

**CITY OF PROSSER, WASHINGTON  
601 7<sup>TH</sup> STREET  
CITY COUNCIL CHAMBERS  
CITY COUNCIL REGULAR MEETING  
TUESDAY, MARCH 25, 2008**

**CALL TO ORDER**

Mayor Warden called the Regular Meeting of Prosser City Council to order at 7:00 p.m.

**ROLL CALL**

Council Members Becken, Chambers, Everett, Poteet, Rainer, Taylor, and Troemel were present.

**CITIZEN PARTICIPATION**

No citizen participation was received.

**MAYOR AND CITY COUNCIL REPORTS AND COMMENTS**

Mayor Warden announced the following changes to the agenda:

- Remove item 10 regarding Prosser Municipal Code 13.32
- Add two executive sessions
- Add law and justice tax discussion

Council Member Chambers announced that Council Members Taylor, Poteet, and Chambers attended the Benton County Commissioners Meeting regarding the County Seat and stated that there was a great level of participation by the community.

Council Member Rainer stated that he had attended the Solid Waste Advisory Meeting and that they have grant funding available to deal with hazardous waste. Council Member Rainer also reported that Benton County is looking for youth summer projects.

Council Member Poteet shared that on April 5<sup>th</sup>, Rotary is having a city wide trash pickup. He also stated that he traveled to the Sonoma and Napa areas of California and gathered winery information for economical purposes to provide to PEDAs.

**CLOSED RECORD DECISION HEARINGS**

City Attorney Howard Saxton handed out materials to Council. He explained that the hearings could be continued but noted that there wasn't any opposition to any of the zone changes proposed.

**CLOSED RECORD DECISION HEARING – 612 8<sup>TH</sup> STREET**

Mayor Warden recessed the Regular Meeting of the Prosser City Council and opened the Closed Record Decision Hearing regarding a change in the zoning designation for property located at 612 8<sup>th</sup> Street from RH (Residential, High Density District) to CD (Commercial Downtown District).

No comments were received.

Mayor Warden closed the Closed Record Decision Hearing and reconvened the Regular Meeting of the Prosser City Council.

**CHANGE IN ZONING DESIGNATION – 612 8<sup>th</sup> STREET**

A motion was made by Council Member Chambers, seconded by Council Member Becken to accept the change in zoning designation for property located at 612 8<sup>th</sup> Street from RH (Residential, High Density District) to CD (Commercial Downtown District). Motion carried unanimously.

**CLOSED RECORD DECISION HEARING – 1420 MEADE AVENUE**

Mayor Warden recessed the Regular Meeting of the Prosser City Council and opened the Closed Record Decision Hearing regarding a change in zoning designation for property located at 1420 Meade Avenue from CD (Commercial Downtown District) to RH (Residential, High Density District).

No comments were received.

Mayor Warden closed the Closed Record Decision Hearing and reconvened the Regular Meeting of the Prosser City Council.

**CHANGE IN ZONING DESIGNATION – 1420 MEADE AVENUE**

A motion was made by Council Member Taylor, seconded by Council Member Chambers to accept the change in zoning designation for property located at 1420 Meade Avenue from CD (Commercial Downtown District) to RH (Residential, High Density District). Motion carried unanimously.

**CLOSED RECORD DECISION HEARING – 1232 GRANT AVENUE**

Mayor Warden recessed the Regular Meeting of the Prosser City Council and opened the Closed Record Decision Hearing regarding a change in zoning designation for property located at 1232 Grant Avenue from RM (Residential, Medium Density District) to PF (Public Facility District).

No comments were received.

City Attorney Saxton said the Fire District does not object to the change in zoning designation from Residential, Medium Density to Public Facility District.

Mayor Warden closed the Closed Record Decision Hearing and reconvened the Regular Meeting of the Prosser City Council.

**CHANGE IN ZONING DESIGNATION – 1232 GRANT AVENUE**

A motion was made by Council Member Taylor, seconded by Council Member Chambers to accept the change in zoning designation for property located at 1232 Grant Avenue from RM (Residential, Medium Density District) to PF (Public Facility District). Motion carried unanimously.

## **PUBLIC HEARING REGARDING CITY OF PROSSER WATER USE EFFICIENCY PROGRAM**

Mayor Warden recessed the Regular Meeting of the Prosser City Council and opened the Public Hearing regarding the proposed goals for the City's Water Use Efficiency Program.

No comments were received.

Mayor Warden closed the Public Hearing and reconvened the Regular Meeting of the Prosser City Council.

### **CITY'S WATER USE EFFICIENCY PROGRAM GOALS**

The Council asked how goals one and two were arrived at and how they will be enforced. The Council suggested attempting to collaborate with industries in the community to reuse their non-potable water. They also asked what other cities have implemented similar goals and whether the City has conservation efforts in place already. City Attorney Saxton indicated that water conservation efforts are already in the place in the code for outdoor use, but the code is normally only enforced on a complaint basis.

