

CITY OF PROSSER, WASHINGTON
601 7TH STREET
CITY COUNCIL CHAMBERS
CITY COUNCIL SPECIAL MEETING
TUESDAY, MAY 6, 2014

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Prosser Heights Elementary “Kid that Cares” Matthew Gonzalez.

ROLL CALL

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

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

CITIZEN PARTICIPATION

Debbie Breitenfeldt, 943 Alice Street, read aloud statics related to the “Older Americans Month” and thanked Council for their support.

Chris Flodin and Nicole Flodin, 455 N River Road, were in attendance to speak in favor of the Nomadic Vendors item on the agenda.

MAYOR AND COUNCIL REPORTS AND COMMENTS

Proclamation Reading ~ “Older Americans Month”

Mayor Warden read aloud a proclamation declaring the month of May 2014 as “Older Americans Month.”

Mayor Warden stated Council was provided with a letter regarding police response to false security alarms and expressed his desire to hear from Council members by the end of the week regarding the proposed action. The item would be brought back to Council for consideration on May 27, 2014.

Council Item 9d was removed from the agenda. City Attorney Saxton explained the City received a letter from Benton County notifying staff that the County had consolidated the parcels related to this item. The ordinance will come back at a future City Council meeting once staff works with the County to remedy the issue.

Council Member Taylor provided a status update on the RFA Plan and thanked City Attorney Saxton for his work with the Fire District’s Attorney Brian Snure.

Council Member Becken informed Council there is a new general manager for Ben Franklin Transit.

CLOSED RECORD DECISION HEARING

REZONE FROM COMMERCIAL DOWNTOWN (CD) TO COMMERCIAL GENERAL (CG) AT 804 6TH STREET

At 7:13 p.m., Mayor Warden recessed the Special Meeting of the Prosser City Council to conduct a Closed Record Decision Hearing on a rezone from Commercial Downtown (CD) to Commercial General (CG) at 804 6th Street. Mayor Warden read aloud the Quasi Judicial disclosure statement and inquired if any members of the Council and a conflict related to the item.

There being no conflicts, at 7:15 p.m., Mayor Warden closed the Closed Record Decision Hearing and reconvened the Special City Council Meeting.

COUNCIL ACTION

CONSIDERATION OF ORDINANCE REGARDING SITE SPECIFIC REZONE FROM COMMERCIAL DOWNTOWN (CD) TO COMMERCIAL GENERAL (CG) AT 804 6TH STREET

City Planner Zetz handed out an ordinance that was inadvertently omitted from the Council packet and explained staff would bring the item forward for consideration at a future meeting.

PUBLIC HEARING

NOMADIC VENDORS

At 7:21 p.m., Mayor Warden recessed the Special Meeting of the Prosser City Council to conduct a Public Hearing on nomadic vendors. Mayor Warden called for public comment.

Chris Flodin, 455 North River Road, expressed her desire to start a lunch truck in the area next to Albright Glass on Wine Country Road. Nicole Flodin stated they would like the truck to be stationary and will be working off of catering license.

With no further comments, Mayor Warden closed the public hearing and reconvened the Special Meeting of the Prosser City Council at 7:25 p.m.

Council Member Ward asked if there was a conflict with the vendors already in that area. City Planner Zetz provided Council with a handout showing the exemptions provided by the Revised Code of Washington (RCW).

COUNCIL ACTION

CONSIDERATION OF ORDINANCE 14-2884 ESTABLISHING A LICENSING POLICY FOR NOMADIC VENDORS AND ALLOWING THEM TO OPERATE WITHIN THE CITY OF PROSSER SUBJECT TO THE CONDITIONS OF THE MUNICIPAL CODE

A motion was made by Council Member Taylor, seconded by Council Member Ward to adopt Ordinance No. 14-2884 establishing a licensing policy for nomadic vendors and allowing them to operate within the City of Prosser subject to the conditions of the Municipal Code. Motion passed 6 YES, 0 NO, 1 ABSENT (Everett).

CONSIDERATION OF ORDINANCE 14-2885 MODIFYING THE ZONING CODE TO COMPLY WITH THE ADOPTION OF AN ORDINANCE ALLOWING NOMADIC VENDORS WITHIN THE CITY OF PROSSER

A motion was made by Council Member Taylor, seconded by Council Member Ward to adopt Ordinance No. 14-2885 modifying the zoning code to comply with the adoption of an ordinance allowing Nomadic Vendors within the City of Prosser. Motion passed 6 YES, 0 NO, 1 ABSENT (Everett).

CONSIDERATION OF ORDINANCE 14-2886 ADOPTING A MORATORIUM ON THE ESTABLISHMENT OF MEDICAL CANNABIS DISPENSARIES AND COLLECTIVE GARDENS; DEFINING "MEDICAL CANNABIS DISPENSARIES" AND "COLLECTIVE GARDENS;" DECLARING AN EMERGENCY; ADOPTING A WORK PLAN, AND ESTABLISHING AN EFFECTIVE DATE

A motion was made by Council Member Taylor, seconded by Council Aubrey to adopt Ordinance No. 14-2886 adopting a Moratorium on the establishment of medical cannabis dispensaries and Collective Gardens; Defining "Medical Cannabis Dispensaries" and "Collective Gardens;" Declaring an Emergency; adopting a work plan, and establishing an effective date. Motion passed 6 YES, 0 NO, 1 ABSENT (Everett).

