

City of Othello  
Regular Council Meeting  
September 13, 2010

**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: Ken Caylor, Dan Dever, Genna Dorow, Charles Garcia, Kenneth Johnson, Mark Snyder, and Marc Spohr.

Also Present: City Administrator Ehman Sheldon; Department Heads: Finance Officer Mike Bailey, Asst. Police Chief David Inks, City Clerk Debbie Kudrna, and City Attorney James Whitaker.

**APPROVAL OF AGENDA**

Councilmember Johnson made a motion to approve the agenda as presented and was seconded by Councilmember Garcia. Councilmember Spohr stated that he felt it is inappropriate to discuss 4.2: ACDC Contract – Addendum No. 2, at this time. He explained that this should be discussed during the budget process. He explained that there may be a need to make budget considerations and if we adopt this now, we would be financially locked in. Councilmember Johnson stated that the contract is July-July, and was appropriated in last year's budget for this year. If the contract is approved tonight, ACDC will bill for the per-capita amount for 2011. Mr. Sheldon advised that we received a request from ACDC to consider the contract and believes there is no deadline for consideration of the contract. He explained that ACDC will need to submit their budget to the State. Councilmembers Snyder, Dever, Spohr, Caylor, Dorow and Garcia cast opposing votes, therefore the motion did not pass.

Council carried a motion to approve the agenda, with item 4.2: ACDC Contract – Addendum No. 2 removed. M/S Spohr/Caylor. Councilmember Johnson cast an opposing vote.

**CONSENT AGENDA:**

- A. Approval of City Council Minutes of August 23, 2010
- B. Approval of City Council Workshop Minutes of September 7, 2010
- C. Approval of Accounts Payable Checks
- D. Approval of Payroll for August 2010

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.

Expense Claim Check No. 38715 to No. 38795 in the amount of \$693,634.92.

Payroll Check No. 26780 to No. 26863 in the amount of \$ 286,296.63.

Council carried a motion to approve the Consent Agenda as presented. M/S Caylor/Snyder.

**5 YEAR EXTENSION FOR WATER SERVICE – CARLOS GARCIA**

Councilmember Charles Garcia left the Council Chambers at 7:13 p.m. due to a conflict of interest.

City Administrator Ehman Sheldon advised that the City had a 25-year agreement with Carlos Garcia for water service outside the city limits, which expired last year. A year ago, the Council granted a one-year extension. Mr. Carlos Garcia is asking the Council to extend the water agreement for an additional five years. Mr. Garcia indicated that he wanted a five-year extension because the City has obtained funding for extensions of water and sewer services in the area and he feels that we would annex his property in the future and feels it would not be in his best interest to connect to his own well. The property is located on Moon Street and is currently not within the city limits.

Council carried a motion to approve the five-year extension to the current water agreement with Mr. Carlos Garcia. M/S Dever/Dorow. Councilmember Charles Garcia re-entered the Council Chambers at 7:17.

**RESOLUTION TO CREATE A G. O. BOND MAIN ST. DEBT SERVICE FUND**

Finance Officer Mike Bailey advised that this fund will establish the G. O. Bond Main Street Project 2010 Fund 225, as a fund to account for receipts and disbursements related to debt service over the 25 year life of the Main Street Project Bond.

Council carried a motion to approve A RESOLUTION ESTABLISHING THE 2010 MAIN STREET AND INFRASTRUCTURE PROJECT FUND. M/S Snyder/Dever. This shall be known as Resolution No. 2010-24.

**STORM WATER LATECOMER AGREEMENT**

City Administrator Ehman Sheldon explained that Council is being asked whether to establish an ordinance to create a latecomer agreement with the abutting property owners for a section of the pipe that the City will install. The estimated cost for the City's portion is \$36,000. The developer of Sagestone 6 & 7 will install a storm water infrastructure from the temporary retention pond and the City would install the infrastructure from 3<sup>rd</sup> Avenue east to 7<sup>th</sup> Avenue. The next step would be notification to abutting property owners, have a public hearing and presentation of an ordinance creating the latecomer agreement. Mr. Phil Bloom from Columbia Northwest Engineering explained that the portion of property east of 7<sup>th</sup> Avenue will be developed by Olsen Homes, LLC and they will create a reimbursement schedule to pay back their portion, if future development connects within 15 years. The homes built on Gemstone Street are already piped and drains to the retention pond. Sagestone 5, 6 & 7 will be connected to the existing piping. The pipe along Columbia Street will be large enough to collect storm water from the area. He advised that the proposed Sagestone 6 & 7 connects Gemstone Street to 14<sup>th</sup> Avenue. He reported that Ashwood Notch is designed to collect to another existing storm water system and not the one being discussed tonight. By installing the proposed infrastructure, the retention pond would be eliminated. Mr. Sheldon advised if approved, the funding would come from the sewer fund.

Council carried a motion to direct the Mayor to proceed with the latecomer ordinance. M/S Caylor/Dorow.

**PROCLAMATION RELATIVE TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA**

Mayor Wilson read the proclamation into the record.

**NEW BUSINESS**

Councilmember Spohr asked why the Councilmembers who sit on ACDC do not have to remove themselves from the discussion relevant to a contract with the organization. Mr. Whitaker explained that the Councilmembers on the ACDC committee do not have a pecuniary interest, which would disqualify them from the discussions. He further explained that if they received income from ACDC, they might be disqualified from discussions of a contract.

Mayor Wilson made the following announcements:

- The City audit begins Monday, September 20<sup>th</sup>.
- Budget committee assignments were reviewed.

**ADJOURNMENT**

With no further items to discuss, Mayor Wilson adjourned the Council meeting at 7:40 p.m.

By: \_\_\_\_\_  
TIM WILSON, Mayor

ATTEST:

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