CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting: July 6, 2004
Time of Meeting: 7:00 p.m.
Place of Meeting: Council Chambers, 102 North Pearl Street

ROLL CALL was answered by Councilmembers Bassett, Collins, Lillquist, O’ Brien, Perrie and Mayor Barry.

Others present were City Manager Barkley; City Attorney Pidduck; City Clerk Reno; City Engineer Lyyski; Senior Planner Smith; Energy Services Director Titus; Parks and Recreation Director Case; Executive Assistant Gigstead; Youth Center Coordinator Spence; and approximately 20 members of the audience.

PROCLAMATIONS

Mayor Barry read the proclamation for “July is Recreation and Parks Month”.

Authorize Mayor to sign proclamation. Bassett

Affirmed

AGENDA APPROVAL

Approve agenda. Collins


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 amended Consent Agenda as follows: Collins

A. Approve Minutes – June 21, 2004, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Parks and Recreation Advisory Commission – May 12, 2004
(2) Downtown Task Force – May 27, 2004

(3) Environmental Commission – June 16, 2004

C. Award Bid Call 2004-21 - Underground Residential Distribution Cable to WESCO with Alternate 750 MCM Main Feeder Sized Wire

D. Accept Bid Call 2003-50 – Electrical Substation Regulator Maintenance Contract as Complete

E. Award Bid Call 2004-22 – Third Avenue Overlay (Base Bid and Alternate) to Columbia Asphalt and Gravel

F. Approve Request from Parks and Recreation Department for a Noise Ordinance Waiver for July 8, 2004 and July 22, 2004 from 7:00 p.m. to 11:00 p.m.

G. Approve the Final Pfeffer Plat and Authorize Mayor to Sign the Plat

H. Approve Findings of Fact for the Morningside Care Zone Change from Residential Medium Density to Residential High Density

I. Approve the Final Sander’ s Mill Plat – Phase 1 and Authorize Mayor to Sign the Plat for Phase 1

J. Authorize Mayor to Sign Street Use Permit for Timothy and Theresa Barlen – 201 North Pine Street

K. Accept Bid Call 2003-37 – Brick Road Bridge Project as Complete

L. Authorize City Manager to Sign Utility Latecomer Agreement for Pfeffer Subdivision on Pfenning Road

M. Authorize Mayor to Sign a Contract with Wardell Architects p.s. for Preparation of Bid Documents and Design of Furniture Systems for the City Hall Project

N. Accept Resignations of Janice Owen, Lodging Tax Advisory Committee and Richard Mack, Energy Advisory Committee, and Authorize Mayor to Sign Letters of Appreciation

O. Approve July 6, 2004 Claims Fund Voucher Numbers 66902 through 67092 in the Total Amount of $498,007.54; Payroll Fund Check Numbers 56431 Through 56657 in the Total Amount of $274,508.27; and Direct Deposit in the Amount of $116,906.49. Affirmed

REQUEST FROM CHRISTOPHER PRATT-BENNETT FOR PERMISSION TO IMPROVE FISH HABITAT

Christopher Andrew Pratt-Bennett was present to request permission to improve fish habitat on a 500 foot section of Mercer Creek located on City owned property as part of an Eagle Scout Project. He also asked for funding for the project.
Grant request with funding not to exceed $500 and staff to assist in the hydraulic permit application. O’ Brien

Affirmed

LETTER FROM JIM ARMSTRONG, ELLensburg DOWNTOWN ASSOCIATION

Jim Armstrong, Board President of Ellensburg Downtown Association, was present to discuss the program and challenges the downtown is facing. They are requesting the City endorse the Association’s efforts and provide funding in the amount of $50,000.

Voice support for program with funding package to be presented at the next Council meeting. Perrie

Affirmed

MEMORANDUM FROM ENVIRONMENTAL COMMISSION REGARDING ACTION TAKEN AT MEETING

The memorandum from the Environmental Commission regarding action taken at the June 16, 2004 meeting was acknowledged.

YOUTH AND COMMUNITY CENTER MURAL

The Ellensburg Youth and Community Center has contracted with the Kittitas County Safety Network that has state funds from the Division of Alcohol and Substance Abuse (DASA) to provide drug free activities throughout the summer. They have contracted two artists to create a mural on the east side of the building. Part of the mural will be mosaic tiles in the upper left and the rest will be painted.

Approve this design and approve the work to be performed by the artists on City property. O’ Brien

Affirmed

Councilmember Carlson arrived at the meeting at 7:58 p.m.

