

City of Othello
Regular Council Meeting
June 27, 2011

CALL TO ORDER:

Mayor Tim Wilson called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Present: Mayor Tim Wilson; Councilmembers: Ken Caylor, Genna Dorow, Charles Garcia, Kenneth Johnson, and Marc Spohr.

Also Present: City Administrator Ehman Sheldon; Department Heads: Finance Officer Mike Bailey, Police Chief Steven Dunnagan, City Clerk Debbie Kudrna; and City Attorney Katherine Kenison.

Absent Were: Councilmembers Dan Dever and Mark Snyder.

APPROVAL OF AGENDA

Mayor Wilson requested that Council add an Executive Session to discuss property acquisition to the agenda. Council carried a motion to approve the agenda, as amended. M/S Johnson/Dorow.

CONSENT AGENDA:

- A. Approval of City Council Minutes of June 13, 2011
- B. Approval of Accounts Payable June 27th Checks
- C. Resolution to Accept a Donation for Shop with a Cop

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 Checks for June 27, 2011 Check No. 39900 to No. 39952 in the amount of \$292,588.28.

Council carried a motion to approve the Consent Agenda as amended. M/S Caylor/Garcia.

PUBLIC HEARING ON THE 6-YEAR STREET PLAN

Mayor Wilson opened the public hearing at 7:03 p.m. City Administrator Ehman Sheldon reviewed the 6-year street plan and stated that it is required by State Law to be submitted to the Department of Transportation for grant funding eligibility. He advised that the list is in no particular order; it's a funding list for arterial street programs. Mayor Wilson asked for public comments; there were no comments. Mayor Wilson asked for Council comments. Councilmember Caylor recommended that we leave the intersection at SR 26 & 7th Avenue project on the list. Mayor Wilson closed the public hearing at 7:09 p.m.

RESOLUTION ADOPTING THE 6-YEAR STREET PLAN FOR 2012-2017

Council carried a motion to approve A RESOLUTION ADOPTING THE CITY OF OTHELLO'S SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM FOR THE YEARS 2012-2017. M/S Garcia/Dorow. This shall be known as Resolution No. 2011-16.

PUBLIC HEARING ON THE FINAL PETITION FOR ANNEXATION – OTHELLO SCHOOL DISTRICT

Mayor Wilson opened the public hearing at 7:12 p.m. and asked if any Councilmember had a financial or personal interest in the matter. They all answered no. Mayor Wilson asked the Councilmembers to place on record any communication they had with opponents or proponents on the matter, not including previous Council discussions, review of staff documents or communication with city staff. There was none voiced. Mayor Wilson asked if anyone in the public had any objections to his participation or any Councilmember's participation. There was none. Mayor Wilson asked if the Councilmembers could hear and consider this matter in a fair and object manner. They all said yes.

City Planner Darryl Piercy advised that the City received a petition requesting annexation of approximately 36 acres owned by the Othello School District. The property is located on the south east corner of 14th Avenue and Cemetery Road. The petition was accepted by the Othello City

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Council and the public hearing process is required by State law. Mr. Piercy showed the location of the property to be annexed. Mayor Wilson asked for citizen comments and testimony. Othello School District employee Orland Favaro stated that the School District is looking forward to the annexation so they may proceed with their plans. Mayor Wilson asked for staff recommendation. Mr. Piercy advised that, should the Council choose to move forward with the annexation, they have an ordinance to consider to officially annex the property. Mayor Wilson asked for Council comments. Councilmember Spohr asked if state funding was approved for the school's plan. School District Project Manager Mike Currey advised that the State does not release the list of funded projects until mid-July. Mayor Wilson closed the public hearing at 7:20 p.m.

ORDINANCE PROVIDING FOR ANNEXATION OF NEW SCHOOL DISTRICT PROPERTY

Council carried a motion to adopt AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF OTHELLO. M/S Garcia/Caylor. This shall be known as Ordinance No. 1345.

