CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting: April 15, 2013
Time of Meeting: 7:00 p.m.
Place of Meeting: Council Chambers, 501 North Anderson Street

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

Absent: Aronica

Motion to approve an excused absence for Councilmember Aronica. Scheffer

Affirmed

Others present were City Manager Barkley; City Attorney Weiner; City Clerk Reno; Executive Assistant Gigstead; Energy Services Director Dunbar; GIS Specialist Longmire; Planning Supervisor Bailey; City Engineer Lyyski; and approximately 15 members of the audience.

Proclamations

Mayor Tabb read the proclamation for Arbor Day.

Motion to authorize Mayor to sign the proclamation. Lillquist

Affirmed

Mayor Tabb read the proclamation for National Day of Prayer.

Motion to authorize Mayor to sign the proclamation. Lillquist

Affirmed

Awards and Recognitions

Mayor Tabb recognized City Attorney Jim Pidduck for receiving the Washington State Association of Municipal Attorneys Ernest Campbell Lifetime Achievement Award and for his 14 years of service with the City.

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 – April 1, 2013, Regular Session

B. Acknowledge Minutes of Boards and Commissions

(1) Landmarks & Design Commission – March 5, 2013 and March 19, 2013

C. Approve Street Closure Application for Cruisin’ for Hospice Car Show for Pine Street between 3rd and 5th Avenues from 6:00 a.m. to 4:00 p.m. on June 1, 2013

D. Approve University Way Banner Request for Yakima River Cleanup from April 7-21, 2014


F. Approve Noise Waiver Application for the Lounge, LLC at 108 S. Water on April 20, 2013 from 4:00 p.m. to 12:00 a.m.

G. Approve Noise Waiver Application for Central Washington University Rodeo Club at 205 W. 5th Avenue on April 27, 2013 from 9:30 p.m. to 11:30 p.m.

H. Authorize the City Manager to Execute Amendment No. 1 to the Professional Services Agreement with Erlandsen & Associates, Inc. to Perform Geographic Information System Services

I. Award Bid Call 2013-05 – University Way Overlay Project to Columbia Asphalt and Gravel, Authorize staff to Execute the Consultant Agreement with Baer Testing to Complete the Asphalt Testing, and Waive the Noise Ordinance for the Contractor’s Planing/Grinding, Paving, and Striping

J. Authorize the City Manager to Execute the Agreement with UTILX Corporation for CableWISE Cable System Condition Assessment Services

K. Approve April 15, 2013 Claims Fund Voucher Numbers 112715 Through 112914 in the Amount of $466,752.62, ACH Direct Payments in the Amount of $228,305.21, Voided Checks 112728 and 112729, Payroll Fund Check Numbers 85668 Through 85749 in the Total Amount of $88,327.80, Direct Deposit in the Amount of $196,766.94, and Electronic Fund Transfer of $3,625.00. Affirmed

Quarterly Report from the Director of Tourism

Amy McGuffin, Director of Tourism, presented the quarterly report.
Annual Report from the Ellensburg Business Development Authority

Ron Cridlebaugh, Kittitas County Chamber of Commerce, presented the Annual Report for the Ellensburg Business Development Authority.

Request for Letter of Support from the Lodging Tax Advisory Committee for the Yakima River Scenic Byway Interpretive Center Project

Jason Smith discussed the Yakima River Canyon Scenic Byway Interpretive Center Project.

Motion to authorize the Mayor to sign a letter of support for the Yakima River Canyon Scenic Byway Interpretive Center Project. Affirmed (Scheffer – Abstain)

Citizen Comment on Non-Agenda Issues

Doug Stalder, 2000 Quartz Mountain Drive, discussed the previous agenda item and questioned if it is a conflict of interest for a councilmember who is an employee of Forterra to make recommendations and comments to the Council for a financial goal to help repay the company that she works for their $160,000 loan.