PUBLIC HEARING – ORDINANCE NO. 4385 – VACATING ALLEY WEST OF MAPLE STREET BETWEEN TENTH AND ELEVENTH AVENUES

Mayor Barry opened the public hearing to consider the request to vacate the alley west of Maple Street between Tenth and Eleventh Avenues as requested by Central Washington University.

City Engineer Lyyski summarized the agenda report.

Council asked questions of staff.

There being no public testimony, Mayor Barry closed the public hearing.
Read for the first time, Ordinance No. 4385. Bassett

AN ORDINANCE vacating an alley located in the Southwest quarter of Section 36, Township 18 North, Range 18 East, W.M., vacation being located in the City of Ellensburg, County of Kittitas, State of Washington. Affirmed

ORDINANCE NO. 4386 – DISSOLVING THE HOUSING AND COMMUNITY DEVELOPMENT COMMISSION AND BEAUTIFICATION COMMISSION

At the June 7, 2004 meeting, the City Council voted to dissolve the Housing and Community Development Commission and Beautification Commission and to assign responsibility relating to street trees to city staff. The proposed ordinance repeals the ordinances which created the two commissions and reassigns certain Beautification Commission duties to the City Arborist.

Read for the first time, Ordinance No. 4386. Carlson

An ordinance of the City Council of the City of Ellensburg, Washington amending the Ellensburg Municipal Code relating to city boards and commissions and repealing Chapter 1.34 “City Beautification Commission” and Chapter 1.58 “City Housing and Community Development Commission”; assigning certain former duties of the Beautification Commission to the City Arborist; amending E.C.C. Sections 4.02.04, 4.17.12, 4.36.16, 4.36.20, and 4.36.38; and repealing E.C.C. Sections 4.36.08, 4.36.12, and 4.36.64. Affirmed

RESOLUTION NO. 2004-16 – SET PUBLIC HEARING FOR VACATION OF THE SOUTH HALF OF SEVENTH AVENUE EAST OF MEMORIAL PARK

The proposed resolution sets August 2, 2004 as a public hearing date to consider vacation of the south half of Seventh Avenue east of Memorial Park as requested by Kittitas County.

Adopt Resolution No. 2004-16. Perrie

Affirmed

ENERGY SERVICES DEPARTMENT’S REQUEST FOR A CAD TECHNICIAN

The Energy Services Department has seen a substantial increase in workload due to construction activity. The department is requesting to employ a CAD Technician to help keep the maps and records up to date while the existing CAD person takes on more project design and layout responsibilities.

Authorize the Energy Services Department to add a CAD Technician position to its authorized O’Brien staffing level starting in the second half of 2004. Affirmed
AGREEMENT WITH ROTARY CLUB FOR DONATED CONSTRUCTION OF YOUTH BASEBALL FIELDS AT WEST ELLensburg PARK

The Rotary Club of Ellensburg has requested Council’s permission to build four youth baseball fields at West Ellensburg Park.

Approve the agreement with the Rotary for construction of four youth baseball fields at Lillquist West Ellensburg Park. Affirmed

ANNUAL COMPREHENSIVE PLAN AMENDMENT DOCKETING

Council has set the first regular meeting in July for the docketing of those proposed Comprehensive Plan amendments that Council deems to have sufficient background information and analysis to allow their full consideration and review in the annual review process.

Eight proposals for amendment of the Comprehensive Plan have been received and are discussed below. Staff’s opinion is that all of the proposed amendments received to date are valid Comprehensive Plan amendment subjects for Council to consider for docketing.

04-01 Annual update of the various 6-year Capital Facility Plans

This is an annual housekeeping amendment to update the various 6-year capital facility plans and should require little staff time or public discussion. Supporting data will be developed by the various departments in early Fall as the budget process gets underway.

04-02 Amend UGA FIGURE H – Future UGA Land Use Map

This is a housekeeping amendment to reflect a change adopted by Kittitas County last year for the land use designation in an area of the south Urban Growth Area (UGA) at Stone Road. This amendment will require little staff time or public discussion.

04-03 Amend the Table of Contents and the Amendment Summary pages of the Comprehensive Plan to reflect any amendments that might be adopted during this annual amendment process. This is a housekeeping amendment and will require little staff time or public discussion.

