

**City of Benton City
Regular Council Meeting Minutes
April 21st, 2015**

CALL TO ORDER – Mayor Carnahan called the April 21st, 2015 Regular Council meeting to order at 6:00 p.m. at the Benton City Community Center (00:00:27*Audio recording begins)

PRESENTATION OF THE COLORS – Councilwoman McLeod led the Council and audience in the Pledge of Allegiance. (00:00:30*)

ROLL CALL (00:01:03*)

Council Members Present –

**Mary Lettau
Connie Meredith
Linda Lehman
Lisa Stade
Michelle McLeod**

City Staff Present –

**Stephanie Haug, City Clerk/Treasurer
Kyle Kurth, City Maintenance Foreman**

Other Professionals Present –

**Alan Rainey, City Engineer, Spink Engineering LLC
Eric Ferguson, City Attorney, Kerr Law Group**

Other Professionals Absent –

Captain Clay Vannoy, Benton County Sheriff's Office

READING AND APPROVAL OF MINUTES (00:01:19*) - REGULAR MEETING APRIL 7TH, 2015

Councilwoman Meredith: Mr. Mayor, I make a motion to approve the Minutes from April 7th, 2015.

Councilwoman McLeod: I second it.

MOTION #1- C. C. Meredith moved and C. M. McLeod seconded to approve the Minutes of the April 7th, 2015 Regular Council Meeting as presented.

Councilwoman Lehman: Found typo – Page 5 top under my commentary – Kind of misleading – Indicates that 1% is \$90,000 in one year – That is total of 8.3% plus 1% is \$93,000

Councilwoman McLeod: Mr. Mayor, I make a motion to approve the Minutes as amended.

Councilwoman Lehman: I'll second.

MOTION #2- C. M. McLeod moved and C. L. Lehman seconded to approve the Minutes of the April 7th, 2015 Regular Council Meeting as amended.

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

OPENING REMARKS, "HOUSEKEEPING" ITEMS, EXECUTIVE SESSION REQUESTS, ETC. - None (00:02:38*)

APPROVAL OF AGENDA (00:02:53*)

Councilwoman Stade: Mr. Mayor, I make a motion to approve the Agenda as presented.

Councilwoman Meredith: Second.

MOTION #3- C. L. Stade moved and C. C. Meredith seconded to approve the Agenda for the April 21st, 2015 Regular Council Meeting as presented.

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

VISITOR COMMENTS (00:03:11*)

Heather Duncan, Benton City Chamber of Commerce - Benton City Spring Opener Car & Bike Show - 10th Annual car show - Saturday, 9 a.m. to 3 p.m. – New and fun things – 1 p.m. – 1st Annual Skate Jam - Bands

REGULAR REPORTS

1. SHERIFF'S REPORT (00:05:21*)

Captain Clay Vannoy, Benton County Sheriff's Office (Absent) - *In packets* - **March 2015**

284 Calls for Service vs. 288 in 2014 - 29 Case Offenses vs. 27 in 2014 - 24 Infraction Offenses were issued

2. STAFF REPORTS (00:05:35*)

Stephanie Haug, City Clerk/Treasurer - *In packets* - Code Report - Treasurer Report

3. ENGINEER REPORT (00:05:35*)

Alan Rainey, City Engineer, Spink Engineering LLC - Report follows Public Hearing

4. COUNCIL COMMITTEE REPORTS (00:05:54*)

Councilwoman Stade – Benton Franklin Transit – Five Ki-Be kids won with poster design to be in Transit calendar – Slogan: I walk, I bike, I ride the bus

Councilwoman Meredith – None

Councilwoman Lehman– None

Councilwoman Lettau – None

Councilwoman McLeod – Mosquito Control Board Tire Drive successful

Mayor Carnahan – Roundabout may get built this year – In House and Senate – Know by April 26th – May delay until early next spring

ITEMS FOR APPROVAL:

***** PUBLIC HEARING – MARIJUANA ESTABLISHMENT MORATORIUM *****

Mayor Carnahan: At this time I will adjourn the regular meeting and I will open the Public Hearing on the Marijuana Establishment Moratorium. Now the rules on this moratorium for being heard tonight; raise your hands and there will be a three minute talk time that you can use and it's, right now we're going to open it up for public comments then we'll close it for council comments.

