Minutes of Council Meeting, Regular Session
CITY OF ELLENSBURG
Date of Meeting: January 3, 2012
Time of Meeting: 7:00 p.m.
Place of Meeting: Council Chambers, 501 North Anderson Street

Councilmembers Present: Arango, Elliott, Lillquist, Miller, Morgan and Mayor Tabb

Others present were Tony Aronica; City Manager Barkley; City Attorney Pidduck; City Clerk Keno; Executive Assistant Gigstead; Executive Assistant Leader; and approximately 15 members of the audience.

Oath of Office for Councilmembers and Election of Mayor and Mayor Pro Tem

City Clerk Keno administered the oath of office to Councilmembers Jill Arango, Tony Aronica, David Miller and Bruce Tabb.

Motion to nominate Councilmember Tabb as Mayor. Lillquist

Approved

Voice vote. Arango(Tabb)
Aronica(Tabb)
Elliott(Tabb)
Lillquist(Tabb)
Miller(Tabb)
Morgan(Tabb)
Tabb(Tabb)

Councilmember Tabb was unanimously approved as Mayor by voice vote.

Motion to nominate Councilmember Elliott as Mayor Pro Tem. Lillquist

Approved

Voice vote. Arango(Elliott)
Aronica(Elliott)
Elliott(abstain)
Councilmember Elliott was unanimously approved as Mayor Pro Tem by voice vote.

Awards and Recognitions

Mayor Tabb recognized the work of Barb Owens and the Daily Record in honoring former Councilmember Stan Bassett as 2011 person of the year for the community.

Agenda Approval

Motion to approve the agenda. Lillquist

Approved

Consent Agenda

CONSENT AGENDA

Items listed below have been distributed to Councilmembers in advance for study and will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda at the request of a Councilmember or at the request of a member of the public with concurrence of a Councilmember. Requests to remove items should be made under Item 4 Approval of Agenda.

Motion to approve the Consent Agenda as follows: Lillquist

A. Approve Minutes – December 19, 2011, Regular Session

B. Acknowledge Minutes of Boards and Commissions

C. Accept Resignation of Mark Wibe from the Landmarks & Design Commission and Authorize the Mayor to Sign a Letter of Appreciation

D. Approve January 3, 2012 Voucher Listing

Approved

Boards and Commissions Applications

Marilyn Levine appeared for introductions at the December 5, 2010 meeting and is interested in
serving on the Ellensburg Business Development Authority Board (EBDA). Her appointment could not be considered until the current member’s term expired on December 31, 2011. The EBDA Nominating Committee has considered Ms. Levine for appointment.

Amy McGuffin spoke to her qualifications to serve on the Lodging Tax Advisory Committee.

Appointments will be made at the January 17, 2012 meeting.

Letter from Taylor Simpson dated December 23, 2011 submitting a formal request for a code amendment to the Public Reserved zoning

Taylor Simpson, 2608 Millstone Loop, spoke about his December 23, 2011 formal request for a code amendment to the Public Reserved zoning to develop residential housing at the Old 3rd Street Hospital. Mr. Simpson seeks an amendment that would allow residential structures to be a permitted use, not a conditional use, in the Public Reserved Zoning sector. Following discussion with Mr. Simpson at the December 19, 2011 meeting, Council requested the Planning Commission review the Public Reserve Zone overall and make recommendations regarding potential comprehensive plan amendments and rezoning.

Council asked questions of Mr. Simpson and staff.

Direct staff to research the issues surrounding the public reserve proposed code amendment both from a community development standpoint and a legal standpoint and to return to Council their findings and also to provide that to the Planning Commission to be incorporated into their ongoing review of public reserve.

Approved

The legal opinion will come back to Council before going to the Planning Commission. Council will have an understanding of the legal issues by the January 17, 2012 meeting.

Memorandum from the Lodging Tax Advisory Committee dated December 27, 2011 re: Recommendation to adjust the 2012 Chamber funding and Lodging Tax Advisory Committee Special Meeting Minutes dated December 16, 2011

The Lodging Tax Advisory Committee requests City Council approve an additional $53,878 from the 2012 Lodging Tax budget for the new Director of Tourism position recently hired at the Kittitas County Chamber of Commerce. The additional funding would increase the Chamber’s operating expense budget to $314,015. At the December 5 meeting Council approved a 2012 budget of $260,137 for the Chamber.

