

MOSES LAKE CITY COUNCIL  
May 8, 2012

Council Present: Bill Ecret, Dick Deane, Karen Liebrecht, Jason Avila, David Curnel, and Brent Reese absent: Jon Lane

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

PLEDGE OF ALLEGIANCE: Dr. Curnel led the Council in the pledge of allegiance.

PRESENTATIONS AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the April 24 meeting were presented for approval.

Accept Work - Sewer Lining Project 2011: Planned Engineering Construction has completed work on the 2011 Sewer Lining Project. The work should be accepted and the 60 day lien period entered into.

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

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 the Civic Center. As of May 8, 2012 the Council does approve for payment claims in the amount \$2,454,272.51; prepaid claims in the amounts of \$29,776.11 and \$39,840.42; claim checks in the amount of \$1,090,302.53; and payroll in the amounts of \$305,235.23, \$323,447.21, and \$4,299.51.

There was discussion on the cost of the restrooms for Cascade and Blue Heron Parks and where the funding comes from.

Action Taken: Dr. Curnel moved that the bills and checks be paid, seconded by Mr. Deane, and passed unanimously.

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

REQUEST TO USE CITY PROPERTY - HODGE

Chris Hodge requested the use of city parks to rent out stand up paddle boards. He mentioned that the equipment would be available mainly in Blue Heron and Cascade Parks.

There was some discussion and it was pointed out that Mr. Hodge would have to provide insurance, a hold harmless agreement, and provide a percentage of the profits to the City.

Action Taken: Mrs. Liebrecht moved that the request be granted with the stipulation that insurance is provided and 15% of the gross is remitted to the City, seconded by Dr. Curnel, and passed unanimously.

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 3.62 - UTILITY SYSTEM DEVELOPMENT CHARGES - 2<sup>ND</sup> READING

An ordinance was presented which increases the utility system development charges.

Action Taken: Mr. Deane moved that the ordinance be tabled until a full Council is in attendance, seconded by Mr. Ecret, and failed with Mr. Deane and Mr. Ecret in favor and Mr. Reese, Mr. Avila, Mrs. Liebrecht, and Dr. Curnel opposed.

The ordinance amending Chapter 3.62 of the Moses Lake Municipal Code entitled "Utility System Development Charges" was read by title only.

Gary Harer, Municipal Services Director, stated that the utility system development charges are charged to individuals at the time of first service for water and sewer. The charges were first approved by the Council in 1997-98 after a study of all the previous costs for water and sewer improvements and a system development charge was established in order for the City to recoup the original costs. He mentioned that most cities have these system development charges and Moses Lake is on the low end of the spectrum of costs.

Joseph K. Gavinski, City Manager, pointed out that these are buy-in charges for the capital facilities built years ago using borrowed and/or reserved funds and those funds have been repaid by a variety of rates over the years. New users are using facilities that have already been paid for and are participating in those costs through the utility system development charges.

Todd Voth, contract/citizen, mentioned that the construction industry is struggling and he did not feel this was the time for the City to increase the water/sewer hook-up fees. He pointed out that sometimes there are also reimbursement costs that have to be paid as well as the utility system development charges. He mentioned that the costs to build a home continue to rise but the sale price is 25% to 30% less than in prior years.

Mr. Reese wanted to know what projects would not be completed should this increase in the system development fees not be approved.

Mr. Gavinski pointed out that these fees are a part of the entire revenue for the water/sewer fund. If the increase is not provided for, there are monies that will not come into the fund and over a period of years that will add up and without the funds to do the projects needed, rates will have to be raised or money borrowed to complete those projects and rates raised to pay it back. He mentioned that the general rate increase was not approved which results in a loss to the City of \$250,000 every year. After four years that is \$1,000,000 which could have funded a well, a reservoir, or other projects. He mentioned that the force main on Potato Hill Road is in need of maintenance and will cost about \$4,000,000.

Action Taken: Mrs. Liebrecht moved that the ordinance be denied, seconded by Mr. Avila.

Mr. Deane pointed out that by not raising these rates, the citizens of Moses Lake will be subsidizing the costs for developers to hook to the City's system.

