

**CITY OF PROSSER, WASHINGTON
601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL REGULAR MEETING
TUESDAY, MAY 10, 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, Chambers and Rainer were present. Council Member Poteet was absent.

[Clerk's Note: Council Member Poteet arrived at 7:09 p.m.]

CITIZEN PARTICIPATION

Prosser Chamber of Commerce Executive Director, Jim Milne spoke on the 2011 First Quarter Hotel/Motel Report. A 2011 Prosser Chamber of Commerce brochure was provided to the Council to review as well as a Regional Magazine that featured an eight page advertisement about Prosser. There was discussion regarding the Chamber's new website and the benefits of the partnership.

MAYOR AND CITY COUNCIL REPORTS AND COMMENTS

Publicly Owned Vehicles and Bio-Fuel Usage

Council Member Becken advised that he had been made aware of an un-funded mandate by the State that will require all publicly owned vehicles, with the exception of State Patrol cars, to be fueled with either electricity or bio-fuel by June 1, 2018. House Bill 1478, City County Fiscal Relief was introduced in the Legislature this year to allow for a delay of the mandate until the Department of Commerce adopts practical rules to determine how the Cities and Counties will comply.

Historic Downtown Prosser Association (HDPA), Main Street Celebration

Mayor Warden reminded Council that the Historic Downtown Prosser Association will be conducting the Main Street Designation ceremony on Tuesday, May 17, 2011 on the steps of the Court House at 11:30 a.m.

Proclamation - "Fly the Blue"

Mayor Warden read aloud a Proclamation honoring the Law Enforcement Community and proclaiming May 15th through May 21, 2011 as "Fly the Blue" National Police Week in Prosser. Police Chief Pat McCullough was present to accept the Proclamation.

REPORT FROM THE CITY ADMINISTRATOR

Federal Highway Administration Discretionary Funds

Public Works Director L.J. DaCorsi stated City staff had been notified through the Benton-Franklin Council of Governments (BFCOG) that \$430,000,000 of Federal Highway Administration Discretionary Funds will soon become available to governments and municipalities and tribes across the United States. A grant application would have to be submitted no later than May 20th for projects that functionally classify and there is a 20% matching funds commitment. Mr. DaCorsi advised he had been in contact with the City Engineers, Huibregtse Louman Associates, (HLA) who advised they would prepare the application for the City, however they did not feel it would be the best use of City funds because of the completion for the grant funds and the likelihood the City would actually be awarded. Council concurred they would like City staff to obtain a quote from the Engineers on what the cost would be to prepare the documents in order to submit the grant application. Mr. DaCorsi advised he would provide a cost analysis once the quote had been obtained.

CONSENT AGENDA

Council Member Rainer removed Item "H" from the Consent Agenda. A motion was made by Council Member Chambers, seconded by Council Member Becken to approve Consent Agenda Items "A-G". Motion passed 7 YES, 0 NO, 0 ABSENT.

- a. Approve Payment of Payroll Checks Nos. 501835 through 501851 in the Amount of \$33,545.76 and Direct Deposits in the Amount of \$90,114.54 for the Period Ending April 29, 2011, 2011
- b. Approve Payment of Claim Check Nos. 66771 through 66859 in the Amount of \$494,546.75, for the Period Ending April 26, 2011
- c. Accept Monthly Report by Prosser Economic Development Association for the Month of April 2011 and Authorize Payment for those Services in the Amount of \$2,166.66
- d. Accept Invoice for Operation of the Visitor Information Center and Reimbursable Tourism and Promotional Expenses for the Month of April 2011 and Authorize Payment for those Services in the Amount of \$5,500
- e. Approve Maintenance Contract Renewal for Konica Minolta Bizhub 451 Copier with Abadan
- f. Confirm Mayor Warden's Appointment of Eric Stagg to the Board of Adjustment for a Term which Expires January 1, 2013
- g. Confirm Mayor Warden's Appointment of Pat Merrill to the Planning Commission for a Term which Expires January 1, 2014

Council Member Rainer asked Deputy City Administrator/Finance Director Cathleen Koch who was responsible for the damage caused on the irrigation and sod patch that occurred during the demolition portion of the project. Ms. Koch advised the Performance Bond retainer had been withheld from William Charles West, the demolition contractor, while negotiations of who will pay the cost of the repairs continue. Until a resolution is reached, the City will need to either go out to bid to get the work completed, or it will have to come in the form of a change order. Either way, this portion of the project will need to be completed.

- h. Approve Change Order No. 4 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 \$21,753.06

A motion was made by Council Member Rainer, seconded by Council Member Chambers to approve Consent Agenda Item "H". Motion passed 6 YES, 1 NO (Troemel), 0 ABSENT.

COUNCIL ACTION**ORDINANCE NO. 11-2731 UPDATING THE CITY'S CRIMINAL CODE**

A motion was made by Council Member Becken, seconded by Council Member Rainer to adopt Ordinance No. 11-2731 updating the City's Criminal Code. Motion passed 7 YES, 0 NO, 0 ABSENT.

DISCUSSION ITEMS***Building Code Project Support and On-Call Plan Review/Inspection Services Agreement between the City of Prosser and The Building Department, Inc.***

Building Official Barry Morrow advised Council the purpose of securing a contract with The Building Department, Inc. is to provide back-up support as needed, to the Building Department in the event that there is an on-slot of building projects as a result of the completion of the water tower.

A motion was made by Council Member Taylor, seconded by Council Member Everett to approve the contract between the City of Prosser and The Building Department, Inc. to provide support services. Council Member Becken stated the contract was not signed nor was there

contact information provided on the agreement. Council Member Taylor and Council Member Everett withdrew their motions and requested the contract be amended and brought back to Council for consideration at a future meeting.

EXECUTIVE SESSION

At 7:43 p.m., Mayor Warden recessed the Regular Meeting of the Prosser City Council to conduct an executive session pursuant to RCW 42.30.110(1)(g) to evaluate the qualifications of an applicant for public employment or to review the performance of public employee. However, subject to RCW 42.30.140(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open. The session was expected to last 10 minutes and included the Mayor and Council Members and City Attorney.

At 7:53 p.m., City Attorney Saxton stated an additional 10 minutes was needed.

At 8:03 p.m., City Attorney Saxton stated an additional 5 minutes was needed.

At 8:08 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 8:08 p.m.

Attest:


City Clerk Rachel Shaw




Mayor Paul Warden