

CALL TO ORDER:

Mayor Shannon McKay called the workshop to order at 7:00 p.m.

Present: Mayor Shannon McKay; Councilmembers Eleanor Brodahl, Kenneth Caylor, Everett Cole, Marc Spohr, Dale Wyman, and Tim Wilson.

Also Present: Department Heads: Curt Andrews, Debbie Kudrna, Dick Lee; Police Chief Steve Dunnagan, and City Administrator, Ehman Sheldon.

REQUEST FROM OTHELLO HOUSING AUTHORITY - TRANSFER OF PROPERTY LOCATED AT LOTS 1 & 2, BLOCK 144, OTHELLO LAND COMPANY

City Administrator Ehman Sheldon advised that the Othello Housing Authority (O.H.A.) has requested the City transfer property located at the corner of Pine Street and 9th Avenue (lots 1 and 2, Block 144, Othello Land Company) to them, to be used as a location for a homeless shelter. Mr. Sheldon provided the historical information relative to how the property was surplus by the U.S. Fish and Wildlife. Initially it was to be transferred to the O.H.A., but due to federal regulations they were not able to transfer it directly to the O.H.A. and it was donated to the City through a quit claim deed. He advised there are no restrictions on the property other than the quit claim deed indicates that the land would be used for "public housing or other public purposes". Mr. Sheldon stated that the intent of the transfer of ownership may have been to eventually transfer it to the O.H.A. but the property is now the City's and it is up to the Council to decide whether to transfer it to be used for a homeless shelter or retain it for public purposes. He advised that staff desires the Council retain the property and develop it as additional parking for Lions Park.

Alan Hanks, representing the O.H.A. clarified that the U.S. Fish and Wildlife had initially approached the O.H.A. to discuss transferring the property to them to be used for a homeless shelter. He advised that the two lots can accommodate a duplex or triplex. He is now associated with the Adams County Emergency Food and Shelter Board Homelessness Housing Task Force, who are completing a 10-year plan to reduce homelessness. A component of that Homelessness Plan is to develop an emergency shelter for homeless people, domestic violence victims, and temporary shelters (transitional housing) for people in need. The O.H.A. would build, own, and manage the emergency shelter and would work in cooperation with other agencies regarding occupancy of the emergency shelter units. Mr. Hanks advised that the O.H.A. currently manages 238 units and they own all of those, excluding 25 units. They are currently all occupied.

Councilmember Cole advised that there was prior discussion about the future needs for Lions Park and it is evident that there were no promises made that it would be passed on for housing purposes. He recommended the Council consider developing it for additional parking.

Councilmember Wyman advised that the Council had also discussed that a storage building could be built upon it, and since then, the Irrigation District has donated some property for that purpose. He agreed that a parking lot is needed. Mr. Hanks stated that the intent of the original owners was that it be used for housing for disadvantaged people in Othello; agreeing that now it is a Council decision. Mayor McKay acknowledged there is a need for a homeless shelter and it needs to be addressed, but he did not believe that there will be a consensus of the Council that these two lots will be used for a homeless shelter. Mr. Hanks reiterated that the County Homeless Task Force has promoted the request for use of the lots and if the Council does not agree, it will be built on another piece of property. Adams County has approximately \$60,000 and the State has matching funds to be used for this project. Councilmember Spohr advised that his constituents have advised concern of a homeless facility located across from Lions Park. Councilmember Brodahl advised that she is in favor of keeping the property for additional parking. Councilmember Caylor agreed to the concept of keeping it. Mayor McKay agreed there is a need for a homeless shelter and maybe they can address it at a later time.

PRELIMINARY DISCUSSION REGARDING STORMWATER AND DRAINAGE MANAGEMENT

City Engineer, Alan Schroeder from Anderson Perry & Associates advised that they have prepared an abbreviated storm water utility plan. He advised that the City no longer discharges storm water into the canal and it now flows into their infiltration catch basin. These improvements now remove the storm water system as being a part of the street infrastructure. He stated that many small communities are managing their storm water, as well as many of the larger communities that have been doing it for some time.

