

MOSES LAKE CITY COUNCIL

Todd Voth
Jason Avila
Jon Lane

Dick Deane
Mayor



Joseph K. Gavinski
City Manager

David Curnel
Karen Liebrecht
Bill Ecret

September 9, 2014

AGENDA

Sophia Guerrero, Executive Secretary

Civic Center - 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 - None**
5. **CONSENT AGENDA**
 - A. Approval of Minutes - August 12, 2014
 - B. Approval of Bills and Checks Issued
 - C. Davisson Final Major Plat and Findings of Fact
6. **COMMISSION APPOINTMENTS - None**
7. **CONSIDERATION OF BIDS AND QUOTES**
 - A. Bio Solids Land Application Project 2014
8. **PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS**
 - A. Communication - Advanced Planning Grant Program - Port of Moses Lake
 - B. Communication - Request for Street Closure - Ekstedt
9. **ORDINANCES AND RESOLUTIONS**
 - A. Ordinance - Amend MLMC 3.30 - Utility Occupational Tax - 2nd Reading
 - B. Ordinance - Amend MLMC 8.28 - Noise Control - 2nd Reading
 - C. Ordinance - Amend MLMC 13.08 - Water & Sewer Connections - 2nd Reading
 - D. Ordinance - Amend MLMC 2.48 - Planning Commission - 1st Reading
 - E. Ordinance - Create MLMC 18.50 - Recreational Marijuana Businesses - 1st Reading
 - F. Ordinance - Desert Golf Annexation - 1st Reading
 - G. Resolution - Nuisance Abatement - 2003 Beaumont - Markova Living Trust
 - H. Resolution - Nuisance Abatement - 210 W. Linden - Black
10. **REQUEST TO CALL FOR BIDS - None**

Finance W. Robert Taylor	Municipal Services Gary Harer	Police Chief Dave Ruffin	Parks & Recreation Spencer Grigg	Fire Chief Tom Taylor	Community Development Gilbert Alvarado	City Attorney Katherine L. Kenison
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- 11. REFERRALS FROM COMMISSIONS - None**
- 12. OTHER ITEMS FOR COUNCIL CONSIDERATION**
 - A. Request to Connect To City Utilities - 2247 NE Westshore Dr - Hammond**
 - B. Private Reimbursement - Randolph Rd - AstaReal**
- 13. NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS**
- 14. COUNCIL QUESTIONS AND COMMENTS**
- 15. CITY MANAGER REPORTS AND COMMENTS**
 - A. Staff Reports**
 - 1. Ambulance Cash Report for August**
 - 2. Building Activity Report**
 - 3. Investment Report**
 - 4. Sales Tax / Transient Rental Income Report**
 - 5. Grant County Board of Equalization Decision - REC**

Finance W. Robert Taylor	Municipal Services Gary Harer	Police Chief Dave Ruffin	Parks & Recreation Spencer Grigg	Fire Chief Tom Taylor	Community Development Gilbert Alvarado	City Attorney Katherine L. Kenison
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MOSES LAKE CITY COUNCIL
August 26, 2014

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

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

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

PRESENTATION AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the August 12 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 26, 2014 the Council does approve for payment claims in the amount of \$1,427,951.82; prepaid claims in the amounts of \$21,226.33 and \$250,147.65; claim checks in the amount of \$1,843,382.71; and payroll in the amounts of \$387,797.19.

Accept Work - 2013 Sewer Force Main Project: Pegram Construction, Inc. has completed work on the 2013 Sewer Force Main Project. The work should be accepted and the 60-day lien period entered into.

Action Taken: Mr. Voth moved that the Consent Agenda be approved, seconded by Mr. Avila, and passed unanimously.

COMMISSION APPOINTMENTS

LODGING TAX ADVISORY COMMITTEE

The membership of the Lodging Tax Advisory Committee is to be confirmed on a yearly basis. The current members include Debbie Doran-Martinez, Moses Lake Chamber of Commerce and Tourism Commission, Brenda Teals, Allied Arts, Friends of the Adam East Museum and Art Center, and Tourism Commission, Tim Molitor and Mayor Deane is the Chairman. Laura Susserman, who was also on the Committee has left the community and Kim Kirkbride, General Manager of the Comfort Inn and Suites, has expressed interest in serving on the committee.

Action Taken: Mrs. Liebrecht moved that the Kim Kirkbride be appointed and the current members of the Lodging Tax Advisory Committee be confirmed, seconded by Mr. Lane, and passed unanimously.

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

BUSINESS LICENSE - APPEAL

Alan Heroux, on behalf of Brent Heroux, appealed the denial of a business license for The Hydrofarmer. He provided information on the proposed marijuana business proposed to be located at 1450 Wheeler Road in a Light Industrial Zone. He stated that the City denied the business license based on its definition of agricultural use, which he feels conflicts with the state's definition of marijuana being a non-agricultural use. He feels that the manufacture of marijuana as a food product fits in the Light Industrial Zone.

Katherine Kenison, City Attorney, reminded the Council of previous discussions on the definition of agriculture uses in the City and the Council determined that the growing of marijuana would be considered an agricultural use, which is prohibited by the City's existing code. The request from Mr. Heroux is to change the existing code to make allowance for an agricultural use in the Light Industrial Zone. If the Council is inclined to consider a change to the code, the ramifications of that change should be discussed not only by the Council but possibly by the Planning Commission.

Joseph K. Gavinski, City Manager, pointed out that cities have a great deal of discretion in the interpretations of its codes. He stated that staff is comfortable with the advice given to Council that this is an agricultural use and is not allowed under the current code.

There was considerable discussion by the Council on agricultural uses.

Action Taken: Mayor Deane moved that the appeal be denied, seconded by Mrs. Liebrecht, and failed with Mayor Deane and Mrs. Liebrecht in favor and Mr. Lane, Mr. Ecret, Mr. Avila, and Mr. Voth opposed.

There was additional discussion by the Council.

Action Taken: Mr. Ecret moved that the Light Industrial Zone be investigated as it relates to marijuana producers and that it be brought back to the Council at the next meeting, seconded by Mr. Lane, and passed with Mr. Lane, Mr. Ecret, Mr. Avila, and Mr. Voth in favor and Mayor Deane and Mrs. Liebrecht opposed.

BUILD ON UNPLATTED PROPERTY - CRAB CREEK PROPERTIES

Richard Penhallurick, representing Crab Creek properties, requested the Council approve an extension of the 30 day time limit for the submission of an easement granting access to the property behind Walmart. He stated that he submitted an easement, but was informed by staff that since it did not include a legal description of the access and the 30 days had elapsed, that another request would need to be submitted. He felt that he had provided a legal easement according to case law and requested that his request to build on unplatted property be granted.

Joseph K. Gavinski, City Manager, stated that the easement included a sketch of the easement but did not include a legal description of the easement. The easement as provided would encompass the entire Walmart property. He pointed out that in the future there is the possibility of the easement being revoked and that could leave the City open to a lawsuit by a subsequent owner of the property because the City permitted the development of the property without proper access.

There was considerable discussion by the Council.

Action Taken: Mr. Ecret moved that the request to build on unplatted property be granted with the stipulation that an easement be provided within 30 days and a building permit is requested, seconded by Mr. Voth, and passed unanimously.

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 13.12 - WATER, SEWER, AND STORMWATER RATES - 2ND READING

An ordinance was presented which increases the rate for the delinquent service charge and for turn-ons or turn-offs after 4 p.m and before 8 a.m.

The ordinance amending Chapter 13.12 of the Moses Lake Municipal Code entitled "Water, Sewer, and Stormwater Rates" was read by title only.

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

ORDINANCE - AMEND 2.48 - PLANNING COMMISSION - 1ST READING

An ordinance was presented which changes the requirements to serve on the Planning Commission to include the requirement that a voting member reside within the City limits.

The ordinance amending Chapter 2.48 of the Moses Lake Municipal Code entitled "Planning Commission" was read by title only.

Joseph K. Gavinski, City Manager, stated that requiring members of a planning commission to reside within a city's limits is a common requirement and it is unknown why that provision was not included for the City's Commissioners in the past. The two members that may be appointed from within the urban growth area has never been invoked and those members would not have a vote.

Mr. Voth provided information on other commissions for the City which do not require residency. He also felt that nine members on the Planning Commission were enough but perhaps two of those should be allowed to reside outside the city limits if they own property or businesses within the City.

There was discussion by the Council on the proposed residency requirements for members of the Planning Commission and staff was requested to amend the language to allow a business or property owner to serve.

ORDINANCE - AMEND 3.30 - UTILITY OCCUPATIONAL TAX - 1ST READING

An ordinance was presented which adds a time limit for refunds on tax payments.

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

Katherine Kenison, City Attorney, explained the reasons for limiting the time a refund could be required for an overpayment on a voluntary tax payment.

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

ORDINANCE - AMEND 8.28 - NOISE CONTROL - 1ST READING

An ordinance was presented which exempts noise emanating from temporary construction sites in commercial zones.

Joseph K. Gavinski, City Manager, stated that this amendment would address those situations where contractors have requested to work during night hours to facilitate construction work.

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

RESOLUTION - BUILD ON UNPLATTED PROPERTY - PERDUE

A resolution was presented which would allow the construction of a 28,000 square foot facility to house a portion of the Sonico, Inc. facility on property located at the corner of Patton Boulevard and Randolph Road.

The resolution allowing William Perdue to build on unplatted property was read by title only.

Joseph K. Gavinski, City Manager, stated that there is a requirement for the property to be platted within one year and the owner has no objections to that stipulation.

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

RESOLUTION - NUISANCE ABATEMENT COSTS - 2118 SPRUCE - PENCE

A resolution was presented which authorizes staff to collect the funds expended for the nuisance abatement at 2118 Spruce. The property is owned by Lorange Pence.

The resolution establishing the billing to be imposed against Lorange Pence, 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. Ecret moved that the resolution be adopted, seconded by Mr. Voth, and passed unanimously.

RESOLUTION - ANNEXATION POLICY

A resolution was presented which amends the policy with regard to the provision of water and/or sewer utilities outside the corporate limits of the city by eliminating the time limit to connect up to nine residential lots to City services.

The resolution repealing Resolution 3396 and adopting a new resolution setting forth a policy with regard to the provision of water and/or sewer utilities outside the corporate limits of the City and setting forth an annexation policy for the City of Moses Lake, Washington was read by title only.

Joseph K. Gavinski, City Manager, stated that the change was suggested in order to accommodate those individual residential lots requesting city services. The two year time limit was mainly established for commercial and industrial users who would request a large amount of the City's water and sewer capacity. The two year time limit prevents those users from essentially reserving that capacity for a long period of time without actually connecting to the City's services.

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

RESOLUTION - ABANDON EASEMENT - KERANOV

A resolution was presented which abandons a portion of the easements located along the rear and interior side lot lines of Lot 9, Block 1, Crossroads Phase 4, 1625 E. Filmore Drive.

The resolution authorizing abandonment of easements was read by title only.

Anne Henning, Senior Planner, stated that the easements are not needed and the owners have requested that they be abandoned.

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

RESOLUTION - NUISANCE ABATEMENT - 2404 LAKESIDE - GIBSON

A resolution was provided which provides for the abatement of nuisances at 2402 W. Lakeside Drive, owned by Vona Gibson.

The resolution determining that Vona Gibson 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 the nuisance violations.

There was no other testimony. The hearing was closed.

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

ANNEXATION - DESERT GOLF

Desert Golf, LLC submitted a Notice of Intent to Annex and a Petition for Annexation for 7.2 acres of property located north of I-90 and off of Road F.2.

Joseph K. Gavinski, City Manager, stated that this property is adjacent to the City's limits and the owner requires 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. Avila, and passed unanimously.