ORDINANCE RELATING TO PARKING REGULATIONS

City Planner Darryl Piercy provided an ordinance providing for certain parking regulations in residential zones and limiting parking on lawn or landscaped areas of front yards. Parking will be limited to improved surfaces such as gravel, concrete, or asphalt that is no greater than 30 feet in width. This will include all existing residential lots, as we already have code provisions for newly constructed lots. Councilmember Garcia asked how the city will monitor temporary parking on lawns. Mr. Piercy advised that the first action would be for city staff to discuss the issue with property owners to give them an opportunity to come into compliance. Councilmember Caylor noted that the Planning Commission had recommended to the Council to take no action in changing our current code. Mr. Piercy stated that the Planning Commission had criteria for their recommendation including: they believe that when citizens move into a neighborhood, they have certain expectations and to change those regulations wasn't appropriate, and they are cognizant of over regulation of government and they didn't want to recommend additional regulations upon our community. Councilmember Johnson stated that he believes that our current codes deal with the circumstances that needed to be corrected. He noted that they have not received a great deal of complaints about this issue, although he has heard citizen complain about excess burden and regulation of government. He recommended that Council support the Planning Commission's recommendation to take no action. Councilmember Garcia stated he would like the proposed ordinance to include language relevant to a time frame for parking on lawns. Mr. Piercy explained that our Code Enforcement cannot go upon private property and mark tires to justify how long a vehicle has been parked. And, a lot of the parking on lawn situations occurs after work hours during the evening time period. He stated that designating areas for parking and working with property owners to seek compliance is the goal of the ordinance. City Attorney Kenison explained that the appeal process for citations regarding wrongful parking would be heard by the Hearing Examiner, with the cost paid by the citizen. Mrs. Kenison advised that this ordinance proposal is a common code in other communities for those chronic issues. Mr. Piercy advised that there are approximately between 12-18 active similar issues and most of the property owners eventually comply with current city codes. He noted that we can enforce damaging public property.

A motion was made by Councilmember Spohr to adopt AN ORDINANCE AMENDING OTHELLO MUNICIPAL CODE TO INCLUDE CHAPTER 17.61.015 ENTITLED "PARKING – EXISTING RESIDENTIAL LOTS". This motion failed due to a lack of a second to the motion.

APPROVAL OF USE OF CITY LOGO – MARILYN FAKLER

City Administrator Ehman Sheldon explained that Mrs. Fakler would like to use the official city seal on the front of a coloring book that she is creating. Mrs. Fakler had advised that proceeds from the sale of the coloring book would go to charitable organizations. Othello Municipal Code Chapter 1.04 identifies the authority to approve uses of the city logo. He gave some options for her to use in lieu of the city logo. Mayor Wilson stated some concern of allowing use of the logo for something other than official business. Councilmember Dorow suggested that we allow her to use the old logo, which depicted the red/white tower with vegetables that are locally farmed. Council took no action.

EXTRA TERRITORIAL AGREEMENT WITH DONALD R. PETE JOHNSTON

City Clerk Debbie Kudrna reported that the City entered into a 25-year water agreement with Richard L. Johnston dated 1984, which expired in 2009. Staff has been working out the details relevant to a new extra territorial agreement since that time, dealing with several obstacles. Since August, 2009, the City has had a water agreement with Donald R. Pete Johnston (Pete). There is one water connection that serves 3 mobile homes and one shop. This property is outside the City limits and would not be a new impact to our city water system. Staff recommends not annexing the property into the city limits.

Council carried a motion to approve the extra territorial utility extension agreement, covenant running with the land, and power of attorney with Mr. Donald R. Pete Johnston. M/S Dorow/Caylor.

RESOLUTION TO APPROVE USE OF LIONS PARK FOR AMERICAN FIESTA AMISTAD

City Clerk Debbie Kudrna explained that staff met with representatives to discuss the details of the 13th annual American Fiesta Amistad, which is scheduled for Friday, August 12th and Saturday, August 13th. The events will be held in Lions Park and Friday's events will be from 5:00 p.m. – 10:00 p.m. and Saturday events will be from 12:00 p.m. – 10:00 p.m. She provided the costs that are covered by the City for public works employees; the DOC crew to clean up the park on Sunday; for porta potties; and garbage service.

