

MOSES LAKE CITY COUNCIL
March 26, 2013

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

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

PLEDGE OF ALLEGIANCE: Sharon Palmerton, Chamber of Commerce, led the Council in the pledge of allegiance.

PRESENTATION AND AWARDS

PROCLAMATIONS

The proclamation declaring March 26, 2013 as the date to celebrate the 100th year of operation of the Washington State Park and Recreation Commission was read in its entirety.

The proclamation declaring April 2013 as Alcohol Awareness Month was read in its entirety.

The proclamation was presented to Carolyn Pence, Grant County Prevention Specialist, and Katherine Pence and Elaine Utter, members of the Community Prevention Coalition.

CONSENT AGENDA

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 March 26, 2013 the Council does approve for payment claims in the amount of \$253,770.38; prepaid claims in the amounts of \$2,358.48 and \$64,077.91; claim checks in the amount of \$1,012,888.64; and payroll in the amount of \$310,189.16.

Resolution - Accept Easement - Bruce: A resolution was presented which accepts a municipal easement from Randy C. Bruce on Lot 3, less a portion of Tax #8467 in Moore Plat 2.

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

Minutes: The minutes of the March 12 meeting were presented for approval.

Mrs. Liebrecht requested the minutes be amended to show she was absent from the room during the voting on the resolution concerning the election of the Mayor and Deputy Mayor.

Action Taken: Mrs. Liebrecht moved that the minutes be approved as corrected, seconded by Dr. Curnel, and passed unanimously.

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTESWATER METER PROCUREMENT 2013

The City received one bid for the 2013 Water Meter Procurement. This project includes the purchase of the annual supply of water meters and electronic read transmitters.

Action Taken: Mr. Lane moved that the bid be awarded to Badger Meters, Inc. in the amount of \$286,476, seconded by Dr. Curnel, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGSLIONESSE CLUB - SIGNS

The Lioness Club requested permission to place signs advertising the opening of their Spaceburger Booth on April 19 through 21. Sandwich board signs will be placed on City right-of-way and a banner sign will be located at the corner of Broadway and Alder.

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

COMMUNICATION - LEGAULT IMAGES PHOTOGRAPHY

Jill Legault, Images Photography, 4761 Shorecrest Drive, requested time before the Council to discuss a request to use McCosh Park for a profit photo shoot. She stated that she would like to take pictures during the Easter egg hunt on Saturday, March 30 at McCosh Park. She mentioned that a portion of the profits will be donated to the Lions Club which is sponsoring the event.

There was considerable discussion by the Council.

Action Taken: Mr. Lane moved that the request be granted and the City not require a commission, seconded by Dr. Curnel, and passed with Mrs. Liebrecht opposed as she felt the commission to the City should be paid in order to be consistent with the requirements for other vendors in the parks.

COMMUNICATION - USE OF CITY PROPERTY - HOT DOG CART

Mr. & Mrs. Johnson requested time before the Council to discuss the use of city property to operate a hot dog cart. Mr. Johnson stated that the hot dog cart is small, runs off of propane, and there is provision for garbage. He mentioned that they would like to do kids parties at McCosh Park and provide food in parks that do not have a concession stand as well as at Sinkiuse Square.

There was some discussion by the Council because of the City's regulations and requests of past vendors.

It was suggested that Mr. Johnson contact staff and discuss the activity.

COMMUNICATION - THE SAND BAR - NOISE CONTROL

Travis Laibl, The Sand Bar, requested time before the Council to discuss amending the noise regulations to allow noise emanating from a commercial business to continue to 12 midnight on weekends. He mentioned that only one person has complained about the noise from his business

but it was numerous times and so he has limited his outdoor activities, which adversely affects his business. He provided a couple of options to allow outdoor events to extend beyond the current 10 p.m. noise deadline.

There was some discussion and it was the consensus that staff research the issue and provide additional information to the Council.

EXTEND MORATORIUM ON MEDICAL MARIJUANA GARDENS - PUBLIC HEARING

The City Council adopted an ordinance which extends the moratorium on the establishment of "collective gardens" for the medical use of marijuana for an additional six months. A public hearing is required on the extension of this moratorium.

The public hearing was opened. There were no comments.

Action Taken: Mr. Lane moved that the public hearing be closed, seconded by Mr. Avila, and passed unanimously.

The ordinance continuing the moratorium on medical marijuana collective gardens remains in force.

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 18.58 - SIGNS - 2ND READING

An ordinance was presented which increases the sign area and height for directional signs in the Industrial Zone which will promote better visibility and safety.

The ordinance amending Chapter 18.58 of the Moses Lake Municipal Code entitled "Signs" was read by title only.

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

ORDINANCE - AMEND 3.26 - UTILITY SYSTEM DEVELOPMENT CHARGES - 1ST READING

An ordinance was presented which increases the water and sewer development charges.

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

ORDINANCE - CREATE 8.60 - HELMET REQUIREMENTS - 1ST READING

An ordinance was presented which creates regulations requiring persons of all ages to wear a helmet when riding a bicycle, electric assisted bicycle, in-line skates, roller skates, skate shoes, scooters, or skateboards and includes any passengers.

