

**City of Benton City
Regular Council Meeting Minutes
December 6th, 2016**

CALL TO ORDER Mayor Pro Tem Coates called the December 6th, 2016 regular Council Meeting at the Community City to order at 7:00 p.m. **Mayor Linda Lehman joins via telephone (00:01:49*Audio recording begins)**

PRESENTATION OF THE COLORS Councilmember Sandretto led the Council and audience in the Pledge of Allegiance. (00:01:55*)

ROLL CALL (00:02:24*)

Council Members Present –
Dave Sandretto
Mary Lettau
Lisa Stade
Vanessa Coates
Jake Mokler

City Staff Present –
Stephanie Haug, City Clerk/Treasurer
Paula Kauer, General Clerk-Purchasing
Kyle Kurth, Maintenance Department
Other Professionals Present
Lee Kerr, City Attorney, Kerr Law Group
Alan Rainey, City Engineer, Spink Engineering LLC
Randy Rutledge, Consultant, Benton City E.D.C.

READING AND APPROVAL OF MINUTES (00:02:49*)

REGULAR MEETING NOVEMBER 15th, 2016 – SPECIAL MEETING NOVEMBER 2ND, 2016

Councilmember Lettau: I move to approve the Minutes of the Regular Meeting, November 15th, 2016 as written.

Councilmember Sandretto: Second.

MOTION #1-C. M. Lettau moved and C. D. Sandretto seconded to approve the Minutes of the November 15th, 2016 Regular Council Meeting as presented.

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

Councilmember Lettau: I move to approve the Special Meeting Minutes as written from November 2nd, 2016.

Councilmember Stade: Second.

MOTION #2-C. M. Lettau moved and C. L. Stade seconded to approve the Minutes of the November 2nd, 2016 Special Council Meeting as presented.

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

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

(00:03:52*)

1. Liquor License Application – Pik-a-Pop #2

Ms. Haug: I do have an Executive Session request for the end of the Agenda, so let's put it at I.1.

APPROVAL OF AGENDA (00:04:28*)

Councilmember Stade: I move to motion to approve tonight's agenda with the addition of an Executive Session under Section I.

Councilmember Lettau: Second.

MOTION #3-C. L. Stade moved and C. M. Lettau seconded to approve the Agenda of the December 6th, 2016 Regular Council Meeting as amended.

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

VISITOR COMMENTS (00:05:01*)

Jack Davis, 506 Carol – Last meeting spoke to Council regarding flags with American Legion – Agreement was flags would be put up before Memorial Day – Taken down week after Veterans' Day – Mayor Carnahan changed it to Christmas – Brought this up last meeting – Mayor Lehman asked if okay to wait until week after Thanksgiving – Thanksgiving was 24th of November – I agreed this would be fine

– Over a week since Thanksgiving – Now into snow season – Flags should be removed week after Thanksgiving

Ms. Haug: In order to do that, the City has to rent a lift and so yesterday was when the lift was available and so those were all taken down and Christmas decorations were put up yesterday.

Tim Small, 1400 Willow Way – Two items – One - Last meeting there was a discussion regarding buffer in marijuana ordinance – Council made it sound like it has been changed to 500 foot – Asked about it – Everyone was adamant it was 500 feet – Went back to City – Got the ordinance – Still 100 feet – My concern is this Council has ordinance in front of them – Going to have a Second Reading on it tonight – Council not sure what's in it – Not a comforting feeling – Two - Wanted to make each one of Councilmembers aware of it – Went to City Hall to get list of phone numbers – Only two good phone numbers out of five – Other three were disconnected/no longer in service – Leaves a whole bunch of your constituents unable to reach you – Not everybody has internet/is email savvy – I'm requesting current phone numbers be on file with City to be handed out –another avenue to discuss our concerns

Kerry Biglin, 507 W. Wagonwheel PRNE – Requesting Council review current animal welfare codes and ordinances – Consider adopting ordinance banning/limiting time/conditions dogs can be kept on chains outside – Human Society US has declared consistent chaining to be cruel/unusual punishment – Some dogs in town not being cared for as they should be – Ask that this topic added to the next Council Meeting Agenda * **Council Discussion** * **Mayor Lehman is reconnected after disconnect**

Mr. Kerr: It is relatively evident Mayor Lehman's not here this evening due to an unfortunate accident. She is attending the meeting telephonically, same pattern we've used before; it's a lawful means of doing so as long as everybody here can hear her and she can hear everybody here, and so it allows her to be able to participate in the meeting and exercise any voting rights that she might have.

