CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session
October 5, 2009

Date of Meeting
October 5, 2009
Time of Meeting
7:00 p.m.
Place of Meeting
Council Chambers, 501 North Anderson Street

Roll Call.


Excused absence: Bottcher.

Motion to excuse Councilmember Miller’s absence. O’Brien

Affirmed

Others present were City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Public Works Director Akers; Planning Supervisor Bailey; Captain Coppin; and approximately 10 members of the audience.

Proclamations

Mayor Lillquist read the proclamation for Vision and Hearing Day – October 17, 2009.

Authorize Mayor to sign proclamation. Bassett

Affirmed

Mayor Lillquist read the proclamation for Community Planning Month.

Authorize Mayor to sign proclamation. O’Brien

Affirmed

Agenda Approval

Motion to approve the 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 – September 21, 2009, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Arts Commission – August 13, 2009

(2) Library Board – August 11, 2009

C. Approve Street Closure Application for Central Washington University to close North Walnut Street on October 24, 2009 from 9:00 a.m. to 3:00 p.m. for Homecoming Street Fair

D. Accept Bid Call 2009-06 - Canyon Road Overlay Project as Complete

E. Award Bid Call 2009-17 – Official Newspaper Contract to the Daily Record

F. Approve October 5, 2009 Claims Fund Voucher Numbers 94879 Through 95076 in the Amount of $882,992.57, Payroll Fund Check Numbers 77663 Through 77760 in the Total Amount of $115,728.04, Direct Deposit in the Amount of $165,575.82, and Electronic Fund Transfer of $4,122.00. Affirmed

Letter from Central Washington University (CWU) Regarding Hogue Hall Addition and Renovation Project – Request for Road Closure

CWU requests approval to close a section of Dean Nicholson Boulevard for 17 months, starting November 2009 and ending March 2011.

Motion to approve the request for street closure for Hogue Hall Addition and Elliott Renovation Project. Affirmed

Citizen Comment on Non-Agenda Issues

Larry Nickel, 317 ½ N. Pearl #1, discussed downtown issues.

Public Hearing – Proposed Comprehensive Plan Amendments

Mayor Lillquist opened the public hearing to consider proposed Comprehensive Plan amendments.

Planning Supervisor Bailey summarized the agenda report.

Larry Nickel, 317 ½ N. Pearl #1, discussed the Public Participation Plan amendment, the two amendments that he has proposed (Amendments 09-07 and 09-11) related to Aquifer Recharge Areas and the third interchange. He stated that he agrees with the majority of what the Planning Commission recommends.
Ken Fyall spoke in favor of his proposed amendment (09-17) to change the zoning for the Water Street frontage between Third and Fifth Avenues from Central Commercial II to Central Commercial.

Council asked questions of staff.

Motion to carry over Amendment 08-19 to the 2010 Comprehensive Plan amendment O’Brien cycle. Affirmed (Tabb – no)

Motion to approve Amendment 09-01. O’Brien

Affirmed

Motion to approve Amendment 09-02 (1). Elliott

Affirmed

Motion to not approve Amendment 09-02 (2). O’Brien

Affirmed

Motion to recommend Amendment 09-02 (3) not be approved. Elliott

Affirmed

Motion to approve Amendment 09-02 (4). Elliott

Affirmed (Lillquist – no)

Motion to approve Amendment 09-02 (5) recommending that the UGA line be O’Brien moved to the west. Affirmed

Motion to approve Amendment 09-02 (6) to remove the Mineral Lands of Long O’Brien Term Significance from the UGA. Affirmed

Motion to not approve Amendment 09-03. O’Brien

Defeated (Bassett, Tabb, and Lillquist -no)

Motion to carry over Amendment 09-03 to the 2010 Comprehensive Plan amendment Bassett process. Affirmed

Motion to approve Amendment 09-04. Elliott

Affirmed
Motion to deny Amendment 09-07. O'Brien
Affirmed

Motion to approve Amendment 09-11. O'Brien
Affirmed

Motion to not approve Amendment 09-15. O'Brien
Affirmed

Motion to approve Amendment 09-16 with the deletion of the language proposed for O'Brien
Goal LU 6, Program 9. Affirmed (Bassett, Lillquist – no)

Motion to approve Amendment 09-17. Elliott
Affirmed

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

Council took a brief recess at 8:35 p.m. and returned at 8:40 p.m.

