ROLL CALL was answered by Councilmembers Barry, Collins, Lillquist, Savidge, Sowards, and Mayor Bassett.

Others present were City Manager Barkley, City Attorney Pidduck, City Clerk Reno, Senior Planner Smith, Finance Director Carpenter, Police Chief Richey, Public Works Director Akers, Library Director Kline, Executive Assistant Gigstead, Daily Record Reporter Muir and approximately 12 members of the audience.

AGENDA APPROVAL

Approve agenda. Barry

Affirmed

CONSENT AGENDA

Items listed under the Consent Agenda were distributed to Councilmembers in advance for study and were enacted by one motion with separate discussion to the extent any items were removed from the Consent Agenda at the request of a Councilmember.

Approve the Consent Agenda as follows: Collins

A. Approve Minutes - January 7, 2002, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Landmarks and Design Commission - December 4, 2001

(2) Landmarks and Design Commission - December 17, 2001

(3) Library Board - January 8, 2002

Authorize Mayor to Sign Easement Release for Sally Panattoni - Ninth Avenue

Accept Bid Call 2001-29 - Cured-in-place Sewer Rehabilitation Project as Complete

Approve Request for Banner on Eighth Avenue for Galley One from February 8 - April 27, 2002
Approve Request for Banner on Eighth Avenue for Dave Hunter from January 28 - February 8, 2002

Approve Resignation of Delia Hinkle from Downtown Task Force and Authorize Mayor to Sign Letter of Appreciation

Accept $26,250 Grant from State Department of Community, Trade and Economic Development for Updating Comprehensive Plan and Authorize Mayor to Sign Contract

Approve use of Irene Rinehart Riverfront Park on July 4, 2002 for Kittitas Valley Community Hospital Duck Derby

Authorize Mayor to Sign Agreement with Kittitas County for Jail Services

Authorize Staff to Reimburse Steve Willard and M. F. Williams for Oversizing of Water and Sewer Mains at Alder Street and Helena Street

Authorize Mayor to Sign Agreement with Golder and Associates for Strategic Water Plan

Authorize Mayor to Sign 2002 Kittitas County Emergency Medical Services Payment Agreement

Approve January 22, 2002 Fiscal Year 2001 Claims Fund Voucher Numbers 51930-51932, 51937, 51940, 51943, 51945, 51946, 51950-52143 in the Total Amount of $1,158,653.71 and Payroll Fund Check Numbers 43433 Through 43842 in the Total Amount of $632,708.28; and Fiscal Year 2002 Claims Fund Voucher Numbers 51933-51936, 51938, 51939, 51941, 51942, 51944, 51947-51949, 52144-52246 in the Total Amount of $228,390.20. Affirmed

**BOARDS AND COMMISSIONS APPLICATIONS**

The two applicants for boards and commissions were present for introductions. Mayor Bassett recommended the following appointments: Addie Koester, Cable TV Commission and Kathleen Sivak, Arts Commission.

Confirm Mayor's appointments. Sowards

Affirmed

**LIBRARY BOARD’S REQUEST RE: GOVERNOR LOCKE’S BUDGET PROPOSAL ON**
WASHINGTON STATE LIBRARY

The Library Board requested a letter be sent to Governor Locke and the Legislature requesting the Washington State Library Budget be reinstated and approved. Governor Locke’s budget proposal is to eliminate the Washington State Library, its collection and staff, its direct library services to State Government and other State institutions, its service to public patrons, and its grant programs for local libraries in 2002. The impact on the future of local libraries will be severe if the State Library is not funded.

Authorize Mayor to sign letter on page 61 of the agenda. Lillquist

Affirmed

LETTER FROM VINCENT TOMASO RE: IMPOUND OF DOG

Vincent Tomaso was present to talk about his dog being taken to the Animal Shelter by his renter at 5261 Cove Road. When Mr. Tomaso went to pick-up the dog at the Animal Shelter, he was told he had to pay a fee to adopt his dog back. He does not believe the City had the authority to impound the dog and wants the City to release the dog and waive the fees.

Police Chief Richey stated it is the City’s policy, under the present agreement with the County, to accept all animals that are brought in from the county. City Staff gave Mr. Tomaso the less expensive alternative to adopt his dog back rather than pay for the impoundment costs. Staff attempted to resolve the problem and release the dog to Mr. Tomaso, but were unsuccessful. Staff finally proceeded with the normal adoption process and the dog has been placed with another family.

City Attorney Pidduck stated this is a legal matter now and the legal recourse is to file a claim with the City.

