

**City of Benton City
Regular Council Meeting Minutes
April 5th, 2016**

CALL TO ORDER – Mayor Lehman called the April 5th, 2016 Regular Council meeting to order at 7:00 p.m.
(00:07:56*Audio recording begins)

PRESENTATION OF THE COLORS – Councilmember Sandretto led the Council and audience in the Pledge of Allegiance. (00:08:02*)

ROLL CALL (00:08:28*) Council Members Present –

Mary Lettau
Dave Sandretto
Vanessa Coates
Jake Mokler
Lisa Stade (In at 7:08)

City Staff Present –

Stephanie Haug, City Clerk/Treasurer

Other Professionals Present –

Lee Kerr, City Attorney, Kerr Law Group
Alan Rainey, City Engineer, Spink Engineering LLC
Larry Howell, President, Benton City E.D.C. (In at 7:14)
Randy Rutledge, Consultant, Benton City E.D.C.

READING AND APPROVAL OF MINUTES (00:08:54*) – **REGULAR MEETING MARCH 1ST, 2016**
- **REGULAR MEETING MARCH 15TH, 2016**

Ms. Haug: At the last meeting, the date was wrong on the motion, and so that's why the March 1st Minutes never got approved, and so that's why they are on this Agenda. They did not get approved, the motion at the last meeting was to approve the Minutes from March 15th, but they hadn't been created yet, so the date was just wrong.

Councilmember Lettau: Madam Mayor, I make a motion that we approve the Minutes from March 1st, 2016 and March 15th, 2016.

Councilmember Coates: I second.

MOTION #1- C. M. Lettau moved and C. V. Coates seconded to approve the Minutes of the March 1st, 2016, and the March 15th, 2016 Regular Council Meeting as presented.

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

OPENING REMARKS, "HOUSEKEEPING" ITEMS, EXECUTIVE SESSION REQUESTS, ETC. (00:09:50*)
- None

APPROVAL OF AGENDA (00:10:42*)

Councilmember Sandretto: Madam Mayor, I move that we approve the Agenda as written.

Councilmember Lettau: I second.

MOTION #2- C. D. Sandretto moved and C. M. Lettau seconded to approve the Agenda for the April 5th, 2016 Regular Council Meeting as presented.

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

VISITOR COMMENTS (00:11:23*)

Jonathon Lahti, 1003 Della Avenue – Concern regarding fence back of property – Encases abandoned alleyway/easement – Told by City worker two years ago – Could leave fence there if was removable when necessary – Fence there seven years – Don't see City benefit – There is sewer pipe air vent – Might hit when driving through – Currently fenced in as part of our property – Father of twins – Opened behind garage area – Puts kids at risk – If opened - Will require more work – Is there an R.C.W. that grants me access (gate) – Can it be purchased at reasonable price?

Mayor Lehman – Speak with City Clerk – Set up meeting with Code Enforcement and Maintenance – Discuss the issue

REGULAR REPORTS

1. **E.D.C. REPORT (00:15:46*) Randy Rutledge, Consultant, Benton City E.D.C.** Report not provided (Councilmember Stade arrives at 7:08 p.m.) (Mr. Howell arrives at 7:14 p.m.)

2. **STAFF REPORTS (00:24:18*) Stephanie Haug, City Clerk/Treasurer – Maintenance Report –** In packets

3. **ENGINEER REPORT (00:24:36*) Alan Rainey, City Engineer, Spink Engineering LLC – Well #5** under construction – Sewer cleaning done next week – Report next month – City Hall Feasibility Study – Next meeting April 19th – Possible changes and cost – City Park terracing – To City staff and Mayor – Should be in inbox

4. **COUNCIL COMMITTEE REPORTS (00:26:30*)**

Councilmember Stade – Benton Franklin Transit – General Manager – Interview process – Included employees – Gloria Boyce hired – Fire Dept. audit – Next week – Insurance rates – Number of hydrants, etc. – Coordination with City to improve

