

**CITY OF MOXEE, WASHINGTON  
REGULAR COUNCIL MEETING  
FEBRUARY 11, 2021  
COUNCIL CHAMBERS – CITY HALL**

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

Present:

Council: Mayor Greg LaBree and Council Members: LeRoy Lenseigne, David Roy, Rob Layman, Jan Hutchinson, and Larry Frank  
Staff: Byron Adams, City Supervisor, Kristi Heilman, City Clerk-Treasurer, Amy Conger Assistant City Clerk and Police Chief Burkett  
Absent: None  
Guests: Neil Hutchinson, Michael & Roth Hamberg

**1. APPROVAL OF MINUTES FROM JANUARY 14, 2021 CITY COUNCIL MEETING**

Mayor LaBree asked if there were any corrections, additions, or omissions to the minutes of January 14, 2021. There were none.

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

**2. REVIEW A PROPOSED AGREEMENT FOR LEGAL SERVICES BETWEEN THE CITY OF MOXEE AND MENKE, JACKSON, BEYER, LLP TO REPRESENT THE CITY FOR RIGHT OF WAY ACQUISITIONS.**

City Supervisor Adams read a letter from Ken Harper, who is with Menke, Jackson, Beyer, LLP, proposing the agreement between the City of Moxee and his law firm to represent the City of Moxee for Right of Way Acquisitions for the Morrier Ln. Extension Project. There are 3 properties that will require some legal help to obtain right of way. One of the properties is looking like it may be headed for condemnation. Yakima County Right of Way agents has sent the property owners, Steve and Maureen Faubian, 3 letters to date and has not received any response. At this point we believe we may be at an impasse. Staff would like to send Faubians a final letter asking if we are at an impasse. Adams is seeking Council's approval and to authorize the Mayor to sign the agreement.

**ACTION NO. 2** Council member Layman made a motion to approve the Agreement for Legal Services between the City of Moxee and Menke, Jackson, Beyer, LLP to represent the City of Moxee for right of way acquisitions and to send a fourth letter to the Faubians inquiring if we are at an impasse with property owners Steve and Maureen Faubian and to authorize the Mayor to sign the agreement. Council member Hutchinson seconded the motion. The motion carried.

**3. ORDINANCE #808 AMENDING THE GARBAGE SERVICE RATES AND REPEALING ORDINANCE #802 IN ITS ENTIRETY**

City Supervisor Adams noted that Basin Disposal, as part of their contract, can increase their rates based on the prior year CPI, the second portion of their increase comes from increased disposal expenses imposed by Yakima County Commissioners, and the third portion of their increase comes from increased B&O taxes from the Department of Revenue. The average rate changes due to the proposed adjustments to CPI, Disposal Fee, and the increase in B&O tax is 3.17%. Adams stated that a 3% increase is being passed on to the customers and was noted in the 2021 Annual Budget Report. The rate of a 64-gallon residential tote will increase to \$13.70 per month. Mayor LaBree read Ordinance #808, an Ordinance establishing new rates for garbage collection services and repealing Ordinance #802 in its entirety.

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

**OTHER BUSINESS:**

**REQUEST FROM RESIDENT TO ALLOW CHICKENS INSIDE CITY LIMITS:**

City Supervisor Adams read a letter from Roth Hamberg addressed to the City Council requesting the Council reconsider allowing chickens(3-4 only)but not roosters inside city limits. Chief Burkett noted that the Police Department handles various nuisance calls regarding roosters inside the city limits and wonders how the City will regulate the allowing of chickens, that it would become a code violation issue. The Council members all agreed to consider a possible change to the Moxee Municipal Code regarding allowing chickens, but they are wanting to review other local jurisdiction's ordinances and issues. They will address the idea at the next Council meeting to review.

**PD STATS** - Police Chief Burkett gave the police stats for the last month.

**ANNOUNCEMENT BY MAYOR GREG LABREE:**

Mayor LaBree announced that he has decided to retire and to step down as Mayor effective March 31, 2021.

**ADJOURNMENT**

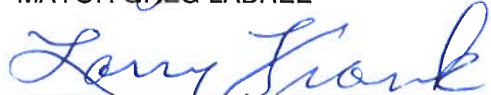
**ACTION NO. 8** Council member Lenseigne made a motion to adjourn the Regular Council meeting at 7:37 PM. Council member Roy seconded the motion. The motion carried.

**ATTEST:**

  
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CITY CLERK-TREASURER

  
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MAYOR GREG LABREE

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

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

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

*absent*  
\_\_\_\_\_  
ROB LAYMAN

  
\_\_\_\_\_  
JAN HUTCHINSON