

City of Othello
Regular Council Meeting
February 10, 2014

CALL TO ORDER:

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

Present: Mayor Shawn Logan; Councilmembers: Dan Dever, Corey Everett, Kenneth Johnson, John Lallas, and Mark Snyder.

Also Present: City Administrator Wade Farris; Department Heads: Police Chief Steven Dunnagan; Receptionist/Clerk Rebecca Perez-Ozuna, Finance Officer Spencer Williams, Planner Darryl Piercy, and City Attorney Katherine Kenison.

Absent Was: Councilmember Genna Dorow and Eugene Bain.

Council carried a motion to excuse the absence of Councilmember Genna Dorow and Eugene Bain. M/S Dever/Johnson.

APPROVAL OF AGENDA

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

CONSENT AGENDA:

- A. Approval of City Council Minutes of January 27, 2014
- B. Approval of City Council Workshop Minutes of February 3, 2014
- C. Approval of Accounts Payable Checks
- D. Approval of Payroll and Related Expenses

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. 43612 to No. 43664 in the amount of \$324,064.08.

Payroll and Related Expenses Check No. 28663 to No. 28696 in the amount of \$265,135.31.

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

PUBLIC HEARING ON THE ANNEXATION ZONING REQUEST – HAMPTON

Mayor Logan opened the public hearing at 7:03 p.m. Darryl Piercy, City Planner advised that Naomi Hampton, R. A. Hampton LLC, submitted a petition for annexation of approximately 20 acres. This property is located east of 14th Avenue and south of Wahitis School. The owner is asking the property to be zoned C-1. He advised that the Council may approve or reject the annexation request.

Mr. Piercy advised that the intended purchaser has been disclosed as Columbia Basin Health Association (CBHA). Representatives of CBHA have indicated a willingness to enter into a development agreement that would restrict the development to a health campus. The development agreement would establish the specific uses should the property be zoned to C-1. He asked the Council to direct staff to prepare a development agreement with CBHA to restrict the site to a medical campus and bring the final annexation documents back for their consideration. Mr. Piercy also brought to Council a question: "what would the property be zoned if CBHA were to not develop the land?" and commented that it would be best for the land to be rezoned as residential, due to the location and the surroundings of the property.

Mayor Logan asked Todd Bowers who is the representative of R. A. Hampton LLC. to make any comments. Mr. Bowers commented to Mr. Piercy that the property owners would also like to be included in the process of the development agreement and also mentioned that he would appreciate that if the City has any questions or concerns they address those to him. Mayor Logan asked if council had any comments and none were given. Mayor Logan asked for public comments and none were given. Mayor Logan closed the public hearing at 7:12 p.m.

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Council made a motion to direct staff to prepare a development agreement with CBHA, which restricts the use of the site to their medical campus needs and bring final annexation documents and the development agreement back to Council for final consideration. M/S Lallas/Dever.

STREET SALES TAX REVIEW

Finance Officer Spencer Williams advised that OMC 11.02.020 provides that the City's optional one-half percent sales tax would be used for street improvement, along with other general funds and grants. They discovered that this code had been incorrectly applied from 2007 through 2012. They found that \$860,658 in sales tax revenues were mistakenly transferred into the general fund during the same time period. He presented information that shows the City compensated this loss to the street fund by spending \$3,227,153 on street projects from other available funds. This indicates that the City funded street projects an additional \$2,366,495 over and above the original error. This matter was provided to the State Auditor's Office, who also investigated the matter. They agreed with the error conclusions and recommended that we either correct this practice or revise our code. Mr. Williams advised that the practice for 2013 and 2014 are now in full compliance with the code.

Michael Crosier, 625 N. 11th Ave, asked "what is the source of the other dollars that have been used from other accounts to cover the street fund?" Mr. Crosier inquired if these funds came from the utility tax which originally was supposed to be used for the street fund and capital projects. Spencer Williams, Finance Officer, commented that it is true one of the main sources of monies did come from the utility tax fund and other sources. Mayor Shawn Logan, Finance Officer Spencer Williams and Mr. Michael Crosier continued to have a brief discussion about the appropriation of funds regarding the street and general fund.

EXTRA TERRITORIAL AGREEMENT FOR SEWER SERVICES – LIBRADO CAMACHO

Finance Officer Spencer Williams advised that the City entered into a 25-year sewer agreement with the past property owner of 2241 W. Cunningham Road, dated 1983, which expired in 2008. The past property owner owned two adjoining lots. We found that we have not renewed a sewer agreement with the new owner of one of the property lots. We have met with the new property owner, Librado Camacho, and he has signed the new Extra Territorial Utility Agreement. This development, known as Meadow Lane, has their own water well and if their sewer systems fail, they request to be served by City sewer utilities.

At this property, there is one sewer connection that serves 1 mobile home. His property is located within the Meadow Lane Plat. There will be no change in the sewer service, as Mr. Camacho has already set up a new utility account. We will continue to receive sewer revenue, at the rate of 150% for sewer outside the city limits. Mr. Williams asked the Council for approval of the Extra Territorial Utility Agreement with Mr. Librado Camacho.

Council carried a motion to approve the Extra Territorial Utility Extension Agreement, Covenant Running with the land and Power of Attorney with Mr. Librado Camacho. M/S Johnson/Snyder.

NEW BUSINESS

Mayor Shawn Logan reminded Council of the Annual Chamber of Commerce Banquet, with the theme endorsing the trucking industry. The date of the event is February 21st, at the Bethel Event Center.

ADJOURNMENT

With no further items to discuss, Mayor Logan adjourned the Council meeting at 7:40 p.m.

By: _____
SHAWN LOGAN, Mayor

ATTEST:

By: _____
REBECCA PEREZ-OZUNA, Receptionist/Clerk