*** Public Hearing begins at 6:15 p.m. ***

Mr. Ferguson – Here for Public Hearing – In order to extend moratorium – Public Hearing must be done every time moratorium is requested to be renewed for six month period – Facts change – Attitudes change – Part of statute – Legislature ensure more public comment – After Public Hearing is closed - Council will base findings on public comments – Decide whether to extend moratorium another six months – Currently deals with Marijuana I-502 situation — To date – Courts have ruled cities have authority to ban according to local courts – No binding decision from Court of Appeals – Still in flux – Can cities passed ban or regulate to extend they wish – Update for current legislative activity – At one time – Up to 24 different bills in legislature to try to deal with problem - Several agendas to be met – Much deals with trying to combine or resolve differences between pre-existing Medical and Recreational – Also what cities can regulate – Most bills are dead – One still surviving SSH2126 – Now in Ways & Means Committee – Legislative committee closed April 26th – Current bill has gone back and forth between House and Senate – Several amendments – Most notable - If passed – Would prohibit local government ban unless vote of people – General Election – November 5th – Effective July 1st – Creates odd situation – Not clear what would happen between July 1st and November 5th if local government decided to or wanted to ban – Could they design interim zoning regulations? Fluid is understatement – Called Senate Ways & Means Committee today – Was told received on 14th – Awaiting its hearing on 21st – Session ends 26th – Going down to absolute wire - Pushed through at end in contorted way

Peggy Higham, 717 12th Street, Benton City, WA – Is Precinct Committee Officer for Precinct #3001 – Benton North – Encompasses downtown area from Dale Avenue to Corral Creek – Concerned about lifting moratorium – Attended Planning Commission meeting – Only three people in agreement – One thought it might be a good idea if we had a police force in town – We don't have a police force in town - Response time varies greatly depending on where officers are – Nothing said that would change – Our community

would be completely open to the whims of those people coming into town – Marijuana sales are against Federal law – Controlled Substance Act of 1970 states marijuana is a Class 1 – Against law – Right now we have Eric Holder in place in Department of Justice – Has chosen not to uphold this law – If we get someone else in there – Don't know what will happen – Either to our community if we accept it or to the members of this council who vote for it - Last meeting – One council member made statement she was very much in support of it - Local businesses would welcome the added business profit – Buyers would come to our town – Visit the marijuana facility then go to Branches & Vines to shop – Maybe head to Palm to get a drink before heading out of town – Cannot tell you how horrified people were to hear that statement – To think we're encouraging people to come into our community to go to facility to purchase pot then stop by for drink and then driving our streets with our kids coming home from school – Absolutely horrifying – Also stated we needed money for community – Money should go to our community instead of drug cartels – Think you are very mistaken if you think that's going to happen – Found report from Colorado been following statistics from point medical marijuana was accepted – Pointed out traffic fatalities involving operators testing positive for marijuana have increased 100% - Drug related suspensions and expulsions for kids ages 12-17 increased 32% – Prepared statement my statement to give to you and handout – 168 page report hope you read – We don't need this

Kay Zirkel, 53104 N. SR225, Benton City, WA – Not a city resident – Feel I have right to come here and voice my opinion – Do business in this town - Support this schools with my taxes and this community and my hard labor cleaning up this town – All of you that are against this in any way, shape or form – Seriously encourage you to educate yourself – Talking about a medical facility – Not talking about a head shop – Medical facility means a doctor's note – A closed facility does not allow people to just come in and buy pot - For people who are suffering from traumatic illnesses – Medicinal marijuana along with chemotherapy and radiation therapy to increase appetite to stay alive – Think about this part as well – Don't think about only traffic – We get traffic with bike club, motorcycles, shows, the cars, the rodeo – Don't have cop on every corner for that - Don't need one – Closed facility in this town will generate thousands of dollars revenue for the town – Can have a closed facility where medication is actually delivered to person and they never come into town – But revenue generated off that business is very important to this town - Have daughter – Highly functional, high A personality – Emmy Award and Golden Globe winner – Producer and director and entrepreneur and inventor – Find her on Facebook and Google her name - Kim Cooper – On Medical Marijuana since five – Now 53 – No other medication in United States of America - Born without a middle in her personality – She's either high or so low she was suicidal at five years old – Can't tell me this has harmed her – Can't tell me this has harmed my two friends battling cancer - Educate yourself – Think about it with an open mind – Religions and personal preferences aside

Mr. Ferguson – Not talking about Medical Marijuana – Pot store would be for a recreational marijuana facility – Determination of medical facility up in air

Jessica Lee, 8108 Sunset Lane, Pasco, WA – No one else was required to do that - A lot of misleading information – It is medical and recreational – 5052 passed the House and Senate and is now waiting to be signed by Jay Inslee – That pulls medical into recreation – When City choses to ban or place moratorium on it – As of July 1st next year – Will go into effect that medical has to go to recreational stores to get their medication – So you will be placing ban or moratorium on medical patients from getting their medication – No delivery system underneath recreational currently – Get a sense Council has not educated yourself since last time

Steve Rouse, 36107 DeMoss Road, Benton City, WA – Subsidized housing – People not paying for it – 72% of our students are on free or reduced lunch in schools – Many residents in our City are migrant workers – Will move on when things get slow – Federal Government doesn't want to approve – Has not done so yet – If not improving your lot in life – It has to be hurting you – No such thing as standing still – Is Already talked about roads impassable – No police force – Is Benton City ready for this - High School kids have already been surprised by dog searches – Is that the example? Beer in one hand – Joint in the other – Pierce County on other side of mountain as example – Against it

