

MOSES LAKE CITY COUNCIL
August 14, 2012

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

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

PLEDGE OF ALLEGIANCE: Mr. Reese led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the July 24 meeting were presented for approval.

Approval of Claims, Prepaid Claims, Checks, and Payroll: Vouchers audited and certified by the Finance Director as required by RCW 42.24.080, and those expense reimbursement claims, certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the Council for approval and is retained for public inspection at the Civic Center. As of August 14, 2012 the Council does approve for payment claims in the amount of \$2,041,980.47; prepaid claims in the amounts of \$4,326.61 and \$237,522.44; claim checks in the amount of \$1,483,285.38; and payroll in the amounts of \$4,091.87 and \$389,110.13.

Blue Heron Park Major Plat and Deferral Requests: The Municipal Services Department of the City of Moses Lake submitted an application for a one-lot plat of 76.5 acres. The site is located at 111 Westshore Drive, and includes the existing Blue Heron Park and the vacant City-owned land to the north. The site is zoned Public, which corresponds with the Comprehensive Plan Land Use Designation of Parks/Open Space. Deferrals were requested for water, sewer, and street improvements for Westshore Drive. The Planning Commission recommended that the preliminary plat be approved with conditions. The Findings of Fact were presented for approval.

MLSD 161 Preliminary Major Plat: The Moses Lake School District submitted an application to subdivide 78 acres into 4 lots. The site is located south of the existing high school at 803 E. Sharon and extends to I-90. The area north of Yonezawa is zoned Public, and the area between Yonezawa and I-90 is zoned C-2, General Commercial & Business. The zoning corresponds with the Comprehensive Plan Land Use Designations of Public Facilities and General Commercial. The Planning Commission recommended that the preliminary plat be approved with conditions. The Findings of Fact were presented for approval.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES

BIOSOLIDS DEWATERING PROJECT

The City received four quotes for the 2012 Biosolids Dewatering Project. This project consists of removing 500 dry tons of biosolids from the Sand Dunes Wastewater Facility lagoons. The material will be stockpiled on site and eventually be land applied as a fertilizer.

Action Taken: Mr. Reese moved that the bid be awarded to Anderson Environmental Contracting, LLC in the amount of \$144,780, seconded by Mr. Avila, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS - None

ORDINANCES AND RESOLUTIONSRESOLUTION - NUISANCE ABATEMENT - 502 KENTUCKY

A resolution was presented which provides for the abatement of nuisances at 502 Kentucky. The property is owned by Michael Watson.

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.

There was no other testimony. The hearing was closed.

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

RESOLUTION - NUISANCE ABATEMENT - 835 GRAND

A resolution was presented which provides for the abatement of nuisances at 835 Grand. The property is owned by Consuelo Yarrito.

The resolution determining that Consuelo Yarrito 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.

Rick Rodriguez, Code Enforcement Officer, was sworn in and provided testimony concerning this issue.

There was no other testimony. The hearing was closed.

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

RESOLUTION - NUISANCE ABATEMENT - 1105 E. HILL

A resolution was presented which provides for the abatement of nuisances at 1105 E. Hill. The property is owned by Gordon Beeman.

The resolution determining that Gordon Beeman 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.

Rick Rodriguez, Code Enforcement Officer, was sworn in and provided testimony concerning this issue.

There was no other testimony. The hearing was closed.

Action Taken: Dr. Curnel, moved that the resolution be adopted, seconded by Mr. Avila, and passed unanimously.

RESOLUTION - NUISANCE ABATEMENT - 1438 JAMES

A resolution was presented which provides for the abatement of nuisances at 1438 James. The property is owned by Judy Eller.

The resolution determining that Judy A. Eller 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.

Rick Rodriguez, Code Enforcement Officer, was sworn in and provided testimony concerning this issue.

There was no other testimony. The hearing was closed.

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

RESOLUTION - NUISANCE ABATEMENT - 1335 MEGAN

A resolution was presented which provides for the abatement of nuisances at 1335 E. Megan Drive. The property is owned by Robert Sampson.

The resolution determining that Robert V. Sampson 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.

Rick Rodriguez, Code Enforcement Officer, was sworn in and provided testimony concerning this issue.

