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; Community Development Director Witkowski; Public Works Director Akers; Finance Director Ariwoola; Planning Associate Eyerly; Senior Planner Smith; Police Chief Miller; and approximately 40 members of the audience.

Awards and Recognitions

Scott Sackett, Central Regional Branch Archives, and Julie Woods, Grant Program Coordinator presented a ceremonial check to the city for the local records grant that was awarded to the City in the amount of $5,295.

Agenda Approval

Motion to amend Agenda Item 5.H – The Canterberry Estates Final Plat Findings of Fact as follows:
Carlson

Page 51 – Item 9 – change date to November 5, 2007
Page 52 – Item 10 – change date to November 5, 2007
Page 52 – last sentence – change approval date to the 5th day of November, 2007. Affirmed

Motion to approve the agenda as amended. Carlson

Council requested that the minutes of October 17, 2007 be amended to reflect the discussion after the public hearing about some council members meeting with Lamb representatives.

Motion to remove the October 17, 2007 minutes from the Consent Agenda for corrections Barry

and additions. Affirmed

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.

Motion to approve the Consent Agenda as follows: Carlson

A. Approve Minutes – October 8, 2007, Special Session Approve Minutes – October 15, 2007, Regular Session B. Acknowledge Minutes of Boards and Commissions

(1) Arts Commission – September 11, 2007
(4) Cable Television Commission – September 19, 2007

C. Authorize Mayor to Sign Street Use Permit for 203 South Pearl Street – Stalder Interests, Inc.

D. Accept Property Dedications from Property Owners Fronting Chestnut Street Between Spokane and Hobert Avenues

E. Accept Resignation from Ron Breckon, Parks and Recreation Commission and Authorize Mayor to Sign a Letter of Appreciation

F. Approve Street Closure Application from Chamber of Commerce for Moments to Remember Downtown Lighting Ceremony for Pearl Street from Third to Fifth Avenues and Fourth Avenue from Alley to Pine Street on November 23, 2007 from 5:00 p.m. to 8:00 p.m.

G. Approve Street Closure Application from Andrew Lyons, Hospice Friends for Tree of Love Ceremony of Remembrance for Third Avenue from Ruby to Pearl and Pine Street from Fourth Avenue to the middle of the 200 Block on December 7, 2007 from 5:45 p.m. to 6:30 p.m.

H. Approve the Canterberry Estates Plat – Division II – Phase 3 as Final and Authorize the Mayor to Sign the Plat and Findings of Fact and Conclusions of Law

I. Approve November 5, 2007 Claims Fund Voucher Numbers 85348 Through 85603 in the Total Amount of $1,591,101.34; Payroll Fund Check Numbers 71429 Through 71553 in the Total Amount of $130,513.68; Direct Deposit in the Amount of $119,701.47; and Electronic Fund Transfer of $5,682.50. Affirmed

**Boards and Commissions Applications**

Noah Goodrich spoke regarding his interest in serving on the Planning Commission.

**Letter from Pat Kelleher Regarding Council Chambers**
The letter from Pat Kelleher regarding maps in the Council Chambers was acknowledged.

Council directed staff to bring back a report on the maps that are requested.

Council discussed other correspondence.

A letter was received in Friday mail from Boy Scout Troop 482 asking if the City needed any projects done.

Council referred the letter to staff to come up with possible projects.

A letter was received tonight from Gendler & Mann, LLP, Larry Nickel, and Fabian Kuchin.

Council recessed to executive session at 7:20 p.m. to discuss potential litigation.

Council returned to the regular meeting at 7:35 p.m.

Council acknowledged receipt of the letter from Gendler & Mann, LLP, Larry Nickel, and Fabian Kuchin.

Citizen Comment on Non-agenda Issues

Rick Cole, 660 Southridge Drive, submitted a letter regarding comments for Swinomish vs. Skagit County, the Growth Management Act review requirements, and proposed Critical Areas Ordinance.

Martin Kaatz, speaking as a member of the Downtown Task Force, submitted comments regarding the Task Force’s memo of 10/25/07.

Larry Nickel, 317 ½ N. Pearl #1, spoke about the Landmarks and Design Commission’s agenda for November 6, 2007.

