

**CALL TO ORDER:**

Mayor Shawn Logan called the meeting to order at 6:30 p.m. and led a silent invocation and the Pledge of Allegiance.

**Present:** Mayor Shawn Logan; Councilmembers: Eugene Bain, Genna Dorow, Corey Everett, Angel Garza, Larry McCourtie, and Mark Snyder.

**Also Present:** City Administrator Wade Farris; Department Heads: Police Chief Phil Schenck, City Clerk Debbie Kudrna, Finance Officer Spencer Williams and City Attorney Roger Reed.

**Absent Were:** Councilmember John Lallas.

Council carried a motion to approve the absence of Councilmember John Lallas. M/S McCourtie/Garza.

**CITIZEN INPUT**

Ned Pojskic, General Manager of ProBuild stated that he was recently advised by a city employee that anytime they make a delivery in Othello, they have to apply for a right-of-way permit. He mentioned that out of town delivery haulers may not comply and this process and feels this will delay his local deliveries. City Administrator Wade Farris explained that some of the delivery services were damaging our curbs and sidewalks and we implemented a permit process, including submittal of a safety traffic plan. Public Works Director Terry Clements explained when developments are accepted by the City, delivery services will be required to obtain a right-of-way permit. This will hold them responsible for any damage made to city property. They have to provide an insurance certificate, which can be kept for one year on file and stated that the permit can be obtained through the website and are processed quickly. Councilmember Garza reiterated that until a development is accepted by the City, they will not need a right-of-way permit.

Council's consensus was to revisit the right-of-way permit process.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA:**

- A. Approval of City Council Minutes of May 22, 2017
- B. Approval of Accounts Payable Checks
- C. Approval of Payroll and Related Expenses
- D. Call for Bids for Official Newspaper

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. 48181 to No. 48284 in the amount of \$469,920.37.

Accounts Payable Check No. 48285 to No. 48285 in the amount of \$152,891.21.

Payroll and Related Expenses Check No. 30428 to No. 30473 in the amount of \$393,658.37.

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

**DESERT OASIS HIGH SCHOOL – COMMUNITY SERVICE PROJECT REPORT**

J. J. Ozuna and Cesar Ponce, students from Desert Oasis High School (DOHS) reported to the Council on their community service project. Their project was picking up litter along an 8 mile stretch of McManamon Road. They reviewed their litter survey data and presented their ideas/proposals. Mayor Logan thanked them and stated that Council may find a way to work with DOHS to come up with solutions.

**WATER TOWER PAINTING**

John Kitchen from Utility Service System reported that the city water tanks are under a maintenance contract with Utility Service. He provided two options to paint the new city brand on the 3 million gallon

water tower at Lions Park. The two payment options were discussed with the water, parks and sewer committee. Finance Officer Spencer Williams suggested that this cost be paid out of the water fund.

Council carried a motion to approve an addendum to the current maintenance program with Utility Service Company, using the 1<sup>st</sup> option for the payment terms. M/S Dorow/McCourtie.

**CONTINUED PUBLIC HEARING ON THE SAGESTONE 8 DEVELOPMENT AGREEMENT**

Mayor Logan opened the continued public hearing at 7:06 p.m. Updated development and inspection fee agreements were dispersed to the Council. Mayor Logan stated that meetings and discussions have been held on the development and inspection fee agreements. They hadn't reviewed the budget and the amount the City will pay for the infrastructure from 7<sup>th</sup> to 14<sup>th</sup> Avenue.

Olsen Homes Engineer Mr. Del Green advised that they have developed common language that is acceptable to both parties. There's been a long discussion of the role of the City and the inspections and submittals versus the role of the developer. They have agreed on language in the development agreement that provides flexibility and provides completion of the sewer system in Columbia Street to provide the future needs of CBHA.

Mr. Del Green reviewed the latest version of Section 16.5 in the development agreement relevant to the sewer and storm water schedule. He advised that they came to an agreement to the dates of submittals. Olsen Homes plan to submit their plans for review by June 16<sup>th</sup> and Varela will have one week for their review. They will wait for all of the permitting requirements to be satisfied to proceed with the work. The completion of the sewer and storm system may be extended beyond the 45 day timeframe if the developer encounters unforeseeable conditions and/or circumstances, which makes compliance with the 45 day window impossible. Mr. Del Green advised that this language provides some relief if they run into situations. They originally talked about the sewer and storm systems needing to be done within 45 days. They have agreed to focus that 45 day window on the sewer system. The contractor has advised that they will construct the storm main just in advance of constructing the sewer main because of the location of the pipes. This will provide relief for testing and grading the pipe catch basins and other structures after the sewer system has been completed.

Mayor Logan advised that they all feel the main priority of the City was to get the sewer system completed as quickly as possible, within the 45 days. In addition to that, there is an additional 45 days granted to complete the storm water. He noted there isn't the urgency to get the storm water utility completed until November for CBHA.

