

CALL TO ORDER:

Mayor Shawn Logan called the meeting to order at 6:30 p.m. and led an invocation and the Pledge of Allegiance. He asked for a moment of silence in honor of the tragedy in Orlando.

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

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

CITIZEN INPUT

There was none.

APPROVAL OF AGENDA

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

CONSENT AGENDA:

- A. Approval of City Council Minutes of May 23, 2016
- B. Approval of Accounts Payable Checks
- C. Approval of Payroll and Related Expenses
- D. Schedule the Public Hearing on the 6 Year Transportation Improvement Plan for June 27, 2016

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. 46748 to No. 46822 in the amount of \$327,717.21.

Payroll and Related Expenses Check No. 29887 to No. 29927 in the amount of \$340,068.68.

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

POLICE ACCREDITATION

Police Chief Schenck announced that the Othello Police Department received a Law Enforcement Agency Accreditation Award on May 25th, 2016. He presented Sgt. Garza a “challenge coin” for his work on the police accreditation. Sgt. Aaron Garza explained the process for the accreditation. The accreditation was awarded after successfully meeting the professional standards as outlined in the Washington Association of Sheriffs & Police Chiefs Law Enforcement Accreditation Program. Sgt. Garza advised there were 131 standards to meet and they were 100% compliant. City Administrator Farris stated how he appreciates all of the hard work involved in their efforts.

HEARING EXAMINER AGREEMENT

Community Development Director Travis Goddard explained that staff requested Hearing Examiner proposals and interviewed all three of the respondents. After selecting the top candidate, staff then reviewed the proposed contract and recommend Mr. Andrew Kottkamp.

Mr. Goddard explained that Mr. Kottkamp proposed an agreement that includes a flat \$1,000 hearing fee (per hearing); however, he also offered an hourly rate schedule, should the City prefer a pay-as-you-go option. We have a \$700 deposit for each hearing and we use a cost recovery process. In both of these cases, the fee would not have any effect on the City budget because it is a pass-through cost, which is paid for by the applicant.

City Attorney Kelly Konkright recommended execution of the agreement with several changes: in paragraph 17, Applicable Law and Venue, we need to change the venue from the Superior Court for Chelan County to Adams County and we need to include an Attorney's Prevailing Party Provision for any dispute arising from this agreement. He also advised that within the contract, there are three

indemnification clauses and one is that the City indemnifies the Contractor from any action from their decisions as the Hearing Examiner. Mayor Logan asked that the indemnification clause be stricken from the contract.

Council carried a motion authorizing the Administrator to execute the professional services contract with Mr. Kottkamp as the Hearing Examiner, with the changes to the contract as suggested by the City Attorney. M/S Dorow/MCCourtie.

COLUMBIA STREET UTILITIES

Community Development Director Travis Goddard advised that the City has identified the Columbia Street utility corridor as an important part of the City's growth plan. There is a sewer manhole at Gemstone Street, which the new Columbia Basin Health Association (CBHA) could connect to. If they use this sewer manhole, they will be the last connection to that sewer manhole. Those existing lines are at an elevation that they can't serve future development to the east and may not serve the anticipated 300+ employees at CBHA. There is a need for utility lines between 7th and 14th Avenue to be located deep enough to serve development to the east. He outlined the location of the proposed Columbia Street water, sewer and stormwater lines. These run from 7th Avenue east to 14th Avenue and do not include a water line fronting the DDM property. It has been determined that the City will pay to enlarge the sewer and stormwater pipes for future development and have the infrastructure in place by this fall, in order to meet the needs for CBHA.

Garza Enterprises and DDM Enterprises have agreed to grant the City an 80 foot right-of-way for Columbia Street. Mr. Olsen agreed to pay for the construction to install the sewer, water and stormwater lines as explained, if the Garza's provide an easement through their property. The City will pay the cost to ensure that it is adequately designed, upsized and inspected. Mr. Olsen will pay the City to install the lines to prepare for his future subdivision. The City can install the sewer and stormwater adjacent to the DDM property, because we need it for the 14th Avenue project, noting they will grant the right-of-way to the City. Mr. Goddard stated that he believes the work can be done within the 14th Avenue project contract as a change order.

