

**CITY OF WEST RICHLAND
REMOTE CITY COUNCIL MEETING
TUESDAY, MARCH 1, 2022**

1. **Call to Order** – Mayor Gerry called the meeting to order at 6:00 p.m.
2. **Roll Call** –

Present:

Mayor Brent Gerry
Mayor Pro Tem Fred Brink
Councilmember Richard Bloom
Councilmember May Hays
Councilmember Ken Stoker
Councilmember Kate Moran
Councilmember John Smart

Police Chief Ben Majetich
Finance Director Erin Gwinn
Public Works Director Roscoe Slade
Community Dev. Director Eric Mendenhall
City Clerk Stephanie Haug
HR Manager Selena Smathers
IT Systems Admin Brad Borton
City Attorney Bronson Brown
Associate Planner Elisha Ransom

Absent:

Councilmember David Fetto

Councilmember Smart moved to excuse Councilmember Fetto. It was seconded by Councilmember Stoker. Council unanimously approved the motion to excuse Councilmember Fetto.

3. **Pledge of Allegiance** –

Councilmember Hays led the council, staff, and audience in the Pledge of Allegiance.

4. **Approval of Agenda** –

Mayor Gerry requested that an executive session, pursuant to RCW 42.30.110i, to discuss with legal counsel representing the City litigation to which the City is a party to be added to the one already scheduled. Mayor Pro Tem Brink moved to approve the agenda as amended. It was seconded by Councilmember Smart. Council unanimously approved the amended agenda.

5. **Presentations-**

- a. **Michelle Holt, Benton Franklin Council of Governments**

Michelle Holt, Director of the Benton Franklin Council of Governments, provided a report on the current services provided by BFCOG.

6. **Consent Agenda** – Mayor Gerry read the consent agenda titles for consideration.

- a. Approve Minutes - Regular Meeting on February 15, 2022
- b. Motion authorizing Mayor to execute Amendment #1 to on-call professional services agreement with JUB.
- c. Motion authorizing Mayor to execute professional services contract with Knutzen Engineering for Belmont Business District frontage improvements.
- d. **ORD. 03-22** - Amending WRMC 12.12.020 & 0.40 Park Regulation of Use & Reservation Policy
- e. **RES. 12-22** - Set public hearing for VACA-002-2022 – Easement Vacation

RESOLUTION NO. 12-22

A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, SETTING THE PUBLIC HEARING DATE TO CONSIDER AN IRRIGATION EASEMENT VACATION ON SUNSET HEIGHTS PHASE 3, LOTS 9 AND 10, PARCEL NUMBERS 1-0197-109-0000-009 and 1-0197-109-0000-010.

- f. **RES. 13-22** - Set public hearing for VACA-003-2022 – Easement Vacation

RESOLUTION NO. 13-22

A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, SETTING THE PUBLIC HEARING DATE TO CONSIDER A UTILITY EASEMENT VACATION ON WILLAMETTE HEIGHTS, SECTION 6, LOT 127, PARCEL NUMBER 1-0698-402-0127-000.

Dianna Cobb, 4320 Kennedy spoke regarding the zoning amendment. Mayor Gerry indicated that it would be discussed later in the meeting.

Councilmember Bloom moved to approve the consent agenda. Councilmember Smart seconded the motion. Council unanimously approved the consent agenda.

7. Citizen Public Comments – There were no comments.

8. Ordinances, Resolutions, Motions and Public Hearings-

a. ORD. 04-22 - Zoning Code Amendment File No. TXT-004-2021-Drive Through Window Service

Community Development Director Eric Mendenhall presented a staff report for the proposed adoption of Ordinance 04-22, which would amend the zoning text to allow drive-through window service in restaurants in the Commercial Limited and Neighborhood Commercial Zones.

Dianna Cobb- 4320 Kennedy – spoke in opposition of the amendment for the Neighborhood Commercial Zone. She received no written notification for this proposal, and suggested that the action be rescinded to the planning commission for more comment from her neighbors. She explained that she and her neighbors would be adversely affected by the action.

Rick Simon- 98402 Harrington – Spoke in favor of the amendment for the Commercial Limited Zone. He suggested it would open up additional economic development opportunities for the City, and also mentioned there is no specific proposal for this action, but the change would allow future proposals an opportunity for public comment on things such as fencing and buffering as part of the Conditional Use Permitting process.