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION - None

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS

TRAFFIC CONTROL - IRONWOOD DRIVE

Peter Stephens, 836 Plum Street, stated that he is concerned about the drag racing that is taking place on Ironwood Drive.

Police Chief Ruffin stated that they would investigate the situation.

COUNCIL QUESTIONS AND COMMENTS - None

CITY MANAGER REPORTS AND COMMENTS

SHORELINE MASTER PLAN UPDATE

Anne Henning, Senior Planner, provided the Responsiveness Summary to the comments received on the Shoreline Master Plan Update. Once the Responsiveness Summary is accepted and the Shoreline Master Plan amended, the next step is for the Council to formally adopt the document.

There was some discussion by the Council.

Action Taken: Mr. Voth moved that the Shoreline Master Plan be forwarded to the Department of Ecology for approval, seconded by Mr. Lane, and passed unanimously.

The regular meeting was recessed at 9:15 p.m. and the Council met in an executive session with the City Attorney to discuss labor relations. The executive session was adjourned at 9:45 p.m. and the regular meeting was reconvened. The regular meeting was adjourned at 9:45 p.m.

ATTEST

Dick Deane, Mayor

W. Robert Taylor, Finance Director

DATE 9/04/14
TIME 12:56:38

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 09/09/2014

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
2M COMPANY INC	00004450	0000071018	39.16	WELDING ON PVC CEMENT
		0000070963	308.17	MISC SUPPLIES
		=====		
		TOTAL:	347.33	
ACE HARDWARE	00006538	0000070935	25.81	MISC PAINT/SUPPLIES
		0000070935	19.38	MISC PAINT/SUPPLIES
		0000070935	45.25	MISC PAINT/SUPPLIES
		=====		
		TOTAL:	90.44	
AMERICAN LINEN	00004927	0000070978	354.16	LINEN SERVICE
		=====		
		TOTAL:	354.16	
CENTRAL WASHINGTON CONCRETE	00003603	0000070937	159.16	CONCRETE - MCCOSH BENCH
		0000071020	1,215.49	MISC. SUPPLIES
		0000070863	1,040.74	CONCRETE
		=====		
		TOTAL:	2,415.39	
CINTAS CORPORATION LOC 607	00000271	0000070864	5.07	SHOP TOWELS
		0000070864	5.07	SHOP TOWELS
		0000070864	408.61	SHOP TOWELS
		=====		
		TOTAL:	418.75	
CSWW, INC dba BIG R STORES	00001701	0000071021	19.41	MISC SUPPLIES
		0000070936	465.42	MISC SUPPLIES
		0000070936	183.34	MISC SUPPLIES
		0000070885	64.72	MISC SUPPLIES
		0000070885	8.39	MISC SUPPLIES
		0000070885	13.14	MISC SUPPLIES
		0000070885	12.92	MISC SUPPLIES

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TIME 12:56:38

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 09/09/2014

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
=====				
		TOTAL:	767.34	
DATABAR	00007974	0000071049	904.85	MAIL UTILITY BILLS
		0000071049	715.45	MAIL UTILITY BILLS
		0000071049	402.13	MAIL UTILITY BILLS
		0000071049	132.53	MAIL UTILITY BILLS
		0000071049	110.56	MAIL UTILITY BILLS
=====				
		TOTAL:	2,265.52	
H D FOWLER COMPANY	00003868	0000070870	1,571.02	METER SUPPLIES
=====				
		TOTAL:	1,571.02	
INLAND PIPE & SUPPLY COMPANY	00003727	0000070874	953.64	MISC SUPPLIES
=====				
		TOTAL:	953.64	
LAD IRRIGATION COMPANY INC	00001101	0000071040	31.83	TURF VALVE BOX
=====				
		TOTAL:	31.83	
LAKE AUTO PARTS	00001102	0000070876	8.69	MISC SUPPLIES
		0000070876	1,641.58	MISC SUPPLIES
=====				
		TOTAL:	1,650.27	
LEE CREIGLOW CBO	00005899	0000071057	3,915.00	PROF SERVICE/PLAN CHECKING
		0000071057	900.00	PROF SERVICE/PLAN CHECKING
=====				
		TOTAL:	4,815.00	
NORCO ENTERPRISES INC	00006590	0000070961	19.66	GLOVES, SUPPLIES
		0000070961	97.76	GLOVES, SUPPLIES
=====				
		TOTAL:	117.42	
PENHALLURICKS EXPRESS BUILDING	00006579	0000070947	9.32	CONCRETE MIX
=====				
		TOTAL:	9.32	
PLATT ELECTRIC COMPANY	00001549			

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CITY OF MOSES LAKE
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NAME OF VENDOR	VENDOR NO	Expenditure Account		
Department	Object Description	P.O. Number	P.O. Amount	Purpose of Purchase
=====				
		0000071038	142.50	MISC SUPPLIES
		0000070945	23.04	PVC JUNCTION BOX
		0000070883	23.69	MISC SUPPLIES
		0000070883	186.95	MISC SUPPLIES
		0000070883	38.84	MISC SUPPLIES
		=====		
		TOTAL:	415.02	
RATHBONE SALES INC	00005021			
		0000071017	70.03	SAW REPAIR
		=====		
		TOTAL:	70.03	
UNITED PARCEL SERVICE	00005456			
		0000071054	45.20	SHIPPING CHARGES
		0000071054	44.40	SHIPPING CHARGES
		0000071054	24.54	SHIPPING CHARGES
		=====		
		TOTAL:	114.14	
		=====		
		REPORT TOTAL:	16,406.62	

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 09/09/2014

TOTALS BY FUND

FUND NO	FUND NAME	AMOUNT
000	GENERAL FUND	6,138.25
116	STREET	24.73
315	PARK MITIGATION CAPITAL PROJ.	1,215.49
410	WATER/SEWER	5,817.44
490	SANITATION	402.13
493	STORM WATER	132.53
495	AIRPORT	38.84
498	AMBULANCE FUND	464.72
519	EQUIPMENT RENTAL	2,172.49
	TOTAL	16,406.62

CHANGES TO BE MADE SHOULD BE LISTED BELOW

VEND NO.	P.O. NO.	AMT LISTED	CORRECTED AMT	ACTION TO BE TAKEN
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CORRECT AMOUNT TO BE PAID

CLAIMS APPROVAL

WE, THE UNDERSIGNED COUNCILMEN OF THE CITY OF MOSES LAKE, WASHINGTON, DO HEREBY CERTIFY THAT THE MERCHANDISE OR SERVICES SPECIFIED HAVE BEEN RECEIVED AND THAT ABOVE CLAIMS ARE APPROVED, AS NOTED, FOR PAYMENT IN THE AMOUNT OF \$16,406.62 THIS 9TH DAY OF SEPTEMBER, 2014

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COUNCIL MEMBER	COUNCIL MEMBER
.....
COUNCIL MEMBER	FINANCE DIRECTOR

DATE 9/05/14
TIME 10:05:54

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CITY OF MOSES LAKE
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account		Purpose of Purchase
		P.O. Number	P.O. Amount	
A & H PRINTERS	00000001	0000070987	773.26	METER, HYDRANT RECORDS
		=====		
		TOTAL:	773.26	
A T & T MOBILITY	00004826	0000071061	28.22	CELL PHONE SERVICE
		0000071061	307.00	CELL PHONE SERVICE
		0000071061	28.25	CELL PHONE SERVICE
		0000071061	1,247.23	CELL PHONE SERVICE
		0000071061	152.95	CELL PHONE SERVICE
		0000071061	30.17	CELL PHONE SERVICE
		0000071061	76.16	CELL PHONE SERVICE
		0000071061	76.81	CELL PHONE SERVICE
		0000071061	41.58	CELL PHONE SERVICE
		0000071061	98.60	CELL PHONE SERVICE
		0000071061	140.48	CELL PHONE SERVICE
		0000071061	67.66	CELL PHONE SERVICE
		=====		
		TOTAL:	2,295.11	
AFFORDABLE AUTO REPAIR INC	00007734	0000071012	524.15	REPLACE A/C COMPRESSOR
		=====		
		TOTAL:	524.15	
AG WEST DISTRIBUTING CO INC	00006842	0000070964	128.40	MEASURING WHEEL
		=====		
		TOTAL:	128.40	
ALISON GOODING	00007371	0000071032	40.60	VASE
		=====		
		TOTAL:	40.60	
APWA	00006967	0000070969	900.00	APWA-WA FALL CONFERENCE
		=====		
		TOTAL:	900.00	
BANK OF NEW YORK MELLON	00005075	0000071060	150.00	ADMN FEES/W-S BONDS

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		0000071060	150.00	ADMN FEES/W-S BONDS
		0000071060	150.00	ADMN FEES/W-S BONDS
		0000071060	150.00	ADMN FEES/W-S BONDS
		=====		
		TOTAL:	600.00	
BARBARA NICKERSON	00007028			
		0000071024	27.30	CARDS
		=====		
		TOTAL:	27.30	
BASIN SEPTIC SERVICES	00000166			
		0000070980	582.66	SEPTIC SERVICES
		=====		
		TOTAL:	582.66	
BETTY JOHANSEN	00004610			
		0000071035	59.15	BERRY SET/BOWLS
		=====		
		TOTAL:	59.15	
BLUMENTHAL UNIFORM CO INC	00000133			
		0000071015	304.28	UNIFORM PANTS, EMBROIDERY
		0000071015	653.17	UNIFORM PANTS, EMBROIDERY
		=====		
		TOTAL:	957.45	
BONNIE LONG	00007193			
		0000070977	100.00	VEHICLE USE - SEPTEMBER 2014
		=====		
		TOTAL:	100.00	
BOUND TREE MEDICAL LLC	00006022			
		0000070974	867.23	AMBULANCE SUPPLIES
		=====		
		TOTAL:	867.23	
BUD CLARY FORD	00006454			
		0000070959	371.41	SENSORS
		0000070959	802.79	SENSORS
		=====		
		TOTAL:	1,174.20	
BUD CLARY TOYOTA CHEVROLET	00000150			
		0000071013	567.09	REPAIR A/C
		=====		
		TOTAL:	567.09	
BURKE MARKETING & PROMOTION	00005798			
		0000070970	1,600.00	2014 EVENT EXPENSES/RETAINER
		0000070970	24,699.99	2014 EVENT EXPENSES/RETAINER
		=====		
		TOTAL:	26,299.99	

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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
BUSINESS INTERIORS & EQUIPMENT	00003619	0000071052	1,163.17	MAINT AGREEMENT/COPIERS
		TOTAL:	1,163.17	
CAROL CROSS	00004253	0000071030	67.20	METAL ART
		TOTAL:	67.20	
CAROL HOHN	00006772	0000070869	175.00	BUILDING MAINT
		TOTAL:	175.00	
CASCADE DIESEL INC	00003551	0000070960	63.42	MISC REPAIR SUPPLIES
		TOTAL:	63.42	
CASCADE FIRE CORPORATION	00003644	0000070902	7,218.51	THERMAL IMAGING CAMERA
		TOTAL:	7,218.51	
CENTRAL MACHINERY SALES INC	00002779	0000070953	73.11	SPARK PLUGS, WING NUTS, FILTER
		TOTAL:	73.11	
CENTURYLINK	00003599	0000071056	8.00	LONG DISTANCE TEL SERVICE
		0000071056	8.00	LONG DISTANCE TEL SERVICE
		0000071056	50.00	LONG DISTANCE TEL SERVICE
		0000071056	50.00	LONG DISTANCE TEL SERVICE
		TOTAL:	116.00	
	00001502	0000071007	42.26	TELEPHONE SERVICE
		0000071006	150.42	TELEPHONE SERVICE
		TOTAL:	192.68	
	00003599	0000071056	90.00	LONG DISTANCE TEL SERVICE
		TOTAL:	90.00	
	00001502	0000071007	443.43	TELEPHONE SERVICE
		TOTAL:	443.43	

