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

Others present were Acting City Manager-City Attorney Pidduck; Senior Planner Smith; Parks & Recreation Director Archer; Public Works Director Akers; Rate Analyst Byrd; Code Enforcement Officer Powers; Executive Assistant Gigstead; Deputy Clerk Keno; Daily Record Reporter Muir; and approximately 14 members of the audience.

PROCLAMATIONS

Councilmember Savidge read the proclamation for “Race Equality Week”.

Authorize Mayor to sign proclamation. Perrie

Affirmed

AGENDA APPROVAL

Approve agenda. Barry

Item 5.G – Authorize Mayor and City Manager to Sign OPEIU Local 8 Labor Agreements was removed from the consent agenda and placed on the agenda as Item 6.D as requested by staff.

Vote on motion. 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: Barry

Approve Minutes – August 5, 2002, Regular Session

Acknowledge Minutes of Boards and Commissions

Parks & Recreation Advisory Commission – July 10, 2002

Cable Television Commission – July 24, 2002
Arts Commission – July 30, 2002

Senior Citizens Advisory Commission – August 8, 2002

Award Bid Call 2002-29 – Water Street Improvements (Schedules A, B, C, & D) to MRM Construction

Authorize Mayor to Sign Contract with Gray & Osborne for Inspection Services on Water Street

Award Bid Call 2002-28 - West Ellensburg Park Expansion Project (Schedules A, B, & Alternate A-2) to Matia Contractors, Inc.

Accept Bid Call 2002-25 – Euclid Way Overlay Project as Complete

Authorize an increase in the Universal Field Services Contract for Depot Appraisal from $13,151 to $15,131

Authorize Mayor to Sign Project Prospectus and Local Agency Agreement for Cascade Way Bridge Replacement

Authorize Mayor to Sign Project Prospectus and Local Agency Agreement for Brick Road Bridge Replacement

Approve Request to use Irene Rinehart Riverfront Park on September 14, 2002 from 10:00 a.m. to 1:00 p.m. for the CWU Annual Home Cross Country Meet

Accept Federal Historic Preservation Grant for Funding of an Historic Survey and Inventory of the Shoudy’ s First Addition and Authorize Mayor to Sign Contract with Washington State Department of Archaeology and Historic Preservation

L. Approve August 19, 2002 Claims Fund Voucher Numbers 55175 Through 55443 in the Total Amount of $931,985.52 and Payroll Fund Check Numbers 46333 Through 46768 in the Total Amount of $711,298.32

Affirmed

BOARDS AND COMMISSIONS APPOINTMENTS
The Phoenix Group has recommended Fritz Glover and John Winbauer to fill the two vacancies on the Phoenix Development Authority Board. Mayor Bassett recommended the following appointments:

Fritz Glover and John Winbauer to the Phoenix Development Authority Board and Calvin Marschall to the Downtown Task Force.

Confirm Mayor’s appointments. Perrie

Affirmed

**LETTER OF SUPPORT FOR CAPITOL AVENUE/PFENNING ROAD GRANT APPLICATION**

Kittitas County has agreed to act as lead agency on a project to construct urban improvements on Capitol Avenue between Willow Street and Pfenning Road, and on Pfenning Road between Capitol Avenue and Vantage Highway. A letter of support and funding commitment of $250,000 from the City had been requested in support of the grant. Subsequent to staff’s preparation of the agenda report Kittitas County requested each proposed project partner (Ellensburg School District, City of Ellensburg and Kittitas County) increase its local match share from $250,000 to $464,000. The increase is due to work the County did on preparing the grant application to maximize the point value in the grant program. The City does not have this additional level of funding.

Staff review of potential funding options include 1) possible passage of Referendum 51 which would provide about $30,000 annually in motor vehicle fuel tax that could be leveraged with a Public Works Trust Fund loan to carry the debt retirement; 2) levying an additional quarter percent of real estate excise tax for infrastructure purposes; or 3) delay of overlay projects slated for future years. Staff supports the County request due to the unique opportunity to form a partnership with the County and School District in leveraging significant grant funding for the project.

