

CITY OF KENNEWICK
CITY COUNCIL REGULAR MEETING
January 16, 2024

1. CALL TO ORDER

Mayor Crawford called the meeting to order at 6:30 p.m.

City Council and Staff Present:

Loren Anderson	Lisa Beaton	Krystal Townsend
Brad Beauchamp	Anthony Muai	Evelyn Lusignan
Gretl Crawford	Laurencio Sanguino	Steve Donovan
Jason McShane	Cary Roe	John Cowling
Jim Millbauer	Chris Guerrero	Martin Nelson
John Trumbo (Virtual)	Chad Michael	Chad Crouch
Chuck Torelli	Nick Farline	

Councilmember Anderson led the Pledge of Allegiance.

No one was present to provide an invocation.

HONORS & RECOGNITION

Mayor Crawford presented Police Commander Randy Maynard with a plaque recognizing his 34 years of service to the community. Commander Maynard spoke to his experience with the Kennewick Police Department and expressed appreciation for his wife, family, and colleagues.

Mayor Crawford announced a 10-minute recess for a reception to honor Commander Maynard. The meeting was called back to order at 6:46 p.m.

2. VISITORS

Paul Krupin spoke on behalf of Tri-Cities CARES in regards to items 7.a. and 7.b.

3. APPROVAL OF AGENDA

MOTION: Mayor Pro Tem Torelli moved, seconded by Councilmember Millbauer to approve the agenda.

DISCUSSION: None.

VOTE: The motion passed unanimously (7-0).

4. CONSENT AGENDA

a. Meeting Minutes – January 2, 2024, City Council Regular Meeting

Motion to approve the January 2, 2024, City Council regular meeting minutes as presented.

b. Meeting Minutes – January 9, 2024, City Council Workshop

Motion to approve the January 9, 2024, City Council workshop meeting minutes as presented.

c. Claims Roster: December

Motion to approve the Claims Roster for December 2023 in the amount of \$9,626,546.12, comprised of electronic payments and check numbers 312533-312957.

d. Claim Roster: Toyota Center Operations and Box Office Accounts

Motion to approve the Claims Rosters for the Toyota Center Operations and Box Office Accounts for November 2023 in the amount of \$898,543.68 comprised of check numbers 26807-26887 in the amount of \$341,891.27 and electronic transfers in the amount of \$556,652.41.

e. Claims Roster: Columbia Park Golf Course Account

Motion to approve the Claims Roster for the Columbia Park Golf Course Account for November 2023 in the amount of \$30,378.84, comprised of check numbers 2787-2790 in the amount of \$5,969.05 and electronic transfers in the amount of \$24,409.79.

f. Annexation: AZ-2023-0002 Kapsi (1215 S Cedar St) - Setting the Public Meeting Date

Motion to set the date of February 6, 2024, for the required public meeting on Annexation AZ-2023-0002 Kapsi (1215 S Cedar St).

g. Bid Award: Water Filtration Plant Miscellaneous Upgrades

Motion to award Contract P2117-23 Water Filtration Plant Miscellaneous Upgrades Ph. 1 (re-bid) project to Industrial Construction of Washington (ICW), LLC in the amount of \$894,646.30, plus a 10% contingency amount of \$89,464.63, for a total amount of \$984,110.93.

h. Bid Award: Quinault/CCB Intersection - Signal Materials Procurement Contract

Motion to award Contract P2011-23 (Quinault & CCB Signal Materials Procurement) to Sierra Electric in the amount of \$367,253.00, plus a 10% contingency amount of \$36,725.30, for a total amount of \$403,978.30.

i. Collective Bargaining Agreement: Kennewick Police Officers Benefit Association (KPOBA)

Motion to authorize the Mayor and Interim City Manager to sign the 2024 – 2026 collective bargaining agreement as presented.

MOTION: Councilmember Millbauer moved, seconded by Councilmember Anderson to approve the Consent agenda.

VOTE: The motion passed unanimously (7-0).

5. ORDINANCES/RESOLUTIONS

Mayor Crawford announced items 5.a. and 5.b. are considered quasi judicial actions which fall under the Appearance of Fairness Doctrine. To establish fairness, Mayor Crawford asked the following questions of Councilmembers:

1. Does any member of this Council have knowledge of having conducted business with either the proponents or the opponents in these proceedings?
2. Has any member of this Council communicated with any proponent or opponent regarding the proposals that are the subject of these proceedings?
3. Does any member of this Council have either a financial or a personal interest in the outcome of either of these proceedings?
4. Does any member of this Council know whether or not their employer has a financial interest in these matters, or has an interest in the outcome of these proceedings?
5. Does any member of this Council live or own property within 300 feet of 208 N Kellogg Street and/or 6311 W Clearwater Avenue?