Mr. Schroeder explained the two proposed user charges if a stormwater utility is created. The first fee is to recover the operation and maintenance costs associated with a storm water utility. The cost to maintain the current system is approximately \$70,000 per year, currently paid by the street fund. To recover that operation and maintenance cost, they propose a charge of \$2.30 per month, per residential lot. The second fee is to complete the City's existing storm water conveyance system and accommodate future growth. They propose a one-time capital facility charge of \$270 for each newly developed lot. He clarified that this would be charged to lots that impact the City's storm water conveyance system. Mr. Schroeder advised that the concept of a storm water management system is being implemented in many communities in Western Washington and with the advanced regulations and the need to treat storm water more communities are considering development.

Councilmember Caylor asked what the City does with the water collected in the catch basin, noting concerns that it will not all evaporate. Mr. Schroeder explained that the pond now handles current needs, but the ultimate capacity of the system is unknown. He advised that lining the pond is not feasible and the City may want to divert it to other areas. Public Works Director Dick Lee advised that storm water ponds are traditionally percolation/evaporation ponds with some type of overflow provision. He stated that our pond hasn't been more than 25% full. He advised that as ponds percolate, the water becomes part of the ground water system. Ponds tend to build up a silt layer that prevents them to percolate and work correctly and that is included in the maintenance costs developed in the plan. The estimate cost for maintenance of the catch basin is approximately \$5,000 per 5 years (\$1,000 per year).

Mayor McKay stated that he is not in support of the \$270 capital facility charge for our current system. He explained that if we had plans for future upgrades he might have a different opinion. Mr. Schroeder reiterated that the maintenance costs for the pond would be funded by the \$2.30 monthly charge and the \$270 one-time fee would be to complete the City's storm water system and to accommodate future growth needs. Mr. Lee explained that the funding could have been used when the City invested approximately \$140,000 to install the storm water pipe from the end of 3rd Avenue across 1st and Broadway Avenue, redirecting storm water from the Saddlerock subdivisions. The one-time fee would be charged to future lots to help defer the costs for new infrastructure. Mr. Lee explained that currently when Public Works sweeps the streets and gutters, they are also cleaning the storm water system. He stated that a storm water utility could be created to help recover those costs, instead of funding it out of the street fund. The plan identifies areas that need infrastructure completed and advised that a storm water line will be necessary from Columbia Street to 7th Avenue and further east. Current developments are required to convey the storm water off of their property, either into the City's piping or streets.

Mr. Pete Olson stated that existing homes benefit from the City system and they should be included into the calculations. Mr. Schroeder advised that the plan is based on large/fast growth and the proposed fee is conservatively low. Based upon that, the accumulated funds will probably not pay for all needed improvements. Mr. Lee advised that storm water plans are relatively new for Eastern Washington cities and Mr. Schroeder noted that cities with population over 20,000 have these types of plans; although Colfax and Pullman are now considering storm water management. Mr. Lee advised there are situations where street flow does not work and piping is necessary. The piping installed for Saddlerock will accommodate more development. Councilmember Caylor asked what would be required for a large parking lot. Mr. Schroeder explained that the proposed

operation and maintenance fee would be credited for property owners who control their storm water on-site therefore, reducing the impact to the City's system. Mr. Lee advised that some properties can not connect to the City's system and they have to provide on-site detention. He advised that retention systems allow water to slowly drain out and some storm water retention systems are buried. Mr. Schroeder advised there are many communities in Washington that have established a storm water management plan and fee. Some developments may manage their storm water 100% and they wouldn't be charged the capital facilities fee. Mr. Lee reported that annual maintenance of the City's existing infrastructure is provided in the plan, noting it costs approximately \$8,333 per year to sweep gutters; \$33,000 per year to jet storm lines; and approximately \$1,682 per year to clean catch basins. He noted that the proposed \$2.30 per month would help cover the annual maintenance costs, which is currently paid out of the street fund.

