

MOSES LAKE CITY COUNCIL  
September 28, 2010

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

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

PLEDGE OF ALLEGIANCE: Sgt. David Sands led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS

FIRE DEPARTMENT

Casey Cooper, Paramedic, was introduced to Council.

VISION 2020

Bill Ecret, Vision 2020, stated that the September 2010 Visionary Award will be given to Tacos El Rey for their beautiful, well kept, and inviting restaurant.

CONSENT AGENDA

Minutes: The minutes of the September 14, 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 September 28, 2010 the Council does approve for payment claims in the amount of \$274,003.41; prepaid claims in the amounts of \$19,722.03 and \$153,719.03; claim checks in the amount of \$2,773,400.38; and payroll in the amount of \$37,837.84.

Resolution - Accept Easement - Americold Corporation: A resolution was presented which accepts an easement from Americold Corporation for the installation of a hydrant adjacent to Road N.

Resolution - Accept Street and Utility Improvements - ASPI Commerce Park #2 Major Plat: A resolution was presented which accepts the street and utility improvements constructed as part of the ASPI Commerce Park #2 Major Plat.

Eka Chemicals Final Major Plat and Findings of Fact: Eka Chemicals submitted a one lot final plat of 28 acres. The site is located at 2701 Road N NE, and is zoned Heavy Industrial, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. The final plat is consistent with the conditions of approval of the preliminary plat. The Planning Commission recommended that the final plat be approved with conditions. Also attached for acceptance are the Findings of Fact, Conclusions and Decision.

Resolution - Abandon Easement - Eka Chemicals: A resolution was presented which abandons an easement located near Road N which was intended to service the Eka Nobel Lift Station. A new easement will be dedicated on the Eka Chemicals Major Plat for this purpose, so the existing easement can be abandoned.

Nuisance Abatement: The Council should set October 12 as the date to consider a resolution to abate nuisances on 1105 Hill, 705 D Street, 1201 Baker, and 1103 Cascade.

Action Taken: Mr. Reese moved that the Consent Agenda be approved, seconded by Mr. Pearce, and passed unanimously.

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES

PAVEMENT PATCH TRUCK, BACKHOE AND COMPACTOR, AND TRUCK CONVERSION

The city received two bids for the pavement patch truck, three bids for the backhoe and compactor, and one bid for the truck conversion.

Gary Harer, Municipal Services Director, explained that the low bidder for the backhoe and compactor did not contain a price for the equipment tax. This omission is an immaterial, informal irregularity that can be waived as the city will not pay this tax since a title will not be obtained through the Department of Licensing. The bid specifications were developed to describe the equipment offered on the state contract. The state contract lists the machinery at \$93,410. The low bid came in at \$93,873.

Action Taken: Mr. Pearce moved that the bid for the pavement patch truck be awarded to Enviro-Clean Equipment in the amount of \$161,091, seconded by Mr. Reese, and passed unanimously.

Action Taken: Mr. Reese moved that all bids for the backhoe and compactor be rejected and the equipment be purchased from the state bid in the amount of \$93,410, seconded by Mr. Pearce, and passed unanimously.

Action Taken: Mr. Deane moved that the bid for the truck conversion be awarded to Northend Truck Equipment, Inc. in the amount of \$44,320, seconded by Mrs. Liebrecht, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

ORDINANCE - REC SOLAR GRADE SILICON III ANNEXATION - 2<sup>ND</sup> READING/PUBLIC HEARING

An ordinance was presented which provides for the annexation of approximately 61 acres located adjacent to and south of Road 4 owned by REC Solar Grade Silicon.

The ordinance annexing property commonly known as the REC Solar Grade Silicon III 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.

The public hearing to consider the zoning of the property to Heavy Industrial was opened. There were no comments.

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

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

#### MOSES LAKE SENIOR OPPORTUNITY AND SERVICES

Moses Lake Senior Opportunity and Services requested an additional \$5,000 over the normal \$10,000 provided by the city for recreational services to seniors. The additional \$5,000 would be used to replace the carpet in the social hall, computer room, and office area with laminate type flooring which will increase the versatility of the areas.

Action Taken: Mr. Ecret moved that this item be removed from the table, seconded by Mr. Deane, and passed unanimously.

