

**CITY OF WEST RICHLAND  
CITY COUNCIL MEETING  
TUESDAY, DECEMBER 6, 2011**

1. **Call to Order** – Mayor Noski called the meeting to order at 7:00 p.m.
2. **Roll Call** – Mayor Noski and Mayor Pro Tem Rich Buel were present. Council Members Tony Benegas, Richard Bloom, Gail Brown, Ken Dobbin, Brent Gerry, and Merle Johnson were also present. Staff members present were Associate Planner Thaniel Gouk, Senior Planner Aaron Lambert, Police Chief Brian McElroy, Finance Director Jessica Platt, Public Works Director Roscoe Slade, Economic Development Director Ruth Swain, City Attorney Bronson Brown and City Clerk Julie Richardson.
3. **Pledge of Allegiance** – Council Members Dobbin and Johnson led the Council, staff, and audience in the recitation of the Pledge of Allegiance.
4. **Approval of Agenda** – Councilmember Johnson requested that item 6d be moved to 7a and 7d be moved to 7b.

*Upon motion by Councilmember Gerry, seconded by Councilmember Brown, Council unanimously approved the agenda as revised.*

5. **Presentations** – There were no presentations.
6. **Consent Agenda** -*Upon motion by Councilmember Brown, seconded by Councilmember Benegas, Council unanimously approved the consent agenda as revised in item 4.*

a. **Approve Payment of Bills**

b. **Approve Minutes of Council Meeting of November 15**

c. **Award Intertie Booster Station Project**

d. This item was moved to item 7a.

e. **RES – Authorizing the Mayor to Sign the Amended and Restated Interlocal Agreement for Benton County Emergency Services**

f. **RES – Authorizing Exploration of a Regional Cooperative Mgmt. Arrangement for Dispatch et al**

g. **Approve Agreement with Benton County Prosecutor for Child Abuse Services**

h. **Approve Contract Amendment with Mid-Columbia Library**

i. **Confirm Mayor’s Reappointments to the Economic Development Board**

j. **Confirm Mayor’s Reappointments to the Real Estate Conservation and Management Board**

k. **Confirm Mayor’s Reappointments to the Planning Commission**

l. **Confirm Mayor’s Reappointment to the Park Board**

7. **Ordinances, Resolutions, Motions, and Public Hearings** – a. **Approve Jail Use Agreement with Benton County** – **Police Chief McElroy** presented a recommendation to renew the jail use agreement with Benton County. He noted that the City has had a long term contractual relationship with Benton County Jail for housing of City prisoners. The current inter-local agreement is set to expire on December 31, 2011 and a new agreement is required for housing of prisoners at that facility.

**Councilmember Johnson** questioned whether the amount the City budgeted for 2012 is sufficient to cover the cost since the agreement shows a higher amount.

**Chief McElroy** explained that the projected bed day use is higher than the City will use. In the past, Benton County projected bed day use low and then at the end of the year, it was much higher than projected and the City received a large bill that wasn't expected. The County is now projecting high so cities do not have the unexpected bill at the end of the year. Also, the County is working on some agreements with other entities that will lower the bed day rate.

*Councilmember Bloom moved to authorize the Mayor to sign the agreement for use of jail facilities with Benton County. Mayor Pro Tem Buel seconded the motion and it carried unanimously.*

- b. RES – Setting the Salary Schedule for 2012 – Finance Director Platt** presented a recommendation to approve resolution 27-11 setting the salary schedule for 2012.

