



**CITY COUNCIL MEETING and PUBLIC HEARING AGENDA
TUESDAY, MAY 2, 2023
HELD REMOTELY & IN PERSON AT CITY HALL
124 S. LEFEVRE ST.**

- Sign up to provide Public Comment at the meeting via calling in
- Submit Written Public Comment Before 4 pm on (May 2, 2023) - *SEE NOTE*
- Join the Zoom Meeting –
<https://us06web.zoom.us/j/85781007231?pwd=UXFkRS9yL3gzT0pjbjNThXY2Fwdz09>

Meeting ID: 857 8100 7231

Passcode: 122488

One tap mobile

+12532158782,,85781007231#,,,,*122488# US (Tacoma)

+12532050468,,85781007231#,,,,*122488# US

Find your local number: <https://us06web.zoom.us/j/kw6cpgDG>

WRITTEN PUBLIC COMMENTS

If you wish to provide written public comments for the council meeting, please email your comments to sweathers@medical-lake.org by 4:00 p.m. the day of the council meeting and include all the following information with your comments:

1. The Meeting Date
2. Your First and Last Name
3. If you are a Medical Lake resident
4. The Agenda Item(s) which you are speaking about

*Note – If providing written comments, the comments received will be acknowledged during the public meeting, but not read. All written comments received by 4:00 p.m. will be provided to the mayor and city council members in advance of the meeting.

Questions or Need Assistance? Please contact City Hall at 509-565-5000

REGULAR SESSION – 6:30 PM

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL**
2. **AGENDA APPROVAL**
3. **INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS**
4. **ANNOUNCEMENTS / PROCLAMATIONS / SPECIAL PRESENTATIONS**
5. **REPORTS**
 - A. Council Comments
 - B. Mayor
 - C. City Administrator & City Staff
6. **WORKSHOP DISCUSSION**
 - A. Vacant Building Ordinance
 - B. Park Advisory Board Ordinance
7. **ACTION ITEMS**
 - A. Consent Agenda
 - i. Approve **April 18, 2023**, minutes.
 - ii. Approve **May 2, 2023**, Claim Warrants **50076** through **50112** in the amount of **\$66,782.77**.
8. **RESOLUTIONS**
 - A. 23-587 Jazzercise Instructor Agreement Amendment
 - B. 23-589 Senior Yoga Instructor Agreement Amendment
 - C. 23-590 Wastewater Treatment Plant Pump Repair
9. **PUBLIC HEARING** – Application LU 2022-004 TA Shipping Containers
10. **ORDINANCES**
 - A. First Read Ordinance 1110 Establishing an Independent Salary Commission
11. **EXECUTIVE SESSION** – None scheduled.
12. **EMERGENCY ORDINANCES** – No items listed.
13. **UPCOMING AGENDA ITEMS**
14. **INTERESTED CITIZENS**
15. **CONCLUSION**

CITY OF MEDICAL LAKE
City Council Regular Meeting

6:30 PM
April 18, 2023

MINUTES

Council Chambers
124 S. Lefevre Street

NOTE: This is not a verbatim transcript. Minutes contain only a summary of the discussion. A recording of the meeting is on file and available from City Hall.

COUNCIL AND ADMINISTRATIVE PERSONNEL PRESENT

Councilmembers

Chad Pritchard
Don Kennedy
Heather Starr
Art Kulibert (via Zoom)
Bob Maxwell
Ted Olson
Tony Harbolt

Administration/Staff

Sonny Weathers, City Administrator
Koss Ronholt, Finance Director
Sean King, City Attorney
Scott Duncan, Public Works Director
Steve Cooper, WWTP Director

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

- A. Mayor Cooper was not present. Councilmember Kennedy acted as Mayor Pro Tem and called the meeting to order at 6:30 pm, led the Pledge of Allegiance and conducted roll call. All council members were present, with councilmember Kulibert present via Zoom.
 - i. Made a retroactive approval of councilmember Pritchard’s absence from the April 4, 2023, council meeting. Motioned by councilmember Harbolt, seconded by councilmember Olson, carried 6-1 with councilmember Pritchard abstaining.

2. AGENDA APPROVAL

- A. Additions to Agenda
 - i. Added Resolution 23-588 – ESRI Service Agreement as item 8.E. Motioned by councilmember Harbolt, seconded by councilmember Pritchard, carried 7-0.
- B. Motion to approve agenda made by councilmember Pritchard, seconded by councilmember Maxwell, carried 7-0.

3. INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- A. None

4. ANNOUNCEMENTS / PROCLAMATIONS / SPECIAL PRESENTATIONS

- A. Karl Otterstrom with Spokane Transit Authority gave a presentation on STA's 10-year strategic plan, Connect 2035. Discussion held. See attached.

5. REPORTS

- A. Public Safety - Councilmember Olson reported that assaults decreased, language is being drafted with Spokane County for Sheriff's contracts, unauthorized camping resolved, code enforcement officer Dave Yuhas hired, more SCOPE involvement.
 - i. FD3 - helped with Fool's Run at Midnight, three new volunteer firefighters, Saturday is the Fisherman's Breakfast (4am-noon), STEPS Printing and ROAM Roasters helped and donated. Harvest Foods donated food, etc.
- B. Council Comments
 - i. Councilmember Pritchard – Shared that the Spokane County Housing and Community Development Advisory Committee (HCDAC) was awarded 2 million dollars, Food Bank on list for 100k. Reported on the recent Geo walk around Medical Lake where community members cleaned up trash and sampled water. Shared that on May 3rd, Medical Lake Middle School will host a STEM career night at 6pm.
 - ii. Councilmember Starr – Finance Committee discussed GIS software, reported that the garbage fee study is progressing, and the staff time study is underway.
 - iii. Councilmember Maxwell – General Government Committee discussed getting signs for the business loop, vacant property ordinance in the works. Reported that the Vactor truck is paying for itself (estimated 12k already) and the Baker Street project will be starting soon.
 - iv. Councilmember Olson - Shared that on April 19, 2023, wellness clinic will hold a free meeting regarding students' mental health. Meeting is open to the public 3:30-5:30pm.
 - v. Councilmember Harbolt - no report
 - vi. Councilmember Kulibert: attended a Bluegrass Festival headline group. Shared excitement about grants that they acquired and conducted survey to acquire more grants for future years.
- C. Mayor Pro Tem Kennedy – No comment
- D. City Administrator & City Staff –
 - i. Mr. Weathers – shared that the Legislative session ends on April 24, 2023. He will attend the AWC conference in Spokane in May. Shared about the groundwater agreement. Shared about the recent Community Garden meeting.

