

MOSES LAKE CITY COUNCIL
July 27, 2010

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

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

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

PRESENTATIONS AND AWARDS

PROCLAMATION

The proclamation declaring August 3, 2010 as National Night Out was read in its entirety.

CONSENT AGENDA

Minutes: The minutes of the July 13, 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 July 27, 2010 the Council does approve for payment claims in the amount of \$236,082.90; prepaid claims in the amounts of \$30,112.72, \$1,265,182.66, \$546,534.38, and \$5,529.88; claim checks in the amount of \$3,866,188.66; and payroll in the amount of \$57,461.72.

Resolution - Inter-Fund Loan: A resolution was presented which provides for an inter-fund loan of \$4,000,000 from the Water/Sewer Construction Fund 477 to the Building Maintenance Fund 528.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

MCCOSH PARK - FARMER'S MARKET

the Moses Lake Farmer's Market requested permission to use McCosh Park for the remainder of the 2010 Wednesday Market season from 2 p.m. to 7 pm. The request was made because of complaints about the heat and lack of shade at Sinkiuse Square.

Misty Laughlin, representing the Farmer's Market, stated that the vendors have decreased each year the Farmer's Market has been held in Sinkiuse Square on Wednesday's. The vendors state that heat and lack of shade at Sinkiuse Square is the major reason for not participating on Wednesday.

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

NIGHT WORK - SEAL COAT PROJECT

Central Washington Asphalt, Inc. requested permission to being work on the seal coat project at 5 a.m. from August 5 through August 15. The early start time will have less of an impact on traffic and the higher temperature later in the day is not conducive for chip sealing.

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

NIGHT WORK - PARK ORCHARD ELEMENTARY SCHOOL PROJECT

T. W. Clark, the contractor constructing the new Park Orchard Elementary School on Paxson Drive, requested permission to begin their concrete pours at 4 a.m. in order to beat the heat. The concrete pours would only take place 5 to 6 times during t eh summer and early fall.

There was some concern about the disruption of any residential area in close proximity to the project and it was pointed out that pouring concrete is not a noisy operation and the homes in the area are a fair distance away.

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

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 3.30 - UTILITY OCCUPATIONAL TAX - 2ND READING

An ordinance was presented which increases the utility occupational tax imposed on every person engaged in or carrying on the business of selling or furnishing water service in the city. The rate increase is from 8% to 10%.

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

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

ORDINANCE - AMEND 8.22 - NOXIOUS WEED CONTROL - 2ND READING

An ordinance was presented which replaces Grant County Weed District No. 2 with Grant County Noxious Weed Control Board.

The ordinance amending Chapter 8.22 of the Moses Lake Municipal Code entitled "Noxious Weed Control" was read by title only.

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

ORDINANCE - AMEND 13.12 - WATER, SEWER, AND STORMWATER RATES - 2ND READING

An ordinance was presented which brings the water, sewer and stormwater regulations into compliance with the recent Supreme Court decision that the city must cover the cost of providing fire hydrants.

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. Reese moved that the second reading of the ordinance be adopted, seconded by Mr. Deane, and passed unanimously.

ORDINANCE - AMEND 19.03 - RESOURCE LANDS AND CRITICAL AREAS - 2ND READING

An ordinance was presented which provides a process for property owners to seek a reasonable use determination of their property if the Growth Management regulations would remove all economic value.

The ordinance amending Chapter 19.03 of the Moses Lake Municipal Code entitled "Classification and Designation of Resource Lands and Critical Areas and Regulations for the Conservation and Protection of Resource Lands and Critical Areas" was read by title only.

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

ORDINANCE - TITLE 17 - SUBDIVISIONS - 2ND READING

An ordinance was presented which re-adopts Title 17.

The ordinance repealing Title 17 of the Moses Lake Municipal Code entitled "Subdivisions" and re-adopting Title 17 of the Moses Lake Municipal Code entitled "Subdivisions" was read by title only.

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

ORDINANCE - AMEND 3.54 - DEVELOPMENT REVIEW AND PERMIT FEES - 1ST READING

An ordinance was presented which sets the development review and permit fees by resolution rather than by ordinance.

The ordinance amending Chapter 3.54 of the Moses Lake Municipal Code entitled "Development Review and Permit Fees" was read by title only.

