

MOSES LAKE CITY COUNCIL
February 14, 2012

Council Present: Bill Ecret, Jon Lane, Dick Deane , Karen Liebrecht, Jason Avila, Brent Reese , and David Curnel

The meeting was called to order at 7 p.m. by Mayor Ecret.

PLEDGE OF ALLEGIANCE: Dr. Curnel led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the January 24 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 February 14, 2012 the Council does approve for payment claims in the amount \$1,123,284.39; prepaid claims in the amounts of \$15,148.11, \$2,450.90, and \$16,563.68; claim checks in the amount of \$1,122,499.65; and payroll in the amounts of \$4,305.77 and \$323,170.77.

Resolution - Accept Easement - Beacon Road - Hendrickson: A resolution was presented which accepts an easement from Jerry and Gayle Hendrickson for the installation of a municipal waterline on Beacon Road.

International Paper Preliminary Major Plat and Findings of Fact: International Paper submitted a one-lot plat of 17.96 acres located at 13594 Wheeler Road. The site is zoned Heavy Industrial, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. Deferrals were requested for street lighting and street improvements for Wheeler Road. The Planning Commission recommended that the preliminary major plat be approved with conditions and the Findings of Fact be accepted.

National Frozen Foods Preliminary Major Plat and Findings of Fact: National Frozen Foods Corporation submitted a one-lot plat of 63.76 acres located at 14406 Wheeler Road. The site is zoned Heavy Industrial, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. A deviation was requested from the requirement that platted lots front on a street as the site has no street frontage and is accessed via easements. The Planning Commission recommended that the preliminary major plat be approved with conditions and the Findings of Fact be accepted.

ASPI Commerce Park #2 Final Major Plat and Findings of Fact: The North American Foreign Trade Zone Industries, LLC submitted a three lot plat of 17.32 acres located east of Patton Boulevard and north of Doolittle Drive. The Planning Commission recommended that the final major plat be approved with conditions and the Findings of Fact be accepted.

Action Taken: Mr. Lane moved that the Consent Agenda be approved, seconded by Mr. Reese, and passed unanimously.

COMMISSION APPOINTMENTS

Mayor Ecret requested Council confirmation of the appointment of Lisa Garmon to the Tourism Commission.

Action Taken: Dr. Curnel moved that the appointment of Lisa Garmon be confirmed, seconded by Mrs. Liebrecht, and passed unanimously.

CONSIDERATION OF BIDS AND QUOTES

DIVISION STREET LIFT STATION PROJECT

The City received five bids for the 2012 Division Street Lift Station Project. The project includes new pumps, electrical system, controls, generator, bypass port, and site work.

Action Taken: Mr. Reese moved that the bid be awarded to William Charles West in the amount of \$242,568, seconded by Dr. Curnel, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

COMMUNICATION - FENCE REGULATIONS - KOEHN

Caleb Koehn, 522 S. Glenmoor, wanted time before the Council to discuss their non-compliant fence. Mr. Koehn submitted a letter requesting additional time to correct the fence.

Gilbert Alvarado, Community Development Director, stated that when Mr. Koehn discovered his neighbors were also under enforcement, he decided to comply with the City's requirements but requested additional time to correct his fence height. He mentioned that Mr. Koehn's fence is vinyl and that requires the fence to be disassembled in order to correct the height.

Action Taken: Mrs. Liebrecht moved that Mr. Koehn be given until May 31, 2012 to correct the violation, seconded by Mr. Deane, and passed unanimously.

STREET CLOSURE - MOSES LAKE BUSINESS ASSOCIATION

The Moses Lake Business Association requested the closure of Third Avenue and Ash Street on September 22 and 23 in order to hold the Basin BBQ Bash. The request includes the use of Sinkiuse Square, a beer garden, discharge of grey water into the City sewer system, and parking of self-contained vehicles overnight in the Surf 'n Slide parking lot.

Marianne Kirwan, Executive Director, explained the event. She mentioned that they have contacted the merchants in the area and they are excited about the event and some of those who are not normally open on Sunday will open their business.

