

City of Othello  
Regular Council Meeting  
July 23, 2012

**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: Eugene Bain, Ken Caylor, Dan Dever, Genna Dorow, Charles Garcia, Kenneth Johnson, and Mark Snyder.

**Also Present:** City Administrator Ehman Sheldon; Department Heads: Public Works Director Terry Clements, Police Chief Steven Dunnagan, Park and Recreation Coordinator Molly Klippert, City Clerk Debbie Kudrna; and City Attorney Katherine Kenison.

**CITIZEN INPUT**

Eric Morgan asked Council for \$600 to build a Santa sleigh and reindeer to be used for photo shots in Pioneer Park. He has volunteers to help with the project and local businesses are helping with the costs. Mayor Wilson said that the City Attorney will look into the legalities and this will be discussed at the upcoming Council workshop.

**APPROVAL OF AGENDA**

Council carried a motion to approve the agenda. M/S Dever/Caylor.

**CONSENT AGENDA:**

- A. Approval of City Council Minutes of July 9, 2012
- B. Approval of Accounts Payable Checks
- C. Acceptance of Public Works Window Project
- D. Resolution to Release Retainage P/W Shop Improvements – Block Work

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. 41378 to No. 41440 in the amount of \$200,225.54.

Council carried a motion to approve the Consent Agenda as presented. Councilmember Johnson stated that he will abstain from voting due to the payment to Johnson Glass. M/S Garcia/Dorow.

**HOLIDAYS - TEAMSTERS**

Police Chief Dunnagan reported that the current city policy allows for eleven paid holidays for our employees. City employees take the paid holidays off; however, the police officers get to choose when they take a paid holiday. The police officers are awarded six holiday credits in January and five in July. If they don't take their holiday credits in the year in which they are accrued, the hours build up and become unmanageable. The holiday credits are budgeted within the current year. In order to eliminate scheduling issues and unbudgeted financial impact, an agreement was reached with the Teamsters through a mediator. It provides that at the end of each period, any unused holidays will be paid in the year they are issued at straight time pay: holidays not used or scheduled in the first half of the year will be cashed out in June. Holiday credits not used or scheduled in the second half of the year will be cashed out in November.

Council carried a motion to accept the agreement between the Teamster Union and the City dealing with the cash out of holiday credits. M/S Dever/Dorow.

**CONTRACT FOR BUILDING DEPARTMENT SERVICES**

City Administrator Ehman Sheldon advised that the City entered into a consultant services agreement with The Permit Center in April, 2010 for plan review services. At that time, the Council authorized paying a percentage of the permit fees collected by the City to the consultant. Staff and council committee now recommend paying a flat rate fee of \$65,000 per year for the services.

Council carried a motion to authorize the Mayor, or his designee, to sign the contract with The Permit Center. M/S Garcia/Caylor.

#### **STATUS UPDATE OF MOON STREET PROJECT**

City Engineer Larry Julius gave an update on the project. Funding has been appropriated by the Community Development Block Grant (CDBG) to be used for the installation of the 18" sewer main that ties onto the city's existing sewer system, the pipe from the railroad tracts to the property owned by Ed McCann and eliminating the existing sewer lagoon. Project design and plans have been developed and options have been discussed relevant to installation of a lift station or individual grinder stations within the project. The project may be split into two schedules to avoid contractor work conflicts. The City has until March 31, 2014 to complete the project, per the CDBG funding criteria. Most of the sewer infrastructure will be within City property; however, we will need to get an easement from the railroad.

#### **STATUS UPDATE OF SCOOTENY STREET PROJECT**

City Engineer Larry Julius gave an update on the project. Construction for the Scooteny Street overlay project is ready from 1<sup>st</sup> Avenue east to 4<sup>th</sup> Avenue. Funding has been appropriated from Transportation Improvement Board (TIB). Additional funding for a second phase from 4<sup>th</sup> Avenue east to 7<sup>th</sup> Avenue will be applied through a TIB process. Advertising will be published soon and the project should be complete by the end of September.

Council carried a motion to authorize the Scooteny Street overlay construction bids. M/S Caylor/Garcia.

#### **CONSIDERATION OF EXTENSION OF MARIJUANA GARDEN MORATORIUM**

City Administrator advised that the Planning Commission reviewed the marijuana gardens issue and they recommend that the Council extend the current moratorium an additional six months. During the additional six months, the Planning Commission will gather the following information:

- Seek information regarding the issue from published experts.
- Seek comment and testimony from the public through the public hearing process.
- Seek information regarding the extent of the need in the City of Othello from medical marijuana users.
- Seek comment and information from local law enforcement.
- Review regulations and approaches that have been adopted by other jurisdictions.
- Seek legal opinions from the City Attorney as needed.
- Develop proposed regulations to present to City Council for consideration.