Councilmember Mokler – BCES – Deanna Davis – New manager – Looking for funding for temporary Repeater – 1.5 years to build

Mayor Lehman – Tax levy for Justice Center – Started 1999 – Sunsets in 2023 – Paid off Justice Center – Still divide it amongst cities – Some cities decided more population equals more money – Cities, ports and Benton County – 75% would have equaled \$350,000 – Ports and cities would get \$350,000 – 25% would be divided amongst cities – Ports and County would not get percentage – Additional \$26,000 – Total \$376,000 per year - County didn't accept proposal – County would like retainage to use on smaller cities' projects – No agreement between County Commissioners – Serving on sub-committee to find agreement with Benton County to share – Volunteered to represent smaller cities – Two ports, County Commissioners, Kennewick and Benton City - Come up with plan to share money – Has to be spent on economic development already in City plan * **Council Discussion ***

ITEMS FOR APPROVAL:

1. **FIRST READING – ORDINANCE – AMENDING CHAPTER 12.05 “SIDEWALK CONSTRUCTION” (00:35:25*)**

Mayor Lehman: I would like to open this for discussion because I already spoke with Mr. Kerr about this; I felt it was excessive regulation, to be blunt and if you want to say any words about that, Mr. Kerr?

Mr. Kerr – Explanation of ordinance and options * **Council Discussion ***

** **Citizen Comments ****

Daryl Heimburger, 900 7th Street – Concerns regarding proposed ordinance

Jeanne Wallace, 900 7th Street – Concerns regarding existing sidewalks * **Council Discussion ***

Councilmember Lettau: Madam Mayor, I move to approve, on its First Reading, an ordinance of the City of Benton City, Washington, amending B.C.M.C. Chapter 12.05 “Sidewalk Construction, Maintenance and Repair”.

Councilmember Sandretto: Second.

MOTION #3- C. M. Lettau moved and C. D. Sandretto seconded to approve, on its First Reading, an ordinance of the City of Benton City, Washington, amending B.C.M.C. Chapter 12.05 “Sidewalk Construction, Maintenance and Repair”.

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

2. **FIRST READING – ORDINANCE – MARIJUANA ESTABLISHMENT REGULATIONS (01:06:16*)**
Lee Kerr, City Attorney, Kerr Law Group – Background of marijuana issue ***Council Discussion ***

**** Citizen Comments ****

David Rand, I-502 Licensee, Sunnyside – Pro-marijuana business

Stan Seeford, Benton County Producer – Pro-marijuana business

Peggy Higham, 717 12th Street, Benton City – Anti-marijuana business

Darryl Heimbürger, 900 7th Street, Benton City – Pro-marijuana business

Cindy DeLeur, Kiona-Benton Sentinel – Pro-marijuana business

Steve Lee, Owner, Green to Go Collective Gardens, Benton County – Pro-marijuana business

Larry Howell, President, Benton City E.D.C. – Anti-marijuana business

Windy Welch, 3rd Street, Benton City – Pro-marijuana business

Unidentified Male – Pro-marijuana business

Councilmember Coates: I move to approve, on its First Reading, an ordinance of the City of Benton City, Washington; Madam Mayor, I approve an ordinance of the City Council of the City of Benton City, Washington, creating a new Section 5.12.050 "Marijuana Businesses"; amending Section 20.33.030 "Conditional Uses" in C-1 Commercial for retail recreational marijuana and amending Section 20.36.030 "Conditional Uses" in IL-Industrial, Light District for manufacturing and production of recreation marijuana; and creating a new Section 20.60.290 "Marijuana Control Regulations".

Councilmember Sandretto: Second it.

MOTION #4- C. V. Coates moved and C. D. Sandretto seconded to approve, on the First Reading, an ordinance of the City of Benton City, Washington, creating a new Section 5.12.050 "Marijuana Businesses"; amending Section 20.33.030 "Conditional Uses" in C-1 Commercial for retail recreational marijuana; and amending Section 20.36.030 "Conditional Uses" in IL – Industrial, Light District for manufacturing and production of recreational marijuana; and creating a new Section 20.60.290 "Marijuana Control Regulations".