REGULAR REPORTS (00:12:58*)

- 1. EDC REPORT (00:13:03*) Randy Rutledge, Consultant, Benton City E.D.C.** Larry Howell sick <<< Written report not provided >>> * **Council Discussion** *
- 2. STAFF REPORTS (00:22:48*) Stephanie Haug, City Clerk/Treasurer a) Treasurer Report** – In packets
- 3. ENGINEER REPORT (00:23:27*) Alan Rainey, City Engineer, Spink Engineering LLC** - None
- 4. COUNCIL COMMITTEE REPORTS (00:23:39*)** None

ITEMS FOR APPROVAL (00:23:56*)

- 1. SECOND READING – ORDINANCE NO. 956 – MARIJUANA ESTABLISHMENTS (00:23:59*)**

Councilmember Sandretto: We need to bring it up for discussion, so I'll make the motion to approve the Second Reading of the marijuana Ordinance 856...956, on the Second Reading City Council 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 marijuana; and amending Section 20.36.030 "Conditional Uses" in IL-Industrial, Light District for manufacturing and production of marijuana; and creating a new Section 20.60.290 "Marijuana Control Regulations".

Mayor Pro Tem Coates: I second.

MOTION #4-C. D. Sandretto moved and C. V. Coates seconded to approve Ordinance 956, on its Second 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 marijuana; and amending Section 20.36.030 "Conditional Uses" in IL-Industrial, Light District for manufacturing and production of marijuana; and creating a new Section 20.60.290 "Marijuana Control Regulations". * Council Discussion *

Councilmember Sandretto: I'll make the motion to amend Section 20.60.290 "Marijuana Control Regulations", Section G.4.? Subsection 2? Section 4, changing the within 100 foot of to 500 feet.

Councilmember Stade: And I would like to add, did you want to add anything else? Okay, I wanted to add, I appreciate the way that you kind of give some options here, as far as utilizing all or part; extending the moratorium versus... I had a question; would we be able to amend it to the 500 feet and make a motion to continue with the moratorium until May, with the new presidency to see how things evolved, with how it might affect towns and states?

Mr. Kerr: First of all, there's been a motion made to amend, which hasn't been seconded yet and so if it's...

Mayor Pro Tem Coates: I second.

MOTION #5-C. D. Sandretto moved and C. V. Coates seconded to amend Section 20.60.289 "Marijuana Control Regulations", Section G.4, Subsection 2, changing the 100 foot buffer zone to 500 feet. * Council Discussion *

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

*** Council Discussion ***

Mayor Pro Tem Coates: And now we decide whether we're going to table this or go ahead and vote on it or (inaudible) Second Reading?

Mr. Kerr: As Ms. Stade indicated in a memo, I identify what your alternatives are at this stage and like I say, it's on the table right now with your present motion which has been seconded for the Second Reading and if you wish to proceed with adopting it, then you're poised to do so. You could also make a request that there be a motion to table it, refer it back to the Planning Commission, if you feel that further changes or considerations are necessary.

Mayor Pro Tem Coates: Can I make a motion to vote on it?

Mr. Kerr: Yes, like I said the motion's right now and so, what you can do, is then call for the vote, either individually or by roll call. This is for Second Reading adopting Ordinance No. 496, as amended.

**ROLL CALL VOTE #4- C. V. Coates, C. D. Sandretto, C. J. Mokler – YEAS, C. M. Lettau, C. L. Stade
– NAYES. Motion carried.**

Mr. Kerr: As I indicated, we'll make the amended change to the 500 feet, there are also just a couple technical issues, a couple of words, typos that were put in there, and we'll also bring it forward so instead of saying 19th day of April, we'll say the 6th of December. That'll be then, a correctly copy, which will be presented to the Mayor Pro Tem for signature.

Mayor Pro Tem Coates: Can you not hear that or?

Unidentified Female: Can I just, I'm looking for clarification, the lawyer keeps saying motion 496 and it's 956, I just want to make sure that's, you guys voted on the right thing.

Mr. Kerr: That's correct, yes.

2. FIRST READING – ORDINANCE – 2017 BUDGET (00:43:57*)

Councilmember Stade: I would like to make a motion to pass an ordinance of the City of Benton City, Washington, adopting the budget for the fiscal year ending December 31st, 2017.

Councilmember Sandretto: Second.

