



REGULAR CITY COUNCIL MEETING

February 16, 2016

A G E N D A

Council Chambers
7pm

TURN OFF ALL CELL PHONES & PAGERS-EMERGENCY PERSONNEL USE SILENT ALERT

A. CALL TO ORDER/PRESENTATION OF COLORS

B. ROLL CALL

C. READING AND APPROVAL OF MINUTES

1. *Regular Meeting – February 2, 2016*

D. OPENING REMARKS, "HOUSEKEEPING" ITEMS, EXECUTIVE SESSION REQUESTS, ETC.

E. APPROVAL OF AGENDA (Only essential changes not requiring preparation, review, public notice, or action may be added)

F. VISITOR COMMENTS- *for non-agenda items.*

Council will not take action on an item not already on agenda without time to research, read, and receive staff report. Items may be added on future agenda, but not current agenda. Please do not speak or make remarks unless recognized by the Chair, then if you are called, come forward to microphone, give name and address for minutes recorder. Council chamber over-flow will be moved to City Community Center.

G. REGULAR REPORTS:

1. Sheriff Report
2. EDC Report
3. Staff Report
 - a) Code Report
 - b) Treasurer Report
4. Engineer Report
5. Council Committee Reports

H. ITEMS FOR APPROVAL:

1. Second Reading - Ordinance 953- Amending Water/Sewer billing policies
2. Resolution #2016-03-Auth. Mayor to sign Grant Writer Contract- PED A
3. Vouchers

I. ITEMS FOR DISCUSSION:

1. Set up workshop- iPad implementation
2. Update – Community text notification – Benton County Emergency Services
3. Temporary Maintenance Employee

J. GENERAL COUNCIL COMMENTS:

K. ADJOURNMENT



**City of Benton City
Regular Council Meeting Minutes
February 2nd, 2016**

CALL TO ORDER – Mayor Lehman called the February 2nd, 2016 Regular Council meeting to order at 7:00 p.m. (00:07:34*Audio recording begins)

PRESENTATION OF THE COLORS – Councilmember Mokler led the Council and audience in the Pledge of Allegiance. (00:07:41*)

ROLL CALL – (00:08:01*) Councilmembers Present –

**Mary Lettau
David Sandretto
Jake Mokler
Lisa Stade
Vanessa Coates**

City Staff Present –

**Stephanie Haug, City Clerk/Treasurer
Kyle Kurth, Maintenance Foreman
John Brown, Jr., Code Enforcement Officer**

Other Professionals Present –

**Caleb Stromstad, City Engineer, Spink Engineering LLC
Eric Ferguson, City Attorney, Kerr Law Group
Larry Howell, President, Benton City EDC**

READING AND APPROVAL OF MINUTES (00:08:17*) - REGULAR MEETING JANUARY 19th, 2016

Councilmember Sandretto: I did have one change to the Minutes as they were written; be under Section 4 of Items for Approval; I'm listed as a Councilwoman under Section 4, if we can get that fixed, but other than that, they look good. Madam Mayor, I motion that we accept the Minutes as amended.

Councilmember Stade: Second.

MOTION #1- C. D. Sandretto moved and C. L. Stade seconded to approve the Minutes of the January 19, 2016 Regular Council Meeting as amended.

**VOICE VOTE #1- C. D. Sandretto, C. L. Stade, C. M. Lettau, C. V. Coates, C. J. Mokler
ALL YEAS. Motion carried.**

OPENING REMARKS, "HOUSEKEEPING" ITEMS, EXECUTIVE SESSION REQUESTS, ETC. – (00:09:37*) None

APPROVAL OF AGENDA – (00:09:51*)

Councilmember Coates: Madam Mayor, I make a motion to approve the Agenda.

Councilmember Sandretto: Second.

MOTION #2- C. V. Coates moved and C. D. Sandretto seconded to approve the February 2nd, 2016 Agenda as presented.

**VOICE VOTE #2- C. L. Stade, C. M. Lettau, C. J. Mokler, C. D. Sandretto, C. V. Coates
ALL YEAS. Motion carried.**

VISITOR COMMENTS – (00:10:10*)

Richard (Inaudible) – Recreation marijuana moratorium WA Liquor Board – Still pending – Forbidden Fruits – Name of business – Retail revenues – Niche – Benton City grown local – Working with multiple local companies

Stan Seeford – Local producer – Good for community – Tax benefit – Prosser/Union Gap – Positive

Steve Rouse – Support Council opinion

REGULAR REPORTS

1. EDC REPORT (00:14:25*) Larry Howell, President, Benton City EDC - Written report provided

2. **STAFF REPORTS (00:22:34*)** Stephanie Haug, City Clerk/Treasurer - a) Maintenance Report – In packets - Kyle Kurth, Maintenance Foreman * **Council Discussion ***
3. **ENGINEER REPORT (00:31:28*)** Caleb Stromstad, City Engineer, Spink Engineering LLC – Written report provided * **Council Discussion ***
4. **COUNCIL COMMITTEE REPORTS (00:37:59*)**
Mayor Lehman – In Olympia – Reception – Met with representatives and mayors from other cities
***** SPECIAL PRESENTATION – I-82 PROPERTY – CLAUDE OLIVER *****
(00:39:49*)
* **Council Discussion ***

ITEMS FOR APPROVAL:

1. **FIRST READING – ORDINANCE AMENDING WATER/SEWER BILLING POLICIES - (01:02:54*)**
Ms. Haug – Explanation of amendments to water and sewer billing policies * **Council Discussion ***

Councilmember Coates: Madam Mayor, I would move to approve, on the First Reading, an ordinance of the City of Benton City, Washington, amending Section 13A.16.040 "Delinquent Payment-Service Shut Off – Hearing"; 13A.16.070 entitled "Credit for Vacant Premises"; Section 13A.28.040 entitled "Water charge Schedule"; Section 13A.28.130 entitled "Credit for Vacant Premises"; Section 13A.28.150 entitled "Due Date"; creating new Chapter 13A.28.240 entitled "Charges for Services-Budget Payment"; new Chapter 13A.16.080 entitled "Deferred Payment Agreement"; and new Chapter 13A.28.250 entitled "Deferred Payment Agreement".

Councilmember Lettau: I second.

MOTION #3- C. V. Coates moved and C. M. Lettau seconded to approve on the First Reading, an ordinance of the City of Benton City, Washington, amending Section 13a.16.040 "Delinquent Payment-Service Shut Off-Hearing"; 13a.16.070 entitled "Credit for Vacant Premises"; Section 13a.28.040 entitled "Water Charge Schedule"; Section 13a.28.130 entitled "Credit for Vacant Premises"; Section 13a.28.150 entitled "Due Date"; creating new Chapter 13a.28.240 entitled "Charges for Service-Budget Payment"; new Chapter 13a.16.080 entitled "Deferred Payment Agreement".

VOICE VOTE #3- C. L. Stade, C. M. Lettau, C. J. Mokler, C. V. Coates, C. D. Sandretto
ALL YEAS. Motion carried.

2. **RESOLUTION #2016-02 – AUTHORIZATING MAYOR TO SIGN EDC CONTRACT FOR 2016 SERVICES - (01:29:44*) * Council Discussion ***

Councilmember Stade: Madam Mayor, I move to approve Resolution #2016-02, a resolution authorizing the Mayor of the City of Benton City to sign the Agreement for Services between the City of Benton City and the Benton City Economic Development Council.

Councilmember Mokler: Second.

MOTION #4- C. L. Stade moved and C. J. Mokler seconded to approve Resolution #2016-02, a resolution authorizing the Mayor of the City of Benton City, Washington, to sign the Agreement for Services between the City of Benton City and the Benton City Economic Development Council.

VOICE VOTE #4- C. L. Stade, C. D. Sandretto, C. M. Lettau, C. J. Mokler, – YEAS;
C. V. Coates – ABSTAIN. Motion carried.

3. **AWARD BID – WELL #5 WELL HOUSE SITE WORK PROJECT - (01:33:58*)**

Councilmember Lettau: Madam Mayor, I move to award the Well #5 Well House Site Work Project to Colbert Construction in an amount not to exceed \$268,983.88.

Councilmember Coates: Second.

* **Council Discussion ***

MOTION #5- C. M. Lettau moved and C. V. Coates seconded to award the Well #5 Well House Site Work Project to Colbert Construction in an amount not to exceed \$268,983.88.

ROLL CALL VOTE #5- C. V. Coates, C. D. Sandretto, C. J. Mokler, C. M. Lettau, C. L. Stade
ALL YEAS. Motion carried.

4. KEYS TO THE CITY APPLICATION – RED MOUNTAIN AVA - (01:37:38*)

Mayor Lehman – Explanation of Keys to the City Application for Red Mountain AVA * **Council Discussion ***

Councilmember Stade: Madam Mayor, I move to approve the application to award Keys to the City to the wineries of the Red Mountain AVA that participated in the November 2015 Food Drive, including Terra Blanca, Frichette, Kiona, Fidelitas, Hedges, Hightower, Tapteil, Col Solare & Hamilton Cellars, to be awarded at a Council Meeting in the near future; this would be pending specifics to come, in the amount of \$527.00 plus, not to exceed \$527.00 plus Washington State Sales Tax.

