

City of Othello
Regular Council Meeting
September 22, 2014

CALL TO ORDER

Mayor Shawn Logan called the meeting to order at 7:00 p.m. and led an invocation and the Pledge of Allegiance.

Present: Mayor Shawn Logan; Councilmembers: Eugene Bain, Genna Dorow, Corey Everett, Angel Garza, and John Lallas.

Also Present: City Administrator Wade Farris; Department Heads: Police Chief Phil Schenck; City Clerk Debbie Kudrna, Finance Officer Spencer Williams, and City Attorney Katherine Kenison.

Absent Were: Councilmembers Kenneth Johnson and Mark Snyder.

Council carried a motion to approve the absence of Councilmember Mark Snyder. M/S Bain/Garza.

Council carried a motion to approve the absence of Councilmember Kenneth Johnson. M/S Dorow/Lallas.

APPROVAL OF AGENDA

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

CONSENT AGENDA:

- A. Approval of City Council Minutes of September 8, 2014
- B. Approval of Accounts Payable Checks
- C. Set Public Hearing on the Revenue Sources for 2015 for October 13, 2014

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. 44408 to No. 44462 in the amount of \$141,235.94.
Accounts Payable Check No. 5119 to No. 5124 in the amount of \$4,381.81.

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

DISTINGUISHED BUDGET AWARD

Mayor Logan advised that the City of Othello has earned the WFOA Distinguished Budget Award for 2014. He congratulated Finance Officer Spencer Williams and presented him with a plaque.

COLUMBIA BASIN DEVELOPMENT LEAGUE

Mike Schwirow, Director of Government Relations for the Columbia Basin Development League (CBDL) thanked the City of Othello for their support of their activities. He reviewed the value of water for irrigation uses in our agricultural areas; reviewed the CBDL priority actions, past development and progress of their programs; listed the entities that are involved in their projects; reported on the progress of the East Low canal project and other projects. Mr. Schwirow stated that Grant County's farm production is greater than Adams County because most of the farmland in Grant County is irrigated. Mr. Schwirow gave an update on the Columbia River treaty with Canada.

UPDATE ON SCANNING PROJECT

IT Manager, Stan Anderton, updated the Council on the City's scanning project; and noted that the staff is moving forward on the scanning project. The City Clerk stated that their process is almost complete and other departments will have to decide what and how they will scan their records.

APPOINT BOB BLAIR TO INDEPENDENT SALARY COMMISSION

The City Council confirmed the appointment of Bob Blair to the Independent Salary Commission. This is a 4 year term and shall expire January, 2018.

ESTABLISH THE C PENALTY FOR ORDINANCE NO. 1409

City Attorney Kenison advised that the City Council approved Ordinance #1409 relevant to Code Enforcement on September 8, 2014. She advised that the civil violation penalty listed in 1.30.030 was not complete as follows:

1.30.030: "Any person who willfully or knowingly causes, aids or abets a civil code violation pursuant to this title by any act of commission or omission shall be deemed to have committed a civil violation subject to a C-__ penalty".

City Attorney Kenison advised that Council should establish the monetary penalty for violations of the City's municipal code. She also advised that the ordinance is valid and the penalty amount is a maximum of \$5,000 until Council establishes a specific penalty. She suggested that at least a C-7 penalty (\$260.00) would be appropriate.

Council carried a motion to approve the C-7 penalty (\$260) for OMC Chapter 1.30.030. M/S Dorow/Lallas.

RIGHT-OF-WAY PERMIT DISCUSSION

City Administrator Wade Farris explained that recently a citizen complained that the City was being too strict in the enforcement of the right of way ordinance that requires a permit to do work in the City's streets. Specifically, Home Depot is delivering home appliances using a tractor trailer rig with a forklift to off load the appliance. Since the truck takes up much of the street and the forklift operates in the city street blocking traffic, public works and code enforcement determined they needed a right of way permit. Unfortunately, Home Depot has advised they will not change their delivery procedures and they require that our citizens obtain and pay for the right-of-way permit. Mr. Farris reviewed the pros of enforcing the right-of-way permits.

Mr. Farris presented options for the Council consider: to approve a change to the ordinance that allows for home appliance deliveries and temporary street blockage by listing them as exempt. The other option is to continue to enforce the ordinance as written. The City Attorney also stated that the City could consider granting a fee exemption, which would exempt the right-of-way fee and they still have to meet the requirements of the right-of-way permit. This will be updated and presented at the next meeting.

ORDINANCE CREATING OMC CHAPTER 9.46 TITLED "OFF ROAD VEHICLES AND WHEELED ALL-TERRAIN VEHICLES"

City Administrator Wade Farris presented an ordinance to supplement RCW 46.09, which regulates ORV/WATV vehicles upon city streets. Council and staff discussed other provisions of the ordinance.

Council carried a motion to adopt the new OTHELLO MUNICIPAL CODE CHAPTER 9.46 ENTITLED "OFF ROAD VEHICLES (ORV'S) AND WHEELED ALL-TERRAIN VEHICLES (WATV'S), with the changes to the text, as listed:

- Take off the flag requirement attached to the vehicle.
- Change the age of drivers of the vehicles to 18.
- Keep the insurance requirements.
- Add a sentence to 9.46.090: "Any violation of this Chapter 9.46 not covered by the RCW's will be considered a violation of the OMC which will be an infraction subject to a C-7 penalty as set forth in OMC Chapter 1.10".

M/S Dorow/Garza. This shall be known as Ordinance No. 1410.

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UNFINISHED BUSINESS

Mayor Logan gave a definition of "unfinished business". Mr. Farris updated the Council on Well #9; it was drilled down to 1100'; plugged the well at 1,040'; pumped tested the well and performed a step test. All tests performed well and the well will pump 1300-1500 g.p.m. They found a leak in the plug and will repair it; will camera the well again to assure that the repair is complete; will install a sleeve in the hole; the fluoride issue has not been an issue, and they will install a variable frequency drive to regulate the water flow. He advised that staff will work with the water consultant to plan for the future needs for water.

NEW BUSINESS

Mayor Logan gave a definition of "new business". There was no new business.

EXECUTIVE SESSION

Mayor Logan announced that Council will now adjourn at 8:23 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. Also in attendance were the City Administrator Mr. Farris and the City Attorney. Mayor Logan reconvened the council meeting at 8:44 p.m.

ADJOURNMENT

With no further items to discuss, Mayor Logan adjourned the Council meeting at 8:45 p.m.

By: _____
SHAWN LOGAN, Mayor

ATTEST:

By: _____
DEBBIE KUDRNA, City Clerk