Mary Kile, representing the Senior Opportunity and Services, stated that the new flooring will allow for greater diversification of activities. She mentioned that the Senior Center received \$10,750 from the city in 2010 as well as \$3,581 for a new pool table.

Carry Liles, from the Senior Opportunity and Services, stated that there is an agency that tracks the people served by the Center's nutrition program and that shows that 80% of those served are from Moses Lake.

There was some discussion by the Council.

Action Taken: Mr. Ecret moved that the request to increase the contract amount for 2011 by \$5,000 be granted, seconded by Mr. Pearce, and passed unanimously.

#### HOME OCCUPATION - TAXI - KENO

Gary Keno, 3921 W. Peninsula Drive, Unit 16, requested a change in the Municipal Code in order to operate a taxi business from his residence.

Gilbert Alvarado, Community Development Director, explained that the home occupation regulations do not allow a taxicab business as a home occupation. The only way to permit a taxicab business as a home occupation is to change the municipal code.

Mr. Keno stated that he has three vehicles parked at this mobile home at the present time and the owner of the mobile home park has no objections to that as there is sufficient space to park all three. One of the vehicles would be used as the cab.

There was considerable discussion by the Council and it was felt that Mr. Keno should check with the mobile home park owner to see if there is any objections to such a business in the park prior to any further discussion by the Council. Some members of the Council were not in favor of a taxicab business as a home occupation.

#### NIGHT WORK - BROADWAY AVENUE OVERLAY PROJECT

The Washington State Department of Transportation requested permission to work between the hours of 7 p.m. and 6 a.m. on the overlay of Broadway from I-90 through town to Highway 17.

Bob Romine, Department of Transportation, stated that the work would last about 40 days total and would begin in the spring. This work will require detours of about three blocks at a time through the entire length of the project.

Gary Harer, Municipal Services Director, mentioned that there would still be two lanes of traffic on Broadway while the work is being done but that the side streets would be blocked off in three block increments.

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

#### SIGNS ON CITY PROPERTY - PATTY MURRAY /JAY CLOUGH

Ellie Webb, Grant County Democrats, requested permission to place temporary signs on city property in the approved locations.

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

#### ORDINANCES AND RESOLUTIONS

##### RESOLUTION - DONATION - ANONYMOUS FOUNDATION

A resolution was presented which accepts a donation of \$2,500 from an anonymous foundation. The donation is to be used to improve station conditions, enhance safety, or contribute to the spirit and morale of the Moses Lake Police Department. It is the intent of the Police Department to use the donation to purchase ballistic body armor for the patrol officers.

The resolution accepting a donation to the Moses Lake Police Department from an anonymous foundation was read by title only.

Action Taken: Mr. Pearce moved that the resolution be adopted, seconded by Mr. Reese, and passed unanimously.

##### RESOLUTION - NUISANCE ABATEMENT - 720 PENNIVY

A resolution was presented which would abate the weed nuisance at 720 Pennivy Street. The property owner was given a Notice to Correct and a Notice of Violation and Order to Correct or Cease Activity.

The resolution determining that Jack Allen and Robert Allen 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.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue. He mentioned that there has been no response from the property owners to any of the notices provided by the city and none of the nuisances have been corrected.

Action Taken: Mr. Reese moved that the resolution be adopted, seconded by Mrs. Liebrecht, and passed unanimously.

##### RESOLUTION - NUISANCE ABATEMENT - 403 EARL

A resolution was presented which would abate the weed nuisance at 403 Earl. The property owner was given a Notice to Correct and a Notice of Violation and Order to Correct or Cease Activity.

The resolution determining that Marjorie Rodriguez 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.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue. He mentioned that the owner is deceased and the property is in foreclosure.

Action Taken: Mr. Deane moved that the resolution be adopted, seconded by Mr. Reese, and passed unanimously.

#### RESOLUTION - NUISANCE ABATEMENT - 221 AND 227 CRESTVIEW

A resolution was presented which would abate the weed nuisance at 221 and 227 Crestview. The property owner was given a Notice to Correct and a Notice of Violation and Order to Correct or Cease Activity.

The resolution determining that Yuriy Polischuk 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.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue. He mentioned that there has been no response from the property owner to any of the notices provided by the city and none of the nuisances have been corrected.

