

# MOSES LAKE CITY COUNCIL

Bill Ecret  
Richard Pearce  
Brent Reese

Jon Lane  
Mayor



Joseph K. Gavinski  
City Manager

David Curnel  
Karen Liebrecht  
Dick Deane

June 22, 2010

## AGENDA

Sophia Guerrero, Executive Secretary

Council Chambers  
7:00 p.m.

1. Roll Call
2. Pledge of Allegiance
3. IDENTIFICATION OF CITIZENS WANTING TO DISCUSS AGENDA ITEMS  
IDENTIFICATION OF CITIZENS WANTING TO DISCUSS NON-AGENDA ITEMS
4. PRESENTATIONS AND AWARDS
  - A. Employee Presentation - Administration
5. CONSENT AGENDA
  - A. Approval of Minutes - June 8, 2010
  - B. Approval of Bills and Checks Issued
  - C. Grace Harvest Church Final Plat and Findings of Fact  
Ministerial Action/No Comment
6. COMMISSION APPOINTMENTS - None
7. CONSIDERATION OF BIDS AND QUOTES
  - A. Seal Coat Project 2010
8. PETITIONS, COMMUNICATION, OR PUBLIC HEARINGS
  - A. Communication - Environmental Impact Update - Columbia Basin Development League
  - B. Communication - Placement of Political Signs - Craig Morrison
  - C. Communication - Placement of Political Signs - Patti Paris
  - D. Communication - Alleyway Improvements - Vision 2020
9. ORDINANCES AND RESOLUTIONS
  - A. Ordinance - Amend MLMC Chapter 16.02 Building Permits - Single Reading
  - B. Ordinance - Amend MLMC Chapter 10.12 Parking Regulation - 1<sup>st</sup> Reading
  - C. Ordinances - Amend MLMC Chapter 13 Stormwater - 1<sup>st</sup> Readings
    1. Chapter 13.01 Stormwater General Provisions
    2. Chapter 13.02 Stormwater Illicit Discharge Detection and Elimination
    3. Chapter 13.03 Stormwater Utility and Provisions for Rate Structure
    4. Chapter 13.12 Water, Sewer, and Stormwater Rates
  - D. Ordinance - Create MLMC Chapter 13.035 Stormwater - 1<sup>st</sup> Reading
  - E. Resolution Accept Donation - Rory & Deanna Muller - Budu Racing
10. REQUEST TO CALL FOR BIDS - None
11. REFERRALS FROM COMMISSIONS - None

Finance  
Ronald Cone

Municipal Services  
Gary Harer

Police Chief  
Dean Mitchell

Parks & Recreation  
Spencer Grigg

Fire Chief  
Tom Taylor

Community Development  
Gilbert Alvarado

City Attorney  
Jim Whitaker

12. **OTHER ITEMS FOR COUNCIL CONSIDERATION**
  - A. Request to Work Off Hours Civic Center Project
  - B. Request to Sell T-Shirts and Raffle Tickets
13. **NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS**
14. **COUNCIL QUESTIONS AND COMMENTS**
15. **CITY MANAGER REPORTS AND COMMENTS**

Finance Ronald Cone	Municipal Services Gary Harer	Police Chief Dean Mitchell	Parks & Recreation Spencer Grigg	Fire Chief Tom Taylor	Community Development Gilbert Alvarado	City Attorney Jim Whitaker
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June 16, 2010

TO: City Manager for Council Consideration

FROM: Community Development Director

SUBJECT: Grace Harvest Church Final Major Plat and Findings of Fact

Grace Harvest Church has submitted a final on lot plat of 7.83 acres. The site is located southeast of the intersection of Jones Avenue and Division Street, and is zoned R-1, Single-Family Residential, which corresponds with the Comprehensive Plan Land Use Designation of Low Density Residential. There have been no substantive changes from the preliminary plat. The Planning Commission recommended that the final plat be approved. 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.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'GA', is written over the printed name.

Gilbert Alvarado  
Community Development Director

GA:jt

**GRACE HARVEST CHURCH MAJOR PLAT**  
A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 19 NORTH,  
RANGE 28 EAST, W.M., CITY OF MOSES LAKE, GRANT COUNTY, WASHINGTON

THE BEARING OF S89°31'08"E ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 28 AS SHOWN ON THIS PLAT EQUALS THE BEARING FOR THE SAME LINE ON THE PLAT OF BARON ESTATES NO. 1, AS FILED IN PLAT BOOK 11, PAGES 10-11.

THE ELEVATION 1140.3 ON THE U.S.D.R. BRASS CAP MONUMENT MARKING THE WEST QUARTER CORNER OF SECTION 26, EQUALS THE CITY OF MOSES LAKE ELEVATION DATUM AND IS BASED ON THE U.S.B.R. DATUM.

[ ] BARON ESTATES NO.1, PLAT BOOK 11, PAGES 10-11.

( ) STATUTORY WARRANTY DEED, AFN 277730 IN BOOK 130, PAGE 59.

① ROAD RIGHT OF WAY DEDICATED TO THE CITY OF MOSES LAKE ON THIS PLAT.

② PUBLIC UTILITY EASEMENTS GRANTED ON THIS PLAT, WIDTHS AS NOTED.

## RADIAL AND CLOSED TRAVERSE SURVEY METHODS AND GLOBAL POSITIONING

GTS 3030 TOPCON TOTAL STATION AND TOPCON HIPER+ GLOBAL POSITIONING SYSTEM

I HEREBY CERTIFY THAT THIS MAJOR PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS ACTUALLY SURVEYED.

I HEREBY DECLARE THAT THE PLAT OF GRACE HARVEST CHURCH MAJOR PLAT IS BASED ON AN ACTUAL SURVEY AND SUBDIVISION OF A PORTION OF SECTION 26, TOWNSHIP 19 NORTH, RANGE 28 EAST, W.M., THAT THE SURVEY WAS COMPLETED BY ME OR UNDER MY DIRECTION AND THAT THE DISTANCES, COURSES, AND ANGLES ARE SHOWN THEREON CORRECTLY TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, AND THAT PROPER MONUMENTS HAVE BEEN SET AND LOT CORNERS ARE STAKED ON THE GROUND.

DATE OF SURVEY: JUNE 2008 THRU \_\_\_\_\_

PHILIP J. BLOOM, P.L.S.

Registration No. 21651

249 North Elder Street

Moses Lake, WA 98837

FILED FOR RECORD AT THE REQUEST OF THE CITY OF MOSES  
LAKE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_  
O'CLOCK \_\_\_\_\_ M., AND RECORDED IN VOLUME \_\_\_\_\_ OF MAJOR  
PLATS, ON PAGE(S) \_\_\_\_\_, RECORDS OF GRANT  
COUNTY, WASHINGTON.

GRANT COUNTY AUDITOR DEPUTY COUNTY AUDITOR  
K:\PROJECTS\9-01-03 BRUCE HANSEN ON OFF PLAT\VAL PLAT\FILED

**umbia NW Engineering**  
engineering ~ surveying ~ planning  
249 North Elder Street, Ncree Lake, WA 98837

GRACE HARVEST CHURCH  
MAJOR PLAT

FOR: DAVE HUBBARD  
313 FIG STREET. MOSES LAKE WASHINGTON 98857

DTW	2
DRAWN BY	2
PJB	2
C.A. REVIEW	2
02-04-2010	2
PLOT DATE	2
1"-100'	2
PLOT SCALE	2
1-08-031:0	2
PROJ. NO.	2
0	2
REVISION NO.	2
SHEET 1	2
OF 2	2

MAY 04 2010

COMMUNITY DEVELOPMENT  
PLANNING & BUILDING  
CITY OF MOSES LAKE

Attachment 1

BEFORE THE PLANNING COMMISSION/CITY COUNCIL OF THE  
CITY OF MOSES LAKE, WASHINGTON

IN THE MATTER OF THE GRACE  
HARVEST CHURCH FINAL PLAT

FINDINGS OF FACT, CONCLUSIONS, AND  
DECISION

1. HEARING BEFORE THE PLANNING COMMISSION.

- 1.1 Date. A public meeting was held upon proper notice before the Commission on June 10, 2010.
- 1.2 Proponent. Grace Harvest Church is the proponent of this plat.
- 1.3 Purpose. The proponent has submitted a one-lot final plat for property which is legally described upon the plat. City staff has confirmed the property described on the plat is the property submitted for platting.
- 1.4 Evidence. The Commission considered the following materials in reaching its decision:
  - A. The final plat submitted May 4, 2010.
  - B. Staff report and attachments.

2. FINDINGS OF FACT BY THE PLANNING COMMISSION.

Based upon the evidence presented to them, the Commission makes the following findings of fact:

- 2.1 The proponent is the owner of the property.
- 2.2 The property is currently zoned R-1, Single Family Residential.
- 2.3 The final plat conforms to the approval conditions of the preliminary plat.

3. CONCLUSIONS BY THE PLANNING COMMISSION.

From the foregoing findings of fact the Commission makes the following conclusions:

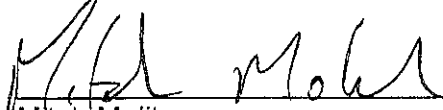
- 3.1 The Planning Commission of the City of Moses Lake is vested with the authority to determine approval of plats.
- 3.2 It is in the best interests and welfare of the city's citizens to plat the property as proposed.
- 3.3 The final plat is consistent with the conditions required for the preliminary plat approval.
- 3.4 Conditions ensure that the required fees and reimbursements will be collected prior to the City recording the plat with the Grant County Auditor.

4. DECISION OF THE PLANNING COMMISSION.

On the basis of the foregoing findings of fact and conclusions, it is the recommendation of the Planning Commission that the plat be approved with the following conditions:

- 4.1 The comments of the Development Engineer shall be addressed.
- 4.2 The plat shall not be recorded until the city fees and reimbursements are paid to the City of Moses Lake.

Approved by the Planning Commission on June 10, 2010.

