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; Energy Services Director Titus; Community Development Director Witkowski; and approximately 12 members of the audience.

Agenda Approval

Approve agenda with Item 5.D – Award Bid Call 2006-29 – Community Solar Electric project Barry moved to 6.D.

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 – August 21, 2006, Regular Session

B. Acknowledge Minutes of Boards and Commissions

C. Approve Request from Chamber of Commerce to Close Pine Street between Third and Fourth Avenues and Fourth Avenue between Pearl and Pine Streets on September 19, 2006 from 1:00 p.m. to 6:00 p.m. for the “Bite of the Burg”

D. Accept Bid Call 2005-15 – Cured-In-Place Sewer Line Rehabilitation Project as Complete

E. Authorize Mayor to Sign Resolution 2006-32 that Approves the Findings of Fact and Conclusions of Law in Support of Council’s August 7, 2006 Approval of the Idaho Point Preliminary Plat

F. Authorize Mayor to Sign Resolution 2006-33 that Approves the Findings of Fact and Conclusions of Law in Support of Council’s August 7, 2006 Approval of the Willow Brook Preliminary Plat
G. Approve Change to a Two Phased Development Plan for the Meadows Preliminary Plat Subject to the Condition that the Applicant Meet the Requirements set forth in the Public Works Department Memo Dated August 24, 2006 in Addition to all Previously Imposed Conditions of Preliminary Plat Approval

H. Approve Extension of Collection Services Contract with Olympic Credit Services

I. Approve September 5, 2006 Claims Fund Voucher Numbers 78627 Through 78854 in the Total Amount of $641,005.47; Payroll Fund Check Numbers 67560 Through 67725 in the Total Amount of $172,071.85; and Direct Deposit in the total amount of $132,924.97. Affirmed

Boards and Commissions Introductions

Dorrance Denner spoke regarding her interest in serving on the Board of Adjustment.

Proposal from the Ellensburg Downtown Association for Bike Racks

Timothy Bishop and Tami Walton discussed the proposal from the Ellensburg Downtown Association for bike racks at the southeast corner of Pine Street and Fifth Avenue in front of Herbert Snowden Insurance and the northwest corner of Pearl Street and Third Avenue in front of the Oak Rail Tavern.

Approve the proposal from the Ellensburg Downtown Association for placement and design Carlson of the downtown bike racks. Affirmed

Letter from the Kittitas County Conservation District Requesting Consideration of a Petition for Exclusion of Lands Annexed into the City Since 1962

Consider petition for exclusion of territory within the Kittitas County Conservation District Carlson Amend to authorize the Mayor to sign the petition. Lillquist

Affirmed

Vote on main motion. Affirmed

Award Bid Call 2006-29 – Community Solar Electric Project

Bids were solicited to obtain a contractor to install a community grid-tied ground mounted 24KW solar photovoltaic System. The lowest responsible bid, submitted by George Bottcher, Earth Friendly Construction, is recommended for award.

Approve the awarding of the bid for Phase 1 of the Solar Project to the lowest responsible bidder, Niner

Earth Friendly Construction at a total contract price of $72,500 + tax. Affirmed
Authorize staff to solicit and collect contributions from city residents for the purpose of funding the Niner construction of Phase 2 of the solar project. Affirmed

Direct staff to collaborate with PUD and PSE for future solar projects. Niner

Amend “collaborate” to “continue informal discussions”. Niner

Council indicated that by consensus, they wished staff to continue discussions with PUD and PSE and if staff gets to a point where they are ready to write a contract, to bring it back to the Council.

Councilmember Niner withdrew the motion and amendment.

Defer the award of Phase 2 to the lowest responsible bidder, Earth Friendly Construction Niner pending collection of necessary funds from the public for financing of Phase 2. Affirmed

**Proposed Resolution - Growth Management Act Collaboration Grant Application**

The proposed resolution establishes the Council’s support of a grant application to the Washington Department of Community, Trade and Economic Development for $56,000 to develop an interlocal governmental agreement designed to regulate how urban development occurs within the unincorporated Urban Growth Area.