**Councilmember Johnson** is opposed to the cost of living allowance and step increases included in the salary schedule.

**RESOLUTION 27-11 - A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON SETTING THE SALARY SCHEDULE FOR THE CITY FOR 2012**

*Councilmember Benegas moved to approve resolution 25-11. Mayor Pro Tem Buel seconded the motion and it carried by 6-1 majority vote.*

Yes: Mayor Pro Tem Buel, Council Members Benegas, Bloom, Brown, Dobbin, Gerry  
No: Councilmember Johnson

- c. Public Hearing – ORD – Adopting the 2012 Budget – Finance Director Platt** presented the proposed 2012 budget ordinance for public hearing and adoption. She noted that the ordinance establishes the legal appropriation for City expenditures and ending fund balances and the proposed means of financing the appropriation for fiscal year 2012. The ordinance adopts the budget at the fund level. She provided an overview of changes to the original proposed budget.

Mayor Noski opened the public hearing at 7:15 p.m.

**Peggy Panisko** asked what the \$173,750 for land under general parks is for.

**Public Works Director Slade** explained that \$6,250 is for irrigation water rights for Flat Top Park, \$160,000 is nonspecific but set aside for purchase of park land if land becomes available, and \$7,250 is for acquisition of miscellaneous Bureau of Land Management property.

**Councilmember Gerry** wanted to clarify that Council decided there would be no additional taxes levied to citizens, but Benton Rural Electric is increasing their rates by four percent. He wants to make sure citizens are aware that the increase is not from the City.

There being no additional testimony, Mayor Noski closed the public hearing at 7:17 p.m.

- d. ORD – Adopting the 2012 Budget – Finance Director Platt** presented a recommendation to approve ordinance 25-11 as delineated in item 7a.

**ORDINANCE 25-11 - AN ORDINANCE OF THE CITY OF WEST RICHLAND, WASHINGTON ADOPTING THE BUDGET FOR THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012**

*Councilmember Benegas moved to approve ordinance 25-11. Councilmember Gerry seconded the motion and it carried by 5-2 majority vote.*

Yes: Mayor Pro Tem Buel, Council Members Benegas, Bloom, Brown, Gerry  
No: Council Member Dobbin, Johnson

- c. RES – Relating to Interfund Loan from Water/Sewer Operating Fund to CERB/Belmont Fund and Repealing Resolution 10-11 – Finance Director Platt** presented a recommendation to approve resolution 26-11. She noted that the resolution repeals the original interfund loan resolution approved by City Council in April 2011 and authorizes a short-term interfund loan to provide interim financing for costs associated with the CERB project and Belmont acquisition. The Water/Sewer Operating Fund (#401) will

issue the loan in an amount not to exceed \$950,000 at 0.50% annual interest. It is anticipated that 61% of the loan will be repaid prior to December 31, 2012, with the ongoing receipt of loan proceeds from CERB and grant funding and shall be repaid in its entirety on or before December 5, 2014.

**RESOLUTION 26-11** - A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, RELATING TO AN INTERFUND LOAN FROM THE WATER/SEWER OPERATING FUND TO THE CERB/BELMONT FUND AND REPEALING RESOLUTION 10-11

*Councilmember Gerry moved to approve resolution 26-11. Councilmember Benegas seconded the motion and it carried by 6-1 majority vote.*

Yes: Mayor Pro Tem Buel, Council Members Benegas, Bloom, Brown, Gerry, Johnson  
No: Councilmember Dobbins

- e. Approve Contract with Washington State Business Licensing Services (BLS) – Finance Director Platt** presented a recommendation to approve an interlocal agreement with the State of Washington for business licensing services and amend chapter 5.04, "Business License Fee," of the West Richland Municipal Code. She noted that City staff has been working with BLS on pre-partnership activities including an assessment of current City processes and providing information on the City's business license municipal code to BLS for review. BLS has provided recommended changes to the City's current business license ordinance to comply with the program.

**Councilmember Dobbins** expressed concern that the license will cost business owners \$9.00 more than they are paying now.

**Peggy Panisko** asked for an explanation and what the driver was for contracting with the State.

**Mayor Noski** explained that the business license services program will allow cross referencing of businesses and ensure the City is receiving the tax revenue it should be getting.

