

MOSES LAKE CITY COUNCIL
May 27, 2014

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

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

PLEDGE OF ALLEGIANCE: Mayor Deane led the Council in the pledge of allegiance.

PRESENTATION AND AWARDS

Municipal Services Department, Building Maintenance Division: Lindsey Mays, Janitor was introduced to the Council.

Finance Department: Aaron Leavitt, IT Network Technician was introduced to the Council.

The regular meeting was recessed at 7:06 p.m. and the Council met in an executive session with the City Attorney to discuss potential litigation. The executive session was adjourned at 7:17 p.m. and the regular meeting was reconvened.

CONSENT AGENDA

Minutes: The minutes of the May 13 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 27, 2014 the Council does approve for payment claims in the amount of \$308,648.92; prepaid claims in the amounts of \$64,687.70 and \$4,602.42; claim checks in the amount of \$1,999,071.97; and payroll in the amount of \$332,964.73.

Resolution - Grant Deed - Grant County: A resolution was presented which grants a quit claim deed to Grant County for road right-of-way for Road I NE along the southeast property line of the Larson Wastewater Treatment Plant.

Resolution - Accept Deed - School District: A resolution was presented which accepts a quit claim deed from Moses Lake School District #161 for the 30' wide right-of-way along the south boundary of the Lakeview Terrace School Plat.

Resolution - Accept Street Improvements - Columbia Basin Technical Skills Center: A resolution was presented which accepts the public bus turnout constructed within the Yonezawa Boulevard right-of-way in conjunction with the Columbia Basin Technical Skills Center.

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

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

SHORELINE MASTER PROGRAM - PUBLIC HEARING

Planning Commission and staff have been working since 2004 on amendments to the existing Shoreline Master Program in order to comply with new legislation governing shoreline management. The Planning Commission recommended to the City Council that the Shoreline Master Program be adopted.

The continued public hearing was opened. There were no comments. The public hearing was continued to June 10.

ORDINANCE - VACATE RIGHT-OF-WAY - PUBLIC HEARING

An ordinance was presented which vacates the right-of-way on Lot 6, Replat of Lots 8 and 10, Block 4, Moses Lake Industrial Park Plat. Public utility agencies and city departments were notified and no objections were received.

The ordinance vacating a portion of right-of-way was read by title only.

The public hearing was opened. There were no comments.

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

Gilbert Alvarado, Community Development Director, pointed out that there is a requirement for the property owner to pay for one half the appraised value of the vacated right-of-way.

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

ORDINANCES AND RESOLUTIONS

ORDINANCE - AMEND 18.55 - HOME OCCUPATIONS - 2ND READING

An ordinance was presented which amends the home occupation regulations to allow a home occupation to occupy an accessory structure.

The ordinance amending Chapter 18.55 of the Moses Lake Municipal Code entitled "Home Occupations" was read by title only.

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

ORDINANCES - ANIMAL CONTROL

Draft ordinances were presented for Council review which update the City's animal control regulations to comply with state law and to make them easier to understand and enforce.

Katherine Kenison, City Attorney, stated that the ordinance has been amended to correct typographical errors and also to delete cat impounds. She mentioned that the major differences between the current regulations and the proposed regulations are in how certain violations are processed. Most of the animal control issues are better addressed as a violation rather than with a notice and order to correct. She explained the options the City has with dangerous dogs, potentially dangerous dogs, hazardous dogs, and breed specific legislation. Exotic animals would also be banned except for those already within the City limits.

Mr. Voth felt that the fee for non-neutered male or non-spayed female dogs was too high and while it was intended to encourage people to spay or neuter their dogs, he did not feel it was very effective. He also felt that since kennels are prohibited in the R-1 and R-2 zones they should be prohibited in the R-3 zone.

Mrs. Kenison stated that another option would be to grant a permanent license for all neutered and spayed animals and that kennels could be prohibited in the R-3 zone.

Mrs. Liebrecht questioned the kennel license fee and the exemptions for certain businesses and the regulations that allow the City to inspect premises and to close any business that does not allow that inspection. She felt there were already laws for the humane treatment of animals and the City's regulations are not necessary.

Mrs. Kenison stated that the changes made to the animal control ordinances focused on the dog issues and streamlining the process and those provisions concerning kennels have been in the code since 1981. If Council wishes those provisions to be removed, now would be the time to do that.

Joseph K. Gavinski, City Manager, stated that staff will discuss the issues raised by the Council and provide an amended ordinance to the Council for further debate and modification.

REQUEST TO CALL FOR BIDS

HERON BLUFF TRAIL PROJECT - 2014

Staff requested authorization to call for bids for the Heron Bluff Trail Project. The project includes constructing a 3,000' long activity trail starting at the west end of Neppel Trail and extending through the Blue Heron Park, then along the lakeshore and ending at the existing activity trail that was constructed as part of the Bluff West Plat. There will be benches and trash receptacles at three locations.

Gary Harer, Municipal Services Director, explained the process since the City will be receiving grants and federal funds. He mentioned that staff will meet with the homeowners in the Cove West and Bluff West areas on Wednesday to discuss their concerns.

