

MOSES LAKE CITY COUNCIL
June 28, 2011

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

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

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

PRESENTATIONS AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the June 14, 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 June 28, 2011 the Council does approve for payment claims in the amount of \$976,442.73; prepaid claims in the amounts of \$53,354.29, \$323,334.93, and \$79,940.27; claim checks in the amount of \$2,537,280.43; and payroll in the amount of \$356,218.86.

Accept Work - 2011 Crack Seal Project: Quality Paving, Inc. has completed the work for the 2011 Crack Seal Project. The work should be accepted and the 45 day lien period entered into.

Industrial Waste Discharge Permit - Vern's Moses Lake Meats: A permit was presented which allows Vern's Moses Lake Meats to discharge 9,900 gallons per day into the city's system.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES

2011 SEAL COAT PROJECT

The City received two bids for the 2011 Seal Coat Project. This project consists of chip sealing approximately 177,100 square yards of streets with 3/8" chips followed by a fog sealing. Additive 1 includes an additional 39,700 square yards of streets to be chip sealed followed by a fog seal.

Action Taken: Mrs. Liebrecht moved that the bid be awarded to Granite Construction Company in the amount of \$522,490, seconded by Mr. Reese, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

REQUEST TO USE CITY PROPERTY - TSUNAMI SUSHI

Dwane Lind, Tsunami Sushi, requested permission to close Third Avenue between Division and Ash on July 22, 2011 from 7 p.m. to 12 midnight to accommodate their annual Elvis night for the entertainment of their patrons.

Mr. Lind stated that the Liquor Control Board has requested that the consumption of liquor be confined to a certain area and that area has been cleared with the Liquor Control Board.

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

NOISE - THE SAND BAR

Travis Laibl from The Sand Bar, requested a deviation of the city noise ordinance for the third Saturday of each month from 10 p.m. to 12 midnight in order to allow a band to play outside the building on an outside deck facing Moses Lake. The reflective quality of the water results in noise issues.

Mr. Laibl stated that the bands would play on the deck from May to October. Because of the small size of The Sand Bar, it is not possible to have bands play inside.

There was considerable discussion by the Council on how to address the noise issue.

Joseph K. Gavinski, City Manager, explained that an amendment to the noise ordinance would be required in order to allow the request of The Sand Bar.

Staff was directed to draft a change in the noise ordinance for Council consideration.

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 3.62 - UTILITY SYSTEM DEVELOPMENT CHARGES - 2ND READING

An ordinance was presented which increases the utility system development charges by the December to December CPI.

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. Reese moved that the second reading of the ordinance be adopted, seconded by Mr. Deane, and passed with Dr. Curnel opposed.

ORDINANCES - AMEND 17.15 - REQUIREMENTS FOR PLATS AND SITE PLANS AND 17.18 - BINDING SITE PLAN - 2ND READINGS

Ordinances were presented which amend the Requirements for Plats and Site Plans and Binding Site Plans by including a signature line for the Auditor, changing "survey" to "binding site plans" and adding the Treasurer's Certificate.

The ordinance amending Chapter 17.15 of the Moses Lake Municipal Code entitled "Requirements for Plats and Site Plans" was read by title only.

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

The ordinance amending Chapter 17.18 of the Moses Lake Municipal Code entitled "Binding Site Plan" was read by title only.

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

ORDINANCE - NORTHLAND CABLE FRANCHISE - 2ND READING

An ordinance was presented which grants a franchise to Northland Cable Television, Inc. to operate and maintain a cable system.

The ordinance granting a franchise to Northland Cable Television, Inc., to operate and maintain a cable system in the City of Moses Lake and setting forth conditions accompanying the grant of franchise was read by title only.