6. WORKSHOP DISCUSSION

- A. Application LU 2022-004 TA Shipping Containers
 - i. Applicant Larry Stoker provided input on his request. Apologized for not being aware of code violation. Monark is making visual improvements. Used to have RV storage, now is using storage containers in lieu of RVs. Painting and upkeeping shipping containers. Can keep rates lower when using shipping containers. Containers are much more secure. They are housed in the back of the facility, not very visible. Willing to make adjustments if needed or if the law is changed. Researched what some other communities are doing regarding shipping containers and reported that they are allowed in some cities. Shared that it would cost close to \$100,000 to remove containers. Asking for fair review of the application.
 - ii. Brett Lucas, City Planner for City of Cheney. Asked by Mr. Stoker to talk about the City of Cheney's recent planning developments. 5 years ago, the city began allowing PODS. McDonald's began using a shipping container for dry storage because of supply chain issues

and reduced cost. Shared that shipping containers are used throughout Spokane. Another business added screening to prevent visibility of the shipping container. Plenty of code options to improve visual appeal or screening of shipping containers. Only allowed in Cheney's C2 and industrial zoning, not in residential zones. Cheney ensures that code enforcement manages paint and maintenance of containers. Spokane County does allow shipping containers.

7. ACTION ITEMS

- A. Consent Agenda
 - i. Approve **April 4, 2023**, minutes.
 - 1. Motion to approve made by councilmember Harbolt, seconded by councilmember Pritchard, carried 7-0.
 - ii. Approve **April 18, 2023**, Payroll Claim Warrants **50027** through **50034** and Payroll Payable Warrants **20197** through **20203** in the amount of **\$134,779.79** and Claim Warrants **50035** through **50075** in the amount of **\$120,515.24**.
 - 1. Motion to approve made by councilmember Starr, seconded by councilmember Maxwell, carried 7-0.
- B. Support for Joint Statement Addressing Homelessness Regionally.
 - i. Discussion held.
 - ii. Motion to approve made by councilmember Pritchard, seconded by councilmember Starr, carried 7-0.

8. RESOLUTIONS

- A. 23-583 Broadline Agreement
 - i. Motion to approve made by councilmember Pritchard, seconded by councilmember Maxwell, carried 7-0.
- B. 23-584 Managed IT Services Agreement with Executech
 - i. Motion to approve made by councilmember Starr, seconded by councilmember Olson, carried 7-0.
- C. 23-585 Criminal Histories MOU (Spokane County)
 - i. Motion to approve with correction to the word "County" in the title made by councilmember Harbolt, seconded by councilmember Pritchard, carried 7-0.
- D. 23-586 Energy Savings Contract with Apollo.
 - i. Motion to approve made by councilmember Starr, seconded by councilmember Olson, carried 7-0.
- E. (Added item) 23-588 ESRI Service Agreement
 - i. Motion to approve made by councilmember Pritchard, seconded by councilmember Maxwell, carried 7-0.

9. PUBLIC HEARING / APPEALS – No items listed.

10. ORDINANCES

- A. Second Read Ordinance 1109 Complete Streets.
 - i. Motion to approve made by councilmember Starr, seconded by councilmember Harbolt, carried 6-1 with councilmember Kennedy voting nay.

11. EXECUTIVE SESSION – None scheduled.

12. EMERGENCY ORDINANCES – No items listed.

13. UPCOMING AGENDA ITEMS

14. INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- A. Lance Speirs, Medical Lake resident – Encouraged council and community to pay attention to 90 day homelessness study and to get the whole county together.

15. CONCLUSION

- A. Motion to conclude meeting made by councilmember Pritchard, seconded by councilmember Harbolt. Motion carried 7-0 and meeting concluded at 8:15 pm.