Sonya Brown, 1541 13th Street, Benton City, WA – Nineteen years within community – Raised my kids here - Concerned about zoning – 1541 13th Street – Around neighborhood – Concerned about value of my

home – Traffic increase and crime rate – Also the safety of family – Clientele it would attract – Moral standard could definitely decrease – If marijuana is allowed in City – We're going to move – May lose many good families – Opposed to marijuana retail, production or growth within City and my neighborhood – If we don't have a say or government makes it happens anyway - Zoning farther away maybe – An option – Canada as example – Done away from cities

Tina Simpken, 7304 West Old Inland Empire Highway, Benton City, WA – Been here about twenty years – Also rent space and have a business in town – Raising a son – Selling here will be on our streets – Our children will have more access to it – Tons of reports – 70% of drivers pulled over for DUIs have marijuana in their systems – On our streets with our kids walking home - Dangerous for children – All know health wise it is toxic for us – Brain impairments – Causes schizophrenia, anxiety, panic attacks – Damage to lungs – Web MD - Vote no for marijuana

Steve Lee, 8108 Sunset Lane, Pasco, WA – Local activist - Pro cannabis side of marijuana – Spoke last time Council was considering moratorium - Do business and have friends and family in Benton City – Represent the viewpoints of those people for marijuana can't be here today – Address items brought up by people who spoke before me - School expulsions in Colorado have not correlated to significant rise in crime or violence or decreased test scores – No evidence – Will have to be new policies – Kids not effected any worse than now – From alcohol or opiates parents keeping in medicine cabinet – This is not the issue youre looking for – Idea that this is going to hurt our communities - Decrease quality of citizen of community – Questionable – This is already everywhere – Already legal – Already happening – Sketchy clientele are already driving through town – Doing it whether or not you want them to – Let's let me pay taxes – Let's let them get a store where the police can monitor their activity and following the be rules – Whether acknowledged or not – Hundreds of thousands of black market marijuana business being done in your back yard – No one's paying taxes – Kids are fine – Still going to playgrounds – Not getting shot – No drive-bys – Nice safe community – People already here – Pot people aren't bad people – Talk about worries being decreased home values and societal under appreciation of value of this community – Look at places like Denver - Minimum homes value increased 8-10% since legalization – Neighborhoods directly around zoned areas – Homes have as much as doubled in value - \$80,000 home very valuable once that community is full of people making \$150,000 a year – Where before there were people that worked at Taco Bell – That's a reality because that's where City Councils put these businesses – On the skirts – Where they're ashamed of them – Don't want to acknowledge there is economic and societal benefit – Making it safer for everyone can only be a good idea – There's never been a time when making more rules has made things more dangerous – Here to increase safety in our community – Beer is already causing DUIs – Alcohol parties for high school kids have been a problem for as long as there have been kids – How did we fight that? With awareness – By IDing people at grocery stores – By making the alcohol age be 21 – By providing strict consequences for DUIs – As we've seen – DUIs have gone down due to public education campaigns – Kids today aren't smoking tobacco at past rates because they know it's bad – We all know it's bad – Let's make sure everyone has education and freedom and opportunity to make decision about their own bodies with real science – Let our community benefit from something other communities are already reaping huge rewards from

Dyana Alcazar, 63712 N. River Road, Benton City, WA – Outside city limits – Husband and I are looking for housing – Love this community - Don't want pot shops in town – Medical or recreational – Point is my research from ColoradoRealtors.com commented on how many problems having now selling homes where pot grown in homes – Wiring changes – Ductwork being changed – Severe amount of mold and chemicals used to grow – Creating same issue as homes where meth is produced – Homes no longer marketable or livable – People losing – In addition – In Portland on 10th of April – Medical marijuana facility – Mother of 13 week old baby no longer living – Her brother-in-law no longer living – Someone from Texas came in to buy marijuana - Texas is not legal – He couldn't buy it – Told him no – Didn't have proper identification – Somehow he got in – Shot baby's father, father's brother and the mom - The mother and brother did not make it – Not sure about father – Critical condition – Found suspect – No longer living either – Resisted arrest - So many problems – Distance from schools – Why okay to be so far from schools but right in their neighborhoods – Why is it okay to put near firehouse - Effects on kids – Not seeing it as risky any longer because adults saying it's okay – What about our senior citizens – If need to go into care facility – May need

to sell property to pay for assisted care facilities – If property values dropped because located near pot shop
- Unable to sell near pot shop – It's a no go – Have heard so many stories about letting pot shop go into
Prosser – If someone from Pasco or Kennewick wants it – Prosser not that far – Can go there – We don't
want it here in our community

Jennifer Goulet, 4910 Sahara Drive, Pasco, WA – Interested in topic as activist and employee in field –
Mention of HB5052 – Waiting to be signed by Inslee right now – Hold off making decisions because many
things in bill that would affect city – If you have marijuana business here will start to see tax revenues for
your schools – One of things in legislation – Legislation still being tweaked - A lot of changing attitudes –
Not as scary thing as thought for long time – WSU hosted lecture on business growth and agriculture at
TRAC Facility in Pasco – About to have a Hemp & Health Expo – Alternative models to look at – N.
Bonneville example – City owned model – Keep 100% of profits – Would like to restate bill will combine
Medical and Recreational – Will impact access for medical reasons – Wise to hold off