Mr. Goddard advised that the entire project could cost approximately \$700,000 and an estimated \$350,000 would be paid by Olsen Homes. The remaining costs could be partially paid by the savings from the 14th Avenue project, due to the stormwater installation changes in the 14th Avenue project, and some from the grant funding. Mr. Goddard stated that the City has also requested \$50,000 from CBHA for the improvements. Mr. Farris advised that they have had discussions with CBHA about their involvement, as opposed to them connecting to the sewer manhole at Gemstone Street. He stated that this has been reviewed by the water/sewer committee and the project will be beneficial to future developers.

Attorney Konkright explained that sewer and stormwater installation is included in the 14th Avenue improvement project. Because staff believes the planned stormwater installation in 14th Avenue would have to be replaced once it is determined that it is failing, we can enter into a change order to extend the lines through the DDM property to connect to the infrastructure that is being paid by the private land owners. Mr. Goddard noted that we will be using city funds for the upsizing and installing it deeper, for approximately \$150,000. The portion of the line adjacent to the DDM property should be approximately the amount we're saving on the original stormwater installation. Mr. Goddard stated that there is a direct nexus between the proposed sewer and stormwater installation and what was originally planned.

City Engineer Kurt Holland advised that the proposed connection to the sewer system in Gemstone Street is a compromised location and during high events, the existing facility cannot handle what's already going in. They are concerned whether it will handle the impact of the new CBHA development. Mr. Holland noted that the 14th Avenue project was developed prior to the CBHA plans for their new facility.

Mr. Goddard advised that he is currently asking for authorization for staff to determine what the options and costs are. Councilmember Lallas asked why we weren't extending the water through the DDM property and be paid back when development needs to connect. Mr. Goddard advised that there's no nexus with the water line at the DDM property and the 14th Avenue project and the water line is not

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needed until that property develops. He advised that the Columbia Street water line can come from the Olsen property and connect north at 12th Avenue. Mr. Goddard explained that we could treat the 500' of water line (adjacent of the DDM property) as a new capital improvement.

Attorney Konkright stated that we have to analyze the original 14th Avenue contract and determine whether the change for water, sewer and stormwater can be a change order to the contract or a new public work project. Mr. Holland advised that some preliminary engineering work is done; however it still needs to be fully engineered. Public Works Director Terry Clements advised that DOH wants the city water lines looped and the Columbia Street line should be looped to 14th Avenue. Mr. Farris advised that the water line does not need to be in the same trench with the sewer and stormwater and we may need to go out for a separate bid for the water line.

Mayor Logan asked staff to confirm whether we can enter into a change order for this work; get a better idea of the costs; determine the cost for the 500 feet of water main, and have a change order for consideration at the next meeting. Mr. Goddard suggested that if we can't find a nexus for the water lines, we could inform Mr. Olsen that he needs to install his own water line because it doesn't need to be upsized and it's not necessary, as the sewer and stormwater lines are. Mr. Goddard clarified that the Garza's are granting the right-of-way because the utility lines are going to be installed by Mr. Olsen.

CONSULTANT AGREEMENT – TRANSITION PLAN & PEDESTRIAN MASTER PLAN

City Engineer Kurt Holland advised that municipalities are obligated to abide by all requirements of the Americans with Disabilities Act (ADA). He reported that the City has completed several elements of the ADA Transition Plan. He presented an amendment to the current engineering agreement to include preparing an ADA map; prioritize ADA improvements; to prepare a plan, in conformance with federal ADA standards. Mr. Holland advised they have an intern for the summer to work with city staff to develop the ADA Transition Plan. The cost for completion of the ADA project is \$19,796.

Council carried a motion to approve the amendment to the engineer agreement for the ADA projects, in the amount of \$19,796. M/S Lallas/Dorow.

WELL #9 UPDATE

Public Works Director Terry Clements reported on the completion of Well #9. He gave the logistics of the well; and reviewed pictures of the newly completed well facility.

