

MOSES LAKE CITY COUNCIL
October 8, 2013

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

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

PLEDGE OF ALLEGIANCE: Mr. Lane led the Council in the pledge of allegiance.

PRESENTATION AND AWARDS

EMPLOYEE PRESENTATIONS

Public Works: Brian Baltzell, Street Maintenance Worker, Stormwater Division and Chris Campbell, Maintenance Worker I, Wastewater Division were introduced to the Council.

Engineering Division: Cynthia Smith, Engineering Tech II was introduced to the Council.

CONSENT AGENDA

Minutes: The minutes of the September 24 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 October 8, 2013 the Council does approve for payment claims in the amount of \$877,754.14; prepaid claims in the amount of \$13,314.60; claim checks in the amount of \$845,915.43; and payroll in the amounts of \$3,972,82 and \$321,755.47.

Six Year Street Transportation Improvement Program - Set Date for Public Hearing: A public hearing was set for October 22 to consider the Six Year Street Transportation Improvement Program.

Resolution - Accept Improvements - Pelican Way 1 Major Plat: A resolution was presented which accepts the street and utility improvements constructed as part of the Pelican Way 1 Major Plat.

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

COMMISSION APPOINTMENTS

PARKS AND RECREATION COMMISSION

Mayor Ecret requested Council confirmation of the appointment of Connor Lange to the Parks and Recreation Commission.

Action Taken: Mr. Reese moved that the appointment of Connor Lange be confirmed, seconded by Mr. Avila, and passed unanimously.

LODGING TAX ADVISORY COMMITTEE

Mayor Ecret requested Council confirmation of the appointment of Tim Molitor to the Lodging Tax Advisory Committee.

Action Taken: Mr. Deane moved that the appointment of Tim Molitor be confirmed, seconded by Mrs. Liebrecht, and passed unanimously.

CONSIDERATION OF BIDS AND QUOTES - NonePETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGSGRANT COUNTY HEALTH DISTRICT

Jeff Ketchel, Administrator of the Grant County Health District, presented information on the public health programs and activities occurring throughout Grant County and updated the Council on other health issues and programs the Health District is involved in. He mentioned that the Grant County Health District earned the Gold Award from the National Association of Local Boards of Health.

Heather Devine, Health Educator, mentioned that Second Harvest, which is a non-profit mobile food bank, and which has added Moses Lake to the communities it serves.

HOMELESS SHELTER

Anthony Graham requested the use of the city owned building at 819 Penn Street as a warming shelter for the homeless.

Joseph K. Gavinski, City Manager, stated that the building is part of the complex that originally housed the engineering division and the maintenance and operations of the City. The property is currently vacant and is for sale. One of the buildings on the property is currently being used as the Learning Center and the other building is used for storage. He pointed out that using the building as a homeless shelter is a change of occupancy and would require the building to be sprinkled, which could run into a significant amount of money. Restroom facilities would also have to be installed and would have to be ADA compliant. The heating system would also have to be changed to meet current codes. The other issue is that if the Council decided to allow the use, rent at the market rate would probably have to be charged due to gifting issues.

Mr. Graham stated that the number of homeless does not fluctuate greatly from year to year. The shelter would be open from 7 p.m. to 7 a.m. and should not impact the use of the Learning Center. The building would only be used for people to get in out of the weather and to sleep at night. The improvements needed to the building could be done with donations from churches and other organizations.

There was considerable discussion on how such shelters operate.

Staff was directed to provide further information on the possibility of using the building as a shelter.

ORDINANCES AND RESOLUTIONSORDINANCE - AMEND 10.12 - PARKING REGULATIONS - 1ST READING

An ordinance was presented which provides that no vehicle shall be parked within 10' of a fire hydrant, including private parking lots, with a few exceptions. The amendment essentially addresses access to fire hydrants by the Fire Department on private property.

The ordinance amending Chapter 10.12 of the Moses Lake Municipal Code entitled "Parking Regulations" was read by title only.

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

ORDINANCE - AMEND 16.48 - FIRE HYDRANTS - 1ST READING

An ordinance was presented which provides that privately owned fire hydrants located in parking lots shall be posted with signage indicating no parking within 15 feet.

The ordinance amending Chapter 16.48 of the Moses Lake Municipal Code entitled "Fire Hydrants" was read by title only.

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

ORDINANCE - AMEND 18.58 - SIGNS - 1ST READING

An ordinance was presented which includes language regulating outdoor alcohol advertising signs to correspond with the requirements of the Liquor Control Board.

