

City of Othello
Regular Council Meeting
February 25, 2013

CALL TO ORDER:

Mayor Tim Wilson called the meeting to order at 7:06 p.m. and led the Pledge of Allegiance.

Present: Mayor Tim Wilson; Councilmembers: Eugene Bain, Ken Caylor, 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 Dunnagan, Finance Officer Spencer Williams, Planner Darryl Piercy, Receptionist Rebecca Perez-Ozuna and City Attorney Katherine Kenison.

Council carried a motion to approve the absence of Councilmember Dan Dever. M/S Snyder/Bain.

CITIZEN INPUT

Sean Bates, 1156 E. Juniper St, addressed the proposed increase fee for the use of public park facilities, the new Transportation Benefit District, and the State Auditors recommendation relative to the recent audit. Mr. Bates commented that the new fees imposed on the Little League are preposterous due to the reason that tax payers pay for the maintenance and upkeep of the parks from the property taxes. He also said that this new increase of fees is to pay for the salary of the newly hired park and recreations employee. Mr. Bates commented on the new Transportation Benefit District and requested that it be abolished for various reasons. Mr. Bates commented that if new revenues are needed for streets, then there is the option to increase the sales tax related to Chapter 11 of the OMC, which has the possibility of creating more revenue than the TBD. Mr. Bates requested that the entire text of his entire comment be entered into the council meeting minutes. Mayor Wilson advised that he is being taped.

Michael Crosier, 625 N. 11th Ave, commented that the letters presented to the Council are related to the allegations that he has refused a settlement in regards to the destruction of his driveway and states that that is not the case at all. He said that he has requested information as to why the offer has been made and no information has been provided to him. Mr. Crosier said that he is aware of other street projects being completed with the same regards to his and he does not understand why he has to deal with the insurance. His main question is that why are they having to go through the insurance if they are in the middle of negotiations and why was only 1/3 offered of the original costs when everyone else has received 100%.

APPROVAL OF AGENDA

Council carried a motion to approve the agenda. M/S Garcia/Dorow.

CONSENT AGENDA:

- A. Approval of City Council Minutes of February 11, 2013
- B. Approval of Accounts Payable Checks
- C. Call for Bids for Official Newspaper
- D. Set Public Hearing on Rezone Request for March 11, 2013

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. 42230 to No. 42281 in the amount of \$129,408.29.

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

PUBLIC HEARING ON VACATION OF CITY RIGHT-OF-WAY

Mayor Wilson opened the public hearing at 7:17 p.m. City Planner Darryl Piercy reported that Rolando Garza is owner of the lots located between Park Street and Teck Street. These lots have a dedicated alley between them and Mr. Garza is asking for the City to vacate the alley right-of-way.

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Mr. Garza signed a license agreement in 2004 for use of the right-of-way, which has since expired. Mr. Piercy said that staff is in support of the request and it would not adversely affect the goals and policies of the City's comprehensive plan or the transportation plan. City Planner Darryl Piercy also mentioned that the City has not received revenue from this land since 2009 and can, but we have no obligation, to receive compensation for the vacation. Mayor Wilson asked for public comment. No public comment was made. Mayor Wilson asked for Council comments. Councilmember Ken Johnson asked the City Planner if he knew the original date of the platting for the property and he responded that he did not know of the date but is aware that it has been quite some time. Mayor Wilson asked what process has been done in the past with vacation of properties and if compensation for alley vacation has been collected. Mr. Piercy commented that no compensation has been collected before.

Councilmember Ken Caylor asked about utilities in the property and Mr. Piercy commented that there is the option to vacate with an easement for future utilities. Council and Mayor had discussion about costs fees and the easement for utilities. City Attorney Katherine Kenison commented that the city cannot recoup for legal costs to vacate per statute. Mayor Wilson closed the public hearing at 7:25 p.m. Council consensus was to continue with the process of vacating the property, with an easement of the City right-of-away.

