

City of Othello
Regular Council Meeting
July 27, 2015

CALL TO ORDER:

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

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

Also Present: City Administrator Wade Farris; Department Heads: 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 Garza/Bain.

CONSENT AGENDA:

- A. Approval of City Council Minutes of July 13, 2015
- B. Approval of Accounts Payable Checks

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. 5165 to No. 5190 in the amount of \$2,031.86.

Accounts Payable Check No. 45547 to No. 45599 in the amount of \$234,857.12.

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

PUBLIC HEARING ON HAMPTON 14TH AVENUE ANNEXATION REQUEST

Mayor Logan read the public hearing notice. Mayor Logan opened the public hearing at 7:04 p.m. Community Development Director Travis Goddard advised that the correct petitioner is R. A. Bud Hampton LLC. He noted there is this public hearing and a public hearing scheduled in September for final determination of the zoning. He advised this public hearing is in accordance with RCW 35.13.010 and this is a direct petition annexation. The petition includes a request for C-1 zoning and dedication of a half-width right-of-way for Columbia Street. He advised that the proposed property to be annexation is approximately 16.4 acres. The property is located east of 14th Avenue; west of property owned by DDM; between Highway 26 and the property owned by the Columbia Basin Health Authority (CBHA) which was recently annexed to the City. And, the Hampton owns County property to the east. Mr. Goddard reviewed the zoning issue.

The Hampton's have sold portions of their farm units to the Othello School District (OSD) and CBHA. Mr. Goddard explained staff's concerns about access to an isolated pocket of property, which is east of the proposed annexation. He reviewed the proposed alignment for Columbia Street. The location of Columbia Street is included in the 14th Avenue improvement plans. Our codes provide that when there is a development of more than 20 units on the property; they must have a second access point. If there is not a full street dedication of Columbia Street; they do not have sufficient access to 14th Avenue and the property east of this proposed annexation would not have sufficient access. The owners have indicated that annexation of the south half of the adjacent farm unit is under consideration. He advised that the School District plans indicate access off of Scooteny Street.

Mr. Goddard reported that staff recommends Council accept the annexation, provided the street dedication is resolved. Mr. Goddard advised that the petitioner is proposing to dedicate 40-feet of right-of-way (half-width) for Columbia Street. He advised that the City would like CBHA to have

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access directly off of Columbia; however, their current plans show three driveways from 14th Avenue. Having them access off of Columbia would solve a lot of planning issues.

Mayor Logan asked for public testimony from those in favor of the proposed annexation.

Steve Burnham, 9006 189th Avenue Court E., Bonney Lake Wash, advised he is representing the R. A. Bud Hampton LLC and they are in favor of their annexation petition. He advised that the Hampton family believes this annexation is positive for them and the City. Mr. Burnham announced that the Hamptons and CBHA have an agreement in principle that the Hampton's will dedicate the full 80' of right-of-way for Columbia Street through the length of the southerly boundary of the CBHA property and northerly boundary of the proposed annexation property. He stated that CBHA has cooperated with the dedication. This agreement is not in written form yet; however, he noted that the Hampton's and CBHA are all in agreement for the dedication for Columbia Street.

Mayor Logan asked for any comments from those that are neutral to the annexation. There was none.

Mayor Logan asked for any comments from those opposed to the annexation. There was none.

Mayor Logan closed the public testimony at 7:22 p.m.

Mayor Logan asked for Council comments. Councilmember Lallas noted that staff has recommended Council approval, under the provision that an agreement for the dedication for Columbia Street is agreed by both parties. Mr. Goddard advised that technically, there is no obligation for them to agree to the street dedication; the Council can decide whether the annexation is in the best interest of the public. He gave options for the Council to consider. Councilmember Lallas stated that he is still concerned of the proposed access off of 14th Avenue for CBHA.

Mr. Burnham, on behalf of the petitioners, advised there is a written commitment for the south dedication of Columbia Street and the north half of the street, will be included in a written agreement with CBHA. He noted there isn't any risk to annexing this with half of a street dedication because he believes that an agreement will be reached.