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

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

RESOLUTION - ANNEXATION POLICY

A resolution was presented which repeals Resolution 3200 and adopts a new resolution setting forth the policy with regard to the provision of water and/or sewer utilities outside the corporate limits of the City and setting forth an annexation policy.

The resolution repealing Resolution 3200 and adopting a new resolution setting forth a policy with regard to the provision of water and/or sewer utilities outside the corporate limits of the City and setting forth an annexation policy for the City of Moses Lake, Washington was read by title only.

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

RESOLUTION - NUISANCE ABATEMENT COSTS - ESPINOZA

A resolution was presented which authorizes staff to collect the funds expended for the nuisance abatement at 1046 Division. The property is owned by Carlos Espinoza.

The resolution establishing the billing to be imposed against Carlos Chavez Espinoza, as the owner of certain real property upon which the City caused abatement of a nuisance to be performed after a failure of the property owner to abate the same was read by title only.

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

RESOLUTION - NUISANCE ABATEMENT COSTS - MCCOURTIE

A resolution was presented which authorizes staff to collect the funds expended for the nuisance abatement at 9859 NE Olympic. The property is owned by Robert McCourtie.

The resolution establishing the billing to be imposed against Robert McCourtie, as the owner of certain real property upon which the City caused abatement of a nuisance to be performed after a failure of the property owner to abate the same was read by title only.

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

RESOLUTION - NUISANCE ABATEMENT COSTS - HUFF

A resolution was presented which authorizes staff to collect the funds expended for the nuisance abatement at 9972 NE Sunny. The property is owned by Roland C. and Anastacia Huff.

The resolution establishing the billing to be imposed against Ronald C. and Anastacia Huff, as the owners of certain real property upon which the City caused abatement of a nuisance to be performed after a failure of the property owners to abate the same was read by title only.

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

RESOLUTION - NUISANCE ABATEMENT - 1421 FERN

A resolution was presented which provides for the abatement of nuisances at 1421 Fern Drive. The property is owned by Ray Medel.

The resolution determining that Ray Medel is the owner of certain real property within the City; that a nuisance requiring abatement by City forces or forces contracted by the City exists on such property; and directing the use of such forces to abate the nuisance found was read by title only.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue.

There was no other testimony. The hearing was closed.

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

RESOLUTION - NUISANCE ABATEMENT - 537 MONARCH

A resolution was presented which provides for the abatement of nuisances at 537 N. Monarch. The property is owned by Andres and Karlene Martinez.

The resolution determining that Andres and Karlene Martinez, Jr. are the owners of certain real property within the City; that a nuisance requiring abatement by City forces or forces contracted by the City exists on such property; and directing the use of such forces to abate the nuisance found was read by title only.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue.

There was no other testimony. The hearing was closed.

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

RESOLUTION - NUISANCE ABATEMENT - 1903 W. MARINA

A resolution was presented which provides for the abatement of nuisances at 1903 W. Marina Drive. The property is owned by Ward and Khanitta Womboldt.

The resolution determining that Ward and Khanitta Womboldt are the owners of certain real property within the City; that a nuisance requiring abatement by City forces or forces contracted by the City exists on such property; and directing the use of such forces to abate the nuisance found was read by title only.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue.

Mr. Womboldt stated that he communicated with the City concerning the violation notice and requesting additional time to repair the sidewalk. He agreed that the sidewalk needs repair but does not agree that it is unsafe. He stated that, due to his health and resident manager problems, he does not have the funds to repair the sidewalk at this time and requested at least a 9 month extension.

There was discussion on the repair of the sidewalk and the enforcement process and whether or not a penalty would be incurred by the property owner if the repairs are delayed. It was pointed out that what is before the Council is the cost of abatement of the nuisance and that the \$5,000 penalty for not correcting the nuisance has already been incurred by the property owner.

Mr. Womboldt stated that he was unaware of the \$5,000 penalty as he had responded to all communications from the City and had requested additional time to repair the sidewalk.

It was pointed out that since he did not file an appeal, the penalty amount accumulated up to the \$5,000 limit, even though he was communicating with the City.

There was some additional discussion and staff was directed to research the penalty issue and the communications between Mr. Womboldt and the City.

Action Taken: Mrs. Liebrecht moved that the resolution be tabled, seconded by Mr. Lane, and passed with Mr. Deane 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 - None

The regular meeting was adjourned at 8:50 p.m.

ATTEST

Bill J. Ecret, Mayor

W. Robert Taylor, Finance Director