6. Does any member of this Council have any special knowledge about the substance or the merits of these proceedings, which would or could cause the Councilmember to prejudge the outcome?
7. Is there any member of this Council who believes that he or she cannot sit and hear these matters fairly and impartially, both as to the respective positions of the proponents and the opponents in these proceedings?

Councilmember Anderson stated his brother is the applicant under Item 5.a. and asserted despite he is able to make a fair and impartial decision for this matter.

Councilmember Beauchamp stated he was involved in developing property for the applicant of 5.a. He did not declare a barrier to a fair and impartial decision.

Councilmembers discussed the appearance of fairness versus actual fairness. No Councilmember recused themselves from either matter.

Mayor Crawford asked the following question of audience members:

8. Is there any member of the audience who, because of the "Appearance of Fairness Doctrine," wishes to disqualify any member of this Council from hearing one or both of these matters? If so, please come to podium, state your name, the name of the Councilmember, and the reason or reasons why you believe that member should be disqualified under "Appearance of Fairness Doctrine."

No member of the audience raised an objection.

a. Ordinance 24-6045: Change of Zone COZ-2023-0008 at 208 N Kellogg St.

Steve Donovan, Senior Planner, provided a staff report and presented the Planning Commission's recommendation. Mr. Donovan explained there are two versions of the ordinance for consideration: one with a designation of Commercial Office (CO) and the other with a designation of Commercial Community (CC). Council asked clarifying questions of staff.

City Clerk Krystal Townsend read both versions of the ordinance title into the record:

ORDINANCE NO. 24-6045

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF KENNEWICK LOCATED AT 208 N. KELLOGG STREET FROM RESIDENTIAL, LOW DENSITY (RL) TO COMMERCIAL, OFFICE (CO) (COZ 2023-0008, Brian Anderson)

ORDINANCE NO. 24-6045

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF KENNEWICK LOCATED AT 208 N. KELLOGG STREET FROM RESIDENTIAL, LOW DENSITY (RL) TO COMMERCIAL, COMMUNITY (CC) (COZ 2023-0008, Brian Anderson).

MOTION: Councilmember Millbauer moved, seconded by Mayor Pro Tem Torelli to adopt Ordinance No. 24-6045 with a designation of Commercial Office.

DISCUSSION: Councilmembers discussed the merits and disadvantages of this designation and asked further clarifying questions of staff.

VOTE: The motion failed (4-3) with Councilmember Anderson, Councilmember Beauchamp, Councilmember McShane and Mayor Crawford dissenting.

MOTION: Councilmember Beauchamp moved, seconded by Councilmember McShane to adopt Ordinance No. 24-6045 with a designation of Commercial Community.

DISCUSSION: Councilmembers discussed the merits and disadvantages of this designation and asked further clarifying questions of staff.

VOTE: The motion passed (4-3) with Councilmember Millbauer, Councilmember Trumbo and Mayor Pro Tem Torelli dissenting.

b. Ordinance 24-6046: Change of Zone COZ-2023-0010 at 6311 W Clearwater Ave.

Alisha Piper, Planner, provided a staff report and presented the Planning Commission's recommendation. Council asked clarifying questions of staff.

City Clerk Krystal Townsend read the ordinance title into the record:

ORDINANCE NO. 24-6046

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF KENNEWICK LOCATED AT 6311 W. CLEARWATER AVENUE FROM OPEN SPACE, LIMITED (OS-L) TO OPEN SPACE (OS) (COZ 2023-0010, LAIC, Inc.)

MOTION: Mayor Pro Tem Torelli moved, seconded by Councilmember Millbauer to adopt Ordinance No. 24-6046.

DISCUSSION: Council asked a further clarifying question of staff.

VOTE: The motion passed unanimously (7-0).

c. Ordinance 24-6047: Adding Section 13.40.170 to the Kennewick Municipal Code Regarding Traffic Calming, Final Approval Authorization

Cary Roe, Public Works Director, provided a staff report. Council asked clarifying questions of staff.

City Clerk Krystal Townsend read the ordinance title into the record:

ORDINANCE NO. 24-6047

AN ORDINANCE RELATING TO NEIGHBORHOOD TRAFFIC CALMING AND ADDING A NEW SECTION 13.40.170 TO THE KENNEWICK MUNICIPAL CODE.

