

City of Othello
Regular Council Meeting
August 27, 2001

Mayor Pro-Tem Everett Cole called the meeting to order at 7:00 p.m. Members present were: Leonard Lyon, Les Clemons, Don Derifield, Jeannie Ochoa, and Kenneth Johnson. Absent were Mayor Kelley and Council member Eleanor Brodahl. Also present were: Debbie Kudrna, Curt Andrews, and Rhonda Miller, City Department Heads; Bill Shaw, City Administrator; and James Whitaker, City Attorney.

Council member, Kenneth Johnson led the opening invocation and Mayor Pro-Tem Cole led the Pledge of Allegiance.

APPROVAL OF AGENDA

Council carried a motion to approve the agenda as presented. M/S Clemons/Derifield.

CONSENT AGENDA

A. Approval of Minutes of August 13, 2001

Council carried a motion to approve the consent agenda as presented. M/S Ochoa/Clemons.

REFUNDING ORDINANCE FOR 1995 LT GO BONDS

Finance Officer Rhonda Miller presented the proposed ordinance which would provide for the refinancing of the general obligation bonds for the City of Othello in the principle amount of \$1,545,000.00. This would allow refunding of the callable portion of the 1995 general obligation bonds. She reported they expect a net savings to the city of approximately \$82,000.00 with a net percentage savings of approximately 4.85%. The bonds will be insured by FSA and are rated AAA by Standards and Poors. Ms. Miller reported that all expenses, including the contract terms with Martin Nelson and Company are included in the refinance project.

Council carried a motion to approve AN ORDINANCE OF THE CITY OF OTHELLO, WASHINGTON, PROVIDING FOR THE ISSUANCE AND SALE OF LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF \$1,545,000.00 TO REFUND CERTAIN OUTSTANDING LIMITED TAX GENERAL OBLIGATION BONDS OF THE CITY; AUTHORIZING THE APPOINTMENT OF AN ESCROW AGENT AND THE EXECUTION OF AN ESCROW AGREEMENT RELATED TO SUCH REFUNDING; PROVIDING THE DATE, FORM, TERMS AND MATURITIES OF SAID BONDS; AUTHORIZING A PRELIMINARY OFFICIAL STATEMENT; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF SALE; AND APPROVING THE SALE OF SUCH BONDS. M/S Clemons/Johnson. This shall be known as Ordinance No.1095.

CONTRACT WITH MARTIN NELSON & COMPANY FOR REFUNDING BONDS, 2001

Finance Officer Rhonda Miller presented the contract between the city and Martin Nelson & Company to handle the refunding bond process for the city. Council carried a motion to authorize the Mayor to execute the contract with Martin Nelson & Company for providing the bonding services as presented. M/S Clemons/Johnson.

ACCEPT THE PETITION TO ANNEX FROM CURTIS AND SUE ANN ROBERTS AND SET PUBLIC HEARING ON THE ANNEXATION AND ZONING REQUESTS

The City Clerk presented the petition to annex, which had been signed by Curtis and Sue Ann Roberts and noted that the Adams County Assessor's office had filed their statement confirming that the Roberts' property amounted to at least 60% of the value of the property included on the petition.

Council carried a motion to accept the legally sufficient petition to annex, as filed by Curtis and Sue Ann Roberts and set the public hearing on the zoning and annexation request for September 24, 2001. M/S Derifield/Clemons.

City of Othello
Regular Council Meeting
August 27, 2001

Mr. Shaw stated that the staff is working with the Roberts to obtain a right-of-way easement on property south of Cemetery road. He stated this is needed to be able to obtain the proper right-of-way width for Cemetery Road adjacent to the property requesting to be annexed.

RESOLUTION TO SET PUBLIC HEARING ON THE SIDEWALK ASSESSMENT ROLL

The City Clerk explained that the assessment roll has all of the original properties that were included in Resolution No. 2001-12 for construction of new sidewalks or improvements to the existing sidewalks. She explained that we are proceeding through the process set by RCW 35.68 for sidewalk improvement and construction. This process includes proper notification of the upcoming hearing, including certified letters to be mailed to the property owners listed on the assessment role advising them of the public hearing and reminding them to properly inform the city administrator if their intent is to complete the improvements as described in Resolution No. 2001-12 by September 1, 2001. The procedure also includes that after the public hearing on September 10th a draft ordinance will be presented to the council and at that time the council may take action to either affirm, modify, reject or order the recasting of the assessment roll. A resolution will be prepared that will provide the provisions for repayment of the cost of the improvements done by the city contractor.

Council carried a motion to adopt a resolution titled A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING ON THE ASSESSMENT ROLE ESTABLISHED FOR THE CITY OF OTHELLO TO DIRECT THE CONSTRUCTION AND/OR RECONSTRUCTION OR REPAIR OF SIDEWALKS, CURBS AND/OR DRIVEWAYS IN THE CITY OF OTHELLO. M/S Clemons/Derified. This shall be known as Resolution No. 2001-26.

AWARD THE CONTRACT FOR THE SIDEWALK PROJECT 2001

Mr. Shaw reported that bids were received and opened from two contractors for the sidewalk project 2001. These were as follows;
North Central Construction, Inc. Total estimated price for both addendum's: \$87,259.50
Simpson Construction, Inc. Total estimated price for both addendum's: \$176,513.00
He noted the apparent successful bidder is North Central Construction, Inc. of Moses Lake. Mr. Shaw explained that the estimated cost of improvements as listed on the assessment roll had been changed to reflect the price bid amount submitted by North Central Construction.