  
\_\_\_\_\_  
Mitch Molitor  
Planning Commission Chairman

June 15, 2010

TO: City Manager  
For Council Consideration

FROM: Municipal Services Director

SUBJECT: **Consideration of Bids  
Seal Coat Project - 2010**

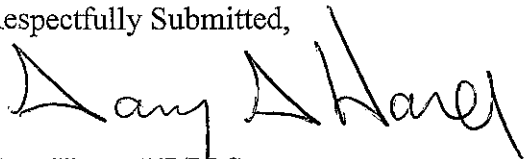
Staff opened bids June 10, 2010 for the 2010 Seal Coat Project. This project consists of chip and fog sealing various city streets. The base bid includes sealing approximately 131,300 square yards, and Additive 1 increases the project by approximately 39,500 square yards.

The two following bids were received:

<u>Contractor</u>	<u>Base Bid</u>	<u>Additive 1</u>	<u>Base Bid &amp; Additive 1</u>
Central Washington Asphalt, Inc.	\$434,341	\$70,865	\$505,206
Granite Northwest, Inc.	\$488,145	\$92,435	\$580,580
Engineer's Estimate	\$525,197	\$100,190	\$625,387

Staff recommends awarding the Base Bid and Additive 1 in the sum of \$505,206 to Central Washington Asphalt, Inc.

Respectfully Submitted,



Gary Harer, PE/PLS  
Municipal Services Director

## ENGINEERING DIVISION

### Memorandum

DATE: June 10, 2010

TO: Shawn O'Brien, City Engineer/AMSD

FROM: Jeffrey Holm, Engineering Tech. III *JRH*

RE: Seal Coat Project - 2010  
Authorization to Award Bid

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Bids for the Seal Coat Project - 2010 were opened today at 10:00 A.M. This project's base bid includes completing approximately 131,300 square yards with a 3/8-inch - No. 10 seal coat, completing approximately 52,400 square yards with a 5/8-inch - No. 4 seal coat, and fog sealing approximately 131,300 square yards on streets within the City of Moses Lake. Additive 1 would allow completing another 39,500 square yards of streets with a 3/8-inch - No. 10 seal coat followed by a fog seal. Two bids were received and the bid totals are compared below:

<u>Bidder</u>	<u>Base Bid</u>	<u>Additive 1</u>	<u>Base Bid &amp; Additive 1</u>
1. Central Washington Asphalt, Inc.	\$434,341.50	\$70,865.00	\$505,206.50
2. Granite Northwest, Inc.	\$488,145.00	\$92,435.00	\$580,580.00
Engineer's Estimate	\$525,197.50	\$100,190.00	\$625,387.50

Authorization is requested to award the total bid including Schedule A & Additive 1 to Central Washington Asphalt, Inc. for the sum of \$505,206.50. The complete bid summary is attached for your review.

cc: Municipal Services Director



# SEAL COAT PROJECT - 2010 BID SUMMARY

Contract #A-719

**Schedule A: Street List By Type**

Single Chip Seal: 78,000 SY (Third Ave., Fourth Ave., Date St., Elder St., Davy St., Windy St., Dusty St., Sandy St., and Oklahoma St.)

Double Chip Seal: 52,400 SY (Clover Dr., Fifth Ave., Fig St., Farmer Dr., Marina Dr., Westlake Rd., and Road N NE)

**Schedule A: Street Construction**

ITEM	DESCRIPTION	APPROX. QUANTITY	UNIT	Engineer's Estimate		Central Washington Asphalt, Inc.		Granite Northwest, Inc.	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Flushing	50	MGAL	\$100.00	\$5,000.00	\$175.00	\$8,750.00	\$100.00	\$5,000.00
2	Asphalt, CRS-2P (For 3/8-Inch - No. 10)	180	TON	\$920.00	\$165,600.00	\$750.00	\$135,000.00	\$845.00	\$152,100.00
3	Furnishing and Placing Crushed (3/8-Inch - No. 10)	1,840	TON	\$60.00	\$110,400.00	\$48.00	\$88,320.00	\$56.00	\$103,040.00
4	Asphalt for Fog Seal	28	TON	\$1,050.00	\$29,400.00	\$800.00	\$22,400.00	\$1,000.00	\$28,000.00
5	Asphalt, CRS-2P (For 5/8-Inch - No. 4)	125	TON	\$920.00	\$115,000.00	\$750.00	\$93,750.00	\$845.00	\$105,625.00
6	Furnishing and Placing Crushed (5/8-Inch - No. 4)	970	TON	\$60.00	\$58,200.00	\$48.00	\$46,560.00	\$56.00	\$54,320.00
7	Additional Brooming	14	HOURL	\$210.00	\$2,940.00	\$130.00	\$1,820.00	\$125.00	\$1,750.00
8	Asphalt for Roadway Surface Preparation	30	TON	\$650.00	\$19,500.00	\$800.00	\$24,000.00	\$750.00	\$22,500.00
9	Replace and Adjust Monument Case, Cover, & Adjustment Sleeve	10	EA	\$650.00	\$6,500.00	\$400.00	\$4,000.00	\$450.00	\$4,500.00
10	Adjust Valve Box	1	EA	\$500.00	\$500.00	\$325.00	\$325.00	\$350.30	\$350.30
11	Replace and Adjust Valve Box	1	EA	\$650.00	\$650.00	\$425.00	\$425.00	\$450.00	\$450.00
12	Replace and Adjust Manhole Frame & Cover	3	EA	\$800.00	\$2,400.00	\$675.00	\$2,025.00	\$750.00	\$2,250.00
13	Paint Line	58,000	LF	\$0.15	\$8,700.00	\$0.11	\$6,380.00	\$0.13	\$7,540.00
14	Painted Wide Line	215	LF	\$0.50	\$107.50	\$1.10	\$236.50	\$1.58	\$339.70
15	Painted Access Parking Space Symbol	2	EA	\$60.00	\$120.00	\$85.00	\$170.00	\$100.00	\$200.00
16	Removing Plastic Line	30	LF	\$6.00	\$180.00	\$6.00	\$180.00	\$6.00	\$180.00
Subtotal Schedule A					\$525,197.50		\$434,341.50		\$488,145.00
Sales Tax (0.0%)					\$0.00		\$0.00		\$0.00
Total Schedule A					\$525,197.50		\$434,341.50		\$488,145.00

**Additive 1: Street List By Type**

Single Chip Seal: 39,500 SY (East Broadway Ave., North Frontage Rd. West, and South Frontage Rd. West)

**Additive 1: Street Construction**

ITEM	DESCRIPTION	APPROX. QUANTITY	UNIT	Engineer's Estimate		Central Washington Asphalt, Inc.		Granite Northwest, Inc.	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Flushing	15	MGAL	\$100.00	\$1,500.00	\$125.00	\$1,875.00	\$100.00	\$1,500.00
2	Asphalt, CRS-2P (For 3/8-Inch - No. 10)	55	TON	\$920.00	\$50,600.00	\$750.00	\$41,250.00	\$845.00	\$46,475.00
3	Furnishing and Placing Crushed (3/8-Inch - No. 10)	550	TON	\$60.00	\$33,000.00	\$30.00	\$16,500.00	\$56.00	\$30,800.00
4	Asphalt for Fog Seal	9	TON	\$1,050.00	\$9,450.00	\$800.00	\$7,200.00	\$1,000.00	\$9,000.00
5	Additional Brooming	4	HOURL	\$210.00	\$840.00	\$130.00	\$520.00	\$125.00	\$500.00
6	Paint Line	32,000	LF	\$0.15	\$4,800.00	\$0.11	\$3,520.00	\$0.13	\$4,160.00
Subtotal Additive 1 Street					\$100,190.00		\$70,865.00		\$92,435.00
Sales Tax (0.0%)					\$0.00		\$0.00		\$0.00
Total Additive 1 Street					\$100,190.00		\$70,865.00		\$92,435.00
Total Schedule A and Additive 1					\$625,387.50		\$505,206.50		\$580,580.00



# COLUMBIA BASIN



## DEVELOPMENT LEAGUE

P.O. Box 1235  
Royal City, WA, 99357  
phone: 509-346-9442  
Fax: 509-346-9442  
[www.cbdl.org](http://www.cbdl.org)

June 11, 2010

City Council of Moses Lake  
Jon Lane, Mayor  
Joe Gavinski, Manager  
P.O. Box 1579  
Moses Lake, WA 98837

Dear Mayor and City Manager:

On behalf of the Columbia Basin Development League I am requesting time on your meeting agenda for Mike Schwisow, Governmental Relations Director to give an update on the current Environmental Impact Study on the Odessa Sub-Area Aquifer. The Study is to be released for public review the last of July with a 60 day comment period following. We know the City of Moses Lake and surrounding area are impacted by the depletion of the Odessa Aquifer. As leaders and policy makers which are impacted by this issue we hope you will be prepared and willing to comment.

There are currently some projects being done that will help expedite the process when the Study is completed. We want to update you on the progress on these activities. Our hope is with information you will see the need for you to become actively involved and help seek the resolution to the issue. We cannot afford to let the current environmental crises become an economic crises.

Mike is willing to attend your council meeting on June 22<sup>nd</sup> or one of your July meetings.

We will appreciate you giving us the opportunity to make a presentation to you. Just let us know when we can be placed on your agenda.

Sincerely,



Alice Parker  
Executive Secretary  
Columbia Basin Development League  
P.O. Box 1235  
8582 Rd. K SW  
Royal City, WA 99357  
Phone and Fax: 509-346-9442  
Cell: 509-750-2485  
[mrsp@smwireless.net](mailto:mrsp@smwireless.net)  
website: [www.cbdl.org](http://www.cbdl.org)



June 11, 2010

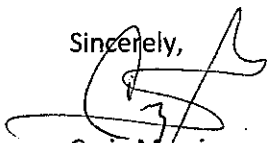
City of Moses Lake  
321 S. Balsam St.  
Moses Lake, WA 98837

To Whom It May Concern:

My name is Craig Morrison and I am running for the elected office of Grant County Coroner. I am requesting that permission be given to me from the City of Moses Lake to place political campaign signs on approved city right-of-ways. I have read the standards given for placement and agree to abide by those regulations. Please grant me permission to place signs at the locations listed below.

