

**City of Benton City
Regular Council Meeting Minutes
February 18th, 2014**

CALL TO ORDER – Mayor Carnahan called the February 18th, 2014 Regular Council meeting to order at 7:00 p.m. (622/4/816*Audio recording begins)

PRESENTATION OF THE COLORS – City Clerk/Treasurer Haug led the Council and audience in the Pledge of Allegiance. (625/4/218*)

ROLL CALL – (636/2/023*) Council Members Present –
Connie Meredith
Linda Lehman
Mary Lettau
Lisa Stade
Council Vacancy

City Staff Present –
Stephanie Haug, City Clerk/Treasurer
Kyle Kurth, City Maintenance Foreman

Other Professionals Present –
Alan Rainey, City Engineer, Spink Engineering LLC
Patrick Galloway, City Attorney, Kerr Law Group
Capt. Clay Vannoy, Benton County Sheriff's Office
Larry Howell, President, Benton City E.D.C.
Darrick Dietrich, Owner, Ed's Disposal

READING AND APPROVAL OF MINUTES (644/2/845*)
- **REGULAR MEETING FEBRUARY 4TH, 2014**

Councilwoman Stade: Mayor, I make a motion to approve the Council Agenda Meeting Minutes from February 18th, 2014 as presented, oh, sorry! (Inaudible) Sorry, I'm on the Agenda! February 4th Council Meeting Minutes, please.

Councilwoman Meredith: I'll second.

MOTION #1- C. L. Stade moved and C. C. Meredith seconded to approve the Minutes of the February 4th, 2014 Regular Council Meeting as presented.

VOICE VOTE #1- C. L. Lehman, C. C. Meredith, C. M. Lettau, C. L. Stade
ALL YEAS. Motion carried.

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

None (663/3/321*)
1. Charter Update – All Digital Network
2. Liquor License Renewal – Cornerstone Flower & Nursery

Councilwoman Lehman – Questions regarding fencing issues

Mayor Carnahan – Items for Discussion - Last meeting with Mr. Galloway – Starting own business

APPROVAL OF AGENDA – (674/3/325*)

Councilwoman Lettau: I make a motion to approve the Agenda as is.

Councilwoman Lehman: I second it.

MOTION #2- C. M. Lettau moved and C. L. Lehman seconded to approve the February 18th, 2014 Agenda as presented.

VOICE VOTE #2- C. L. Lehman, C. C. Meredith, C. M. Lettau, C. L. Stade
ALL YEAS. Motion carried.

1. VISITOR COMMENTS – None (716/4/799*)

REGULAR REPORTS

1. SHERIFF'S REPORT (720/2/845*)

Capt. Clay Vannoy, Benton County Sheriff's Office

For the month of January 2014:

394 Calls for Service v. 327 in 2013

41 Case Offenses v. 44 in 2013

31 Infraction Offenses Issued

2. EDC REPORTS – (873/1/097*)

Larry Howell, President, Benton City E.D.C.

<<< Written Report Not Provided >>>

3. STAFF REPORTS – (1022/2/640*)

Stephanie Haug, City Clerk/Treasurer

In packets - Update on Council Projects

Treasurer Report

Code Report

4. ENGINEER REPORT (1027/1/121*)

Alan Rainey, City Engineer, Spink Engineering LLC

Dale Avenue – Once engineering agreement approved – Go ahead

4. COUNCIL COMMITTEE REPORTS (1084/3/784*)

Councilwoman Lehman – None

Councilwoman Lettau – None

Council Vacancy

Councilwoman Meredith – None

Councilwoman Stade – Benton Franklin Transit – Purchased land on Tulip Lane – Lots of applications for General Director

Mayor Carnahan – No money – No special session – May not do anything with roundabout until next year

***** PUBLIC HEARING – Benton PUD Master License *****

Ms. Haug – Explanation of Franchise Renewal Application

Mr. Galloway – Changes in R.C.W.'s – Updated agreement – Past history with P.U.D.

***** Public Hearing opened at 7:19 p.m. *****

No Comments

***** Public Hearing closed at 7:19 p.m. *****

Councilwoman Stade – Length?

Mr. Galloway – Ten years with option to renew for additional ten years – Last one was five

ITEMS FOR APPROVAL:

1. RESOLUTION #2014-02 – AUTHORIZING MAYOR TO SIGN MAP-21 AGREEMENT WITH BENTON COUNTY – (1227/4/920*)

Mayor Carnahan – Explanation of Agreement

Councilwoman Meredith – How they determine percentage?

