CITY OF ELLENSBURG
Minutes of Council Meeting, Regular Session
Date of Meeting       July 6, 2009
Time of Meeting       7:00 p.m.
Place of Meeting      Council Chambers, 501 North Anderson Street

Roll Call.


Others present were Acting City Manager/City Attorney Pidduck; Community Development Director
Smith; Parks & Recreation Director Case; Energy Services Director Titus; Captain Hansberry;
Planning Supervisor Bailey; Executive Assistant Gigstead; Deputy Clerk Keno and approximately 15
members of the audience.

Proclamation – Recreation and Parks Month

Mayor Lillquist read a proclamation in support of “July is Recreation and Parks Month.”

Authorize Mayor to sign proclamation. Bassett

Affirmed

Awards and Recognitions

Prior to the meeting a tree and plaque were dedicated to former Councilmember Louis Savage in
recognition of his service on the City Council, the Parks and Recreation Commission and the
Downtown Task Force.

Agenda Approval

An amended agenda was published to include Item 5.F. – Authorize the Mayor to Sign the
Professional Services Agreement with the Ellensburg Downtown Association and Item 6.F. – Request
for Street Closure from Ellensburg Daily Record for an Auto Sales Event at the 300 Block of Pine
Street on July 18 and 19, 2009.

Move approval of amended agenda to include items 5.F. and 6.F. 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: O'Brien

A. Approve Minutes – June 15, 2009, Regular Session

Approve Minutes – June 22, 2009, Special Session

B. Acknowledge Minutes of Boards and Commissions

(1) Arts Commission – June 11, 2009

(2) Board of Adjustment – February 26, 2009

(3) Cable Television Commission – May 20, 2009


(5) Library Board – May 12, 2009

C. Approve Requests from Kittitas County Fair and Ellensburg Rodeo Boards for the 2009 Ellensburg Rodeo and Kittitas County Fair

D. Award Bid Call 2009-09 – West Ellensburg Park Trail Undercrossing of I-90 Project to Belsaas and Smith Construction

E. Approve Request to use Irene Rinehart Park and Veterans Memorial Park and Pool from 11:00 a.m. to 3:00 p.m. on August 9, 2009 for the Whisky Dick Triathlon

F. Authorize the Mayor to Sign the Professional Services Agreement with the Ellensburg Downtown Association

G. Approve July 6, 2009 Claims Fund Voucher Numbers 93677 Through 93920 in the Total Amount of $1,408,741.04 and Payroll Fund Check Numbers 77011 Through 77144 in the Total Amount $119,941.54; Direct Deposit in the amount of $166,963.96; and Electronic Fund Transfer of $4,010.00.

Affirmed

Boards and Commissions Applications

Nancy Clarke, Stanley Lawrence, Tracy Pellett and John Perrie appeared and spoke regarding their interest in serving on various City boards and commissions.

Communication from Kirk Holmes, Kittitas County Public Works, Regarding Countywide Flood District

Council considered an e-mail communication from Kirk Holmes, Kittitas County Public Works Director, for a letter of interest to the Board of County Commissioners requesting the County take the
overall regional lead in flood fighting and hazard mitigation.

Move to direct staff to begin discussions with Kittitas County about O'Brien preparing a feasibility report regarding countywide flood management.

Council discussion.

Vote on motion. Affirmed

Move to direct staff to prepare a letter to Board of County Commissioners Miller supporting the concept of creation of a countywide flood control district.

Affirmed

Memorandum from Lodging Tax Advisory Committee Regarding Acceptance of Lodging Tax Funding Logo

The Lodging Tax Advisory Committee would like to use the City’s logo on advertising funded by Lodging Tax. The words “Funded by Lodging Tax” would be placed beneath the logo.

Allow the Lodging Tax Committee to use the logo on page 34 of the agenda Elliott on its brochures and flyers. Affirmed

Letter from Larry Jammes Expressing Concern Regarding Safety at the Skate Park

Council acknowledged an e-mail communication from Larry Jammes, RN regarding safety concerns at the Skate Park due to lack of helmet use and inadequate signage. Captain Hansberry spoke about the education and enforcement efforts conducted by the Police Department in conjunction with the helmet ordinance. Staff will be looking at a signage update and review to comply with all city ordinances.

Direct staff to bring back an ordinance to expand the City’s helmet law to O’Brien include all ages.

Council discussion.

