ROLL CALL was answered by Councilmembers Collins, Lillquist, Perrie, Savidge, Sowards and Mayor Pro Tem Barry.

Others present were City Manager Barkley; City Attorney Pidduck; City Clerk Reno; Police Chief Richey; Community Development Director Witkowski; Parks and Recreation Director Archer; Senior Planner Caspar; Energy Resource Manager Nystedt; Executive Assistant Gigstead; Daily Record Reporter Muir; and approximately seven members of the audience.

AWARDS AND RECOGNITIONS

City Manager Barkley introduced Jorge Sanborn, Building Inspector.

AGENDA APPROVAL

Approve agenda. Sowards


Vote on main 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: Sowards

A. Approve Minutes – October 7, 2002, Regular Session

Approve Minutes – October 9, 2002, Special Session 1

B. Acknowledge Minutes of Boards and Commissions

(1) Parks & Recreation Commission – September 11, 2002

(2) Downtown Task Force – September 13, 2002
Landmarks & Design Commission – September 17, 2002

Environmental Commission – September 18, 2002

Arts Commission – September 24, 2002

Downtown Task Force – September 27, 2002

Lodging Tax Advisory Committee – October 2, 2002

Library Board – October 8, 2002

C. Award Bid Call 2002-36 - Road Marking Machine to Alpine Products in Amount of $58,175.36 Contingent Upon an Acceptable Demonstration of the Unit

D. Authorize Mayor to Sign " Revision No. 1, Exhibit A" to Conservation Agreements with Central Washington University (CWU) and Bonneville Power Administration (BPA)

E. Accept Grant of $6,000 from Kittitas County Law and Justice Council for Portable Radios

F. Accept Grant of $3,000 from Washington State Traffic Safety Commission for DUI Enforcement

G. Approve October 21, 2002 Claims Fund Voucher Numbers 56150 Through 56381 in the Total Amount of $1,137,250.89 and Payroll Fund Check Numbers 47204 Through 47625 in the Total Amount of $658,454.53. Affirmed

BOARDS AND COMMISSIONS APPOINTMENTS

Mayor Pro Tem Barry recommended Kyle Williams be appointed to the Downtown Task Force.

Confirm Mayor’ s appointment. Collins

Affirmed

CITIZEN COMMENT ON NON-AGENDA ISSUES

Frank Erickson spoke on the Late Night Task Force activities.

PUBLIC HEARING – ORDINANCE NO. 4336 – DAVID AND LOUISE WRIGHT ZONE CHANGE AT 14TH AND B FROM R-S TO R-O

Mayor Pro Tem Barry opened the public hearing for the David and Louise Wright Zone Change at 14th and B from Residential Suburban (R-S) to Residential Office (R-O).

Senior Planner Caspar summarized the agenda report. The property description for the zone change is the westerly 215.15 feet of a parcel located just east of the B Street right-of-way and south of 14th Avenue. The property was recently subject to a zone change from Residential Medium Density (R-M)
The Planning Commission reviewed the zone change at its September 26, 2002 meeting and moved to recommend the City Council approve the zone change. The rationale for the recommendation is the proposal is consistent with the intent of the R-O zoning, which states that it is a transition zone between residential and commercial activity. The zone change would act as a transition between the residential property to the north and to the Public Reserve (P-R) zoning to the south and does not adversely affect the surrounding area. However, staff does not support the zone change, as it does not bear a substantial relationship to the public health, safety, morals, or general welfare. Staff’s opinion is that the intent of the R-O Zone is not supported by this request since the office zone would be a single “spot” of R-O zone among residential zoning, residential uses, a church and P-R zoning and uses. It would not serve as a transition and is more in the form of a spot zone.

The City Council asked questions of staff.

Mike Stougard, representing David and Louise Wright, stated the property was rezoned to R-S to build a jazzercise facility, but that did not happen. The applicants are requesting R-O zoning for a dental office. They feel a dental office would be a better use of the property in terms of less traffic, accommodating a dentist on the north side of Ellensburg, better parking, and safer ingress and egress.

There being no further testimony, Mayor Pro Tem Barry closed the public hearing.

Read for the first time, Ordinance No. 4336. Savidge

An Ordinance relating to zoning and amending Title 13 of the Ellensburg City Code by changing the zoning classification of certain properties within the City from Residential Suburban (R-S) to Residential Office (R-O) land use classification.

Reopen public hearing. Sowards

Affirmed

David Wright, 921 Hanson Road, answered questions from the City Council. He agrees with the Planning Commission’ recommendation and rationale. The conditions in the area have changed with new growth of residential areas to the north and the need for services in this area.

Council asked further questions of staff and the applicant.

There being no further testimony, Mayor Pro Tem Barry closed the public hearing.

Vote on motion. Affirmed

ORDINANCE NO. 4337 – ESTABLISH TWO CHANGE FUNDS IN POLICE DEPARTMENT
The Finance Department has recommended that two separate change drawers in the amount of $150 each be established for the handling of parking fines that will be collected by two employees in the Police Department.

