CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting: May 16, 2011
Time of Meeting: 7:00 p.m.
Place of Meeting: Council Chambers, 501 North Anderson Street

Roll Call.

Present: Arango, Bottcher, Elliott, Lillquist, D. Miller, F. Miller, Tabb.

Others present were City Manager Barkley; Energy Services Director Titus; Gas Engineer Prue; Planning Supervisor Bailey; Police Chief Miller; Finance Director Ariwoola; KVFR Chief Sinclair; Deputy Clerk Keno and nine members of the audience.

Flood Update

City Manager Barkley and Kittitas Valley Fire and Rescue Chief Sinclair each gave an update on the flooding situation.

City Manager Barkley advised Resolution No. 2011-12 distributed this evening will need to be added to tonight’s agenda and adopted to declare a flood emergency for the City and make it eligible for state and federal funding should it become available.

Chief Sinclair advised a community meeting on the flooding will be held May 17, 2011 at 6:00 p.m. at a location yet to be determined.

Approval of Agenda

Motion to amend agenda by adding “Resolution No. 2011-12” as Item Lillquist 6.A.; moving Item 5.A. “Approve Minutes – April 25, 2011, Special Session” to Item 11.A.; and moving Item 5.J. “Authorize the Energy Services Director to Enter into an Agreement with Erlandsen for a Needs Assessment and GIS Development Plan at a Cost not to Exceed $12,000” to Item 11.B. Approved

Approve agenda as amended. D. Miller Approved

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.

Approve the amended Consent Agenda as follows: F. Miller

A. Approve Minutes – May 2, 2011, Regular Session

B. Acknowledge Minutes of Boards and Commissions

C. Award Bid Call 2011-10 – Ellensburg Renewables Park – Small Wind Project to Burke Electric LLC (Schedules A and C); Waive the Hire Electric, Inc. Bid Irregularity as an Insubstantial Variance and Award Schedule B to Hire Electric, Inc.

D. Award Bid Call 2011-17 – Self-Contained Watt Hour Meters to General Pacific, Inc.

E. Approve Noise Waiver Application for Conner Risden at 806 W. 15th Avenue on May 21, 2011 from 11:30 a.m. to 10:00 p.m.

F. Approve Noise Waiver Application for Mitch Harb at 2109 N. Regal Street on May 21, 2011 from 3:00 p.m. to 8:00 p.m.

G. Approve Noise Waiver Application for Mark Holloway at 301 North Pine Street on May 21, 2011 from 2:00 p.m. to 10:30 p.m.

H. Approve Requests for the Ellensburg Sprint Triathlon and Whisky Dick Triathlon on July 30 and July 31, 2011

I. Approve Requests from Ellensburg Rodeo Association for Downtown Parade Route and use of Parks for September 3-6, 2011

J. Authorize the Mayor to Sign the Contract Extension with Olympic Credit Service, Inc.

K. Authorize the Mayor to Sign the Agreement with Carollo Engineers for the Wastewater Treatment Plant Primary Digester Heating Upgrade Construction Management

L. Reject Bid Call 2011-18 – Arterial Street Grind and Patch and Direct Staff to Re-scope the Project

M. Award Bid Call 2011-08 – Signal Modifications to Knobel’s Electric and Authorize Excess Funding to come from Reserves in the Arterial Street Budget

N. Approve May 16, 2011 Claims Fund Voucher Numbers 103065 through 103259 in the Amount of $798,333.54, Payroll Fund Check Numbers 81494 through 81573 in the Amount of $96,546.33, Direct Deposit in the Amount of $182,515.79 and Electronic Fund Transfer of $4,112.00.

Approved
Resolution 2011-12 Declaring a Local Emergency Due to Flooding

Resolution 2011-12 declares a local emergency due to the flooding event beginning May 15, 2011 within the City of Ellensburg and allows the City to receive supplemental state and federal funding should the Governor declare an emergency.

Motion to approve Resolution No. 2011-12. Lillquist

Approved

Board and Commissions Appointments

Christina Wollman has applied to serve on the City’s Landmarks and Design Commission.

Appoint Christina Wollman to the Landmarks and Design Commission. Arango

Approved

Ordinance No. 4586 – Outdoor Lighting

At its February 22, 2011 regular meeting, Council gave first reading to Ordinance No. 4586 establishing regulations for the installation of outdoor lighting fixtures on public and private property. Upon adoption, the Ordinance will add a new Chapter 3.40 to the Ellensburg Municipal Code. The Utility Advisory Committee subsequently recommended amendments to sections 3.40.040 B, 3.40.050 F and 3.40.060 C which have been incorporated into the ordinance for second reading. Staff recommends approval of the amendments, second reading and adoption of Ordinance No. 4586.