Natalie Ritter, 312 9th Street, Benton City, WA – Take medicine – Don't know where pills are made –
Same medicine for years - Get at pharmacy – If it's medicine – Still going to get – Like any other
pharmaceutical product - Don't see problem – Growing in town – Map shows lots behind my property –
Borders community – Little tiny yellow spot on map - Lots of other places – Not something has to look at
every day – Black market more private – Not in face – Opposed – See medical benefits – Pain and other
conditions – Shouldn't be any different than other medicines – Rather not look at it

Brenda Trammell, 42901 N. River Road, Benton City, WA – Business owner and retired Registered
Nurse – Fear mongering – No evidence it damages brains – Tobacco most dangerous legal drug – Alcohol
second – Ban those before pot – Idea in our heads that pot is going to make people crazy – Prohibition with
alcohol was tried and failed – Went underground – Caused crime – Legalize and regulate it – Much better –
Marijuana equals no deaths – Tobacco and alcohol kill many – Fear mongering should be kept to minimum
- Not a user – Don't use – Personal freedom of choice – If you believe in personal freedom – Shouldn't take
them items away from people - Dry counties – People go to next county – That county gets tax benefits –
Tax money will be great for Benton City – Could certainly improve Benton City

Kathy Adams, 112 Abby Lane, Benton City, WA – Against it – Have worked with people on marijuana - It
does affect their brains – It does affect children - Seen the results – Do not want in the community –
Children will be at risk - Sheriff and police – Who pays – Medical marijuana – Know five people with medical
marijuana cards – Get their supply cheaper because someone is growing – Vote no

Ivar Husa, 208 Pinetree Lane, Richland, WA – Bit of activist - Concern of over incarceration of drug
offenders – Expensive arrests – Hurting families – Worse damage from pot - No one dies from overdose –
Consider choices what we can control – Currently at least 10k consumers in county – Altitude customer –
Would rather do business in this town – History of no other drug use other than alcohol – Sort of overrated –
Mellowing agent - Doesn't encourage bad behavior – Ordinary intoxicant similar to alcohol – Can't control
let alone get people to quit – Let us make it available through legal sources - Quality maintained – Taxes
paid – Legal businesses - No on premise consumption – Don't get why need 1,000 buffer - Just a package
store – Do more by regulating

Tere Page, 407 Belle Avenue, Benton City, WA – Giving you a wakeup call - Drug Task Force on speed
dial – It's here and been here for long time – Kids – Under 30 – Can't afford to buy premium weed at store –
Already here – If they want it – Usually meth and coke – Break-in cars and houses – Don't have kids – Don't
like crack or meth – Care about kids driving and drinking – Care about kids in neighborhood - Illegal drugs –
Kids want it – If you don't want it - Don't want it for the wrong reasons – Don't kid yourself – They can get it
– Alcohol, cigarettes, pot and other drugs

Curt Cannon, 1004 Angeline Blvd., Benton City, WA – Lived here over twenty years – Patriotic – Love
this country – Don't always like what Federal government does or says - Do abide by Federal laws –
Marijuana made legal in WA – Benton County not so much in support – Raised five kids – Benton City jokes
in Tri-Cities – Defended city and schools – Supported this community – My children have moved on and are
in the workforce contributing to society – Worked in AAU and Scouting and other activities in this community
- Unfortunately many young people who were friends with my children and are struggling used marijuana –

Not as successful – Drive affected – Continue moratorium – Prohibit in community – Take stock of who is here – Look who is here and who votes and who is part of this community

Larry Howell, 313 3rd Street, Benton City, WA – Forty some years here – Hope you continue moratorium – If not please let me know first so I can open a gun shop – Those who grow marijuana all have guns – Why do you have to have guns if it's such a good thing – Want to protect their marijuana – Just because legal – Still want to protect it - Would have multiple armed guards – Give addresses of where to buy – Counsel a lot of kids who use – Many have trouble keeping jobs and being motivated – Not making judgments but observing - 100% of those I know pack most of the time – Is that really what we want to foster in Benton City? More people carrying guns to protect their stash – Keep moratorium until State and government gets act together – Hate to tell students it's not okay to break Federal law – Benton County did not support I-502 – Keep moratorium going – Study it – If we do it let's do in way least harmful

