

**City of Benton City
Regular Council Meeting Minutes
August 6th, 2013**

CALL TO ORDER – Mayor Carnahan called the August 6th, 2013 Regular Council Meeting to order at 7:00 p.m. (134/3/509)

PRESENTATION OF THE COLORS – Ritchie Epsilon, Life Scout, Boy Scout Troop #239 led the Council and audience in the Pledge of Allegiance. (138/4/462)

ROLL CALL – (156/4/890) Council Members Present –
Honda Johnson
Lisa Stade
Francisca Proctor
Mary Lettau

Council Members Absent –
Connie Meredith (Excused)

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

Other Professionals Present –
Patrick Galloway, City Attorney, Kerr Law Group

Other Professional Absent –
Alan Rainey, City Engineer, Spink Engineering, LLC
Larry Howell, President, Benton City EDC

Councilwoman Stade: Mr. Mayor, I make a motion to excuse Councilman Meredith.

Councilwoman Lettau: I second.

MOTION #1- C. L. Stade moved and C. M. Lettau seconded to excuse C. C. Meredith from the August 6th, 2013 Regular Council Meeting.

VOICE VOTE #1- C. H. Johnson, C. L. Stade, C. M. Lettau, C. F. Proctor
ALL YEAS. Motion carried.

READING AND APPROVAL OF MINUTES (169/4/071)

- **REGULAR MEETING – JULY 16TH, 2013**
- **WORKSHOP MEETING – JULY 8TH, 2013**

Councilwoman Johnson: Mayor, I make a motion that we approve the Minutes of Regular Meeting of July 16th, 2013 and our Workshop Meeting of July 8th, 2013 as presented.

Councilwoman Proctor: I second.

MOTION #2- C. H. Johnson moved and C. F. Proctor seconded to approve the Minutes of the July 16th, 2013 Regular Council Meeting and the July 8th, 2013 Workshop Meeting as presented.

VOICE VOTE #2- C. H. Johnson, C. M. Lettau, C. L. Stade, C. F. Proctor
ALL YEAS. Motion carried.

OPENING REMARKS, "HOUSEKEEPING" ITEMS, EXECUTIVE SESSION REQUESTS, ETC. –
None (183/3/658)

APPROVAL OF AGENDA – (187/3/902)

Councilwoman Stade: Mayor, I so move that we accept the Agenda as, as written here.

Councilwoman Proctor: I second.

MOTION #3- C. L. Stade moved and C. F. Proctor seconded to approve the Agenda for the August 6th, 2013 Regular Council Meeting as presented.

VOICE VOTE #3- C. H. Johnson, C. L. Stade, C. M. Lettau, C. F. Proctor
ALL YEAS. Motion carried.

1. VISITOR COMMENTS – (196/1/246)

Jack Davis, 506 Carol Avenue

- 3rd, 7th and 9th East Dale – Gravel area up to Rick Prall's – Weeds are really tall – Plans to run for Mayor in 2016

REGULAR REPORTS

1. EDC REPORT (242/4/950)

<<< No Report >>>

2. STAFF REPORTS (249/3/108)

Stephanie Haug, City Clerk/Treasurer

- Treasurer's Report
- Elston Property Update

3. ENGINEER REPORT (262/3/789)

- In packets

4. COUNCIL COMMITTEE REPORTS (273/1/036)

Councilwoman Lettau – None

Councilwoman Proctor – None

Councilwoman Johnson – None

Mayor Carnahan – Cancelled

Councilwoman Meredith – Absent

Councilwoman Stade – Meetings scheduled Wednesday and Thursday

ITEMS FOR APPROVAL: (284/3/355)

1. RESOLUTION #2013-19 – PROCLAIMING SEPTEMBER UNITED WAY ATTENDANCE AWAREMENT MONTH – (285/3/750)

Councilwoman Johnson: Mayor, I make a motion that we pass Resolution No. 2013-19, a resolution recognizing September as "Attendant Awareness Month"; "Attendance Awareness Month".

Councilwoman Lettau: I second.

MOTION #4- C. H. Johnson moved and C. M. Lettau seconded to approve Resolution No. 2013-19, a resolution of the City of Benton City, Washington, recognizing September as "Attendance Awareness Month".