Council carried a motion to approve A RESOLUTION AUTHORIZING USE OF CITY PROPERTY FOR THE AMERICAN FIESTA AMISTAD FESTIVAL SCHEDULED FOR AUGUST 12TH AND 13TH, 2011. M/S Dorow/Caylor. This shall be known as Resolution No. 2011-17.

DISPATCH TESTING AGREEMENT WITH PUBLIC SAFETY TESTING

City Clerk Debbie Kudrna reported that Chief Dunnagan advised that there is a need to test for dispatchers and the Othello Civil Service Commission recently authorized testing for dispatch candidates with Public Safety Testing. She explained the testing process. The process with PST provides a pool of candidates for the Police Department to choose from. She noted that we currently have a contract with PST for entry level police officer testing. The testing process has proven to be a successful program for recruiting candidates for the Police Department and it is less expensive than city staff conducting the testing process. Other written testing processes ranged from \$300 - \$3,000. We will advertise the locally and direct those interested applicants to the PST website for testing information. The annual contract fee is \$250.

Council carried a motion to approve the contract with Public Safety Testing for dispatch. M/S Johnson/Garcia.

DEPARTMENT OF CORRECTIONS CONTRACT

City Administrator Ehman Sheldon advised that we enter into an annual agreement with Coyote Ridge for offender work crew. He noted that the hourly rate is the same as last year; however the mileage rate has been reduced to \$0.51 per mile.

Council carried a motion to approve the annual agreement with Department of Corrections, Coyote Ridge. M/S Garcia/Johnson.

NEW BUSINESS

Councilmember Spohr noted that last year we went over budget for pool operations and our first Cascade Natural Gas bill is \$4,686 for 4 days of operation. He noted that the total budget for natural gas is \$10,000. Councilmember Spohr stated that the Main Street project included street lights and some sidewalk repairs and there are holes and cones still in the sidewalks. He also noted that the new wiring system for the signal lights are immense and the lights at 4th and 14th Avenues flashed yellow during the weekend. Mr. Sheldon advised that a crew came out on Friday and they could not determine the problem on the signal lights on 14th and the circuit fried at 4th Avenue, which will be replaced. He noted these are still under warranty. Councilmember Spohr

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stated that a citizen reported to him that the lights on 11th Street do not line up with the street lanes. He asked for an update of the fluoride levels at Well #6. Mr. Sheldon explained that the City has performed tests, however the contractor still needs to do their fluoride testing. The Department of Ecology is expected to lower fluoride levels from 4 ppm to 1ppm. If so, we will have issues with all of our wells. Mr. Sheldon reported Well #6 is pumping over 2000 gallons per minute. Councilmember Spohr reported that trucks are still parking between Broadway & 1st Avenues on Columbia, Royal and Wahluke Streets, and noted trucks are also still driving down Main Street. Mr. Sheldon advised that most of the local truckers were given maps of the truck route. Councilmember Dorow asked for an update of the Main Street punch list. She also asked that a large clock be installed at the pool.

Mayor Wilson made the following announcements:

- Monsanto will hold their grand opening celebration on Thursday, June 30th at 9:00 a.m. at 1485 W. Cunningham Rd.
- Independence Day falls on Monday this year and the Mayor asked if the Council wanted to meet on Tuesday. It was Council's consensus to cancel the workshop.
- The new Verizon air cards have arrived. Those that have air data cards need to bring in their laptops into IT.
- There will be an emergency notification siren test this Thursday at 1:00 p.m.

EXECUTIVE SESSION

Mayor Wilson announced that the City Council was going to adjourn into an Executive Session regarding property acquisition at 8:06 p.m. for approximately 50 minutes. City Attorney Katherine Kenison and Realtor Terry Thompson were present.

Mayor Wilson reconvened the City Council meeting at 8:50p.m.

Councilmember Garcia asked that the parking ordinance come back with more specifics about monitoring and enforcing for the August workshop meeting.

ADJOURNMENT

With no further items to discuss, Mayor Wilson adjourned the Council meeting at 8:52 p.m.

By: _____
TIM WILSON, Mayor

ATTEST:

By: _____
DEBBIE L. KUDRNA, City Clerk