

**City of Benton City
Regular Council Meeting Minutes
September 16th, 2014**

CALL TO ORDER – Mayor Carnahan called the September 16th, 2014 Regular Council meeting to order at 7:00 p.m. (210/4/857 *Audio recording begins)

PRESENTATION OF THE COLORS – Ms. Haug led the Council and audience in the Pledge of Allegiance. (216/1/147*)

ROLL CALL (226/3/508*) Council Members Present –

Linda Lehman
Michelle McLeod
Mary Lettau
Connie Meredith (In @ 7:09 – School Open House)
Lisa Stade (In @ 7:16 – School Open House)

City Staff Present –

Stephanie Haug, City Clerk/Treasurer
Paula Kauer, General Clerk/Purchasing

City Staff Absent –

Kyle Kurth, Maintenance Foreman

Other Professionals Present –

Alan Rainey, City Engineer, Spink Engineering LLC
Eric Ferguson, City Attorney, Kerr Law Group
Randy Rutledge, Consultant, Benton City E.D.C.

Other Professionals Absent –

Sgt. Steve Caughey, Benton County Sheriff's Office
Larry Howell, President, Benton City E.D.C.

READING AND APPROVAL OF MINUTES (239/1/211*)

- **REGULAR MEETING AUGUST 19TH, 2014**
- **(NO MEETING - SEPTEMBER 2ND, 2014)**

Councilwoman Lehman: Mayor, I'd like to make a motion to approve the Regular City Council Meeting Minutes for August 19th, 2014.

Councilwoman McLeod: I'd like to second it.

MOTION #1- C. L. Lehman moved and C. M. McLeod seconded to approve the Minutes of the August 19th, 2014 Regular Council Meeting as presented.

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

OPENING REMARKS, "HOUSEKEEPING" ITEMS, EXECUTIVE SESSION REQUESTS, ETC. – (260/4/719*) - None

APPROVAL OF AGENDA – (264/1/276*)

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

Councilwoman Lehman: I'll second.

MOTION #2- C. M. Lettau moved and C. L. Lehman seconded to approve the Agenda of the September 16th, 2014 Regular Council Meeting as presented.

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

1. VISITOR COMMENTS – (271/3/678*)

Charles Fox, Gage Jensen, Greg Kendall - Extend skate park – Small - Tired of old ramps – Lot of use – Not in a crew – There on a daily basis – Skateboard/Scooter – Gets crowded – Fewer accidents – More fun – Go every day with a friend – Kids get in way – Please extend

REGULAR REPORTS

1. SHERIFF'S REPORT - (370/4/848*)

August Report - 281 Calls for service vs. 300 in 2013
30 Case Offenses vs. 32 in 2013
23 Infraction Offenses Issued

2. EDC REPORT – (373/2/164*)

Randy Rutledge, Consultant, Benton City E.D.C.
- Written report not provided

(Councilwoman Meredith arrives at 7:09 p.m.)

3. STAFF REPORTS – (657/1/713*) – In Packets

Stephanie Haug, City Clerk/Treasurer
- Code Report - Treasurer Report

3. ENGINEER REPORT - (659/3/030*)

Alan Rainey, City Engineer, Spink Engineering LLC
- Dale Avenue water and sewer done – Starting on grading – Hopefully three weeks until asphalt done. – Four weeks until project done

(Councilwoman Stade arrives at 7:16 p.m.)

4. COUNCIL COMMITTEE REPORTS - (721/1/833*)

Councilwoman Stade – Benton Franklin Transit – Tulip Lane Bus Stop – Applied for a grant – East Pasco – School routes – Night routes – Open to ideas to evaluate service

Councilwoman Meredith – None

Councilwoman Lehman – None

Councilwoman McLeod – Mosquito Control Board – Hired four more people – Notify of standing water

Councilwoman Lettau – None

Mayor Carnahan – Benton Franklin Council of Governments - STP money changes – Talking about twenty year schedule - Six-year street plan – Looking at four, five, six, even ten years into future – Hard on small cities – Challenge for us - Have application in for sidewalks

Mr. Rainey – Les Schwab to tennis courts on Horne – Lots of kids walk along there – T.I.B. encouraged it

Councilwoman Lehman – 20 year plan? Who does that?

