

City of Othello
Regular Council Meeting
May 12, 2014

Mayor Shawn Logan called the meeting to order at 7:00 p.m. and said a prayer and Councilmember Bain led the Pledge of Allegiance.

Present: Mayor Shawn Logan; Councilmembers: Eugene Bain, Genna Dorow, Corey Everett, Kenneth Johnson, John Lallas, and Mark Snyder.

Also Present: City Administrator Wade Farris; Department Heads: Public Works Director Terry Clements, Interim Police Chief David Rehaume; City Clerk Debbie Kudrna, Finance Officer Spencer Williams, and City Attorney Katherine Kenison.

Absent was: Councilmember Dan Dever.

Council carried a motion to excuse the absence of Councilmember Dan Dever. M/S Dorow/Bain.

CITIZEN INPUT

Sean Bates, 1156 E Juniper St. voiced his concern of the City's current recording system, For The Record. He reviewed a letter written to the Othello Outlook about his computer's warning of an intrusion prevention alert.

Michael Crosier, 625 N 11th Avenue recently saw an uncovered buried gas line with only 13" of cover. He noted that the County has load limits on their dirt roads and asked why we don't have load restrictions on our alleys. Public Works Director Terry Clements noted he will discuss this with Cascade Natural Gas.

Roger Ensz, 1150 E. Oak Street, advised that he is in favor of lifting the ban on private fireworks.

APPROVAL OF AGENDA

Council carried a motion to approve the agenda. M/S Dorow/Snyder.

CONSENT AGENDA:

- A. Approval of City Council Minutes of April 28, 2014
- B. Approval of City Council Workshop Minutes of May 5, 2014
- C. Approval of Accounts Payable Checks
- D. Approval of Payroll and Related Expenses

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. 43925 to No. 43925 in the amount of \$2,500.00.

Accounts Payable Check No. 43926 to No. 43990 in the amount of \$148,683.94.

Payroll and Related Expenses Check No. 28768 to No. 28805 in the amount of \$287,252.75.

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

PUBLIC HEARING – LIFTING THE BAN ON PRIVATE FIREWORKS AND THE SALE OF FIREWORKS

Mayor Logan opened the public hearing at 7:09 p.m. City Administrator Wade Farris reported that staff was asked to research the State laws relevant to fireworks. State law does allow communities to allow private fireworks and sales. Fire Chief Gary Lebacken had previously provided a written report on fireworks to the elected officials. He advised that reservation fireworks are only allowed on Reservations; however, they seem to get into the communities. He did review some parts of his report, including what other communities allow or don't allow with fireworks; the Washington State Fire Commission report; the Consumer Products Safety report, including injury reports. He noted that fireworks can be dangerous. His report included the local history of fireworks and local stats on fireworks calls and reports. He noted that the volunteer firefighters will respond to alarm calls inside and outside city limits and it could be very demanding. He noted that safe and

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organized fireworks are fun to watch. He encouraged the Council to vote what is best for the community and the time involved by our volunteer firefighters. Councilmember Lallas noted that various communities ban or restrict fireworks. Interim Police Chief David Rehaume reviewed fireworks incidents and infractions from 2004 to date. He noted that seized fireworks are held offsite and if they are not petitioned to get them back, they will be destroyed by the department.

Mayor Logan asked for public comments:

Mark Spohr, 420 N 9th Avenue, supports the continued banning fireworks.

Dale Wyman, 848 E. Juniper Street, advised he is against private sales and private uses of fireworks.

Emiliano Martinez, 930 S. 3rd Avenue, stated that he cannot imagine having a 4th of July without fireworks.

Mayor Logan asked for staff comments. There were none. Mayor Logan asked for Council comments. Councilmember Snyder noted that fireworks are sold right outside of city limits and from other communities and it comes down to the parents who should be monitoring their kids. He also can't imagine 4th of July without fireworks and supports the public fireworks that are permitted in the park. Councilmember Lallas does not understand why we are considering lifting the ban. He asked that instead of lifting the fireworks ban that we consider funding the fireworks annually for the people of Othello. Mayor Logan asked if he's in favor of increasing the \$5,000 appropriated for the public fireworks display. Councilmember Lallas stated yes. Councilmember Everett asked what the savings will be for reducing the amount of fire callouts. Councilmember Johnson asked what the restrictions are that other communities have. Fire Chief advised he did not know. Councilmember Johnson noted that if the Council increases the public funding, it can always be changed by future Council. He noted he has no problem with lifting the fireworks ban in a safe and sane manner, with adult supervision. Councilmember Bain noted that some communities restrict how high fireworks go up and it can be a good family time. Councilmember Dorow is in agreement with restrictions on fireworks. Mayor Logan thanked everyone for their comments. He will support the decision of the Council. City Attorney Kenison noted she has heard other Council's debate this issue. An issue raised during other discussion was about liability. Othello currently has a public display and the fireworks company has to have insurance coverage for damages. When you allow private use of fireworks, some homeowners may not have the coverage to recover damage to their property. The reality is that the odds of continued risky behavior will increase, if the ban is lifted. Mayor Logan asked for staff comments. There was none. Mayor Logan closed the public hearing at 7:52 p.m.

