

MOSES LAKE CITY COUNCIL  
August 10, 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. Penrose led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS

SERVICE AWARDS

Years of Service pins for 10 years of service with the city were given to Kay Woodworth, Brian Owens, and Don Garrett. Years of Service pins for 15 years of service with the city were given to Joseph Frey and Jay Morice. Years of Service pins for 20 years of service with the city were given to Rick Killinger, and Spencer Grigg. A Years of Service pin for 25 years of service with the city was given to Steven Hibbs. Years of Service pins for 30 years of service with the city were given to Richard Penrose and Tim Varney.

WASTEWATER TREATMENT PLANT OUTSTANDING PERFORMANCE AWARD

Dick Leishman, James Whitmore, and Terry Robertson were presented an Outstanding Performance Award from the Department of Ecology for their work at the Larson Wastewater Treatment Facility.

CONSENT AGENDA

Minutes: The minutes of the July 27, 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 August 10, 2010 the Council does approve for payment claims in the amount of \$2,154,351.71; prepaid claims in the amounts of \$18,797.40 and \$4,209,518.78; claim checks in the amount of \$4,603,106.88; and payroll in the amounts of \$1,334.02 and \$53,315.09.

Resolution - Inter-Fund Loan: A resolution was presented which provides for an inter-fund loan of \$200,000 from the Sanitation Fund 490 to the Ambulance Fund 498.

Resolution - Grant Easement - PUD: A resolution was presented which grants an easement to the PUD for electrical service at the Moses Lake Firing Range located off of Randolph Road.

Ordinances - Amend 18.65, 18.71 and 20.03 - Housekeeping - 1<sup>st</sup> Reading: Ordinances were presented which amend Chapters 18.65, Manufactured Home Parks, 18.71, Recreational Vehicle Parks, and 20.03, Administration. These housekeeping changes are a result of the recent adoption of a new Title 17.

Guardian Final Major Plat and Findings of Fact: Guardian Fiberglass has submitted a final plat for a one-lot plat of 67 acres. The site is located at 3741 Road N, and is zoned Heavy Industrial, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. The final plat is consistent with the conditions of approval of the preliminary plat. The Planning Commission recommended that the final plat be approved with conditions. As no appeal was taken from this decision of the Planning Commission, the Council's approval of this decision incorporates and adopts the Findings, Conclusion and Decision of the Planning Commission.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES

PIONEER WAY SIDEWALK PROJECT

Staff received three quotes for the 2010 Pioneer Way Sidewalk Project. This project consists of replacing sidewalk, curb, and gutter on Pioneer Way.

Action Taken: Mr. Pearce moved that the project be awarded to Harden Construction in the amount of \$93,167, seconded by Dr. Curnel, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

REQUEST TO USE RIGHT-OF-WAY - BOARDWALK PLAZA

Columbia Northwest Engineering, representing Boardwalk Plaza, requested permission to incorporate a portion of East Broadway into the parking area for Phase 2 of the Boardwalk Plaza development. The use of the right-of-way would be consistent with the existing Phase 1 of Boardwalk Plaza. The existing street frontage landscaping is grass and trees adjacent to the sidewalk. The right-of-way extends 9.8 feet into the proposed parking lot which is consistent with other developed property along East Broadway.

Anne Henning, Senior Planner, pointed out that the right-of-way on East Broadway is 100' wide. If the Council is inclined to grant the request, a license would be given to the developer to use the right-of-way for parking.

There was considerable discussion by the Council on the ramifications on the area if the request to use city right-of-way is granted. The Council requested more information on how the first phase of this project was able to use city right-of-way and what effect the approval of additional use of city right-of-way would have on the area.

Larry Angell, Columbia Northwest Engineering, stated that they would have no objection to the Council delaying action on the request until the next Council meeting.

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

SIGNS ON CITY PROPERTY - EARL

Patrick Earl requested permission to place political signs on city property in the approved locations.

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

SIGNS ON CITY PROPERTY - LIN

Kevin Moore, campaign manager for the Committee to elect Albert Lin, requested permission to place political signs on city property in the approved locations.

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

SIGNS ON CITY PROPERTY - CASTLETON

Brandt Castleton requested permission to place political signs on city property in the approved locations.

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

ORDINANCES AND RESOLUTIONSORDINANCE/RESOLUTION - AMEND 3.54 - DEVELOPMENT REVIEW AND PERMIT FEES - 2<sup>ND</sup> 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: Mr. Reese moved that the second reading of the ordinance be adopted, seconded by Mrs. Liebrecht, and passed unanimously.

The resolution establishing development review and permit fees was read by title only.

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

ORDINANCE - AMEND 12.20 - SNOW REMOVAL - 1<sup>ST</sup> READING

An ordinance was presented which lists the sidewalks and activity trails that the city is to service and changing the title from "Snow Removal" to "Sidewalk Service".