Councilmember Wilson asked for current costs that are imposed upon new developers. Councilmember Cole stated that as the City grows there will be areas that will not drain naturally and it should be the developer's responsibility to incur those cost. Councilmember Spohr remarked that this would be a new enterprise fund and recommended that it be ready to adopt when needed. Councilmember Wilson stated he was hesitant about the one-time fee and would like to research the monthly costs more. Mayor McKay recommended not adopting it now and be ready to consider it if the City grows considerably or when a development spurs the need for it. Councilmember Cole advised that it's difficult to impose fees after development is completed.

Council's consensus was to take no action at this time.

SEWER PLAN RATES

City Engineer, Alan Schroeder from Anderson Perry & Associates explained that they have been working on a wastewater engineering report for the City, primarily reviewing the treatment plant. A sewer infrastructure assessment has also been completed, which televised the condition of the sewer pipes. They reviewed the need to cover the operation and maintenance of the sewer infrastructure and the need to accumulate capital to fund anticipated changes in the sewage treatment plant and system in the future. The engineering report recommended the City consider a small operation and maintenance increase in the sewer rate, which is currently \$11.68 per month for residential customers. They suggested \$0.90 - \$1.50 per month per residence or equivalent user to generate \$30,000 - \$50,000 to repair some of the items identified in the televised sewer line assessment study. It was acknowledged that Othello's sewer rate is one of the lowest in Washington. The second proposed rate element was to consider building up reserves to fund future improvements. They suggested \$1.40 - \$2.10 per month per residence or equivalent user to build a capital reserve of approximately \$1 million in 10 years.

Mr. Schroeder explained that future improvements could include a new treatment plant, at an approximate cost of \$8 million - \$12 million. He advised the City has a very low maintenance, low technology facility and if the community grows, State regulations will be stricter. Councilmember Spohr acknowledged it would be beneficial to have reserves to make the necessary improvements and it seems prudent to begin accumulating capital reserve funds for future projects. He noted that a \$15 monthly sewer rate is still very low. Mayor McKay stated that the City should start saving for those needed future improvements. Councilmember Caylor recommended that they consider phasing in the rate increases. Mr. Sheldon noted that staff could create an ordinance for the rate increases, including justification for those. Councilmember Spohr stated he would like to have the lift station project completed. Mr. Schroeder noted that many communities have sewer rates that are \$30 - \$40 and Othello will still have a very attractive rate.

Mr. Lee advised that the City will submit a grant application, which will provide funds to install the Potholes sewer line to the lift station and to the south section of the town. The Department of Ecology will support the City's application, which could award \$1 million.

INTERLOCAL AGREEMENTS WITH LOCAL LAW AGENCIES FOR DRUNK DRIVING SIMULATOR

Police Chief Dunnagan advised that the Othello Police Department (O.P.D.) has applied for a multi-agency grant in the amount of \$18,000 to purchase a golf cart, called Sidne, which is designed to allow young drivers the experience of operating a motor vehicle while under the influence of alcohol or drugs. The Traffic Commission has agreed to pay 50% of the equipment purchase and has asked the O.P.D. to conduct this as a pilot project for them. He showed a video that demonstrated use of the Sidne equipment. He advised that they are currently looking at other funding sources to raise the 50% match. When the funding is secured, the Council will be asked to consider Memorandum of Understandings with those other agencies.

