

City of Medical Lake
Regular Council Meeting
S. 124 Lefevre Street, 6:30 PM
March 18, 2008

Mayor Higgins called the meeting to order at 6:30 p.m.

Council present: Howard Jorgenson Shirley Maike John Paikuli
 AJ Burton Jeff King Art Kulibert

Staff present: Cindy McMullen Doug Ross Pam McBroom
 Joe Mehrens Bryan Musser

Others present: 7 Visitors and Cheney Free Press Reporter Cara Lorella.

Excused Absence: Councilmember Maike made a motion seconded by Burton to excuse Councilmember Redell from tonight's meeting. Council polled; all ayes.

Councilmember Maike also made a motion seconded by Burton to excuse Councilmember Jorgenson from the April 1, 2008 Council Meeting. Council polled; all ayes.

MINUTES:

March 4, 2008 Regular Meeting

Motion by Councilmember Maike; second by King to approve the minutes of the March 4, 2008 Regular Council meeting. Council polled; all ayes.

ADDITIONS TO AGENDA:

None.

INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS:

None.

MAYORS REPORT

PROCLAMATIONS, PRESENTATIONS & RECOGNITION:

None.

APPOINTMENTS:

None.

MEETINGS AND OTHER INFORMATION:

Susan Meyer, CEO and Molly Myers, Communications Manager with Spokane Transit Authority introduced themselves and Susan Meyer gave a presentation on STA accomplishments over the past four years and the future goals of STA through 2020. She explained the need for Proposition No. 1: Continuation of Existing Sales/Use Tax for Public Transportation Services. This proposition will

authorize STA to continue the collection of up to 3/10 of 1% sales/use tax to preserve the region's public transportation system. There was council discussion pertaining to bus rider ship, cost effectiveness of larger busses versus smaller busses, length of time and number of transfers it takes for a Medical Lake resident to get to work in Spokane, bus pass fees as well as many other topics. After discussion, Councilmember Jorgenson made a motion, seconded by Maike to have staff prepare a resolution in support of the proposed proposition to continue the 3/10 of 1% sales/use tax to preserve the region's public transportation system. Council polled; all ayes.

STAFF REPORT:

Authorize Mayor Higgins to sign Alternate Public Defender Contracts

City Attorney McMullen explained that under our new MLMC provisions for Public Defender services for indigent defendants, there is a provision for the appointment of an attorney, other than the regular Public Defender, in conflict cases. In those types of situations the city needs to have backup Public Defenders available. The terms of these contracts will be the same as the regular Public Defender Contract with the same fees. If the Mayor is authorized to approve these contracts as needed - they will be put on the consent agenda for council information/approval. Motion was then made by Councilmember Jorgenson; seconded by Paikuli to authorize Mayor Higgins to sign Alternate Public Defender Contracts. Council polled; all voted aye.

City Attorney McMullen gave Mayor, Council and Staff an update on the A&K Development, Inc. lawsuit which was filed last month. The motion for dismissal of Land Use Petition and Compliant for Damages was originally scheduled to come before Superior Court Judge Ellen Clark on March 14th at 9:00 AM. This has been changed and is now scheduled to be heard March 21st at 3:30 PM. City Attorney McMullen and Ken Harper from WCIA will be representing the city.

City Administrator Ross reported that he would be meeting tomorrow with the group representing the Washington State Veterans Cemetery to discuss fees that will be charged for reclaimed water use. This cemetery will be located off West Espanola Road and is anticipated to open in 2010. There will also be a ceremony at noon tomorrow to unveil the new sign for this cemetery. Administrator Ross reported that he is also scheduled to attend a pre-public release briefing on the 2007 Fairchild Air Installation Compatible Use Zone (AICUZ) report at 3:00 PM tomorrow.

FINANCE COMMITTEE REPORT:

Committee met before council. No action items.

PARKS AND RECREATION COMMITTEE REPORT:

Councilmember King reported on the following items discussed at the committee meeting held on March 13th.