Mayor Carnahan – That's what we negotiated – Better than before

Councilwoman Meredith: Mr. Mayor, I make a motion to approve Resolution No. 2014-02, a resolution approving the Interlocal Agreement for the Benton County Rural Map-21 Program for the purpose of allocating federal transportation program funds; and authorizing the Mayor to sign the Interlocal Agreement.

Councilwoman Stade: Second.

MOTION #3- C. C. Meredith moved and C. L. Stade seconded to approve Resolution No. 2014-02, a resolution approving the Interlocal Agreement for the Benton County Rural Map-21 Program for the purpose of allocating federal transportation program funds; and authorizing the Mayor to sign the Interlocal Agreement.

VOICE VOTE #3- C. L. Stade, C. M. Lettau, C. C. Meredith, C. L. Lehman
ALL YEAS. Motion carried.

2. WATER TANK CLEANING & INSPECTION - (1328/1/098*)

Ms. Haug – Explanation and bid quote

Councilwoman Stade: I make a motion to approve the acceptance of LiquiVision Technology Diving Services for cleaning our tanks, in an amount of \$2,600 plus sales tax as applicable.

Councilwoman Meredith: I'll second.

MOTION #4- C. L. Stade moved and C. C. Meredith seconded to accept the water tank cleaning and inspection bid from LiquiVision Technology Diving Services in an amount not to exceed \$2,600 plus Washington State Sales Tax.

ROLL CALL VOTE #4- C. L. Lehman, C. C. Meredith, C. L. Stade, C. M. Lettau,
ALL YEAS. Motion carried.

3. WELL #5 – CHANGE ORDER - (1398/2/279*)

Mr. Rainey – Explanation of Change Order #2

Councilwoman Lehman – Had questions on what happened – Drilling

Mr. Rainey – Not expecting so much clay – Kept falling in – Couldn't maintain drilling without heavier liner

Councilwoman Stade: Mr. Mayor, I move to approve the Change Order to Schneider Water Services in the amount not to exceed \$1,700.85.

Councilwoman Lehman: I'll second.

MOTION #5- C. L. Stade moved and C. L. Lehman seconded to approve Change Order #2 from Schneider Water Services for work on Well #5 in an amount not to exceed \$1,700.85 including Washington State Sales Tax.

ROLL CALL VOTE #5- C. C. Meredith, C. M. Lettau, C. L. Stade, C. L. Lehman
ALL YEAS. Motion carried.

4. WELL #5 – PROGRESS PAYMENT - (1575/1/771*)

Mr. Rainey – Explanation of final billing

Ms. Haug – Is included in Vouchers tonight – Can approve in Vouchers

5. WELL #5 – PROJECT ACCEPTANCE - (1617/3/084*)

Mr. Rainey - Recommend acceptance of project - \$155,647.43 includes sales tax and retainage

Councilwoman Meredith: I make a motion to approve the...to accept the work order for the Well #5 construction acceptance job #09-142 in the amount of \$155,647.43.

Councilwoman Lettau: Second.

MOTION #6- C. C. Meredith moved and C. M. Lettau seconded to accept the Well #5 project as completed by Schneider Water Services in the amount of \$155,647.43.

VOICE VOTE #6- C. L. Lehman, C. C. Meredith, C. M. Lettau, C. L. Stade
ALL YEAS. Motion carried.

Mr. Rainey – Explanation of next steps – Pumps – Submersibles vs. Turbine – We currently have turbine – Ease of maintenance - Options

Councilwoman Stade – Cost difference - \$25,000 cheaper for submersible

Councilwoman Lehman – Because of sand?

Mr. Rainey – Turbine lasts longer for deeper wells – 8 in. submersible

5. VOUCHERS (1835/4/217*)

Councilwoman Meredith: Mr. Mayor, I move to approve payment of Claim checks numbers 25965 through 25993 with EFTs as listed in the amount of \$133,040.87 and Payroll Check numbers 25899, 258900, 25934 through 25942 with EFTs as listed in the amount of \$60,606.09 this 18th day of February, 2014.

Councilwoman Lehman: I'll second.

MOTION #7– C. C. Meredith moved and C. L. Lehman seconded for the City Council of the City of Benton City, Washington, to hereby authorize payment of Claim check numbers 25965 through 25993 with EFTs as listed in the amount of \$133,040.87 and Payroll Check numbers 25899, 25890, 25934 through 25942 with EFTs as listed in the amount of \$60,606.09 this 18th day of February, 2014.

