

MOSES LAKE CITY COUNCIL  
March 23, 2010

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

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

PLEDGE OF ALLEGIANCE: Girl Scout Troop 1238 led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS

POLICE DEPARTMENT

Chad Gallaway, Matthew Harum, and Paul Ouimette, new police officers were presented to Council

CONSENT AGENDA

Minutes: The minutes of the March 9, 2010 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 23, 2010 the Council does approve for payment claims in the amount of \$278,689.67; prepaid claims in the amounts of \$15,562.50 and \$14,075.55; claim checks in the amount of \$46,639.22; and payroll in the amounts of \$32,715.50 and \$34,849.25.

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

SEWER CAMERA

The City received one bid for the pan and tilt sewer camera with transport vehicle.

Action Taken: Mr. Pearce moved that the bid be awarded to Western Systems in the amount of \$35,053.04, seconded by Dr. Curnel, and passed unanimously.

SEWER LINING PROJECT

The City received five bids for the 2010 Sewer Lining Project. This project consists of lining approximately 24,150' of 10" through 21" concrete sewer mains. Additional lines may be added if the budgeted amount is not entirely spent on the original quantities.

Action Taken: Mrs. Liebrecht moved that the project be awarded to Michels Corporation in the amount of \$699,494.12, seconded by Dr. Curnel, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGSGRANT COUNTY PUD

Robert Bernd, PUD Commissioner, explained the requirements under the recently acquired federal licenses for operating the dams and their current and future projects.

FARMER'S MARKET - SIGNS, USE OF SINKIUSE SQUARE, AND CLOSURE OF ASH STREET

The Farmer's Market requested permission to place signs around the downtown area. The signs will be put out and removed on days the Market is operating. The Market also requested the use of Sinkiuse Square on Saturday, May 29, since their traditional location is already in use by the Spring Festival. The Market again requested the closure of half a block of Ash Street for the Wednesday Market.

Marianne Bondi, Moses Lake Business Association, submitted a petition requesting that one half of the block of Ash Street be closed during the Farmer's Market on Wednesdays. She pointed out that the business owner who objected to the closure last year has signed the petition.

Misty Laughlin, Farmer's Market, stated that the closure of Ash Street is a benefit to the vendors. She mentioned that they would like to operate the Farmer's Market on the Sunday of Pig out in the Park, the Tri-State Swim Meet, Memorial Day, Labor Day, and the Blue Grass Festival.

Action Taken: Mr. Pearce moved that the request to close one half of Ash Street on Wednesdays for the Farmer's Market be granted, seconded by Mr. Deane, and passed unanimously.

Action Taken: Mr. Pearce moved that the request to place sandwich board signs advertising the Farmer's Market be granted with the stipulation that they meet the existing sign regulations, seconded by Mr. Ecret, and passed unanimously.

Action Taken: Mrs. Liebrecht moved that the request to close Ash Street and use Sinkiuse Square for the Farmer's Market on May 29 be granted, seconded by Dr. Curnel, and passed unanimously.

SIGNS - BIG BEND COMMUNITY COLLEGE

Big Bend Community College requested permission to place signs advertising their Job Fair on April 22. The signs will be erected on April 14.

Action Taken: Mr. Ecret moved that permission be granted for the placement of the signs in accordance with current city regulations, seconded by Mr. Pearce, and passed unanimously.

ORDINANCES AND RESOLUTIONSORDINANCE - AMEND 13.01 - STORMWATER GENERAL PROVISIONS - SINGLE READING

An ordinance was presented which corrects an inconsistency in the stormwater general provisions and rates.

The ordinance amending Chapter 13.01 of the Moses Lake Municipal Code entitled "Stormwater General Provisions" was read by title only.

Action Taken; Mr. Ecret moved that an emergency be declared and the ordinance be adopted on a single reading, seconded by Dr. Curnel, and passed unanimously.

#### ORDINANCE - LAKES MOBILE HOME PARK - FRANCHISE - 2ND READING

An ordinance was presented which amends the franchise to Lakes Mobile Home Park, LLC by reducing the amount of insurance required from \$2,000,000 to \$1,000,000.

The ordinance amending Ordinance 2529 granting to Lakes Mobile Home Park, LLC the right and franchise to use and occupy designated streets, alleys, and other public places and ways of the City of Moses Lake, Washington, to construct, maintain, repair, renew and operate a water distribution system within and through certain portions of the City of Moses Lake, Washington was read by title only.

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

#### ORDINANCE - AMEND 3.30 - UTILITY OCCUPATIONAL TAX - 2<sup>ND</sup> READING

An ordinance was presented which sets an eight percent (8%) utility and occupational tax rate for the stormwater management utility.

The ordinance amending Chapter 3.30 of the Moses Lake Municipal Code entitled "Utility Occupational Tax" was read by title only.

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

#### ORDINANCE - PUD FRANCHISE - 2<sup>ND</sup> READING

An ordinance was presented which corrects clerical errors relating to the effective dates of the franchise granted to the PUD.