VOICE VOTE #4- C. D. Sandretto, C. V. Coates, C. J. Mokler – **YEAS**; C. L. Stade, C. M. Lettau – **NAYS**. Motion carried.

***** Discussion continues *****

3. ENGINEERING TASK ORDER: WATER (01:55:34*)

Alan Rainey, City Engineer, Spink Engineering, LLC - Explanation of Task Order * **Council Discussion** *

Councilmember Sandretto: I move to approve Task Order 2016-01, authorizing the City Engineer to perform Water Plan pre-planning and water system investigation.

Councilmember Mokler: Second.

MOTION #5- C. D. Sandretto moved and C. J. Mokler seconded to approve Task Order 2016-01, authorizing the City Engineer to perform Water Plan pre-planning and water system investigation.

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

4. ENGINEERING TASK ORDER: WASTEWATER TREATMENT SYSTEM (02:00:40*)

Alan Rainey, City Engineer, Spink Engineering, LLC - Explanation of Task Order

Councilmember Coates: I move to approve Task Order 2016-02, authorizing the City Engineer to evaluate existing wastewater treatment plant operations with City personnel, develop option for influent bypass options to bypass oxidation tank and clarifier, and perform initial evaluation of City's lift stations and develop outline for engineering.

Councilmember Sandretto: Second.

MOTION #6- C. V. Coates moved and C. D. Sandretto seconded to approve Task Order 2016-02, authorizing the City Engineer to evaluate existing wastewater treatment plant operations with City personnel, develop option for influent bypass options to bypass oxidation tank and clarifier, and perform initial evaluation of City's lift stations and develop outline for engineering report.

ROLL CALL VOTE #6- C. J. Mokler, C. D. Sandretto, C. L. Stade, C. V. Coates, C. M. Lettau
ALL YEAS. Motion carried.

Mayor Lehman – Introduction of Mallory Miller, Anchor, KVEW-TV, Kennewick, WA

5. VOUCHERS (02:04:31*)

Councilmember Lettau: I move to approve payment of Claim check numbers 27547 through 27574 with EFTs as listed in the amount of \$54,487.12 this 5th day of April, 2016.

Councilmember Sandretto: Second.

MOTION #7- C. M. Lettau moved and C. D. Sandretto seconded for the City Council of the City of Benton City, Washington, to hereby authorize payment of Claim Check Numbers 27547 through 27574 with EFTs as listed in the amount of \$54,487.12 this 5th day of April, 2016.

ROLL CALL VOTE #7- C. V. Coates, C. D. Sandretto, C. J. Mokler, C. M. Lettau, C. L. Stade
ALL YEAS. Motion carries.

ITEMS FOR DISCUSSION (02:05:06*)

1. I-82 CITY LAND DISCUSSION * Council Discussion *

2. GRANT WRITER UPDATE (02:16:32*) * Council Discussion *

Mr. Lee – Additional comments regarding I-502 mandates and City zoning on I-82 Land

GENERAL COUNCIL COMMENTS (02:19:28*) None

ADJOURNMENT – Mayor Lehman (02:19:32*)

Councilmember Lettau: I make a motion that we adjourn.

Councilmember Coates: Second.

MOTION #8- C. M. Lettau moved and C. V. Coates seconded to adjourn the April 5th, 2016 Regular Council Meeting at 9:11 p.m. (02:19:40*)

VOICE VOTE #8- C. D. Sandretto, C. L. Stade, C. M. Lettau, C. V. Coates, C. J. Mokler
ALL YEAS. Motion carried.

Meeting adjourned at 9:11 p.m. (02:19:44*Audio recording ends)



Linda Lehman
Mayor, City of Benton City



Stephanie Haug, CMC
City Clerk-Treasurer

Date: 4/19/16