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

ORDINANCES AND RESOLUTIONS

ORDINANCE - CREATE CHAPTER 13.05 - WASTEWATER REGULATIONS - 2ND READING

An ordinance was presented which creates Moses Lake Municipal Code 13.05 entitled "Wastewater Regulations" which takes the place of Moses Lake Municipal Code 13.04 entitled "Sewer Regulations". The purpose of the change is to update the nomenclature and streamline the verbiage to make this chapter more efficient for the public and staff.

The ordinance creating Chapter 13.05 of the Moses Lake Municipal Code entitled "Wastewater Regulations" was read by title only.

Action Taken: Mr. Lane moved that the second reading of the ordinance be adopted, seconded by Mr. Avila, and passed unanimously.

ORDINANCE - AMEND 18.71 - RECREATIONAL VEHICLE PARKS - 1ST READING

An ordinance was presented which updates Moses Lake Municipal Code Chapter 18.71, Recreational Vehicle Parks, which references the new chapter 13.05, Wastewater Regulations.

The ordinance amending Chapter 18.71 of the Moses Lake Municipal Code entitled "Recreational Vehicle Parks" was read by title only.

Action Taken: Mr. Reese moved that the first reading of the ordinance be adopted, seconded by Mr. Lane, and passed unanimously.

RESOLUTION - ADOPT NACTO URBAN BIKEWAY DESIGN GUIDE

A resolution was presented which adopts the National Association of City Transportation Officials (NACTO) Urban Bikeway Design as a guide. This document offers many examples for marking and constructing bike lanes and sharrows and other methods to enhance the usage of alternate transportation systems.

Gary Harer, Municipal Services Director, stated that the Trails Planning Team also presented this document to the Planning Commission for their approval. He pointed out that it is a guideline so there is nothing mandatory in it.

There was some discussion by the Council.

The resolution accepting the National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide was read by title only.

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

REQUEST TO CALL FOR BIDS

CASCADE PARK - FLOATING BOAT DOCK

Staff requested authorization to call for bids for the replacement of a floating boat dock system in Cascade Park.

Action Taken: Mr. Lane moved that staff be authorized to call for bids, seconded by Dr. Curnel, and passed unanimously.

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

EDC CONTRACT

Authorization was requested for the City Manager to sign the 2012 Municipal Services Agreement with the Grant County Economic Development Council.

Jon Smith, Grant County Economic Development Council, mentioned some of the developments that may possibly be coming to the area.

Action Taken: Mr. Deane moved that the City Manager be authorized to sign the contract, seconded by Mr. Lane, and passed unanimously.

WATER/SEWER SERVICE - PORT OF MOSES LAKE

The Port of Moses Lake requested permission to connect a proposed 12,000 square foot warehouse to be located at 6592 22nd Avenue to the City's water and sewer system without annexing the property to the City.

Gary Harer, Municipal Services Director, pointed out that the property is within one-half mile of the City's limits but if this property is annexed, a block of Randolph Road would also need to be annexed. That one block would have to be maintained by the City which would create a hardship for the City as the remainder of the streets would still be under the County's jurisdiction.

Joseph K. Gavinski, City Manager, pointed out that streets are not actually annexed, the right-of-way is transferred from one jurisdiction to another. He felt that this area is rather unique because of the street issue.

Patrick Jones, Port of Moses Lake, stated that, prior to any annexation, the Port Commissioners would prefer to discuss how annexation of the Port property would affect the Port, the County, and the City.

Action Taken: Dr. Curnel moved that it be found to be impractical to annex the property into the City and that the request for City services be granted with the stipulation that an Extra Territorial Utility Agreement be required, seconded by Mr. Lane, and passed unanimously.

WATER/SEWER SERVICE - DEANE

Dick Deane requested permission to connect 2165 Westshore Drive to the City's water and sewer system without annexing the property to the City.

Gary Harer, Municipal Services Director, stated that this property is within one half mile of the City's limits but it would be impractical to require annexation because of the residential properties between this one and the existing City limits.

Action Taken: Mr. Lane moved that it be found to be impractical to annex the property into the City and that the request for City services be granted with the stipulation that an Extra Territorial Utility Agreement be required, seconded by Mrs. Liebrecht, and passed with Mr. Deane abstaining.