City Attorney Kelly Konkright advised that the City has authority to annex the property now or wait until a written agreement for the entire street dedication is finalized. Councilmember Johnson asked whether the concerns of CBHA accessing onto 14th Avenue and Scooteney Street for the School District would be taken care during the platting process. Mr. Goddard advised that currently our plans for 14th Avenue include curbs, gutters and sidewalks on the east side of 14th Avenue with no driveway cuts. He noted that without the dedication by deed, CBHA would have no guarantee to access off of Columbia Street.

Mr. Burnham, on behalf of the petitioner, advised that the Hampton's have dedicated the southerly portion of Columbia Street and dedicated the west portion as requested by the City for the 14th Avenue improvements. He asked that Council approve the annexation, as presented, and rely on CBHA and the Hampton's to complete the street dedication issue. Mr. Goddard advised that now since they are reported that they are working on the dedication, recommended that Council approve the annexation and include the proposed C-1 zone.

Curt Andrews, Facility Manager for CBHA, advised that CBHA has agreed with the Hampton's for Columbia Street.

ORDINANCE TO ANNEX

Council carried a motion to approve the ordinance to annex. M/S Dorow/Lallas. This shall be known as Ordinance No. 1439.

PUBLIC HEARING ON CHANGING THE NAME OF E. CUNNINGHAM ROAD TO E. MAIN STREET

Mayor Logan read the public hearing notice. Mayor Logan opened the public hearing at 7:41 p.m. Community Development Director Travis Goddard advised that the right of way of Cunningham Road was annexed in March, 2015. We have not received any comments from the public hearing notice. He noted that addresses along the annexed portion of the street already reflect a Main Street address. Councilmember Johnson stated that there are 3 different speed limits on this section of road and he recommended that we address this issue. Mr. Goddard advised that we are aware of that and a speed study will be performed on that section of the street. He explained that we did a speed study on Main Street in front of City Hall and those results indicate that 60% of the vehicles drove faster than 25 mph and 30 mph seemed to be the speed that most traveled; 19% drove faster than 30 mph. He advised that we will work out the details with the City Engineer about the speed limits.

Mayor Logan asked for any comments from those that are in support to the street name change. There was none.

Mayor Logan asked for any comments from those that are neutral to the proposal. There was none.

Mayor Logan asked for any comments from those opposed to the renaming Cunningham to Main Street. There was none.

Mayor Logan closed the public hearing at 7:45 p.m.

ORDINANCE TO CHANGE A STREET NAME

Council carried a motion to approve the ordinance to change the name of a portion of Cunningham Road to Main Street. M/S Snyder/Johnson. This shall be known as Ordinance No. 1440.

SKATEBOARD CONSTRUCTION BID REVIEW

Parks and Recreation Coordinator Molly Kisler advised that the bid for the construction for the Dan Dever Memorial Skate Park were opened on July 15, 2015. One bid was received from Belsaas and Smith Construction, Inc., for \$336,024.00. Spohn Ranch Skate parks engineer's estimate for the construction of the skate park was \$210,000.00.

Mrs. Kisler advised that staff met with the Council Parks and Recreation Committee to review the bid. The committee agreed to recommend that the Council reject the bid for the construction of the skate park and proceed with re-bidding the skate park project early next year.

Council carried a motion to reject the bid received by Belsaas and Smith Construction, Inc. for the construction of the Dan Dever Memorial Skate Park and instruct staff to take measures to pursue the project in 2016. M/S Dorow/Lallas.

APPROVAL OF AMENDMENT #6 WITH VARELA & ASSOC. INC. AGREEMENT

Parks and Recreation Coordinator Molly Kisler reported that on July 14, 2014, the City Council approved use of funds previously set aside for a civic/community center for the future farmers market. The City's engineering firm, have moved forward with the project.

