



MINUTES

City Council Regular Meeting

6:30 PM – Monday, August 24, 2020

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CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Logan called the meeting of the Othello City Council to order at 6:32 p.m and led a silent invocation and the Pledge of Allegiance.

ROLL CALL

Councilmembers Present:

John Lallas

Jonathan Erickson

Maria Quezada

Genna Dorow

Mark Snyder

Corey Everett

Councilmembers Absent:

Angel Garza

Council carried a motion to EXCUSE COUNCIL MEMBER. M/S Erickson/Quezada

ADMINISTRATIVE STAFF PRESENT

Shawn Logan, Mayor

Kelly Konkright, City Attorney

Tania Morelos, City Clerk

Yvonne Hernandez, Deputy City Clerk

Anne Henning, Community Development Director

Spencer Williams, Finance Officer

Terry Clements, Public Works Director

CITIZEN INPUT

There was none.

APPROVAL OF AGENDA

Council carried a motion to APPROVE THE AGENDA. M/S Snyder/Quezada

CONSENT OF AGENDA

- A. Approval of Accounts Payable Checks
- B. Approval of City Council Minutes for August 10, 2020

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

CURRENT BUSINESS

2021 BUDGET PROCESS AND COMMITTEE

Spencer Williams, Finance Officer states budget season is quickly approaching and because the final budget belongs to the Council, we want to make the budget building process work for everyone. We will work with Department Heads and the Finance Committee to make this a smooth process. This year we will follow a similar format to the process we followed last year.

The broad strokes of the budget season are as follows:

- July-Sep - Work with department heads to develop budget expectations for 2020 and 2021.
- Sep-Oct - Meet with the various budget committees to review the sections of the budget.
- Nov - Review budget proposals and consider inclusion of capital requests.
- Late Nov or Dec - Pass 2021 Budget

Williams stated that during our Council Budget Committee meetings, we will review the budget by sections. We will look at a brief history of expenses and review the justifications for increasing or decreasing budget lines for 2021. A preliminary calendar has been created for this review. The budget process can seem daunting, but it doesn't have to be, Williams advised that anyone is free to visit him in his office to discuss budget matters. Williams recommended council review the council budget committees and calendar to determine if the committees and schedule are suitable and we'll follow up with this during our next meeting.

PUBLIC HEARING ON ADU REPEAL ORDINANCE 1529 – OMC 17.63

Mayor Logan opened the Public Hearing at 6:41 p.m.

Anne Henning, Community Development Director presents that over the past two years, as they worked on the overall Zoning Code update, the Planning Commission has also been working on an ordinance allowing and creating standards for accessory dwelling units (ADUs), which are small units on the same lot as a primary dwelling. The Commission felt ADUs could be part of addressing Othello's housing shortage, by allowing additional units without needing additional land or infrastructure. Much consideration was given to setting standards to address potential problems associated with ADUs. In August 2018, an ordinance was presented but Council declined to vote on it. In April 2019, a revised ordinance was forwarded from the Commission, based on the Council's comments on the 2018 ordinance. Discussion was continued several

times. In May 2019, Council's vote on the ordinance was split 3 to 3, so the Mayor broke the tie in favor of adopting Ordinance 1529, which created a new zoning chapter, OMC 17.63, Accessory Dwelling Units. Notice of adoption of the ordinance was published in the newspaper but not codified into the OMC by Code Publishing (there is a time lag between adoption of an ordinance and processing by Code Publishing). On July 1, 2019, during the Citizen Input portion of the Council Agenda, a resident brought up Ord. 1529 and pointed out RCW 35A.12.100, which allows a Mayor to break tie votes, but not on an ordinance. Upon review, staff determined that the ordinance was not validly adopted and therefore was void. No permits had been submitted or approved under the ordinance in the brief time we thought it was in effect. Due to the lack of a valid ordinance, the Planning Commission continued to work on a new version of ADU regulations, but were waiting to be able to hold a study session with the Council, which included waiting for the major Zoning Update to be finished, legislative bills on ADUs to be settled, and now, waiting for COVID restrictions to be relaxed enough to allow an in-person public meeting with the Council. During the State Audit, the Auditor questioned Ordinance 1529 and informed us we needed to formally repeal it. Even though we considered the ordinance to never have taken effect, we felt it was best to follow the guidance of the Auditor. We scheduled and advertised a public hearing in compliance with RCW 35A.63.100(2)(b), which requires that "No zoning ordinance, or amendment thereto, shall be enacted by a legislative body without at least one public hearing."

Henning stated that to comply with the State Auditor guidance, it is recommended that Council adopt the ordinance.

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.
There was none.

Mayor Logan closed the Public Hearing at 6:50 p.m.

Council carried a motion to ADOPT ORDINANCE 1553, REPEALING ORDINANCE 1529 AND REPEALING OMC 17.63, ACCESSORY DWELLING UNITS. M/S Erickson/Quezada

Councilmember Garza joined the meeting, was present for the public hearing and voted.

UNFINISHED BUSINESS

Mayor Logan stated that Cabana did do some clean-up of weeds and mowed the lawn as it was becoming a concern.

Councilman Erickson asked for a status on the Covid relief grant money for businesses. Mayor Logan informed Council that there has been over forty applications and they would be reviewed by the committee in the coming week and a resolution will be presented to council on the advice from Kelly Konkright that a resolution would be presented of what businesses are going to receive funds and the amount. Businesses will be required to sign a contract and provide some documentation for auditing purposes. Erickson asked if the city had enough money for all forty applicants and Mayor Logan stated that \$125,000 has been allocated to this grant relief. Mayor Logan stated in discussing with Steve McFadden that it is a requirement with our contract with the Department of Commerce to check that these businesses be current with their payroll taxes and L&I payments. McFadden advised that they had discovered throughout the summer while in the process of issuing payments that many businesses were not current so that would be a disqualifying factor. Councilmember Snyder asked if they would see a list of recipients and Mayor Logan informed him that it would be included in the resolution and they would have the opportunity to approve the list.

NEW BUSINESS

Mayor Logan stated there would be no council meeting on August 31st and the following week council meeting will be held on Tuesday, September 8 due to the Labor Day holiday. In the next meeting Mayor Logan stated that a presentation would be made regarding the recycling program with CDSI.

ADJOURNMENT

With no further items to discuss, Mayor Logan adjourned the Council meeting at 6:57 p.m.

By: _____
SHAWN R. LOGAN, Mayor

ATTEST:

By: _____
YVONNE HERNANDEZ, DEPUTY CITY CLERK