CITY OF ELLENSBURG
Minutes of Council Meeting, Regular Session
December 17, 2012

Date of Meeting
December 17, 2012
Time of Meeting
7:00 p.m.
Place of Meeting
Council Chambers, 501 North Anderson Street

Roll Call Present: Aronica, Elliott, Lillquist, Miller, Morgan, Scheffer, and Tabb.

Others present were City Manager Barkley; City Attorney Pidduck; City Clerk Reno; Executive Assistant Gigstead; Public Works Director Akers; Community Development Director Smith; Sewer Division Foreman Neumeyer; and approximately 30 members of the audience.

Awards and Recognitions

Public Works Director Akers introduced Eric Neumeyer, Sewer Division Foreman.

Agenda Approval

Motion to amend the Consent Agenda to pull Item 5.C off and bring back at a later date. Miller Affirmed

Motion to approve the agenda as amended. Scheffer

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: Scheffer

A. Approve Minutes – December 3, 2012, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Environmental Commission – August 15, 2012

(2) Landmarks & Design Commission – November 6, 2012 and November 20, 2012

(3) Parks & Recreation Advisory Commission – September 12, 2012

C. Approve University Way Banner Request for Ellensburg Youth Baseball & Softball from January 1-13, 2013 and January 28 to February 4, 2013
D. Approve Noise Waiver Application for Ellensburg Grocery Outlet at 705 N. Ruby Street from December 18-23, 2012 from 10:00 p.m. to 5:00 a.m.

E. Accept as Complete Bid Call 2012-22 – Cured-In-Place Sewer Line Rehabilitation

F. Approve December 17, 2012 Claims Fund Voucher Numbers 111082-111252, and 111303-111352 in the Amount of $4,456,972.05, ACH Direct Payments in the Amount of $269,075.96, Voided Checks 111253-111302; Payroll Fund Check Numbers 84976 Through 84866 in the Total Amount of $96,272.92, Direct Deposit in the Amount of $194,097.03, and Electronic Fund Transfer of $3,787.00. Affirmed

Boards and Commissions Appointments

Richard Byham spoke regarding his interest in serving on the Ellensburg Business Development Authority Board.

Motion to support the Mayor’s reappointments of Brian Cullinane, Board of Elliott Adjustment; David Carns, Building Appeals Board; Nancy Clarke, Environmental Commission; Matthew Anderson and Tom Zett, Lodging Tax Advisory Committee. Affirmed

Letter from the Kittitas Yakima Valley Land Trust requesting the City partner with the Trust in an affordable housing project using property surplus to the City’s needs on Bender Road and Water Street

Sarah Bedsaul, Kittitas Yakima Valley Community Land Trust, 518 North Pine Street, Suite 102, discussed the request that the City partner with the Trust in an affordable housing project.

Motion to contribute the property not needed for the Water Street right-of-way Scheffer to the Kittitas Yakima Valley Community Land Trust subject to an agreement being completed between the City and Kittitas Yakima Valley Community Land Trust prior to the award date.

Council directed staff to enter into negotiations and bring back that framework for discussion.

Vote on motion. Affirmed

Motion to support the City’s application for a Community Development Block Grant Scheffer in the current grant cycle due January 31, 2013 for funding of the infrastructure needed for the properties to be ready for build-out.

Motion to amend to include previously unexpended money allocated for preparation Scheffer of the transit grant to be used for preparation of the Community Development Block Grant.
Vote on main motion. Affirmed

**Letter from Paul Malinski Regarding Citizens Community Center Ad Hoc Committee**

Paul Malinski spoke regarding a Citizens Community Center Ad Hoc Committee.

Motion to form an Ad Hoc Committee for a Community Center that would be a Elliott subcommittee of Parks and Recreation reporting through the Parks and Recreation Commission. Affirmed

**Letter from the Ellensburg Business Development Authority requesting discussion of the purchase of the Hubbell Building in Downtown for economic development reasons**

Ron Cridlebaugh, Ellensburg Business Development Authority, discussed the potential purchase of the Hubbell Building in the downtown for economic development reasons.

Motion to set a Special Meeting on Wednesday, December 19, 2012 at 7:00 p.m. to Lillquist consider the elements that are required for purchase of the Hubbell Building in downtown for economic development reasons. Affirmed

**Citizen Comment on Non-Agenda Issues**

James Brown spoke and submitted written materials related to a notice to instruct the City Manager to remove Police Chief Dale Miller from his appointed office.

**Public Hearing – Proposed Resolution - Amend Six Year Transportation Improvement Plan**

Mayor Tabb opened the public hearing to consider an amendment to the Six Year Transportation Improvement Plan.

Public Works Director Akers summarized the agenda report.

