

MOSES LAKE CITY COUNCIL
September 8, 2015

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

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

PLEDGE OF ALLEGIANCE: Michael Mitchell, High School Senior, led the Council in the flag salute.

PRESENTATION AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the August 25 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 8, 2015 the Council does approve for payment claims in the amount of \$249,957.96; prepaid claims in the amount of \$20,075.97; claim checks in the amount of \$1,785,578.90; and payroll in the amounts of \$359,444.65 and \$3,740.15.

Carlile Development LLC Final Major Plat and Findings of Fact: Carlile Development, LLC submitted a final plat application for a one-lot plat of 26.17 acres located at the southwest corner of Randolph Road and Tyndall Road. The site is zoned Heavy Industrial, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. The final plat has been modified from the preliminary plat, which had one small lot and the remainder as a large lot. The final plat absorbs the smaller lot, which does not affect the exterior boundaries of the plat. The Planning Commission recommended that the final plat be approved with conditions.

Resolutions - Abandon Easements - Carlile Development, LLC: Resolutions were presented which abandon municipal easements located on Tax #7351 at 9147 NE Tyndall Road.

Resolutions - Abandon Easements - Moses Lake Industries: Resolutions were presented which abandon municipal easements located on Tax #8118 at 8248 Randolph Road.

Accept Work - Reservoir #7 Raising Project Rebid - 2014: T Bailey, Inc. has completed the work for the Reservoir #7 Project Rebid - 204. The work should be accepted and the 60-day lien period entered into.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

REQUEST TO USE CITY PROPERTY - COLUMBIA BASIN CANCER FOUNDATION

Columbia Basin Cancer Foundation requested permission to place a food truck in the parking lot near the McCosh Park picnic shelter during their annual BBQ for their clients on September 28 from 4 p.m. to 8 p.m.

Mike Graham, representing the Columbia Basin Cancer Foundation, stated that they are a non-profit organization and the BBQ is for their clients, families and the public.

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

ORDINANCE - VACATE RIGHT-OF-WAY - 1ST READING/PUBLIC HEARING

An ordinance was presented which vacates the right-of-way on Lot 6, Replat of Lot 7, Block 4, Moses Lake Industrial Park Plat. Public utility agencies and city departments were notified and no objections were received.

The ordinance vacating a portion of right-of-way was read by title only.

The public hearing was opened. There were no comments.

Action Taken: Mr. Lane moved that the public hearing be closed, seconded by Mr. Voth, and passed unanimously.

Gilbert Alvarado, Interim City Manager, pointed out that the right-of-way on the adjoining property was vacated and the cost was set at half the purchase price of the lot and that value was also used for this requested right-of-way vacation.

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

ORDINANCES AND RESOLUTIONSORDINANCE - AMEND ZONING MAP - 2ND READING

An ordinance was presented which changes the zoning of 190 parcels in the downtown area from C-2, General Commercial and Business, to C-1A, Transitional Commercial Zone.

The ordinance changing the official zoning map was read by title only.

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

ORDINANCE AMEND 18.30 - COMMERCIAL ZONES - 2ND READING

An ordinance was presented which amends the Commercial Zones by including a new C-1A, Transitional Commercial, Zone.

The ordinance amending Chapter 18.30 of the Moses Lake Municipal Code entitled "Commercial Zones" was read by title only.

Gilbert Alvarado, Interim City Manager, explained that the ordinance has been amended to prohibit the keeping of livestock, poultry, rabbits, or bees.

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

RESOLUTION - NUISANCE ABATEMENTS - 2003 BEAUMONT, 1061 DIVISION, AND 926 GRAND

Gilbert Alvarado, Interim City Manager, stated that the Code Enforcement Officer for these cases is ill and requested the Council consider the hearings to the next Council meeting.

Action Taken: Mrs. Liebrecht moved that the hearings for all three properties be continued to September 22, seconded by Dr. Curnel, and passed unanimously.