Terri Cooper, Mayor

Koss Ronholt, Finance Director/City Clerk



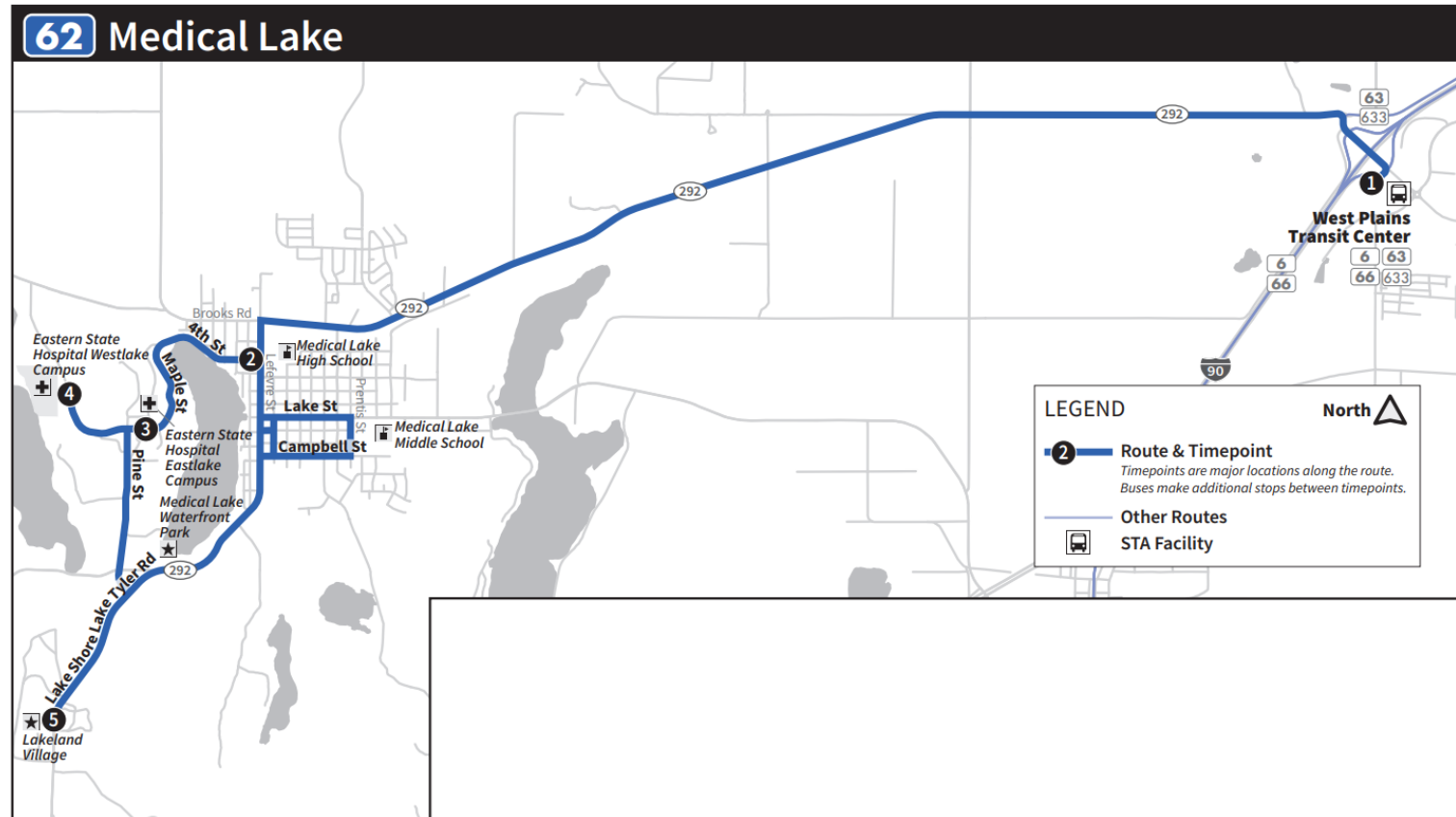
STA Connect 2035 Strategic Plan

E Susan Meyer
Chief Executive Officer

Karl Otterstrom, AICP
Chief Planning & Development Officer

Spokane Transit: Medical Lake's Public Transportation System

- Service provided:
 - Route 62
 - Paratransit
 - Rideshare
- Current plans include:
 - Stop improvements on SR 902





Spokane Transit Authority
**Phase 1 Strategic
Foundation**



What is *Connect 2035*

- Completed in 2022
- Community engagement
- Revised agency mission and vision
- Goals, strategies, and headline performance measures

- Officially kick-off in July
- Identify, evaluate, prioritize, and program initiatives, and actions
- Extensive community engagement



Phase 1 Engagement and Outreach



- Interviewed STA Board Members & 27 community leaders
- Online survey - 849 participants
- Held 6 listening sessions
- Prioritization activity at 3 summer events
- 4 STA Board of Director workshops
- STA employee engagement



What we heard people want for the future



Buses that come often is the #1 priority for the future of transit



Service to more places is the #2 priority for the future of transit



People want STA to prioritize expanded hours all week



People see the opportunity for STA to be a leader in sustainability and climate change



Vision

Connecting everyone to opportunity

Mission

We provide safe, inclusive, convenient, and efficient public transportation services to Spokane area communities.

We are leaders in transportation and a valued partner in the region's social fabric, economic infrastructure, and quality of life

Plan Goals

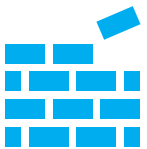
- Each goal in phase 1 plan is supported by strategies, possible actions, and headline performance measures



Goal 1 – Elevate the customer experience



Goal 2 – Lead and collaborate with community partners to enhance the quality of life in our region



Goal 3 – Strengthen our capacity to anticipate and respond to the demands of the region

Goal 1 – Elevate the customer experience



Strategy 1.1 – Expand and adapt mobility options to attract and serve more people

Strategy 1.2 – Advance frequent, easy to use, fast, and reliable service

Strategy 1.3 – Deliver an outstanding door-to-door experience

Strategy 1.4 – Create a welcoming, comfortable, and secure environment for all customers



Rendering of bus rapid transit service along Division Street near B.A. Clark Park



Goal 2 – Lead and collaborate with community partners to enhance the quality of life in our region

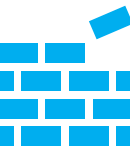
Strategy 2.1 – Collaborate to enhance access to transit

Strategy 2.2 – Support community partners to amplify community benefits

Strategy 2.3 – Proactively initiate partnerships to promote and help employers, service providers, and residential development to locate near high-frequency transit.



Page from *Division Connects Visual Sourcebook*



Goal 3 – Strengthen our capacity to anticipate and respond to the demands of the region

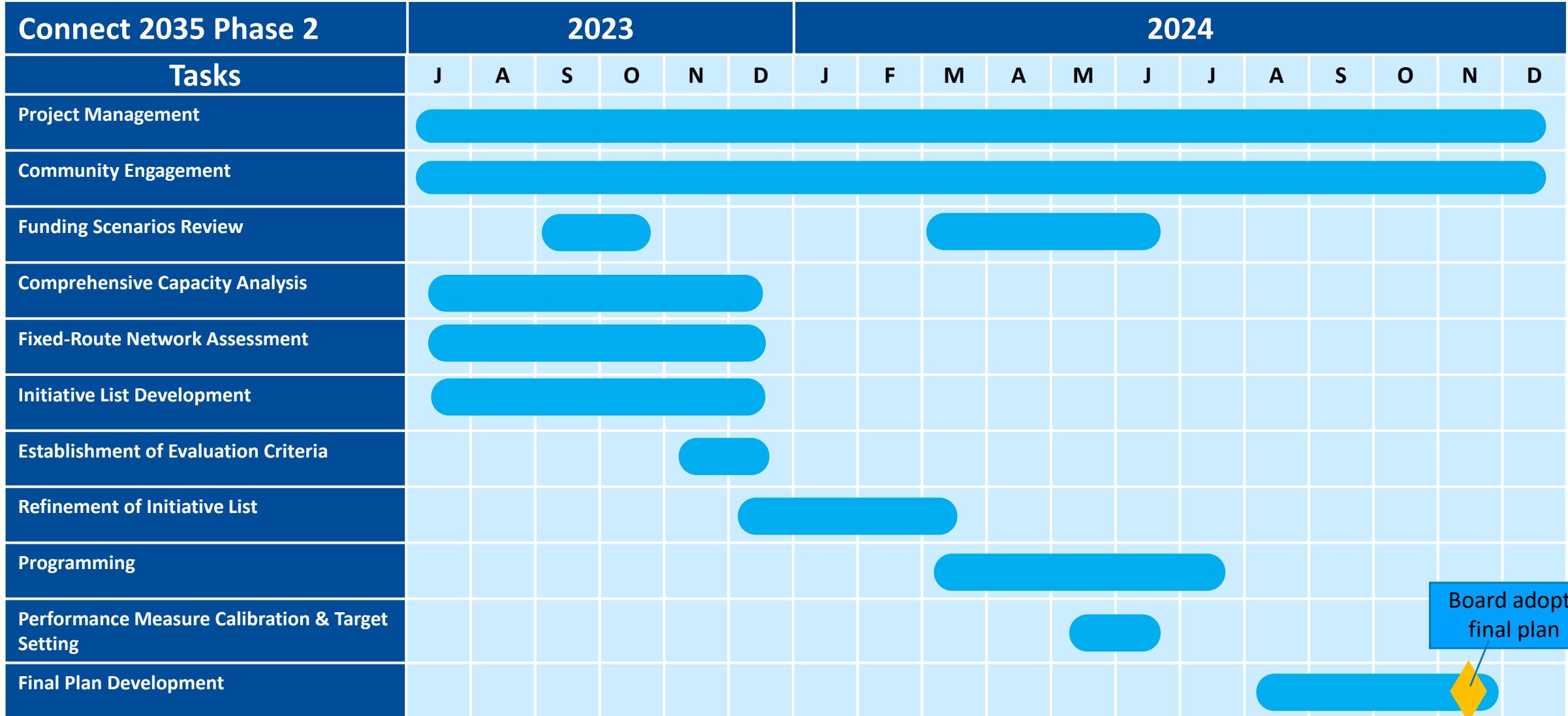
Strategy 3.1 – Develop, prepare, and empower our team members

