CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session
May 15, 2006

Date of Meeting
May 15, 2006
Time of Meeting
7:00 p.m.
Place of Meeting
Council Chambers, 501 North Anderson Street

ROLL CALL was answered by Councilmembers Barry, Bassett, Carlson, Lillquist, Niner, Perrie, and Mayor O'Brien.

Others present were City Manager Barkley; City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Senior Planner Smith; Parks and Recreation Director Case; Energy Services Director Titus; Public Works Director Akers; and approximately 12 members of the audience.

AWARDS AND RECOGNITIONS

The three police chief candidates, Phil Schenck, Mike Mitchell, and Dale Miller, introduced themselves.

AGENDA APPROVAL

Approve Agenda with the addition of Item 5.J – request for a noise ordinance waiver Barry from the CWU Residence Hall Association on May 19, 2006 from 10:00 p.m. to 12:00 a.m. and May 20, 2006 from 12:00 a.m. to 7:00 a.m. 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

A. Approve Minutes – May 1, 2006, Regular Session
B. Acknowledge Minutes of Boards and Commissions
   (1) Lodging Tax Advisory Committee – April 5, 2006
   (2) Parks & Recreation Advisory Commission – June 8, 2005; July 13, 2005; September 14, 2005; October 12, 2005; November 10, 2005; December 8, 2005; January 12, 2006; and February 9, 2006
B. Approve Request from Kittitas County Roping Club to Waive the Ambulance Fees on June 24 and 25, 2006 for the Junior Rodeo
C. Approve Request from Central Washington University to have a Medic Unit on Standby for the Commencement Exercises on June 10, 2006

D. Approve Street Closure Application for Alpha Kappa Psi for Fourth Avenue and Pine Street on May 20, 2006 from 8:30 a.m. to 4:00 p.m. for the Basketball Tournament

E. Approve the Ridgeview Plat – Phase 2 as Final and Authorize the Mayor to Sign the Plat and Approve the Findings of Fact and Conclusions of Law

F. Approve the Green Parks No. 5 Plat as Final and Authorize the Mayor to Sign the Plat and Approve the Findings of Fact and Conclusions of Law

G. Approve Noise Waiver Application from Central Washington University at Irene Rinehart Park on May 19, 2006 from 6:00 p.m. to 7:30 p.m.

H. Authorize the Mayor to Execute the Animal Shelter Agreement with Kittitas County

I. Approve May 15, 2006 Claims Fund Voucher Numbers 76948 Through 77181 in the Total Amount of $1,030,524.40; Payroll Fund Check Numbers 66223 Through 66388 in the total amount of $161,295.36 and Direct Deposit in the total amount of $122,135.45.

J. Approve Request for a Noise Ordinance Waiver from the CWU Residence Hall Association on May 19, 2006 from 10:00 p.m. to 12:00 a.m. and May 20, 2006 from 12:00 a.m. to 7:00 a.m. at the Samuelson Union Building. Affirmed

LETTER FROM HILARY SHEMANSKI, KQBE 103.1, REGARDING LIVE MUSIC AT IRENE RINEHART RIVERFRONT PARK

Parks and Recreation Director Case discussed the request from KQBE regarding live music at Irene Rinehart Riverfront Park.

Approve the request from KQBE for live music at Irene Rinehart Riverfront Park. Carlson

Affirmed

LETTER FROM JIM BAUNSGARD, UNITED WAY, REGARDING START UP FUNDING FOR THE 211 INFORMATION SYSTEM

City Manager Barkley discussed the letter from United Way regarding the start up funding for the 211 information system. Mr. Barkley recommended the City Council take the letter under advisement at this time and suggested a future presentation could be scheduled.

Council requested that a presentation be scheduled regarding the 211 information system at a future meeting.
PUBLIC HEARING – PROPOSED ORDINANCE – VACATION REQUEST FOR A PORTION OF WATER STREET SOUTH OF FIFTEENTH AVENUE

Mayor O'Brien opened the public hearing to consider the request for vacation of a portion of Water Street south of Fifteenth Avenue.

Public Works Director Akers summarized the agenda report.

Council asked questions of staff.

There being no further testimony, Mayor O'Brien closed the public hearing.

**Read for the first time, Ordinance No. 4442.** Lillquist

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. 4441 – LUFT ZONE CHANGE FROM INDUSTRIAL HEAVY TO COMMERCIAL TOURIST**

At the May 1, 2006 meeting, Council conducted first reading of Ordinance No. 4441 which enacts the Luft Zone Change of approximately 6.0 acres at 907 Hibbs Road from Heavy Industrial to Commercial Tourist.

**Read for the second time and adopt Ordinance No. 4441.** Carlson

An ordinance relating to zoning and amending Title 13 of the Ellensburg City Code by changing the zoning classification of certain property within the City of Ellensburg from Industrial Heavy (I-H) to Commercial Tourist (C-T) classification subject to certain conditions. Barry – yes

Bassett – yes

Carlson – yes

Lillquist – yes

Niner – yes

Perrie – yes

O'Brien – Abstain

Motion approved.
PROPOSED RESOLUTION FOR THE FINDINGS, CONCLUSIONS, AND DECISION SUPPORTING THE CASE/HANEY ZONE CHANGE AND PROPOSED ORDINANCE ENACTING THE CASE/HANEY ZONE CHANGE

Mayor O’Brien recused himself from the meeting. Mayor Pro Tem Carlson took over the meeting. The proposed resolution is for the findings, conclusions, and decision for the proposed Case/Haney Zone Change request from Commercial Highway (C-H) to Central Commercial II (CC-II) at 100 East Jackson Avenue and 101 East Mountain View Avenue at Pearl Street.

