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

Others present were City Manager Barkley; City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Public Works Director Akers; Community Development Director Smith; Police Chief Miller; and approximately 30 members of the audience.

**Proclamations**

Mayor Lillquist read the proclamation for “Archives Month”.

Motion to authorize Mayor to sign proclamation. Miller

Approved

**Agenda Approval**

Motion to add the noise waiver application for 881 The ‘Burg to the agenda as Item 5.J. Miller

Approved

Motion to approve the agenda as amended. O’Brien

Approved

**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 – September 2, 2008, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Environmental Commission – May 21, 2008

(2) Planning Commission – July 31, 2008 and August 14, 2008
C. Approve University Way Banner Request for KXLE from March 2 – 8, 2009

D. Approve Request to close Fourth Avenue between Pearl and Pine Streets and Pine Street between Third and Fourth Avenues on September 23, 2008 from 1:00 p.m. to 6:00 p.m. for the “Bite of the Burg”

E. Accept Bid Call 2008-23 - 15th Avenue Reconstruction Project as Complete

F. Accept Bid Call 2007-04 – Dolarway Substation Construction Labor and Equipment Contract as Complete

G. Authorize the Mayor to Sign the Easement Agreement with Central Washington University for Future Electrical Substation

H. Authorize Purchase of Windows from Lumberman’s of Washington in Amount of $24,118.56 for Depot

I. Approve September 15, 2008 Claims Fund Voucher Numbers 89835 Through 89999 in the Total Amount of $1,160,589.75 and Payroll Fund Check Numbers 74927 Through 75043 in the Total Amount of $123,662.65; Direct Deposit in the Amount of $131,207.38; and Electronic Fund Transfer of $5,432.50.

J. Approve Noise Waiver Application for 881 The ‘Burg on September 23, 2008 from 10:00 p.m. to 12:00 a.m. Affirmed

**City Council Applications**

Motion to take an initial vote on the Council candidates on September 22, 2008 in order to hear from the candidates tonight and allow the public time to give input. (Affirmed – O’Brien – no)

The following City Council applicants spoke: Jason Berthon-Koch; Richard Elliott; Beverly Heckart; and Larry Nickel.

Council asked questions of the applicants.

**Boards and Commissions Appointments**

Mayor Lillquist recommended Jerald Dougherty be appointed to the Arts Commission.

Motion to confirm Mayor’s appointment. Bassett

Affirmed

**Communication from Timm Steele Regarding Train Station**
The communication from Timm Steele regarding the Train Station was acknowledged.

**Requests for Jazz in the Valley on July 24, 25, 26, 2009**

Larry Sharpe is requesting the use of Rotary Pavilion; fencing from the Parks Department; waiver of the noise ordinance; and closure of the sidewalk between Fourth Avenue and the Dakota Café.

Grant the requests for Jazz in the Valley with the clarification of the noise waiver which Bassett applies to the CC Zone. Affirmed

**Public Hearing - Proposed Resolution – City Surplus Property**

Mayor Lillquist opened the public hearing to consider the proposed resolution for the declaration of surplus property.

Public Works Director Akers summarized the agenda report.

Council asked questions of staff.

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

Motion to adopt Resolution No. 2008-31. Miller

Affirmed

**Public Hearing - Appeal of Administrative Decision to deny Request for Deferral of Curb, Gutter, and Sidewalk Improvements – Tracey Epenesa**

Mayor Lillquist opened the public hearing to consider an appeal of an administrative decision to deny a request for deferral of curb, gutter, and sidewalk improvements for Tracey Epenesa. Mayor Lillquist asked the council members a series of appearance of fairness questions. Council members indicated that there were no appearance of fairness issues.

Community Development Director Smith summarized the agenda report.

Tracey Epenesa and a representative speaking for Tracey Epenesa, described their reasons for appealing to the City Council for the administrator’s denial of her request for a deferral of curb, gutter, and sidewalk improvements on her property at 401 West 13th Avenue. There is no sidewalk on the whole block. They are asking for a deferral of the improvements because it is impractical and when this property was first subdivided, the sidewalk should have been put in according to the City Code.

