

City of Othello  
Regular Council Meeting  
October 24, 2011

**CALL TO ORDER:**

Mayor Tim Wilson called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

**Present:** Mayor Tim Wilson; Councilmembers: Ken Caylor, Dan Dever, Genna Dorow, Charles Garcia, Kenneth Johnson; Mark Snyder, and Marc Spohr.

**Also Present:** City Administrator Ehman Sheldon; Department Heads: IT Manager Stan Anderton, Public Works Director Terry Clements, Police Chief Steven Dunnagan, City Clerk Debbie Kudrna, and City Attorney Katherine Kenison.

**CITIZEN INPUT**

Mayor Wilson read into the record sections of the adopted Council rules and procedures relevant to addressing the Council; manner of addressing the Council – time limit, and personal and slanderous remarks.

Michael Crosier, 625 N 11<sup>th</sup> Avenue, complained about the hearing device that was provided to him for use during a Council meeting. He said that he left some questions about an expenditure and asked that their answers to be put into writing.

**APPROVAL OF AGENDA**

Council carried a motion to approve the agenda. M/S Snyder/Dever.

**CONSENT AGENDA:**

- A. Approval of City Council Minutes of October 10, 2011
- B. Approval of Accounts Payable Checks
- C. Set Public Hearing on the 2012-2017 Capital Facility Plan for November 14, 2011

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.

Expense Claims for October, 2011 Check No. 40344 to No. 40402 in the amount of \$267,464.43.

Council carried a motion to approve the Consent Agenda as presented. M/S Johnson/Garcia. Councilmember Spohr advised that the consent agenda includes a final payment to MRM, the contractor for the Main Street project. He had asked for a breakdown of what we have already paid them verses the contract. Councilmember Spohr cast an opposing vote.

**PUBLIC HEARING ON THE 2012 REVENUE SOURCES**

Mayor Wilson opened the public hearing at 7:07 p.m. City Administrator Ehman Sheldon reviewed the 2012 estimated beginning fund balances and projected revenues for the general fund; street fund; water fund; sewer fund; solid waste; tourism fund; REET, and the utility tax fund. He also gave the amounts of the 2011 beginning fund balances of those listed funds. Mayor Wilson asked for public comments. Michael Crosier asked how much of the street fund was left over balance from the ½ cent gas tax that goes into the street fund and how much money this year will come into this street fund through that source of revenue. He commented that this was put together in 1984 for doing residential streets. He also asked how much of it has been used in our current Main Street project because when they originally set that fund up, there was an Urban Arterial Board that supported all of the main arterials in town. And the main arterials had a source from a gas tax, so there was to be two separate funds. When the residential streets were under control, money was to be used for safety and sidewalks. He noted this should be included in the Council minutes in September, 1985. Mayor Wilson asked for staff comments. Mr. Sheldon advised that the gas tax is identified in the tax line revenue for the street fund. The laws from 1984-1985 have changed and the Council has discretion for use of the city funds. Mayor Wilson asked for Council comments. Councilmember Spohr asked what the transfer in for the street fund is from. Mr. Sheldon advised that the \$600,000 is a percentage of taxes received to the city into the general fund and transferred

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into the street fund. Councilmember Spohr asked what the beginning balance for the utility tax fund was in 2011. Mr. Sheldon advised that in 2011 the beginning balance of the utility tax was \$224,833 and in 2012 was \$439,000. Councilmember Spohr stated that we received a \$950,000 unbudgeted windfall. He asked if that is included in the utility fund. Mr. Sheldon advised the natural gas revenue windfall is reflected in these figures. Councilmember Spohr commented that if we hadn't received that revenue, we would have a negative amount of \$500,000 in the utility tax fund. Mr. Sheldon clarified that the tourism revenue was commonly known as the 2% tax, however, it is now 4%. Councilmember Spohr asked if he voted on raising it to 4%. Mr. Sheldon stated he did not know. Councilmember Spohr asked for further details. Councilmember Caylor stated that we don't have as many motels as we used to have and that tax is higher in other cities. Mayor Wilson closed the public hearing at 7:24 p.m.

**CONSIDERATION OF RENEWAL OF CONTRACT FOR PROFESSIONAL SERVICES – THE WESLEY GROUP**

City Administrator Ehman Sheldon explained that we have contracted for professional services with The Wesley Group since the 1980's for professional services relative to collective bargaining negotiations, unfair labor practices and representation at mediation and arbitrations. The contract hourly rate has not been raised since the 1980's. He presented a new contract and the only changes include an hourly rate from \$65 to \$100 per hour and a mileage reimbursement rate increase to \$0.58.5 per mile. Councilmember Spohr asked why we employ The Wesley Group and asked what value they have and if we could provide this service. He noted that the contract might be unnecessary and recommended cancelling the contract. Councilmember Johnson noted that they also represent us in mediations and arbitrations. Mr. Sheldon advised that it's not a simple task negotiating labor agreements. Councilmember Caylor stated that you can't negotiate without a mediator. Councilmember Dorow noted that she has sat on the Council negotiations table as an employee and as a Councilmember and we need representatives that know all of the state laws.

Council carried a motion to approve the contract with The Wesley Group. M/S Johnson/Caylor. Councilmember Spohr cast an opposing vote.