Ms. Haug – Benton Franklin Council of Governments

Mayor Carnahan – No Tiger Grant – No roundabout money – Disappointed – Why he doesn't bring to Council unless has money – Still be working on it

Councilwoman Stade – Roundabout? Next item on the list?

Mayor Carnahan – No list at D.C.

Councilwoman Stade – At Good Roads in WA – Highest priority – Where do we want to put a sign? Roundabout not in 2015

ITEMS FOR APPROVAL:

1. PUBLIC HEARING – MORATORIUM RENEWAL – PRODUCING, PROCESSING AND RETAIL SALES OF MARIJUANA – (993/2/818*)

Ms. Haug – Recommendation of Planning Commission

Mr. Ferguson – Moratorium and Extension explanation

******* Public Hearing begins at 7:32 *******

No Comments

******* Public Hearing ends at 7:32 *******

DISCUSSION

Councilwoman Lehman – Badger Club debate at lunch 11:30 – Pasco Red Lion

Mr. Ferguson – City’s moratorium set to expire October 14th – Already had Public Hearing – Need to adopt findings based on that – Then renew moratorium - Bring back to next meeting – Resolution – Do two things – One to adopt findings of fact – And resolution to renew moratorium

Councilwoman Stade – In the debate – Option – City could specify certain size and location

Mr. Ferguson – One of big sales pitch for Initiative - Park, school, etc. –1,000 ft. – Built into Initiative – Some cities such as Seattle – No going to do anything – Let state deal with it – Nothing to do with zoning -

Councilwoman McLeod – Sheriff – Three growers can have 45 plants in one residence – Medical – Not 100% sure what we’re voting on – Don’t understand moratorium

Mayor Carnahan – Postpone for two weeks

Ms. Haug – Tonight – Need consensus for go ahead for attorney to prepare resolution with findings of fact to have before Council for vote at next meeting

Councilwoman Stade – Asking you to prepare resolution defending the facts from the Planning commission for us to consider adopting and renewing the moratorium

2. SECOND READING – ORDINANCE 932 – ADOPTING THE 2014 COMPREHENSIVE PLAN AMENDMENT– (1325/2/303*)

Councilwoman Lettau: Mr. Mayor, I move to approve on the Second Reading, Ordinance 932 of the City of Benton City, Washington, amending the Comprehensive Plan, including land use map.

Councilwoman Meredith: I second.

MOTION #3- C. M. Lettau moved and C. C. Meredith seconded to approve on the Second Reading, Ordinance No. 932 of the City of Benton City, Washington, amending the Comprehensive Plan, including the land use map.

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

3. SECOND READING – ORDINANCE 933 – ADOPTING AN AREA-WIDE REZONE – (1357/2/000*Audio recording ends)

Councilwoman Lettau: Mayor, I move to approve on the Second Reading, Ordinance No. 933 of the City of Benton City, Washington, amending the zoning designation map of the City of Benton City.

Councilwoman Lehman: I’ll second.

MOTION #4- C. M. Lettau moved and C. L. Lehman seconded to approve on the Second Reading, Ordinance No. 933 of the City of Benton City, Washington, amending the zoning designation map of the City of Benton City.

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

4. SECOND READING – ORDINANCE 934 – ADOPTING A ZONING TEXT AMENDMENT – MANUFACTURED DISTRICTS – (1358/1/000*Audio recording begins)

Councilwoman Meredith: Mr. Mayor, I move to approve on the Second Reading, Ordinance 934 of the City of Benton City, Washington, amending Section 20.06.010 "Classifications of Zone"; Section 20.09.295 "Modular Home"; Section 20.15.070 entitled "Additional Requirements"; repealing Chapter 20.26 "R-1M Residential Low Density Manufactured Home District"; repealing Chapter 20.27 "R-2M Residential Medium Density Manufactured Home District"; amending Section 20.30.010 "Permitted Locations"; and Section 20.60.260 "Adult Entertainment".