Councilmember Lettau: I second.

MOTION #6- C. L. Stade moved and C. M. Lettau seconded to approve the application to award keys to the City to the wineries of the Red Mountain AVA that participated in the November 2015 Food Drive, including Terra Blanca, Frichette, Kiona, Fidelitas, Hedges, Hightower, Tapteil, Col Solare & Hamilton Cellars, to be awarded at a Council Meeting in the near future.

ROLL CALL VOTE #6- C. D. Sandretto, C. M. Lettau, C. L. Stade, C. V. Coates, C. J. Mokler
ALL YEAS. Motion carried.

**** Bring samples to next meeting ****

5. PURCHASE REQUEST – TREE TRIMMING – 9TH STREET TREES - (01:42:59*)

Councilmember Lettau: Madam Mayor, I move to approve the purchase of tree trimming services for the trees on 9th Street from Top Tree Services, LLC, in an amount not to exceed \$850 plus Washington State Sales Tax is applicable.

Councilmember Coates: I second.

MOTION #7- C. M. Lettau moved and C. V. Coates seconded to approve the purchase of tree trimming services for the trees on 9th Street from Top Tree Services, LLC, in an amount not to exceed \$850 plus Washington State Sales Tax if applicable.

ROLL CALL VOTE #7- C. L. Stade, C. M. Lettau, C. D. Sandretto, C. V. Coates, C. J. Mokler
ALL YEAS. Motion carried.

6. VOUCHERS (01:44:50*)

Councilmember Coates: Madam Mayor, I move to approve payment of Claim check numbers 27406 thru 27424 with EFTs as listed in the amount of \$61,721.46, this 2nd of February, 2016.

Councilmember Sandretto: Second.

MOTION #8- C. V. Coates moved and C. D. Sandretto seconded for the City Council of the City of Benton City, Washington, to hereby authorize payment of Claim check numbers 27406 thru 27424 with EFTs as listed in the amount of 61,721.46, this 2nd day of February, 2016.

ROLL CALL VOTE #8- C. J. Mokler, C. D. Sandretto, C. L. Stade, C. V. Coates, C. M. Lettau
ALL YEAS. Motion carries.

ITEMS FOR DISCUSSION (01:45:49*)

- 1. CITY ATTORNEY UPDATE - Eric Ferguson, City Attorney, Kerr Law Group – Public Records**
- 2. BENTON CITY CODE ENFORCEMENT PRIORITIES - John G. Brown, Jr., Code Enforcement Officer * Council Discussion * (01:51:06*)**

3. MAINTENANCE DEPARTMENT – ADDITIONAL PERSONNEL * Council Discussion * (02:00:34*)

GENERAL COUNCIL COMMENTS – None (02:17:50*)

ADJOURNMENT – Mayor Lehman (02:17:51*)

Councilmember Lettau: Madam Mayor, I make a motion we adjourn.

Councilmember Sandretto: I second.

MOTION #9– C. M. Lettau moved and C. D. Sandretto seconded to adjourn the February 2nd, 2016 Regular Council Meeting at 9:10 p.m.

**VOICE VOTE #9– C. V. Coates, C. M. Lettau, C. D. Sandretto, C. L. Stade, C. J. Mokler
ALL YEAS. Motion carried.**

Meeting adjourned at 9:10 p.m. (02:17:58*)

Linda Lehman
Mayor, City of Benton City

Stephanie Haug, CMC
City Clerk-Treasurer

Date: _____

**BENTON COUNTY SHERIFF'S OFFICE
BENTON CITY
JANUARY 2016**

During January 2016, the Benton County Sheriff's Office responded to 222 calls for service (280 in 2015). Attached is a schedule indicating the 32 case offenses resulting from the 222 calls for service (23 in 2015). During this month, 22 infraction offenses were issued.

Note: The attached table does not include clearances that occurred in subsequent months.

BENTON CITY MONTHLY REPORT

Jan-16							Jan-15						
INCIDENT	TOTAL	AA	AJ	EA	EJ	U	INCIDENT	TOTAL	AA	AJ	EA	EJ	U
A/DUI							A/DUI						
A/FATAL							A/FATAL						
A/FTSID	2	2					A/FTSID	1					
A/IND							A/IND						
A/OTH							A/OTH						
A/PED							A/PED						
A/VEH							A/VEH	1					
ABDUCT							ABDUCT						
ADULT/OTH							ADULT/OTH						
ALARM							ALARM						
ANIMAL	1						ANIMAL						
ARSON							ARSON						
ASSIST	1						ASSIST	1					
ASLT/DV	4	2		2			ASLT/DV	1	1				
ASLT/OFC							ASLT/OFC						
ASSAULT							ASSAULT						
ATL							ATL						
AUTO/THEFT							AUTO/THEFT						
BIGAMY							BIGAMY						
BOMB/THR							BOMB/THR						
BURG/ATT							BURG/ATT						
BURGLARY	4			1			BURGLARY	1	1				
BUS/SCHL							BUS/SCHL						
CHILD/OTH	2					1	CHILD/OTH						
CIVIL							CIVIL						
COUNTERF							COUNTERF						
DEATH	1						DEATH						
DIS/COND							DIS/COND						
DISTURB							DISTURB						
DOMESTIC							DOMESTIC						
DROWN							DROWN						
DUI							DUI	1	1				
DUMPING							DUMPING						
ELUDING							ELUDING						
EMBZL							EMBZL						
FIREWORKS							FIREWORKS						
FLD/ARR	4	4					FLD/ARR	7	7				
FORGERY							FORGERY						
FRAUD	2						FRAUD						
FT/REG							FT/REG						
FUGITIVE							FUGITIVE						
GAM/VIO							GAM/VIO						
GAMBL							GAMBL						
GANG/GRAF							GANG/GRAF						
HARASS							HARASS						
HAZ/MAT							HAZ/MAT						
HOMICIDE							HOMICIDE						
ID/THEFT							ID/THEFT						
INFO							INFO						
INTIMIDATE							INTIMIDATE						
KIDNAP							KIDNAP						
LEWD/COND							LEWD/COND						
LIQ/LAW							LIQ/LAW						

BENTON CITY MONTHLY REPORT

Jan-16							Jan-15						
INCIDENT	TOTAL	AA	AJ	EA	EJ	U	INCIDENT	TOTAL	AA	AJ	EA	EJ	U
LITTER							LITTER						
LOIT							LOIT						
LURING							LURING						
MAL/HARAS							MAL/HARAS						
MAL/MISC							MAL/MISC						
MENTAL							MENTAL						
MINOR/TOB							MINOR/TOB						
MISSING							MISSING						
NARCOTICS	1						NARCOTICS	1		1			
NOISE ORD							NOISE ORD						
OBSTRUCT							OBSTRUCT						
ORDER/VIO	1	1					ORDER/VIO						
PHONE							PHONE						
POSS/SPROP	1						POSS/SPROP						
PROPERTY	1						PROPERTY						
PROSTIT							PROSTIT						
RAPE	1	1					RAPE						
REC/STLN							REC/STLN						
ROBBERY							ROBBERY						
RUNAWAY							RUNAWAY						
SEARCH/WRNT							SEARCH/WRNT						
SEX/OFF							SEX/OFF	1					
STALKING							STALKING						
SUICIDE							SUICIDE						
SUICIDE/AT							SUICIDE/AT	2					
SUSP/CIRCU							SUSP/CIRCU	2					
TATTOOING							TATTOOING						
THEFT	2						THEFT	2	1				
THEFT/SL							THEFT/SL	1					
THREATS							THREATS	1					
TMWOP							TMWOP						
TRESPASS	1			1			TRESPASS						
UIBC							UIBC						
VEH/IMP							VEH/IMP						
VEH/PROWL							VEH/PROWL						
WARNT/OUT							WARNT/OUT						
WARNT/SER	1	1					WARNT/SER						
WEAPONS							WEAPONS						
WELF/CKS	2						WELF/CKS						
TOTAL	32	11	0	4	0	1	TOTAL	23	11	1	0	0	0

John Brown
Code Enforcement



CITY OF BENTON CITY
OFFICE OF CODE ENFORCEMENT

P.O. Box 70, * Benton City * Washington 99320 * (509) 588-3322

January 15, 2016 thru February 11, 2016

Public Contacts: 42

Notice to Comply or Warning:

10 - Dog Control

2 – City Dog license and Rabies Vaccination

5 – Stop Work Orders (No Permit or Business License)

