

MOSES LAKE CITY COUNCIL
November 12, 2013

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

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

PLEDGE OF ALLEGIANCE: Mayor Ecret led the Council in the pledge of allegiance.

PRESENTATION AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the October 22 meeting were presented for approval.

Resolution - Accept Easement - ASTA Technologies, Inc.: A resolution was presented which accepts an access easement from Asta Technologies, Inc. located at 7761 Randolph Road.

Resolution - Accept Grant - Dept. of Ecology: A resolution was presented which accepts a grant from the Department of Ecology for stormwater operation and capital budget provisions.

Action Taken: Dr. Curnel moved that the Consent Agenda be approved, seconded by Mr. Avila, 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 November 12, 2013 the Council does approve for payment claims in the amount of \$2,564,603.21; prepaid claims in the amounts of \$7,630.18 and \$84,320.51; claim checks in the amount of \$1,169,195.40; and payroll in the amounts of \$320,240.84 and \$4,000.46.

Dr. Curnel questioned the payments to Consolidated Disposal, Grant County Solid Waste, and Lakeside Disposal.

Staff explained the payments.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

ORDINANCE - 2014 BUDGET - 1ST READING/PUBLIC HEARING

An ordinance was presented which establishes the budget for 2014.

The ordinance adopting the budget for the City of Moses Lake, Washington for the year of 2014 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 Dr. Curnel, and passed unanimously.

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

LONGVIEW TRACTS - SEWER SYSTEM - HASH

Ken Hash, 9848 Highland, mentioned that he has come before the Council previously concerning his sewer in Longview Tracts and the issue has still not be resolved. He stated that he has recently put in a new septic system at a cost of over \$6,000 on the advice of the City but now the City has constructed sewer in this area and he is being required to connect at a cost of around \$4,000. He did not feel he should be required to connect to city sewer at this time or the City should waive the connection fees.

Gilbert Alvarado, Community Development Director, stated that many meetings were held with the residents of Longview Tracts prior to the sewer being constructed and they were informed of the expectation that the properties would be connected to the sewer main. After the project was completed, there were 32 properties that did not connect and staff requested direction from the Council on how to resolve the issue. Because the cost of connection is a financial burden on many of the residents, it was the decision of the Council that the City would finance the connection and the property owners could pay over a number of years. Upon notifying the property owners of the decision of the Council, a number of the property owners decided to connect to the sewer system on their own. He mentioned that there are approximately 22 properties that still need to be connected.

Gary Harer, Municipal Services Director, stated that in April 2009 Mr. Hash received a permit from the Grant County Health District for a septic system repair. At that time City staff informed Mr. Hash that the timing of the installation of the sewer main was unknown and Mr. Hash went ahead with his septic system. In the fall of 2010 the sewer main was included in the budget and public meetings were held with the residents of Longview Tracts. The sewer main was installed in 2011. He pointed out that the permission to install a septic system comes from the Grant County Health District, not the City. The Health District called it a repair, not a septic system because it is a substandard lot and instead of the required 80' of drain line, he only had 60'.

There was some discussion on the issue and Mr. Hash stated he would connect to the sewer main if the City would drop the fees. He was requested by the Council to provided information on the fees he would like the City to drop.

MOSES LAKE COMMUNITY PREVENTION COALITION - MARIJUANA

The Moses Lake Community Prevention Coalition requested time before the Council to discuss their concerns with regard to the legalization of marijuana and in which zones the new marijuana retail businesses should be located.

Dr. Ryann Leonard, representing the Coalition, gave a presentation on preventing the use of marijuana by the youth in the community.

Leigh Allison, Moses Lake High School Counselor, stated that her job is to help educate students about the dangers of alcohol and drug use and to help them make healthy choices. She mentioned that the use of marijuana already has a detrimental affect on students and youth and the legalization will only make that worse.

Dr. Leonard stated that they wanted the Council to have the information on marijuana so that informed decisions could be made on where to locate the retail marijuana stores. They would suggest the retail stores be located near the auto dealerships along the south frontage road and on Wheeler Road. These locations would have the least exposure to the traveling public. She felt that an additional commercial zone would be the best way to approach the regulating of marijuana retail stores.

Joseph K. Gavinski, City Manager, explained the City's options regarding the marijuana issue and the locations of the retail stores. He pointed out that the retail outlets are only allowed in the commercial zones and only in those areas that are over 1,000' from a park, school, and similar uses.

There was discussion on the what options the Council may have and it was pointed out that to establish an additional commercial zone will take over a year because it requires an amendment to the Comprehensive Plan, which only takes place once a year. It was pointed out that any prohibition or moratorium would probably be met with a law suit that the City would lose.

ELECTRICAL VEHICLE CHARGING STATION - DONATION

The Chamber of Commerce has been working with Ryan Etheridge, Electrical industry Group of Washington to facilitate a donation of a dual Electrical Vehicle Charging Station. Electrical Industry Group has proposed to donate the purchase and installation of a dual Electrical Vehicle Charging Station, which would be installed at Sinkiuse Square. The only cost will be the ongoing operational costs of power consumption, which would be covered by the Chamber.

Debbie Doran-Martinez, Executive Director, Chamber of Commerce, stated that the power station would be located in the landscaped area of Sinkiuse Square and there would be about a 20' span to connect to the two closest parking spaces. She mentioned that SGL is interested in funding four additional stations in Moses Lake and they would cover the cost of the power for all the stations.