There was considerable discussion and it was suggested that the 3/4" and 1" meters remain the same and the increases be approved for the remaining meters.

The motion and second were withdrawn.

Action Taken: Mrs. Liebrecht moved that the ordinance be amended by keeping the same rates for the 3/4" and 1" meters and the second reading of the ordinance be adopted, seconded by Mr. Avila.

Mr. Deane pointed out that 3/4" meter would only increase \$29 and the 1" meter would only increase \$49.

Mr. Ecret stated that he felt that the increases should be adopted and pointed out that the citizens have benefitted from a logical long-range approach to financing the necessary central facilities. He pointed out that the City cannot operate from crises to crisis as it is wasteful and is not a good way to operate a City as it causes debt financing which costs more in the long run.

The motion passed with Mrs. Liebrecht, Mr. Avila, Dr. Curnel, and Mr. Reese in favor and Mr. Deane and Mr. Ecret opposed.

ORDINANCE - CREATE 16.71/DELETE 16.70 - INTERCEPTORS - 2<sup>ND</sup> READING

An ordinance was presented which creates Chapter 16.71 entitled "Interceptors" and deletes Chapter 16.70 entitled "Interceptors. The new chapter is proposed due to the large number of changes in the current chapter. The changes update the nomenclature and streamline the verbiage to make the chapter more efficient for the public and staff.

The ordinance creating Chapter 16.71 of the Moses Lake Municipal Code entitled "Interceptors" and deleting Chapter 16.70 entitled "Interceptors" was read by title only.

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

RESOLUTION - SPRING FESTIVAL

A resolution was presented regarding the Spring Festival to be held on May 23 - 28, 2011.

The resolution regarding the Moses Lake Spring Festival to be held May 23, 24, 25, 26, 27 and 28, 2012 was read by title only.

Action Taken: Mr. Reese moved that the resolution be adopted and the City Manager be authorized to sign the Hold Harmless Agreement, seconded by Dr. Curnel, and passed unanimously.

RESOLUTION - APPLY FOR GRANT - HERON BLUFF TRAIL

A resolution was presented as part of a grant application for funds from the Washington Wildlife and Recreation Program for the Heron Bluff Trail. Since the Council adopted the previous resolution in support of the project, there were minor modifications to the required resolution format and so a new resolution was requested.

The resolution authorizing the submittal of application(s) for grant funding assistance for Washington Wildlife and Recreation Program project(s) to the Recreation and Conservation Office as provided in Chapter 79A.15 RCW, Acquisition of Habitat Conservation and Outdoor Recreation Lands, WAC 286 and subsequent legislative action for the Heron Bluff Trail was read by title only.

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

REQUEST TO CALL FOR BIDSWATER METER SUPPLIES

Authorization was requested for staff to call for bids for the annual supply of water meters and electronic read transmitters. This includes purchasing 715 meters ranging in size from 3/4" to 4", 490 electronic read transmitters for meters ranging in size from 3/4" to 2" and miscellaneous repair parts.

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

REFERRALS FROM COMMISSIONS - NoneOTHER ITEMS FOR COUNCIL CONSIDERATIONAMBULANCE BILLING CONTRACT

Omni Staffing Services, Inc. requested to be relieved of its obligations under the EMS billing agreement entered into with the City in January 2012. Authorization was requested to terminate the contract with Omni and enter into a contract with EF Recovery, LLC for ambulance billing services and to authorized the City Manager to execute the necessary agreements.

Action Taken: Mr. Avila moved that the contract with Omni Staffing Services, Inc. be terminated and the City Manager be authorized to sign a new Agreement with EF Recovery, LLC, seconded by Mrs. Liebrecht, and passed unanimously.

#### SEPTIC SYSTEM REQUIREMENTS - HASH

Ken Hash, 9848 Highland, requested that he not be required to connect to City sewer since he recently completed a non-conforming repair to his septic system under a permit issued by the Grant County Health District. The permit was issued because there is insufficient area on the lot to construct a conforming septic system. A time line of the Longview Sewer Project was provided.

