

City of Othello
Regular Council Meeting
October 13, 2014

CALL TO ORDER

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

Present: Councilmembers: Genna Dorow, Corey Everett, Angel Garza, Kenneth Johnson, John Lallas, and Mark Snyder.

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 Was: Mayor Shawn Logan and Councilmember Eugene Bain.

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

APPROVAL OF AGENDA

Council carried a motion to approve the agenda as presented. M/S Dorow/Lallas.

CONSENT AGENDA:

- A. Approval of City Council Minutes of September 22, 2014
- B. Approval of City Council Workshop Minutes of October 6, 2014
- C. Approval of Accounts Payable Checks
- D. Approval of Payroll and Related Expenses
- E. Set Public Hearing on the CBHA Annexation for October 27, 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. 44463 to No. 44536 in the amount of \$386,369.59.

Payroll and Related Expenses Check No. 29047 to No. 29079 in the amount of \$278,838.87.

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

PUBLIC HEARING ON REVENUE SOURCES FOR 2015

Mayor Pro Tem Johnson opened the public hearing at 7:03 p.m. Finance Officer Spencer Williams presented the projected revenue estimates for 2015. Mayor Pro Tem Johnson asked for public comments. There was none. Mayor Pro Tem Johnson asked for Council comments. There was none. Mayor Pro Tem Johnson closed the public hearing at 7:12 p.m.

PUBLIC WORKS TRUST FUND AMENDMENTS

Finance Officer Spencer Williams advised that the City has two Public Works Trust Fund (PWTF) loans with annual payments: PW-5-96-791-040 - Well #7 (End date June 1, 2016), and PW-06-962-034 - Broadway Ave (End date June 1, 2026). Annual payments are made to the Department of Commerce, Public Works Board annually in July. We received a letter from the Public Works Board requesting we make our annual payments one month earlier on June 1 of each year. They explained that the Board is requesting this change to help with their biennium ending fund balance.

Council carried a motion to authorize the Mayor to sign the amendment to each of the two Public Works Trust Fund. M/S Dorow/Garza.

APPOINT PAT SIMMONS TO THE PLANNING COMMISSION

Council confirmed the appointment of Pat Simmons to the Planning Commission. M/S Dorow/Everett.

ECIVIS GRANTS NETWORK

City Administrator Wade Farris reported that eCivis Grants Network offers a grant research and management system. Their grant research delivers the information needed to determine if a grant is right for our projects; they offer customized search tools to allow quick access to grants and provide updates of the latest grant information. This will assist the staff to spend time applying for grants versus searching through all of the possibilities that we may or may not be qualified for. Their fee is \$2,520 per year for a three year term. Mayor Pro Tem Johnson advised that ACDC has a subscription for a grants station and available for all members of the ACDC. He will provide more information about their services. Council's consensus was to allow staff to continue their research.

SEWER FUNDING COALITION

City Administrator Wade Farris advised that many small communities in Washington State, including Othello, are faced with impending upgrade and or replacement of their sewer facilities. The City of Shelton has formed a coalition of small communities to put pressure on State Legislature to increase funding to help with this issue and they propose hiring a lobbyist. They have asked the City of Othello to participate, to include helping with funds to pay for the lobbyist. Our share, based on population, is \$1,500.

Council carried a motion to approve \$1,500 to join the Sewer Funding Coalition. M/S Lallas/Snyder.

REQUEST FOR PROPOSALS – HEARING EXAMINER

City Administrator Wade Farris explained that in an effort to maintain the best interest of the city, and to ensure we are maintaining cost effective rates for the city's needs, staff recommends that we advertise for requests for proposals for a hearing examiner.

Council carried a motion to authorize staff to proceed with requests for proposals for a Hearing Examiner. M/S Dorow/Lallas.

REQUEST FOR PROPOSALS – ENGINEERING SERVICES

City Administrator Wade Farris advised that in an effort to maintain the best interest of the city, and to ensure we are maintaining cost effective rates for the city's needs, staff recommends that we advertise for requests for proposals for engineering services. The process will be in accordance with RCW 39.80 for procuring engineering services. He noted that this is also a State Auditor's recommendation to call for proposals. Mr. Farris asked for Council's input for these services.

Council carried a motion to authorize staff to proceed with request for proposals for engineering services. M/S Lallas/Snyder.

ORDINANCE AMENDING OMC CHAPTER 11.50 TITLED “RIGHT-OF-WAY PERMITS”

City Administrator Wade Farris advised that a situation arose when a business was delivering a home appliance and used a tractor trailer rig with a forklift to off load the appliance. Since the truck utilizes the street and the forklift operates in the city street as well, further blocking traffic, public works and code enforcement determined they need a right of way permit. Council had previously recommended to exempt the fee for the right of way permits for home deliveries; however, they have to abide by all of the terms of the right of way. There was further discussion and the Council will consider setting a civil penalty if someone is found to not have a property right-of-way permit.

