

MOSES LAKE CITY COUNCIL
March 10, 2015

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

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

PLEDGE OF ALLEGIANCE: Tony St. Onge, teacher, led the Council in the flag salute.

PRESENTATION AND AWARDS

EMPLOYEES OF THE YEAR - POLICE DEPARTMENT

Tina Jewel, Clerk, Curt Ledebor, Police Officer, and Tony St. Onge, Reserve Police Officer were presented with Employee of the Year awards for outstanding service to the Police Department.

CONSENT AGENDA

Minutes: The minutes of the February 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 March 10, 2015 the Council does approve for payment claims in the amount of \$577,991.58; prepaid claims in the amounts of \$45,674.63 and \$15,354.07; claim checks in the amount of \$496,802.05; and payroll in the amounts of \$312,637.57 and \$3,878.67.

Resolution - Accept Easement - Nichols: A resolution was presented which accepts an easement from the Estate of Joan Nichols for municipal purposes as part of the Stratford Road Sidewalk Project.

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

CRACK SEAL PROJECT

The City received two bids for the 2015 Crack Seal Project. This project includes sealing approximately 500,000' of cracks in streets, alleys, bike paths, and parking lots throughout the City.

Action Taken: Mrs. Liebrecht moved that the bid be awarded to Quality Paving, Inc. in the amount of \$138,578, seconded by Dr. Curnel, and passed unanimously.

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS

GRANT COUNTY FAIRGROUNDS - ANNEXATION

The Grant County Commissioners requested the Grant County Fairgrounds be allowed to connect to City sewer without the requirement to annex the property as the City could obtain a sewer line and an interlocal agreement could be signed to address any concerns of the City.

Joseph K. Gavinski, City Manager, provided information showing that of 20 fairgrounds, the Grant County Fairgrounds is the only one served by a septic system, a memo from the Municipal Services Director outlining the problems with accepting a sewer line on private property, and maps showing the existing septic system on the fairgrounds, and the fairgrounds property in relation to the City's limits. He mentioned that should the Council consider the request from Grant County, the City's annexation policy should be amended and that would eliminate any need for an interlocal agreement.

Gary Harer, Municipal Services Director, pointed out that the sewer line being offered to the City is over one half mile long and is located on the fairgrounds. The line zigzags between the buildings which would make

it difficult for the maintenance vehicles to maneuver around. There have been problems in the past with items being placed on a sewer easement which makes it difficult to provide maintenance or to respond to an emergency. He felt that sewer lines should be in the right-of-way so that the City does not have to enter onto private property, and so the public can report any problems in a timely manner.

Jon Smith, 246 Northshore, encouraged the County and City to work toward a solution that would allow the fairgrounds to receive City sewer without the requirement to annex.

Debbie Doran-Martinez, Chamber of Commerce, supported the County's position of allowing the fairgrounds to connect to City sewer without annexation.

Action Taken: Mr. Ecret moved that the annexation policy be amended to exempt the Grant County Fairgrounds from annexation in order to connect to City sewer, seconded by Mr. Voth.

Mr. Lane read a statement expressing his thoughts concerning the proposal to construct sewer lagoons in a residential area, the problems with abrogating the annexation policy, and the benefits to the fairgrounds with annexation and connection to City sewer.

Mr. Ecret felt that the annexation policy could be and should be amended however the Council feels best to address the concerns of the County with annexation.

Mrs. Liebrecht stated that she agreed with the statements of Mr. Lane and pointed out that if an exemption is given to the County other entities will also request the same exemption. She also pointed out that the Municipal Code could be amended to allow the fairgrounds to continue and that hooking up to City sewer would be the best option in the long run for both the City and County.

Mr. Voth stated that he was in favor of amending the annexation policy so that the County can continue to operate the fairground as in the past.

Dr. Curnel pointed out that staff has some concerns about the logistics of having a sewer line in private property and the maintenance of that line and that should be considered prior to any decisions about the annexation policy.

Mr. Gavinski pointed out that any Council member could request that an amendment to the annexation policy be drafted and presented for discussion by the entire Council. He felt that the sewer issue should not be a part of a possible annexation policy change as they are two separate issues.

Mayor Deane pointed out that the fairgrounds was included in the City's UGA which meant that it would eventually be annexed into the City and the County approved the UGA. He pointed out that a number of county fairgrounds are inside a city's limits. He mentioned a number of County offices that are also within the City and felt that the annexation policy should remain intact.

There was some discussion and staff was directed to provide an amended annexation policy.