Staff recommends Council act affirmatively on the request— recognizing that funding for the project is a problem in the future if the grant is successful. The letter of support would need to be revised to say "The City of Ellensburg agrees to participate in the project to a maximum percentage of 13.33% with a total value not to exceed $463,050."

Council asked questions of staff.

Authorize Mayor to sign letter of support on the City’s behalf in the amount of 13.33% Barry

with a total dollar amount not to exceed $463,050. (Sowards- No) Affirmed

**LETTER FROM MICHAEL & SPRING THOMAS RE: IRONSTRAW ELLENSBURG SUSTAINABLE NEIGHBORHOOD**

Spring Thomas, co-founder of IronStraw Group, distributed information and gave a presentation of a proposal for the IronStraw Ellensburg Sustainable Strawbale Neighborhood. City Code does not allow
strawbale construction in the city limits and housing density requirements are not conducive to strawbale construction. IronStraw requested the City’s support and advice.

Council directed staff and the Planning Commission to review and research the proposal and make a recommendation as to whether the City should pursue the issue of building codes regarding strawbale construction.

**AUTHORIZE MAYOR AND CITY MANAGER TO SIGN OPEIU LOCAL 8 LABOR AGREEMENTS**

The City Attorney has reviewed the OPEIU Local 8 labor agreements and they are in sufficient form for Council approval. Corrections are needed to the signature pages due to scriveners errors, as well as the addition of a wage page for each contract identifying the specific wage for each member covered by the contract. In addition, staff requests Council authorize the Mayor and City Manager to sign a letter of understanding with the Union concerning certain position title changes, four potential re-classification requests and authorizing OPEIU members to use compensatory time in accordance with the terms of the City’s personnel manual.

Council asked questions of staff.

Authorize Mayor and City Manager to approve and sign the three-year labor agreements with OPEIU Local 8 as well as a letter of understanding covering the three points outlined by the City Attorney. Affirmed

**ORDINANCE NO. 4328 – ZONING CODE AMENDMENT TO ADD A PLANNED UNIT DEVELOPMENT (PUD) DENSITY BONUS OPTION FOR ENERGY EFFICIENCY/ENVIRONMENTAL DESIGN**

Ordinance No. 4328 would add an optional density bonus for including energy efficiency and environmental design features in Planned Unit Development proposals. As directed by Council at the August 5 regular meeting, staff has amended the Ordinance to remove reference to “ultra-low flow plumbing fixtures” in Section 13.38.14(a)(5). Ordinance No. 4328 was given first reading at the August 5, 2002 meeting.

**Read for the second time, Ordinance No. 4328.** Lillquist

AN ORDINANCE of the City Council of the City of Ellensburg, Washington amending the Ellensburg Municipal Code relating to planned unit developments and amending section 13.38.14 regarding density bonus provisions. Affirmed

Adopt Ordinance No. 4328. Lillquist

Barry (Yes)
ORDINANCE NO. 4329 – REVISING QUORUM REQUIREMENT FOR DOWNTOWN TASK FORCE

Ordinance No. 4329 reduces the quorum requirement of the Downtown Task Force to four members (from the present minimum of five) whenever there are two or more vacancies on the Task Force. An affirmative vote by at least three members would still be needed to carry any proposition. Ordinance No. 4329 was given first reading at the August 5, 2002 meeting.

Read for the second time, Ordinance No. 4329. Barry

AN ORDINANCE of the City Council of the City of Ellensburg, Washington amending the Ellensburg Municipal Code relating to quorum requirements for the Downtown Task Force and amending section 1.44.16. Affirmed

Adopt Ordinance No. 4329. Barry (Yes)

Collins (Yes)

Lillquist (Yes)

Perrie (No)

Savidge (Yes)

Sowards (Yes)

Bassett (Yes)

Motion approved.

ORDINANCE NO. 4330 – ELECTRIC RATE INCREASE

Ordinance No. 4330 was given first reading at the August 5, 2002 meeting and increases electric rates by an average of 10%. This is the second of three planned rate increases to offset the 46% rate
increase imposed by the Bonneville Power Administration last year. Staff has not received any customer comments to date regarding the rate increase but has been asked to meet with representatives from Twin City Foods to review the Cost of Service Analysis.

