

MOSES LAKE CITY COUNCIL
December 22, 2015

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

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

PLEDGE OF ALLEGIANCE: John Williams, City Manager, led the Council in the flag salute.

PRESENTATION AND AWARDS

Police Department: Letters of Commendation were read that recognized the efforts of Officer Nic Stewart and Officer Scott Ent as being above and beyond the duties of Police Officers to aid persons in need.

Chief Ruffin also recognized Officers Randy Moore and Adam Monroe for their efforts above and beyond the normal duties of Police Officers.

Council Members: Plaques were given to outgoing Council members Jon Lane, Dick Deane, and Jason Avila.

CONSENT AGENDA

Minutes: The minutes of the November 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 December 22, 2015 the Council does approve for payment claims in the amount of \$944,016.31; prepaid claims in the amounts of \$59,900.28 and \$95,485.23; claim checks in the amount of \$1,582,365.43; and payroll in the amount of \$313,554.43.

Resolution - Abandon Easement - Bernhardt: A resolution was presented which abandons an easement located in Lots 1 - 8, Bernhardt Major Plat.

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

COMMISSION APPOINTMENTS

PLANNING COMMISSION

Mayor Deane requested Council confirmation of the re-appointments of Richard Penhallurick and Todd Lengenfelder to the Planning Commission.

Action Taken: Mr. Voth moved that the re-appointments of Richard Penhallurick and Todd Lengenfelder be confirmed, seconded by Mr. Lane, and passed unanimously.

CONSIDERATION OF BIDS AND QUOTES

WELL DRILLING PROJECT - 2015

The City received six bids for the 2015 Well Drilling Project. This project includes a base bid for drilling three new wells and an additive for a fourth well.

Action Taken: Mrs. Liebrecht moved that the bid be awarded to Tacoma Pump and Drilling in the amount of \$321,434.10, seconded by Dr. Curnel, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

COMMUNICATION - FRIENDS OF MOSES LAKE DOG PARK

Rick Sera and Greg Becken, representing the Friends of the Moses Lake Dog Park, expressed their

appreciation for the City's permission to place on the dog park on City property and the support of the community for this project.

Spencer Grigg, Parks and Recreation Director, provided some background on the property and mentioned that it is also part of the 100 year flood plain

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND COMPREHENSIVE PLAN & REZONE REQUESTS - 2ND READING

An ordinance was presented which amends the Comprehensive Plan by updating the Transportation Element and providing for two site-specific land use designation changes and zone changes. The site-specific land use designation changes are for property located at the corner of Owen Road and Harris Road from Commercial to High Density Residential and the City's former firing range located on Randolph Road from Public to Industrial.

The ordinance adopting the 2015 Comprehensive Plan Amendments and Zone Changes to be consistent with the amendments was read by title only.

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

ORDINANCE - AMEND 2015 BUDGET - 2ND READING

An ordinance amending the 2015 budget was presented.

The ordinance amending the 2015 budget for the City of Moses Lake, Washington, was read by title only.

Mr. Voth felt that the resolutions pertaining to inter-fund loans should be adopted prior to consideration of the amended budget.

W. Robert Taylor, Finance Director, stated that the order in which the budget amendment and inter-fund loans are considered is not critical as there will need to be further amendments to the budget when the end of the year bills are received.

John Williams, City Manager, pointed out that the inter-fund loans would be included in the next budget amendment.

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

ORDINANCE - AMEND 2015 BUDGET - 1ST READING

An ordinance amending the 2015 budget was presented.

The ordinance amending the 2015 budget for the City of Moses Lake, Washington, was read by title only.

Mr. Voth pointed out that the Council will be considering two inter-fund loans later in the meeting and felt that they should be included in the budget amendment ordinance.

W. Robert Taylor, Finance Director, explained that the need for the inter-fund loans was discovered after the budget amendment ordinance was nearly complete and so they will be included in the next budget amendment that will also cover expenditures and revenues through December 31.

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

ORDINANCE - 2016 BUDGET - 1ST READING

An ordinance was presented which adopts the 2016 budget.