Councilwoman Stade – Chronic absence not doing as well – Community/school work together

Councilwoman Proctor – Why is government interfering with schools? Shouldn't it be parents job?

Ms. Haug – Purpose of resolution – stating City and community support push to educate parents and students about effects of absence

Councilwoman Stade – A lot of effort to get kids to school – Shouldn't have to be legislated - Neglect sometimes

VOICE VOTE #4- C. H. Johnson, C. M. Lettau, C. L. Stade, C. F. Proctor
ALL YEAS. Motion carried.

2. RESOLUTION #2013-20 – DECLARING A MORATORIUM - MARIJUANA – (369/3/074)

Mr. Galloway – Done before with medical marijuana and collective gardens - New state laws – Unsure of impact to City – Interaction with Federal laws – Haven't developed our local regulations – Processing plants – Production facilities – Retail sales establishments - Need time to develop regulations – See how laws are interpreted – Bide time to allow dust to settle

Mayor Carnahan – Lots of other cities are taking this approach

Councilwoman Lettau: Mayor, I make a motion to approve Resolution No. 2013-20, a resolution of the City of Benton City, Washington, declaring a moratorium prohibiting producing, processing and retail sales of recreational marijuana pending the adoption of rules and zoning regulations within the City and setting Public Hearing thereon.

Councilwoman Proctor: I second.

MOTION #5- C. M. Lettau moved and C. F. Proctor seconded to approve Resolution No. 2013-20, a resolution of the City of Benton City, Washington, declaring a moratorium prohibiting producing, processing and retail sales of recreational marijuana pending the adoption of rules and zoning regulations within the City and setting Public Hearing thereon.

Councilwoman Stade – Is City scheduling Public Hearing for first day of October at 7 o'clock?

VOICE VOTE #5- C. H. Johnson, C. M. Lettau, C. L. Stade, C. F. Proctor
ALL YEAS. Motion carried.

3. VARIANCE APPLICATION – 1108 GRACE AVENUE – (449/3/777)

Mayor Carnahan – Attended last Planning Commission meeting – Planning Commission answered all our questions – Pleased with Planning Commission – Looking for motion to accept Planning Commission recommendation

Councilwoman Lettau: So, are we just approving, then, the Variance Application? I want to approve that; I want to make the motion.

Councilwoman Proctor: I second.

MOTION #6- C. M. Lettau moved and C. F. Proctor seconded to approve the Variance Application for 1108 Grace Avenue.

VOICE VOTE #6- C. H. Johnson, C. M. Lettau, C. L. Stade, C. F. Proctor
ALL YEAS. Motion carried.

4. CONDITIONAL USE APPLICATION – 1108 GRACE AVENUE – (484/4/172)

Councilwoman Stade: Mr. Mayor, I make a motion to approve the Conditional Use Permit Application for 1108 Grace Avenue.

Councilwoman Lettau: Second.

MOTION #7- C. L. Stade moved and C. M. Lettau seconded to approve the Conditional Use Application for 1108 Grace Avenue.

Councilwoman Johnson – Read thru the minutes – Send back to Planning Commission – Hardship recommendation – Based on financial situation of applicant – This time it came back with hardship needing bilingual – Hardship variance means not manmade – Pleased that Planning Commission addressed the Code and answered questions

Councilwoman Stade – Had questions about how to get more information

Mr. Galloway – – Have a second Public Hearing - Procedures – Room for more clarification in our procedures

VOICE VOTE #7- C. H. Johnson, C. M. Lettau, C. L. Stade, C. F. Proctor
ALL YEAS. Motion carried.

5. PROJECT ACCEPTANCE – DALE AVENUE WATER/SEWER PROJECT – (645/3/645)

Mayor Carnahan – Overview of Dale Avenue water and sewer project acceptance

Ms. Haug – Explanation of process to release retainage fee

Councilwoman Johnson: Mayor, I make a motion that we approve to release the \$4,367, the 5% retainage.

Councilwoman Proctor: Second.

MOTION #8- C. H. Johnson moved and C. F. Proctor seconded to approve release of the \$4,367.00 or 5% retainage fee.

Ms. Haug – The motion should be project is accepted as done – Retainage not released until approval from State Dept.