MOTION #6-C. L. Stade moved and C. D. Sandretto seconded to approve an ordinance of the City of Benton City, Washington, on its First Reading, adopting the budget for the fiscal year ending December 31st, 2017.

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

3. FIRST READING – ORDINANCE – 2017 WAGES & SALARIES (00:45:06*)

Councilmember Mokler: I move to approve an ordinance of the City of Benton City, Washington, on its First Reading, approving the salaries and benefits to be paid to employees of the City of Benton City, Washington, for the calendar year 2017.

Councilmember Stade: Second. * **Council Discussion** *

MOTION #7-C. J. Mokler moved and C. L. Stade seconded to approve an ordinance of the City of Benton City, Washington, on its first reading, approving the salaries and benefits to be paid to employees of the City of Benton City, Washington, for the calendar year 2017.

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

(Mayor Lehman exits Council Meeting)

4. RESOLUTION #2016-20 – ADOPTING COUNCIL GOALS (00:46:53*)

Councilmember Stade: I move to approve Resolution No. 2016-20, a resolution establishing primary goals of the City of Benton City for the calendar years 2016-2017.

Councilmember Lettau: I second.

MOTION #8-C. L. Stade moved and C. M. Lettau seconded to approve Resolution No. 2016-20, a resolution establishing primary goals of the City of Benton City for the calendar years 2016-2017.

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

5. RESOLUTION #2016-21 – R.O.W. LICENSE AGREEMENT – 1600 DALE AVENUE (00:47:40*)

Councilmember Lettau: I move to approve Resolution No. 2016-21, authorizing the Mayor of the City of Benton City to sign the Right-of-Way Agreement between Bryce Hillman, owner of the property located at 1600 Dale Avenue, and the City of Benton City.

Councilmember Mokler: Second. * **Council Discussion** *

MOTION #9-C. M. Lettau moved and C. J. Mokler seconded to approve Resolution No. 2016-21, authorizing the Mayor of the City of Benton City to sign the Right-of-Way Agreement between Bryce Hillman, owner of the property located at 1600 Dale Avenue, and the City of Benton City.

Councilmember Stade: I'm glad that was brought up. I went to the Fire Commissioners' Meeting and they asked me about that, if, and I would just like to table it until we get the okay from them.

Mr. Kerr: Motion to table?

Councilmember Stade: Motion to table.

Councilmember Sandretto: I'll second her motion.

MOTION #10-C. L. Stade moved and C. D. Sandretto seconded to table Resolution No. 2016-21, pending input from Fire Department.

VOICE VOTE #10-C. D. Sandretto, C. J. Mokler, C. M. Lettau, C. L. Stade, C. V. Coates
ALL YEAS. Motion carried.

6. SPECIAL PRESENTATION – APOLLO SOLUTIONS GROUP (00:49:31*)

Mayor Pro Tem Coates: We're going to go ahead and take a five minute break while these gentlemen set up. (00:49:49*)

Alan Rainey, City Engineer, Spink Engineering LLC - Introduction (00:55:51*)

APOLLO SOLUTIONS GROUP – Scott Lewis/Mike Fuentes
Energy and Solar Audit Proposal

* **Council Discussion** *

7. IGA ENERGY AND IGA SOLAR PROPOSALS – APOLLO SOLUTIONS GROUP (01:26:58*)

* **Council Discussion** *

Councilmember Stade: I would like to make a motion to approve the Investment Grade Audit proposal(s) from Apollo Solutions Group for the proposed Energy Projects (and) the proposed Solar Project.

Councilmember Mokler: Second.

MOTION #11-C. L. Stade moved and C. J. Mokler seconded to approve the Investment Grade Audit proposal(s) from Apollo Solutions Group for the proposed Energy Projects (and) the proposed Solar Project.

**ROLL CALL VOTE #11-C. D. Sandretto, C. M. Lettau, C. L. Stade, C. V. Coates, C. J. Mokler
ALL YEAS. Motion carried.**

8. PURCHASE REQUEST – WELL #5 GRAVEL (01:34:13*)

Councilmember Stade: I move to award the contract for the Reservoir Access Road gravelling to Central Washington Asphalt in the amount of \$13,260.06.

Councilmember Lettau: I second.

MOTION #12-C. L. Stade moved and C. M. Lettau seconded to award the contract for the Reservoir Access Road gravelling to Central Washington Asphalt in the amount of \$13,260.06.