Councilwoman McLeod: I'll second.

MOTION #5- C. C. Meredith moved and C. M. McLeod seconded to approve on the Second Reading, Ordinance No. 934 of the City of Benton City, Washington, amending Section 20.06.010 "Classifications of Zone"; Section 20.09.295 "Modular Home"; Section 20.15.070 entitled "Additional Requirements"; repealing Chapter 20.26 "R-1M Residential Low Density Manufactured Home District"; repealing Chapter 20.27 "R-2M Medium Density Manufactured Home District"; amending Section 20.30.010, "Permitted Uses"; and Section 20.60.260 "Adult Entertainment".

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

5. FIRST READING – ORDINANCE 2014 BUDGET AMENDMENT – (1404/2/617*)

Ms. Haug – Explanation of ordinance for 2014 Budget amendment

Councilwoman Meredith: Mr. Mayor, I move to approve on the First Reading, an ordinance of the City of Benton City, Washington, amending the 2014 Budget, as adopted by Ordinance No. 927

Councilwoman Lettau: I second.

MOTION #6- C. C. Meredith moved and C. M. Lettau seconded to approve on the First Reading, an ordinance of the City of Benton City, Washington, amending the 2014 Budget, as adopted by Ordinance No. 927.

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

6. FIRST READING – ORDINANCE CREATING 12.04.015 - PROHIBITED EXCAVATION – (1454/1/492*)

Ms. Haug – Explanation of ordinance prohibiting street cuts

Mr. Ferguson – Explanation of process to protect structural integrity of City roadways and limit street excavations to protect streets from unnecessary damage and extend streets' lifespan

Councilwoman Lettau: Mr. Mayor, I move to approve on the First Reading, an ordinance of the City of Benton City, Washington, creating a new Section 12.04.015 "Prohibited Excavation".

Councilwoman Meredith: I'll second.

MOTION #7- C. M. Lettau moved and C. C. Meredith seconded to approve on the First Reading, an ordinance of the City of Benton City, Washington, creating a new Section 12.04.015 "Prohibited Excavation".

VOICE VOTE #7- C. C. Meredith, C. M. McLeod, C. L. Lehman, C. L. Stade, C. M. Lettau
ALL YEAS. Motion carried.

7. FIRST READING – ORDINANCE AMENDING ZONING REGULATIONS – AUTO-ORIENTED USES – (1644/1/364*)

Ms. Haug – Explanation of ordinance

Mr. Ferguson – Explanation of procedural method used

Councilwoman Meredith: Mr. Mayor, I move to approve on the First Reading, an ordinance of the City of Benton City, Washington, amending Section 20.09.370 “Service Station”; Section 20.33.030 “Conditional Uses” in C-1 Commercial for Vehicle and Equipment Sales; and Section 20.60.040 “Auto Oriented Uses” providing for Vehicle and Equipment Sale Uses.

Councilwoman Lehman: I second.

MOTION #8- C. C. Meredith moved and C. L. Lehman seconded to approve on the First Reading, an ordinance of the City of Benton City, Washington, amending Section 20.09.370 “Service Station”; Section 20.33.030 “Conditional Uses” in C-1 Commercial for Vehicle and Equipment Sales; and Section 20.60.040 “Auto Oriented Uses” providing for Vehicle and Equipment Sale Uses.

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

8. 2015 BUDGET CALENDAR – (1762/2/689*)

Ms. Haug – Explanation of 2015 Budget Calendar and Workshop schedule

Councilwoman Meredith: Mr. Mayor, I move to approve the 2015 Budget Calendar, setting a Budget Workshop on October 15th, 2014 at 6:00 p.m.

Councilwoman Stade: I'll second.