Round About at Division and Yonozawa  
3rd Ave. and Broadway  
Grape Dr. and Hwy 17  
Five Corners at Wheeler and Pioneer  
Division and Nelson

Sincerely,

A handwritten signature in black ink, appearing to be 'Craig Morrison', written over the word 'Sincerely,'.

Craig Morrison  
Candidate for Grant County Coroner



## Sophia Guerrero

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**From:** Patti Paris [pparis@colstor.com]  
**Sent:** Wednesday, June 16, 2010 1:58 PM  
**To:** sguerrero@ci.moses-lake.wa.us  
**Subject:** Political sign placement

Good afternoon,

I'd like to request I have the opportunity to be on the agenda for the next City council meeting to request permission to place political signs in various locations throughout the city.

Thank you

Patti Paris  
Running for PUD Commissioner  
[pparis@colstor.com](mailto:pparis@colstor.com)  
989-5964

Roundabout at Division & Yonozawa  
3rd Ave. & Broadway  
Grape Dr. & Hwy 17  
Five Corners at Wheeler & Pioneer  
Division & Nelson  
State Park (Heron Park)  
Municipal airport  
Cascade Park  
Larson Playfield







June 15<sup>th</sup>, 2010

Honorable Mayor and  
Moses Lake City Council

Dear Council Members,

Vision 2020 has been in discussions for several years now with the Grant County PUD, the City of Moses Lake and many others regarding the alleys and the under grounding of utilities in the downtown business district of Moses Lake.

Vision 2020 has asked for cost estimates for the project, so information could be forwarded to the property owners that would be effected and eventually asked to contribute to the project by paying to hook up to the new utility services.

The Moses Lake City Council at the last City Council retreat in February of 2010 directed the City Manager to ask Grant County PUD what commitment the PUD would be willing to extend toward the project. This information, we feel, is crucial to coming up with a solid cost estimate for the under grounding. Grant County PUD has now responded to the City Manager's request and while offering to work on the planning of the project, Grant County PUD has not offered any monetary assistance.

After speaking with Gary Harer, using the estimate that was calculated for the 2010 retreat, if the City chooses to not underground the utilities, and repave the 4 blocks discussed in the project, the approximate cost will drop from \$1,780,000 to \$280,000 or less.

While Vision 2020's goal has always been to follow the direction of the DDI plan, by creating more gathering places and improving the alleys in the downtown business district, complete with underground utilities, new garbage enclosures and repaved alley ways, our group feels the alleys need repair now. The alleys have become a public safety issue. The patching of potholes is not enough. It's time now to repave the alleys.

This request is presented for Council consideration.

Bill Ecret  
Vision 2020 Chair

Lee Blackwell  
Vision 2020 Alley Committee Chair



Grant County  
**PUBLIC UTILITY DISTRICT**  
*Excellence in Service and Leadership*

June 3, 2010

Mr. Joseph K. Gavinski  
City Manager  
City of Moses Lake  
321 Balsam St.  
Moses Lake, WA 98837-0244

Dear Mr. Gavinski:

In response to your letter of April 12, 2010, the Grant PUD Commissioners and staff have engaged in several discussions regarding the City of Moses Lakes alleyway and undergrounding project.

You have asked for commitment from Grant PUD in regards to this project. At this time our commitment would be to work with your team in Moses Lake on the planning of the project. In addition, if and when you would apply for a change to the current service, our staff would work with you on the installation of the required facilities. However, the application of service would require the City and/or its partners to pay for those services rendered by the Grant County PUD. If there are any incremental benefits to Grant County PUD that would not otherwise accrue to our utility we would consider a contribution to the project in that amount.

We look forward to working with you and the City in your efforts to go forward with your project in Moses Lake.

With regards,

Tim Culbertson  
General Manager



June 17, 2010

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached is a proposed ordinance which amends MLMC Chapter 16.02, entitled "Building Permits". The proposed ordinance amendment provides the opportunity to request a waiver, deferral, or deviation from the requirement to install improvements, when seeking a building permit on insufficiently platted property. This proposed amendment will provide the property owner the same opportunity to request a waiver, deferral, or deviation on insufficiently platted property as a property owner would have when requesting the possibility of a waiver, deferral, or deviation on platted property.

The proposed ordinance is presented to you for consideration. Language has been added to the ordinance deeming the existence of an emergency and providing for the passage of the ordinance on a single reading if an emergency is declared and the ordinance receives the affirmative votes of at least two-thirds of the City Council.

Respectfully submitted



Joseph K. Gavinski  
City Manager

JKG:sg

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 16.02 OF THE MOSES LAKE MUNICIPAL  
CODE ENTITLED "BUILDING PERMITS"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 16.02 of the Moses Lake Municipal Code entitled "Building Permit" is amended as follows:

16.02.110 Platting Deemed Insufficient - When:

- A. Property located within the city which is presently platted and which property was platted without the extension or provision of city water, city sewer, storm sewer, curb, sidewalk, streets or other improvements through some or all of the lots of the plat shall be deemed to be unplatted for purposes of the issuance of any development permit or building permit. Any lot so affected shall be permitted to develop and a building permit will be issued upon the installation of city water, city sewer, storm drains, curbs, sidewalks, streets, and other improvements to community standards, including fire protection devices, or upon the posting of security in an amount approved by the city, which is equal to the estimated cost of the extensions and/or improvements remaining to be installed through the lot, in a form acceptable to the City Attorney to insure the construction of the required improvements and extensions at the same time as construction of the building for which the building permit was issued or at the time of the improvement of the affected lot.
- B. Any property owner can make application to the City Council for a waiver, deferral, or deviation from or of the requirement to install improvements. A waiver, deferral, or deviation from or of the requirement to install improvements shall not be granted unless the City Council finds that because of the nature of the property, its topography, the conditions or nature of the adjoining areas or the existence of unusual physical conditions, the requirement to install improvements would cause an unusual and unnecessary hardship on the property owner. In granting a waiver, deferral or deviation from or of the requirements to install improvements, the City Council may require such conditions as will secure the objectives of the requirement waived, deferred, or deviated from or of. Any waiver, deferral, or deviation authorized shall be entered in the minutes of the Moses Lake City Council together with the circumstances that justify the waiver, deferral, or deviation granted.

Section 2. The City Council declares that an emergency exists and this ordinance is deemed a public emergency ordinance necessary for the protection of public health, public safety, public property, or public peace and shall take effect immediately as provided by law upon one reading if a majority plus one of the whole membership of the City Council vote in favor of passage.

Adopted by the City Council and signed by its Mayor on June 22, 2010.

\_\_\_\_\_  
Jon lane, Mayor

ATTEST:

\_\_\_\_\_  
Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
James A. Whitaker, City Attorney

June 15, 2010

TO: City Manager  
For City Council Consideration

FROM: Municipal Services Director

SUBJECT: **Ordinance - Create MLMC 10.12 - Parking Regulations - First Reading**

Attached is an ordinance that amends Moses Lake Municipal Code 10.12, entitled "Parking Regulations".

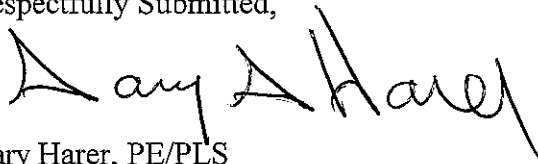
Greg Wright, Transit Manager, is requesting to limit the parking to GTA buses on that portion of Alder Street that fronts the new bus shelter located by the Community Gardens.

Curt McFarland, Associate Pastor of the Moses Lake Presbyterian Church, is requesting a "no parking" zone north of the church's main entrance.

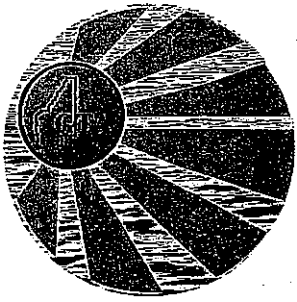
The other changes to this ordinance are described on the attached page.

This ordinance is presented for Council consideration. This is the first reading of the ordinance.

Respectfully Submitted,



Gary Harer, PE/PLS  
Municipal Services Director



# Grant Transit Authority

PO Box 10, Ephrata, WA 98823  
(888) 482-2877 or (509) 754-1075  
Fax: (509) 754-1170  
[www.gta-ride.com](http://www.gta-ride.com)



5-26-10

Mike Moro  
City of Moses Lake  
P.O. Drawer 1579  
Moses Lake, WA. 98837-0244

RE: Bus Shelter Installation Request

Mike,

GTA is requesting permission to install a concrete pad and bus shelter at 4<sup>th</sup> & Alder Street by the Community Garden. I have enclosed a drawing of the location and dimensions of the pad and shelter.

[ In addition, it would be beneficial to GTA if this location could be identified and painted as a bus zone. ]

Thank you for considering this request.

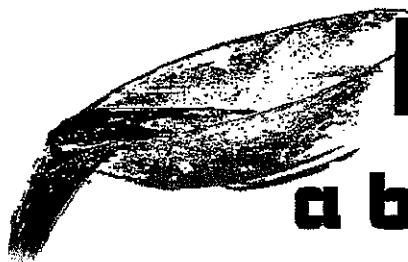
Greg Wright  
Transit Manager  
(509) 754-1075

cc: Bus Stop File/Moses Lake/Moro

**RECEIVED**

MAY 26 2010

MUNICIPAL SERVICES DEPT.  
ENGINEERING  
CITY OF MOSES LAKE



# MOSES LAKE

## PRESBYTERIAN

### a basin community church

June 2, 2010

To the Moses Lake City Council:

This letter is a request for the City of Moses Lake to designate a short portion of the curb extending to the north of the main entrance/exit of the Moses Lake Presbyterian Church parking lot, from Ivy Street, as a "no parking" zone (see drawing below). The reason for this request is public safety. For those exiting the parking lot on Sunday mornings, Wednesday nights, and at other times (for memorial services or special events) vehicles parking next to the entrance/exit block visibility and make turning north onto Ivy a hazard. Gary Harer from the City of Moses Lake has indicated the city will mark the curb on either side of the Fire Hydrant on Ivy as "No Parking." The distance from the entrance/exit of the parking lot to the Fire Hydrant is approximately 42 feet. The requested additional "No Parking" designation would extend from the end of the Fire Hydrant "No Parking" area to the entrance/exit. We are requesting this action before there is an accident or tragedy. Please let me know (765-8819 x21) if this request is able to be placed on the June 8, 2010 City Council docket.