The ordinance adopting the budget for the City of Moses Lake, Washington for the year of 2016 was read by title only.

W. Robert Taylor, Finance Director, stated that the budget has been balanced by eliminating \$4,000,000 of capital improvements. He mentioned that the City's financial situation will have to be addressed at the beginning of 2016.

Action Taken: Mrs. Liebrecht moved that an emergency be declared and the ordinance be adopted on a single reading, seconded by Mr. Lane, and passed unanimously.

ORDINANCES - TAXES - SINGLE READING

Ordinances were presented which fix the estimated amount to be received by the City from property taxes in 2016 and establishes the substantial need.

W. Robert Taylor, Finance Director, explained the reasons for adopting the new ordinances.

The ordinance repealing Ordinances 2786 and 2787 and levying the annual property tax to provide revenue for the City of Moses Lake, Washington, for the fiscal year ending December 31, 2016 was read by title only.

Action Taken: Mr. Lane moved that an emergency be declared and the ordinance be adopted on a single reading, seconded by Mrs. Liebrecht, and passed unanimously.

The ordinance providing for substantial need to increase the regular property tax limit factor above the rate of inflation pursuant to RCW 84.55.0101 was read by title only.

Action Taken: Dr. Curnel moved that an emergency be declared and the ordinance be adopted on a single reading, seconded by Mrs. Liebrecht, and passed unanimously.

RESOLUTION - CHECKS

A resolution was presented which names those employees authorized to sign checks on behalf of the City.

The resolution naming those employees authorized to sign checks on behalf of the City of Moses Lake was read by title only.

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

RESOLUTION - INTER-FUND LOAN

A resolution was presented which provides for an inter-fund loan from the Water/Sewer Fund to the Sanitation Fund.

The resolution authorizing an inter-fund loan to the Sanitation Fund 490 from the Water/Sewer Fund 410 was read by title only.

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

RESOLUTION - INTER-FUND LOAN

A resolution was presented which provides for an inter-fund loan to the Ambulance Fund from the Water/Sewer Fund.

The resolution authorizing an inter-fund loan to the Ambulance Fund 498 from the Water/Sewer Fund 410 was read by title only.

Action Taken: Mr. Voth moved that the resolution not be considered, seconded by Mr. Ecret, and failed with Mr. Ecret and Mr. Voth in favor and Mr. Lane, Dr. Curnel, Mrs. Liebrecht, and Mayor Deane opposed.

Mr. Voth stated that he voted in favor of the 2016 budget ordinance with the understanding that this inter-fund loan resolution would not be considered by the Council at this meeting.

Mr. Ecret stated that it was also his understanding that this inter-fund loan resolution would not be considered by the Council at this time.

There was some discussion by the Council.

Action Taken: Mr. Lane moved that the resolution be adopted, seconded by Dr. Curnel, and passed with Mr. Lane, Mrs. Liebrecht, Dr. Curnel, and Mayor Deane in favor and Mr. Voth and Mr. Ecret opposed.

Mr. Voth changed his affirmative vote on the ordinance adopting the 2016 budget to a negative vote.

RESOLUTIONS - NUISANCE ABATEMENTS COSTS

Resolutions were presented which affirm the Council's prior authorization to staff to collect the funds expended for the nuisance abatements at 1061 Division, owned by Bonita Evens, 826 Grand, owned by Bryan Starrett, Farm Unit 224, Block 41, owned by Columbia Basin Investment Group, and 2404 Lakeside, owned by Vona L. Gibson Estate.

The resolution establishing the billing to be imposed against Bonita Evens as the owner 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: Mr. Ecret moved that the resolution be adopted, seconded by Dr. Curnel, and passed unanimously.

The resolution establishing the billing to be imposed against Bryan Starrett as the owner 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: Mr. Lane moved that the resolution be adopted, seconded by Mr. Ecret, and passed unanimously.

The resolution establishing the billing to be imposed against Columbia Basin Investment Group as the owner 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: Mr. Voth moved that the resolution be adopted, seconded by Dr. Curnel, and passed unanimously.