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

Motion to adopt Resolution No. 2012-34. Elliott

Affirmed

Motion to authorize the Mayor and staff to execute all necessary grant paperwork Elliott associated with the “D” Street Bridge Replacement Project and the University Way Overlay Project.
Affirmed

Ordinance No. 4629 – Developer Reimbursement Agreements – Increase Term from 15 Years to 20 Years

The proposed ordinance would increase the term for Developer Reimbursement Agreements to be consistent with state law. Council gave Ordinance No. 4629 first reading at the December 3, 2012 meeting.

Motion for second reading and adoption of Ordinance No. 4629. Scheffer

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON RELATING TO CHAPTER 2.50 ENTITLED “DEVELOPER REIMBURSEMENT AGREEMENTS” AND AMENDING SECTION 2.50.190 TO INCREASE THE TERM FOR DEVELOPER REIMBURSEMENT AGREEMENTS TO TWENTY YEARS TO BE CONSISENT WITH STATE LAW.

Vote on motion. Aronica (yes)
Elliott (yes)
Lillquist (yes)
Miller (yes)
Morgan (yes)
Scheffer (yes)
Tabb (yes)

Motion approved.

Ordinance No. 4630 – Establishing Permanent Zoning Controls for Medical Marijuana Collective Gardens

At its December 3, 2012 regular meeting, Council gave first reading to Ordinance No. 4630 establishing permanent zoning restrictions and operating standards for medical marijuana collective gardens.

Motion for second reading and adoption of Ordinance No. 4630. Miller

AN ORDINANCE OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO LAND USE AND ZONING, ADOPTING ZONING RESTRICTIONS ON THE CULTIVATION OF MEDICAL CANNABIS (MARIJUANA) IN COLLECTIVE GARDENS, DESCRIBING THE LAND USE IMPACTS TRIGGERING SUCH RESTRICTIONS, ESTABLISHING SEPARATION AND DISTANCE REQUIREMENTS, OPERATING STANDARDS, PROCEDURES FOR ENFORCEMENT OF VIOLATIONS INCLUDING
ABATEMENT OF CANNABIS NUISANCES, REPEALING THE INTERIM ZONING ORDINANCE ON COLLECTIVE GARDENS, AND AMENDING TITLE 13 OF THE ELLENSBURG MUNICIPAL CODE BY ADDING A NEW CHAPTER 13.55.

Vote on motion. Aronica (no)
Elliott (yes)
Lillquist (yes)
Miller (yes)
Morgan (yes)
Scheffer (yes)
Tabb (yes)

Motion approved.

Proposed Ordinance – Supplemental Budget

The proposed ordinance will provide supplemental appropriations and revenues in General, Shop, and Fire Relief and Pension Funds.

Motion for first reading of Ordinance No. 4631. Scheffer

AN ORDINANCE amending the 2012 Annual Budget of the City of Ellensburg as set forth in Ordinance No. 4604 and amended with Ordinance No. 4616 and Ordinance No. 4624 to provide additional revenues and appropriations in the General, Shop, and Fire Relief and Pension Funds.

Affirmed

Proposed Resolution – Sole Source Purchase – Ultra-Violet Disinfection Lamps

The proposed resolution authorizes purchase of new and replacement ultra-violet lamps from Wm. H Reilly & Company.

Motion to adopt Resolution No. 2012-35. Lillquist

Affirmed

Proposed Resolution – Pay Plan

The proposed resolution sets compensation rates for non-union employees for 2013.

Motion to adopt Resolution No. 2012-36. Lillquist
Affirmed

**Consideration of a one year contract with the Kittitas County Chamber of Commerce for Tourism Promotion**

The proposed agreement with Kittitas County Chamber of Commerce is for tourism promotion.

Motion to approve the contract between the City and the Kittitas County Chamber of Elliott Commerce in the amount of $376,925 (Exhibit A as revised with the removal of Destination Downtown costs in the amount of $45,500). Affirmed

**Consideration of an Amendment to the Agreement Between the City and Central Washington University (CWU) for CATV Services, Extending the Termination Date by 90 days**

CWU has notified the City they will not be renewing the CATV agreement. The proposed Amendment 8 to the contract extends the termination date until March 31, 2013.

Motion to authorize the Mayor to sign Agreement 8 to the CATV agreement between Lillquist CWU and the City. Affirmed

**Manager’s Report**

City Manager Barkley presented his Manager’s Report.

**Councilmembers’ Reports**

Councilmember Aronica reported on the Associated Students of CWU.

Councilmember Elliott reported that the Board of County Commissioners will be considering a Wildland Urban Interface Code on December 18, 2012 and requested the City also consider a similar code in the future.

Councilmember Lillquist reported on the Kittitas County Mental Health and Developmental Disabilities Board and the Food Access Coalition at the Food Bank.

Councilmember Miller requested an excused absence from the December 19, 2012 meeting.

Motion to approve an excused absence for Councilmember Miller from the Scheffer December 19, 2012 meeting. Affirmed

Councilmember Morgan reported on a KITTCOM meeting.
Adjourn

Motion to adjourn at 9:08 p.m. Miller

Affirmed

_________________________________
Mayor

ATTEST: ____________________________________

City Clerk