CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting: December 1, 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, Elliott, 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; Parks and Recreation Director Case; City Engineer Lyyski; Police Chief Miller; and approximately 25 members of the audience.

Agenda Approval

Motion to approve the agenda as presented. O’Brien

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 – November 10, 2008, Special Session

Approve Minutes – November 13, 2008, Special Session

Approve Minutes – November 17, 2008, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Arts Commission – October 9, 2008

(2) Cable Television Commission – October 15, 2008

(3) Library Board – October 14, 2008

(4) Lodging Tax Advisory Committee – September 10, 2008

(5) Parks & Recreation Advisory Commission – October 8, 2008
C. Approve University Way Banner Request for “Ware Fair” from December 2–8, 2008

D. Accept Resignation from Jerald Dougherty, Arts Commission and Authorize Mayor to Sign Letter of Appreciation

E. Accept Bid Call 2007-05 – WWTP Gravity Belt Thickener Upgrade Project as Complete

F. Accept Bid Call 2008-07 – Residential Sidewalk Repair Project as Complete

G. Approve December 1, 2008 Claims Fund Voucher Numbers 90881 Through 91063 in the Total Amount of $3,336,924.10; Payroll Fund Check Numbers 75497 Through 75613 in the Total Amount of $114,854.42; Direct Deposit in the Amount of $137,014.19; and Electronic Fund Transfer of $4,010.00. Affirmed

Boards and Commissions Applications

The applicant for the Arts Commission was not present. He will be invited to the December 15 meeting.

Model Code Application for Historic Buildings – Discussion

Timothy Bishop, Executive Director of Ellensburg Downtown Association and Michael Sullivan presented a report regarding the Model Code Application for Historic Buildings.

Councilmember O'Brien left the meeting at 7:29 p.m.

Council asked questions regarding the Model Code Application for Historic Buildings.

Council discussed that the next steps in the process would be to consider a proposed ordinance to adopt the 2006 International Existing Building Code and to consider a proposed resolution for guidelines for Community Development Director discretionary powers.

Proposed Ordinances - Transportation Impact Fees and Revised Park Impact Fees

At the November 17, 2008 meeting, the City Council held a public hearing to consider revisions to the existing park impact fees and establishing a transportation impact fee. Council directed staff to bring back proposed ordinances.

Mayor Lillquist reopened the public hearing and added Pages 72-93 of the Council Agenda into the record.

Public Works Director Akers summarized the agenda report. Mr. Akers entered into the record the following exhibits: Single Family Home Construction Permitting Based on 1,600 SF Wood Frame House; Proposed City of Ellensburg Traffic Impact Fees for Sample Developments; Fred Meyer SEPA Mitigation vs. Impact Fee; and an email to Ryan Lyyski from David Taylor.
In addition, a revised park impact fee ordinance was distributed.

Councilmember Miller stated she reviewed the written materials and compact disks from the last public hearings on the proposed impact fees and Comprehensive Plan amendments so she can participate in the meeting tonight.

Bob Davis, Partner of Valley Vision Associates, spoke in opposition to transportation impact fees.

Dave Whitwill, 211 W. Mt. Hood Court, representing the Central Washington Home Builders Association, spoke regarding the proposed impact fees and submitted building permit information for 2008 for the record.

Robert Terrell, 7120 Hansen Road, spoke in opposition to transportation impact fees.

David Taylor, Moxee, WA, speaking on behalf of Alliance Group, discussed his questions in the email to Ryan Lyyski which was added to the record this evening.

A resident of 211 East 3rd Avenue spoke in opposition to traffic impact fees.

Ron Cridlebaugh, Chamber of Commerce, discussed his questions that were included on Page 73 of the agenda.

Catherine Clerf, 60 Moe Road, spoke in favor of the impact fees.

Brian Cullinane, 1124 E. Hobert, spoke in opposition to impact fees and expressed concern with the impact on economic development in a distressed county.

Robert Terrell and David Taylor spoke again.

Beverly Heckart, 906 E. 1st, spoke in favor of impact fees.

City Attorney Pidduck responded to legal questions that were asked during the public testimony and submitted his comments in writing regarding impact fees not being subject to SEPA.

Council asked questions of staff.

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

Motion to read for the first time, Ordinance No. 4533. Miller

An ordinance of the City Council of the City of Ellensburg, Washington, relating to park impact fees and amending Section 14.02.120 to revise impact fees for residential park, open space and recreation facilities. Affirmed (Elliott – no)

Motion to read for the first time, Ordinance No. 4534. Miller
An ordinance of the City Council of the City of Ellensburg, Washington, amending Title 14 of the Ellensburg Municipal Code to add a new Chapter 14.04 entitled “Traffic Impact Fees” to establish and impose traffic impact fees upon certain new development and establish standards and procedures for credits, refunds and appeals from imposition of such fees.

Motion to amend Section 14.04.050.A of the ordinance to strike all the words Bottcher after “trips”. Affirmed

Vote on main motion. Affirmed (Elliott – no)

Council requested staff to look into adding an impact fee requirement to pre-annexation agreements.

Council also discussed the possibility of delaying the collection of impact fees for residential (single family) purposes by making payment of such fees a condition of issuance of a Certificate of Occupancy.

Council took a brief recess at 10:25 p.m. and returned to the meeting at 10:36 p.m.

Proposed Ordinance – Comprehensive Plan Amendments

The City Council has completed its review of the docketed year 2008 Comprehensive Plan amendments and directed staff to prepare an ordinance adopting several amendments. The proposed ordinance reflects Council’s direction.

Motion to read for the first time, Ordinance No. 4535. Tabb

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON AMENDING THE ELLENSBURG MUNICIPAL CODE relating to planning and amending the comprehensive plan adopted by Ordinance No. 3997 as last amended by Ordinance No. 4502 and set out in Chapter 3.32 of the Ellensburg City Code.

Motion to add back into the proposed ordinance Comprehensive Plan Amendments 08-04, Miller 08-06, and 08-11. Defeated (Elliott, Tabb, Lillquist – no)

Vote on main motion. Affirmed

Proposed Interlocal Agreement between the City and Ellensburg School District

The proposed agreement for 2008-2013 is a new collaborative agreement between the City and the Ellensburg School District. This agreement represents a partnership between the City and the District to enhance the School Resource Officer Program with the School District by adding value to the existing program through the use of Ellensburg Police Reserves.

Motion to authorize the Mayor to sign the agreement between the City and Bassett
Ellensburg School District. Affirmed

**Notice of Termination of Fire Protection Services Agreement with Central Washington University**

The Ellensburg Fire Department no longer provides fire protection and emergency medical services to Central Washington University (CWU). The agreement has become moot and should be terminated.

Motion to direct staff to terminate the Interlocal Cooperative Fire Protection Agreement Miller between the City and CWU and negotiate any final settlement that may be due. Affirmed

**MANAGER’S REPORT**

**Special Meetings**

Motion to set December 8, 2008 at 7:00 p.m. as a special meeting. Elliott

Affirmed

Council discussed a possible special meeting on January 12, 2009 for land use training and a possible retreat in February.

**COUNCILMEMBERS’ REPORTS**

Councilmembers’ Reports were not given.

**ADJOURN** Motion to adjourn at 11:52 p.m. Tabb

Affirmed

Mayor

ATTEST: ____________________________________________

City Clerk