**Read for the second time, Ordinance No. 4330.** Barry

AN ORDINANCE of the City Council of the City of Ellensburg, Washington amending the Ellensburg Municipal Code relating to Chapter 9.06 entitled Lights— Regulation and Rates and amending the Chapter to adjust electricity rates. Affirmed

Adopt Ordinance No. 4330. Barry

Collins

Lillquist

Perrie

Savidge

Sowards

Bassett

Motion approved.

**PROPOSED ORDINANCE – AMEND COMMERCIAL HIGHWAY AND COMMERCIAL TOURIST ZONES TO ALLOW OFFICES**

The Planning Commission has recommended that the City Council consider amending the Tourist Commercial (TC) and the Commercial Highway (CH) zones by adding general offices as permitted uses in those zones. Council held a public hearing on the matter on June 17, 2002 and then tabled the proposed text amendment with direction for staff to bring the matter back for discussion as a proposed Comprehensive Plan amendment. Council also set a joint study session on August 12, 2002 with the Planning Commission to discuss the issue of allowing offices in commercial zones beyond the central commercial area. At the conclusion of that joint study session Council directed staff to bring the proposed zoning test amendment back for consideration at this meeting. Council also requested staff provide specific information regarding: 1) an inventory of and cost for available office space in the CC and CC-II zones; 2) the potential for office development in the RO now or through potential redevelopment; 3) landscaping and lot coverage differences in the CC, CC-II, CH, TC and RO; and 4) a discussion of process issues relating to Comp Plan amendment vs. zoning code amendment and T-C zone intent statement compatibility with office uses.
Remove the proposed TC and CH zoning text amendments from the table for Perrie reconsideration. Affirmed

Council asked questions of staff.

Mayor Bassett reopened the public hearing to consider a proposed zoning text amendment that would add general offices as permitted uses in the Tourist Commercial (TC) and Commercial Highway (CH) zones.

Senior Planner Smith summarized the agenda report and attachments. The agenda for the August 12, 2002 special council meeting with the Planning Commission should also be included in the public hearing record as well as an August 14, 2002 letter from Beverly Heckart, 906 East First Avenue.

Mayor Bassett requested the audiotapes of Council’ s August 12, 2002 special meeting be included in the public hearing record.

Alan Walker, 800 E. Capital, representing More Than Main Street, a subcommittee of the Chamber of Commerce, stated the group did a market analysis and survey of downtown business owners and customers which revealed similar results. While the downtown area is a good mix of retail and offices there is a need to further expand the areas in the downtown. The group is supportive of expanding the zoning for general offices into the CH and CT zones. Currently, the number of office spaces available in downtown is limited.

Jerry Williams, 2711 N. Pioneer Road, stated the City’ s current zoning is based on the 1920’ s business community. The City needs to start putting the CH and TC zones in a grid. Land needs to be used more productively with tighter densities and mixed use.

Steve Anderson, Kelley Realty, 508 N. Main, spoke against referring the issue back to the Planning Commission as a comprehensive plan amendment when the Commission has already studied the issue and made a recommendation. Zoning needs to be flexible to meet the needs of the community. There is a need for more office space and somebody willing to invest in the community for offices. Making more room for offices could help strengthen the downtown and generate an economy that can support new retail businesses.

Roger Weaver, 1217 Radio Road, stated the Planning Commission has worked on this issue and their recommendation is very clear. Disregarding the recommendation of the City’ s volunteers debases their efforts. Mr. Weaver met today with two significant local agencies who are extremely frustrated at being unable to find office space.

Ken Fyall, 907 E. Manitoba, stated the City should find out the rents and property costs in the south interchange area. The cost argument may go away over time. The vacant University Auto property may provide an opportunity for agencies to work together such as was done with Fred Meyer.
Adding offices to the CT and CH zones seems to be one issue and combining the CH and CT zones is another issue. There is open ground in the CH zone that would not require redevelopment.

