

City of Othello  
City Council Workshop  
July 7, 2008

**CALL TO ORDER:**

Mayor Shannon McKay called the workshop to order at 7:00 p.m.

Present: Mayor Shannon McKay; Councilmembers Eleanor Brodahl; Kenneth Caylor; Dan Dever; Kenneth Johnson; Mark Snyder; Marc Spohr, and Tim Wilson.

Also Present: Department Heads: Mike Bailey; Police Chief Steve Dunnagan; Debbie Kudrna; Jay Van Ness; City Administrator Ehman Sheldon, and City Attorney James Whitaker.

**SECOND QUARTER REPORT FROM ADAMS COUNTY FIRE DISTRICT 5**

Adams County Fire Chief Clyde Fought thanked the Council for their support. Mayor McKay presented a plaque to Chief Fought for his dedication to protecting property and our citizens for the past 39 years.

**INET PRESENTATION**

Police Chief Steve Dunnagan introduced Eric Talbot from the Grant County Sheriff's Department. Deputy Talbot reviewed a major marijuana manufacturing case, discovered by the Interagency Narcotics Enforcement Team (INET) in Grant, Adams, and Kittitas Counties in May 2007, which concluded on August 28, 2007. More than 40 search warrants were served and arrests were made for possession and manufacturing of methamphetamine, marijuana, cocaine, firearms, vehicles, property, and currency were seized. INET was recognized for their efforts with a Distinguished National Drug Award and the members were presented the award in Washington DC in January, 2008. He reviewed some of the other INET activities since 2006, and Under Sheriff John Turley acknowledged Othello Police Officer Jake Black for his contributions to INET.

**PARTICIPATION FOR IMPROVEMENTS TO CURTIS DRIVE**

Municipal Services Coordinator Jay Van Ness reported that the City is currently going through the SEPA process for a new business, Freedom Fuel, located at 1925 S. Broadway Avenue. He disclosed that the City will require the construction of Curtis Drive from Broadway Avenue east to the property line. Hector and Tammie Garza, owners of the property, announced that they want to open their bio-diesel refueling station in August, 2008. They have been working with City staff with the permitting process, including the proposed street improvements. Mr. Garza attested that their new business will reduce diesel emissions, and presented a letter of support from Northwest Bio-fuels Association. Mr. Garza stressed they would like to have the portion of Curtis Drive that is adjacent to their property paved; however, they want to understand how the City will incorporate infrastructure improvements within the area. He asked if the City obtains grants, will business owners be required to have matching funds; noting that it would be difficult for new businesses to finance these improvements. Mayor McKay advised that the property owners within the area are entitled to improvements because they have been paying taxes since the 1950's. There are several businesses within the area that are proposing expanding their current facilities. The Mayor advised that the City is pursuing grant funding for infrastructure improvements in the area and until the City is successful in obtaining funding, we don't know what the City's part will be. Mrs. Tammie Garza asked if the covenants, provided by the City, could be revised or negotiated because they are trying to open a new business and don't have the financial means. Mr. Garza asked for a three to five year deferral for paving their portion of Curtis Drive. Mr. Sheldon reported that the SEPA checklist has been sent out and the responses too it will enlighten business owners of any outstanding issues. Mayor McKay pointed out that the new businesses and expansions of existing businesses, within the industrial area, will help support the City's grant applications.

City Attorney Jim Whitaker mentioned that the Garza's would be requesting a building permit on insufficiently platted property. The standard City covenants are intended to recover the infrastructure improvements that have not been done. In order for the applicant to obtain a building permit on insufficiently platted property, they would need to sign a covenant, which includes a deferral for certain improvements. They may get some financial relief if the City obtains an infrastructure grant. Mr. Garza stated that they couldn't make a financial commitment that they may not be able to keep, and if there are other arrangements to consider they want to know of those. Mr. Sheldon affirmed that ultimately the Council would consider a resolution to authorize a building permit on insufficient platted property.

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Mr. Sheldon explained that as the LIFT program developed, the engineers found that we could not meet all of the program criteria, and there are several other funding programs that they will research. Councilmember Brodahl stated that utility tax funds can be used as matching funds for infrastructure improvements, noting a portion of the utility tax funds have not been dedicated yet. She divulged that property owners have paid taxes for years and it's time for the City to pay them back. Ramon Benavidez, co-owner of Gen X Energy Group Inc., a bio-diesel producer in Burbank, WA, said that it was encouraging to see the City and local businesses working cooperatively to permit a bio-diesel facility. It will become one of the first facilities in Eastern Washington to deliver locally grown and produced bio-diesel. Gen X Energy is delighted to see local entrepreneurs provide services that are essential to help sustain the local economy. He offered to assist the City by providing information about the bio-diesel industry.

