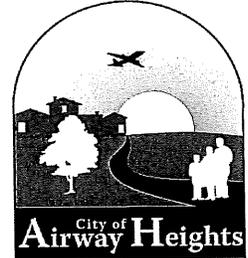


City of Airway Heights

Minutes for the City Council Meeting

Council Chambers, 13120 W. 13th Avenue
Airway Heights, WA



Tuesday, February 17, 2015

Legislative Session: 5:30 PM

1. **Invocation was given by Earl Davis from Hayford Community Church**
2. **Pledge of Allegiance was led by Deputy Mayor Kevin Richey**
3. **Call to Order by Deputy Mayor Kevin Richey at 5:39 PM**
4. **Roll Call:**

Mayor Patrick Rushing	A
Deputy Mayor Kevin Richey	P
Steven Lawrence	P
Jack Collins	P
Tanya Dashiell	P
Doyle Inman	P
Dave Malet	A

Staff Present: Acting City Manager Lee Bennett, City Attorney Stanley Schwartz, Public Works Director Kelly Williquette, Parks, Recreation & Community Services Director J. C Kennedy, Court Administrator Bree Breza, Treatment Plant Operator II Myra Hartley, Clerk-Treasurer Richard Cook

Motion to excuse Mayor Rushing and Councilmember Malet by Councilmember Collins, seconded by Councilmember Lawrence. Motion passed unanimously, 5-0.

5. **Agenda Approval: Motion to approve the agenda by Councilmember Lawrence, seconded by Councilmember Collins. Motion passed unanimously, 5-0.**

6. **Announcements/Presentations:** None

7. **Council Reports:**

Deputy Mayor Richey reported that Mayor Rushing was on a trip to Olympia for the City Legislative Action days.

8. **Public Hearings:** None

9. **Consent Agenda:**

ITEM A: Purchase Approval Register

Requesting approval of the Purchase Approval Register in the amount of \$7,658.24 to Century West Engineering for Engineering Services.

ITEM B: Approval of Minutes

Request approval of City Council minutes for January 5, 2015.

ITEM C: Approval of Minutes

Request approval of City Council minutes for February 2, 2015.

ITEM D: Approval of Minutes

Request approval of Study Session minutes for February 9, 2015.

Motion to approve the Consent Agenda by Councilmember Collins, seconded by Councilmember Lawrence. Motion passed unanimously, 5-0.

10. Action Items:

ITEM E: Approval of "Conflict Public Defender Contract"

Request Council approve the Conflict Public Defender Contract for the year 2015 with Chris Carlisle of Carlisle & Byers Law Firm, not to exceed the amount of \$10,000.00. This contract will allow us to provide quality services for conflict indigent defense.

Motion to approve the Conflict Public Defender Contract by Councilmember Dashiell, seconded by Councilmember Collins. Motion passed unanimously, 5-0.

ITEM F: Approval of "Public Defender Contract"

Request Council approve the Public Defender Contract with Joshua Maurer, Attorney at Law, to provide indigent defense services for citizens in the amount of \$4,000.

Motion to approve the Conflict Public Defender Contract by Councilmember Dashiell, seconded by Councilmember Collins. Motion passed unanimously, 5-0.

Ordinances:

ITEM G: 2nd Reading of Ordinance C-848, Amending AHMC Chapter 8.08 Nuisance Code

This is a request to amend AHMC Chapter 8.08, Nuisances, to clarify and consolidate the nuisance abatement process. It does not seek to redefine or modify descriptions of any nuisances listed in AHMC 8.08, and focuses on the nuisance enforcement, noticing, appeal, and abatement processes.

Motion to approve Ordinance C-848 by Councilmember Dashiell, seconded by Councilmember Lawrence. Motion passed unanimously, 5-0.

ITEM H: 2nd Reading of Ordinance C-849 Providing Salary and Benefit adjustments for Non-Represented Employees (4 Department Heads) and FTE adjustments for Local 270-A.

Second reading of Ordinance C-849 Providing Salary and Benefit adjustments for Non-Represented Employees and FTE adjustments for Local 270-A.