Council asked questions of staff.

There being no further testimony, Mayor Lillquist closed the public hearing.
Motion to uphold the administrator’s decision to deny the deferral of curb, gutter, Miller
and sidewalk improvements for property at 401 W. 13th Avenue.

Mayor Lillquist reopened the public hearing to ask questions of staff and hear additional testimony
from the appellant.

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

Vote on motion. Affirmed

Council took a brief recess at 9:11 p.m. and returned at 9:21 p.m.

**Public Hearing - Proposed Ordinance – Additional Permitted Uses in the Industrial Zones**

Mayor Lillquist opened the public hearing to consider additional permitted uses in the industrial zones.

Bill Hinkle, Cle Elum, representing the Economic Development Group, spoke in favor of the proposed
ordinance.

Martin Kaatz, 309 N. Poplar, speaking as a member of the Downtown Task Force, but not
representing the Task Force, expressed some concerns with the proposed ordinance.

Ron Cridlebaugh, Chamber of Commerce, spoke in support of the proposed ordinance.

Robert Terrell, 7120 Hanson Road, spoke in support of the proposed ordinance.

Bob Hansen, 2520 Carriage Loop, spoke in support of the proposed ordinance.

Council asked questions of staff.

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

Motion for first reading of Ordinance No. 4524. O’Brien

Motion died for a lack of a second.

Motion to amend proposed ordinance, Section 13.30.020 to strike “and office” Miller
twice in the paragraph and to strike T and V in Section 13.30.040. Affirmed (O’Brien – no)

**Motion to read for the first time, Ordinance No. 4524. Miller**

An ordinance of the City Council of the City of Ellensburg, Washington, relating to Title 13 Zoning
Code, and amending Sections 13.30.020 and 13.30.040 to allow certain permitted uses to the
Industrial Light zoning district. Affirmed
Update and Discussion on Proposed Comprehensive Plan Amendment to Reduce the UGA on the South Side of the City and Expand the UGA in the North

The City has docketed a proposed Comprehensive Plan amendment that will reduce the UGA in the south by removing land below Tjossem Road and expand the UGA in the north by adding land above Bowers Road. At the September 2, 2008 meeting, Council made a motion to authorize Councilmember Miller to discuss with the Airport Advisory Committee, Council’s recommendation to trade the UGA from the southern portion to around the airport property.

Councilmember Miller has met with the Airport Advisory Committee and new maps were distributed to Council.

Council consensus was to forward to the Planning Commission the new maps and information for review.

Re-opening of Annual Comprehensive Plan Amendment Docketing

Council re-opened the annual Comprehensive Plan amendment process for a one week period ending September 9, 2008 to consider proposed amendments that correct identified mapping or scrivener errors in the Comprehensive Plan.

Motion to docket proposed amendments 08-25 and 08-26. Miller

Affirmed

MANAGER’S REPORT

Public Hearing Date

Motion to set October 6, 2008 as a public hearing date for the 2009 revenues and Miller department expenditure requests. Affirmed

Grant for Permit Tracking Software

Motion to authorize staff to make application for grant funds for permit tracking Miller software. Affirmed

COUNCILMEMBERS’ REPORTS

Councilmember Bassett gave an update on the Lodging Tax Advisory Committee.

Councilmember Bottcher reported on the Outdoor Lighting Committee.

Councilmember Miller discussed the Cascade Land Conservancy Transfer of Development Rights
Program; the Code Compliance Template Program; and the Sign Code update.

Motion to grant an excused absence for Councilmember Miller for the October 6, 2008 O'Brien meeting. Affirmed

Councilmember O’Brien and Mayor Lillquist met with the Kittitas County Commissioners.

Mayor Lillquist gave an update of the Yakima Basin Fish and Wildlife Recovery Board.

**ADJOURN** Motion to adjourn at 11:02 p.m. O’Brien

Affirmed

_________________________________
Mayor

ATTEST: _____________________________

City Clerk