

City of Othello  
Regular Council Meeting  
December 8, 2014

**CALL TO ORDER:**

Mayor Shawn Logan called the meeting to order at 7:00 p.m. and Councilmember Eugene Bain led an invocation and the Pledge of Allegiance.

**Present:** Mayor Shawn Logan; Councilmembers: Eugene Bain, Genna Dorow, Corey Everett, Angel Garza, and John Lallas.

**Also Present:** City Administrator Wade Farris; Department Heads: Assistant Police Chief David Rehaume; City Clerk Debbie Kudrna, City Planner Darryl Piercy, Finance Officer Spencer Williams and City Attorney Anna Franz.

**Absent Was:** Councilmembers Mark Snyder and Kenneth Johnson.

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

**CITIZEN INPUT**

Sean Bates, 1156 E. Juniper St., noted he reviewed the recommendations for the LTAC relevant to Fiesta Amistad funding allocations. He had asked that their funding be restored to their historical level.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA:**

- A. Approval of City Council Minutes of November 24, 2014
- B. Approval of City Council Workshop Minutes of December 1, 2014
- C. Approval of Accounts Payable Checks
- D. Approval of Payroll and Related Expenses
- E. Resolution to Release Retainage for 2014 Weed Spraying

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. 44702 to No. 44764 in the amount of \$178,625.92.

Payroll and Related Expenses Check No. 29114 to No. 29147 in the amount of \$285,889.97.

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

Mayor Logan introduced Travis Goddard, our new Community Development Director.

**FINAL PLAT APPROVAL ASHWOOD NOTCH PHASE 3**

City Planner Darryl Piercy advised that the applicant for Ashwood Notch Phase 3 has requested Final Plat approval. He noted that the applicant has removed the two most easterly lots of Phase 3 and deferred development of these two lots to Phase 4. This is at the request of the City, in an effort to properly design the intersection of 14<sup>th</sup> Avenue and Scooteny Street. The applicant has demonstrated fulfillment of required conditions with the exception of items that have been identified by Public Works. It is anticipated that these items will be corrected within a short period of time. Mr. Piercy noted that the Final Plat has been reviewed by the City Engineer and the city water and sewer departments pursuant to the requirements of City Code. Mr. Piercy noted the lots at the east end of the development were eliminated from this plat and are larger to accommodate the setbacks and potential development of the intersection plans.

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Council carried a motion to approve the Final Plat for Ashwood Notch and authorize the City Administrator to sign the final mylar, pending the completion of all outstanding items as identified by Public Works. M/S Lallas/Dorow.

**TOURISM FUND LTAC RECOMMENDATIONS**

Finance Officer Spencer Williams explained that during our last meeting we discussed the LTAC (Lodging Tax Advisory Committee) proposed allocation of tourism dollar among the various organizations that promote tourism in the City. Mr. Williams explained that these funds are used by tourism related organizations to promote tourism within the City. The Council heard the proposal and requested the LTAC reconsider the allocations. The LTAC met again and made some adjustments as follows:

	Requested Amount	Committee Recommendation
1946 Caboose Project	\$ 3,000	\$ 1,525
Adams County Fair	\$10,000	\$ 4,987
American Fiesta Amistad	\$ 4,500	\$ 3,000
Coulee Corridor Project	\$ 1,300	\$ 985
Greater Othello Chamber	\$10,886	\$10,886
Othello All City Classic Cars	\$ 2,500	\$ 2,258
Othello Community Museum	\$ 1,400	\$ 620
Othello Rodeo Association	\$ 9,000	\$ 7,500
Othello Sandhill Crane Festival	\$ 8,076	\$ 8,076
Distinguished Young Women	\$ 4,000	\$ 0
The Old Hotel	\$ 5,000	\$ 2,250

Mr. Williams that these recommendations will be accepted as a part of the 2015 budget.

Council carried a motion to approve the tourism fund allocations as presented by the LTAC. M/S Lallas/Everett.

**BIAS ANNUAL SERVICE AGREEMENT**

Finance Officer Spencer Williams presented the annual agreement with BIAS Software for the City's accounting system. BIAS will update their software to keep current with State laws, our needs and provide training and support for our staff.

Council carried a motion to approve the 2015 BIAS software agreement. M/S Garza/Lallas.

