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

Absent: Lillquist.

Motion to approve an excused absence for Councilmember Lillquist. Bassett

Affirmed

Others present were City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Energy Services Director Titus; Community Development Director Smith; Finance Director Ariwoola; and approximately 20 members of the audience.

Proclamations

Councilmember Miller read the proclamation for Archaeology Month.

Motion to authorize the Mayor to sign the proclamation. Bassett

Affirmed

Agenda Approval

Motion to amend the agenda to move Item 5.B (2), Pages 11 and 12 to Item 6.D. Miller

Affirmed

Mayor Tabb added an attachment of a bid summary to the agenda report under Item 5.G, Page 26A.

Motion to approve the agenda as amended. Bassett

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: Bassett
A. Approve Minutes – October 4, 2010, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Arts Commission – October 7, 2010

(2) Lodging Tax Advisory Committee – September 22, 2010

C. Approve University Way Banner Request for CWU Homecoming from October 18-25, 2010

D. Accept Bid Call 2010-04 – Central Business District Crosswalk and Sidewalk Repair as Complete

E. Accept Bid Call 2010-06 – Wastewater Treatment Plant Biosolids Drying Bed Overlay Project as Complete

F. Authorize the Mayor to Execute the Wastewater Treatment Plant Boiler/Heat Exchanger/Recirculation Pump Building Contract with Carollo Engineers

G. Award Bid Call 2010-21 – Underground Cable to WESCO for $162,072, Including Tax for Okonite Cable and Declare the Bid from General Pacific as Non-Responsive

H. Reject the Low Bid from Husky Trucks for Bid Call 2010-25 – Used Dump Truck with Snow Plow due to Non-Compliance; Approve the 1985 Ford Dump Truck for Trade-In; and Award the Bid to Freedom Truck Centers for $71,329.50

I. Approve October 18, 2010 Claims Fund Voucher Numbers 100079 Through 100269 in the Amount of $1,071,198.70, Payroll Fund Check Numbers 80248 Through 80339 in the Total Amount of $99,959.59, Direct Deposit in the Amount of $182,125.18, and Electronic Fund Transfer of $3,887.00. Affirmed

Boards and Commissions Appointments

Motion to appoint Anthony Aronica to the Ellensburg Business Development Bottcher Authority Board. Affirmed

Motion to appoint Pat Carney to the Senior Citizens Advisory Commission. Bottcher Affirmed

Council Funded Programs

Representatives from the following agencies spoke regarding funding for 2011: Central Washington Disability Resources, Children’s Activity Museum, Ellensburg Downtown Association, FISH Food Bank, Kittitas County Farmers Market, Yakima River Clean Up, Youth Services of Kittitas County, and the Kittitas County Prosecutor’s Office for Sexual Assault Interviewer position.
Memorandum from the Downtown Task Force Regarding Draft Minutes of the September 23, 2010 Meeting

Community Development Director Smith; Martin Kaatz, Downtown Task Force; and Larry Nickel spoke regarding proposed Ordinance No. 4573, which would disband the Downtown Task Force.

Landmarks and Design Commission Minutes – September 22, 2010

The Council discussed the minutes of the September 22, 2010 Landmarks and Design Commission meeting.

Motion to communicate with the Landmarks and Design Commission that the action of Miller appointing Fred Krueger as a legislative representative is not accepted pending research by staff. Affirmed

Motion to accept the Landmarks and Design Commission minutes with comments. O'Brien Affirmed

Citizen Comment on Non-Agenda Issues

Larry Nickel, 317 ½ North Pearl #1, discussed alcohol issues in the downtown; an issue with the City water line at Club 301; a request to be on the next agenda for sidewalk matters; and he stated there was no public hearing for the ordinance allowing the serving of alcohol on City sidewalks.

Public Hearing - Ordinance Nos. 4576 and 4577 – Property Tax Levy

Mayor Tabb opened the public hearing to consider the proposed property tax levy ordinances.

Finance Director Ariwoola summarized the agenda report.

Council asked questions of staff.

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

Motion for first Reading of Ordinance No. 4576. Elliott

An ordinance of the City of Ellensburg, Washington, certifying the fiscal year 2010 property tax levy.

