

**CITY OF MOXEE, WASHINGTON  
REGULAR COUNCIL MEETING  
MAY 14, 2020  
COUNCIL CHAMBERS – CITY HALL**

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

Present:

Council: Mayor Greg LaBree and Council Members: David Mullen, David Roy, Larry Frank, and LeRoy Lenseigne  
Staff: Byron Adams, City Supervisor, Kristi Heilman, City Clerk-Treasurer, Amy Conger Assistant City Clerk and Police Chief Burkett  
Absent: Rob Layman  
Guests: Holly Sharp, Greg Spurgin and Mark Grange

**1. APPROVAL OF MINUTES FROM MARCH 12, 2020 CITY COUNCIL MEETING**

Mayor LaBree asked if there were any corrections, additions, or omissions to the minutes of March 12, 2020. 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. APPROVAL OF MINUTES FROM MARCH 23, 2020 CITY COUNCIL MEETING**

Mayor LaBree asked if there were any corrections, additions, or omissions to the minutes of March 23, 2020. There were none.

**ACTION NO. 2** Council member Lenseigne made a motion to accept the minutes as prepared. Council member Roy seconded the motion. The motion carried.

**3. REVIEW AND DISCUSS THE GOVERNOR'S PHASED APPROACH TO REOPENING BUSINESSES AND PUBLIC FACILITIES, INCLUDING PUBLIC SWIMMING POOL, PARK, PICNIC SHELTERS, COMMUNITY ROOM AND CITY HALL**

The Mayor and Council were given copies of Washington's Phased Approach regarding reopening business and modifying physical distance measures from Governor Inslee's office. The whole State of Washington is in Phase 1 which limits all gatherings both social and spiritual. Each phase will last 3 weeks minimum and counties will only be able to move to the next phase if their COVID-19 cases have declined. Phase 2 will only allow gatherings of no more than 5 people outside your household per week. Phase 3 will allow no more than 50 people in a social gathering, and pools may open but at only 50% capacity. Holly Sharp from the EVCEA stated that they have been considering cancelling Annual Hop Festival due to COVID-19 social distancing this year. The Council decided to continue to keep City Hall, the Community Room, Picnic Shelters, City playground equipment and City Skate Park closed to the public due to social distancing requirements by the state. It was also decided that the pool will not be opened this summer. The 4<sup>th</sup> of July was discussed and whether it can be cancelled or not. Adams was going to check with the fireworks vendors to see if they were even going to open their booths this year for sales, due to possible restrictions. Adams noted that the fireworks ordinance states that any changes in the ordinance will not be effective for 1 year after passage. It was not certain if the state may have restrictions imposed on 4<sup>th</sup> of July fireworks or not.

**4. RESOLUTION 2020-06, A RESOLUTION REGARDING CORONA VIRUS DISEASE (COVID-19).**

The Mayor and Council members were given a copy of a proposed Resolution drafted by Council Member Mullen regarding the Corona Virus Disease (COVID-19). Council member Roy suggested a letter to Governor Inslee may be better than the proposed Resolution. Council member Lenseigne also stated that he was not in favor of the Resolution. After much discussion on the Resolution, Mayor LaBree read Resolution 2020-06, a Resolution regarding the Corona Virus Disease (COVID-19). A vote was taken as to the passage of Resolution 2020-06.

**ACTION NO. 3** Council member Frank made a motion to pass and adopt Resolution 2020-06, a Resolution regarding the Corona Virus Diseases (COVID-19). Council member Mullen seconded the motion. Council Members Lenseigne and Roy voted nay to the Resolution. As there was a tie Mayor LaBree was required to vote and he cast his vote as a nay. The motion did not move forward.

**5. REVIEW PROGRESS PAYMENT FOR WORK PERFORMED ON THE CITY OF MOXEE WELL NO. 4 DRILLING PROJECT.**

City Supervisor Adams gave a status report on the progress of Well No. 4 drilling project. He noted that to date there was 24" casing to 80 feet then 20" casing down to 661 feet. He hopes that they will have reached 800 feet by the weekend. The drillers are currently drilling through clay which is slowing down the process. Mayor LaBree read the letter from HLA recommending Progress Estimate No. 1 for work performed by Holt Services, Inc., through April 30, 2020, in connection with their contract on the Well #4 Drilling project. The amount due the Contractor is \$158,632.36, is net after retainage per the contract documents.

**ACTION NO. 4** Council member Mullen made a motion to approve Progress Estimate No. 1 for work performed by Holt Services, Inc., through April 30, 2020, in connection with their contract on the Well #4 Drilling project in the amount due the Contractor of \$158,632.36 Council member Roy seconded the motion. The motion carried.