Motion to amend sections 4.30.040 B, 3.40.050 F, and 3.40.060 C of Bottcher

Ordinance No. 4586 to incorporate the amendments proposed by the Utility Advisory Committee, Outdoor Lighting Committee and staff. Approved

Move second reading and adoption of Ordinance No. 4586. Bottcher

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG,

WASHINGTON RELATING TO OUTDOOR LIGHTING ON PUBLIC AND PRIVATE PROPERTY, AND ADDING A NEW CHAPTER 3.40 TO THE ELLENSBURG MUNICIPAL CODE.

Vote on motion. Arango(yes)

Bottcher(yes)

Elliott(yes)

Lillquist(yes)
D. Miller(yes)

F. Miller(yes)

Tabb(yes)

Motion approved.

**Ordinance No. 4592 – Biennial Budget**

Ordinance No. 4592 sets forth the policy and procedure to follow in developing and modifying a biennial budget. Council gave first reading to Ordinance No. 4592 at the May 2, 2011 meeting. Staff recommends second reading and adoption of Ordinance No. 4592 as presented for first reading.

**Move second reading and adoption of Ordinance No. 4592.** Elliott

**AN ORDINANCE OF THE CITY OF ELLENSBURG, WASHINGTON, ESTABLISHING A TWO-YEAR BIENNIAL BUDGET BEGINNING JANUARY 1, 2013 AND PROVIDING FOR A MID-BIENNIAL REVIEW AND MODIFICATION OF BUDGET, IN ACCORDANCE WITH CHAPTER 35A.34 RCW AND ADDING A NEW CHAPTER TO THE ELLENSBURG MUNICIPAL CODE ENTITLED “2.19 BIENNIAL BUDGET—MID-BIENNIAL REVIEW AND MODIFICATION.”**

Vote on motion. Arango(yes)

Bottcher(yes)

Elliott(yes)

Lillquist(yes)

D. Miller(yes)

F. Miller(yes)

Tabb(yes)

Motion approved.

**Proposed Ordinance – Closure of Three City Bank Accounts**

Council is being asked to consider closing three of eight City bank accounts maintained by the Finance Department. As a result of changes in technology and the efficiency of the City operations, the City no longer needs eight accounts to provide service to its customers and to provide adequate internal control to protect its assets. The proposed ordinance repeals the “City Clerk’s Revolving Fund” and the “Advance Special Events Revolving Fund” and renames the “Utility Service Deposit
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON
RELATING TO CITY FUNDS AND CHAPTERS 2.14 AND 2.16 OF THE ELLENSBURG MUNICIPAL
CODE; RENAMING CHAPTER 2.14 – UTILITY SERVICE DEPOSIT FUND; REPEALING SECTION
2.16.2240 – CITY CLERK’S REVOLVING FUND ESTABLISHED; AND REPEALING ARTICLE XV
OF CHAPTER 2.16 – ADVANCE SPECIAL EVENTS REVOLVING FUND. Approved

Memorandum from Dale Miller, Chief of Police, Regarding Infraction History

In response to Council direction at the March 21, 2011 meeting staff has provided historical data regarding the number of infractions issued by the Ellensburg Police Department. From a departmental perspective, the one area that the bail amounts seem high deals with animal control violations. Council considered the violations, penalty amounts and number of citations issued.

Motion to direct staff to prepare an ordinance amending the fine for Elliott violation of ECC 2.34.160 “Pets Off Leash” to a base penalty of $125.00.

Council discussed referring the issue to the Parks and Recreation Commission for their input.

Vote on motion. Defeated(Bottcher, Lillquist, D. Miller, F. Miller – no)

Refer ECC 2.34.160 Rules and Regulations, to the Parks and Lillquist Recreation Commission for its review as to the amount of the fines and the consistency with the rest of the “Local Law” Bail Schedule Amounts” on page 78 of the agenda.

Approved(Arango, Bottcher, Elliott – no)

Council consensus was the fine for ECC 4.15.040 “Fail to Remove Ice/Snow from Sidewalk” was sufficient.

Direct staff to prepare an ordinance amending the fine for violation of F. Miller ECC 5.14.040 “Depositing Refuse” by increasing the base penalty to $100.00 plus cost recovery incurred by city staff.

Vote on motion. Approved

Chief Miller advised the Police Department cites by State statute not the City Code if a similar
violation exists on the State level and fines paid go to the County. Council and staff discussed potentially eliminating old, antiquated municipal code.

Postpone any further discussion pending input from the Parks and F. Miller Recreation Commission and the City Attorney in conjunction with Code Enforcement concerning overlapping state and local laws.

Staff will provide Council with information on how code enforcement is done, along with a side by side comparison of local and state bail amounts, and number of citations issued.