Affirmed (O'Brien – no)

Motion for first Reading of Ordinance No. 4577. Miller

An ordinance of the City of Ellensburg, Washington, levying taxes for municipal purposes of the City
Ordinance No. 4575 – Extension of City Water Supply Outside of the City Limits for Emergency Fire Service Purposes

At the October 4, 2010 regular meeting, Council gave first reading to Ordinance No. 4575 that would amend Chapter 2.48 ECC (“Utility Extension Agreements”) by allowing, without the requirement of a utility extension agreement, the extension of the city water supply outside the city limits for emergency fire services only, subject to specific conditions set forth in the ordinance.

Motion for second reading and adoption of Ordinance No. 4575. Miller

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON RELATING TO CHAPTER 2.48 “UTILITY EXTENSION AGREEMENTS” OF THE ELLENSBURG MUNICIPAL CODE BY ADDING A NEW SECTION ENTITLED “2.48.035 EXTENSION OF WATER FOR EMERGENCY FIRE SERVICE PERMITTED BEYOND CITY LIMITS”.

Bassett (yes)
Bottcher (yes)
Elliott (yes)
Miller (yes)
O’Brien (yes)
Tabb (yes)

Motion approved.

The Council took a brief recess at 8:47 p.m. and returned to the meeting at 8:57 p.m.

Proposed Ordinance – Establishing New Comprehensive Enforcement Procedures for Violation of Subdivision and Zoning Codes

The proposed ordinance would modernize procedures for taking enforcement actions in response to violations of the City’s Subdivision and Zoning Codes, enacted in 1979 and 1970 respectively.

Motion for first reading of Ordinance No. 4578 with an amendment to strike Miller “Septic Tank” in Section 12.12.020.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON
RELATING TO SUBDIVISION AND ZONING CODE ENFORCEMENT, REPEALING CURRENT PROCEDURES AND ADOPTING NEW, COMPREHENSIVE PROCEDURES RELATING TO DESCRIPTIONS OF VIOLATIONS, ISSUANCE OF NOTICES OF VIOLATION, SERVICE, HEARINGS, APPEALS AND PENALTIES; REPEALING CHAPTER 12.12 AND CHAPTER 13.64; AND ADDING A NEW CHAPTER 12.12 AND A NEW CHAPTER 13.64 TO THE ELLENSBURG MUNICIPAL CODE. Affirmed

**Proposed Resolution – Declaring Special Market Conditions and Contract with Solar City**

The City is ready to move forward with installation of the remaining thin-film, nano technology, solar panels from First Solar to be installed by Solar City. The proposed resolution outlines the basis for Council to declare special market conditions in order to waive bidding requirements.

Motion to adopt Resolution No. 2010-26 and authorize the Mayor to sign the contract O’Brien with Solar City for the installation of 40.5 kW of solar panels at a cost of $291,786 plus tax.

Affirmed

**Letter from F. Steven Lathrop Regarding Proposed Amendments to Ellensburg City Code Section 2.48.030 and New Section 2.48.035 and Request to Set a Public Hearing**

Motion to set a public hearing on November 1, 2010 to consider the City’s extension Elliott of water for emergency fire service to portions of Anderson Hay property. Affirmed

**Dolarway Improvement Project – Deferral Agreements**

In March of this year, the City Manager reported on the Dolarway project and advised Council that staff would be contacting property owners whose property had been granted a street improvement deferral. Formal action to exercise the deferral is now being requested.

Todd Munson, partner in Canopy Country RV Center, located at 2502 W. Dolarway, and a partner in RV Turtle, discussed the possibility of a financing plan for the Dolarway project that would prevent them from having to front the money for their participation. He also handed out a letter from Richard Cole regarding the Dolarway project deferral agreements.

Motion to order in the street improvements anticipated under deferral agreements Miller granted to properties along Dolarway Road within the City’s roadway improvement project limits.

Affirmed

**Manager’s Report**

City Attorney Pidduck presented the Manager’s Report.
**Councilmembers’ Reports**

Councilmember Bassett reported on the Lodging Tax Advisory Committee.

Councilmember Bottcher discussed the minutes of the Landmarks and Design Commission on Page 11 of the Agenda.

Councilmember Elliott reported on the Emergency Management Council.

Councilmember Miller stated she will be attending an economic outlook conference.

Councilmember O’Brien reported on the HopeSource Board, Chamber Board, Utility Advisory Commission, and he will be attending an economic outlook conference.

Mayor Tabb requested that the October 25, 2010 Special Meeting be televised. He also attended meetings related to the food that is served in high schools.

**Adjourn**

Motion to adjourn at 9:56 p.m. Elliott

Affirmed

_________________________________
Mayor

ATTEST: __________________________

City Clerk