



MINUTES

City Council Regular Meeting

6:30 PM – Monday, May 6, 2019

Council Chambers, City Hall – 500 E Main St

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Logan called the meeting of the Othello City Council to order at 6:30 and led a silent invocation and the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:

Eugene Bain

Corey Everett

Angel Garza

Maria Quezada

John Lallas

Mark Snyder

Councilmembers Absent:

Genna Dorow

Council Action: Council carried a motion to EXCUSE COUNCIL MEMBER. M/S Lallas/Garza

ADMINISTRATIVE STAFF PRESENT

Shawn Logan, Mayor

Tania D. Morelos, City Clerk

Abner Garza, IT Director

Anne Henning, Community Development Director

Phil Schenck, Police Chief

Shawn O'Brien, City Engineer

Tim Unruh, Building Inspector

Heather Miller, Code Enforcement Officer

CITIZEN INPUT

Lynette Cruthers, 830 Skylark Way gives Council an update on the Beautification Committee projects. There will be a fundraiser at Banners and Bloom at the Senior Center at 6:00pm on May 10th and Council is encouraged to attend.

APPROVAL OF AGENDA

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

CONSENT OF AGENDA

- A. Approval of City Council Minutes of April 22, 2019
- B. Surplus Items

Council carried a motion to APPROVE THE CONSENT AGENDA. M/S Everett/Lallas

CURRENT BUSINESS

MUNICIPAL CLERKS WEEK PROCLAMATION

Mayor Logan reads the Municipal Clerks Week Proclamation and thanks our City Clerk, Tania Morelos and all Clerks for their dedicated work and service.

PUBLIC HEARING FOR REIMBURSEMENT AGREEMENT FOR IRRIGATION SYSTEM

CONSTRUCTED BY OLSEN HOMES SAGESTONE 8 MAJOR PLAT-PHASE 1

Mayor Logan opened the Public Hearing at 6:40 pm.

Shawn O'Brien, City Engineer gives a brief history to Council about the Sagestone 8 Major Plat reimbursement agreement. Council man Lallas wants to have a meeting with the Water, Sewer, and Street committee meeting because he believes the costs are rather high. Council had several questions about the Latecomers Agreement. After they were answered Mayor Logan opened the Hearing for Public Comment.

Councilman Garza recuses himself as City Council Man and steps to the microphone to weigh in as a Developer.

Mayor Logan opened the public testimony for those in support of the proposal.
There was none.

Mayor Logan opened the public testimony for those neutral to the proposal.
There was none.

Mayor Logan opened the public testimony for those in opposition to the proposal.
Pete Olsen, Developer for Olsen Homes steps to the microphone but states that he is not sure if should speak without an attorney. Mayor Logan let Mr. Olsen know the City Council is taking no action tonight on this latecomer agreement. Mr. Olsen would have an opportunity to bring his attorney to the May 28th Council Meeting.

Again, Mayor Logan states for the record that City Council is not taking action tonight.

Council carried a motion to TAKE NO ACTION. M/S Everett/Lallas

Council carried a motion TO CONTINUE THE PUBLIC HEARING TO MAY 28TH. M/S Everett/Snyder

CONTINUED PUBLIC HEARING ON ACCESSORY DWELLING UNITS

Mayor Logan opened the Public Hearing at 7:11 pm.

Anne Henning, Community Development Director gives a brief summary of what has occurred in the previous Public Hearings regarding the Accessory Dwelling Units. Henning hands over the stand to Heather Miller, Code Enforcement Officer and Tim Unruh, Building Inspector to give Council the history of ADU's and their procedure with inspections, enforcement, and what they are witnessing when out on the work field.

The Council had many questions for staff and much discussion ensued about the existing, non-permitted ADU's and what the proposed Ordinance said about allowing new ADU's in the City.

Mayor Logan opened the public testimony portion at 7:50pm.

Mayor Logan opened the public testimony for those in support of the proposal.

Chris Dorow, resident and member of the Planning Commission stated that as a planning commissioner they were tasked with presenting a set of codes which allowed for opportunity for housing without impacting neighboring properties, allowing emergency access, could be easily identified, and conforming to the highest of building standards. They considered lots of input and the diverse needs of our population developing these codes as well as historical challenges from non-conforming buildings. These are our best recommendations to address all those concerns and allow for expanded housing opportunities.

Brian Gentry resident and member of the Planning Commission seconds Mr. Dorow's statement and said "we have a housing emergency in this town".

Mayor Logan opened the public testimony for those neutral to the proposal.

Bob Carlson, resident of Othello says he does not think parts of the Ordinance will be enforced. He is not opposed but believes our Code Enforcer will need additional help.

Mayor Logan opened the public testimony for those in opposition to the proposal.
There was none.

Mayor Logan closed the Public Testimony portion at 8:03 pm.

Tim Unruh, Building Inspector clears up the confusion about what is required of the existing ADU's and the new ADU's. Unruh hands Council a paper titled the "Process for Life & Safety Code Compliant ADU's".

