

MOSES LAKE CITY COUNCIL  
March 8, 2011

Council Present: Jon Lane, Bill Ecret, Dick Deane, Karen Liebrecht, Brent Reese, David Curnel, and Richard Pearce

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

PLEDGE OF ALLEGIANCE: Tom Taylor, Fire Chief, led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the February 22, 2011 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 city hall. As of March 8, 2011 the Council does approve for payment claims in the amount of \$1,002,602.18; prepaid claims in the amount of \$46,176.08; claim checks in the amount of \$370,183.28; and payroll in the amounts of \$1,736.91 and \$20,321.84.

Maiers Industrial Park 2<sup>nd</sup> Final Major Plat and Findings of Fact: Maiers Industrial Park, Inc. submitted a one lot final plat for 5.41 acres located directly east of 13184 Wheeler Road. The site is zoned Heavy Industrial, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. The Planning Commission recommended that the final plat be approved with conditions and the Findings of Fact be accepted.

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

Resolution - Accept Improvements - Crossroads Phase 4 Major Plat: A resolution was presented which accepts street and utility improvements constructed as part of the Crossroads Phase 4 Major Plat.

Mr. Reese questioned the fact that the required fence has not been constructed.

Gilbert Alvarado, Community Development Director, pointed out that the fence is not part of the resolution accepting the street and utility improvements. He mentioned that the construction of the fence has been delayed due to easement issues but staff and the developer are still discussing the issue.

Action Taken: Mr. Reese moved that the resolution be adopted, seconded by Mr. Pearce, and passed unanimously.

COMMISSION APPOINTMENTS - NoneCONSIDERATION OF BIDS AND QUOTESONE TON CAB AND CHASSIS

The City received three bids for a one ton cab and chassis that will be used by the Parks and Recreation Department.

Action Taken: Mr. Deane moved the bid be awarded to Discovery Ford in the amount of \$24,299, seconded by Dr. Curnel, and passed unanimously.

CRACK SEAL PROJECT - 2011

The City received four bids for the 2011 Crack Seal Project. This project includes sealing approximately 290,000 feet of various cracks in the City's streets and parking lots.

Action Taken: Mr. Pearce moved that the bid be awarded to Quality Paving, Inc. in the amount of \$97,414, seconded by Mr. Ecret, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGSLIBRARY RENOVATION

Tim Fuhrman, representing the Library renovation project, stated that the proposal includes a major remodel and a 20,000 square feet addition. The conceptual plans have been developed and funding is being sought. The cost is expected to be between \$6,000,000 and \$10,000,000.

Chris Nelson, 198 Crestview, stated that he felt one of the major problems is the computer lab at the library and was in favor of expansion.

ORDINANCES AND RESOLUTIONSORDINANCE - AMEND 13.12 - WATER, SEWER, AND STORMWATER RATES - 1<sup>ST</sup> READING

An ordinance was presented which increases the water, sewer and stormwater rates.

The ordinance amending Chapter 13.12 of the Moses Lake Municipal Code entitled "Water, Sewer, and Stormwater Rates" was read by title only.

Action Taken: Mr. Pearce moved that the first reading of the ordinance be adopted, seconded by Mrs. Liebrecht.

There was discussion on the reasons for the yearly increase in the rates.

Mr. Reese and Dr. Curnel felt that, because of the economy and the increase in the ambulance rates and the establishment of stormwater rates, it would not be a hardship on the City to forego an increase in the water/sewer rates.

The motion passed with Dr. Curnel and Mr. Reese opposed.

ORDINANCE - CREATE 9.22 - OFFENSES AGAINST PUBLIC PEACE - 1<sup>ST</sup> READING

An ordinance was presented which addresses panhandling and donation solicitation from vehicle occupants.

The ordinance creating Chapter 9.22 of the Moses Lake Municipal Code entitled "Offenses Against Public Peace" was read by title only.

Joseph K. Gavinski, City Manager, stated that the ordinance does not prohibit panhandling because that would raise some constitutional issues, however, it does provide some regulations of the activity.

There was some discussion by the Council.

Action Taken: Mr. Deane moved that the a C-17 penalty be imposed and the first reading of the ordinance be adopted, seconded by Dr. Curnel, and passed unanimously.

REQUEST TO CALL FOR BIDSLONGVIEW TRACTS SEWER PROJECT - 2011

Staff requested authorization to call for bids for the 2011 Longview Tracts Sewer Project. This project consists of installing sewer mains, sewer side services, curb, gutter, catch basins, drywalls, and asphalt streets in Longview Tracts.

There was some discussion on the project.

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

REFERRALS FROM COMMISSIONS - NoneOTHER ITEMS FOR COUNCIL CONSIDERATIONLEGAL SERVICES CONTRACT

An amendment was presented to the current Contract for Professional Legal Services between the City and Lemargie, Kenison, Wyman, and Whitaker which changes the City Attorney from James A. Whitaker to Katherine L. Kenison. Ratification of the execution of the amendment by the City Manager was requested.

Action Taken: Mr. Ecret moved that the City Manager's execution of the amendment to the contract be ratified, seconded by Mr. Reese, and passed unanimously.