**ADAMS COUNTY FIRE DISTRICT #5 – 3<sup>RD</sup> QUARTER REPORT**

Fire Chief Lebacken reported on the Fire District activities for the 3<sup>rd</sup> quarter. The year to date number of alarms is 87 and their average response is 4 minutes and 15 seconds. He advised that the annual hose testing is complete and they have started annual testing on the ground ladders. The Board for Adams County #5 has opted to take the annual CPI increase in 2012. At the annual meeting, they talked about a water meter issue that will be discussed later tonight. Chief Lebacken said that the City has been saving for a replacement of a quick response vehicle. The City currently owns a 1999 Dodge 1 ton (truck #8114) that is still in good condition and useable. They have taken it out of the day-to-day operation and put it to use as a reserve rescue unit. This will extend the life of the vehicle an additional 10 years. They also use a City's 2002 Crown Vic for fire inspections and a command vehicle. Chief Lebacken proposed that the city not replace the quick response vehicle; the District will run quick responses as they are currently doing. He asked the City to consider replacing the Crown Vic with a new SUV vehicle to be used by the inspector, duty crew, and for travel for training. They believe the cost for a SUV vehicle is \$27,000-\$32,500 and there would be some miscellaneous costs. The current cost to replace truck #8114 would be \$108,000 - \$110,000. Mayor Wilson advised that the Council will discuss this during the budget discussions. Chief Lebacken advised that they have 33 volunteers on the roster and 25 of these volunteers are very active. Councilmember Spohr noted that it's very seldom they have a second tone out for additional manpower. Chief Lebacken explained the training and state standards have been raised. Chief Lebacken reported that the volunteer firefighters have to be 18 years old. The younger volunteers are utilized in support roles and they can attend training. The volunteers are paid by a point system and a committee is now reviewing this point evaluation process. Councilmember Spohr clarified that the quick response vehicles haul water; however, they are not a command vehicle. The command vehicle is utilized by someone who will take command of the issue and to assure safety. He clarified that their request is for a command vehicle.

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**AMENDMENT TO THE CONTRACT WITH ADAMS COUNTY FIRE DISTRICT #5 REGARDING FIRE SUPPRESSION**

City Administrator Ehman Sheldon explained that the Council is being asked to consider an amendment to the fire district contract to clarify water consumption usage and accountability of water to the fire station. Public Works has recently completed improvements to the water system. There is a 1" water meter that is being metered and billed appropriately. There is a 4" water line that services the mechanical shop and is also used to fill the fire trucks. The amendment includes a rate set for this 4" water line based upon an average residential unit. The water used through this meter will be accounted for. Chief Lebacken explained that the 4" water line supplies water to the shop; maintenance of vehicles; laundry services, and filling the trucks for city and county fire suppression through a 3" standpipe. He has submitted a request for the City to establish a rate based upon an average household, and not charge the current rate for a 4" meter. They will continue to pay the monthly fee for the other 1" water line. Chief Lebacken stated that the proposal includes the water rate and a sewer rate based upon residential rates, with increases adopted by the Council for residential customers. Chief Lebacken advised that the Adams County Fire Board has approved the contract amendment. Mr. Sheldon advised that the City Fire Committee recommended approval and the contract was drafted by the City Attorney.

Council carried a motion to approve the third amendment to the fire protection agreement. M/S Dever/Dorow.

**MOTOROLA CONTRACT RENEWAL**

Police Chief Dunnagan stated that the police dispatch center has Motorola radio/paging systems used for dispatching essential emergency responders. The equipment occasionally requires maintenance or repair. Motorola is a sole source provider and we have a long standing relationship with their service representatives. The annual maintenance contract is \$9381.12 for 2012. The techs are out of Moses Lake.

Council carried a motion to approve the maintenance contract with Motorola. M/S Johnson/Dever.

**CONCESSION STAND FOOD**

Public Works Director Terry Clements reported that they have opened cases of candy and food left over at the concession stand that could not be returned for credit. They have asked the School District if they would like to purchase the items at the City cost. The School District has agreed.

Council carried a motion to allow for selling the left over products from the concession stand to the Othello District at our cost. M/S Dorow/Garcia.

**RESOLUTION TO SURPLUS VEHICLE**

Public Works Director Terry Clements explained that the city owns a 1982 dump truck with a snow plow that was loaned to the Fire Department several years ago. The Fire Department no longer has a need for this vehicle and it is not needed by the Public Works Department. He recommended that Council surplus the vehicle.

Council carried a motion to approve A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OTHELLO, WASHINGTON DECLARING SURPLUS. M/S Dever/Caylor. This will be known as Resolution No. 2011-29.

**RESOLUTION TO ACCEPT THE CITY HALL ADA DOOR RETROFIT**

Public Works Director Terry Clements explained that All Doors has installed the hardware for the ADA door for City Hall; Gilbert Cabinets has completed the changes to the City Hall counter and Berk's Refrigeration has completed the electrical wiring for the ADA door buttons. These projects are now complete. He reviewed the project costs.

Council carried a motion to approve A RESOLUTION ACCEPTING THE CITY HALL ADA DOOR RETROFIT PROJECT. M/S Caylor/Dever. This will be known as Resolution No. 2011-30.

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**UNFINISHED BUSINESS**

Councilmember Johnson noted that while he was reviewing accounts payable, he found that we withheld a 50% retainage on the City Hall ADA project. He is concerned that the contractor might not have understood that retainage amount and suggested that we review the retainage amount for these small works projects. Mr. Sheldon advised that they will review this.

**NEW BUSINESS**

Councilmember Johnson reported that the Adams County Commissioners have re-districted their boundaries.

Mayor Wilson made the following announcements:

- The audit exit conference is Wednesday at 10:00 a.m.
- The general government budget meeting is Thursday at noon.
- The grand opening of the Juvenile Alternatives to detention Achievement Center is Friday, November 4<sup>th</sup> at 11:00 a.m. This will be at 165 N 1<sup>st</sup> Avenue.

**ADJOURNMENT**

With no further items to discuss, Mayor Wilson adjourned the Council meeting at 8:06 p.m.

By: \_\_\_\_\_  
TIM WILSON, Mayor

ATTEST:

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