The ordinance creating Chapter 8.60 of the Moses Lake Municipal Code entitled "Helmet Requirements" was read by title only.

Joshua Mohs, 504 Hawthorne, provided a letter to the Council, explaining his concerns about requiring skateboard users to wear helmets.

There was some discussion and it was the consensus of the Council that the regulations be amended to only required bicyclists to wear helmets.

ORDINANCE - AMEND 13.12 - WATER, SEWER, AND STORMWATER RATES - 1ST READING

An ordinance was presented which increases the water, sewer, and stormwater 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. Reese moved that the first reading of the ordinance be adopted, seconded by Mr. Avila.

Mr. Deane pointed out that in 2012 the Council did not increase the rates and that resulted in a loss of \$250,000 a year. He felt that the rates should be increased in order to make up that loss.

The motion passed unanimously.

Staff was directed to provide a list of projects that could be constructed if the rates were increased to make up for the loss of revenue from not raising the rates in 2012.

ORDINANCE - AMEND 18.20 - RESIDENTIAL ZONES - 1ST READING

An ordinance was presented which changes the front and side yard setbacks in the R-1 and R-2 zones. The Planning Commission recommended that the changes be adopted.

The ordinance amending Chapter 18.20 of the Moses Lake Municipal Code entitled "Residential Zones" was read by title only.

Gilbert Alvarado, Community Development Director, gave some background on residential neighborhood design and explained the proposed setback changes to the Council.

There was considerable discussion by the Council.

Action Taken: Mrs. Liebrecht moved that the first reading of the ordinance be adopted, seconded by Dr. Curnel.

Mr. Deane was concerned that the reduction in the setbacks would allow bigger homes on smaller lots.

There was some additional discussion by the Council which expressed concern about allowing smaller setbacks in an existing development.

Tom Arrowsmith, Aho Construction, stated that they have an existing subdivision of 100 acres and they would like to include porches on the homes which they are not able to do under the current regulations. He mentioned that property owners are now requesting amenities not in favor when the property was originally platted.

The motion failed with Mrs. Liebrecht in favor.

RESOLUTION - ACCEPT DONATION - VOLUNTEER FIREFIGHTERS

A resolution was presented which accepts two Cutquik saws and blades for use in the Moses Lake Fire Department.

The resolution accepting the donation of equipment from the Moses Lake Volunteer Firefighter Association was read by title only.

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

REQUEST TO CALL FOR BIDSSEAL COAT PROJECT 2013 AND NOISE REGULATIONS

Staff requested authorization to call for bids for the 2013 Seal Coat Project. This project includes chip sealing Valley Road and various residential streets. Staff also requested that the contractor be allowed to sweep the streets between the hours of 10 p.m. and 7 a.m. because hot day time temperatures cause oil and chips to be peeled up by the sweeper.

Action Taken: Mr. Lane moved that staff be authorized to call for bids and the contractor allowed to sweep the streets at night, seconded by Mr. Avila, and passed unanimously.

LIFT STATION PROJECT 2013

Staff requested authorization to call for bids for the 2013 Lift Station Project. This project includes reconstruction of Omni Lift Station, abandonment of Kmart Lift Station, a generator at Sage Bay Lift Station, and bypass assemblies, fencing, electrical improvements, and access improvements for several lift stations.

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

SEWER MAIN PROJECT 2013

Staff requested authorization to call for bids for the 2013 Sewer Main Project. This project includes installing 2,050' of 12" gravity sewer along Randolph Road and installing 7,000' of 20" force main along Division Street and Potato Hill Road from Eastlake to Baseline Road.

Action Taken: Mr. Lane moved that staff be authorized to call for bids, seconded by Mr. Deane, and passed unanimously.

REFERRALS FROM COMMISSIONS - NoneOTHER ITEMS FOR COUNCIL CONSIDERATIONCOVENANTS - WAPATO DRIVE IMPROVEMENTS

Staff is in the process of calling in the covenants attached to the Teslow Short Plat No. 1 and the Dillon Short Plat. The covenants require full street improvements to Wapato Drive. The covenants are being called at this time because Hayden Homes is in the process of finishing the Pelican Way

1 Major Plat, which includes constructing Wapato Drive. Staff requested that the Council confirm calling in the covenants.

Gary Harer, Municipal Services Director, provided the background on the covenants in this area and mentioned that the street was gravel at the time the two properties were platted. Now that the Wapato Drive is being improved, those properties are required to pay their share of the cost.

Action Taken: Mr. Lane moved that staff proceed with calling in the covenants, seconded by Mrs. Liebrecht, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - None

COUNCIL QUESTIONS AND COMMENTS

BOYS AND GIRLS CLUB

Mr. Lane stated that the Boys and Girls Club of the Columbia Basin has requested a letter of support be sent to the state legislature concerning their request for additional funding to complete their new facilities.

Action Taken: Mr. Lane moved that the Council endorse the efforts of the Boys and Girls Club of the Columbia Basin to apply for funds from the state to construct the new facility, seconded by Mr. Deane, and passed unanimously.

CITY MANAGER REPORTS AND COMMENTS

INVESTMENT REPORT

The City received \$14,426.60 in investment income for February 2013.

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

ATTEST

Bill J. Ecret, Mayor

W. Robert Taylor, Finance Director