ORDINANCE - RESIDENTIAL VEHICLE STORAGE - REVIEW

An ordinance was presented which amends the vehicle storage regulations to address the issue of the use of gravel as a parking surface in the front yard in the residential areas of the City. Additional direction from Council was requested on the proposed changes.

There was considerable discussion by the Council.

Action Taken: Mr. Pearce moved that the ordinance be changed to eliminate the second sentence from the bottom in Section 8.52.040 B 1 and include 5' in the last sentence and the first reading of the ordinance be adopted, seconded, by Mr. Reese, and passed unanimously.

#### TRAVEL INN MOTEL - SIGN

The Travel Inn Motel located at 316 Pioneer Way is proposing to replace the existing sign which extends into the City's right-of-way by 6' with a new sign that will only extend into the City's right-of-way by 13". The existing poles and footings will be utilized.

Mike Garland, representing the Travel Inn, explained that the change in the sign will reduce the overhang of the sidewalk to 13". The existing footing and poles will be used.

Action Taken: Mr. Ecret moved that the request be granted, seconded by Mr. Reese, and passed unanimously.

#### REIMBURSEMENT REDUCTION - ENERGY INDUSTRIAL MAJOR PLAT

Phillip Bloom, Columbia Northwest Engineering, on behalf of REC, requested a reduction in the sewer reimbursements for the Energy Industrial Major Plat to account for the street frontage of the property that is owned by Agri Beef. The ownership of the roadway easement fronting Agri Beef was included in REC's purchase of their property that is being platted, and is required to be included in the Energy Industrial Major Plat and so the sewer reimbursements for this section of street easement are the responsibility of REC. The owner of the Energy Industrial Major Plat does not derive any benefits from the street frontage of the property owned by Agri Beef and staff has no objections to the reduction of the sewer reimbursements requested by REC. The reimbursement would be reduced by \$1,349.

Larry Angell, Columbia Northwest Engineering, representing REC, stated that they used the work sheets prepared by the City to calculate the reduction in the reimbursements.

Action Taken: Mr. Reese moved that the request be granted, seconded by Mr. Pearce, and passed unanimously.

#### WESTERN DISPLAY FIREWORKS - AGREEMENT

Authorization was requested for the City Manager to sign the agreement with Western Display Fireworks, Ltd. for the 2011 4<sup>th</sup> of July fireworks show. The cost of the fireworks is \$16,000.

Action Taken: Dr. Curnel moved that the City Manager be authorized to sign the agreement, seconded by Mr. Deane, and passed unanimously.

#### NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS

##### TAXES/AMBULANCE FEES

Chris Nelson, 198 Crestview, wanted to know when the taxes from the SGL project would be given to the City.

Joseph K. Gavinski, City Manager, explained that it would take about a year before the City sees any tax revenue.

Mr. Nelson questioned how the ambulance fee is assessed on apartments.

Joseph K. Gavinski, City Manager, explained how the fee is assessed.

#### COUNCIL QUESTIONS AND COMMENTS - None

#### CITY MANAGER REPORTS AND COMMENTS

##### VACATION RENTAL DWELLINGS

Joseph K. Gavinski, City Manager, provided information from Westport and Chelan County which regulates vacation rental dwellings since the issue came up at the Council/staff Retreat.

Mr. Ecret stated that the area is being promoted as a vacation destination spot and both the Chamber of Commerce and Vision 2020 feels that vacation rentals are needed as there are not enough places for vacationers to stay.

Mr. Gavinski pointed out that the problem is how to maintain the integrity of the single family residential neighborhoods. He mentioned that vacation rentals have been allowed in the county and they were so disruptive to the neighborhood that the residents became irate. He mentioned that it is difficult to regulate and manage that type of activity.

##### COUNCIL/STAFF RETREAT REPORT/CITY HALL AND POLICE BUILDING REMODEL

Joseph K. Gavinski, City Manager, provided a new schedule of the priority items discussed at the Council/staff Retreat.

He also provided tentative plans for the remodel of the existing City Hall and Police/Parks and Recreation Building.

##### POLICE REPORT

Joseph K. Gavinski, City Manager, provided information on the strategies used by the Police Department to deal with crimes committed by juveniles, young adults, and criminal street gangs.

##### SALES TAX/TRANSIENT RENTAL INCOME

The City received \$488,453.72 in sales tax and \$25,155.98 in transient rental income in February 2011.

##### BUILDING ACTIVITY REPORT

The February 2011 Building Activity Report was presented.

##### INSURANCE

Joseph K. Gavinski, City Manager, stated that the City will receive a refund from the AWC Retro Pool.

WELLNESS PROGRAM

Joseph K. Gavinski, City Manager, stated that the City is insured through the AWC Benefit Trust, which has gone to a Wellness model in the collection of premiums and the programs that must be in place in order to participate in the program. If the City adopts a Wellness program which contains the required elements, the City will receive a 2% rebate on its health insurance premium, which equates to about \$40,000 per year. Staff would recommended that part of that rebate be reinvested in the Wellness Program as it will promote good health among the employees and will provide better service to the community. The ultimate goal is to reduce sick leave amounts.

The regular meeting was adjourned at 8:45 p.m.

ATTEST

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Jon Lane, Mayor

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Ronald R. Cone, Finance Director