LETTER FROM FRANK ERICKSON RE: OUTDOOR BEER GARDEN AT THIRD AND PEARL

Frank Erickson was present to discuss his letter regarding a beer garden at the corner of Third and Pearl Street. He requested a study session with the City Council. He also requested the City Council consider an advisory to the City Manager or City Planner to issue a “stop work” order on the present building permit at 301 North Pearl.

Senior Planner Smith stated the project was exempt from a SEPA review. The Landmarks and Design Commission chose the open fence design and the applicant has complied with the commission’s requirements. No final building permit has been issued for this project as of this date.

Teddy Kolman, Owner of Oakrail Tavern, stated they would be shutting down the beer garden after dinner most of the time and will cover the fence with vines.
The issue of “beer gardens” in terms of future planning in the downtown be referred to Lillquist the Downtown Task Force. Affirmed

CITIZEN COMMENT ON NON-AGENDA ITEMS

Mollie Edson and Fritz Glover, applicants for the Old Hospital Zone Change were present to ask questions of the Council regarding procedures of the zone change request.

City Attorney Pidduck advised Council that questions should be addressed to City staff, not the City Council since this is a quasi-judicial matter.

Council stated they would not receive any information on this matter tonight.

PUBLIC HEARING - ORDINANCE NO. 4311 - TAMARACK LANE LOCAL IMPROVEMENT DISTRICT FINAL ASSESSMENT ROLL

Mayor Bassett opened the public hearing to consider the final assessment roll for Local Improvement District No. 2000-1.

Public Works Director Akers reviewed the agenda report.

There being no public testimony, Mayor Bassett closed the public hearing.

Read for the first time, Ordinance No. 4311. Sowards

AN ORDINANCE approving and confirming the assessments and assessment roll of Local Improvement District No. 2000-1 which has been created and established for the purpose of paying the cost of construction of sewer and water mains, an asphalt street, concrete curb and gutter, and appurtenances on Tamarack Lane, all in accordance with Ordinance No. 4248, and levying and assessing the amount thereof against the several lots, tracts, and parcels of land and other property as shown on said roll; providing for the collection of said assessments; authorizing the issuance of an interest bearing local improvement district installment note drawn on Local Improvement District No. 2000-1; establishing the Fire Relief and Pension Fund to hold such note; and establishing the rate and terms for such note. Affirmed

ORDINANCE NO. 4309 - FOURTH QUARTER SUPPLEMENTAL BUDGET

The proposed ordinance provides for supplemental appropriations in various funds. Ordinance No. 4309 was given first reading at the January 7, 2002 meeting. Staff recommends an amendment be made to include an appropriation in the Library Trust Fund for expenditures relating to other improvements (account # 572-72-63) in the amount of $403.

Amend to add expenditure of $403 to Library Trust Fund. Barry
Affirmed

Read for the second time, Ordinance No. 4309. Barry

AN ORDINANCE amending the 2001 Annual Budget of the City of Ellensburg as set forth in Ordinance No. 4261 and amended by Ordinance No's 4277, 4290 and 4306 to provide additional revenue and appropriation in the General Fund, Sales Tax Reserve Fund, Capital Projects Fund, Park and Development Acquisitions Fund, Debt Service Fund, Street Fund and the I-Net Fund.

Affirmed

Adopt Ordinance No. 4309. Lillquist

Barry

Collins

Lillquist

Savidge

Sowards

Bassett

Motion approved.

ORDINANCE NO. 4310 - TIMOTHY PARK PLANNED UNIT DEVELOPMENT FINAL PLAN AND REZONE

Ordinance No. 4310 was given first reading at the January 7 meeting. This ordinance changes the zoning on certain property known as the Timothy Park Planned Unit Development (PUD) from Residential Suburban (R-S) to Planned Unit Development (PUD).

Read for the second time, Ordinance No. 4310. Barry

An ordinance of the City Council of the City of Ellensburg, Washington, relating to zoning and amending the official zoning map of the City of Ellensburg to change the zoning designation on certain real property commonly known as the Timothy Park PUD, File No. Z-99-02, from Residential Suburban (R-S) to Planned Unit Development (PUD). Affirmed

Adopt Ordinance No. 4310. Collins

Barry

Collins
Lillquist
Savidge
Sowards
Bassett

Motion approved.

**ORDINANCE NO. 4312 - PARKING REVISIONS ON WATER STREET**

An ordinance has been prepared for parking changes along the improved Water Street. Council postponed first reading of the ordinance so property owners expressing opposition could be notified of potential Council action on the ordinance.

