

**City of Benton City  
Regular Council Meeting Minutes  
November 7<sup>th</sup>, 2017**

**CALL TO ORDER** Mayor Lehman called the November 7<sup>th</sup>, 2017 Regular Council meeting to order at the Community Center at 7:00 p.m.

**PRESENTATION OF THE COLORS** Mr. Rouse led the audience in the Pledge of Allegiance.

**ROLL CALL**

Council Members Present

**Vanessa Coates  
Dave Sandretto  
Jake Mokler  
Mary Lettau  
Lisa Stade**

City Staff Present

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

Other Professionals Present

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

**READING AND APPROVAL OF MINUTES**

- **REGULAR MEETING – OCTOBER 17<sup>TH</sup>, 2017**

**Councilmember Coates:** Madam Mayor, I move to approve the Minutes from the last meeting, October 17<sup>th</sup>.

**Councilmember Lettau:** I second.

**MOTION #1-C. V. Coates moved and C. M. Lettau seconded to approve the Minutes of the October 17<sup>th</sup>, 2017 Regular Council Meeting as presented.**

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

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

None

**APPROVAL OF AGENDA**

**Councilmember Sandretto:** Madam Mayor, I move to approve the Agenda as written.

**Councilmember Stade:** I second.

**MOTION #2-C. D. Sandretto moved and C. L. Stade seconded to approve the November 7<sup>th</sup>, 2017 Regular Council Meeting Agenda as written.**

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

**VISITOR COMMENTS**

Last month Mr. Davis spoke at Council regarding School and Transit Buses that approach the stop sign at 7<sup>th</sup> Ave. and Carol St. He stated that only the letter "S" is visible on the stop sign because a large tree blocks the view of the sign. Mr. Davis is concerned that someone may be injured or killed because of lack of visibility.

**Councilmember Discussion:** The Mayor requested that Mr. Kurth check the area and provide a recommended action for sign placement.

**REGULAR REPORTS**

**1. EDC REPORT**

Ms. Chelsea Plank, Secretary to the EDC, submitted the Third Quarter Report. She stated that the EDC is currently working with ANR, an executive staffing agency, to acquire a new Executive Director

for the EDC. An effort is in progress to rebuild the Benton City EDC and Council website that should be up and running before Thanksgiving. The Benton City e-Blast is working well and the EDC plans to incorporate changes to make the website more user-friendly. The 2018 Work Plan is complete and has been submitted to all of the EDC's partners, including the City. The EDC is also working on a new Five-Year Plan and a new Benton City Informational Pamphlet. There is a possibility that new businesses will relocate to downtown. The contract issue between the EDC and the City has been resolved. Mr. Helland has relocated his office to the area where the Chiropractor was previously located. The EDC is currently searching for more funding and ways to be more involved with local businesses.

## 2. STAFF REPORTS **Stephanie Haug, City Clerk/Treasurer**

2018 Budget Workshop – The purpose of the 2018 Budget Workshop was to discuss the budget in depth and review items included in the 2018 budget. The workshop did not occur because a quorum could not be met. Ms. Haug asked whether Council prefers to reschedule the workshop or to discuss the proposed budget at a regular Council Meeting. The 2018 Budget requires two readings prior to approval, and it will be presented to Council for approval the first meeting in December.

**Councilmember Discussion:** Councilmember Stade stated that she read through the proposed 2018 Budget, but did not annotate questions for discussion. Ms. Haug stated that prior to budget approval, two readings are required; therefore, if major changes are necessary, a workshop should be scheduled. If the budget only requires minor changes, those can be implemented between readings. Councilmember Stade suggested that Councilmembers review the 2018 Budget, annotate questions, obtain clarification from Ms. Haug prior to the next Council meeting, and then review and discuss those changes at the first Council meeting in December. Councilmembers unanimously agreed to that recommendation.

## 3. ENGINEER REPORT **Alan Rainey, City Engineer, Spink Engineering LLC**

Mr. Rainey stated that he had no items for discussion that are not currently on the agenda.