Joseph K. Gavinski, City Manager, explained the reasons for establishing and changing the fees by resolution rather than by ordinance.

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

RESOLUTION - ACCEPT DONATION - AERO-SPACE PORT INTERNATIONAL GROUP

A resolution was presented which accepts a donation of \$500 from Aero-Space Port International Group. The funds are to be used for recreational programs and facilities.

The resolution accepting a cash donation of \$500 from Aero-Space Port International Group (ASPI) was read by title only.

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

REQUEST TO CALL FOR BIDS

EQUIPMENT

Staff requested authorization to purchase a tractor for the Park and Recreation Department, a pavement patch truck, pavement roller and backhoe and compactor for the Water Division, and for converting a truck for the Street Division.

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

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

SIGNS - MUSEUM AND ART CENTER

The Moses Lake Museum and Art Center requested authorization to utilize a sandwich board style sign on the sidewalk in front of the Museum and also a small utility cart that will be used for sale items.

There was some discussion on the process that businesses must use to obtain permission to place items on the sidewalk.

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

REWARD - VANDALISM - JAPANESE GARDEN

Staff requested confirmation of the offer of a reward of \$2,500 for information leading to the arrest and conviction of those responsible for the damage incurred at the Japanese Garden.

Joseph K. Gavinski, City Manager, reported that the Japanese Garden was damaged on both July 17 and 24.

Spencer Grigg, Parks and Recreation Director, mentioned that the Japanese Garden was vandalized on both July 17 and July 24. He described the damage that was done.

Action Taken: Dr. Curnel moved that the offer of the \$2,500 reward be confirmed, seconded by Mrs. Liebrecht, and passed unanimously.

SIGNS - BLUEGRASS FESTIVAL

Spencer Grigg, Parks and Recreation Director, requested permission to place signs in McCosh Park and on the "triangle area" of Frontier Middle School to advertise the Five Suns Bluegrass Festival being held on July 31 and August 1.

Mr. Grigg stated that the signs will advertise the event and certain activity areas within the event. He mentioned that camping will take place on the Frontier Middle School property.

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

CLOSE STREET - MOSES LAKE COMMUNITY HEALTH CENTER

The Moses Lake Community Health Center will be holding their annual World Breastfeeding Week Celebration on August 3 at Sinkiuse Square and requested permission to close Ash Street between Third and Fourth Avenues from 9 a.m. to 2 p.m. Part of the event will include car seat technicians doing car seat safety checks and they would like to use the street for this activity.

Paige Waters, Director, stated that they would like to have a safe place for the car seat safety checks which is why they would like to have the street closed.

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

COUNCIL QUESTIONS AND COMMENTS -None

CITY MANAGER REPORTS AND COMMENTS

FUND BALANCE POLICY

Joseph K. Gavinski, City Manager, stated that staff will be making a proposal to Standard and Poors on the issuance of the bonds on the Civic Center and they have requested a written Fund Balance Policy. The proposed policy would establish a General Fund Fund Balance of about 10% and set up reserve funds to be used at the Council's discretion. He explained how the policy would operate.

There was some discussion by the Council.

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

AMBULANCE SERVICE

Joseph K. Gavinski, City Manager, stated that the Ambulance Service Fund has a negative balance of about \$105,000 to date. There is also a loan of \$250,000. That means the fund has an actual negative balance of \$355,000. He mentioned that if the City wishes to maintain an ambulance service, the ambulance utility fee or the contributions from the General Fund will need to be raised. He pointed out that the City receives less and less from medicare, medicaid, and insurance coverages. He pointed out that in other cities that operate an ambulance service, the general fund contribution is very high or the ambulance utility fee is very high.

Jim Whitaker, City Attorney, pointed out that once the General Fund provides funds to the Ambulance Utility Fund, the City is committed to that level of funding forever.

There was considerable discussion by the Council but no action was taken.

POPULATION

Joseph K. Gavinski, City Manager, stated the report from the Office of Financial Management shows the city's population is 19,460 for 2010.

FINANCIAL REPORT

The quarterly financial report is available on line.

The regular meeting was recessed at 8:30 p.m. and the Council met in an executive session to discuss labor relations. The executive session was adjourned at 9 p.m. and the regular meeting was reconvened. The regular meeting was adjourned at 9 p.m.

ATTEST

Jon Lane, Mayor

Ronald R. Cone, Finance Director