CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session
Date of Meeting July 16, 2012
Time of Meeting 7:00 p.m.
Place of Meeting Council Chambers, 501 North Anderson Street

Roll Call Present: Arango, Aronica, Miller, Morgan, and Tabb.

Mayor Tabb stated that Councilmember Elliott has an excused absence.

Motion to grant an excused absence for Councilmember Lillquist. Arango

Affirmed

Others present were City Manager Barkley; City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Electrical Engineer Weidert; and approximately 25 members of the audience.

Awards and Recognitions

Councilmember Arango acknowledged an appreciation plaque received from Dachshunds on Parade.

Agenda Approval

Motion to approve the agenda. Aronica

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: Morgan

A. Approve Minutes – June 27, 2012, Special Session

Approve Minutes – July 2, 2012, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Library Board – May 8, 2012

C. Approve Noise Waiver Application for Family Christian Center at 701 E. Capitol on August 24, 2012 from 7:00 p.m. to 10:30 p.m.
D. Approve July 16, 2012 Claims Fund Voucher Numbers 109030 Through 109247 in the Amount of $1,318,074.69, ACH Direct Deposit in the Amount of $204,851.79, Voided Check 109029, Payroll Fund Check Numbers 84017 Through 84115 in the Total Amount of $109,435.41, Direct Deposit in the Amount of $184,835.77, and Electronic Fund Transfer of $3,887.00. Affirmed

**Boards and Commissions Appointments**

Mayor Tabb recommended the following appointments: Laura Bobovski and Lisa Rushton Smith, Arts Commission; Lynne Harrison, Parks and Recreation Commission; and George Bottcher, Planning Commission.

Motion to approve the Mayor’s appointments. Arango

Affirmed (Aronica – no)

Motion to send a letter of appreciation to Debbie Strand for her willingness to serve Miller and indicate she will be considered for future vacancies. Affirmed

**Memorandum from Paul Malinski, Community Relations Committee**

Paul Malinski spoke on the progress of the Community Center Ad Hoc Committee.

**Report and Requests from the Ellensburg Downtown Association**

Carolyn Honeycutt presented the report and requests from the Ellensburg Downtown Association.

Councilmember Morgan will represent the Council to work with the Ellensburg Downtown Association for the design of the trash receptacles and entire project.

Council will discuss possible funding during the upcoming budget meetings.

Motion to approve use of the Rotary Pavilion for August 30, 2012 from 7:00 p.m. Arango to 11:00 p.m. for the Ellensburg Rodeo Hoedown in the Downtown. Affirmed

Motion to approve use of the Rotary Pavilion for September 29, 2012 from 7:00 a.m. Arango to 6:00 p.m. for Buskers in the Burg. Affirmed

Motion to support the placement of the trees on the sidewalks for Hometown Holidays. Morgan Affirmed

**Citizen Comment on Non-Agenda Issues**

Larry Lowther, 107 W. 9th; Ruth Ann Stacy, 661 Strange Road; Cynthia Murray, 314 Susan Road;
Don Gallagher, 2900 Canyon Road. #7; and Jerry Stacy, 661 Strange Road spoke regarding the Citizens United decision by the Supreme Court and requested the City Council pass a resolution calling for the overturn of Citizens United.

Public Hearing – Proposed Resolution to Declare Electrical Equipment as Surplus

Mayor Tabb opened the public hearing to consider the proposed resolution to declare electrical equipment as surplus.

Electrical Engineer Weidert summarized the agenda report.

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

Motion to adopt Resolution No. 2012-16. Miller

Affirmed

Public Hearing - Ordinance No. 4618 - Extending Interim Zoning Controls for Medical Marijuana Collective Gardens through December 31, 2012

Mayor Tabb opened the public hearing to consider the proposed ordinance to extend interim zoning controls for medical marijuana collective gardens through December 31, 2012.

City Attorney Pidduck summarized the agenda report.

Tracy Sirrine, 261 Watt Canyon Road, Thorp, speaking for herself and the many patients she represents as secretary for several doctors in the area who help people get their medical marijuana recommendations, discussed safe access points for patients who do not know someone where they can participate in a community garden and grow their own medicine, and for patients who cannot afford to participate in the community gardens.

Fran Cuhtahlatah, 804 West 1st Avenue, spoke in favor of the proposed ordinance and stated she could do a community garden in her backyard and supply the number of people allowed in the proposed ordinance as she has her medical documentation. She indicated it is really rough getting to Seattle or Yakima.

Tony Wells, Yakima County, co-owner of 4 Leaf Collective, which is a place in Yakima County where people have safe access to get their medicine, stated they are getting ready to expand into four different cities in Eastern Washington and would like to come to Ellensburg and operate within the city limits.

A resident of 506 N. Chestnut, representing herself, Wildcats for Compassionate Care, and patient access in the City of Ellensburg, spoke in favor of the proposed ordinance.

City Attorney Pidduck spoke again.
Tracy Sirrine spoke again.

Brian Grimmer, 506 N. Chestnut, representing himself as a patient, spoke in favor of the proposed ordinance.

Tricia Rogers, Yakima, co-owner of 4 Leaf Collective, discussed the need for a safe access point in Ellensburg.

Council asked questions of staff.

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

**Motion for adoption of Ordinance No. 4618.** Arango

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 FIVE 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.

Defeated (Arango, Miller, Morgan, and Tabb – yes; Aronica – no – five yes votes needed)

**Motion for first reading of Ordinance No. 4618.** Arango

Affirmed

Motion to set a Special Meeting on July 23, 2012 at 8:00 a.m. to consider second Arango reading and adoption of Ordinance No. 4618. Affirmed (Aronica – abstain)

**Proposed Ordinance No. 4619 – Terminating a Moratorium on the Licensing, Establishment and Operation of Medical Marijuana Dispensaries**

The proposed ordinance would terminate the moratorium on the licensing, establishment, and operation of medical marijuana dispensaries.

**Motion for adoption of Ordinance No. 4619.** Arango

AN ORDINANCE of the City of Ellensburg, Washington, relating to the dispensing of medical cannabis, terminating a moratorium within the City of Ellensburg on the licensing, establishment and operation of medical cannabis dispensaries, on the basis that such activity is illegal under state and federal law.
Vote on motion. Arango (yes)
Aronica (yes)
Miller (yes)
Morgan (yes)
Tabb (yes)
Motion approved.

**Manager’s Report**

City Manager Barkley discussed his Manager’s Report.

**Adjourn**

Motion to adjourn at 9:11 p.m. Arango

Affirmed

_________________________________
Mayor

ATTEST: ___________________________________

City Clerk