**ROLL CALL VOTE #7–C. L. Stade, C. M. Lettau, C. C. Meredith, C. L. Lehman
ALL YEAS. Motion carries.**

ITEMS FOR DISCUSSION (1884/1/956*)

1. SPRING CLEAN UP DATE

Mr. Dietrich – Trend on Spring Clean Up – 134 hours 5 years ago – 105 hours – Decline in Tri-Cities too – 63 tons 5 years ago – 41 tons – 343 customers vs. 217 customers Minus 35% - Do what community wants – Three ideas - 1) Spring Clean Up Date – Not as efficient – Most expensive – 2) Coupon Event – Find a value – Have to be eligible – Don't like to be policeman – Pasco many years ago – Used to be week long – Coupon solved issue – 3) No Clean Up Day Campaign – Maybe thru bill – Put it out to curb – Good for customer – No accumulation – No travel – Remind why the service is good – Unlimited collection – Would like opportunity to try something different

Mayor Carnahan – 100% pick up – Notice an increase of extra cans - Putting reminder in bills? People aren't aware but we can make them

Mr. Dietrich – What is the purpose of Spring Clean Up? Residential clean up – Need reminder – Keep it clean – Here's the opportunity

Councilwoman Stade – What form do I need if in? Limbs/couch – How to prepare

Mr. Dietrich – Bag/Box/Bundle – 2 ft. x 6 ft. – A person can pick it up as a unit? Special waste – Maybe for a few weeks – House example

Mayor Carnahan – Do take furniture – Appliances

Mr. Dietrich – Furniture – Appliances – Charge for refrigerators - Freon

Ms. Haug – City has code regarding disposal of appliances for safety purposes

Councilwoman Lehman – Like idea – Piece missing – Alongside of road – How to implement

Mayor Carnahan – Hire street sweeper – Three times a year

Councilwoman Lehman – Sweeper won't do what I'm asking - Had school go along roads

Ms. Haug – City does have dumpsters available for coordinated volunteer efforts – In past – Not part of Spring Clean Up Day

Mr. Kurth – Agree with Darrick - Been doing Spring Clean Up Day for five years – A lot of county garbage – Know a city guys have buddy in county

Councilwoman Lettau – Encourage people to use 52 weeks – Use it - Love it

Councilwoman Lehman – Household – Hazardous?

Mr. Dietrich – Separate regulatory overlay - Exempt – County in charge of program – Fire four years ago – Benton County facility lost

Mayor Carnahan – Currently working on new facility that will take hazardous waste – Been a problem

Mr. Dietrich – (2439/3/000*Audio recording stops) *Transportation regulations not allowed with landfill* (2446/2/463*Audio recording begins) Private contractor cannot go out and transport - Whole different classification – Storage – Packaging – Outside the realm of non-regulated solid waste collection – Vital piece of puzzle missing – If no easy solution – Goes in garbage

Randy Rutledge – Clean Up Days – ShareFest still being offered this year in March – Significant pick Up – Miss free pick up every year

Mr. Dietrich – ShareFest – Voluntarily donate - Something separate – Very effective - Not Spring Clean Up

Council Consensus – Try 100% Pick Up Campaign this year instead of Spring Clean Up Day

GENERAL COUNCIL COMMENTS: (2645/3/879*)

Councilwoman Lehman – Will be gone March 4th, 2014

Ms. Haug – Fencing draft needs to go to Planning Commission first

Councilwoman Lehman - Fencing – 20.51.050 – A) Height requirement – Design 48” - Inconsistent statements – 20.51.060 – View obstruction -

Ms. Haug – Put together with every regulation we could put – Last discussion at last meeting – Intention to go through and remove things not applicable

Councilwoman Lehman – I agree – Would like to see some consistency - Much more complicated – Much harder to figure out what’s going on – Terms need defined - Don’t like extra cost to find property pins – Okay with allowing permit application be submitted – Request “A site plan of the applicant’s property identifying the property lines” be struck - Just have application give fence location, height materials and composition of fence – Not required before – Now extra requirement – Know how easy with metal detector to locate pins and shovel – Don’t know what that is – Don’t have metal detector – Don’t want to dig around in yard – Boundaries should be public record somewhere – Don’t see putting extra burden onto people not there before – May help eliminate disputes – Personal legal issue – Don’t need to dictate they should have site plan

Councilwoman Stade – Also had questions – Where do I go for that – Also agree don’t want to add to burden