Scott Masengill, 47504 N108 PR NW, Benton City, WA – Live off Whan Road – Appreciate women on board – Top ten reasons to continue the moratorium – Number Ten – Cartels keep selling to marijuana to minors and ship profits out of town – Number Nine – City Councils' job to control what legal, recreational activities consenting adults engage in while in the privacy of their own homes – Number Eight – City doesn't need the money - Flush with cash and pretty much runs itself – Number Seven – When we say we support freedom and liberty we're only referring to the Second Amendment and not the First – Number Six – Because legal recreational cannabis producers have to list all nutrients and pesticides used and we'd rather not know what we are consuming – Number Five – Everybody loves a nanny state – Number Four – To help Tri City recreational marijuana consumers support businesses in Prosser – Prosser is a nicer town so it deserve the business more than Benton City – Number Three – Consumers should only have access to untested and unsafe black market marijuana – Number Two – 53 % of Americans want marijuana legalized – We don't want Americans here! Number One – Ghost town theme for Benton City is much cooler than Railroad town – As you continue the moratorium – Lets be loud and proud about it – Stand up and say “Yes, we've banned marijuana” Let's make sure the 53% of Americans know not welcomed here – Let's put billboard on freeway off ramp to Benton City that reads “Benton City – Fun goes to die” – “Benton City – We don't want your kind here” – “Benton City – Nothing to see here, folks, move along!” – Or on eastbound ramp – Put “U-turn exit to return to Prosser where freedom rings!”

Derek Thompson, 34403 N. Redstone Drive, Benton City, WA – Moved here from Knoxville, Tennessee – I'm twenty-four – Have smoked for ten years – I grow – Don't own a firearm - Work forty hours a week – Own my own house – Everything else about that you can just threw out the window – My fiancé Allison is here – Diagnosed at twelve years old with arthritis and Crohns Disease – At thirteen she had a complete and total colostomy – Took everything out – Fact that she can stand up and sit back down with you not being able tell she has problems – I contribute that completely to medical marijuana – Fact that I drive down main street and see a bar – Everybody's okay with bar but concerned with a medical marijuana shop blows my mind

Ron Wight, 40603 Highland Road, Benton City, WA – 100% in favor of keeping moratorium – Listen to Benton City residents – Not activists – First time somebody wants to do something that's maybe not right - Always go to revenue – Thinking of legalize gambling – Big lie was schools would get all this money – Attend School Board meeting once in a while and see how far ahead schools are with money – As a young boy – I would ask mom – I would say my friends are doing it – She asked if my friends were jumping off cliff – Would I want to also?

Steve Zetz, 1101 Capri Court, Benton City, WA – Wanted to share some Information – Resident of Benton City – Not easy decision - Pros and Cons to both – Research shows marijuana Schedule 1 – Ranked with Heroin, LSD and Ecstasy – Schedule 2 – Not as dangerous according to Federal government is methamphetamine and hydrocodone, Vicoden, substances like that – Don't know if Federal scheduling correct as far as dangers go – Debatable – Other things I looked and applying logic – Whenever legalizing or illegalizing is talked about – Doesn't dictate what a person does – In 2012 Washington State allowed gay marriage – It didn't make me gay – Not sure how one person could say the legalization of something would create a whole mass of users – Is legal in Washington State under I-502 – The whole debate could be decided if the Federal pre-emption is decided in Supreme Court – In other words the Feds just say we pull

the plug – A lot of misinformation about revenue it will bring to a city – Still up in the air – Misinformation about the ills and types of people it will bring – One thing Prosser had to endure – A lot of testimony – One thing cited that the criminal element would be brought into the City – Lot of those fears have never played out – One of biggest concerns Police Department had was it would bring in armed robberies – Convenience Store ended up having armed robbery – No call to ban on convenience stores – Prosser still chugging along – Whether this is right path – City has to decided - Forty year history – Einstein had something to say about that – If you do something over and over again expecting different results – Definition of insanity

Nyla Hodgson, 48602 N. 108 PR NW, Benton City, WA – Mr. Masengill is my neighbor – Transplant from Seattle – He grows marijuana – Stinks – Call is skunk weed – Smells like skunks – In fall we are unable to enjoy our yard – He does not change out his filters in a timely manner – Stinks us out – Since he has moved onto our little dead end street – We have experienced multiple people intruding on property – Keep dogs in house – Sliding glass door unsecured – Someone had entered my home – Since then I have obtained further critters – Visiting with neighbors later that morning regarding intruder on deck – Neighbors reported same experience – This is what has happened since Mr. Masengill has moved into my neighborhood – At processing time – Has plethora of undesirable people coming down road – Disregard sign and create dust – Elderly neighbor has health issues - Admit drugs are here – Do you lock your doors at night to keep out bad guys? No – Lock doors to keep out people who are waffling – Bad guy really wants in – He will find a way – Children in community will find drugs regardless whether here or somewhere else – Children will stay on straight and narrow if not so available

Aaron Thompson, 1201 12th Street, Benton City, WA – Have allergies – Lots of cottonwood and fields - Do not want this in community – Have children – Lived here for about eleven years - Like Benton City – Great community – Stand up as a community – Leaders, parents, teachers, business people - Take care of ourselves – Once you let other decide – Lose your town – Do not need marijuana here - If people do need it – Feel bad for them - There are other ways to get it – No need for City to grow, process or sell – Our children need good examples to grow up