PUBLIC HEARING ON THE 12 MONTH MARIJUANA GARDEN MORATORIUM

Mayor Wilson opened the public hearing at 7: 27 p.m. City Attorney Katherine Kenison, commented that she has no new information and that the council has already adopted a 12 month marijuana garden moratorium. Mayor Wilson asked for public comment. No public comment was made. Mayor Wilson asked for council comments or questions. No comments and questions were made. Mayor Wilson closed the public hearing at 7:29 p.m.

Council made a motion to extend the existing Moratorium Medical Marijuana Gardens, as identified in the Ordinance. M/S Dorow/Garcia.

AMENDMENT TO ASHWOOD NOTCH DEVELOPMENT

City Planner Darryl Piercy reported that Columbia NW Engineering has submitted a request on behalf of Olsen Homes for minor revisions to the Ashwood Notch Major Plat and Phasing Plan to allow for an additional lot in Phase 2, Block 2. This revision would increase the number of residential lots to 23. He explained that the lot frontages in Block 2 would be shortened up to provide for the additional lot.

Council carried a motion to approve the request submitted by Columbia NE Engineering on behalf of Olsen Homes, to modify the Ashwood Notch Plat, as submitted. M/S Caylor/Garcia

LITTLE LEAGUE CONTRACT

Park and Recreation Director Molly Klippert reported that staff and the park and recreation committee met with the Othello Youth Baseball League regarding the fees for use of the Lions Park baseball facilities for the 2013 Youth Baseball League Season. Ms. Klippert said that they were able to reach some agreements, but the Othello Youth Baseball League had not received their copy of the contract until Friday, February 22nd. They have requested some clarification to some of the wording in the contract along with some more time for review. Ms. Klippert requested that the Council extend the contract meetings between the City and the Youth Baseball League, and then they will return with the agreed upon terms and contract on March 11.

Council made a motion to extend the contract agreement terms. M/S Garcia/Dorow

Chasity Krebs, 1645 Fern St., mentioned that the time of the meetings that the City has arranged do not work for her or the Vice President of the organization, as they both work for the School District. She requested that future meetings be scheduled after 3:15 p.m., when they can both attend. Ms. Krebs said that she agrees with the fact that park and recreation is included on the tax statements and does not see why people should have to pay twice. She did mention that she does

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understand the extra work that is put into the maintenance of the fields and commented that the organization never asked for that extra work, as they have volunteers to do the work. Ms. Krebs mentioned that she is not able to sign the contract, as she just received the contract today and is not comfortable signing something that she does not understand the wording or she does not agree with.

Mayor Wilson asked members of the Park and Recreation committee if the time change requested would be available and they agreed to have the next meeting on Friday at 4 p.m. to accommodate the Youth Baseball League.

FINANCIAL INVESTMENT REPORT

Finance Officer Spencer Williams gave a report on the status and performance of the City's investments and cash positions in the Local Government Investment Pool and the financial portfolio with the Bank of America and the City's checking account.

EXECUTIVE SESSION

Mayor Wilson announced that the Council will adjourn into an Executive Session at 7:50 p.m. pursuant to RCW 42.30.110(1) (b) to consider the selection of a site or the acquisition of real estate by lease or purchase. The Executive Session is expected to last 20 minutes. No action will be taken during the executive session. City Administrator Ehman Sheldon and City Attorney Katherine Kenison attended the executive session. Mayor Wilson announced that the Executive Session would be another 5 minutes.

Mayor Wilson reconvened the Council meeting at 8:13 p.m.

NEW BUSINESS

Mayor's Announcements

1. The Pool Committee will meet on Thursday (28th) at 10:00 a.m. in the Water Room at the Public Works building.
2. The Regional Mayors' Luncheon will be March 13th at Noon at the Othello Senior Center.

ADJOURNMENT

With no further items to discuss, Mayor Wilson adjourned the Council meeting at 8:13pm

By: _____
TIM WILSON, Mayor

ATTEST:

By: _____
REBECCA PEREZ-OZUNA, Receptionist