



## MINUTES

### City Council Regular Meeting

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6:30 PM – Monday, September 28, 2020

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#### CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

#### ROLL CALL

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Councilmembers Present:

John Lallas

Jonathan Erickson

Mark Snyder

Maria Quezada

Genna Dorow

Corey Everett

Angel Garza

Councilmembers Absent:

#### ADMINISTRATIVE STAFF PRESENT

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Shawn Logan, Mayor

Yvonne Hernandez, Deputy City Clerk

Anne Henning, Community Development Director

Spencer Williams, Finance Officer

Terry Clements, Public Works Director

Randy Gomez,

#### CITIZEN INPUT

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There was none.

#### APPROVAL OF AGENDA

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

## **CONSENT OF AGENDA**

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- A. Approval of Accounts Payable Checks
- B. Approval of Payroll & Related Expenses
- C. Approval of City Council Minutes for September 8, 2020
- D. Approval of City Council Minutes for September 14, 2020
- E. Accept Lions Park Infield Renovation Project

**Council carried a motion to APPROVE THE CONSENT AGENDA. M/S Quezada/Dorow**

## **CURRENT BUSINESS**

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### **PUBLIC HEARING ON RESIDENTIAL SETBACKS & GARAGES**

Mayor Logan opened the Public Hearing at 6:32 p.m.

Anne Henning, Community Development Director states that as was presented at the Sept. 8 meeting, several property owners have recently wanted to develop their properties in ways that are not allowed by the zoning code. They questioned the reasons for the code requirements and did not feel the reasons justified the requirements. Therefore, they have asked that the residential code requirements be reconsidered, for accessory building setbacks and garages. Henning advised that the Planning Commission held a public hearing on September 23 and recommended several changes. In reference to the setbacks, Zachary Garza requested that the rear yard setback for accessory structures be reduced from 5' to 2', the same as for a side setback. Garza feels that requiring 5' leaves a lot of wasted space that could be better used in the yard. His property backs up to an irrigation canal, so the usual reasons for setbacks, such as privacy, light, air, and emergency access, don't apply. The Building Code requires only a 2' setback for an accessory building. The Feb. 2020 Zoning Update already changed side yard setbacks to 2' for detached accessory buildings. Nine of 31 Eastern Washington cities reviewed allow a rear setback smaller than 5' for at least some situations (not counting those that allow a 0' alley setback). The Planning Commission considered reducing the rear yard setback for all residential properties, but eventually concluded that they felt the separation between neighbors was important. However, they felt there was no reason to require more separation than the minimum necessary from the canal property. Therefore, they recommended that the rear setback for accessory structures abutting a canal be reduced to 2'. In reference to the garages, Lolo Barrera requested that he be allowed to convert his garage into living space for his house, without having to replace the garage. Of 31 Eastern Washington cities reviewed, only 5 other than Othello require covered parking (East Wenatchee, Moses Lake, Royal City, Sunnyside, Warden). Note that all but 2 of these cities used to share the same City Attorney as Othello and tend to have very similar codes. East Wenatchee and Sunnyside are the only cities other than Othello that required more than one covered parking space. Sunnyside is the only other city to require a garage instead of a carport. The Planning Commission discussed that many garages are not used for parking. Some are too small to fit two vehicles, some are used instead for storage, some, like Mr. Barrera's, are just not conveniently accessible, and many have been converted to living space in the past (legally or not). The Commission had a lot of concern about possibly reducing vehicle parking by allowing garage conversions. However,

since the garage requirement wasn't added until 2007, they felt that it would be acceptable for owners to convert garages built before then, so long as the site had enough parking spaces to replace the parking being removed by converting the garage. To prevent the whole front yard from becoming parking, the requirement from the Landscaping chapter that no more than 50% of the front yard could be parking needed to be referenced. This also led to a discussion of the parking code requirement that only 3 of the front yard spaces could be concrete, while 4 improved parking spaces could be provided. The Commission considered requiring all the spaces to be concrete, but because utility service lines often run through the front yard and are much easier to access for repair under a gravel surface than under concrete, the Commission decided to continue to allow some gravel.

Discussion was made amongst councilmembers with concerns of citizens taking advantage of this ordinance if not addressed properly. It was suggested that the ordinance state in reference to the garage requirement state, "Therefore, houses built before 2008 may convert a garage to living space, provided the following conditions are met specify that an already "existing" garage be changed to a living space, provided the following conditions are met.

Mayor Logan opened the public testimony for those in support of 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 7:00 p.m.

**Council carried a motion to ADOPT ORDINANCE 1554, AMENDING 17.20.060 RESIDENTIAL DEVELOPMENT STANDARDS. M/S Dorow/Erickson**

**Council carried a motion to ADOPT ORDINANCE 1555, AMENDING 17.61.020 PARKING SPACES. M/S Dorow/Garza**

**AGREEMENT BETWEEN CITY OF OTHELLO & CITY OF SUNNYSIDE FOR HOUSING INMATES**

Police Chief, Phil Schenck states Interlocal agreement between the City of Sunnyside and the City of Othello for housing inmates will increase from \$50.00 per day to \$53.00 per day for the year of 2021.