## 4. COUNCIL COMMITTEE REPORTS

**Councilmember Stade:** Councilmember Stade attended a Good Roads meeting and at the meeting, the committee discussed whether it would be advantageous to develop and maintain a website based on demographics and goals. The committee discussed whether it would be beneficial to develop a presence in Olympia, and if so, which committee member from the area would be willing to attend. The attendee could meet with committee members from Olympia to help develop common goals and to discuss local wants and needs. Acquiring a relationship with Olympians could help keep us apprised of upcoming projects so that the Mayor of Walla Walla could plan better traffic communication. Other discussion points included whether Good Roads should maintain their current logo and goal statement, evaluating the direction going forward, functions of transportation in relation to roads, water for products and the public. Committee members in the Seattle area are constantly in the ear of decision makers, yet the southernmost part of the state is not being heard; therefore, it would be very beneficial for a committee member to attend meetings in Olympia on behalf of the local area.

**Mayor Lehman:** Mayor Lehman attended a WSDOT workshop called "Economic Revitalization through Transportation" that was formed to obtain opinions from attendees with regard to the types of services communities want or need. The Mayor discussed the truck bypass and what it would mean to have business locations along the route. WSDOT will assemble responses from attendees, and at the follow-up workshop in February, WSDOT will discuss plans that will be implemented from the information that was collected. The Mayor met City personnel and Planners from Pasco and Richland, and Aaron Larson from West Richland was also an attendee. Although no other Mayors attended, Mayor Lehman found the workshop interesting and she learned more about that side of transportation.

\*\*\* PUBLIC HEARING – Water Use Efficiency Goals \*\*\*

**Mayor Lehman:** Mayor Lehman called to order to begin the Public Hearing on Water Use Efficiency Goals.

\* Public Hearing begins at 7:14 p.m. \*

**Mr. Rainey:** On Page 1, Item 2, the Water Use Efficiency Program for the Water Conservation Program states that the goal is 2.5% over a five-year period, or 0.05% per year. No changes have occurred to the Water Use Efficiency Program, and only the goals have changed. The goal to reduce consumption by five million gallons is discussed on Page 5. The Department of Health (DOH) reviews goals and how the City plans to achieve those goals.

**Mayor Lehman:** Mayor Lehman asked whether there were any questions or comments for discussion. The Mayor explained to attendees that Mr. Rainey discussed the Water Plan at a Special Meeting earlier in the evening, and that the City is requesting an additional conservation measure. The goal is to increase customer awareness about repairing leaking faucets, installing low-flow toilet items, etc.

**Mr. Rainey:** The City has already increased efficiency by 20% because of Benton Irrigation District (BID) installed an irrigation system that allows customers to switch from using City water to irrigation water to water and irrigate lawns. The City's goal is an overall reduction of 2.5% over five years.

\* Public Hearing ends at 7:17 p.m.\*

**Mayor Lehman:** The Public Hearing is closed and Council Meeting is resumed.

## ITEMS FOR APPROVAL

### 1. FIRST READING – 2018 AD VALOREM TAX

**Councilmember Discussion:** Councilmember Coates inquired whether Ad Valorem Tax is for property tax, and Ms. Haug confirmed that it is. Councilmember Coates asked what the tax rate is for a home valued at \$100,000. Ms. Haug stated that the Ad Valorem Tax is a 1% increase over the leved amount, and then that amount is divided by the total value of the entire City limit. Those values are added together, and an approximate amount of \$178,000 is then divided between all households. Last year, it equated to \$1.33 for every \$8,000. This year, calculations will be based on the 2018 value. Property Taxes are divided between the General Fund and the Street Fund.

**Councilmember Sandretto:** Madam Mayor, I move to approve an ordinance of the City of Benton City, WA on its First Reading, setting the tax levy for the City of Benton City, and fixing the amount of Ad Valorem Taxes for the year 2018.