2 – Garbage Service

3 – Open Burning

1 – Living in RV

Impounded Animals: 3 DOA and 10 Dogs

Released to Owner: 9

Adoption: 1

Welfare Check: 2

Building Permits: 12

TREASURERS REPORT

Fund Totals

City Of Benton City
MCAG #: 199

01/01/2016 To: 01/31/2016

Time: 14:29:48 Date: 02/11/2016
Page: 1

Fund	Previous Balance	Revenue	Expenditures	Ending Balance	Claims Clearing	Payroll Clearing	Outstanding Deposits	Adjusted Ending Balance
001 Current Expense Fund	581,663.96	92,861.10	54,461.05	620,064.01	2,436.81	21,203.51	-3,289.24	640,415.09
101 City Street Fund	235,061.82	6,052.86	7,222.06	233,892.62	109.25	5,065.46	-50.00	239,017.33
103 Sos Archive Grant	5,696.41	0.00		5,696.41	0.00	0.00	0.00	5,696.41
302 Park & Recreation Fund	96,543.57	3,291.66		99,835.23	0.00	0.00	0.00	99,835.23
350 I-82 Business/Industrial Park	27,655.71	52.00		27,707.71	0.00	0.00	0.00	27,707.71
401 Water Fund	84,088.10	29,147.28	30,878.40	82,356.98	110.40	11,041.49	-2,012.32	91,496.55
402 Sewer Fund	725,742.48	55,809.24	40,021.69	741,530.03	98.55	10,516.91	-2,095.71	750,049.78
406 Sewer/water Capital Improvement	90,707.01	1,063.92		91,770.93	0.00	0.00	-463.92	91,307.01
407 Sewer/water Capital Maint.	182,729.34	0.00		182,729.34	0.00	0.00	0.00	182,729.34
	2,029,888.40	188,278.06	132,583.20	2,085,583.26	2,755.01	47,827.37	-7,911.19	2,128,254.45

TREASURERS REPORT

Account Totals

City Of Benton City
 MCAG #: 199

01/01/2016 To: 01/31/2016

Time: 14:29:48 Date: 02/11/2016
 Page: 2

Cash Accounts	Beg Balance	Deposits	Withdrawals	Ending	Outstanding Rec	Outstanding Exp	Adj Balance
1 Checking	439,108.45	187,976.88	132,802.04	494,283.29	-7,911.19	50,582.38	536,954.48
5 Petty Cash Fund	100.00	0.00	0.00	100.00	0.00	0.00	100.00
6 Cash Drawers	200.00	0.00	0.00	200.00	-200.00	0.00	0.00
Total Cash:	439,408.45	187,976.88	132,802.04	494,583.29	-8,111.19	50,582.38	537,054.48
Investment Accounts	Beg Balance	Deposits	Withdrawals	Ending	Outstanding Rec	Outstanding Exp	Adj Balance
2 LGIP	1,581,117.95	519.98	0.00	1,581,637.93	0.00	0.00	1,581,637.93
3 Money Market	9,562.00	0.04	0.00	9,562.04	0.00	0.00	9,562.04
Total Investments:	1,590,679.95	520.02	0.00	1,591,199.97	0.00	0.00	1,591,199.97
	2,030,088.40	188,496.90	132,802.04	2,085,783.26	-8,111.19	50,582.38	2,128,254.45

TREASURERS REPORT
Fund Investments By Account

City Of Benton City
 MCAG #: 199

Time: 14:29:48 Date: 02/11/2016
 Page: 3

01/01/2016 To: 01/31/2016

Fund Totals:	Previous Balance	Purchases	Interest	Total Investments	Liquidated	Ending Balance
001 000 Current Expense Fund	483,815.66		104.00	104.00		483,919.66
101 000 City Street Fund	171,067.96		104.00	104.00		171,171.96
302 000 Park & Recreation Fund	39,724.08		52.00	52.00		39,776.08
350 000 I-82 Business/Industrial Park	20,943.16		52.00	52.00		20,995.16
401 000 Water Fund	43,415.02		104.00	104.00		43,519.02
402 000 Sewer Fund	655,922.01		103.98	103.98		656,025.99
406 000 Sewer/water Capital Improvement	74,534.06					74,534.06
407 000 Sewer/water Capital Maint.	91,696.00					91,696.00
2 - LGIP	1,581,117.95	0.00	519.98	519.98		1,581,637.93
001 000 Current Expense Fund	858.76		0.04	0.04		858.80
101 000 City Street Fund	2,800.71					2,800.71
302 000 Park & Recreation Fund	737.13					737.13
350 000 I-82 Business/Industrial Park	612.37					612.37
401 000 Water Fund	1,854.87					1,854.87
406 000 Sewer/water Capital Improvement	1,664.82					1,664.82
407 000 Sewer/water Capital Maint.	1,033.34					1,033.34
3 - Money Market	9,562.00	0.00	0.04	0.04		9,562.04
	1,590,679.95	0.00	520.02	520.02		1,591,199.97

TREASURERS REPORT

Fund Investment Totals

City Of Benton City
MCAG #: 199

01/01/2016 To: 01/31/2016

Time: 14:29:48 Date: 02/11/2016
Page: 4

Fund Totals:	Previous Balance	Purchases	Interest	Ttl Investments	Liquidated	Investment Bal	Available Cash
001 Current Expense Fund	484,674.42		104.04	104.04		484,778.46	135,285.55
101 City Street Fund	173,868.67		104.00	104.00		173,972.67	59,919.95
103 Sos Archive Grant						0.00	5,696.41
302 Park & Recreation Fund	40,461.21		52.00	52.00		40,513.21	59,322.02
350 I-82 Business/Industrial Park	21,555.53		52.00	52.00		21,607.53	6,100.18
401 Water Fund	45,269.89		104.00	104.00		45,373.89	36,983.09
402 Sewer Fund	655,922.01		103.98	103.98		656,025.99	85,504.04
406 Sewer/water Capital Improvement	76,198.88					76,198.88	15,572.05
407 Sewer/water Capital Maint.	92,729.34					92,729.34	90,000.00
	1,590,679.95		520.02	520.02		1,591,199.97	494,383.29

Ending fund balance (Page 1) - Investment balance = Available cash.

2,085,583.26

TREASURERS REPORT

Outstanding Vouchers

City Of Benton City
MCAG #: 199

As Of: 01/31/2016 Date: 02/11/2016
Time: 14:29:48 Page: 5

Year	Trans#	Date	Type	Acct#	War#	Vendor	Amount	Memo
2016	500	01/26/2016	Util Pay	1		Xpress Bill-Pay	76.00	Xpress Bill Pay Import - iPay
2016	521	01/28/2016	Tr Rec	1		King, Elizabeth	20.00	
2016	522	01/28/2016	Tr Rec	1		Cagle, Lynn	20.00	
2016	526	01/28/2016	Tr Rec	1		Rodriguez, Maria	10.00	
2016	529	01/28/2016	Tr Rec	1		Fulton, Cathrine &	30.00	
2016	530	01/28/2016	Tr Rec	1		J & J Plumbing of the Tri-Cities	65.00	
2016	532	01/28/2016	Tr Rec	1		Taylor, Tanya & Jim	5.00	
2016	534	01/28/2016	Tr Rec	1		Permitting, Customer	75.00	
2016	536	01/28/2016	Tr Rec	1		Bryant, Cathy	2.00	
2016	537	01/28/2016	Tr Rec	1		Carnahan, Lloyd S.	30.00	
2016	540	01/28/2016	Util Pay	1		Xpress Bill Pay, Credit Card Payments	501.36	Xpress Bill Pay Import - CC
2016	538	01/29/2016	Tr Rec	1		Martin, Donald G.	45.00	
2016	539	01/29/2016	Tr Rec	1		Gately, Lynn	30.00	
2016	541	01/29/2016	Tr Rec	1		Butler Jr., Charles E.	10.00	
2016	542	01/29/2016	Tr Rec	1		Callahan, Eric	10.00	
2016	543	01/29/2016	Util Pay	1		Batch Utility Customer	117.79	
2016	568	01/29/2016	Tr Rec	1		Rivera, Eugenia	30.00	
2016	569	01/29/2016	Tr Rec	1		Moor, Steven Ray	10.00	
2016	570	01/29/2016	Tr Rec	1		Gunter, Doyle	10.00	
2016	571	01/29/2016	Util Pay	1		Batch Utility Customer	581.04	
2016	572	01/29/2016	Tr Rec	1		Permitting, Customer	4,073.39	
2016	573	01/29/2016	Tr Rec	1		Balmer, Mike	15.00	
2016	574	01/29/2016	Tr Rec	1		Avila, Tom And Becki	10.00	
2016	575	01/29/2016	Tr Rec	1		Wadsworth, Steve	25.00	
2016	576	01/29/2016	Tr Rec	1		Derousie, Joseph	15.00	
2016	577	01/29/2016	Tr Rec	1		Hill, Kevin & Teresa	55.00	
2016	578	01/29/2016	Tr Rec	1		Permitting, Customer	79.50	
2016	579	01/29/2016	Tr Rec	1		Lopez, Servando	20.00	
2016	580	01/29/2016	Tr Rec	1		Mokler, Jake & Amanda	60.00	
2016	581	01/29/2016	Tr Rec	1		Wackerle, Edward	20.00	
2016	582	01/29/2016	Tr Rec	1		Arnim, Teresa	10.00	
2016	583	01/29/2016	Tr Rec	1		Van Hollebeke, Felix J.	10.00	
2016	584	01/29/2016	Tr Rec	1		Brown, Jeanne	10.00	
2016	585	01/29/2016	Tr Rec	1		Church, Andy & Debra	10.00	
2016	586	01/29/2016	Tr Rec	1		Free Rein Exceptional Expressions LLC	30.00	
2016	587	01/29/2016	Tr Rec	1		Robinson, Paul & Laurie	10.00	
2016	588	01/29/2016	Tr Rec	1		Shumate, Ronnie	15.00	
2016	589	01/29/2016	Tr Rec	1		Robinson, Bryan & Brenda	2.00	
2016	590	01/29/2016	Tr Rec	1		Brink, Dirk	15.00	