MOTION #9- C. C. Meredith moved and C. L. Stade seconded to approve the 2015 Budget Calendar, setting a Budget Workshop on October 15th, 2014 at 6:00 p.m.

VOICE VOTE #9- C. C. Meredith, C. M. McLeod, C. L. Lehman, C. L. Stade, C. M. Lettau
ALL YEAS. Motion carried.

9. COMMUNITY CENTER FURNITURE – (1893/3/469*)

Ms. Haug – Overview of Community Center furniture upgrade request

Councilwoman Meredith – Bring back in two weeks when Kyle has returned

Mayor Carnahan – Remove BBQ as well

10. VOUCHERS (1951/4/747*)

Councilwoman Lettau: I move to approve payment of Claim check number 26353 thru 26397 and EFTs as listed in the amount of \$260,380.29 and Payroll check numbers 26308 thru 26329 and 26344 thru 26352 with EFTs as listed in the amount of \$67,661.54 this 16th day of September 2014.

Councilwoman Lehman: I second.

MOTION #10- C. M. Lettau 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 26353 thru 26397 with EFTs as listed in the amount of \$260,380.29 and Payroll Check numbers 26308 thru 26329 and 26344 thru 26352 with EFTs as listed in the amount of \$67,661.54 this 16th day of September, 2014.

ROLL CALL VOTE #10- C. C. Meredith, C. L. Lehman, C. M. Lettau, C. L. Stade, C. M. McLeod
ALL YEAS. Motion carries.

ITEMS FOR DISCUSSION (1986/1/076*)

1. Website RFP Results

Ms. Haug – Overview of website results

>Website Committee - Councilwoman Meredith and Councilwoman Lehman<

Meet before end of September

GENERAL COUNCIL COMMENTS – (2059/2/445*)

1. Medical Marijuana

Mayor Carnahan – Medical marijuana – Involves people with medical cards allowed to grow medical marijuana

Mr. Ferguson – Legislature unable to act during last session - Regulations up in the air – No clarification – 502 vs. Medical – Department of Health no longer recognizes issued cards and other parts of Medical Marijuana Law – 15 plants allowed per qualified user – No longer recognize qualified user due to Recreational Marijuana laws – Law Enforcement only enforcing over 15 plants – City would have to decide to go to Superior Court – Tough time – Unclear – Law Enforcement doing best they can – How much money does City want to spend to try to enforce everything to letter – Out there – Continue to be part of problem – Will get worse before it gets better

Councilwoman Lehman – Do we have a problem in town?

Mayor Carnahan – One instance I'm aware of – By law - One person with card can have up to fifteen plants – Three people with cards can have up to 45 plants - No idea – Just wanted to quell rumors around town – Sheriff's hands pretty well tied – Don't have any regulations we can go by to stop it – Moratoriums don't affect it

Councilwoman Stade – Skate Park expansion request – Fence – Behind – Erosion – Bowl separate age groups – Recycling bins central – Curb appeal – Move to side – Short side – Move perpendicular bleachers

Mayor Carnahan – Trucks need to pick them up – Will go up to check it out – Recycling bins – Chamber of Commerce

ADJOURNMENT – Mayor Carnahan (2362/2/722*)

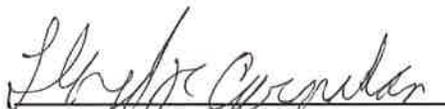
Councilwoman Meredith: I make a motion that we adjourn.

Councilwoman Lettau: I second.

MOTION #11– C. C. Meredith moved and C. M. Lettau seconded to adjourn the September 16th, 2014 Regular Council Meeting at 8:12 p.m.

**VOICE VOTE #11– C. C. Meredith, C. M. McLeod, C. L. Lehman, C. L. Stade, C. M. Lettau
ALL YEAS. Motion carried.**

Meeting adjourned at 8:12 p.m. (2368/1/933*)


Lloyd Carnahan
Mayor, City of Benton City


Stephanie Haug, CMC
City Clerk-Treasurer

Date: 10/8/14