CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting
February 4, 2008

Time of Meeting
7:00 p.m.

Place of Meeting
Council Chambers, 501 North Anderson Street

ROLL CALL was answered by Councilmembers Bassett, Bottcher, Miller, Niner, O’Brien, Tabb, and Mayor Lillquist.

Others present were City Manager Barkley; City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Community Development Director Witkowski; Planning Associate Eyerly; Energy Services Director Titus; Public Works Director Akers; and approximately 20 members of the audience.

Agenda Approval

Motion to approve the agenda with the following changes: 1) Move Item 5.E – Interlocal

Agreement with Kittitas County for GIS services to 11.A; 2) Move Item 5.G – Cost Allocation Agreement with Grant County PUD No. 2 to 11.B; and add to the Consent Agenda, the approval of a request from Spirit of the West Cowboy Gathering for temporary signs from February 14-17, 2008. 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: Miller

A. Approve Minutes – January 22, 2008, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Environmental Commission – December 19, 2007

C. Authorize City Manager and Public Works Director to Execute the Contract with EMC for Mountain View Avenue/Ruby Street Improvements Construction Inspection Services

D. Authorize Mayor to Execute Fuel Tax Agreement and Authorize Mayor and Finance Director to Execute Project Funding Status Form for Dolarway Improvements Project

E. Authorize Mayor to Sign Contract Amendment #5 with Central Washington University for Operation of Ellensburg Community Television
F. Authorize the Mayor, City Manager, and City Attorney to Execute all Documents Necessary to Accomplish the Water Reservoir Property Exchange

G. Accept Bid Call 2007-30 - Tree Pruning Contract with Asplundh Tree Expert Company as Complete and Approve Supplemental Budget Request for $823.60

H. Approve February 4, 2008 Claims Fund Voucher Numbers 86659 Through 86879 in the Total Amount of $1,165,816.69; Payroll Fund Check Numbers 73152 Through 73265 in the Total Amount of $124,787.20; Direct Deposit in the Amount of $125,117.10; and Electronic Fund Transfer of $5,682.50

I. Approve Request from Spirit of the West Cowboy Gathering for Temporary Signs from February 14-17, 2008 Affirmed

**Boards and Commissions Applications**

Mayor Lillquist stated she will postpone introductions for the Ellensburg Business Development Authority Board until next month.

Gabrielle Stryker and Robert Tomlinson spoke regarding their interest in serving on the Environmental Commission and Arts Commission.

**Memorandum from Environmental Commission Regarding Action Taken at January 16, 2007 Meeting**

Council discussed the memorandum from the Environmental Commission requesting Council consider accepting additional out of city applicants to sit on the Commission.

Motion to direct staff to bring an ordinance back to the Council that would amend the Bottcher constitution of the Environmental Commission so the residency requirement would be four members within the County, two of which must reside in the UGA. Affirmed (Miller – no)

Council also asked staff to return to the next meeting with the residency requirements for each of the commissions and the enabling legislation so Council can review that as well.

**Letter from Mark McClain, Chairman, Kittitas County Board of Commissioners Re: City/County Breakfast**

Council discussed the letter from Mark McClain requesting to suspend the City/County Breakfast.

Motion to suspend the meetings with the County for the last Friday of the O’Brien month and direct staff to send a letter of thanks to the Commissioners for their time. Affirmed

**Proposed Resolution – Annual Comprehensive Plan Amendment Process**
The City’s adopted annual Comprehensive Plan amendment process begins in July. Last June, Council passed a resolution which amended the amendment process to have it begin in April and end by August 31. Council has now directed staff to prepare a resolution to amend the 2008 amendment process to return to the normal process with docketing in July and final action by December 31.

Motion to authorize the Mayor to sign Resolution No. 2008-05. Miller

Affirmed

**Proposed Resolution – Stormwater Management Program Development Public Participation Plan**

A resolution has been prepared for Council’s consideration that outlines a possible public participation process for development of the City’s Stormwater Management Program.

Motion to authorize the Mayor to sign Resolution No. 2008-06. Miller

Affirmed

**Critical Areas Ordinance – Process Discussion**

Staff presented completed and proposed work items for the public review and development of Critical Areas Ordinance amendments.

