

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

Council member, Jeannie Ochoa led the opening invocation and Mayor Kelley led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- A. Approval of Council Minutes of August 27, 2001.
- B. Approval of Payroll and Related Expenses for August 2001.
- C. Approval of Warrants for August 2001.

Accounts Payable was audited and certified by the Auditing Officer, as required by RCW 42.24.080; and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing that is available to the Council.

Expense Claim Check No. 23727 to No. 23850 in the amount of \$347,640.21.
Payroll Check No. 14724 to No. 14822 in the amount of \$168,798.44.

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

EMPLOYEE RECOGNITION – DEBBIE KUDRNA

Mayor E R Kelley presented an employee appreciation plaque to City Clerk, Debbie Kudrna for 15 years of dedicated service. He expressed his appreciation for her commitment to the City of Othello.

PUBLIC HEARING TO ESTABLISH AN ASSESSMENT ROLL OF COSTS FOR SIDEWALK CONSTRUCTION

Mayor Kelley opened the public hearing to receive staff reports and receive public input about the Assessment Roll for the City's Sidewalk Project for 2001 at 7:07 p.m. Mayor Kelley noted that the public hearing is required by state law, RCW 35.68.050 and stated that the proper notice of the public hearing has been published.

City Clerk, Debbie Kudrna entered the following items into the record as exhibits:

- Exhibit 1: The Assessment Roll and map of the Sidewalk Project 2001. The City Clerk explained each column of the Assessment Roll at this time.
- Exhibit 2: A copy of the letter that was sent to all property owners listed on the Assessment Roll. She noted that there were two sets of letters sent out. Each property owner was sent a certified letter and a letter sent by regular mail.
- Exhibit 3: The certified mail receipts for the letters mailed out. She noted that PS form 3811 is the form sent back to City Hall when the letters are delivered, noting that someone at that address signed to receive the letter. All of the

certified letters were delivered and we have not received any of the regular mailed letters back as non-deliverable.

- Exhibit 4: A copy of the public hearing notice published in the legal section of the Othello Outlook on August 30th and September 6th, 2001.
- Exhibit 5: A letter sent by Mr. Ramiro DeLeon, his property is on the map, indexed as #15, 16, and 17. The City Clerk read the context of the letter into the record.
- Exhibit 6: A letter sent by Susan Bonnell, her property is on the map, indexed as #6. The City Clerk read the entire context of the letter into the record.

The City Clerk reported that Ron's Construction has verbally informed Mr. Shaw that he will be doing the construction for Mr. Harold Janett listed on the Assessment Roll as property owned by Sun Royal. Mr. Arlis Akins has also informed Mr. Shaw that they will be contracting out the Sidewalk Project for the property known as Cumulas Associates. The City Clerk noted that as a reminder, tonight's public hearing is on the Assessment Roll. At the conclusion of the public hearing, there will be a discussion regarding the ordinance to affirm the Assessment Roll and a resolution has been prepared regarding repayment of the sidewalk assessment costs.

Mayor Kelley asked for public testimonies at this time. Mr. Rodney DeLeon, 1212 E. Main Street, addressed the Council. He asked staff questions regarding the sidewalk specifications. He also asked, who would maintain the sidewalks. Mr. DeLeon explained how busy he is with other projects and requested extended time to get the sidewalks done. Building Official, Curt Andrews explained that the sidewalks on Main Street are to be no less than 10 feet to the property line and on the sides streets are to be no less than 5 feet to the property line. Mr. Andrews also stated that the property owner would maintain the sidewalks. Mayor Kelley then asked for Council comments or questions at this time. The City Clerk showed that a column on the Assessment Roll indicated the property owner's response to the notice; whether the property owner will perform the sidewalk improvements or if they want the City to complete the work. With no further comments, Mayor Kelley closed the public hearing on the Assessment Roll of the costs for the Sidewalk Project 2001 at 7:23 p.m.

ORDINANCE TO AFFIRM THE ASSESSMENT ROLL OF COSTS FOR SIDEWALK CONSTRUCTION

Council members, Kenneth Johnson and Jeannie Ochoa asked for discussion regarding the request from Mr. Ramiro DeLeon to extend his Sidewalk Projects to 2002. The City Clerk read into the record the motion made on June 25th, 2001 by the City Council, affirming the adoption of Resolution 2001-12. There was further discussion on Mr. DeLeon's deferment request by the Council.

Council carried a motion AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR 2001 SIDEWALK IMPROVEMENTS AND PROVIDING FOR THE METHOD OF PAYMENT TO THE CITY OF THE COST OF SUCH IMPROVEMENTS AND RECOGNIZING A LIEN UPON PROPERTIES BENEFITING FROM SUCH IMPROVEMENTS. M/S Lyon/Clemons. This shall be known as Ordinance No. 1096.

RESOLUTION TO PROVIDE RE-PAYMENT OF SIDEWALK ASSESSMENT COSTS

The Council was provided a resolution, which provided for the payment schedule and terms for the sidewalk project, if the City's contractor completed the sidewalks. The City

Clerk reviewed the provisions of the resolution and there was much discussion regarding Section 6, which noted that the property owner must have the improvements completed and accepted by the City on or before 11:00 a.m. on October 15th, 2001.

Council member, Lyon expressed his concerns of the request for an extension to 2002. He noted other property owners have made arrangements to do their projects. He recommended that they adopt the resolution as it is with a provision that if the project is not complete by October 15th, 2001, the Council will review the uncompleted projects at their meeting on October 22nd, 2001.

Council carried a motion to adopt A RESOLUTION PROVIDING FOR THE PAYMENT SCHEDULE FOR THE 2001 SIDEWALK PROJECT ASSESSMENT ROLL. Including the following language found in Section 6 under Resolved: "Provided however, any responsible property owner who has made a good faith effort to complete the original work, who has completed more than 50% of the required work and who is continuing to make progress, shall be permitted to approach the City Council on October 22nd, 2001 to seek additional time for the property owner to complete the required work." M/S Lyon/Derifield. This shall be known as Resolution No. 2001-29.

Council requested that staff look into the removal of the "Welcome to Othello" sign that is located close to 14th and Main Street, which is within the 10 foot area for a sidewalk.

EXTENSION OF PRELIMINARY PLAT BUCK MEADOWS DEVELOPMENT

City Planner, Curt Andrews explained that the preliminary plat for the Buck Meadows Development had expired in June and the current city ordinance requires that the final plat is completed within three years of the preliminary plat approval or Council may grant an extension. He noted that RCW 58.17 permits five years between preliminary plat approval and final plat completion. Mr. Andrews explained that a French Drain System has been installed within the plat to allow for draining of the ground water.

Council carried a motion to approve an extension of the Buck Meadow's Preliminary Plat until June of 2003. M/S Cole/Derifield.

ADJOURNMENT

With no further business to discuss, Mayor Kelley adjourned the council meeting at 8:15 p.m.

E R KELLEY, Mayor

ATTEST:

DEBBIE L KUDRNA, City Clerk