

**City of Benton City  
Regular Council Meeting Minutes  
November 21<sup>st</sup>, 2017**

**CALL TO ORDER** Mayor Lehman called the November 21<sup>st</sup>, 2017 Regular Council meeting to order at the Community Center at 7:00 p.m.

**PRESENTATION OF THE COLORS** Mr. Law led the Council and audience in the Pledge of Allegiance.

**ROLL CALL**

Councilmembers Present

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

City Staff Present

**Stephanie Haug, City Clerk/Treasurer  
Margaret Dukes, Temporary General Clerk  
Kyle Kurth, Maintenance Foreman**

Other Professionals Present

**Eric Ferguson, City Attorney, Kerr Law Group  
Lt. Law, Benton County Sheriff's Office**

Other Professionals Absent

**Alan Rainey, City Engineer, Spink Engineering LLC**

**READING AND APPROVAL OF MINUTES \* REGULAR MEETING NOVEMBER 7<sup>TH</sup>, 2017 \*SPECIAL MEETING – NOVEMBER 7<sup>TH</sup>, 2017**

**Councilmember Sandretto:** Madam Mayor, I would like to move to amend Page 2 of 4 that states that I will check on DNR Surplus; I actually suggested that we look into it as a group.

**Councilmember Lettau:** Councilmember Lettau indicated that the minutes on Page 3, Number 1, and Vote #3 should be corrected to reflect that she made the motion and Dave Sandretto seconded. Ms. Haug stated that Councilmember Lettau is referring to Page 4 of 9 after Resolution 2017-37. Councilmember Lettau stated that the call for Vote #3 should have been Dave Sandretto, and that Lisa Stade seconded the motion, although the minutes reflect that Vanessa seconded the motion. Councilmember Lettau does not recall whether she made Motion #5. Ms. Haug stated that the Clerk will listen to the recording and verify who made the motion and correct the minutes as noted. Councilmember Sandretto stated that he made Motion #5 under the Resolution for grant writing.

**Councilmember Sandretto:** Madam Mayor, I move to accept both the Regular Meeting Minutes from November 7<sup>th</sup> and the Special Meeting Minutes from November 7<sup>th</sup> as amended.

**MOTION #1-C. D. Sandretto moved and C. M. Lettau seconded to approve the Minutes of the November 7<sup>th</sup>, 2017 Regular Council Meeting as amended.**

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

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

None

**APPROVAL OF THE AGENDA**

**Eric Ferguson:** Mr. Ferguson made a request to include Executive Session under RCW 42.30.110-1i, Discussion Item #6.

**Councilmember Sandretto:** Madam Mayor, I move to approve the Agenda as amended.

**Councilmember Lettau:** I second.

**MOTION #2-C. D. Sandretto moved and C. M. Lettau seconded to approve the Agenda of the November 21<sup>st</sup>, 2017 Regular Council Meeting as amended.**

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

## **VISITOR COMMENTS**

**None**

## **REGULAR REPORTS**

### **1. SHERIFF REPORT**

#### **Cmdr. Law, Benton County Sheriff's Office**

**October 2017:** For October 2017, there were 402 Calls for Service vs. 253 in 2016 with 28 Case Offenses vs. 26 in 2016, with 32 Infraction Offenses Issued. Case Reports showed a reduction in Burglaries this month, 1 vs. 4.

At 5:30 p.m. on November 16<sup>th</sup>, an armed robbery occurred at the Just-A-Minit Mart. A male wearing a mask and hooded jacket entered the building with a handgun and left with \$200-\$300 in cash. Approximately a dozen Deputies responded to the call, and based on witness statements and information gathered; Seth Waliser was identified as the suspect and taken into custody within four hours for first degree armed robbery.

Vehicle theft recoveries are on the rise in the area, but not necessarily in Benton City. Vehicles are being stolen in localities surrounding the Tri-Cities area, and then abandoned outside of town. Only one vehicle theft has actually been reported from Benton City. The Sheriff's Department assumes that a shop could be parting cars out in the area, which has occurred in the past.