Mayor Lillquist recommended and the Council consented to the following appointments to the Critical Areas Committee: Chairperson of the Landmarks and Design Commission; David Wheeler; Mitch Williams; Doug Mitchell; Tom Wellock (alternate); Bob Witkowski; Mike Smith (alternate); Councilmember Miller; and Councilmember Niner as the Chair. The mission of the Committee is to create a new draft ordinance incorporating the Committee’s recommended changes and all comments received by the end of February to the City.

Councilmember Niner outlined the proposed process of the Committee as follows: In the first phase, whoever wants to speak can speak. After everyone has expressed their viewpoints, they will ensure all perspectives have been heard and understood. They will then provide additional information based on what was said in people’s statements. After that, they will have a fairly broad view of the situation and they will have several issues that will need to be addressed. At that time, they will create an agenda of those issues and the Committee will work through each of those issues. They will probably decide to start with the draft that they have and each issue that has been identified will be inserted into that draft and identified towards the end of February.

The meetings will be held on Wednesdays at 6:30 p.m.

**Authorize Mayor to Sign Interlocal Agreement with Kittitas County for GIS Services**
Staff has negotiated with the County to share Geographic Information Services (GIS) resources to save money and improve work efficiency for City staff. The proposed Interlocal Agreement provides the details for the arrangement, which would allow the City to share GIS hardware and software and receive technical support at a cost of $12,000 a year.

Council discussed that the City needs to develop a GIS data group with the University and other users on the I-Net to include the County and City, and needs to look at an agreement with all cooperating parties for the actual data.

Motion to authorize the Mayor to sign the Interlocal Agreement with Kittitas County for GIS services. Tabb

Affirmed

**Authorize Mayor to Sign the Cost Allocation Agreement with Grant County PUD No. 2**

In a few years, the City will likely need to arrange for purchases of electricity in the open market or from BPA at market rates. A group of utilities has been discussing the feasibility of joining together for this purpose and under the leadership of Grant County PUD, has arranged for consultants to look in some detail at the pros and cons of such a joint enterprise. The City’s share of the cost is $5,000.

Motion to authorize the Mayor to sign the Cost Allocation Agreement Miller

with Grant County PUD No. 2. Affirmed

**Kittitas Valley Fire & Rescue - Washington Survey and Ratings Bureau Report**


**Downtown Code Compliance and Template Program Proposal**

Timothy Bishop discussed the Downtown Code Compliance and Template Program proposal. Last November, the Ellensburg Downtown Association (EDA), in cooperation with the City, brought in a team of architects and preservation professionals to work with City officials and downtown property owners to identify challenges related to rehabilitation and restoration of historic structures downtown. Involved property owners, City staff and EDA all agree that the next step is to develop a code compliance template that can be used by both owners and staff, including strategies permitted under the applicable codes to effectively create compliance projects that are safe, attractive and cost effective.

Motion to approve the expenditure of $20,000 for the development of the code compliance O’Brien template through the Ellensburg Downtown Association. Affirmed
Motion to direct staff to prepare an agreement with EDA for Council’s consideration O’Brien
and approval. Affirmed

**Critical Areas Ordinance – Process Discussion**

Community Development Director Witkowski requested that Council go back to the Critical Areas
Ordinance process discussion and adopt the public participation plan.

Motion to adopt the text on Pages 88 and 89 of the agenda – February ’08 to April ’08 Tabb
as the public participation plan for the Critical Areas Ordinance with the understanding that the Critical
Areas Committee can expand that participation plan as they wish. Affirmed

Council took a brief recess at 8:57 p.m. and returned at 9:05 p.m.

**MDJ Development’s Request to Utilize Single Family House for a Temporary Construction and
Sales Office**

MDJ Development has requested permission to utilize a single family house in the Meadows Plat
north of Bender Road as a temporary construction and sales office for approximately 18-24 months.
There is no specific code provision addressing this request, so staff is requesting Council direction.

Motion to direct staff to construct some optional language to clarify Section 6.50.24 of the O’Brien
Ellensburg Municipal Code regarding accessory uses. Affirmed

**Notice of Intention to Commence Annexation - Driver & Gunderson, North Pfenning Road**

The City has received a request for annexation from Pamela Driver and James Gunderson for a tax
parcel located on North Pfenning Road. At this first meeting, the City must identify that area which will
be considered for annexation by the Council in a subsequent public hearing.

1. Confirm the City’s intent to consider the Notice of Intent to Commence Annexation Miller
Proceedings from Pamela J. Driver and James A. Gunderson.