**Council carried a motion to APPROVE THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF SUNNYSIDE AND THE CITY OF OTHELLO FOR HOUSING INMATES IN THE YEAR 2021. M/S Lallas/Everett**

**CHAMBER OF COMMERCE CITY WIDE FARMERS MARKET EVENT AGREEMENT**

Randy Gomez, Park & Rec Coordinator presents an agreement with the Greater Othello Chamber of Commerce for a Citywide Farmers Market. Preliminary plans include assorted food, craft and produce vendors, a 10 or 25 mile bike ride, Rodeo Association corn maze at the

fairgrounds, Iron Works outside beer garden, Abe Lincoln Railcar open for viewing and music in the gazebo throughout the festivities. The Greater Othello Chamber of Commerce will begin park setup on Saturday, October 10, 2020 at 8:00 AM, with vendor setup occurring between 8:00 AM and 10:00 AM. The Citywide Farmers Market is scheduled to be held on Saturday, October 10, 2020 from 10:00 AM to 9:00 PM. Event clean-up is scheduled for Saturday, October 10, 2020 from 9:00 PM to 11:00 PM.

**Council carried a motion to AUTHORIZE THE RESOLUTION FOR USE OF CITY PROPERTY FOR THE CITYWIDE FARMERS MARKET EVENT WITH THE SPECIAL EVENT APPLICATION FEE BEING WAIVED. M/S Dorow/Everett**

**Council carried a motion to AUTHORIZE THE FACILITY USE AND IDEMINIFICATION AGREEMENT FOR USE OF CITY PROPERTY FOR THE CITYWIDE FARMERS MARKET EVENT WITH THE SPECIAL EVENTAPPLICATION FEE BEING WAIVED. M/S Garza/Everett**

#### **AWARD WATER MAIN REPLACEMENT PROJECT – GRAYS EXCAVATION**

Shawn O'Brien, City Engineer presents that on September 25th, 2020 staff opened bids for the Water Main Replacement Project. The City received five (5) bids for the work ranging from \$206,321 to \$254,800. The Engineer Estimate was \$161,645. This project will consist of replacing approximately 1,320 feet of old and undersized, steel and asbestos cement water main with 8-inch, PVC pipe. The line will run from 7th Avenue to 10th Avenue in the alley between Hemlock Street and Larch Street. A portion of the line in 8th Avenue will also be replaced. The lowest, responsible bid for the project was submitted by Gray Excavation from Ephrata. The contractor is in good standing with both the Department of Revenue and the Department of Labor & Industries and is qualified to be awarded a public works project. A summary of the bids is attached.

**Council carried a motion to AWARD THE WATER MAIN REPLACEMENT PROJECT TO GRAY ECAVATION IN THE AMOUNT OF \$206,321.17. M/S Everett/Garza**

#### **WATER MAIN REPLACEMENT PROJECT – AHBL SURVEYING SERVICES**

Shawn O'Brien, City Engineer presents that the City of Othello and AHBL, Inc. entered into a contract in April, 2019 for performing the City's surveying. The contract is in effect until December of 2020. AHBL, Inc. will stake seven (7) property corners along the route of the Water Main Replacement Project. This will provide City staff, the contractor, and the property owners with a clear understanding of where the City right-of-way is in relation to private property.

The proposed consulting fee amendment for AHBL, Inc. services is \$3,400. These costs will be paid for with Water Funds.

**Council carried a motion to APPROVE AN AMENDMENT TO THE CITY'S CONTRACT WITH AHBL, INC. TO INCLUDE SURVEYING WORK FOR THE WATER MAIN REPLACEMENT PROJECT. M/S Lallas/Garza**

## UNFINISHED BUSINESS

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Mayor Shawn Logan advises council that he had personally went out to contact businesses who had not applied for the Covid small business grant. Mayor informed council that we have since then received an additional eleven applications for the 2<sup>nd</sup> round. The Mayor asked that council authorize up to \$50,000 and if needed we would go for a 3<sup>rd</sup> round. A motion is not needed but just a consensus. Mayor advised that a resolution of who will be receiving these monies would be presented in the following council meeting. Council members agreed.

Mayor reminded council of the three budget meetings setup for this week.

## NEW BUSINESS

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There was none.

## COUNCIL WILL ALSO RECEIVE THE FOLLOWING

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### A. Public Works Monthly Report

Councilmember John Lallas asked what the reason for Well #3 not producing anything for the month and why Well #5 was three times the amount. Mayor Logan stated he would ask Terry Clements, Public Works Director and report back.

## ADJOURNMENT

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With no further items to discuss, Mayor Logan adjourned the Council meeting at 7:17 p.m.

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

ATTEST:

By: \_\_\_\_\_  
YVONNE HERNANDEZ, DEPUTY CITY CLERK