

**CITY OF PROSSER, WASHINGTON
601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL REGULAR MEETING
TUESDAY, MARCH 26, 2013**

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 led by Prosser Boys and Girls Club Members of the Month Ryan Beightol and Kylie Woodworth.

ROLL CALL

Council Members Elder, Taylor, Troemel, Hamilton, and Becken were present. Council Members Rainer and Everett had requested an excused absence.

Others in attendance were City Clerk Shaw, Police Chief Giles, Finance Director Mauras, and City Attorney Saxton.

CITIZEN PARTICIPATION (None)

MAYOR AND COUNCIL REPORTS AND COMMENTS

Council Member Elder expressed his gratitude to City staff for their generous contribution and effort in collecting two-hundred-fifty pounds of food for the Jubilee Ministry food drive.

Council Member Troemel expressed his gratitude to the Police Department for the efforts in addressing his concern with the truck traffic in front of Milne Fruits on Bennett Avenue.

Council Member Becken stated he recently attended the Benton Franklin Community Action Committee meeting where Carol Salazar, Prosser Branch Manager, was recognized for her efforts.

PUBLIC HEARING

NON-CONFORMING USE RESIDENTIAL STRUCTURES

At 7:04 p.m., Mayor recessed the Regular Meeting of the Prosser City Council to conduct Public Hearing on non-conforming use residential structures. Mayor Warden called for public comment. City Planner Zetz provided Council with background on the proposed change and stated comments had been received from property owners. At 7:06 p.m., Mayor Warden closed the Public Hearing and reconvened the Regular Meeting.

COUNCIL ACTION

ORDINANCE NO. 13-2818 AMENDING PMC 19.66.010 TO ALLOW EXISTING RESIDENTIAL STRUCTURES DESTROYED OR USES DISCONTINUED BY ANY SUDDEN CAUSE TO BE RECONSTRUCTED OR CONTINUED PROVIDED THE HOMEOWNER APPLIES FOR A BUILDING PERMIT TO COMPLETE THE RECONSTRUCTION WITHIN ONE YEAR

Council Member Taylor stated he disagreed with amending the ordinance and by approval of the proposed ordinance Council would be violating the planning efforts for the City and would defeat the purpose of zoning. The issue is with the lending agencies, not the Prosser Municipal Code. A motion was made by Council Member Becken, seconded by Council Member Hamilton to adopt Ordinance No. 13-2818 amending PMC 19.66.010 to allow existing residential structures destroyed or uses discontinued by any sudden cause to be reconstructed or continued provided the homeowner applies for a building permit to complete the reconstruction within one year. Motion passed 4 YES, 1 NO (Taylor), 2 ABSENT (Rainer, Everett).

ORDINANCE NO. 13-2819 REPEALING PROSSER MUNICIPAL CODE SECTIONS 9.01.045, 9.01.050, 9.01.080, 9.01.090, AND AMENDING PMC 9.01.110 TO REMOVE CERTAIN PMC SECTIONS CRIMINALIZING CONDUCT REGARDING FIREARMS AND AMENDING THE CRIMINAL CONDUCT OF URINATING IN PUBLIC TO CLARIFY WHAT CONDUCT IS PROHIBITED

A motion was made by Council Member Becken, seconded by Council Member Taylor to adopt Ordinance No. 13-2819 repealing Prosser Municipal Code Sections 9.01.045, 9.01.050, 9.01.080, 9.01.090, and amending PMC 9.01.110 to remove certain PMC sections criminalizing conduct regarding firearms and amending the criminal conduct of urinating in public to clarify what conduct is prohibited. Motion passed 5 YES, 0 NO, 2 ABSENT (Rainer, Everett).

ORDINANCE NO. 13-2820 AMENDING PROSSER MUNICIPAL CODE SECTION 9.10.020 TO REMOVE ADMINISTRATION'S AUTHORITY TO MAKE CERTAIN ORDERS REGARDING FIREARMS FOLLOWING A DECLARATION OF CIVIL EMERGENCY

A motion was made by Council Member Becken, seconded by Council Member Elder to adopt Ordinance No. 13-2820 amending Prosser Municipal Code Section 9.10.020 to remove Administration's authority to make certain orders regarding firearms following a declaration of civil emergency. Motion passed 4 YES, 1 NO (Troemel), 2 ABSENT (Rainer, Everett).

APPROVE PAYMENT OF CLAIM CHECK NOS. 70447 IN THE AMOUNT OF \$40.00, FOR THE PERIOD ENDING MARCH 26, 2013

Council Member Hamilton recused himself due to a conflict of interest. A motion was made by Council Member Taylor, seconded by Council Member Elder to approve payment of claim check no. 70447 in the amount of \$40.00, for the period ending March 26, 2013. Motion passed 4 YES, 0 NO, 2 ABSENT (Rainer, Everett), 1 ABSENTION (Hamilton).

CONSENT AGENDA

A motion was made by Council Member Taylor, seconded by Council Member Becken to approve Consent Agenda Items "A – E". Motion passed 5 YES, 0 NO, 2 ABSENT (Rainer, Everett).

- a. Approve Payment of Payroll Check Nos. 502537 through 502539 in the Amount of \$2,402.62 and Direct Deposits in the Amount of \$9,765.43 for the Period Ending March 15, 2013
- b. Approve Payment of Claim Checks Nos. 70361 through 70446, in the Amount of \$345,000.38, and Electronic Payment in the Amount of \$15,588.96 for the Period Ending March 26, 2013
- c. Adopt Resolution 13-1422 Surplusing City of Prosser Property
- d. Approve the USDA Outlay Report and Draw Request No. 17 in an Amount of \$12,787.50, for Costs Associated with the Northwest Prosser Water and Sewer System Improvements Project (Contract Addendum No. 2) and Authorize the Mayor to Sign the Documents
- e. Approve the February 5, 2013 Meeting Minutes

ADJOURNMENT

There being no further business before the City Council at this time, the Regular Meeting of the Prosser City Council was adjourned at 7:22 p.m.



Mayor Paul Warden

Attest:



City Clerk Rachel Shaw

