

City of Othello
Regular Council Meeting
March 8, 2010

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, 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, City Planner Darryl Piercy, and City Attorney James Whitaker.

APPROVAL OF AGENDA

Mayor Wilson advised that he would like to add agenda item 3 A: computer presentation and 10 A: questions to the council candidates. Council carried a motion to approve the agenda as amended. M/S Caylor/Johnson.

CONSENT AGENDA:

- A. Approval of City Council Minutes of February 22, 2010
- B. Approval of City Council Workshop Minutes of March 1, 2010
- C. Approval of Payroll and Related Expenses for February 2010
- D. Approval of Accounts Payable Checks
- E. Annual Loan Display Agreement for the T-33A Aircraft in Pioneer Park

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.

Expense Claim Check No. 37961 to No. 38023 in the amount of \$130,775.59.
Payroll Check No. 26410 to No. 26451 in the amount of \$257,043.32.

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

COMPUTER PRESENTATION

The City is going to purchase laptop computers for the elected officials. Darryl Piercy, City Planner, showed his Gateway portable notebook. He advised its working well; is light and portable and inexpensive. He's found it to be very versatile and has wireless compatibility.

BEAUTIFICATION COMMITTEE COMMENTS RELATIVE TO MAIN STREET

Lynette Caruthers, speaker for the Beautification Committee, shared their vision for Main Street. They would like to promote tourism to our community. They have completed many projects and feel there is an opportunity when Main Street is resurfaced to install water and power. She asked the Council to envision Main Street with street lamps, hanging banners, blooming cherry trees and flower pots. They would want to put 6 street lamps and 8 trees per block; noting some blocks would have more or less. Their vision is to extend what Columbia Basin Health Association has done with lighting and trees. They would start on 7th Avenue and work east and west from that point. The Beautification Committee would maintain the flower pots and they asked the City to prune the trees, rake the leaves, and pay for the water and electricity. They would continue with their fundraisers to be used towards the project and they would ask for tourism funding to help pay for some of the costs. She explained how Moses Lake has raised funds for their beautification program of downtown using a B & O tax incentive program. They asked the City to develop a formal plan of Main Street to include water and power curb side. Councilmember Caylor stated that their plans and efforts are a good thing for Othello and now is the time to get involved and add the infrastructure. He suggested that a committee be selected with Council, staff and the beautification committee to meet and provide the information to the City engineers of what would be needed. Mayor Wilson stated that he's excited about their proposal.

City of Othello
Regular Council Meeting
March 8, 2010

Council carried a motion to appoint a committee of three Councilmembers, staff and the Beautification Committee. M/S Caylor/Dever. Councilmember Spohr stated that he has a deep respect for the Beautification committee's efforts. He has concerns with the maintenance and upkeep. He does not appreciate trees and lights and obstacles in sidewalks. Councilmember Spohr cast an opposing vote.

Councilmember Dorow, Caylor and Johnson volunteered to be on the committee to work with the Beautification Committee. They will meet Wednesday at 11:00 a.m. at the Senior Center.

PETITION FROM RODNEY DELEON TO MODIFY THE OTHELLO MUNICIPAL CODE

City Planner Darryl Piercy explained that Rodney Deleon petitioned the City Council to make modifications to the Othello Municipal Code to allow for commercial truck parking in the C-1 zone. He showed a map of the C-1 zone areas within the city limits. Mr. Deleon's property is located on Main Street. The request is to provide language to the existing code, which would affect all of the property within the C-1 zone. He advised that commercial truck parking is allowed in the C-2 and Industrial zones within Othello. Truck parking was specifically excluded in the C-1 zone to make a distinction between the commercial and industrial areas. The requirements for no truck parking in C-1 zones has been in effect for many years and the City has taken a number of code enforcement actions on properties to have trucks removed from C-1 sites. In a C-1 zone, commercial vehicles are allowed, when in conjunction with legitimate businesses, and when used appropriately within the zone. The use of commercial vehicles that are not related to a business permitted in the zone is prohibited. He advised that the Council has at least three options to consider: to remand the issue to the Planning Commission to conduct a public hearing and receive input from the community or to allow truck parking in a C-1 zone through a conditional use permit process, or take no action on the request from Mr. Deleon, therefore it would be denied.

Mr. Rodney Deleon, 1212 E. Main Street, advised that he has a truck parked in his car wash and would like to move it over to his vacant property. He would also like to park a 2nd truck on his other vacant lot, as he would like to get his car wash operating. Mayor Wilson thanked Mr. Deleon for taking care of his lots.

No action was taken by the City Council.

NPDES PERMIT FOR MOSQUITO CONTROL REQUEST

City Administrator Ehman Sheldon advised that Council heard from Tom Haworth, manager of the Adams County Mosquito District at the workshop meeting. Mr. Haworth and the Mosquito Board asked the Council to send a letter to the Department of Ecology relative to their NPDES permit.

Council carried a motion to authorize the Mayor to sign the letter to the Department of Ecology, as requested by Adams County Mosquito Control District. M/S Dever/Snyder.

