

**CALL TO ORDER**

Mayor Shawn Logan called the meeting to order at 7:00 p.m.; Councilmember Johnson led a prayer and Councilmember Dorow 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: Public Works Director Terry Clements, Interim Police Chief David Rehaume; City Clerk Debbie Kudrna, Finance Officer Spencer Williams, and City Attorney Katherine Kenison.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA:**

- A. Approval of City Council Minutes of July 14, 2014
- B. Approval of Accounts Payable Checks
- C. Employment Contract for Police Chief

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. 44213 to No. 44213 in the amount of \$750.00.  
Accounts Payable Check No. 44214 to No. 44255 in the amount of \$127,717.76.

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

**STOP GRANT**

Interim Police Chief Rehaume reported that the Police Department was awarded a "STOP Violence Against Women Formula Grant Program" in January, 2014. This grant provides extra training and outreach programs to members of our community, including tracking domestic violence court orders regarding service; computer entry and provides a process to work other agencies to coordinate support for victims and help hold offenders accountable. The grant award is \$9,000 and the matching funding is \$3,018. The matching funds will include administrative functions.

Council carried a motion to approve the "STOP Violence Against Women Formula Grant Program" as presented. M/S Dorow/Garza.

**PAID PROPOSAL - ORDINANCE**

Interim Police Chief Rehaume explained that current Washington State law and City Ordinances do not address under-aged gatherings where alcohol is consumed, creating public disturbances. The proposed ordinance provides local law enforcement officers with an additional tool to use when investigating these quality of life concerns. The ordinance is a social, environmental and policy change that is supported by public education and prevention. This ordinance has no budgetary affect; however, without this ordinance, the \$5000 Division of Behavioral Health and Recovery prevention education fund would not be utilized. He and Amaris Garza presented a PowerPoint from PAID supporting the proposed ordinance.

Vicky Guse, Administrator of Integrated County Healthcare for Adams County completed the PowerPoint. She noted that Adams County does not have this ordinance in force. Attorney Kenison has reviewed the ordinance and it will be a good tool for the police department to address this issue. There was further discussion.

Council carried a motion to approve ORDINANCE 8.68 TITLED "UNDERAGE GATHERINGS." M/S Johnson/Dorow. This shall be known as Ordinance No. 1406.

#### WELL #9 UPDATE

City Engineer Larry Julius provided an update on the drilling of Well No. 9. It included what has been accomplished since drilling operations began; the current drilling depth; what type of geologic formations are being encountered; what water bearing zones encountered; water quantity and water quality information, and what our options are now. Mr. Julius explained that Council could authorize additional drilling operations at depths greater than what was included in the contract documents, if the potential for greater amounts of water may be encountered. Kevin Lyndsey, GSI Water Solutions, gave an update on the Well No. 9 location; updated on the well prognosis; reviewed the well logs; the well is cased and sealed to 407'; an open hole to 680'; static water level is approximately at 50' below grade, and noted the possibility of hitting water with high fluoride and what options we will have. They may drill into the projected fluoride water within a week of drilling.

The 2014 budget for drilling and equipping Well No. 9 and constructing the 16-inch water transmission main is \$2,600,000.00. The drilling contract was awarded for \$417,796.30. 920' is the target depth and it may be a week or more to get that deep. The contract is approximately \$115,000 less than the drilling budget line item.

Council carried a motion to authorize the Mayor and the City Administrator to direct the Contractor, if necessary, to continue the drilling operations in an effort to increase the water production from Well No. 9 and report the results to Council in a timely manner. M/S Dorow/Lallas.

Mayor Logan asked if everyone could hear. Everyone acknowledged.

#### GRAY & OSBORN PROJECT UPDATES

City Engineer Larry Julius reported on their current activities: 2014 Othello Traffic Study; Existing Pedestrian Facilities and Curb Ramp Inventory; West Moon Street Sewer System Improvements; 14th Avenue Reconstruction; 14th Avenue Water Main Replacement, and the 1st Avenue Overlay Improvements.

#### WATER TOWER MAINTENANCE CONTRACT

Public Works Director Terry Clements reported that Council approved renovation to the three water towers and authorized staff to set up a full maintenance program. The original request was for a seven-year program that would include a complete renovation and yearly maintenance on each of the towers. In preparing to go out to bid for the project it was determined that due to state laws, the city is only able to enter into a maximum three year maintenance program.