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TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 09/09/2014

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
CENTURYLINK	00003599	0000071056	20.50	LONG DISTANCE TEL SERVICE
		TOTAL:	20.50	
	00001502	0000071007	175.44	TELEPHONE SERVICE
		TOTAL:	175.44	
	00003599	0000071056	4.00	LONG DISTANCE TEL SERVICE
		TOTAL:	4.00	
	00001502	0000071007	261.88	TELEPHONE SERVICE
		TOTAL:	261.88	
	00003599	0000071056	10.00	LONG DISTANCE TEL SERVICE
		TOTAL:	10.00	
	00001502	0000071007	122.66	TELEPHONE SERVICE
		TOTAL:	122.66	
	00003599	0000071056	131.17	LONG DISTANCE TEL SERVICE
		0000071056	101.39	LONG DISTANCE TEL SERVICE
		0000071050	54.74	WATER SHUT OFF NOTIFICATIONS
		0000071050	18.03	WATER SHUT OFF NOTIFICATIONS
		TOTAL:	305.33	
	00001502	0000071006	44.42	TELEPHONE SERVICE
		0000071007	42.26	TELEPHONE SERVICE
		TOTAL:	86.68	
	00003599	0000071056	23.05	LONG DISTANCE TEL SERVICE
		TOTAL:	23.05	

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 09/09/2014

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
CENTURYLINK	00004900	0000071053	1,079.00	REPLACE BAD CARD/TEL SYS
		=====		
		TOTAL:	1,079.00	
	00001502	0000071007	2,818.99	TELEPHONE SERVICE
		=====		
		TOTAL:	2,818.99	
	00003599	0000071056	41.97	LONG DISTANCE TEL SERVICE
		0000071056	4.00	LONG DISTANCE TEL SERVICE
		=====		
		TOTAL:	45.97	
	00001502	0000071007	174.57	TELEPHONE SERVICE
		=====		
		TOTAL:	174.57	
	00003599	0000071056	4.00	LONG DISTANCE TEL SERVICE
		=====		
		TOTAL:	4.00	
CITY OF MOSES LAKE	00008201	0000070994	7,848.41	WATER SERVICE
		0000070994	1,917.17	WATER SERVICE
		0000070994	763.41	WATER SERVICE
		0000070994	2,087.78	WATER SERVICE
		0000070994	2,952.81	WATER SERVICE
		0000070994	438.67	WATER SERVICE
		=====		
		TOTAL:	16,008.25	
	00008106	0000071059	2,250.00	RETAIN PE 1 T BAILEY RES RAIS
		0000071046	7,863.42	RETAIN PE 2 POW STEEL WTRM 14
		0000071048	701.35	RETAINAGE/DOWLAND SPRAY
		=====		
		TOTAL:	10,814.77	
COLUMBIA BASIN DAILY HERALD	00000210	0000070973	745.18	PUBLICATIONS
		=====		
		TOTAL:	745.18	
COLUMBIA BEARING BDI	00000274			

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account		Purpose of Purchase
		P.O. Number	P.O. Amount	
		0000070986	35.19	SHEAVE-VARIABLE SPEED
		TOTAL:	35.19	
COLUMBIA ELECTRIC SUPPLY	00005972	0000071010	1,865.30	UPS, BATTERY
		TOTAL:	1,865.30	
CONCESSIONS SUPPLY	00006286	0000070999	75.64	SLUSHIE MACHINE REPAIR
		TOTAL:	75.64	
CONSOLIDATED DISPOSAL SERVICE	00006284	0000071051	61.51	DISPOSAL LOADS
		0000071051	16,773.43	DISPOSAL LOADS
		TOTAL:	16,834.94	
CONSOLIDATED ELECTRIC DIST	00000819	0000070981	8.51	MISC SUPPLIES
		0000070990	61.50	LAMP, SUPPLIES
		TOTAL:	70.01	
DAY WIRELESS SYSTEMS	00005517	0000070975	359.31	REPAIR HELMET HEADSET
		TOTAL:	359.31	
DOWLAND SPRAY SYSTEMS	00006847	0000071047	13,325.65	RECOAT LIBRARY ROOF
		TOTAL:	13,325.65	
E H WACHS	00004718	0000070966	273.53	ELEMENT, FILTER
		TOTAL:	273.53	
FABER INDUSTRIAL SUPPLY	00000501	0000071037	64.58	MISC. SUPPLIES
		0000071011	35.30	MARKER, SAWZALL
		0000071011	13.80	MARKER, SAWZALL
		TOTAL:	113.68	
FASTENAL COMPANY	00007372	0000070957	892.08	MISC SUPPLIES
		0000070957	11.98	MISC SUPPLIES
		TOTAL:	904.06	

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
FEDERAL EXPRESS	00004667	0000070993	11.40	SHIPPING CHARGES
		TOTAL:	11.40	
GRAINGER PARTS OPERATIONS	00002755	0000070967	470.58	MISC REPAIR SUPPLIES
		0000070967	-193.54	MISC REPAIR SUPPLIES
		0000070967	100.41	MISC REPAIR SUPPLIES
		TOTAL:	377.45	
GRANT COUNTY AUDITOR	00004425	0000071042	32.00	RAILROAD DEED COPY FEES
		TOTAL:	32.00	
HACH COMPANY	00000712	0000070951	1,289.41	PH CONTROLLER
		TOTAL:	1,289.41	
HEIDI RISSE	00006049	0000071027	67.20	SOAP/LIP BALM
		TOTAL:	67.20	
HI LINE INC	00006008	0000071008	175.10	MISC SUPPLIES
		TOTAL:	175.10	
INLAND PIPE & SUPPLY COMPANY	00003727	0000071043	313.87	MISC SUPPLIES
		TOTAL:	313.87	
IRRIGATORS INC	00003840	0000070952	101.86	DROP GASKETS
		TOTAL:	101.86	
JACK NISBET	00002871	0000071000	400.80	MAC PRESENTER PAY
		TOTAL:	400.80	
JAN COOK MACK	00005821	0000071025	72.80	CARDS/JEWELRY
		TOTAL:	72.80	
JERRYS AUTO SUPPLY	00005835	0000070958	12.95	MISC SUPPLIES
		0000070958	38.12	MISC SUPPLIES

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NAME OF VENDOR	VENDOR NO	Expenditure Account		
Department	Object Description	P.O. Number	P.O. Amount	Purpose of Purchase
		TOTAL:	51.07	
JUDY RICE	00007999	0000071029	45.50	PENDLETON RUG
		TOTAL:	45.50	
KATHERINE WHITENEY	00004950	0000071036	46.90	KEY CHAIN/SPOON ART
		TOTAL:	46.90	
KENNETH A GOODRICH	00005639	0000071033	52.50	ASH BOWL
		TOTAL:	52.50	
LAKE BOWL	00001109	0000071044	252.00	BOWLING CAMP INSTRUCTION
		TOTAL:	252.00	
LIBBY EASTMON SULLIVAN	00006721	0000071019	437.50	PAINTINGS
		TOTAL:	437.50	
LINDSAY/CULLIGAN	00005289	0000070997	19.08	PR/MAC WATER
		0000070997	25.08	PR/MAC WATER
		0000070991	19.08	BOTTLED WATER
		TOTAL:	63.24	
LOCALTEL COMMUNICATIONS	00004374	0000071004	3,391.30	INTERNET SERVICE
		TOTAL:	3,391.30	
MARTHA FLORES	00006376	0000071031	45.50	CANVAS BAGS/SMALL PRINT
		TOTAL:	45.50	
MARK OVERHEAD DOOR	00006724	0000070988	578.34	REPAIR DOOR
		TOTAL:	578.34	
MEGHANNE DAVIS	00007710	0000071028	51.80	NECKLACES
		TOTAL:	51.80	
MLHS VOLLEYBALL BOOSTER	00005634	0000070998	1,092.00	VOLLEYBALL CAMP INSTRUCTION

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		TOTAL:	1,092.00	
MOSES LAKE STEEL SUPPLY	00001268	0000071022	22.41	MISC SUPPLIES
		0000070954	107.21	PIPE, SUPPLIES
		TOTAL:	129.62	
MULTI AGENCY COMM CENTER E911	00006695	0000070976	985.50	USER FEES/SEPT
		0000070976	5,973.75	USER FEES/SEPT
		TOTAL:	6,959.25	
N W P M A	00006381	0000071016	600.00	2014 NWPMA CONFERENCE
		TOTAL:	600.00	
NORTHSTAR CHEMICAL INC	00006113	0000070965	1,211.94	SODIUM HYPO
		TOTAL:	1,211.94	
NORTHWEST HOSE & FITTINGS	00001302	0000070955	76.25	NOSE PIECE, BODY ASSY
		0000070955	795.66	NOSE PIECE, BODY ASSY
		TOTAL:	871.91	
OMWBE	00007004	0000070972	150.00	MEMBERSHIP DUES
		TOTAL:	150.00	
OREILLY AUTO PARTS	00004593	0000071009	154.29	STARTER
		TOTAL:	154.29	
OU PRESS DISTRIBUTION CENTER	00006745	0000071003	19.34	MAC RESALE
		TOTAL:	19.34	
OXARC INC	00001412	0000070962	23.41	NITROGEN, GLOVES
		0000070962	143.72	NITROGEN, GLOVES
		TOTAL:	167.13	
PATRICK FLEMING	00007316	0000071034	43.40	PITCHER/MUGS

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		=====	
		TOTAL: 43.40	
PERFECTION TIRE & AUTOMOTIVE	00004609	0000070956 55.51	A/C DIAGNOSTIC
		0000070956 907.93	A/C DIAGNOSTIC
		=====	
		TOTAL: 963.44	
PINNACLE PUBLIC FINANCE INC	00005179	0000070983 11,102.70	#37A LEASE PYMT/SEPT
		0000070983 386.62	#37A LEASE PYMT/SEPT
		=====	
		TOTAL: 11,489.32	
PNC EQUIPMENT FINANCE LLC	00007085	0000070982 116.55	#36 LEASE PYMT/SEPT
		0000070982 1.42	#36 LEASE PYMT/SEPT
		0000070982 16,068.90	#36 LEASE PYMT/SEPT
		0000070982 196.40	#36 LEASE PYMT/SEPT
		=====	
		TOTAL: 16,383.27	
POW CONTRACTING	00005344	0000071045 161,829.29	PE 2 STEEL WTRMAIN 2014
		=====	
		TOTAL: 161,829.29	
QUILL CORPORATION	00004811	0000071005 10.75	COFFEE, SHEET LIFTERS
		0000070979 125.89	MISC OFFICE SUPPLIES
		0000070979 35.57	MISC OFFICE SUPPLIES
		0000071005 71.94	COFFEE, SHEET LIFTERS
		0000070979 29.90	MISC OFFICE SUPPLIES
		=====	
		TOTAL: 274.05	
SHERWIN-WILLIAMS	00006229	0000071039 214.67	MISC SUPPLIES
		0000070985 172.21	PAINT
		0000070985 32.47	PAINT
		=====	
		TOTAL: 419.35	

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 09/09/2014

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
STAPLES CREDIT PLAN	00007570	0000070971	308.49	OFFICE AND COMPUTER SUPPLIES
		0000070971	1,694.66	OFFICE AND COMPUTER SUPPLIES
		0000070971	741.22	OFFICE AND COMPUTER SUPPLIES
		=====		
		TOTAL:	2,744.37	
T BAILEY INC	00006733	0000071058	46,305.00	PE 1 RESERVOIR RAISING 2014
		=====		
		TOTAL:	46,305.00	
THE WESLEY GROUP	00004986	0000070995	1,794.77	LABOR RELATIONS CONSULT
		=====		
		TOTAL:	1,794.77	
THOM CARAWAY	00006103	0000071002	100.80	MILEAGE REIMBURSEMENT
		=====		
		TOTAL:	100.80	
THOMSON REUTERS - WEST	00004968	0000071014	44.43	
		=====		
		TOTAL:	44.43	
WASHINGTON AUTOMATED INC	00005758	0000070989	48.51	NOZZLE
		=====		
		TOTAL:	48.51	
WORLD WIDE YARNS	00005180	0000071026	164.50	HAND DYED YARNS
		=====		
		TOTAL:	164.50	
		=====		
		REPORT TOTAL:	373,874.21	

September 3, 2014

TO: City Manager for Council Consideration

SUBJECT: Davisson Final Major Plat and Findings of Fact

Davisson Enterprises has submitted a final plat application for a one-lot plat of 17.74 acres. The site is vacant and is located west of Road N and north of Wheeler Road. The area is zoned Heavy Industrial, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. There have been no significant changes from the preliminary plat. The Planning Commission recommended that the final plat be approved with conditions.

