

City of Medical Lake
Regular Council Meeting
S. 124 Lefevre Street, 6:30 P.M.
July 19, 2011

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

Council present: Shirley Maike A. J. Burton Jeff King
 Art Kulibert Howard Jorgenson

Council Absent: John Paikuli and Brenda Redell

Councilmember King made a motion, seconded by Maike to excuse Councilmember's Paikuli and Redell from this council meeting. Council polled; all ayes.

Staff present: Doug Ross Cindy McMullen Pam McBroom Jeff King

Others present: Cheney Free Press Reporter James Eik, Derrick Braaten, Spokane Community Land Trust and two board members and seven other visitors.

ADDITIONS/DELETIONS TO AGENDA:

Councilmember Maike made a motion to add to the agenda under Staff Report, 4.A.4.b – Addendum to Indigent Public Defense contract. The motion was seconded by Councilmember Jorgenson. Council polled; all ayes.

MINUTES:

June 21, 2011 Regular Council Meeting

Motion by Councilmember Maike, seconded by Jorgenson, to approve the June 21, 2011 Regular Council Meeting minutes. Council polled; all ayes.

INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS:

Barb Reis – 515 S. Silver Lake Avenue
Robbie Killian – 1135 E. Evergreen Drive
Lahnie Henderson – 611 E. Ladd

Each of the above interested citizens spoke with council about the discharge of fireworks on July 4th. They are all opposed to allowing fireworks because of the excessive amount of debris it causes and the potential fire hazards. Ms. Henderson read a letter into the council records and asked once again that council reconsider their ordinance allowing the use and discharge of fireworks within the City of Medical Lake in conjunction with the 4th of July holiday. After some discussion, Mayor Higgins referred this matter back to the Public Safety committee for review.

Rachael Kaulig – 523 E. Fellows Street

Ms. Kaulig talked with council concerning the city's noise ordinance. There is a neighbor, approximately 450 to 500 feet from her residence, who is playing music excessively loud all day long and into the evening at least 3 or 4 days per week. Even with doors and windows closed the base from the speakers is so loud it can be heard and felt inside their home.

The current noise ordinance states that no loud noise is allowed between the hours of 10 p.m. and 6 a.m. There are no restrictions for the hours between 6 a.m. and 10 p.m. Police have gone to the individual's home but cannot really do anything because there are no city codes restricting it. There was council discussion on this issue. Ms. Kaulig gave council copies of other cities ordinances pertaining to this issue and asked council to consider a change to their current ordinance. The matter was referred to committee for review and City Attorney McMullen will also review ML codes and bring a revised ordinance to council for their review.

MAYORS REPORT

PROCLAMATIONS, PRESENTATIONS & RECOGNITION:

None.

APPOINTMENTS:

Spokane County Housing & Community Development Advisory Committee; Shirley Maike

Mayor Higgins received a letter requesting the reappointment of Shirley Maike to the advisory board of the Spokane County Housing & Community Development Committee. Her term will expire on September 2, 2011. It was noted that if Maike is not able to serve another term on this committee a new member can be appointed. After discussion, Councilmember Jorgenson made a motion, seconded by Burton to reappoint Councilmember Maike to Spokane County Housing & Community Development Advisory Committee for another term. Council polled; all ayes.

Lazlo Kiss, Volunteer Firefighter

Chief Estes reported that Kiss was not available to be at council this evening. He is pleased that Kiss has been appointed to the volunteer firefighter team. Kiss will attend a meeting at a later date to meet council.

MEETINGS AND OTHER INFORMATION:

Mayor Higgins reported that he and City Administrator Ross had met with high school representatives concerning the Alternative High School location. The school wants to move this school from its current location into the old Rockwood Medical Clinic. The school will be required to apply for a conditional use permit and that will have to come before a hearing examiner prior to approval.

STAFF REPORT:

Spokane County Land Trust; Informational Presentation by Derrick Braaten

Mr. Braaten introduced board member Ray Mooney and Mr. Guant, treasurer of the land trust. He gave council and staff a handout of his power point presentation. He explained the purpose of this organization is to develop a strategy for permanently affordable housing. The following areas were discussed:

- The CLT is a nonprofit organization
- They purchase land and give a 99 year land lease to homeowners
- Homeowners own the structure built on CLT property
- The homeowner purchases/finances the cost of the home only and a \$50 per month CLT lease for the land is included in the monthly payment
- This makes the home much more affordable in today's market
- Washington has 19 CLT's and are working on getting one up and running in Spokane. At this time land is needed to move forward in Spokane.
- CLT Board of Directors is comprised of: Bankers, Realtors, Government Officials and Affordable Housing Advocates

There was council and staff discussion and information will be available in the building department at City Hall.

