

City of Othello  
Regular Council Meeting  
March 26, 2001

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

Council member Leonard Lyon led the opening invocation and Mayor Kelley led the Pledge of Allegiance.

**AGENDA**

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

**CONSENT AGENDA**

**A. Approval of Minutes of March 12<sup>th</sup>, 2001.**

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

**PUBLIC HEARING ON THE ZONING AND ANNEXATION REQUEST – PORTIONS OF LEE ROAD AND 14<sup>TH</sup> AVENUE**

Mayor Kelley opened the public hearing to receive staff and citizen input about the petition to annex and request zoning of those portions of 14<sup>th</sup> Avenue that are not in the city limits between Lee Road and SR 26, excluding the intersection at 14<sup>th</sup> Avenue and SR 26, and those portions of Lee Road that are not currently in the city limits between Broadway Avenue and 14<sup>th</sup> Avenue, excluding the intersection at 14<sup>th</sup> Avenue and Lee Road. Mayor Kelley opened the public hearing at 7:06 p.m. Mayor Kelley asked if any council member had a financial interest in the property or issue. There was none. Mayor Kelley asked if the council members could hear and consider this matter in a fair and objective manner and they all agreed. Mayor Kelley then asked for the council members to place on the record the substance of any communication or contact each had outside of the hearing with opponents or proponents on the issue. There was none. Mayor Kelley asked that anyone who had an objection to his participation or any council member's participation to state now and give their reasons for the objection. There was none. Mayor Kelley asked that the City Clerk present exhibits and enter any written comments received into the record. The City Clerk entered the following exhibits into the record:

**EXHIBIT 1:** A copy of an excerpt of the City Council minutes of January 22, 2001 whereby the City Council initiated the intent to annex. This also provides that the area will accept the indebtedness of the city and will be subject to the city's Comprehensive Plan and zoning regulations. Council also authorized staff to direct a petition be signed by at least 60% of the landowners of this area and directed the zoning issue to the Planning Commission for consideration of appropriate zoning.

**EXHIBIT 2:** A copy of the "Petition for Annexation," filed by Adams County, dated January 16, 2001.

**EXHIBIT 3:** A copy of the Determination of Sufficiency, filed by Jerry Crossler, Adams County Assessor Office, dated February 5, 2001. This certified that the portions of 14<sup>th</sup> Avenue not in the City of Othello between Lee Road and SR 26, except for the intersections at Lee Road and SR 26 along with those portions of Lee Road not in the city between Broadway and 14<sup>th</sup> Avenue. The petition filed was determined sufficient, as meeting the 60% petition provisions and noted that this particular annexation would not decrease Adams County Fire 5's assessed valuation.

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**EXHIBIT 4:** A copy of the letter sent by Washington Department of Transportation, dated February 20, 2001.

**EXHIBIT 5:** A copy of the Public Hearing Notice for this public hearing, published in the legal section of the Othello Outlook on March 26, 2001 and inserted into three land use signs placed upon the proposed property.

**EXHIBIT 6:** A copy of the land use notice sent to all property owners within 300' of the proposed annexation that announced tonight's public hearing and mailing list.

**EXHIBIT 7:** A copy of the Planning Commission's Finding of Facts, Conclusion and Decision regarding zoning classification of this proposed annexation, dated March 19, 2001 signed by Steve Muzik, Planning Commission Chairperson, recommending the zoning of the property.

**EXHIBIT 8:** A map outlining the areas of roads, being annexed into the city.

Mayor Kelley then asked City Planner, Curt Andrews to present the information on the proposed zoning. Mr. Andrews explained that the property to be annexed is the road right-of-way and land adjacent to the right-of-way. The reasons that the city staff requests annexation of these roads was to clearly define the operation and maintenance of Lee Road and 14<sup>th</sup> Avenue and also make it very clear the jurisdictions of those two roadways. Mr. Andrews noted that the Planning Commission's conclusion was to zone the portions of the right-of-way road the same zoning as of the land adjacent to the roadway. He noted that the inter-local agreement with Adams County regarding operation and maintenance of the two roadways would be null and void upon annexation of these properties into the city limits. Mayor Kelley asked for public comments on the proposed zoning and annexation. There was none. Mr. Andrews further explained that the annexation would not include the intersection at SR 26 and 14<sup>th</sup> Avenue and the intersection and bridge at Lee Road and 14<sup>th</sup> Avenue. With no further comments from the public, staff or applicant, Mayor Kelley closed the public hearing at 7:16 p.m.

Mr. Andrews explained the procedures of the council adopting a Findings of Fact if new information was produced during the public hearing. City Attorney, James Whitaker noted that since there was no new information introduced during the public hearing, the council could adopt the Planning Commission's Findings of Fact.

**ORDINANCE TO ANNEX PROPERTY**

Council carried a motion to adopt the Planning Commission's Findings of Facts on the Lee Road/14<sup>th</sup> Ave north and south annexation dated March 19<sup>th</sup>, 2001 and to adopt AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY PURSUANT TO THE PETITION METHOD, ASSIGNING ZONE CLASSIFICATIONS AND PROVIDING FOR THE ASSUMPTION OF EXISTING CITY INDEBTEDNESS. M/S Cole/Lyon. This shall be known as Ordinance No. 1086.