Staff is working on a draft 2012 contract with the Kittitas County Chamber of Commerce and requests
Council consider the additional funding at the same time it reviews the new contract. The proposed contract will be reviewed at the January 17 meeting.

Larry Nickel, 317 ½ North Pearl, stated the request is coming from the Visitor Information Center component of the Chamber and urged Council to review the Chamber budget. Mr. Nickel referenced the December 22, 2011 letter to the County Commissioners from Kittitas County LTAC Chairman Jewell which was distributed to Council this evening.

Jim Armstrong, Director of the Kittitas County Chamber of Commerce, and Brittany Steward, City LTAC member and hotelier, spoke in support of the need for a dedicated Tourism Director position.

Council asked questions of Mr. Armstrong and staff. Council would like to see job descriptions for the positions funding is being requested for as well as comparables of the investments made by other communities for tourism promotion.

Bring a contract for the increased amount of $314,015 for next meeting with Arango supporting documentation as indicated by the conversation, a budget for review and assumption that there will be outcomes or deliverables articulated within the contract. Approved

Citizen Comment

Lilly Park, Kittitas, spoke about the City listening to its citizens and the need for a citizen input committee for proposed changes, such as the recent changes to swimming pool hours. Council noted citizen input is a function of the Parks and Recreation Committee.

Larry Nickel, 317 ½ North Pearl, spoke about: 1) the continued non-operational street lights at University Way; 2) the CWU strategic plan; and 3) Kittitas County Lodging Tax Advisory Committee denial of the City Parks and Recreation request for 2012 Lodging Tax Grants.

Combined Public Hearing Extending Interim Zoning Controls for Medical Marijuana Collective Gardens for an Additional Six Months and Renewing and Extending an Emergency Moratorium on the Licensing, Establishment and Operation of Medical Marijuana Dispensaries for an Additional Six Months

Mayor Tabb opened the combined public hearing to take public testimony on a proposed emergency ordinance which would extend for a period of six months, until July 31, 2012, certain interim official zoning controls regarding medical marijuana collective gardens, to be in effect while the city drafts, considers, holds hearings and adopts detailed collective garden zoning regulations. Public testimony will also be taken on a proposed emergency ordinance which would extend for six months, until July 31, 2012, a moratorium on medical marijuana dispensaries.
City Attorney Pidduck summarized the agenda reports on pages 17-18 and 27-28 of the agenda packet.

Mayor Tabb opened the floor to testimony from the public. There were no members of the public wishing to speak.

Mayor Tabb closed the public testimony portion of the hearing.

**Proposed Ordinance No. 4610 Extending Interim Zoning Controls for Medical Marijuana Collective Gardens for an Additional Six Months**

Proposed Ordinance No. 4610 would, except for a permit system for Collective Gardens which has been omitted from the extension ordinance, extend interim zoning controls for an additional six months through July 31, 2012. The Ordinance has been drafted as an emergency ordinance which would take effect immediately following the conduct of a public hearing and upon passage by a majority vote plus one of the whole membership of the Council.

**Move adoption of Ordinance No. 4610. Elliott**

AN ORDINANCE of the City of Ellensburg, Washington, relating to land use and zoning, extending the interim official zoning controls as set forth in this ordinance regarding medical cannabis collective gardens for an additional six months, to be in effect while the City drafts, considers, holds hearings and adopts “permanent” collective garden zoning regulations, to be effective immediately upon adoption, scheduling a public hearing on the extension and maintenance of the interim zoning ordinance and declaring an emergency.

Motion to amend Ordinance No. 4610 by adding “churches and city parks” Aronica to Section 5.A.(2).

Vote on amendment. Arango(no)

Aronica(yes)

Elliott(no)

Lillquist(yes)

Miller(no)

Morgan(yes)

Tabb(no)

Motion defeated.
Vote on main motion. Arango(yes)

Aronica(no)

Elliott(yes)

Lillquist(yes)

Miller(yes)

Morgan(yes)

Tabb(yes)

Motion approved.