The Sheriff's Department is expanding communication efforts with the public through Facebook and a site called "Nextdoor," which is a community-based website based on a geographic location, and similar to a combination of Facebook and Craigslist. The Sheriff's Department releases Public Safety Announcements to targeted neighborhoods in order to reach more individuals in a specific area through Nextdoor. Currently, Nextdoor only has 109 members in Benton City, so the Sheriff's Department has requested that the City encourage individuals to become more involved. As vehicle prowls or other incidents occur, the Sheriff's Department can communicate directly to specific sections of the population through Nextdoor. The public can read and respond to posts from the Sheriff's Department, but the Sheriff's Department cannot read posts placed by individuals. Nextdoor is free to use, and it is located on the internet at Nextdoor.com. Individuals can receive notification through email or apps on cell phones. The Sheriff's Department is the first agency in the Tri-Cities to utilize Nextdoor and has had a good deal of success with the site.

**Councilmember Discussion:** Councilmember Sandretto asked whether the Sheriff's Department utilizes Code Red, and Cmdr. Law stated although his department does not, other jurisdictions occasionally do. Mayor Lehman stated that the Sheriff's contract had not been signed because contents within the contract need reviewed and discussed with Lt. Caughey prior to signing.

### **2. STAFF REPORTS Stephanie Haug, City Clerk/Treasurer *In packets***

#### **a) Business License Report – Included in packets**

**Councilmember Discussion:** Councilmember Coates asked what type of business Darling Central planned to open, and Mayor Lehman stated that Ms. Darling has plans to hold adult dance, karate and educational classes. A major issue was whether a sprinkler system would be required in the building, and the Building Inspector concluded that a sprinkler system would not be required. If the business had been classified as a night club, a sprinkler system would be required.

#### **b) Treasurer Report – Included in packets**

#### **c) Maintenance Report – Included in packets**

#### **d) Code Report - Included in packets**

### **3. ENGINEER REPORT Alan Rainey, City Engineer, Spink Engineering LLC**

Mr. Rainey was not present to report.

#### 4. COUNCIL COMMITTEE REPORTS

Ms. Haug stated that a notification needs to be presented to Council for discussion if Council plans to discuss Mr. Mokler's position on the Board. Councilmember Mokler agreed to serve on the Board for two additional years.

#### ITEMS FOR APPROVAL

##### 1. SECOND READING – ORDINANCE 976 – 2018 AD VALOREM TAX

**Councilmember Sandretto:** Madam Mayor, I move to approve Ordinance 976, on its Second Reading, setting the tax levy for the City of Benton City, and fixing the amount of Ad Valorem Taxes for the year 2018.

**Councilmember Stade:** Second.

**MOTION #3-C. D. Sandretto moved and C. L. Stade seconded to approve Ordinance No. 976, on its Second Reading, an ordinance of the City of Benton City, Washington, setting the tax levy for the City of Benton City and fixing the amount of ad valorem taxes for the year 2018.**

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

##### 2. RESOLUTION #2017-38 – WATER USE EFFICIENCY GOAL

**Councilmember Sandretto:** Madam Mayor, I move to approve Resolution #2017-36, adopting the Water Use Efficiency Goal.

**Councilmember Stade:** Second.

**MOTION #4-C. D. Sandretto moved and C. L. Stade seconded to approve Resolution #2017-38, adopting the Water Use Efficiency Goal.**

**VOICE VOTE #4- ALL YEAS. Motion carried.**

##### 3. VOUCHERS

**Councilmember Lettau:** Madam Mayor, I move to approve payment of Claim Check Numbers 28885 through 28908 with EFTs as listed in the amount of \$49,292.08 and Payroll Checks Numbers 28838 through 28846 with EFTs as listed in the amount of \$71,186.77 this 21<sup>st</sup> day of November, 2017.

**Councilmember Sandretto:** Second.

**MOTION #5-C. M. Lettau moved and C. D. Sandretto seconded approve payment of Claim check numbers 28885 thru 28908 with EFTs as listed in the amount of \$49,292.08 and Payroll checks numbers 28838 thru 28846 with EFTs as listed in the amount of \$71,186.77 this 21<sup>st</sup> day of November, 2017.**