**DISCUSSION REGARDING OTHELLO PERSONNEL POLICY – ADMINISTRATIVE LEAVE**

Mayor McKay advised that the current personnel policy allows 90 days of administrative leave. To make a change in the current policy would take Council action. City Attorney Jim Whitaker explained Council could adopt a resolution incorporating changes to the personnel policy. He encouraged the Council to remove the employee and personality out of the discussion and focus on the position, situation, and process. Councilmember Caylor recommended not changing the administrative leave policy, not hire anyone to fill the position, and leave the position open. The City could contract with an outside firm for the building inspections and land issues in the meantime. If there is a demand for the position in a year, we would open it up for applications and the current employee could apply for that position. Whitaker advised that the City should have a policy that all employees understand and not create special conditions and if they want to make any changes that it have detailed language and factors. Councilmember Johnson advised that he likes the policy the way it is and he would only consider a change if an employee was sought out by the U S Government or a branch of the military. Councilmember Brodahl stated that she considers the employee is providing a service for our Country and feels we could draft a leave policy for those employees who want to serve our Country. Mr. Whitaker explained that Mr. Sheldon has a contract for employment and the Council approved an amendment to his contract that allowed him to go to Iraq. He also advised that if a change is made, the collective bargaining units would have to ratify the change in the personnel policy. Mr. Whitaker explained that as long as there is money in the budget for the position, it is the Mayor's decision whether a person is hired or if he recommends a contract for services. Personnel management for a Code City is the Mayor's responsibility and the current policy provides that an employee who does not return after 90 days of leave is deemed to have resigned their position. Whether there is a position open or available when he comes back, is a function of the budget, which is the Council's authority with the Mayor's decision being what to do within the scope of the budget. Mayor McKay advised that Adams County is currently assisting with building inspections. He advised there is a discrepancy within Section 7.4 of the personnel policy and Mr. Whitaker suggested language to correct this section and update the military service provision to be in line with federal guidelines.

**SR 26 & 14<sup>TH</sup> AVENUE INTERSECTION UPDATE**

Municipal Services Coordinator Jay Van Ness reported that he sent estimates to Gray & Osborne for the intersection and indicated that JUB is a very respectful firm; with the estimated costs justifiable for the project. Mr. Van Ness spoke with JUB and was notified that we would have to enter into a consultant agreement with them to incorporate the City's design into the intersection plan. JUB estimated that the design work would be \$3500-\$4500; this does not include engineering services. He spoke with a representative from the Department of Transportation (DOT) and they are moving forward in-house with the JUB intersection concept. There will be a meeting in two weeks with all of the players to review the intersection plans. They also indicated that JUB's numbers are reasonable for the current proposal. Mr. Van Ness stated that the \$50,000 originally proposed was for the work inside the State right-of-way, and that the additional \$60,000 builds the tapered design for 14<sup>th</sup> Avenue for work outside the State right of way. He indicated that we initially wanted the State's design to accommodate the City's design in the future, including setbacks for lights, curbs, gutters, sidewalks, and the radius to meet the rights-of-way. Councilmember Caylor recommended staff meet with DOT to review their finished drawings. Mr. Van Ness announced that the original deadline date was set to make fall advertisement for 2009 construction.

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**COMMITTEE REPORTS – COUNCIL COMMITTEE MEMBERS SHARE INFORMATION**

Councilmember Spohr expressed there has been very little reported about the pool and there seems to be average attendance. Mr. Sheldon divulged that staff has made some changes to the supply the concession stand items, stating that the first month has just ended and financial figures will be gathered. He explained that Staff is considering what they can do to encourage concession sales to those in the park. Councilmember Spohr asked that the pump for the pool toy be fixed. Councilmember Dever noted there are cars parking in the “no parking zone” at the pool. Police Chief Dunnagan noted that they did not have enough guards to have the pool slide open on July 4<sup>th</sup> and it was closed.

Councilmember Spohr noted that the new park shelter has been popular for the citizens. He complimented the Public Works Park Crew stating that the park looked gorgeous for the 4<sup>th</sup> of July. Councilmember Wilson asked if the dead trees can be removed from Lions Park and whether we had money in the budget to do so. Mr. Sheldon advised they talked about removing the trees but there was not money appropriated for new trees.

Councilmember Johnson asked if the Playground Committee had made decisions for new equipment. Mayor McKay replied that we need input from the community about what type of playground equipment is wanted. Mr. Sheldon disclosed that our insurance carrier has offered to assist in selection of the playground equipment. Councilmember Snyder reported that the concrete slab in the new park shelter at Lions Park is cracking.

Councilmember Caylor stated that he attended: a SWAC meeting and they talked about grants; a LEOFF Board meeting in which they reviewed requests for reimbursements; and a GWMA meeting, they are working on a new layering computer system, and are also working on a pilot program for feeding water from Lake Roosevelt to the upper lakes. Councilmember Dever reported on the housing study meeting held within the WSU consultant. Mr. Krell noted there is a lot of upper level housing for sale, more than they expected. City representatives indicated they are interested in more rental units and temporary rental units are needed for professionals. The committee provided feedback to the WSU representatives, including contacts for local businesses and industrial managers. Mr. Sheldon advised that a contract for the housing study will be presented to the Council at the next meeting. He also stated that the County and Port have agreed to pay a portion of the housing study costs.

Councilmember Wilson attended the State's audit entrance meeting and he was surprised that we have had 10 years without an audit funding. He noted the Council should be thankful to the staff for the good record.

Councilmember Johnson advised an ACDC meeting is scheduled for this Thursday in Ritzville and they have received seven applications for a new manager.

**NEW BUSINESS**

Mayor McKay announced he would not be at the next meeting.

**ADJOURNMENT**

With no further items to discuss, Mayor McKay adjourned the workshop at 8:49 p.m.

By: \_\_\_\_\_  
SHANNON MCKAY, Mayor

ATTEST:

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