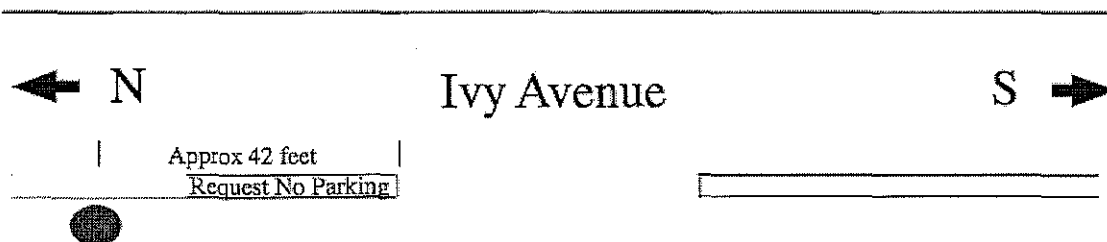
Sincerely,

Curt McFarland  
Associate Pastor  
Moses Lake Presbyterian Church  
1142 West Ivy Avenue  
Moses Lake, WA 98837  
509-765-8819  
[curtm@moseslakepres.org](mailto:curtm@moseslakepres.org)

**RECEIVED**

**JUN 07 2010**

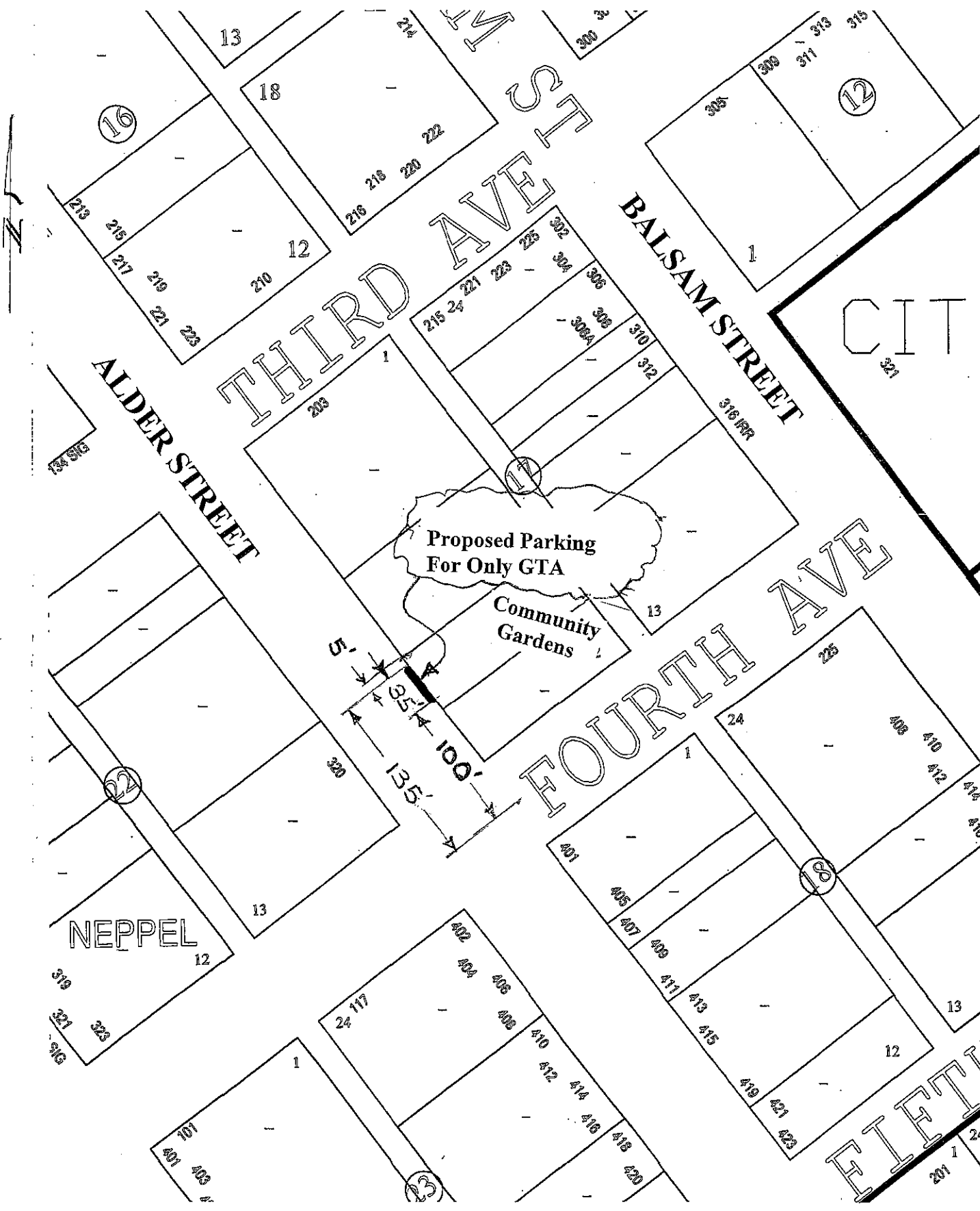
MUNICIPAL SERVICES DEPT.  
ENGINEERING  
CITY OF MOSES LAKE



Moses Lake Presbyterian Parking Lot

Eric A. Frey, Pastor  
John Jeninga, Director of Contemporary Worship Arts  
Paul Wagner, Worship & Care Pastor  
1142 W Ivy Avenue, Moses Lake, WA 98837

Curt McFarland, Pastor  
Todd Welch, Youth Pastor  
Website: [moseslakepres.org](http://moseslakepres.org)  
PH: 509-765-8819 FAX: 509-765-2531



ALDER STREET

THIRD AVE

BALSAM STREET

FOURTH AVE

FIFTH AVE

NEPPEL

Proposed Parking  
For Only GTA

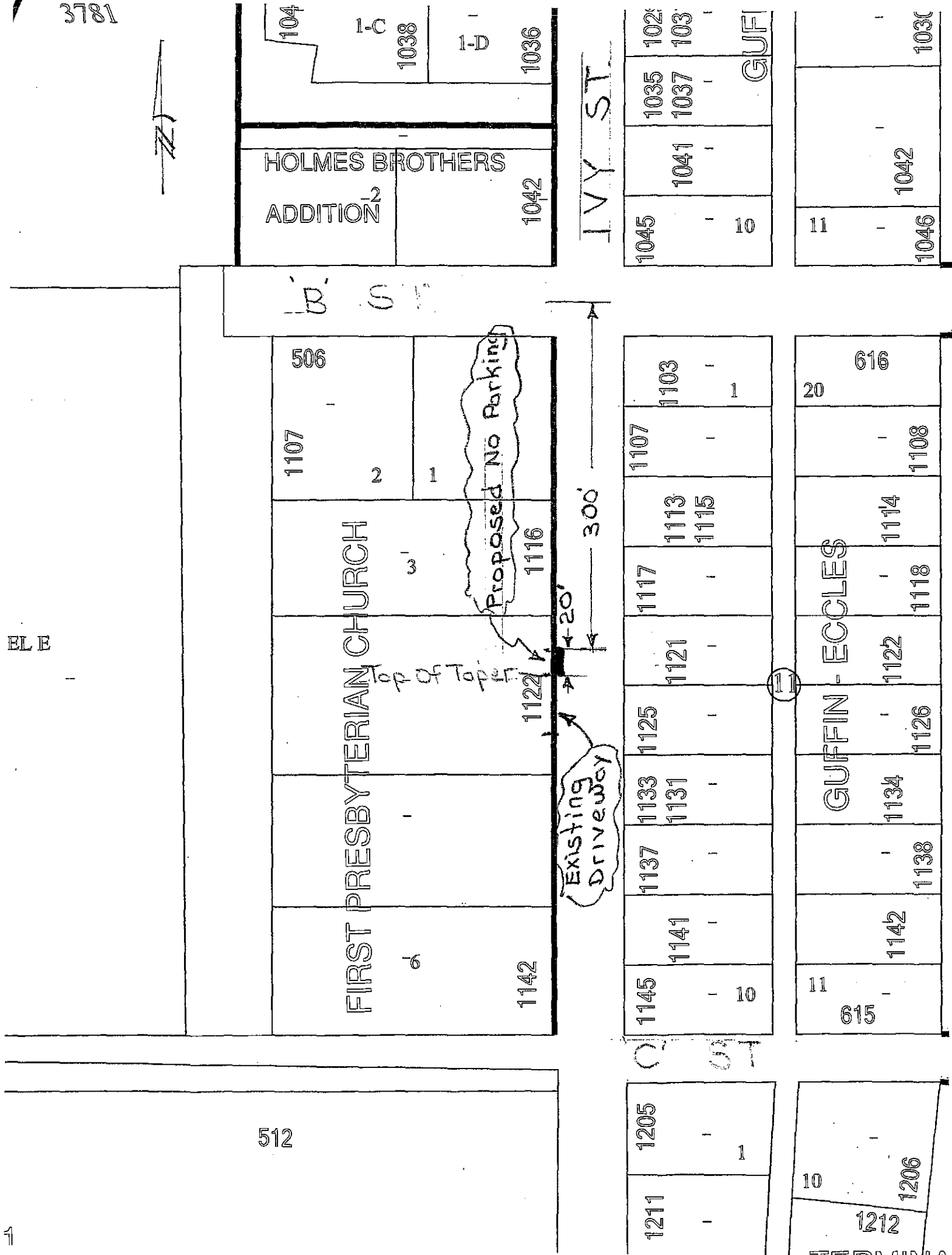
Community  
Gardens

135'  
100'  
65'  
5'

CIT



EL E



**Clover Drive - from Yonezawa to SR-17**

This portion of Clover serves a commercial area and was constructed with a center left turn lane with no parking lanes.