Jenacie Jones, 928 McPherson Avenue, Richland, WA – Was at last meeting – Heard a lot of negativity – Not much grasp on positive things the plant can do – My father is an Air Force veteran – Disc dislocation – Works forty hour week – IT at Richland School District – Extremely successful – Has multiple degrees – Is a functioning citizen in society – When people say marijuana makes you not – It doesn't compute – See my father every day – He's very successful – Also when talking about marijuana – People tend to think there is only one strain – Not true – There are multiple strains of marijuana – Each strain can help different things – Nausea, anxiety, seizures, RA – Many medical benefits - Non-lethal unlike other substances like alcohol and tobacco – Heard several times tonight that youth can get anything – Very true – Also heard youth does not understand the side effects or possible negative consequences of using – I do know the consequences of it – Wouldn't do it myself – Weird to hear people say "Oh, but the youth!" – I'm one of the youth – Disagree with what you're saying - I'm smart - Don't think we get enough credit

Dylan Hartwig, 1615 Sagewood Street, Richland, WA – Here at last meeting – One comment brought up many times - Idea of having drug money fund projects in this City – Would like to take moment to talk about drug that has many horrible side effect and can cause addiction, liver problems and death – Causes many fatalities every year – Second only to heart disease in U.S.A. – Referring to alcohol – Completely legal vs. a drug becoming a medical option – Unregulated vs. regulated – Illegal vs. legal – Much harder for youth to get hands on illegal strains – Versus shop where everything is tested and standardized – Good example is Prosser and Colorado – Benton City is a great town – Good source of income that limits amount youth can get ahold of

Emily Obermeyer, 2310 Morency Drive, Richland, WA – Student at Richland High School - Never done drug – Not much experience with drug - Education regarding drugs – Heard a lot about youth unaware and uneducated – Unsuccessful youths – Hear kids that grow up with marijuana are unsuccessful – Ten friends example – Honor roll – WSU Hemp & Health Expo – More education from youth to college to adults – We will be able to handle consumption

Mayor Carnahan: At this time, I will close the Public Hearing and re-open the Council Meeting at 7:21. We will take five minute break.

*** Public Hearing ends at 7:21 p.m. ***
(01:22:02*)

*** Regular Council Meeting closed at 7:21 p.m. for five minute break ***

*** Regular Council Meeting re-opened at 7:29 ***

Mayor Carnahan - I will re-adjourn the Council at 7:29 – Will open it up to comments from Council – Discussion is whether to continue moratorium or discontinue

Ms. Haug – If Council wishes to continue moratorium – Will be directing our attorney to prepare a resolution that will do so – Tonight is only consensus of how to proceed

Councilwoman Stade – If or not

Mr. Ferguson – Basically deciding if you want to spend the money on drafting paperwork to go forth with moratorium

Mayor Carnahan - Up to Prosser – Spoke with Paul Warden, City Mayor – List of Prosser money since day one – Prosser only store between Union Gap to Tri-Cities – Remember these figures will go down as more stores open - State big part of decision – Another bill will change how take money out – Right now percentage basis and population - Prosser money breakdown – If we open store – Our population is half – Only get half – Not a money maker everybody thinks

Councilwoman Lehman – Would like to find out if this is the one percent that comes back – Certainly not the sales tax

Councilwoman Stade – Spoke with Mayor - Since July – Two million dollars' worth of retail sold – City has received \$38,000 total – That is their 1.8% sales tax – What they get – Talk about legislation getting more – Not the case yet – Didn't say anything about population

Mr. Ferguson – Not the expert – Not what trying to do – My understanding is that's what their version of revenue – Don't know if it includes the one percent – My role is to focus on legal option for City – What can and can't do – Happy to get that information if you'd like - Bill mentioned early – Moratorium – Other bill combining those systems – Not law – Right now only considering moratorium – Law out there looks imminent – Could affect your moratorium – Deciding tonight as Council wants to reach consensus to have City Attorney draft legislation you would then vote on to renew the moratorium – Not doing anything this evening - Do you want the City Attorney to draft those documents to put on Agenda so you can vote on it

Councilwoman McLeod – May not be able to legally ban – Small window if decide to do moratorium – How costly to have drawn up if we may not have legal right to renew moratorium – How much money?

Mr. Ferguson – Expense – Fees are nominal – Copy, paste and amend work plan based on work done – Significant changes – Can't just pass same thing every six months – Have to show progress – Date of legislation – July 1st, 2015

Councilwoman Stade – 2015 for sure?