TREASURERS REPORT

Outstanding Vouchers

City Of Benton City
MCAG #: 199

As Of: 01/31/2016 Date: 02/11/2016
Time: 14:29:48 Page: 6

Year	Trans#	Date	Type	Acct#	War#	Vendor	Amount	Memo
2016	591	01/29/2016	Tr Rec	1		Mulvaney, Nolan	15.00	
2016	592	01/29/2016	Tr Rec	1		Alcazar, Dyana & Julio	10.00	
2016	593	01/29/2016	Util Pay	1		Xpress Bill Pay, Credit Card Payments	1,518.54	Xpress Bill Pay Import - CC
2016	594	01/29/2016	Util Pay	1		Xpress Bill-Pay	42.95	Xpress Bill Pay Import - EFT
2016	595	01/29/2016	Util Pay	1		Xpress Bill-Pay	10.50	Xpress Bill Pay Import - Metavante
2016	596	01/29/2016	Util Pay	1		Xpress Bill-Pay	75.21	Xpress Bill Pay Import - iPay
2016	597	01/31/2016	Util Pay	1		Xpress Bill Pay, Credit Card Payments	75.91	Xpress Bill Pay Import - CC
							7,911.19	
Receipts Outstanding:								
2016	601	01/31/2016	Payroll	1	EFT	Misty Ferrell	500.14	
2016	602	01/31/2016	Payroll	1	EFT	Krista Harmon	1,745.01	
2016	603	01/31/2016	Payroll	1	EFT	Stephanie Haug	1,696.13	
2016	609	01/31/2016	Payroll	1	EFT	Nicholas Oscarson	1,516.33	
2016	611	01/31/2016	Payroll	1	EFT	Ronnie Shumate	1,900.28	
2016	633	01/31/2016	Payroll	1	EFT	IRS - EFT Processing System	11,649.12	941 Deposit For 01/01/2016 - 01/31/2016
2016	632	01/31/2016	Payroll	1	EFT	Department of Retirement Systems	7,235.15	01/01/2016 To 01/31/2016 - PRS2
2016	631	01/31/2016	Payroll	1	EFT	Department of Retirement Systems	550.00	01/16/2016 To 01/31/2016 - Deferred Comp.
2016	630	01/31/2016	Payroll	1	EFT	Aflac	407.70	01/01/2016 To 01/31/2016 - Aflac - Accident (Pre); 01/01/2016 To 01/31/2016 - Aflac - STD (Post); 01/01/2016 To 01/31/2016 - Aflac - Hospital IC (Pre)
2016	613	01/31/2016	Payroll	1	EFT	Diana Washburn	1,243.37	
2016	604	01/31/2016	Payroll	1	EFT	Paula Kauer	814.88	
2016	600	01/31/2016	Payroll	1	EFT	John Brown	1,226.14	
2016	599	01/31/2016	Payroll	1	EFT	Jose Barragan	1,372.54	
2011	2331	07/19/2011	Claims	1	23931	Antonio & Maria Mendoza	0.64	Refund For Credit On Closed W/S Account
2013	2245	06/18/2013	Claims	1	25469	Ray & Connie Meredith	100.00	Community Center Deposit Refund
2013	3235	09/17/2013	Claims	1	25661	Dean Little	0.02	Refund Inactive Cust Credit Bal
2013	4181	12/17/2013	Claims	1	25833	Elyssa Guest	10.00	Refund inactive customer credit balance
2014	380	01/21/2014	Claims	1	25926	Melanie Marsh	1.00	Refund inactive customer credit balance
2014	3796	11/18/2014	Claims	1	26492	B.F. Walla Walla Good Roads	75.00	2014 Membership Dues - Lisa Stade
2014	3993	11/30/2014	Payroll	1	26544	Michelle McLeod	138.52	
2015	3530	10/20/2015	Claims	1	27192	Linda Cook	0.17	Refund inactive customer credit balance
2015	3805	11/17/2015	Claims	1	27249	Linda Cook	65.74	Refund inactive customer credit balance
2015	4266	12/31/2015	Payroll	1	27336	Connie Meredith	138.52	
2015	4269	12/31/2015	Payroll	1	27337	Lisa Stade	212.40	
2015	4303	12/31/2015	Claims	1	27354	Ki-Be Market	60.20	Oct/Nov/Dec 2015 Charges
2016	6	01/05/2016	Claims	1	27370	WA St. Assn. of Permit Technicians	35.00	Membership-JG Brown, Jr. - 2016

TREASURERS REPORT

Outstanding Vouchers

City Of Benton City
 MCAG #: 199

As Of: 01/31/2016 Date: 02/11/2016
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Year	Trans#	Date	Type	Acct#	War#	Vendor	Amount	Memo
2015	4334	12/31/2015	Claims	1	27379	Central Washington Asphalt, Inc.	109.25	Acct No. 16032/Inv No. 11557
2015	4342	12/31/2015	Claims	1	27387	The Building Department Inc.	1,986.60	Inv No. 717
2016	287	01/19/2016	Claims	1	27395	Kevin & Lauren Doody	75.91	Refund inactive customer credit balance
2016	291	01/19/2016	Claims	1	27399	Mount's	135.48	Inv. No. 209120
2016	292	01/19/2016	Claims	1	27400	SCWMCA	50.00	2016 Membership Renewal
2016	295	01/19/2016	Claims	1	27403	WA Finance Officers Assn.	50.00	Reg. ID: 63737223 S. Haug
2016	605	01/31/2016	Payroll	1	27425	Kyle Kurth	2,036.02	
2016	606	01/31/2016	Payroll	1	27426	Linda Lehman	711.80	
2016	607	01/31/2016	Payroll	1	27427	Mary Lettau	138.52	
2016	608	01/31/2016	Payroll	1	27428	Jacob Mokler	49.26	
2016	610	01/31/2016	Payroll	1	27429	David Sandretto	138.52	
2016	612	01/31/2016	Payroll	1	27430	Lisa Stade	138.52	
2016	634	01/31/2016	Payroll	1	27431	Teamsters Local 839	447.00	01/01/2016 To 01/31/2016 - TEAMSTERS 839
2016	635	01/31/2016	Payroll	1	27432	Washington Teamsters Welfare Trust	11,821.50	01/01/2016 To 01/31/2016 - NW Admin
							50,582.38	

Fund	Claims	Payroll	Total
001 Current Expense Fund	2,436.81	21,203.51	23,640.32
101 City Street Fund	109.25	5,065.46	5,174.71
401 Water Fund	110.40	11,041.49	11,151.89
402 Sewer Fund	98.55	10,516.91	10,615.46
	2,755.01	47,827.37	50,582.38

TREASURERS REPORT

Signature Page

City Of Benton City
MCAG #: 199

01/01/2016 To: 01/31/2016

Time: 14:29:48 Date: 02/11/2016
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I the undersigned officer for the City of Benton City have reviewed the foregoing report and acknowledge that to the best of my knowledge this report is accurate and true:

Signed:  _____
Clerk/Treasurer / Date 2/11/16

CITY OF BENTON CITY

City Council Agenda Item



PROCESS INFORMATION

SUBJECT: Second Reading - Ordinance 953- Amending
Water/Sewer billing policies

DATE/ITEM: 02-16-2016- H 1

BUDGET INFORMATION

DEPT: Utilities

BUDGETED?

FUND: Water/Sewer

EXPENDITURE: N/A

DESCRIPTION/SUMMARY

ACTION

Consideration of adoption, on the second reading, Ordinance 953 of the City of Benton City, Washington, amending Section 13a.16.040 "Delinquent Payment- Service Shut Off- Hearing"; 13a.16.070 entitled "Credit For Vacant Premises"; Section 13a.28.040 entitled "Water Charge Schedule"; Section 13a.28.130 entitled "Credit For Vacant Premises"; Section 13a.28.150 entitled "Due Date"; creating new Chapter 13a.28.240 entitled "Charges For

HISTORY

Changes include a new waiver option for customers who have on time payments the previous 12 months, a budget billing feature, removing the residential only restriction of vacant premises, and offering a deferred payment for customers who prove a bona fide hardship.

