

MOSES LAKE CITY COUNCIL
December 13, 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 Don Myers, David Curnel, Ryann Leonard, and Mike Norman

Absent: Council member Bill Ecret

Action Taken: Council member Norman moved to excuse Council member Ecret from the meeting, seconded by Council member Leonard, and passed unanimously.

PLEDGE OF ALLEGIANCE: Tianna Goff, high school student, led the Council in the pledge of allegiance.

MAYOR'S REPORTS

LODGING TAX ADVISORY COMMITTEE

Mayor Voth requested Council confirmation of the re-appointments of Tim Molitor, Daniel Ramarui, and Debbie Doran-Martinez to the Lodging Tax Advisory Committee.

Action Taken: Council member Leonard moved to confirm the re-appointments, seconded by Council member Norman, and passed unanimously.

ADDITIONAL BUSINESS - None

CITY MANAGER'S REPORTS

FIRE DEPARTMENT

Brett Bastian, Fire Chief introduced Firefighters Mike Evens and David Durfee to the Council.

CITIZEN'S COMMUNICATIONS - None

CONSENT AGENDA

Minutes: The minutes of the November 22 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 13, 2016 the Council does approve for payment claims in the amount of \$696,456.36; prepaid claims in the amounts of \$29,584.37, \$15,704.79, and \$78,307.01; claim checks in the amount of \$1,719,720.00; and payroll in the amounts of \$3,866.90 and \$311,154.24.

Memorandum of Agreement - Firefighters: The Memo of Understanding with the International Association of Firefighters Local #1258 to establish and evaluate a Lieutenant position for each fire station was presented.

Resolution - Declare Property Surplus: A resolution was presented which declares a City police car as surplus property and authorizes its sale to the Columbia Basin Technical Skills Center.

Action Taken: Council member Leonard moved that the Consent Agenda be approved, seconded by Council member Curnel, and passed unanimously.

PUBLIC HEARING**TRANSPORTATION BENEFIT DISTRICT**

John Williams, City Manager, explained that in order to discuss whether or not to proceed with a Transportation Benefit District, the district needs to be created. By law the Council would become the Transportation Benefit Board, which is a quasi-municipal type organization that must meet separately. The issue before the Council is whether or not the District should be created for further discussion.

Katherine Kenison, City Attorney, reminded the Council that the only action to be considered at this public hearing is whether or not a Transportation Benefit District and Board should be established. Questions concerning street improvement projects and funding have to be discussed in front of the Board, not the Council.

The public hearing was opened.

There were no comments, so the public hearing was closed.

COMPREHENSIVE PLAN

The 2016 updates to the Comprehensive Plan were presented.

Council member Norman declared a conflict of interest and exited the podium.

Gilbert Alvarado, Community Development Director/Deputy City Manager, explained that updates have been proposed for the Utility, Transportation, and Land use elements of the Comprehensive Plan and two site specific land use designation changes requested by property owners. He mentioned that the request from the Airport Commission to add additional property for airport operations to the current Municipal Airport has been withdrawn and will be resubmitted during the next year's cycle for changes to the Comprehensive Plan. The other site specific change was requested by Mike Norman and it is proposed to change a 7 acre parcel located at Ninth and Gardenia from Low Density Residential to High Density Residential. The Planning Commission reviewed the request but made no recommendation to the Council.

The public hearing was opened.

Mike Norman, 123 E 9th Avenue, #1, representing Lee/Norman Development, LLC, stated that the project began in 2008 as a 55+ gated community. Since 2008 only 3 homes have been sold. He explained the changes that are proposed for the development.

Rose DeRenzo, 123 Ninth Avenue, #2, stated that she purchased her property because it was represented to her that the area would be a 55+ gated community. The new proposal is for rentals and no age limit. She would not have an objection if the single family area could be fenced off from the rental area since the proposal is not what was represented to her when she bought the property.

There was some discussion by the Council.

Action Taken: Council member Leonard moved that the public hearing be closed, seconded by Council member Curnel, and passed.

OLD BUSINESS**ORDINANCE - 2017 BUDGET AND FEE SCHEDULE**

An ordinance adopting the 2017 budget and proposed fee schedule was presented.

The ordinance adopting the budget for the City of Moses Lake, Washington for the year of 2017 was read by title only.

There was considerable discussion on the fee schedule.

Mark Fancher, 301 E. Inglewood Drive, stated that he was concerned about the increase in the development charges and that Moses Lake needs to remain competitive for the business community.

Action Taken: Council member Norman moved that the ordinance and the fee schedule be adopted, seconded by Council member Liebrecht, and passed with Council member Myers opposed as he felt the increases were too much at one time.

ORDINANCE - AMEND 3.27 - REAL ESTATE EXCISE TAX

An ordinance was presented which eliminates the sunset clause in the previously imposed real estate excise tax.

