

MOSES LAKE CITY COUNCIL
June 9, 2015

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

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

PLEDGE OF ALLEGIANCE: Mayor Deane led the Council in the flag salute.

PRESENTATION AND AWARDS

EMPLOYEE OF THE YEAR - FIRE DEPARTMENT

Tasyia Oliver, Clerk, was presented with a Moses Lake Fire Department Employee of the Year award for her outstanding support and dedication to the Fire Department.

EMPLOYEE PRESENTATION

Building Maintenance Division: Kristen Tarakai and Alana Vega, janitors, were introduced to the Council.

Fire Department: Robert Hecker, Firefighter/Paramedic, was introduced to the Council.

Finance Department: Tanyaa Haines, Accountant, was introduced to the Council.

Police Department: Tyler St. Onge, Police Officer, was introduced to the Council.

CONSENT AGENDA

Minutes: The minutes of the May 26 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 June 9, 2015 the Council does approve for payment claims in the amount of \$374,749.17; prepaid claims in the amounts of \$40,056.02; claim checks in the amount of \$1,394,040.21; and payroll in the amounts of \$332,118.16 and \$4,180.01.

Mr. Voth questioned the payment to Richard Teals.

Gilbert Alvarado, Interim City Manager, stated that Mr. Teals attended a conference for the Trails Planning Team but is not a member of the staff, commission, or council and the appropriateness of such reimbursements are being discussed with the City Attorney.

Action Taken: Mr. Voth moved that the bills and checks be approved except for the claim of Richard Teals, seconded by Mr. Avila, and passed unanimously.

Accept Work - Crack Seal Project: Quality Paving, Inc. has completed the 2015 Crack Seal Project. The work should be accepted and the 60 day lien period entered into.

Resolution - Apply for Grant - Municipal Airport: A resolution was presented which supports a grant application to the Department of Transportation, Aviation Division. The funds will be used to for engineering design services for a security fence and camera project.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGSCONCESSIONS

Daniel Rodelo requested permission to sell hot dogs at softball games on Tuesdays and Thursdays from his 3' x 5' cart for 2015 and 2016 at Larson Playfield and Lauzier Playfield.

Spencer Grigg, Parks and Recreation Director, stated that the City is not operating its concession stands this year but have contracted to have concessions on the weekends. The request to sell hot dogs on Tuesdays and Thursdays would not conflict with any other concession sales at this time.

There was some discussion and it was pointed out that the City may be operating the concession stands in 2016 and it was recommended that no action be taken for 2016.

Action Taken: Mr. Ecret moved that permission be granted to Mr. Rodelo to sell hot dogs at Lauzier Athletic Field and Larson Playfield on Tuesdays and Thursdays during tournaments in 2015, seconded by Dr. Curnel, and passed unanimously.

ORDINANCES AND RESOLUTIONSORDINANCE - AMEND 8.14 - NUISANCES DEFINED - 2ND READING

An ordinance was presented which amends Chapter 8.14, Nuisances Defined, to bring it into compliance with the recently adopted Chapter 1.20, Civil Code Enforcement.

The ordinance amending Chapter 8.14 of the Moses Lake Municipal Code entitled "Nuisance Defined" was read by title only.

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

ORDINANCE - CREATE 18.63 - VACATION RENTAL DWELLINGS - 2ND READING

An ordinance was presented which creates Chapter 18.63, Vacation Rental Dwellings, which would permit the rental of a single-family dwelling for less than thirty (30) days within all residential zoning districts.

The ordinance creating Chapter 18.63 of the Moses Lake Municipal Code entitled "Vacation Rental Dwellings" was read by title only.

Gilbert Alvarado, Interim City Manager, stated that the ordinance has been amended to include the person occupying the residence as well as the property owner will receive a citation for any violations at the property.

Chris Ries, 730 Laguna, stated that he is opposed to the vacation rentals in residential zones since the purpose of the residential zones is to preserve those areas for residential uses and vacation rentals would degrade those residential areas. He felt that the ordinance does not protect the adjoining properties from any possible nuisance and there is no remedy for any violation of the nuisance regulations.

Ken Jorgensen, 1016 Laguna, pointed out that zoning ordinances are intended to be protective and allowing a commercial use in a residential zone creates a conflict. He felt that allowing vacation rentals would negatively impact the residential areas. He questioned who was promoting the idea of vacation rentals since residential property owners are not in favor. He requested that the Council not pass the ordinance.

Debbie Doran-Martinez, Chamber of Commerce, stated that the stakeholders group discussed the issue of vacation rentals and felt that the pros outweighed the cons.

Jonathan Smith, 1604 E. Truman, Grant County Economic Development Council, stated that the proposed ordinance does provide protections to the neighbors of a vacation rental and some commercial uses are allowed in residential zones. He was in favor of allowing the vacation rentals.

Jason Hall, 471 Karl Road, stated that he operates vacation rentals in Moses Pointe and the local manager has addressed the few concerns from the neighboring property owners. He mentioned that there is more demand than they can meet.

Mrs. Liebrecht was concerned about the vacation rentals in a residential area and was opposed to this ordinance. She felt that it should be confined to a commercial area.