Gary Harer, Municipal Services Director, provided information on how the repair was done. He mentioned that it will cost approximately \$3,000 to connect the lot to City sewer. He pointed out that there is no deviation allowed in the ordinance so in order to accommodate Mr. Hash' request the ordinance would have to be amended. He mentioned that another property owner who recently repaired a septic system connected to the City sewer system when requested to do so by the City.

Action Taken: Mr. Reese moved that this item be removed from the table, seconded by Mrs. Liebrecht, and passed unanimously.

Action Taken: Mr. Deane moved that the request to not connect to the City sewer system be denied, seconded by Mr. Reese, and passed unanimously.

#### REQUEST TO USE CITY PROPERTY - CROSSROADS RESOURCE CENTER

Crossroads Resource Center requested the use of Sinkiuse Square and the closure of a portion of Third Avenue and Ash Street fronting the Square be closed on Saturday, June 30 from 6 p.m. to 10 p.m. in order to hold a free Bluegrass Concert.

Action Taken: Mrs. Liebrecht moved that the request to use Sinkiuse Square and the closure of Third Avenue and Ash Street be granted, seconded by Mr. Deane, and passed unanimously.

#### DRIVEWAY STANDARDS - DEVIATION

The City of Moses Lake requested a deviation to the driveway standards to allow the relocation of two driveways to accommodate the Stratford Road Crosswalk Project. The request is to install the driveways within 20' of the property lines, with 66' of separation and the southerly driveway be centered on the extended Knolls Vista centerline. The existing driveways are next to the property lines. The Community Street and Utility Standards require driveways along primary streets to be 30' from property lines, have 100' of separation, and be 100' from intersections.

Gary Harer, Municipal Services Director, explained the changes that would be made in the location of the driveways.

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

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

#### COUNCIL QUESTIONS AND COMMENTS

#### AGCCT MEETING

Mayor Ecret reminded the Council of the AGCCT meeting on May 31 in Moses Lake.

#### SIGNS

Mayor Ecret pointed out that the temporary banner signs erected in the City show product advertising.

Gilbert Alvarado, Community Development Director, stated that there have been some complaints about the signage located at Kwicky Corner due to sight issues and condition. He mentioned that a prior Council had

discussed the use of product advertising on banner signs, specifically cola products because the City was moving towards being a well city. He mentioned that the cola company is willing to make the signs for free as they get advertising when the sign is erected. He pointed out that the sign regulations do not regulate advertising on temporary signs.

Joseph K. Gavinski, City Manager, pointed out that the signs placed on City property can be prohibited from advertising any product.

Action Taken: Mr. Reese moved that signs containing product advertising be prohibited on City property, seconded by Mr. Deane, and passed unanimously.

#### CITY MANAGER REPORTS AND COMMENTS

##### REIMBURSEMENTS 2012

Joseph K. Gavinski, City Manager, provided the increase in the water, sewer, storm water, and street reimbursements. These amounts are increased each year by the January to January CPI.

##### AMBULANCE FUND

The 2012 first quarter ambulance report was presented and explained.

##### INVESTMENT REPORT

The city received \$21,483.89 in investment income for April 2012.

##### SALES TAX/TRANSIENT RENTAL INCOME

The City received \$350,818.56 in sales tax and \$22,286.68 in transient rental income in April 2012.

The regular meeting was recessed at 8:30 p.m. and the Council met in a 20 minute executive session to discuss labor relations. The executive session was adjourned at 9 p.m. and the regular meeting was reconvened.

##### POLICE UNION CONTRACT

The contract with the Police Officers' Guild was presented.

Action Taken: Mr. Deane moved that the City Manager be authorized to sign the contract, seconded by Dr. Curnel, and passed unanimously.

##### COLVILLE CONFEDERATED TRIBES

Joseph K. Gavinski, City Manager, provided a letter outlining the City's concerns with the Colville Confederated Tribes proposed fueling station adjacent to Wanapum Drive.

Action Taken: Mr. Deane moved that the Council members sign the letter as presented, seconded by Dr. Curnel, and passed unanimously.

The regular meeting was adjourned at 9:10 p.m.

ATTEST

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Bill J. Ecret, Mayor

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W. Robert Taylor, Acting Finance Director