**MORATORIUM PROHIBITING MARIJUANA PRODUCTION, PROCESSING AND RETAIL SALES IN ALL ZONING AND MARIJUANA GARDENS**

City Attorney Anna Franz explained that our moratorium for the production, processing and sales moratorium expires this month and the moratorium for marijuana gardens have expired. The proposed ordinance provides for a six month moratorium for both. This moratorium is based upon the uncertainty that's left by the legislative response to addressing the conflicts between the medical and recreational marijuana systems, and the issue of whether State law regulations preempt local jurisdictions from regulating recreational medical marijuana. We are currently waiting for Supreme Court action and the legislative sessions to give us more direction on how to proceed with these issues. Mayor Logan noted that we are gathering more information and receive information from other agencies what issues they foresee. Rather than prohibit these marijuana facilities, we have decided to place moratoriums to see what the courts will decide on any pending action. Mayor Logan advised that there have been no approved applications for any facilities in Othello. The moratorium will assist in any applications for our community.

Council carried a motion to approve the moratorium ordinance, subject to holding a public hearing within 60 days. M/S Dorow/Garza. This shall be known as Ordinance No. 1424.

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**SET PUBLIC HEARING ON NEW MARIJUANA ORDINANCE MORATORIUM FOR JANUARY 12, 2015.**

Council carried a motion to set the public hearing for January 12, 2015. M/S Dorow/Lallas.

**ATTORNEY SERVICES CONTRACT**

City Administrator Wade Farris advised that the City Council authorized the Mayor and Council committee to search for and potentially hire a new law firm to represent the City. The Mayor and the committee, along with the City Administrator, interviewed the firm of Lukins & Annis in Spokane and determined they would meet our needs. Mr. Farris noted that the attorney contract with Katherine Kenison will expire at the end of the year.

Council carried a motion to terminate the contract with Katherine Kenison as of December 31, 2014. M/S Dorow/Bain.

Council carried a motion to approve the new contract for legal services with Lukins & Annis. M/S Bain/Dorow.

Mayor Logan introduced Roger Reed and Kelly Konkright, Attorneys for Lukins & Annis. Mr. Reed provided a portfolio for the firm. He noted that Kelly Konkright will be our lead attorney. Mr. Konkright noted that he is looking forward to working with the City.

Mayor Logan thanked Katherine Kenison, Anna Franz, and the late Jim Whitaker for their attorney services.

**APPROVAL OF CITY OF OTHELLO SKATEPARK DESIGN**

Park and Recreation Director Molly Klippert advised that Spohn Ranch has been working diligently to create a skate park design that fits the needs of our local skaters, within the parameters of the city's budget. Representatives from Spohn Ranch Skateparks toured the future site at Lions Park, and met with the Council Parks and Recreation Committee and the city's Skatepark Interest Group. After the site was surveyed and the geotechnical analysis was completed, Spohn Ranch began their design.

Ms. Klippert advised that staff reviewed the draft design with the Council Parks and Recreation Committee and the Skatepark Interest Group. Collectively, the group submitted changes to the draft design, including the addition of a flat rail and the rotation of the design to mirror the park, and arrived at the attached skate park design. She stated that the final skate park design includes a six foot bowl, grind rail, mini-ramp, manual pad, colored concrete, and stair set. Upon approval of the design, Spohn Ranch will move begin the construction documents and will assist the city in the bid process for the construction. Construction documents are estimated to be completed by the end of January. Construction of the skate park is expected to be bid in late January/early February, with bid acceptance expected by late February/early March. She noted that the park is approximately 6,000 sq. feet.

Josh Mohs, owner of a local skate park noted he endorses the design. He is concerned that the design has been flipped and concerned of the elevation and slope of the land. He is also concerned of the budget constraints for the project for additional features. Councilmember Lallas advised that the plan was flipped to provide entry from the walk path. Ms. Klippert advised that she can discuss these issues with Spohn Ranch and find the most cost effective options.

Sean Bates, 1156 E. Juniper Street, noted his concern with the downhill slope towards the skate park will there be issues with water accumulation. Ms. Klippert noted that this was discussed during the construction discussions.

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Council carried a motion to approve the elements, design, and square footage of the skate board park with the ability for City staff to work out the elements of the layout with Spohn Ranch, as long as the cost does not exceed the budget amount. M/S Lallas/Dorow.

Ms. Klippert asked that the final layout be presented to the Parks and Recreation Committee.

**NEW BUSINESS**

Mayor Logan announced that the City Council is invited to a potluck at City Hall on December 19<sup>th</sup>.

Council carried a motion to cancel the December 22, 2014 Council meeting. M/S Dorow/Garza.

**ADJOURNMENT**

With no further items to discuss, Mayor Logan adjourned the Council meeting at 8: 04 p.m.

By: \_\_\_\_\_  
SHAWN LOGAN, Mayor

ATTEST:

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