

**CITY OF PROSSER, WASHINGTON
601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL REGULAR MEETING
TUESDAY, APRIL 26, 2011**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Council Members Taylor, Everett, Troemel, Becken, Poteet, and Chambers were present. Council Member Rainer had requested an excused absence.

CITIZEN PARTICIPATION

None

MAYOR AND CITY COUNCIL REPORTS AND COMMENTS

Mayor Warden presented a proclamation to the Prosser High School Girls Basketball Team and Coach Mark Little in recognition of their recent accomplishment of winning the Class 2A State Girls Basketball Championship and proclaimed Friday, April 29, 2011 as Mustang Day in Prosser.

Council Member Troemel stated he would like to see a new vision for Prosser in the next 20 years. He would like to form a subcommittee to look into it.

Council Member Everett said the Information Technology (IT) Committee authorized City staff to purchase the first iPad. Each Council Member and the Mayor will get an opportunity to test it out and provide feedback. The IT Committee anticipates by June 2011 a recommendation to City staff will come forward on whether or not to purchase iPads for each Council Member and Mayor.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Charlie Bush advised gifts had been donated by local businesses for his departure to the Republic of Georgia for the Sister Cities Association. He passed around four paintings that were donated by Sixth Street Gift & Art Gallery that he will be taking with him to give to the Municipality of Vani in May.

Police Chief Pat McCullough requested consent from Council to use money from the Criminal Justice Fund to purchase promotional material for the Officers to hand out while at events. Council authorized Chief McCullough to purchase the materials requested accordingly.

Deputy City Administrator/Finance Director Cathleen Koch advised the play slide for the Prosser Aquatic Center will be delivered later than originally anticipated and may delay the open date for the pool to June 25th. She indicated that she would be bringing more information at a later date, including recommendations such as prorating fees for pool. City staff will contact the Department of Health to inquire whether or not the lap side of the pool can be opened early without the recreation side being complete. A status update will be provided as the information becomes available.

CLOSED RECORD PUBLIC HEARING

AREA WIDE REZONE

At 7:13 p.m., Mayor Warden recessed the Regular Meeting of the Prosser City Council to conduct a closed record public hearing on an area wide rezone. With no public comment received, Mayor Warden closed the closed record public hearing at 7:14 p.m. and reconvened the Regular City Council Meeting.

ORDINANCE NO. 11-2721 APPROVING A ZONE CHANGE FROM INDUSTRIAL LIGHT TO COMMERCIAL GENERAL

A motion was made by Council Member Chambers, seconded by Council Member Poteet to adopt Ordinance No. 11-2721 approving a zone change from Industrial Light to Commercial General. Motion passed 6 YES, 0 NO, 1 ABSENT (Rainer).

PUBLIC HEARING

BENTON PUD FRANCHISE AGREEMENT

At 7:15 p.m., Mayor Warden recessed the Regular Meeting of the Prosser City Council to conduct a public hearing on the Benton Public Utility District (PUD) Franchise Agreement. With no public comment received, Mayor Warden closed the closed public hearing at 7:16 p.m. and reconvened the Regular City Council Meeting.

ORDINANCE NO. 11-2722 GRANTING THE BENTON PUD (PUBLIC UTILITY DISTRICT) A FRANCHISE

A motion was made by Council Member Chambers, seconded by Council Member Poteet to adopt Ordinance No. 11-2722 granting the Benton PUD a franchise. Motion passed 6 YES, 0 NO, 1 ABSENT (Rainer).

PUBLIC HEARING

BENTON REA FRANCHISE AGREEMENT

At 7:21 p.m., Mayor Warden recessed the Regular Meeting of the Prosser City Council to conduct a public hearing on the Benton Rural Electric Association (REA) Franchise Agreement. With no public comment received, Mayor Warden closed the closed public hearing at 7:21 p.m. and reconvened the Regular City Council Meeting.

ORDINANCE NO. 11-2723 GRANTING THE BENTON REA (RURAL ELECTRIC ASSOCIATION) A FRANCHISE

A motion was made by Council Member Poteet, seconded by Council Member Becken to adopt Ordinance No. 11-2723 granting the Benton REA a franchise. Motion passed 6 YES, 0 NO, 1 ABSENT (Rainer).