The motion and second were withdrawn.

ORDINANCES AND RESOLUTIONS

ORDINANCE - REPEAL 6.05 AND CREATE NEW ANIMAL CONTROL CHAPTERS - 1ST READING

An ordinance was presented which repeals Chapter 6.05, Animal Control, and adopts new chapters dealing with animal control.

The ordinance repealing Chapter 6.05 titled "Animal Control" and adopting new Chapters 6.02 titled "Definitions", 6.04 titled "License Requirements", 6.06 titled "Rabies Control", 6.08 titled "Impounds", 6.10 titled "Dangerous Dog and Potentially Dangerous Dog", 6.14 titled "Miscellaneous Provisions", 6.16 titled "Exotic Animals", and 6.18 titled "Penalties and Enforcement" was read by title only.

Joseph K. Gavinski, City Manager, explained the changes made to the proposed regulations as follows:

6.04.030 - delete the first sentence and replace it with "The license fee for all dogs shall be in the sum of ten dollars (\$10) per year".

6.08.010 D. 3. - delete

6.10.120 - include in the penalty -

Permitting an animal to bite or injure - first offense (6.14.090) - C-7 - \$200

each subsequent offense - C-4 - \$500

Failure to obtain an exotic animal license (6.16.090) - C-4 - \$500

Mrs. Liebrecht felt that items G and I in 6.04.020 should be deleted as veterinary records and injury and sickness reports should not be required to obtain a license.

Action Taken: Mrs. Liebrecht moved that the ordinance be amended as proposed by the City Manager and delete 6.04.020 G and I, seconded by Mr. Lane, and passed unanimously.

ORDINANCE - AMEND 17.12 - MAJOR SUBDIVISIONS - 1ST READING

An ordinance was presented which changes the preliminary plat approval period from 7 years to 5 years to comply with state law.

The ordinance amending Chapter 17.12 of the Moses Lake Municipal Code entitled "Major Subdivisions" was read by title only.

Gilbert Alvarado, Community Development Director, gave the history of the preliminary plat review period and pointed out that the statute does give a city the ability to increase the one year extension period.

Mel Aho, Aho Construction, explained that one of the reasons for requesting a time extension for a preliminary plat is the slow recovery of the housing market.

There was some discussion about the extension time for the preliminary plats and it was the consensus of the Council that a one time three year extension should be allowed with a provision that if the Community Standards change, the plat should have to meet the new standards..

Action Taken: Mr. Voth moved that the ordinance be amended to allow for a one time three year extension period and the provision that the plat must meet current development standards, and that the first reading of the ordinance be adopted, seconded by Mr. Avila, and passed unanimously.

ORDINANCE - CREATE 18.53 - VACATION RENTAL DWELLINGS - 1ST READING

An ordinance was presented which would permit the rental of a single family dwelling for less than thirty days within all residential zoning districts.

The ordinance creating Chapter 18.63 of the Moses Lake Municipal Code entitled "Vacation Rental Dwellings" was read by title only.

Gilbert Alvarado, Community Development Director, stated that the Planning Commission considered comments from the Building Official and the stakeholders group concerning vacation dwellings. He mentioned that the fire sprinkler system is the main issue with the vacation dwelling units. He gave some background on the requirements of different jurisdictions with regard to the sprinkler issue. He mentioned that it is staff's position that the vacation dwelling units should be required to install a fire sprinkler system but he contacted the City's insurance carrier to obtain their opinion. The insurance carrier stated that it is a legal question and they will be investigating the issue.

Debbie Doran-Martinez, Chamber of Commerce, provided information concerning the issue of the sprinkler system. She was in favor of allowing vacation rentals.

There was some discussion and it was the consensus of the Council that additional discussion is needed on the sprinkler issue and the penalties should be changed to include a written warning for the first offense, a penalty for the second offense, and revocation of the permit for the third offense.

Action Taken: Mr. Voth moved that the first reading of the ordinance be tabled, seconded by Mrs. Liebrecht, and passed unanimously.

ORDINANCE - HANSEN ZONE CHANGE - 1ST READING

An ordinance was presented which would rezone 20.5 acres of property owned by Mick Hansen from C-2, General Commercial and Business to Light Industrial. The property is located south of I-90 across from the Moses Lake Country Club.

Gilbert Alvarado, Community Development Director, stated that the property has been designated Industrial in the Comprehensive Plan and the zone change will bring the property into compliance with the Comprehensive Plan.