CAMACHO PINEDA & DIAZ WEDDING RESOLUTION AND FACILITY USE AGREEMENT

Parks and Recreation Coordinator Amy Hurlbut advised that Irenio Camacho Pineda & Rosalda Diaz want to be married in Lions Park on August 5, 2016. They expect 250 guests and they will have their event in Lions Park. Due to the estimated attendance, they will pay the \$200 special event fee for use of a portion of Lions Park.

Council carried a motion to approve the Resolution and facility use agreement for use of a portion of Lions Park for the Pineda and Diaz wedding. M/S Lallas/Dorow. This shall be known as Resolution No. 2016-11.

Ms. Hurlbut advised that there was a baseball tournament at the ballfields and the city ran the concession stand. They received multiple compliments on the ballfields and the concession stand.

IT DEPARTMENT UPDATE AND REPORT

IT Director Rigo Ozuna gave a report on his background and on the city's IT infrastructure. He reported on his completed and current projects. He also explained that currently, our infrastructure is not redundant. He then presented a future network design to enhance the City's IT infrastructure. Mr. Ozuna presented two options for a complete backup system: a Cloud service for \$2500 per month plus backup internet costs or an onsite backup system for a cost of \$45,011.83. The onsite system could be paid in full or in monthly payments over the next 5 years. Mr. Ozuna recommended the onsite backup system. Mr. Farris advised that we will have to go out for bids for this project.

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Mayor Logan asked if we can do interfund loans from other funds and pay ourselves back. Finance Officer Williams advised that we can allocate the costs from several of our funds. Mr. Ozuna then reviewed the future projects that he will work on. Mayor Logan asked that staff prepare a proposal for these IT upgrades for our Council to consider.

AMENDMENT TO CONTRACT WITH ASPECT CONSULTING

City Administrator Wade Farris stated that the City was awarded a Department of Ecology (DOE) grant for \$180,000 for an aquifer storage and recovery (ASR) feasibility study. We have discussed the details to evaluate the feasibility for ASR with Aspect Consulting. This study will determine if this is the right course of action for the City's long term water needs. Mr. Farris advised that these are essentially pass-through dollars.

Council carried a motion to authorize the City to sign the amendment with Aspect Consulting for the ASR feasibility study. M/S Lallas/Dorow.

Council carried a motion to accept the DOE grant. M/S Snyder/Dorow.

RESOLUTION TO GRANT A VARIANCE TO AVISTA

Council carried a motion to approve A Resolution of The City of Othello, Washington, Granting Avista Authority to Install Electrical Utilities on Overhead Poles. M/S Lallas/Dorow. This shall be Resolution No 2016-12.

PAN HANDLING ORDINANCE

Police Chief Schenck presented an ordinance designed to make aggressive panhandling or solicitation illegal within the city limits. It also prohibits panhandling in locations where citizens often have cash in their hands or they may be vulnerable. It also sets time limits for those activities.

Council carried a motion to adopt An Ordinance creating Othello Municipal Code Chapter 8.28 titled "Aggressive Panhandling – Pedestrian Interference". M/S Dorow/Garza. This shall be known as Ordinance No. 1474.

UNFINISHED BUSINESS

Public Works Director Terry Clements updated the Council on the skatepark construction. Councilmember thanked Public Works on working on the improvements to the entrance into City Hall.

Councilmember Garza stated that we recently entered into a contract with Adams County for inspections. He expressed concerns on delays on inspections and noted that we need to have open communication with the inspector. Mr. Farris requested that councilmembers talk to him personally about issues so they can try to get them resolved.

Councilmember McCourtie mentioned that he went up to the skatepark construction site and he viewed the concrete installation, he found that they are doing a good job.

NEW BUSINESS

Mayor Logan made the following announcements:

- The Lions Club dinner and auction is Tuesday night at 6:00 p.m. at the Senior Center.

ADJOURNMENT

With no further items to discuss, Mayor Logan adjourned the Council meeting at 8:30 p.m.

By: _____
SHAWN LOGAN, Mayor

ATTEST:

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By: _____
DEBBIE KUDRNA, City Clerk