Action Taken: Mrs. Liebrecht moved that the donation of a dual Electrical Vehicle Charging Station from Electrical Industry Group be accepted and that it be placed at Sinkiuse Square with the stipulation that the power cost will be covered by the Chamber of Commerce, seconded by Mr. Avila, and passed unanimously.

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 18.06 - DEFINITIONS - 2ND READING ADOPTED

An ordinance was presented which adopts the definition of a marijuana retailer in order to establish a regulatory scheme to provide for the sale of marijuana within the commercial zoning districts.

The ordinance amending Chapter 18.06 of the Moses Lake Municipal Code entitled "Definitions" was read by title only.

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

ORDINANCES - TAXATION - 2ND READING

Ordinances were presented which fix the estimated amount to be received by the City from property taxes and sets the tax levy rate.

The ordinance fixing the amount to be received for municipal purposes from taxations on assessed valuations on property within the City of Moses Lake, Washington for 2014 was read by title only.

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

The ordinance fixing the estimated amount to be received for municipal purposes from taxations on assessed valuations on property within the City of Moses Lake, Washington for 2014 was read by title only.

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

ORDINANCE - SONICO ANNEXATION - 1ST READING

An ordinance was presented which annexes approximately 61.5 acres located adjacent to Patton Boulevard north of 22nd Avenue and south of Randolph Road.

The ordinance annexing property commonly known as the Sonico 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.

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

RESOLUTION - ACCEPT DONATION

A resolution was presented which accepts the donation of \$800 from Nick Sickels, Mountain View Polaris, and North Stratford Mini Mart. The funds will be used for improvements to the fence, drivers stand, dirt and piping at the Moses Lake RC Track.

The resolution accepting a cash donation of \$500 from Nick Sickels, \$200 from Mountain View Polaris, and \$100 from North Stratford Mini Mart was read by title only.

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

RESOLUTION - NUISANCE ABATEMENT COSTS - 3793 PENINSULA

A resolution was presented which authorizes staff to collect the funds expended for the nuisance abatement at 3793 Peninsula. The property is owned by Yvonne Parker.

The resolution establishing the billing to be imposed against Yvonne L. Parker, as the owner of certain real property upon which the City caused abatement of a nuisance to be performed after a failure of the property owner to abate the same was read by title only.

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

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATIONAIRPORT GRANT

The Washington State Department of Transportation, Aviation Division, has offered a \$33,029.60 grant to the City for professional services for the creation of bid specifications for an asphalt overlay on the existing runway at the Moses Lake Municipal Airport. If the Council finds the grant offer acceptable, the Council needs to ratify the City Manager's execution of the Airport Aid Grant offer and Grant Agreement.

Action Taken: Mrs. Liebrecht moved that grant be accepted and the City Manager's execution of the documents be ratified, seconded by Mr. Deane, and passed unanimously.

CENTURY LINK - UNDERGROUND UTILITIES - WAIVER

Century Link requested a waiver in order to install a new fiber line on existing Grant County PUD poles located in the alley between Third Avenue and Broadway from Alder Street to the PUD office located at Third and Cedar. The cost to install an overhead line is approximately \$8,600 and to place the line underground would be an additional \$20,000 and \$27,000.

Debra Geist, representing Century Link, stated that they will be installing about 1400' of aerial fiber on poles already in place in the alley. The line will only be serving the Grant County PUD at this time.

Action Taken: Dr. Curnel moved that the request to waive the requirement to underground the utilities be granted, seconded by Mr. Avila, and passed unanimously.

LIFT STATION REPAIR PROJECT - NIGHT WORK

Staff requested approval for POW Constructing to work between the hours of 10 p.m. and 7 a.m. for one night during either the week of November 11 or November 18. This will allow the contractor to transition the flows from the Kmart Lift Station to the Omni Lift Station.

Gary Harer, Municipal Services Director, stated that the Kmart Lift Station will be removed once the flow is transferred to the Omni Lift Station. He pointed out that there are no residences that would be affected.

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

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - NoneCOUNCIL QUESTIONS AND COMMENTSVACANT LOT - CLEAN UP

Mayor Ecret mentioned that staff researched what other cities did about weed abatement in vacant lots and it was found that there was not much. He requested staff provide an amendment to the current ordinance to address weed abatement and trash in vacant lots, mainly in residential areas and areas adjacent to a residential neighborhood.

CITY MANAGER REPORTS AND COMMENTS

DECEMBER MEETING

Joseph K. Gavinski, City Manager, reminded the Council that the second meeting in December is scheduled for the 24th and he suggested that it be changed to Monday, December 30 at 7 p.m. in order to make any needed budget adjustments.

It was the consensus of the Council to move the second meeting in December to the 30th at 7 p.m.

COUNCIL/STAFF RETREAT

Joseph K. Gavinski, City Manager, stated that the Council/staff Retreat has been tentatively scheduled for March 7 and 8 at the Atech Building at Big Bend Community College.

PROJECTS UPDATE

Gilbert Alvarado, Community Development Director, provided a current list of land use projects.

AMBULANCE REPORT

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

BUILDING ACTIVITY REPORT

The October building activity report was provided.

SALES TAX/TRANSIENT RENTAL INCOME

The City received \$511,513.84 in sales tax and \$68,846.76 in transient rental income in October.

The regular meeting was adjourned at 9 p.m.

ATTEST

Bill Ecret, Mayor

W. Robert Taylor, Finance Director