**Councilmember Coates:** I second the motion.

**MOTION #3–C. D. Sandretto moved and C. V. Coates seconded to approve an ordinance of the City of Benton City, Washington, on its First Reading, setting the tax levy for the City of Benton City, and fixing the amount of Ad Valorem Taxes for the year 2018.**

**ROLL CALL VOTE #3–C. L. Stade, C. M. Lettau, C. D. Sandretto, C. V. Coates, C. J. Mokler  
ALL YEAS. Motion carried.**

### 2. RESOLUTION #2017-36 – UPDATED STANDARD SPECIFICATIONS-APRON APPROACH

**Councilmember Discussion:** This issue arose because the City requires sidewalks for new developments. A waiver is in place for areas where sidewalks are determined not to be the nature of the neighborhood. The waiver allows for design changes to the standard look of driveways. This resolution will fill the gap for requirements if homeowners attain a sidewalk waiver but still need paved access to a City street. Mr. Kurth stated that an apron is installed to keep gravel and rocks from homeowner's driveways from being dragged into City streets, causing a mess in the road. Homeowners will be required to install a concrete or asphalt apron and will not be allowed to have a gravel or rock approach to their driveway. The streets that do not have curb and gutter will be affected. It will create paved access all the way out to pavement in the roadway. This resolution affects new construction.

**Councilmember Mokler:** Madam Mayor, I move to approve Resolution #2017-36, amending the City of Benton City Standard Drawings and Specifications for Public Works Construction.

**Councilmember Lettau:** Second.

**MOTION #4**—C. J. Mokler moved and C. M. Lettau seconded to approve Resolution #2017-36, amending the City of Benton City Standard Drawings and Specifications for Public Works Construction.

**VOICE VOTE #4**—C. M. Lettau, C. L. Stade, C. V. Coates, C. J. Mokler, C. D. Sandretto  
**ALL YEAS. Motion carried.**

### **3. RESOLUTION #2017-37 – 2018 PEDA GRANT WRITER RENEWAL**

**Councilmember Discussion:** Mayor Lehman stated that the Grant Writer Renewal is for Sue Jetter's services that are shared between core entities. At the last Grant Writers meeting, the group voted to increase Ms. Jetter's salary because her services have increased from 50% to 75%. The cost of Ms. Jetter's salary and increase is divided between the core entities. Currently, Ms. Jetter is developing a RCO Grant that cannot be submitted until March of 2018. Ms. Jeter is also developing the National Endowment for the Arts Grant. The City has been working with the City of Prosser, PEDA, and the Historical Museum on the National Endowment for the Arts Grant. PEDA will administer the grant because that organization is more established for grant writing. Council passed a resolution that states \$25,000 will go toward a grant match, and there is an effort to locate matching funds. The theme is "Presenting Our History through Art" and Jenny Rieke and Bob Dunlap are participating. One part of the grant is to encourage community involvement. Mayor Lehman mentioned the grant to the Chamber, and the Chamber is willing to assist with the history round-up. A chili and cornbread dinner will be held where citizens can participate by bringing items, information, photos, and stories about the past. Ms. Haug will purchase a video camera so that videos can be filmed of individuals who have old stories to tell. After completion, all of the information will be placed in a history archive for Benton City. The Chamber is also excited about the project, and it will help everyone learn more about Benton City. Councilmember Stade informed Council that Ms. Rieke assisted her students with a history project based on Benton City a few years ago. The project was displayed in several businesses and the library. It included a journal for citizens to enter data that they remembered in the journal. The project was extremely meaningful to the students. Ms. Maxine Davis stated that she has a book with the history of Benton City dated from the 1835 through 1959.

**Councilmember Sandretto:** Madam Mayor, I move to adopt Resolution No. 2017-37, a resolution authorizing the Mayor of the City of Benton City to sign the Extension of Interlocal Agreement for Grant Writing and Coordination Services between the Prosser Economic Development Association (PEDA) and the City of Benton City.

