CITY OF ELLENSBURG
Minutes of Council Meeting, Regular Session
December 16, 2013
Date of Meeting
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 Acting City Manager Akers; City Attorney Weiner; City Clerk Reno; Planning Supervisor Bailey; Energy Services Director Dunbar; IT Manager Faubion; Parks and Recreation Director Case; and approximately 20 members of the audience.

Agenda Approval

Motion to amend agenda to move Item 11.A to 6.D. Elliott
Affirmed

Motion to amend agenda to move Item 9.A. to 11.D. Elliott
Affirmed

Motion to approve the agenda as amended. Morgan
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 – November 12, 2013, Special Session
 Approve Minutes – December 2, 2013, Regular Session
B. Acknowledge Minutes of Boards and Commissions
   (1) Parks & Recreation Advisory Commission
C. Authorize the City Manager to Execute the Waste Management Contract Amendment
D. Authorize the Mayor and Finance Director to Execute the Transportation Improvement Board Fuel Tax Grant Agreement and the Project Funding Status Form for the Third
Avenue
Extension

E. Accept Easements for Sunnybrook Plat

F. Approve University Way Banner Request for 6th Annual Winter Wedding & Event Expo from December 30, 2013 through January 12, 2014

G. Approve the Charter Communications Franchise Extension Agreement and Authorize the City Manager to Sign the Agreement

H. Authorize the Director of Energy Services to Execute an Agreement with Bonneville Power Administration to Construct a 115KV Tap to Serve the New Substation on Helena Avenue

I. Authorize the Director of Energy Services to Execute Agreements with EES Consulting, Inc. and Marsh Mundorf Pratt Sullivan & McKenzie in an Amount not to Exceed $12,598 for Western Public Agency Group 2014 Membership Dues

J. Approve Resolution No. 2013-41 to Authorize Richard Denning to Remove a Tree at 309 W. 14th Avenue

K. Accept Bid Call 2013-01 – Sidewalk Repair Program as Complete


M. Accept as Complete Bid Call 2013-14, Hubbell Building Glass Replacement

N. Approve December 16, 2013 Claims Fund Voucher Numbers 116145 Through 116311 in the Amount of $772,566.06, ACH Direct Payments 668-679 in the Amount of $243,893.22, Voided ACH Direct Payment 671 of $2,745.50; Payroll Fund Check Numbers 86946 Through 87006 in the Total Amount of $72,149.37, Direct Deposit in the Amount of $204,119.16, and Electronic Fund Transfer of $3,625.00. Affirmed

**Boards and Commissions Appointments and Requests for Reappointment**

Cherise Szuba and Alex Eyre spoke regarding their interest in serving on the Lodging Tax Advisory Committee.

Motion to appoint Isa Loeb to the Ellensburg Business Development Authority. Lillquist

Affirmed

Motion to make the following reappointments: Rusty Gigstead and Douglas Ryder, Scheffer
Building Appeals Board; Cyndi Lane, John Perrie, and Bruce Tabb, Ellensburg Business Development Authority Board; and Amy McGuffin and Brittany Steward, Lodging Tax Advisory Committee. Affirmed (Elliott – no)

**Letter from George Clark, Central Washington University (CWU) Regarding Utility Advisory Committee**

Motion to acknowledge the appointment of Mike Moon as CWU’s representative Lillquist to the Utility Advisory Committee. Affirmed

**Letter from Jesse DeBock Regarding Washington Conservation Corps Service Project of Recycling**

Jesse DeBock, representing the Washington Conservation Corps, was present to discuss their proposal for a recycling project in the downtown. They will work with Public Works staff on a proposed project which will be brought back to Council.

**Fitness Center Equipment at the Kittitas Valley Memorial Pool & Fitness Center**

Staff has prepared some options related to the Kittitas Valley Memorial Pool and Fitness Center exercise equipment.

The following people spoke regarding the fitness center equipment: Jack Horsley, Forrest Wilbanks who submitted a petition to “Save the Fitness Center” with 132 signatures, Dan Witkowksi, Kent Richards, Bob Carbaugh, Don Meseck, Richard Max, and Robert Staples.

Motion to provide spending of up to $20,000 to replace the machines with a Scheffer combination of new and used machines to the extent possible.

Council discussed the replacement could either be outright purchase or lease.

Vote on motion. Affirmed (Elliott, Lillquist, Morgan – no)

Motion to provide a charge to Parks and Recreation to come back with a scope of work Scheffer to review the future of the Pool facility. Affirmed

**Public Hearing – Consideration of Zoning Regulations Regarding Marijuana Sales, Processing and Production, and Affirm Continuation of Moratorium per Ordinance No. 4654 (Legislative)**

Mayor Tabb opened the public hearing to consider zoning regulations regarding marijuana sales, processing and production, and affirm continuation of moratorium per Ordinance No. 4654.

Planning Supervisor Bailey summarized the agenda report.
Jordon Crocket, 2214 Brookfield Street, representing Green Amigos, a cannabis production and processing company, spoke in favor of allowing business owners to produce and process cannabis in the City.

Deborah Greenspan (no address given) spoke in opposition to Ordinance No. 4654 and submitted written comments.