Approve Resolution No. 2006-34. Carlson

Affirmed

**Approval of July 31, 2006 Council Meeting Minutes – Designation of West Interchange Boundary**

At the August 21, 2006 regular meeting, the City Council asked staff to research the accuracy of the July 31, 2006 Council meeting minutes. Staff provided a transcript of the Council discussion and approval of the subject designation.

City Manager Barkley provided a revised definition of the West Interchange boundary as follows: from a point at the intersection of the BNSF Railroad right-of-way and the western city limits, as of this date, proceeding south along the existing city limit line until it intersects with the right-of-way for Interstate Highway 90, then proceeding south easterly until intersection with the southerly right-of-way boundary of the University Way right-of-way, then proceeding easterly to a point formed by the intersection of a line extending westerly from the south boundary of the Newhall property, then continuing easterly until said line intersects with the BNSF Railroad right-of-way, then continuing northwesterly along the southern edge of the BNSF Railroad right-of-way to the point of beginning.
Martin Kaatz discussed the West Interchange boundary.

Accept the definition and map that City Manager Barkley provided to the Council to be inserted into the minutes of July 31, 2006 for the designation of West Interchange boundary and approve minutes of July 31, 2006. Affirmed

**Council Discussion and Direction Regarding Councilmember Perrie’s Motion of August 7, 2006 Regarding Development of Regional Retail**

At the August 7, 2006 meeting, Councilmember Perrie read a statement regarding the proposed Comprehensive Plan and regional retail development and made the following motion: Direct staff to conduct a feasibility study regarding a proposed ordinance that would allow regional retail as a conditional use in the C-T and C-H Zones. The motion was seconded and approved by unanimous voice vote.

City Manager Barkley stated he is seeking clarification of the motion as to what actually was intended and discussed this with the City Council.

City Manager Barkley indicated that staff will develop proposed criteria and a process to follow regarding the motion and bring a proposal back to Council.

**Consideration of Agreement with Kittitas County to Provide Library Services for 2006**

Authorize Mayor to sign the agreement with Kittitas County for library services with the following changes: 2) Compensation – Payment shall be made one half in September and one half in December; and County residents who reside in an unincorporated area of the County may obtain a library card from the City, with no additional library card fee for the balance of 2006, allowing them to borrow or check out library materials at the Ellensburg Public Library. Affirmed

**Request from Councilmember Carlson Pursuant to RCW 4.96.041(3) for Funding for Defense in Judicial Hearing to Determine Sufficiency of Recall Charge**

Councilmember Carlson discussed her request for the City to pay the necessary expenses for defense council in a judicial hearing to determine the sufficiency of a petition of recall filed against her by Don D. Davis.

Councilmember Carlson left the meeting during the discussion of her request.

Grant Councilmember Carlson’s request for attorney fees not to exceed $5,000. Barry

Affirmed (Lillquist – no)

Councilmember Carlson returned to the meeting.
MANAGER'S REPORT

2007 Budget Process

Set the following special meetings at 7:00 p.m. for budget review: October 4, 2006 – Revenues, Carlson

Finance, City General, City Manager; October 9, 2006 – Public Works; October 10, 2006 – Energy Services and Community Development; October 18, 2006 – Fire, Police; and October 23, 2006 – Parks and Rec., Library, Council Funded Programs. Affirmed

COUNCILMEMBERS' REPORTS

Councilmember Barry attended the City/County Breakfast and Critical Areas Ordinance Committee meeting.

Councilmember Bassett attended the Clymer Museum celebration.

Councilmember Carlson attended the City/County Breakfast.

Councilmember Niner attended the Clymer Museum celebration.

Mayor O’Brien attended the City/County Breakfast.

RECESS

Council recessed to executive session at 10:00 p.m. to discuss labor negotiations. Council did not anticipate taking any action.

ADJOURN Adjourn at 10:07 p.m. Carlson

Affirmed

________________________________
Mayor

ATTEST: _____________________________ City Clerk