**6. RESOLUTION 2020-07, A RESOLUTION ADOPTING AN UPDATED TITLE VI NON-DISCRIMINATION AGREEMENT.**

City Supervisor Adams provided the Mayor and Council members a copy of the Non-Discrimination Agreement (NDA) that was prepared by HLA Engineering. He noted that every year the City receives federal funds such as STP and DWSRF. The City must complete an annual report consistent with the Non-Discrimination Agreement and Title VI. The last updated NDA was done in 2006 and an updated version was required. Mayor LaBree read Resolution 2020-07, a Resolution of the City Council of the City Moxee, Washington adopting an updated Title VI Non-Discrimination Agreement.

**ACTION NO. 5** Council member Lenseigne made a motion to pass and adopt Resolution 2020-07, a Resolution of the City Council of the City of Moxee, Washington adopting an updated Title VI Non-Discrimination Agreement. Council member Roy seconded the motion. The motion carried.

**7. REVIEW AND DISCUSS THE CITY OF MOXEE'S 2019 ANNUAL REPORT.**

The Mayor and Council members were provided a copy of the 2019 Annual Report that is to be submitted to the State Auditor's Office by May 29, 2020 for their review and comments. City Supervisor Adams noted the annual report is prepared every year and is required to be submitted to State Auditor's Office within 180 days of the end of prior year. Adams asked the Mayor and Council to please review the report and to comment on any questions or concerns.

**8. REVIEW REVENUE AND EXPENDITURES FOR 1<sup>ST</sup> QUARTER 2020.**

The Mayor and Council members were each given a copy of the year to date Revenues and Expenditures report through April 30, 2020. City Supervisor Adams went through each of the funds revenues and expenditures. The Mayor and Council members had no questions or concerns.

**9. REVIEW A REQUEST FROM THE BARBERSHOP REGARDING RENT ADJUSTMENT /WAIVER DUE TO COVID-19 MANDATORY CLOSURE.**

City Supervisor Adams let the Mayor and Council members know that the City had received a letter from the owner of the Barbershop that is currently renting the building from the City on Rivard Road, requesting rent relief due to the COVID-19 closure of his shop. He is asking to have his rent suspended until his business is allowed, to reopen. Adams noted that it is allowed to suspend rent during emergency situations such as this. Members of the EVCEA noted that they have a COVID-19 Small Business Relief Program to help those businesses that had to shut down due to the Washington State restrictions on COVID-19 outbreak. An application can be downloaded from their website at <https://evcea.org>

**ACTION NO. 6** Council member Mullen made a motion to approve the suspension of the rent for The Barbershop until the business can reopen. Council member Roy seconded the motion. The motion carried.

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

Mayor LaBree asked for a motion to approve the following checks:

Payroll Checks Nos. 29236 – 29325 plus any Electronic Checks for a total of \$248,761.88

Claim Checks Nos. 35037 – 35154, 5001-5002 and 6618 plus any Electronic Checks, for a total of \$690,510.53.

**ACTION NO. 7** Council member Lenseigne made a motion to approve the above-mentioned checks. Council member Roy seconded the motion. The motion carried.

**OTHER BUSINESS**

**YVCOG** – City Supervisor Adams reported that Yakima Valley Conference of Governments has put out a call for projects for STPG Set Aside Funds Transportation Alternative Projects (TAP) up to \$250,000, for construction, planning and designing non-motorized travel including paths for non-driving transportation. Adams would like to submit, an application for these funds for the design work for a walking path from University Parkway to Morrier Lane. Adams is seeking Council approval to authorize the Mayor to sign application papers.

**ACTION NO. 8** Council member Frank made a motion to authorize the Mayor to sign an application for STBG Set Aside Funds. Council member Mullen seconded the motion. The motion carried.

**PD STATS** - Police Chief Burkett gave the police stats for the last month and noted that there are currently booking restrictions at the jail, thus jail expenses are down.


**ADJOURNMENT  
ACTION NO. 9**

Council member Lenseigne made a motion to adjourn the Regular Council meeting at 8:10 PM. Council member Roy seconded the motion. The motion carried.

**ATTEST:**

  
\_\_\_\_\_  
CITY CLERK-TREASURER

  
\_\_\_\_\_  
LARRY FRANK

  
\_\_\_\_\_  
DAVID ROY

*Absent*

\_\_\_\_\_  
ROB LAYMAN

\_\_\_\_\_  
MAYOR GREG LABREE

  
\_\_\_\_\_  
DAVID MULLEN

  
\_\_\_\_\_  
LEROY LENSEIGNE