CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

February 16, 2010
7:00 p.m.

Council Chambers, 501 North Anderson Street

Roll Call.


Others present were Acting City Manager Pidduck; Community Development Director Smith; Police Chief Miller; Captain Hansberry; Parks & Recreation Director Case; Assistant Public Works Director Bollinger; Library Director DeSoer; Deputy Clerk Keno and approximately 20 members of the audience.

Agenda Approval

Move agenda item 5.B.(1) minutes of the “Landmarks & Design Commission – Miller January 5, 2010 & January 19, 2010” from the Consent Agenda and add it to Item 6.B. “Memorandum from the Landmarks & Design Commission re: Action Taken at the February 2, 1010 Meeting.” Affirmed

Move approval of agenda as amended. Miller

Affirmed

Consent Agenda

Items listed below have been distributed to Councilmembers in advance for study and will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Councilmember or at the request of a member of the public with concurrence of a Councilmember. Requests to remove items should be made under Item 4 Approval of Agenda.

Approved amended consent agenda as follows: Lilquist

A. Approve Minutes – February 1, 2010, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Downtown Task Force – January 14, 2010

C. Approve the January 1, 2009 through December 31, 2011 Labor Agreement with Teamsters Local
No. 760 and Authorize the Mayor and City Manager to Sign the Agreement

D. Approve Street Closure Application for Kittitas County Farmers Market for Fourth Avenue Between Pearl & Pine Streets and Fourth Avenue Between Pine Street and Up to the Alley Between Pine & Ruby Streets from 6:00 a.m. – 3:00 p.m. from May 1 to October 30, 2010

E. Award Bid Call #2010-02 – Rotary Park Bleacher Bid to Bleachers International in the Amount of $33,654.00

F. Approve University Way Banner Request for “Wildcat Day: Rolling Out the Crimson Carpet” from April 12-18, 2010

G. Approve February 16, 2010 Claims Fund Voucher Numbers 96754 Through 96946 in the Total Amount of $434,604.88 and Payroll Fund Check Numbers 78513 Through 78606 – voided; Payroll Fund Check Numbers 78607 Through 78700 In the Total Amount of $99,250.98; Direct Deposit in the amount of $176,187.05; and Electronic Fund Transfer of $4,172.00.

Affirmed

Law Enforcement Presentation Re: Special Olympics Motorcade – August 28, 2010

Representatives of Special Olympics Washington and the Seattle Police Department gave a presentation on the Northwest Ride of Dreams, a state-wide motorcycle and classic car ride that begins in several pre-designated satellite starting locations, culminating in a day of activities in Ellensburg to honor Washington State’s Special Olympians. They are hoping to hold the event on August 28, 2010 at West Ellensburg Park. Based on estimates from the event organizers there could be as many as two thousand participants. Staff believes West Ellensburg Park has adequate space for this event depending on further details from the organizers.

Council asked questions of staff and discussed the need to develop guidelines for fee waivers.

Approve the proposal as presented from Special Olympics Washington O’Brien allowing Ellensburg to be the state-wide destination for the Northwest Ride of Dreams on August 28, 2010, co-sponsor the event and waive appropriate fees for the event.

Approved


Council acknowledged the February 9, 2010 memorandum from the Landmarks & Design Commission regarding action taken at the Commission’s February 2, 2010 meeting on grant opportunities. Council
Council discussed the Commission's recommendations from the January 5, 2010 minutes under Motion 01-3:1 on pages 5-6 of the agenda packet.

Acknowledge the four recommendations as presented in Motion 01-3:1 of the Miller January 5, 2010 Landmarks and Design Commission minutes and request the Commission participate in the development of an implementation plan incorporating all four recommendations. Approved

Motion to accept Landmarks & Design Commission minutes from Bassett January 5, 2010 and January 19, 2010. Approved

Quarterly Report from the Ellensburg Downtown Association and Request for Council Support of the Washington Main Street Bill (House Bill 2704)

Mary Young Ness, President of the Ellensburg Downtown Association, requested City Council support for continued legislative funding for the Washington Main Street Program. Ms. Young-Ness advised Council the bill has moved out of the House to the Senate.

Motion for the Mayor to sign a letter to Senator Holmquist and Senator Fairley Miller using language on behalf of the City of Ellensburg supporting the Main Street Program. Approved(Lillquist-abstain)

Letter from CWU requesting Conditional Approval to Temporarily Extend CWU's Public Reserve Zone to Former University Auto Building and Allow Temporary Placement of Electronic Reader Board Sign

CWU requests conditional approval to extend the right of the university’s public reserve zone temporarily to the former University Auto Building, two blocks west of campus, to allow a university owned campus gateway sign with an electronic reader board to be placed temporarily on the northwest corner of the lot. The university has a five year lease on the building for use as a welcome center with plans to open in March with a Grand Opening in April.