In order for Varela and Associates, Inc. to continue the project's progress, they have submitted Amendment No. 2015-006 to the owner-engineer agreement between Varela and Associates, Inc. in the amount of \$27,933. This will allow Varela and Associates, Inc. to proceed with the design, project plans and specifications; bid documents, bidding services, etc. Staff met with the Council Parks and Recreation Committee to review this amendment and they recommend approval.

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Council carried a motion to approve Amendment No. 2015-006 to the Varela & Associates, Inc. contract for the City of Othello Farmers Market. M/S Dorow/Lallas.

ADDENDUM #8 – ACDC AGREEMENTCity Administrator Wade Farris advised that the Adams County Development Council (ACDC) was formed to retain and attract commercial, agricultural and industrial growth within Adams County. They have submitted Addendum No. 8 to extend the existing contract to June 30, 2016. The original contract provides compensation in the amount of \$0.50 per capita. Based upon our current population, the 2015 invoice should be \$3,847.50. Mr. Farris advised that ACDC contracted with The Boyd Company to complete a study and generate interest in Adams County. Councilmember Johnson advised that results from The Boyd Company study indicate that Ritzville ranked #2 for one of the best locations in the USA for dry warehouse and storage. Their study for food and beverage industries indicates that Othello ranked #1 and most affordable. Councilmember Johnson reported that they have hired a firm to write the Adams County comprehensive plan.

Council carried a motion to adopt Addendum No. 8 to the original Adams County Development Council agreement. M/S Lallas/Dorow.

FOOD BANK PRESENTATION

Finance Officer Spencer Williams advised that the City was recently approached by Sharon Mobley from the Othello Food Bank, who asked for the City to collect donations to the local food bank through the utility billing process.

Othello Food Bank representative Sharon Mobley advised they are trying to find other avenues to support their operating budget. They served 23,540 individuals last year to get food products.

Mr. Williams explained that he doesn't know how the new State law meets the State Auditors test; however, there is now a House Bill that allows communities to collect funds for hunger programs. We are currently working on options with our software company (BIAS) to discover the method that would be the easiest for the community and minimize additional work load for the City staff. Ultimately, we would collect the donations and remit those funds to the Food Bank on a monthly or quarterly basis. Attorney Konkright advised that he hasn't reviewed House Bill 1211; however, it seems to allow staff resources to run the program. Councilmember Bain noted it may help is our citizens to round up their bill payment and donate the additional amount to the food bank program. Mr. Williams noted it could be implemented for the next utility billing cycle.

Council carried a motion to authorize City staff to collect donations for the Food Bank. M/S Dorow/Johnson.

UNFINISHED BUSINESS

Mr. Farris advised that the water restrictions will be lifted on Friday. We are working out the details to advise the community.

NEW BUSINESS

Mayor Logan advised that we have received two resignations from the Planning Commission from Mike Bailey and Pat Simmons. He recommended to appoint, subject to Council approval, Larry McCourtie and Colten Anderson to the Planning Commission.

Council carried a motion to appoint Larry McCourtie to the Planning Commission to fill the term left by Mike Bailey, to the end of this year. M/S Dorow/Johnson.

Council carried a motion to appoint Colten Anderson to the Planning Commission to fill the unexpired term left by Pat Simmons. M/S Garza/Lallas.

Mr. Farris advised that Varela submitted a report today of the programs they are working on. Kurt Holland from Varela Engineers gave an update of the projects they are working on.

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EXECUTIVE SESSION – POTENTIAL LITIGATION

Mayor Logan announced that the Council was adjourning into an Executive Session at 8:28 p.m. to discuss potential litigation. The Executive Session was expected to last 15 minutes. Also in attendance were City Administrator Wade Farris, City Attorney Kelly Konkright, Spencer Williams and Debbie Kudrna.

Mayor Logan reconvened the council meeting at 8:41 p.m.

ADJOURNMENT

With no further items to discuss, Mayor Logan adjourned the Council meeting at 8:42 p.m.

By: _____
SHAWN LOGAN, Mayor

ATTEST:

By: _____
DEBBIE KUDRNA, City Clerk