CONSIDERATION OF BUILDING INSPECTION CONTRACT

City Administrator Ehman Sheldon advised that we currently have a contract with SAFEbuilt to provide inspection services. There were issues on the residential side relevant to receiving next day inspections by SAFEbuilt. Once the City implemented a process for the request for inspections, the issue was corrected. The second issue with SAFEbuilt was returning phone calls and plan reviews in a timely fashion. The turnaround times for plan reviews created obstacles for our local contractors. The biggest issue was the inconsistency with the identification of a set fee schedule. The Othello Municipal Code provides a set fee schedule; the contract identified a floating scale established by a building council. Mr. Sheldon explained that the building permit fees were inconsistent. He recommended entering into a contract with the Permit Center, owned by Darryl Piercy. He would ensure next business day inspection services; residential plan review with a minimum 5-day turnaround; commercial plan review with a maximum 10-day turnaround; maximum 30-day turnaround for major commercial projects, and a local telephone number. Mr. Sheldon advised that in 2009, the city received over \$118,000 in building permit revenues and paid SAFEbuilt \$79,668. The total budget for 2010 is \$65,000 and the contract cost for the Permit Center

City of Othello
Regular Council Meeting
March 8, 2010

contract is \$62,000. He recommended that the Council approve the contract with Permit Center, noting it's a fixed rate, is less than what is budgeted, and they would provide efficiency in building inspection services.

Councilmember Spohr asked how this new contract would be beneficial to the city. Mr. Sheldon advised that the proposed contract has a fixed price and we have a budgeted amount and we would not exceed the budget with the contract. SAFEbuilt received 70% of the permit fees. Councilmember Spohr stated that he's concerned of paying a fixed amount when we don't know what services will need to be provided. Mr. Sheldon advised that we are projecting a lower amount of revenue in permit fees this year. He advised that he has considered a full time employee, but we would have to pay benefits and the salary. Mr. Sheldon advised that the proposed contract is for plan review and building inspections, not planning, which is what Mr. Piercy is providing now.

Councilmember Johnson stated that he has seen permit fees go up 40% and it's hard for contractors to estimate the fees. He advised that we need an easier way to set the permit fees and would like to see the building permit fees listed on the City's website. Mr. Sheldon explained that SAFEbuilt gets to set a target number and the City cannot protect the developers. Councilmember Spohr suggested that the City negotiate a contract with fixed fees set by a percentage of the permit fee. Mr. Sheldon explained that we currently have a contract with Darryl Piercy as the City Planner. His job is to work with the Planning Commission on all zoning and land use issues at the rate of \$3200 per month. Mr. Sheldon stated that since we've had escalating building permit fees our contractors are complaining about them. Councilmember Caylor stated that we need a change with the current process and we should have more control at setting the fee by ordinance. He believes the inspections should be done in a timely manner; within 24 hours. Councilmember Johnson stated that we need to do something soon and feels that the cost is getting up there. Council's consensus was to develop a contract based upon a percentage of the permit fees. Mr. Sheldon noted that the city has established permit rates based upon evaluation and have not changed those for several years.

Council took no action and asked to discuss it further at the upcoming workshop. Mayor Wilson asked that Council be provided with the city's fees. Councilmember Spohr stated that Mr. Piercy does an excellent job and the Council needs to make the best decision.

PROCLAMATION DECLARING ANNUAL OTHELLO CLEAN UP DAYS

Mayor Wilson read the proclamation into the record. He encouraged our citizens to take advantage of this program.

RESOLUTION TO SURPLUS EQUIPMENT

City Clerk Debbie Kudrna presented a resolution to surplus an ambulance, old computer equipment , miscellaneous office equipment, a trash pump and a well motor. She recommended that Council surplus the list of items and call for sealed bids for the Roland Format printer, supplies and parts; take the ambulance, trash pump and well motor to the next Booker Auction; and send the remainder of the items to Propertyroom.com.

Council carried a motion to approve A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OTHELLO, WASHINGTON, DECLARING SURPLUS. M/S Johnson/Dever. This shall be known as Resolution No. 2010-04.

QUESTIONS TO COUNCIL CANDIDATES

Councilmember Johnson asked the four council candidates the following question: If appointed to the Council, what would be your first priority as Council, besides the Main Street project. Eleanor Brodahl, Charles Garcia, Robert Guerrero, and ER Kelley all responded.

EXECUTIVE SESSION – RCW 42.30.110(1) (H) - CITY COUNCIL APPOINTMENT

Mayor Wilson announced that the Council was going into executive session, to evaluate the qualifications of the Council candidates , as provided by RCW 42.30.110 (1) (H) at 8:18 p.m. for

City of Othello
Regular Council Meeting
March 8, 2010

approximately 10 minutes. At 8:30, Mayor Wilson announced they would take another 5 minutes in executive session.

Mayor Wilson called the Council meeting back to order at 8:35 p.m.

CITY COUNCIL APPOINTMENT - OATH OF OFFICE OF NEW COUNCILMEMBER

Council carried a motion to appoint Charles Garcia. M/S Dever/Dorow. Voting opposed were Councilmembers Caylor and Snyder.

City Clerk Debbie Kudrna administered the Oath of Office to the newly appointed Councilmember Charles Garcia.

NEW BUSINESS

Councilmember Caylor stated that City Hall does not have ADA access and people in wheel chairs have problems getting into the front door. Mayor Wilson stated that they are working on the issue. Councilmember Johnson asked if we could get the park restrooms opened up earlier this year. Councilmember Spohr asked for an organizational chart of the city to be used for auditing payroll. City Attorney Jim Whitaker advised that this be discussed with the Police Chief first. Councilmember Spohr stated that he is interested in seeing a map with all of the lots that the city owns.

Mayor Wilson made the following announcements:

- Adams County Community Network would like to have the vacated position left by John Reneau. Charles Garcia volunteered to be on the committee.
- There has been a delay in opening SR 24, which is extended to March 18th.
- The tennis courts will be flooded tomorrow at 9:00 a.m. to determine the levelness.

ADJOURNMENT

With no further items to discuss, Mayor Wilson adjourned the Council meeting at 8:48 p.m.

By: _____
TIM WILSON, Mayor

ATTEST:

By: _____
DEBBIE L. KUDRNA, City Clerk