

**City of Othello
Regular Council Meeting
August 12, 2013**

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:

Kenneth Johnson

Ken Caylor

Dan Dever

Eugene Bain

Mark Snyder

Charles Garcia

Genna Dorow

Staff:

Finance Officer Spencer Williams

Police Chief Steven Dunnagan

Interim City Clerk Nacelle Heuslein

Parks & Recreation Coordinator Molly

Klippert

City Attorney Anna Franz

1.4 CITIZEN INPUT

1.5 Sean Logan, President of the Chamber and on behalf of Arvind Greyhall, owner of Exxon, invited the Mayor, Council and staff to the ribbon cutting and Grand Opening August 21, 2013. He encouraged everyone to attend.

2. APPROVAL OF AGENDA

MOTION: **Council carried a motion to accept the agenda as presented. M/S Dorow/Caylor**

3. CONSENT AGENDA

3.1 Approval of City Council Minutes of July 22, 2013

3.2 Approval of City Council Workshop Minutes of August 5, 2013

3.3 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. Approval of Accounts Payables Checks No. 42917 through 42992 in the amount of \$238,928.99.

3.4 Approval of Payroll and Related Expenses Check No's 28401 through 28463 in the amount of \$335,368.42

MOTION: **Council carried a motion to approve the Consent Agenda as presented. M/S Snyder/Garcia**

4. CURRENT BUSINESS

4.1 Approval of Contract Addendum with Code Publishing for Legal Review

Interim City Clerk Heuslein stated Code Publishing will provide a comprehensive legal review of the OMC, applying principles of statutory construction and applicable common law for every state. The review will encompass state and federal constitutional questions, case law conflicts and court interpretations. The code will be scrutinized for vagueness, fair notice to citizens, free speech infringement, danger of selective enforcement and equal protection in view of fundamental rights. The Code Publishing attorney will review all sections of the code for consistency, archaic language and internal conflicts, as well as to ensure accurate references to state statutes. The review also identifies conflicting, duplicative or out-of-date fees, fines and penalty provisions.

The city will receive a detailed written report, including a thorough analysis and basis for amending or revising ordinances as necessary. The budget for this item is \$2500.

This item was presented at the Council Workshop August 5, 2013 with consensus to move this item forward for Council consideration.

MOTION: **Council carried a motion authorizing the Mayor to sign the Contract Addendum for the Legal Review of the OMC. *M/S Dorow/Caylor***

4.2 Approval of Contract Addendum with Code Publishing to provide links to Ordinance Tables in OMC

Interim City Clerk Heuslein stated in the Othello Municipal Code an Ordinance Table appears at the back of the code describing how it affects the code with links to the chapters. If one wants to see the actual ordinance, it is necessary to either go to the city's website and search the year and ordinance number or for staff to actually search for the paper copy in the vault.

The city has used a consistent file naming convention. This would allow Code Publishing to provide links to the PDF versions of the ordinances residing in their offices without a lot of conversion issues. To provide the original links, CPC charges \$75 per hour and estimates three (3) hours or less. The fee to host these ordinances is \$75 per year. As the city adopts ordinances they will be linked as well. Providing this feature would assist the public, department directors and city attorney. The budget for this item is approximately \$225.

This item was presented at the Council Workshop August 5, 2013 with consensus to move this item forward for Council consideration.

MOTION: **Council carried a motion to authorize the Mayor to sign the Contract Addendum for Code Publishing to provide links to the PDF's found in the Ordinance Tables of the OMC. *M/S Dorow/Johnson***

4.3 Adoption of Resolution 2013-19 Use of Facilities by the Hispanic State Softball Tournament 2013

Charles Garcia has requested the use of Lions Park, in conjunction with his rental of the Lions Park Athletic Complex, to host the annual Hispanic State Softball Tournament on Saturday, August 24th and Sunday, August 25th, 2013, with event setup taking place the night of Friday, August 23rd. Mr. Garcia, the tournament director, is requesting use of Lions Park in order to expand the facilities available to tournament participants and allow space to provide entertainment during the event. The tournament has booked a band and DJ to provide music throughout the weekend's events and it has been assured the music levels will not exceed those set forth by City ordinance.

Public Works will provide two staff members for eight hours each day of the event to provide field maintenance and facility upkeep. With Council's approval, Mr. Garcia will enter into a Facility Use Agreement with the City of Othello and provide a certificate of insurance for use of the park and athletic complex facilities.

Due to the estimated attendance of 150-500 people in Lions Park for the Hispanic State Softball Tournament, event representatives will incur the \$200 *Special Event Fee* for use of Lions Park and a one-thousand dollar (\$1,000) fee for use of the Lions Park Athletic Complex which includes an \$800 rental fee and a \$200 concession stand fee. Payment of the special event fee will allow Public Works to provide porta-potties, additional garbage containers, as well as covering the landfill fees for waste disposal.

Staff recommends City Council approve the resolution authorizing the use of City property for the Hispanic State Softball Tournament on Saturday, August 24th and Sunday, August 25th, 2013, in Lions Park.

MOTION: Council carried a motion to adopt Resolution 2013-19 authorizing the use of City property for the Hispanic State Softball Tournament. M/S *Snyder/Bain* Councilmember Garcia abstained from voting.

UNFINISHED BUSINESS

NEW BUSINESS

EXECUTIVE SESSION

Mayor Wilson adjourned the Regular Council meeting at 7:10 p.m. into an Executive Session pursuant to RCW 42.30.110(g) to review the qualifications of an applicant for public employment. The executive session was expected to last twenty (20) minutes. No action was taken during the executive session and council reconvened prior to making their decision.

The Mayor reconvened the meeting at 7:32 p.m.

Mayor Wilson announced he was appointing Wade Farris to the position of City Administrator.

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MOTION: **Council unanimously confirmed the Mayor's appointment of Wade Farris as City Administrator. *M/S Johnson/Caylor***

Councilmember Snyder stated he had visited Salem, OR recently and saw the Coulee Corridor advertised as an attraction for visitors to the Northwest.

ADJOURNMENT

With no further items to discuss, Mayor Wilson adjourned the Council meeting at 7:35 p.m.

By: _____
TIM WILSON, Mayor

ATTEST:

By: _____
NACELLE J. HEUSLEIN, Interim City Clerk