

MOSES LAKE CITY COUNCIL
February 28, 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: Troop Leader Devon Clark of Boy Scout Troop 43 led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS

FINANCE DEPARTMENT

Acting Finance Director W. Robert Taylor was introduced to the Council.

CONSENT AGENDA

Minutes: The minutes of the February 14 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 28, 2012 the Council does approve for payment claims in the amount \$474,576.63; prepaid claims in the amounts of \$10,259.44 and \$29,382.68; claim checks in the amount of \$1,643,057.89; and payroll in the amounts of \$324,425.00 and \$4,331.02.

Resolution - Accept Easement - Stratford Road: A resolution was presented which accepts an easement from Stratford - Moses Lake, LLC for widening the sidewalk at 603 N. Stratford Road.

Pioneer Commercial Park 4th Addition Final Major Plat and Findings of Fact: Pioneer Way Associates submitted a two lot plat of 10 acres located on Pilgrim Street. The site is zoned C-2, General Commercial and Business, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. The Planning Commission recommended that the final major plat be approved with conditions and the Findings of Fact be accepted.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES

CRACK SEAL PROJECT

The City received three bids for the 2012 Crack Seal Project. The project includes sealing approximately 445,000' of cracks on streets, bike paths, and parking lots throughout the city.

Action Taken: Mr. Reese moved that the bid be awarded to BCV, Inc. in the amount of \$143,028, seconded by Mr. Avila, and passed unanimously.

WATER MAIN PROJECT

The City received thirteen bids for the 2012 Water Main Project. The project includes replacing 1,300' of

8" steel water main along Alder Street and 3rd Avenue, installing 9,200' of 12" water main along Randolph Drive, and installing 2,600' of 12" water main along Beacon Road.

Action Taken: Mr. Lane moved that the bid be awarded to Hurst Construction, LLC in the amount of \$807,888, seconded by Mr. Reese, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

SENIOR CENTER - PARKING LOT

Moses Lake Senior Opportunities and Services requested additional funds to repair the parking lot which will involve removing the old asphalt.

Mary Kile, representing the Senior Center, showed some pictures of the parking lot and mentioned that some of it dates back to 1955 and the last work was done in the late 1970's.

Carry Liles, General Manager, Moses Lake Senior Center explained the deficiencies in the asphalt and the risk to the elderly.

Joseph K. Gavinski, City Manager, explained that the City provides funds for recreational services to the elderly.

There was some discussion by the Council.

Action Taken: Mr. Lane moved that the contract amount paid to the Moses Lake Senior Center be increased to \$20,000 for 2012, seconded by Mrs. Liebrecht, and passed unanimously.

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 18.71 - RECREATIONAL VEHICLE PARKS - 2ND 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: Dr. Curnel moved that the second reading of the ordinance be adopted, seconded by Mr. Lane, and passed unanimously.

ORDINANCE - CREATE COMPLETE STREETS PROGRAM - 1ST READING

An ordinance was presented that creates the City's Complete Streets Program. The program ensures that the needs for bicyclists, pedestrians, and public transit are addressed in all future City street projects.

The ordinance establishing a Complete Streets Program was read by title only.

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

ORDINANCE - EXTEND MORATORIUM ON MEDICAL MARIJUANA GARDENS - 1ST READING

An ordinance was presented which extends the moratorium on the establishment of "collective gardens" for the medical use of marijuana. The moratorium should be extended because the legislature has not yet resolved the issues which exist in current state law with regard to collective gardens and there is still the issue with regard to the effect of federal law which needs to be resolved.

The ordinance of the City of Moses Lake extending a moratorium on the establishment of medical

marijuana collective gardens, defining “medical marijuana collective gardens”, providing for a public hearing establishing an effective date, and providing that the moratorium, unless extended, will sunset within six (6) months of the date of adoption was read by title only.

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

RESOLUTION - REQUEST TO APPLY FOR GRANT - HERON BLUFF TRAIL

A resolution was presented which authorizes the City Manager to apply for a grant from the Recreational and Conservation Office to construct the Heron Bluff Trail through Blue Heron Park which would be an extension of the existing activity trail that connects to the downtown area, Neppel Trail, Cascade Park, Lauzier Field, and the Big Bend Community College.

The resolution authorizing application(s) for funding assistance for a Washington Wildlife and Recreation Program (WWRP) Project to the Recreation and Conservation Office as provided in Chapter 79A.15 RCW, acquisition of habitat conservation and outdoor recreation lands to construct the Heron Bluff Trail was read by title only.

Gary Harer, Municipal Services Director, explained the location of the trail and the time line for completion if the City is successful in obtaining a grant.

There was some discussion by the Council and it was suggested that the trail connect to Westshore Drive through the wetland area of Blue Heron Park.

Mike Riggs, 2132 Crestmont, commended the staff and Council for supporting grants for these types of amenities. This trail will enhance the City's existing activity trail system.