Public Hearing - Proposed Resolution – Declaring Property as Surplus (Legislative)

Mayor Tabb opened the public hearing to consider the proposed resolution to declare aluminum irrigation pipe as surplus property.

City Engineer Lyyski summarized the agenda report.

Council asked questions of staff.

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

Motion to adopt Resolution No. 2013-09. Lillquist

Affirmed

Public Hearing - Proposed Resolution - Request of Doug Stalder, on Behalf of Calvary Baptist Church, for Outside Utility Service to Serve Property at 2200 Vantage Highway (Legislative)

Mayor Tabb opened the public hearing to consider the proposed resolution and request of Doug Stalder, on behalf of Calvary Baptist Church, for an agreement for outside utility service.

City Engineer Lyyski summarized the agenda report.

Doug Stalder, 2000 Quartz Mountain Drive, discussed the proposed request for outside utility service.
Council asked questions of staff.

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

Motion to adopt Resolution No. 2013-10 which authorizes the Mayor to execute the Elliott Utility Extension Agreement and Agreement Waiving Right to Protest LID and Affirmed Annexation.

Public Hearing - Libenow Zone Change Request - .99 Acres of Land Currently Zoned Residential Suburban to Residential Low Density at 203 and 205 West Helena Quasi-Judicial)

Mayor Tabb opened the public hearing to consider the Libenow 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 and entered Attachments A-N into the record.

Council asked questions of staff.

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

Motion for approval of the Libenow Zone Change request from Residential Elliott Suburban to Residential Low Density.

Vote on motion.

Elliott (yes)

Lillquist (no)

Miller (no)

Morgan (no)

Scheffer (no)

Tabb (no)

Motion defeated.

Ordinance No. 4625 (Substitute) – Electric Service to New Large Single Loads

The proposed ordinance would establish a policy for dealing with new large single electric loads and
the allocation of Tier 1 and Tier 2 power costs. Council gave first reading to Ordinance No. 4625 at the November 5, 2012 meeting.

Pat Kelleher submitted a letter regarding the proposed ordinance.

Motion for second reading and adoption of substituted Ordinance No. 4625. Scheffer

The motion was withdrawn.

Motion for first reading of substituted Ordinance No. 4625. Lillquist

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON
RELATING TO THE PROVISION OF ELECTRICAL SERVICE TO NEW LARGE SINGLE LOADS AND
AMENDING CHAPTER 9.30 “UTILITY RATES” BY ADDING A NEW SECTION 9.30.150 ENTITLED
“TREATMENT OF NEW LARGE SINGLE LOADS TO THE ELLENSBURG MUNICIPAL CODE.

Affirmed

Ordinance No. 4641 – Establishing Days and Hours of Operation of City Offices

The proposed ordinance establishes the days and hours that City offices shall be kept open for the transaction of business with the public. Council gave first reading to Ordinance No. 4641 at the April 1, 2013 regular meeting.

Motion for second reading and adoption of Ordinance No. 4641. Scheffer

AN ORDINANCE of the City Council of the City of Ellensburg, Washington, pertaining to hours of operation for City offices and adding a new chapter entitled “1.04 Hours of Operation” to Title 1 of the Ellensburg Municipal Code.

Vote on motion. Elliott (yes)

Lillquist (yes)

Miller (yes)

Morgan (yes)

Scheffer (yes)

Tabb (yes)

Motion approved.

Ordinance No. 4642 – Amending “Officers – Oath and Bond” to Remove Bond Requirement for Municipal Court Judge
The proposed ordinance would amend “Officers – Oath and Bond” to remove the bond requirement for the Municipal Court Judge. Council gave first reading to Ordinance No. 4642 at the April 1, 2013 regular meeting.

**Motion for second reading and adoption of Ordinance No. 4642.** Scheffer

AN ORDINANCE of the City Council of the City of Ellensburg, Washington, amending Section 1.30.640 entitled “Officers – Oath and Bond” of Chapter 1.30 “Salaries and Bonds” to remove the City’s bond requirement for the Municipal Court Judge.

