CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting
August 17, 2009

Time of Meeting
7:00 p.m.

Place of Meeting
Council Chambers, 501 North Anderson Street

Roll Call.


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

Agenda Approval

Motion to amend the agenda to move Item 5.E – Tree removal resolution to Item 9.A. Miller

Affirmed

Motion to approve the agenda as amended. Miller

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 – August 3, 2009, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Landmarks and Design Commission – July 7, 2009

C. Approve Street Closure Application for Fourth Avenue between Pearl and Pine Streets and Pine Street between Third and Fourth Avenues on September 22, 2009 from 1:00 p.m. to 6:00 p.m. for “Bite of the ‘Burg”

D. Award Bid Call 2009-14 (Alternates A and B1/B2) – 2009 CBD Crosswalk and Sidewalk Repair to RP&E Construction
E. Approve August 17, 2009 Claims Fund Voucher Numbers 94282 Through 94476 in the Amount of $1,187,200.90, Payroll Fund Check Numbers 77359 Through 77464 in the Total Amount of $126,476.97, Direct Deposit in the Amount of $165,914.70, and Electronic Fund Transfer of $4,122.00.

Affirmed

**Letter from Kittitas County Mental Health and Developmental Disabilities Board Regarding Crisis Intervention Training**

Council acknowledged the Letter from the Kittitas County Mental Health and Developmental Disabilities Board.

**Citizen Comment on Non-Agenda Issues**

Larry Nickel, 317 ½ North Pearl #1, stated at the last meeting, he requested items be placed on the agenda and those items are not on the agenda tonight.

Larry Hillis, Cascade View Inc., 3191 Kilmore Road, discussed permit fees for the City.

**Public Hearing – Draft Ordinance – Stormwater Utility Formation**

Mayor Lillquist opened the public hearing to consider the draft ordinance for formation of a stormwater utility.

Public Works Director Akers summarized the agenda report.

Larry Hillis, Cascade View Inc., 3191 Kilmore Road, stated he agrees with how the ordinance applies to everyone.

Sandy Elliot, 50 Catlin Canyon, spoke in opposition to the proposed ordinance.

Richard Cole, 660 Southridge Drive, stated he put in stormwater management facilities at his new building at great expense and has contained the stormwater on his property. He believes the 20% credit is very unreasonable and unfair.

Christopher Schmidt, 301 North Main, business owner, stated the costs should be shared equally per power meter. He stated the property owners who have already paid should be given a bigger break.

Jeff Faltus, 402 Locust Street, co-owner of University Auto, stated their property mitigates 100% of the stormwater collected on site and they do not contribute anything to the stormwater system.

Jack Piper, 2900 Umptanum Road, stated he has developed his own storm retention system and maintained the swale. He suggested possibly there could be a road frontage tax or general maintenance tax.
Randy Lamb, Moses Lake, stated they maintain their own stormwater retention facilities and the 20% credit is not appropriate and should be much greater.

Jeff Greear, 940 Southridge Drive, spoke in opposition to the proposed ordinance.

Daniel Bramstedt, 804 Viewridge Court, asked questions regarding the proposed ordinance and about recent improvements on Mountain View Avenue and the changes to the stormwater retention swale.

Ron Cridlebaugh, Economic Development Group, stated he gets contacted by site selectors and they ask about the fees. He stated that as the City continues to compile these fees, it makes it difficult when the City is competing against other communities that are giving incentives to these businesses. He volunteered his services if a committee is put together.

Robert Terrell, 7120 Hansen Road, stated on his pieces of property, not only are they required to treat and store their stormwater, they are required to treat half of the City street in front of it.

Paul (last name unknown), 130 Crystal Sky Drive, stated he is about ready to buy some commercial property in Ellensburg and now there is something new to factor into the equation. He stated that a message needs to be sent to Olympia to stop somewhere.

Doug Stalder, 2000 Quartz Mountain Drive, requested the ordinance be postponed longer. He has spent money on his own retention facilities at his developments and the 20% discount is not enough.

Jack Piper spoke again.