Council carried a motion to award the sidewalk project 2001 to North Central Construction, Inc. based upon the estimated unit prices, as listed on the bid tabulation forms. The total estimated price for both addendum's submitted by North Central Construction, Inc. is \$87,259.50. M/S Derifield/Clemons.

RESOLUTION TO AUTHORIZE BUILDING PERMIT TO PJT ASSOCIATES, LLC

Mr. Shaw explained that PJT Associates, LLC is currently in the process of filing for a planned district development (PDD) major subdivision plat titled Coventry House Plat. He explained that the Planning Commission has reviewed the preliminary request and have concluded that they have no real problems with the proposal as being presented tonight. This included the narrow streets, public utilities and the street eventually being a public street with the development to be responsible for maintenance of the interior streets. The Council received a resolution which would authorize building improvements on unplatte land for one assisted living facility, one multi-family unit and four single family units within this development. Mr. Shaw explained that with adoption of the resolution authorizing the building permits, it did not bind the city into approval of a plat for this development. It also included that the developer acknowledges the approval authorizing building permits does not vest any rights for the preliminary or final plat approval. A thorough review of

City of Othello
Regular Council Meeting
August 27, 2001

the resolution was provided and discussion was held regarding the narrow interior roads. It was noted that there have been some changes regarding the corner radii and the lots within the development had been changed to alleviate the developer improving the full width of Olympia Street from 2nd to 4th Avenue. There was a discussion on the enforcement issue of no parking on the streets and some concerns were voiced about building permits issued prior to the public hearing processes for the PDD and plat. Council carried a motion to adopt A RESOLUTION AUTHORIZING BUILDING IMPROVEMENTS ON UNPLATTED LAND. M/S. Ochoa/Clemons. This shall be known as Resolution No. 2001-27.

RESOLUTION TO DESIGNATE OTHELLO'S AGENT TO RECEIVE CLAIMS FOR DAMAGES
City Attorney James Whitaker presented a resolution which would designate the City Administrator as the contact to receive claims for damages pursuant to RCW Chapter 4.96. He noted this resolution will be filed with the Adams County Auditor. Council carried a motion to adopt A RESOLUTION DESIGNATING THE CITY OF OTHELLO'S AGENT TO RECEIVE CLAIMS FOR DAMAGES PURSUANT TO RCW CHAPTER 4.96. M/S Derifield/Ochoa. This shall be known as Resolution No. 2001-28.

D.A.R.E. AGREEMENT WITH ADAMS COUNTY COMMUNITY COUNSELING
The City Clerk presented an agreement between the Othello Police Department and Adams County Community Counseling services for Drug Abuse Resistance Education services (D.A.R.E.). She noted this provides for an annual payment to the city of \$5,495.00 for services provided between July 1, 2001 through June 30, 2002. The D.A.R.E. program includes provided through the school system by the Othello Police Department. The agreement is the police department's commitment to perform pre surveys and post surveys and deliver the results to community counseling services for tabulation. Council carried a motion to authorize the execution of the Drug Abuse Resistance Education Services Agreement as presented. M/S Ochoa/Johnson.

AUTHORIZE BID FOR FIRE TRUCK PURCHASE
Mr. Shaw presented a bid for a new fire truck through a joint bid purchase with the City of Moses Lake. The bid was provided by D3Z from Yakima in the amount of \$236,527.59. He noted the cost included credits for items that were needed and costs for items that were recommended in addition to the base specifications. Mr. Shaw noted that John Cagle, Fire Marshall had completed a review of the bid and concluded the bid is in substantial compliance with the specifications. Council carried a motion to award the bid for a new fire truck to D3Z Inc., of Yakima, Washington for the base bid amount of \$229,880.95, less credits and plus modifications for a total amount of \$236,527.59. M/S Ochoa/Clemons.

UNFINISHED BUSINESS

Mr. Shaw reported that John Cagle's last day of employment as Fire Marshall is September 14, 2001.

Mayor Pro tem Everett Cole announced the resignation of Planning Commission member, Mr. Cal Schaffer and he requested that letters be submitted to Mayor Kelley from anyone interested in appointment to this open position.

NEW BUSINESS

Mr. Shaw reported that due to the recent announcement from Avista of a 36% rate increase, he will be presenting a recommendation of 1 cent (\$0.01) on the three block rates for water use. He stated that the Avista rate increase will impact the city's pumping costs by approximately \$60,000 and noted that their increase is effective October 1, 2001.

The City Clerk announced that the upcoming workshop is scheduled for Tuesday, September 4, 2001 and items to be discussed were given to the clerk at this time.

**City of Othello
Regular Council Meeting
August 27, 2001**

Mr. Shaw reported that the city staff is reviewing the possibilities of demolishing the old public works building to build a new facility to house the fire department vehicles.

ADJOURNMENT

With no further business to discuss Mayor Pro tem Everett Cole adjourned the council meeting at 8:00 p.m.

Everett Cole, Mayor Pro tem

Attest:

Debbie L. Kudrna, City Clerk