**Councilmember Stade:** Second.

**MOTION #5**—C. D. Sandretto moved and C. L. Stade seconded to approve Resolution No. 2017-37, a resolution authorizing the Mayor of the City of Benton City to sign the Extension of Interlocal Agreement for Grant Writing and Coordination Services between the Prosser Economic Development Association (PEDA) and the City of Benton City.

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

### **4. LIFT STATION #6 – BID TABULATION/AWARD BID**

**Mr. Rainey:** Bid closing time was 6:00 PM yesterday evening. A Contractor called to inquire whether any bids had been received, which none had been received. The Contractor sent a bid to Mr. Rainey this afternoon at approximately 5:00 PM. The bid was open for two options. The Wet Well option contains all of the valves on the inside, and some of the valves have rusted and one has failed. The bid for that work came in at \$66,789.00. The other option was to install straight pipe in the Wet Well

and place a vault that contains the valves on the outside to help prolong valve longevity. The bid for that work came in at \$90,681.00. Both bids were much higher than anticipated.

**Councilmember Discussion:** Councilmember Sandretto recommended that the Lift Station Upgrade Project go out for bids again. Mr. Kurth stated that the Lift Station has been in the same condition for quite a while. Mr. Kurth and Ms. Haug both recommended rebidding the project with a due date in mid-January when Contractors are not as busy.

**MOTION #6–Councilmember Stade:** Madam Mayor, I make a motion to reject the current single bid for Lift Station #6 Upgrade project to rebid with a due date in mid-January 2018.

**Councilmember Lettau:** I second.

**C. L. Stade moved and C. M. Lettau seconded to reject the current bid for Lift Station #6 Upgrade to rebid with a due date in mid-January 2018.**

**ALL IN FAVOR#6-ALL YEAS. Motion carried.**

#### **5. ANGELINE STORM DRAINAGE – BID TABULATION/AWARD BID**

**Mr. Rainey:** The one bid that was received for the Angeline Storm Drainage Project was \$84,000, which was quite a bit higher than anticipated. Other Contractors who mentioned bidding were working on bids for larger developments. It will be up to Council to determine whether to go through another winter to see if further erosion occurs. One property owner installed a small drain by his driveway, and Mr. Kurth and Mr. Rainey performed a full test with the fire hydrant to determine where the water went. The majority of the water went into his drain, but could not determine where it discharged. It appeared that most of the drainage would be around homes and not in homes, so erosion could occur around the hillside where grass has not been planted. The risk is that the City may need to place more dirt in the spring, and rebid the job at that point.

**Councilmember Discussion:** Councilmember Coates inquired whether erosion was significant and Mr. Rainey stated that erosion was approximately a foot wide in one area and four feet deep, but the elevation difference is ten feet from the front to the back of the house. With the \$84,000 bid and the property, the project would run \$100,000. Councilmember Sandretto stated that his concern would be the risk of damage to a home. Mr. Ferguson stated that this issue is different from a normal water issue because it is potentially the failure of the City's facility. The City acquired and accepted the storm sewer system in that area. The real concern is that the storm sewer may become plugged and not being aware where water discharges. If the facility fails, the City will be liable for damages that occur. Although one homeowner installed a small drain by his driveway, if it fails, the City will be liable. Mr. Rainey stated that there are three homes in that area with common issues. Councilmember Lettau asked whether companies that did not have time to place bid previously would be willing to place a bid in the next couple of weeks. Because of the nature of the current bidding culture, Mr. Rainey stated that it would be difficult to say. Councilmember Stade asked whether time sensitivity with the onset of winter and snow could become an issue, and Mr. Rainey stated that it will be, but the storm drain work can be accomplished during the winter. All of the fill in the street will be imported fill. The main concern will be placing frozen dirt back into the ground because it and the grading down below the pond will settle in the future. As long as the ground is not frozen, a lot of work can be accomplished, and even if it freezes, the surface can be filled and grading can continue below that. If the dirt gets wet, it will become like clay. Councilmember Lettau inquired when work could begin if the bid is accepted, and Mr. Rainey indicated that work could begin within two to three weeks. Councilmember Stade indicated that the situation is difficult because it involves City funds, but the City has an obligation to the community to rectify the situation, but whether that obligation has to occur within the next few weeks is the question. Mr. Kurth indicated that the City is in a tight spot. The homeowner has been reasonable at this point, although there has been a lot of erosion since his home was built. The owner is a Contractor who has his own equipment, so he has backfilled the area. The owner has been to City Hall several times to discuss this issue. The City told the owner that the problem is in the process of being