**Public Hearing – 2010 Proposed Revenues and Preliminary Budget Transmittal**

Mayor Lillquist opened the public hearing to consider the 2010 proposed revenues.

Finance Director Ariwoola summarized the agenda report.

Council asked questions of staff.

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

Council was not required to take any action.

**Ordinance No. 4549 - Stormwater Utility Formation**

Mayor Lillquist opened the public hearing to consider the stormwater utility ordinance.

Public Works Director Akers summarized the agenda report. At the initial public hearing on August 17, 2009 and at the continued hearing on September 21, 2009, Council heard testimony and conducted first reading of Ordinance No. 4549.

Mayor Lillquist entered Pages 52-58 of the agenda into the record.

Ron Criddlebaugh, Economic Development Group, spoke in favor of the tiered rate approach.
Richard Cole, 660 Southridge Drive, stated he retains his stormwater on his own property and does not feel that the 50% credit is fair.

Council asked questions of staff.

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

Motion to refer Ordinance 4549 back to staff to develop a tiered funding mechanism that Elliott meets the rough proportionality standards. Affirmed

**Proposed Resolution – Accepting William E. Peterson Bequest**

The proposed resolution accepts a bequest from William E. Peterson in the amount of $50,000 to the Police Department.

Motion to adopt Resolution 2009-28. Elliott

Affirmed

**Nonmotorized Transportation Code Committee**

Motion to approve the Mayor’s appointments to the Nonmotorized Transportation Code Bassett Committee as follows: Sarah Bedsaul, Dan Davis, Kay Forsythe, Karen Raymond, Gretchen Thatcher, Steve Willard, Bill Yarwood, John Sinclair and Joe Seemiller – alternate, and Ray Miller. Affirmed

**Proposed Nuisance Ordinance**

On April 20, 2009, Council requested Police Department staff review possible ordinances on prohibiting people from parking on their front yards. This issue goes hand in hand with similar issues of abandoned vehicles, tall grass and weeds, refuse and clutter, and other code violations.

Motion to direct the Police Department working with the City Attorney to bring the Elliott Council an ordinance that combines the different pieces of the nuisance laws into one ordinance and consolidates the penalty. Affirmed

**Ellensburg Arts Commission Public Arts Policy**

The Arts Commission has been working with the City Attorney to create a Public Arts Policy to be used as the standard for borrowing, acquiring and/or exhibiting artwork.

Motion to adopt the new Public Art Policy. Elliott
Affirmed

Agreement with the Washoe Tribute Group Regarding Improvements on City Owned Property

The proposed agreement with the Washoe Tribute Group is for improvements at the City’s parking lot on Fifth Avenue.

Motion to authorize the Mayor to sign the agreement with the Washoe Tribute Group Elliott for improvements on City owned property. Affirmed

Manager’s Report

Update – Proposal to Separate Landmarks and Design Commission into Two Separate Commissions

Council directed staff to send the proposal to the Downtown Task Force, Landmarks and Design Commission, and Ellensburg Downtown Association.

Set Public Hearings

Motion to set a public hearing for October 19, 2009 for major maintenance and project Tabb completion bond list. Affirmed

Motion to set a public hearing on October 19, 2009 for rate adjustments to electric, gas, O’Brien sewer, and water utilities. Affirmed

Councilmembers’ Reports

Councilmember Bassett reported on the Conference of Governments and attended an open house for the new trail.

Council consensus was to send a letter to the County Commissioners under the Mayor’s signature reiterating Council’s desire to have an agreement with them regarding UGA land administration and requesting a meeting before the end of the year.

Councilmember Elliott reported on EMS and Health Department issues.

Councilmember O’Brien reported on the EMS Trauma Council and attended the trail open house.

Councilmember Tabb attended the first Friday art walk.

Councilmember Tabb requested an excused absence for the October 19 meeting.

Motion to grant Councilmember Tabb an excused absence for the October 19 meeting. Elliott
Mayor Lillquist attended a lunch with the CEO of AWC, the trail open house, the Auditor’s entrance meeting, a LEOFF meeting, and has been asked to be on a committee to combine district one and two courts.

**Recess**

City Attorney Pidduck stated “there will be a five minute executive session for pending litigation and potential litigation.”

Council recessed to executive session at 10:14 p.m.

The executive session commenced at 10:15 p.m.

**Reconvene**

Council returned to the regular open meeting at 10:20 p.m.

**Adjourn**

Motion to adjourn at 10:20 p.m. Bassett

Affirmed

Mayor

ATTEST: 

City Clerk