

MOSES LAKE CITY COUNCIL
August 13, 2013

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

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.

PRESENTATION AND AWARDS

POLICE OFFICER RECOGNITION

Police Officers Juan Rodriguez and Adam Munro were recognized for their professionalism, service, and compassion to an elderly woman in need of assistance.

FIRE DEPARTMENT

Tasiya Oliver, Fire Clerk, and Brandon Wertman, Firefighter/EMT were presented to the Council.

SERVICE AWARDS

Years of Service pins for 10 years of service with the City were given to Michael Dosh, Sophia Guerrero, Juan Rodriguez, and Beau Montgomery. Years of Service pins for 15 years of service with the City were given to Dean McPherson and Brian Jones. Years of Service pins for 20 years of service with the City were given to Randy Graffe, Robert Harris, and Del Rose Hoy. Years of Service pins for 25 years of service with the City were given to Steve Miers, Tony Pfluger, and Bruce Strait. A Years of Service pin for 35 years of service with the City was given to Rolando Gonzales.

CONSENT AGENDA

Minutes: The minutes of the July 23 meeting were presented for approval.

Nuisance Abatement - Set Date for Hearing: A hearing was set for August 27 to consider nuisance abatement at 2603 W. Texas.

Action Taken: Mrs. Liebrecht moved that the Consent Agenda be approved, seconded by Mr. Lane, and passed unanimously.

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 13, 2013 the Council does approve for payment claims in the amount of \$706,157.70; prepaid claims in the amounts of \$82,360.82 and \$8,525.08; claim checks in the amount of \$1,648,991.02; and payroll in the amounts of \$3,806.98 and \$378,661.40.

Dr. Curnel questioned the payment of several bills and staff explained.

Action Taken: Dr. Curnel moved that the bills and checks be approved, seconded by Mr. Avila, and passed unanimously.

COMMISSION APPOINTMENTSTOURISM COMMISSION

Mayor Ecret requested confirmation of the re-appointment of Mary Perry to the Tourism Commission.

Action Taken: Mr. Lane moved that the re-appointment be confirmed, seconded by Dr. Curnel, passed unanimously.

CONSIDERATION OF BIDS AND QUOTESRESERVOIR 7 RAISING PROJECT

The City received three bids to raise Reservoir 7 which is located on Patton Boulevard. The project includes modifications to raise Reservoir 7 to increase the height by 18 feet. Because the bids were considerably above the engineer's estimate, staff recommended that the bids be rejected.

Gary Harer, Municipal Services Director, explained that increasing the height of a reservoir is a new project for the City and staff contacted experts in the field to obtain an estimate of the cost. Because the bids came in significantly over the engineer's estimate, staff recommended that the bids be rejected.

Action Taken: Mr. Lane moved that the bids be rejected due to the cost over the engineer's estimate, seconded by Mrs. Liebrecht, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGSCOMMUNICATION - ITINERANT VENDOR FEES - WRIGHT

Carlos Wright requested that changes be made to the itinerant vendor fees to lower the cost to the business owner.

Joseph K. Gavinski, City Manager, gave the history on the itinerant vendor issue and fees.

Gilbert Alvarado, Community Development Director, explained what the City considers an itinerant vendor.

Mr. Wright pointed out that the business climate is different now than when the fees were originally established and that Moses Lake and Pasco have fees that are considerably higher than other cities in the state. He felt that the fee structure should be changed.

There was some discussion by the Council and staff was requested to provide additional information on the fee structure.

ORDINANCE - ANNEXATION - CARLILE DEVELOPMENT - 2ND READING/PUBLIC HEARING

An ordinance was presented which provides for the annexation of approximately 26.23 acres of property designated as Tax #7351 and located west of Randolph Road, north of Graham Road NE, and south of Tyndall Road NE.

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

The public hearing was opened. There were no comments.

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

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

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 16.02 - UNPLATTED AREAS - 2ND READING

An ordinance was presented which establishes that Council permission to build on unplatted property is personal and does not attach to the land or property and that the Council can impose conditions on the building permit for the installation or completion of utility, street, sidewalk, or other improvements.

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

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

ORDINANCE - EXTEND MORATORIUM ON MEDICAL MARIJUANA GARDENS - 1ST READING

An ordinance was presented which extends the moratorium on the establishment of "collective gardens" for the medical use of marijuana.

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.

Joseph K. Gavinski, City Manager, pointed out that the extension of the moratorium continues the City's wait and see position on the medical marijuana issue. He also mentioned that there is now considerable discussion in various cities about recreational marijuana use since rules have been drafted concerning the issue.

