

Mayor E R Kelley called the meeting to order at 7:00 p.m. Members present were: Leonard Lyon, Eleanor Brodahl, Les Clemons, Everett Cole, Don Derifield, Jeannie Ochoa and Kenneth Johnson. Also present were: Curt Andrews, Debbie Kudrna and Debra Travis, City Department Heads; William Shaw, City Administrator; James Whitaker, City Attorney; Tammy McCourtie, dba: Tee Pee Septic; Scott Para and Bob Compean, dba: B. S. Pumpers; Pete Johnston, dba: Pete Septic and Excavation.

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 Minutes of August 28, 2000
- b. Approval of Payroll and Related Expenses for August, 2000
- c. Approval of Warrants for August, 2000
- d. Approval of Special Council Meeting Minutes of September 5, 2000

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. 22107 to No. 22231 in the amount of \$235,861.23.
Payroll Check No. 13590 to No. 13686 in the amount of \$159,515.95.

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

REVIEW ORDINANCE TO REQUEST ANNEXATION INTO THE PARTIAL RURAL LIBRARY DISTRICT

The Council was presented a draft ordinance, which would request annexation of the city limits into the Rural County Library District in Adams County, if approved by the county voters on September 19th, 2000. The City Clerk reviewed the draft ordinance and noted that if the voters approved the formation of the Rural Library District, the Council could meet on September 20th to review the outcome of the vote for formation of the Rural Library District. At that time, they would consider this ordinance, which requests annexation into that library district.

City Council concurred with the procedure that the City Staff is continuing with and agreed upon a time that they could meet on September 20th.

COUNCIL AUTHORIZATION FOR A BUILDING PERMIT TO NESTLE FOOD SERVICES

City Administrator Bill Shaw presented a resolution authorizing a building permit for installing footings and structure for the purpose of supporting an emission control device at the Nestle Food site in Othello. Due to the fact that this land is unplatted, the City Council can authorize such a permit. Discussion was held regarding the items that the City Staff would like to have resolved after the adoption of the resolution. Bill Wilson, Senior Project Engineer of the Moses Lake plant and Bill Engles, Maintenance and Engineer Manager of the Othello plant, addressed the Council regarding their request for the building permit. Mr. Wilson requested that the Council consider the building permit and

delay the platting issue items for a later time. He noted that the emission control device site did not impact or increase the issues included in the resolution. This would allow the successor of the Nestle Plant to be included in the platting issue. City Attorney James Whitaker suggested that the resolution authorizing the building permit be conditioned upon Nestle Food Services or its successor in interest, addressing to the satisfaction of the City, the platting issues not later than twelve months after the date of the adoption of the resolution.

Council carried a motion to adopt A RESOLUTION AUTHORIZING BUILDING IMPROVEMENTS ON UNPLATTED LAND - NESTLE FOOD SERVICES, with the amendment to section three as suggested by the City Attorney. M/S Derifield/Ochoa. This shall be known as Resolution No. 2000-16.

REQUEST TO DUMP INTO CITY SEWER – B. S. PUMPERS

Scott Para and Bob Compean addressed the Council and requested permission to use the City sewer dumping site on a temporary basis, while their SEPA checklist and Notice of Intent form is being reviewed by the Department of Ecology. The Council received a copy of the letter from DOE indicating that there was a large backlog of project applications and their particular application may not be reviewed until late 2000 or early 2001. Council also received a copy of a map indicating the location of the proposed lagoon and land application sites.

City Administrator Bill Shaw noted that staff has concerns of liability issues when receiving any type of raw materials. He felt that it would be the desire of the City to not have any other dumping into the lagoon system, other than Tee Pee Septic, who has an agreement with the City through November, 2000. Mr. Compean reported that their application process with the Department of Ecology is further along than Tee Pee Septic's application process and that B. S. Pumpers would be accepting no other waste, other than residential waste. Mayor Kelley reviewed the request submitted by B. S. Pumpers noting that the extension to Tee Pee Septic expires November, 2000. Tammy McCourtie of Tee Pee Septic, reported that her land application process and development would be completed by November.

Council carried a motion to table the request submitted by Bob Compean and Scott Para, dba: B. S. Pumpers, and keep the one agreement with Tee Pee Septic through November, 2000. M/S Clemons/Cole.

Pete Johnston, dba: Pete's Septic and Excavation, approached the Council and stated that he has been a sewer septic operator for thirty-years and has recently purchased equipment for his new company and has asked for the same contract terms as has been executed with Tee Pee Septic. Mr. Johnston noted that he has continued customers in two trailer courts, a restaurant in Moses Lake and has recently obtained the contract for the Adams County Fair. The Council took no action.