Mr. Ferguson – All legislation that is passed becomes effective July 1st, 2015 – Been our understanding

Councilwoman McLeod – Disturbing - Reviewed for hours – Now perhaps we won't even be able to do this - Concerned about hurting, sick people – Don't care for pot except for ill people

Councilwoman Lettau – No one wants to hurt anyone – Do have friends with medical cards – Is legislation that may change that down the road - Can't see what changes might be made – Not discussing what – Wait and see how thing pan out with legislature – Make more educated decisions –

Right now can't do that – Need to see what going on down the road – Decision tonight whether we choose to stay with moratorium tonight is not going to help the medical marijuana people

Councilwoman Lehman – Objection to the whole process – Just got it tonight – Not in packets – What are we here for? – Thought we were going to vote on moratorium - Whole process is flawed – Wait until after July 1st

Mr. Ferguson – Basically what that dance would look like – In order to renew moratorium statutorily – Have to be a Public Hearing – Has to be a Public Hearing every time – Prior to adoption – Based on Council's – Draft and Resolution – This evening just taking public comments – Deciding to go forward with the findings from Public comments – Finding based on testimony this evening – Use to base renewal of moratorium - Attorney drafts and Council reviews

Councilwoman Lehman – Downside if nothing done?

Mr. Ferguson – Absolutely no legislation has been signed into law – Not aware of anything passed or signed into law - Until July 1st, 2015 – Open up to anyone with a Washington Business License – City will be in position of deciding whether to issue or deny – Give City legal standing to say we can't issue Business License yet

Councilwoman McLeod – Already people throughout community with medical marijuana grows – How do we regulate that - Naïve to think that it's not

Mr. Ferguson – Hope to get clarification – Medical marijuana even more difficult to navigate based on current bills – Extremely fluid – Not clear – Estimate over 100 illegals medical marijuana dispensaries in Seattle – Really a mess

Councilwoman Meredith – People in Benton City don't want it here – Need more information and more clarification – Do moratorium – Let's wait – Great niece with marijuana card

Councilwoman Stade – Want to research more – Extend moratorium based on facts we've heard – Rapid referrals in Prosser schools too high – Get full time drug coalition intervention person – Qualify because such high risk – Tobacco, alcohol and marijuana - Surprised at \$38,000 out of two million – Public Safety Tax before us – Commissioners have yet to decide how to use it - Use for mental health – Activities that keep youth involved – Habitat for Humanity - Community center – Basketball - Keep off drugs – Keep busy – Should write to Commissioners asking for money for youth – More opportunities for future – Activate opportunities to for students to learn skills and occupations – To be busy and gain confidence in themselves and things that have nothing to do with drugs – Whether legal or illegal – Or can get it somewhere – Be more informed and have more opportunities for success – To not be bored and have options

Mayor Carnahan – Favor of extending moratorium – Get more information - July 1st, 2015 – Legislature will decide – At that time – Council can lift moratorium or can go to the citizens of Benton City to decide legalizing – Wrong if we didn't take advantage of looking for more information

Ms. Haug – Based on comments we've received – Council would like to take this to a vote at next meeting

Mayor Carnahan – Want to wait two more weeks then?

Ms. Haug – Based on Council's comments – Would like opportunity to extend moratorium or not – We'll have attorney draft that regulation – Council will have the opportunity to vote at next meeting

Mayor Carnahan – We'll have it brought to next Council meeting then - Move on – Will close the Public Hearing for both Council and voters

1. **PURCHASE REQUEST – STREET CUT OFF SAW** (01:54:40*)

Kyle Kurth, City Maintenance Foreman – Explanation of Purchase Request

Councilwoman Lettau – One we have now – Simply not capable?

Mr. Kurth – It's old - Run good but only holds 12" blade

Councilwoman Meredith – Blades will be interchangeable? How old is current saw?

Mr. Kurth – Benton Irrigation laughed at how old it is

Mayor Carnahan – Purchased about thirty years ago?

Councilwoman Lettau: I make a motion, I move to approve the purchase of a 14” STIHL handheld cut, cut off saw from Columbia Grain & Feed for \$1,400 plus WA State Sales Tax.

Councilwoman McLeod: I second.

MOTION #4- C. M. Lettau moved and C. M. McLeod seconded to approve the purchase of a 14” STIHL handheld cut off saw from Columbia Grain & Feed for \$1,400 plus WA State Sales Tax.

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

2. PURCHASE REQUEST – TREE REMOVAL – BASKETBALL COURTS (01:58:38*)

Kyle Kurth, City Maintenance Foreman – Explanation of Tree Removal Bids

Councilwoman Meredith: I move to award the spruce tree removal at Legion Park to Top Tree Service for \$1,275 plus WA State Sales Tax.

Councilwoman Lehman: I second.

MOTION #5- C. C. Meredith moved and C. L. Lehman seconded to award the spruce tree removal at Legion Park to Top Tree Service for \$1,275 plus WA State Sales Tax.

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

3. AWARD BID – LEGION BASKETBALL COURT IMPROVEMENTS (02:01:37*)

Alan Rainey, City Engineer, Spink Engineering LLC - Explanation of bid tabulation and award

Ms. Haug – Budgeted for this project - \$39,000 – Do have money in general park improvement fund - Can use to pay difference – Extra \$4,500 – Have \$25,000 set aside for various park improvements – It is not the Skate Park fund

Councilwoman Meredith: Mr. Mayor, I move to award the Legion Park Basketball Court bid to Columbia Pumping & Construction for \$43,315.11 plus WA State Sales Tax.

