan asked for public testimony neutral to the proposal. There was none. Mayor Logan asked for public testimony in opposition to the proposal. There was none. Mayor Logan closed the public hearing at 7:44 p.m.

ORDINANCE FOR ALANIS 1ST AVENUE ZONE CHANGE

Council carried a motion to adopt the Alanis 1st Avenue Zone Change Ordinance. M/S Dorow/McCourtie. This shall be known as Ordinance No. 1459.

PUBLIC HEARING ON THE HAMPTON 14TH AVENUE ANNEXATION ORDINANCE AMENDMENT

Mayor Logan opened the public hearing at 7:45 p.m. Community Development Director Travis Goddard explained that in July, 2015 the City approved the R.A. "Bud" Hampton 14th Avenue annexation. The legal description describing the Hampton 14th Avenue Annexation included the north half of the Highway 26 right-of-way. The Washington State Office of Financial Management (OFM) informed staff that annexations cannot annex a portion of state highway rights-of-way.

Mr. Goddard presented an ordinance, which amends the legal description for the annexation area to exclude Highway 26.

Mayor Logan asked for Council comments. Mr. Goddard advised that if we annex south of the highway, we would only regulate it and not sure if there would be other responsibilities. Mayor Logan noted that any annexation south would require more research.

Mayor Logan asked for public testimony in support of the proposal. There was none. Mayor Logan asked for public testimony neutral to the proposal. There was none. Mayor Logan asked for public testimony in opposition to the proposal. There was none. Mayor Logan closed the public hearing at 7:49 p.m.

ORDINANCE TO AMEND #1439 – HAMPTON ANNEXATION

Council carried a motion to adopt the ordinance amending Ordinance #1439. M/S Bain/Lallas. This shall be known as Ordinance No. 1460.

WELL 9 PUMP STATION PROJECT CHANGE ORDER #1

City Engineer Kurt Holland explained that Schneider Water Services has requested an additional 15 calendar days to complete the Well 9 Pump Station Project. This extension request is due to inclement weather conditions and an additional twelve days for investigating and implementation of changes necessary to manage the unexpected groundwater found during the excavation of the building foundation. He advised there is no change in the contract price as a result of this change order.

Council carried a motion to approve the Change Order #1 for the Well 9 Pump Station Project. M/S Dorow/Snyder.

WELL 9 PUMPING EQUIPMENT INSTALLATION PROJECT CHANGE ORDER #1

City Engineer Kurt Holland explained that Schneider Water Services is requesting the contract time of the Well 9 pumping equipment and installation project be changed to match the contract

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time requirements of the Well 9 pump station project. He noted there is no change in the contract price as a result of this change order. The expected completion date is February 26th.

Council carried a motion to approve the Change Order #1 for the Well 9 Pumping Equipment and Installation Project. M/S Dorow/Lallas.

ORDINANCE TO AMEND OMC CHAPTER 2.04 TITLED “COUNCIL MEETINGS”

Mayor Logan asked Council to consider changing the start time for all Council workshops and regular meetings from 7:00 p.m. to 6:30 p.m.

Council carried a motion to adopt the Ordinance Amending Othello Municipal Code Chapter 2.04 Titled “Council Meetings”. M/S Dorow/Everett. This shall be known as Ordinance No. 1461.

UNFINISHED BUSINESS

Mayor Logan explained that Kenneth Johnson is the City of Hatton's representative on the Adams County Development Council. Mr. Johnson would like to continue as that representative on the ACDC committee. Pat Simmons is the City's representative for Othello.

Mayor Logan advised that he has extended an offer to Chris Dorow to be a member of the Planning Commission. Mr. Dorow has accepted this appointment and will replace Larry McCourtie on the Planning Commission.

Council carried a motion to appoint Chris Dorow on the Planning Commission. M/S Lallas/MCCourtie. Councilmember Dorow abstained from the vote.

Councilmember Snyder asked staff to review our water connection fees and stated the city should have a checklist of their building process and fees associated with development. Mr. Farris advised that staff is currently working on this project.

NEW BUSINESS

Mayor Logan announced that our sister city, Wulensi Ghana, Africa is sending a delegate to Othello. Dr. Osei-Bonsu is visiting Othello and will attend various meetings. We have invited Dr. Osei-Bonsu to attend the next council meeting to address the Council and update us about his community.

EXECUTIVE SESSION

Mayor Logan stated that the Council will go into an Executive Session at 8:04 p.m. to review the performance of a public employee, as allowed by RCW. The executive session is expected to last 5 minutes. Also in attendance were City Administrator Wade Farris, Public Works Superintendent Terry Clements and City Attorney Roger Reed. Mayor Logan reconvened the meeting at approximately 8:10 p.m.

ADJOURNMENT

With no further items to discuss, Mayor Logan adjourned the Council meeting at 8:10 p.m.

By: _____
SHAWN LOGAN, Mayor

ATTEST:

By: _____
DEBBIE KUDRNA, City Clerk