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 blue ink, appearing to be 'G. Alvarado', written over a horizontal line.

Gilbert Alvarado
Community Development Director

GA:jt

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

IN THE MATTER OF THE DAVISSON 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 August 28, 2014.
- 1.2 Proponent. Davisson Enterprises is the proponent of this plat.
- 1.3 Purpose. The proponent has submitted a final plat application to create one platted lot of 17.74 acres 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 July 25, 2014.
 - 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 represents the owner of the property.
- 2.2 The property is zoned Heavy Industrial.
- 2.3 There were no significant changes between the preliminary plat and final plat.
- 2.4 Corrections to the drawing are needed, as noted in the Development Engineer's comments.

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 Conditions are needed to ensure the plat is accurate.
- 3.4 With conditions, the final plat is consistent with the preliminary plat approval.

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 before the plat is recorded.

- 4.2 The covenant required in the preliminary plat approval shall be recorded at the same time as the plat mylars. The face of the plat shall include a statement referencing the covenant.

Approved by the Planning Commission on August 28, 2014.

Vicki Heimark, Planning Commission Chair

DAVISSON MAJOR PLAT

A PORTION OF FARM UNIT 79, IRRIGATION BLOCK 41, COLUMBIA BASIN PROJECT IN THE SOUTH HALF
OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 19 NORTH, RANGE 29 EAST, W.M.,
GRANT COUNTY, WASHINGTON

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

BUREAU OF RECLAMATION'S CONCURRENCE FOR THIS PLAT IS LIMITED TO THE EXTENT OF THE PLAT'S COMPLIANCE WITH THE REQUIREMENTS OF
U.S.C. 5817.310.

DRAIN CONSTRUCTION: RISING GROUND WATER TABLES ARE COMMON IN IRRIGATION PROJECTS. FEDERAL DRAIN CONSTRUCTION FUNDS ARE NOT
AVAILABLE FOR FINANCING OF SUBDIVISIONS AND OTHER AREAS NOT IN A COMMERCIAL AGRICULTURE LAND USE. LANDS SUCH DRAINAGE IS
INCIDENTAL TO THE REQUIRED DRAINAGE OF ADJACENT AGRICULTURAL LAND AND MEETS FEDERAL TECHNICAL AND ECONOMIC FEASIBILITY
REQUIREMENTS.

THIS LAND IS INCLUDED WITHIN THE EAST COLUMBIA BASIN IRRIGATION DISTRICT AND IS SUBJECT TO LAWS OF THE UNITED STATES AND THE STATE
OF WASHINGTON RELATIVE TO THE COLUMBIA BASIN PROJECT AND IS LIABLE FOR FURTHER ASSESSMENTS. IF ANY, LEVIED BY SAID DISTRICT. IT IS
ALSO UNDERSTOOD AND AGREED THAT WHEN THIS PLAT IS SERVED BY CITY STREETS, IRRIGABLE LANDS WITHIN THE ROAD RIGHT-OF-WAY OR
ISOLATED BY SAID DEDICATION WILL NOT BECOME A CHARGE ASSESSABLE TO CITY AND PAYABLE TO THE EAST COLUMBIA BASIN IRRIGATION DISTRICT
FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF THE PROJECT.

DISTRICT SECRETARY-MANAGER

BUREAU OF RECLAMATION

IRRIGATION APPROVAL:

WATER SUPPLY: CONCURRENCE BY THE BUREAU OF RECLAMATION FOR THIS PLAT DOES NOT ASSURE THE AVAILABILITY OF A WATER SUPPLY, NOR
DOES IT BIND THE UNITED STATES TO ISSUE A PERMANENT RIGHT FOR A FEDERAL WATER SUPPLY. A SUPPLY OF FEDERAL PROJECT WATER TO THIS
LAND IS ASSURED ONLY UPON FULL COMPLIANCE WITH CONJUNCTIVE FEDERAL AND STATE REGULATION.

BUREAU OF RECLAMATION

U.S.B.R. NOTE 1

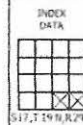
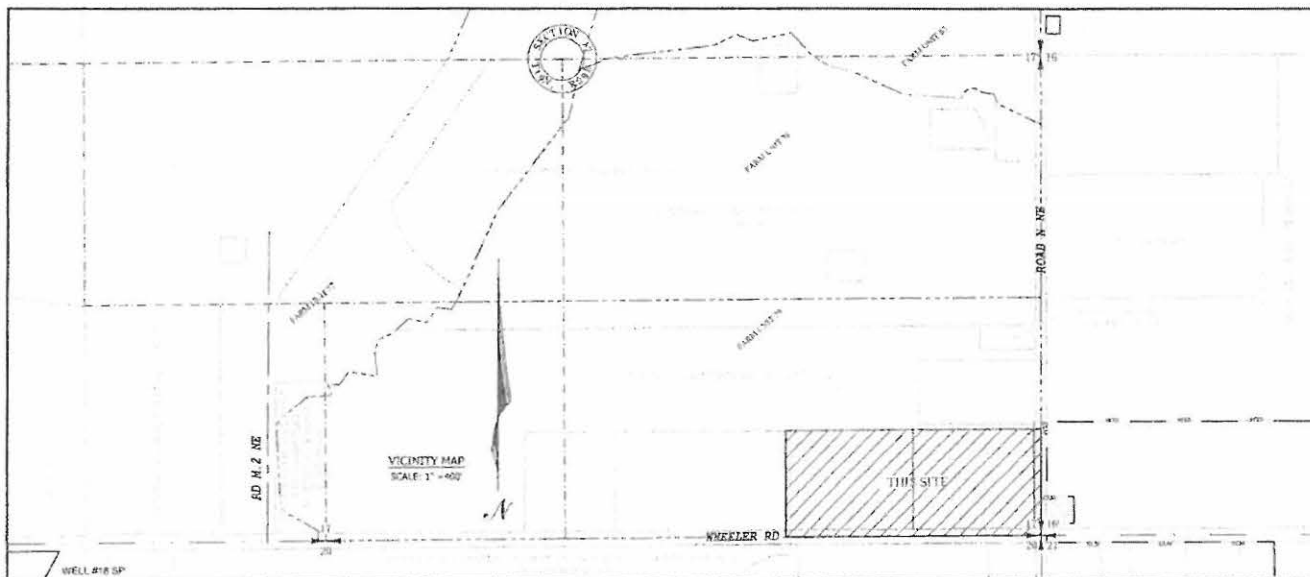
LANDOWNERS WITHIN THE COLUMBIA BASIN PROJECT AREA SHOULD BE AWARE OF EXISTING RECLAMATION
AND IRRIGATION DISTRICTS RIGHTS TO CONSTRUCT, RECONSTRUCT, OPERATE, AND MAINTAIN PROJECT
FACILITIES AS NECESSARY. ANY WORK THAT WILL INVOLVE THESE FACILITIES OR THE EXISTING
RIGHT-OF-WAY MUST BE REVIEWED AND APPROVED BY RECLAMATION AND THE AFFECTED DISTRICT PRIOR
TO PROCEEDING. STRUCTURES INCLUDING, BUT NOT LIMITED TO, TEMPORARY IMPROVEMENTS SUCH AS
PAVING, FENCING, AND LANDSCAPING ARE PROHIBITED FROM ENCRoACHING UPON EXISTING
RIGHT-OF-WAY CORRIDORS WITHOUT PRIOR APPROVAL BY RECLAMATION AND THE DISTRICT.

U.S.B.R. NOTE 2

UPON GROUND IRRIGATION AND DRAINAGE FACILITIES:
BUILDINGS AND OTHER PERMANENT STRUCTURES ARE NOT TO BE ERECTED ABOVE UNDERGROUND
COLUMBIA BASIN PROJECT IRRIGATION AND DRAINAGE FACILITIES. ANY ENCRoACHMENT UPON TOP
RIGHTS-OF-WAY INCLUDING, BUT NOT LIMITED TO, TEMPORARY IMPROVEMENTS SUCH AS PAVING, FENCING,
AND LANDSCAPING REQUIRE A DISTRICT PERMIT.

U.S.B.R. NOTE 3

INFORMATION ON THIS SUBDIVISION PLAT PERTAINING TO IRRIGATION BLOCKS, FARM UNITS, U.S. BUREAU
OF RECLAMATION FACILITIES AND THEIR ASSOCIATED RIGHTS-OF-WAY MAY NOT COPE WITH THE
CORRESPONDING INFORMATION FOUND ON U.S. BUREAU OF RECLAMATION PREPARED FARM UNIT MAPS.
PLEASE REVIEW THE APPROPRIATE FARM UNIT MAP FOR INFORMATION CONCERNING THESE FEATURES.



Columbia NW Engineering, PS
engineering - surveying - planning
250 North Cedar Street, Suite 100, WA 98027
PH: 509-475-1200 FAX: 509-475-1544

DAVISSON
MAJOR PLAT
FOR: DAVISSON ENTERPRISES
5755 MARCELLO AVENUE, LA MEHA, CA 94042

DRAWN BY
P58
QA REVIEW
07-15-2014
PLOT DATE
N/A
PLOT SCALE
1:10,000
PROJ. NO.
0
REVISION NO.
SHEET 2
OF 3

R:\projects\11-107 - Davison enterprises\production\survey\davison\001 7/15/2014.dwg

September 4, 2014

TO: City Manager
For Council Consideration

FROM: Municipal Services Director

SUBJECT: **Consideration of Bids**
Biosolids Land Application Project – 2014

Staff opened bids for the Biosolids Land Application Project – 2014 on September 3. The project includes loading, hauling, and land applying approximately 400 dry tons of biosolids from the Sand Dunes Wastewater Treatment Facility lagoons. This material will be hauled from the site in tanker trucks and land applied as fertilizer on permitted fields in the Mae Valley area.

The following three bids were received:

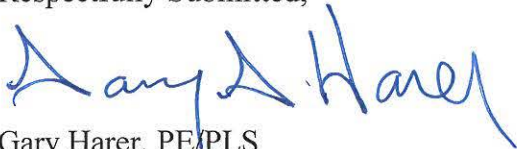
<u>Contractor</u>	<u>Bid Total</u>
Northwest Cascade, Inc.	\$150,120
Fire Mountain Farms, Inc.	\$198,899
Minergy, Inc.	\$299,840
Engineer's Estimate	\$232,500

The bid summary is attached.

The specifications were written to allow the quantities to be adjusted to complete entire fields, and to spend the \$200,000 budgeted for this project.

Staff recommends awarding the bid to Northwest Cascade, Inc. in the amount of \$150,120 with approval to increase the quantities to spend the \$200,000 budgeted for the project if both parties are in agreement.

