

MOSES LAKE CITY COUNCIL
August 9, 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 Bill Ecret, Don Myers, Mike Norman, and David Curnel

Absent: Council member Ryann Leonard

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

PLEDGE OF ALLEGIANCE: Mayor Voth led the Council in the flag salute.

SUMMARY REPORTS

CERTIFICATION OF ACHIEVEMENT - DIRT BROTHERS BASEBALL TEAM

A Certificate of Achievement was presented to members of the 14U Dirt Brothers Baseball Team for their participation in the 2016 Babe Ruth League 14 Year Old Pacific Northwest Regional Championship.

PRESENTATIONS

Fire Department: Brett Bastian, Fire Chief, was introduced to the Council, received the badge of office, and took the oath of office.

CITIZEN'S COMMUNICATIONS - None

EXECUTIVE SESSION

The regular meeting was recessed at 7:09 p.m. and the Council met in a 15 minute executive session with the City Attorney under RCW 42.30.110(F) to receive or evaluate complaints or charges brought against a public officer or employee.

The executive session was adjourned at 7:24 p.m. and the regular meeting was reconvened.

CONSENT AGENDA

Mr. Curnel requested that the Bills and Checks be removed from the Consent Agenda.

Minutes: the minutes of the July 26 meeting were presented for approval.

Accept Work - Cascade Park Sewer Improvement Project: Pipkin Construction has completed work on the 2016 Cascade Park Sewer Improvement Project. The project consisted of installing sewer lines and a pump station to serve Cascade Park. The work should be accepted.

Accept Work - Well Drilling Project: Tacoma Pump & Drilling, Inc. has completed work on the 2015 Well Drilling Project. The project consisted of drilling four shallow wells. The work should be accepted.

Resolution - Accept Easement - Shinn: A resolution was presented which accepts a utility access easement for Shinn Short Plat, Lot 1 Commercial Binding Site Plan.

Barrington Point 3 Final major Plat - Findings of Fact: Olsen Homes submitted an application for a final plat of 27 lots east of Crestview and south of Century Street in the Crestview area. The site is zoned R-1, Single Family Residential, which corresponds with the underlying Comprehensive Plan Land Use Designation of Residential. The Planning Commission recommended that the final plat be approved with conditions.

Pioneer Meadows Final Major Plat - Findings of Fact: Pioneer Meadows LLC submitted an application for a two lot final plat of 15 acres located on Ninth Street between Pioneer Way and Division Street. The site is zoned R-3, Multi-family Residential, which corresponds with the underlying Comprehensive Plan Land Use Designation of Residential. The Planning Commission recommended that the final plat be approved with conditions.

Action Taken: Mrs. Liebrecht moved that the above items on the Consent Agenda be approved, seconded by Mr. Norman, and passed unanimously.

Mr. Curnel requested an explanation of the \$267,789 for an interfund loan and requested that, in the future, an explanation be provided of the interfund loans.

W. Robert Taylor, Finance Director, explained the interfund loan.

It was requested that the Council be informed of the number of interfund loans and the payment schedules.

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 August 9, 2016 the Council does approve for payment claims in the amount of \$1,876,948.65; prepaid claims in the amounts of \$32,743.17 and \$302,782.32; claim checks in the amount of \$946,975.34; and payroll in the amounts of \$4,039.35 and \$34,423.34.

Action Taken: Mr. Curnel moved that the bills and checks be paid, seconded by Mrs. Liebrecht, and passed unanimously.

OLD BUSINESS

ORDINANCE - AMEND BUDGET

An ordinance was presented which amends the 2016 budget.

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

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

NEW BUSINESS

COMPREHENSIVE PLAN - AMENDMENT

Lee/Norman Development LLC has requested that their property located on Division Street be changed from its existing land use designation of low density residential to high density residential. This request requires an amendment to the Comprehensive Plan. The deadline to request an amendment to the Comprehensive Plan is March 31. Since the deadline has passed, staff is requesting Council direction on the requested amendment.

Mr. Norman declared a conflict of interest and exited the dias.

Gilbert Alvarado, Community Development Director, Deputy City Manager, explained the request.

Mr. Norman exited the room.

There was considerable discussion.

Action Taken: Mr. Ecret moved that the request be granted, seconded by Mr. Myers, and passed with Mr. Curnel and Mrs. Liebrecht opposed as there is no emergency to the request.

