

MINUTES REGULAR SOAP LAKE CITY COUNCIL MEETING

May 4, 2022

CALL TO ORDER

Mayor Kovach called the regular council meeting to order at 5:40 pm.

ROLL CALL

Council Members Present: Mayor Kovach, Agliano, Arnold, Bratton, Bryson, Rushton, Taylor and Woodhouse.

City Staff Members Present: City Administrator Tijerina, City Attorney Norton, Police Chief Cox, Fire Chief Sheppard, City Planner Piercy, Volunteer Code Enforcement Officer Ross and Administrative Assistant Siebert.

AGENDA ITEMS

➤ **CONSENT AGENDA**

- A. Regular Council Meeting Minutes – April 20, 2022
- B. Retreat Minutes – April 22, 2022
- C. Claim EFTs & Claims #21721-21747 in the amount of \$74,489.25
- D. Payroll EFTs & Claims #26177-26180 in the amount of \$44,186.31

➤ **MAYOR'S MESSAGE**

➤ **REPORTS OF STANDING/SPECIAL COMMITTEES**

➤ **PUBLIC COMMENT**

➤ **OLD BUSINESS**

- A. Mineral Water Right Agreement

➤ **NEW BUSINESS**

- A. Construction Change Order No. 1 for Phase III Sewer Improvements Project with Halme Construction
- B. An Ordinance of the City of Soap Lake, Washington, Adding a New Chapter 8.50 of the Soap Lake Municipal Code Establishing Helmet Use Requirements and Providing for Enforcement; Containing a Severability Provision; and Setting an Effective Date
- C. An Ordinance of the City of Soap Lake, Washington, Amending Sections 10.32.040 and 10.32.050 of the Soap Lake Municipal code Related to Parking Violations; Containing a Severability Provision; and Setting an Effective Date
- D. An Ordinance of the City of Soap Lake, Washington, Amending Multiple Sections of the Soap Lake Municipal Code (SLMC) Related to Penalty and Enforcement Provisions to Change or Increase References to Civil Fines and Monetary Penalties Set Forth in Chapter 1.10 SLMC; Including a Severability Provision; and Setting an Effective Date
- E. 2022 Contract for Grant County Economic Development Council Services
- F. Traffic Safety Grant
- G. Update Policy and Procedure for Public Records Requests

- **REPORT OF CITY OFFICERS**
- **EXECUTIVE SESSION** – Performance of a Public Employee, RCW 42.30.110(1)(g)
- **NEXT ORDINANCE #1327; NEXT RESOLUTION #976**
- **COMMENTS**
- **ADJOURNMENT**

CONSENT AGENDA

M/Arnold, S/Agliano; to accept the consent agenda as presented. **Motion carried unanimously.**

MAYOR’S MESSAGE

The Council Retreat held on April 22nd went well. Goals were fine tuned and future goals were discussed.

Work on City Hall is ongoing. Painting is complete. The flooring, trim and lights are being installed. Work on an electric panel is needed. The date of project completion will need to be renegotiated, as project is not yet completed.

Mayor Kovach announced his resignation from the Office of Mayor, effective this evening. A press release will be forth coming. Councilmember, Michelle Agliano, is the current Mayor Pro Tempore.

REPORTS OF STANDING/SPECIAL COMMITTEES

Judith Gorman said she, along with other members of the Lake Liaison Committee, and Mayor Kovach met again with members of the Bureau of Reclamation. They were able to discuss the Bureau’s 5-10 year plan for the Lake and will continue to hold meetings.

PUBLIC COMMENT

Alan Lundberg, 20113 Delta Rd NW – in the past, he has been involved in helping businesses in the area that are interested in using the Lake water. He would like the City to allow all businesses to have access to the Lake water while considering the preservation of the Lake.

Jerry Vermeire, 429 5th Ave. SE – Is concerned about bright lights along the street by the car wash. Would like the City to change back to sodium vapor lights or limit use of the lights.

Susan Carson, 114 N Gladiola – Announced that the Fireworks show over the Lake for the 4th of July will go as planned and will be sponsored by many of the local businesses.

Melina Henry, 236 Main Ave – on behalf of the Soap Lake Resort, her and two of her co-workers informed the Council about lost hotel bookings due to not having any mineral water access. She said that the Resort’s bookings were down nearly 60% and that this is also affecting local businesses.

OLD BUSINESS

- A. Mineral Water Right Agreement – Mayor Kovach started discussion by summarizing the progress made between the City and the Soap Lake Resort on the proposed agreement between the two for access to the Lake’s mineral water. He then showed

and summarized a presentation put together by Resort owners, Sherry and Kevin. Their vision for creating a world renown Health Spa and Resort is quite extensive and involves a six-phase plan. The Mayor stressed their interest in finding a balance with the proposed mineral water agreement and moving forward with developing the Resort further to enhance the City of Soap Lake and to support all local businesses. The Mayor, along with City Attorney Norton, then explained the efforts made by the City to allow the Resort to continue to draw water from the Lake and still maintain the City's right to access the mineral water while following the provisions of Resolution 840. Discussion about the termination language in the agreement followed. It was then decided that the parties involved should meet and discuss the proposed agreement with respective attorneys present. **M/Agliano, S/Arnold**; move to continue the conversation between the Soap Lake Resort owners, their attorney, City Attorney Norton and the Mayor at a scheduled time. **Motion carried unanimously.**