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

Motion approved.

**Proposed Resolution – Appointing Public Records Officer**

The proposed resolution would appoint Terry Weiner, City Attorney, as the City’s Public Records Officer.

Motion to adopt Resolution No. 2013-11. Elliott

Affirmed

**Proposed Resolution – Sole Source Purchase of Large Water Meters**

The proposed resolution waives the bid requirements for the purchase of large water meters from Metron, Inc.

Motion to adopt Resolution No. 2013-12. Elliott

Affirmed

**Proposed Resolution – Sole Source Purchase of Water Meters**

The proposed resolution waives the bid requirements for the purchase of water meters from BadgerMeter, Inc.
Motion to adopt Resolution No. 2013-13. Elliott

Affirmed

**Proposed Resolution – Donation to Library Trust Fund**

The proposed resolution accepts a donation of $2,000 for the Trust Fund of the Library in memory of John Herum.

Motion to adopt Resolution No. 2013-14. Miller

Affirmed

**Consider Noise Waiver Application for John Wiesen on Yellowstone Avenue on May 5, 2013 from 8:00 a.m. to 8:00 p.m.**

John Wiesen handed out a new noise waiver application to change the location to 1801 North Chestnut from 9:00 a.m. to 7:00 p.m.

Motion to approve the noise waiver application as handed out tonight at 1801 North Scheffer Chestnut from 9:00 a.m. to 7:00 p.m. on May 5, 2013. Affirmed

**Lease with Elmview for Operation of a Community Garden**

The City proposes to enter into a Lease Agreement with Elmview Industries to manage a community garden.

Motion to approve the Lease Agreement between the City and Elmview Industries and Miller authorize the City Manager to sign the Agreement.

Sarah Haven requested the Council consider changing the language in the agreement so the City or Elmview can terminate the Lease and the City may also be responsible for repairing the water spigot, if damaged.

Council requested staff change the language so either the City or Elmview can terminate the Lease. Also, Elmview will be responsible for repairing the water spigot due to damage by gardeners using the community garden.

Vote on motion. Affirmed

**Request from Lodging Tax Advisory Committee to Authorize a Supplemental Appropriation to the 2013 Budget**

The Lodging Tax Advisory Committee approved a motion at the April 3, 2013 meeting to fund up to
$10,000 for branding services from a company through the Chamber of Commerce.

Motion to authorize a supplemental appropriation for the Chamber’s 2013 Budget Lillquist in the amount of $10,000 for branding services for City of Ellensburg tourism promotion. Affirmed

**Hubbell/Geddis Report and Guidance**

There are a number of energy efficiency upgrades that need to be completed for the Hubbell Building, including new storefront glass, entry doors, and heating, ventilation and air conditioning (HVAC) units.

Motion to support the City to move forward with obtaining bids for new Scheffer glass, entry doors, HVAC units, and a sprinkler system for the Hubbell/Geddis Building. Affirmed

Motion for general acceptance of the Vision and Application of the Geddis Block as Scheffer presented in the Council Agenda packet. Affirmed

**Manager’s Report**

City Manager Barkley presented his Manager’s Report.

**Councilmembers’ Reports**

Councilmember Lillquist reported on the Mental Health and Developmental Disabilities Board, the 7th Avenue Bike Boulevard Public Works Open House, the Utility Advisory Committee, and the FISH Food Access Coalition. She also discussed the Landmarks and Design Commission minutes on the Consent Agenda.

Councilmember Miller reported on a webinar on post disaster recovery, the Homelessness and Affordable Housing Committee, a short course on local planning, and an ASPEN community meeting.

Mayor Tabb reported that Councilmember Miller has applied to serve on the Association of Washington Cities Board of Directors.

**Adjourn**

Motion to adjourn at 10:02 p.m. Scheffer

Affirmed