CITY OF ELLENSBURG
Minutes of Council Meeting, Regular Session
Date of Meeting
December 7, 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; Executive Assistant Gigstead; Public Works Director Akers; Land Use Consultant Witkowski; Planning Supervisor Bailey; Parks and Recreation Director Case; Energy Services Director Titus; Finance Director Ariwoola; and approximately 20 members of the audience.

Agenda Approval

Motion to strike Item 6.B from the agenda. 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: O’Brien

A. Approve Minutes – November 9, 2009, Special Session

Approve Minutes – November 16, 2009, Regular Session

Approve Minutes – November 23, 2009, Special Session

B. Acknowledge Minutes of Boards and Commissions

(1) Arts Commission – October 8, 2009

(2) Board of Adjustment – September 17, 2009

(3) Landmarks and Design Commission – November 3, 2009
C. Accept Bid Call 2009-02 - Residential Sidewalk Repair Program as Complete

D. Authorize the City Manager to Sign the 2010 Kittitas County Emergency Medical Services and Trauma Care Council Payment Agreement

E. Authorize City Manager to Sign Wetland Services Contract with Sewall Wetland Consulting, Inc. for West Ellensburg Property

F. Approve the use of Rotary Park, West Ellensburg Park, and Irene Rinehart Riverfront Park on October 1 and 2, 2010 for the Manastash Metric Bike Ride

G. Authorize the Mayor to Sign an Easement with Kittitas County PUD #1 for West Ellensburg Property

H. Approve University Way Banner Request for Generation Church from January 4-17, 2010


**Boards and Commissions Applications**

Motion to reappoint the following applicants: Tabb

Andrew Bishop and Margaret Nover, Environmental Commission; Rusty Gigstead and Douglas Ryder, Building Appeals Board; Martin Haberman, Board of Adjustment; Gary Mabee and Amy McGuffin, Lodging Tax Advisory Committee; and Bob Titus, Ellensburg Business Development Authority Board. Affirmed

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

At the November 16, 2009 meeting, Council postponed the vote on a motion for second reading and adoption of Ordinance No. 4549 as presented with an amendment on Page 39 (P) to delete “excluding apartment complexes”.

Jeff Greear, 1901 N. Walnut; Bob Tosch, Central Washington University; and Robert Terrell, 7120 Hanson Road, spoke regarding the proposed ordinance.

**The motion on the floor is for second reading and adoption of Ordinance No. 4549 as presented with an amendment on Page 39 (P) to delete “excluding apartment complexes”**.
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON relating to stormwater services, rates, fees, and charges; adding a new chapter 9.100 to Title 9 of the Ellensburg Municipal Code entitled “Storm Drainage and Surface Water Management Utility”; adding a new chapter 9.00 entitled “Preliminary Article” and amending sections 9.05.010, 9.25.010 and 9.30.010.

Vote on motion. Bassett (yes)
Bottcher (yes)
Elliott (yes)
Miller (yes)
O’Brien (yes)
Tabb (yes)
Lillquist (yes)

Motion approved.

Ordinance No. 4555 – Natural Gas, Electric, Water and Sewer Utility Rates and Fees

At the November 16, 2009 meeting, Council gave first reading to Ordinance No. 4555 for rate and fee adjustments in the City’s Utility Accounts.

Motion for second reading and adoption of Ordinance No. 4555 with correction of Miller “moneys” to “monies” on Page 77 of the Council Agenda.


Vote on motion. Bassett (yes)
Bottcher (yes)
Elliott (yes)
Miller (yes)
O’Brien (yes)
Tabb (yes)
Lillquist (yes)
Motion approved.

**Proposed Ordinance – Comprehensive Plan Amendments**

The proposed ordinance adopts several amendments to the Comprehensive Plan.

Kirk Holmes, Kittitas County Director of Public Works, spoke about amendment 09-16.

**Motion for first Reading of Ordinance No. 4456 incorporating the language in** Tabb

**proposed amendment 09-16.**

An Ordinance of the City Council of the City of Ellensburg, Washington amending the Ellensburg Municipal Code relating to planning and amending the Comprehensive Plan adopted by Ordinance No. 3997 as last amended by Ordinance No. 4535 and set out in Chapter 3.32 of the Ellensburg City Code.

Motion to amend the motion to add back in the language on Page 2 of the 09-16 proposal Miller under “Add Program 9”. (Defeated – Bassett, Bottcher, Elliott, O’Brien, Tabb – no)

Vote on main motion. Affirmed

Motion to approve the SEPA Responsible Official’s issuance of a SEPA Determination O’Brien of Non-Significance on November 5, 2009 for the proposed Comp. Plan Amendments.

