

City of Othello
Regular Council Meeting
March 27, 2017

CALL TO ORDER:

Mayor Shawn Logan called the meeting to order at 6:32 p.m. and led a silent invocation and the Pledge of Allegiance.

Present: Mayor Shawn Logan; Councilmembers: Eugene Bain, Corey Everett, Larry McCourtie, John Lallas, and Mark Snyder.

Also Present: City Administrator Wade Farris; Department Heads: Police Chief Phil Schenck, Finance Officer Spencer Williams, Community Development Director Travis Goddard, Public Works Director Terry Clements, Deputy City Clerk Rebecca Perez-Ozuna and City Attorney Kelly Konkright.

Absent were: Councilmembers Angel Garza and Genna Dorow

Council carried a motion to approve the absence of Councilmembers Dorow and Garza. M/S Snyder/Lallas.

CITIZEN INPUT

There was none.

APPROVAL OF AGENDA

Council carried a motion to approve the agenda. M/S Everett/MCourtie.

CONSENT AGENDA:

- A. Approval of City Council Minutes of March 13, 2017
- B. Approval of Accounts Payable Checks
- C. Reappointment of Richard Hudnall to The Othello Housing Authority

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. 47892 to No. 47943 in the amount of \$134,208.32.

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

SISTER CITY DELEGATE- DR. KWESI OSEI-BONSU

Dr. Kwesi Osei-Bonsu, Sister City Delegate from Wulensi Ghana, gave a brief explanation of the challenges they are facing and what they are hoping to achieve in the future in the Country of Ghana and City of Wulensi. This included the elections of new President, Chiefs, as well as community development and agricultural growth. Dr. Kwesi Osei-Bonsu acknowledged that some of the challenges discussed can be overcome with the continuance of the sister city program with the City of Othello.

Mayor Logan presented Dr. Kewsi Osei-Bonsu with a gift from the City of Othello.

BOND ORDINANCE

Finance Officer Spencer Williams explained that the City had discussions about refinancing our \$3,195,000 Main Street Bond. At our last meeting, Council selected the refinance option that would pay the debt off four years early and increase annual payments by about \$38,000 per year and ultimately saving about \$411,856 over the life of the loan. At that meeting we discussed preparing a bond ordinance that would allow staff to move forward with the refinance as long as certain targets are met (interest rate, \$ savings, final maturity date, etc).

Mr. Williams introduced Cynthia Weed, Bond Council Member from K & L Gates LLP. She explained her company's role in the process and gave a brief review of the bond ordinance being

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presented with the parameters set forth regarding the max interest rate acceptable, length of the ordinance, and the amount of savings the City is going to receive overall and the repeal of the previous ordinance. Ms. Gates also mentioned that Jim Nelson from DA Davidson will issue an RFP on April 3rd and they are hoping to receive all responses by April 14th and finish the refinancing process shortly after.

Council carried a motion to adopt THE ORDINANCE ALLOWING STAFF TO MOVE FORWARD WITH BOND REFINANCE. M/S Lallas/MCCourtie. This shall be known as Ordinance No. 1490

PUBLIC HEARING – NOEL COMMUNICATION VARIANCE

Mayor Logan opened the public hearing at 6:59p.m. Community Development Director Travis Goddard explained that Noel Communications is a fiber optic communication provider for the City of Othello and that their main trunk line comes up HWY 24. The City had recently received a request for them to do an overhead line in the Industrial Lane area south of HWY 26. At the time of that request, there was a large conversation between NOA Net and Noel Communications about the requirements by the City ordinance to place new facilities underground. At that time their variances were approved and they were informed by the City that they did not want to have to entertain any additional requests.

Mr. Goddard explained that this application has been made because Noel Communications has been asked to provide service to the Columbia Basin Health Association (CBHA) clinic at their new location on 14th Avenue. CBHA currently receives service that comes up Main St and down 14th from NOA Net. CBHA is working with Noel Communications to get a secondary line so that if their primary line coming from Main St or 14th Avenue gets cut or damaged they would automatically be able to switch to the backup line. Mr. Goddard mentioned that the problem Noel Communications is facing is that their closest line is located on 7th Avenue and they are proposing to use existing above ground infrastructure on 7th Avenue and within the Department of Transportation (DOT) right-of-way (ROW) for Highway 26, up to 14th Ave to connect to the buried utility conduits installed as part of the 14th Avenue project.

Staff has reviewed the request and expressed that they are not interested in another overhead line. Mr. Goddard commented that staff also explained to Noel Communications that Columbia Street is expected to be completed between 7th Avenue and 14th Avenue in the very near future which means that underground utilities like fiber-optic lines can be installed within the Columbia Street alignment. This mean that the lines will follow the shortest direct route to CBHA Staff recommendation was for denial of the variance request.