Respectfully Submitted,



Gary Harer, PE/PLS
Municipal Services Director

Project Name - Biosolids Land Application Project - 2014

September 3, 2014

Contract No. C-261

AMO

BID SUMMARY

Schedule A -

			Engineer's Estimate		Northwest Cascade , Inc.	
1 Mobilization	1	LS	\$25,000.00	\$25,000.00	\$6,737.50	\$6,737.50
2 Biosolids - Location 1	60	Dry Ton	\$450.00	\$27,000.00	\$325.87	\$19,552.20
3 Biosolids - Location 2 or 4	380	Dry Ton	\$475.00	\$180,500.00	\$325.87	\$123,830.60
				\$232,500.00		\$150,120.30
				\$0.00		\$0.00
				\$232,500.00		\$150,120.30

Schedule A -

			Fire Mountain Farms, Inc.		Minergy, Inc.	
1 Mobilization	1	LS	\$5,500.00	\$5,500.00	\$25,000.00	\$25,000.00
2 Biosolids - Location 1	60	Dry Ton	\$436.65	\$26,199.00	\$616.00	\$36,960.00
3 Biosolids - Location 2 or 4	380	Dry Ton	\$440.00	\$167,200.00	\$626.00	\$237,880.00
				\$198,899.00		\$299,840.00
				\$0.00		\$0.00
				\$198,899.00		\$299,840.00



GRANT COUNTY INTERNATIONAL AIRPORT
Foreign Trade Zone #203

7810 Andrews St. N.E., Suite 200
Moses Lake, WA, USA 98837-3204

PHONE 509-762-5363

FAX 509-762-2713

E-MAIL info@portofmoseslake.com

WEB SITE www.portofmoseslake.com

September 4, 2014

Honorable Mayor and
Moses Lake City Council

Dear Council Members:

Mr. Patrick Jones and Mr. Jeffrey Bishop of the Port of Moses Lake would like to address the Council regarding an Advanced Planning Grant Program opportunity.

This Department of Commerce grant program provides funds to assist a county or city in paying for the cost of preparing an environmental analysis that advances environmental permitting activities in and around current and future large manufacturing sites for aerospace and other key economic growth centers.

Thank you very much for your consideration.

Patrick Jones

"Your Partner For Progress"

Commissioners: MICHAEL B. CONLEY – DAVID "KENT" JONES – STROUD W. KUNKLE • Executive Director: PATRICK JONES



GRANT COUNTY INTERNATIONAL AIRPORT
Foreign Trade Zone #203

7810 Andrews St. N.E., Suite 200
Moses Lake, WA, USA 98837-3204

PHONE 509-762-5363

FAX 509-762-2713

E-MAIL info@portofmoseslake.com

WEB SITE www.portofmoseslake.com

September 4, 2014

TO: Moses Lake City Council
Joseph K. Gavinski – City Manager
Gilbert Alvarado – Community Development Director

FROM: Patrick Jones – Port of Moses Lake

RE: Advanced Planning Grant Program

There is an opportunity to obtain State funding for a planned action analysis of the Port's aviation and industrial area. This analysis would support aircraft and aviation-related manufacturing development.

These funds are available through the end of the State's biennium. This advanced planning action will provide an environmental analysis during this study rather than at a project permit review stage, streamlining and expediting the land use permit process. The Port believes that completing this analysis would benefit the community by facilitating private investment in the study area. The community would be better positioned to attract new businesses in the aerospace industry.

Based on the benefits associated with a planned action analysis, the Port of Moses Lake would like to request the City's support for a grant application to complete this analysis.

Thank you very much for your consideration.

"Your Partner For Progress"

Commissioners: MICHAEL B. CONLEY – DAVID "KENT" JONES – STROUD W. KUNKLE • Executive Director: PATRICK JONES

Advanced Planning Grant Program

WHAT:

A temporary grant program for State Fiscal Year 2015 that funds:

"... the preparing of an environmental analysis that advances environmental permitting activities in and around current and future large manufacturing sites for aerospace and other key economic growth centers."

Examples of Eligible and *Ineligible* activities:

- | | | |
|-------------------------|-------------------------|--------------------------|
| • Traffic studies | • Executive Order 05-05 | • No feasibility studies |
| • Stormwater studies | • Shoreline studies | • No marketing plans |
| • Environmental impacts | • Wetlands mitigation | • No marketing studies |
| • Section 106 | • Etc. | • Etc. |

WHEN:

JULY 1, 2014: Grant recipients can be reimbursed for eligible expenses *incurred* on or after July 1, 2014.

JUNE 30, 2015: Grant recipients can be reimbursed for eligible expenses incurred up to or before June 30, 2015.

- Funds unexpended on July 1, 2015, return to the State General Fund.

WHO:

- Cities and counties are the *only* entities eligible for funding.
- Cities and counties developing large scale manufacturing sites.
- Private entities are ineligible to receive funding.

Grant recipients may work in partnership with other local governments and private entities. However, only the eligible expenses incurred by the grant recipients may be reimbursed under this grant program.

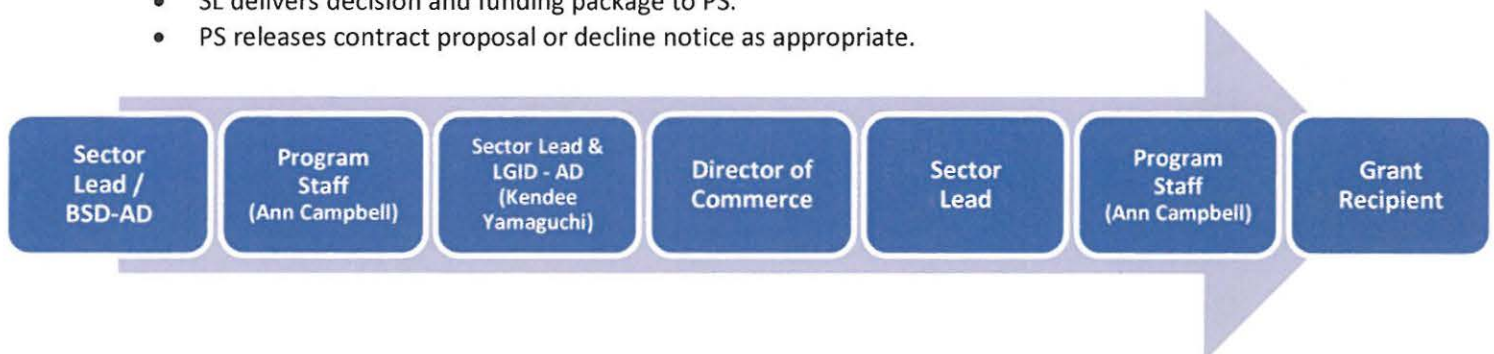
FUNDS:

\$1,190,000 is available for this program starting July 1, 2014.

- There is no minimum grant amount.
- There is no maximum grant amount.
- Eligible costs are available for *reimbursement*.

ACCESS:

- Sector Lead (SL) and/or Business Services Assistant Director identify entities with projects benefiting from this funding.
- SL coordinates proposed project with program staff (PS).
- PS vets project for threshold and areas of potential concern (e.g., Growth management, community interest, etc.):
 - Drafts funding recommendation documents/supporting material packet.
 - Drafts contract based on funding recommendation.
- SL and Assistant Director (AD) make a funding recommendation to the Director.
- Director takes action.
- SL delivers decision and funding package to PS.
- PS releases contract proposal or decline notice as appropriate.



AUTHORIZING STATUTE:

Engrossed House Bill 2088, Chapter 1, Laws of 2013, Section 2:

NEW SECTION. **Sec. 2.** A new section is added to 2013 2nd sp.s. c4 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

General Fund--State Appropriation (FY 2014) \$750,000

General Fund--State Appropriation (FY 2015) \$1,250,000

TOTAL APPROPRIATION \$2,000,000

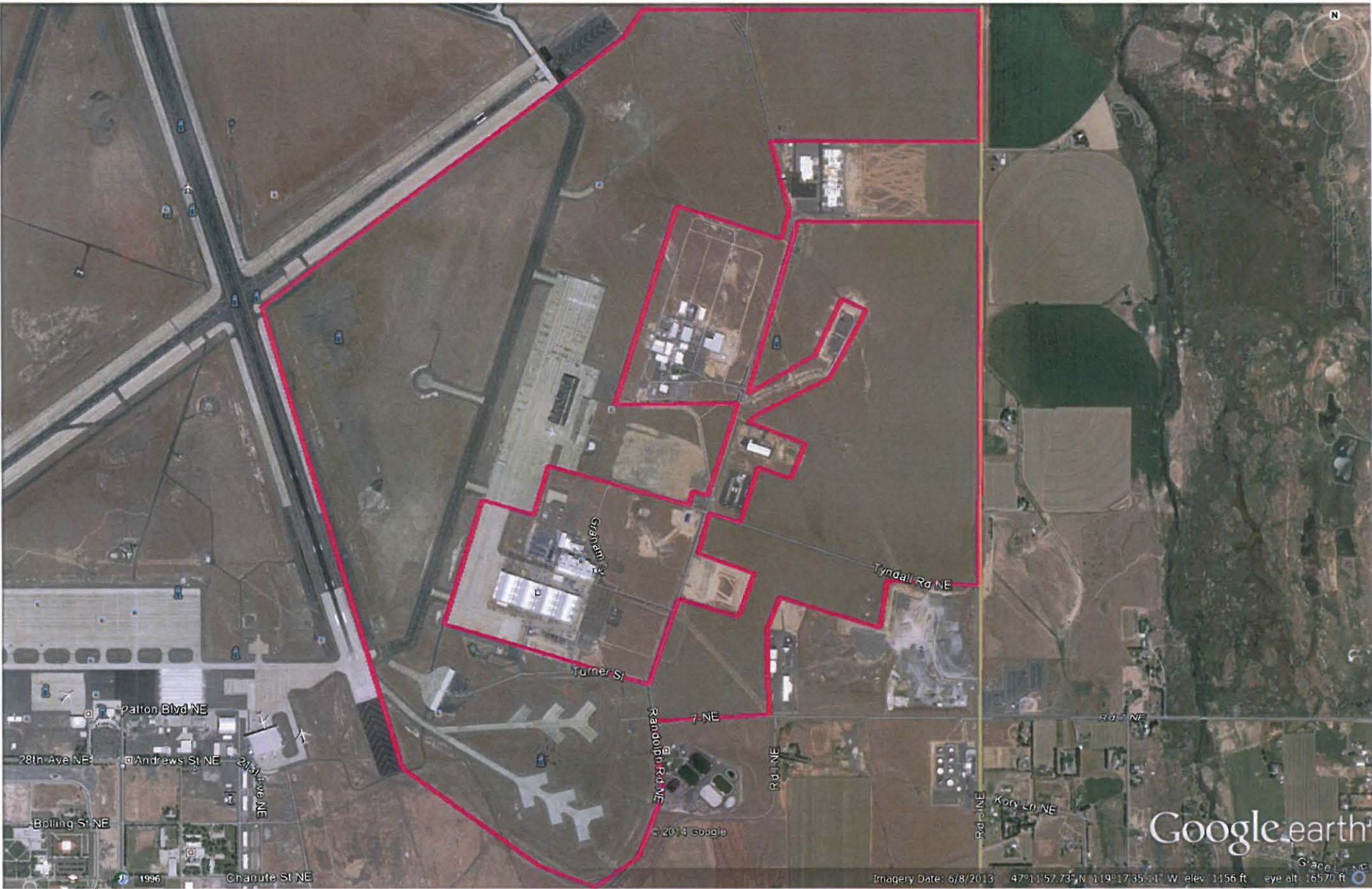
The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the department of commerce local government and infrastructure division to provide grants to local governments to assist a county or city in paying for the cost of preparing an environmental analysis that advances environmental permitting activities in and around current and future large manufacturing sites for aerospace and other key economic growth centers.

