

MOSES LAKE CITY COUNCIL
January 11, 2011

Council Present: Jon Lane, Bill Ecret, Dick Deane, Karen Liebrecht, Brent Reese, David Curnel, and Richard Pearce

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

PLEDGE OF ALLEGIANCE: Mrs. Liebrecht led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the December 28, 2010 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 city hall. As of January 11, 2011 the Council does approve for payment claims in the amount of \$772,143.91; prepaid claims in the amounts of \$100,949.10 and \$15,696.02; claim checks in the amount of \$754,150.04; and payroll in the amounts of \$1,368.76, \$1,416.93, and \$26,578.67.

Maiers Industrial Park 2nd Preliminary Major Plat: Maiers Industrial Park Inc. has submitted an application for a one-lot plat of 5.41 acres. The site is located directly east of 13184 Wheeler Road, and is zoned Heavy Industrial, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. A deviation for the scale of the plat and deferral of street and utility improvements to Wheeler Road were requested. The Planning Commission recommended that the preliminary plat and the deviations and deferrals be approved with conditions. Attached are the Findings, Conclusions and Decision of the Planning Commission. As no appeal was taken from this decision of the Planning Commission, the Council's approval of this decision incorporates and adopts the Findings, Conclusion and Decision of the Planning Commission.

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

COMMISSION APPOINTMENTS

PLANNING COMMISSION

Mayor Lane requested Council confirmation of the re-appointment of Mitch Molitor, Steve Schield, and Vicki Heimark to the Planning Commission.

Action Taken: Mr. Ecret moved that the re-appointment of Mitch Molitor, Steve Schield, and Vicki Heimark to the Planning Commission be confirmed, seconded by Mr. Peace, and passed unanimously.

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS - NoneORDINANCES AND RESOLUTIONSORDINANCE - AMEND 16.02 - BUILDING PERMITS - 2ND READING

An ordinance as presented which corrects an inconsistency between the city code and the State Building code.

The ordinance amending Moses Lake Municipal Code Chapter 16.02 entitled "Building Permits" was read by title only.

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

ORDINANCE - CREATE 17.56 - REIMBURSEMENT AGREEMENTS - 2ND READING

An ordinance was presented which creates regulations with regard to reimbursement agreements for developer installed improvements. The regulations were mandated by the city's insurer, WCIA, as part of the city's land use audit.

The ordinance creating Chapter 17.56 of the Moses Lake Municipal Code entitled "Reimbursement Agreements" was read by title only.

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

ORDINANCE - AMERICOLD ANNEXATION - 1ST READING

An ordinance was presented which provides for the annexation of approximately 38.27 acres of property located adjacent to Randolph Road and north of Wheeler Road.

The ordinance annexing property commonly known as the Americold annexation to the City of Moses Lake, Washington, and incorporating the same within the corporate limits of the City of Moses Lake was read by title only.

Gilbert Alvarado, Community Development Director, pointed out that the property will be zoned Heavy Industrial.

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

ORDINANCE - NATIONAL FROZEN FOODS ANNEXATION - 1ST READING

An ordinance was presented which provides for the annexation of approximately 2.67 acres of property located north of Wheeler Road.

The ordinance annexing property commonly known as the National Frozen Foods annexation to the City of Moses Lake, Washington, and incorporating the same within the corporate limits of the City of Moses Lake was read by title only.

Gilbert Alvarado, Community Development Director, pointed out that the property will be zoned Heavy Industrial.

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

ORDINANCE - GRANT COUNTY PUD ANNEXATION - 1ST READING

An ordinance was presented which provides for the annexation of approximately 23 acres of property located north of Kinder Road and east of Wenatchee Drive.

The ordinance annexing property commonly known as the PUD annexation to the City of Moses Lake, Washington, and incorporating the same within the corporate limits of the City of Moses Lake was read by title only.

Gilbert Alvarado, Community Development Director, explained that this annexation was proposed several years ago by the PUD. The PUD subsequently requested that the annexation be put on hold. They are now ready to continue with the annexation. The property will be zoned Public.

There was some discussion by the Council on the fact that an island of unincorporated property will be created by this annexation.

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

REQUEST TO CALL FOR BIDS -None

REFERRALS FROM COMMISSIONS

WELL 31 SHORT PLAT - DEFERRALS

The Municipal Services Department submitted a request to waive the requirement to dedicate and build Davy Street to the west along the south side of the Well 31 Short Plat. Since there are wetlands and likely habitat of the Northern Leopard frogs to the south and west of the plat, the Municipal Services Department felt a street to these areas would not be appropriate. A request was also submitted to defer street and utility improvements to Montana Street since it is currently constructed without sidewalks, curbs, gutters, stormwater infrastructure or sewer main. These improvements are not needed for the current plat and will be constructed in the future when the whole street is improved to Community Standards. The Planning Commission recommended that the request to defer the street improvements on Montana be granted. After some discussion the Planning Commission recommended that the request to waive the extension of Davy Street be denied and instead the street improvements be deferred.

Gilbert Alvarado, Community Development Director, explained the difference between a waiver and a deferral. He pointed out that the adjacent wetland is the habitat of the Northern Leopard Frog, which is a protected species and is now only found in Moses Lake in Washington State.

Gary Harer, Municipal Services Director, mentioned that because of the wetlands, Davy Street could only be extended the length of one lot, which could be served by Montana Street.

Action Taken: Mr. Deane moved that the waiver to the requirement to dedicate the right-of-way for Davy Street and the deferral for the requirement to improve Montana Street be approved, seconded by Mr. Pearce, and passed unanimously .

OTHER ITEMS FOR COUNCIL CONSIDERATION

BUILD ON UNPLATTED PROPERTY - DART

Betty Dart requested the Council rescind the covenant for the installation of improvements on Tax #6807 in BOT 41 which was required in 1992 with the approval to build on this unplatted property. Nothing was ever constructed on the property and there are no plans at this time to build on the property.

Joseph K. Gavinski, City Manager, stated that the request is unusual but he mentioned that if the covenant is released, the city would include this piece of property on the reimbursement ordinance. The property would not be exempt from paying for the improvements when they are constructed.

There was some discussion by the Council.

Action Taken: Mr. Ecret moved that the request be granted, seconded by Mrs. Liebrecht, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - None

COUNCIL QUESTIONS AND COMMENTS

MOSES LAKE IRRIGATION AND REHABILITATION - DREDGING

Gilbert Alvarado, Community Development Director, provided a copy of the staff report for the Moses Lake Irrigation and Rehabilitation District's proposed dredging of Parker Horn. The Planning Commission will consider this shoreline permit at its next meeting. He explained the process and different agencies involved in the granting of a permit for this project.

There was considerable discussion by the Council.

AMBULANCE SERVICE

Mayor Lane requested a study session for 6 p.m. on January 25 to discuss the ambulance service.

CITY MANAGER REPORTS AND COMMENTS

BUILDING ACTIVITY REPORT

The December 2010 Building Activity Report was presented.

GAMBLING REPORT

The city received \$76,381.22 in gambling tax income for the fourth quarter of 2010.

INVESTMENT REPORT

The city received \$12,441.30 in investment income for December 2010.

SALES TAX/TRANSIENT RENTAL INCOME

The city received \$394,167.42 in sales tax and \$30,765.44 in transient rental income in December 2010.

RETREAT

Joseph K. Gavinski, City Manager, reminded the Council that the Council/staff retreat is scheduled for February 25 and requested any concerns be submitted as soon as possible.

The regular meeting was adjourned at 8 p.m.

ATTEST

Jon Lane, Mayor

Ronald R. Cone, Finance Director