CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting
August 3, 2009

Time of Meeting
7:00 p.m.

Place of Meeting
Council Chambers, 501 North Anderson Street

Roll Call.

Present: Bassett, Bottcher, Elliott, Tabb, Lilquist.

Motion to approve an excused absence for Councilmember Miller. Tabb

Affirmed

Others present were City Manager Barkley; City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Community Development Director Smith; Parks and Recreation Director Case; Adult Activity Center Coordinator Kell; and approximately 20 members of the audience.

Awards and Recognitions

City Manager Barkley introduced Adult Activity Center Coordinator Katrina Kell.

Agenda Approval

Motion to approve the agenda as presented. Elliott

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: Elliott

A. Approve Minutes – July 20, 2009, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Arts Commission – June 11, 2009

(2) Cable Television Commission – June 17, 2009

(3) Downtown Task Force – April 23, 2009
(4) Landmarks & Design Commission – June 16, 2009

(5) Lodging Tax Advisory Committee – June 3, 2009

(6) Planning Commission – June 11, 2009

C. Award Bid Call 2009-13 – Electrical Distribution Construction Contract to Potelco, Inc.

D. Authorize Mayor to Sign the Extension with Olympic Credit Service, Inc. for the Collection Agency Agreement until May 6, 2011

E. Accept Resignation from John McClough, Arts Commission and Authorize Mayor to Sign a Letter of Appreciation

F. Adopt Resolution No. 2009-22 for Acceptance and Expenditure of Funds from the Department of Justice


H. Authorize the City Manager to Execute a Contract with Schademan Construction Company for Construction of a New Heated Equipment Bay

I. Approve August 3, 2009 Claims Fund Voucher Numbers 94110 Through 94281 in the Amount of $1,556,285.41, Payroll Fund Check Numbers 77254 Through 77358 in the Total Amount of $117,252.54, Direct Deposit in the Amount of $165,735.30, and Electronic Fund Transfer of $4,122.00. Affirmed

Letter from Chamber Cowboys Regarding Street Closure and Double Cross Ordinance

The Ellensburg Chamber Cowboys are requesting a street closure of Pearl Street Between Fourth and Fifth Avenues from 5:00 a.m. to 12:00 p.m. for the Rodeo and Fair Kickoff Breakfast and approval of the Double Cross Ordinance.

Motion to approve the street closure request and approve Resolution No. 2009-23. Elliott

Affirmed

Letter from Kittitas County Prosecuting Attorney Regarding Request to Assemble District Court Districting Committee for Consideration of District Court Boundaries

Motion to appoint Mayor Lillquist to the District Court Districting Committee with Tabb

Jim Pidduck as the alternate. Affirmed

Citizen Comment on Non-Agenda Issues
Larry Nickel, 317 ½ N. Pearl #1, discussed downtown issues and submitted a list of items that he requested be added to the next City Council meeting agenda.

Councilmember O’Brien arrived at the meeting at 7:07 p.m.

Proposed Ordinance – Requiring Helmets to be Worn by Riders of all ages when Riding a Bicycle and other Recreational Wheeled Device

City Attorney Pidduck discussed the draft ordinance requiring helmets to be worn by riders of all ages when riding a bicycle and other recreational wheeled device.

Eric Gresham spoke in favor of the proposed ordinance.

The following audience members spoke in opposition to the proposed ordinance: Seth Mills, Daniel Donovan, Jimmie Applegate, Art Clark, Gerald Newman, and Don Davis.

Motion for first reading of Ordinance No. 4548. O’Brien

Motion to amend the ordinance to incorporate the language proposed by the City Attorney Tabb for those 16 and above would become a secondary offense. (Defeated – Bassett, Bottcher, Elliott, O’Brien, and Lillquist – no).

Vote on main motion (Defeated – Bassett, Bottcher, Elliott, O’Brien, and Lillquist – no).

Proposed Ordinance – Outdoor Lighting

The proposed ordinance is based on a draft outdoor lighting code previously prepared by the Ad Hoc Outdoor Lighting Committee.

