

MOSES LAKE CITY COUNCIL
May 14, 2013

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

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

PLEDGE OF ALLEGIANCE: Aubrey Lee, student, led the Council in the pledge of allegiance.

PRESENTATION AND AWARDS - None

CONSENT AGENDA

Minutes: The minutes of the April 23 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 May 14, 2013 the Council does approve for payment claims in the amount of \$1,261,827.19; prepaid claims in the amounts of \$41,167.57 and \$19,811.77; claim checks in the amount of \$1,096,416.75; and payroll in the amounts of \$320,071.85, \$3,972.83, and \$325,228.36.

Resolution - Accept Deed - Bodie and Peterson: A resolution was presented which accepts a quit claim deed from Bodie Properties, LLC and Eric D. Peterson LLC located off of Randolph Road.

Resolution - Accept Easement - Pelican Way 1 Major Plat: A resolution was presented which accepts a municipal easement on Wapato Drive from Duke and Christy Hart as part of the Pelican Way 1 Major Plat.

Resolution - Accept Easement - Pelican Way 1 Major Plat: A resolution was presented which accepts a municipal easement on Wapato Drive from Ellen Wendt as part of the Pelican Way 1 Major Plat.

Resolution - Accept Improvements - Crossroads Phase 5 Major Plat: A resolution was presented which accepts the street and utility improvements constructed as part of the Crossroads Phase 5 Major Plat.

Accept Work - Biosolids Dewatering Project: Anderson Environmental Contracting, LLC has completed the work on the 2013 Biosolids Dewatering Project at the Sand Dunes Treatment Plant. The work should be accepted and the 60-day lien period entered into.

Accept Work - Crack Seal Project: Quality Paving, Inc. has completed the 2013 Crack Seal Project. The work should be accepted and the 60-day lien period entered into.

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

COMMISSION APPOINTMENTS

PLANNING COMMISSION

Mayor Ecret requested confirmation of the appointment of David Eck to the Planning Commission.

Action Taken: Mrs. Liebrecht moved that the appointment be confirmed, seconded by Mr. Lane, and passed unanimously

CONSIDERATION OF BIDS AND QUOTES

SEWER MAIN PROJECT - 2013

The City received nine bids for the 2013 Sewer Main Project. This project includes installing 7,350' of 20" sewer force main along Potato Hill Road and 2,050' of 12" sewer gravity main along Randolph Road.

Action Taken: Mr. Lane moved that the bid be awarded to POW Contracting, in the amount of \$980,771, seconded by Mr. Avila, and passed unanimously.

LIFT STATION PROJECT - 2013

The City received two bids for the 2013 Lift Station Project. This project includes abandoning the Kmart Lift Station; rerouting sewer mains from the Kmart Lift Station to the Omni Lift Station; reconstructing the Omni Lift Station; installing a generator at the Sage Bay Lift Station; and installing fences, bypass assemblies, electrical revisions, and miscellaneous improvements.

Action Taken: Mr. Reese moved that the bid be awarded to POW Contracting, in the amount of \$730,402, seconded by Mr. Deane, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

SCUBA DIVING LESSONS

Robert Boyer requested permission to teach scuba diving lessons, sell diving gear, and collect teaching fees at the Surf n' Slide Water Park.

There was some discussion by the Council.

Action Taken: Mr. Lane moved that permission be granted for Mr. Boyer to teach the lessons and staff to continue discussing the sale and storage of scuba gear and other issues, seconded by Mr. Avila, and passed unanimously.

STREET NAME CHANGE - SUNBURST MULTI-FAMILY FINAL PLAT

Ted Yao, owner of the Sunburst Multi-Family Final Plat, is requesting permission to change the name of LeDawn Loop, which is a short street within the plat. The plat has not yet been recorded and there are currently no buildings constructed in the plat.

Action Taken: Mr. Reese moved that the request to change LeDawn Loop to Ted Yao Way be granted, seconded by Mr. Avila, and passed with Mr. Lane opposed as he felt there should be further consideration of the possible ramifications.

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 2.08 - MAYOR AND COUNCIL - 2ND READING

An ordinance was presented which corrects an error in the timing of the election of the Mayor and Deputy Mayor. The amendment correctly reflects that the election of the Mayor and Deputy Mayor is held in even numbered years.

The ordinance amending Chapter 2.08 of the Moses Lake Municipal Code entitled "Mayor and Council" was read by title only.

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

ORDINANCE - CREATE 8.60 - HELMET REQUIREMENTS - 2ND READING

An ordinance was presented which creates regulations requiring persons under the age of 16 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.

Vic Gilliland stated that he was in favor of requiring approved bicycle helmets to be worn as he only survived an accident because he was wearing one.

