

MOSES LAKE CITY COUNCIL
April 26, 2011

Council Present: Jon Lane, Dick Deane (arrived at 8:40 p.m.), Karen Liebrecht, Bill Ecret, David Curnel, Richard Pearce, and Brent Reese

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

PLEDGE OF ALLEGIANCE: Mr. Ecret led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS

POLICE DEPARTMENT

Kurt Ledeboer and Adam Munro, Police Officers, were introduced to the Council.

CONSENT AGENDA

Minutes: The minutes of the April 12, 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 April 26, 2011 the Council does approve for payment claims in the amount of \$287,767.14; prepaid claims in the amounts of \$70.38, \$22,846.81, \$24,009.27, and \$23,656.16; claim checks in the amount of \$2,210,087.65; and payroll in the amount of \$29,864.65.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES

LONGVIEW TRACTS SEWER PROJECT - 2011

The City received eight bids for the 2011 Longview Tracts Sewer Project. This project consists of installing sewer main and laterals to serve the Longview Tracts area and upgrading the streets with asphalt pavement, curb and gutters, catch basins, and drywalls.

Action Taken: Mr. Pearce moved that the bid be awarded to Pipkin Construction in the amount of \$1,104,464, seconded by Mr. Reese, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

REQUEST TO USE CASCADE PARK - COMMUNITY AND FAMILY SERVICES FOUNDATION

Community and Family Services Foundation requested the use of Cascade Park on Sunday, June 26 for a car show from 11 a.m. to 4 p.m. This is a fund raising event that will be free to the public and include a food booth and possibly a beer garden.

Joseph K. Gavinski, City Manager, stated that the staff could not recommended approval of the beer garden in Cascade Park because of the existing campground where there is a prohibition against alcoholic beverages. The elimination of the beer garden is acceptable to the Community and Family Services Foundation.

Action Taken: Dr. Curnel moved that the request be granted for the car show without a beer garden, seconded by Mrs. Liebrecht, and passed unanimously.

REQUEST TO USE CITY STREETS - RELAY FOR LIFE

The Relay for Life of Moses Lake requested permission use Sinkiuse Square and to close Third Avenue from Division Street to Beech Street and Ash Street from the alley in the 200 block to the entrance to Sinkiuse Square in the 300 block, and the use of Sinkiuse Square on Saturday, June 4 from 4 p.m. to 9 p.m. in order to hold a street dance.

Jeff Heimark, Event Chair for Moses Lake Relay for Life, stated that they contacted the businesses in the area that would be closed and only the owner of Tsunami Sushi was concerned about access for his customers. He wanted the area coned off closer to Sinkiuse Square to allow his customers to park.

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

SIGNAGE - VISION 2020

Richard Teals, Vision 2020, presented the latest design for the signage proposed to be placed on the chain link fence owned by the Department of Transportation at exit 176. The Department of Transportation has given approval of the concept.

Mr. Teals provided pictures of the signs proposed to be placed at exit 176 and gave some background on the proposed placement of the signs. He mentioned that the area needs to be landscaped and they are proposing weed block and chipped rock with some basalt columns. It would require no water. He mentioned that the project would cost about \$5,000.

There was some discussion concerning the sign orientation and materials.

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

REC SOLAR GRADE SILICON

Lon Topaz, Senior Global Commodity Manger-Energy, representing REC Solar Grade Silicon, stated that REC has operations in several countries with a world wide annual income of about \$1.4 billion of which REC contributes about half. He explained the operations of REC and their contributions to the community.

GRANT COUNTY PUD

Bob Bernd, Grant County PUD Commissioner, provided information on the PUD's operations including the new regulations and requirements associated with the new license. He mentioned that they are working to make the power rates as low and as reliable as possible.

ORDINANCES AND RESOLUTIONSORDINANCE - AMEND GARBAGE RATES - 2ND READING

An ordinance was presented which establishes a rate for a 40 yard roll-off two times a week and a return trip charge. The return trip charge would be assessed for those individuals who fail to have their carts out on the street on time.

The ordinance establishing charges for garbage collection was read by title only.

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

ORDINANCE - AMEND 10.12 - PARKING REGULATIONS - 2ND READING

An ordinance was presented which amends the parking regulations by deleting unnecessary sections, moving some restricted parking to the correct category, and rewording some sections for consistency.

The ordinance amending Chapter 10.12 of the Moses Lake Municipal Code entitled "Parking Regulations" was read by title only.

Jason Hall, 305 E. Third, owner of the lot on Canterbury between Wheeler Road and Terrace Avenue, stated that his tenants at this location currently park on Canterbury since there is no curb cut that allows access to this lot. The prohibition of parking on Canterbury adjacent to his lot would require his tenants to try to find parking on Terrace as the neighbor has denied them use of his curb cut to access the lot from Terrace. Access to his property would require the construction of a curb cut on Terrace and he felt that because the City is prohibiting parking on Canterbury, that the City should construct the curb cut.

