CITY OF ELLENSBURG
Minutes of Council Meeting, Regular Session
Date of Meeting April 5, 2010
Time of Meeting 7:00 p.m.
Place of Meeting Council Chambers, 501 North Anderson Street

Roll Call Present: Bassett, Bottcher, Elliott, Lillquist, Miller, O’Brien, Tabb.

Others present were City Manager Barkley; City Clerk Reno; Executive Assistant Gigstead; Public Works Director Akers; Community Development Director Smith; Public Works Administrative Secretary Voss; and approximately 20 members of the audience.

Proclamations

Mayor Tabb read the proclamation for National Day of Prayer.

Motion to authorize the Mayor to sign the proclamation. Bassett

Affirmed

Awards and Recognitions

Public Works Director Akers introduced Sarah Voss, Public Works Administrative Secretary.

Agenda Approval

Motion to approve the agenda with a correction to Item 5.A – Minutes of March 15, 2010, Page 4, to change the date of the special meeting to April 26 instead of April 27, 2010.

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: Miller

A. Approve Minutes – March 15, 2010, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Cable Television Commission – February 17, 2010
C. Approve Street Closure Application for Cruisin for Hospice & Kittitas Valley Cruiser’s Car Club to Close Pine Street from Fifth Avenue to Third Street from 8:00 a.m. to 3:30 p.m. on June 5, 2010

D. Approve University Way Banner Request for “National Day of Prayer” from April 19-26, 2010

E. Accept Resignation from Stan Lawrence, Arts Commission, and Authorize Mayor to Sign a Letter of Appreciation

F. Approve Request from Central Washington University to Waive the Residential Parking Zone 2 on 7th Avenue between Walnut Street and Anderson Street for Dates Specified in 2010 and 2011

G. Adopt Resolution No. 2010-11 – Jeff Liddicoat Tree Removal Request

H. Authorize the Mayor to Sign the 2010 Professional Services Agreement with Ellensburg Downtown Association in the Amount of $50,000

I. Approve Request from Kittitas County Farmers Market to Hang a Banner on Fourth Avenue off of Main Street during the 2010 Farmers Market Season

J. Authorize the Mayor to Sign the First Amendment to the Lease Agreement with Clearwire US, LLC

K. Approve April 5, 2010 Claims Fund Voucher Numbers 97347 Through 97609 in the Amount of $2,113,131.25, Payroll Fund Check Numbers 78907 Through 79027 in the Total Amount of $112,537.54, Direct Deposit in the Amount of $181,997.67, and Electronic Fund Transfer of $4,172.00.

Affirmed

**Boards and Commissions Appointments**

Keith Edie spoke regarding his interest in serving on the Arts Commission.

**Letter from Ellensburg Business Development Authority Re: Rezoning of West Ellensburg Property**

Robert Titus spoke about the letter from the Ellensburg Business Development Authority regarding interest in working with the City to develop portions of the City’s West Ellensburg property for light industrial use.
Council requested that staff provide an overview of the critical areas process for this request at the April 12, 2010 meeting.

**Ellensburg Police Department’s 2009 Annual Report**

Police Chief Miller spoke about the Police Department’s 2009 Annual Report.

**Memorandum from Landmarks and Design Commission Re: Progress Update**

The memorandum from Landmarks and Design Commission regarding the progress update on the January recommendations to Council was discussed.

**Letter from Doug Sutherland, Central Washington Resource Energy Collaborative Re: Innovation Partnership Zones**


Kittitas County Commissioner Paul Jewell discussed the County’s request for funding from the Distressed County Sales and Use Tax Infrastructure Improvement Program.

Motion to direct our representatives of the Kittitas County Conference of O’Brien Governments (KCCOG) to support the utilization of 100,000 of Distressed County Sales and Use Tax revenue in support of the Innovation Partnership Zones for five years. Affirmed

**Electronic Sign on Non-Public Reserve Zoned Land**

At the February 16, 2010 regular meeting, the Council referred a request from Central Washington University (CWU) to locate an electronic sign on property it is leasing in the Central Commercial zoning district at 100 E. University Way to the Downtown Task Force and Landmarks and Design Commission to provide a recommendation.

Motion to deny CWU’s request as presented and direct staff to bring back ordinance Lillquist language on April 12, 2010 for the language presented on Pages 71 and 72 of the Council Agenda with amendments to 10.i to read “the leased land and the proposed sign location must abut University Way or South Canyon Road”, delete 10.ii, and 10.iii becomes 10.ii. Bassett (yes)

Bottcher (no)

Elliott (no)

Lillquist (yes)

Miller (yes)
O’Brien (no)
Tabb (no)
Motion defeated.

Motion to approve the request from CWU per the interpretation that this is PR Elliott being used for public property – leased land used for a public purpose by a public entity - and to direct staff further to amend the Sign Code per language provided on Page 71 of the Agenda packet as amended by Councilmember Lillquist in the previous motion.

Affirmed (Lillquist, Miller– no)

The Council took a brief recess at 9:05 p.m. and returned to the meeting at 9:15 p.m.

Governance of Kittitas County Conference of Governments (KCCOG)

The Council discussed the governance structure of the Kittitas County Conference of Governments (KCCOG). Council requested that the City’s KCCOG representatives request that KCCOG look at redefinition, the scope of what can reasonably be accomplished, and factor in if it is valuable.