ORDINANCE TO AMEND EXISTING CHAPTER 5.16 TITLED “FIREWORKS”

Council carried a motion to table this issue to the next regular Council meeting, in order to allow staff time to research what other communities have as their fireworks restrictions. M/S Johnson/Snyder.

ORDINANCE TO AMEND CHAPTER 4.04 “BUSINESS LICENSES” FOR TEMPORARY FIREWORKS STANDS

No action was taken.

AWARD – DRILLING WELL #9

City Engineer Larry Julius advised that three bids were received for drilling Well #9 as follows:

Schneider Water Services	\$417,796.30
Blue Star Enterprises Northwest, Inc.	\$481,419.00
Person Pump & Well Drilling, Inc.	\$545,522.04
Engineer's Estimate	\$533,115.00

Mr. Julius provided a review of the bids. Staff's recommendation was to award the construction bid to Schneider Water Services. He advised that the well driller will drill a 16" diameter hole to

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approximately a 450' mark and either a 12"-16" hole down to approximately 900'. The low bid does not include a steel liner, which can be considered at a later date. Mr. Julius advised that \$1.7 million was appropriated in the 2014 budget, which included the equipping of the well and other associated costs. It has been mentioned that the County will overlay Cunningham Street east of Wal*Mart to Hwy. 17 and we may want to install the transmission lines prior to the overly project. Mr. Julius explained that the Contractor can drill deeper by getting approval by the Council.

Council carried a motion to award the Drilling Well #9 project to Schneider Water Services in the amount of \$417,796.30. M/S Lallas/Dorow.

IPAD'S FOR ELECTED OFFICIALS

IT Manager Stan Anderton noted that the elected official's laptops need to be replaced. His recommendation was to replace them with IPAD's.

Council carried a motion to allocate \$4,350 for the purchase of 8 Apple iPad Air tablets, cases, and accessories for the Mayor and Councilmembers. M/S Dorow/Lallas.

REVIEW OF PROPOSED ORDINANCE RELEVANT TO WATER AND SEWER

Finance Officer Spencer Williams advised that staff reviewed the Othello Municipal Code Chapter 12 titled "Water and Sewer" and also used the municipal review report from Code Publishing. Proposed changes to the code were to bring our code up to current regulations and to be consistent with our current practice. He reviewed the proposed changes to the code.

OMC STREET WIDTH CORRECTION

Public Works Director Terry Clements explained that in 2012, the City Council adopted the Public Works Design Standards book. In order to accurately reflect the street and sidewalk width requirements of the design standard to the municipal code, an update to the municipal code is necessary. At the present time, the OMC 16.29.100 lists the arterial street width to be 56 ft. and the collector width to be 48 ft. The Public Works Design Standards book requires arterial street widths to be 60 ft. and the collector width to be 48 ft.

Council carried a motion to adopt AN ORDINANCE AMENDING OTHELLO MUNICIPAL CODE SECTION 16.29.100 OF CHAPTER 16.29 TITLED "DESIGN STANDARDS". M/S Dorow/Johnson. This shall be known as Ordinance No. 1397.

AWARD THE DIGITAL RECORDING SOFTWARE

City Clerk Debbie Kudrna reported that the Council had authorized obtaining proposals for a new digital recording system. Our old recording system is outdated and cannot be loaded onto a new laptop. We called for proposals and received two: AV Capture All and JCG Technologies. We contacted their references to find out more about their software, service and support.

Council carried a motion to authorize the purchase of the Digital Software Package from JCG Technologies. M/S Lallas/Dorow.

Michael Crosier questioned what the FTR upgrade cost is? He noted that he and Mr. Bates had read the user agreement for FTR and that user agreement allows FTR software to monitor when they access the FTR files. The City Clerk advised that the upgrade discount is a discount towards the JCG software fee; she advised that she had not read the JCG Technology user agreement; she noted Mr. Crosier was referencing the FTR user agreement, noting that the new system is a different software package. Mr. Crosier said that the cd's that they are getting from the City has a FTR file extension. Mayor Logan advised that they could listen to the recordings on a computer at City Hall or they could listen to the cd's at a public computer. He noted they are not obligated to create another record for them. Mr. Crosier stated that he is specifically objecting to the FTR user agreement. Mayor Logan closed the discussion.

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ANNOUNCEMENT: EXISTING PEDESTRIAN FACILITIES AND CURB RAMPS REPORT

Mayor Logan announced that a public meeting is scheduled for May 19th at 5:30 p.m. to be held in the City Hall Council Chambers. The meeting will be for interested citizens to discuss and gather input regarding the proposed inventory of existing pedestrian facilities and curb ramps throughout the community. A notice of a possible quorum has been published.