**Read for the first time, Ordinance No. 4312.** Barry

An ordinance of the City Council of the City of Ellensburg, Washington amending the Ellensburg Municipal Code relating to parking and traffic control and amending Sections 8.12.02; 8.14.02; and 8.30.02. Affirmed

**ORDINANCE NO. 4313 - LIMITED TAX GENERAL OBLIGATION BONDS FOR CITY HALL**

The draft ordinance, as prepared by the City’s Bond Counsel, authorizes the issuance and sale of Limited Tax Obligation Bonds to finance the acquisition of Washington School, the subsequent remodel and equipping of the building, replacement of recreational facilities, and payment of the issuance costs of the bonds. The City’s investment Banker, Jean Baker from Seattle Northwest Securities Corporation, was present to brief Council and answer any questions.

Council discussed the possibility of the library expansion project being included with this bond issue. This matter will be discussed during the Council Retreat.

**Read for the first time, Ordinance No. 4313.** Lillquist

An Ordinance of the City of Ellensburg, Washington, relating to contracting indebtedness; providing for the issuance of $4,605,000 par value of Limited Tax General Obligation Bonds, 2002, of the City for general City purposes to provide funds with which to pay costs of acquiring a site and an existing building to be improved for use as a new City Hall; fixing the date, form, maturities, interest rates, terms and covenants of the bonds; establishing a bond redemption fund; (providing for bond insurance); and approving the sale and providing for the delivery of the bonds to Seattle-Northwest Securities Corporation of Seattle, Washington. Affirmed

**RESOLUTION NO. 2002-02 - SEGREGATION OF ASSESSMENTS FOR WENAS STREET SIDEWALK IMPROVEMENT DISTRICT (SID) NO. 79204**
The owner of property in the Wenas Street Sidewalk Improvement District No. 79204 has requested a segregation of assessment in order to sell a portion of the property. A resolution authorizing the segregation has been prepared for Council’s consideration.

**Adopt Resolution No. 2002-02, subject to applicant paying the $45 segregation fee.** Barry

A Resolution relating to the assessment roll for Sidewalk Improvement District No. 79204, as established by Ordinance No. 4017 dated December 4, 1995, and providing for the segregation of said assessment roll. Affirmed

**RESOLUTION NO. 2002-03 - ESTABLISH PUBLIC HEARING TO CONSIDER FORMATION OF LOCAL IMPROVEMENT DISTRICT (LID) 2002-1**

The 2002 Sidewalk Improvement Budget contains the Third Avenue/Pine Street Local Improvement District 2002-1 which will construct paver stone sidewalks and period light fixtures along the respective frontages. The proposed resolution sets a public hearing for formation of the district.

**Adopt Resolution No. 2002-03.** Barry

A RESOLUTION of the City of Ellensburg declaring its intention to improve the south side of Third Avenue from Pearl Street to Pine Street, and the west side of Pine Street from Third Avenue to a point 180’ south, by the construction of new paver stone sidewalks, concrete curb and gutter, period street lights, street trees, and appurtenances; and to create a local improvement district to assess a portion of the cost and expense of carrying out said improvement against the property specially benefited thereby; and notifying all persons who desire to object to the project to appear and present their objections at a meeting of the City Council on February 19, 2002. Affirmed

**PURCHASE AND SALE AGREEMENT BETWEEN CITY AND ELLENSBURG SCHOOL DISTRICT FOR WASHINGTON SCHOOL PROPERTY AND WHITNEY PARK**

The Purchase and Sale Agreement between the City and Ellensburg School District for Washington School and Whitney Park has been modified as follows: The closing date has been changed from January 10, 2002 to January 23, 2002 and the City will retain possession and continue to operate and maintain Whitney Park until March 1, 2003 instead of August 2, 2003.

**Amend Purchase and Sale Agreement with Ellensburg School District No. 401.** Barry

**Affirmed**

**MANAGER’S REPORT**

**Public Hearing - Willard Plat**

Set public hearing on February 19, 2002 for Willard Plat - 34 lot plat located at the Bassett
north end of Alder Street Extension, Lot 4 of the TR1 Short Plat. Affirmed

COUNCILMEMBERS’ REPORTS

Energy Advisory Committee
Councilmember Barry attended the first Energy Advisory Committee meeting last week.

Airport Advisory Committee
Councilmember Collins attended the Airport Advisory Committee meeting.

AWC Training
Councilmember Lillquist attended the Association of Washington Cities new council member training.

EMS Board
Relinquish position on EMS Board and allow Councilmember Lillquist to take over Sowards the appointment. Affirmed

KCAC Board
Councilmember Savidge attended the KCAC Board meeting.

ADJOURN Adjourn at 9:52 p.m. Barry

Affirmed

Mayor

Attest: