

City of Othello
Regular Council Meeting
February 28, 2011

CALL TO ORDER:

Mayor Tim Wilson called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

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

Also Present: City Administrator Ehman Sheldon; Department Heads: Finance Officer Mike Bailey, Police Chief Steven Dunnagan, City Clerk Debbie Kudrna; and City Attorney Katherine Kenison.

APPROVAL OF AGENDA

City Clerk Debbie Kudrna requested that the consent agenda be amended to include approval of payroll and related expenses. Council carried a motion to approve the agenda, as amended. M/S. Snyder/Caylor.

CONSENT AGENDA:

- A. Approval of City Council Minutes of February 14, 2011
- B. Approval of Accounts Payable Checks
- C. Call for Bids for Official Newspaper
- D. Approval of Payroll and Related Expenses

Councilmember Spohr mentioned that he will vote opposed because it includes a payment for unemployment benefits for two former employees. This payment was not approved before by the Council and staff was to research the issue and he had not received an explanation of the issue. Mr. Sheldon explained that there is an appeal process, however he was advised by the City Attorney that we probably had no recourse on the appeal process for this second unemployment claim. He mentioned there may be an appeal deadline. Mr. Sheldon advised that he went through the appeal process hearing on one of the employee's benefit claim and it was denied. However, that employee worked for another employer and has now filed another claim for unemployment benefits. Councilmember Spohr asked that it be researched further and that Council be provided any correspondence relevant to the final decision. City Attorney Kenison encouraged the Council to pay the State invoice to avoid penalties, since they were denied the appeal on the first situation. She suggested that when payment is made staff can advise with the payment that it is being paid under protest and we have not waived our rights to appeal. Attorney Kenison advised that she will research whether the City has a standing to file an appeal.

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. 39435 to No. 39488 in the amount of \$182,529.03.

Payroll Check No. 27080 to No. 27117 in the amount of \$247,060.18.

Council carried a motion to approve the Consent Agenda, as amended. M/S Johnson/Dorow. Councilmember Spohr cast an opposing vote.

PUBLIC HEARING REGARDING DOG LICENSING REQUIREMENTS

Mayor Wilson opened the public hearing at 7:15 p.m. City Administrator Ehman Sheldon stated that there is no restriction on the number of licensed dogs. However, the zoning laws prohibit licensing more than two dogs in a residential zone. He stated that our process has been to license as many dogs as the owner has because there is no restriction on the number of dogs licensed in a residential zone. He advised that there is a need to have consistency between OMC 17.09.430 and OMC 6.04.020. A public survey was conducted and he reviewed the survey results. Mr. Sheldon reported that six neighboring communities have a limit to license three dogs. Mayor Wilson asked for public comments.

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Comments were heard from the following: Arnett Hunter, 1221 E. Juniper Street ; Charles Koepke, 1224 E Cedar Street; Kim Bailey, 540 Olympia Street.

Mayor Wilson asked for staff response. Mr. Sheldon clarified that some of the surveys were turned in without each question answered. Mayor Wilson asked for Council comments. There was none. Mayor Wilson closed the public hearing at 7:32 p.m.

Councilmember Spohr noted that the survey results indicate that the citizens want to limit licensed dogs to two. He questioned if the City should consider how many litters per year would be acceptable. He would consider limiting three licensed dogs. Councilmember Garcia noted that some people consider their dogs as part of their family and whatever decision is made he would like a grandfather clause for those citizens that have several dogs that have been licensed in the past. Councilmember Dever stated that we shouldn't allow kennels within residential zones and that he doesn't have a problem allowing three licensed dogs. Councilmember Caylor agreed that there should be an allowance for the citizens that have more than the allowed limit of licensed dogs. He said that we have to get the two codes in accord and agreed with allowing three licensed dogs. Councilmember Spohr said that if a citizen has more than three dogs and have more than two litters per year, it seems they are running a kennel. Mr. Sheldon advised that we have documentation of those dogs that have past licenses. We can use the list of licensed dogs to allow them to re-license them until they finally come into compliance with whatever is decided by the Council. There was further discussion about limiting the number of litters per year.

Council consensus seemed to be to limit licensing dogs to three per household and grandfathering in the dogs that have been licensed in the past until they expire. Mr. Sheldon said that there is still the issue of where the business of selling puppies is being conducted and not based upon where the puppies are being sold. City Attorney Kenison suggested that staff provide some ordinances to address the issues and one of the ordinances will be to reconcile the zoning ordinance with the dog license ordinance and regulating kennels as businesses.

NEW BUSINESS

Councilmember Johnson advised that he and Councilmember Caylor attended the Association of Washington Cities legislative session. He reported on the Governor's reports and other presentations. He asked that the Mayor consider appointing a legislative committee to discuss current issues with our representatives. Councilmember Caylor reported on some of the other topics at the session. Councilmember Dorow, Caylor, and Johnson were appointed to a legislative committee.

Mr. Sheldon reported that our revenues lag two months behind and we recently made substantial gains from the December sales tax revenue. Councilmember Caylor reported that the Sandhill Crane Festival committee is on a positive direction. Councilmember Snyder advised that he and Chief Dunnagan attended the Kittitas County Law & Justice Council and met with their adult probation department. Their adult probation department became self sufficient in two years and had paid back their start up funding. He advised that we are still the only county in the State that does not have an adult probation department.

ADJOURNMENT

With no further items to discuss, Mayor Wilson adjourned the Council meeting at 8:08 p.m.

By: _____
TIM WILSON, Mayor

ATTEST:

By: _____
DEBBIE L. KUDRNA, City Clerk