**Hamilton Road - from Wheeler Road to the north boundary of the Crittenden 2nd Addition Major Plat**

This portion of Hamilton Road serves an industrial area. It was constructed with a center left turn lane with no parking lanes.

**Industrial Court - from Hamilton Road to the north boundary of the Crittenden 2nd Addition Major Plat**

This portion of Industrial Court serves an industrial area. It was constructed with a center left turn lane with no parking lanes.

**Road F - from the North Frontage Road to the northerly corporate limits.**

None of the lots on the east side front on this street, and the homes on the west side were built a considerable distance away from this street. Furthermore, this street is planned to be extended to the north and become a collector street. It was constructed to either have bike lanes on each side, or a center left turn lane.

**Yonezawa Boulevard - from Division Street to SR-17**

This portion of Yonezawa Boulevard serves a commercial area and was constructed with a center left turn lane with no parking lanes.

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.12 OF THE MOSES LAKE MUNICIPAL  
CODE ENTITLED "PARKING REGULATIONS"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 10.12 of the Moses Lake Municipal Code entitled "Parking Regulations" is amended as follows:

10.12.035 Restricted Parking Areas:

A. Parking shall be prohibited at all times on the following named streets:

<u>Street</u>	<u>Limits</u>
Alder Street	Broadway Avenue to the railroad tracks.
Broadway Avenue	Melva Lane to I-90.
Broadway Avenue	Balsam Street to Alder Street on the north side.
Broadway Avenue	Adjacent to area of property at Third and Broadway.
Broadway Avenue	Block Street northeast to SR-17, both sides.
Central Drive	Both sides from Grape Drive right-of-way and extending 80' west.
<u>Clover Drive</u>	<u>From Yonezawa Boulevard to SR-17, both sides.</u>
Colonial Avenue	Pioneer Way southwest to end, both sides.
Coolidge/Plum Streets	From the centerline P.I. of Coolidge and Plum Streets, northeast 65' along Coolidge and 65' southeast along Plum Street, east side.
Division Street	Belmont to I-90.
Division Street	Nelson Road to I-90 on east side.
Driggs Drive	Broadway Avenue to Interlake Road.
Fifth Avenue	Division Street to Pioneer Way.
Grape Drive	Oregon Street to SR 17.
<u>Hamilton Road</u>	<u>From Wheeler Road to the north boundary of the Crittenden 2nd Addition Major Plat, both sides.</u>
Hill Avenue	From the curb PT, located at the northwest quadrant of the Garden Drive and Hill Avenue intersection and extending 30' west along Hill Avenue.
<u>Industrial Court</u>	<u>From Hamilton Road to the north boundary of the of the Crittenden 2<sup>nd</sup> Addition Major Plat, both sides.</u>

<u>Ivy Street</u>	<u>West side, beginning 300' southerly of the centerline of B Street and extending 20' southerly.</u>
Knolls Vista Drive	Adjacent to Knolls Vista Park on the west side.
Lakeshore Drive	On the west side from 195' south of the intersection with Wanapum Drive to 230' north of the intersection of Wanapum Drive and on the east side from 245' south of the intersection of Wanapum Drive to 230' north of the intersection of Wanapum Drive.
Locust Lane	Broadway Avenue to Peninsula Drive.
Marina Drive	On the northwest (lake) side from Gibby Road to Burrese Street. From the easterly right-of-way of Central Washington Railroad and extending 350' westerly and southerly - both sides.
Marina Drive	Both sides from the westerly right-of-way of the railroad tracks and extending 275' southwesterly.
Nelson Road	From Pioneer Way west 350' on both sides.
Nelson Road	On the north side from the centerline of Clover Drive to 200' west.
Pioneer Way	Third Avenue to SR 17 except for the following locations: 1. Beginning 275 feet south of Third Avenue and ending 500 feet south of Third Avenue on the west side. 2. Beginning 275 feet south of Fifth Avenue and ending 970 feet south of Fifth Avenue on the west side.
<u>Road F</u>	<u>From the north Frontage Road to the northerly corporate limits, both sides.</u>
Stratford Road	Railroad tracks to SR 17.
Third Avenue	Block Street northeast to Broadway, both sides.
Third Avenue	Along the southeast side, beginning 80' northeast of the curb PT located on the easterly corner of the Third Avenue and Fig Street intersection and extending 30' northeasterly.
Valley Road	Stratford Road to Paxson Drive; and beginning 375' west of the Valley and Crestview Drive intersection and ending 1,350' northwest of the Valley and Crestview Drive intersection on that portion of Valley Road bounded on both sides by property within the city limits.
<u>Yonezawa Boulevard</u>	<u>From Division Street to SR-17, both sides.</u>

- B. Truck parking shall be prohibited at all times upon the following named streets except in designated loading zones:

<u>Street</u>	<u>Limits</u>
Broadway Avenue	Third Avenue to Holly Street on the south side.
Broadway Avenue	Holly Street to Gumwood Street on the north side.

Pioneer Way	Beginning 275' south of Third Avenue and ending 500' south of Third Avenue on the west side.
-------------	--

Pioneer Way	Third Avenue to Broadway Avenue on the north side.
-------------	--

- C. Parking shall be limited to a maximum of two hours, 9 a.m. to 5 p.m., Monday through Saturday, inclusive, on the following named streets and municipally owned parking lots and areas:

<u>Street</u>	<u>Limits</u>
---------------	---------------

Alder Street	Broadway Avenue to Fourth Avenue.
--------------	-----------------------------------

Ash Street Broadway Avenue to Fourth Avenue.

Balsam Street	Broadway Avenue to Third Avenue.
---------------	----------------------------------

Beech Street	Both sides between Third Avenue and Fourth Avenue.
--------------	--

Broadway Avenue	Alder Street to Gumwood Street.
-----------------	---------------------------------

Division Street	Broadway Avenue to Fourth Avenue both sides, and Fourth Avenue to Sixth Avenue on the west side.
-----------------	--

Dogwood Street	Broadway Avenue to the northwesterly end.
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Elder Street	Southwest side between Third Avenue and Fifth Avenue.
--------------	---

Elm Street	Third Avenue to Fourth Avenue.
------------	--------------------------------

Fifth Avenue	Southeast side between Elder Street and Fig Street.
--------------	---

Fig Street	West side between Fifth Avenue and Wheeler Road.
------------	--

Fourth Avenue	Alder Street to Beech Street.
---------------	-------------------------------

Ivy Street	Beginning a distance of 500 feet south of the intersection of C Street and extending to the north side of Lakeside Drive on the west side of Ivy Street.
------------	--

Parking lot on south corner of Third Avenue and Ash Street

Pioneer Way	North side in parking areas between Third Avenue and Fifth Avenue.
-------------	--

Third Avenue	Balsam Street to Gumwood Street and the southeast side between Pioneer Way and Elder.
--------------	---

- D. Parking shall be prohibited during school hours except for school buses at the following locations:

<u>Street</u>	<u>Limits</u>
---------------	---------------

Central Drive	Beginning at Reisner Road and extending south 300' adjacent to Knolls Vista School.
---------------	---

Clover Drive	Beginning at the driveway to Lakeview School and extending 300' north along the west side of Clover Drive.
Dogwood Street	Beginning 30' from the curb point of tangency on the southerly corner of Dogwood Street and Third Avenue and extending 148' southeasterly along the southwesterly side of Dogwood Street.
Elm Street	The northeasterly side of S. Elm Street extending from Third Avenue to Fourth Avenue.
Ivy Avenue	Beginning at the intersection of "C" Street and extending to 500' south of "C" Street on the west side of the street.
Sharon Avenue	Monroe Avenue to end of High School Parking Lot on the south side.

- E. Parking shall be prohibited at all times upon the following named street except for the loading or unloading of personal property or passengers.

<u>Street</u>	<u>Limits</u>
Balsam Street	Beginning thirty-three feet (33') from the curb point of tangency on the northerly corner of Balsam Street and Seventh Avenue and extending fifty feet (50') northwesterly along the northeasterly side of Balsam Street; on the north side of Balsam Street where the northerly right-of-way of Fourth Avenue intersects Balsam Street and extending 50 feet northwesterly.
Beech Street	Beginning 20 feet from the curb point of tangency on the northerly corner of Beech Street at Fifth Avenue and extending twenty-one feet (21') northwesterly along the easterly side of Beech Street.
Chestnut Street	Beginning 139 feet from the curb point of tangency on the westerly corner of Chestnut Street and Seventh Avenue and extending 30 feet northwesterly along the southwesterly side of Chestnut Street.
Fourth Avenue	Beginning at the curb point of tangency on the southeasterly corner of Fourth Avenue and Elm Street, thence southwesterly 325 feet.
Northshore Drive	Beginning 110 feet from the curb point of tangency on the northwesterly corner of Northshore Drive at Mattson Drive and extending 40 feet southwesterly along the northerly side of Northshore Drive.
Third Avenue	Beginning 100 feet from the curb point of tangency on the northeasterly corner of Third Avenue at Elder Street and extending 50 feet northeasterly along the northerly side of Third Avenue.
Yonezawa Boulevard	From 121 feet westerly of the centerline of the access into the Grant County Skill Center to 180 feet west, north side.

- F. Parking shall be prohibited between the hours of 6 p.m. and 6 a.m. on the following named street: Parking lot on the northerly side of E. Broadway Avenue between Balsam Street and the intersection of Broadway Avenue and Pioneer Way. (Adjacent to the southeasterly line of Block D, Plat of Neppel, Grant County, Washington.)