Joe Rogers, 816 Laguna, stated that to try to extend the trail through the wetland area to connect it with Westshore Drive would involve issues with the endangered Leopard Frog and would require more permits.

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

RESOLUTION - BUILD ON UNPLATTED PROPERTY - BLUE HERON PARK

A resolution was presented which requested permission for the City to install a prefabricated concrete restroom at Blue Heron Park.

The resolution allowing the City of Moses Lake to build on unplatted property was read by title only.

Gilbert Alvarado, Community Development Director, pointed out that the property will be platted within one year.

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

RESOLUTION - BUILD ON UNPLATTED PROPERTY - CASCADE PARK

A resolution was presented which requested permission for the City to install a prefabricated concrete restroom at Cascade Park.

The resolution allowing the City of Moses Lake to build on unplatted property was read by title only.

Gilbert Alvarado, Community Development Director, pointed out that the property will be platted within one year.

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

RESOLUTION - BUILD ON UNPLATTED PROPERTY - WELL 24 SITE

A resolution was presented which requested permission for the City to construct a new block well house and removable metal pump house at 8626 Harris Road.

The resolution allowing the City of Moses Lake to build on unplatted property was read by title only.

Gilbert Alvarado, Community Development Director, pointed out that the property will be platted within one year.

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

REQUEST TO CALL FOR BIDS

STORMWATER CAMERA

Staff requested authorization to call for bids for the purchase a camera capable of videoing the inside of stormwater mains. Observing the inside of the stormwater mains is essential to their maintenance. The estimated cost for the camera is \$38,000 and the City just received a \$50,000 grant for this type of purchase.

Gary Harer, Municipal Services Director, explained that the existing camera failed at the end of last year which is why the request for a new one was not included in the 2012 budget.

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

CASCADE AND BLUE HERON PARK RESTROOM PROJECT

Staff requested authorization to call for bids for the 2012 Cascade and Blue Heron Park Restroom Project. The project consists of demolishing two existing restrooms, relocating the utility lines and conduits, and preparing gravel pads for the placement of the two prefabricated concrete restrooms.

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

REFERRALS FROM COMMISSIONS

COLVILLE CONFEDERATED TRIBES - LAND PURCHASE

A letter was read from the Planning Commission concerning the acquisition of property within the City's limits by the Confederated Tribes of the Colville Reservation. It is the consensus of the Planning Commission that the City oppose the Tribes application to the Bureau of Indian Affairs for the land to be held in trust for the use and benefit of the Tribes.

Gilbert Alvarado, Community Development Director, stated that the Commission is aware that the Council has already sent a letter to the Confederated Tribes of the Colville Reservation and wished to go on record as supporting the Council's opposition to the Tribes application to the Bureau of Indian Affairs for the land to be held in trust for the use and benefit of the Tribes.

OTHER ITEMS FOR COUNCIL CONSIDERATION

WESCO GROUP - DEFERRAL

Wesco Group has requested a deferral to street improvements associated with a building permit application for 322 Commerce Way. The application has triggered the requirement for platted parcels that do not meet current code to bring the associated infrastructure up to current standards or request a waiver, deferral or deviation. Wesco Group has requested a deferral of street improvements to Commerce Way.

Gilbert Alvarado, Community Development Director, explained the background for the requirement to bring platted property up to current code when development is proposed. He mentioned that if the Council allows the deferral of the improvements, a covenant will be required for future improvements.

Action Taken: Mr. Lane moved that the request for a deferral be granted for the required improvements because of the nature of the property with the stipulation that a covenant be required for future improvements, seconded by Mrs. Liebrecht, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - None

COUNCIL QUESTIONS AND COMMENTS - None

CITY MANAGER REPORTS AND COMMENTS

HEAVY INDUSTRIAL ZONE - AMENDMENT

Gilbert Alvarado, Community Development Director, stated that the Planning Commission considered the request for an amendment to the Heavy Industrial Zone in order to allow food establishments. The Commission supported the concept and suggested a conditional use permit be required for any proposed uses. He provided a draft ordinance showing the change that would allow these types of uses. He mentioned that the Heavy Industrial Zone was intended to reserve large land areas for industrial users. Some of those industrial users may not consider an adjacent smaller retail or food use to be compatible with their business.

Joseph K. Gavinski, City Manager, pointed out that if the Council approves the request, the change would be for all Heavy Industrial Zones, not just the Wheeler Road Corridor area .

There was some discussion by the Council and it was the consensus that uses other than industrial should be limited in size and requested staff do some additional research.

STATE BUDGET UPDATE

Joseph K. Gavinski, City Manager, provided an article on the state budget and the possible impacts to the City's budget. He mentioned that the State is fixing their budget problems by reducing the funds returned to the counties and cities but providing them with additional authority to raise sales tax.

COMMUNITY DEVELOPMENT PRESENTATION

Gilbert Alvarado, Community Development Director, gave a presentation on the functions of the Community Development Department.

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

ATTEST

Bill J. Ecret, Mayor

David E. Fournier, Assistant Finance Director