The ordinance granting to Public Utility District No. 2 of Grant County a franchise to locate, construct, operate, and maintain facilities within all city rights-of-way and other public property in the City of Moses lake, Washington was read by title only.

James A. Whitaker, City Attorney, explained how the discrepancies in the effective dates happened.

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

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

An ordinance was presented which increases the water and sewer 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 Dr. Curnel, and passed unanimously.

ORDINANCE - AMEND 2.30 - EMERGENCY MEDICAL AND AMBULANCE SERVICE - 1<sup>ST</sup> READING

An ordinance was presented which amends the ambulance utility fee by providing relief from out-of-pocket expenses only for those patients who are residents of the City. Currently that relief applies to all persons transported by the City's ambulances whether they pay the ambulance utility fee or not.

The ordinance amending Chapter 2.30 of the Moses Lake Municipal Code entitled "Emergency Medical and Ambulance Service" was read by title only.

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

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

REQUEST FOR CITY SEWER - MENDE

Larry Mende requested permission to connect 4761 Grape Drive to the City's sewer system. The property is within ½ mile of the City's limits but it would be impractical at this time to annex the property.

Action Taken: Mr. Reese moved that the request be granted with the stipulation that an Extra Territorial Utility Agreement be required, seconded by Dr. Curnel, and passed unanimously.

AMBULANCE RATES

The Fire Department conducted a survey of ambulance rates with similar agencies in Eastern Washington. The current City rates have been in place since 1995 and should be adjusted to reflect current practices.

Tom Taylor, Fire Chief, explained the proposed new rates.

There was some discussion by the Council.

Action Taken: Mr. Pearce moved that the proposed new rates be adopted and that the rates be changed each year by the increase in the December to December CPI, seconded by Mr. Deane, and passed unanimously.

RECYCLING PROGRAM

Ron Cone, Finance Director, provided information on the proposed costs for garbage and recycling and costs for garbage, recycling, and yard waste. He explained how the different sized containers

could be used for garbage, recycling, and yard waste and pointed out that the City has attempted to make this program revenue neutral.

There was some discussion by the Council.

Action Taken: Mr. Ecret moved that the recycle program with the yard waste be adopted, that the recycling rebate be utilized, and the contract with Lakeside Disposal be extended for six years, seconded by Mr. Deane, and passed unanimously.

#### 2010 COMMUNITY STREET AND UTILITY STANDARDS

The 2010 Community Street and Utility Standards were presented. The updated standards included revisions that reflect amendments to the 2010 WSDOT Standard Specifications, housekeeping corrections and clarifications, and other changes proposed by engineering staff.

Action Taken: Dr. Curnel moved that the 2010 Community Street and Utility Standards be adopted, seconded by Mr. Reese, and passed unanimously.

#### DRIVEWAY DEVIATION - PARK ORCHARD ELEMENTARY SCHOOL

NAC Architecture requested deviations of the city's driveway standards for the Park Orchard Elementary School. The request is to install 20' radius curb returns in lieu of the standard driveway section with tapers and to reduce the distance from the interior lot line. The request is to reduce the driveway separation from the property line from 5' to 4.5' to allow the driveway entrance to line up with the proposed street alignment.

Shawn O'Brien, City Engineer, stated that staff has been working with the architect on this project and feels that these deviations will lessen the impact of the traffic in the area.

There was some discussion by the Council.

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

#### NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - None

#### COUNCIL QUESTIONS AND COMMENTS - None

#### CITY MANAGER REPORTS AND COMMENTS

##### NEWSLETTER

Joseph K. Gavinski, City Manager, reported that the city's newsletter will be delivered with the next round of utility bills. The newsletter was published entirely with city staff. The next newsletter will include information on the new civic center and the recycling proposal. It has been suggested that the name of the new civic center be reflective of the fact that the building will also contain museum and art space, meeting space, event space, performing art space.

It was suggested that signs be discussed

CODE ENFORCEMENT - GUARANTEED APPLIANCE

Gilbert Alvarado, Community Development Director, explained that a letter was sent to the owner of Guaranteed Appliance requesting that he contact the city concerning his business at 2131/2135 Main Street. No contact was made with the city and a Notice of Violation and Order to Correct or Cease Activity was provided to Guaranteed Appliance. He mentioned that this property is now under enforcement and the owner has until March 26 to correct the violations.

BUILDING ACTIVITY REPORT

The February Building Activity Report was provided.

PROJECT CHINOOK

Joseph K. Gavinski, City Manager, distributed a letter to be sent to Jeff Forsythe, Senior Consultant for "Project Chinook", outlining what the City can offer to the project.

Action Taken: Mr. Pearce moved that the letter be endorsed and staff be authorized to forward it on, seconded by Mr. Ecret, and passed unanimously.

The regular meeting was recessed at 9:35 p.m. and the Council met in an executive session with the City Attorney to discuss litigation. The executive session was adjourned at 10 p.m. and the regular meeting was reconvened. The regular meeting was adjourned at 10 p.m.

ATTEST

---

Jon Lane, Mayor

---

Ronald R. Cone, Finance Director