CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting: September 6, 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, and Mayor Tabb

Others present were City Manager Barkley, City Attorney Pidduck, Finance Director Ariwoola, Planning Supervisor Bailey, Deputy Clerk Keno and seven members of the audience.

Agenda Approval


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 amended Consent Agenda as follows: F. Miller

A. Approve Minutes – August 8, 2011, Special Session

Approve Minutes – August 15, 2011, Regular Session

Approve Minutes – August 22, 2011, Special Session

B. Acknowledge Minutes of Boards and Commissions

(1) Arts Commission – June 9, 2011

(2) Library Board – July 12, 2011

(3) Lodging Tax Advisory Committee – July 6, 2011

(4) Utility Advisory Committee – April 28, 2011 and July 21, 2011

C. Accept Resignation from Charlotte Tullos, Ellensburg Business Development Authority, and
Authorize Mayor to Sign a Letter of Appreciation

D. Approve University Way Banner Request for Luke Mezich Memorial Team Roping from June 11-18, 2012

E. Accept Bid Call 2010-26 - Canyon Road Overlay Project – Berry Road to I-90 as Complete

F. Award Bid Call 2011-28 – Distribution Transformers to General Pacific for Schedules A, B, and C

G. Authorize the City Manager to Execute the Contract with Golder Associates for Design of Airport Well – Well House and Pumping System

H. Authorize the Mayor to Sign the Agreement with Paymentus Corporation for Online Payments

I. Approve Resolution No. 2011-24 to authorize Mary Labovich to Remove a Tree at 200 N. Sprague Street

J. Authorize the Mayor to Sign the Banking Services Agreement with US Bank

K. Approve September 6, 2011 Claims Fund Voucher Numbers 104540 Through 104771 in the Amount of $1,527,600.02; Payroll Fund Check Numbers 82076 Through 82162 in the Amount of $105,466.08; Direct Deposit in the Amount of $190,369.53, and Electronic Fund Transfer of 4,112.00.

Approved

Boards and Commission Applications

Kenneth Cohen has applied to serve on the City’s Parks and Recreation Commission. Mr. Cohen spoke to his qualifications to serve on the Commission. The Commission is requesting appointment this evening due to meeting quorum deficiencies as a result of Commission member vacations.

Authorize the Mayor to appoint Kenneth Cohen to the Parks and F. Miller Recreation Commission. Approved

Letter from Louis Musso III, Regarding South Central Washington RC&D Council

The South Central Washington Resource Conservation & Development Council (RC&D) is requesting the City’s continued support of the RC&D program through a $100 sponsorship for 2012. Congress has cut RC&D program support from the balance of the fiscal year 2011 budget. The RC&D Council is also requesting designation of a representative and alternate to the Council. Councilmember Miller is the current representative; an alternate is needed.

Approve City sponsorship of RC&D in the amount of $100.00 for the Arango year 2012. Approved
Mayor Tabb appointed Councilmember Arango as the alternate representative to the RC&D.

**Approve Requests for Jazz in the Valley for July 27-29, 2012**

Council acknowledged the August 25, 2011 letter from Larry Sharpe, representing Jazz in the Valley, thanking the City and its staff for support of the festival. Jazz in the Valley requests Council approval of requests for the 2012 festival as outlined on page 55 of the agenda.

Move to approve Jazz in the Valley requests for July 27-29, 2012 Elliott

as outlined on page 55 of the agenda packet. Approved


Mayor Tabb opened the public hearing to consider the vacation of Seventh Avenue east of Poplar Street and traveling east 250 feet to the end of Seventh. The street area proposed for vacation is located adjacent to the Armory building, the ownership of which recently reverted to Kittitas County.

City Attorney Pidduck summarized the agenda report.

John Harris, 1818 N. Cora, asked who are the actual owners of 7th Avenue.

City Attorney Pidduck responded it is the City’s position it owns the property for the purpose of vacating it. When the property is vacated the City half will also be quitclaimed to the County. The City owns the right-of-way over that street. The City is the property owner to the south and Kittitas County is the property owner to the north.

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

**Motion for first reading of Ordinance No. 4599. F. Miller**

AN ORDINANCE vacating the remaining portion of Seventh Avenue east of Poplar Street located in the Northwest quarter of Section 1, Township 17 North, Range 18 East, W.M., vacation being located in the City of Ellensburg, County of Kittitas, State of Washington. Approved

**Ordinance No. 4598 – Culbertson Revocable Trust Zone Change from Residential Suburban to Residential High and Residential Medium**

At its July 18, 2011 regular meeting the City Council held a public hearing to consider public testimony from the applicant and the public in regard to the proposed Culbertson Revocable Trust zone change of 3.44 acres of property located at the north end of the city immediately west of Airport
Road and North of Helena Avenue. At the conclusion of the public hearing the City Council approved a motion to rezone Tract 1 from Residential Suburban (R-S) to Residential High (R-H) and Tract 2 from Residential Suburban (R-S) to Residential Medium (R-M) density and gave first reading to Ordinance No. 4598.