Vote on motion. Approved(Bottcher-no)

Letter from Dan Rushing, Loomis, Inc., Requesting Deferral of Certain Improvement Requirements Associated with Construction of a New Facility

Loomis is requesting a deferral of frontage improvements on its regional hub project due to design complications associated with the flood plain and topography of the area encompassed by the
improvements.

Council asked questions of staff.

Move to grant deferral of frontage improvements to Loomis Armored O’Brien

with the condition of grant of deferral should require Loomis Armored to provide

written recorded assurances that Loomis, its successors and assigns, shall fully participate in a future LID or other cooperative financing arrangement to construct the improvements, or to construct the improvements at such time as the City otherwise orders the improvements in. The conditions of deferral shall also include a provision requiring compensatory excavation as necessary for the required frontage improvements. Affirmed

Request for Street Closure from Ellensburg Daily Record for an Auto Sales Event - 300 Block of Pine Street, July 17-19, 2009

The Daily Record in partnership with University Auto Center and Ellensburg Chevrolet are requesting approval to close the 300 block of Pine Street in downtown Ellensburg for a combined auto sales event scheduled to take place on July 17, 18, and 19, 2009. Written approval from the business owners on the 300 block of Pine Street as well as the certificate of insurance have not been submitted.

Move approval of request. O’Brien

Make approval conditional pending receipt of written approval from the Miller businesses on the 300 Block of Pine Street and a certificate of insurance. Affirmed

Vote on main motion. Affirmed

Citizen Comment on Non-agenda Issues

Parks & Recreation Director Case, Don Morris, Gene Ketzenberg and Ed Barry all spoke regarding the Veteran’s Memorial. The VFW Rodeo Post #683 presented the City with the keys to the memorial.

Move City Council issue a letter of gratitude to VFW Rodeo Post #683 and O’Brien American Legion Post #8 and all volunteers involved in the creation of the Veteran’s Memorial at Memorial Park. Affirmed

Larry Nickel, 317 ½ North Pearl #1, advised Council Renaissance Properties has offered 2000 square feet of downtown space to Central Washington University for three years free of charge to allow CWU to have a downtown presence. Mr. Nickel requested City Council support of the concept and
submitted an e-mail to CWU outlining the proposal into the record.

Catherine Clerf, 420 North Pearl, Suite 303, spoke regarding the City/County Interlocal Agreement for the UGA.

Public Hearing - CDBG Grant Application for Funding to Create a “Restore” Through a Partnership Between the City, Elmview, and Habitat for Humanity

Mayor Lillquist opened the public hearing to consider the CDBG grant application for funding to create a “ReStore” through a partnership between the City of Ellensburg, Elmview and Habitat for Humanity.

Mayor Lillquist summarized the grant application. The preliminary grant application for this project was submitted under authority granted by the Council on March 16, 2009.

Larry Nickel, 317 ½ North Pearl, spoke about due process issues.

Vincent Tomaso, 1127 E. Capitol, spoke in support of the application.

In answer to Council inquiry, the grant is stimulus money that will go away if the City does not proceed.

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

Move the City document the establishment of need for this project though this Miller

public hearing. Affirmed

Proposed Ordinance – Noise Ordinance Amendments

At its June 15, 2009 regular meeting, Council directed the preparation of amendments to the City’s noise ordinance to provide for graduated penalties for multiple noise ordinance violations and to clarify several existing provisions of the ordinance.

Larry Nickel, speaking for himself and a few others stated enforcement is not happening now. The amendments in sections 2, 3 and 4 of the ordinance need to have clarification. He requested language be included that “all doors must be maintained” and the words “amplified base” be inserted. Beer gardens need to be addressed. The revenue collected from noise violations should be kept by the City.

Catherine Clerf, 420 North Pearl Street, Suite 303 spoke about her experiences in operating a business downtown and late night activity.

Move first reading of Ordinance No. 4547 as presented in the agenda packet Miller

with a modification to section 2., E.6. on page 56 to insert the words “or liquor
establishment” after “tavern operation”.

AN ORDINANCE of the City Council of the City of Ellensburg, Washington relating to Ellensburg Municipal Code Chapter 5.60 entitled “Noise” and amending sections 5.60.060, 5.60.070, 5.60.080 and 5.60.120; and adding a new section 5.60.010 entitled “Declaration of Policy” thereto.

Council asked questions of staff.