Mr. Voth pointed out that the issue has been discussed for over a year and he was in favor of the ordinance.

Mr. Lane felt that the regulations address the majority of the issues raised.

Gilbert Alvarado, Interim City Manager, provided background on the development of the ordinance and explained the elements of the ordinance as proposed.

Mayor Deane requested clarification on the sprinkler systems and public input.

Brett Bastian, Acting Fire Chief, explained the different sprinkler and fire alarm system requirements between hotel and motels and a residential dwelling.

Mr. Ecret pointed out that the Council has discussed vacation dwellings at retreat and that Vision 2020 has been promoting the idea for several years and a great deal of work has been put into the drafting of this ordinance.

Action Taken: Mr. Ecret moved that the ordinance be amended to include the following

Add to 18.63.010, Definitions: I. "Violation" means any violation by the owner or any occupant of any provision of this chapter, any provision of the Moses Lake Municipal Code, or any violation of state law."

and the second reading of the ordinance be adopted, seconded by Mr. Voth, and passed with Mrs. Liebrecht, Mr. Lane, and Mayor Deane opposed.

ORDINANCE - AMEND 3.62 - UTILITY SYSTEM DEVELOPMENT CHARGES - 1ST READING

An ordinance was presented which increases the utility system development charges.

The ordinance amending Chapter 3.62 of the Moses Lake Municipal Code entitled "Utility System Development Charges" was read by title only.

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

RESOLUTION - NUISANCE ABATEMENT - 2004 LEANN AVENUE - WESTERMAN

A resolution was provided which provides for the abatement of nuisances at 2004 Leann Avenue, owned by Garrett Westerman.

The resolution determining that Garrett Westerman 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.

Rick Rodriguez, 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. Lane moved that the resolution be adopted, seconded by Mr. Avila, and passed unanimously.

REQUEST TO CALL FOR BIDSSEWER GENERATOR PROJECT

Staff requested authorization to call for bids for the 2015 Sewer Generator Project. The project includes the replacement of standby power generators and automatic transfer switches at 6 lift stations in various locations and installation of a standby power generator and automatic transfer switch at the Sand Dunes Treatment Plant Lab building.

Gary Harer, Municipal Services Director, stated that the existing generators are over 50 years old and replacement parts are no longer available.

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

REFERRALS FROM COMMISSIONS - NoneOTHER ITEMS FOR COUNCIL CONSIDERATIONFIRE DEPARTMENT - PERFORMANCE STANDARDS AND TRANSPORTS

Gilbert Alvarado, Interim City Manager, stated that additional information on Fire Department performance standards was provided along with a map of the coverage areas and current response times and requested Council direction on how to proceed regarding the performance standards for the Fire Department.

Brett Bastian, Acting Fire Chief, provided a map showing the response times for different areas of the City and provided the call data for 10,000 incidents. He pointed out that the Fire Department is able to meet the recommended performance standards a majority of the time.

Katherine Kenison, City Attorney, pointed out that the intent of the legislation on performance standards is to set objectives and goals for the performance of the fire department and ambulance service and is not a standard by which liability is to be measured.

There was considerable discussion on the response times and staffing needs of the Fire Department.

Ryann Leonard, 7662 Chanute, provided a Summary of the legislation concerning Fire Department Performance Standards and an excerpt from the Comprehensive Plan dealing with fire and emergency facilities.

It was the consensus of the Council that the performance standards provided by the Acting Fire Chief be brought back to the Council for consideration of adoption.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTSAMBULANCE SERVICE

Bill Foxley, 1026 Garden Drive, felt that because of the City's financial shortfall, perhaps the City should eliminate the ambulance service and allow a private company provide that service.

COUNCIL QUESTIONS AND COMMENTS - NoneCITY MANAGER REPORTS AND COMMENTSFIRE DEPARTMENT

Gilbert Alvarado, Interim City Manager, provided an analysis of the costs for out of town transports by the Fire Department.

Bob Taylor, Finance Department, explained the information provided.

There was considerable discussion on the maintenance costs, elimination of the day car, overtime costs, and the ambulance fee.

VACANT LOTS

Gilbert Alvarado, Interim City Manager, provided information previously discussed on the clean up of vacant lots and pointed out the difficulties in addressing the weeds on vacant lots.

Mr. Ecret felt that the existing ordinance dealing with weeds and other nuisances does not have enough force behind it and felt that a field trip and a study session on the issue would be helpful.

Mr. Alvarado explained the difficulty with enforcing the current nuisance ordinance and the need to shorten the time frame for enforcement.

Katherine Kenison, City Attorney, stated that sending code enforcement cases through the Superior Court system rather than having the Council deal with them would shorten the time for the violator to comply.

There was some discussion on the number of code enforcement cases and the difficulty in dealing with out-of-town property owners.

It was the consensus of the Council that information be provided on how well the city matches with other cities of the same size with regard to code enforcement.

BUILDING ACTIVITY REPORT

The May Building Activity Report was provided.

The regular meeting was adjourned at 10 p.m.

ATTEST

Dick Deane, Mayor

W. Robert Taylor, Finance Director