Public Hearing – Proposed Ordinances – 2008 Tax Levy

Mayor O’Brien opened the public hearing to consider the proposed ordinances related to the 2008 property tax levy.

Finance Director Ariwoola summarized the agenda report.

Larry Nickel, 317 ½ N. Pearl #1, speaking for himself, stated he believes this tax levy is excessive and the downtown property owners expect a 15-20% increase in valuation. He also objects to the annexation policies. He suggested the Council look at the B&O tax.

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

Motion to read for the first time, Ordinance No. 4498. Carlson

AN ORDINANCE of the City of Ellensburg, Washington, certifying the fiscal year 2008 property tax
levy. Affirmed

**Motion to read for the first time, Ordinance No. 4499.** Carlson

AN ORDINANCE of the City of Ellensburg, Washington, levying taxes for municipal purposes of the City of Ellensburg, Washington, for the year 2008 according to the assessed valuation as determined in the year 2007 in accordance with RCW 84.55.120. Affirmed

**Ordinance No. 4497 – Regional Retail Commercial Land Uses**

Council gave Ordinance No. 4497 first reading at the October 17, 2007 meeting. Per Council direction, staff has provided additional language for possible amendments to the ordinance.

Motion to go back and approve the minutes of October 17, 2007. Perrie

The motion was withdrawn.

Motion to go back to the minutes of October 17, 2007 and correct the minutes. Perrie

The motion was withdrawn.

Motion to approve the minutes of October 17, 2007 which will come back at a later date Carlson amending the declarations that were made that night. Affirmed

Motion to amend Ordinance No. 4497 to include the following language: Carlson

**13.24.041 Regional Retail Commercial Boundaries.**

The designated boundaries of the regional retail commercial areas are shown on “Map A - South Interchange” and “Map B – West Interchange” which are attached to the ordinance codified in this chapter and incorporated by reference. Affirmed

Motion to amend Ordinance No. 4497 to include the following language: Carlson

A. A completed application form, which includes a title and location of the proposed development, together with the names, addresses and telephone numbers of the recorded owners of the land and the applicant, and if applicable, the name, address and telephone number of any architect, planner, designer or engineer responsible for the preparation of the plan, and of any authorized representative of the applicant and payment of a $1,000 processing fee. Affirmed

**Motion to read for the second time and adopt Ordinance No. 4497 as amended.** Carlson

AN ORDINANCE of the City Council of the City of Ellensburg, Washington relating to regulations allowing the development of general retail commercial land uses in the City of Ellensburg; amending the following sections of the Ellensburg Municipal Code: 1.45.460, 1.45.540, 4.38.060, 13.22.20,

Barry (yes)
Bassett (no)
Carlson (yes)
Lillquist (no)
Niner (no)
Perrie (yes)
O’Brien (yes)

Motion approved.

Motion to delay implementation of ordinance until after adoption of critical areas ordinance. Niner
Barry (no)
Bassett (yes)
Carlson (no)
Lillquist (no)
Niner (yes)
Perrie (no)
O’Brien (no)

Motion defeated.

**Ordinance No. 4495 - Klein & Sullivan Annexation – South of Capitol Avenue Between Locust and Oak Streets**

Council gave first reading to Ordinance No. 4495 at the October 15, 2007 meeting. The proposed ordinance annexes property south of Capitol Avenue between Locust and Oak Streets.

**Motion to read for the second time and adopt Ordinance No. 4495.** Carlson

An ordinance annexing certain territory to the City of Ellensburg, Washington, and assigning Residential Medium (R-M) zoning classification.
Barry (yes)
Bassett (yes)
Carlson (yes)
Lillquist (yes)
Niner (yes)
Perrie (yes)
O’Brien (yes)
Motion approved.

Ordinance No. 4496 – 2007 Supplemental Budget

The proposed ordinance provides for supplemental appropriations and revenues in various funds. Council gave Ordinance No. 4496 first reading at the October 15, 2007 meeting.

