

City of Othello
Regular Council Meeting
December 14, 2015

CALL TO ORDER:

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

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

Also Present: City Administrator Wade Farris; Department Heads: Public Works Director Terry Clements, Police Chief Phil Schenck, Community Development Director Travis Goddard, City Clerk Debbie Kudrna, Finance Officer Spencer Williams and City Attorney Kelly Konkright.

CITIZEN INPUT

There was none.

APPROVAL OF AGENDA

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

CONSENT AGENDA:

- A. Approval of City Council Minutes of November 23, 2015
- B. Approval of City Council Workshop Minutes of December 7, 2015
- C. Approval of Accounts Payable Checks
- D. Approval of Payroll and Related Expenses
- E. Renew Subscriber Agreement with Public Safety Testing
- F. Resolution to Accept Donations for Shop with a Cop

Councilmember Johnson requested that the invoice payment to the Spokesman Review be pulled for review until it's signed by a department head and an explanation of the cost is provided. Finance Officer Williams advised that he found out from the Public Works Superintendent, Terry Clements that the invoice was for the advertisements for his open positions.

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. 46040 to No. 46112 in the amount of \$139,025.86.

Payroll and Related Expenses Check No. 29650 to No. 29688 in the amount of \$318,695.32.

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

WATER TOWER MAINTENANCE CONTRACT

Public Works Director Terry Clements advised that in 2014 Council approved a request to renovate the three water towers and set up a full maintenance program. At that time, State laws only allowed a city to enter into a maximum three year maintenance program. The laws have changed and we are now able to convert our 3-year contract to an open-ended contract (full service maintenance program).

John Kitchen from Utility Service Group explained the purpose of the maintenance program; reviewed their past maintenance program with Othello; reviewed their work to get the HB1989 introduced in the legislation and getting it approved; reviewed their current maintenance schedule and what they wish to transition to.

City Attorney Kelly Konkright advised he has reviewed the proposed contract and that this would normally fall into normal public works bidding procedure. However, when we go from a 3 year to a 7 year contract, we may have to go through the bid process as required by law. He has not had opportunity to review the previous contract and would like the time to review it. He suggested the

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Council authorize the City Administrator to enter into the contract, after further review by the Attorney's office. Councilmember Lallas advised that previous administration had gone through the bid process.

Council carried a motion to accept the new Water Tower Maintenance contract with Utility Service Group, upon further legal review. M/S Dorow/Everett.

**PUBLIC HEARING ON THE PROPOSED ORDINANCE TO ESTABLISHING STANDARDS FOR
KEEPING CHICKENS AND RABBITS INSIDE CITY LIMITS**

Mayor Logan opened the public hearing at 7:18 p.m. Police Chief Schenck reviewed an updated ordinance to allow chickens and rabbits and noted he incorporated all of Council's previous comments. Mayor Logan asked for comments from those that support the proposed ordinance. Deena Vietzke, 830 E. Larch Street, gave some information about raising chickens. She would like to raise chickens on her property.

Rich Young, 1320 E. Fir Street, supported the ordinance to raise chickens. Robert Russell, 850 E. Larch Street, does not want to raise chickens; however, as long as they are kept clean, he supports the proposal. Dale Evans, 830 E. Larch Street, stated that chickens do not stink. Fran Parker, 1651 W. Hampton Road, said that chickens are good pets for small children and she's proud of the rural atmosphere in Othello and it seems odd that chickens are not allowed. She asked that chickens be allowed. Larry Remsburg, 510 N Shelley Avenue, asked that Council embrace the agricultural culture of our community and allow chickens. Amy Hurlbut, 415 E Rainier Street, advised that her daughter is interested in getting involved in 4-H and she could handle a small animal like a chicken or a rabbit. She would like to raise chickens.

Mayor Logan asked for comments from those neutral to the proposal. There was none. Mayor Logan asked for comments from those opposed to the proposal.

Chris Dorow, 850 E. Hemlock Street, voiced his concern of Avian flu and gave information about past outbreaks of Avian flu. He urged Council to vote against the proposed ordinance.

Mayor Logan closed the public hearing at 7:38 p.m.

**ORDINANCE REPEALING OMC 6.12 ENTITLED "FOWL" AND CREATING OMC CHAPTER 6.12
ENTITLED "CHICKENS AND RABBITS"**

Councilmember Dorow made a motion to reject the ordinance. This motion died due to a lack of second.