Proposed Ordinance No. 4611 Renewing and Extending an Emergency Moratorium on the Licensing, Establishment and Operation of Medical Marijuana Dispensaries for an Additional Six Months

Proposed Ordinance No. 4611 would renew and extend for an additional six months through July 31, 2012, a moratorium within the City of Ellensburg on the licensing, establishment and operation of medical cannabis dispensaries. The ordinance has been drafted as an emergency ordinance which would take effect immediately following the conduct of a public hearing and upon passage by a majority vote plus one of the whole membership of the City Council.

Move adoption of Ordinance No. 4611. Elliott

AN ORDINANCE of the City of Ellensburg, Washington, relating to the dispensing of medical cannabis, declaring an emergency and renewing for an additional six-month period a moratorium within the City of Ellensburg on the licensing, establishment and operation of Medical Cannabis Dispensaries, establishing the date of a public hearing on the moratorium, and providing that the moratorium will take effect immediately upon passage. Arango(yes)

Aronica(yes)

Elliott(yes)

Lillquist(yes)

Miller(yes)

Morgan(yes)

Tabb(yes)
Motion approved.

Manager’s Report

Shoreline Master Program

The Technical Advisory Committee for the Region wide Master Shoreline Program Update which includes the Ellensburg Master Shoreline Update needs to be formed this month. This will come back before Council at the January 17 meeting for recommendations on appointments. Staff has been successful in showing the Department of Ecology that Wilson Creek is not a jurisdictional stream. Only the Yakima River shoreline in Irene Rinehart Park will be under the City’s jurisdiction.

Councilmember Lillquist was assigned to serve on the Citizen Advisory Committee.

Executive Session

An executive session is scheduled this evening the purpose of which will be to discuss the establishment of the value of real estate the City may be negotiating to sell. Duration of the executive session will be approximately fifteen minutes.

Council Assignments to Boards and Committees

In lieu of Councilmember reports, Council reviewed the list of Council Board & Committee Assignments on pages 37-42 of the agenda packet and made assignments as follows:

Councilmember Arango: Lodging Tax Advisory Committee
QUADCO RTPO
Brownfields Advisory Committee
Councilmember Aronica: Utility Advisory Committee
Kittitas County Airport Advisory Committee
Kittitas County Conference of Governments
ASCWU-BOD Liaison
South Central Washington Resource Conservation & Development Council
Councilmember Elliott: City Finance Committee
HopeSource Board
Kittitas County EMD and Trauma Care Council
Kittitas County Solid Waste Advisory Committee (alternate)

Councilmember Lillquist: Utility Advisory Committee

Kittitas County Mental Health & Developmental Disabilities Board

Yakima Basin Fish & Wildlife Recovery Board

Citizen Advisory Committee for Kittitas County Flood Control Zone District

Citizen Advisory Committee for Shoreline Master Program Grant/Project

Land Development Code Update

Councilmember Miller: Kittitas County Homelessness Committee

Kittitas County Law and Justice Council

Kittitas County Solid Waste Advisory Committee

Kittitas County Community Network Drug Free Coalition

Land Development Code Update

Councilmember Morgan: KITTCOM Administrative Board

Kittitas County Conference of Governments

Campus –Community Coalition

Hospitality Resource Alliance

Neighborhood Relations Committee (alternate)

Mayor Tabb: Chamber of Commerce Liaison

City Finance Committee

Fire Relief & Pension Board

Kittitas County Disability Board

Campus-Community Coalition

Hospitality Resource Alliance

Neighborhood Relations Committee
Recess

Council recessed to executive session at 9:13 p.m. to consider the minimum price at which real estate would be offered for sale when public knowledge regarding such consideration would cause a likelihood of decrease price. The estimated duration of the executive session was announced to be fifteen minutes.

At 9:28 p.m. Council announced the executive session would be extended for ten minutes.

At 9:38 p.m. Council announced the executive session would be extended for an additional five minutes.

Reconvene

At 9:43 p.m. Council returned to regular open meeting.

ADJOURN Motion to adjourn at 9:44 p.m. Arango

Approved

_________________________________________
Mayor

ATTEST: __________________________________

City Clerk