ELIGIBLE PROJECT EXAMPLES:

- Snohomish County (Spring 2014 \$400,000 grant):
Environmental Permitting for Paine Field Business Park
Project will gather information necessary to design maximum capacity site development, produce preliminary site layout/capacity figure, and prepare draft Joint Aquatic Resource Permit Application for submittal to the US Army Corps of Engineers, and document county and city advance mitigation responsibilities.
RESULT: Paine Field will be ideally situated to take timely advantage of economic development opportunities as they arise.
- Spokane WA (Spring 2014 - \$350,000 grant):
Aerospace Pre-Environmental Permitting
Project will build on work already done by the City of Spokane and its partners to establish the West Plains area as a future large manufacturing site for aerospace and other key economic growth centers.

Examples of large scale manufacturing that have moved in once the advanced planning process is complete are:

- ~ SGL Automotive Carbon Fibers – *manufactures the carbon fiber materials for use in BMW automobiles.*
- ~ Saint-Gobain Performance Plastics – *manufactures customized thermo-formed and composite parts for commercial aircraft, rail, and communication industries.*



Patton Blvd NE
28th Ave NE
Andrews St NE
Bolling St NE
Chanute St NE

Turner St
7th NE
Tyndall Rd NE

Rd 1 NE
Kory Ln NE

Google Earth

Imagery Date: 6/8/2013 47°11'57.73" N 119°17'35.11" W elev 1156 ft eye alt 16570 ft

Community Council members,

I, Tracy R. Ekstedt, am requesting to be put on the agenda for the partial and temporary road closure of Commerce Way, on Sunday Oct. 12, 2014. I am the guitarist in a local band attempting to film a music video. I have included a small packet of what I have done so far to prepare. We are also walking door to door to talk to the neighboring residents with the assistance of flyers..

Sincerely,

Tracy R. Ekstedt

509-431-8733

305 S. Gibby Rd

Moses Lake, WA 98837

Ironwood video shoot Itinerary

Sunday Oct. 12, 2014

7am - 9am : Set up for shoot, prep back round zombies...

9am -10am: 1st shoot, Close (Commerce Way) gravel road for main shoot..

10am - 4pm: prep for second main shoot, at leisure lunch break

finish Zombifying the crowd

Zombify Chris

film short shots (no need to close Rd)

4pm - 5pm: 2nd shoot, Close (Commerce Way) gravel road for main shoot..

5pm - finsh: several short shots (no need to close Rd)

clean up, leave it the way it was before we came!

End Day and Video Shoot

We are also requesting a noise permit for the times of 1st shoot (9-10 am) and 2nd shoot (4-5 pm)..There should be no other noise the rest of the day except maybe an occasional loud speaker, used for direction of the masses..

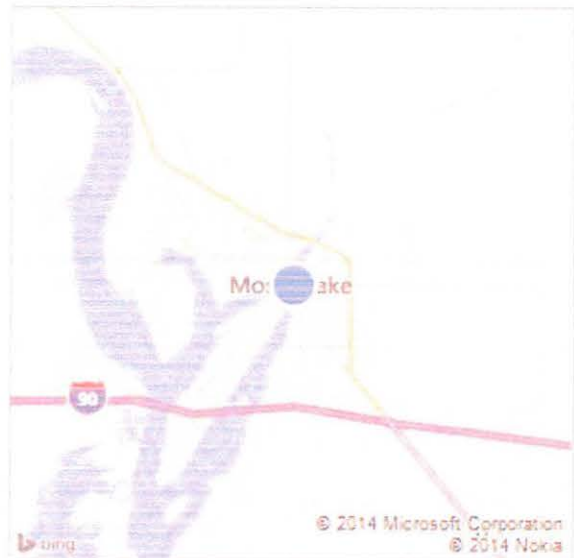
We will be having a pot luck lunch through out the mid-day period.. This is a non-profit video being used for promotion of a musical entertainment group.. Legal waivers will be present the day of the shoot as well as a small staff for direction of traffic and security as well as emergency purposes..

Other shots and editing of and for this video will take place at other locations non- sensitive to the public or anyone else for that matter.. There has been a pre-arranged time for a crew to enter the Scrap yard(Oct. 11th, 2014) the night before to quietly set up props throughout the area of the main shoot.. Thank you!

Prepared By: Tracy R. Ekstedt



On the go? Use m.bing.com to find maps, directions, businesses, and more



Local band : Ironwood

Will be filming a music video

@ Moses Lake Iron&Metal

on Oct. 12, 2014

We are in process of requesting closure of the gravel road along side of the scrap yard during the film shoots in 2 one hour intervals..

The live music will be played between the hours of 9am - 10am and 4pm - 5pm. This will be the road closure times.

We are asking for the cooperation of our local neighbors in an effort to control any noise problems.. It may be loud for 2 hours (not solid noise, intervals only) that day.

During the shoot hours the noise will only be in sets of 5 min intervals.. We will have staff on location to answer questions..

Thank you for your Cooperation and your time!

Sincerely : IRONWOOD

TRE (509) 431-8733 / Guitarist and Video Producer..



September 4, 2014

Honorable Mayor and
Moses Lake City Council

Dear Council Members

Attached is a proposed ordinance amending Chapter 3.30 of the Moses Lake Municipal Code entitled "Utility Occupational Tax". The amendments include a definition of "voluntary payment" and adds a time limitation for refunds on tax payments.

The proposed amendment limits refunds on voluntary tax payments to one year from the date the payment is made.

The proposed amendment is intended to provide certainty regarding voluntary tax payments made to the City. Otherwise the City could receive refund requests for many years past, long after those monies have been spent.

The proposed ordinance is presented to you for your consideration. This is the second reading of the ordinance.

Respectfully submitted



Joseph K. Gavinski
City Manager

JKG:jt

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 3.30 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "UTILITY OCCUPATIONAL TAX"

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

Section 1. Chapter 3.30 of the Moses Lake Municipal Code entitled "Utility Occupational Tax" is amended as follows:

3.30.020 Definitions: In construing the provisions of this chapter, save when otherwise plainly declared or clearly apparent from the context, the following definitions shall be applied:

- A. Competitive Telephone Service means the providing by any person of telephone equipment, apparatus, or service, other than toll service, which is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.
- B. Gross Operating Income means the value proceeding or accruing from the sale of tangible property or service, installation fees, and receipts by reason of the investment of capital in the business engaged in, including rentals, royalties, fees or other emoluments, however, designated (excluding receipts or proceeds from the use or sale of notes, bonds, mortgages, or other evidences of indebtedness, or stock and the like) and without any deduction on account of the cost of the property sold, the cost of materials used, labor costs, interest or discount paid or any expense whatsoever.
- C. Person or Persons means persons of either sex, firms, co-partnerships, corporations and other associations of natural persons, whether acting by themselves or by servants, agents or employees.
- D. Taxpayer means any person liable for the license fee or tax imposed by this chapter.
- E. Tax Year or Taxable Year means the year commencing January first and ending on the last day of December of the same year, or in lieu thereof, the taxpayer's fiscal year when permission is obtained from the Finance Director to use the same as the tax period.
- F. Telephone means every primary station and shall exclude extensions.
- G. Telephone Business means the business of providing access to a local telephone network, local telephone network switching service, toll service, or coin telephone services, or providing telephonic, video, data, or similar communication or transmission for hire, via a local telephone network, toll line, or channel, or similar communication or transmission system. It includes cooperative or farmer line telephone companies or associations operating an exchange. The term does not include the providing of competitive telephone service, nor the providing of cable television service.
- H. Voluntary Payment means a payment made to the City of Moses Lake without written protest setting forth the reasons the payment is made in protest.

3.30.110 Underpayment and Time Limitation on Corrections, Adjustments, and Refunds ~~Overpayment or Underpayment of Tax:~~ If the Finance Director upon investigation or upon checking returns finds that the fee or tax paid is more than the amount required of the taxpayer, he shall, upon request of the taxpayer, refund the amount overpaid by warrant upon the General Fund, or credit the amount against any tax due or to become due from such taxpayer hereunder. If the Finance Director finds that the fee or tax paid is less than required, he shall send a statement to the taxpayer showing the balance due, who shall within ten (10) days of the receipt of the statement

pay the amount shown thereon. Except as provided for herein, in all cases of the voluntary payment of any tax imposed by this chapter, resulting in an overpayment of the true amount due, whether or not the result of mistake of law, mistake of fact, inadvertence, or error, such payments may be adjusted or corrected only within one year (365 days) of payment. The correction, adjustment, or refund of all or any portion of such payment is barred one year (365 days) following payment to the City.

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 September 9, 2014.

Dick Deane, Mayor

ATTEST:

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney



September 4, 2014

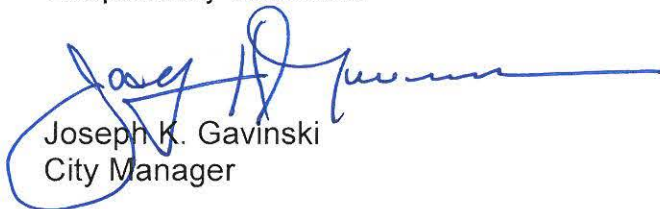
Honorable Mayor and
Moses Lake City Council

Dear Council Members

A City Council member requested City staff to provide an amendment to the noise ordinance which exempted temporary construction sites in commercial zones from the provisions of the noise ordinance.

The proposed ordinance is presented to you for consideration. This is the second reading of the ordinance.

Respectfully submitted



Joseph K. Gavinski
City Manager

JKG:jt

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 8.28 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "NOISE CONTROL"

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

Section 1. Chapter 8.28 of the Moses Lake Municipal Code entitled "Noise Control" is amended as follows:

8.28.050 Noises Exempt - Completely or Partially:

- A. The following noises are exempt from the provisions of this chapter at all times, provided, that nothing in these exemptions is intended to preclude the possible reduction of noise consistent with economic feasibility.
 - 1. Noise originating from aircraft in flight, and sounds which originate at airports and are directly related to flight operations;
 - 2. Noise created by safety and protective devices, such as relief valves where noise suppression would defeat the safety relief intent of the device;
 - 3. Noise created by fire alarms, or noise created by emergency equipment, including but not limited to emergency standby or back-up equipment, and emergency work necessary in the interests of law enforcement or of the health, safety, or welfare of the community, and including, but not limited to, any emergency work necessary to replace or repair essential utility services;
 - 4. Noise created by auxiliary equipment on motor vehicles used for highway maintenance;
 - 5. Noise originating from officially sanctioned parades, sporting events, and other public events;
 - 6. Noise created by warning devices not operated continuously for more than 30 minutes per incident;
 - 7. Noise created by motor vehicles when regulated by Section 8.28.030;
 - 8. Noise created by natural phenomenon and unamplified human voices;
 - 9. Noise created by motor vehicles, licensed or unlicensed when operated off public highways except when such sounds are received in residential zones of the city;
 - 10. Noise created by existing stationary equipment used in the conveyance of water by utilities and noise created by existing electrical substations;
 - 11. Noise created by sources in industrial districts which over the previous three years have consistently operated in excess of 15 hours per day as a demonstrated routine or as a consequence of process necessity.
- B. The following sources of noise are exempt or partially exempt from the provisions of this chapter:
 - 1. Noise created by the operation of equipment or facilities of surface carriers engaged in commerce by railroad;
 - 2. Noise created by aircraft and float planes;

3. Noise emanating from the temporary construction sites in residential zones except between the hours of 10 p.m. and 7 a.m. ~~except as~~ unless otherwise approved by the City Council;
 4. Noise emanating from temporary construction sites in commercial zones.
 54. Noise created by aircraft engine testing and maintenance not related to flight operations except between the hours of 10 p.m. and 7 a.m.;
 65. Noise originating from motor vehicle racing events at existing authorized facilities.
- C. It is the intention of City Council to consider amendments to this chapter controlling the sources exempted in subsection B of this section whenever the Washington State Department of Ecology promulgates specific regulations relating to the specific sources in the future.