Strategy 3.2 – Engage in proactive assessment and planning, and deliver strategic long-term investments most beneficial to our communities

Strategy 3.3 – Exemplify financial stewardship to maintain public trust and organizational sustainability



Connect 2035 Phase 2 – Draft Timeline



Board adopts final plan

Adjustments to scope item scheduling expected when consultant team is on-boarded

Questions for you

- How do you see these goals and strategies aligning with the City's priorities for the next 10 years?
- What opportunities do you see for the City and STA to collaborate in the next 10 years?
- How would you like to participate in the Phase 2 of the *Connect 2035*?
- What public engagement strategies have worked well with your citizens?

**CITY OF MEDICAL LAKE
SPOKANE COUNTY, WASHINGTON
RESOLUTION NO. 23-587**

**A RESOLUTION OF THE CITY OF MEDICAL LAKE EXTENDING
THE AGREEMENT WITH JULIE BUTLER TO INSTRUCT JAZZERCISE
CLASSES FOR THE CITY OF MEDICAL LAKE.**

WHEREAS, the City of Medical Lake (“City”) entered into an Agreement with Julie Butler (“Service Provider”) of Cheney, WA, to provide Jazzercise instruction services to the community through the Park’s and Recreation Department on September 6, 2022, to expire on or around December 31, 2022; and

WHEREAS, the Service Provider has continued to provide services to the community consistent with the terms and conditions contained in the Agreement since the Agreement’s expiration; and

WHEREAS, the parties are desirous of extending the Agreement through 2024; and

WHEREAS, the City and the Service Provider have prepared an Addendum to the Agreement between the City of Medical Lake, Washington and the Service Provider (“Agreement”) to continue providing services through May 31, 2024.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDICAL LAKE, WASHINGTON, as follows:

Section 1. Approval. The City Council hereby approves of the Addendum to the Agreement between the City of Medical Lake and Julie Butler of Cheney, WA, as set forth in the attached Exhibit A, which is incorporated herein.

Section 2. Severability. If any section, sentence, clause, or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

Section 3. Effective Date. This Resolution shall be effective immediately upon passage by the City of Medical Lake City Council.

ADOPTED this 2nd day of May, 2023.

Terri Cooper, Mayor

Attest:

Approved as to Form:

Koss Ronholt, City Clerk

Sean P. Boutz, City Attorney

ADDENDUM NO. 1

On or around September 6, 2022, the City of Medical Lake, Washington, a municipal corporation, and Julie Butler (“Service Provider”) entered into an Instructor Contract to provide certain Jazzercise classes and instruction to the community through the City of Medical Lake’s Parks & Recreation Department (“Agreement”).

Under the terms of the Agreement (Section 2), it was set to expire on or around December 31, 2022. Service Provider has continued to provide services to the community consistent with the terms and conditions contained in the Agreement since the Agreement’s expiration.

The Parties are desirous of continuing the relationship and memorializing an extension of the Agreement, since the date of its expiration and into the future.

The Parties, therefore, wish to extend the term of the Agreement as set forth herein and as previously described in Section 2 of the Agreement. Section 2 of the Agreement is hereby amended as follows:

The dates identified in Section 2 of the Agreement are changed to: **September 2022 to May 31, 2024.**

All of the terms, covenants, and conditions in the Agreement shall remain in full force and effective throughout the extended term of the Agreement as if fully set forth herein.

Effective this ___ day of May, 2023.

CITY OF MEDICAL LAKE

By: _____
Mayor Terri Cooper

SERVICE PROVIDER

By: _____
Julie Butler

**CITY OF MEDICAL LAKE
SPOKANE COUNTY, WASHINGTON
RESOLUTION NO. 23-589**

**A RESOLUTION OF THE CITY OF MEDICAL LAKE ENTERING INTO
AN AGREEMENT FOR SERVICES WITH HEATHER WOLLER TO
PARTICIPATE IN AND INSTRUCT YOGA CLASSES FOR THE CITY OF
MEDICAL LAKE.**

WHEREAS, the City of Medical Lake (“City”) desires to provide yoga instruction services to the community through the Park’s and Recreation Department; and

WHEREAS, Heather Woller of Cheney, WA, hereinafter referred to as “Service Provider” is a certified yoga instructor and desires to provide yoga instruction services through the City’s Parks and Recreation Department, utilizing City facilities; and

WHEREAS, the City and Service Provider have prepared an Agreement for Services between the City and Heather Woller (“Agreement”) through May 31, 2024.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDICAL LAKE, WASHINGTON, as follows:

Section 1. Approval. The City Council hereby approves of the Agreement between the City and Heather Woller as set forth in the attached Exhibit A, which is incorporated herein.

Section 2. Severability. If any section, sentence, clause, or phrase of this Resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

Section 3. Effective Date. This Resolution shall be effective immediately upon passage by the City of Medical Lake City Council.

ADOPTED this 2nd day of May, 2023.

