

**CALL TO ORDER:**

Mayor Pro Tem Kenneth Johnson called the meeting to order at 7:00 p.m. and led an invocation and the Pledge of Allegiance.

**Present:** Councilmembers: Eugene Bain, Corey Everett, John Lallas, and Mark Snyder.  
**Also Present:** City Administrator Wade Farris; Department Heads: Public Works Director Terry Clements, Community Development Director Travis Goddard, City Clerk Debbie Kudrna, Finance Officer Spencer Williams and City Attorney Kelly Konkright.  
**Absent was:** Mayor Shawn Logan and Councilmembers Angel Garza and Genna Dorow.

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

**CITIZEN INPUT**

There was none.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA:**

- A. Approval of City Council Minutes of September 28, 2015
- B. Approval of City Council Workshop Minutes of October 5, 2015
- C. Approval of Accounts Payable Checks
- D. Approval of Payroll and Related Expenses
- E. Set Public Hearing on the 2016 Budget for November 9, 2015
- F. Set Public Hearing on the 2016 Capital Facility Plan for November 9, 2015

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. 45802 to No. 45860 in the amount of \$382,537.93.  
Payroll and Related Expenses Check No. 29569 to No. 29607 in the amount of \$307,255.64.

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

**OVERHEAD UTILITY LINES – PAUL KIMMEL FROM AVISTA**

Paul Kimmel from Avista reported that the street lights that they own will be changed to LED lights, to save the City electrical costs. Mr. Kimmel showed a PowerPoint presentation of their franchise agreements for service; managing for future needs; joint use and pole attachment agreements and promotion of broadband service. Steve Schulte from Avista explained to the Council the joint use of utility poles and pole attachments. He noted there are six utilities within Othello that can use their utility poles. They have taken steps to fix many of the situations on existing power poles and will continue to assess the poles for needed improvements.

**NOANET VARIANCE**

Chris Walker from NoaNet reiterated the power pole aesthetic and safety concerns in Othello. He noted that Avista worked quickly to create a list of issues on poles and those are being corrected. He noted that NoaNet has asked for a variance to go overhead for approximately five blocks to provide fiber service to 1045 E. Main Street. He provided a spreadsheet that indicates the costs for undergrounding this project versus aerial installation. There was a discussion about their permitting process with Avista and the permit process with the City. There was a discussion relevant to their estimated cost for installing underground.

Council carried a motion to authorize a variance for NoaNet, provided that the permitting requirements are met. M/S Lallas/Bain. Councilmember Everett cast an opposing vote.

#### **NOEL – LAD IRRIGATION VARIANCE**

Diane Bennett, Joshua Solis, and Patrick Trevor of Noel addressed the Council. Ms. Bennett advised that in 2007, they were contacted by Adams County about bringing fiber into Othello. She said that they did not know of the undergrounding ordinance; nor was it ever brought to their attention. Mr. Solis advised that they entered into an agreement to serve fiber to Lad Irrigation and to connect future connections. He reviewed the fiber construction plans for Lad Irrigation, noting they have already installed the aerial line. He noted the difference in cost for above ground and underground connection. Councilmember Everett asked if they approve the variance, how will the City know that they will follow the City's rules. It was noted that Noel did not apply for the City's right-of-way permit for the Lad Irrigation project. Mr. Trevor stated that he has inspected their lines and will continue to make improvements.

Councilmember Lallas asked the City's Community Development Director Travis Goddard if Noel is working with Avista to clean up their infrastructure, would that be satisfactory for the City. Mr. Goddard advised that the fact Noel is making a coordinated effort to improve the utility poles is satisfactory. Attorney Konkright stated that the City may attach conditions to the variance and suggested that staff bring back recommendations of conditions on the variance to provide the assurance that the Council is wanting. City Administrator Wade Farris noted that Council had requested a plan to slowly go underground and this hasn't been discussed tonight and he encouraged the utilities to come up with a future plan.

Council carried a motion to table this discussion in order for Noel to work with the City's Community Development Director and this issue will be discussed again on October 26th. M/S Lallas/Snyder.

Paul Kimmel from Avista stated that they will start addressing future improvements.

#### **APPROVE APPOINTMENTS OF DAVID ANDERSON AND CONNIE AGENBROAD TO THE INDEPENDENT SALARY COMMISSION**

Council carried a motion to approve the appointments of David Anderson and Connie Agenbroad to the Independent Salary Commission. M/S Snyder/Lallas.

#### **SEWER RATE ORDINANCE**

Finance Officer Spencer Williams presented an ordinance that sets a 10% sewer rate increase per year for the next three years. This rate increase will allow the City to incrementally save for a new sewer facility as required by the Department of Ecology. He presented a spreadsheet showing reserve transfers for the future sewer treatment plant, based upon the sewer rate income.

Council carried a motion to adopt the ordinance increasing sewer rates for the years 2016, 2017, and 2018. M/S Lallas/Bain. This shall be known as Ordinance No. 1443.

#### **UNFINISHED BUSINESS**

There was none.

#### **NEW BUSINESS**

Mayor Pro Tem reported that the next Council meeting scheduled for October 26<sup>th</sup> will include a budget discussion. The meeting will start at 6:00 p.m. here at City Hall and dinner will be provided.

#### **EXECUTIVE SESSION - PERSONNEL**

Mayor Pro Tem Johnson announced that Council will adjourn at 8:35 p.m. to go into an executive session pursuant to RCW 42.30.110(g) to review the performance of a public employee. The executive session is expected to last 15 minutes. No action will be taken during the executive

session. City Administrator Wade Farris and City Attorney Kelly Konkright were in attendance. At 8:50 p.m. Mr. Farris announced that Council would remain in the executive session for an additional five minutes.

Mayor Pro Tem Johnson reconvened the council meeting at 8:58 p.m.

**ADJOURNMENT**

With no further items to discuss, Mayor Pro Tem Johnson adjourned the Council meeting at 8:58 p.m.

By: \_\_\_\_\_  
KENNETH JOHNSON, Mayor Pro Tem

ATTEST:

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