resolved, and currently, that answer has sufficed. There was one bid, and according to Mr. Ferguson, that bid has to either be accepted or rejected, and if it is rejected, the job can be rebid. Councilmember Lettau asked Ms. Haug if the City has funds in the budget for this project, and Ms. Haug stated that the City can cover it.

**Councilmember Stade:** Madam Mayor, I move to award the Angeline Storm Drain Project to Wheeler Excavation in the amount of \$84,701.48.

**Councilmember Sandretto:** I second.

**MOTION #7**—C. L. Stade moved and C. D. Sandretto seconded to award the Angeline Storm Drain Project to Wheeler Excavation in the amount of \$84,701.48.

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

## **6. CITY HALL FAÇADE – BID TABULATION**

**Mr. Rainey:** No bids were received for the City Hall façade.

**Councilmember Discussion:** Councilmember Coates stated that this project appears to be the same type of work that Just-A-Minute Mart installed in front of their store. Ms. Haug reminded Council that a public bidding process is required by the City and that the City cannot hire private entities. Because of this process, Councilmember Coates indicated that the City pays twice as much to have work performed. Councilmember Lettau stated that the entire Tri-Cities are busy, so it is extremely difficult to obtain bids. She asked whether the City can open the bidding up outside of the local area, and suggested doing so. Mr. Rainey indicated that the preferred method is to open bidding to local Contractors, but occasionally bids do come in from other areas. Mr. Rainey stated that projects under \$100,000 rarely draw bidders from outside the area. According to Mayor Lehman, it took six months to secure an electrician to perform work. Councilmembers agreed that Council should wait until January to open bids with a due date the first of March.

**Councilmember Sandretto:** Madam Mayor, I move to open bids in January with a due date the first of March.

**Councilmember Coates:** I second.

**MOTION #8**—C. D. Sandretto moved and C. V. Lettau seconded to open bids in January with a due date the first of March.

**VOICE VOTE #8**—ALL YEAS. Motion carried.

## **7. PART-TIME EMPLOYEE – NOV/DEC 2017**

**Mayor Lehman:** Mayor Lehman stated that funding for Margaret Dukes salary is in the budget for 2018. She was originally hired as a Temporary Part-Time employee for 90 days when an employee went out for maternity leave. Mayor Lehman stated that she would like to retain Margaret for November and December, and it has worked out well to have her available to fill in during absences. The request funding is not a lot of money.

**Councilmember Discussion:** Councilmember Stade asked why Margaret was not in attendance at the Council meeting. Mayor Lehman stated that Margaret was not being paid, so she had not been asked to attend. Ms. Haug stated that Margaret was hired to fill in for Paula, and that Paula has returned to full-time duty so Margaret had no scheduled work hours. Councilmember Lettau indicated that she has not spoken to any of the staff at City Hall to inquire whether extra help is needed, although she is aware that the Mayor believes the extra help is needed. Ms. Haug concluded that the City can utilize the extra help, especially during this time of the year. Councilmember Stade indicated that she wants to review City Hall staff employee duties for 2018 for accountability purposes because union employees are entitled to a benefits package that consists of holiday pay, etc. Councilmember Stade

appreciates the excellent job that Margaret has done, and Mayor Lehman stated that Margaret does a wonderful job on the minutes.

**Councilmember Stade:** Madam Mayor, I move to approve the cost of wages for a Part-Time Clerical Employee through the end of 2017, not to exceed \$4,000.

