CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting                July 18, 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, Tabb.

Excused Absence: F. Miller

Others present were City Manager Barkley; City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Planning Supervisor Bailey; Community Development Director Smith; and approximately 20 members of the audience.

Agenda Approval

Motion to approve the agenda. Elliott

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: Elliott

A. Approve Minutes – July 5, 2011, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Senior Citizens Advisory Commission – June 14, 2011

C. Approve Noise Waiver Application for Red Horse Diner on August 13, 2011 from 7:30 p.m. to 11:30 p.m.

D. Authorize the Purchase of the VacCon Vactor Truck off the State Purchasing Contract in an Amount up to $345,000 with the Additional $25,000 being Funded from the Stormwater Fund

E. Adopt Resolution No. 2011-17 which Authorizes Carly Ross to Remove One Tree at 309 S. Pearl Street

F. Acknowledge the Traffic Impact Fee Annual Report

G. Approve the Junior Rodeo Parade Route on August 20, 2011
H. Authorize the Energy Services Director to Sign the Software License Agreement with IBM

I. Approve Requests from Kittitas County Fair and Ellensburg Rodeo Boards for the 2011 Ellensburg Rodeo and Kittitas County Fair from August 31, 2011 through September 5, 2011

J. Approve Request from the Ellensburg Downtown Association to use the Rotary Pavilion on September 1, 2011

K. Approve the January 1, 2011 through December 31, 2013 Labor Agreement with IBEW Local #77 and Authorize the Mayor and City Manager to sign the Agreement

L. Authorize the Mayor to Execute the Animal Shelter Agreement with Kittitas County

M. Authorize the Energy Services Director to Sign the Pole Contact Agreement with Charter Communications LLC


**Letter from Milt Johnston, Ellensburg Business Development Authority, Regarding a Special Session**

The Ellensburg Business Development Authority is requesting a Special Session with the City Council to discuss economic development activities, opportunities, and ideas.

Motion to set a Special Session on August 22, 2011 at 7:00 p.m. with the Ellensburg Lillquist Business Development Authority. Affirmed

**Public Hearing - Culbertson Property Zone Change Request (Z11-01) – 3.44 Acres Located at the North end of the City Immediately West of Airport Road and North of Helena Avenue (R-S and R-M to R-H) - Quasi-Judicial Hearing**

Mayor Tabb opened the public hearing to consider the Culbertson Property Zone Change request.

Mayor Tabb asked the council members a series of appearance of fairness questions. Council members indicated that there were no appearance of fairness issues.

Planning Supervisor Bailey summarized the agenda report. He also handed out “Attachment O” - Ellensburg Comprehensive Plan – 2006 Update Map – Figure 4.2. The City received an application from Doug Stalder representing the property owner, Culbertson Revocable Trust, for a zone change on 3.44 acres of property currently zoned a combination of Residential Suburban (R-S) and Residential Medium (R-M) to Residential High (R-H). The property is located at the north end of the
city immediately west of Airport Road and north of Helena Avenue.

The Planning Commission held a Public Meeting on June 6, 2011 to consider the rezone request. The Planning Commission recommended approval of the rezone, with the condition that there be a minimum of two access points to any future development on the properties that are rezoned.

Doug Stalder, 2000 Quartz Mountain Drive, Ellensburg, speaking on behalf of the Culbertson Family Revocable Trust, stated there is confusion as far as the Comprehensive Plan map. He originally was not using Figure 4.2. He was using one of the other maps that was identified as 4.5. The 4.5 map was real similar to 4.2 except that it had the property specifically identified as being in high density along with the UGA. The 4.2 map that staff is referring to also states part of the property as being for residential high density but then it also mentions a zone the city does not even have that is called new city. He was using something that he thought stated very specifically what the existing land use codes were and what the Comprehensive Plan was for this property. The map that Ms. Heckart referred to in her letter is Figure 4.9, which is called the “preferred land use designations”. All along he has been going on the assumption and the basis that has been shared by City staff that the property was in the Comprehensive Plan for R-H. He also described the zoning of the properties surrounding his property.

Council entered Figure 4.5 into the record as “Attachment P”.

Council asked questions of the applicant.

Obie O’Brien, 501 E. Helena Avenue, gave a brief history of his property. He stated that when he bought the property in 1997, there was consideration at that time for the Planning Commission to change everything on Helena Street and north to high density. There was considerable push back from the landowners up there and he met with the Planning Commission for a number of months. His property is probably the limit of medium density. Everything north of that particular indication is residential suburban. He stated Helena Street is not identified as an arterial and Airport is probably functioning as the closest thing to an arterial. He described the zoning of the surrounding properties. He is requesting the City Council deny the request for high density and identify it as medium density as it makes the transition going north to all of the other properties.