The resolution establishing the billing to be imposed against Vona M. Gibson Estate as the owner 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: Dr. Curnel moved that the resolution be adopted, seconded by Mr. Lane, and passed unanimously.

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

HUNTING

In October the Council granted permission for hunting of geese within the City's limits due to the damage they were causing to the crop on property within the City's limits.

Gilbert Alvarado, Community Development Director, stated that the Council gave permission for the hunting of geese by family members only. The City has received a number of complaints about hunting on this property

and upon investigation by staff it was found that there were guided hunting parties on this property.

Shane Palmer, 712 S. Hamilton Road, owner of the property, stated that he planted a grass seed crop in the fall. Since the property is adjacent to the lake, the geese were eating the crop. The use of coyote decoys and streamers were not effective. He mentioned that hunting the geese helps a great deal but the hunting has to continue on a recurring basis.

There was some discussion.

Action Taken: Mr. Ecret moved that the existing no hunting regulations be enforced, seconded by Mr. Voth.

There was additional discussion on other methods to keep the geese away or ways to monitor the hunting by family members only.

The motion passed with Mr. Ecret, Mr. Voth, Dr. Curnel, and Mrs. Liebrecht in favor and Mr. Lane and Mayor Deane opposed.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS

COUNCIL

Richard Teals, 311 Northshore Drive, thanked Mr. Lane and Mr. Deane for their service to the community.

COUNCIL QUESTIONS AND COMMENTS

MUNICIPAL AIRPORT

Mr. Voth stated the City does not have a contract for snow removal at the Municipal Airport because of an issue with the recommended amount of required insurance. He mentioned that Jackson Aviation has been plowing the snow but there needs to be a resolution of this issue.

John Williams, City Manager, stated that the amount of the liability insurance is only a recommendation from WCIA and the issue can be resolved by staff.

CITY MANAGER REPORTS AND COMMENTS

WALMART - SHOP WITH A COP PROGRAM

John Williams, City Manager, stated that on December 18 several Police Officers and Grant County Sheriffs participated in the Walmart "Shop with a Cop" program. This is a program that has uniformed officers help under privileged children and their families shop at Walmart in an effort to make their Christmas a little brighter.

PROJECTS UPDATE

Gilbert Alvarado, Community Development Director, provided a list of the on-going projects in the City.

ELECTION OF MAYOR - PROCESS

Katherine Kenison, City Attorney, provided a memo and attachments outlining the history over the last few years of the Council's process for the election of the Mayor and Deputy Mayor. She pointed out that Resolution 3361 adopted in 2013 set forth the process for the election of the Mayor and Deputy Mayor and also provides that the election of the Mayor and Deputy Mayor shall be pursuant to state statute. Since the process adopted under Resolution 3361 is in conflict with state statute, she recommended that the resolution be rescinded. She also pointed out that the process actually used was not the one spelled out in the resolution.

There was considerable discussion.

Action Taken: Mr. Ecret moved that Resolution 3361 be repealed, seconded by Dr. Curnel, and passed unanimously.

Mayor Deane stated that the positions of Mayor and Deputy Mayor are important and that those positions should be rotated among all Council members.

Action Taken: Mr. Deane moved that the process for election of a Mayor and Deputy be adopted as outlined in Resolution No. 3361 with the elimination of number 4 under the resolved, seconded by Mr. Lane, and passed with Dr. Curnel, Mrs. Liebrecht, Mr. Lane, and Mayor Deane in favor and Mr. Voth and Mr. Ecret opposed.

Action Taken: Mr. Lane moved that the vote for Mayor and Deputy Mayor be by hand or verbal vote, seconded by Dr. Curnel, and passed with Dr. Curnel, Mrs. Liebrecht, Mr. Lane, and Mr. Ecret in favor and Mr. Voth and Mayor Deane opposed.

The regular meeting was adjourned at 9:10 p.m.

ATTEST

Dick Deane, Mayor

W. Robert Taylor, Finance Director