SEWER RATE INCREASE ADAMS COUNTY WATER DISTRICT

The Clerk provided a copy of the letter and proposed amendments to the agreement with Adams County Water District for wastewater disposal. The amendment proposed a sewer rate increase based upon the rates that are set for all other users for wastewater treatment. The letter included a thirty-day notice prior to the adoption of the rate and offered a meeting between the Commissioners and City Staff to discuss the proposed rate. The City Clerk noted that a public hearing is not necessary and that the adoption of the amendment will be discussed during the Council meeting set for October 9th, 2000, with the rates to be effective October 16th, 2000.

Council carried a motion to allow the staff to proceed with the process as outlined in the original agreement with the Adams County Water District for wastewater treatment dated July 10th, 1984. M/S Cole/Johnson.

ORDINANCE TO AMEND OMC 12.16.065 "INDUSTRIAL RATES"

Mr. Shaw presented an ordinance, which amended the current industrial rate ordinance, section regarding the volume charged. It removed the block rate structure for industrial water users to a volume charge of .30 cents per 100 cubic feet. The ordinance did not make any changes to the base rate as established by a previous ordinance but did eliminate a rate for Seneca. He noted that this ordinance would only be for industrial users who do not have a water contract with the City. Mr. Shaw explained that McCain Foods has not been charged for the block rates but has been charged the rates as established in this ordinance, as were approved by the City Council in February, 2000. Mr. Shaw noted that if a new industrial user were to connect to the City water system, their proportional use and all other industrial use would be reviewed to establish a rate charge if a water contract was negotiated. Gray and Osborne established the rates in the ordinance for industrial water rates during the 1996 water upgrade project.

Council carried a motion to adopt AN ORDINANCE AMENDING OTHELLO MUNICIPAL CODE SECTION 12.16.065 OF CHAPTER 12.16 ENTITLED "INDUSTRIAL RATES". M/S Ochoa/Clemons. This shall be known as Ordinance No. 1069.

RESOLUTION TO SET DATE FOR PUBLIC HEARING ON THE PETITIONS TO VACATE ALLEY FOR OCTOBER 9, 2000.

The City Council received signed petitions requesting an alley to be vacated in Block 6 of the Pershall Addition from Robert and Betty Boersma and Arlis and Rayda Akins. The City Clerk explained that the resolution states that the petitions have been filed and sets a public hearing on the request shortly after 7:00 p.m. during the regular Council meeting on October 9th, 2000.

Council carried a motion to adopt A RESOLUTION CALLING FOR THE VACATION OF THE ALLEY RUNNING NORTH AND SOUTH ADJACENT TO LOTS 1-2, 11-12, BLOCK 6, OF THE PERSHALL ADDITION IN THE CITY OF OTHELLO. M/S Derifield/Cole. This shall be known as Resolution No. 2000-17.

UNFINISHED BUSINESS

Mr. Shaw explained that staff had considered replacing the Main Street traffic lights next year, due to the fact that replacement parts are unavailable. He did request from the Council authorization to develop a bid packet, which would include rewiring the traffic lights and using funds out of this year's budget. The funding is available in the street fund. Mr. Shaw estimated that the project would be between \$100,000.00 to \$130,000.00 and the City would be able to utilize the small works roster competitive bidding system for the project. The Council's consensus was to allow the staff to develop the bid packet and to proceed with the project as explained by Mr. Shaw.

Mr. Shaw noted that the sidewalk replacement project is continuing. He has received no communication from the owners of the property where the Post Office is located and the owners of the property for Modern Trailer Court. He explained that in October, he would present an assessment role for the Council to consider for completion of sidewalks that the property owner has not performed or completed. He did note that another property owner has requested to be included in the City's program and this will be presented along with the assessment role in October. Council Member Lyon expressed some concerns of

the amount of right-of-way needed for the sidewalks at the Modern Trailer Court location and Mr. Shaw noted that no modifications to the existing trailers would be needed to construct the sidewalk on the City's right-of-way.

Council Member Brodahl expressed concerns of Pete Johnston's request to dump into the City's sewer system and asked that the Council discuss this further. Council's consensus was that no other agreement would be agreed upon at this time and noted that Tee Pee Septic's agreement with the City will expire in November, 2000.

NEW BUSINESS

Mayor Kelley showed a plaque that was given to the City from Columbia Colstor expressing gratitude of the City's support of the development of the new facility.

Mayor Kelley reviewed a fax from the Big Bend Economic Development Council, which encouraged the City Council to consider passing a resolution supporting the removal of Seattle's eight hydroelectric dams. Their request was in response to Seattle's City Council recently adopting a resolution supporting the removal of the four lower Snake River dams.

Council requested that a copy of the recent resolution regarding the Endangered Species be forwarded to the City of Seattle and decided to not take any further action at this time.

At 8:00 p.m., Mayor Kelley continued the Council Meeting of September 11th, 2000 to Wednesday, September 20th at 5:30 p.m. to be held in the City Hall Council Chambers.

E R KELLEY, Mayor

ATTEST:

DEBBIE L KUDRNA, City Clerk