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATIONPLATTING DEEMED INSUFFICIENT - TULLIS PLAT

Reza Firouzi submitted a building permit application for Lot 4, Tullis Plat located at 1702 W. Lee Street, which is a legally platted parcel, and requested a waiver of the required improvements.

Gilbert Alvarado, Interim City Manager, mentioned that property platted years ago was not required to install municipal improvements that are now required with current plats. In order to rectify the deficiencies, staff cannot issue a building permit for improvements on insufficiently platted property unless the properties are brought into conformance with the current codes or the City Council grants a waiver, deferral, or deviation from the requirements to install the deficient plat improvements. He mentioned that if the Council approves a waiver, covenant additional improvements would be required of the owner.

There was some discussion by the Council.

Action Taken: Dr. Curnel moved that the request be granted with the stipulation that a covenant be required for construction of the improvements in the future, seconded by Mrs. Liebrecht, and passed unanimously.

PLATTING DEEMED INSUFFICIENT - BUD WISER MAJOR PLAT

The Multi-Agency Communications Center submitted a building permit application for Lots 3, 4, and 5, Bud Wisser Plat, located at 208 S. Hamilton Road, which are legally platted parcels, and requested a waiver of the required improvements.

Gilbert Alvarado, Community Development Director, mentioned that property platted years ago was not required to install municipal improvements that are now required with current plats. In order to rectify the deficiencies, staff cannot issue a building permit for improvements on insufficiently platted property unless the properties are brought into conformance with the current codes or the City Council grants a waiver, deferral, or deviation from the requirements to install the deficient plat improvements. He mentioned that if the Council approves a waiver, covenant additional improvements would be required of the owner.

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

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTSAMBULANCE SERVICE

Bill Foxley, 1026 S. Garden Drive, mentioned that he talked to Walla Walla about their fire service and found out that their firefighters do not attend Council meetings and was concerned that the Moses Lake on-duty firefighters are attending the Council meetings. He pointed out that the City of Wenatchee has had a private ambulance service for many years and felt that a private ambulance service in Moses Lake would save the City and the citizens a great deal of money.

COUNCIL QUESTIONS AND COMMENTSCITY MANAGER REPORTS AND COMMENTSFAIRGROUNDS

Gilbert Alvarado, Interim City Manager, reminded the Council that the fairgrounds will be allowed to connect to City sewer without annexing the property and stated that the county has yet to schedule a meeting with the City to work out the details.

Gary Harer, Municipal Services Director, stated that the County has signed an agreement with an engineering firm to begin the process and hopefully get the plans approved by the Department of Ecology in time to begin construction by spring.

FIRE DEPARTMENT

Gilbert Alvarado, Interim City Manager, provided information on the make up of the Fire Department if the ambulance transport services were eliminated and suggested that the Council discuss the issue at the first meeting in October. He also provided information on how a city would annex into a fire district and some history of the issue as it relates to Moses Lake.

SHORELINE MASTER PROGRAM

Gilbert Alvarado, Interim City Manager, stated that staff met with the Department of Ecology and they have issues with the buffer widths and the joint docks. He mentioned that the City will have to make the changes to satisfy DOE or DOE will make the changes for the City.

GARBAGE RATES

Gilbert Alvarado, Interim City Manager, provided information on how the City has notified the public of the increase in the garage rates as requested by the Council.

CLA TELECOM PRELIMINARY RESULTS - TELEPHONE SERVICE

Bob Taylor, Finance Director, stated that CliftonLarsonAllen offered to review the telephone services the City is receiving to determine if any savings could be found. After three weeks of review they reported that the City is getting the best service for the funds spent.

EXECUTIVE SESSION

The regular meeting was recessed at 7:50 p.m. and the Council met in a 20 minute executive session with the City Attorney to discuss potential litigation. The executive session was adjourned at 8:10 p.m. and the regular meeting was reconvened.

The regular meeting was adjourned at 8:10 p.m.

ATTEST

Dick Deane, Mayor

W. Robert Taylor, Finance Director