Joseph K. Gavinski, City Manager, stated that the City's portion of this project comes from the Paths and Trails Fund.

Joe Rogers, 816 Laguna, stated that this activity trail is important for the safety of bicyclists as portions of Westshore Drive require the bicyclists to use the travel lane. The trail will also provide connectivity to the existing trails.

Chuck Perry, 4204 Lakeshore Drive, stated that he is in favor of the Heron Bluff Trail as it will add to the quality of life in Moses Lake.

Peter Steffens, 836 Plum, stated that the Heron Bluff Trail is a great addition to the City and will add to the safety of the users and will to the quality of life in Moses Lake.

Action Taken: Mr. Lane moved that staff be authorized to call for bids, seconded by Dr. Curnel and passed with Mr. Lane, Dr. Curnel, Mr. Ecret, and Mr. Deane in favor and Mr. Avila, Mr. Voth, and Mrs. Liebrecht opposed.

RESERVOIR #7 RAISING PROJECT REBID - 2014

Staff requested authorization to call for bids for raising Reservoir #7. The project includes increasing the height of the reservoir by 18' and modifying the overflow pipe for an additional 2' of water depth.

Gary Harer, Municipal Services Director, explained the advantages of increasing the height of the reservoir.

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

REFERRALS FROM COMMISSIONS - None

OTHER ITEMS FOR COUNCIL CONSIDERATION

DESTINATION DEVELOPMENT

The executive summary and table of contents from the Destination Development, Inc. Brand Development and Marketing Action Plan was provided. The Plan was approved by the Council on August 14, 2007. Information was also provided on the matter of directional signing, which is the next item on the list from the Marketing Action Plan. The signing has been delayed due to funding issues.

Joseph K. Gavinski, City Manager, provided the background on the signing issue and mentioned that the funding issue is looking better and the signing may be able to be done soon. He explained what the City has done to implement other aspects of the branding plan.

DRIVEWAY VARIANCE - PILGRIM STREET OFFICE BUILDING

Western Pacific Engineering and Surveying requested a deviation to the driveway standards to allow the driveway to be constructed at 4.5' from the northerly property line of Lot 1, Block 1, Pioneer Commercial Park 4th Add. To located the driveway to the required 20' from the lot line will eliminate 3 parking spaces. The site is the new location of the Department of Social and Health Services.

Action Taken: Mr. Voth moved that the requested deviation be granted seconded by Mr. Avila, and passed unanimously.

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS

CODE ENFORCEMENT

Paul Boehm, 2710 W. Lakeside, provided a picture of shrubs encroaching on the sidewalk on West Broadway. He stated that he had contacted the owner who mentioned that he would take care of it but nothing has been done. He contacted the City in February but nothing has yet been done. He mentioned that the encroaching shrubs are a safety hazard for pedestrians.

Gilbert Alvarado, Community Development Director, stated that he would investigate the issue.

GRANT COUNTY ECONOMIC DEVELOPMENT COUNCIL - REAL ESTATE CONVENTION

Emily Braunwart, Accounting and Communications Manager, Grant County EDC, stated that 12 people traveled to Las Vegas for the International Shopping Centers Council Real Estate Convention on May 18 - 20, including Gilbert Alvarado, the City's Community Development Director. She stated that he was a great asset to the group and met with a large number of companies. She provided a letter of thanks to the City for allowing Mr. Alvarado to attend.

Gilbert Alvarado, Community Development Director, stated that there were between 80,000 and 85,000 attendees at the convention. There were persons very interested in Moses Lake.

COUNCIL QUESTIONS AND COMMENTS

BUILDING DIVISION - INSPECTIONS

Mr. Voth stated that he was concerned about a change in the timing of inspections performed by the Building Division, specifically that inspections requested after 9 a.m. will be scheduled for the next business day. He felt it was important to have same day inspections for under floor installation and open ditches. The under floor inspection must be done before the floor is installed and that takes the inspector about 5 minutes. The inspection of open ditches on the same day is important from a safety standpoint. He suggested that if the permit requests are increasing perhaps the City should look into hiring another full time inspector.

Gilbert Alvarado, Community Development Director, stated that there are two full time building inspectors and one part time inspector. Because of the increase in building activity it may not always be possible to have a same day inspection and so the contractors are being put on notice the requests for inspection received after 9 a.m. will be scheduled for the next business day. He pointed out that the Department's level of service has been exceptional as it takes no more than 2 weeks to review and issue a permit. This is a much better level of service than in other jurisdictions.

AGCCT MEETING

Mayor Deane reminded the Council of the AGCCT meeting on May 29 in Royal City. Those attending should meet at the Civic Center at 5:15 p.m.

CITY MANAGER REPORTS AND COMMENTS

INVESTMENT REPORT

The City received \$16,588.37 in investment income for April.

COMMUNITY DEVELOPMENT

Gilbert Alvarado, Community Development Department, gave a presentation on the operations of the Community Development Department.

The regular meeting was adjourned at 9:30 p.m.

ATTEST

Dick Deane, Mayor

W. Robert Taylor, Finance Director