Council asked questions of staff and the City’s consultant, John Knutson, OTAK, Senior Project Manager.

Mayor Lillquist continued the public hearing until September 21, 2009.

Council took a brief recess at 9:05 p.m. and returned at 9:13 p.m.

**Resolution No. 2009-26 - Authorizing Frank Green to Remove a Street Tree at 913 E. Washington Avenue**

Council discussed the request to remove a tree at 913 E. Washington Avenue.

Motion to have the Mayor sign Resolution No. 2009-26. Miller

Affirmed

**Downtown Issues**

**Joint Recommendation from the Hospitality Resource Alliance and Ellensburg Downtown Association**
Lynne Harrison, Coordinator, Campus-Community Coalition and Board Member, Ellensburg Downtown Association, discussed the memorandum included in the Council Agenda regarding the joint recommendation from the Hospitality Resource Alliance and Ellensburg Downtown Association regarding late night issues.

Larry Nickel discussed a petition that he has received regarding police presence downtown. He discussed mandatory foot patrol. He requested Council write a formal letter of request to the administration of CWU to ask for some help to work out a program. He also requested the City Council send a letter to the Washington State Liquor Control Board to ask for help in liquor control enforcement. He also stated that the City does not have a tree program where the trees are trimmed and replaced as well as a downtown node program.

Council asked questions of Lynne Harrison.

Keith James spoke regarding CWU student activities and participation in the downtown issues. He stated there really does not seem to be any urgency for the businesses of the downtown and students to find a solution or any direction. He indicated there needs to be a sense of urgency to bring everyone to the table and possibly a letter from the Council.

Motion that the City Council expresses its support for the Hospitality Resource Alliance (HRA) program outlined in the agenda and changing 90% compliance to 100% compliance. The motion died for a lack of a second.

Motion that the City Council expresses its support for the program outlined in the Miller memorandum in the agenda packet on Page 37. Affirmed

**Model Downtown Housekeeping Program**

City Manager Barkley discussed his memorandum included in the Council Agenda regarding downtown housekeeping: attractive appearances and suggested model.

Motion to ask the City Manager to pursue the program for downtown housekeeping Tabb with Ellensburg Downtown Association. Affirmed

**Regulation of Temporary Beer Gardens**

City Attorney Pidduck discussed his agenda report contained in the Council Agenda regarding regulation of temporary beer gardens.

Motion to request staff to provide a draft ordinance with A-F and A-E but not the additional Elliott provisions on Page 46 of the agenda.
Motion to amend the motion by adding the first provision on Page 46 under “Additional Miller Provisions”.

The motion died for a lack of a second.

Vote on main motion. (Affirmed – Miller – no)

**Liquor License Compliance Program**

Police Chief Miller discussed his agenda report contained in the Council Agenda regarding a Liquor License Compliance Program.

Brian Cullinane and Chris James spoke regarding the Liquor License Compliance Program.

No action was required to be taken by the Council.

Councilmember Tabb left the meeting at 10:50 p.m.

**Options for Addressing Expired Building Permits**

At the July 20, 2009 meeting, Council directed staff to research options regarding a tiered credit policy that would extend out for three years for expired building permit fees.

Community Development Director Smith discussed his agenda report in the Council Agenda.

Council gave staff direction and staff will bring back a proposed ordinance.

**Proposed Trail Route on City Owned Property**

This item was postponed until the next meeting.

**Nonmotorized Transportation Code Committee Proposal**

This item was postponed until the next meeting.

**Manager’s Report**

**Innovation Partnership Zone (IPZ) Application – Request for Letter of Support**

Motion that the City supply a letter of support for the IPZ application. Elliott

Motion to amend that the letter is contingent on benefitting the citizens of Ellensburg. Miller

Affirmed

Vote on main motion. Affirmed
Set Public Hearing

Motion to set a public hearing for September 8, 2009 to consider the Illicit O’Brien Stormwater Discharge and Detection Ordinance. Affirmed

Councilmembers’ Reports

No reports were given.

Adjourn

Motion to adjourn at 11:30 p.m. Elliott

Affirmed

Mayor

ATTEST: 

City Clerk