- Bluegrass Festival issues
- Restrooms at park will open April 1st
- Skate Park will be open during spring break
- The old Pioneer Park picnic structures will soon be removed to prepare for new shelters that will be built with money awarded to the city from Spokane County Multi-Jurisdictional Capital Park Project Program.
- City is receiving many WFP use reservations for summer
- Little League tryouts are complete
- Coed softball will begin in July and Men's softball will begin in May/June. Games will be played on Sundays
- The park and facility use rules have been reviewed by the committee and will be coming back for council approval

PLANNING REPORT:

Administrator Ross reported that Glenn Scholten, City Planner has the Shoreline Master Plan ready to go to the Planning Commission – Ross is currently reviewing that plan. Also, Scholten will be out of the office for a couple of days due to surgery.

PUBLIC WORKS:

Public Hearing: Hancock Street Vacation Request

Mayor Higgins opened the hearing at 7:34 PM. Administrator Ross gave the background information. Bob Vercic and Don Mayfield had sent the City a request to vacate the western most portion of Hancock Street. The City has improved a portion of the requested vacation area with asphalt and a guard rail acting as a barrier at the end of the improved portion of the street. The City currently maintains a sewer main that runs parallel with the shoreline that is accessed from Hancock St. The requested vacation area is 80' x 80' or 6,400 square feet. Staff recommendation is that the City not approve this request due to the potential value of the property if it were someday to be declared surplus. If council decides to approve the requested vacation, it is recommended that a 40' easement centered in the right of way be reserved.

Mr. Bob Vercic, 212 W. Hancock St. then gave testimony pertaining to his request for this vacation. He is primarily concerned about safety issues with children and teens crossing the barrier and entering his property down by the water. If an accident occurred there is a liability issue for him as well. It was also noted that during certain holidays and events that take place within the city, individuals end up blocking and/or parking in his and Mayfield's driveways. Vercic did state that he and Mr. Mayfield had been assessing the area prior to this meeting and felt that they would like to change their request and leave out the improved street portion and right of way. Mr. Don Mayfield, 213 W. Hancock, added to the testimony that he had the same reasons as Vercic for this vacation request and would also like to make improvements on this abutting property but did not want to spend the money if it is not his property. There was discussion between property owners, staff and council. After discussion Councilmember Burton made a motion, seconded by Paukili to continue this hearing to the April 15th council meeting. Council polled; all ayes. Mayor Higgins adjourned the hearing at 7:51 PM.

PUBLIC SAFETY COMMITTEE REPORT:

2008 Prehospital Participation Grant Application Approval

Councilmember Kulibert explained that the city annually applies for and receives the Washington State Department of Health grant for the purchase of minor equipment for the EMS Department. Approval is needed prior to submitting an application. The grant this year is for approximately \$1,594. Motion by Councilmen Kulibert to authorize the EMS Department to submit the Prehospital Participation Grant for 2008. Seconded by Councilmember Maike. Council polled; all ayes.

Interagency Agreement: Washington State Patrol (WSP): State Fire Mobilization Reimbursement

This Interlocal Agreement with WSP will allow reimbursement of fire mobilization costs per the Washington State Fire Services Resource Mobilization Plan. This comes into play when the State requests mutual aid from municipal, county or fire district departments to help fight larger fires. Councilmember Kulibert made a motion, seconded by King to authorize Mayor Higgins to sign the Interagency Agreement between the WSP and the Medical Lake Fire Department. Council polled; all ayes.

MEMBER REPORTS:

None.

CONSENT AGENDA:

Approval of Claims and Payroll

Claim Warrants 14942 through 15012 in the amount of \$94,572.48 and Payroll Warrants 8350 through 8353 in the amount of \$20,905.00.

Digital Imaging Solutions; Service Maintenance Agreement

Consent Agenda was approved by motion from Councilmember Maike, second by Jorgenson.

OLD BUSINESS:

None.

DISCUSSION OF ADDITIONS TO THE AGENDA:

None.

EXECUTIVE SESSION:

Mayor Higgins called for an executive session 7:55 p.m. to discuss the City's position with regard to collective bargaining issues and selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price. This session will last approximately 15 minutes. No action will be taken.

Executive Session ended at 8:13 p.m.

ADJOURNMENT:

Mayor Higgins adjourned the meeting at 8:15 p.m.

Mayor John Higgins

City Clerk / Finance Director