#### **CONSIDERATION OF COMPENSATION FOR FINANCE OFFICER POSITION**

City Administrator Ehman Sheldon advised that Mike Bailey is retiring at the end of the year. Council had authorized a transition period of five months for a new Finance Officer. Staff has advertised for a new Finance Officer since May and we have received eight applications; none of them meet the standards that we are looking for. He explained that a salary comparison has been completed and they found that our advertised salary is low. The Council finance committee reviewed the issue and is recommending that we increase the monthly salary to \$7,000 and advertise a range of \$7,000 - \$8,500 per month. Mayor Wilson advised that we have to get the right employee and the Council will have to look at the City Administrator and Police Chief's wages at some time.

Council carried a motion to establish the salary range for advertising for the Finance Officer position of \$7,000 - \$8,500 per month. M/S Snyder/Dorow.

#### **RESOLUTION TO AUTHORIZE USE OF CITY PROPERTY – AMERICAN CROWN CIRCUS**

Parks and Recreation Coordinator Molly Klippert reported that the American Crown Circus has requested use of the Lions Park soccer fields for Sunday, August 12<sup>th</sup> and Monday, August 13<sup>th</sup>, 2012 for their one-ring, European style acrobatic circus. They will perform both evenings and will leave immediately following the show on Monday night. Their vehicles and RV's will be parked in the City's vacant lot on 9<sup>th</sup> and Pine Street and it will be the American Crown Circus' responsibility to provide security for their equipment. It is estimated that the landfill fees will be \$200 and the circus has agreed to donate 15% of their adult ticket sales to the City to compensate for those services.

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Council carried a motion to approve A RESOLUTION AUTHORIZING USE OF CITY PROPERTY FOR THE AMERICAN CROWN CIRCUS SCHEDULED FOR AUGUST 12<sup>TH</sup> AND 13<sup>TH</sup>, 2012. M/S Dorow/Bain. This shall be known as Resolution No. 2012-21.

**ORDINANCE TO REPEAL OMC CHAPTER 9.20 RELATIVE TO BICYCLE LICENSING**

Police Chief Dunnagan reported that our current code regulates bicycle licensing and a few rules of the road for bicycles. We do not license bicycles and the State RCW's provide for bicycle laws. He recommended that the current city code be repealed, with the exception of whether a bicycle can be rode upon sidewalks. Our current code prohibits riding on sidewalks.

Council carried a motion to adopt AN ORDINANCE REPEALING OTHELLO MUNICIPAL CODE CHAPTER 9.20 ENTITLED "BICYCLES". M/S Dorow/Dever. This ordinance shall be known as Ordinance No. 1364.

**NEW BUSINESS**

Councilmember Caylor advised that he attended a SWAC meeting last week and they were notified of several fires at the County landfill. It was determined that the fires were started by the gases from bagged grass and with the high temperatures, spontaneous combustion started fires. They will advertise that grass not be bagged to eliminate the fire issue. They also talked about free dump days and they asked for the City to write a letter about what we would like to do.

Public Works Director Terry Clements advised that crack sealing is being done on north 14<sup>th</sup> Avenue. He also advised that they have tested Well #6 and they will get the test results soon. The well is running well with very little vibration. If the test results come back good, the well can be brought online. Mr. Sheldon advised that Council approved \$40,000 for the reinstallation and there is an over-run of \$7,000. The Council has already authorized the contract.

**EXECUTIVE SESSION**

Mayor Wilson announced that the Council was going to adjourn into Executive Session at 7:58 p.m. for approximately 30 minutes pursuant to RCW 42.30.110(1)(i) "To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency." The executive session is expected to last 30 minutes. No action will be taken during the executive session. Mayor Wilson reconvened the City Council meeting at 8:29 p.m.

Mayor Wilson made the following announcements:

- The Mayor's luncheons are cancelled for July and August.
- He asked if the Council wanted to purchase the book "Central Washington – 60 years of Progress" for \$25 to be given away to potential new businesses. Councilmember Caylor asked that we purchase two books signed by the Mayor and all Councilmembers to be given to Governor Gregoire and Senator Maria Cantwell. Council agreed to purchase five books.
- The last day that the pool will be open is Sunday, August 19<sup>th</sup>.
- The Beautification Committee has selected a light standard and globe for the Main Street project.
- The flag is at half mast in recognition of the shooting in Aurora Colorado.

**ADJOURNMENT**

With no further items to discuss, Mayor Wilson adjourned the Council meeting at 8:32 p.m.

By: \_\_\_\_\_  
TIM WILSON, Mayor

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