

MOSES LAKE CITY COUNCIL
January 27, 2015

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

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

PLEDGE OF ALLEGIANCE: Peter Hudlow, Hope Source, led the Council in the pledge of allegiance.

PRESENTATION AND AWARDS

PROCLAMATION

The proclamation declaring February 2015 as Moses Lake Heart Month was read in its entirety.

CONSENT AGENDA

Minutes: The minutes of the January 13 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 January 27, 2015 the Council does approve for payment claims in the amount of \$1,038,827.88; prepaid claims in the amount of \$65,504.60; claim checks in the amount of \$1,368,212.21; and payroll in the amount of \$327,983.18.

Resolution - Accept Easement - Torkelson Trust: A resolution was presented which accepts an easement from the Wilma R. Torkelson Trust for a bus turnout and sidewalk adjacent to the Grocery Outlet on Stratford Road.

Resolution - Accept Deed - Grant County: A resolution was presented which accepts a quit claim deed from Grant County to clarify right-of-way on various city streets.

Resolution - Accept Deed - Grant County: A resolution was presented which accepts a quit claim deed from Grant County for right-of-way on Stratford Road.

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

COMMISSION APPOINTMENTS

LODGING TAX ADVISORY COMMITTEE

Kim Kirkbride resigned from the Lodging Tax Advisory Committee and Monica Medina, General Manager, Comfort Suites, expressed an interest in serving.

Action Taken: Mrs. Liebrecht moved that Monica Medina be appointed to the Lodging Tax Advisory Committee, seconded by Dr. Curnel, and passed unanimously.

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

VETERAN SUPPORT SERVICES

Pete Hudlow, Hope Source, provided information on the supportive services for veteran families offered by Hope Source and which is funded by the Veterans Administration. The main service is to provide housing for veterans and their families.

WESTLAKE PLANNED UNIT DEVELOPMENT

Gilbert Alvarado, Community Development Director, stated that the ordinance establishing the Westlake Planned Unit Development was approved several years ago. A planned unit development must begin construction within a certain time frame or the ordinance is rescinded. The time for the development of the Westlake Planned Unit Development has expired and an ordinance rescinding the planned unit development would have been presented to the Council at this meeting but the owner has requested an extension as a different developer has expressed an interest in the project. He pointed out that there are no provisions in the ordinance to allow for an extension.

Rick Crittenden stated that he would like to get an extension on the approval of the planned unit development since he is discussing the project with other developers.

There was some discussion because there is no option available to grant a time extension on a planned unit development. It was pointed out that if the Council wishes to extend the time of approval on a planned unit development, the ordinance would have to be amended.

Action Taken: Mr. Voth moved that the ordinance be amended to allow an extension for a planned unit development, seconded by Mr. Avila, and passed unanimously.

GRANT COUNTY FAIRGROUNDS

Jon Smith, 246 Northshore Drive, stated that the City has offered concessions to the County for the annexation of the Grant County Fairgrounds. The County is concerned that the City would impair traditional fairground activities. He urged the County and the City to work together to provide a solution agreeable to both parties.

It was pointed out that the City has forwarded a proposed agreement to the County and the County has not responded.

There was considerable discussion by the Council over the County's concerns about annexing the fairgrounds to the City. It was pointed out that the concerns of the County have been addressed by the City but the County has not responded to those proposals. Any further discussions on the issue will be at the instigation of the County.

BUDGET - DALLUGE

Elisia Dalluge provided information on her proposal for a share-the-care program. This is a public contribution program which would allow the public to donate money to help fund the activities that have been suspended at this time.

There was considerable discussion on how the program would work and it was pointed out that anyone can make a donation to the City at any time.

ORDINANCES AND RESOLUTIONSORDINANCES - CREATE 3.65 AND REPEAL 17.56 - 2ND READINGS

Ordinances were presented which create 3.65, Private Street and Utility Latecomer Contracts and repeal 17.56, Reimbursement Agreements.

The ordinance creating Chapter 3.65 of the Moses Lake Municipal Code entitled "Private Street and Utility Latecomer Contracts" was read by title only.

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

The ordinance repealing Chapter 17.56 of the Moses Lake Municipal Code entitled "Reimbursement Agreements" was read by title only.