Approve Resolution No. 2006-14 with the following amendments: First line in Lillquist

Paragraph 1 to read the last name “Moultray” and the third bold line at the bottom of Page 62 to read “CASE/HANEY REZONE APPLICATION”. Affirmed

Read for the first time, Ordinance No. 4443. Barry

An ordinance relating to zoning and amending Title 13 of the Ellensburg City Code by changing the zoning classification of certain property within the City of Ellensburg from Commercial Highway (C-H) to Central Commercial II (CC-II). Affirmed

Mayor O’Brien returned to the meeting.

PROPOSED RESOLUTION – EXTEND PUGET SOUND ENERGY FRANCHISE AGREEMENT

The franchise granted to Puget Sound Energy in May of 1999 expires June 1, 2006. A 90 day extension of the existing agreement will provide staff the time to finalize a long term agreement.

Approve Resolution No. 2006-15. Carlson

Affirmed

PROPOSED RESOLUTION – EMERGENCY DECLARATION FOR WASTEWATER UTILITY VACUUM TRUCK REPLACEMENT

The proposed resolution declares an emergency for bid law suspension relating to replacement of the Wastewater Treatment Plant vacuum truck destroyed in the May 4, 2006 truck/train collision.

Adopt Resolution No. 2006-16. Carlson

Affirmed

AGREEMENT WITH NEC UNIFIED SOLUTIONS, INC. FOR I-NET EQUIPMENT MAINTENANCE

The City has secured a quote from NEC Unified Solutions, Inc. to provide maintenance support for the I-Net equipment at an annual cost of $14,447.94.
Authorize staff to issue a PO to NEC Unified Solutions, Inc. for maintenance of the I-Net Carlson equipment at a cost of $14,447.94 plus tax. Affirmed

MANAGER’S REPORT

Set a Public Hearing

Set a public hearing on June 19, 2006, to consider the Six-Year Transportation Improvement Barry Plan. Affirmed

Discussion Regarding Guidance on Projects in Lieu of Park Impact Fees

The Municipal Code allows park improvements to be made in lieu of park impact fees. Several individuals have approached the City about such projects.

Council requested staff bring back a proposed resolution at the next meeting regarding park impact fees.

COUNCILMEMBERS’ REPORTS

Councilmember Barry attended the Critical Areas Ad Hoc Committee meeting.

Councilmember Carlson made a statement in response to a Letter to the Editor regarding a Council Meeting.

Councilmember Lillquist requested that the information provided by the City Attorney regarding the SEPA Appeal process be placed on a future agenda.

Council discussed the proposed schedule for the Comprehensive Plan Update.

Keep the dates of the special meetings as published and docket the discussion items in sequence Lillquist with the addition of Economic Development after Transportation and Essential Public Facilities after Capital Facilities. Affirmed

Councilmember Niner attended a KITTCOM Board meeting.

Councilmember Perrie attended a Homelessness Coalition meeting and a Chamber Board meeting.

Mayor O’Brien attended the Auditor’s Exit Interview, the ribbon cutting at Wendy’s, and spoke to the Democratic Women’s Noon Club and the Kittitas County Republican Party about the Comprehensive Plan.
RECESS

Council recessed to executive session at 8:22 p.m. to discuss the price at which real estate will be sold, labor negotiations, and pending litigation for approximately 30 minutes. It was likely that Council would reconvene for action.

RECONVENE

At 8:40 p.m. Council returned to open meeting.

Based upon the advice of the City’s water law legal counsel, direct staff not to file an appeal of Carlson that portion of the Subbasin No. 9 Conditional Final Order filed in State v. Acquavella pertaining to the City of Ellensburg claim to Naneum Creek water, Claim No. 02085. Affirmed

At 8:41 p.m., Council returned to executive session to discuss the price at which real estate will be sold.

At 8:55 p.m., Council returned to open meeting.

Direct staff to accept the offer from buyers Joseph E. King, Sherry A. King, Carlson Mollie J. Edson and David C. Sinding to purchase old city hall at 420 N. Pearl St. for $300,000.00, subject to terms and conditions set forth in the Purchase and Sale Agreement from buyers. Affirmed

At 8:56 p.m., Council returned to executive session to discuss the price at which real estate will be sold.

At 9:03 p.m., Council returned to open meeting.

Direct staff to accept the offer from buyers Michael and Cami Bello to purchase 6.48 acres Carlson adjacent to Railroad Avenue at 735 Anderson Road for $240,000.00, subject to terms and conditions set forth in the Purchase and Sale Agreement from buyers. Affirmed

At 9:07 p.m., Council returned to closed meeting to discuss labor negotiations.

ADJOURN Adjourn at 9:20 p.m. Carlson

Affirmed

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Mayor

ATTEST: __________________________ City Clerk