

**City of Othello
Regular Council Meeting
August 26, 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

Genna Dorow

Dan Dever

Mark Snyder

Absent:

Eugene Bain

Charles Garcia

Staff:

Finance Officer Spencer Williams

Police Sergeant Rehaume

Interim City Clerk Nacelle Heuslein

City Attorney Katherine Kenison

City Engineer Larry Julius

Beautification Committee Chair Lynette

Caruthers

City Planner Darryl Piercy

ROLL CALL

MOTION: **Council carried a motion for an excused absence for Eugene Bain. M/S
Snyder/Dever**

MOTION: **Council carried a motion for an excused absence for Charles Garcia.
M/S Dorow/Caylor**

1.4 CITIZEN INPUT

1.5 Rigoberto Rebollejo of 331 East Cedar Street Apt No 8. representing a group of skateboarders, requested the Council construct a Skateboard Park. Location suggestions were the lot across from the *Lep Re Kon Mart* on Main Street, an empty space near Wal-Mart and the gas station and finally a location next to Burger King. He suggested the name of the park be *Bob Smith* who was associated with the Hiawatha Egg Drop. Brayden Smith of 640 South 5th Avenue also thought it was a good idea to have a skate park since they have been asked to leave several places because of insurance liabilities. They would like to have a "Street" park and not one with a lot of stairs or rails. When asked if they liked the Moses Lake Park, they felt it didn't have enough street components. They liked street skating more than rail or stair skating. They also would like a concrete park rather than a wood or metal one with a few ramps. Mayor Pro Tem Ken Johnson stated the city has put \$200,000 away for the construction of a skate board park. Councilmember Dever said he appreciated the work the boys have put into a suggested plan. Mayor Wilson stated they would be invited to participate in the planning of a park.

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 August 12, 2013

3.2 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 reviewed by the Council audit committee and is available to the Council. Approval of Accounts Payables check numbers 42993 through 43042 in the amount of \$148,092.90.

3.3 Acceptance of Ashwood Notch - Phase 2

RCW 35.91.030 indicates public and utility facilities, which are developer installed, should be accepted by the City of Othello upon completion if the facilities are built to City standards. Council is the authority to accept projects when complete. Ashwood Notch – Phase 2 has been completed by the developer Olsen Homes and the Public Works Department is in acceptance of the streets, sidewalks, water, sewer and storm system. A warranty bond will be in place upon acceptance of the project. The warranty period is for two years. Staff recommends council accept this project as complete.

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

CURRENT BUSINESS

Adams County Pet Rescue Presentation

Jamie Krueger, Shelter Director, presented the council a shelter report showing how many city, county and owner claimed dogs per month are taken into the shelter. Ms. Krueger also stated the shelter has been doing something new, transferring dogs to other shelters. This process helps them to better serve the community by taking in dogs and finding them homes. They are partnering with many different shelters like PAWS which is located in Lynnwood; NOAH located in Marysville; Grant County Shelter which is in Moses Lake; 11th Hour located in North Bend/Issaquah; Sunny Skies in Puyallup and the Seattle Humane Society. Ms. Krueger also mentioned they are currently focusing on re-homing the dogs rather than adopting them out.

Mikki Kison, President of Adams County Pet Rescue provided detailed statistical information to the council regarding the number of spayed and neutered pets as it relates to the poverty level within the community. Ms. Kison expressed her pleasure in working with the new Code Enforcement Officer Heather Miller.

Various questions were asked by councilmembers and Mayor Tim Wilson in regards to the budget process, the cost effects of re-homing the animals and if the current property will still be used once the new facility is completed. Ms. Kison did mention there has been a lot of stealing from the facility and they would like some help with fencing in the front and on top of the facility's pens. Mayor Wilson requested they get together with Terry Clements, Public Works Director to see what can be done.