Vote on motion. Affirmed

Council took a ten minute recess at 9:10 p.m.

Council reconvened at 9:25 p.m.

Proposed Resolution – Establishing a City Employee Health and Wellness Program

The proposed resolution authorizes the City to establish a Health and Wellness Program for City employees.

Authorize Mayor to sign Resolution No. 2009-20. Miller

Affirmed

Small Wind Project Conditional Approval

The Utility Advisory Committee recommends Council move forward with a Community Small Wind System project. The $59,740 project would be funded by the City’s electric utility ($26,250) and utility customers ($33,490). Staff is seeking Council authority to start marketing the project and soliciting customer contributions and, if sufficient customer interest is found, then the additional authority to order the four small wind systems.

Authorize staff to move forward with the Community Small Wind System Miller

Project as described in pages 63-81 of the agenda, including authorization to purchase the systems. Affirmed

Annual Comprehensive Plan Amendment Docketing

Council has set the first regular meeting in July for the docketing of those proposed Comprehensive Plan amendments that Council deems to have sufficient background information and analysis to allow their full consideration and review in the annual review process. The agenda includes eighteen amendment proposals. Community Development Director Smith summarized the agenda report.

Council, staff and the public discussed the proposed amendments.
Move to refer proposed amendments 08-19, 09-01, 09-02, 09-03, and 09-04 Tabb to the Planning Commission for review and recommendation and to the SEPA Responsible Official for review and threshold determination. Affirmed

Docket proposed amendment 09-05. Elliott

Motion fails.

Docket proposed amendment 09-06. Miller

Motion fails.

Docket proposed amendment 09-07. Miller

Affirmed

Docket proposed amendment 09-08 and remove the language after the word Miller “requirement,”. Bassett (no)

Bottcher (yes)

Elliott (no)

Miller (yes)

O’Brien (no)

Tabb (no)

Lillquist (no)

Motion fails.

Docket proposed amendment 09-09. Tabb

(Bottcher – yes)

Motion fails.

Docket proposed amendment 09-11. Miller

Affirmed

Docket proposed amendment 09-15. Miller
Affirmed

Docket proposed amendment 09-16. Elliott

Affirmed

Docket proposed amendment 09-17. Miller

Affirmed (O'Brien – no)

Set October 5, 2009 for the public hearing to accept public comment Miller on the docketed amendment proposals. Affirmed

Refer the docketed proposed amendments to the Planning Commission for Miller review and recommendation and to the SEPA Responsible Official for review and threshold determination. Affirmed

Discussion Regarding Two Documents Reflecting Recent Actions by Kittitas County: 1) The Kittitas County Homeless Prevention and Reduction Plan; 2) The Kittitas County Affordable Housing Funds Program

Council considered the Plan and Program adopted and approved by the Kittitas County Board of Commissioners.

Direct staff to come back with a resolution to adopt the Plans as presented. Tabb

Affirmed

MANAGER’S REPORT

Naneum Watershed Lease

The City’s lease with the State Department of Natural Resources (DNR) for property in the Naneum Canyon will expire at the end of September. The DNR has asked if the City wishes to continue the lease arrangement. Council would like more information from staff before making a decision.

Direct staff to pursue lease extension and costs but not engage in negotiations Tabb at this time. Staff to bring back information on lease term, costs and current use. Affirmed

Project Assistance Request – Habitat for Humanity
Due to the lateness of the hour, Council directed this item be carried over to the next meeting.

**COUNCILMEMBERS’ REPORTS**

Councilmember Bassett reported on the CWU Planning Rendezvous.

Councilmember Elliott reported on the Board of Health and the 4th of July Celebration and activities. He also attended the Ellensburg Police Department Reserves graduation ceremony.

Councilmember Miller acknowledged Milton Waggy and his abilities as the local history manager. She gave an update on the Critical Areas Ordinance Committee and the Homeless Committee.

Councilmember O’Brien gave an update regarding the HopeSource Board and attended the 4th of July Celebration.

Councilmember Tabb spoke regarding the Farmer’s Market and advised that the Economic Development Group plan for the county will be delivered to Community Trade and Economic Development (CTED) on Tuesday.

Mayor Lilquist clarified the Council policy regarding citizens addressing Council after a motion has been made.

**ADJOURN** Motion to adjourn at 11:00 p.m. O’Brien

Affirmed

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Mayor

ATTEST: __________________________

City Clerk