Frank Erickson, 309 N. Pearl, stated present rental pricing was not included in the study. There are many upstairs units downtown that have been waiting to be developed for almost 30 years. Scores of towns in the west have lost their downtowns through the process Council is listening to right now from the real estate lobby.

Dorothy Stanley, 201 E. 9th Avenue, stated putting offices in the commercial highway and commercial tourist zone is not convenient for the citizens of Ellensburg. Since Ellensburg is growing it should be creating neighborhoods based on a grid system where citizens can conveniently shop. Ms. Stanley distributed a brochure on the Proctor neighborhood, a Historic District in Tacoma.

Robert Terrell, 7120 Hanson Road, stated allowing more uses within the CH and CT zones would help the employment and vibancy of the city. He would like to see more clientele brought into the CH and CT zones and more opportunity for growth.

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

Reject the proposed zone text change and continue on with the docketed Comp Plan Bassett amendment process.

Council asked questions of staff.

Vote on motion. Barry (No)

Collins (No)

Lillquist (Yes)

Perrie (No)

Savidge (Yes)

Sowards (No)

Bassett (Yes)

Motion fails.

Amend section 13.22.04(e) of the proposed ordinance to read as follows: Savidge

"Offices whose activities are directly related to tourism and recreation; except office buildings presently in use may rent at least 40% of their space to activities not directly
related to tourism and recreation.”

Motion dies for lack of a second.

Accept Planning Commission recommendation amending the TC and CH zones by adding Perrie

general offices as permitted uses in those zones and **Read for the first time, Ordinance No. 4331.**

AN ORDINANCE of the City Council of the City of Ellensburg, Washington, amending the Ellensburg
Municipal Code relating to zoning and amending sections 13.22.04 and 13.24.04 to permit all offices
within the Tourist Commercial (T-C) and Commercial Highway (C-H) zones and adding a definition for
“office” to Chapter 13.04.

Barry (Yes)
Collins (Yes)
Lillquist (No)
Perrie (Yes)
Savidge (No)
Sowards (Yes)
Bassett (No)

Motion approved.

**ORDINANCE NO. 4332 – STREET SIGN REVISIONS**

The Ellensburg Police Department is requesting amendments to the parking code to provide additional
parking restrictions at the intersection of Sprague Street/First Avenue and on Alder Street just south
of 18th Avenue. The requests are made to increase safety near Morgan Middle School for the
modifications at First Avenue/Sprague Street, and to address concerns from the Central Washington
University Police Department. The Ellensburg School District and Central Washington University are
supportive of these requests.

**Read for the first time, Ordinance No. 4332.** Barry

AN ORDINANCE of the City Council of the City of Ellensburg, Washington amending the
Ellensburg Municipal Code relating to parking and amending sections 8.10.02 and 8.12.02.

Affirmed
ORDINANCE NO. 4333 – SECOND QUARTER SUPPLEMENTAL BUDGET

The proposed ordinance provides for supplemental appropriations in the General Fund.

Read for the first time, Ordinance No. 4333. Barry

AN ORDINANCE amending the 2002 Annual Budget of the City of Ellensburg as set forth in Ordinance No. 4305 and amended by Ordinance No. 4320 to provide additional revenues and appropriations in the General Fund, Library Trust Fund, Holmes Memorial Fund, Gas Construction Fund, Water Fund and Sewer Fund. Affirmed

ORDINANCE NO. 4334 – RESIDENTIAL PARKING ZONE (RPZ) PROGRESSIVE FINES

The proposed ordinance responds to Council direction to staff at the April 29, 2002 special meeting to draft amendment language to the Residential Parking Zone (RPZ) ordinance adopting a progressive fine structure and increasing the fines, beginning with the initial fine. The proposed ordinance amendment would increase the basic penalty for RPZ parking violations to $25.00 from the present $15.00 fine. Additionally, it would include provisions for progressively larger fine amounts for repeat violators, increasing the fine to $50.00 for a second violation in any twelve-month period, and $75.00 upon a third or succeeding violation in a twelve-month period. Staff received a call from Rich Corona, Vice President of Central Washington University, requesting on behalf of the University that Council delay consideration of progressive fines until the University community is back in town.