RESOLUTION TO AUTHORIZE CAMPING IN LIONS PARK FOR MVSL CHANGES

Parks and Recreation Coordinator Molly Klippert stated that the Othello City Council approved the use of the Othello Community Pool and Lions Park for the 2014 Mid-Valley Swim League Championship (MVSL) meet on July 25, 26, and 27, 2014. The MVSL planning committee previously met with staff and the Council Pool Committee to discuss overnight camping arrangements, as the limited number of overnight accommodations could prove problematic given the large number of anticipated participants and attendees.

Ms. Klippert presented a resolution adopting an exemption to Othello Municipal Code 11.24 and authorizing park camping in Lions Park by the general public during the closure hours of eleven p.m. to six a.m. for the duration of the 2014 Mid-Valley Swim League Championship Meet. The MVSL planning committee has been notified that the City of Othello will not be responsible for security and/or supervision of any equipment, belongings, and the like, located in Lions Park during the swim meet.

Dulcie Field thanked City staff and the group that is working on the local event.

Council carried a motion to approve A RESOLUTION AUTHORIZING SPECIAL EXCEPTION TO OTHELLO MUNICIPAL CODE 11.24 CLOSURE OF CITY PARKS (11.24.010 HOURS OF OPERATION) FOR THE 2014 MID-VALLEY SWIM LEAGUE CHAMPIONSHIP MEET SCHEDULED FOR JULY 25, 26, AND 27, 2014. M/S Dorow/Lallas. This shall be known as Resolution No. 2014-13.

RESOLUTION TO AUTHORIZE USE OF CITY PROPERTY FOR AMERICAN FIESTA AMISTAD

Parks and Recreation Coordinator Molly Klippert Parks advised that the American Fiesta Amistad committee is preparing for the 2014 American Fiesta Amistad Festival in Lions Park. Preliminary plans include various children's games/activities, entertainment acts, and assorted food and merchandise vendors will be in the park.

The American Fiesta Amistad committee will begin park setup on Thursday, August 7, 2014 from 4:00 p.m. and 7:00 p.m. and Friday, August 8, 2014 from 8:00 a.m. to 12:00 p.m. The American Fiesta Amistad committee has been notified that the City of Othello will not be responsible for any overnight security or supervision of vendor equipment. The Festival is scheduled to be held on Friday, August 8, 2014 from 5:00 p.m. to 10:00 p.m. and Saturday, August 9, 2014 from 12:00 p.m. to 10:00 p.m. Public Works employees will assist with event setup during business hours Friday, August 8th. Two Public Works employees will be staffed in Lions Park for eight hours on Saturday. Due to the estimated attendance of 500+ people in Lions Park for the American Fiesta Amistad Festival, they will incur the \$400 Special Event fee for use of Lions Park. Emiliano Martinez stated that there a few questions on the application that need to be changed and Ms. Klippert noted these changes can be made easily and will not affect the proposed Resolution.

Council carried a motion to approve A RESOLUTION AUTHORIZING USE OF CITY PROPERTY FOR THE AMERICAN FIESTA AMISTAD FESTIVAL, SCHEDULED FOR FRIDAY, AUGUST 8TH AND SATURDAY, AUGUST 9TH, 2014. M/S Snyder/Lallas. This shall be known as Resolution No. 2014-14.

RESOLUTION TO SURPLUS FIRE EQUIPMENT

City Clerk Debbie Kudrna advised that the proposed Resolution includes City radios, pagers and chargers that are no longer in use by the Adams County Fire District. Staff is still researching how to sell these surplus items. Fire Chief Lebacken noted that the City should clean the equipment prior to selling.

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Council carried a motion to approve A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OTHELLO, WASHINGTON DECLARING SURPLUS. M/S Bain/Johnson. This shall be known as Resolution No. 2014-15.

NEW BUSINESS

Mayor Logan made the following announcements:

- The Othello High School Scholarship awards banquet will be held on May 20th at 6:30 p.m. in the OHS Corridor.
- Othello High School graduation is May 31st at 8:00 p.m.
- June 2nd is the training for elected officials beginning at 5:30 p.m.
- June 3rd is the Lions Club Dinner and Auction at 6:30 p.m. at the Othello Senior Center.
- The next Council meeting is scheduled for Tuesday, May 27th. It was rescheduled because of Memorial Day.
- The Othello Hospital Auxiliary Golf Scramble is scheduled for June 28th.

Mayor Logan presented a Certificate of Appreciation to Molly Klippert from the Washington Cities Insurance Authority for the park facility use agreement that she had prepared.

ADJOURNMENT

With no further items to discuss, Mayor Logan adjourned the Council meeting at 8:42 p.m.

By: _____
SHAWN LOGAN, Mayor

ATTEST:

By: _____
DEBBIE KUDRNA, City Clerk