

MOSES LAKE CITY COUNCIL
September 13, 2016

The regular meeting of the Moses Lake City Council was called to order at 7 p.m. by Mayor Voth in the Council Chambers of the Civic Center, 401 S. Balsam, Moses Lake, Washington.

Executive Secretary Sophia Guerrero called the roll. The following were:

Present: Mayor Todd Voth, Deputy Mayor Karen Liebrecht, and Council members Don Myers, Mike Norman, David Curnel, and Ryann Leonard

Absent: Council member Bill Ecret

Action Taken: Mr. Curnel moved to excuse Council member Ecret from the meeting, seconded by Mrs. Leonard, and passed unanimously.

PLEDGE OF ALLEGIANCE: Emilee Ramirez led the Council in the flag salute.

SUMMARY REPORTS

PROCLAMATION

The proclamation declaring September 17 - 23, 2016 as Constitution Week was read in its entirety.

ADDITIONAL BUSINESS: None

PRESENTATIONS

Police Department: A Citizen's Public Safety Award was presented to Robert Juan Delgado for his assistance in apprehending a known felon.

Travis Ruffin and Joshua Buescher were introduced to the Council, took the oath of office, and received their badge of office.

GRANT AWARD

The City has been awarded a Office of Justice Program Edward Byrne Memorial Justice Assistance Grant in the amount of \$10,619. The funds will be used to purchase body cameras.

Action Taken: Mr. Curnel moved that the grant be accepted, seconded by Mrs. Leonard, and passed unanimously.

CITIZEN'S COMMUNICATIONS

CODE ENFORCEMENT

Rod Davis, 1717 Legend Lane, expressed concern about the amount of Kochia on Division Street and felt that some changes should be made in the enforcement of weed control.

Gilbert Alvarado, Community Development Director/Deputy City Manager, explained that Kochia is a noxious weed that is handled by the Noxious Weed Board and the City is not involved in its eradication.

Chuck Perry, 4180 Lakeshore, was opposed to further regulations concerning weeds on vacant lots especially mowing as it opens the door to all sorts of other weeds.

CONSENT AGENDA

Minutes: The minutes of the August 23 meeting were presented for approval.

Approval of Claims, Prepaid Claims, Checks, and Payroll: Vouchers audited and certified by the Finance Director as required by RCW 42.24.080, and those expense reimbursement claims, certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the Council for approval and is retained for public inspection at the Civic Center. As of September 13, 2016 the Council does approve for payment claims in the amount of \$475,086.51; prepaid claims in the amounts of \$25,728.13, \$12,186.96, and \$363,481.22, claim checks in the amount of \$1,090,895.61; and payroll in the amounts of \$375,232.75, \$3,768.35, and \$343,581.34.

Resolution - Abandon Easements - City: A resolution was presented which abandons three easements for street improvements on 9th Avenue. The easements will be replaced with dedicated right-of-way when the Pioneer Meadows Major Plat is recorded.

Resolution - Accept Street and Utility Improvements - Pioneer Meadows Major Plat: A resolution was presented which accepts street and utility improvements constructed as part of the Pioneer Meadows Major Plat.

Action Taken: Mrs. Leonard moved that the Consent Agenda be approved, seconded by Mr. Curnel, and passed unanimously.

OLD BUSINESS

SHORELINE MASTER PROGRAM

The Department of Ecology letter giving the City notice of their intent to conditionally adopt the Shoreline Master Program provided two options. The City could agree to the DOE changes or submit an alternate proposal. The Council directed staff to notify DOE of the intent to submit an alternate proposal. No alternate proposal has been submitted to the DOE as Council directed staff to meet with DOE staff prior to taking any further action. The results of that meeting need to be discussed by the Council and direction provided to staff.

John Williams, City Manager, stated that the Department of Ecology personnel were unable to make the meeting and because one Council member is absent, it has been suggested that this item be tabled.

Gilbert Alvarado, Community Development Director/Deputy City Manager, stated that a site visit was conducted with the Department of Ecology and the City's position on setbacks was explained to the Department of Ecology.

There was some discussion by the Council.

Action Taken: Mrs. Leonard moved that the Shoreline Master Program be tabled, seconded by Mr. Norman, and passed unanimously.

ORDINANCE - AMEND 17.06 - DEFINITIONS

An ordinance was presented which would add the definitions of "cul-de-sac" and "cul-de-sac bulb" to Chapter 17.06, Definitions, and also amend the definition of Short Subdivision.