Motion to approve Ordinance C-849 by Councilmember Dashiell, seconded by Councilmember Collins. Motion passed 4-1 (Ayes, Richey, Lawrence, Collins, Dashiell; Nay, Inman)

ITEM I: 2nd Reading of Ordinance C-850, Regulation of Solid Waste Disposal-Flow Control.

Second reading of Ordinance C-850 adopting regulations for solid waste disposal in the City of Airway Heights.

Motion to approve Ordinance C-850 by Councilmember Dashiell, seconded by Councilmember Collins. Motion passed unanimously, 5-0.

ITEM J: 2nd Reading of Ordinance C-851 amending the budgets of various funds for 2015.

Second reading of Ordinance C-851 amending the budgets of the Current Expense Fund, Street, Street Reserve, Park Reserve, Water-Sewer, and Water-Sewer Capital Development Fund.

Motion to approve Ordinance C-851 by Councilmember Lawrence, seconded by Councilmember Collins. Motion passed unanimously, 5-0.

ITEM K: 2nd Reading of Ordinance C-854 Amending AHMC Chapter 8.04, "Garbage and Refuse"

Second reading of Ordinance amending AHMC Chapter 8.04, Garbage and Refuse.

Motion to approve Ordinance C-854 by Councilmember Collins, seconded by Councilmember Dashiell. Motion passed unanimously, 5-0.

Resolutions: None

11. **Citizen's Comments:** None

12. **Staff Reports:**

Police Chief Lee Bennett – No report

Mr. Schwartz – No report

Mr. Williquette reported that the Public Works department hosted four public meetings on transportation. There was good attendance. There were some comments about having more sidewalks in the area.

Ms. Breza – No report

Mr. Kennedy – No report

Mr. Cook – No report

13. **Workshop:** None
14. **Executive Session:** A call for an Executive Session was made for 5 minutes for pending litigation.

The Council retired to Executive Session at 5:57 PM.

Litigation or legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risks is likely to result in an adverse legal or financial consequence to the City.

The Council returned from Executive Session at 6:04 PM.

Motion to amend the agenda and add two items, Item L. and Item M. by Councilmember Dashiell, seconded by Councilmember Lawrence. Motion passed unanimously, 5-0.

ITEM L. Approval of a Settlement Agreement between Ardelis Concrete Company, the City of Airway Heights, and MDM Construction.

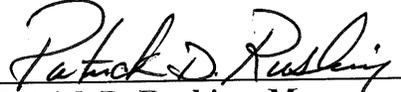
Motion to approve Settlement Agreement between Ardelis Concrete Company, the City of Airway Heights, and MDM Construction for payment by the City to Ardelis Concrete Company a total payment of \$27,500.00 from Contract Retainage and the execution of a deductive change order in the amount of \$97,593.70 with all parties having no admission of liability by Councilmember Dashiell, seconded by Councilmember Collins. Motion passed unanimously, 5-0.

ITEM M. Approval of Change Order #5 with MDM Construction Adjusting Quantities of Original Bid Items and Previous Change Order Quantities and Adjusting the Contract Price per Agreement Between the City of Airway Heights and MDM Construction.

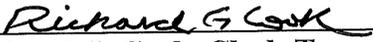
Motion to approve Change Order #5 with MDM Construction adjusting quantities of original bid items and previous change order quantities and adjusting the Contract Price per agreement between the City of Airway Heights and MDM Construction (subtotal cost deducted of \$105,316.54 plus sales tax of \$9,162.54, for a total deduction amount of \$114,479.08) by Councilmember Lawrence, seconded by Councilmember Dashiell. Motion passed unanimously, 5-0.

15. **Adjournment** at 6:09 PM

APPROVED:


Patrick D. Rushing, Mayor

ATTEST:


Richard G. Cook, Clerk-Treasurer

Notice: Individuals planning to attend the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the Clerk-Treasurer at (509) 244-5578 as soon as possible so that arrangements may be made.

Non-Discrimination Statement

This institution is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Form found online at <http://www.ascr.usda.gov/complaint-filing-cust.html> or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send form or letter to USDA Director, Office of Adjudication, 1400 Independence Avenue S. W. Washington, D.C. 20250-9410, by fax (202) 690-7442 or e-mail at program.intake@usda.gov.