The ordinance amending Chapter 12.20 of the Moses Lake Municipal Code entitled "Snow Removal" was read by title only.

Gary Harer, Municipal Services Director, stated that several years ago staff delineated which sidewalks were serviced by the city. The service includes snow and ice removal as well as the removal of accumulated sand and other debris or obstructions. The number of sidewalks serviced by the city has been reduced and are delineated in the proposed ordinance.

There was some discussion on the removal of snow on sidewalks adjacent to vacant lots.

Action Taken: Mr. Ecret moved that the first 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

REQUEST TO CONNECT TO CITY WATER - JOB CORPS

Paul Knutzen, representing the Job Corps, requested permission to connect the new Job Corps dormitory to city water and sewer.

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

NUISANCE ABATEMENT - 1825 LAKESIDE

Code Enforcement provided a draft resolution which would authorize the city to abate a nuisance at 1825 Lakeside Drive. The Council should set August 24 at 7 p.m. as the date and time to hear the reports from Code Enforcement and any objections from the property owner.

Action Taken: Mr. Ecret moved that August 24 at 7 p.m. be set as the date and time to consider the nuisance abatement at 1825 Lakeside Drive, seconded by Mr. Reese, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS

VEHICLE STORAGE

Keith Walker, 655 Sage Bay Drive, stated that he received notice of improper storage of a vehicle. He stated that he has removed grass, shrubs, and a tree that blocked vision at the corner and put in gravel. The city has indicated that he cannot park his vehicle on the gravel at the side of his home. He mentioned that paving is much more expensive than gravel and he requested that the city review the regulations with the idea of allowing the parking of vehicles on graveled areas.

Joseph K. Gavinski, City Manager, stated that the issue of vehicle storage was extensively discussed by the Council and currently residents can park on a hard surface in front of the house.

A home owner can park vehicles on a gravel surface on the side or rear yard. Gravel can be used in the front yard but cannot be used as a parking space.

Randall Stewart, 209 Manzanita, wanted to know why gravel is not an approved surface on which to park vehicles.

James Davis, 724 Edgewater, stated that he parks his boat on a gravel area at his home during the summer months. He purchased the home in 2004 and the area was gravel at that time.

There was considerable discussion by the Council and it was the consensus that the vehicle storage regulations be reviewed at the next meeting.

A study session was set for 6 p.m. on September 14 in the Council Chambers.

#### COUNCIL QUESTIONS AND COMMENTS - None

#### CITY MANAGER REPORTS AND COMMENTS

##### AUDIT REPORT

Joseph K. Gavinski, City Manager, distributed the audit report for the city and mentioned that the city had no findings from the State Auditor's Office.

##### BUILDING ACTIVITY REPORT

The July 2010 Building Activity Report was presented.

##### INVESTMENT REPORT

The city received \$17,187.47 in investment income for July 2010.

##### SALES TAX/TRANSIENT RENTAL INCOME

The city received \$380,216.47 in sales tax and \$52,719.70 in transient rental income in July 2010.

##### AGREEMENT - TAKATA FORCE MAIN

Joseph K. Gavinski, City Manager, distributed a draft agreement with TK Holdings for the purchase of a portion of a sewer force main adjacent to Randolph Road. The city has received a grant for most of the purchase price. Authorization was requested for the City Manager to sign the agreement.

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

##### ANNEXATION - SGL AUTOMOTIVE CARBON FIBERS

Joseph K. Gavinski, City Manager, provided a draft Notice of Intention to Commence Annexation Proceedings for property from Randolph Road to Stratford Road. The city has Extra Territorial

Utility Agreements in place for a majority of the property. Authorization was requested for the City Manager to sign the Notice on behalf of the city for those extra territorial Utility Extension Agreements given to the city relative to the proposed annexation.

Action Taken: Mr. Pearce moved that the City Manager be authorized to sign the Notice of Intention to Commence Annexation Proceedings where appropriate, seconded by Mr. Reese, and passed unanimously.

The regular meeting was recessed at 8:40 p.m. and the Council met in an executive session with the City Attorney to discuss litigation. The executive session was adjourned at 9 p.m. and the regular meeting was reconvened.

#### WELLFIELD CONTAMINATION

Marten Law Group provided a summary of the Consent Degree with regard to the wellfield contamination law suit. Authorization was requested for the City Manager to sign the Consent Degree.

Action Taken: Dr. Curnel moved that the City Manager be authorized to execute the Consent Decree, seconded by Mr. Reese, and passed unanimously.

The regular meeting was adjourned at 9:01 p.m.

ATTEST

\_\_\_\_\_  
Jon Lane, Mayor

\_\_\_\_\_  
Ronald R. Cone, Finance Director