City Attorney Pidduck discussed the draft ordinance and provided additional handouts.

Howard Lyman, who served on the Ad Hoc Outdoor Lighting Committee, spoke in favor of the proposed ordinance.

Dave Whitwill, speaking for himself, asked questions about the ordinance and the cost to the City for replacing lights, and spoke in opposition to the proposed ordinance.

Randy Wheeler, downtown business owner, requested the section be removed that requires the lights in the building be turned off when the business is closed.

Community Development Director Smith discussed the proposed ordinance.

Cindy Wickham spoke in opposition to the proposed ordinance.

Motion to discuss the proposed ordinance for further clarification. Bottcher
After further discussion, the motion was withdrawn.

Council asked staff to work with the Ad Hoc Outdoor Lighting Committee further regarding issues that have been brought up and bring back the ordinance in about a month.

**Proposed Resolution – Interfund Transfer from the General Fund to Capital Projects Fund**

The proposed resolution is for an interfund transfer of $6,770 from the General Fund (Parks and Recreation Department) to the Capital Projects Fund.

Motion to adopt Resolution No. 2009-24. Tabb

Affirmed

Council took a brief recess at 9:25 p.m. and returned at 9:35 p.m.

**Proposed Resolution Declaring a Weed and Vegetation Nuisance at 101 North Ruby, and Directing Removal of the Nuisance**

The Ellensburg Police Department reported it had several complaints that the property at 101 N. Ruby St. has for the past two years been overrun with dry vegetation and tall weeds.

City Attorney Pidduck summarized the agenda report and submitted documents into the record as follows: Letter from Joe Seemiller dated August 3, 2009 to Jim Pidduck; and six pictures of 101 North Ruby Street from Lynda Powers dated July 30, 2009.

Mayor Lillquist entered the documents submitted by Mr. Pidduck into the record.

Motion to adopt Resolution No. 2009-25 as presented tonight. Elliott

Affirmed

**SmartGrid Letter of Commitment**

In order to continue as a participant in the Pacific Northwest SmartGrid Test Bed project, the City needs to sign the Letter of Commitment and return it by August 5, 2009.

Motion to authorize the Energy Services Director to sign the Letter of Commitment. Tabb

Affirmed

**Discussion of Small Wind Energy Systems Ordinance**

Staff has been working on a draft ordinance that would permit small wind energy systems on lots of record in the City subject to certain requirements and conditions.
Motion to incorporate the Planning Commission’s suggestions and include the Energy Elliott Services concerns in the ordinance and move it through SEPA. Affirmed

Options for Addressing Expired Building Permits

This item was moved to the August 17, 2009 Council meeting.

Kittitas Valley Memorial Pool & Fitness Center (KVMP) – Consultant Services Contract

A contract has been negotiated with NAC Architecture to perform a facility assessment of the KVMP.

Motion to authorize the Mayor to execute a consultant services contract not to exceed Elliot $21,300 with NAC Architecture for a facility assessment of the KVMP. Affirmed

Manager’s Report

Set Public Hearing

Motion to set a public hearing on August 17, 2009 for consideration of the draft Elliott stormwater utility ordinance. Affirmed

Councilmembers’ Reports

Councilmember Bassett attended Jazz in the Valley and the Friday night movie at City Hall.

Councilmember Bottcher discussed the e-mail retention policy.

Councilmember Tabb requested an excused absence from the August 17, 2009 meeting.

Motion to excuse Councilmember Tabb from the August 17, 2009 meeting. Tabb

Affirmed

Recess

Council recessed to executive session at 10:47 p.m. to discuss potential litigation for approximately 10 minutes. Council was not expected to reconvene to take action.

At 10:48 p.m., the executive session commenced.

At 10:58 p.m., Council returned to open meeting.

Adjourn

Motion to adjourn at 10:59 p.m. Tabb
Affirmed


Mayor
ATTEST: 

City Clerk