**ROLL CALL VOTE #12-C. M. Lettau, C. D. Sandretto, C. J. Mokler, C. L. Stade, C. V. Coates
ALL YEAS. Motion carried.**

9. PURCHASE REQUEST – 2017 F5500 TRUCK (01:35:13*)

Mr. Kurth – Explanation of Purchase Request for 2017 F550 Work Truck * Council Discussion *

Councilmember Mokler: I move to approve the purchase of a new work truck through the Department of Enterprise Services contract for \$79,155.39.

Councilmember Stade: Second. * Council Discussion *

MOTION #13-C. J. Mokler moved and C. L. Stade seconded to approve the purchase of a new work truck through the Department of Enterprise Services contract for \$79,155.39.

Councilmember Sandretto: Motion to amend to \$83,000, total price package.

Mayor Pro Tem Coates: I'll second.

MOTION #14-C. D. Sandretto moved and C. V. Coates seconded to amend the purchase of a new work truck through the Department of Enterprise Services contract not to exceed \$83,000.

**VOICE VOTE #14-C. J. Mokler, C. D. Sandretto, C. L. Stade, C. V. Coates, C. M. Lettau
ALL YEAS. Motion carried.**

**ROLL CALL VOTE #13-C. J. Mokler, C. D. Sandretto, C. L. Stade, C. V. Coates, C. M. Lettau
ALL YEAS. Motion carried.**

10. DECEMBER 20TH COUNCIL MEETING – DATE CHANGE? (01:43:37*)

Ms. Haug – Explanation of December 20th Council Meeting Date Change * Council Discussion *

Councilmember Sandretto: Make a motion to move the meeting from the 20th to the 13th.

Councilmember Stade: Second.

MOTION #15-C. D. Sandretto moved and C. L. Stade seconded to change the regularly scheduled Benton City Council Meeting from December 20th, 2016 at 7 p.m. to December 13th, 2016 at 7 p.m. the 2017 Comprehensive Plan amendment cycle.

**VOICE VOTE #15-C. D. Sandretto, C. J. Mokler, C. M. Lettau, C. L. Stade, C. V. Coates
ALL YEAS. Motion carried.**

11. VOUCHERS (01:44:36*)

Councilmember Lettau: I move to approve payment of Claim checks numbers 28044 and 28091 thru 28121 with EFTs as listed in the amount of \$102,403.97 this 6th day of December, 2016.

Councilmember Sandretto: Second.

MOTION #16—C. M. Lettau moved and C. D. Sandretto seconded to approve payment of Claim check numbers 28044 and 28091 thru 28121 with EFTs as listed in the amount of \$102,403.97 this 6th day of December, 2016.

ROLL CALL VOTE #16—C. D. Sandretto, C. J. Mokler, C. M. Lettau, C. L. Stade, C. V. Coates
ALL YEAS. Motion carries.

ITEMS FOR DISCUSSION (01:45:19*)

1. Executive Session – R.C.W. 42.30.110(1.b) – Real Estate

Ms. Haug: So now we will enter into an Executive Session pursuant to R.C.W. 42.30.110 for real estate and it should last five minutes.

Mayor Pro Tem Coates: So we will move into Executive Session for approximately five minutes.
(01:45:30*)

**** Executive Session begins at 8:45 p.m. ** (01:45:31*Audio recording ends)**

***** Executive Session ends at 8:50 p.m. *** (*)**

GENERAL COUNCIL COMMENTS – (*)

Councilmember Lettau – Questions regarding City Hall

Ms. Haug – Postponed due to Agenda

ADJOURNMENT – Mayor Pro Tem Coates (*)

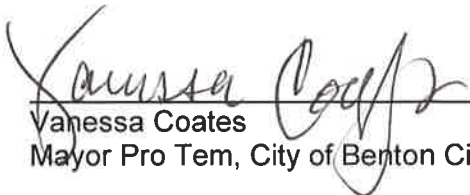
Councilmember Lettau: Madam Mayor, I make a motion that we adjourn.

Councilmember Sandretto: I second.

MOTION #17—C. M. Lettau moved and C. D. Sandretto seconded to adjourn the December 6th, 2016 Regular Council Meeting at 8:49 p.m.

VOICE VOTE #17—C. J. Mokler, C. M. Lettau, C. L. Stade, C. D. Sandretto, C. V. Coates
ALL YEAS. Motion carried.

Meeting adjourned at 8:49 p.m. (*Audio recording ends)


Vanessa Coates
Mayor Pro Tem, City of Benton City


Stephanie Haug, CMC
City Clerk-Treasurer

Date: 12/13/16