- G. Parking shall be prohibited at all times upon the following named street except for legally designated handicapped vehicles, and only for a maximum of two (2) hours:

<u>Street</u>	<u>Limits</u>
A Street	Beginning at a point 150' west of the centerline intersection of A Street and Lakeside Drive to a point 195' west of the centerline intersection of A Street and Lakeside Drive.
Ash Street	The first parking space southeasterly of the most easterly corner of Third Avenue and Ash Street.
Ash Street	The first parking space northwesterly of the most northerly corner of Third Avenue and Ash Street.
Beech Street	Beginning forty-one feet (41') from the curb point of tangency on the northerly corner of Beech Street and Fifth Avenue and extending nineteen feet (19') northwesterly along the easterly side of Beech Street.
Division Street	The first parking space southeasterly of the southwesterly intersection of Division Street and Fifth Avenue.
S. Balsam Street	The first parking space northwesterly of the most westerly corner of the intersection of S. Balsam and E. Fifth Avenue.
Gumwood Street	The first four (4) parking spaces northwesterly of the most northerly corner of the intersection of South Gumwood Street and West Fourth Avenue.
Sixth Avenue	One space each side of the handicap ramp that is located on the south side of Sixth Avenue, which ramp is one hundred twenty-three feet (123') southwest of the center line of Beech Street.
Third Avenue	Beginning sixty feet (60') from the curb point of tangency on the northeasterly corner of Third Avenue at Elder Street and extending forty feet (40') northeasterly along the northerly side of Third Avenue.

- H. Parking shall be prohibited during school hours except for the loading and unloading of property or passengers at the following locations:

<u>Street</u>	<u>Limits</u>
Knolls Vista Drive	From the west intersection of Knolls Vista Drive and Ridge Road and extending 325' southwesterly along the northerly side of Knolls Vista Drive.
Texas Street	Beginning at Michael Street and extending 100' northwest on the northwest side of the street.
Sharon Avenue	North side from Monroe Street to 1,120 feet east.

- I. Parking shall be limited to GTA buses at the following locations:

Fourth Avenue

Southeast side, beginning 30' northeasterly of the curb PT located at the intersection of Fourth Avenue and Dogwood Street and extending northeasterly 135 feet.

Alder Street

Northeast side, beginning 100' northwesterly from the centerline of Fourth Avenue, and extending 35 feet northwesterly.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on

\_\_\_\_\_  
Ronald C. Covey, Mayor

ATTEST:

\_\_\_\_\_  
Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
James A. Whitaker, City Attorney



June 15, 2010

TO: City Manager  
For City Council Consideration

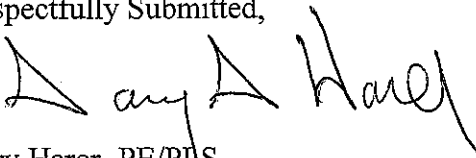
FROM: Municipal Services Director

SUBJECT: **Ordinances- Stormwater -Amend MLMC 13.01, 13.02, 13.03 and 13.12  
First Reading**

Attached are ordinances that amend Moses Lake Municipal Codes 13.01, 13.02, 13.03, and 13.12. The changes are minor in nature, and are the result of completing the ordinances that are required by the Department of Ecology.

This ordinance is presented for Council consideration. Each ordinance must be considered separately. These are the first reading of the ordinances.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Gary A. Harer". The signature is written in a cursive, flowing style.

Gary Harer, PE/PLS  
Municipal Services Director



ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 13.01 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "STORMWATER GENERAL PROVISIONS"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 13.01 of the Moses Lake Municipal Code entitled "Stormwater General Provisions" is amended as follows:

13.01.040 Definitions: The following terms, when used in this Title, shall have the following meaning:

- ~~A. "Construction Activity" shall mean all activity subject to the National Pollutant Discharge Elimination System (NPDES) construction permits. These include construction projects resulting in land disturbance of one acre or more, or construction projects resulting in land disturbance of less than one acre that are part of a common plan of development or sale. Such activities include clearing, grubbing, grading, excavation, and demolition.~~
- ~~B. "Dwelling Unit" shall mean a building or portion thereof that contains living facilities for not more than one (1) family, including facilities for sleeping, eating, cooking, and sanitation; or a lot designated and intended for such use.~~
- ~~C. "Equivalent Residential Unit" or "ERU" shall mean and is equal to four thousand (4,000) square feet of impervious ground cover, which constitutes the average impervious surface area contained on a single family residential parcel within the City. An ERU is the unit of impervious groundcover that is used by the stormwater utility for calculating the service fee.~~
- ~~D. "IDDE" shall mean the illicit discharge detection and elimination program.~~
- A. "Construction Site Operation" shall mean a person, firm, corporation, subdivider, developer, contractor, property owner, or any agent of a property owner who causes construction activity.
- BE. "Impervious Groundcover Area" shall mean a surface that is covered with material that is resistant to infiltration of water including conventionally surfaced streets, roofs, sidewalks, concrete flatwork, driveways, parking lots and other oiled, graveled, graded or compacted surface that impedes the natural infiltration of surface water.
- CF. "Moses Lake" shall mean the body of water named Moses Lake along with all associated ponds, wetlands and tributaries, and the waters of the state, unless the usage of the phrase is clearly tied to the Moses Lake City Council, the City of Moses Lake, the Moses Lake Municipal Code, or the Port of Moses Lake.
- DG. "Non-residential Nonresidential Property" shall mean all properties that are billed as commercial accounts per Chapter 13.12.
- EH. "Non-Stormwater" shall mean discharge to a stormwater system that is not composed entirely of stormwater.
- F. "Potential Discharge to Moses Lake" shall mean stormwater that might discharge from the property into Moses Lake or the City's stormwater system that discharges to Moses Lake; and includes areas where debris is tracked out into the right-of-way and might enter Moses Lake or the City's stormwater system that discharges to Moses Lake.
- Gf. "Property Owner" shall mean the property owner of record according to the Grant County Assessor's Office and includes all part owners, joint owners, tenants in common, joint tenants, and tenants by the entirety, of the whole, or a part of such building or land.

- ~~HJ.~~ "Residential Property" shall mean all properties that are billed as residential accounts per Chapter 13.12.
- ~~JK.~~ "Stormwater Fee" shall mean the service charge established under Title 13 of the Municipal Code for parcels of real property to fund the costs of stormwater management and for operating, maintaining and improving the City's stormwater system ~~in the City.~~
- ~~JE.~~ "Stormwater ~~S~~ystem" shall mean all the pipes, swales, ditches, culverts, street gutters, detention ponds, retention ponds, constructed wetlands, infiltration devices, catch basins, oil/water separators, biofiltration swales, outfalls, underground injection wells, and other items for conveying, treating, or containing stormwater and non-stormwater.
- ~~KM.~~ "Stormwater Utility" shall mean the ~~City's~~ stormwater utility, ~~which includes created by Chapter 13.03 of the Moses Lake Municipal Code. all property within the City's corporate limits.~~
- ~~LN.~~ "Undeveloped Property" shall mean property that is unaltered by the actions, construction, or addition to such property by man, or addition to such property by man of impervious groundcover, or physical manmade improvements, or conditions of any kind that change the hydrology of the property or its soil from its natural state, so long as stormwater runoff from said property causes no detriment to the City's stormwater system.

~~13.01.050 Design Capacity: Stormwater systems shall be designed for a 25-year, 24-hour storm event.~~

13.01.0560 Enforcement: All violations of this Title related to stormwater shall be deemed to constitute a public nuisance. Violations of this chapter and all other chapters of this Title dealing with stormwater shall be enforced in the same manner as violations of Moses Lake Municipal Code Chapter 8.14.

13.01.0670 Severability: If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provisions of this chapter are declared to be severable, and shall remain in full force and effect.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on July 13, 2010.

\_\_\_\_\_  
Jon Lane, Mayor

ATTEST:

\_\_\_\_\_  
Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
James A. Whitaker, City Attorney

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 13.02 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "STORMWATER ILLICIT DISCHARGE DETECTION AND ELIMINATION"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 13.02 of the Moses Lake Municipal Code entitled "Stormwater Illicit Discharge Detection and Elimination" is amended as follows:

13.02.040 Conditional Non-stormwater Discharges: The following non-stormwater discharges to the City's stormwater system are allowed provided ~~they meet that the following conditions and that they~~ non-stormwater discharge does not exceed the capacity of the City's stormwater system.

- A. Non-stormwater discharge permitted under an NPDES permit issued by the Department of Ecology.
- B. Water from potable sources, including water main flushing, hyper-chlorinated water main flushing, fire hydrant system flushing, and water main hydrostatic test water; provided that the water is dechlorinated to a concentration of 0.1 ppm or less, the pH is from 6 to 11, and the velocity is controlled to prevent resuspension of sediments.
- C. Swimming pool discharges provided that the water is dechlorinated to a concentration of 0.1 ppm or less, the pH is from 6 to 11, and the velocity is controlled to prevent resuspension of sediments.
- D. Street and sidewalk wash water from a potable supply, provided that debris from the streets and sidewalks is swept and removed prior to washing the streets.

13.02.070 Best Management Practices (BMPs): All property owners shall provide reasonable protection from accidental discharge of prohibited material into the City's stormwater system through the use of structural and nonstructural BMPs listed and described in the Stormwater Management Manual for Eastern Washington.

13.02.080 Notification of Spills: The property owner shall take the following steps upon discovery or notification of having information of any known or suspected illicit discharges from their property into the stormwater system or Moses Lake ~~shall take the following steps:~~

- A. ~~Take all necessary steps~~ Act to ensure the discovery, containment, and cleanup of the discharge.
- B. For hazardous materials, immediately notify emergency dispatch service at 911, and the City's Illicit Discharge Detection and Elimination ~~IDDE~~ program hotline number at 509-764-9277.
- C. For nonhazardous materials immediately notify the City's Illicit Discharge Detection and Elimination ~~IDDE~~ hotline number at 509-764-9277.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on July 13, 2010.

\_\_\_\_\_  
Ronald C. Covey, Mayor

ATTEST:

\_\_\_\_\_  
Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
James A. Whitaker, City Attorney

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 13.03 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "STORMWATER UTILITY AND PROVISIONS FOR RATE STRUCTURE"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 13.03 of the Moses Lake Municipal Code entitled "Stormwater Utility and Provisions for Rate Structure" is amended as follows:

13.03.020 Rate Classifications:

- A. ~~Developed~~, Residential Property: Each living dwelling unit on ~~developed~~ residential property will have a uniform stormwater fee per Section 13.12.042. The stormwater utility will not measure the impervious ground cover for ~~developed~~, residential property.
- B. ~~Developed~~, Non-residential Property: For each ~~developed~~ non-residential property, the stormwater utility shall measure the impervious groundcover. The stormwater fee is then based on the categories listed in Table 13.12.
- C. Undeveloped Property: Undeveloped property will not be charged a stormwater fee.