Councilmember Bloom moved to approve Ordinance 04-22, which amends Chapters 17.13, 17.40 and 17.46 to allow drive through window services as a conditional use in the Commercial Limited zone. Councilmember Moran seconded the motion. Council held a lengthy discussion on Councilmember's motion to approve only the portion of the Ordinance relating to Commercial Limited and removing Neighborhood Commercial. Councilmember Bloom revised his motion to amend the proposed Ordinance, removing Neighborhood Commercial as a Conditional Use in the land use matrix and remove Section 2 from the drafted Ordinance, making Section 3 the new Section 2. Councilmember Moran seconded the revision.

AMENDED ORDINANCE NO. 04-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, AMENDING TITLE 17 OF THE WEST RICHLAND MUNICIPAL CODE, TO SPECIFY THAT DRIVE-THROUGH WINDOW SERVICES ARE ALLOWED AS A CONDITIONAL USE IN THE COMMERCIAL LIMITED DISTRICT, AND DEVELOP PERFORMANCE STANDARDS FOR DRIVE-THROUGH WINDOW SERVICES IN THAT DISTRICT

Council voted unanimously to approve Ordinance 04-22, as amended.

9. Unfinished Business – There was no unfinished business.

10. New Business – There was no new business.

11. Citizen Public Comments –

Dianna Cobb- 4320 Kennedy Road- Upset about the actions of the Council, the lack of follow-through by the City Clerk providing the information to Council and that her information fell on deaf ears.

12. Announcements, Reports & Comments

a. Staff Reports

Community Development Director Mendenhall provided clarification to the audience on the action that the City Council took at the meeting, indicating that drive-thru restaurants are only to be allowed in the Commercial Limited zone, and not the Neighborhood Commercial that Mrs. Cobb was concerned about.

Public Works Director Roscoe Slade reported that the S 38th and Van Giesen signal was now operational.

HR Manager Selena Smathers reported that the City of West Richland was recently awarded the AWC WellCity Award, which saves the city approximately \$20k in health insurance premiums. The City

has a Wellness Committee that plans fun, healthy activities for our employees.

b. Council Reports

Councilmember Bloom informed Council he is no longer the BFT chairperson and that he will be traveling to Washington DC on behalf of the transit in a few weeks.

Councilmember Moran gave kudos to Councilmember Bloom for making the motion on the Drive-Thru ordinance, and thanked Mrs. Cobb for the email as well as encouraged her to stay involved. She attended a BFCOG meeting on February 18th, where they approved TIP updates, are working on a new Bike Map, reviewing the Human Services Transportation Plan and doing the Regional Traffic Counts. They also elected a new BFCOG Board Chair – Brad Peck. Mayor Gerry inquired about the Port of Kennewick, and Councilmember Moran indicated there wasn't a lot going on other than public comments.

Mayor Pro Tem Brink attempted to provide his report on the AWC Legislative Action request, however, his internet connection kept breaking up, so Mayor Gerry provided information to Council on the request regarding the funding of the transportation package using funds from the PWTF.

Councilmember Smart also gave kudos to Councilmember Bloom for his motion and thanked Mrs. Cobb for contacting the Council. It made a difference in the Council's decision, and this is a great example of how the Council is being diligent. He also mentioned that he thinks notice should be provided to any residential property adjacent to commercial when zoning regulations are to be changed. Lastly, he suggested adding a dog park at the north end of the Bombing Range Sports Complex in relation to the ordinance passed on the consent agenda.

Councilmember Stoker mentioned that the governor is lifting the mask mandate on March 11.

Councilmember Hays announced that she is sending love and prayers to the people of Ukraine.

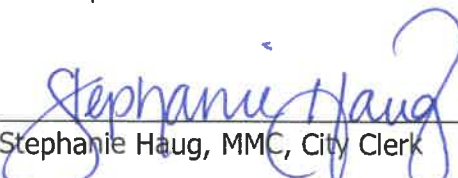
Councilmember Moran echoed what Councilmember Hays said about Ukraine, and provided information some AWC call to action items regarding police legislation.

13. Executive Session – The City Council adjourned to an Executive Session for 20 minutes at 8:08pm, pursuant to RCW 42.30.110c, the minimum price at which real estate will be offered for sale or lease and pursuant to RCW 42.30.110i, to discuss with legal counsel representing the City litigation to which the City is a party to. The session was extended 20 minutes at 8:28pm.

14. Adjournment - The meeting was adjourned at 8:48 p.m.



Brent Gerry, Mayor



Stephanie Haug, MMC, City Clerk