Presentation by Paul Stoker, GWMA

Paul Stoker stated one of the goals of the Ground Water Management Association (GWMA) is to work with the City of Othello to conduct an aquifer storage and recovery (ASR) feasibility assessment, focusing on how ASR could be used to meet future City water supply needs. The assessment would address such things as potential source water, water rights, engineering considerations and hydrogeology constraints. It would also include an alternative assessment, attempting to identify alternatives to ASR that might be able to meet some of the City's future water supply needs. The study would be completed within 16 months.

The proposed project budget, paid for by the Department of Ecology, for the Othello Aquifer Storage and Recovery Feasibility Assessment Project is \$225,000, divided between the three project tasks as follows:

- Task 1: Hydrogeologic Evaluation: \$120,000
- Task 2: Groundwater/Source Water Compatibility: \$60,000
- Task 3: Preliminary Water Rights, Engineering and Alternatives assessment: \$45,000

Councilmember Caylor stated he thought this is a solution to the water problems facing the City of Othello.

MOTION: **Council carried a motion to authorize the Mayor to prepare a letter of support to *Derek Sandison, Director of the Office of Columbia River (OCR) for the Department of Ecology*, for the 2013-2015 Columbia Basin GWMA Project for the City of Othello Aquifer Storage and Recovery Feasibility Assessment. M/S Caylor/Dever**

4.3 Beautification Committee Update

Lynette Caruthers, Chair of the Beautification Committee has been working on plans over the last few years to make Othello's Main Street more aesthetically pleasing to citizens and inviting to visitors. Such plans include the installation of pedestrian lighting, potted plants and potted trees. As the first phase of these plans, the Beautification Committee would like to begin work on Main Street, between 13th and 14th Avenue, and bring the aforementioned elements to this prototype block.

The Beautification Committee recently came upon a change in the variety of pots for planters to be included in the Main Street beautification project. These pots, made by Washington Pottery, are a rustic red hue that will add color and brighten Main Street. These pots can be purchased at a wholesale price and in large or small quantities, allowing various business owners to purchase them individually, if desired.

The Beautification Committee has received a grant from the Department of Commerce for \$19,500 to purchase and install energy efficient lighting along Main Street. To receive these funds, the Beautification Committee must purchase the lights prior to December 31, 2013.

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The estimated costs are:

• Purchase 6 Pedestrian Street Lights (16-foot height)	\$36,500
• Offload lights for storage at Public Works	\$500
• Create purchasing Specifications and assist with bid process	\$500
• Advertise for bids	\$500
ESTIMATED TOTAL:	<u>\$38,000</u>
 TOTAL PURCHASE PRICE:	 \$38,000
TOTAL AMOUNT OF GRANT:	\$19,500
DIFFERENCE:	\$18,500

MOTION: **Council carried a motion to approve the City's purchase of six pedestrian street lights for installation on Main Street between 13th and 14th Avenue from the Street Fund. *M/S Dorow/Caylor***

Ms. Caruthers stated the Beautification Committee will solicit donations for the pots and it would not be a responsibility of the City. The pot order would need to be placed by the end of October for a spring delivery. She is requesting a drip irrigation system be installed in the pots when the lights are installed. Upon a question by Council, she stated she hasn't as yet addressed the graffiti issue on the pots, but thinks a solvent would be able to clean them easily. Some of the taller pots would not be placed on the street to be pushed over, but rather in the commercial areas.

MOTION: **Council carried a motion to approve the Beautification Committee's recommendation for using Washington Pottery's rustic red planting pots in the Main Street beautification project prototype block (13th to 14th Avenue). *M/S Snyder/Dorow***

4.4 Final Plat Approval for Ashwood Notch Phase II

Darryl Piercy, City Planner, stated the applicant for Ashwood Notch Phase 2 has requested Final Plat approval. He noted the Agenda Memo under the Consent Agenda states the Public Works Department is in acceptance of the streets, sidewalks, water, sewer and storm system. The application for a Major Plat was considered by the City Council and issued an approval of the preliminary plat subject to conditions. The application has demonstrated fulfillment of required conditions. The Final Plat has been reviewed by the City Engineer and the Othello City Water and Sewer departments pursuant to the requirements of City Code. Staff recommends approval of Ashwood Notch Phase 2 Final Plat. A Letter of Credit has been received by the City.

