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

Others present were City Manager Barkley; City Clerk Reno; Executive Assistant Gigstead; City Engineer Lyyski; Community Development Director Smith; Associate Planner Eyerly; and approximately 10 members of the audience.

**Agenda Approval**

Motion to move Item 5.D – OPEIU Local N. 8 Agreement to 11.C. Miller

Affirmed

Mayor Lillquist advised that under the Manager’s Report, there will be some discussion regarding the Planning Commission's recommendations for the Light Industrial Zone and the SEPA review.

Approve agenda as amended. Miller

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 – July 21, 2008, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Cable Television Commission – May 21, 2008 and June 18, 2008

(2) Downtown Task Force – June 26, 2008

(3) Lodging Tax Advisory Committee – April 2, 2008; May 7, 2008; and June 4, 2008

(4) Utility Advisory Committee – April 17, 2008 and May 15, 2008
C. Approve University Way Banner Request for Yakima River Clean-up from September 15, 2008 to October 6, 2008

D. Authorize Mayor to Sign the Exhibit B to the Base Agreement for the Purchase and Sale of Natural Gas with Shell Energy North America, L.P.

E. Approve Junior Rodeo Parade Route on August 16, 2008

F. Authorize Mayor to Sign Resolution 2008-27 that Approves the Findings of Fact and Conclusions of Law in Support of Council’s July 21, 2008 Approval of the Prairie Vista Preliminary Plat

G. Authorize Mayor to Execute Street Use Permit for Robert Kelley at 700 E. University Way

H. Approve August 4, 2008 Claims Fund Voucher Numbers 89241 Through 89437 in the Total Amount of $939,591.79 and Payroll Fund Check Numbers 74581 Through 74701 in the Total Amount of $130,820.51; Direct Deposit in the Amount of $137,823.41; and Electronic Fund Transfer of $5,432.50. Affirmed

Boards and Commissions Applications

Karl Maier spoke regarding his interest in serving on the Senior Citizens Advisory Committee.

Letter from Desmond Knudson Regarding Ellensburg Business Development Authority and Economic Development Group of Kittitas County

The letter from Desmond Knudson was acknowledged.

Memorandum from Cable TV Commission Regarding a Request for a Special Meeting

The Cable TV Commission is requesting a special meeting with Council on September 22, 2008.

Motion to set a special meeting on September 22, 2008 with the Cable TV Commission. O’Brien Affirmed

Council requested all board and commission minutes be submitted in a timely manner.

Letter from Chamber Cowboys Regarding the XX (Double Cross) Ordinance and Request for Street Closures

Motion to adopt Resolution No. 2008-28 and approve the street closure of Pearl Street Miller

Between 3rd and 5th from 4:00 a.m. to 11:00 a.m. and Fourth Avenue between Main and Pearl Street from 6:00 a.m. to 11:00 a.m. on August 16, 2008. Affirmed

Public Hearing - Proposed Ordinance – Vacating Right of Way Adjacent to 700 North Willow
Mayor Lillquist opened the public hearing to consider a vacation request for right of way adjacent to 700 North Willow Street.

City Engineer Lyyski summarized the agenda report. A document was handed out this evening that was submitted by Rob Sullivan. Council may wish to refer the document to the City Attorney for review.

Rob Sullivan, 700 North Willow, stated the right of way is surplus and has existed for 60 years since it was platted. When they first contacted Public Works about this right of way, it did not even show up on the map. No one is using the right of way and there are no improvements. No one could tell them when or if this right of way will ever be used. Mr. Sullivan discussed the document he submitted titled “Waiver of Remonstrance”.

Council asked questions of staff and the applicant.

There being no further testimony, Mayor Lillquist closed the public hearing.

Motion to deny the vacation request for right of way adjacent to 700 N. Willow St. Miller

(Defeated – Bottcher, Niner, O’Brien, Tabb – no)

Motion to continue the public hearing and allow the city attorney to review the street waiver Bassett document. (Affirmed – Miller, Lillquist – no)

Public Hearing- Wollen Utility Extension Agreement and Agreement Waiving Right to Protest LID and Annexation

Mayor Lillquist opened the public hearing to consider the Wollen Utility Extension Agreement and agreement waiving right to protest LID and annexation.

Associate Planner Eyerly summarized the agenda report.

Council asked questions of staff.

There being no further testimony, Mayor Lillquist closed the public hearing.

Motion to authorize Mayor to sign the Utility Extension Agreement. O’Brien

Motion to table the motion to a later time in this meeting to allow City Manager Barkley Miller to review the Utility Code. (Affirmed – Tabb – no)

Public Hearing - Proposed Ordinance – Amendments to the Klein and Sullivan Annexation –
Ordinance No. 4495

Mayor Lillquist opened the public hearing to consider the proposed ordinance for amendments to the Klein and Sullivan Annexation – Ordinance No. 4495.

Associate Planner Eyerly summarized the agenda report.

Council asked questions of staff.

There being no further testimony, Mayor Lillquist closed the public hearing.

Mayor Lillquist read the letter from Tamsin Swain, 1504 E. Washington Avenue, handed out this evening along with a draft response letter from Brandi Eyerly.