Ms. Haug – There has to be reference point – That’s what property pins are – How would City issue permit if no reference to where you’re putting it? The point of finding the pin is to describe location – Has to be reference point in field – Purpose of property pins - Without that – No way to inspect fence

Councilwoman Lehman – My problem is how to do I find those pins – How expensive is it going to be for me to find those pins to show where they are – Don't want to spend money on survey to find them

Mr. Kurth – Idea behind finding the property pins basically going to cover City in long run – Application with fee submitted – If you remove property pins requirement – City goes to inspect fence based on height, etc. – In future due to sale or other activity on property – Fence ends up being on neighbor's property – "Well, City said it was okay" – City has to be able to know where your building your property – Same with building house – You need to make sure you are building on your property – Have your property pins located – Same thing with fence – We need to make sure it's right and on your property – No way for City to know if it's correct unless we see the pins

Councilwoman Stade – You want homeowner to dig up pins then make appointment for City to check

Mr. Kurth – It's up to Council to decide if homeowner's going to have cost or City going to pay – Same with sidewalk inspections or curbs – Could be wrong – Later someone comes to City saying "This is wrong" – City stuck fixing problem – Could potentially save homeowners lots of money

Councilwoman Stade – Want to know if homeowner would have option of paying survey – Info how to find someone – Directions to D-I-Y – Like many projects – Educating or providing information – Can pay for it or do it myself

Councilwoman Lettau – May be difficult to find pins – Likely end up paying for surveying – Can be \$350 to \$500 for survey

Councilwoman Lehman – Know lot of people – Had fence put in last year – Made sure I had it put on what I understand my property to be – If wrong – My burden to bear – Not City's burden to bear – Don't think City ought to get into can of worms – Cause people all the expense just to put in fence – Fence itself so expensive

Ms. Haug – From staff perspective – If Council wants to regulate fencing – City needs avenue to regulate – No point in having regulations if no way to enforce them

Councilwoman Stade – If permit required only for type, setback and visibility – Hold harmless claim for City – Not liable to where fence is placed – Only concerned with visibility, setback and height – For safety purposes

Ms. Haug – In order to enforce setbacks – Would need to know where setbacks are – Property lines would need to be identified in order to ensure requirements of Code being met

Councilwoman Lettau – We're still a small town – What other cities require permit?

Mayor Carnahan – Our attorney works with other cities – Not sure you're correct about other cities requirements

Ms. Haug – Council needs to decide what they want to regulate – Then goes to attorney – Once criteria established – Goes to Planning Commission – This is just a draft

Councilwoman Lehman – We have things on books already regulating heights, etc. – Do that through City Ordinance – Not through permit

Ms. Haug – Yes but reason this came about

Councilwoman Lehman – I understand that – We've had one issue – Don't see need to do permit – Think we should just continue way we were – If someone decides to build a fence – They can just check with City first to determine City Code – These things can go in as City Code

Mayor Carnahan – That would be great but people don't always check with City first

Councilwoman Lehman – Then burden is on them – Burden is not on City

Councilwoman Meredith – That's why her fence isn't done – At standstill – How issue came about

Councilwoman Stade – Setback info wasn't clear – Looked into it deeper

Councilwoman Lehman – With regard to setback – Verbiage is not clear – Think we need graphics

Mr. Galloway – City has one if people come and ask voluntarily

Ms. Haug – Send recommendations to me – Will forward to attorney to prepare draft for Planning Commission – They will have comments as well – How our process works for making changing to zoning ordinance – Planning Commission will have chance to look at it – Come back to Council with recommendations – Council will have another opportunity to look at it – Need to know what direction Council would like to go

Councilwoman Stade – Would like more information – Survey costs, finding pins

Mr. Galloway – Will discuss with Lee – Try to get answers regarding comparison of other cities – Council needs more info for policy decision – Pluses and minuses of both

ADJOURNMENT – Mayor Carnahan (3447/1/834*)

Councilwoman Lettau: I make a motion we adjourn.

Councilwoman Meredith: I second.

MOTION #8– C. M. Lettau moved and C. C. Meredith seconded to adjourn the February 18th, 2014 Regular Council Meeting at 8:34 p.m.

VOICE VOTE #8– C. C. Meredith, C. L. Lehman, C. M. Lettau, C. L. Stade
ALL YEAS. Motion carried.

Meeting adjourned at 8:34 p.m. (3452/2/847*)


Stephanie Haug, CMC
City Clerk-Treasurer


Lloyd Carnahan
Mayor, City of Benton City

Date: 3/4/14