ATTACHMENTS

- | | |
|--------------|----|
| 1) Ordinance | 3) |
| 2) | 4) |

RECOMMENDED ACTION/SAMPLE MOTION

I move to approve, on the second reading, Ordinance 953 of the City of Benton City, Washington, amending Section 13a.16.040 "Delinquent Payment- Service Shut Off- Hearing"; 13a.16.070 entitled "Credit For Vacant Premises"; Section 13a.28.040 entitled "Water Charge Schedule"; Section 13a.28.130 entitled "Credit For Vacant Premises"; Section 13a.28.150 entitled "Due Date"; creating new Chapter 13a.28.240 entitled "Charges For Service- Budget Payment"; new chapter 13a.16.080 entitled "Deferred Payment Agreement"; and new Chapter 13a.28.250 entitled "Deferred Payment Agreement"

First Reading: 2/2/2016

Second Reading: _____

ORDINANCE NO. 953

AN ORDINANCE OF THE CITY OF BENTON CITY, WASHINGTON, AMENDING SECTION 13A.16.040 "DELINQUENT PAYMENT- SERVICE SHUT OFF- HEARING"; 13A.16.070 ENTITLED "CREDIT FOR VACANT PREMISES"; SECTION 13A.28.040 ENTITLED "WATER CHARGE SCHEDULE"; SECTION 13A.28.130 ENTITLED "CREDIT FOR VACANT PREMISES"; SECTION 13A.28.150 ENTITLED "DUE DATE"; CREATING NEW CHAPTER 13A.28.240 ENTITLED "CHARGES FOR SERVICE-BUDGET PAYMENT"; NEW CHAPTER 13A.16.080 ENTITLED "DEFERRED PAYMENT AGREEMENT"; AND NEW CHAPTER 13A.28.250 ENTITLED "DEFERRED PAYMENT AGREEMENT"

WHEREAS, it has been recommended by City staff that certain changes be made to the water and sewer billing policies of the Benton City Municipal Code regarding flexibility for late payments and payment option; and

WHEREAS, to provide consistency in the billing of water and sewer utility services, it is in the best interest of the citizens of the City that amendments be made to the existing Code. NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BENTON CITY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. That Section 13A.16.040 entitled "Delinquent payment- Service shut off- Hearing" of the Benton City Municipal Code shall be and hereby is amended and shall read as follows:

13A.16.040 Delinquent payment—Service shut off --Hearing.

A. All charges for the public sewer service shall be due on the second working day of the month following the month the services were provided and payable at the office of the City Clerk. Charges for sewer services shall become delinquent if not received at City Hall by close of business as listed in Section 2.04.010 on or before the 20th day of the billing month. If the 20th day of the billing month falls on a Saturday, Sunday, or legal holiday, the sewer utility account shall be delinquent if not received by the City by close of business as listed in Section 2.04.010, on the first working day thereafter. Mail or deposit box payments will not be considered received by the City prior to delinquency unless actually received prior to the default date and time. A delinquent fee set by the most current City Fee Schedule Resolution shall be assessed on each sewer account not paid prior to the delinquency.

The delinquent fee shall be waived by the City if all of the following conditions apply:

1. The account holder does not have any previous water or sewer charge delinquencies on their account for the prior 12 month period.
2. The account holder contacts the City before the close of business of

last working day of the month the charges are due to request the waiver.

As an additional and concurrent method of enforcing the lien of the City for sewage services, the Mayor is authorized and directed to shut off the public sewer service from the premises and/or water services to the premises on the last working day of the month such charges are due. Such services to the premises shall not be restored until such time as all charges, costs, penalties, and interest, as provided by the current City Fee Schedule Resolution, together with any additional sums which may be charged for the disconnection, reconnection, or utility account reinstatement are paid in full.

If payment is not received by the City for such charges by the 20th day of the month, the sewer utility customer shall receive notice in writing, notification of the following:

1. Termination of sewer and/or water utility services.
 2. Right to a hearing before the Mayor for determination of a bona fide dispute concerning the correctness of the bill.
 3. That a request for the hearing must be made by the 15th of the month such payment is due. If the utility customer prevails and the utility bill is corrected, the delinquency penalty, as set forth in the most recent current City Fee Schedule Resolution, shall be waived.
- B. All persons requesting a hearing as to the correctness of the sewer utility bill shall be notified in writing of the hearing date set therefore before the Mayor, which hearing shall be held not less than seven (7) days prior to the date designated for the termination of services. The hearing shall be before the Mayor to correct the mistake and determination of the sewer utility bill. The determination of the Mayor shall be final and rendered to the utility customer in writing prior to the date designated as the termination of the services. (Ord. 899, Feb. 2012; Ord. 843, Nov. 2008; Ord 731, Sept. 2001; Ord 696, 2000; Ord. 667, 1998; Ord. 622, 1995; Ord. 572, 1992; Ord. 514, 1988; Ord. 494, 1986; Ord. 405 S1 (part), 1981.)

Section 2. That Section 13A.16.070 entitled "Credit for vacant premises" of the Benton City Municipal Code shall be and hereby is amended and shall read as follows:

13A.16.070 Credit for vacant premises. Any residential premises which shall have been destroyed, removed, or unoccupied for a period of not less than 120 days, may, upon appropriate application and the payment of the fee established therefore, apply to suspend the accrual of public sewer services and charges therefore for the period that the premises is unoccupied. At the time of reoccupancy, notice shall be given to the City, and public sewer services and charges therefore shall be reinstated. If the period of suspension is less than 120 days, sewer charges shall accrue during the period of vacancy and shall be immediately due and payable upon the recommencement of services to the public sewer service. (Ord. 727, May, 2001; Ord. 696, 2000; Ord 667, 1998; Ord. 494, 1986.)

Section 3. That Section 13A.28.040 entitled "Water charge schedule" of the Benton City Municipal Code shall be and hereby is amended and shall read as follows:

13A.28.040 **Water charge schedule.** Effective April 10, 1978, each lot or parcel of real estate which is connected to the public water system under this chapter or each additional connection made to serve such lot or parcel of real estate shall be charged for public water service pursuant to the current City Fee Schedule Resolution. The City shall suspend the accrual of public water services and charges to accounts that have been shut off for non-payment until services are reinstated and any fees and charges due pursuant to this chapter are paid in full. (Ord. 667, 1998; Ord. 622, 1995.)

Section 4. That Section 13A.28.130 entitled "Credit for vacant premises" of the Benton City Municipal Code shall be and hereby is amended and shall read as follows:

13A.28.130 **Credit for vacant premises.** Any ~~residential~~ premises which shall have been destroyed, removed, or unoccupied for a period of not less than 120 days, may, upon appropriate application and the payment of the fee established therefore, apply to suspend the accrual of public water services and charges therefore for the period that the premises is unoccupied. At the time of reoccupancy, notice shall be given to the City, and public water services and charges therefore shall be reinstated. If the period of suspension is less than 120 days, water charges shall accrue during the period of vacancy and shall be immediately due and payable upon the recommencement of services. (Ord. 727, May, 2001; Ord. 667, 1998; Ord. 405 S1 (part), 1981.)

Section 5. That Section 13A.28.150 entitled "Due date" of the Benton City Municipal Code shall be and hereby is amended and shall read as follows:

13A.28.150 **Due date.** All charges for the public water services shall be due on the second working day of the month following the month the services were provided and payable at the office of the City Clerk, Charges for public water services shall become delinquent if not received at City Hall by close of business as listed in Section 2.04.010 on or before the 20th day of the billing month. A late fee will be assessed at the beginning of the following working day of such month, and the City will mail a second notice, with the delinquent fee, on the following working day after the 20th.

If the 20th day of the billing month falls on a Saturday, Sunday or legal holiday, public water services shall be delinquent if not received by the City by close of business as listed in Section 2.04.010 on the first working day thereafter. Mail or deposit box payments will not be considered received by the City prior to delinquency unless actually received prior to the default date and time.

A delinquent fee set by the most current City Fee Schedule Resolution shall be assessed on each water account not paid prior to delinquency.

The delinquent fee shall be waived by the City if all of the following conditions apply:

1. The account holder does not have any previous water or sewer charge delinquencies on their account for the prior 12 month period.
2. The account holder contacts the City before the close of business of last working day of the month the charges are due to request the waiver.(Ord. 899, Feb. 2012; Ord. 843, November 2008; Ord. 792, April 2005; Ord. 732, September 2001; Ord. 703, 2000; Ord. 667, 1998; Ord 622, 1995; Ord. 549, 1991.)

Section 6. That a new Section 13A.28.240 entitled "Charges for service- Budget payment" of the Benton City Municipal Code shall be and hereby is created and shall read as follows:

13A.28.240 Charges for service—Budget payment.

- A. The City Clerk/Treasurer is hereby authorized to create and implement a budget payment plan for residential customers in accordance with state law. Such a plan shall permit the authorized customer to make payments of utility charges on an annual averaged basis rather than on a monthly basis, with at least one annual adjustment to ensure that the amount paid on an annual basis reflects the actual charges incurred. Such plan shall be offered to residential customers as provided for in RCW 35.21.300, and may be offered to all residential customers as provided for in the budget payment plan.

Section 7. That a new Section 13A.16.080 entitled "Deferred Payment Agreement" of the Benton City Municipal Code shall be and hereby is created and shall read as follows:

13A.16.080 Deferred Payment Agreement.

- A. The city shall enter into a deferral agreement with a customer of an active past-due account provided the customer requests the deferral and can demonstrate a bona fide economic hardship to the City. The customer shall pay a deferral agreement fee equal to the first month's installment before the deferral agreement is executed by the city, and a \$5 a month service charge.
- B. The following situations constitute a bona fide economic hardship to implement this section;
 - a. A serious illness or injury suffered by the customer or a member of the customer's household;
 - b. The death of a member of the customer's household;
 - c. Loss of employment or deportation;
 - d. Economic loss due to natural disaster;
 - e. Domestic violence against the customer; or
 - f. A commitment by an independent program to assist the customer with payment that requires terms other than those in the original deferred payment agreement
- C. The maximum term for a deferral agreement shall be six (6) months. Estimated future billings will be included into the payment plan so that the account is current at the end of the deferral agreement term.