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

#### RESOLUTION - NUISANCE ABATEMENT - 522 KENTUCKY

A resolution was presented which would abate the weed nuisance at 522 Kentucky Drive. The property owner was given a Notice to Correct and a Notice of Violation and Order to Correct or Cease Activity.

The resolution determining that Eric and Brianna Benson 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.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue. He mentioned that there has been no response from the property owners to any of the notices provided by the city and none of the nuisances have been corrected.

Action Taken: Mrs. Liebrecht moved that the resolution be adopted, seconded by Mr. Reese, and passed unanimously.

#### RESOLUTION - NUISANCE ABATEMENT - 502 KENTUCKY

A resolution was presented which would abate the weed nuisance at 502 Kentucky Drive. The property owner was given a Notice to Correct and a Notice of Violation and Order to Correct or Cease Activity.

The resolution determining that Michael Watson 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.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue. He mentioned that there has been no response from the property owner to any of the notices provided by the city and none of the nuisances have been corrected.

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

#### RESOLUTION - NUISANCE ABATEMENT - 530 FLORIDA

A resolution was presented which would abate the weed and grass nuisance at 530 Florida Drive. The property owner was given a Notice to Correct and a Notice of Violation and Order to Correct or Cease Activity.

The resolution determining that Terri J. Shallenberger 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.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue. He mentioned that the property owner indicated that the property is going back to the bank and she has no further interest in it.

Action Taken: Mr. Deane moved that the resolution be adopted, seconded by Mr. Reese, and passed unanimously.

#### REQUEST TO CALL FOR BIDS

##### BLUE HERON SEWER CROSSING

Staff requested authorization to call for bids for the 2010 Blue Heron Sewer Crossing Project. This project includes extending a 12" sewer force main under I-90 through an existing casing located south of Blue Heron Park. The force main will serve the future development that is anticipated in the Mae Valley area.

Action Taken; Mr. Reese moved that staff be authorized to call for bids, seconded by Mrs. Liebrecht, and passed unanimously.

#### REFERRALS FROM COMMISSIONS - None

#### OTHER ITEMS FOR COUNCIL CONSIDERATION

##### SIGNS - FIREFIGHTERS BREAKFAST

The Moses Lake Volunteer Firefighters requested permission to place signs in the allowed locations to advertize their 19<sup>th</sup> Annual Fireman's Breakfast on October 16, 2010.

CITY COUNCIL MINUTES

September 28, 2010

Tom Taylor, Fire Chief, stated that there are six signs and two of them will be located at the fire stations. The remaining four signs will be placed in locations that have been permitted by the Council.

Action Taken: Mr. Reese moved that the request be granted, seconded by Mr. Pearce, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - NoneCOUNCIL QUESTIONS AND COMMENTS - NoneCITY MANAGER REPORTS AND COMMENTSI-1100 AND I- 1105

Joseph K. Gavinski, City Manager, provided information on Initiatives 1100 and 1105, both of which concern the closure of state liquor stores and would privatize the sale and distribution of liquor. He mentioned that if the initiatives pass the city would lose about \$215,000.

AGCCT MEETING

Joseph K. Gavinski, City Manager, reminded the Council of the AGCCT meeting on Thursday, September 30, at the MAC.

TOUR OF CITY FACILITIES

Joseph K. Gavinski, City Manager, wanted to know if the Council is interested in taking a tour of city facilities. It was decided to take the tour on October 12 at 10 a.m.

BUDGET

Joseph K. Gavinski, City Manager, stated that staff has provided their budgets for 2011 and most of them are in good shape. However, the current estimates show that the Ambulance Utility Fund will lose about \$700,000 in 2010 and another \$750,000 in 2011 if there is no additional contribution from the General Fund and the utility fee remains the same. He mentioned that there have already been significant loans made to the fund. He pointed out that the problem is that the expenses are rising faster than receipts.

He also mentioned that the city will be looking at doing some major water and sewer construction projects and using revenue bonds to fund the projects. The project would include Longview Tracts sewer, a reservoir in the Larson Subdivision area, and revisions at the Central Operations Facility to deal with a retention tank, which is a safety issue.

The regular meeting was adjourned at 8:30 p.m.

ATTEST

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Jon Lane, Mayor

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Ronald R. Cone, Finance Director