**KAMERON ESTATES – PHASE 3 WATER AND SEWER REQUEST**

City Administrator, Bill Shaw noted that the requestor's, Mr. Firouzi and Mr. Fare, were not present at this meeting to discuss their proposal. Mr. Shaw noted that Phase 3 is about 90 acres and is adjacent to Kameron Estates Phase 1 and Phase 2 and noted that Phase 1 is still not completely filled. He noted that the request is for extension of city water and sewer services to Kameron Estates Phase 3. Mr. Whitaker and Mr. Shaw noted that they had both had discussions with the requestors and had explained to them that the council was considering that Adams County adopt zoning and development standards in rural developments where city water and sewer services are being requested. Council members Derifield and Cole both noted that the council is not in a position to respond, if

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the developers are not at the council meeting. Mr. Shaw noted that the Adams County Planning Commission was requested to consider zoning and establishing a Comprehensive Plan in areas where there has been requests for city water and sewer services.

The City Council took no action on the request.

**RATIFY THE TEAMSTERS UNION AGREEMENT 2001-2002**

Mr. Shaw reviewed a few of the changes in the agreed upon Teamsters Agreement for Law Enforcement Officers and Teamsters non-commission staff. The new changes include the following:

- It is a two-year contract.
- A continuation of the Teamsters insurance plan and placing caps of the city's share for insurance at \$550.00 per month for 2001 and \$600.00 per month for 2002.
- A base wage increase for members within a range of 3% to 3.1% for each of 2001 and 2002, retroactive to January 1<sup>st</sup>, 2001.

There was discussion regarding the health coverage proposal. Council member Ochoa suggested changes could be made in that area, such as paying for only employees and not spouses and children and rolling those savings into the employees wage package. Further discussion was held regarding researching other insurance packages. Mr. Shaw explained that the city could look at other packages with the same coverage and noted that Canfield and Associates are currently looking at health insurance packages. He stated that during mediation of the Teamsters Agreement, the Teamsters insurance package was very comparable to 12-14 other insurance packages within Washington State. He noted that they did estimate a cost of \$10,000.00, if the city was to go into a binding arbitration process with the Teamsters. Mr. Shaw also noted that the wages agreed upon do fit within the budgeted amount. Council member Cole, liaison to the Teamsters bargaining negotiation team, noted that, if the city could hold the medical cap at \$600.00, they would be very fortunate.

Council carried a motion to ratify the agreement between the City of Othello and Teamsters, Law Enforcement Officers/Othello Police Department and an agreement between the City of Othello and Teamsters, Othello Police Department non-commission staff as presented. M/S Cole/Clemons. Council member Ochoa cast an opposing vote.

**NON-UNION EMPLOYEE MEDICAL CAP**

Mr. Shaw noted that in February, Council had approved base wage increases for non-union personnel prior to the approval of the Teamsters contract and noted that the Operator's contract has still not been agreed upon. He noted that non-union personnel receive their health insurance by the same Teamsters policy as provided to the Teamsters bargaining unit members. Mr. Shaw also stated that the non-union Police Department employees have requested the same insurance cap as was provided to the Teamsters union employees. He asked that the non-union employees medical cap be set at \$550.00 per month for 2001 and \$600.00 per month for 2002, retroactive to January 1<sup>st</sup>, 2001. Council member Derifield stated that if the Law Enforcement Officer's retirement and benefits are a separate issue from all other employees, they should be treated separately. City Attorney, James Whitaker explained that there is a difference between LEOFF I benefits and LEOFF 2 benefits; noting that LEOFF 2 retirement and benefit packages are very similar to PERS 2 employees benefit packages.

Council carried a motion to provide health insurance coverage to all non-union personnel covered by the Teamsters medical policy at the same rate as monthly premium

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contributions as that provided in the Teamsters bargaining unit agreement at \$500.00 per month for 2001 and \$600.00 per month for 2002. M/S Cole/Derifield.

Council member Lyon stated that these decisions will lead to further budget discussions and are distinct benefits being provided to city personnel. He requested that a wage benefit seminar be held for all employees to help them understand what their wage, health, and medical benefits are.

**UNFINISHED BUSINESS**

Finance Officer, Rhonda Miller reported that the IAC grant funding for the Lions Park Ballfield lighting project would not be available for this year.

City Clerk, Debbie Kudrna reported that the Fire Department recently employed Corby Flerchinger through the Private Industrial Council (PIC) program youth division to provide an internship environment for him at the Othello Fire Department.

City Clerk reported that an Association of Washington Cities Conference is scheduled for June 19<sup>th</sup> - 22<sup>nd</sup>, in Bellevue, Washington.

Council member Clemons reported that an open house is scheduled for Friday March 30<sup>th</sup>, 2001 from 10:00 a.m. to 6:00 p.m. in the City Hall Council Chambers. This will allow the citizens to review the "Corridors to Coulees" summary report.

**EXECUTIVE SESSION – POTENTIAL LITIGATION**

Mayor Kelley announced an executive session to discuss potential litigation at 8:00 p.m. and noted that it would be approximately 30 minutes. Council reconvened at 8:31 p.m.

**ADJOURNMENT**

With no further business to discuss, Mayor Kelley adjourned the council meeting at 8:32 p.m.

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E R KELLEY, Mayor

ATTEST:

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DEBBIE L KUDRNA, City Clerk