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

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

BICYCLE LANES WITHIN TRAFFIC LANES

The Trails and Planning Team propose sharrows, which are shared lanes between bicycles and vehicles, along Third Avenue, Fourth Avenue, and Balsam Street. This route will link the new bike lanes on West Broadway to the bike lanes on East Broadway. The speed limit on this route is 20 to 25 mph. Sharrows are used to link bicycle lanes when there is not enough right-of-way, the curb and gutter are already built and the cost is prohibitive to widen the street and when parking or traffic lanes cannot be eliminated. The shared lanes would be marked with chevron symbols to let motorists know that the lane is also a bicycle route. This would required about 90 symbols to be painted in the traffic lane at a cost of approximately \$15,000.

Gary Harer, Municipal Services Director, stated that the Trails and Planning Team have considered sharrows for a couple of years. They have recently been incorporated into the Uniform Manual for Traffic Devices. This route connects the bicycle paths on West and East Broadway. He mentioned that a public education program will be developed.

There was some discussion by the Council.

Joe Rogers stated that studies have been done that show the sharrows increase the safety of the cyclist and motorist.

Gale Hamm stated that he biked the proposed sharrow route and felt it would work very well as there is less traffic than on Broadway. Many cities have been using sharrows for many years and they have been very successful.

Mike Riggs was in agreement with the comments from Mr. Rogers and Mr. Hamm and felt the sharrows would be an indication that Moses Lake is a friendly place for bicyclists.

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

STREET REIMBURSEMENT - LARK AVENUE

HAPO is proposing to construct a building to house a credit union north of Lark Avenue and east of Pioneer Way, which will require the property to be platted. The developer is responsible to improve the half of Lark Avenue fronting his property. HAPO Community Credit Union is requesting the city to participate by paying for the street improvements of the other half of Lark Avenue.

Joseph K. Gavinski, City Manager, stated that as well as the request for city participation in front of this development, there is the need to extend Lark to Kiefer Drive. The total cost of the project would be about \$400,000. Because of budgetary issues, he recommended that if Lark is improved in 2011, the street only be improved in front of the development and the remaining street improvements be done in 2012 or later. If the street is improved in 2012, the entire street could be budgeted for in 2012.

Jim Haack, President of Momentum, representing HAPO, stated that it is in the best interest of the city that Lark be completed to Keifer Drive and they are willing to work with the city on the project.

Action Taken: Mr. Deane moved that the city participate in the improvements to Lark Avenue in front of the proposed development, seconded by Mr. Pearce, and passed unanimously.

It was pointed out that it is unlikely that Lark would be improved in 2011 and the improvement of Lark from Pioneer to Keifer could be considered in the 2012 budget.

Action Taken: Mr. Pearce moved that staff be directed to place the request for the improvement of Lark Drive in the 2012 budget, seconded by Mr. Reese, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - NoneCOUNCIL QUESTIONS AND COMMENTSDOWNTOWN IMPROVEMENTS - CLOCK

Mrs. Liebrecht mentioned that she attended a meeting with the Rotary Club concerning the clock currently located in the intersection by Sinkiuse Square and the proposal to move it to the front of the new Civic Center. The consensus of the people attending this meeting was to leave the clock where it is.

AGCCT MEETING

The Council was reminded of the AGCCT meeting on Thursday, June 28, at Wilson Creek.

FARM ANIMALS

Mayor Lane mentioned that only two people showed up at the study session on the issue of allowing chickens and rabbits in the city limits so the Council will be taking no action at this time.

CITY MANAGER REPORTS AND COMMENTSAUDITOR'S REPORT

Joseph K. Gavinski, City Manager, presented the 2010 Audit Report and mentioned that the city is in compliance with its internal controls and state requirements.

The regular meeting was recessed at 8:15 p.m. and the Council met in a 10 minute executive session with the City Attorney to discuss labor relations. The executive session was adjourned at 8:30 p.m. and the regular meeting was reconvened.

LABOR AGREEMENT - POLICE DEPARTMENT

The labor agreement with the Police Department union employees was presented.

Action Taken; Mr. Ecret moved that the City Manager be authorized to sign the labor agreement with the Police Department, seconded by Dr. Curnel, and passed unanimously.

The regular meeting was adjourned at 8:35 p.m.

ATTEST

Jon Lane, Mayor

Ronald R. Cone, Finance Director