Council asked if it was possible to expand the City's irrigation efforts. City Administrator Stouder said that the Planning Commission is looking at all infrastructure for utilities.

City Administrator Stouder indicated that written responses would be returned to the City Council regarding their questions.

A motion was made by Council Member Becken, seconded by Council Member Taylor to approve the Water Use Efficiency Program as presented. Motion carried unanimously.

### **CONSENT AGENDA**

A motion was made by Council Member Becken, seconded by Council Member Everett to approve Consent Agenda items A-F and H.

- a. Approve payment of payroll warrant nos. 20139 thru 20156 in the amount of \$15,976.47 for the period ending March 15, 2008.
- b. Approve payment of claim warrant nos. 56154 through 56293 and 60000 thru 60014 in the amount of \$472,812.61 and the IRS Federal Tax Wire in the amount \$59,638.23 for the period ending January 8, 2008.
- c. Approve payment of check nos. 60352 through 60565 in the amount of \$142,679.25 and the IRS Federal Tax Wire in the amount \$4,057.71 for the period ending March 25, 2008.
- d. Approve the City Council Minutes for the City Council meeting of February 26, 2008.
- e. Approve the City Council Minutes for the City Council meeting of March 4, 2008.

- f. Approve the City Council Minutes for the City Council meeting of March 11, 2008.
- h. Adopt Resolution No. 08-1238 approving an Interlocal Agreement for use of jail facilities with the City of Sunnyside.

Motion carried unanimously.

A motion was made by Council Member Taylor, seconded by Council Member Chambers to approve Consent Agenda item G.

- g. Accept 2008 Final Adopted Budget Document as presented.

Motion carried unanimously.

**PROSSER MEMORIAL HOSPITAL'S REQUEST REGARDING AN EMERGENCY MEDICAL SERVICE LEVY**

Jim Tavery of Prosser Memorial Hospital (PMH) asked for a letter of support for the Emergency Medical Service (EMS). Mr. Tavery stated that PMH can provide ambulance services at a cheaper rate than other agencies. Mr. Tavery reported that if they are able to convince Benton County to form an Ambulance District, then voters would decide whether a levy would pass. He stated that he is not asking eight jurisdictions involved to support a ballot measure, just formation of an Ambulance District.

There was a discussion regarding Prosser already being taxed in the Hospital District and having to pay EMS levy as well. Council asked if PMH had considered a different rate for Prosser versus other communities for the EMS levy. Mr. Tavery explained that ambulance services are a separate book of business that should be paid for by the users

Yakima County has agreed to form an EMS District. Mr. Tavery stated that they may have to give up ambulance services in Benton County if they are not able to get Benton County or Benton County Fire District No. 3 to agree to support the EMS levy of .25 cents per \$1,000 of assessed valuation. It was determined that Council would submit questions for responses by PMH prior to making a decision whether they should support the formation of an Ambulance District.

A motion was made by Council Member Taylor, seconded by Council Member Everett to table drafting a letter to support the EMS taxing district to April 1, 2008. Motion carried by majority vote with Council Member Becken opposed.

**INDUSTRIAL WASTEWATER USER CONTRACT WITH DESERT WIND WINERY**

Council asked if the limit was being pushed for sewer plant capacity further by entering into this contract. City Administrator Stouder said that it would not since the City is already treating and providing services to Desert Wind Winery.

A motion was made by Council Member Everett, seconded by Council Member Taylor to approve the Industrial Wastewater User Contract between the City of Prosser and Desert Wind Winery. Motion carried unanimously.

**BENTON COUNTY LAW AND JUSTICE BALLOT MEASURE**

Police Chief McCullough indicated that he was uncertain about what percentage would be sought for the Law and Justice Ballot Measure. The County will be seeking 1/10, 2/10 or 3/10 of a percent .

A motion was made by Council Member Taylor, seconded by Council Member Everett to authorize the Mayor to submit a letter to the Benton County Commissioners encouraging them to place this matter before the voters again at a rate of up to 3/10 of a percent. Motion carried unanimously.

**EXECUTIVE SESSION**

At 8:23 p.m., Mayor Warden recessed the Regular Meeting of the Prosser City Council into Executive Session pursuant to RCW 42.30.110(c) to consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. However, final action selling or leasing public property shall be taken in a meeting open to the public; and

RCW 42.30.110(i) to discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency. The Executive Sessions were expected to last for 10 minutes.

At 8:34 p.m., Finance Director/City Clerk announced that the Executive Sessions would be extended an additional 5 minutes.

At 8:40 p.m., Mayor Warden reconvened the Regular Meeting of the Prosser City Council.

**ADJOURNMENT**

There being no further business before the City Council at this time, the Regular Meeting of the Prosser City Council was adjourned at 8:40 p.m.

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Mayor Paul Warden

Attest:

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City Clerk Cathleen Koch