Addendum to Indigent Public Defense Contract

Attorney McMullen explained that this addendum addresses compensation for Melanie J. Caldwell, Public Defender. There will be \$100.00 per month added to her contract for additional duties on Public Defender day – “Attorney for the Day for Arraignments.” This is something that has become necessary and is being requested by Judge Kayne. This added amount will not impact the current budget. There was council discussion. Councilmember Maike made a motion to approve the Addendum to the Indigent Public Defense Contract. The motion was seconded by Councilmember Jorgenson. Council polled; all ayes.

FINANCE:

2011 – 2nd Quarterly Financial Report; Information Only

Finance Director McBroom gave a brief report. All expenditures are within the 50% or under range through the end of June. Finances are holding firm at this time.

PLANNING REPORT:

None.

PARKS AND RECREATION COMMITTEE REPORT:

Administrator Ross reported that the community yard sale was well received this year. Ross noted that he had made new signs this year. Also, softball leagues are winding down and Jack & Jill is just beginning.

Councilmember Jorgenson asked for an update on Bluewaters Bluegrass Festival. There was discussion and Administrator Ross said they are going to enforce the “no driving on the trail” rule this year. It also came up about all the campers that ended up using the parking lot last year. It was determined that Bluegrass representatives will be appraised of the problems encountered last year and that council feels all campers should be paying to park even if they are in the parking lot instead of the area set up for campers. Park & Recreation Committee will address these concerns.

PUBLIC WORKS COMMITTEE REPORT:

Set Public Hearing for Six – Year Transportation Improvement Plan; August 16, 2011

Councilmember Jorgenson made a motion, seconded by Maike to set August 16, 2011 at 6:30 p.m. as the date and time for the Six - Year Transportation Improvement Plan hearing. Council polled; all ayes.

PUBLIC SAFETY COMMITTEE REPORT:

Councilmember Kulibert reported on the Public Safety Committee meeting. The department received 57 calls in June and none were missed. There were no major problems on July 4th. There were 3 fire related incident calls. Two garbage can fires were out before the fire department got to them; one fire was in a dumpster behind the high school. Someone had picked up spent fireworks and put in the dumpster. One of them was not completely burned out and started the fire. A plastic lid to the dumpster was melted – no major property damage occurred.

MEMBERS REPORT:

Councilmember Kulibert reported that he had attended a garden tour and the interesting part was that it concentrated on low/no watering gardens. Conservation of water was the key.

CONSENT AGENDA:

Approval of Claims and Payroll

Claim Warrants 19578 through 19618 in the amount of \$30,970.51 and Payroll Warrants 9580 through 9599 in the amount of \$111,211.69 dated July 5, 2011 and Claim Warrants 19619 through 19674 in the amount of \$151,222.49 and Payroll Warrant 9600 in the amount of \$14,400.00 dated July 19, 2011 were approved by motion from Councilmember Maike, second by Jorgenson. Council polled; all ayes.

OLD BUSINESS:

Ordinance No. 1012; Fatbeam, LLC Franchise Agreement; Second Reading

Councilmember Jorgenson made a motion, seconded by King, to approve the second reading of Ordinance No. 1012; Fatbeam, LLC Franchise Agreement. Council polled; all ayes. Attorney McMullen read by title only

Ordinance No. 1013; Weight Restrictions on City Streets: Second Reading

Councilmember Jorgenson made a motion, seconded by King to approve the second reading of Ordinance No. 1013; Weight Restrictions on City Streets. Council was polled; all ayes. City Attorney McMullen read by title only

DISCUSSION OF ADDITIONS TO THE AGENDA:

None.

EXECUTIVE SESSION:

Mayor Higgins called for an executive session at 7:40 p.m. Attorney McMullen read the following for the official records. *The City Council will now go into Executive Session to consider: The minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. It is anticipated that the executive session will last 10 minutes. After the executive session, the city council will reconvene the regular session. The city council will take no action on the issue(s) discussed in executive session.*

ADJOURNMENT:

Mayor Higgins called the regular meeting back to order at 7:50 p.m. and adjourned the meeting at 7:52 p.m.

Mayor John Higgins

City Clerk / Finance Director