**ORDINANCE 26-11** - AN ORDINANCE OF THE CITY OF WEST RICHLAND, WASHINGTON, AMENDING CHAPTER 5.04, "BUSINESS LICENSE FEE," OF THE WEST RICHLAND MUNICIPAL CODE

*Councilmember Benegas moved to approve an agreement with the State of Washington for business licensing services and approve ordinance 26-11 amending chapter 5.04, "Business License Fee," of the West Richland Municipal Code. Councilmember Brown seconded the motion and it carried by 5-2 majority vote.*

Yes: Mayor Pro Tem Buel, Council Members Benegas, Bloom, Brown, Gerry  
No: Council Members Dobbins, Johnson

- f. Public Hearing – ORD - 2011 Area Wide Rezone – Associate Planner Gouk** noted that following the annual updates to the Comprehensive Plan, adopted by City Council in June of this year, the Planning Commission considered the area-wide rezone shown in the council packet. A workshop was held in August on these items, and following an open-record public hearing at the October 13th meeting, the Commission recommended approval of the area-wide rezone to the City Council. Per RCW and WRMC, this is to be processed as a Legislative item. Also included are amendments from changes in 2008 that the City held off on because decisions needed to be made on Belmont Blvd, and also whether the City would purchase the reversionary interests for the Belmont property.

**Councilmember Bloom** wants to ensure that the changes are consistent with Comprehensive Plan changes that Council has approved.

**Associate Planner Gouk** confirmed that the changes are consistent with the Comprehensive Plan changes Council has approved.

Mayor Noski opened public hearing at 7:39 p.m. There was no testimony so Mayor Noski closed the hearing at 7:39 p.m.

- g. **ORD – 2011 Area Wide Rezone – Associate Planner Gouk** presented a recommendation to approve ordinance 27-11 as delineated in item 7f.

**ORDINANCE 27-11 - AN ORDINANCE OF THE CITY OF WEST RICHLAND, WASHINGTON ADOPTING THE 2011 AREA-WIDE REZONE, AND THE RESULTING OFFICAL ZONING MAP**

*Mayor Pro Tem Buel moved to approve ordinance 27-11. Councilmember Dobbin seconded the motion and it carried unanimously.*

Yes: Mayor Pro Tem Buel, Council Members Benegas, Bloom, Brown, Dobbin, Gerry, Johnson  
No: None

- h. **Public Hearing – Latecomers Agreement – Hyde Park – Public Works Director Slade** presented a recommendation to approve a latecomer agreement. He noted that the owner/developer of the plat of View Ridge Division 'D' has constructed improvements described in the staff report to the City sewer system at a total cost of \$61,978.68. The proposed latecomers agreement would provide means for the owner/developer of the plat to be reimbursed for the cost to design and construct the sewer line improvements at \$3,262.03 per connection (based on the 19 lots shown on the preliminary plat of Hyde Park), when these lots or properties desire to connect to the City's sewer system. If the preliminary plat is modified from the original 19 lots, the latecomers agreement will be automatically adjusted based on the actual number of lots platted.

Mayor Noski opened the public hearing at 7:42 p.m. There was no testimony so Mayor Noski closed the hearing at 7:42 p.m.

- i. **Approve Latecomers Agreement – Hyde Park – Public Works Director Slade** presented a recommendation to approve a latecomers agreement as delineated in item 7h.

*Councilmember Benegas moved to authorize the Mayor to execute the proposed latecomers agreement. Mayor Pro Tem Buel seconded the motion and it carried unanimously.*

Yes: Mayor Pro Tem Buel, Council Members Benegas, Bloom, Brown, Dobbin, Gerry, Johnson  
No: None

- j. **Public Hearing – ORD – Amending 2011 Budget – Finance Director Platt** presented an ordinance amending the budget for the fiscal year ending December 31, 2011. The amendments include:

- The Governmental Accounting Standards Board (GASB) initiated GASB 54 which puts additional restrictions on the use of special revenue funds. The statement was initiated to create more uniformity with the use of funds and reduce the number of special revenue funds used by public agencies. The City's General Cumulative Reserve currently does not meet the new requirements of a special revenue fund. To comply with this new standard, staff recommends transferring the General Cumulative Reserve Fund 103 fund balance as of December 31, 2011 to the General Cumulative Reserve Fund 002.
- The City receives revenue reimbursement in the Street Fund from contractors for sign installation and miscellaneous expenses. The purpose of the budget amendment is to recognize these reimbursements as revenue in the amount of \$8,000 and include an appropriation for the same amount.
- The budget amendment also increases the appropriation for street striping with the July 2011 council approval of the street striping contract. It was mentioned in the July staff report that awarding the contract may require a future budget amendment of approximately \$12,000.

Mayor Noski opened the public hearing at 7:45 p.m. There was no testimony so Mayor Noski closed the hearing at 7:45 p.m.

- k. **ORD – Amending 2011 Budget – Finance Director Platt** presented a recommendation to approve ordinance 28-11 as delineated in item 7j.

**ORDINANCE 28-11 - AN ORDINANCE OF THE CITY OF WEST RICHLAND,  
WASHINGTON AMENDING THE BUDGET FOR THE CITY FOR THE FISCAL YEAR  
ENDING DECEMBER 31, 2011**

*Mayor Pro Tem Buel moved to approve ordinance 28-11. Councilmember Gerry seconded the motion and it carried unanimously.*

Yes: Mayor Pro Tem Buel, Council Members Benegas, Bloom, Brown, Dobbin, Gerry,  
Johnson  
No: None

- 8. Unfinished Business** – There was no unfinished business.
- 9. New Business** – There was no new business.
- 10. Citizens Public Comment** – Mayor Noski opened the meeting to citizen public comment on items not on the agenda.

**Peggy Panisko** thanked Council Members Dobbin and Johnson for their work on the Council.

**11. Announcements, Reports & Comments - a. Staff Reports**

**a. Council Reports**

Several Council Members and the Mayor thanked Council Members Dobbin and Johnson for their service on the City Council

**Councilmember Gerry** thanked the West Richland Chamber for the Veterans Day Parade, and the Council Members who took his challenge and rode with a veteran. He also thanked City Staff for putting up Christmas lights.

**Councilmember Brown** thanked Councilmember Gerry for participating in discussions on Local Homeless Housing Grant Assistance Program (2163) funds, and to Senior Planner Lambert for attending a steering committee meeting. She announced that the Point in Time homeless count will be on January 26<sup>th</sup>.

**Councilmember Dobbin** reported the following from Benton County Fire District #4: Bought a second used ambulance to setup as a mechanical backup; December 17<sup>th</sup> is Operation Candy Cane; Next Commissioners meetings are December 7<sup>th</sup> and December 21<sup>st</sup>.

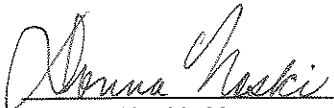
Councilmember Dobbin commented that there is an accessory building code change coming before Council and he recommended that Council Members get a copy of the report that he has so they can summarize it before the meeting.


Council Member Dobbin thanked citizens, his wife, the current and former Mayors, Council Members, and Staff.

**Councilmember Johnson** said he enjoyed working with the Staff and he appreciates their hard work. He specifically commended Public Works employee Phil Flores and City Clerk Julie Richardson.

**Mayor Noski** thanked the Red Mountain Lions Club for Carols and Cocoa. She also thanked the Enterprise Middle School choir for performing during Carols and Cocoa, and the band for performing during the Veterans Day parade. She also thanked the Girl Scout troop who sang carols during Carols and Cocoa.

- 12. Executive Session** – There was no executive session.
- 13. Adjournment** – The meeting was adjourned at 8:11.

  
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Donna Noski, Mayor

  
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Julie Richardson, City Clerk