13.03.030 Stormwater Fee Revenue: The revenue from the stormwater fees will finance planning, design, administration, construction, operation, maintenance, restoration, procurement, and preservation of stormwater infrastructure; public education of stormwater issues; protection of groundwater and surface water; and ~~for other items required by the stormwater utility to meet the requirements of the City's NPDES permit, and other state and federal clean water regulations.~~

13.03.040 Property Exempt from Stormwater Fee: The following categories of property are exempt from a stormwater fee.

- A. Undeveloped property.
- B. City street rights-of-way, dedicated rights-of-way, deeds, and easements for street purposes.
- C. State of Washington highway rights-of-ways, provided that the State of Washington agrees to own, construct, maintain, operate, and preserve all drainage facilities contained within said rights-of-way 1) as required by the stormwater utility, 2) in conformance with all utility standards for maintenance, construction, and improvement established by the stormwater utility, and 3) at no cost to the stormwater utility.
- D. Railroad rights-of-ways so long as each railroad agrees to own, construct, maintain, operate, and preserve all drainage facilities contained within said rights-of-way 1) as required by the stormwater utility, 2) in conformance with all utility standards for maintenance, construction, and improvement established by the stormwater utility, and 3) at no cost to the stormwater utility.

13.03.050 Appeal of Impervious Ground Cover Determination: If a non-residential property owner believes the amount of impervious ground cover applied to its property is incorrect, the property owner may appeal this determination to the Municipal Services Director. Appeals shall be in writing, shall specify the grounds of the appeal, and shall include a fifty dollar (\$50) review fee. The amount of impervious ground cover applied to the property may increase, decrease, or remain unchanged when the review is completed by the Municipal Services Director. In the event the appeal is successful, the fifty dollar (\$50) fee shall be refunded.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on July 13, 2010.

\_\_\_\_\_  
Jon Lane, Mayor

ATTEST:

\_\_\_\_\_  
Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
James A. Whitaker, City Attorney



ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 13.12 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "WATER, SEWER, AND STORMWATER RATES"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 13.12 of the Moses Lake Municipal Code entitled "Water, Sewer, and Stormwater Rates" is amended as follows:

13.12.040 Commercial Sewer Rates:

- A. The following shall be the monthly rate charged customers residing within the corporate limits of the city and outside the corporate limits of the city for all chargeable water discharged into the city sewer system by commercial users and dwellings with three (3) or more living units served by one (1) meter after May 1, 2010:

Amount Used (in cubic feet)	Sewer Rate
0-1,000	\$32.85 per month minimum
Over 1,000	\$1.25 per 100 cu. ft. or portion thereof

- B. For purposes of calculating sewer charges, chargeable water shall be defined as follows: Chargeable water shall be measured by the water consumed on the premises, whatever the source of such water, and the same will be metered either by a public utility meter or one installed and maintained by the property owner of the premises at his own expense and approved and inspected by the city. ~~Where the water is metered by a privately owned water meter and is used to determine sewer charges, the city shall be allowed access to the meter in order to read such meter. Where the use of water is such that a portion of all the water used does not flow into the sewer system, for whatever reason, but is lost by evaporation, irrigation, sprinkling or is used in manufacturing or in a manufactured product, or is lost for whatever reason, and the person in control provides proof of this fact and installs a meter or other measuring device approved by the city to measure the amount of water so used and so lost, or if the city is capable of determining the amount of sewage entering the city's sewer system by some other mechanical means, this water may be deducted from the actual water consumption used in calculating the sewer charge.~~

The sewer charges for triplexes and apartments, mobile home parks, schools, hospitals and other commercial establishments with increased usage for irrigation, only if their landscaping exceeds five thousand (5,000) square feet, shall be computed on the average consumption during the previous non-irrigation season, unless the user elects to install, at his expense, an approved measuring device to measure water not entering the sewer system. When a user has a swimming pool or cooling units discharging to the sanitary sewer, he must install an approved meter to determine the amount of water exempt from sewer charges during the irrigation season. The irrigation season shall be defined as the period in which statements are mailed for the April through November billing cycles.

- C. Sewer rates for commercial uses discharged into the sewer system may be separately determined by the City Council, based upon both volume and chemical characteristics of the sewage. The City Council reserves the privilege to require pre-treatment of any material discharged into the sewerage system, or to prohibit discharge into the system of industrial wastes that, because of either volume or concentration, will overload existing sewerage facilities.

- D. All air-conditioning and refrigeration units that are installed, replaced or that have capacity increased after the effective date of the ordinance codified in this chapter shall be required to install recirculating units. Disposal may not be accomplished by discharging into the sanitary sewer system.

13.12.042 Stormwater Rates: The following shall be the monthly rate for stormwater fees on residential and non-residential properties.

- A. ~~Developed~~ Residential properties shall be charged five dollars (\$5) per each ~~dwelling~~ living unit.
- B. ~~Developed~~ Non-residential properties shall be charged the following rates per Table 13.12.

TABLE 13.12.042

Category	Impervious <del>Area</del> Ground Cover (s.f.)	Rate
Non-residential 1	Up to 6,000	\$5.00
Non-residential 2	6,001 to 15,000	\$8.50
Non-residential 3	15,001 to 30,000	\$12.50
Non-residential 4	30,001 to 60,000	\$25.00
Non-residential 5	60,001 to 120,000	\$50.00
Non-residential 6	120,001 to 240,000	\$100.00
Non-residential 7	More than 240,000	\$150.00

- C. Undeveloped property shall not be charged a ~~service rate~~ stormwater fee.
- D. Non-residential property owners may submit a request for the following credits to the stormwater ~~utility~~ fees. Residential properties are not eligible for credits. The credits are not cumulative. Requests for credit shall be submitted to the Municipal Services Director on forms provided by the Municipal Services Department.
1. A credit of up to eighty percent (80%) may be approved for non-residential properties for portions of on-site stormwater discharges to privately maintained on-site treatment facilities that are in compliance with an active National Pollutant Discharge Elimination System (NPDES) permit. A copy of the NPDES permit and the associated Stormwater Pollution Prevention Plan (~~SWPPP~~) shall be provided to the Municipal Services Director with the application for credit. No credits will be approved for stormwater discharged to facilities that are maintained and serviced by the stormwater utility.
  2. A credit of up to fifty percent (50%) may be approved for non-residential property for portions of on-site stormwater discharges to privately maintained ~~on-site treatment facilities and disposal~~ stormwater systems that meet best management practices (~~BMPs~~) of the most current version of the *Stormwater Management Manual of for Eastern Washington* (~~SWMMEW~~), meet all City of Moses Lake requirements, and are approved by the Municipal Services Director.
  3. A credit of up to ten percent (10%) may be approved for non-residential property for portions of on-site stormwater discharges from roofs of non-residential buildings to privately maintained stormwater facilities that utilize a permissive rainwater harvesting

system that complies with the Department of Ecology's requirements and is approved by the Municipal Services Director.

- E. Approval of credit shall be indicated by a credit application that is signed by the Municipal Services Director. Approved credits are effective for the first full month's billing cycle following the date of approval. Credits may be approved for multiple billing cycles, provided that conditions of approval are continuously met by the applicant. Credits are not retroactive to current or prior billings. Credits for future billing cycles may be revoked by the Municipal Services Director if on-site conditions change; if federal, state, or local regulations change such that on-site stormwater treatment facilities are no longer current or acceptable; or if the ordinance for stormwater is revised by City Council.

- F. The above stormwater rates will become effective March 1, 2010.

~~13.12.047 Deposit - Skyline Water System: The owners of the Skyline Water System will be required to deposit with the city the sum of twenty-three thousand dollars (\$23,000) before a connection is allowed from the City of Moses Lake's water system to the Skyline Water System. The twenty-three thousand dollars (\$23,000) represents an estimated charge for two months of water charges to the Skyline Water System of eight thousand dollars (\$8,000) and an estimated charge of fifteen thousand dollars (\$15,000) for the Quincy Basin Subarea permit issued by the United States Bureau of Reclamation. The fifteen thousand dollar (\$15,000) permit portion of the deposit can be reduced if the U. S. Bureau of Reclamation reduces or eliminates the fee. The deposit will accrue interest at a rate comparable to that received by the City of Moses Lake on its deposits.~~

~~————— The annual permit charge for the Quincy Basin Subarea will be deducted from the fifteen thousand dollars (\$15,000). Any funds remaining after the third year permit payment will be added to the eight thousand dollar (\$8,000) security portion of the deposit.~~

~~————— The eight thousand dollar (\$8,000) security portion of the deposit and any accrued interest along with any remainder of the fifteen thousand dollar (\$15,000) permit portion of the deposit will partially secure the payment of the utility or water charge owing to the City of Moses Lake. The city can deduct from the deposit any sums outstanding for utility or water service which are past due and apply the appropriate amount from the deposit. When the deposit falls below the eight thousand dollar (\$8,000) amount the city will make demand of the Skyline Water System for an amount sufficient to bring the deposit to eight thousand dollars (\$8,000). Skyline Water System will be required to provide the demanded funds within thirty (30) days of the request. If the demanded funds are not provided, the city shall have the authority to terminate the water service upon an additional thirty (30) days notice to the Skyline Water System.~~

~~————— All deposits and accrued interest remaining after water service is terminated to the Skyline Water System, shall be returned to Skyline Water System or the party which has provided the deposit on behalf of the Skyline Water System. (Ord 1871, 9/28/99)~~

#### 13.12.060 Payment of Accounts:

- A. Water, sewer, garbage, and stormwater bills shall be the responsibility of and billed directly to the property owner of the real estate, unless the property owner of the real estate wishes the bill sent to another address, the same shall be due and payable within thirty (30) days of the billing date. If the property owner of the real estate wishes the bill sent to another address, the property owner of the real estate first must execute a form provided by the City of Moses Lake indicating his the property owner's desires. The form shall contain at a minimum, include the owner of the real estate's property owner's name and address, the address to which he wishes the bill shall be sent, and a statement that if the person at the address to which the bill is sent moves and leaves an unpaid balance, the property owner of the real estate recognizes his assumes responsibility for the bill. The billing dates for utility accounts shall be as follows:

Routes 1 through 15 on the 20th of each month  
Routes 16 through 29 on the 30th of each month  
Routes 50 through 60, 70, and 71 on the 10th of each month

- B. The property owners of commercial accounts and governmental agencies may sign agreements requesting that their monthly statements be mailed to service addresses. The statement will contain the same information referred to in subsection A.
- C. The city reserves the right to cut off the water supply from the premises. The water supply may be cut off if either the water charge, sewer charge, or the stormwater charge is delinquent, and should the water supply be turned off for failure to pay either the sewer charge, water charge, or stormwater charge when due, the water supply shall not be turned on until all delinquent charges have been paid in full. A service charge shall be assessed as set forth in Subsection B of 13.12.085 and shall be added to the amount past due and will be billed on the next month's statement.
- D. The city shall have a lien against the premises for unpaid water, sewer, and stormwater charges as provided by the laws of the state.
- E. Advance payments may be made on any garbage, water, sewer, or stormwater account.
- F. Water service will not be terminated if there is a past due water, sewer, or stormwater charge of ten dollars (\$10) or less, subject to subsection G.
- G. No water or sewer bills shall be allowed to be more than sixty (60) days past due regardless of the past due amount. If a water, sewer, or stormwater account is to become sixty (60) days past due, water service shall be terminated as provided herein before the sixtieth (60th) day ends.
- H. No garbage, water, sewer, or stormwater account will be transferred to another person, partnership, corporation, or other entity unless the account is brought current prior to the requested transfer.
- I. Property served by more than one (1) meter must keep all accounts current in accordance with this chapter in order to avoid water service being terminated to all meters serving the property.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on July 13, 2010.

\_\_\_\_\_  
Jon Lane, Mayor

ATTEST:

\_\_\_\_\_  
Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
James A. Whitaker, City Attorney

June 15, 2010

TO: City Manager  
For City Council Consideration

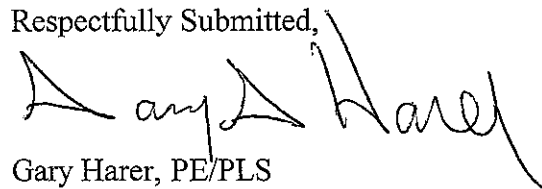
FROM: Municipal Services Director

SUBJECT: **Ordinance - Create MLMC 13.035 - Construction and Post Construction  
Stormwater - First Reading**

Attached is an ordinance that establishes the requirements for construction and post construction stormwater.

This ordinance is presented for Council consideration. This is the first reading of the ordinance.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Gary Harer". The signature is written in a cursive, flowing style with a large initial "G".

Gary Harer, PE/PLS  
Municipal Services Director



ORDINANCE NO.

AN ORDINANCE CREATING CHAPTER 13.035 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "CONSTRUCTION AND POST CONSTRUCTION STORMWATER RUNOFF"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 13.035 of the Moses Lake Municipal Code entitled "Construction and Post Construction Stormwater Runoff" is amended as follows:

13.035.010 Potential Discharge to Moses Lake:

- A. All public and private construction projects that disturb one or more acres, and all construction projects that disturb less than one acre that are part of a common plan of development or sale that will cause a potential discharge to Moses Lake shall meet the applicable requirements contained in Chapter Two of the *Stormwater Management Manual for Eastern Washington*. Furthermore, the property owner shall obtain coverage for the project under the Department of Ecology's "General NPDES Permit for Stormwater Discharges Associated with Construction Activities."
- B. An erosivity waiver to allow construction activity to proceed without a Stormwater Pollution Prevention Plan may be authorized by the Municipal Services Director. Erosivity waivers are not valid without written authorization from the Municipal Services Director. Erosivity waivers require that all of the following conditions are met prior to approval.
  1. The construction project will result in the disturbance of less than five acres, and the site is not a portion of a common plan of development or sale that will disturb more than five acres.
  2. The project's rainfall erosivity factor is less than five during the period of proposed construction activity, as calculated using the Texas A&M University online rainfall erosivity calculator. The calculator may be accessed at <http://ei.tamu.edu/>. The period of construction activity is defined as the period that begins with initial earth disturbance and ends with final stabilization. Final stabilization shall be as verified by the Municipal Services Director.
  3. The site or facility has not been declared a significant contributor of pollutants, and construction activities that will not result in non-stormwater discharges.
  4. The Construction Site Operator submits an application 10 days prior to commencing land disturbing activities. The written application from the construction site operator for an erosivity waiver shall include a summary of the project information used in calculating the project's rainfall erosivity factor. Furthermore, the application shall contain a certified statement that the Construction Site Operator will comply with applicable local stormwater requirements, and will implement appropriate erosion and sediment control Best Management Practices (BMPs) to prevent violations of water quality standards.

13.035.020 Access: Access for inspections for all private stormwater systems that discharge to the City's stormwater system shall be allowed as follows.

- A. The construction site operator shall allow access for city and the Department of Ecology staff to inspect the construction-phase stormwater BMPs.

- B. The property owner shall allow city staff access to the property to inspect the post construction-phase BMPs; or the property owner shall provide annual certification by a qualified third party, approved by the Municipal Services Director, to verify that adequate maintenance has been performed, and to verify that the facilities are operating as designed to protect water quality.

13.035.030 Stormwater System Design: Stormwater systems shall be designed for a 25-year, 24-hour storm event using the SCS Curve Method as outlined in *Stormwater Management Manual for Eastern Washington*. Public stormwater systems shall be designed to retain stormwater within approved stormwater appurtenances, and outside of travel lanes. Private stormwater systems shall be designed to retain all stormwater within the originating property.

13.035.040 Severability: If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provisions of this chapter are declared to be severable, and shall remain in full force and effect.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on July 13, 2010.

\_\_\_\_\_  
Jon Lane, Mayor

ATTEST:

\_\_\_\_\_  
Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
James A. Whitaker, City Attorney



June 14, 2010

TO: City Manager for Council Consideration

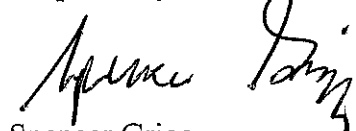
FROM: Parks and Recreation Director

SUBJECT: Donation of Funds from Rory & Deanna Muller of Budu Racing

Attached for Council approval is a resolution accepting a donation from Rory and Deanna Muller of Budu Racing in the amount of \$2,000.00. These monies are to be used by the Parks and Recreation Department for recreational programs.

Moses Lake Parks and Recreation Department would like to thank Rory and Deanna Muller for their donation and continued support of recreation programs and facilities for Moses Lake citizens and visitors.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Spencer Grigg", is written over the typed name.

Spencer Grigg  
Parks and Recreation Director

Attachment:

SG:dm

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ACCEPTING A CASH DONATION OF \$2,000.00  
FROM RORY AND DEANNA MULLER OF BUDU RACING

RECITALS:

1. Rory and Deanna Muller of Budu Racing have donated two thousand dollars (\$2,000.00) to the City of Moses Lake to be used by the Parks and Recreation Department for recreational programs.

RESOLVED:

1. The \$2,000.00 donation is accepted.
2. The City of Moses Lake wishes to express its sincere appreciation to Rory and Deanna Muller of Budu Racing.

Adopted by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Jon Lane, Mayor

ATTEST:

\_\_\_\_\_  
Ronald R. Cone, Finance Director

June 15, 2010

TO: City Manager  
For City Council Consideration

FROM: Municipal Services Director

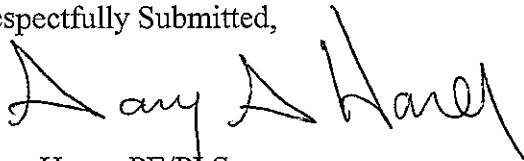
SUBJECT: **Night Time Work**  
**Civic Center Project - 2009**

Team A Construction is requesting approval to work between the hours of 5 a.m. and 7 a.m. for concrete work. This allows them to place concrete during the cooler hours of the day during this summer.

Moses Lake Municipal Code 8.28.050.B.3 requires City Council approval for construction work between the hours of 10 p.m. and 7 a.m.

This request is presented to the City Council for consideration.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Gary Harer". The signature is stylized with a large initial "G" and a long horizontal stroke.

Gary Harer, PE/PLS  
Municipal Services Director



# Memorandum

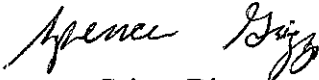
**To:** City Manager for City Council Consideration  
**From:** Parks & Recreation Director  
**Date:** June 16, 2010  
**Re:** Request to Sell T-shirts and Raffle Tickets

The Moses Lake Youth Baseball (Cal Ripken Baseball) has requested authorization to sell T-shirts and Raffle Tickets at their tournaments this year.

These are non-food or beverage items which would not compete with our established City concession operations.

A number of past athletic events have utilized such vendors and have not presented any real problems for our department.

Thank you for your consideration.

A handwritten signature in cursive script, appearing to read "Spencer Grigg".

Spencer Grigg, Director  
Moses Lake Parks & Recreation Department



# CAL RIPKEN BASEBALL

A Division of Babe Ruth League, Inc.

Cal Ripken Baseball of Moses Lake  
P.O. Box 233 Moses Lake, WA 98837

June 16, 2010

Moses Lake City Council  
City of Moses Lake  
321 S. Balsam  
Moses Lake, WA 98837

Dear Council Members:

I am with the Moses Lake Youth Baseball, Chartered as Cal Ripken Baseball of Moses Lake and we are hosting two tournaments in which we would like to sell T-shirts and raffle tickets at for a fund raiser.

The dates of the tournaments are Fire Cracker tournament which is June 25-27, 2010 and the 12 year old State tournament which is July 15-18, 2010.

If you have any questions, please feel free to contact myself at 750-0724 or Ray Lopez, President at 750-6512.

Sincerely,

Marie Jones  
Secretary/Treasurer  
Moses Lake Youth Baseball