Motion to delay action on the motion until the next regular meeting. Miller

(Affirmed – Elliott, O’Brien, Tabb – no)

**Continued Discussion and Direction Regarding the Regulation of Temporary Outdoor Liquor Service Areas (Beer Gardens)**

On August 17, 2009, Council asked staff to prepare an ordinance providing for the permitting and minimum conditions for the operation of beer gardens. Staff has prepared a draft ordinance.

Larry Sharpe, President of Jazz in the Valley; Lynne Harrison, Hospitality Resource Alliance, and Ellensburg Downtown Association Board Member; Dr. Linder, Chiropractor; and Bob Hansen, Chamber of Commerce, spoke regarding the proposed ordinance for regulation of temporary outdoor liquor service areas (beer gardens).
Motion to not move forward with this ordinance at this time. Tabb

Affirmed (Miller – no)

Conference of Governments Proposed Population Allocations, Review and Consideration

As part of its Growth Management Act compliance activities, Kittitas County is proposing to amend the County Wide Planning Policies.

Motion to ratify the action taken at the November 25, 2009 Conference of Tabb Governments meeting. Affirmed

Council took a brief recess at 9:11 p.m. and returned to the meeting at 9:21 p.m.

Agreement between Kittitas Valley Junior Soccer Association (KVJSA), Central Washington University (CWU), and the City of Ellensburg for Construction of an Indoor Soccer Facility at the Ellensburg Racquet & Recreation Center

The proposed agreement would allow the KVJSA, along with CWU, to construct an indoor soccer facility at the Ellensburg Racquet and Recreation Center.

Motion to approve the agreement and authorize the Mayor to sign the facility use agreement between the KVJSC, CWU, and the City. Affirmed

Ernest R. Norling Mural Project Proposal

The Arts Commission is proposing that the City purchase and install two reproductions of mural designs created by Ernest R. Norling in the lobby of City Hall.

Motion to ask the Arts Commission to conduct a public survey and report back to the Council in 60 days. Affirmed

Proposed Ordinance – 2009 Supplemental Budget

The proposed ordinance provides for supplemental appropriations and revenues in various funds.

Motion for first Reading of Ordinance No. 4557. Miller

AN ORDINANCE amending the 2009 Annual Budget of the City of Ellensburg as set forth in Ordinance No.4530 and Ordinance No. 4546 to provide additional revenues and appropriations in the General Fund, Parks Acquisition, Risk Management, EURERF, Sidewalk Improvement, Sewer Construction, and Fire Relief & Pension Funds. Affirmed
Proposed Ordinance – Hal Holmes Code Revisions

The Library is requesting revisions to the City Code regarding Hal Holmes to simplify the explanation and calculation of fees and charges and to clarify and shorten associated text.

Motion for first Reading of Ordinance No. 4558. O'Brien

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON RELATING TO CHAPTER 2.36 "HAL HOLMES CENTER RATES AND OTHER MEETING FACILITIES RATES AND FEES," AND AMENDING SECTIONS 2.36.040 and 2.36.080 OF THE ELLENSBURG MUNICIPAL CODE.

Affirmed

Proposed Resolution – 2010 Pay Plan

The proposed resolution would set compensation rates for non-union employees for 2010.

Motion for adoption of Resolution No. 2009-32. Elliott

Affirmed

Proposed Resolution – 2009 Bad Debt Write-Offs

The proposed resolution would authorize the write-off of uncollectible utility accounts, parking citations, and Library accounts billing for fiscal year 2009.

Motion for adoption of Resolution No. 2009-33. Tabb

Affirmed

Proposed Resolution – Itron Sole Source

The proposed resolution would again establish Itron as the sole source supplier of Encoder Receiver Transmitters (ERTs) for the City’s automated meter reading system.

Motion for adoption of Resolution No. 2009-34. Elliott

Affirmed

Proposed Resolution – Interfund Loan Payoff for Archives Building

The proposed resolution would pay off the 2005 interfund loan plus interest borrowed from the Shop Fund by the General Fund for the archives building.
Motion for adoption of Resolution No. 2009-35. Elliott

Affirmed

Proposed Resolution – Interfund Loan Payoff for Animal Control Van

The proposed resolution would pay off the 2005 interfund loan plus interest borrowed from the Shop Fund by the General Fund for purchase of the animal control van.

Motion for adoption of Resolution No. 2009-36. Elliott

Affirmed

Manager’s Report

Employee Appreciation Luncheon

Motion to set a date of January 13, 2010 for an employee appreciation luncheon. Miller

Affirmed

Councilmembers’ Reports

Councilmember Miller requested an excused absence from the December 21, 2009 meeting.

Motion to grant an excused absence for Councilmember Miller from the Elliott December 21, 2009 meeting. Affirmed

Motion to authorize the Mayor to send thank you letters to members of the Critical Areas Miller Ordinance Committee. Affirmed

Adjourn

Motion to adjourn at 11:09 p.m. Elliott

Affirmed