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

#### **\*\* PUBLIC HEARING – 2018 BUDGET \*\***

**Mayor Lehman:** I will now open the Public Hearing.

**\* Public Hearing began at 7:24 p.m. \***

**\* Public Hearing ended at 7:25 p.m. \***

**Mayor Lehman:** I will now close the Public Hearing and re-open the Council Meeting.

## ITEMS FOR DISCUSSION

### 1. 2018 BUDGET DISCUSSION

**Councilmember Discussion:** Councilmember Stade inquired whether funding was included in the 2018 budget for the Part Time Clerk at City Hall. Ms. Haug stated that funds in the budget for the Part Time Clerk are for greater than half-time support, but not full-time support with and there are no benefits or insurance. The Part Time Clerk will fill in for absence in the office, as needed. Councilmember Stade asked whether the City is required to provide benefits for a person who works more than half-time and Ms. Haug stated that the future agreement for the position will be reviewed to determine whether the scheduled number of work hours qualifies for benefits, but at this time, the plan is that the position will be non-benefitted. Councilmember Stade stated that an employee was dismissed in 2013 with no replacement, and that City Hall staff agreed to absorb those duties with an increase in pay. With this being several years later, Councilmember Stade asked what responsibilities require additional help. Ms. Haug stated that transcription duty for Council Meeting Minutes has been reassigned to the Part time Clerk who will also update the City website's electronic communication, which has been a Council goal. In addition, a goal for City staff will be to review, organize and dispose of archived records. Councilmember Stade stated that she appreciates the job performed with Council Minutes by the Part Time Clerk. Councilmember Stade indicated that it will be excellent if the City website can be linked to local businesses. Ms. Haug stated that the City does not advertise events held by other organizations, but community events are entered on the Community Calendar that is linked to their page.

Councilmember Sandretto inquired whether Engineering is the only portion included in the 2018 budget, and Ms. Haug stated that only the Engineering costs from the estimate are included. As an example, funding for design of the Splash Park is included, but not the actual work that is to be performed for that project. Councilmember Sandretto asked Mayor Lehman whether the proposed budget meets with her approval, and she stated that it does.

Councilmember Stade inquired why the revenue source for additional sales tax for the Criminal Justice contract has not been listed in the budget since 2014 and 2015. Ms. Haug explained that bar codes changed in the Five-Year Budget, so the item was moved under Public Safety, as noted on Page 3. Councilmember Coates asked whether there is a total for the staff budget request, and Ms. Haug stated that only the total is incorporated, but a breakdown can be provided at the next Council Meeting. Although the total appears as a large expense, it includes the Force Main Project, Sewer Relining Project and Crack Sealing that is performed each year. Councilmember Lettau stated that several expenses, including \$30,000 for the Kubota, are not included in the total.

Councilmember Coates asked whether funds for the EDC Contract were included in the 2018 budget, and if the EDC Contract is not accepted by the City, where do those funds go. Ms. Haug explained that funds are allocated for Economic Development, and if the EDC Contract is not approved, those funds would remain in the General Fund and could potentially be reallocated for other projects. The EDC Contract will be presented at the next Council Meeting.

Funds for cameras are not included in the budget. If cameras are to be utilized for specific projects, that project will fund the cost. For example, if cameras are to be used for parks, funds would derive from the General Fund, or if cameras are to be utilized for streets and enforcement, funds would come from Street Funds. The budget for website development and maintenance includes costs from the company that provides the interface, technological development, and equipment.

The line item for flashing signs is located under Traffic Control Devices on Page 11 of the Five-Year and the cost per sign is \$2,500. Flashing signs were budgeted for 2017, but at present, the City has been unable to coordinate sign locations with WSDOT so those costs have been carried over to the 2018 budget.

Councilmember Coates asked what the additional expense it would be to hire an extra Deputy for weekends, events, etc. Ms. Haug stated that the Sheriff's Department has asked to renegotiate the 2018 contract at a higher rate, and the City is not aware whether the new contract includes an extra