D. The deferral agreement shall be in substantially the following form:

**DEFERRAL AGREEMENT
DELINQUENT UTILITIES**

Date:

IN ORDER TO PAY A DELINQUENT ACCOUNT BALANCE, _____, hereinafter "Maker", promises to pay to THE CITY OF BENTON CITY, hereinafter "Holder", the principal sum of _____ Dollars and NO/100----- (\$_____.00), together with a fee in the amount of \$____ each month, as follows:

1. INSTALLMENT PAYMENTS: Maker shall pay, (check one)

a. INSTALLMENTS of _____ dollars (\$_____) including a fee in the amount of \$_____ due monthly by the 20th of the month.

b. INSTALLMENTS of _____ dollars (\$_____)

calendar month

third calendar month

sixth calendar month

Other: _____

2. DUE DATE: The entire balance of this Note together with any and all fees accrued thereon shall be due and payable in full on _____ day of _____, 20__.

3. ALLOCATION OF PAYMENTS: Each payment shall be credited first to any late charge due, second to interest, and the remainder to principal.

4. PREPAYMENT: Maker may prepay all or part of the balance owed under this Note at any time without penalty.

5. CURRENCY: All principal and interest payments shall be made in lawful money of the United States.

6. LATE CHARGE: If Holder receives any installment payment more than ten days after its due date, then a late payment charge of \$25 shall be added to the scheduled payment.

7. ACCELERATION: If Maker fails to make any payment owed under this Note, and such default is not cured within ten days after written notice of such default, then Holder may, at its option, declare all outstanding sums owed on this Note to be immediately due and payable, and turn off the Maker's water, and terminate all other services provided to Maker under Title 13 of the Benton City Municipal Code.

Maker's initials _____

8. ATTORNEYS' FEES AND COSTS: Maker shall pay all costs incurred by Holder in collecting sums due under this Note after a default, including reasonable attorneys' fees, whether or not suit is brought. If Maker or Holder sues to enforce this Note or obtain a declaration of its rights hereunder, the prevailing party in any such proceeding shall be entitled to recover its reasonable attorneys' fees and costs incurred in the proceeding (including those incurred in any bankruptcy proceeding or appeal) from the non-prevailing party. In addition, Holder may contract with a collection agency in accordance with the procedures contained in RCW 19.16.500 to collect upon this note and add a reasonable fee in the maximum amount set forth in RCW 19.16.500.

9. WAIVER OF PRESENTMENTS: Maker waives presentment for payment, notice of dishonor, protest and notice of protest.

10. NON-WAIVER: No failure or delay by Holder in exercising Holder's rights under this Note shall be a waiver of such rights.

11. SEVERABILITY: If any clause or any other portion of this Note shall be determined to be void or unenforceable for any reason, such determination shall not affect the validity or enforceability of any other clause or portion of this Note, all of which shall remain in full force and effect.

12. INTEGRATION: There are no verbal or other agreements, which modify or affect the terms of this Note. This Note may not be modified or amended except by written agreement signed by Maker and Holder.

13. EXECUTION: Each Maker executes this Note as a principal and not as a surety. If there is more than one Maker, each such Maker shall be jointly and severally liable under this Note.

14. DEFINITIONS: The word Maker shall be construed interchangeably with the words Borrower or Payer and the word Holder shall be construed interchangeably with the words Lender or Payee. In this Note, singular and plural words shall be construed interchangeably as may be appropriate in the context and circumstances to which such words apply.

Maker (signatures)

INSERT PROPERTY OWNER'S NAME

INSERT PROPERTY OWNER'S NAME

Approved by:

CITY CLERK/TREASURER

Maker's address for all notices given by Holder under this Note:

Section 8. That a new Section 13A.28.250 entitled "Deferred Payment Agreement" of

the Benton City Municipal Code shall be and hereby is created and shall read as follows:

13A.28.250 Deferred Payment Agreement.

- A. The city shall enter into a deferral agreement with a customer of an active past-due account provided the customer requests the deferral and can demonstrate a bona fide economic hardship to the City. The customer shall pay a deferral agreement fee equal to the first month's installment before the deferral agreement is executed by the city, and a \$5 a month service charge.
- B. The following situations constitute a bona fide economic hardship to implement this section;
 - a. A serious illness or injury suffered by the customer or a member of the customer's household;
 - b. The death of a member of the customer's household;
 - c. Loss of employment or deportation;
 - d. Economic loss due to natural disaster;
 - e. Domestic violence against the customer; or
 - f. A commitment by an independent program to assist the customer with payment that requires terms other than those in the original deferred payment agreement
- C. The maximum term for a deferral agreement shall be six (6) months. Estimated future billings will be included into the payment plan so that the account is current at the end of the deferral agreement term.
- D. The deferral agreement shall be in substantially the following form:

**DEFERRAL AGREEMENT
DELINQUENT UTILITIES**

Date:

IN ORDER TO PAY A DELINQUENT ACCOUNT BALANCE, _____, hereinafter "Maker", promises to pay to THE CITY OF BENTON CITY, hereinafter "Holder", the principal sum of _____ Dollars and NO/100----- (\$_____.00), together with a fee in the amount of \$____ each month, as follows:

1. INSTALLMENT PAYMENTS: Maker shall pay, (check one)

a. INSTALLMENTS of _____ dollars (\$_____) including a fee in the amount of \$_____ due monthly by the 20th of the month.

b. INSTALLMENTS of _____ dollars (\$_____)

calendar month

third calendar month

sixth calendar month

() Other: _____

2. DUE DATE: The entire balance of this Note together with any and all fees accrued thereon shall be due and payable in full on _____ day of _____, 20__.

3. ALLOCATION OF PAYMENTS: Each payment shall be credited first to any late charge due, second to interest, and the remainder to principal.

4. PREPAYMENT: Maker may prepay all or part of the balance owed under this Note at any time without penalty.

5. CURRENCY: All principal and interest payments shall be made in lawful money of the United States.

6. LATE CHARGE: If Holder receives any installment payment more than ten days after its due date, then a late payment charge of \$25 shall be added to the scheduled payment.

7. ACCELERATION: If Maker fails to make any payment owed under this Note, and such default is not cured within ten days after written notice of such default, then Holder may, at its option, declare all outstanding sums owed on this Note to be immediately due and payable, and turn off the Maker's water, and terminate all other services provided to Maker under Title 13 of the Benton City Municipal Code.

Maker's initials _____

8. ATTORNEYS' FEES AND COSTS: Maker shall pay all costs incurred by Holder in collecting sums due under this Note after a default, including reasonable attorneys' fees, whether or not suit is brought. If Maker or Holder sues to enforce this Note or obtain a declaration of its rights hereunder, the prevailing party in any such proceeding shall be entitled to recover its reasonable attorneys' fees and costs incurred in the proceeding (including those incurred in any bankruptcy proceeding or appeal) from the non-prevailing party. In addition, Holder may contract with a collection agency in accordance with the procedures contained in RCW 19.16.500 to collect upon this note and add a reasonable fee in the maximum amount set forth in RCW 19.16.500.

9. WAIVER OF PRESENTMENTS: Maker waives presentment for payment, notice of dishonor, protest and notice of protest.

10. NON-WAIVER: No failure or delay by Holder in exercising Holder's rights under this Note shall be a waiver of such rights.

11. SEVERABILITY: If any clause or any other portion of this Note shall be determined to be void or unenforceable for any reason, such determination shall not affect the validity or enforceability of any other clause or portion of this Note, all of which shall remain in full force and effect.

12. INTEGRATION: There are no verbal or other agreements, which modify or affect the terms of this Note. This Note may not be modified or amended except by written agreement signed by Maker and Holder.

13. EXECUTION: Each Maker executes this Note as a principal and not as a surety. If there is more than one Maker, each such Maker shall be jointly and severally liable under this Note.

14. DEFINITIONS: The word Maker shall be construed interchangeably with the words Borrower or Payer and the word Holder shall be construed interchangeably with the words Lender or Payee. In this Note, singular and plural words shall be construed interchangeably as may be appropriate in the context and circumstances to which such words apply.

Maker (signatures)

INSERT PROPERTY OWNER'S NAME

INSERT PROPERTY OWNER'S NAME

Approved by:

CITY CLERK/TREASURER

Maker's address for all notices given by Holder under this Note:

Section 9. This Ordinance shall take full force and effect five (5) days after its approval, passage and publication as required by law.

PASSED by the City Council of the City of Benton City, Washington, and approved as provided by law this ____ day of _____, 2016.

Linda Lehman,
Mayor

ATTEST:

APPROVED AS TO FORM:

Stephanie Haug, CMC
City Clerk/Treasurer

Leland B. Kerr,
City Attorney

CITY OF BENTON CITY

City Council Agenda Item



PROCESS INFORMATION

SUBJECT: Resolution #2016-03-Auth. Mayor to sign Grant Writer Contract- PEDA

DATE/ITEM: 02-16-2016- H 2

BUDGET INFORMATION

DEPT: General

BUDGETED?