Move second reading and adoption of Ordinance No. 4598. Elliott

AN ORDINANCE relating to zoning and amending Title 13 of the Ellensburg City Code by changing the zoning classification of certain properties within the City of Ellensburg from Residential Suburban (R-S) to Residential Medium (R-M) and Residential High (R-H).

Arango(yes)
Bottcher(yes)
Elliott(yes)
Lillquist(yes)
D. Miller(no)
F. Miller(yes)
Tabb(yes)

Motion approved.

Second Quarter Financial Status Report

Finance Director Ariwoola presented the second quarter 2011 Financial Status Report. Council asked questions of staff. No action was required to be taken.

Councilmember Lillquist left the meeting at 7:40 p.m.

Manager’s Report

Request to Set Public Hearing – Surplus Property

Annually the City holds a joint auction with Kittitas County to dispose of accumulated materials and equipment surplus to both entities’ needs. Prior to holding this event, the Council must hold a public hearing to declare the City’s items surplus so they may be disposed of by auction or sealed bid. Staff is requesting a public hearing be established on September 19, 2011 to consider the surplus declaration.

Set public hearing to consider surplus declaration for September 19, 2011 at Elliott
September 19, 2011 Public Hearings – Medical Marijuana Regulation

Public hearings are set for September 19, 2011 on the August 1, 2011 Council adopted ordinances implementing zoning for medical marijuana collective gardens and establishing an emergency moratorium on the licensing, establishment, and operation of medical marijuana dispensaries.

Report Request on Change in Operating Hours at Memorial Pool

Council requested a staff report on the effects of the change in operating hours at Memorial Pool.

Utility Advisory Committee Request for Joint Meeting

The Utility Advisory Committee (UAC) is requesting time on the September 19, 2011 agenda to discuss the rate impacts of the new BPA contract and its pricing structure on utility costs at the wholesale level. Council may wish to consider a change in rate structure.

Draft Land Development Code Update

The final discussion draft of the Land Development Code Update is available for viewing on the City’s website at www.ci.ellensburg.wa.us under the Community Development Land Use Code Update link. Copies are also available at the Library, Community Development counter and Copy Shop. Council will review Article 4 - Community Design and Article 5 - Project Design at the September 12, 2011 special meeting. Council requested the link to the draft code update be located on the home page of the City’s website.

Councilmember’s Reports

Councilmember F. Miller will be attending a Resource Conservation & Development Council (RC&D) meeting on September 8.

Councilmember D. Miller attended a Homeless and Affordable Housing Committee meeting as well as a Law and Justice meeting. He advised the Board of County Commissioners may be seeking additional budgetary funding from the cities for the sexual assault program.

Councilmember Elliott advised Kittitas Valley Fire and Rescue (KVFR) conducted night occupancy inspections over rodeo weekend and all late night establishments inspected were in compliance even with the influx of rodeo visitors. Results of the inspections are available at KVFR. Councilmember Elliott will miss both special meetings in September due to training.

Grant Councilmember Elliott excused absences for the September 12 and Arango September 26, 2011 special meetings. Approved
Councilmember Bottcher will be assisting with lighting installation at the Washoe Tribute Park through his participation in the Northwest Eco Building Guild.

Councilmember Arango reported the Lodging Tax Advisory Committee will discuss tomorrow another Request for Qualifications (RFQ) for entrance and way-finding signs.

The Flood Task Force Technical Advisory Group and Citizen’s Advisory Committee jointly meet on September 9 at 8:00 am. She is working with the Town Talk editor for an upcoming article on brownfields work being done in the City.

Mayor Tabb advised the Cascade Bicycle Club and WSDOT are sponsoring a bicycle count on September 27-29, 2011. Mayor Tabb participated in the rodeo parade and thanked all the individuals and groups who participate in the fair and rodeo to make it such a huge success for the community.

Recess

Council recessed to executive session at 8:24 p.m. to discuss potential litigation for approximately five minutes. Council is expected to reconvene to take action.

Reconvene

At 8:29 p.m. Council returned to the regular open meeting.

Motion to approve the property damage claim from Priscilla Riera in the Elliott sum of $4,716.39. Approved

ADJOURN Motion to adjourn at 8:30 p.m. F. Miller

Approved

____________________________________
Mayor

ATTEST: __________________________________

City Clerk