Council carried a motion to adopt AN ORDINANCE AMENDING OTHELLO MUNICIPAL CODE CHAPTER 11.50 TITLED “RIGHT-OF-WAY PERMITS.” M/S Lallas/Dorow. Councilmembers Snyder and Everett cast opposing votes. This shall be known as Ordinance No. 1411.

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ORDINANCE TO CREATE OMC 3.18 TITLED “POLICE DEPARTMENT CRIME PREVENTION FUND”

Police Chief Schenck advised that there is currently no separate fund for the purpose of Police Department Crime Prevention. The proposed ordinance establishes the fund to accumulate and expend funds for crime prevention purposes and the funds would be used to support a Police Reserve Program, Police Explorer Program, National Night Out, and other prevention related programs.

Council carried a motion to adopt AN ORDINANCE CREATING OTHELLO MUNICIPAL CODE CHAPTER 3.18 TITLED “POLICE DEPARTMENT CRIME PREVENTION FUND”. M/S Dorow/Lallas. This shall be known as Ordinance No. 1412.

ORDINANCE TO CREATE OMC 3.20 TITLED “POLICE DEPARTMENT INVESTIGATIVE FUND”

Police Chief Schenck explained that there currently is no separate fund for the purpose of accumulating funds for the expansion and improvement of narcotics related law enforcement services. The proposed ordinance establishes the fund and allows the department to collect narcotics related revenue and expend these funds for related activities. This revenue would come primarily from forfeitures and seizures.

Council carried a motion to adopt AN ORDINANCE CREATING OTHELLO MUNICIPAL CODE CHAPTER 3.20 TITLED “POLICE DEPARTMENT INVESTIGATIVE FUND” M/S Lallas/Snyder. This shall be known as Ordinance No. 1413.

ORDINANCE TO CREATE OMC 8.02 TITLED “URINATING IN PUBLIC”

Police Chief Schenck advised that there is no clear Washington State RCW prohibiting urinating in public; however, urinating in public is offensive to the citizens of Othello and is also a health hazard. Council selected a C-7 civil penalty.

Council carried a motion to adopt AN ORDINANCE CREATING OTHELLO MUNICIPAL CODE CHAPTER 8.02 TITLED “URINATING IN PUBLIC”. M/S Dorow/Everett. This shall be known as Ordinance No.1414.

ORDINANCE REPEALING CERTAIN SECTIONS OF OMC CHAPTER 8

Police Chief Schenck advised that the Othello Police Department wishes to repeal the following chapters of Title 8:

- Chapter 8.04 Criminal Code
- Chapter 8.16 Picketing
- Chapter 8.20 Firearms
- Chapter 8.40 Dangerous Drugs
- Chapter 8.44 Littering
- Chapter 8.48 Destruction of Library Property
- Chapter 8.56 Tobacco Products
- Chapter 8.60 Curfew Hours for Juveniles
- Chapter 8.64 Parental Responsibility

The Chief noted that the above listed chapters of the Othello Municipal Code have been found to be either addressed via RCW, are no longer valid in the State of Washington, or are not supported by the Constitution.

Council carried a motion to adopt AN ORDINANCE OF THE CITY OF OTHELLO REPEALING THE NINE SECTIONS OF CHAPTER 8. M/S Dorow/Garza. This shall be known as Ordinance No. 1415.

ORDINANCE AMENDING OMC CHAPTER 5.08.190 TITLED “SCHEDULES OF RATES”

Finance Officer Spencer Williams advised that the current Solid Waste rate schedule was established in 2004 for three years with a 6% increase each year. Our rates have not changed since the last increase in December 16, 2006. The reason for this is that we had a growing surplus in our Solid Waste fund that we were not using. Over the last 8 years this surplus has decreased,

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as expenses in the fund have increased. Council had decided a 5% annual increase for three years will both meet the demands of the utility and minimize the effect to our customers.

Council carried a motion to adopt AN ORDINANCE AMENDING OTHELLO MUNICIPAL CODE SECTION 5.08.190 OF CHAPTER 5.08 ENTITLED "SOLID WASTE AND REFUSE COLLECTION AND DISPOSAL". M/S Snyder/Dorow. This shall be known as Ordinance No. 1416.

UNFINISHED BUSINESS

Councilmember Snyder asked if when Pro Build delivers within the city limits, will they need to get the right-of-way permit. Mr. Farris explained that the right-of-way permit has been an ordinance for some time and the new ordinance relieves the permit fee for deliveries of home appliances. There was further discussion regarding this issue and developing a civil infraction fee for those who are non-compliant.

NEW BUSINESS

Mayor Pro Tem announced that a Transportation Benefit District meeting will begin at 6:30 p.m. on October 27, 2014. The Fire Council meeting is Tuesday evening. The Xi Beta Xi Holiday is having an auction on Tuesday evening and all proceeds go to the Othello Food Bank.

ADJOURNMENT

With no further items to discuss, Mayor Pro Tem Johnson adjourned the Council meeting at 8:16 p.m.

By: _____
KENNETH JOHNSON, Mayor Pro Tem

ATTEST:

By: _____
DEBBIE KUDRNA, City Clerk