Community Development Director Smith advised the request does not meet City Code requirements. He distributed code section 3.12.290 on electronic signs. The property being leased by CWU is located in the CC zone which does not allow electronic signs. The code requires ownership of the property. Additionally, the code specifies the electronic sign shall not exceed a total sign face size of three square feet. The sign proposed does not fit the definition of a temporary sign.
Council asked questions of staff.

Bill Yarwood, Facilities Director at CWU, stated the University plans to move the Welcome Center and sign to a permanent, on campus, location in the future.

Refer the request to the Downtown Task Force and Landmarks & Design Lillquist Commission for input on how to best address the code requirements.

Approved(O’Brien, Miller, Elliott-no)

Refer the request to the Downtown Task Force and Landmarks & Design Bottcher Commission asking for feedback on the sign itself, and in particular, illumination of the sign.

Defeated(Bassett, Elliott, Lillquist, Miller, O’Brien, Tabb – no)

**Ordinance No. 4560 – Limited Tax General Obligation Bonds**

Ordinance No. 4560 provides for the sale and issuance of up to $3,000,000 in Limited Tax General Obligation Bonds to finance the repair and improvement of several City buildings listed on Exhibit “A” of the ordinance. Ordinance No. 4560 was given first reading at the February 1, 2010 meeting.

A revised ordinance reflecting today’s bond market sale numbers was distributed and should be substituted for the ordinance on pages 46-60 of the agenda. The ordinance includes the updated project list, Exhibit “A”, as revised by Council at the January 19, and February 1 Council meetings. A Purchase Contract for the bonds between the City and Siebert Brandford & Shank Co., L.L.C., the City’s bond underwriter, was also distributed and will require the Mayor’s signature.

A February 4, 2010 letter from Standard & Poor’s summarizing the assignment of a ‘AA’ long term rating to the City’s series 2010 limited-tax general obligation bonds was distributed.

Substitute the final ordinance provided by bond counsel including revised Lillquist Exhibit “A” for the ordinance given first reading.

Geoff Urbina, Senior Vice President of Siebert Brandford & Shank & Co., L.L.C. spoke about the City’s bond presentation to Standard and Poor’s.

Vote on motion. Approved

**Motion for second reading and adoption of Ordinance No. 4560.** Lillquist

AN ORDINANCE of the City of Ellensburg, Washington, relating to contracting indebtedness; providing for and authorizing the issuance of $2,935,000 principal amount
of limited tax general obligation bonds of the City for general City purposes to provide funds with which to pay a part of the cost of various projects of the City; fixing the date, form, maturities, interest rates, terms and covenants of the bonds, establishing a bond redemption fund and a project fund; and approving the sale and providing for the delivery of the bonds to Siebert Brandford & Shank & Co., L.L.C.

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

Motion approved.

Authorize the Mayor to sign the Purchase Contract with Miller Siebert Brandford & Shank & Co., L.L.C. Approved

Council took a ten minute break at 8:39 p.m. to sign the bond documents.

Council reconvened at 8:50 p.m.

Proposed Resolution – Accept Equipment Donation from Twin City Foods and Approve Donation of Land to the City for Future Park, or Other General Purposes

Twin City Foods has been engaged in discussions with the Department of Ecology to define terms acceptable to Ecology for settlement of the fine imposed for an ammonia release at Twin City Foods. An agreement has been finalized with Ecology and a portion of that agreement involves donation of land and equipment to the City. Council action to accept the donation is requested.

Authorize the wastewater treatment plant staff to accept the Twin City Foods Elliott equipment donation and approve the donation of land to the City for future park, or other general purposes by adoption of Resolution No. 2010-04. Approved

Proposed Resolution – Revising the Pay Range for Assistant City Engineer Position

On December 7, 2009, Council approved pay plan resolution number 2009-32 for fiscal year 2010 for
City service no covered by a union contract. The Assistant City Engineer position has been vacant for several years, the pay scale was overlooked and is in need of revision to reflect the current market.