**Councilmember Coates:** I second.

**MOTION #9**—C. L. Stade moved and C. V. Coates seconded to approve the cost of wages for a Part-time clerical employee through the end of 2017, not to exceed \$4,000.

**ROLL CALL VOTE #9**— C. M. Lettau, C. D. Sandretto, C. J. Mokler, C. L. Stade, C. V. Coates  
**ALL YEAS. Motion carried.**

## 8. VOUCHERS

**Councilmember Lettau:** Madam Mayor, I move to approve payments of Claim check numbers 28847 through 28883 with EFTs as listed in the amount of \$74,673.85, this 7<sup>th</sup> day of November, 2017.

**Councilmember Sandretto:** Second.

**MOTION #10**—C. M. Lettau moved and C. D. Sandretto seconded for the City Council of the City of Benton City, Washington, to approve payment of Claim check numbers 28847 through 28883 and EFTs as listed in the amount of \$74,673.85, this 7<sup>th</sup> day of November, 2017.

**ROLL CALL VOTE #10**— C. D. Sandretto, C. M. Lettau, C. L. Stade, C. V. Coatesm C. J. Mokler  
**ALL YEAS. Motion carried.**

## ITEMS FOR DISCUSSION

### 1. PARK FEE CALCULATIONS-SANDRETTO Councilmember Sandretto

Councilmember Sandretto indicated that he had forgotten to obtain information; therefore, he requested that the discussion be deferred until next meeting.

### 2. 9<sup>TH</sup> STREET SIDEWALKS – SCOPE OF WORK REVISION Alan Rainey

The original layout for sidewalks is to install curb and gutter on the edge of existing pavement with sidewalks installed behind that. Following Council's discussion, it was recommended that sidewalks maintain consistency with the southern part of the downtown area like the front of City Hall which has sidewalks installed out to property lines. According to the Department of Transportation (DOT) and Benton-Franklin Council of Governments, a full NEPA checklist is required before the project can categorically be excluded so that the NEPA checklist is exempt from notification review by various agencies. In addition, a Construction Easement is required because work will be performed up to property lines. That would affect properties outside of the right-of-way such as tree removal, grading and backfill to ensure properties are level behind sidewalks. In addition, surveying, design work, and additional staking for construction will be required. Funding support from the Transportation Improvement Board (TIB) is not available because the project does not rate high enough, and the TIB does not typically pave State right-of-ways. No funding from current sources is available due to lack of funds. The original estimate was \$121,000, and the additional work will drive the estimate up by \$98,000 due to the considerable amount of paving.

**Councilmember Discussion:** Because the area is not considered retail, Councilmember Lettau asked why areas with homes should be the same as downtown. Councilmember Sandretto stated that the area is zoned commercial, and as homes are sold and turned into retail, the area will already be uniform. When Council reaches the goal for Benton City to become a wine destination, those homes may be turned into small boutiques. Seeing mismatched areas when driving through the City is not pleasant and makes it appear that the City has no vision or plans. Funding is not available, so it could be feasible for Mr. Rainey is to shorten the distance so that the City can get the most work for the least amount of funds. Mr. Rainey stated that the block from Ellen St. to Fay St. and work on the corner by the church has the least amount of work, so cutting those areas out