NEW BUSINESS

- A. Construction Change Order No. 1 for Phase III Sewer Improvements Project with Halme Construction – **M/Bratton, S/Arnold**; move to approve the Change Order No. 1 for the Phase III Sewer Improvements with Halme Construction. **Motion carried unanimously.** This was discussed during last Council Meeting. There is left over funding from a Rural Development Grant and these monies will now be used for additional sewer improvements. The total amount to be used is \$234,869.74.
- B. An Ordinance of the City of Soap Lake, Washington, Adding a New Chapter 8.50 of the Soap Lake Municipal Code Establishing Helmet Use Requirements and Providing for Enforcement; Containing a Severability Provision; and Setting an Effective Date – **M/Bratton, S/Agliano**; to accept an ordinance of the City of Soap Lake, Washington, adding a new chapter 8.50 of the Soap Lake Municipal Code establishing helmet use requirements and providing for enforcement; containing a severability provision; and setting an effective date. **Motion carried unanimously.** This ordinance is numbered 2022-1327.
- C. An Ordinance of the City of Soap Lake, Washington, Amending Sections 10.32.040 and 10.32.050 of Soap Lake Municipal Code Related to Parking Violations; Containing a Severability Provision; and Setting an Effective Date – **M/Arnold, S/Taylor**; to accept an ordinance of the City of Soap Lake, Washington, amending sections 10.32.040 and 10.32.050 of the Soap Lake Municipal Code related to parking violations; containing a severability provision; and setting an effective date. **Motion carried unanimously.** This ordinance is numbered 2022-1328.
- D. Ordinance of the City of Soap Lake, Washington, Amending Multiple Sections of the Soap Lake Municipal Code (SLMC) Related to Penalty and Enforcement Provisions to Change or Increase References to Civil Fines and Monetary Penalties Set Forth in Chapter 1.10 SLMC; Including a Severability Provision; and Setting an Effective Date. **M/Arnold, S/Agliano**; to accept an ordinance of the City of Soap Lake, Washington, amending multiple sections of the Soap Lake Municipal Code (SLMC) related to penalty and enforcement provisions to change or increase references to civil fines

and monetary penalties set forth in Chapter 1.10 SLMC; including a severability provision; and setting an effective date. **Motion carried unanimously.** This ordinance is numbered 2022-1329.

- E. 2022 Contract for Grant County Economic Development Council Services – **M/Bratton, S/Arnold**; move to accept the 2022 Contract for Grant County Economic Development Council Services. **Motion carried unanimously.** This agreement is renewed annually for a fee of \$600.00.
- F. Traffic Safety Grant – **M/Arnold, S/Bratton**; to accept the Washington Association of Sheriffs & Police Chiefs Traffic Safety Grant. **Motion carried unanimously.** This grant is in the amount of \$4000.00 and will purchase one Lidar and two FST with supporting equipment.
- G. Update Policy and Procedure for Public Record Requests – **M/Rushton, S/Arnold**; to approve the updated policy and procedure for public record requests after final review from the City Attorney. **Motion carried unanimously.** This policy and procedure was last updated in 2018 and some wording was outdated. Also, contact information was updated.

REPORTS OF CITY OFFICERS

Police Chief Cox – Asked Mayor to add and executive session for review of employee performance. **M/Bratton, S/Rushton**; move to add an executive session for performance of a public employee, RCW 42.30.110(1)(g). **Motion carried unanimously.** This session will follow reports of City Officers.

The PD will use Public Safety Testing for background checks and hiring process for new applicants. This provides nation wide access to future candidates.

Volunteer Code Enforcement Officer Ross – gave an update to Councilmembers of open/closed code enforcement cases.

City Planner Piercy – the City received two new building permits. There is much activity if you drive around town with new construction active in the area. He will be working with the City, transitioning during the next month, as his retirement is coming up.

Public Works – the Mayor reported that the department has been working on the water line that serves the waste water treatment plant. Last week and through next week, water mains will be shut off as work continues on upgrades. They will try to get everyone informed when water will be shut off. Water quality reports are going out with the help of City Staff. Bathroom fixtures at the West Beach Men’s Restroom will be replaced due to vandalism.

EXECUTIVE SESSION- Performance of a Public Employee, RCW 42.30.110(1)(g)

Start: 7:22 pm for 10 minutes

Extended 5 minutes

Ended: 7:38 pm

No action taken by Council

Next Ordinance #1330; Next Resolution #976

COMMENTS

Mayor briefly spoke about Councilmember Agliano's responsibility as Mayor Pro Tempore. City Attorney Norton suggested that appointment of new Mayor be placed onto next agenda followed by appointment of a new Mayor Pro Tempore/Interim Mayor Pro Tempore. Councilmembers thanked the Mayor for his dedication to the City.

ADJOURNMENT

M/Agliano, S/Bratton; move to adjourn at 7:46 PM. Motion carried unanimously.

Michelle Agliano, Mayor Pro Tempore

Jody Siebert, Administrative Assistant