Motion to amend Ordinance No. 4496 as follows: Carlson

Strike 016/5212035 Motorcycles, Training, Equip. $8,800
Change 010/5080000 Ending Fund Balance from $124,170 to $115,370. Affirmed

Motion to read for the second time and adopt amended Ordinance No. 4496. Carlson

AN ORDINANCE amending the 2007 Annual Budget of the City of Ellensburg, as set forth in Ordinance No. 4460, to provide additional revenues and appropriations in the General Fund, Arterial Street, Sales Tax Reserve, Fire Vehicles, Risk Management, Capital Projects, Light, Gas, Information Technology, Library Trust Fund and Hal Holmes Trust Fund.

Barry (yes)
Bassett (yes)
Carlson (yes)
Lillquist (yes)
Niner (yes)
Perrie (yes)
O’Brien (yes)
Motion approved.
Proposed Ordinance – Helena Avenue Local Improvement District Bonds

The proposed ordinance is to authorize the issuance of the Helena Avenue Local Improvement District (LID) bonds and the sale of the bonds to Cashmere Valley Bank to repay the bank loan and a portion of the City’s contribution to the construction costs.

Motion to read for the first time, Ordinance No. 4500. Carlson

AN ORDINANCE relating to Local Improvement District No. 2004-1; fixing the amount, form, date, interest rates and maturity of the Local Improvement District No. 2004-1 Bonds; providing for the sale and delivery thereof to Cashmere Valley Bank in Cashmere, Washington; and fixing the interest rate on Local Improvement District No. 2004-1 assessment installments. Affirmed

Proposed Resolution – CERB Loan – Ellensburg Business Development Authority

The proposed resolution is between Kittitas County and the City to assume any financial obligations should Ellensburg Business Development Authority be unable to meet the annual CERB loan payments.

Motion to adopt Resolution No. 2007-39. Bassett

Affirmed

Council consensus was to direct staff to draft a memorandum of understanding with Kittitas County for cost sharing.

Proposed Resolution - Bequests from Dora Cissell and Anna B. Shuck

The Library Board requests the acceptance of bequests from the estate of Dora Cissell for $23,573 and from the estate of Anna B. Shuck for $6,360.79 for the Library Trust Fund.

Motion to adopt Resolution No. 2007-40. Carlson

Affirmed

Proposed Resolution – Regional Retail Sales Tax Dedication

The proposed resolution expresses the intent of the City Council to dedicate a portion of the net sales tax proceeds generated on property developed under the authority of Ordinance No. 4497 as incorporated into the Ellensburg Municipal Code.

Motion to adopt Resolution No. 2007-41. Carlson

Affirmed
Proposed Resolution – Princeton Server Group Sole Source Resolution

The City needs to purchase a digital media server and associated equipment in order to continue the reliable operation of ECTV. CWU is under contract with the City for operation of ECTV and the University has standardized products from Princeton Server Group for digital media servers. In order to comply with State bid law, the City Council needs to adopt a sole source resolution.

Motion to adopt Resolution No. 2007-42. Carlson

Affirmed

Downtown Crime Prevention Project Results

In September, the Police Department sought Council approval to conduct a downtown crime prevention test project. Chief Miller discussed the results of the test project.

Manager’s Report

Request to Set Public Hearing

Motion to set a public hearing on November 19, 2007 for the annual Comp. Plan Perrie amendments relating to the 6-Year Capital Facility Plan updates. Affirmed

Utility Rates and Fees

Motion to set a public hearing on November 19, 2007 to consider rate adjustments in Barry Water, Sewer, and Gas Utilities. Affirmed

Cancellation of Special Meeting

Motion to cancel the November 7, 2007 special meeting. Carlson

Affirmed

Council discussed the proposed Critical Areas Ordinance and options to direct the committees’ work.

Council directed staff to ask the commissions that the draft Critical Areas Ordinance was referred to, to bring back their opinions about what the problem areas are to Council.

RECESS

Council recessed to executive session at 9:50 p.m. to discuss litigation for approximately 10 minutes. Council did not expect to reconvene to take action.

Council returned to open meeting at 10:00 p.m.
**ADJOURN** Motion to adjourn at 10:01 p.m. Carlson

Affirmed

__________________________________________

Mayor

ATTEST: ________________________________

City Clerk