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MOTION: Council carried a motion to approve the Final Plat for Ashwood Notch and authorize the City Engineer and City Planner on behalf of the City Administrator to sign the Final Mylar. *M/S Johnson/Dever*

4.5 Approval of City Administrator Contract

The following represents the 2014 Budget Committee schedule:

2014 Budget
Council Budget Committees

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1) Contracts	a. Ken Johnson b. Ken Caylor c. Genna Dorow	Date: <u>9/25/2013</u>	Time: <u>12:00 PM</u>
		Staff: <u>Mayor Wilson, Spencer</u>	<hr/>
2) General Government	a. Ken Johnson b. Ken Caylor c. Charles Garcia	Date: <u>9/27/13</u>	Time: <u>12:00 PM</u>
		Staff: <u>Mayor Wilson, Spencer, Debbie, Nacelle, Darryl</u>	<hr/>
3) Street Fund	a. Ken Caylor b. Dan Dever c. Genna Dorow	Date: <u>10/2/13</u>	Time: <u>12:00 PM</u>
		Staff: <u>Mayor Wilson, Spencer, Terry</u>	<hr/>
4) Sewer/Water	a. Genna Dorow b. Dan Dever c. Ken Caylor	Date: <u>10/3/13</u>	Time: <u>12:00 PM</u>
		Staff: <u>Mayor Wilson, Spencer, Terry, Jim Laird, Dan Quick</u>	<hr/>
5) Solid Waste	a. Eugene Bain b. Mark Snyder c. Ken Caylor	Date: <u>10/3/13</u>	Time: <u>6:00 PM</u>
		Staff: <u>Mayor Wilson, Spencer, Terry</u>	<hr/>
6) Special Rev./Debt Service	a. Ken Johnson b. Genna Dorow c. Mark Snyder	Date: <u>10/8/2013</u>	Time: <u>12:00 PM</u>
		Staff: <u>Mayor Wilson, Spencer</u>	<hr/>
7) Parks & Rec	a. Charles Garcia b. Eugene Bain c. Genna Dorow	Date: <u>10/9/13</u>	Time: <u>6:00 PM</u>
		Staff: <u>Mayor Wilson, Spencer, Terry, Molly</u>	<hr/>
8) Law Enforcement	a. Ken Johnson b. Mark Snyder	Date: <u>10/10/13</u>	Time: <u>12:00 PM</u>
		Staff: <u>Mayor Wilson, Spencer, Chief</u>	<hr/>

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c. Dan Dever

9) Code Enforcement

a. Mark Snyder
b. Eugene Bain
c. Dan Dever

Date: 10/10/2013 Time: 6:00 PM
Staff: Mayor Wilson, Spencer, Chief

Mayor Wilson briefed Council on the Employment Contract for the new City Administrator Wade Farris and stated after an extensive employment search and interview process the City Council moved, at their August 12, 2013 meeting, to unanimously confirm the Mayor's appointment of Wade Farris as City Administrator. This Contract solidifies his working arrangement with the City of Othello in regards to the term of the contract, severance, salary, benefits, vacation & sick leave, retirement, professional development, Civic Organization memberships and relocation allowance. The budget is \$115,000 yearly salary and a \$7,500 relocation expense. The severance package would be three (3) months of salary with exceptions. There is a six month probationary period. He will be entitled to the same benefit package as other employees. He is starting with tenure of 10 years. He is required to live within the boundaries of the Othello School District.

MOTION: **Council carried a motion to authorize the Mayor to enter into an employment contract with Wade Farris. M/S Caylor/Dorow**

4.6 2014 Budget Committee Presentation

Finance Officer Williams stated the city will follow a similar format for the budget process as last year. Prior to presenting the budget for approval during their regular council meeting, the Mayor, Finance Officer and appropriate Department will review it with the council budget committees. A preliminary calendar has been prepared for Council review. Finance Officer Williams requested Council review the committees and the meeting dates and times. He will make changes as necessary to fit their schedules.