The ordinance amending Chapter 17.06 of the Moses Lake Municipal Code entitled "Definitions" was read by title only.

Action Taken: Mr. Norman moved that the ordinance be adopted, seconded by Mr. Myers, and passed unanimously.

ORDINANCE - AMEND 17.24 - IMPROVEMENTS

An ordinance was presented which would consolidate the conditions for City participation for water, sewer, stormwater, and street improvements, and establish the conditions when a cul-de-sac street and a temporary cul-de-sac bulb would be allowed.

The ordinance amending Chapter 17.24 of the Moses Lake Municipal Code entitled "Improvements" was read by title only.

Action Taken: Mrs. Liebrecht moved that the ordinance be adopted, seconded by Mr. Curnel, and passed unanimously.

NEW BUSINESS

ORDINANCE - AMEND 5.07 - MOBILE AND STREET FOOD VENDOR

An ordinance was presented which would required all mobile food vendor conveyances to be removed from the occupied property at the end of the business day.

Gilbert Alvarado, Community Development Director/Deputy City Manager, gave the reasons for the proposed change in the regulations for mobile food vendors.

There was considerable discussion by the Council.

ORDINANCE - AMEND 12.10 - DRIVEWAY ACCESS CONTROL STANDARDS

An ordinance was presented which controls the number of driveways on Central Drive and still allows for the access to serve Block 1 of the S.L. & A Binding Site Plan.

Gary Harer, Municipal Services Director, explained the proposed changes.

There was some discussion concerning the number of driveways that would be allowed and it was the consensus that the driveways be kept to a minimum to reduce the need for signals.

DRIVEWAY DEVIATION - GRANT TRANSIT AUTHORITY

Grant Transit Authority requested a deviation to the driveway setback standards of 60' between driveways and 20' from the property line.

Gary Harer, Municipal Services Director, explained the request and did not feel it would create any problems.

Action Taken: Mrs. Leonard moved that the request be granted seconded by Mrs. Liebrecht, and passed unanimously.

COMMUNITY STREET AND UTILITY STANDARDS

Staff has updated the 2014 Community Street and Utility Standards to correspond with the 2016 Washington State Department of Transportation's Construction Specifications and also made the following substantial changes in addition to the typical updates: 1) insurance requirements have been added; 2) television inspection will be required for sewer mains and stormwater mains before acceptance by the City; 3) the City logo is required for all water services, sewer, and stormwater manhole lids that are maintained by the City; and 4) curb ramps require 6" of concrete.

Gary Harer, Municipal Services Director, explained the changes.

There was considerable discussion.

Action Taken: Mr. Norman moved that the changes be approved, seconded by Mrs. Liebrecht, and passed unanimously.

BID AWARD - 2016 LARSON WATER METER PROJECT

The City received eight bids for the Larson Water Meter Project 2016. This project will complete the improvements to the water system in the Larson area by replacing the galvanized standpipes and replacing 81 water service meter tiles and lids with materials that meet current community standards.

Action Taken: Mrs. Liebrecht moved that the bid be awarded to Culbert Construction in the amount of \$247,841, seconded by Mr. Norman, and passed unanimously.

RESOLUTION - ACCEPT DONATION - FRIENDS OF THE MOSES LAKE DOG PARK

A resolution was presented which accepts a \$1,000 donation from the Friends of the Moses Lake Dog Park. The funds are to be used to plant trees at the Moses Lake Dog Park.

The resolution accepting a cash donation of \$1,000 from Friends of the Moses Lake Dog Park was read by title only.

Action Taken: Mr. Curnel moved that the resolution be adopted, seconded by Mr. Myers, and passed unanimously.

RESOLUTION - BUILD ON UNPLATTED PROPERTY - SAGEBRUSH HOLDING

A resolution was presented which allows Sagebrush Holding to build on unplatted property located at 1671 S. Frontage Road and repeals the previous Resolution No. 3624.

Gilbert Alvarado, Community Development Director/Deputy City Manager, explained the reasons for removing the requirement for a covenant for future improvements.

Action Taken: Mr. Norman moved that the resolution be adopted, seconded by Mrs. Liebrecht, and passed unanimously.

RESOLUTION - NUISANCE ABATEMENT COSTS - 9972 SUNNY

A resolution was presented which affirms the Council's prior authorization to staff to collect the funds expended for the nuisance abatement at 9972 Sunny.