CONSENT AGENDA

Council Member Becken removed Item "D" from the Consent Agenda. A motion was made by Council Member Taylor, seconded by Council Member Everett to approve Consent Agenda Items "A-C" and "E-L". Motion passed 6 YES, 0 NO, 1 ABSENT (Rainer).

- a. Approve Payment of Payroll Checks Nos. 501832 through 501834 in the Amount of \$2,280.78 and Direct Deposits in the Amount of \$14,206.79 for the Period Ending April 15, 2011
- b. Approve Payment of Claim Check Nos. 66699 through 66770 in the Amount of \$507,930.72 and IRS Federal Tax Wires in the Amount of \$4,175.08, for the Period Ending April 26, 2011
- c. Approve 1st Quarter 2011 Financial Statement
- e. Approve Meeting Minutes of April 5, 2011
- f. Approve CDBG Grant Invoice Voucher No. 6 from Huibregtse Louman Associates, Inc. to the Department of Commerce – CDBG in the amount of \$14,627.60, for the Village Park Improvements Project and authorize the Mayor to sign the Voucher Distribution form
- g. Approve Change Order No. 3 for the Prosser Aquatic Center Project, and Authorize Payment When Submitted on an Application for Payment, to T.W. Clark Construction in an Amount Not to Exceed \$9,097.25
- h. Approve Agreement Between the City of Prosser and the Boys and Girls Club of Benton and Franklin Counties

- i. Approve Agreement Between the City of Prosser and the Boys and Girls Clubs of Benton and Franklin Counties (BGC) to Provide Lifeguard Services, Swimming Lessons, Advanced Swimming & Training Services Relative to BGC's *im* Program and Grant
- j. Adopt Resolution No. 11-1351 Surplusing City of Prosser Property
- k. Live Scan Purchase Authorization
- l. Memorandum of Understanding Between the Bureau of Alcohol, Tobacco, Firearms and Explosives and the City of Prosser Police Department for use of eTrace

Council Member Becken stated he would like the minutes from the March 22, 2011 meeting amended to reflect that approval for Change Orders with T. W. Clark should be authorized by the Public Works Director and the Deputy City Administrator/Finance Director, not contracts.

- d. Approve Meeting Minutes of March 22, 2011

A motion was made by Council Member Becken, seconded by Council Member Everett to approve Consent Agenda Item "D" with the amendment. Motion passed 6 YES, 0 NO, 1 ABSENT (Rainer).

COUNCIL ACTION

ORDINANCE NO. 11-2724 AMENDING PMC 5.04.050 AND AMENDING SECTION 8 OF ORDINANCE NO. 2809

A motion was made by Council Member Everett, seconded by Council Member Chambers to adopt Ordinance No. 11-2724 amending PMC 5.04.050 and amending Section 8 of Ordinance No. 2809. Motion passed 6 YES, 0 NO, 1 ABSENT (Rainer).

ORDINANCE NO. 11-2725 AMENDING PMC 5.18.030 AND AMENDING SECTION 1 OF ORDINANCE NO. 2563 AND A PORTION OF SECTION 2 OF ORDINANCE NO. 1927

A motion was made by Council Member Everett, seconded by Council Member Becken to adopt Ordinance No. 11-2725 amending PMC 5.18.030 and amending Section 1 of Ordinance No. 2563 and a portion of Section 2 of Ordinance No. 1927. Motion passed 6 YES, 0 NO, 1 ABSENT (Rainer).

ORDINANCE NO. 11-2726 REPEALING PMC CHAPTER 21.04 AND ORDINANCES 2630, 2627, AND 2427.

A motion was made by Council Member Everett, seconded by Council Member Chambers to adopt Ordinance No. 11-2726 repealing PMC Chapter 21.04 and Ordinances 2630, 2627, and 2427. Motion passed 6 YES, 0 NO, 1 ABSENT (Rainer).

