Minutes of Council Meeting, Regular Session

Date of Meeting: July 20, 2009
Time of Meeting: 6:20 p.m.
Place of Meeting: Council Chambers, 501 North Anderson Street

Council conducted a meeting from 6:20 p.m. to 6:54 p.m. for Outlook e-mail training. Council members present were Bassett, Bottcher, Elliott, and Lillquist.

Roll Call.


Motion to excuse Councilmember Miller’s absence tonight. Tabb

Affirmed

Others present were City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Public Works Director Akers; Community Development Director Smith; Planning Supervisor Bailey; Land Use Consultant Witkowski; and approximately 12 members of the audience.

Agenda Approval

Motion to amend agenda to move one citizen comment on non-agenda issues up to O’Brien before Item 6, delete Item 11.B, and delete Page 67. Affirmed

Motion to approve the amended agenda. 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: O’Brien

A. Approve Minutes – July 6, 2009, Regular Session

B. Acknowledge Minutes of Boards and Commissions

C. Award Bid Call 2009-11 Cured-in-Place Sewer Line Rehabilitation Project to Michels Corporation
D. Approve Request for Street Closure from First Lutheran and First Christian Churches for an Outdoor Worship Service on 6th Ave. from Ruby St. one half block East to the alley on August 23, 2009 from 8:00 a.m. to noon

E. Authorize Mayor to Sign Easement for Installation of Utilities along Dolarway on City-owned Property

F. Approve 2009 Junior Rodeo Parade Request

G. Authorize the Mayor to Execute the Professional Services Agreement with Carollo Engineers for Wastewater Treatment Plant Digester Mixing Improvements Design

H. Approve July 20, 2009 Claims Fund Voucher Numbers 93921 Through 94109 in the Amount of $910,363.79, Payroll Fund Check Numbers 77145 Through 77253 in the Total Amount of $124,656.08, Direct Deposit in the Amount of $163,321.03, and Electronic Fund Transfer of $4,010.00. Affirmed

Citizen Comment on Non-Agenda Issues

Captain Steven Hobbs stated that the Armory in Ellensburg will be closing.

Boards and Commissions Appointments

Mayor Lillquist recommended the following appointments: Nancy Clarke and Tracy Pellett, Parks and Recreation Commission; Stanley Lawrence, Arts Commission; John Perrie, Ellensburg Business Development Authority Board; and Lou Savidge, Downtown Task Force.

Motion to confirm the Mayor’s appointments. Bassett

Affirmed

Council asked staff to send a memorandum to the Downtown Task Force asking if reducing the number of members would help achieve a quorum.

Habitat for Humanity Project Assistance Request

Kathy Matlin, President for Habitat for Humanity Board, and Chris Griffin spoke regarding the request from Habitat for Humanity to defray or defer the cost of curb and sidewalk installation at 501 Pacific Street.

Staff indicated that this project does not meet the City Code provisions for deferral of sidewalk improvements. Staff has prepared a rough estimate of $9,000 for the work which could be funded from the 2010 sidewalk program.

Motion to match 50 percent of the cost of the project up to $4,500 from the O’Brien
Sidewalk Fund.

Larry Nickel spoke regarding the request and asked what the policy is on this type of request.

Vote on motion. Affirmed

**Letter from Steve Lathrop Requesting Renewal of Expired Building Permits – The Meadows Plat**

According to the memorandum dated July 15, 2009 from Jim Pidduck, City Attorney, in a letter dated July 2, 2009, F. Steven Lathrop has requested on behalf of his client, Larry Hillis of Cascade View Inc., a credit for various building permit fees, utility connection, impact and other fees previously paid by MDJ Development, Inc. for 21 residential lots within the Meadows Plat on Bender Road. Mr. Lathrop indicated Cascade View Inc. foreclosed on these properties which were previously owned by MDJ Development, Inc. He seeks adoption of an ordinance allowing for the extension of expired building permits and granting of credit for previously paid fees.

Motion to direct staff to research and bring back options for a tiered credit to extend O'Brien out to 3 years on expired building permit fees.

Larry Nickel spoke regarding the request and asked what the Council’s program is for these types of requests.

Vote on motion. Affirmed (Bottcher, Elliott – no)

**Citizen Comment on Non-Agenda Issues**

Larry Nickel, 317 ½ North Pearl #1, spoke regarding real estate issues and submitted a copy of the Real Estate Guide from the Daily Record showing the Terrell Brothers and Lamb Properties. He spoke about Comprehensive Plan amendments and submitted a picture of property for a planned unit development in the Urban Growth Area that was under water. He also spoke about downtown issues.

Vincent Tomaso, 1127 E. Capital, discussed the road improvements on Canyon Road and blowing dust in the area of the new water park development.

**Ordinance No. 4547– Noise Ordinance Amendments**

At its July 6, 2009 regular meeting, Council gave first reading to Ordinance No. 4547 which amends 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 spoke regarding the proposed ordinance.

**Motion for second reading and adoption of Ordinance No. 4547. O'Brien**
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. Bassett (yes)

Bottcher (yes)

Elliott (yes)

O’Brien (yes)

Tabb (yes)

Lillquist (yes)

Motion approved.

Proposed Resolution – Adopting the Kittitas County Homelessness Prevention and Reduction Plan and the related Kittitas County Affordable Housing Funds Program

The proposed resolution adopts the Kittitas County Homelessness Prevention and Reduction Plan dated February 3, 2009 and the related Kittitas County Affordable Housing Funds Program.

Motion to adopt Resolution No. 2009-21. Tabb

Affirmed

Request for Street Closure from Ellensburg Daily Record for an Auto Sales Event on the 300 Block of Pine Street from July 31 through August 2, 2009

A revised street closure application was received from the Daily Record for an auto sales event on the 300 block of Pine Street on July 31 from 3:00 p.m. to 8:00 p.m., August 1 from 9:00 a.m. to 8:00 p.m., and August 2, 2009 from 10:00 a.m. to 3:00 p.m.

Motion to approve the street closure as presented. Elliott

Affirmed

Naneum Watershed Department of Natural Resources (DNR) Land Lease

At Council’s July 6, 2009 meeting, staff was directed to contact the DNR to determine lease terms and costs if the City elects to continue the existing lease arrangement with the DNR on the Naneum watershed.

Motion to move forward to develop a lease agreement with the Department of Natural Tabb
Discussion of Small Wind Energy Systems Ordinance

Staff has been working on a draft ordinance that would permit small wind energy systems (SWES) on lots of record in the City subject to certain requirements and conditions.

Motion to forward the new Chapter 13.43 that we were handed tonight to the Planning Elliott Commission for review and through the SEPA process.

Motion to delay action on the motion until August 3, 2009. Bottcher

Affirmed (Elliott – no)

Discussion of Illicit Discharge Detection and Control Ordinance

This item was part of the Manager’s Report for stormwater ordinance revision. No action was required to be taken at this time.

Manager’s Report

Councilmembers’ Reports

Councilmember Bottcher reported on the Utility Advisory Committee. He also attended the Model T Rally.

Councilmember O’Brien discussed the proposed helmet ordinance that will be on an upcoming agenda.

Councilmember Tabb reported on the Hospitality Resource Committee meeting, a QUADCO transit meeting, and the Economic Development Group.

Mayor Lillquist reported on the Model T Rally, the Armory closure, and the 13 years and under Babe Ruth baseball tournament. Council asked staff to draft a letter of congratulations for the Mayor’s signature to the Babe Ruth team for winning the state tournament.

Adjourn

Motion to adjourn at 9:44 p.m. O’Brien

Affirmed
ATTEST: ________________________________

City Clerk