Councilwoman Lettau: I second.

MOTION #6- C. C. Meredith moved and C. M. Lettau seconded to award the Legion Park Basketball Court bid to Columbia Pumping & Construction for \$43,315.11 plus WA State Sales Tax.

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

4. VOUCHERS (02:06:09*)

Councilwoman Lettau: Mr. Mayor, I move to approve payment of Claim check numbers 26824 through 26844 with EFTs as listed in the amount of \$24,512.95 and Payroll checks numbers 26776 through 26785 with EFTs as listed in the amount of \$60,742.88 this 21st day of April, 2015.

Councilwoman McLeod: I second that.

MOTION #7- C. M. Lettau moved and C. M. McLeod seconded for the City Council of the City of Benton City, Washington, to hereby authorize payment of Claim Check Numbers 26824 through 26844 with EFTs as listed in the amount of \$24,512.95 & Payroll check numbers 26776 through 26785 with EFTs as listed in the amount of \$60,742.88 this 21st day of April, 2015.

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

ITEMS FOR DISCUSSION (02:07:06*)

1. B.C.E.D.C. – Additional Funding Request - Website

Ms. Haug – Received a proposal from BCECD requesting additional funding for website project – Phase 2 – Contract signed last year in May for Phase 1 – City paid out \$3,525 towards that phase – Additional funding requested for Phase 2 is \$4,300 – Presented for discussion – If Council would like City to prepare contract to come forward at next meeting for approval – Would be method for approving that contract

Councilwoman Lettau – Is this something we already promised the E.D.C.

Councilwoman Stade – Help with payment of website

Ms. Haug – Included in packets – General Scope of Services to be included in Phase 2 – Also included Phase 1 scope of work in contract approved last year - Can see breakdown of work completed then and work to be completed now

Mayor Carnahan – Website was included in that money – The original \$35k

Councilwoman Lehman – 1k from E.D.C. is contributing to total cost – Actively pursuing funding from Benton R.E.A. – Would like to see Council go forward with this – Emails blasts have been beneficial to E.D.C. as well as creating new members for Chamber – Would like to see us move on with Phase 2 and complete it

Mayor Carnahan – Got to ask whether you made any motions at E.D.C. to use City money to do this

Councilwoman Lehman – Yes – Got permission from the Board to do the \$1,000

Mayor Carnahan – About coming to Council again to ask for more money – Did you make a motion about this? You personally?

Councilwoman Lehman – I have been involved with the website

Ms. Haug – At this point – Not voting – So when voting occurs – She will abstain from that

Councilwoman Lehman – I'll abstain from the vote

Mayor Carnahan – Technically speaking – Not even supposed to talk on vote

Councilwoman Lehman – Okay

Councilwoman Stade – Since she has knowledge of it – I would like to hear from sources that are part of it to find out more information

Mayor Carnahan – Very fine line with conflict of interest on this – Talk with attorney on this – Think we should have that clarified before we go spending more money

Mr. Ferguson – Best way to handle it would be testimony – You would be able to come around and advise Council – Not sure of terms but could be Items for Discussion – Just for Council – Closed discussion between Council – For Ms. Lehman to talk to or address the Council – Would actually need to be Visitor's Comments

Mayor Carnahan – Best way to handle this – Carry this over two weeks to next Council meeting – Make presentation in that direction – Put it on Action Item - Decide if we're going to do it

Ms. Haug – So you would like to attorney to draft a contract – Come back for vote next meeting?

Mr. Ferguson – Presentation prior to the Council

Mayor Carnahan – That would be amending the budget

Councilwoman Lettau – Do we have money on this or will we have to amend the budget?

Mayor Carnahan – Would have to amend the budget – Above what we have budgeted – Extension on our budget

Ms. Haug - \$35,000 annually on their E.D.C. contract - This is above that contract – Currently the City has budgeted \$35,000 to go towards Economic Development Services – This would be above that

Councilwoman McLeod – Will you have ideas on where to come up with this money?

Ms. Haug – Will come out of General Fund – We carry a reserve – Just be money not appropriated to this now appropriated

GENERAL COUNCIL COMMENTS – None (02:14:17*)

ADJOURNMENT – Mayor Carnahan (02:14:22*)

Councilwoman Lettau: I make a motion we adjourn.

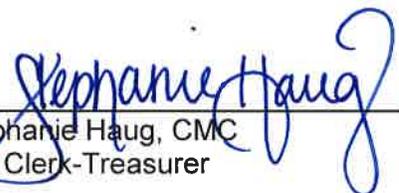
Councilwoman Meredith: I second.

MOTION #8– C. M. Lettau moved and C. C. Meredith seconded to adjourn the April 21st, 2015 Regular Council Meeting at 8:13 p.m. (02:14:31*)

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

Meeting adjourned at 8:13 p.m. (02:14:41*Audio recording ends)


Lloyd Carnahan
Mayor, City of Benton City


Stephanie Haug, CMC
City Clerk-Treasurer

Date: 5/5/15