

Mayor E R Kelley called the meeting to order at 7:00 p.m. Members present were Leonard Lyon, Les Clemons, Everett Cole, Donald Derifield, Jeannie Ochoa and Kenneth Johnson. Absent with cause was Eleanor Brodahl. Also present were: Debra Travis, Debbie Kudrna, and Curt Andrews, City Department Heads; William Shaw, City Administrator and James Whitaker, City Attorney.

Council Member Les Clemons led the opening invocation and Mayor Kelley led the Pledge of Allegiance.

APPROVAL OF AGENDA

Council carried a motion to approve the agenda as presented. M/S Lyon/Johnson

CONSENT AGENDA

- a. Approval of Minutes of January 24, 2000
- b. Approval of January Payroll and Related Expenses
- c. Approval of Warrants for January, 2000

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

Expense Claim Check No. 21233 to No. 21365 in the amount of \$203,835.07.
Payroll Check No. 12985 to No. 13065 in the amount of \$153,990.10.

Council carried a motion to approve the consent agenda as presented. M/S Cole/Derifield.

RESOLUTION TO SET DATE FOR PUBLIC HEARING ON THE PETITION TO VACATE ALLEYS FOR MARCH 13, 2000

City Planner, Curt Andrews reported that a petition requesting vacating the alleys running north and south between Pine and Cedar Streets and Broadway and 1st Avenues had been filed by Bob Reichert and Adams County Public Works. The property owners are requesting the vacation in order to use the area for additional parking. As part of the request, the property owners have agreed to a right-of-way easement of a previously vacated alley back to the city. The resolution sets the date for the public hearing to March 13, 2000.

A motion was carried to adopt A RESOLUTION CALLING FOR THE VACATION OF THE ALLEY CONNECTING PINE STREET AND CEDAR STREET BETWEEN BROADWAY AVENUE AND 1ST AVENUE IN THE CITY OF OTHELLO. M/S Cole/Clemons. This shall be known as Resolution No. 2000-01.

RECEIVE THE PETITION OF ANNEXATION AND ZONE REQUEST FILED BY ROSS AND FRAN WEIBLE AND SET PUBLIC HEARING FOR FEBRUARY 28, 2000.

City Clerk, Debbie Kudrna reported a petition had been received from Ross and Fran Weible requesting annexation of approximately 61.27 acres of property into the city limits. The determination of sufficiency of the petition had been received in writing from the Adams County Assessors office.

Council carried a motion to accept the legally sufficient petition to annex from Ross and Fran Weible, and set the first public hearing on the annexation and zoning for Monday,

February 28, 2000 and referred the annexation and zoning to the Planning Commission.
M/S Cole/Clemons.

B C W ASSOCIATES PROPOSED ANNEXATION

City Administrator, Bill Shaw explained that BCW Associates is Dick Wells. Mr. Wells had sent a letter of annexation to the city in December, 1999. Since that date, he has met with property owners adjacent to the property that he wants annexed, but those property owners had reported that they needed more information prior to supporting annexation of their land. He had recently met with city staff to discuss modification of the property to be included in the proposed annexation. This would include areas known as Joe's Market, Veterinarian Clinic, Jahn's Pipe, Radar Trailer Court, and approximately 1600 feet of Bench Road. Mr. Shaw asked the Council what direction the staff should take with the annexation request and what the staff should report back to the developer.

Concerns voiced included: since the trailer court has existing water sources, some type of an agreement would have to be made regarding when connection to the city water infrastructure would be necessary; he would still have to obtain at least 60% support from the property owners; future support of city sewer infrastructure in the area; and the financial impact if the city inherited the intersection at Hwy. 24 and Bench Road.

Mr. Andrews reviewed the merits of annexing property:

- Increase tax revenues to the city.
- Community need.
- Social benefits.
- Health and Safety.

Council member Lyon voiced a concern of availability of city water to this area, since the city is in the middle of a rezone of agricultural land that is proposed to be developed into residential. He suggested that we ask the developer to postpone further discussion of the annexation for two months, in order for the city to study the amount of available water for residential use.

Council and staff discussed the possibility of implementing a water ration program upon residential, commercial and industrial users if a well broke down during the summer months.

Discussion was held regarding the Task Force theory of planning and development standards within the Urban Service Area. Although not adopted by all entities, the theory was to have agreed upon, controlled development standards, which would prepare property for future annexation within the city limits. This could include that the trailer court would have to be brought up to city trailer court standards.

Curt Andrews reported that the Department of Ecology is considering the consolidation of the city's water rights and the future of the industrial plants water rights.

Council member Ochoa wanted to encourage Mr. Wells to continue discussing the annexation issue with the adjacent land owners, to get them educated on his future plans and the impact to the property.

Council's consensus was to request that Mr. Wells postpone further discussion of the annexation for two months, to allow the city to determine if there will be sufficient water supply for this future residential development.

EXECUTIVE SESSION – LITIGATION

Mayor Kelley adjourned the Council meeting into an executive session to discuss litigation at 7:45 p.m. for approximately 30 minutes. Council reconvened at 8:00 p.m.

UNFINISHED BUSINESS

Mr. Shaw introduced a water rate agreement to be imposed upon McCain Foods. In 1998, Mr. Shaw had produced a water study which indicated the industrial users were not paying their share of the operation and maintenance of the water system. The proposed water rate agreement was for two months, and was based upon the volume charge of \$0.30 per one hundred cubic feet and the minimum service charge of \$7,228.00, as set by city ordinance. During the two months, Mr. Shaw suggested that staff meet with McCain Foods management to discuss a proposed block rate and agree to an extended written agreement. The proposed water rate sets a block rate that would increase the revenue from McCains to cover their share of the operation and maintenance of the water system, based upon their water usage.

Council carried a motion to authorize the Mayor to execute the two month Agreement Between the City of Othello and McCain Foods Incorporated For Water Supply. Staff was directed to negotiate a future water rate contract with McCain Foods during this two month period. M/S Clemons/Cole.

Mr. Shaw reported the interviews for engineering services will be held on February 15 and 16.

NEW BUSINESS

Mayor Kelley reappointed Council member Clemons as the city's liaison to the Solid Waste Advisory Committee.

Debbie Kudrna announced DARE graduation at Hiawatha on February 15, at 6:00 p.m.

ADJOURNMENT

With no further business to discuss, Mayor Kelley adjourned the Council meeting at 8:35 p.m.

E R KELLEY, Mayor

ATTEST:

DEBBIE L. KUDRNA, City Clerk