04-04 Amend the Future Land Use Map – Page 53A – of the Comprehensive Plan and the policy direction in the Commercial Land Use Element to allow for retail land uses at the West I-90 Interchange. This is a request by Roger Weaver and Bob Hansen, as representatives of the Lamb property, to examine the West Interchange to allow retail land uses. This amendment proposes a significant shift from the current Comprehensive Plan policy direction for commercial core land uses. That current policy is to "stress the existing CBD as the policy direction for identifying additional commercial core land" (page 63 of Comprehensive Plan) and that policy was implemented by a moderate westward expansion of the existing commercial core to the BNSF railroad centerline.
through an area wide rezone in 1996. Various alternative commercial core land inventory options were studied during the adoption of that current policy in 1995, including an expansion of commercial core land use activity to the West Interchange area. The question now before Council is whether the time has come to revisit that current policy direction, and in particular whether commercial core land uses should be expanded to the West Interchange area that is now predominantly zoned for, although not yet highly developed by, less intensive Commercial Tourist land uses.

This proposed amendment is likely to require substantial staff time involving significant public involvement and analysis. Staff recommends that this amendment be carried over and made a part of the mandated 2006 Comprehensive Plan review.

04-05 Amend the UGA FIGURE H – Future UGA Land Use Map to change the land use designation of an area of the unincorporated UGA on the south side of Vantage Highway east of Pfenning Road from the current Future Land Use Designation of “Urban Residential Density” to a new Future Land Use Designation of “General Commercial”. This is a request by Sam Wray and Dr. Mark and Shawn Hayden to change the land use designation of an area of the unincorporated UGA on the south side of Vantage Highway east of Pfenning Road from the current Future Land Use Designation of “Urban Residential Density” to a new Future Land Use Designation of “General Commercial”. Amendment of the UGA FIGURE H – Future UGA Land Use Map would be necessary. The City only makes a recommendation on this unincorporated UGA request.

The proposal would change the future land use designation for an area along the south side of the Vantage Highway from the current designation of urban density residential to a new designation of general commercial. That change would then allow rezones to the County’s General Commercial zoning in that unincorporated area. The subject area is currently developed with a scattered mix of commercial (veterinary clinics and antique sales), public (Fire District No. 2 fire station) and residential land uses. The area immediately to the west and northwest at all four corners of the intersection of Vantage Highway and Pfenning Road is currently developed by and zoned for a variety of intensities of commercial land uses.

While the City only makes a recommendation to the County on this proposed UGA land use amendment, discussion of the issues to arrive at that recommendation could involve substantial staff time. The discussion also would seem to dovetail with the issues presented in proposed amendment 04-04 other than this involves an unincorporated land area.

Staff would recommend that a recommendation be forwarded to the County requesting that this proposed amendment be held over for the mandated 2006 review of the UGA. However, because the County can go forward on this proposed amendment regardless of the City’s recommendation, it might be prudent for the City to hold some discussion on this proposed amendment so that an alternative recommendation can be made as to the appropriate future land use for this area of the UGA. That way the County can either opt to carry the amendment over as the City recommends, or the County can have the benefit of City guidance on an appropriate land use designation if the County
opts to go forward with consideration of the amendment.

04-06 Amend the Transportation Element to change “existing grid” to “modified grid”, and to establish intervals between collector streets as approximately ¼ mile, and to provide street or sidewalk connection between neighborhoods at approximately 1/8 mile intervals. This is a request by Nancy Lillquist to adopt a policy of establishing a modified grid for roads and sidewalk connectivity. The proposal is to change the collector interval level from ½ mile to ¼ mile and to create a 1/8 mile interval for residential street and sidewalk connections between neighborhoods.

This proposed amendment involves an issue that has previously been discussed in a Comprehensive Plan amendment setting (1999) and more recently during both specific plat review in the City’s north end and in a discussion of northwest neighborhood street corridors at a Special Council Meeting in January 2004. To date, Council has not elected to pursue a change in the Comprehensive Plan current policy. Because it has been recently discussed, new analysis will not likely require substantial staff time. However, Staff recommends that if Council wants to again consider the substance of this amendment, then it would be better to carry it over and make it a part of the mandated 2006 Comprehensive Plan review.

04-07 Amend the Ellensburg UGA Land Use Map to expand the Urban Growth Area Boundary to include unincorporated property immediately adjacent to the southeast city limits.

This is a request by Thomas Bull to add some 190.95 acres of unincorporated land into the Ellensburg Urban Growth Area (UGA). The land is situated west of Bull Road at the southeast corner of the current city limits and is not currently included in the Ellensburg UGA. The land is zoned by Kittitas County as Commercial Agriculture and the existing Kittitas County Comprehensive Plan Designation is Commercial Agriculture. The applicant states that the land is no longer viable commercial agricultural land due to soil factors and its immediate adjacency to the city limits and existing urban development. This amendment is for City recommendation to the County Commissioners only.