Mr. Del Green reviewed Section 4.01 of the infrastructure and fee agreement. They discussed the responsibilities of submittals. New language includes that the City agrees to review the construction submittals and verify that the materials are consistent with the City standards and construction plans. The City further agrees to provide all on-site inspections verifying construction is in conformance with City standards and construction plans. The City will also complete the Department of Health construction completion report. Mr. Del Green advised that the language satisfies the developer's needs and relieves duplicate efforts for inspections. He advised there is a provision that specifies the amount of time that the City has to review the submittals. There were also minor changes to Section 4.0 to bring the agreement in line with 4.01.

Mr. Del Green reviewed the budget for the total project cost, the Olsen Homes budget of the project and the City's budget of the project. The irrigation component has been removed and they added \$32,500 for the road and removed overlapping responsibilities. The City's cost is \$500,484.41; however, they anticipated that would be \$508,000 and will double check their calculations.

Mr. Del Green advised that it is their intention to deliver their plans later this week for the City's review. Any comments from staff will be addressed the following week. They will be submitting the SEPA and the DOE's storm water pollution prevention plan. Once the plans are approved, they will work on obtaining submittals for review by City staff. They will start construction when the NPDES is processed. That could provide 2 months to complete the sewer construction.

Mayor Logan recapped the schedule:

- Olsen Homes will submit their plans to the City this week.
- The City will review and respond to the plan details next week.
- Next Monday is the Hearing Examiner public hearing.
- Approval of the Hearing Examiner (up to 10 business days)
- The developer will submit the SEPA and the NPDES applications
- Upon approval of the plans, construction will start
- A pre-construction meeting will be held in July
- The sewer will be completed and connected to the new CBHA facility
- A certificate of occupancy will be requested September 1st

Mayor Logan asked for comments for the proposed agreement. There was none.

Mayor Logan asked for comments neutral to the proposed agreement. There was none.

Mayor Logan asked for comments against the proposed agreement. There was none.

Mayor Logan closed the public testimony and the public hearing at 7:36 p.m.

#### **INFRASTRUCTURE INSPECTION FEE AGREEMENT**

Council carried a motion to approve the infrastructure inspection fee agreement. M/S Dorow/McCourtie.

#### **RESOLUTION AUTHORIZING THE SAGESTONE 8 DEVELOPMENT AGREEMENT**

Council carried a motion to approve the Development Agreement, subject to the understanding that they will work out the budget figures and that language will be submitted to the Mayor for approval. M/S Snyder/Dorow. This shall be known as Resolution No. 2017-10.

Mayor Logan noted that the language regarding the initial 45 days for completion of the sewer and an additional 45 days to complete the storm water will all need to be included in the agreement.

#### **PUBLIC HEARING ON THE UPDATED PUBLIC RECORDS COPY FEES POLICY**

Mayor Logan opened the public hearing at 7:40 p.m. City Clerk Debbie Kudrna reported that the Governor signed House Bill 1595, relating to costs associated with responding to public records requests. It only made minor changes to the fees to respond to public records. She reviewed the new charges.

Mayor Logan asked for comments in support of the proposal. There was none.

Mayor Logan asked for comments neutral to the proposal. There was none.

Mayor Logan asked for comments in opposition of the proposal. There was none.

Mayor Logan closed the public testimony and the public hearing at 7:43 p.m.

#### **APPROVAL OF THE COPY FEES FOR PUBLIC RECORDS POLICY**

Council carried a motion to approve the Public Records Copy Fee policy. M/S Bain/Garza.

#### **1 YEAR EXTENSION FOR GASOLINE AND DIESEL FUEL WITH LAWRENCE OIL**

City Clerk Debbie Kudrna reported that in 2014 the Othello City Council awarded an agreement for gasoline and diesel fuel for all City departments to Lawrence Oil Co., Inc. The term of the agreement was

for three years to August 12, 2017 and provided that the agreement may be extended for one additional year upon mutual agreement of the parties. We received a letter from Lawrence Oil Co., Inc. requesting a one-year extension of the agreement upon the same contract terms. Their bid was a price per gallon to their vendor's rack price plus a rate of \$0.075 per gallon for any type of fuel dispensed.

Council carried a motion to extend the current gasoline and diesel contract with Lawrence Oil, Inc. for one additional year. M/S Dorow/Garza.

#### **RESOLUTION TO ADOPT THE 6 YEAR STIP PLAN**

City Engineer Kurt Holland presented the 6 year Street Transportation Improvement Program, which included the following:

- 1st Avenue Reconstruction Project – going out to bid this week
- Lee Road Reconstruction Project
- Road Rating – Planning
- South Broadway Reconstruction
- North Broadway Reconstruction
- SR 24 Industrial Area Improvements and Scooteny St – West across Tracks
- 7th Avenue ADA Ramp and Sidewalk Improvements
- 14th Avenue / SR 26 Intersection Improvements
- Main Street / SR 17 Intersection Improvements
- 7th Avenue Completion to Columbia Avenue intersection

Council carried a motion to approve the Resolution for the 6 year STIP plan. M/S Dorow/Everett. This shall be known as Resolution No. 2017-11.