Mr. Goddard reported that Noel Communications has had time to review the staff report and he spoke with them earlier today and they mentioned that they understand the City's position and do not necessarily want to make an argument for approval of the variance. Noel Communications did ask however that the hearing be continued to April 10th, which is the next scheduled regular council meeting, with the reason being that on April 4th is the public hearing in front of the hearing examiner for Sagestone 8 subdivision. Mr. Goddard explained that he did point out to Noel Communications that if they get the variance, it would be contingent on the above ground infrastructure be place in the Columbia St conduit once it has been constructed and ROW has been received, which would make the above head line temporary.

Mr. Goddard commented that Noel Communications would like the public hearing be continued for two (2) weeks to make sure that Sagestone 8 is going to proceed. Mayor Logan asked for Council questions or comments. Councilmember Lallas asked for clarification that Noel Communications is only asking for 60ft variance from the City and Mr. Goddard responded that the 60ft is from their existing pole on 7th Ave going south to HWY 26. Mr. Goddard also mentioned that DOT sent a comment saying that they would only approve a franchise agreement be placed in the ROW if there was no other reasonable alternative. Mayor Logan asked for public testimony from those in support of the Noel Communication Variance. There was none. Mayor Logan asked for public testimony from those neutral to the Noel Communication Variance. There was none.

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Mayor Logan asked for public testimony from those in opposition of the Noel Communication Variance. There was none.

Council carried a motion to DENY THE VARIANCE. M/S Lallas/Everett.

Councilmember Lallas made the clarification that the motion made was to deny the 60ft above ground installation variance requested by Noel Communication.

Mayor Logan closed the Public Hearing at 7:11pm.

PROTHMAN CONTRACT FOR RECRUITING COMMUNITY DEVELOPMENT DIRECTOR

City Administrator Wade Farris explained the City's Community Development Director has accepted a position with Beaverton Oregon and will be leaving shortly. In order to find the best qualified replacement, staff recommends contracting with Prothman Company. We have used their services in the past with good results.

Council carried a motion to AUTHORIZE THE CONTRACT WITH PROTHMAN FOR RECRUITING A COMMUNITY DEVELOPMENT DIRECTOR. M/S Lallas/Snyder.

FIREWORKS DISPLAY CONTRACT

City Administrator Wade Farris mentioned the City's contract with Western Display Fireworks expires this year. Last year, staff researched options for fireworks companies and Western appeared to be the best option for Othello. Staff worked with them to improve the display for the 2016 to include larger shells and music designed to accompany the show. Although Western wanted a three year contract, Council agreed to try them for one more year to see how they performed. All agreed that they did great. This year, staff recommends that we contract with Western again, and agree to a three year contract. The advantage is they will include additional fireworks for the same price. Also, we won't have to take the time and effort to redo the contract every year. The price is still \$10,000, the amount in the approved budget. In addition, the terms of the contract are the same as last year.

Council carried a motion to APPROVE THE THREE YEAR CONTRACT WITH WESTERN DISPLAY FIREWORKS. M/S Lallas/Everett.

GARZA QUINCEAÑERA RESOLUTION & FACILITY USE AGREEMENT

Park and Recreation Coordinator Amy Hurlbut reported that San Juanita Garza has requested to host a quinceañera for her daughter at Kiwanis Park on July 8, 2017. They will be joined by about 300 guests. They will have a dinner and social gathering in the park. They will have music playing and a small amp to project sound during the event. There is a possibility they will have the band from their church playing live music, but they will not know until the date is closer. If the band does play, they understand there may be power restrictions for electronics and a noise ordinance to comply to.

Ms. Hurlbut mentioned that they have scheduled a time to touch base monthly prior to the event so we can stay updated on any variable details. The family will be setting up tables and chairs in the grass and using some pop up tents, they understand that they cannot use any stakes longer than 6" and must use sandbags if they require more stability for the tents. They have signed the special event packet agreeing they will comply with all the specific rules. Ms. Hurlbut mentioned that they have obtained the necessary insurance for this event using the WCIA TULIP insurance, which more than satisfies the City's requirements for the event. Upon approval of this resolution they will pay the \$200 special event fee.

Council carried a motion to approve the RESOLUTION AUTHORIZING THE USE OF KIWANIS PARK BY SAN JUANITA GARZA FOR QUINCEAÑERA ON JULY 8, 2017 AND FACILITY USE AGREEMENT. M/S Everett/McCourtie. This shall be known as Resolution No. 2017-03

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UNFINISHED BUSINESS

Councilmember Snyder requested an update on the search for a City Engineer. City Administrator Wade Farris mentioned that he is still moving forward with the search and will be conducting the search for both Community Development Director and City Engineer.

NEW BUSINESS

Mayor Logan announced the following

1. The Annual PDC fillings need to be filed by deadline of April 17th
2. 20th Annual Spring Clean Up is April 3rd through April 8th, and Deputy City Clerk Rebecca Perez-Ozuna gave a brief explanation on the vouchers received for “Green Clean” from Adams County Transfer Station in Bruce on Lucy Rd.

ADJOURNMENT

With no further items to discuss, Mayor Logan adjourned the Council meeting at 7:27 p.m.

By: _____
SHAWN LOGAN, Mayor

ATTEST:

By: _____
REBECCA PEREZ-OZUNA, Deputy City Clerk