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 September 9, 2014.

Dick Deane, Mayor

ATTEST:

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney

September 3, 2014

TO: City Manager
For City Council Consideration

FROM: Municipal Services Director

SUBJECT: **Ordinance - Amend MLMC 13.08 - Water and Sewer Connections -
Second Reading**

Attached is an ordinance that amends Moses Lake Municipal Code 13.08, entitled "Water and Sewer Connections". This ordinance establishes a reimbursement for the amount the City's paid to install the sewer main that serves AstaReal.

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

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Gary A Harer".

Gary Harer, PE/PLS
Municipal Services Director

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 13.08 OF THE MOSES LAKE MUNICIPAL
CODE ENTITLED "WATER AND SEWER CONNECTIONS"

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

Section 1. Chapter 13.08 of the Moses Lake Municipal Code entitled "Water and Sewer Connections" is amended as follows:

13.08.175 Sewer Main Charges – Sewer Main Project – 2013: Sewer service installed by the City of Moses Lake along Randolph Road in Section 27, Township 20 North, Range 28 East, W.M. under the Sewer Main Project 2013 shall be assessed six dollars and sixty-seven cents (\$6.67) per front foot; for the properties described below. The charge shall be paid upon property subdivision or upon request to connect to city sewer.

Properties adjacent to each side of Randolph Road NE in Section 27, Range 20 North, Township 28 East, W.M., from 340 feet North of the intersection with Road 7 NE and ending 535 feet South of the intersection with Tyndall Road.

GC Parcel # 171016000, 171006000, 110069515, 313388000, 110866002, 110866001, 312079000

The above reimbursement rates shall be adjusted upward commencing on June 1, 2015 by the amount equal to the increase in the All Urban Consumers, All West City Average, January to January, Consumer Price Index (CPI) issued in 2014 and shall be so adjusted each June 1 thereafter using the same index.

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 September 9, 2014.

Dick Deane, Mayor

ATTEST:

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney



Exhibit A
Randolph Sewer Reimbursement Map



September 3, 2014

Honorable Mayor and
Moses Lake City Council

Dear Council Members

Attached is a proposed ordinance amending Chapter 2.48 of the Moses Lake Municipal Code entitled "Planning Commission".

This proposed ordinance has been drafted pursuant to City Council direction. The number of Planning Commissioners has been reduced from 11 to 9 members and Planning Commissioners must either reside within the City limits or own property or a business within the City limits.

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

Respectfully submitted



Joseph K. Gavinski
City Manager

JKG:jt

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 2.48 OF THE MOSES LAKE MUNICIPAL
CODE ENTITLED "PLANNING COMMISSION"

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

Section 1. Chapter 2.48 of the Moses Lake Municipal Code entitled "Planning Commission" is amended as follows:

2.48.010 Commission Established: The Planning Commission of the City shall consist of nine (9) members, who shall reside within the City limits, or shall own property or a business within the City limits and who shall be appointed by the Mayor and confirmed by the City Council, pursuant to MLMC 2.08.040. ~~Additionally, up to two (2) ex-officio members may be appointed by the Mayor and confirmed by the City Council who reside in the city's urban growth area but outside the corporate limits of the city. The ex-officio members shall have no vote.~~

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 September 23, 2014.

Dick Deane, Mayor

ATTEST:

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney



September 4, 2014

Honorable Mayor and
Moses Lake City Council

Dear Council Members

As directed by the City Council, City staff and the City Attorney have drafted a proposed ordinance entitled "Recreational Marijuana Business".

The proposed ordinance is presented to you for your consideration. This is the first reading of the ordinance.

Respectfully submitted



Joseph K. Gavinski
City Manager

JKG:jt

ORDINANCE NO.

AN ORDINANCE CREATING CHAPTER 18.50 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "RECREATIONAL MARIJUANA BUSINESSES"

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

Section 1. Chapter 18.50 of the Moses Lake Municipal Code entitled "Recreational Marijuana Businesses" is created as follows:

18.50.010 Intent: In November, 2012, Washington voters passed Initiative 502, which establishes precedent for the production, processing and retail sale of marijuana for recreational purposes. Pursuant to RCW Title 69 and the requirements of Chapter 314-55 WAC, the State has adopted rules establishing a state-wide regulatory and licensing program for recreational marijuana uses.

It is the intent of these regulations to ensure that such state-licensed uses are located and developed in a manner that is consistent with the desired character and standards of this community and its neighborhoods, minimizes potential incompatibilities and impacts, and protects the public health, safety and general welfare of the citizens of Moses Lake. Recognizing the voter-approved right to establish certain types of recreational marijuana businesses, it is also the intent of these regulations to provide reasonable access to mitigate the illicit marijuana market and the legal and personal risks and community impacts associated with it.

18.50.020 Applicability: The provisions of this Section shall apply only within the City limits as currently adopted. The specific development standards provided in this Section shall be in addition to the zoning and development standards generally applicable to the proposed use and the relevant zoning district.

- A. No use that purports to be a recreational marijuana producer, processor or retailer, as defined and regulated herein and in WAC 314-55, that was engaged in that activity prior to the enactment of this ordinance shall be deemed to have been a legally established use or entitled to claim legal non-conforming status.
- B. For purposes of this Section and the standards applicable to state-licensed recreational marijuana uses, the terms and definitions provided in RCW Title 69 and WAC 314-55 shall generally apply unless the context clearly indicates otherwise.

18.50.030 Definitions: All definitions used in this chapter apply to this chapter and only and, except as otherwise revised below, shall have the meaning established pursuant to RCW Title 69 and WAC 314-55, as the same exist now or as they may later be amended. Selected definitions have been included below for ease of reference.

- A. Marijuana or marihuana: Marijuana or marihuana as defined in RCW 69.50.101 means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.
- B. Marijuana Processor: Marijuana Processor as defined in RCW 69.50.101, means a person licensed by the state liquor control board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for the sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

- C. Marijuana Producer: Marijuana Producer as defined in RCW 69.50.101, means a person licensed by the state liquor control board to produce and sell marijuana at whole sale to marijuana processors and other licensed marijuana producers.
- D. Marijuana-Infused Products: Marijuana-infused Products as defined in RCW 69.50.101, means products that contain marijuana or marijuana extracts, are intended for human use, and have a THC concentration greater than 0.3 percent and no greater than sixty percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.
- E. Marijuana Retailer: Marijuana Retailer as defined in RCW 69.50.101, means a person licensed by the state liquor control board to sell useable marijuana and marijuana-infused products in a retail outlet.
- F. Marijuana Production, Processing and Retail Sales: As used in this ordinance, any reference to marijuana production, processing and retail sales shall refer ONLY to RECREATIONAL marijuana production, processing and retail sales.
- G. Cultivation: Cultivation means the planting, growing, harvesting, drying or processing of marijuana plants or any part thereof.
- H. Indoors: Indoors means within a fully enclosed and secure structure that complies with the International Building Code, as adopted by the City of Moses Lake, that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, and a foundation, slab, or equivalent base to which the floor is securely attached. The structure must be secure against unauthorized entry, accessible only through two or more lockable doors, and constructed of solid materials that cannot be easily broken through, such as two-inch by four-inch or thicker studs overlain with three-eighths-inch or thicker plywood or equivalent building materials. Plastic sheeting, regardless of gauge, or similar products do not satisfy this requirement.
- I. Outdoors: Outdoors means any location that is not "indoors" within a fully enclosed and secure structure as defined herein.
- J. Useable Marijuana: Useable Marijuana means dried marijuana flowers. The term "useable marijuana" does not include marijuana-infused products.

18.50.040 Environmental performance standards:

- A. It shall be the responsibility of the operator and/or proprietor of any permitted use to provide such reasonable evidence and technical data as the enforcing officer may require to demonstrate that the use or activity is or will be in compliance with the environmental performance standards of Chapter 14.06 MLMC.
- B. Failure of the enforcing officer to require such information shall not be construed as relieving the operator and/or the proprietor from compliance with the environmental performance standards of this title.
- C. Marijuana producers, processors and retail sales shall incorporate odor control technology and provisions to ensure that emissions do not exceed Washington Clean Air Act regulations as contained in Chapter 70.94 RCW.

18.50.050 Development requirements:

- A. Marijuana producers, marijuana processors, and marijuana retailers shall only be permitted as allowed under RCW 69.50 and WAC 314-55 and shall only be operated by persons or entities holding a valid marijuana license from the Washington State Liquor Control Board issued under Chapter 314-55 WAC and any other applicable state laws and regulations.

- B. Marijuana producers, marijuana processors, and marijuana retailers shall only be allowed with in the City of Moses Lake municipal boundaries if appropriately licensed by the State of Washington and in possession of a current business license issued by the City of Moses Lake, and operated consistent with the requirements of the State and all applicable City ordinances, rules, requirements, and standards.
- C. Marijuana producers, marijuana processors, and marijuana retailers shall be the primary use at a location, and shall only be allowed within the City of Moses Lake in those zoning districts where it is specifically identified as an allowed use.
 - 1. Marijuana retailers shall only be allowed in the C-1A Transitional Commercial and C-2 General Commercial and Business zones defined and identified in MLMC Chapter 18.30.
 - 2. Marijuana producers and processors shall only be allowed in the L-I Light Industrial Zone and the Moses Lake Industrial Park defined and identified in MLMC Chapter 18.40.
- D. The production, processing, selling, or delivery of marijuana, marijuana-infused products, or useable marijuana may not be conducted alone or in association with any business establishments, dwelling unit, or home occupation located in any of the following zoning districts in the City of Moses Lake:
 - Business Park (BP)
 - Central Business District (C-1)
 - Conservation and Reclamation (C-R)
 - Heavy Industrial (H-I)
 - Neighborhood Commercial (NC)
 - Public (P)
 - Residential, Single Family (R-1)
 - Residential, Single Family and Duplex (R-2)
 - Residential, Multi-Family (R-3)
 - Rural Residential (R-4)
- E. Marijuana production and marijuana processing facilities shall be designed to include controls and features to prevent odors from traveling off-site and being detected from a public place, the public right of way, or properties owned or leased by another person or entity.
- F. Marijuana retailers shall not include drive-thru, exterior, or off-site sales. Marijuana retailers shall not be located in a mobile or temporary structure.
- G. In accordance with WAC 314-55-147, marijuana retail sales shall not be open to the public between the hours of 12 a.m. and 8 a.m.
- H. Signage for marijuana production, processing and retail businesses shall be subject to the requirements of WAC 314-55-155 and MLMC Chapter 18.58, whichever is more restrictive. No off-premises signage is permitted.
- I. Displays against or adjacent to exterior windows shall not include marijuana or marijuana paraphernalia.
- J. As provided in RCW 69.50.331 and WAC 314-55-050, marijuana producers, marijuana processors, and marijuana retailers, shall not be allowed to locate within 1,000 feet of public parks, playgrounds, recreation/community centers, libraries, child care centers, schools, game arcades and public transit centers. For purposes of this standard, these uses are defined in WAC 314-55. The methodology for measuring the buffers shall be as provided in WAC 314-55. It shall be the responsibility of the owner or operator of the proposed state-licensed marijuana use to demonstrate and ensure that a proposed location is not within one of the buffers.