Public Works used the Small Works Roster for bids for a three-year water tower maintenance and renovation project. The City received one bid from Utility Service Group, for the three-year program. They followed our bid requirements and scope of work. The cost for the first year is \$240,889 (plus tax), second year \$244,385 (plus tax) and the third year is \$244,395 (plus tax). The 2014 capital line item budget was approved for \$265,000. Standpipe #3 is the more crucial to start work on.

Council carried a motion to approve the three-year water tower contract with Utility Service Group. M/S Dorow/Garza.

#### SKATEPARK DESIGN SERVICES CONTRACT

Parks and Recreation Coordinator Molly Klippert advised that the contract negotiations for design services for the future skate park has continued with Spohn Ranch Skateparks. After review by the contractor, city staff, our City Engineer, and the City's Attorney, the final design services contract is complete. Spohn Ranch has agreed to develop and design the future skate park, and oversee the project

by providing construction administration services throughout the construction process. Spohn Ranch will also be responsible for any work that must be completed prior to construction.

Upon approval of the agreement, Spohn Ranch will begin the design services, which will include visiting the skate park site, meeting with staff, City Councilmembers, and the skate park interest group, and perform soil and site testing. We did receive \$7500 from the Tony Hawk grant to be used towards the construction. The City will have to go out for bids for the construction of the skate park.

Council carried a motion to approve the Professional Skatepark Design Services Agreement between the City of Othello and Spohn Ranch Skateparks. M/S Johnson/Lallas.

#### **RESOLUTION TO SURPLUS PROPERTY**

City Clerk Debbie Kudrna reviewed the resolution to surplus various computer equipment.

Council carried a motion to approve A RESOLUTION DECLARING CERTAIN CITY PROPERTY SURPLUS TO THE NEEDS OF THE CITY AND DIRECTING THE DISPOSAL IN A COMMERCIALY REASONABLE MANNER. M/S Dorow/Lallas. This shall be known as Resolution No. 2014-26.

#### **ORDINANCE AMENDING TITLE 3 "REVENUE AND FINANCE"**

Finance Officer Spencer Williams advised that the City Attorney has investigated the question regarding reducing the statute of limitation from four years to two years in the proposed ordinance. Attorney Kenison reported that the two year limit is defensible and is in the City's best interest. Finance Officer explained that the City received a refund of \$900,000 in 2011. This was discovered by the Department of Revenue, corrected by them and refunded to the City. Attorney Kenison advised that in 1986, the Federal Government deregulated natural gas. Companies that purchased natural gas went to jurisdictions that did not have a utility tax, so the purchase was outside of their jurisdiction and wouldn't be taxed. The State adopted legislation to correct this by allowing the jurisdictions to impose a tax on the point of use, not the point of purchase. That was challenged in Court and in 2010 that the Supreme Court reversed the court of appeals action. There was an amount of time for the resolution of the issue. It was a tax that was collected and redistributed in error and the Department of Revenue was correcting their error.

Council carried a motion to adopt AN ORDINANCE AMENDING TITLE 3 "REVENUE AND FINANCE", and change the statute of limitations to one year. M/S Dorow/Lallas. This shall be known as Ordinance No. 1407.

#### **ORDINANCE AMENDING 2014 BUDGET**

Finance Officer Spencer Williams noted that Council has approved adding specific items to the 2014 budget. Staff met with the Council finance committee to discuss funding options and Mr. Williams reviewed those recommendations. Another budget item for the Council to consider is closing out the Main Street construction fund with a transfer of \$355 into the street fund. He reviewed the funding options recommended by staff and the council committee.

Council carried a motion to adopt the ordinance amending the 2014 budget. M/S Snyder/Dorow. This shall be known as Ordinance No. 1408.

#### **NEW BUSINESS**

Mayor Logan commented that the swim tournament went well. He thanked staff and the Police Department for their commitment.

#### **EXECUTIVE SESSION**

Mayor Logan reported that Council will now adjourn at 9:06 p.m. to go into an executive session pursuant to RCW 42.30.110 (1) (b) to consider the selection of a site or the acquisition of real estate by lease or purchase. The executive session is expected to last 15 minutes. No action will be taken during the

executive session. Attorney Kenison announced that Council would need an additional 5 minutes. Mayor Logan reconvened the meeting at 9:29 p.m.

**ADJOURNMENT**

With no further items to discuss, Mayor Logan adjourned the Council meeting at 9:29 p.m.

By: \_\_\_\_\_  
SHAWN LOGAN, Mayor

ATTEST:

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