Terri Cooper, Mayor

Attest:

Approved as to Form:

Koss Ronholt, City Clerk

Sean P. Boutz, City Attorney

AGREEMENT FOR SERVICES

THIS AGREEMENT (“Agreement”) is made and entered into this 2nd day of May 2023, between the City of Medical Lake, hereinafter referred to as “City” and Heather Woller of Cheney, WA, hereinafter referred to as “Service Provider” and joint referred to as “Parties”.

IN CONSIDERATION of the terms and conditions contained herein the Parties covenant and agrees as follows:

1. **PURPOSE OF THE AGREEMENT.** It is understood and agreed by and between the Parties that the City is contracting for the personal service of the Service Provider for the following purpose(s): to participate in and instruct Yoga classes to the community through the City’s Parks & Recreation Department.

2. **TERM OF AGREEMENT.** This Agreement shall be in full force and effective upon execution and shall remain in effect until completion of all requirements herein, or May 31, 2024, whichever occurs first.

Either party may terminate this Agreement by providing ten (10) days written notice to the other party. In the event of such termination, the City shall pay the Service Provider for all services previously authorized and satisfactorily performed prior to the termination date.

3. **BACKGROUND CHECK.** The Service Provider does hereby give the City or an independent investigating agency authorization to conduct a thorough investigation of the Service Provider and its employee’s and/or agent’s professional and personal background, including credit, criminal, and driving. The Service Provider shall be responsible for the cost of any such background check. Prior to performance the City shall have on file a complete background check.

The Service Provider understands and agrees to waive any claim or cause of action relating to use of any and all information gained through this investigation or release of information, and promises to defend and hold harmless the City, its officers and employees from any claim or loss arising from such investigation and/or release of information.

4. **EQUIPMENT.** The Service Provider will be required to provide the following items of equipment in performing the personal services and work required under this Agreement: Any and all equipment needed for the teaching and instructional portion of the class(es).

The City will provide the following items of equipment to the Service Provider: Photocopies, advertising for the class, and collection of all registration fees.

5. **COMPENSATION AND PAYMENT.** The City agrees to collect participants’ fees for Service Provider with said fees disbursed to the Service Provider as follows:

Service Provider will be provided a monthly statement for all participants' fees collected and reimbursed at eighty percent (80%) of such fees collected based on full payment of all participants.

The City shall receive and retain twenty percent (20%) for all services rendered by Service Provider under this Agreement.

Service Provider shall submit an invoice to the City for any amount due.

6. **Notice.** Notice shall be given in writing as follows:

TO THE CITY:

Name: City of Medical Lake
Phone Number: (509) 565-5000
Address: 124 S. Lefevre Street
Medical Lake, WA 99022

TO THE SERVICE PROVIDER:

Name: Heather Woller
Phone Number: (509) 995-4035
Address: _____

7. **INSURANCE.** Liability of either the City or Service Provider shall be limited to those acts of its agents or employees which proximately cause loss or damage to participants or the agents, employees or property of the other party. The Service Provider shall maintain liability insurance in the amount of one million dollars (\$1,000,000), which shall include coverage for all services rendered under this Agreement. The City shall be an additional named insured under any policy required under this Agreement. Said policy shall provide for notice to the City of at least fifteen (15) days of any cancellation or reduction of coverage. The Service Provider shall provide the City at the time of execution of this Agreement, and at the time of any renewal of the insurance policy, with proof of such liability insurance coverage. Said insurance policy(ies) shall be at the sole expense of the Service Provider.

8. **RELATIONSHIP OF THE PARTIES.** It is understood, agreed and declared that the Service Provider shall be an independent contractor and not the agent or employee of the City, that the City is interested in only the results to be achieved and that the right to control the particular manner, method and means in which the services are performed is solely within the discretion of the Service Provider. Any and all employees who provide services to the City under this Agreement shall be deemed employees solely of the Service Provider. The Service Provider shall be solely responsible for the conduct and actions of all employees under this Agreement and any liability that may attach thereto.

9. **INDEMNIFICATION AND HOLD HARMLESS.** Each party shall indemnify and hold the other, its officers, employees, agents and volunteers harmless from and against any and all claims, demands, orders, decrees or judgments for injuries, death or damage to any person or property arising or resulting from any act or omission on the part of said party, or its agents, employees or volunteers in the performance of this Agreement.

10. **ENTIRE AGREEMENT.** This written Agreement constitutes the entire and complete Agreement between the Parties and supersedes any prior oral or written agreements. This Agreement may not be changed, modified or altered except in writing signed by the Parties hereto.

11. **JURISDICTION AND VENUE.** This Agreement is entered into in Spokane County, Washington. Venue shall be in Spokane County, State of Washington.

12. **COST AND ATTORNEY'S FEES.** In the event a lawsuit is brought with respect to this Agreement, the prevailing party shall be awarded its costs and attorney's fees in the amount to be determined by the Court as reasonable. Unless provided otherwise by statute, Service Provider's attorney fees payable by the City shall not exceed the total sum amount paid under this Agreement.

13. **APPLICABLE LAWS AND STANDARDS.** The Parties, in the performance of this Agreement, agree to comply with all applicable Federal, State, Local laws, ordinances, and regulations.

IN WITNESS WHEREOF, the Mayor of the City of Medical Lake has signed and executed this Agreement and the Service Provider has signed and executed this Agreement on the day first written above.

CITY OF MEDICAL LAKE

SERVICE PROVIDER

Terri Cooper, Mayor

Heather Woller

ATTEST:

Koss Ronholt, Finance Director/City Clerk

APPROVED AS TO FORM:

City Attorney, Sean P. Boutz

**CITY OF MEDICAL LAKE
SPOKANE COUNTY, WASHINGTON
RESOLUTION NO. 23-590**

**A RESOLUTION OF THE CITY OF MEDICAL LAKE DECLARING AN
EMERGENCY PURCHASE RELATING TO A TURBINE PUMP REBUILD
AND WAIVING PROCUREMENT REQUIREMENTS PURSUANT TO
SECTION 3A OF THE CITY OF MEDICAL LAKE PROCUREMENT POLICIES**

WHEREAS, the City of Medical Lake (“City”) had a major equipment breakdown and malfunction on April 17, 2023, of a turbine pump that is imperative for the operation of the City’s wastewater treatment; and

WHEREAS, the Mayor wrote a letter to the Wastewater Treatment Plant (“WWTP”) Director on April 25, 2023, authorizing the emergency purchase of parts and/or labor to rebuild the treatment plant’s turbine pump; and

WHEREAS, the WWTP Director inquired with three (3) companies about the repairs and received a quote from Integrated Power Services in the amount of \$19,995; and

WHEREAS, Section 3A of the City’s procurement policies state that procurement requirements may be waived in the event of an emergency; and

WHEREAS, the City Council finds that an emergency situation does exist and that it is appropriate to waive the aforementioned procurement requirements in relation to this purchase.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDICAL LAKE, WASHINGTON, pursuant to Section 3A of the City’s Procurement Policy, an Emergency Purchase exists for the above stated reasons to waive procurement requirements for the purchase related to the rebuild of the treatment plant’s turbine pump and to be completed by Integrated Power Services for \$19,995.