Gary Harer, Municipal Services Director, stated that traffic backs up at the intersection of Wheeler and Canterbury and there have been several accidents. The proposal is to eliminate parking on Canterbury and provide dedicated right and left turn lanes onto Wheeler.

Joseph K. Gavinski, City Manager, stated that this area was annexed into the City in 1954. The area had previously been platted and developed in the county. The City has no plat file or building permit files and neither does the county and so there are no records of why a curb cut was not provided.

There was considerable discussion and it was pointed out that if the City provides the curb cut, it would open the door for anyone in the City to request the City to install them a curb cut also.

Action Taken: Mr. Pearce moved that the second reading of the ordinance be adopted, seconded by Mr. Ecret, and passed with Mrs. Liebrecht opposed.

ORDINANCE AMEND 13.08 - WATER AND SEWER CONNECTIONS - 1ST READING

An ordinance was presented which sets the water connection charges for the water main installed along Kittelson Road extended.

The ordinance amending Chapter 13.08 of the Moses Lake Municipal Code entitled "Water and Sewer Connections" was read by title only.

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

RESOLUTION - PETTY CASH

A resolution was presented which establishes petty cash funds for the Community Development Department and Engineering Division.

The resolution establishing a petty cash account for the Community Development Department and Engineering Division was read by title only.

Action Taken: Mrs. Liebrecht moved that the resolution be adopted, seconded by Dr. Curnel, and passed unanimously.

RESOLUTION - ACCEPT EASEMENT - COLUMBIA BASIN RAILROAD

A resolution was presented which accepts an easement from the Columbia Basin Railroad for municipal purposes. The easement is located on Sunny Drive.

The resolution accepting an easement to the City of Moses Lake from Columbia Basin Railroad Company, Inc. was read by title only.

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

RESOLUTION - ESTABLISH DISABILITY BOARD

A resolution was presented which provides for the formation of a LEOFF I Disability Board for the City. Because the City now has a population over 20,000, state law requires that the City must establish its own LEOFF I disability board to administer its obligations.

The resolution regarding the formation of a LEOFF I Disability Board under RCW 41.26.110 for the City of Moses Lake was read by title only.

Joseph K. Gavinski, City Manager, stated that the resolution would establish the beginning date of the new disability board. He mentioned that there are about 20 LEOFF I members that would be the responsibility of the new disability board. The membership of the Board will be made up of two Council members, one LEOFF I firefighter, one LEOFF I police officer, and a community member chose by the other four members.

Dr. Curnel, Brent Reese, Karen Liebrecht, and Jon Lane all expressed interest in serving on the new disability board. It was pointed out that the member at large could also be a Council member.

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

RESOLUTION - COLUMBIA BASIN RAILROAD

A resolution was presented which supports the abandonment and elimination of the Columbia Basin Railroad rail line running through the City.

The resolution regarding the Columbia Basin Railroad and the portion of the rail line or corridor running from Mile Post (MP) 10.913 to Mile Post (MP) 16.045 was read by title only.

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

RESOLUTION - USE OF SWIMMING FACILITY

A resolution was presented which would allow the City to prohibit Level 2 and 3 sex offenders from entering the City's swimming facilities.

The resolution adopting a policy and directing City staff to issue written notices pursuant to RCW 9A.44.192 ordering qualifying covered Level 2 and/or Level 3 sex offenders pursuant to RCW 9A.44.190(5) and RCW 9A.44.193 from the legal premises of the City of Moses Lake's public swimming pool (Surf 'N Slide Water Park) pursuant to this policy was read by title only.

Joseph K. Gavinski, City Manager, explained the ramification of the policy and pointed out that appropriate notification to the affected individuals must be provided before the prohibition can become effective.

There was some discussion by the Council.

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

RESOLUTION - BUILD ON UNPLATTED PROPERTY - BLACKSTONE OTR, LLC

A resolution was presented which allows Blackstone OTR, LLC to construct a 30,000 square foot light industrial warehouse on unplatted property owned by Castle Farm Enterprises. The property is located at 8037 Randolph Road.

The resolution allowing Blackstone OTR, LLC to build on unplatted property owned by Castle Farms Enterprises, LLC was read by title only.

Gilbert Alvarado, Community Development Director, stated that staff has met with the proponent to explain all the requirements for construction and informed them that platting will be required within one year. He mentioned that Blackstone provides parts to Genie Industries.

Eric Taylor, Blackstone OTR, LLC, stated that they would like to begin construction of the 30,000 square foot warehouse as soon as possible and begin operations before the end of the year.

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

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

AUTOMATIC RESPONSE AGREEMENT - FIRE DEPARTMENT

Authorization was requested for the City Manager to execute an Automatic Response Agreement between the City and Grant County Fire District #5. The agreement will allow for the automatic response of both fire agencies to certain areas in and around Moses Lake.