Mayor Logan weighs in and agrees with Mr. Carlson on issues with the ADU's Standards checklist.

Councilman Everett states he is still against allowing ADU's and approving this Ordinance but if it were to be approved there are a few areas he would like to see changed. Everett lists all his areas of concerns.

Councilman Bain opined that the Ordinances should be separated between the existing non permitting ADU's and the new Ordinance for new ADU's. Councilman Everett chimed in his approval of this idea.

Council carried a motion to APPROVE ORDINANCE 1529 CREATING A NEW CHAPTER, OMC 17.63, ACCESSORY DWELLING UNITS. This will be known as Ordinance 1529. M/S Lallas/Snyder

Councilman Everett suggested three corrections to the Ordinance. They were reviewed with Council and Anne Henning and she made note of the corrections to the Ordinance.

Council carried a motion to AMEND THE ORDINANCE WITH CORRECTIONS. M/S Lallas/Snyder

The Mayor called for a vote on the Ordinance as Amended earlier. The vote was as follows:
Quezada, Everett, Garza –not in support
Lallas, Bain, Snyder- in support

Mayor Logan explained that in the event of a tie vote, the Mayor can break the tie or address it at the next scheduled Council meeting with all Council present.

Mayor Logan asked Council whether they preferred to wait for Councilwoman Dorow to be present or if they wanted the Mayor to decide. In unanimous fashion, Council consensus was for the Mayor to decide on the Ordinance tonight.

Mayor Logan said, "We're trying to govern, and we're trying to govern in a responsible way. We're not making it simple to move forward with an ADU but we are also not making it impossible to move forward with this Ordinance. This issue is difficult and that is why it is taking Council two hours to decide. History will show that we've missed a few things tonight too but, I think this is the best shot if we are going to legislate this and establish a policy. This will be the

document we will use going forward and, therefore, I will cast my vote in support of the Ordinance".

Mayor Logan closed the Public Hearing at 9:00 pm.

PLAN REVIEW FEES

Anne Henning, Community Development Director explains local developers are requesting plan fees for plans used repeatedly and already been inspected by the building inspector to be reduced since less time is spent reviewing them as they have already been reviewed before. Staff proposes that the plan review fee for second and subsequent use of the same residential plans be reduced to \$300.

Councilman Garza recuses himself from discussion due to conflict of interest. Garza weighs in on the discussion as a Developer and believes there should not be a plan review fee for repeatedly used plans.

Pete Olsen, Developer of Olsen Homes weighs in and agrees with Garza that repeated plan reviews should actually be at \$0.

Council carried a motion to APPROVE RESOLUTION 2019-06, REDUCING PLAN REVIEW FEES FOR SECOND AND SUBSEQUENT USE OF APPROVED BUILDING PLANS. This will be known as Resolution 2019-06. M/S Lallas/Everett

Councilman Snyder asks if this fee has been at \$0 and if so why are we voting the fee to be reduced to \$300 when we had not been charging anything. Anne Henning explains there is nothing that says the fee should be waived to \$0. Since she began working she has been enforcing the current Ordinance to charge the 65% so she is trying to give the developers a break and reduce the fee to \$300.

Mayor Logan goes around the table and asks for each Council members vote.

The vote was as follows:

Quezada, Lallas, Bain –not in support

Everett, Snyder- in support

This motion was voted down.

Mayor Logan points out to Councilman Lallas he already voted in support of the Resolution. Lallas says he is not sure now, so he requested research from staff for comparisons of other Cities. Anne Henning had already made calls to other Cities and presents her research.

More discussion ensued. Mayor Logan says this issue needs to be settled tonight and suggests that Council can make a new motion with a new figure.

Council carried a motion to APPROVE RESOLUTION 2019-06, REDUCING THE FEES TO \$300 FROM THE 65%. This will be known as Resolution 2019-06. M/S Everett/Lallas

Mayor Logan goes around the table and asks for each Council members vote.

The vote was as follows:

Quezada, Bain, Snyder –not in support

Everett, Lallas- in support

This motion was voted down. The plan review fee stays at 65%

Much more discussion ensued. Council man Bain received clarification on his questions and concerns, therefore, Bain changed his vote in support. A new motion was made.

Council carried a motion to GRANT RELIEF TO THE AMOUNT OF \$300 ON RESOLUTION 2019-06 M/S Everett/Bain

Mayor Logan goes around the table and asks for each Council members vote.

The vote was as follows:

Quezada—not in support

Everett, Lallas, Bain, Snyder - in support

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

Mayor Logan announces Candidate Filing week is May 13th through May 17th. Council members Bain, Snyder, Garza, Quezada are up for re-election.

ADJOURNMENT

With no further items to discuss, Mayor Logan adjourned the Council meeting at 9:43p.m.

By: _____

SHAWN LOGAN, Mayor

ATTEST:

By: _____

TANIA D. MORELOS, City Clerk