would only save approximately \$15,000 which is not a substantial amount of funding. This project can wait another two to three years before implementing because funding that the DOT calls "obligated" for the entire region has already been set aside. The project could be designed and presented to NEPA, while searching for additional funding. Councilmember Sandretto indicated that it would be nice to start on the project, but that it should be done correctly and uniformly to make the City appealing for people to visit. Mr. Kurth implied that Council should approve projects with long term goals rather waste funding on projects that will eventually be torn down. Uniformity for the long term is the most feasible approach. Councilmember Lettau inquired whether funding will still be available in two to three years, and Mr. Rainey ensured Council that it will be. Councilmember Stade met with Teresa, who performs title searches for the Port of Benton. Teresa stated that land on one side of the roadway is owned by NRG and land on the opposite side is owned by another entity, and then it more or less converges in the middle. Teresa indicated that the City should perform title searches and transfer titles to the City for liability purposes to ensure that property where sidewalks will be located is actually City owned property. Council agreed that the best approach is approval for full width sidewalks. Councilmember Stade suggested that Council perform a physical walk down of the Lift Station and sidewalks so that questions for both projects can be asked and discussed. Mr. Rainey recommended that the tour occur on a weekend when it is light outside. A revised task order can be submitted for an additional total estimated \$20,700.00 for Engineering that includes a post-survey that should be performed before it snows, and then followed by revised design work and NEPA submittal. Council recommended that the project be deferred until next spring and while searching for additional funding.

### **3. WIND TURBINES – UPDATE – LEHMAN**

Mayor Lehman received a response from General Mattis about Wind Turbines. Included are maps showing the original planned location of wind turbines. The new location is 7 miles to the East, near Kennewick. The Navy is negotiating because some of the turbines will be located in the flight training path. The Navy is requesting that several of the 220 turbines be moved to the North out of the training path. Another Wind Turbine Project is proposed just beyond Yakima, and that location covers three of the Navy's flight training paths so there is an effort to stop that project.

### **4. AT&T LEASE – LEASE ADJUSTMENT REQUEST**

Ms. Haug received a request from AT&T requesting that the lease for antennas located on the water tower be renegotiated. AT&T has submitted lease adjustment requests in the past, but the City is under no obligation to renegotiate the lease. According to Mr. Ferguson, AT&T is offering a lower payment that guarantees \$900 per month for 96 months, for a total of approximately \$87,000. The current payment is \$1,200 per month, so AT&T is basically shopping around for lower rent in areas where AT&T plans to remain. AT&T guarantees that it will not remove the antenna even if a better location is found. If the antenna is removed, revenue ceases. AT&T's goal is to take steps to reduce expenses and improve operational flexibility by amending current business terms. In the beginning of the lease, AT&T was not helpful, cooperative or agreeable and it took quite a bit of negotiating for AT&T to agree to the current payment schedule. Mr. Kurth discussed this issue with Ms. Haug today. Equipment located on City water towers is blocking the hatch opening. This past summer cleaning and maintenance could not occur because of this. For months, the City has requested that AT&T relocate the equipment that is blocking the hatch opening. Mr. Ferguson will review terms of the contract and report back to Council.

### **5. EXECUTIVE SESSION – R.C.W. 42.30.110-1(b) Acquisition of Real Estate**

### **6. EXECUTIVE SESSION – R.C.W. 42.30.110-1(i) Potential Litigation**

**Mayor Lehman:** At this time, we will go into an Executive Session at 8:23 PM for 55 minutes

**Ms. Haug:** There's no action after the meeting.

**Mayor Lehman:** We take a five minute break while everyone gets their things together.



**\*\* Executive Session begins at 8:23 p.m. \*\***

**\*\*\* Executive Session ends at 9:19 p.m. \*\***

**GENERAL COUNCIL COMMENTS** *None*

**ADJOURNMENT** Mayor Lehman

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

**Councilmember Lettau:** *I second.*

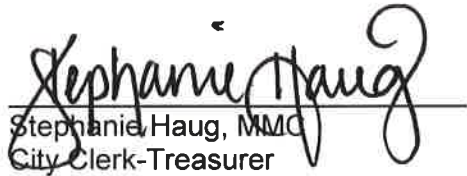
**MOTION #11**—C. J. Mokler moved and C. M. Lettau seconded to adjourn the November 7<sup>th</sup>, 2017 Regular Council Meeting at 8:23 p.m.

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

Meeting adjourned at 8:23 p.m.



Linda Lehman  
Mayor, City of Benton City



Stephanie Haug, MMC  
City Clerk-Treasurer

Date: 11/21/17