- K. Marijuana retailers shall not be allowed to locate within 1,000 feet of correctional facilities, court houses, drug rehabilitation facilities, substance abuse facilities and detoxification centers. The methodology for measuring the buffers shall be as provided in WAC 314-55. It shall be the responsibility of the owner or operator of the proposed state-licensed marijuana use to demonstrate and ensure that a proposed location is not within one of the buffers.
- L. An existing non-conforming use located within a zoning district that would otherwise not permit marijuana uses, such as an old convenience store in a residential district, shall not be allowed to convert to a marijuana use.
- M. Marijuana producers, marijuana processors and marijuana retailers shall connect to all City of Moses Lake utilities.
- N. Marijuana production, processing and retail sales are not permitted as a home occupation under MLMC Chapter 18.55.
- O. Retail marijuana sales may not be located within any other businesses, and may only be located in buildings with other uses only if the marijuana business is separated by full walls and with a separate entrance. No more than one marijuana retail business shall be located on a single parcel.
- P. Marijuana production, processing and retail sales are subject to all applicable requirements of Title 69 RCW and Chapter 314-55 WAC and other state statutes, as they now exist or may be amended.
- Q. Marijuana production, processing and retail sales must take place within fully enclosed and indoor facilities.
- R. No marijuana production, processing, or delivery of marijuana shall be visible to the public nor may it be visible through windows. A screened and secured loading dock, approved by the Director shall be required. The objective of this requirement is to provide a secure, visual screen from the public right of way and adjoining properties, and prevent the escape of orders when delivering or transferring marijuana, useable marijuana, and marijuana-infused products.
- S. All marijuana producers, processors and retailers shall allow inspection of the site and facilities by City personnel including law enforcement for compliance with all applicable state and local permits and licenses at any time during regular business hours.
- T. An application for a recreational marijuana business shall include the following information in addition to any application requirements required by the underlying zone:
 - 1. The application shall be made by:
 - a. A marijuana State Liquor Control Board licensee; or
 - b. an applicant for a State Liquor Control Board marijuana license.

The application shall include a copy of the State issued license or a copy of the license application on file with the State Liquor Control Board. A City business license shall not be issued for a recreational marijuana business unless the applicant is a State Liquor Control Board marijuana licensee;

- 2. A map drawn to scale showing that the proposed recreational marijuana business is at least 1,000 feet from all uses specified in RCW 69.50.331 and WAC 314-55-050. A survey prepared by a surveyor licensed in the state of Washington may be required by the Director; and
- 3. The applicant shall submit a copy of the operating plan required by the Washington State Liquor Control Board as part of the City business license application.

U. A recreational marijuana business shall meet all security requirements as required by WAC 314-55-083 and shall provide proof of such operational security system prior to issuance of a City business license.

V. All fertilizers, chemicals, gases, and hazardous materials shall be handled in compliance with all applicable local, state and federal regulations. No fertilizers, chemicals, gases or hazardous materials shall be allowed to enter a sanitary sewer or storm sewer system, nor be released into atmosphere outside of the structure where the business is located.

18.50.060 Site Requirements: Shall meet all requirements set forth in the underlying zone.

18.50.070 Building Allowance, Height, Size, Placement, Setback Requirements: Shall meet all requirements set forth in the underlying zone.

18.50.080 Off-Street Parking: Off-street parking shall be provided in accordance with MLMC Chapter 18.54.

18.50.090 Landscaping, Buffering, Fencing and Solid Waste Receptacles: Landscaping shall be provided in accordance with MLMC Chapter 18.57.

18.50.100 Building and Development Guidelines: Developments shall comply with the requirements of MLMC Chapter 16.02, Building Permits.

18.50.110 Site Plan Review: Commercial developments shall comply with the requirements of MLMC Chapter 18.49.

18.50.120 Security: Shall meet all security requirements as required by WAC 314-55-083 and shall provide proof of such operational security system prior to issuance of a business license. In addition to the security requirements in Chapter 314-55 WAC, during non-business hours, all recreational marijuana producers, processors, and retailers shall store all useable marijuana, marijuana-infused product, and cash in a safe or in a substantially constructed and locked cabinet. The safe or cabinet shall be incorporated into the building structure or securely attached thereto. For useable marijuana products that must be kept refrigerated or frozen, these products may be stored in a locked refrigerator or freezer container in a manner approved by the Director, provided the container is affixed to the building structure.

18.50.130 Violations: Violations of this chapter shall be subject to enforcement action as provided in the Uniform Controlled Substances Act, Title 69 RCW, as well as, subject to enforcement actions for violations of the Moses Lake Municipal Code.

Section 2. Severability: If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. 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 September 23, 2014.

ATTEST:

Dick Deane, Mayor

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney



September 4, 2014

TO: City Manager for Council Consideration
FROM: Community Development Director
SUBJECT: Ordinance - Desert Golf Annexation - 1st reading

Attached is an ordinance for the annexation of approximately 8.12 acres located adjacent to Fairway Drive. The legal description of the property has been amended from what was submitted on the Petition for Annexation in order to include the right-of-way of Fairway Drive.

This is the first reading of the ordinance. If the Council adopts the first reading of the ordinance, a public hearing should be scheduled for the second reading of the ordinance.

Respectfully submitted

Gilbert Alvarado
Community Development Director

GA:jt

ORDINANCE NO.

AN ORDINANCE ANNEXING PROPERTY COMMONLY KNOWN AS THE DESERT GOLF ANNEXATION TO THE CITY OF MOSES LAKE, WASHINGTON, AND INCORPORATING THE SAME WITHIN THE CORPORATE LIMITS OF THE CITY OF Moses Lake

THE CITY COUNCIL OF THE CITY OF Moses Lake, Washington DO ORDAIN AS FOLLOWS:

Section 1. The following described real estate, as shown on the attached map marked Exhibit A which by this reference is incorporated within this ordinance, situated in Grant County is hereby annexed to and incorporated in the City of Moses Lake:

(Per quit claim deed, auditor's file number 1334925)

That portion of the Southwest Quarter of Section 30, Township 19 North, Range 28 East, W.M., County of Grant, State of Washington, as delineated and described on the boundary line adjustment record of survey drawing prepared by Western Pacific Engineering and Survey, Inc. dated June, 2014, and as described as follows:

Beginning at the southwest corner of Parcel 2 as described in Hansen/Moses Lake Golf Club Record of Survey recorded under Grant County Auditor's File Number 840420, said corner bears South 00°22'51" West, coincident with the west boundary line of the east half of the Southwest Quarter of said Section 30, a distance of 828.66 feet; thence North 89°37'14" West a distance of 121.77 feet to the easterly right of way of Fairway Drive as described on the Country Club Estates No. 2 plat, as recorded in Grant County's Plat Book 9, Page 10, and to the beginning of a non-tangent curve whose radius point of said curve bears North 89°32'48" West a distance of 250.00 feet; thence southerly and southwesterly on a 250.00-foot radius curve concave to the West, coincident with the easterly right of way of said Fairway Drive, a distance of 156.96 feet, coincident with the arc of said curve through a central angle of 35°58'19" to the right, the long chord of said curve bears South 18°26'21" West a distance of 154.39 feet; thence South 36°25'29" West, coincident with the easterly right of way of said Fairway Drive, a distance of 224.89 feet, to the beginning of a curve, said curve's radius point bears South 53°34'31" East a distance of 120.00 feet; thence southwesterly, southerly and southeasterly on a 120.00-foot radius curve concave to the east, coincident with the easterly and northeasterly right of way of said Fairway Drive, a distance of 200.54 feet, coincident with the arc of said curve through a central angle of 95°45'04" to the left, the long chord of said curve bears South 11°27'03" East a distance of 178.01 feet; thence South 59°19'31" East, coincident with the northeasterly right of way of said Fairway Drive, a distance of 41.83 feet, to the northwesterly right of way for Road F.2 as described in Grant County Auditor File Number 397048 and to the beginning of a non-tangent curve whose radius point of said curve bears South 52°52'56" East a distance of 430.00 feet; thence northeasterly and easterly, coincident with the said northwesterly right of way for Road F.2, on a 430.00-foot radius curve concave to the southeast a distance of 234.94 feet, coincident with the arc of said curve through a central angle of 31°18'17" to the right, the long chord of said curve bears North 52°46'12" East a distance of 232.03 feet; thence North 68°25'21" East, coincident with the said northwesterly right of way for Road F.2, a distance of 49.10 feet, to a point on the westerly boundary line of the east half of the Southwest Quarter of said Section 30; thence South 00°22'51" West, coincident with the west boundary line of the east half of the Southwest Quarter of said Section 30, a distance of 0.18 feet to the northwest corner of the parcel described under Grant County Auditor File Number 411282; thence North 69°14'21" East, coincident with the said parcel described under Grant County Auditor File Number 411282, a distance of 206.80 feet; thence South 20°45'39" East, coincident with the said parcel described under Grant County Auditor File Number 411282, a distance of 60.00 feet; thence North 70°32'06" East a distance of 209.82 feet; thence North 72°31'10" East a distance of 257.53 feet; thence North 17°28'50" West a distance of 90.00 feet; thence North 78°03'00" West a distance of 63.93 feet; thence North 16°50'00" East a distance of 11.43 feet; thence North 38°31'00" West a distance of 19.37 feet; thence North 05°00'00" East a distance of 43.93 feet; thence North 42°20'32" East a distance of 57.98 feet; thence North 49°17'31" East a distance of 47.60 feet; thence North 01°39'00" East a distance of 41.11 feet; thence North 84°44'48" West a distance of 133.80 feet; thence North 12°34'00" West a distance of 28.00 feet; thence South 85°25'44" West a distance of 173.57 feet; thence South 03°36'57" East a distance of 43.84 feet; thence South 31°30'58" West a distance of 63.73 feet; thence South 87°41'06" West a distance of 85.00 feet to the southeast corner of Parcel 2 as described on the Hansen/Moses Lake Golf Club Record of Survey recorded under Grant County Auditor's File Number 840420; thence South 87°41'06" West, coincident with the south boundary line of the said Parcel 2, a distance of 209.85 feet, to the point of beginning;

Together with

That portion of Fairway Drive, a 60 foot wide right-of-way, as dedicated on Country Club Estates No. 1 Plat, recorded in Book 8 of Plats at Page 28, Records of Grant County, Washington, located within the Southwest quarter of Section 30, Township 19 North, Range 28 East, W.M., Moses Lake, Grant County, Washington, more particularly described as follows:

Said right-of-way is that portion which is common to both Auditor's File Number 1334925, shown as amended Parcel 2 on a Record of Survey, found in Book 29 of Surveys, Pages 25 through 29, and Sun Terrace No. 1 Major Plat, recorded in Book 28 of Major Plats, Pages 6 through 10, Records of said Grant County.

Said tract of land contains 8.12 acres, more or less.

Section 2. All property within the territory annexed shall hereinafter be assessed and taxed at the same rate and on the same basis as other property within the city.

Section 3. The area annexed will be zoned C-2, General Commercial and Business.

Section 4. That a copy of this ordinance shall be filed with the Board of County Commissioners of Grant County, Washington.

Section 5. 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 September 23, 2014.

ATTEST:

Dick Deane, Mayor

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney

CITY LIMITS

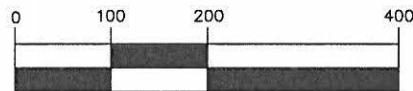
AMENDED PARCEL 1

PROPOSED ANNEX AREA

AMENDED PARCEL 2

AMENDED PARCEL 1

GRAPHIC SCALE



(IN FEET)

1 inch = 200 ft.

MID-SECTION LINE

FRONTAGE ROAD

SW 1/4
SECTION 30

SE 1/4
SECTION 30

INTERSTATE 90

CITY LIMITS

MAP EXHIBIT A DESERT GOLF ANNEXATION

MUNICIPAL SERVICES DEPT. - ENGINEERING DIVISION

DRAWN WCO
CHECK GGH
SCALE 1"=200'
DATE 9/3/2014

CITY OF MOSES LAKE

GRANT COUNTY

WASHINGTON

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