Tom Luerken, 601 E. Helena, representing himself and Jean Spence, 511 E. Helena, supported what Mr. O’Brien said about keeping the proposed property as R-M not R-H. The biggest problem he has is the access point. There is talk of it becoming a foot path into the property and if that were the case it would isolate them from all of their neighbors. He referred to “Attachment B” that was submitted in the agenda.

Suzanne Woods, 2303 Brentwood, stated she agrees with Mr. O’Brien’s comments about medium density. She feels the two exits should be on Airport Road not across Idaho Street. They do not want Idaho to be a major street and do not want the street to go through. She also has a concern about a
potential wetland at Mercer Creek at the potential street crossing.

David and Dawn Muzzall, 2216 North Brooksfield, stated they are concerned with the high density issue as well as Idaho Street becoming an arterial street.

Jean Spence, 511 E. Helena, spoke in opposition to the proposed zoning of high density.

Obie O'Brien spoke again regarding preferred development in the area.

Doug Stalder spoke again. He stated for the record that “he is not for putting in even a half street for Idaho Street”.

Council asked questions of staff, the applicant, and the audience members.

Doug Stalder stated he would not be willing to consider all of the property being zoned as R-M but would be willing to consider R-H zoning for Tract 1 and R-M zoning for Tract 2.

Council asked questions of staff.

Obie O'Brien spoke again.

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

Motion to approve the zone change request from Residential Suburban Bottcher (R-S) and Residential Medium (R-M) to Residential High (R-H).

The motion died for lack of a second.

Motion to approve a rezone of Tract 1, as presented on Page 71 of the Council Lillquist Agenda, to Residential High density and to approve the rezone of all of Tract 2 to Residential Medium.

Council reopened the public hearing to ask questions of staff then closed the public hearing.

Vote on motion. Arango (no)

Bottcher (yes)

Elliott (yes)

Lillquist (yes)

D. Miller (no)

Tabb (yes)

Motion approved.
Annual Comprehensive Plan Amendment Docketing

Council has set the first meeting in July for the docketing of proposed Comprehensive Plan amendments that Council deems to have sufficient background information and analysis to allow the full consideration and review in the annual process. At the July 5, 2011 meeting, the City Council directed staff to provide amendment language to proposed Amendment 11-03.

Four proposals for amendment of the Comprehensive Plan have been received and are identified as follows:

11-01 Staff proposed annual update of the various 6-year Capital Facility Plans;
11-02 Proposal from the Ellensburg Public Library for changes in the wording of the Comprehensive Plan as it relates to the Library and Hal Holmes Center;
11-03 Staff proposal to correct inconsistencies between Table 4.2 “Implementing zoning districts for land use designations” and Figure 4.9 “Preferred Land Use Designations”; and
11-04 Proposal from Beverly Heckart to add language to Figures 4.2, 4.5 and 4.9 to clarify that Figure 4.9 “Preferred Land Use Designations” is the official future land use map for the Comprehensive Plan.

Motion to docket proposed amendments 11-01, 11-02, 11-03, and 11-04 Elliott

and refer the docketed proposed amendments to the Planning Commission for review and recommendation, and direct staff to begin the SEPA review and threshold determination.

Motion to amend proposed amendment 11-04 to delete the references to page numbers Lillquist

and insert Figure 4.9 in the Comprehensive Plan. Affirmed

Vote on main motion. Affirmed

Motion to set a public hearing for October 3, 2011 to accept public comment on the Elliott
docketed amendment proposals. Affirmed

Manager’s Report

City Manager Barkley presented his Manager’s Report.

Councilmembers’ Reports

Councilmember Arango reported on the Lodging Tax Advisory Committee.

Councilmember Elliott reported on a hazardous materials brownfields grant that was awarded to the
Kittitas Valley Fire and Rescue.

Councilmember Lillquist reported on the Yakima Basin Fish and Wildlife Recovery Board meeting.

Councilmember David Miller reported on the Homelessness and Affordable Housing Committee.

**Recess**

Council recessed to executive session at 9:32 p.m. to discuss potential litigation for approximately 10 minutes. Council was expected to reconvene to take action.

At 9:33 p.m., the executive session commenced.

**Reconvene**

At 9:42 p.m., Council returned to the regular open meeting.

Motion to approve Claim No. 2011-05, Claim of Leonard Doyle, in the amount of Elliott $2,800. Affirmed

**Adjourn**

Motion to adjourn at 9:43 p.m. Elliott

Affirmed

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Mayor

ATTEST: __________________________

City Clerk