The Growth Management Act (GMA) gives the County the authority to establish the UGA boundary but requires that the City give a recommendation and also demonstrate the need and appropriateness for unincorporated lands to be included within the UGA. In 1997, after several years of joint work, the County adopted the current UGA boundary. The GMA requires the County to review the designated UGA at least every ten years, but to date no review of the Ellensburg UGA boundary has occurred. The GMA also requires that Kittitas County and the cities within it must do a full Comprehensive Plan review by December 1, 2006. That review will include a review of the UGA boundary, densities and proposed future land uses.

Under the current County Comprehensive Plan Designation of Commercial Agriculture, the property cannot be included within the UGA unless there is a transfer of development rights (TDR) program. No such TDR program is in place in either Kittitas County or the City of Ellensburg. In order for this land to be considered for inclusion in the Ellensburg UGA, the County Comprehensive Plan
Designation as Commercial Agriculture must first be changed.

Due to the complexity of the issues and the timing required in regard to the Commercial Agricultural designation issue, this proposed amendment is likely to require substantial staff time involving significant public involvement and analysis. Staff recommends that this amendment be carried over and made a part of the mandated 2006 Comp Plan review.

**04-08 Amend the Comprehensive Plan Map to remove the Business/Office Park and Industrial Expansion Area zoning from Site #8 – located south of Dolarway Road west of Prospect Street, east of Pott Road, and north of West Ellensburg Park Expansion Area softball fields.**

This request was received on Tuesday, June 29 from the Environmental Commission. The request is added to this agenda report to facilitate Council and public review of the request. The proposed amendment would change the direction of the City in its various study and planning efforts for this property. This item would involve a significant review of the City’s adopted policies and actions on the property to date, and is properly proposed as an amendment to the Comprehensive Plan. Staff recommends this amendment be carried over and made a part of the mandated 2006 Comprehensive Plan review.

Docket proposed amendments 04-01, 04-02 and 04-03 for the year 2004 annual Perrie Comprehensive Plan amendment review. Affirmed

Direct City Manager to issue a Request for Qualifications to begin the 2006 Comprehensive Plan O’ Brien

Review process as soon as possible. Affirmed

Randy Lamb, Roger Weaver, and Bob Hansen spoke regarding proposed amendment 04-04 and asked that this be reviewed in 2004.

Carryover proposed amendment 04-04 to 2005. Bassett

Defeated (Bassett, O’ Brien – yes; Carlson, Collins, Lillquist, Perrie, Barry – no)

Docket proposed amendment 04-04 for 2004 Comprehensive Plan review process. Lillquist

Affirmed (Bassett- no)

Rory Savidge, representing Sam Wray and Dr. Mark and Shawn Hayden, spoke regarding proposed amendment 04-05 and requested it be reviewed in 2004.

Docket proposed amendment 04-05 for 2004 Comprehensive Plan review process. Perrie

Affirmed
Carryover proposed amendment 04-06 to the mandated 2006 Comprehensive Plan review. Lillquist

Affirmed

Thomas Bull spoke regarding proposed amendment 04-07.

Docket proposed amendment 04-07 for 2004 Comprehensive Plan review process. Bassett

Affirmed

Carryover proposed amendment 04-08 to the mandated 2006 Comprehensive Plan review. Perrie

Affirmed

Refer the docketed proposed amendments 04-01, 04-02, 04-03, 04-04, 04-05, and 04-07 to the Carlson

Planning Commission for review and recommendation and to the SEPA Responsible Official for review and threshold determination. Affirmed

Set a public hearing for October 4, 2004 to accept public comment on the docketed amendment Carlson

proposals. Affirmed

MANAGER’ S REPORT

Special Session

Council requested the Special Session on July 12, 2004 be held at the Council Chambers instead of the Hal Holmes Center.

COUNCILMEMBERS’ REPORTS

Councilmember Bassett attended a Campus and Community Coalition meeting and a Conference of Governments meeting.

Councilmember Collins attended an Energy Advisory Committee meeting.

Councilmember Lillquist attended a meeting with public health officials in Tacoma.

Councilmember O’ Brien attended a Campus and Community Coalition meeting and a Kittitas County Action Council Board meeting.

Mayor Barry attended a Conference of Governments meeting.

ADJOURN Adjourn at 10:40 p.m. Carlson Affirmed
Mayor

ATTEST: ______________________________ City Clerk