ADOPTED this 2nd day of May, 2023.

Mayor, Terri Cooper

Attest:

Approved as to Form:

Finance Director, Koss Ronholt

City Attorney, Sean P. Boutz



City of Medical Lake
124 S. Lefevre St.
P.O. Box 369
Medical Lake, WA 99022-0369
PH: (509) 565-5000
Medical-Lake.org
tcooper@medical-lake.org

Terri K Cooper, Mayor

April 25, 2023

RE: Emergency Declaration – Turbine Pump Rebuild

Dear Steve Cooper,

Thank you for identifying an urgent need at the Wastewater Treatment Plant for the immediate replacement of a malfunctioning turbine pump, critical to daily operations. This letter is to both acknowledge there is an immediate emergent need for the repair and to authorize the purchase of necessary parts and labor to restore plant operations vital to the health and safety of our community.

I understand the wastewater treatment plant is a vital part of our community's infrastructure. It is responsible for treating and cleaning the wastewater produced by our residents and businesses, ensuring that our waterways remain clean and healthy.

I further understand, one of the turbine pumps at the plant has malfunctioned, and it is now essential that we take immediate action to repair it. Without this pump, the plant's ability to treat wastewater will be severely compromised, potentially leading to a significant environmental and public health hazard.

Given the urgent nature of this situation, I am authorizing an emergency purchase to repair the pump as quickly as possible. Please take all necessary steps to expedite the purchase and repair process, while ensuring that all applicable regulations and guidelines are followed.

I trust that you will handle this matter with the utmost urgency and care, and I appreciate your dedication to the well-being of our community.

Thank you,

Terri Cooper, Mayor

Medical Lake Wastewater Turbine Pump Rebuild

- Two techs Travel to site to remove pump and motor/bring back to shop for disassembly.
- Dismantle Pump & Inspect
- Setup/ TIR Shafts
- Machine Bowl Bushings
- Sleeve Impeller bands and machine to match bowls.
- MFG & install line shaft bushings.
- Assemble and check for free rotation/ Verify Clearance
- Paint/Prep for Ship
- Two techs Travel back to site to Install pump and motor.

Rebuild Motor

- Dismantle/ Inspect & Test
- Clean Parts/ Dip and Bake Stator
- Dynamic Balance Rotor
- Re-assemble with new bearings.
- Final AWA test and Run test.
- Paint/ Prep to Ship

Note- Any extra machine work will be quoted at time of inspection.

Total Cost for work scope \$19,995.00

Thank you for giving us the opportunity to quote this, If you have any questions please call Leighton @ 509-421-4200.



**CITY OF MEDICAL LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 1110**

AN ORDINANCE OF THE CITY OF MEDICAL LAKE, WASHINGTON AMENDING AND REPEALING VARIOUS SECTIONS AND SUBSECTIONS OF TITLE 2, CHAPTER 2.16 OF THE MEDICAL LAKE MUNICIPAL CODE AND ESTABLISHING AN INDEPENDENT SALARY COMMISSION IN ORDER TO SET THE SALARIES OF ELECTED OFFICIALS, PROVIDING FOR THE APPOINTMENT AND TERMS OF COMMISSION MEMBERS AND FOR THE REMOVAL OF SAME, ESTABLISHING EFFECTIVE DATES FOR SALARY INCREASES AND DECREASES APPROVED BY THE COMMISSION, SUBJECT TO REFERENDUM, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, RCW 35A.12.070 provides that elective officials salaries are to be set by ordinance; and

WHEREAS, the City of Medical Lake (“City”) is authorized pursuant to RCW 35.21.015 to establish an independent salary commission and delegate authority to set the salaries for City Councilmembers and the Mayor to such a commission; and

WHEREAS, City of Medical Lake Municipal Code (“MLMC”) 2.16 contains regulations pertaining to the salaries of the Mayor and City Councilmembers; and

WHEREAS, Ordinance No. 669 established how the salary of the office of Mayor and each member of City Council shall be set in the City’s salary ordinance; and

WHEREAS, the current salaries for elected officials have not been adjusted in over seven (7) years, as set forth in Ordinance No. 1045 adopted on December 15, 2015; and

WHEREAS, the City Council has determined to create an independent salary commission for the purpose of setting salaries of the Mayor and City Council.

NOW, THEREFORE, the City Council of the City of Medical Lake, Washington does ordain as follows:

Section 1. Amendment/Commission Creation. MLMC 2.16 Salaries is hereby amended and repealed, where applicable, and an independent salary commission is hereby created for the purpose of setting the salaries of the Mayor and City Councilmembers as set forth in Exhibit A to this Ordinance. The official name of the Commission shall be the Medical Lake Salary Commission.

Section 2. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Effective Date. This Ordinance shall be in full force and effect five (5) days

after publication of this Ordinance or a summary thereof in the official newspaper of the City as provided by law.

PASSED by the City Council this _____ day of May, 2023.

Mayor, Terri Cooper

ATTEST:

Finance Director/City Clerk Koss Ronholt

APPROVED AS TO FORM:

City Attorney, Sean P. Boutz

Date of Publication:

Effective Date:

2.16 - SALARIES

2.16.010 Salary Commission Created

An independent salary commission is hereby created for the purpose of reviewing and setting the salaries of the Mayor and City Council Members of the City of Medical Lake. The official name of the Commission shall be the Medical Lake Salary Commission.

2.16.020 Salary

A. Council Members. Each city council member shall be entitled to receive a salary as established by the salary commission, or as established through adoption by city council of a separate ordinance setting the salary for city council members. This salary shall be paid once per month.

B. Mayor. The mayor shall be entitled to a salary as established by the salary commission, or as established through adoption by city council of a separate ordinance setting the salary for the mayor. This salary shall be paid once per month.