Approve Resolution No. 2010-05 amending pay plan resolution no. 2009-32 Elliott by changing the Assistant City Engineer position pay range to $4913 - $6550, effective February 16, 2010. Approved

**Arts Commission Mural Project**

The Arts Commission is proposing the City purchase and install two reproductions of mural designs created by Ernest R. Norling in the lobby of City Hall. At the December 7, 2009 meeting Council requested the Commission conduct a public survey and report back to Council in 60 days. Arts Commission members Heather Horn Johnson and Will Campbell were present to request Council approval for the project and an increase of $4,815.28 to the Arts Commission budget to cover project costs.

Council questioned what comment procedures were used by the Commission to collect public comment. Council requested the Commission work with the editor of Town Talk to incorporate an article on the mural project with a color photo and request for citizen input within a two week time frame. Council also requested the Commission articulate how its list of activities would be impacted if all installation costs for the project were paid from the Commission’s current budget. Report to Council is due back after April 1st.

**Consideration of a draft letter to the Kittitas County Board of Commissioners regarding the Planning Process for Expanding Jail Facilities**

At the February 3 retreat Council discussed the potential for movement by the County on the jail expansion project and the possibility of an increase in jail costs to the City as a result of that project. Staff has drafted for Council consideration a letter to the Kittitas County Board of Commissioners regarding this issue.

Authorize Mayor to sign letter and send to the Board of County Commissioners Elliott related to jail use and planning. Approved

**Public Reserve (P-R) Zone Discussion**

As a result of citizen comment at the January 19, 2010 meeting, Council requested a staff report on a language change for the Public Reserve (P-R) zone to include non-profit uses as an allowable use.

Community Development Director Smith reviewed the agenda report and discussed the establishment of the public reserve zone. Current City Code does not provide any guidance as to what to do with P-
R zoned land when the property owner desires to change the zoning. Director Smith outlined four options detailed on page 70 of the agenda packet to address the issue.

Council and staff discussion.

Move to refer the matter to the Planning Commission for consideration and Bottcher more detailed analysis of options and recommendations to Council.

Amend to request the Planning Commission to provide input back to the Council Miller by the first meeting in May. Approved

Vote on main motion. Approved

Letter of Support for Washington State Library

Staff requests City Council endorsement to the State Legislature for restoration of $987,000 in supplemental budget funding to the Washington State Library. Loss of this funding will jeopardize the State Library’s maintenance of effort requirement for federal matching funds from the Library Services and Technology Act which will impact local library services. A draft letter to the City’s 13th District Legislators is provided for Council’s consideration.

Council asked questions of staff.

Authorize the Mayor to sign the letter to 13th District Legislators in support Miller of restoring supplemental funding to the Washington State Library with the inclusion of specificity language in the second sentence of the first paragraph.

Approved(Lillquist-Abstain; O’Brien–No)

MANAGER’S REPORT

Request to Schedule Special Meeting

Set special meeting for May 10, 2010 to discuss the roles, responsibilities, and Elliott interplay of the Ellensburg Downtown Association, Ellensburg Business Development Authority and Downtown Task Force. Approved

Request to Set March 1, 2010 Public Hearing – Revise Six Year Transportation Improvement Plan

The Washington State Department of Transportation’s Highways and Local Programs office has requested that prioritized transportation projects be submitted to the agency’s respective region by
March 1, 2010. Staff is requesting a public hearing be set for March 1, 2010, so that the City’s six year transportation plan can be amended to include potential projects that could be included in the request.

Set March 1, 2010 for a public hearing on the Six Year Transportation Miller Improvement Plan. Approved

COUNCILMEMBERS’ REPORTS

Councilmember Miller attended an annual planning meeting for the Resource Conservation and Development Council.

Councilmember Lillquist attended a planning strategies conference.

Councilmember Elliott attended a Flood Control Task Force meeting.

Councilmember Bottcher showed photos of the Washoe statue in progress which will be installed at Friendship Park.

Mayor Tabb acknowledged the work done on Spirit of the West.

Kittitas County Conference of Governments (KCCOG)

Councilmember Bottcher distributed a list of questions for Council review and consideration. Council discussed the role of COG and the desire to have a meeting with all entities in mid-March. Council wishes to discuss COG at the March 15, 2010 meeting. Council authorized its representatives to take the previously approved letter to

the Board of County Commissioners regarding the jail expansion project to KCCOG.

Excused Absence for Councilmember Miller

Councilmember Miller requested an excused absence for the April 19, 2010 meeting.

Approve excused absence for Councilmember Miller for April 19, 2010. Elliott

Approved

ADJOURN Motion to adjourn at 10:35 p.m. O’Brien

Approved

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Mayor
ATTEST: ____________________________

City Clerk