ORDINANCE NO. 11-2727 REPEALING PMC 9.01.040 AND SECTION 14 OF ORDINANCE NO. 2382

A motion was made by Council Member Everett, seconded by Council Member Poteet to adopt Ordinance No. 11-2727 repealing PMC 9.01.040 and Section 14 of Ordinance No. 2382. Motion passed 6 YES, 1 NO (Taylor), 1 ABSENT (Rainer).

ORDINANCE NO. 11-2728 REPEALING PMC 10.04.299 AND SECTION 1 OF ORDINANCE NO. 1819

A motion was made by Council Member Everett, seconded by Council Member Becken to adopt Ordinance No. 11-2728 repealing PMC 10.04.299 and Section 1 of Ordinance 1819. Motion passed 6 YES, 1 NO (Taylor), 1 ABSENT (Rainer).

ORDINANCE NO. 11-2729 ESTABLISHING REGULATIONS FOR NOISE LEVELS IN THE CITY OF PROSSER

A motion was made by Council Member Everett, seconded by Council Member Chambers to adopt Ordinance No. 11-2729 establishing regulations for noise levels in the City of Prosser. Motion passed 6 YES, 1 NO (Taylor), 1 ABSENT (Rainer).

RESOLUTION NO. 11-1352 DECLARING THE INTENT OF THE CITY OF PROSSER TO ANNEX PROPERTY OWNED BY THE CITY

A motion was made by Council Member Chambers, seconded by Council Member Poteet to adopt Resolution No. 11-1352 declaring the intent of the City of Prosser to annex property owned by the City generally located between Albro Road and Hoisington Road on Wine Country Road. Motion passed 6 YES, 1 NO (Becken), 1 ABSENT (Rainer).

ORDINANCE NO. 11-2730 AUTHORIZING THE ISSUANCE OF A BOND ANTICIPATION NOTE (NON-REVOLVING LINE OF CREDIT) IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$3,507,000 TO PROVIDE FOR THE CONSTRUCTION OF THE NORTH PROSSER WATER SYSTEM PROJECT

A motion was made by Council Member Everett, seconded by Council Member Taylor to adopt Ordinance No. 11-2730 authorizing the issuance of a Bond Anticipation Note (Non-Revolving Line of Credit) in the principal amount not to exceed \$3,507,000 to provide for the construction of the North Prosser Water System Project. Motion passed 6 YES, 0 NO, 1 ABSENT (Rainer).

DISCUSSION ITEMS

Continued Discussion Regarding the Mid-Columbia Library District Annexation

City Administrator Bush advised the City will soon be facing tough policy choices due to the Chemical Stockpile Emergency Preparedness Program (CSEPP) close-out as well as other impacts to the budget. There was discussion regarding putting the Mid-Columbia Library District annexation on the November ballot during the General Election for voter consideration. City Administrator Bush stated it was City staff's recommendation to annex into the Mid-Columbia Library District in order to provide the citizens the choice to preserve library services. The cost to put the measure on the ballot in November would be \$400; if Council directed staff to put the item on a Special Election ballot, the cost would increase significantly. Council directed staff to contact Mid-Columbia Library District to request a letter in writing stating their commitment to match funds with the City upon annexation for the renovation project before a decision is made on whether or not to put the item on the ballot.

EXECUTIVE SESSION

At 8:05 p.m., Mayor Warden recessed the Regular Meeting of the Prosser City Council to conduct an executive session on two items pursuant to RCW 42.30.110(1)(b) to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increase price. The session was expected to last 20 minutes and included the Mayor and Council Members, City Administrator, Deputy City Administrator/Finance Director, City Attorney, City Clerk and Police Chief.

At 8:22 p.m., City Clerk Shaw stated an additional 10 minutes was needed.

At 8:32 p.m., City Clerk Shaw stated an additional 5 minutes was needed.

At 8:35 p.m., Mayor Warden reconvened the Regular Meeting of the City Council and stated no action had occurred in the Executive Session.

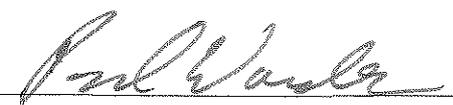
ADJOURNMENT

There being no further business before the City Council at this time, the Regular Meeting of the Prosser City Council was adjourned at 8:36 p.m.

Attest:


City Clerk Rachel Shaw




Mayor Paul Warden