Councilwoman Johnson: Mayor, I make a motion that we accept the project from TTAP Construction Services as completed.

Councilwoman Stade: I second.

MOTION #9- C. H. Johnson moved and C. L. Stade seconded to accept the Dale Avenue Water and Sewer Project by TTAPP Construction as completed.

VOICE VOTE #9- C. L. Stade, C. M. Lettau, C. F. Proctor, C. H. Johnson
ALL YEAS. Motion carried.

4. VOUCHERS (710/1/541)

Councilwoman Johnson: Mayor, I move approve payments of Claim checks number 25561 thru 25592 and EFTs as listed in the amount of \$66,250.60 this 6th day of August, 2013.

Councilwoman Lettau: I second.

MOTION #10- C. H. Johnson moved and C. M. Lettau seconded for the City Council of the City of Benton City, Washington, to authorize payment of Claim Check Numbers 25561 thru 25592 and EFTs as listed in the amount of \$66,250.60. These checks are approved for payment this 6th day of August, 2013.

ROLL CALL VOTE #10- C. H. Johnson, C. M. Lettau, C. L. Stade, C. F. Proctor
ALL YEAS. Motion carries.

ITEMS FOR DISCUSSION – (735/1/616)

1. SHERIFF OFFICE FLOOD

Mayor Carnahan – Explanation of situation

Ms. Haug – Insurance information - \$1,000 deductible – Will need to be paid - Company in to dry out facility – Dry now – In contact with Sheriff's Department regarding future of office

Councilwoman Johnson – If this causes another mold issue – Will insurance pay for that?

Ms. Haug – Reason we hired restoration company – Removed any areas unable to dry – Sensor for moisture meter – Verified

GENERAL COUNCIL COMMENTS – (782/2/046)

1. SCHOOL LETTER SUPPORT –

Mayor Carnahan – Explanation of request from school district

Councilwoman Stade – Distance learning?

Mayor Carnahan – Support for a grant for school district – Would like Council consensus – Will write letter

2. BIKE PATH BENCHES –

Councilwoman Stade – Bike Path benches – Several citizens interested in purchasing benches - Maintain a certain code – Where are we on that?

Ms. Haug – As part of that policy – Developed application – Anyone can apply - \$500 to donate – City buys bench – Installs the bench – Buys the plaque

Councilwoman Johnson – Person came to me – Issue - Map – Suggested places for benches – Presented to Kiona Irrigation – Steph – Need in lighted areas – Vandalism – Thought people could put them wherever – We didn't vote on the map

Ms. Haug – Done as it was because irrigation district only meets once a month – City has authority to approve or not approve without taking it to irrigation district

Councilwoman Stade – Vandalism that can be done to bench

Mayor Carnahan – Don't think it will do any good to go back to the board

Councilwoman Johnson – Don't think anyone would mind waiting

Councilwoman Stade – We could ask

Mayor Carnahan – We had a hearing – This is what came out of meeting

Councilwoman Johnson – Council did not decide – Did not get a chance to vote on it

Councilwoman Stade – Would like to have it presented to Council

Mayor Carnahan – On Agenda in two weeks

3. BENTON CITY DAZE –

Councilwoman Stade – How did parade go? BBQ nice touch

Councilwoman Johnson – Good! Benton City Daze kick off – Asked if they could make it a Grand Opening

ADJOURNMENT – Mayor Carnahan (1053/1/865)

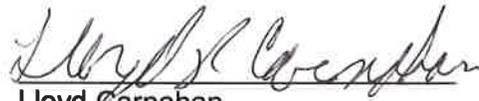
Councilwoman Johnson: I make a motion that we adjourn.

Councilwoman Stade: I second.

MOTION #11– C. H. Johnson moved and C. L. Stade seconded to adjourn the August 6th, 2013 Regular Council Meeting at 7:30 p.m.

VOICE VOTE #11–C. H. Johnson, C. L. Stade, C. M. Lettau, C. F. Proctor
ALL YEAS. Motion carried.

Meeting adjourned at 7:30 p.m. (1057/3/627)



Lloyd Carnahan
Mayor, City of Benton City


Stephanie Haug, CMC
City Clerk-Treasurer

Date: 8/21/13