

MOSES LAKE CITY COUNCIL
September 11, 2012

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

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

PLEDGE OF ALLEGIANCE: Dr. Curnel led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS

PORT OF MOSES LAKE

Mike Conley, Port Commissioner, provided a copy of the history of the Port of Moses Lake to each Council member and the City Manager.

CONSENT AGENDA

Minutes: The minutes of the August 28 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 September 11, 2012 the Council does approve for payment claims in the amount of \$974,612.19; prepaid claims in the amounts of \$17,264.10 and \$13,259.38; claim checks in the amount of \$2,158,295.2; and payroll in the amounts of \$389,453.12 and \$4,100.87.

Resolution - Accept Water Main Improvements: A resolution was presented which accepts the improvements to the water main on Atlantic Street.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

ORDINANCE - EXTEND MORATORIUM ON MEDICAL MARIJUANA GARDENS - 2ND READING

An ordinance was presented which extends the moratorium on the establishment of "collective gardens" for the medical use of marijuana. The moratorium should be extended because the legislature has not yet resolved the issues which exist in current state law with regard to collective gardens and there is still the issue with regard to the effect of federal law which needs to be resolved.

The ordinance of the City of Moses Lake extending a moratorium on the establishment of medical marijuana collective gardens, defining "medical marijuana collective gardens", providing for a public hearing establishing an effective date, and providing that the moratorium, unless extended, will sunset within six (6) months of the date of adoption was read by title only.

The public hearing was opened. There were no comments.

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

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

ORDINANCES AND RESOLUTIONSORDINANCE - AMEND 3.30 - UTILITY OCCUPATIONAL TAX - 1ST READING

An ordinance was presented which corrects a clerical error where the amount from the utility occupational tax on furnishing natural gas was listed twice.

The ordinance amending Chapter 3.30 of the Moses Lake Municipal Code entitled "Utility Occupational Tax" was read by title only.

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

ORDINANCE - AMEND 13.08, WATER AND SEWER CONNECTIONS - 1ST READING

An ordinance was presented which provides for reimbursement for the construction of the 2012 Water Main Project.

The ordinance amending Chapter 13.08 of the Moses Lake Municipal Code entitled "Water and Sewer Connections" was read by title only.

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

ORDINANCE - iFIBER COMMUNICATION - FRANCHISE - 1ST READING

An ordinance was presented which grants a franchise to iFiber Communications Corporation.

The ordinance granting a franchise to iFiber Communications Corporation to operate and maintain a cable system in the City of Moses Lake and setting forth conditions accompanying the grant of franchise was read by title only.

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

RESOLUTION - ABANDON EASEMENT - CONNER

Robert Conner requested the abandonment of a portion of the easement located in the rear and side yards at 3428 W. Glenmoor Drive.

The resolution authorizing abandonment of an easement was read by title only.

Anne Henning, Senior Planner, mentioned that the easement being abandoned is only a short distance along the rear and interior side yard lot lines rather than the entire length of the lot and that the resolution should be changed to reflect the correct location of the portion of the easement being abandoned.

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

REQUEST TO CALL FOR BIDS - NoneREFERRALS FROM COMMISSIONS - NoneOTHER ITEMS FOR COUNCIL CONSIDERATIONREQUEST FOR CITY SERVICES - ENGELMANN

Rich Engelmann requested permission to connect his property at 1106 Arnold Drive to the City's water system. The lot is within one half mile of the City limits but the Council may wish to determine that it is impractical for the property owner to annex because it would be very difficult for the City to maintain the short section of Patton Boulevard that would be required to be annexed along with the lot.

Action Taken: Mr. Deane 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. Lane, and passed unanimously.

REQUEST FOR CITY SERVICES - SHERMAN

Jerry Sherman requested permission to connect his property at 9360 Beacon Road to the City's water system. The lot is 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 Dr. Curnel, 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 August 2012 Building Activity Report was presented.

INVESTMENT REPORT

The City received \$17,918.61 in investment income for August 2012.

SALES TAX/TRANSIENT RENTAL INCOME

The City received \$432,420.11 in sales tax and \$55,497.56 in transient rental income in August 2012.

WATER/SEWER EXPENDITURES

Joseph K. Gavinski, City Manager, provided a report on the projected expenditures for future water and sewer projects. The report shows a short fall in the water and sewer fund of approximately \$2,000,000 per year for the next five years.

There was discussion by the Council on the water and sewer facilities and the need to fund improvements and maintenance.

BONDS

Joseph K. Gavinski, City Manager, stated that the City's bond counsel visited and recommended that the City refinance one of the limited tax general obligation bonds which will save the City approximately \$165,000 in interest over several years.

It was the consensus of the Council that staff proceed with refinancing of the bonds.

The meeting was adjourned at 7:45 p.m.

ATTEST

Bill J. Ecret, Mayor

W. Robert Taylor, Acting Finance Director