MURAL RESTORATION

Patricia Jensen has contacted the City with regard to the repair and restoration of the Chief Moses mural and a request for funds to cover the cost.

Gilbert Alvarado, Community Development Director/Deputy City Manager, gave the background on the mural.

There was considerable discussion and it was the consensus that the mural is not the responsibility of the City.

ORDINANCE - AMEND GARBAGE COLLECTION RATES

An ordinance was presented which increases the garbage rates.

W. Robert Taylor, Finance Director, explained the need for the increases.

ORDINANCE - AMEND 2.44 - PARK AND RECREATION COMMISSION

An ordinance was presented which amends the make up of the Park and Recreation Commission by providing for a youth representative on the Commission.

John Williams, City Manager, explained the proposed changes.

There was some discussion concerning the meaning of "student", the need to make sure the "student" is a voting member, and include "student at the time of appointment".

RESOLUTIONS - NUISANCE ABATEMENT/COSTS - 1244 DIVISION

A resolution was presented which provides for the abatement of nuisances at 1244 Division, owned by Kendra Luther and Linda Lucas. The nuisance was abated under a determination that there was an immediate danger to the health and safety of the public.

Katherine Kenison, City Attorney, explained that reasons for the immediate abatement of the nuisance by City staff. The property owners still have the right to appear before the Council and contest whether or not an emergency nuisance situation actually existed.

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 Kendra Luther and Linda Lucas 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. Ecret moved that the resolution be adopted, seconded by Mr. Curnel, and passed unanimously.

A resolution establishing the billing to be imposed against Kendra Luther and Linda Lucas 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 - 1116 EVERGREEN

A resolution was presented which provides for the abatement of nuisances at 1116 Evergreen, owned by Louis Mattly. The nuisance was abated under a determination that there was an immediate danger to the health and safety of the public.

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 Louis Mattly 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: Mr. Ecret moved that the resolution be adopted, seconded by Mr. Curnel, and passed unanimously.

ADMINISTRATIVE REPORTS

AIRPORT LAYOUT PLAN

John Williams, City Manager, provided information on the Comprehensive Plan amendment process to be followed should the Council decide to include the additional property requested for the Municipal Airport.

L & I CITATION

Brett Bastian, Fire Chief, stated that the Fire Department responded to an anhydrous ammonia emergency in the Wheeler Industrial Corridor and a rescue team was sent in to determine the whereabouts of two of the employees. The Department of Labor and Industries objected to how the fire personnel were protected and the level of equipment used and issued two citations. The City filed an appeal with the Department and the appeals officer agreed that the City was within its rights and responsibilities concerning the hazardous materials operations and vacated one of the citations. The citation concerning the lack of appropriate equipment was upheld but the monetary penalty was reduced. The settlement agreement spells out what the Fire Department needs to do to correct the equipment issue.

There was discussion on how to address the hazardous materials issue in the Moses Lake area.

NUISANCES

Gilbert Alvarado, Community Development Director/Deputy City Manager, provided background on the issue of nuisances in the City, especially on weeds and deteriorating buildings. The Nuisance Regulations for Washington Cities and Counties published by Municipal Research and Services Center of Washington was provided to the Council.

There was some discussion concerning nuisances.

Action Taken: Mr. Ecret moved that an ordinance be drafted that would provided for control of weeds over an entire lot in undeveloped areas; control of weeds in developed areas 20' from the sidewalk and all developed adjacent lots; requiring property owners to be responsible for weeds in alleys from the center of the alley to the property line; shorten the time to comply to 5 days; add a \$150 administrative fee if the property owner does not comply within the 5 days; and address buildings with peeling or unfinished paint jobs, seconded by Mr. Curnel, and passed with Mr. Myers opposed.

SHORELINE MASTER PROGRAM

Gilbert Alvarado, Community Development Director/Deputy City Manager, stated that a meeting was held with Jeremy Sikes, Department of Ecology, concerning the City's Shoreline Master Program. The purpose of the meeting was to express the Council's concern to Mr. Sikes concerning the use of "best available science" and width of buffers.

COUNCIL COMMUNICATIONS - None

The regular meeting was adjourned at 9:14 p.m. and the Council met in a closed door session pursuant to RCW 42.30.140 to discuss labor relations.

ATTEST

Todd Voth, Mayor

W. Robert Taylor, Finance Director