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

RESOLUTION - ACCEPT DONATION

A resolution was presented which accepts a donation from John Laughery and Pipe Fitters Local Pasco of 51 new bicycles and helmets to be given to designated children in programs sponsored by the Police and Parks and Recreation Departments.

The resolution accepting a donation to the Moses Lake Police Department and the Parks and Recreation Department was read by title only.

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

RESOLUTION - NUISANCE ABATEMENT COSTS - 2003 BEAUMONT - MARKOVA LIVING TRUST

A resolution was presented which affirms the Council's prior authorization to staff to collect the funds expended for the nuisance abatement at 2003 Beaumont, owned by Markova Living Trust.

The resolution establishing the billing to be imposed against Markova Living Trust 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. Avila moved that the resolution be adopted, seconded by Mr. Lane, and passed unanimously.

REQUEST TO CALL FOR BIDS

LARSON WATER IMPROVEMENT PROJECT

Staff requested authorization to call for bids for the 2015 Larson Water Improvements. This project includes replacing hydrants, installing valves, installing pads, and associated work on the existing water mains in the Larson area.

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

REFERRALS FROM COMMISSIONS

CRAIG'S 1ST SHORT PLAT - DEFERRAL

Craig Jungers requested a deferral of street and utility improvements for a proposed one lot short plat located at 720 Burgess Avenue. The plat has been submitted but the sidewalk, curb, and gutter do not meet current standards so a deferral has been requested to delay those improvements until after construction.

Gilbert Alvarado, Community Development Director, explained that an existing garage burnt down and the property owner wished to reconstruct the garage. There was no dwelling unit on the lot and the City requires

that a lot have a dwelling unit as a primary use in a residential zone. The owner is in the process of platting the property, which requires that improvements meet current code. The curb and gutter do not meet current standards so a request for a deferral has been requested. The Planning Commission recommended that the deferral be granted with the stipulation that the City repair or replace the curb.

Kevin Richards, Western Pacific Engineering, on behalf of the owner, stated that in order to comply with existing requirements, the owner had to plat the property and establish a dwelling unit and connect to City utilities. A deferral of the required improvements is being requested until after the construction is completed.

Action Taken: Mrs. Liebrecht moved that the deferral be granted with the stipulation that the City repair or replace the curb, seconded by Mr. Lane, and passed unanimously.

OTHER ITEMS FOR COUNCIL CONSIDERATION

WESTERN DISPLAY FIREWORKS

Authorization was requested for the City Manager to sign a base contract and a supplemental contract with Western Display Fireworks for the 4th of July fireworks display.

Joseph K. Gavinski, City Manager, reminded the Council that due to budget constraints the Farmer's Market has offered to raise the funds for the 4th of July fireworks display. The Farmer's Market has not officially notified the City that the funds have been raised but Western Fireworks Display needs the contracts in order to start their planning process. He mentioned that the contracts can be held until contact can be made with the Farmer's Market to check the status of the funding.

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

NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - None

COUNCIL QUESTIONS AND COMMENTS

FIRE DEPARTMENT

Mr. Ecret requested information on performance standards of the Fire Department.

Brett Bastian, Asst. Fire Chief, stated that the Department has drafted performance standards which could be provided to the Council. He mentioned that the legislature passed a bill in 2005 that provides that local jurisdictions could adopt Fire Department performance standards so that the actual performance could be measured to see how effective a fire department is and report that to the state.

Joseph K. Gavinski, City Manager, pointed out that Moses Lake is a code city and the statute does not require a code city to report to the state. He mentioned that performance standards have not previously been adopted.

Staff was requested to provide performance standards for the Fire Department.

VACANT LOTS

Mr. Ecret mentioned that the Grant County Conservation District has a program to seed vacant lots with native grasses. The property owner would pay 50% of the cost. He felt this would be a good alternative to spraying or moving the weeds.

It was the consensus of the Council that the Grant County Conservation District attend a Council meeting to discuss the program.

CITY MANAGER REPORTS AND COMMENTS

BONDS

Joseph K. Gavinski, City Manager, provided a report from Standard and Poor's Ratings Service which affirmed the City's rating of AA- for the City's water and sewer bonds.

AMBULANCE REPORT

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

BUILDING ACTIVITY REPORT

The February Building Activity Report was provided.

PROJECTS UPDATE

Gilbert Alvarado, Community Development Director, provided a list of current development projects.

The regular meeting was adjourned at 9:45 p.m.

ATTEST

Dick Deane, Mayor

W. Robert Taylor, Finance Director