2. Set the annexation area under consideration as the one 2.51 acre parcel legally described as Lot A,
of PFENNING ROAD SHORT PLAT, and approximately 275.10 feet of Pfenning Road right-of-way
which abuts the west boundary of said lot.

3. Require the property’s use to comply with the City’s Comprehensive Plan and Zoning Code.

4. Require the assumption of the parcels’ share of City indebtedness and any LID or public utility
installation costs in which they did not originally participate.
5. Designate the land use zoning as Residential Suburban (R-S).

6. Schedule March 17, 2008 for a public hearing to hear public comment and possible first reading of an ordinance approving the Driver & Gunderson Annexation. Affirmed

Discussion Regarding County Land Use Advisory Committee Preliminary Recommendations

Staff has provided draft comments regarding the preliminary recommendations for rural land use policies from a County Land Use Committee.

Motion to direct staff to prepare a letter for the Mayor’s signature to the Board of County Tabb Commissioners reinforcing the concept of the rural transition zones and also emphasizing shadow platting and the preservation of arterial rights-of-way. Affirmed

Discussion Regarding Options for Action Regarding Regional Retail, Ordinance No. 4497

Staff has provided an explanation of procedural requirements associated with the options requested by Council regarding possible repeal, amendment or application of a moratorium to Ordinance No. 4497, implementing the Comprehensive Plan general retail commercial land uses. Staff has also prepared a draft ordinance that would repeal Ordinance No. 4497 in its entirety.

At its regular meeting of January 22, 2008, Council directed staff to place a draft ordinance on the agenda which would repeal in its entirety Ordinance No. 4497. Subsequently, at the January 25, 2008 council retreat, discussion ensued regarding other options and staff was directed to include the options of amending the ordinance, as well as establishing a moratorium on receiving new master site plan applications under the current Ordinance No. 4497. These options are not necessarily mutually exclusive.

In summary, the three options referenced in the agenda report are as follows:

1. Repeal Ordinance No. 4497 in its entirety through adoption of an ordinance. Council would then immediately begin the process of considering the comprehensive plan policies and develop language for a new draft ordinance implementing general commercial retail uses. If the content of the newly drafted ordinance requires changes to the existing comprehensive plan policies, those changes would also be considered by Council. Staff would process any application received to date under the new ordinance as required by law.

2. Retain Ordinance No. 4497 in effect while starting a process to review the ordinance provisions and develop amendatory language to the substantive provisions of the ordinance as they now exist. As with option #1, if the amendments require changes to the comprehensive plan policies, those changes would be part of this review and decision-making process.

3. Pass a moratorium, by ordinance, which would allow a specified time, not to exceed an initial
period of six (6) months, for review and decision-making on amendments to the current Ordinance No. 4497, during which time no new applications for master site plans would be accepted by the City.

T. J. Marsh, Beverly Heckart, Colin Condit, and Torrey Wing spoke regarding the proposed options for action regarding Ordinance No. 4497

Motion to direct the City Attorney to embark on the four step process with AWC to explore Tabb a moratorium of new applications under Ordinance No. 4497.

Motion to amend the motion to ask staff to pursue options one and three simultaneously Miller and report back to the Council at the next meeting. Bassett (yes)

Bottcher (yes)

Miller (yes)

Niner (yes)

O’Brien (no)

Tabb (yes)

Lillquist (no)

Motion approved.

Vote on main motion. Affirmed (O’Brien - no)

Manager’s Report

Special Meeting

Motion to schedule a special meeting for February 11, 2008 to discuss Miller Economic Development. Affirmed

Councilmembers’ Reports

Councilmember Bottcher attended the AWC City Legislative Action Conference.

Councilmember Miller attended a Land Use Advisory Committee meeting.

Councilmember Niner stated she would like to see the Yard of the month awards this year.

Councilmember O’Brien stated he would like staff to establish a special meeting with the Cable T.V. Commission and CWU to discuss Channel 2 funding.
Council directed staff to enter into discussions with the Cable T.V. Commission on a date for a special meeting.

Councilmember Tabb gave a report on the Hope Source Board. He would also like the Council to meet with the School Board to discuss the School District’s Strategic Plan.

Mayor Lillquist stated she will be submitting an editorial to the Daily Record regarding the discussion that took place at the Council’s Retreat.

**ADJOURN** Motion to adjourn at 11:29 p.m. O’Brien

Affirmed

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Mayor

ATTEST: __________________________

City Clerk