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

ORDINANCE - AMEND 16.40 - 2ND READING

An ordinance was presented which amends Chapter 16.40, Fire Department Permit Fees, in order to comply with the requirements for operational permits as outlined in the currently adopted State Fire Code.

The ordinance amending Chapter 16.40 of the Moses Lake Municipal Code entitled "Fire Department Permit Fees" was read by title only.

There was some questions about the fees and which Department would do the inspections, which staff could not answer at this time.

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

ORDINANCES - AMEND 19.06 AND 19.55 - 2ND READINGS

Ordinances were presented which make housekeeping changes to Chapter 19.06, Classification and Designation of Wetlands and Regulations for the Conservation and Protection of Wetlands, and 19.55, Comprehensive Plan and Development Regulation Amendments, to bring them into compliance with state law and the current operations of the Community Development Department.

The ordinance amending Chapter 19.06 of the Moses Lake Municipal Code entitled "Classification and Designation of Wetlands and Regulations for the Conservation and Protection of Wetlands" was read by title only.

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

The ordinance amending Chapter 19.55 of the Moses Lake Municipal Code entitled "Comprehensive Plan and Development Regulation Amendments" was read by title only.

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

ORDINANCE - REPEAL 18.49 - SITE PLANS - SINGLE READING

An ordinance was presented which repeals Chapter 18.49, Site Plans.

The ordinance repealing Chapter 18.49 of the Moses Lake Municipal Code entitled "Site Plans" was read by title only.

Gilbert Alvarado, Community Development Director, explained that approval of a site plan includes a review by staff and a public hearing before the Planning Commission, which adds about 60 days to the process. He mentioned that a site plan cannot be approved unless it meets the City's development regulations and it cannot be denied if it meets those regulations. The development community has questioned the need for a site plan review and after consideration, the Planning Commission agreed that review by staff would be sufficient. Any requested deviations from the requirements would still need Planning Commission approval.

Action Taken: Mr. Voth moved that an emergency be declared and the ordinance be adopted in a single reading, seconded by Mr. Avila, and passed unanimously.

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

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

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

Katherine Kenison, City Attorney, stated tat the legislature will probably make some decision on this issue during the current legislative session and recommended that the moratorium be continued.

Action Taken: Mrs. Liebrecht moved that the first reading of the ordinance be adopted and a public hearing be set for February 10, seconded by Dr. Curnel, and passed unanimously.

RESOLUTION - ESTABLISH LATECOMER FEE

A resolution was presented which establishes a latecomer contract fee for city utilities installed by a private developer.

The resolution establishing a latecomer contract fee was read by title only.

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

RESOLUTION - LEASE PURCHASE AGREEMENT

A resolution was presented which provides for the reimbursement of capital expenditures from the proceeds of the lease purchase agreement.

The resolution authorizing the execution and delivery of a master equipment lease/purchase agreement and related instruments and determining other matters in connection therewith was read by title only.

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

RESOLUTION - ACCEPT DONATION - WELFUND

A resolution was presented which accepts a \$2,500 donation from WELfund. The funds will be used to purchase athletic equipment for the Police Department fitness room.

The resolution accepting a donation to the Moses Lake Police Department was read by title only.

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

REQUEST TO CALL FOR BIDS

2015 CRACK SEAL PROJECT

Staff requested authorization to call for bids for the 2015 Crack Seal Project. The project includes sealing approximately 500,000 feet of cracks in streets, alleys, bike paths, and parking lots throughout the City.

Action Taken: Dr. Curnel moved that staff be authorized to call for bids, seconded by Mrs. Liebrecht, and passed unanimously.

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION - None

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - None

COUNCIL QUESTIONS AND COMMENTS - None

CITY MANAGER REPORTS AND COMMENTS

QUARTERLY FINANCIAL REPORT

The 2014 fourth quarter financial report has been posted on the City's website.

GAMBLING TAX

The City received \$65,446.90 from gambling tax for the fourth quarter of 2014.

INVESTMENT REPORT

The City received \$19,868.05 in investment income for December 2014.

SALES TAX/TRANSIENT RENTAL INCOME

The City received \$437,266.10 in sales tax and \$39,460.80 in transient rental income in December.

The regular meeting was adjourned at 9 p.m.

ATTEST

Dick Deane, Mayor

W. Robert Taylor, Finance Director