MOTION: Mayor Pro Tem Torelli moved, seconded by Councilmember Millbauer to adopt Ordinance No. 24-6047.

DISCUSSION: Remarks were made about the speed humps in general but no discussion pertaining to this ordinance.

VOTE: The motion passed unanimously (7-0).

d. Ordinance 24-6048: Adding Section 2.12.045 to the Kennewick Municipal Code Regarding Designation of the City Treasurer

Laurencio Sanguino, Interim City Attorney, provided a staff report. Council asked clarifying questions of staff.

City Clerk Krystal Townsend read the ordinance title into the record:

ORDINANCE NO. 24-6048

AN ORDINANCE RELATING TO THE CITY TREASURER AND ADDING A NEW SECTION 2.12.045 TO THE KENNEWICK MUNICIPAL CODE

MOTION: Councilmember Anderson moved, seconded by Mayor Pro Tem Torelli to adopt Ordinance No. 24-6048.

DISCUSSION: None.

VOTE: The motion passed unanimously (7-0).

e. Ordinance 24-6049: Adding Chapter 14.25 to the Kennewick Municipal Code Regarding the Kennewick Housing Authority

Laurencio Sanguino, Interim City Attorney, provided a staff report. Council asked clarifying questions of staff.

City Clerk Krystal Townsend read the ordinance title into the record:

ORDINANCE NO. 24-6049

AN ORDINANCE RELATING TO CONNECTION CHARGE WAIVERS AND ADDING CHAPTER 14.25 TO THE KENNEWICK MUNICIPAL CODE

MOTION: Councilmember Millbauer moved, seconded by Mayor Pro Tem Torelli to adopt Ordinance No. 24-6049.

DISCUSSION: Councilmembers asked further clarifying questions of staff.

VOTE: The motion passed unanimously (7-0).

6. PUBLIC HEARINGS/MEETINGS

a. Resolution 24-02: Developer Preliminary Latecomers Reimbursement Agreement for Desert Pines Water and Sewer

Martin Nelson, Stormwater and Solid Waste Program Engineer, provided a staff report.

Mayor Crawford opened the public meeting at 8:22 p.m.

Property owner Rick Noel asked clarifying questions of staff. Mayor Crawford explained this is an opportunity for comment and that questions would be addressed outside the meeting. Mr. Noel did not provide testimony in favor or in opposition of the agreement.

Mayor Crawford closed the public hearing at 8:25 p.m.

City Clerk Krystal Townsend read the resolution title into the record:

RESOLUTION NO. 24-02

A RESOLUTION APPROVING A DEVELOPER PRELIMINARY LATECOMERS REIMBURSEMENT AGREEMENT FOR DESERT PINES STREET UTILITIES

MOTION: Mayor Pro Tem Torelli moved, seconded by Councilmember Beauchamp to adopt Resolution No. 24-02 and authorize the Mayor to sign the latecomer agreement for Desert Pines Water and Sewer (*motion clarified and confirmed prior to the vote*).

DISCUSSION: Councilmembers asked clarifying questions of staff.

VOTE: The motion passed unanimously (7-0).

7. NEW BUSINESS

a. Horse Heaven Hills Wind Farm Letter of Support

Lisa Beaton, Interim City Manager, provided a staff report. Council asked clarifying questions.

MOTION: Councilmember Anderson moved, seconded by Mayor Pro Tem Torelli to authorize the Mayor to sign the letter to the Energy Facility Site Evaluation Council as presented.

DISCUSSION: Councilmembers asked clarifying questions of staff.

VOTE: The motion passed unanimously (7-0).

b. Endorsement of Wind Farm Permitting Legislation Pertaining to Aerial Firefighting Measures

Lisa Beaton, Interim City Manager, provided a staff report. Council asked clarifying questions.

MOTION: Mayor Pro Tem Torelli moved, seconded by Councilmember Anderson to endorse SB 6188/HB 2117.

DISCUSSION: Councilmembers asked clarifying questions of staff.

VOTE: The motion passed unanimously (7-0).

8. UNFINISHED BUSINESS: None

9. VISITORS: None

10. COUNCIL COMMENTS/DISCUSSION

Councilmembers reported on their respective activities.

Ms. Beaton gave a brief update on shelters and the upcoming one night census count of unhoused persons.

11. ADJOURNMENT

Mayor Crawford concluded the meeting at 8:52 p.m.

A handwritten signature in black ink that reads "Krystal Townsend". The signature is stylized with a large, looped "K" and a cursive "Townsend".

Krystal Townsend, CMC, CPRO
City Clerk