Council asked questions of staff and suggested the possibility of including an address on the RPZ permits when they are issued.

Read for the first time, Ordinance No. 4334. Barry

AN ORDINANCE of the City Council of the City of Ellensburg, Washington amending the Ellensburg Municipal Code relating to penalties for residential parking zone (RPZ) violations and amending section 8.54.40. (Savidge– No)

Affirmed

RESOLUTION NO. 2002-23 – DONATION OF ANTIQUE FIRE ENGINE, HOSE CART & LADDER WAGON TO KITTITAS COUNTY HISTORICAL SOCIETY

For years the City has paid $100 a month storage fee to house the antique fire apparatus of the Ellensburg Fire Department. The apparatus cannot be shared with the public and the storage fee is an unnecessary expense. The Kittitas County Historical Society and Museum has offered to restore and display the apparatus at no cost to the City. Appropriate language will need to be added to the
Museum’s “Deed of Gift” document to provide for return of the apparatus to the City in the event the Museum fails or ceases to exist. Adoption of Resolution No. 2002-23 and authorization for the Mayor to execute the Deed of Gift will effectuate the conveyance of this surplus property.

**Adopt Resolution No. 2002-23. Perrie**

A RESOLUTION declaring as surplus to the City of Ellensburg’s needs a 1926 Seagrave, Fire Engine No. 1, hose cart and ladder wagon, and authorizing conveyance to the Kittitas County Historical Society pursuant to the terms of a Deed of Gift. Affirmed

**MANAGER’S REPORT**

**Suspension of the RPZ North of Eighth Avenue**

On August 5, 2002 Council approved the Kittitas County Fair Board’s request for a temporary suspension of the RPZ within a four-block radius of the fairgrounds. The temporary suspension leaves the north side of the RPZ (north of Eighth Avenue) still in force. Council may wish to temporarily suspend the RPZ for this area as well from August 28, 2002 through September 3, 2002.

Temporarily suspend the RPZ on the north side of Eighth Avenue from August 28, 2002 through September 3, 2002. Affirmed

**Swimming Pool Users Forum**

The Swimming Pool Users Forum has been scheduled for September 12, 2002, at 7:00 p.m. at the Senior Center. The Forum will provide an opportunity for people with questions and concerns about pool operations and hours to discuss these issues with staff. Council is also invited to attend.

**Washington School Project Status**

Consultants interested in providing project management services to the Washington School/City Hall project have submitted their credentials, which have been evaluated this week. Three firms will be interviewed during the second week in September with a contract for Councils’ consideration to follow shortly.

**Library Closure for Receipt of New Computers and Staff Training**

The library will be closed on September 5 to receive 16 new computers from the Gates Foundation. Fourteen of the new computers will be for public access. The library will also be closed for staff training on the new computers on Friday, September 6 and part of Monday, September 9. The library will be open its usual hours on the weekend.
Manager is Out of Town

The City Manager is out of town this week. In his absence, Jim Pidduck, City Attorney, is in charge.

COUNCILMEMBERS’ REPORTS

Energy Advisory Committee

Councilmember Barry reported on the last Energy Advisory Committee meeting. Council will likely see an ordinance proposing an increase in gas rates in the future.

Tri-County Water Resource Agency

Councilmember Lillquist reported the first draft chapters are available on the internet. She has also applied for the Leadership Ellensburg program.

Kittitas County Mental Health and Developmental Disabilities Board

Councilmember Savidge reported on the last Kittitas County Mental Health and Developmental Disabilities Board meeting.

Lodging Tax Advisory Committee

Mayor Bassett reported the Lodging Tax Advisory Committee submitted its preliminary budget for 2003.

Council was reminded of the special meeting on August 26, 2002 at 7:00 p.m. to discuss Development Code Issues.

ADJOURN Adjourn at 10:33 p.m. Barry Affirmed

Mayor

ATTEST: City Clerk