CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting September 8, 2009
Time of Meeting 7:00 p.m.
Place of Meeting Council Chambers, 501 North Anderson Street

Roll Call.

Present: Bottcher, Elliott, Miller, O'Brien, Lillquist.

Motion to grant an excused absence for Councilmember Bassett. Miller

Affirmed

Others present were City Manager Barkley; City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Public Works Director Akers; Community Development Director Smith; Finance Director Ariwoola; Land Use Consultant Witkowski; and seven members of the audience.

Awards and Recognitions

Mayor Lillquist acknowledged Finance Director Ariwoola for the “Professional Finance Officer Award” from the Washington Finance Officers Association.

Agenda Approval

Motion to amend the agenda to move Item 5.I - Contract with ESA Adolfson to 10.A. Miller

Affirmed

Motion to amend the agenda to remove Item 6.D from the agenda. Lillquist

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: O’Brien

A. Approve Minutes – August 17, 2009, Regular Session
B. Acknowledge Minutes of Boards and Commissions

(1) Arts Commission – July 6, 2009

(2) Library Board – June 9, 2009 and July 14, 2009

C. Approve Noise Waiver Application for Lindsay Cole at the Fairgrounds on October 3, 2009 from 6:00 p.m. to 11:00 p.m.

D. Approve Noise Waiver Application for Jason Tollefson at 402 West 14th Avenue on September 19, 2009 from 7:00 p.m. to 9:30 p.m.

E. Approve University Way Banner Request for Ellensburg National Art Show and Auction from May 10-24, 2010

F. Approve University Way Banner Request for Yakima River Clean Up from September 21 – October 5, 2009

G. Approve Noise Waiver Application for Ellensburg Youth and Community Center at Ellensburg Skate Park on September 19, 2009 from 10:00 a.m. to 5:00 p.m.

H. Accept Resignation from William Amo, Landmarks and Design Commission, and Authorize Mayor to Sign a Letter of Appreciation

I. Award Bid Call 2009-10 – Tree Pruning Contract to Asplundh Tree Expert Company

J. Authorize the City Manager to Execute the Professional Services Agreement with DN Traffic Consultants for the University Way Three Lane Conversion Study

K. Authorize the Mayor to Sign the Professional Services Contract with JACO Environmental for the Refrigerator Recycling Program Extension

L. Approve September 8, 2009 Claims Fund Voucher Numbers 94477 Through 94706 in the Amount of $1,307,107.68, Payroll Fund Check Numbers 77465 Through 77564 in the Total Amount of $110,152.43, Direct Deposit in the Amount of $163,626.80, and Electronic Fund Transfer of $4,122.00. Affirmed

Letter from William P. Woods, Jr., Requesting Emergency Vehicle Owners and Operators of America to put on a “light show” in the City Hall Parking Lot

Bill Woods presented his request for use of the City Hall parking lot for a light show.

Motion to approve the request from Emergency Vehicle Owners and Operators O’Brien of America to put on a light show in the City Hall Parking Lot on October 17, 2009. Affirmed
Letter from Teresa Sorenson Regarding Street Closure Request for September 20, 2009

The B Street neighbors are requesting a closure of 10th Avenue between B and C Streets on September 20, 2009 from 4:00 p.m. to 8:00 p.m.

Motion to approve the request for street closure and waive the insurance requirement O'Brien provided Council establish a policy for block parties. Affirmed

Letter from Ryan Johnson Regarding Request from Boy Scout Troop #413 to Waive the Public Works Permit Fee for its Fundraiser

The Boy Scout Troop 413 is working on a project to post American flags in front of businesses on each of five federal holidays throughout the year.

Motion to approve the Scout flag project fundraiser as presented. O'Brien

Affirmed

Citizen Comment on Non-Agenda Issues

Larry Nickel, 317 ½ N. Pearl #1, spoke about due process and stated he has trouble getting items on the agenda that he has requested. He discussed that there is no policy for tobacco use by City employees and would like this issue on the agenda. He also discussed the Planning Commission meeting related to Comprehensive Plan amendments.

J.R. Clark, 301 N. Pacific, asked about a light out at the Library restrooms. He also asked about the amount of Mr. Barkley’s bond.

Public Hearing - Ordinance No. 4548 - Illicit Discharge Detection and Elimination

Mayor Lillquist opened the public hearing to consider the proposed ordinance for illicit discharge detection and elimination.

Public Works Director Akers summarized the agenda report.

Council asked questions of staff.

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

Councilmember Tabb arrived at the meeting at 7:56 p.m.