Action Taken: Mr. Reese moved that the first reading of the ordinance be adopted and a public hearing be set for August 27, seconded by Mr. Avila, and passed unanimously.

RESOLUTION - BUILD ON UNPLATTED PROPERTY - AT&T MOBILITY

A resolution was presented which allows AT&T Mobility to construct a 100' monopole and ground equipment on unplatted property owned by Crab Creek Homestead, LLC.

A resolution allowing AT&T Mobility and Crab Creek Homestead, LLC to build on unplatted property was read by title only.

Gilbert Alvarado, Community Development Director, explained the project and mentioned that the property is 44 acres but that AT&T will be using only 2,500 square feet for their facility.

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

RESOLUTION - ACCEPT DONATION - BUDU RACING, LLC

A resolution was presented which accepts a donation of \$1,500 from Rory and Deanna Muller of Budu Racing, LLC. the funds will be used for paths and trails.

The resolution accepting a cash donation of \$1,500 from Rory and Deanna Muller of Budu Racing, LLC was read by title only.

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

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

DEVIATION REQUEST - UNDERGROUND UTILITIES

The Grant County PUD requested a deviation of the requirement to place new electrical distribution lines underground for one mile along the north side of Wheeler Road from 280 feet west of Road N to the D & L Foundry property. The cost to underground the power is \$436,000 and the overhead line will cost \$135,000. There are existing overhead lines in this area. The Council may approve a deviation if it is determined that the cost of the underground installation, when compared to overhead installation, is disproportionate in comparison to the benefit to be gained by the property and/or public.

Shane Lunderville, PUD, explained that D & L Foundry is expanding and needs additional power. The existing line cannot handle the need so a new line will be installed on the north side of Wheeler Road to service the property.

Mark Ross, Project Manager, D & L Foundry, mentioned that the cost of under grounding the power, which D & L would have to pay for, would have a significant impact on their ability to continue the project. The expansion of the business will create additional jobs.

There was some discussion by the Council concerning the aesthetics and cost and it was felt that since the area is industrial in nature, the aesthetics were less important than the cost.

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

DRIVEWAY DEVIATION - JUNIPER DRIVE

April Cisneros requested a deviation to the driveway requirements in order to expand an existing 20' wide driveway at 976 Juniper Drive the full length of the lot. The existing house is proposed to

be converted into a day care center and the deviation would allow access to six on-site parking spaces required by the Planning Commission approval of the site plan.

Gary Harer, Municipal Services Director, mentioned that if the request is granted, it will remove all the curb in front of the 60' lot and the whole frontage would be driveway. He mentioned that the lot is across Juniper Drive from the Moses Lake Branch of the Wenatchee Valley Clinic. He pointed out that the driveway standards were established to provide a safe condition for cars to back out of a property.

Gilbert Alvarado, Community Development Director, explained that the Planning Commission required six off-street parking spaces for this proposed day care and the only way that condition could be met was to turn the front yard into a parking area.

There was some discussion by the Council and it was pointed out that there is considerable traffic on Juniper Drive.

Staff pointed out the traffic issues with essentially the creation of a parking lot on a residential lot and the problem with backing out onto a busy street.

No action was taken by the Council.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS

COUNCIL TRAVEL

Mr. Lane mentioned that there is a Pacific Northwest Idea Exchange meeting dealing with retail in Couer d'Alene on August 27 and 28 and requested permission to attend.

Action Taken: Mr. Deane moved that Mr. Lane be authorized to attend the Pacific Northwest Idea Exchange meeting in Couer d'Alene, seconded by Mrs. Liebrecht, and passed unanimously.

COUNCIL QUESTIONS AND COMMENTS - None

CITY MANAGER REPORTS AND COMMENTS

AWARD NOTIFICATION

Joseph K. Gavinski, City Manager, reported that the Larson Wastewater Treatment Plant and the Sand Dunes Wastewater Treatment Plant will be receiving the 2012 "Wastewater Treatment Plant Outstanding Performance Award" from the Department of Ecology. He mentioned that this is a difficult award to obtain but that the Larson Plant has received this award for five years in a row.

AMBULANCE REPORT

The cash report on the ambulance operations for the month of July was provided.

BUILDING ACTIVITY REPORT

The July building activity report was provided.

SALES TAX/TRANSIENT RENTAL INCOME

The City received \$478,822.77 in sales tax and \$64,910.04 in transient rental income in July.

The regular meeting was adjourned at 8:50 p.m.

ATTEST

Bill J. Ecret, Mayor

W. Robert Taylor, Finance Director