DISCUSSION OF OFF STREET PARKING

Councilmember Spohr asked Council to consider regulation of off street vehicle parking. The current code allows no more than two vehicles to be parked off street for single family dwellings. He provided a hand out that listed ideas regarding parking regulations for single family dwellings, which included: a minimum of two spaces for each dwelling unit; no more than three vehicles may be parked off street providing there is a parking space for each vehicle; no vehicle or parts of a vehicle can encroach within five feet of the curb; vehicles may be parked within a garage or carport in connection with each dwelling unit; if additional vehicles are to be parked off street, they must be parked within an enclosure surrounded by a six-foot high sight obscuring fence; vehicles parked in such an enclosure must be set back from property lines 1.5 times the height of the vehicle above the six foot fence; no more than six vehicles per dwelling shall be parked per criteria in this section (advising that he wants to maintain standards for the City and this would eliminate accumulation of vehicles); all parking spaces shall be concrete, paved or otherwise surfaced and maintained so as to eliminate dust, mud and/or vegetation growth and shall be graded and drained as to dispose of surface water (eliminating parking on the front yard), and access to parking spaces shall meet surface criteria as applicable to the actual parking space. He advised that he has had support for these suggested changes.

Councilmember Cole advised there is a limit to what a City can dictate upon private property and the criteria must be that there is a hazardous situation which creates a liability or a fire hazard. He stated that some of the changes may be unnecessary, including requiring driveway surfacing. Mr. Sheldon agreed that current zones regulate parking surfaces and other vehicles can be parked within an enclosed garage and O.M.C. 17.61.060 provides surfacing improvements requirements. Mayor McKay advised that if there is current ordinance provision, enforcement would take care of the issue. Councilmember Brodahl advised that current ordinance provisions will suffice and voiced concerns of regulating use of private property. Councilmember Spohr explained he is concerned of the non-support of regulating use of private property; noting we already regulate pet licensing, configuration of homes, restricting noise, and his suggestions are only setting a standard for the community. Councilmember Brodahl advised that our citizens are use to driving on their front yards and it's a private property issue. It was acknowledged that our current ordinance provide that if you park off street, it has to be on a prepared surface. Mayor McKay advised that if citizens are parking on grass in their yard, they are in violation of the current codes. There was some discussion about what the interpretation of a surfaced area is; whether grass meets the criteria of eliminating dust or mud. Councilmember Taylor asked about the instances when citizens don't have driveways or don't have access to their back yards. Mayor McKay noted that the issue is parking and not eliminating occasional driving onto these areas. Councilmember Wyman stated his concern of the suggested language regulating parking vehicles in back yards. Mr. Sheldon acknowledged that Councilmember Spohr's recommendations include allowing two visible cars and we have a lot of families with three and four vehicles. He advised that he has received one complaint regarding the parking issue. Councilmember Spohr stated that he has received a lot of citizen feedback about accumulated parked vehicles. Mayor McKay recommended the Council change the current code to allow four parking spaces in the front yard area (on gravel, asphalt, or concrete) and enforce the codes regarding the need for prepared surface parking areas and obscure fences. Councilmember Cole noted that some cul-de-sacs lots don't allow that much front yard area. It was noted that we do not allow on-street parking for

boats, trailers or R.V.'s. Councilmember Brodahl advised her concern that citizens will have to remove grass areas to meet these requirements.