Motion for first Reading of Ordinance No. 4548. Elliott

An ordinance of the City Council of the City of Ellensburg, Washington relating to Chapter 9.25 entitled “Requirements for Receiving Utility Service” and amending Sections 9.25.020 and 9.25.320
and adding new sections 9.25.322, 9.25.324, and 9.25.326. Affirmed

**Proposed Ordinance – Temporary Outdoor Liquor Service Areas (Beer Gardens)**

At the August 17, 2009 meeting, Council asked staff to prepare an ordinance establishing a basic permitting process and minimum conditions for the operation of temporary outdoor liquor service areas or “beer gardens”.

Larry Nickel and Timothy Bishop spoke regarding the proposed ordinance.

Motion to refer the ordinance back to staff to research the hours of operation issue. O’Brien

Affirmed

Motion to refer to the Landmarks and Design Commission to discuss physical Bottcher appearance of temporary beer gardens.

Motion died for lack of a second.

Motion to refer the proposed ordinance to the Downtown Task Force, Ellensburg Miller Downtown Association, and Landmarks and Design Commission for review and comment. Affirmed

Motion to amend the proposed language from Mike Smith to change the 20 days Bottcher to three calendar days. Affirmed

Council took a brief recess at 8:55 p.m. and returned at 9:05 p.m.

**Contract with ESA Adolfson to Perform Wetland Reconnaissance work on the City’s property in West Ellensburg**

The proposed scope of services with ESA Adolfson is to perform wetland reconnaissance work on the City’s property in West Ellensburg.

Larry Nickel spoke regarding the proposed scope of work for environmental services with ESA Adolfson.

Motion to request staff to issue a Request For Qualifications for West Ellensburg O’Brien Wetlands Survey. Affirmed

**Agreement with Ellensburg Downtown Association (EDA) regarding Downtown Housekeeping**
Councilmember Tabb recused himself from the meeting.

At the August 17, 2009 meeting, staff was directed to prepare a downtown housekeeping agreement with the Ellensburg Downtown Association. City Manager Barkley advised the Council that the date in Item 4.E should be changed to January 15, 2010.

Motion to approve the agreement between the City and EDA for downtown Bottcher housekeeping with the Mayor’s signature.

Larry Nickel and Timothy Bishop spoke regarding the proposed agreement.

Vote on main motion. Affirmed

Councilmember Tabb returned to the meeting.

Proposed Trail Route on City Owned Property

Staff is asking Council authorization to use a section of City owned property as a nonmotorized recreational trail.

Motion to authorize the use of City owned property for a future nonmotorized recreation Tabb trail. Affirmed

Nonmotorized Transportation Code Committee Proposal

Amendments to the subdivision code and streets standards are needed to implement the Nonmotorized Transportation Plan. Council is being asked to establish an Ad Hoc Nonmotorized Transportation Code Committee to work through the issues and details to recommend specific amendment language for Council’s consideration.

Motion to authorize Mayor to solicit committee members as outlined in the agenda Tabb report.

Motion to amend the motion to strike “Neighborhood or Realty community” and replace Miller with a citizen at large. Affirmed

Vote on main motion. Affirmed

Quarterly Budget Financial Report

Finance Director Ariwoola discussed the second quarter financial report for the City. No action was required to be taken by the City Council.
Discussion Regarding Potential Expansion of the National Register Downtown Historic District

This item was deferred to a future meeting.

Discussion and Possible Action Regarding Councilmember O’Brien’s Recommendation that the Relationship Between the City and the Association of Students of CWU be Formalized

This item was deferred to a future meeting.

Noise Ordinance Waiver Request from Lilly’s Cantina for Outdoor Movie Nights Every Tuesday, Seasonally and Weather Permitting

This item was deferred to a future meeting.

Manager’s Report

Set Public Hearing

Motion to set a public hearing on September 21, 2009 to consider the Miller declaration of surplus property. Affirmed

Grant Application – Community Energy Efficiency Pilot Program - CTED

Motion to approve the grant application for the gas utility conservation grant program. Miller Affirmed

Councilmembers’ Reports

Councilmember Bottcher requested an excused absence from the October 5, 2009 meeting.

Motion to grant an excused absence for Councilmember Bottcher on October 5, 2009. Miller Affirmed

Recess

Council recessed to a closed meeting at 10:53 p.m. to discuss labor negotiations for approximately 20 minutes.

At 10:55 p.m., the closed meeting to discuss labor negotiations commenced.

At 11:15 p.m., Council extended the closed meeting for an additional 10 minutes.

At 11:25 p.m., Council extended the closed meeting for an additional 10 minutes.
Reconvene

At 11:35 p.m., Council returned to the regular open meeting. No action was taken.

Adjourn

Motion to adjourn at 11:36 p.m. O’Brien

Affirmed

Mayor

ATTEST: ____________________

City Clerk