Deputy, but the proposed contract rate is approximately \$30,000 above the 2018 budgeted amount. Mayor Lehman indicated that the current contract rate is from 1997, so it should be increased. Councilmember Sandretto indicated that \$323,000 is budgeted for 2018, which may pay for three deputies. The base rate is \$60,000, and with time and years of service added in, it equates to approximately \$8,000 per person per month. According to Mr. Ferguson, the contract is a bill for service, and the Sheriff's Department determines the most effective way to administer that service. Councilmember Sandretto stated that the County is broken up into six zones. One Deputy services Zone 1 from Olympia Street to the east down to the Columbia River and Zone 2 from Olympia Street to Sunset, toward West Richland. One Deputy services Zone 3 which is Benton City and Zone 4 which is the surrounding area from Benton City to District Line Road. One Deputy services Zone 5, which is Hanford. Hanford pays an exorbitant fee for a fulltime Deputy, 24 hours a day, seven days a week. Zone 6 runs from District Line Road to the County Line. The Deputy for Zone 6 covers for Zone 3 and 4, and if that Deputy is tied up, the Deputy from Zone 2 covers, if he or she is available. The cost to house an inmate in the Prosser jail is \$150 per day per person. The City's bill to house inmates runs \$60-\$70,000 per year. At night, Franklin County has three Deputies that service an area almost to Ritzville. Grant County has the same number of Deputies, yet it is the largest county in the State. It would be helpful if the Sheriff's Department could provide contact names and numbers so that citizens know who to contact in case of an emergency or when an issue arises.

Ms. Haug stated that the Lift Station Project only includes the Engineering costs because that project has not been released for bids. Crack sealing is the only item budgeted for streets. The 9<sup>th</sup> Street sidewalk is also included in the budget, but the project may not occur in 2018. Only the sewer portion is included in the budget for Edith Avenue. The entire project encompasses water, sewer and streets, but only the Sewer Fund has available funds. Ideally, it would be good to complete the entire project, but no funds are available in the Water Fund or Street Fund to support the project next year. The budget will be presented to Council at the next meeting.

## 2. PARK FEE CALCULATIONS

**Councilmember Discussion:** Councilmember Sandretto reviewed each of the Park Fee calculations from the last table and determined that per dwelling unit calculations do not serve the City. He reviewed various in depth dollar figures from cities that are the size of Benton City and concluded that the City should utilize the current ordinance but increase fees to become more aligned with Zillah's ordinance. After reviewing previous planning documents, the major concern is that the City is not constructing enough open green park areas, which is important for growth of the community. Councilmember Sandretto added provisions in Section F and G under Line Dedications and stated that Park Fees should be appropriated for purchase of land and improvement of future parks that are approximately 7,200 feet or a 12-block radius from another park so that families can walk to a park in their area. Mayor Lehman commented that the amount of park land appears small. The ratio is 65 feet by 65 feet per acre of development. Councilmember Sandretto stated that most developers prefer to pay fees rather than to build parks. Zillah's intention is to accept Park Fees, and then allocate those funds toward parks of an appropriate size for their community. For example, the funding source for a nine acre plot of land for the Wrangler Addition is approximately \$30,000. If additional residential homes are developed nearby, funding would run approximately \$70-\$80,000 for the 14-acre property owned by Schott's. At that point, an acre of property at the corner of Neptune and 12<sup>th</sup> could be purchased and converted into a park. Designating a park location places the burden on the City, but for citizens, it is a better choice. Ms. Haug reminded Council that the only time a developer would pay the fee is when the City determines that it would be impractical to dedicate land. The City has the choice whether a developer dedicates land, or if deemed impractical, the City can accept Park Fees. According to Councilmember Sandretto, of the four new developments, only one small park has been built. Currently, the City has a 75% ratio that it will accept Park Fees in lieu of dedicated park land. Ms. Haug stated that developers would dedicate .0975 square feet of a subdivision, and for Wrangler Subdivision that would have been almost an acre. Park Fees are based on market value of acreage. An acre of land is worth more to a developer than Park Fees because more than three homes can be