C. Adjustment by Salary Commission. If the City's salary commission establishes a salary schedule for the mayor and/or council members, those salaries shall take effect at the times, in the amounts, and under the conditions established in the schedule or as otherwise provided by law.

2.16.030 Independent Salary Commission

A. Salary Commission.

1. Membership - Appointment. The salary commission shall consist of five (5) members appointed by the Mayor and confirmed by the City Council.

2. Compensation. Members of the salary commission shall serve without compensation.

3. Term. The term of appointment is up to one (1) year. Each member shall hold office until a successor is appointed and confirmed unless removed for cause pursuant to MLMC 2.16.030(7) or RCW 35.21.015, as now or hereafter amended. Appointments may be made to complete an unexpired term in the event of a vacancy.

4. Qualifications.

a. Each person appointed to serve as a member of the salary commission shall be a citizen of the United States, a resident of the City of Medical Lake for at least one (1) year immediately preceding such appointment and while serving on the salary commission, and a registered voter in Spokane County.

b. No officer, official, or employee of the City of Medical Lake or any of their immediate family members may serve on the salary commission. "Immediate family member" as used in this section means the parents, spouse, registered domestic partner, siblings, children, aunt and uncle, grandparents, grandchildren, step relatives, domestic partner relatives, or dependent relatives of the officer, official, or employee, whether or not living in the household of the officer, official, or employee.

5. Operation.

a. The salary commission shall elect a chair and vice chair from among its members. The salary commission may establish and adopt rules of procedure for the efficient and fair conduct of its business.

b. The City Administrator shall appoint staff and make available supplies and equipment to assist the salary commission in the preparation of its' reports and records.

c. Any communication from the salary commission to any member of the City Council while reviewing the schedule of salaries shall be in writing and made part of the record of the salary commission's proceedings.

d. The salary commission shall keep a written record of its proceedings, which shall be a public record in accordance with state law, and shall actively solicit public comment at all meetings which shall be subject to the Open Public Meetings Act, Chapter 42.30 RCW.

e. The first meeting of the salary commission shall occur no later than twenty (20) days after the appointments are made by the City Council, and the commission shall review and, if it so determines, amend and file its schedule of salaries with the City Clerk within ninety (90) days after appointments are made by the City Council.

f. Three (3) members of the salary commission shall constitute a quorum and the affirmative vote of three (3) members shall be sufficient for the decision of all matters and the transaction of all business.

6. Responsibilities. It is the goal of the salary commission to base salaries of elected officials on realistic standards so that the elected officials may be paid according to the duties of their offices and so that citizen of the highest quality may be attracted to public service. To determine the appropriate rate of compensation, the salary commission shall assess the market rate of compensation for elected city officials and study the relationship of salaries to the duties of the Mayor and City Council members. Salaries for City Council members shall be uniform. Salaries shall be established by an affirmative vote of not less than three (3) members.

7. Removal. A member of the salary commission may only be removed during the appointment term for cause such as incapacity, incompetence, neglect of duty, malfeasance, or for a disqualifying change of residence.

8. Filing Date – Salary Schedule. The salary commission shall file its salary schedule with the City Clerk who will publish the schedule two (2) times, at least one (1) week apart, in the official newspaper of the City. The second date of publication shall be considered the official filing date of the salary schedule.

9. Effective Date – Salaries. The salary commission's salary schedule shall become effective in the amounts, at the times, and under the conditions established in the schedule unless a referendum has been filed pursuant to MLMC 2.16.030(B). Once filed, the schedule shall be incorporated into the City budget without further action of the City Council or salary commission subject to any referendum. Salary adjustments established by the salary commission that result in a salary increase shall be effective as provided by law as to all council members and/or the mayor, regardless of their terms of office. If the salary adjustment established by the salary commission results in a salary

decrease, the decreased salary shall be effective at the commencement of the incumbent's next subsequent term of office.

B. Referendum.

1. Salary Schedule Subject to Referendum Petition.

a. The salary commission's adopted salary schedule shall be subject to referendum petition by the people of the City of Medical Lake. Any such petition shall be filed with the City Clerk within thirty (30) days after the official filing date of the salary schedule. In the event of the filing of a valid referendum petition, the salary increase or decrease shall not go into effect until approved by a vote of the people.

b. Referendum measures shall be submitted to the voters of the City of Medical Lake at the next following general or municipal election occurring thirty (30) days or more after the petition is filed and shall be otherwise governed by the provisions of the Washington State Constitution or other laws generally applicable to referendum measures.

2. Referendum Statement. A referendum statement on a petition shall be phrased in the following language:

Should the salary schedule filed with the City Clerk of the City of Medical Lake by the Independent Salary Commission on _____ be repealed in its entirety? Your signature on this petition indicates your vote in favor of repeal of the attached salary schedule in its entirety.

A copy of the salary schedule or ordinance to such referendum petition shall be attached to each referendum petition for the information of the parties requested to sign such petition.

3. Initiative Provisions Applied to Referendum Process. All state law provisions applicable to the form of the petition and sufficiency of signatures required for an initiative petition as set forth herein, and to the submission to the vote of the people as set forth herein, shall apply to a referendum petition and to the salary schedule sought to be defeated thereby.

4. Referendum – Effective Date – Record. If a majority of the number of votes cast on the referendum oppose the salary schedule or ordinance, such salary schedule or ordinance shall be deemed repealed following the certification of the vote.

2.16.040 - Reimbursement for travel expenses authorized.

In the event any City officers or employees incur expenses in an authorized pursuit of City business, reasonable reimbursement may be made in accordance with the City's Personnel Rules and Regulations. Advance travel expenses may be approved by the Mayor or City Administrator.

2.16.050 - Payment per mile for use of private vehicle.

For the use of a private passenger vehicle in performing travel on behalf of the City, payment for such use shall be at the rate approved by the City's Personnel Rules and Procedures.



City of Medical Lake Planning Department
124 S. Lefevre St.
Medical Lake, WA 99022
509-565-5000
www.medical-lake.org

STAFF REPORT TO THE CITY COUNCIL

File: LU 2022-004 TA (Text Amendment)

Date of Staff Report: April 11, 2023

Date of Hearing: May 2, 2023

Staff Planner: Elisa Rodriguez 509-565-5019 or erodriguez@medical-lake.org

SEPA: A Mitigated Determination of Non-Significance was issued on March 8, 2023

Procedure: This request requires a legislative review, therefore, the Planning Commission has held a public hearing, and made a recommendation of denial to the City Council. The City Council will hold a public hearing and then make the final decision.