Manager’s Report

Wastewater Treatment Plant Sludge Experiment

Motion to permit Wastewater Treatment Plant staff to take the class “A” biosolids off Lillquist site for use at individual properties. Affirmed

Twin City Foods Land and Equipment Donation

Motion to accept the Twin City Foods donated equipment for use at the Wastewater Elliott Treatment Plant Lab and the land donation for general City purposes. Affirmed

Stormwater Utility Manager Position

Motion to authorize the Stormwater Utility Manager position. Miller

Affirmed

Library Grants

Motion to approve receipt of $7,800 from the Gates Foundation for the second O’Brien year of the opportunity online grant dedicated to public access computing. Affirmed
Councilmembers’ Reports

Councilmember O’Brien reported on the Economic Development Group meeting and the EMS Trauma Care Council meeting.

Councilmember Miller discussed the Residential Parking Zone (RPZ) waivers requested by CWU that were approved in the Consent Agenda.

Motion to direct staff to pursue removal of the RPZ from the north side of 7th Avenue Miller between Walnut Street and Anderson Street. Affirmed

Councilmember Miller reported on the Affordable Housing and Homeless Committee and the Airport Advisory Committee. She also requested excused absences for April 12 – May 3, 2010.

Motion to grant excused absences to Councilmember Miller for April 12, April 19, Elliott April 26 and May 3, 2010. Affirmed

Councilmember Lillquist reported on the Nonmotorized Transportation Code Committee.

Council requested that the Landmarks and Design Commission issue be placed on the May 17, 2010 agenda.

Councilmember Elliott reported on a flood control plan meeting and the Gateway Trail Committee meeting.

Adjourn

Motion to adjourn at 10:21 p.m. Lillquist

Affirmed

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Mayor

ATTEST: ___________________________

City Clerk

CITY OF ELLENSBURG Minutes of Council Meeting, Special Session
Date of Meeting April 12, 2010
Time of Meeting 7:00 p.m.
Place of Meeting Council Chambers, 501 North Anderson Street
Councilmembers Present: Bassett, Bottcher, Lillquist and O’Brien

Councilmembers Absent/Excused: Elliott, Miller, Tabb.

Others present were City Manager Barkley; City Attorney Pidduck; Community Development Director Smith, Land Use and Project Manager Witkowski; Planning Supervisor Bailey; and Deputy Clerk Keno.

Deputy Clerk Keno called the meeting to order in the absence of the Mayor and Mayor Pro Tem pursuant to City Council Rule 1.4.12.

Councilmember Lillquist agreed to chair the meeting.

PROPOSED ORDINANCE – SIGN CODE AMENDMENTS

Council has directed staff to prepare an amendment to the sign code that will allow electronic signs on non-public reserve zoned land that is leased for public purposes by a municipal corporation or other agency of the state or federal government. A draft amendment ordinance is ready for first reading. Director Smith advised there is no “South Canyon Road” as set out in section 3.12.290B.10.a.; Council will need to amend the ordinance to remove the word “South” from the section.

Move first reading of Ordinance No. 4563 as presented in the agenda packet with the amendment to section 3.12.290B.10.a. to remove “South.”

AN ORDINANCE of the City Council of the City of Ellensburg, Washington relating to Ellensburg Municipal Code Chapter 3.12 “Sign Code”; and amending section 3.12.290 to expand the permitted locations for electronic signs to include non-public reserve zoned land in the city that is leased for public purposes by a municipal corporation or other agency of the state or federal government subject to certain conditions. Affirmed

CRITICAL AREAS ORDINANCE AMENDMENTS

The purpose of the special meeting is to give Council an opportunity to review the revised version of the critical areas ordinance containing those proposed amendments to which Council has given preliminary approval. The accompanying agenda report includes background information for each issue—referencing the public comments received as well as the staff recommendation for each. Following the special meeting staff will include all amendments directed by Council, along with those already given preliminary approval, into a final proposed critical area ordinance. The amended ordinance will be placed on the City’s website for public review and eventually presented to Council.

Special Projects Manager Witkowski outlined the public comments received and staff
recommendations for each of those issues. In answer to Council inquiry, the amendments are not significant enough to trigger a new SEPA. Council reviewed each issue individually and made its determination as follows:


Section 13.39.120 B.3 Forest Practices Permit: Council concurs.


Section 13.39.190 B Site Inspection: Council concurs.


Section 13.39.340 E Penalties: Council concurs. Staff recommends adding a new penalties and enforcement section as a stand alone section under the “General Provisions” article of the critical areas ordinance.

New Section 13.39.(# to be determined) Enforcement and Penalties:

City Attorney Pidduck outlined the proposed new enforcement and penalties language which is consistent with existing city ordinances for misdemeanors. Carol Morris, land use attorney, has recommended City adoption of a comprehensive land use enforcement chapter.

Council concurs.


Section 13.39.440 G Signs and Fencing of Wetlands and 13.39.660 G. Signs and Fencing of Habitat Conservation Areas:

After lengthy discussion, Council reached consensus on signs with no fences. Language should include the requirement to erect, install and maintain the sign with a penalty for removal of the sign. Council prefers uniformity versus creativity and minimum and maximum dimensions for sign specifics.

The effects of lighting on critical areas were discussed. After discussion, consensus was to place the revised, amended ordinance on the City’s website for three weeks for public review and then set a new public hearing on the revised ordinance. Council discussed adding arrows to the flow chart and
using it as an administrative tool versus placing the chart in the City Code. The chart can be placed on the City’s webpage.

**New Definition - Comment by Joe Sheeran:** Council concurs.

City Attorney Pidduck noted the April 8, 2010 e-mail from Councilmember Miller, which was distributed at the beginning of the meeting, sets forth her comments on the revised ordinance and will be included as part of the record for this meeting.

**ADJOURN** Motion to adjourn at 9:09 p.m. O'Brien

Approved

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Mayor

ATTEST: ____________________________________________

City Clerk