

**CITY OF PROSSER, WASHINGTON**  
**601 7<sup>TH</sup> STREET**  
**CITY COUNCIL CHAMBERS**  
**CITY COUNCIL REGULAR MEETING**  
**TUESDAY, MARCH 11, 2014**

**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 Aubrey, Hamilton, Everett, Becken, and Elder were present. Council Members Brumley and Taylor requested an excused absence.

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

**MAYOR AND COUNCIL REPORTS AND COMMENTS**

Mayor Warden stated the WATV ordinance would be coming forward at the next Regular City Council meeting for consideration.

Mayor Warden also stated there were two add-on items to the Council agenda related to the Regional Fire Authority (RFA), for Council's consideration.

**ADD-ON ITEM**

***Regional Fire Protection Service Authority (RFA)***

Mayor Warden provided an explanation. A motion was made by Council Member Everett, seconded by Council Member Elder to adopt Resolution No. 14-1445 recommending the joint decision to proceed with a Regional Fire Protection Service Authority (RFA) as the governance model for the Fire Department. Motion passed 5 YES, 0 NO, 2 ABSENT (Brumley, Taylor).

A motion was made by Council Member Everett, seconded by Council Member Elder to adopt Ordinance No. 14-2874 establishing compensation for the City appointed members to the RFA Planning Committee. Motion passed 4 YES, 1 NO (Hamilton), 2 ABSENT (Brumley, Taylor).

**CONSENT AGENDA**

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

- a. Approve Payment of Payroll Checks Nos. 600019 through 600028 in the Amount of \$18,076.20, and Direct Deposits in the Amount of \$100,331.90, for the Period Ending February 28, 2014

- b. Approve Payment of Claim Checks Nos. 10204 through 10214 and 10216 through 10302, in the Amount of \$593,089.24, and Electronic Payments in the Amount of \$45,986.66, for the Period Ending March 11, 2014
- c. Accept Invoice for Operation of the Visitor Information Center and Reimbursable Tourism and Promotional Expenses for the Month of January and Authorize Payment for Those Services in the Amount of \$13,000.00
- d. Approve the USDA Outlay Report and Draw Request No. 28 in an Amount of \$5,567.00, 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. Adopt Resolution 14-1446 Expressing the Intent to Adopt an Update of the Shoreline Master Program (SMP) and Authorizing the Submittal of this Proposed SMP Update to the Washington State Department of Ecology and to the Department of Commerce
- f. Approve the February 4, 2014 Meeting Minutes
- g. Approve the February 11, 2014 Meeting Minutes

### **COUNCIL ACTION**

#### **APPROVE PAYMENT OF CLAIM CHECK NOS. 10215 IN THE AMOUNT OF \$59,489.45, FOR THE PERIOD ENDING MARCH 11, 2014**

A motion was made by Council Member Everett, seconded by Council Member Becken to approve payment of claim check nos. 10215 in the Amount of \$59,489.45, for the Period Ending March 11, 2014. Motion passed 4 YES, 0 NO, 2 ABSENT (Brumley, Taylor), 1 ABSENTION (Hamilton).

### **CITIZEN PARTICIPATION**

Ed Youngblood, 485 North River Road, spoke in favor of the consideration of an acceptance of gift of right-of-way by Catholic Charities Housing Services, for the property located at 480 North River Road.

#### **CONSIDERATION OF AN ACCEPTANCE OF GIFT OF RIGHT-OF-WAY BY CATHOLIC CHARITIES HOUSING SERVICES ALONG THE SOUTHERN BOUNDARY OF THE PARCEL COMMONLY ADDRESSED AS 480 NORTH RIVER ROAD, FOR CONSTRUCTION OF A NEW STREET**

A motion was made by Council Member Everett, seconded by Council Member Elder to accept the gift of right-of-way by.

City Attorney Saxton stated the motion needed to be amended and restated to include "contingent upon taxes and irrigation being paid."

There was discussion regarding the construction of the road and the necessity of donating the right-of-way to the City.

Council Member Becken expressed his concern with the City taking on more undeveloped property that could potentially become a code enforcement issue.

Nathan Poel, Office of Rural Farmworker Housing (ORFH), stated his agency is the developer on the property and explained the gift of right-of-way is a procedural issue and the next step in the process of the development. Mr. Poel further explained the public right-of-way needs to be off-site per funding obligations.

An amended motion was made by Council Member Everett, seconded by Council Member Elder to accept the gift of right-of-way by Catholic Charities Housing Services along the southern boundary of the parcel commonly addressed as 480 North River Road, for construction of a new street, contingent upon taxes and irrigation being paid.

Council Member Becken inquired what other cities has the developer worked with that had similar funding requirements.

Mr. Poel stated at least two other Washington cities.

Council directed staff to bring this item back at the next Regular City Council meeting for re-consideration after obtaining the names of the other Washington cities with similar projects and funding requirements.

Council Member Everett withdrew his motion.

Council Member Elder withdrew his second.

Mayor Warden stated staff will prepare this item for the March 25, 2014, Regular City Council meeting agenda for Council consideration.

**REVIEW, DISCUSS AND POTENTIAL ADOPTION OF ORDINANCE 14-2875 AMENDING COMMERCIAL SEWER REQUIREMENTS**

A motion was made by Council Member Aubrey, seconded by Council Member Everett to adopt Ordinance 14-2875 amending commercial sewer requirements. Motion passed 5 YES, 0 NO, 2 ABSENT (Brumley, Taylor).

**ORDINANCE ENACTING PROSSER MUNICIPAL CODE 2.09 ESTABLISHING A CODE OF ETHICS**

Council inquired as to why staff brought this item forward for consideration.

Finance Director Mauras explained there are RCW's and the personnel policy manual in place which addresses the ethical responsibilities of elected and appointed officials, as well as other

staff, however the proposed Code of Ethics was drafted in an effort to establish clear expectations and is also an important component of the City's internal controls.

Council Member Becken stated the proposal appeared to be duplicative of the State law that elected and appointed officials are already governed by and therefore adopted a Code of Ethics is not necessary.

City Attorney Saxton offered to prepare a side-by-side comparison of staff's proposal verses that of state law.

Council concurred they would appreciate seeing a comparison and directed staff to bring the item back at a future City Council meeting for consideration.

**EXECUTIVE SESSION**

At 7:43 p.m., Mayor Warden recessed the Special Meeting of the Prosser City Council to conduct an Executive Session pursuant to RCW 42.140(4)(a) collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement; or (b), that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress. The Executive Session was expected to last for 10 minutes and was to include Mayor and Council Members, City Clerk, Finance Director, and City Attorney.

At 7:53 p.m., Mayor Warden reconvened the Regular Meeting of the Prosser City Council and stated no action occurred.

Council Member Elder inquired as to the status of the previously proposed Council Chamber remodel project.

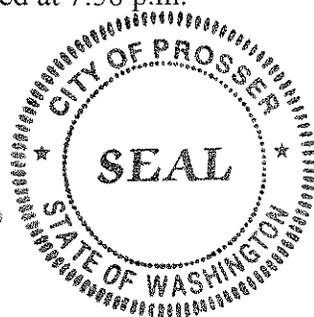
Mayor Warden stated the City received a bid proposal however it was over budget and would not be coming forward during this fiscal year.

**ADJOURNMENT**

There being no further business before the City Council at this time, the Regular Meeting of the Prosser City Council was adjourned at 7:56 p.m.

Attest:

  
City Clerk Rachel Shaw



  
Mayor Paul Warden