There was no other testimony. The hearing was closed.

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

RESOLUTION - GRANT EASEMENT - PUD

A resolution was presented which grants an easement to the PUD on the westerly 10' of Park Orchard Tract 42.

Gary Harer, Municipal Services Director, stated that the property is located on Paxson Drive south of Central Drive and the easement will enable the PUD to install fiber optic cable at this location.

The resolution authorizing the City Manager to grant an easement to Public Utility District No. 2 of Grant County was read by title only.

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

RESOLUTION - INTERFUND LOAN

A resolution was presented which provides for an interfund loan from the Water/Sewer Fund to the Ambulance Fund.

The resolution authorizing an inter-fund loan to the Ambulance Fund 498 from the Water/Sewer Fund 410 was read by title only.

Action Taken: Dr. Curnel moved that the resolution be adopted, seconded by Mr. Avila, and passed unanimously.

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

ANNEXATION - WEST WORLD WIDE SERVICES

West World Wide Services submitted a Notice of Intent to Annex and a Petition for Annexation for 2.29 acres of property designated as Lot 11, Wiser Commercial Park Plat and located on Hamilton Road.

Joseph K. Gavinski, City Manager, stated that this property is adjacent to the City's limits and was excluded from a prior annexation at the request of the property owner at that time. The new property owner requires additional water service and is willing to annex the property. He suggested that to expedite the annexation the Notice be receipted and accepted and the Petition be accepted.

Action Taken: Mr. Lane moved that the Notice be receipted and accepted and the Petition be accepted, seconded by Mr. Deane, and passed unanimously.

PLAT IMPROVEMENTS - DEFERRAL - HAPO CREDIT UNION

Patrick Kirby, on behalf of HAPO Credit Union, has requested a deferral of the required subdivision improvements associated with the future construction of a building located on Lot 3, Riviera Addition located at the corner of Pioneer Way and Lark Avenue. The deferral is for the required street improvements on Lark Avenue.

Gilbert Alvarado, Community Development Director, stated that plat was recorded in the past and does not meet current City codes. In order to bring the property into compliance with current requirements, the City has adopted regulations requiring insufficiently platted property to be brought up to current codes when developed. He pointed out that Lark Avenue will need to be constructed to City standards through the plat and the request is to defer construction of Lark from the entrance to their parking lot to the end of the plat. When the remainder of Lark is constructed through to Kiefer, this short section on their property will need to be improved.

Mr. Kirby stated that the owners are fully aware of the requirement to construct the remainder of Lark when required by the City.

Action Taken: Mr. Reese moved that the request be granted with the stipulation that a covenant for future improvements be required, seconded by Mr. Avila, and passed unanimously.

REQUEST FOR CITY SERVICES - BEACON ROAD

The property owners of 9354, 9833-1 & 2, 9416, and 9435 Beacon Road have requested permission to connect to the City's water system. The lots are within one half mile of the City limits but the Council may wish to determine that it is impractical for the property owners to annex because it would be very difficult for the City to maintain the short section of Beacon Road that would be required to be annexed along with the lots.

Action Taken: Mrs. Liebrecht moved that the request be granted with the stipulation that an Extra Territorial Utility Agreement be required since it is impractical to annex the property at this time, seconded by Mr. Reese, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - None

COUNCIL QUESTIONS AND COMMENTS - None

CITY MANAGER REPORTS AND COMMENTS

BUILDING ACTIVITY REPORT

The July 2012 Building Activity Report was presented.

QUARTERLY FINANCIAL REPORT

The second quarter financial report has been posted on the City's website.

INVESTMENT REPORT

The City received \$18,461.02 in investment income for July 2012.

SALES TAX/TRANSIENT RENTAL INCOME

The City received \$419,629.64 in sales tax and \$45,674.12 in transient rental income in July 2012.

The regular meeting was recessed at 8:50 p.m. and the Council met in a 30 minutes executive session with the City Attorney to discuss real estate transaction and potential litigation.

The executive session was adjourned at 9:20 p.m. and the regular session was reconvened. The regular session was adjourned at 9:20 p.m.

ATTEST

Bill J. Ecret, Mayor

W. Robert Taylor, Acting Finance Director