The Mayor reviewed each committee with council. Councilmember Dever requested to be placed on the Street Committee. Councilmember Snyder removed himself from it. Councilmember Dever was also placed on the Code Enforcement Budget Committee.

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
September	24	25	26	27	28	
29	30					
October	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26

4.7 Transportation Improvement Board (TIB) Grant Applications - Request Matching Funding

Terry Clements, Public Works Director stated the Transportation Improvement Board grant deadline of August 23rd, 2013 forced Public Works and the City Engineer, Larry Julius, to go ahead and submit an application for funding for street improvements. The grant requires matching funds, which the city will need to provide. The following projects were listed on the application (showing the dollar amount of necessary matching funds and total project costs):

- Scooten Street Improvements (1st Avenue to 7th Avenue) - \$43,820 (Match) – Project Cost - \$219,100
- South 1st Street Improvements (East Main to East Spruce Street) - \$45,530 (Match) – Project Cost - \$455,300
- 14th Avenue Reconstruction (Cemetery Road to SR26) - \$490,000 (Match) – Project Cost - \$2,450,000

Staff is requesting council to approve the matching funds (totaling \$579,350), should the City be awarded the TIB grant. Funds could come from: Street Reserve Funds, Utility Tax Fund and REET Fund. Staff recommends council approve the matching funds for any grants awarded by TIB for street improvements.

MOTION: **Council carried a motion to approve matching funds, if the city is awarded the Transportation Improvement Board grant for street improvements. M/S Dorow/Dever**

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Mayor Pro Tem Johnson stated at a recent meeting with the County's Prosecutor's Office, the City can use a 3% increase for their services for budget purposes.

City Attorney Katherine Kenison updated Council on the Liquor Control Board's (LCB) recreational and medical marijuana regulations. Currently the city has a moratorium in place which expires January 28, 2014; however she does not recommend it be continued. The Liquor Control Board will delay adopting the final regulations implementing I-502 (the effective date is now projected to be Nov. 4th). Licenses for growers, processors and retailers will probably not be issued until March or April of 2014 (which is also a delay from earlier projections). One can be a grower and processor, but not a retailer within that combination. The LCB is requesting from each city and county copies of land use regulations and zoning ordinances that restrict where marijuana businesses can locate. City Attorney Kenison requested Darryl Piercy, City Planner to determine the prohibited 1,000 foot zone (proximity to schools, parks, recreation centers, etc.) established by I-502. On September 4th, the Liquor Control Board will put out its numbers for the expected number of recreational marijuana retailing licenses - how many locations in each county and how many in the major cities of each county. Ms. Kenison noted

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for the 2003 – 2005 biennium the largest cash crop was marijuana with the second largest cash crop in Washington being apples.

Upon a question by Councilmember Caylor, Ms. Kenison stated there were no regulations on the size of the grow, but there must be security measures in place.

Mayor's Announcement

Mayor Wilson informed council the next scheduled Council Workshop will be Tuesday September 3rd, 2013 because of Labor Day.

Executive Session - Property Acquisition

Mayor Wilson adjourned the Council meeting at 8:43 p.m. to enter 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 was expected to last 15 minutes. No action was taken during the executive session.

City Attorney Kenison also stated the AT & T litigation would be discussed as well.

The Executive Session adjourned at 9:10 p.m. after a seven (7) minute extension and a five (5) minute extension.

Department Heads' July Reports

Council received reports from the Public Works, Finance, City Clerk and Police Departments.

ADJOURNMENT

With no further items to discuss, Mayor Wilson adjourned the Council meeting at 9:11 p.m.

By: _____
TIM WILSON, Mayor

ATTEST:

By: _____
**NACELLE J. HEUSLEIN, CMC, Interim City
Clerk**