FUND: General

EXPENDITURE: 15,000

DESCRIPTION/SUMMARY

ACTION

Consideration of adoption of a resolution authorizing the Mayor of the City of Benton City to sign the Agreement for Grant Writing and Coordination Services between the Prosser Economic Development Association (PEDA) and the City of Benton City

HISTORY

In exchange for \$15,000 in 2016, the City will have access to a professional grant writer to research and seek out grants, funding sources, and similar revenue sources for projects identified by the City.

ATTACHMENTS

- | | |
|-------------------------------|----|
| 1) Resolution with attachment | 3) |
| 2) | 4) |

RECOMMENDED ACTION/SAMPLE MOTION

I move to approve Resolution #2016-03, a resolution authorizing the Mayor of the City of Benton City to sign the Agreement for Grant Writing and Coordination Services between the Prosser Economic Development Association (PEDA) and the City of Benton City

RESOLUTION NO. 2016-03

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF BENTON CITY TO SIGN THE AGREEMENT FOR GRANT WRITING AND COORDINATION SERVICES BETWEEN THE PROSSER ECONOMIC DEVELOPMENT ASSOCIATION (PEDA) AND THE CITY OF BENTON CITY

WHEREAS, it would be beneficial to the City of Benton City for the provision of professional grant writing and coordination services, the benefits of which would include such things as the securing of grants, foundation funds, searches for applicable grants coordinated with future projects and other valuable resources; and,

WHEREAS, the City desires to participate in a cost effective, coordinated effort to secure specifically identified resources supporting the enhanced economic development of the region and Benton County, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BENTON CITY, WASHINGTON, hereby resolves as follows:

That the Mayor of the City of Benton City, Washington, is hereby authorized and directed to sign the original Agreement for Grant Writing and Coordination Services between the Prosser Economic Development Association (PEDA) and the City of Benton City, a copy of which is attached hereto and incorporated herein by this reference as Exhibit A; and to take all necessary steps required to complete this transaction.

ADOPTED this 16 day of February, 2016, by the City Council of the City of Benton City, Washington, and signed in authentication of its passage this 16 day of February, 2016.

Resolution 2016-03 filed and recorded in the office of the City Clerk of the City of Benton City, Washington, this 16 day of February, 2016.

Linda Lehman
Mayor

Attest:

Approved as to Form:

Stephanie Haug, CMC
City Clerk/Treasurer

Kerr Law Group
City Attorney

**AGREEMENT FOR GRANT WRITING
AND COORDINATION SERVICES**

THIS AGREEMENT made and entered into this _____ day of February, 2016, by and between the Prosser Economic Development Association, a non-profit corporation hereinafter referred to as “PEDA” and the City of Benton City, a municipal corporation hereinafter referred to as “party”. This Agreement is entered into as contracted services.

WITNESSETH:

WHEREAS, it would be beneficial to the party hereto for the provision of professional grant writing and coordination services, the benefits of which would include such things as the securing of grants, foundation funds, searches for applicable grants coordinated with future projects and other valuable resources; and,

WHEREAS, the party hereto each desire to participate in a cost effective, coordinated effort to secure specifically identified resources supporting the enhanced economic development of the region and Benton County.

NOW, THEREFORE, in consideration of the mutual benefits to be derived, it is hereby agreed as follows:

1. **PURPOSE AND SCOPE OF CONTRACTED SERVICES.**

The purpose of this agreement is for the city of Benton City to contract with PEDA for the provision of a professional grant writer. It is understood that PEDA, in cooperation with the party to this agreement, will supervise the grant writer and administer the program. The services provided herewith, referred to as “Contracted Services” shall without limitation include the following:

- A. The contracted party will designate a representative to attend quarterly grant writer meetings which will determine their needs for funding and other resources.
- B. Research/seek out grants, funding resources, and similar revenue sources, through a variety of sources, including the Internet, library, journals, publication, newsletter and other similar sources. Grants will pertain to community economic development and will be outside the scope of routine grants that are sought and/or awarded on a regular basis to public entities.

- C. Develop a comprehensive database of demographic information that will contribute to the preparation of grants, funding requests, and other similar revenue sources.
- D. Write/prepare or assist in the writing and preparation of grants and other proposals based on the identified needs of the contracted party.
- E. Establish positive relations with representatives of the city of Benton City which provide grant funds and/or other valuable resources; and,
- F. Perform related responsibilities as required in order to secure grant funds for the contracted party.

2. **MANAGEMENT CONTROL.**

The work is performed under the general direction of the Executive Director of PEDDA and in accordance with the contract provisions of grant writing/coordination services between the contracted party. The city of Benton City will designate a representative to serve on a Grant Management Committee, which will provide overview and direction for the specific scope of work and the assignment of grant writing tasks. Job performance shall be evaluated by the Executive Director of PEDDA, in conjunction with the city of Benton City on the quality and quantity of assistance provided on a quarterly basis. A 7% administration fee is factored into the \$15,000 total contracted rate for expenses incurred by PEDDA and for PEDDA oversight of the program.

3. **WORK SCHEDULE.**

The daily schedule and hours worked under this Agreement shall be generally subject to Grant Writers discretion, and will devote sufficient time as is reasonably necessary to fulfill the spirit and purpose of this Agreement. Grant Writer will keep a log of time worked toward these services, which will be submitted at quarterly meetings.

4. **CONTRIBUTION/PAYMENT FOR SERVICES**

The city of Benton City shall pay PEDDA \$15,000 annually as their contribution toward the contracted service. PEDDA shall provide the city of Benton City a monthly or quarterly claim for Payment for reimbursable expenses consistent with the terms

and conditions of this Agreement. The contracted party shall pay PEDAs within thirty (30) days of receipt of the Claim for Payment.

5. **RECORDS.**

The records of PEDAs relative to the performance of this Agreement shall be available for inspection by a representative of the party hereto upon reasonable request.

6. **AMENDMENT.**

This Agreement may be amended by the party upon execution of a written amendment or revision hereto, signed by the authorized representative of the contracted party.

7. **TERM.**

This term of this agreement shall be for a twelve (12) month period commencing on the _____ day of February, 2016, and terminating on the _____ of _____, 2017.

8. **RELEASE.**

Any party may advise of its intent to terminate participation in this contract upon ninety (90) days notice, after which time said party shall be relieved of any further performance hereunder. The withdrawing party shall pay its proportionate share as set forth in paragraph 4., through the ninety (90) day notice period to the date of termination.

9. **RENEWAL.**

The parties to this agreement will meet during the month of October, 2016, to consider a renewal/extension of this agreement.

10. **NON-DISCRIMINATION.**

Each party agrees that it shall not discriminate against any person on the grounds of race, creed, color, religion, national origin, sex, age, marital status, political affiliation or belief, or the presence of any sensory, mental or physical handicap in violation of any applicable federal or state law or regulation and each party agrees to be an Equal Opportunity Employer.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates written below.

Prosser Economic Development Association by:

Executive Director

The City of Benton City by:

Mayor

Approved as to form:

City Attorney

**CITY OF BENTON CITY
Voucher Summary Sheet**

February 3 - February 16, 2016

FUND NAME	FUND NO.	PAYROLL	CLAIMS	TOTAL
CURRENT EXPENSE	001	27,137.72	16,962.43	44,100.15
CITY STREET	101	6,792.18	972.05	7,764.23
ARCHIVE	103		7656.3	7,656.30
PARK & RECREATION CAPITAL IMPROVEMENT	302			0.00
I-82 BUSINESS PARK	350			0.00
WATER	401	14,749.24	7,917.10	22,666.34
SEWER	402	14,092.11	3,526.51	17,618.62
W/S CAPITAL IMPROVEMENT	406			0.00
W/S CAPITAL MAINTENANCE	407			0.00
'82/97 W/S BOND REDEMPTION	409			0.00
'82/97 W/S BOND RESERVE	410			0.00
TOTALS		62,771.25	37,034.39	99,805.64

I, Stephanie Haug, Audit Officer for the City of Benton City, hereby submit for approval vouchers as listed below and recommend these vouchers to be authorized for payment this 16th day of February, 2016.

VOUCHER APPROVAL

I move to approve payment of Claim check numbers:

27434 thru 27472 with EFTs as listed in the amount of \$ 37,034.39

And Payroll Check numbers:

27372, 27373, 27425 thru 27432 with EFTs as listed in the amount of \$ 62,771.25

this 16th day of February, 2016.