RESIDENTIAL ZONING

Building Official Curt Andrews asked if the Council would allow the Planning Commission to create a new high density, single family zone. He advised that current laws allow him to permit three car garages and driveways. They have found that with life styles changing, we have more cars, bigger houses and taller houses, and buildings in back yards. The Planning Commission began discussions months ago about revisions to the residential zones, due to several issues that came up in R-1 zones. One was a request for a very tall house and a very big house; both exceeded the size provided in our ordinances. There was also a large lot in an R-1 zone that was later sub-divided into two 7,200 square feet lots. The Planning Commission discussed changes in the R-1 zone requirements: allowing taller and bigger homes by removing maximum lot coverage. They also met with developers and it became clear that if we raise the setbacks based upon height of the building, it impacted the R-4 developments. He stated the developers were concerned of not protecting the R-4 zone requirements. He proposed developing a new high density (5,000 – 6,000 sq. foot lots) single family zone, with the same land use as the R-1, allowing single family and accessory units and not allowing doctor offices, boarding homes, clubs, lodges, etc. This would legally allow the same type of homes built in Saddlerock. He also recommended changes in the R-1 zone to not allow sub-dividing of the larger lots; maintaining the larger homes and lots and maintain setbacks to not allow building a big building right next to a property line. The new zone would also meet the demand for first time home buyers. He predicted that the various zones could have different setback requirements to allow bigger setbacks for larger homes and smaller setbacks for smaller homes. As Planning Commission reviewed some of the issues, they realized that all zone requirements need to be reviewed and they agreed that by creating a new zone would benefit the citizens. Mr. Andrews predicts that the outcome may be more developments with 6,000 sq. foot lots and protecting the intent of the R-4 zone. He noted the minimum square footage in the R-1 zone is 7,200 but there are no rules preventing sub-dividing lots after they are platted. Mr. Andrews also explained that State laws provide that the front and side yards are public interests but the interior of the back yard is private. Our current ordinance allows one-third of a lot to be covered, which eliminates the over-built lots. The Courts have found that it is not the cities jurisdiction to regulate the middle and back of property. If a new residential zone is developed, they will review the current zones and may customize unique setbacks for each of those zones. He advised that the biggest demand in Othello is the high density, single family homes. He also explained that State law provides that in any zone, duplexes and second accessory dwellings are allowed, and caretaker and mother-in-law units are common.

Mr. Andrews advised that a meeting was held with the developers and builders to discuss the R-1 issues and from those discussions, they discovered that it may be beneficial to have a new residential zone created. He has received no complaints about the recent high density developments, but there are concerns about some of the allowances in the R-4 zone. Mayor McKay advised that there may be some merit to work on a new high density, residential zone. He wasn't sure that the City needed to make changes in the R-1 zone provisions. Councilmember Wyman stated that if a developer wants to build within an R-1 zone and if they want to protect the integrity of the area, he can create covenants. Mr. Andrews reminded the Council that currently there are inquiries about sub-dividing lots within an R-1 development; making three lots from one existing R-1 lot. He explained that for a typical, combustible construction there is a five-foot setback, two-foot overhang, which provides six feet between home eves, which is the fire barrier required by State Codes. If there is a block firewall provided, there is a zero setback, which is common for townhouses and condominiums. He clarified that the 20 foot front setback is in addition to the 13 feet City right-of-way. Councilmember Spohr advised that the new proposed zone may be an advantage to developers to build denser lots for the community. Councilmember Caylor stated that our community needs 1,000 – 1,200 sq. foot homes on 7,200 sq. foot lots and the community may not want apartment complexes setting along side of them. Mr. Andrews agreed that the percentage of R-1 lots is small and the discussion is to protect the existing lots

City of Othello
Council Workshop
February 6, 2006

and the vast majority is R-3 and R-4 lots. Mayor McKay stated that when the housing complex south of Lutacaga School, there was concern of apartment buildings built adjacent to the school.

Mayor McKay advised that Pete Olsen, d.b.a. Olsen Homes had submitted a letter expressing concerns about the proposed zoning code changes. Mr. Olsen advised that at the meeting with the developers, they did not support making changes to lot sizes. He stated that Othello already has wide streets and high standards and the current lot size and setbacks are similar to neighboring cities. Mr. Olsen stated that it isn't necessary to create another residential zone. He acknowledged that developers have avenues to protect themselves and is concerned of reducing set back requirements. Mr. Andrews acknowledged that their proposal is to set a 10,000 sq. foot minimum lot size for R-1 lots. He explained that all R-1 lots in the past 30 years have exceeded 10,000 sq. feet; the only thing that they are considering is making it so that it can't be subdivided after it is platted.

Council asked for time to review the issues.

ADJOURNMENT

With no further items to discuss, Mayor McKay adjourned the workshop at 9:18 p.m.

By: _____
SHANNON MCKAY, Mayor

ATTEST:

By: _____
DEBBIE L. KUDRNA, City Clerk