Read for the first time, Ordinance No. 4337. Sowards

An ordinance of the City Council of the City of Ellensburg, Washington, amending the Ellensburg Municipal Code relating to Title 2 – Funds; and adding Section 2.16.241 to establish a change fund for the Ellensburg Police Department. Affirmed

RESOLUTION NO. 2002-26 – CALLING FOR AN ELECTION DATE FOR PFEFFER ANNEXATION

The proposed resolution calls for an election to decide whether the property owned by Jim and Carla Pfeffer should be annexed into the City.

Approve Resolution No. 2002-26. Sowards

Affirmed

RESOLUTION NO. 2002-27 – CALLING FOR AN ELECTION DATE FOR MILLER ANNEXATION

The proposed resolution calls for an election to decide whether the property owned by Jack and Darlene Miller should be annexed into the City.

Approve Resolution No. 2002-27. Sowards

Affirmed

RESOLUTION NO. 2002-28 – FINDINGS OF FACT AND CONCLUSIONS FOR REZONE OF CITY’ S WEST ELLensburg PROPERTY

The City Council voted to approve a rezone of City owned property consisting of 6.67 acres located off Railroad Avenue in the West Ellensburg area at its August 5, 2002 meeting. The findings of fact and conclusions are based on the Council’s consideration of the written record and oral testimony presented during the public hearing process.

Approve Resolution No. 2002-28. Sowards

Affirmed

JOHN AND DARLENE MILLER AND KEVIN WARREN PRE-ANNEXATION AGREEMENTS

The City has received requests for pre-annexation agreements for the provision of utility services in the Urban Growth Area from John and Darlene Miller and Kevin Warren for property located on the east side of Airport Road north of the Sanders/Bender Road intersection. These pre-annexation requests are presented with the addition of language requiring development of the property in
requests are presented with the addition of language requiring development of the property in accordance with development standards approved by the City.

Approve Miller and Warren pre-annexation agreements with addition of Sowards “ Exhibit B” language. Affirmed

PARKS AND RECREATION DONATION POLICY

As requested by the City Council, the Parks and Recreation Commission has come up with several guidelines for non-profit groups requesting donations from the City Parks and Recreation Department.

Direct staff to draft an ordinance consistent with the proposed policy as amended Sowards as follows: 1) All donation requests must be in writing and on or accompanying the City of Ellensburg Parks & Recreation Donation Request Form; 2) donation requests with a cash value of up to but not exceeding $150 will be submitted to the Parks and Recreation Director for approval/denial; 3) strike proposed language and replace with language for the annual accounting of those donations granted to organizations, including the values; 4) donation requests with a cash value exceeding $150 will be submitted to the City Council for approval/denial; 5) donation requests will be considered only from not for profit agencies for events open to public participation; and 6) each organization may only make one request per calendar year. Affirmed

CERTIFICATION OF INCREMENTAL SPENDING FOR CONSERVATION AND RENEWABLES

The Bonneville Power Administration (BPA) requires a utility’s governing body to annually certify that spending on qualifying Conservation and Renewables Discount (C&RD) measures are incremental and would not have been spent absent the C&RD program.

Ellensburg certifies that the expenditures documented in this report are Perrie incremental increases in this organization’s budget for the current operating year beyond what we planned to spend absent the C&RD. Affirmed

PROPOSED REVISIONS TO THE NOISE ORDINANCE

The Downtown Task Force recommends adoption of revisions proposed by the City Attorney in a memorandum dated November 2, 2001, which includes a draft ordinance. The Task Force also recommends: 1) incorporating language specific to noise emanating from motor vehicle sound systems; 2) deleting the phrase “character of the area” from Section 5.60.06(B); and 3) prohibiting amusements such as music and gaming devices at beer gardens after 10:00 p.m.

Frank Erickson and Dwight Lee Bates were present to discuss their correspondence included in the Council agenda. Roberta Clark submitted a letter signed by many residents and read the letter. Gary Gardine stated he is in favor of the proposed language for loud car stereos.
Council directed staff to bring back a proposed ordinance including the recommendations of the Downtown Task Force and City Attorney and suggestions made by the Council, along with information on repeat offenders of the noise ordinance.

**MANAGER’ S REPORT**

**Public Hearing**

Set public hearing on November 18, 2002 to close out LID No. 2002-1. Perrie

Affirmed

**COUNCILMEMBERS’ REPORTS**

**Report on Meetings**

Councilmembers Collins and Barry attended the Energy Advisory Committee meeting.

Councilmember Savidge attended the KCAC Board meeting and the Mental Health and Developmental Disabilities Board meeting.

Councilmember Sowards has scheduled a Street Naming and Addressing Committee meeting on November 6, 2002.

**RECESS**

Council recessed to executive session at 10:01 p.m. to discuss a real estate transaction for approximately 10 minutes. It was announced that Council may reconvene to take action.

**RECONVENE**

Council went back into regular session at 10:10 p.m.

Approve the sale of 711 E. Mountain View to Theresa Chastain for the price of $113,500.00, Lillquist with the City to credit $3,500.00 back to purchaser at closing for closing costs,

the City to credit $750.00 back at closing for partial payment of repair costs,

and authorizing the City Manager to execute all closing documents. Affirmed

**ADJOURN** Adjourn at 10:12 p.m. Barry Affirmed

Mayor

ATTEST: City Clerk