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

CITY CLERK/TREASURER

CHECK REGISTER

City Of Benton City
MCAG #: 199

01/01/2016 To: 01/31/2016

Time: 13:31:29 Date: 02/12/2016

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
254	01/15/2016	Payroll	1	EFT		1,435.07	
255	01/15/2016	Payroll	1	EFT		1,481.78	
256	01/15/2016	Payroll	1	EFT		558.92	
257	01/15/2016	Payroll	1	EFT		1,558.53	
258	01/15/2016	Payroll	1	EFT		1,855.56	
259	01/15/2016	Payroll	1	EFT		743.50	
261	01/15/2016	Payroll	1	EFT		1,905.94	
262	01/15/2016	Payroll	1	EFT		2,138.59	
599	01/31/2016	Payroll	1	EFT		1,372.54	
600	01/31/2016	Payroll	1	EFT		1,226.14	
601	01/31/2016	Payroll	1	EFT		500.14	
602	01/31/2016	Payroll	1	EFT		1,745.01	
603	01/31/2016	Payroll	1	EFT		1,696.13	
604	01/31/2016	Payroll	1	EFT		814.88	
609	01/31/2016	Payroll	1	EFT		1,516.33	
611	01/31/2016	Payroll	1	EFT		1,900.28	
613	01/31/2016	Payroll	1	EFT		1,243.37	
629	01/15/2016	Payroll	1	EFT	Department of Retirement Systems	450.00	01/01/2016 To 01/15/2016 - Deferred Comp.
630	01/31/2016	Payroll	1	EFT	Aflac	407.70	01/01/2016 To 01/31/2016 - Aflac - Accident (Pre); 01/01/2016 To 01/31/2016 - Aflac - STD (Post); 01/01/2016 To 01/31/2016 - Aflac - Hospital IC (Pre)
631	01/31/2016	Payroll	1	EFT	Department of Retirement Systems	550.00	01/16/2016 To 01/31/2016 - Deferred Comp.
632	01/31/2016	Payroll	1	EFT	Department of Retirement Systems	7,235.15	01/01/2016 To 01/31/2016 - PRS2
633	01/31/2016	Payroll	1	EFT	IRS - EFT Processing System	11,649.12	941 Deposit For 01/01/2016 - 01/31/2016
263	01/15/2016	Payroll	1	27372		1,476.61	
260	01/15/2016	Payroll	1	27373		1,828.82	
605	01/31/2016	Payroll	1	27425		2,036.02	
606	01/31/2016	Payroll	1	27426		711.80	
607	01/31/2016	Payroll	1	27427		138.52	
608	01/31/2016	Payroll	1	27428		49.26	
610	01/31/2016	Payroll	1	27429		138.52	
612	01/31/2016	Payroll	1	27430		138.52	
634	01/31/2016	Payroll	1	27431	Teamsters Local 839	447.00	01/01/2016 To 01/31/2016 - TEAMSTERS 839
635	01/31/2016	Payroll	1	27432	Washington Teamsters Welfare Trust	11,821.50	01/01/2016 To 01/31/2016 - NW Admin

001 Current Expense Fund	27,137.72
101 City Street Fund	6,792.18
401 Water Fund	14,749.24
402 Sewer Fund	14,092.11

62,771.25 Payroll: 62,771.25

CHECK REGISTER

City Of Benton City
MCAG #: 199

02/03/2016 To: 02/16/2016

Time: 13:31:50 Date: 02/12/2016
Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
776	02/11/2016	Claims	1	EFT	WA St Dept of Revenue	2,755.06	January Excise Tax
787	02/16/2016	Claims	1	EFT	Benton PUD	36.63	Acct No. 2898300000
788	02/16/2016	Claims	1	EFT	Wright Express FSC Fleet Conoco	9.73	Acct No.0203-00-107379-0
789	02/16/2016	Claims	1	27434	Able Tank & Toilet	102.88	Acct No. 3961456/Inv No. 1813441; Acct No. 3001321/Inv No. 1813439
790	02/16/2016	Claims	1	27435	Ace Sales & Service, Inc	276.00	Acct No.CITYOFBENT/Inv No. A-30043
791	02/16/2016	Claims	1	27436	B.F. Dept. of Human Svcs	212.18	4th Quarter 2015/2016
792	02/16/2016	Claims	1	27437	B.F. Walla Walla Good Roads	75.00	2016 Membership Dues
793	02/16/2016	Claims	1	27438	Bank of America Trustee of Jack WFrenger	16.06	Refund inactive customer credit balance
794	02/16/2016	Claims	1	27439	Beaver Bark & Rock	125.95	Acct No 19/Inv No. 728317
795	02/16/2016	Claims	1	27440	Benton REA	552.59	Inv Group No. 602
796	02/16/2016	Claims	1	27441	Blueline Equipment Company, LLC	15.33	Acct No. 14568/Inv No. 30119P
797	02/16/2016	Claims	1	27442	Canon Financial Services	152.05	Acct No. 672589/Inv No 15739140
798	02/16/2016	Claims	1	27443	Canon Solutions America, Inc.	222.58	Acct No. 1847649/Inv No. 4018235323
799	02/16/2016	Claims	1	27444	Cascade Analytical, Inc.	1,075.32	Acct No. 5444/Inv No. 220790
800	02/16/2016	Claims	1	27445	City Of Benton City	778.35	City Water/Sewer Charges
801	02/16/2016	Claims	1	27446	Crystal Springs	80.17	Acct No. 30112065416923/Inv No. 5416923 013016
802	02/16/2016	Claims	1	27447	Detloff A&M	599.35	Acct No. 34 - January Charges
803	02/16/2016	Claims	1	27448	Ed's Disposal	319.18	Acct No. 2901037/Inv No. 1792960; Acct No. 2007139/Inv No. 1792832
804	02/16/2016	Claims	1	27449	Election Reserve Fund	621.16	November 3rd, 2015 General Election Costs
805	02/16/2016	Claims	1	27450	Election Reserve Fund	2,600.64	Voter Registration Maintenance Cost 2015
806	02/16/2016	Claims	1	27451	Frontier	1,145.66	City LandLines
807	02/16/2016	Claims	1	27452	HD Supply Waterworks, LTD.	1,882.34	Acct NO. 110448
808	02/16/2016	Claims	1	27453	Just A Minute Mart	490.55	January 2016 Fuel Charges
809	02/16/2016	Claims	1	27454	Kerr Law Group	4,212.00	Inv No. 13413/Dec 2015 Charges
810	02/16/2016	Claims	1	27455	Pacific Office Automation	7,656.30	Acct No. 676558/Inv No. 943350
811	02/16/2016	Claims	1	27456	Patnode's True Value Hardware	116.25	Acct No 140 January Charges
812	02/16/2016	Claims	1	27457	Kaye Pierce	9.22	Refund inactive customer credit balance
813	02/16/2016	Claims	1	27458	Platt Electric Supplies	159.24	Acct No. 158669/Inv No. 1518496
814	02/16/2016	Claims	1	27459	Red Mountain RV Rentals, LLC	39.93	January Charges
815	02/16/2016	Claims	1	27460	Richardson's Garage	1,461.76	Inv No. 32809
816	02/16/2016	Claims	1	27461	Safeguard Business Systems	364.71	Acct No. PMN6WH/Inv No. 031228645
817	02/16/2016	Claims	1	27462	Staples Credit Plan	165.02	Acct No 6035 5178 2017 4653
818	02/16/2016	Claims	1	27463	Star Rentals	352.52	Acct No. 126143/Inv No. 98037-11
819	02/16/2016	Claims	1	27464	The Building Department Inc.	2,800.75	Inv No. 727
820	02/16/2016	Claims	1	27465	Tri-City Sign & Barricade	234.90	Acct No. 43/Inv No. 7564; Acct No 43/Inv No. 7565
821	02/16/2016	Claims	1	27466	US Bank - Visa	3,962.57	Acct No. 2798 1758 4500 4545
822	02/16/2016	Claims	1	27467	US Linen	370.14	Acct No 150550; Acct No 150450
823	02/16/2016	Claims	1	27468	Utilities Underground	10.32	Acct No. 144600/Inv No. 6010103
824	02/16/2016	Claims	1	27469	WA State Dept. of Agriculture	33.00	2016 Pesticide License Renewal - Krista Harmon

CHECK REGISTER

City Of Benton City
MCAG #: 199

02/03/2016 To: 02/16/2016

Time: 13:31:50 Date: 02/12/2016

Page: 2

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
825	02/16/2016	Claims	1	27470	WA State Dept. of Agriculture	33.00	2016 Pesticide License Renewal - Kyle Kurth
826	02/16/2016	Claims	1	27471	WA State Dept. of Agriculture	33.00	2016 Pesticide License Renewal - N. Wade Oscarson
827	02/16/2016	Claims	1	27472	WA State University-Conference Mgmt	875.00	Reference No. 16267565/PO#16-006
						<hr/>	
001 Current Expense Fund						16,962.43	
101 City Street Fund						972.05	
103 Sos Archive Grant						7,656.30	
401 Water Fund						7,917.10	
402 Sewer Fund						3,526.51	
						<hr/>	
* Transaction Has Mixed Revenue And Expense Accounts						37,034.39	Claims: 37,034.39

Memorandum

To: All Elected Officials

From: Stephanie Haug, CMC

Date: 2/12/2016

Re: iPad training and Implementation workshop

Please select a day and time to hold an iPad training and implementation workshop. I've attached a calendar with possible dates (green ovals) and marked out the dates unavailable for training.

Thank you-

Stephanie

February 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15 City Hall Closed X	16 Council Mtng-7pm	17 	18 X	19 X	20
21	22 	23 	24 X Plng Comm-6pm	25 	26 X	27
28	29 					

March 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 Council Mtng-7pm	2 	3 	4 X	5
6	7	8	9	10	11 X	12
13	14 X	15 X Council Mtng-7pm	16 X	17 X	18 X	19
20	21	22	23	24	25	26
27	28	29	30	31		