Applicant: Larry Stoker, Monark Self Storage, 711 Highway 902, Medical Lake, WA 99022

Proposal Summary: The applicant proposes to amend section 17.42.030 – Shipping containers as storage buildings prohibited, of the Medical Lake Municipal Code to allow shipping containers in the C-1 zone as long as they meet certain requirements.

RELEVANT APPROVAL CRITERIA

In order to be approved, this proposal must comply with the criteria of Chapter 17 of the Medical Lake Municipal Code (MLMC). Amendments to development regulations can be approved if the review body finds that the criteria of MLMC Chapter 17.56.100 have been met.

PROCEDURAL HISTORY

October 26, 2022 – Application Submitted
November 22, 2022 – Application Deemed Complete
January 26, 2023 – Workshop at Planning Commission
February 23, 2023 – Workshop at Planning Commission
March 8, 2023 – SEPA Determination of Non-Significance Issued

- March 8, 2023 – Notice of Application Distributed
- March 9, 2023 – Notice of Public Hearing Published in Cheney Free Press
- March 23, 2023 – Public Hearing at Planning Commission
- March 23, 2023 – Planning Commission Decision

PROPOSAL

The applicant proposes to change section 17.42.030 – Shipping containers as storage buildings prohibited, from

(current text)

Unless otherwise permitted by this title, no person shall place or cause to be placed, or use or permit the use of any shipping container as an accessory building, storage building, living unit or any other such primary or accessory building upon any property within the city limits of Medical Lake; provided, that licensed and bonded contractors may utilize said containers for temporary housing of equipment and/or materials during construction as authorized by a city building permit. For the purposes of this chapter, "shipping container" is defined as any container or other device used or designed for use in the transportation industry.

To

(proposed text)

- A. Unless otherwise permitted by this title, no person shall place or cause to be placed, or use or permit the use of any shipping container as an accessory building, storage building, or living units within the city limits of Medical Lake except in the [C-1] zones.
 - 1. Shipping containers are permitted to be placed within the [C-1] zones as accessory buildings or storage units, provided that the containers are no more than 40 feet in length, maintained and in good shape (i.e., painted, not rusted out), and are located in the rear/back of property or enclosed in a fence and visually obscured from public sight ROW on Hwy 902. Containers may be placed as authorized by a city building permit.
- B. Licensed and bonded contractors may utilize shipping containers for temporary housing of equipment and/or materials during construction as authorized by a city building permit. For purposes of this chapter “shipping container” is defined as any container or other device used or designed for use in the transportation industry

PLANNING COMMISSION REVIEW

The Planning Commission must use the stated criteria in MLMC section 17.56.100 to evaluate the amendment and in making a recommendation to the City Council. The criteria along with the findings can be found in the Staff Report to Planning Commission dated September 15, 2022 (Exhibit).

The applicant, Larry Stoker, received a citation for violating the Medical Lake Municipal Code (MLMC) on August 24, 2022. The citation included an aerial photo that showed 37 shipping containers. MLMC Section 17.42.030 – Shipping containers as storage buildings prohibited, has prohibited all shipping containers except at

active construction sites since 1999. In response to the violation, Mr. Stoker applied for a text amendment to amend the MLMC to allow shipping containers in the Commercial Zone C-1.

Individuals have the right to request amendments to the Municipal Code, but the City has an obligation to fully analyze the issue. A text amendment does not affect only the applicants property, but would be applicable throughout Medical Lake. The Planning Commission held a workshop to examine and discuss various issues related to shipping containers. The applicant spoke, explaining that he had brought in the containers because the cost of construction materials is so high. The primary issue when considering allowing shipping containers is how they aesthetically fit into the community. A presentation on this topic was presented by the city planner. The size and quality of the containers along with the notions of color and screening were discussed. The commissioners also considered the zones and/or uses that are most compatible with shipping containers. After expressing concerns regarding the industrial like nature of shipping containers and the possible lack of code enforcement over the long term, the Planning Commission directed the city planner to write findings for a denial.

A notice of application was sent to state and local agencies on March 9, 2023. The only response was from the Spokane Regional Health District, which stated a shipping container cannot be placed on a septic tank or drain field.

On March 23, 2023, the Planning Commission held a public hearing. The city planner presented the approval criteria and related findings. Representatives for the applicant also provided a presentation. During the public comment period, three people spoke. Darin Teichmer, owner of Tommy-G's, said he has had a small shipping container at his business for around two years, has never received a violation, and hopes to keep it. Nolan Davis, a Medical Lake realtor, expressed his support for the text amendment. Jennifer Speirs, a Medical Lake resident, expressed opposition to the text amendment, citing how the applicant acted without checking the regulations first and now wants accommodation to help the "bottom line" of his business.

The commissioners expressed many concerns. The two primary concerns were the industrial look of the container which they did not believe matched the preferred look of Medical Lake and the potential lack of enforcement in keeping nice looking, rust free containers. The appearance of the community is a consistent theme throughout the Comprehensive Plan. Goal #1 of the Comprehensive Plan states, "Maintain an attractive and balanced mix of land uses, ensuring the future character of the community." Goal #25 states, "Manage the city's overall image and enhance its overall appearance to convey pride and ownership in the community." Taking these goals into consideration, the Planning Commission unanimously voted to recommend denial of the application to amend the Municipal Code.

RECOMMENDATION

The Planning Commission recommends denial of application LU 2022-004 TA, a text amendment to allow shipping containers under certain circumstances.

EXHIBITS

- A. Proposed Code Language
 - 1. MLMC Section 17.42.030 language proposed by applicant
- B. Public Notifications
 - 1. Notice of Application, March 8, 2023
 - 2. Legal Notice, Published in Cheney Free Press on March 9, 2023
- C. Meeting Minutes
 - 1. Planning Commission, December 15, 2022 (attached)
 - 2. Planning Commission, January 26, 2023 (attached)
 - 3. Planning Commission, February 23, 2023 (attached)
 - 4. Planning Commission, March 23, 2023 (draft) (attached)
- D. Written Public Comment (none)
- E. SEPA
 - 1. SEPA Checklist with City Response, March 2, 2023
 - 2. SEPA MDNS, March 8, 2023
- F. Agency Responses
 - 1. Spokane Regional Health District, March 9, 2023 (attached)
- G. Intent to Adopt (none)
- H. Staff Report
 - 1. Staff Report to Planning Commission, March 8, 2023 (attached)
- I. Maps
 - 1. Zoning Map