Motion to read for the first time, Ordinance No. 4521. Tabb

Affirmed

Motion to waive Section 1.4.54 of Council procedures and give second reading and O’Brien adoption of Ordinance No. 4521. Bassett - yes

Bottcher – yes

Miller – yes

Niner – yes

O’Brien – yes

Tabb – yes

Lillquist – yes

Motion approved.

Proposed Ordinance – Traffic Code Revisions

The proposed ordinance reflects various changes generated by requests and new developments on the street system.

Motion to read for the first time, Ordinance No. 4522. Tabb

AN ORDINANCE of the City Council of the City of Ellensburg, Washington, relating to the Chapter 8 “Traffic” and amending subsections 8.10.020, 8.12.020, 8.22.020, 8.36.120 and 8.36.040. Affirmed

Public Hearing- Wollen Utility Extension Agreement and Agreement Waiving Right to Protest
**LID and Annexation**

Motion to untable the motion that is on the floor regarding the Wollen Annexation. Miller

Affirmed

Motion to reopen the public hearing. Miller

Affirmed

City Manager Barkley stated the Council specifically requested information regarding whether or not there was a rate differential between utilities inside the city versus utilities outside the city. He has researched it, and in December when the Council adopted a new rate schedule, the rates were adjusted so that utility rates were the same inside and outside the City.

Council asked questions of staff.

The motion on the floor was withdrawn.

Motion to continue the public hearing until information comes back from the City Bassett Attorney regarding the legality of the request. Affirmed

**Proposed Resolution – Establishing Public Hearing for Vacation of a Portion of Water Street South of 15th Avenue**

The proposed resolution sets September 2, 2008 as a public hearing date to consider vacation of a portion of the west side of Water Street located south of Fifteenth Avenue.

Motion to adopt Resolution No. 2008-29. Miller

Affirmed

**Best Available Science Review**

A draft scope of services and contract for a consultant study of the proposed Aquatic and Wildlife Habitat and Wetlands standards along with a list of consultants currently on the Public Works 2008 Consultant Roster is presented for Council’s consideration.

Council gave the following direction to staff:

1) Task 2: remove the first paragraph;

2) Task 2: change the second paragraph to add after built environment “and affects of past agricultural practices”;
3) Task 4: change the first paragraph to add after standards “expressed in distances if possible”;

4) Task 5: change the first paragraph to add before requirements “GMA”.

Motion to direct staff to approach ESA Adolfson and/or OTAK with this scope of O’Brien
work and negotiate a contact to be brought back to Council. Affirmed

Motion to direct staff to prepare a brief letter for the Mayor’s signature to invite the Miller
College of Sciences to discuss the best available science repository with the City. Affirmed

Council took a brief recess at 9:21 p.m. and returned to the meeting at 9:31 p.m.

Public Participation Plan – Draft Discussion

Staff has been working with Councilmember Miller to draft a new Public Participation Plan that will be
followed for GMA actions, as well as serve as the City’s general Public Participation Plan for all of its
activities.

Council discussed the proposed Public Participation Plan.

Councilmember Miller will do some modifications to the plan with comments she has heard tonight
and will send it to Mike Smith for editing and then it will be brought back to Council.

October 1, 2007 through September 30, 2010 Labor Agreements with OPEIU Local No. 8

Council asked questions about the upgrade of Brandi Eyerly from Associate Planner to Planner and
the duties of the position.

Motion to approve the October 1, 2007 through September 30, 2010 labor agreements Bassett
with OPEIU Local No. 8, and authorize the Mayor and City Manager to sign the agreements, including
a letter of understanding. Affirmed

MANAGER’S REPORT

Mountain View Avenue – Irrigation and Landscaping

Derek Mayo has provided information on the cost of irrigating frontage that was not included in the
original stormwater swale irrigation plan on Mountain View Avenue.

Motion to direct staff to place fabric and washed rock as the default unless the landowner Miller
requests hydrosedewing. Affirmed (O’Brien, Tabb – no)

Light Industrial Zoning SEPA Review Timeline
Motion to expedite the SEPA review for Light Industrial zoning amendments to a Tabb
14 day review. Affirmed (Bassett, Miller, O’Brien – no)

Set Special Meeting
Motion to set a special meeting on August 11, 2008 to discuss the proposed SEPA Miller
amendments. Affirmed

COUNCILMEMBERS’ REPORTS
Councilmember Bassett requested that the alternate attend the Conference of Governments meeting
on August 6, 2008.
Councilmember Bottcher discussed the Street Light Presentation that was held on August 1, 2008.
Councilmember Miller provided an update of the Homelessness Committee.
Councilmember Niner stated at the next Council meeting, she will submit her resignation from the City
Council. The effective date of the resignation will be after August 18, 2008.
Councilmember O’Brien stated he would like to bring back a plan to Council for some guidance at the
next meeting on how to address some issues of vandalism and other public nuisance issues.
Councilmember Tabb provided an update on the Ellensburg Business Development Authority Board
and the Economic Development Group.
Mayor Lillquist stated she will not be attending the Council meeting on August 11.

ADJOURN Motion to adjourn at 11:13 p.m. Miller

Affirmed

_________________________________
Mayor

ATTEST: ________________________________

City Clerk