Jeff Ketchel, Grant County Board of Health, stated that they are in support of the requirement for the wearing of bicycle helmets as bicycle accidents send more children to the emergency room than any other activity. He mentioned that cities that enact bicycle helmet laws see an increase in the use of helmets.

Cameron Probert, iFiber, pointed out that between 2002 & 2010 there were 3 fatalities and 45 injuries requiring hospitalization as a result of bicycle accidents and wanted to know why it was felt this helmet requirement is necessary.

Mrs. Liebrecht stated that she is opposed to the passage of the ordinance because she feels it is the responsibility of the parent to ensure that their children wear helmets.

Mr. Deane pointed out that safety is an issue and the general public ends up paying for those injured children who are not covered by insurance.

Mayor Ecret pointed out that children are not capable of making mature choices and this ordinance will address that.

Mr. Reese pointed out that helmets will reduce head injuries.

David Ruffin, Police Chief, stated that the Police Department will support the decision of the Council and would take an educational role before issuing citations.

Action: Mr. Avila moved that the second reading of the ordinance be adopted, seconded by Mr. Reese and passed with Mrs. Liebrecht opposed as she felt it should be up to the parents to decide if their children should wear a helmet.

RESOLUTION - SPRING FESTIVAL

A resolution was presented regarding the Spring Festival to be held on May 22 - 27, 2013.

The resolution regarding the Moses Lake Spring Festival to be held May 22, 23, 24, 25, 26, and 27, 2013 was read by title only.

Patty Filbeck, Spring Festival Committee, stated that the 3 on 3 Basketball Tournament was moved from Third and Division to Third and Pioneer and the parade route has been adjusted in order to keep the horses away from the carnival rides.

Dale Roth, Spring Festival Committee, stated that the street closures include Third Avenue all the way to Ivy and additional security will be provided.

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

REQUEST TO CALL FOR BIDS

RESERVOIR 7

Staff requested authorization to call for bids to raise Reservoir #7 by 18 feet to match the elevation of Reservoir #9. This will increase the water pressure by nine pounds per square inch for the Larson area.

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

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATIONSENIOR CENTER

The Agreement with the Moses Lake Senior Opportunities and Services for recreational services to seniors was presented. The payment for 2013 is \$20,000 which includes \$10,750 for operating costs and \$9,250 for the repair of the parking lot.

Joseph K. Gavinski, City Manager, reminded the Council that during the budget process the Senior Center again requested the additional \$9,250 for parking lot repair and it was included. The agreement has been changed to reflect those additional funds.

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

GROUP B WATER SYSTEM - SCOTT ROAD

Paul Snelson, Knudsen Land Surveying, requested approval for a Group B water system to serve the two lots of the Dorothy Peterson Short Plat located on Scott Road in Cascade Valley. This plat is within the City's water service area but City water is unavailable.

Gary Harer, Municipal Services Director, stated that it is impractical to extend City water mains to this area because of the distance and there is an existing well on the property that will serve both lots.

Action Taken: Mrs. Liebrecht moved that the Group B water system be approved with the stipulation that a covenant be required for future connection to the City's system, seconded by Mr. Lane, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTSCOMMUNICATION - USE OF CITY PROPERTY - HOT DOG CART

David Johnson, 1246 Lowry stated that he talked with staff about operating his hot dog cart on City property and have narrowed it down to Sinkiuse Square and Cascade Park soccer fields. The cart is small, runs off of propane, and will serve hot dogs, pop, and chips. He provided pictures of where the cart would be located at Sinkiuse Square.

Spencer Grigg, Parks and Recreation Director, stated that the main concern was competition with existing City concession stands so that is why he is limiting his business to Sinkiuse Square and the soccer fields at Cascade Valley.

There was some discussion by the Council.

Action Taken: Mrs. Liebrecht moved that the request be granted, seconded by Mr. Lane, and passed with Mr. Deane opposed as he felt it may be in conflict with existing business in the area.

COUNCIL QUESTIONS AND COMMENTSCITY MANAGER REPORTS AND COMMENTSAMBULANCE REPORT

The cash report on the ambulance operations for the month of April was provided.

BUILDING ACTIVITY REPORT

The April building activity report was provided.

SALES TAX/TRANSIENT RENTAL INCOME

The City received \$364,137.97 in sales tax and \$22,967.86 in transient rental income in April.

The regular meeting was recessed at 8:20 p.m. and the Council met in a 20 minute executive session with the City Attorney to discuss litigation. The executive session was adjourned at 8:40 p.m. and the regular meeting was reconvened. The regular meeting was adjourned at 8:40 p.m.

ATTEST

Bill J. Ecret, Mayor

W. Robert Taylor, Finance Director