

MOSES LAKE CITY COUNCIL  
April 9, 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: Mayor Ecret led the Council in the pledge of allegiance.

PRESENTATION AND AWARDS

PROCLAMATIONS

The proclamation declaring April 21 - 27, 2013 as American Red Cross National Volunteer Appreciation Week was read in its entirety.

Dennis Clay of the Food Bank presented certificates of appreciation to Tony Koziol, Ernie Lang, and Andy Martin for volunteering their time to process hundreds of pounds of deer meat over the past several years. The meat came from poached deer or deer stranded in the area canals and also includes birds and fish and donated to the Food Bank.

CONSENT AGENDA

Minutes: The minutes of the March 26 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 the Civic Center. As of April 9, 2013 the Council does approve for payment claims in the amount of \$592,181.60; prepaid claims in the amounts of \$4,014.61 and \$19,063.98; claim checks in the amount of \$777,112.25; and payroll in the amounts of \$314,640.95 and \$3,982.47.

Resolutions - Accept Easements - Stone Hollow: Resolutions were presented which accept municipal easements from Stone Hollow Holdings, LLC for the sewer improvements outside of the Stone Hollow Short Plat located on Daniel Street.

Resolution - Abandon Easement - Air Liquide Electronics: A resolution was presented which abandons a portion of the public utility easement on the west property line of Lot 1, Block 1, REC Moses Lake Major Plat located on Wheeler Road.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES

STORMWATER RETROFIT PROJECT, SITE B - 2013

The City received eight bids for the 2013 Stormwater Retrofit Project, Site B. This project includes constructing a bio-infiltration swale on Sage Road, connecting existing stormwater infrastructure to the swale, and abandoning several existing drywells.

Action Taken: Mr. Lane moved that the bid be awarded to Halme Construction, Inc. in the amount of \$201,425.34, seconded by Mr. Avila, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS - None

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 3.26 - UTILITY SYSTEM DEVELOPMENT CHARGES - 2<sup>ND</sup> 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: Mrs. Liebrecht moved that the second reading of the ordinance be adopted, seconded by Dr. Curnel, and passed unanimously.

ORDINANCE - AMEND 13.12 - WATER, SEWER, AND STORMWATER RATES - 2<sup>ND</sup> 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.

Joseph K. Gavinski, City Manager, provided a report on the projects that were impacted by the loss of revenue from not approving a rate increase last year.

There was some discussion on how the projects could be funded.

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

ORDINANCE - CREATE 8.60 - HELMET REQUIREMENTS - 1<sup>ST</sup> READING

An ordinance was presented which creates regulations requiring persons of all ages to wear a helmet when riding a bicycle or electric assisted bicycle.

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

George Pleitez, 803 Camas Place, stated that he is aware of the dangers of riding a bicycle without a helmet but felt it should be an individual choice as he would only be hurting himself if he were in an accident.

Dr. Curnel pointed out that an individual choice that does not affect society should remain with the individual but when that choice does affect society, as with a brain damaged individual who ends up in a nursing home without insurance, then society has an interest in that decision. He pointed out that motorcycle helmets and seat belts have been shown to save lives and decrease the number of injuries. He mentioned that there have been a number of children and adults with brain damage due to bicycle accidents and that was reason for considering the helmet regulation.

There was discussion by the Council on whether an age limit should be included in the regulations.

No action was taken by the Council.

RESOLUTION - ELECTION OF MAYOR/DEPUTY MAYOR

A resolution was presented which establishes the procedure for the election of the Mayor and Deputy Mayor.

The resolution establishing the procedure to choose a Mayor and Deputy Mayor was read by title only.

Action: Dr. Curnel moved that the resolution be removed from the table, seconded by Mrs. Liebrecht, and passed unanimously.

There was some discussion on how the procedures for electing the Mayor and Deputy Mayor would affect the Council.

Action Taken: Mrs. Liebrecht moved that the resolution be adopted, seconded by Dr. Curnel, and passed with Mr. Avila, Mr. Deane, Dr. Curnel, and Mrs. Liebrecht in favor, and Mayor Ecret, Mr. Lane, and Mr. Reese opposed.

REQUEST TO CALL FOR BIDS - None

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION - None

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - None

COUNCIL QUESTIONS AND COMMENTS

CITY MANAGER REPORTS AND COMMENTS

NOISE REGULATIONS

Joseph K. Gavinski, City manager, provided information on the request from Travis Laibl, owner of the Sand Bar, to allow noise to emanate from commercial businesses in the downtown area until midnight on Friday and Saturday nights between the months of May and September as allowed by other jurisdictions. Mr. Laibl had provided information from other jurisdictions that allow the extended hours with a permit. Mr. Gavinski mentioned that those permits do not exempt businesses from the noise regulations and there are also other restrictions. He researched what other jurisdictions do but none of them exempt business from their noise regulations.

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

AMBULANCE REPORT

A cash report on the ambulance operations for the month of March was provided.

BUILDING ACTIVITY REPORT

The March building activity report was provided.

GAMBLING TAX

The City received \$85,515.54 from gambling tax for the first quarter.

SALES TAX/TRANSIENT RENTAL INCOME

The City received \$373,707.66 in sales tax and \$32,692.16 in transient rental income in March.

COMMUNITY DEVELOPMENT - PROJECTS REPORT

A report on the current projects under review in the Community Development Department was provided.

The regular meeting was adjourned at 8:30 p.m.

ATTEST

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Bill J. Ecret, Mayor

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W. Robert Taylor, Finance Director