#### **SKATEPARK BRICK PROJECT**

Public Works Director Terry Clements reported that during the skatepark project, Council determined that there was enough interest in producing a memorial brick project to honor the late councilman Dan Dever.

Mr. Clements explained that they went out to bid with five contractors for pouring the concrete pad and installation of the bricks. They asked for a very quick turn-around, requiring the work be completed no later than June 22<sup>nd</sup>. Three bids were received, with the lowest bid from Top Cut Construction in the amount of \$6,085.56.

Council carried a motion to award the skatepark brick project to Top Cut Construction. M/S McCourtie/Garza.

#### **ENCANTO SUNSET CONCERT RESOLUTION AND FACILITY USE AGREEMENT**

Parks and Recreation Coordinator Amy Hurlbut reported that an Encanto Sunset Concert is a concert sponsored by the Washington Farm Labor Organization. This event will honor John Warling and celebrate the agriculture work force.

The concert is scheduled for Saturday, July 29, 2017 to be held in Lions Park from 6:00 p.m.-9:30 p.m. Clean up will be 10:00 p.m.-12:30 a.m. or until they are finished.

Ms. Hurlbut advised that community sponsors will receive 500 tickets each to give out to members of community to attend the concert. Those without a ticket there will have a \$25 admission fee. Vendors may set up during the event, as long as they obtain the proper permits. Arrangements have been made with Evergreen implement for the use of the stage and there will be several musical performers during the event. The cost of this event is \$400 because the estimated attendance is predicted to be over 500 people.

Council carried a motion to approve the Resolution authorizing use of city property for the Encanto Sunset Concert Scheduled for Saturday, July 29, 2017. M/S Garza/Bain. This shall be known as Resolution No. 2017-12.

**RELAY FOR LIFE**

Parks and Recreation Coordinator Amy Hurlbut advised that she is working out several details to have the Relay for Life in Lions Park this year. They are working out the details to have overnight camping in the park and allow fire pits. They are working on the details for having lit areas for the evening event. Relay for Life is scheduled for July 21<sup>st</sup> and 22<sup>nd</sup>. The City Council asked that the organizers realize that use of Lions Park is for only this year.

**ALL CITIES CLASSIC CAR SHOW AND SLOW DRAGS RESOLUTION AND FACILITY USE AGREEMENT**

Parks and Recreation Coordinator Amy Hurlbut reported that the All Cities Classic Car Club is preparing for their annual "Spud Run" and car show, scheduled for July 14th - 15th, 2017. Preliminary plans include the parade of cars on Friday, July 14th on Main Street between 6:00 p.m. and 9:00 p.m. The club is requesting to close off Main Street from 4th Avenue to 7th Avenue for this event. The car show will be held in Kiwanis Park on Saturday, July 15th from 6:00 a.m. to 5:00 p.m. The All Cities Classic Car Club will incur the \$200 Special Event fee for use of Kiwanis Park.

Council carried a motion to approve the Resolution authorizing use of City property for the All Cities Classic Car Club's annual "Spud Run" and car show. M/S Bain/Dorow. This shall be known as Resolution No. 2017-13.

Parks and Recreation Coordinator Amy Hurlbut reviewed the schedule for the Seahawks 12 tour bus, which will arrive at Lions Park at approximately noon on Sunday, June 18<sup>th</sup>. Temporary bleachers and the stage will be used for the family event.

**ORDINANCE TO AMEND OMC 12.24.010**

Police Chief Schenck advised that the current Othello Municipal Code 12.24.010 established a \$150 minimum fine upon an infraction and conviction, typically used for water meter tampering. He explained that this ordinance amendment establishes the penalty as a fee and does not require use of the District Court process.

Council carried a motion to adopt An Ordinance of the City Of Othello amending Chapter 12.24 Titled "Penalties". M/S Dorow/Bain. This shall be known as Ordinance No. 1495.

**UNFINISHED BUSINESS**

Mayor Logan made the following announcements:

- They held interviews for the applicants for the Community Development Director. They have extended an offer of employment and should hear back from them shortly.
- The Lions Club auction is Tuesday, June 13<sup>th</sup>.
- The annual ACDC annual banquet is Saturday, June 17<sup>th</sup> in Ritzville.

**NEW BUSINESS**

Mayor Logan announced that this is the last Council meeting of retiring City Clerk Debbie Kudrna. He thanked her for her service.

**ADJOURNMENT**

With no further items to discuss, Mayor Logan adjourned the Council meeting at 8:12 p.m.

By: \_\_\_\_\_  
SHAWN LOGAN, Mayor

ATTEST:

By: \_\_\_\_\_  
DEBBIE KUDRNA, City Clerk