built on one acre. If the City does not have the land acquisition part first, the City can decide whether it is feasible to build a park. The area around Neptune, Hercules and 12th is inaccessible to a park, so homeowners go to Howard Amon to access a park. Ms. Haug asked if a restriction would be created if a park is constructed within a 12 block radius of another park. She recommended that parks be located a certain distance from another park. That way, there would be a guarantee that parks are located throughout the community. Mayor Lehman agreed with Ms. Haug's recommendation because there are areas that have no parks. Mr. Ferguson stated that the City should always keep the land option first, and raise rates. With the current low rate, the City is losing out. The way that the ordinance is currently written, the City maintains the ability to determine which method is more feasible, dedication of land or assessing Park Fees, and the City has the latitude to determine the best choice. The rate affects how much land would be dedicated. Fees are pro-rated based on fair market value of the land in the subdivision. Based on the dedication rate, it will affect the amount of land that is dedicated or the amount of fees collected. A developer is not obligated to pay fees or dedicate land until at least 50% of the subdivision is inhabited. Fees from homes that are sold are utilized to build parks or pay Park Fees. The LID requires that developers dedicate the land or pay Park Fees within two years, and that the City build a park within that same time frame. The Mayor suggested raising the rate to 15%, so ten acres would mean an allocation of 1.5 acres for a park. The City's goal is to create a park grid. A clause should be included in the ordinance that Park Fees are collected specifically to build parks, and that the goal is to create parks within "X" number of feet so that homeowners have the ability to walk to parks. Wording in the current ordinance restricts future parks from being built unless the proposed park is within a 12-block radius of another park. The ordinance should be changed to allow an exception to the ordinance. The goal is to adequately locate parks throughout the city. If two subdivisions are built back-to-back, the City will not build two parks within a two-block radius. In that instance, the City should have the option to accept Park Fees in lieu of land as pre-planning for the next expansion. A park could be built six blocks away instead of right next to the other park. Councilmember Stade suggested that land dedication should be the first choice because 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, Thor and the Wrangler Subdivision do not have a park. When park land is dedicated, the City has the discretion to select the section of land within that development for the park. Mr. Ferguson will present several drafts for review at the next Council Meeting.

### 3. NEA GRANT STATUS & PLANS

**Councilmember Discussion:** Mayor Lehman stated that a grant meeting was held the previous week, and February 18, 2018 was set for the history round-up. The City will work with the EDC and Chamber of Commerce to procure names of older families who have been in Benton City for a long time. The goal is to gather photographs and items that families would like to share in the history archives. Individuals who provide stories will be video recorded. The Mayor will work with Mr. Dunlap who has quite a few paintings to share. An article was provided to the newspaper with the request for historical information. The request included a 15 to 30 minute time limit for each individual to talk. Because this is a public meeting, the meal will have to be catered. Jeanie Ritkee and Bob Dunlap were present, and each one has an assignment to complete. The library has the Historical Society's documents and other items. Videos, audios and scanned items will be electronically archived, but at this time, not sure where the data will be filed. Councilmember Stade suggested that Bob Dunlap might be willing to allow his paintings to be recreated and placed where original buildings were located. The Mayor stated that photographs will be placed where the original building was originally located, and a QR code will be available on phones for walking tours. One goal is to have events listed on a timeline across the wall in the Community Center. The suggestion was historical progression through time beginning when Indians inhabited the land, then fur trading, the coming of the railroad, agriculture and irrigation. Historical progression will include Hanford on through to today with the wine industry.

**Mayor Lehman:** At this point, we will close the Council Meeting and go into Executive Session for approximately thirty minutes, after a 5 minute break.

\*\*\*\* Executive Session begins 8:50 p.m. \*\*\*\*

4. EXECUTIVE SESSION – R.C.W. 42.30.110-1(i) – Potential Litigation
5. EXECUTIVE SESSION – R.C.W. 42.30.110-1(b) – Acquisition of Real Estate

\*\*\*\* Executive Session extended 10 minutes at 9:20 p.m. \*\*\*\*

\*\*\*\* Executive Session ends at 9:30 p.m. \*\*\*\*

GENERAL COUNCIL COMMENTS *None*

ADJOURNMENT Mayor Lehman

Councilmember Lettau: *I make a motion that we adjourn.*

Councilmember Mokler: *I second.*

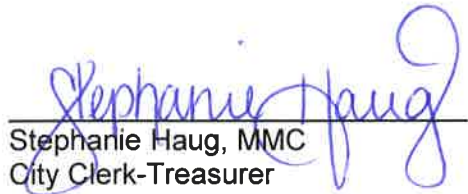
**MOTION #6**—C. M. Lettau moved and C. J. Mokler seconded to adjourn the November 21<sup>st</sup>, 2017 Regular Council Meeting at 9:32 p.m.

**VOICE VOTE #6**—C. D. Sandretto, C. M. Lettau, C. L. Stade, C. J. Mokler, C. V. Coates  
**ALL YEAS. Motion carried.**

Meeting adjourned at 9:32 p.m.



Linda Lehman  
Mayor, City of Benton City



Stephanie Haug, MMC  
City Clerk-Treasurer

Date: 12-5-17