CONSIDERATION OF ORDINANCE 14-2887 ADOPTING A PUBLIC PARTICIPATION PLAN TO GUIDE THE PROCESS TO ADOPT AN AMENDMENT TO THE PROSSER ZONING REGULATIONS REGARDING MEDICAL CANNABIS

A motion was made by Council Member Taylor, seconded by Council Member Aubrey to adopt Ordinance No. 14-2887 adopting a Public Participation Plan to guide the process to adopt an amendment to the Prosser Zoning Regulations regarding medical cannabis. Motion passed 6 YES, 0 NO, 1 ABSENT (Everett).

CONSIDERATION ORDINANCE 14-2888 ADDING A DEFINITION FOR "CRIMINAL ACTIVITY" TO THE CITY'S RENTAL HOUSING LICENSE ORDINANCE CODIFIED AS PROSSER MUNICIPAL CODE CHAPTER 15.30

A motion was made by Council Member Taylor, seconded by Council Member Becken to adopt Ordinance No. 14-2888 adding a definition for "Criminal Activity" to the City's Rental Housing License Ordinance Codified as Prosser Municipal Code Chapter 15.30. Motion passed 6 YES, 0 NO, 0 ABSENT (Everett).

CONSIDERATION OF ORDINANCE REPEALING ORDINANCE 1485, AMENDING ORDINANCE 1471 AND 1462 REGARDING ANNEXATION OF PROPERTY COMMONLY KNOWN AS THE SPRAY FIELD

This item was pulled from the agenda.

REVIEW AND CONFIRM THE APPOINTMENTS TO VARIOUS BOARDS, COMMISSIONS AND COMMITTEES AS APPOINTED BY MAYOR WARDEN

A motion was made by Council Member Becken, seconded by Council Member Hamilton to confirm the appointment of Council Member Ward to the PEDDA Board and Budget and Finance Committee as appointed by Mayor Warden. Motion passed 6 YES, 0 NO, 1 ABSENT (Everett).

A motion was made by Council Member Aubrey, seconded by Council Member Taylor to confirm the appointment of Rob Siemens to the Planning Commission, Position No. 3, as appointed by Mayor Warden. Motion passed 6 YES, 0 NO, 1 ABSENT (Everett).

CONSENT AGENDA

A motion was made by Council Member Becken, seconded by Council Member Taylor to approve Consent Agenda Items "A – E". Motion passed 6 YES, 0 NO, 1 ABSENT (Everett).

- a. Approve Drinking Water State Revolving Fund (DWSRF) Invoice Voucher Request No. 2 in the Amount of \$26,511.50, for the Zone 2.5 Water Supply Improvements Project and Authorize the Mayor to Sign the Documents
- b. Approve Drinking Water State Revolving Fund (DWSRF) Invoice Voucher Request No. 10 in the Amount of \$594,858.05, for the Disinfection, Filtration and Source Improvements Project and Authorize the Mayor to Sign the Documents
- c. Approve the March 11, 2014 Meeting Minutes
- d. Approve the March 25, 2014 Meeting Minutes
- e. Approve the April 1, 2014 Meeting Minutes

DISCUSSION ITEMS

REVIEW, DISCUSS AND POTENTIALLY TAKE ACTION TO APPROVE CONTRACTS WITH THE US BANK FOR THE USE OF CREDIT CARDS BY CITY STAFF

A motion was made by Council Member Aubrey, seconded by Council Member Taylor to approve the contracts with the US Bank for the use of credit cards by City Staff. Motion passed 6 YES, 0 NO, 1 ABSENT (Everett).

REVIEW AND DISCUSS POTENTIAL AMENDMENTS TO PROSSER MUNICIPAL CODE (PMC) 13.10.150, REGARDING LATE FEES

Mayor Warden provided an overview of the proposed changes to the PMC, discussed the options and asked Council to provide staff direction on their preference. Council directed staff to bring back the Code amendment with language that incorporates a \$100.00 cap to the late fee. This item will be considered at a future City Council meeting.

REVIEW ORDINANCE CLOSING FUNDS 442 AND 443 REGARDING THE 1997 WATER/SEWER REFUNDING BOND AND AMENDING THE 2014 BUDGET

Mayor Warden introduced the ordinance as required per RCW 35A.33.090. Council Member Taylor inquired if there was money in the funds. Finance Manager Yost explained the bond associated with these funds has been paid in full and there is \$73,500 in fund 442 and \$628,500 in fund 443. All remaining dollars will be transferred into the reserve fund. This ordinance will be brought back to the May 13th Council meeting for consideration.

ADD ON ITEMS

Council Member Hamilton asked how much of a burden the response to false alarms is to the Police Department. Chief Giles said it is a tremendous financial impact to the Police Department and ties up officers who would otherwise be on patrol or responding to other calls, due to the two officer response requirement.

Council Member Aubrey requested that Mayor Warden and staff resubmit the two ordinances related to amending the City Hall office hours. Mayor said that item will be brought forward for Council's reconsideration at the May 13th Regular City Council meeting.

ADJOURNMENT

There being no further business before the City Council at this time, the Special Meeting of the Prosser City Council was adjourned at 7:55 p.m.



Mayor Paul Warden

Attest:



City Clerk Rachel Shaw