Council carried a motion to accept the ordinance as written. M/S Lallas/Everett. Councilmembers Dorow and Bain cast opposing votes. This shall be known as Ordinance No. 1455.

Councilmember Dorow stated that the City does not have the resources to deal with an Avian flu outbreak. She advised that Avian flu could be present in any type of birds. Mr. Dorow stated that there was an Avian flu outbreak in Benton County in 2015. Councilmember Johnson stated that 67% of the cities in Washington State allow chickens.

PERSONNEL POLICY UPDATE

City Administrator Wade Farris advised that the City's insurance authority (WCIA) suggested a review of the personnel policy to assure it is in compliance with state laws and regulations. Changes have been made throughout the document and he reviewed some of the significant changes. Mr. Farris stated that the department heads, the City Attorney and WCIA have reviewed the updated policy to assure that it is compliant with state law and other policies.

Council carried a motion to accept the changes to the Personnel Policy. M/S Snyder/Lallas.

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ACCEPT THE COMPREHENSIVE PLAN REPORT

Community Development Director Travis Goddard asked that Council allow him to proceed with the environmental reviews of the draft comprehensive plan.

Council's consensus was to accept the Comprehensive Plan. Councilmember Johnson complimented Mr. Goddard and stated that the ACDC will be able to utilize the plan.

MARIJUANA MORATORIUM ORDINANCE

City Attorney Konkright reported that Council had held a public hearing on the marijuana moratorium and received public input. He recommended extending the moratorium one more time and forward the zoning issue to the Planning Commission to consider zoning, etc.

Council carried a motion to adopt the Ordinance setting a six month moratorium. M/S Dorow/Johnson. This shall be known as Ordinance No. 1456.

ORDINANCE TO AMEND OMC 12.16.330 – ENFORCEMENT OF LIEN

Finance Officer Spencer Williams explained that in an effort to recoup costs associated with the water utility fund, staff and the council water committee reviewed proposed fees for turning water meters on and off. They reviewed other community's charges and recommended changes to our fees: when the water meter is turned on and off for seasonal requests, the fee will be \$15 to turn the water on and \$15 to turn the water off. When the water meter is turned off due to non-payment, the water service will not be turned back on until the account is paid in full and a charge of \$40 is paid. Councilmember Garza stated that he does not support the fees for seasonal water meter assistance. Attorney Konkright suggested a change in the first section of the ordinance.

Council carried a motion to adopt the Ordinance relevant to water fees with the change to the preamble, as recommend by the City Attorney. M/S Lallas/Bain. Councilmember Garza cast an opposing vote. This shall be known as Ordinance No. 1457.

ORDINANCE TO AMEND THE 2015 BUDGET

Finance Officer Spencer Williams advised that our estimated annual administrative fee for our City Hall bonds was under estimated by \$125 and the actual cost will be \$425 in 2015.

Council carried a motion to adopt the ordinance amending the 2015 Budget. M/S Snyder/Dorow. This shall be known as Ordinance No. 1458.

DEDICATION OF MCFARLAND POSTER

Mayor Logan unveiled the "McFarland USA" poster, which had been signed by many of the actors in the movie.

OATH OF OFFICE FOR NEWLY ELECTED OFFICIALS

City Clerk Debbie Kudrna administered the Oath of Office to Re-elected Councilmembers Mark Snyder, Eugene Bain and Angel Garza and newly elected Councilmember Larry McCourtie.

PLAQUE PRESENTATION TO COUNCILMEMBER KENNETH JOHNSON

Mayor Logan presented a plaque of appreciation to Councilmember Kenneth Johnson for his many years of service to the City of Othello.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

Council carried a motion to cancel the December 28, 2015 council meeting. M/S Dorow/Garza.

Mayor Logan asked Council to consider changing the meeting time for all council meetings from 7:00 p.m. to 6:30 p.m. It was suggested that staff bring a proposed ordinance back to the Council.

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ADJOURNMENT

With no further items to discuss, Mayor Logan adjourned the Council meeting at 8:34 p.m.

By: _____
SHAWN LOGAN, Mayor

ATTEST:

By: _____
DEBBIE KUDRNA, City Clerk