The ordinance amending Chapter 3.27 of the Moses Lake Municipal Code entitled "Real Estate Excise Tax: 1986" was read by title only.

John Williams, City Manager, pointed out that this tax is collected when a home actually sells. The ordinance was originally set to expire in March 2017. The funds raised by this tax are to be used specifically for streets, sidewalks, street lighting systems, traffic signals, bridges, and construction of parks. It is proposed to remove the expiration date of this tax so that the City can continue to receive the approximate \$200,000 per year.

There was some discussion by the Council.

Mark Fancher, 103 E. Englewood, pointed out that the tax does impact the sale of homes and the City has already increased other fees.

Action Taken: Council member Curnel moved that the ordinance be adopted, seconded by Council member Liebrecht, and failed with Council members Curnel, Liebrecht, and Norman in favor and Mayor Voth and Council members Myers and Leonard opposed.

Action Taken: Council member Leonard moved that the ordinance be amended to include a clause eliminating the tax by December 31, 2018, seconded by Mr. Norman, and passed with Mayor Voth and Council member Myers opposed.

NEW BUSINESS

RESOLUTION - BUILD ON UNPLATTED PROPERTY - AT&T MOBILITY/CRAB CREEK HOMESTEAD

A resolution was presented which rescinds Resolution 3377 allowing the construction of a monopole on property owned by Crab Creek Homestead and requiring the property to be platted. Upon review by the Community Development and Municipal Services Departments, it was determined that platting was not practical because the property does not front on dedicated right-of-way.

Gilbert Alvarado, Community Development Director/Deputy City Manager, stated that staff feels that platting would serve no purpose at this time because the small piece of property affected is only for the construction of a monopole, the property does not front on a dedicated street, and there is no occupancy of the property. The proposed resolution rescinds the prior resolution and allows the building on unplatted property without the requirement to plat.

The resolution allowing AT&T Mobility and Crab Creek Homestead, LLC to build on unplatted property was read by title only.

Action Taken: Council member Leonard moved that the resolution be adopted, seconded by Mrs. Liebrecht, and passed unanimously.

RESOLUTION - OPPOSE RAILROAD THROUGH MOSES LAKE

A resolution was presented which opposes the reopening of the Columbia Basin Railroad through the City and stating the City's support for the railroad route as originally planned.

The resolution opposing the Port of Moses Lake's proposed restoration and reopening of the Columbia Basin Railroad line through downtown Moses Lake was read by title only.

John Williams, City Manager, stated that the Port of Moses Lake is working on obtaining funding for a new rail line in the Moses Lake area and requested the City reaffirm its opposition to the use of the railroad through downtown Moses Lake. The position of the City would be provided to the legislature so that the funding can be reallocated to the other sections of the new railroad line.

Action Taken: Council member Curnel moved that the resolution be adopted, seconded by Council member Norman, and passed unanimously.

RESOLUTION - NUISANCE ABATEMENT COSTS - 1061 DIVISION

A resolution was presented which affirms the Council's prior authorization to staff to collect the funds expended for the nuisance abatement at 1061 Division.

The resolution establishing the billing to be imposed against Bonita Thereas Evens Ext. 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: Council member Liebrecht moved that the resolution be adopted, seconded by Council member Leonard, and passed unanimously.

RESOLUTION - ADOPT WATER SERVICE POLICY

A resolution was presented which sets the policy for creating public water systems inside the City's retail service area.

The resolution of the City of Moses Lake adopting policy and procedures for new public water systems inside the City's retail service area was read by title only.

Gary Harer, Municipal Services Director, stated that, by law, the City is required to provide water service to all new developments in the City's retail service area. The City has designed the UGA as the retail service area. If it is cost prohibited to extend water to an area proposed for development, the developer has requested permission to construct small Class B water system, If the City is going to allow small water systems within the retail service area, the City is required to have a policy in order to provide consistency for the City and developers. The proposed policy and requirements would regulate the Group B water systems.

There was some discussion by the Council.

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

ADMINISTRATIVE REPORTSPOLICE

Kevin Fuhr, Police Chief, stated that John Lowry, Specialty Welding, and the Plumbers and Steam Fitters Union No. 529 are donating approximately 100 bicycles to the Police and Parks and Recreation Departments to give to children in need of bikes.

Chief Fuhr also mentioned that Captain Williams has obtain a \$2,000 grant from WalMart to help with "Shop with a Cop" program.

FIRE

Brett Bastian, Fire Chief, stated that WalMart has donated \$2,500 to the fire prevention programs including the installation and replacement of smoke detectors in homes with inoperable smoke detectors.

COUNCIL COMMUNICATIONS AND REPORTS - None**EXECUTIVE SESSION** - None

ADJOURNMENT: The regular meeting was adjourned at 8:48 p.m.

ATTEST

Todd Voth, Mayor

W. Robert Taylor, Finance Director