The resolution establishing the billing to be imposed against Roland C. and Anastacia Huff as the owners of certain real property upon which the City caused abatement of a nuisance to be performed after a failure of the property owner to abate the same was read by title only.

Action Taken: Mrs. Liebrecht moved that the resolution be adopted, seconded by Mr. Curnel, and passed unanimously.

RESOLUTION - NUISANCE ABATEMENT - 210 LINDEN

A resolution was presented which provides for the abatement of nuisances at 210 Linden, owned by Jack and Anna Black.

Rick Rodriguez, Code Enforcement Officer, was sworn in and provided testimony concerning the nuisance violations.

There was no other testimony. The hearing was closed.

The resolution determining that Jack P. and Anna M. Black Trustees are the owners of certain real property within the City; that a nuisance requiring abatement by City forces or forces contracted by the City exists on such property; and directing the use of such forces to abate the nuisance found was read by title only.

Action Taken: Mr. Norman moved that the resolution be adopted, seconded by Mr. Curnel, and passed unanimously.

RESOLUTION - NUISANCE ABATEMENT - EASTLAKE AND BAILEY

A resolution was presented which provides for the abatement of nuisances at Eastlake and Bailey, owned by Jack and Anna Black.

Rick Rodriguez, Code Enforcement Officer, was sworn in and provided testimony concerning the nuisance violations.

There was no other testimony. The hearing was closed.

The resolution determining that Jack P. and Anna M. Black Trustees are the owners of certain real property within the City; that a nuisance requiring abatement by City forces or forces contracted by the City exists on such property; and directing the use of such forces to abate the nuisance found was read by title only.

Action Taken: Mrs. Liebrecht moved that the resolution be adopted, seconded by Mr. Curnel, and passed unanimously.

RESOLUTION - NUISANCE ABATEMENT - 221 BURKE

A resolution was presented which provides for the abatement of nuisances at 221 Burke, owned by Jack and Anna Black.

Rick Rodriguez, Code Enforcement Officer, was sworn in and provided testimony concerning the nuisance violations.

There was no other testimony. The hearing was closed.

The resolution determining that Jack P. and Anna M. Black Trustees are the owners of certain real property within the City; that a nuisance requiring abatement by City forces or forces contracted by the City exists on such property; and directing the use of such forces to abate the nuisance found was read by title only.

Action Taken: Mr. Curnel moved that the resolution be adopted, seconded by Mrs. Leonard, and passed unanimously.

RESOLUTION - NUISANCE ABATEMENT - 1111 EVELYN

A resolution was presented which provides for the abatement of nuisances at 1111 Evelyn, owned by Diversified Commercial Holdings, LLC.

Rick Rodriguez, Code Enforcement Officer, was sworn in and provided testimony concerning the nuisance violations.

There was no other testimony. The hearing was closed.

The resolution determining that Diversified Commercial Holdings, LLC is the owner of certain real property within the City; that a nuisance requiring abatement by City forces or forces contracted by the City exists on such property; and directing the use of such forces to abate the nuisance found was read by title only.

Action Taken: Mrs. Leonard moved that the resolution be adopted, seconded by Mr. Norman, and passed unanimously.

ADMINISTRATIVE REPORTS - None

RAILROAD SERVICE

John Williams, City Manager, stated that at a Response Team Meeting the Port of Moses Lake reported that funding in the amount of about \$19,000,000 has been provided for the potential changes to the railroad route in order to achieve the goal of getting rail service to the Port. The funds are not enough for the entire project but the possibilities include proceeding with the phases of the proposed realignment of the rail or rehabilitating some of the existing rail through the City. The option of doing nothing is not viable since the funds would have to be returned and it is unlikely that funding would be provided in the future. The Port will be soliciting public input in the future.

COUNCIL COMMUNICATIONS AND REPORTS - None**EXECUTIVE SESSION**

The regular meeting was recessed at 8:34 p.m. and the Council met in a 15 minute executive session with the City Attorney under RCW 42.30.110(f) to review the performance of a public employee with no action to follow.

The executive session was adjourned at 8:51 p.m. and the regular meeting was reconvened.

ADJOURNMENT: The regular meeting was adjourned at 8:51 p.m.

ATTEST

Todd Voth, Mayor

W. Robert Taylor, Finance Director