Vote on motion. Approved(Bottcher-no)

Approve Minutes – April 25, 2011, Special Session

Approve minutes of April 25, 2011 special session as presented. Elliott

Approved

Authorize the Energy Services Director to Enter into an Agreement with Erlandsen for a Needs Assessment and GIS Development Plan at a Cost not to Exceed $12,000

The City would like to hire Erlandsen to prepare a needs assessment and GIS development plan. Council expressed concern that the Proposal was too utility centric and did not address transportation and community development needs. Council would also like the Proposal to include a specific directive to work with the County.

Direct staff to work with Erlandsen to refine the scope of work and timeline for an enterprise-wise approach, including a list of tasks and deliverables with costs by phase, as well as the development of a contract for consideration.

Approved

Manager’s Report

Request to Set Special Meeting

The Energy Efficiency and Conservation Strategy (EECS) project will be holding a public workshop on June 1, 2011 from 5:00 p.m. to 8:00 p.m. at Hal Holmes Center to provide the community with an update on the project and to engage the community in further discussion. Staff requests Council set this workshop as a special meeting in the event a quorum of Councilmembers attend the workshop.

Set a special meeting for June 1, 2011 from 5:00 p.m. to 8:00 p.m. at Hal Arango
Holmes Center for the purpose of an Energy Efficiency and Conservation
Strategy public workshop. Approved

Special Meeting Continued

The Special Meeting held on May 9, 2011 was adjourned and continued to Monday, May 23, 2011 at 8:30 a.m. in the Council Chambers.

Direct staff to ascertain whether the consultants could be available if F. Miller
the special meeting were rescheduled for 1:30 p.m. to 5:00 p.m. on Monday,

May 23 or Tuesday, May 31 from 1:30 p.m. to 5:00 p.m. Approved

Request to Set Public Hearing

Staff requests Council set a public hearing on June 6, 2011 to consider the annual update for the

Set a public hearing on June 6, 2011 to consider the Six-Year Transportation Elliott
Plan for 2012-2017. Approved

Auditor’s Entrance Conference

The Entrance Conference with the State Auditor’s Office is scheduled for Wednesday, May 18, 2011 at 2:00 p.m. in the Council Conference Room. Should a quorum of Councilmembers desire to attend the Conference it will need to be noticed as a special meeting. A quorum of Councilmembers did not express interest in attending.

County Land Exchange

The City Manager has received communication from Kittitas County requesting that the stub end of
the 7th Avenue right-of-way be included in the land exchange with the County. This would facilitate
the County’s remodel and reuse of the armory building and consolidation of fairgrounds holdings. Staff
supports the request and seeks Council’s guidance.

Motion to support the recommendation to include the stub end of the 7th Avenue Elliott
right-of-way as part of the land exchange agreement with the County for the
parking lot. Approved

Budget Calendar
The proposed budget formation calendar for 2012/2013 was reviewed with no modifications anticipated at this time.

**Amendment to Parade Route for John Wayne Trail Riders Event – May 23, 2011**

Council previously approved a parade route request for the John Wayne Trail Riders Event on May 23, 2011. After consultation with the Trail Riders, Public Works Department and Police Department it has been determined there are some challenges to closing University Way from noon to 1:00 p.m. on May 23 to accommodate the number of participants expected. The Trail Riders have agreed to travel down 14th Avenue rather than University Way. Council authorization is requested to amend the parade route.

Authorize the temporary closure of 14th Avenue from the John Wayne F. Miller trail down Alder Street to connect with the John Wayne Trail on May 23, 2011 from noon to 1:00 p.m. for the John Wayne Trail Riders Event. Approved

**City Manager Vacation**

The City Manager will be on vacation May 20 through Memorial Day. City Attorney Pidduck will be Acting City Manager during that time.

**Councilmembers’ Reports**

Councilmember Arango advised the last Lodging Tax Advisory Committee (LTAC) meeting was cancelled due to lack of a quorum. She requested another councilmember take over attendance at Kittitas County Conference of Government (KCCOG) meetings due to scheduling conflicts. Councilmember Lillquist agreed to take over attendance at KCCOG.

Councilmember Bottcher attended the car-charging ceremony.

Councilmember Elliott attended the “Touch A Truck” event and commended Public Works staff for its efforts.

Councilmember D. Miller attended the Stan Bassett Day ceremony, the Farmers Market and the Midstate Aviation Anniversary celebration. Additionally, he has agreed to be on the CWU Industry Advisory Board on Aviation.

A public workshop sponsored by the Homeless and Affordable Housing Committee will be held from 9:30 a.m. to noon on May 18, 2011, at the Hal Holmes Center. The purpose of the workshop is to discuss networking options.

Mayor Tabb requested an excused absence for the June 6, 2011 meeting.
Grant excused absence for Mayor Tabb for the June 6, 2011 meeting. Lillquist

Approved

Mayor Tabb attended a Planning Commission meeting and a Finance Committee meeting.

**ADJOURN** Motion to adjourn at 9:17 p.m. F. Miller

Approved

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Mayor

ATTEST: __________________________________

City Clerk