AIRPORT COMMISSION

Mayor Ecret mentioned that a Council member needs to be appointed to the Airport Commission as an ex officio member to replace former Council member Pearce.

Mayor Ecret requested confirmation of the appointment of Brent Reese to the Airport Commission.

Action Taken: Dr. Curnel moved that the appointment of Brent Reese to the Airport Commission be confirmed, seconded by Mrs. Liebrecht, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS

HEAVY INDUSTRIAL ZONE - AMENDMENT

Lanny Ferguson stated that he has a client that would like to open a drive through food stand at the corner of Road M and Wheeler. The property is in a Heavy Industrial Zone which prohibits food establishments. The Light Industrial Zone does allow food establishments so the request is to either amend the Heavy Industrial Zone in order to permit small food establishments or change the

Gilbert Alvarado, Community Development Director, stated that Heavy Industrial Zone outright prohibits any type of food stand but the Light Industrial does allow for food establishments. He mentioned that the City has received other requests for this type of activity but none have been permitted in the Heavy Industrial Zone. He reminded the Council that the intent of the Heavy Industrial Zone was to maintain large lots for industrial uses.

There was some discussion by the Council and staff was directed to research the issue of allowing food establishments in the Heavy Industrial Zone.

COUNCIL QUESTIONS AND COMMENTS

AGCCT MEETING

Mayor Ecret reminded the Council of the AGCCT meeting on February 29 in Quincy.

CITY MANAGER REPORTS AND COMMENTS

COLVILLE CONFEDERATED TRIBES - LAND PURCHASE

Joseph K. Gavinski, City Manager, stated that the Colville Confederated Tribes have purchased property south of Wanapum Drive and east of Lakeshore Drive. They have requested the Bureau of Indian Affairs to designate the property as Trust Lands. This designation would essentially make it a part of their reservation, even though it is within the City's limits. The Tribes propose to construct a truck stop at this location. He provided a draft letter to be sent to the Bureau of Indian Affairs outlining the City's concerns about the transfer of this property into Trust Lands in order to construct this proposed truck stop on the property. The letter provides comments on the issues of Trust Lands within a city and the fact that the street system in the area is not designed to accommodate truck traffic. He mentioned that the site analysis that was done on the property for the Tribes recommended that truck diesel fueling not be included due to the site set back interchange location combined with the road configuration and turning characteristics. The study also states that large trucks will hinder residential frequency and negatively impact site ingress and egress characteristics.

There was some discussion by the Council on the ramifications of tribal lands within the city's limits.

Action Taken: Mrs. Liebrecht moved that the letter be accepted and signed by the Council, seconded by Dr. Curnel, and passed unanimously.

RETREAT AGENDA

Joseph K. Gavinski, City Manager, provided a draft of the agenda for the Council/staff Retreat on February 24 and 25, 2012.

MLIRD SHORELINE PERMIT

Gilbert Alvarado, Community Development Director, provided information on the Shoreline Conditional Use Permit for the Moses Lake Irrigation and Rehabilitation District dredging project and some of the other proposals being suggested for the removal of the sediment.

FINANCE DIRECTOR

Joseph K. Gavinski, City Manager, informed the Council that Ron Cone, the City's Finance Director, will be officially retiring in August but his last day in the office will be February 28. He mentioned that Bob Taylor, Accounting Division Manager, has been appointed as the City's new Finance Director.

Ron Cone, Finance Director, gave a presentation on the functions of the Finance Department.

PRESENTATION - FINANCE DIRECTOR

Mayor Ecret presented a plaque to Ron Cone, Finance Director, for his 24 years of service to the City of Moses Lake.

BUILDING ACTIVITY REPORT

The January 2012 Building Activity Report was presented.

INVESTMENT REPORT

The City received \$23,127.97 in investment income for January 2012.

SALES TAX/TRANSIENT RENTAL INCOME

The City received \$403,504.15 in sales tax and \$39,728.66 in transient rental income in January 2012.

The regular meeting was adjourned at 9:05 p.m.

ATTEST

Bill J. Ecret, Mayor

Ronald R. Cone, Finance Director