

**CITY OF MOXEE, WASHINGTON
REGULAR COUNCIL MEETING
AUGUST 8, 2019
COUNCIL CHAMBERS – CITY HALL**

Mayor LaBree opened the Regular Council Meeting at 7:00 PM.

Present:

Council: Mayor Greg LaBree and Council Members: Maravell Gonsioroski, LeRoy Lenseigne, Rob Layman, Tom Hattrup and Larry Frank
Staff: Byron Adams, City Supervisor, Kristi Heilman, City Clerk-Treasurer
Absent: Police Chief Burkett
Guests: Harry Hankins, James Wentz, Justin Scully, John Schieche, Yang Cho & Joung Rhee

1. APPROVAL OF MINUTES FROM JULY 11, 2019 CITY COUNCIL MEETING

Mayor LaBree asked if there were any corrections, additions or omissions to the minutes of July 11, 2019. There were none.

ACTION NO. 1 Council member Frank made a motion to accept the minutes as prepared. Council member Lenseigne seconded the motion. The motion carried.

2. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS ON A PROPOSAL TO VACATE A SECTION OF CITY RIGHT OF WAY ON SCHOOL ROAD

City supervisor Adams noted that at the last council meeting the Council declared the City's intent to vacate the City's right of way at the east end of School Road. Mayor LaBree opened the public hearing at 7:00 PM. Harry Hankins and James Wentz had questions regarding if the access is going to be limited to the baseball fields and batting cages. City Supervisor Adams stated that the road will be accessible from the west end of School Road from Ekleman Road, but that there will be a barricade placed at the section at the east end where the City's right of way ends. Mr. Wentz also asked about improvements to Ekleman Road by Yakima County. There were no more comments from the public or the council. Mayor LaBree closed the public hearing at 7:07 PM.

3. ORDINANCE #795 AN ORDINANCE VACATING THE EAST SECTION OF SCHOOL ROAD ADJACENT TO THE SCHOOL DISTRICT PROPERTY

Mayor LaBree read Ordinance #795, an Ordinance vacating the east section of School Road adjacent to the school district's property.

ACTION NO. 2 Council member Gonsioroski made a motion to pass and adopt Ordinance #795, an Ordinance vacating the east section of School Road adjacent to the East Valley School District's property. Council member Layman seconded the motion. The motion carried.

4. PROGRESS PAYMENT #2 AND DESIGNATE AS FINAL TO RECLAIM COMPANY FOR THE WORK PERFORMED ON THE ILER ST SIDEWALK IMPROVEMENT PROJECT.

City Supervisor Adams stated again that the Iler St Sidewalk Improvement Project is completed. Adams noted that all punch list items have been completed, the City has received all the record drawings along with all the labor documents. Designating the project as final will start the clock ticking towards the release of the retainage for Reclaim Company. A Notice of Completion will be sent to the Department of Revenue, Employment Security and Labor and Industries. The retainage will be released after the City has received notification from all three of the agencies stating that the project is free and clear of all liens. Mayor LaBree read the letter from Ryan Young at HLA that recommended that Progress Estimate #2 in the amount of \$8,284.08 for work completed through June 21, 2019 be considered and accepted as final by the Moxee City Council as well as recommending the acceptance of this project by the City of Moxee.

ACTION NO. 3 Council member Hattrup made as motion to approve Progress Estimate #2 in the amount of \$8,284.08 to Reclaim Company for work performed on the Iler Street Sidewalk Improvement Project and to accept the project as final. Council member Frank seconded the motion. The motion carried.

5. ORDINANCE #796 AN ORDINANCE AMENDING THE 2019 ANNUAL BUDGET AND AMENDING SECTION 1 OF ORDINANCE #784.

City Supervisor Adams reported to the Council the need to amend the 2019 Annual Budget. Current Expense is being amended by \$80,000, of which \$40,000 is an operating transfer to Equipment Reserves for the wrecked patrol car, \$5,000 for 2 new radar units purchased through a Legends Casino contribution and \$35,000 for the newly adopted Interlocal Agreement with Yakima County District Court to perform Municipal Court services. Streets is being amended by \$180,000 for an operating transfer to City Streets Construction. City Streets Construction is being amended by \$1,344,000 of which \$6,000 is for Sidewalk Improvements and \$1,338,000 is for the Morrier Lane Extension Project. Equipment Reserves is being amended to by \$40,000 for the purchase of a new patrol car to replace the patrol car that was wrecked earlier this year. The total amended amount reflects an additional \$1,644,000. Mayor LaBree read Ordinance #796, an Ordinance amending the 2019 Annual Budget and amending Section 1 of Ordinance #784.

ACTION NO. 4 Council member Gonsioroski made a motion to pass and adopt Ordinance #796 an Ordinance amending the 2019 Annual Budget and amending Section 1 of Ordinance # 784. Council member Lenseigne seconded the motion. The motion carried.

6. APPROVE ACCOUNTS PAYABLE & PAYROLL CHECKS AS IDENTIFIED ON THE CLERK'S JOURNAL

Mayor LaBree asked for a motion to approve Claims Check numbers 34527 through 34532 plus any direct deposits in the amount of \$21,692.56, dated July 25 & July 31, 2019 and numbers 34533 through 34584 in the amount of \$86,751.34 dated August 8, 2019. Payroll Check numbers 28802 through 28826 plus any direct deposits in the amount of \$48,618.00 dated July 15, 2019 and numbers 28828 through 28869 plus any direct deposits in the amount of \$91,021.96 dated July 31, 2019 and check number 28827 in the amount of \$2543.95 dated June 30, 2019 which was issued to replace check number 28794 which was voided as it was issued in the wrong amount.

ACTION NO. 5 Council member Lenseigne made a motion to approve the above-mentioned checks. Council member Layman seconded the motion. The motion carried.

OTHER BUSINESS:

City Attorney Robert Noe:

City Supervisor Adams reported to the Mayor and Council that Bob Noe has submitted a letter of termination of legal services as per his contract. Mr. Noe is taking a position with the Yakima School District. Mr. Noe has stated that he will help the City in locating a replacement.

Resident Inquiry:

Caleb Sluder addressed the Mayor and Council inquiring about the sign on Moxee Avenue announcing a future Mini Mart, Gas Station and Car Wash. Mr. Sluder is concerned that these new businesses will affect the current businesses already established in Moxee. Mr. Sluder asked that the City not allow these new businesses. City Supervisor Adams informed Mr. Sluder that the property has already been approved for these businesses several years ago, and that the City cannot deny businesses to be established because there are already other like businesses in the community. The property is zoned commercial and as such those businesses are legally allowed in that zoning. Mr. Rhee also addressed that Mayor and Council regarding his concern of similar businesses like his locating in Moxee.

Hop Festival:

City Supervisor Adams reported that the Hop Festival went well again this year.

ADJOURNMENT

ACTION NO. 6

Council member Lenseigne made a motion to adjourn the Regular Council meeting at 7:43 PM. Council member Layman seconded the motion. The motion carried.

ATTEST:



CITY CLERK-TREASURER



MAYOR GREG LABREE




LARRY FRANK



TOM HATTRUP



MARAVELL GONSIOROSKI



LEROY LENSEIGNE



ROB LAYMAN