Lorraine Crook, 401 E. Cherry Lane #9, representing herself and a medical processing company, spoke in opposition to the moratorium in place.

Council asked questions of staff.

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

Motion to direct staff to prepare an ordinance for a zoning text amendment in Elliott concurrence with the Planning Commission’s recommendations. Affirmed

Motion to direct staff to affirm the continuation of the moratorium as set forth in Elliott Ordinance No. 4654 through January 31, 2014. Affirmed

Ordinance No. 4658 – Establish Telecommunications Utility

The proposed ordinance establishes a telecommunications Utility. Council gave Ordinance No. 4658 first reading at the December 2, 2013 meeting.

Motion for second reading and adoption of Ordinance No. 4658. Miller

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, ESTABLISHING A TELECOMMUNICATIONS UTILITY FOR THE CITY OF ELLENSBURG AND ADDING A NEW CHAPTER TO THE ELLENSBURG CITY CODE ENTITLED “9.110 - TELECOMMUNICATIONS UTILITY.”

Vote on motion.

Aronica (yes)
Elliott (yes)
Lillquist (yes)
Miller (yes)
Morgan (yes)
Proposed Ordinance – Electric Franchise with Kittitas County Public Utility District No. 1

The proposed ordinance would grant an electric franchise to Kittitas County Public Utility District No. 1

Motion for first reading of Ordinance No. 4659. Elliott

AN ORDINANCE OF THE CITY OF ELLENSBURG, WASHINGTON, GRANTING AN ELECTRICAL UTILITY FRANCHISE AND UTILITY EASEMENT TO KITTITAS COUNTY PUBLIC UTILITY DISTRICT NO. 1. Affirmed

Proposed Ordinance – Increase City Manager Contract Authority

The proposed ordinance would increase the City Manager’s contract authority from $10,000 to $25,000.

Motion for first reading of Ordinance No. 4660. Elliott

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, AMENDING ELLENSBURG CITY CODE SECTION 2.03.080, “CONTRACTING AUTHORITY.” Affirmed

Proposed Ordinance – Supplemental Budget Amendment

The proposed ordinance would provide supplemental appropriations in Parks Acquisition and Water Construction Funds.

Motion for first reading of Ordinance No. 4661. Lillquist

AN ORDINANCE amending the 2013-2014 Biennial Budget of the City of Ellensburg as set forth in Ordinance No. 4622 and amended in Ordinance No. 4655 to provide additional revenue and appropriations in the City’s funds. Affirmed

Motion to waive Council Rule 1.4.44(c) (2) prohibiting passage of the ordinance on the Elliott same day on which it is introduced. Affirmed

Motion for second reading and adoption of Ordinance No. 4661. Elliott

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

Motion approved

**Proposed Resolution – Interlocal Jail Agreement with City of Sunnyside**

The proposed resolution authorizes the Mayor to sign the interlocal agreement with the City of Sunnyside.

Motion to adopt Resolution No. 2013-42. Elliott

Affirmed

**Award RFP - Telecommunications System Services to Cannon Construction, Inc.**

Staff has completed a request for proposals (RFP) for the design and construction of a city owned dark fiber optic telecommunications system.

Motion to authorize the City Manager to execute the Telecommunications system Services Elliott Agreement with Cannon Construction, Inc. in an amount not to exceed $961,104.59 and to make minor modifications to the agreement, if necessary. Affirmed

**Proposed Route and Schedule Changes for Public Transit**

The Public Transit Advisory Committee has recommended proposed route and schedule changes for public transit.

Motion to adopt the changes and direct staff to amend the contract to reflect Elliott the new route and schedule for public transit. Affirmed

**Manager’s Report**

**Set Public Hearings**
Motion to set a public hearing for January 6, 2014 to consider a rezone submitted by Scheffer Duke and Dude LLC to rezone 54.95 acres of land currently zoned Residential Suburban to Light Industrial. Affirmed

Motion to set a public hearing for January 6, 2014 to consider the Canterbury Estates Scheffer Division II, Phase 4, 12 lot subdivision at 1215 Pfenning Road. Affirmed

Motion to set a public hearing for January 6, 2014 to consider surplus of a transformer Scheffer and declaring the Tesla charging station as no longer surplus. Affirmed

Councilmembers’ Reports

Councilmember Elliott requested a discussion on the board and commission reappointment process. He also requested a Special Meeting on January 6, 2014 to discuss the process of hiring a new City Manager.

Motion to set a Special Meeting at 5:00 p.m. on January 6, 2014 to discuss the attributes Morgan of a new City Manager. Affirmed

Motion to designate Mayor Tabb and Councilmember Elliott to work with staff to do Miller the initial screening of City Manager candidates. Affirmed

Councilmember Miller reported on the County Commissioner’s meeting in which the County is in support of the City’s Library contract in the amount of $88,000.

Councilmember Lillquist reported on the State Salmon Recovery Board grant awards.

Recess

Council recessed to executive session at 10:15 p.m. to discuss collective bargaining. The executive session was expected to last approximately 15 minutes and Council was not expected to reconvene to take action.

Reconvene

Council reconvened at 10:20 p.m.

Adjourn

Motion to adjourn at 10:20 p.m. Elliott

Affirmed
Mayor

ATTEST: __________________________

City Clerk