Tom Taylor, Fire Chief, stated that this agreement has been pending for a number of years and with the improved relations between the two jurisdictions this agreement will be beneficial to both.

There was some discussion by the Council.

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

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS

STORMWATER DECANT FACILITY PROJECT 2011

Mike Holmes, 4156 Brad Street, wanted to know what the proposed stormwater decant facility will entail.

Gary Harer, Municipal Services Director, stated that the stormwater decant facility will separate the water from the debris that is sucked out of the dry wells, catch basins, and from the street sweepings. The debris has to be dried before it is acceptable at the Grant County landfill. The facility is a 60' by 180' concrete pad separated into 3 bays with drains. The material from the sweeper and vacuum trucks will be emptied into the bays and after the debris has drained, it will be loaded into a dumpster that will be picked up by Lakeside Disposal on a weekly basis. The water from this material will be directed into the sewer system. Currently there is a small pad with a drain that empties into a ditch, which is no longer acceptable.

Mr. Holmes pointed out that Skyline Acres has approximately 58 home owners and the main concern is the smell. He felt that street sweeping debris would not be a problem but the catch basin residue would be a problem. He felt that the decant facility should be moved to a more appropriate location where the smell would not affect a residential area.

Jennie Sloane, 11690 Road 4 NE, stated that her home is directly across Road 4 from the Operations and Maintenance Facility. She felt that better notification should have been provided to the neighbors, even though the city followed the regulations regarding notification. She mentioned that many of the neighbors she called are concerned about the project and would like to be heard. She requested that any decision on the project be delayed until the next meeting so that they can express those concerns. She pointed out that she already deals with dust, noise, and a view of an industrial area and the decant station will not only increase those problems but also create an odor problem. She provided pictures of blowing dust during the construction of the Operations and Maintenance Facility in 2007 and mentioned that the beeping when the vehicles back up is very annoying and the view from her front windows is the facility.

Gary Harer, Municipal Services Director, showed a map of the area and explained the operation of the decant area. He stated that staff researched other decant operations prior to determining to locate it at the Operations and Maintenance Facility. He pointed out that the stormwater debris will still be damp when it is placed in the dumpsters and there will not be any dust that can blow about and there should be very little odor. He pointed out that the City does try to keep the dust down and the home owners should contact the City if there is a problem.

There was some discussion on the project and possible solutions to the concerns of the neighboring property owners. It was the consensus of the Council that a study session be set before the next Council meeting.

Action Taken: Mr. Pearce moved that the bid be delayed a month and a study session be set prior to the next Council meeting, seconded by Mrs. Liebrecht, and passed unanimously.

COUNCIL QUESTIONS AND COMMENTS - None

CITY MANAGER REPORTS AND COMMENTS

AMBULANCE FUND

Joseph K. Gavinski, City Manager, distributed an analysis on the ambulance fund.

Ron Cone, Finance Director, explained the figures and recommended that the next review be in six months in order to provide a better understanding of what is happening in the fund.

WASHINGTON SURVEYING AND RATING BUREAU

Joseph K. Gavinski, City Manager, stated that the city received a letter from the Washington Surveying and Rating Bureau which indicates the city has improved from a Class 3 to a Class 2 for both one and two family residential property and for commercial and industrial property. He mentioned that this improvement may result in some insurance premium reductions.

WELL CITY ACHIEVER AWARD

Joseph K. Gavinski, City Manager, stated that the Association of Washington Cities had determined the City has met the WellCity standards and has earned a 2% premium discount for 2012 on all employee and spouse insurance premiums. This will result in a savings of about \$40,000 which the City would like to re-invest in the Wellness Program to make it even more effective.

TREE PLACEMENT PROJECT

Joseph K. Gavinski, City Manager, reported that the 2010 Tree Replacement Project includes the replacement of 28 trees and tree planters, surrounding pavers, curb and gutter, tree wells, grate and frame, irrigation lines and electrical conduit and asphalt fronting the curb. The total amount for this project was \$122,823 which is \$4,386 per tree. The reason for the high cost is that most of the work was done by hand.

RECYCLE PROGRAM

Joseph K. Gavinski, City Manager, stated that the recycle program is going well and the City has been able to refund \$.74 per month on the utility bill. He reported that there has been an increase in the requests for a second 64 gallon recycle cart or a 96 gallon recycle cart in place of the 64 gallon cart. The City has also recycled over 13 tons of glass during the first quarter and reduced the amount of garbage taken to the landfill by 32%.

Ron Cone, Finance Director, reported on the success and problems of the recycling program.

RECYCLE AWARD

Joseph K. Gavinski, City Manager, stated that the City has been chosen as the Recycler of the Year by the Washington State Recycling Association. The City will pick up the award in May.

QUARTERLY FINANCIAL REPORT

Joseph K. Gavinski, City Manager, stated that the first quarter financial report is available on line.

The regular meeting was adjourned at 10:15 p.m.

ATTEST

Jon Lane, Mayor

Ronald R. Cone, Finance Director