CITY OF ELLENSBURG

Minutes of Council Meeting, Regular Session

Date of Meeting
January 21, 2014

Time of Meeting
7:00 p.m.

Place of Meeting
Council Chambers, 501 North Anderson Street

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

Others present were City Manager Barkley; City Attorney Weiner; City Clerk Reno; Executive Assistant Gigstead; Public Works Director Akers; Planning Supervisor Bailey; Energy Services Director Dunbar; Gas Engineering & Operations Manager Larsen, IT Manager Faubion, Power and Gas Manager Rowbotham, Police Chief Miller and Police Officers; and approximately 30 members of the audience.

Awards and Recognitions

Police Chief Miller gave Officer Drew Houck a meritorious service award. He also presented an appreciation award to City Manager Ted Barkley on behalf of the Police Department.

Agenda Approval

Motion to approve the agenda. 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: Morgan

A. Approve Minutes – January 6, 2014, Special and Regular Meetings
B. Acknowledge Minutes of Boards and Commissions
   (1) Landmarks & Design Commission – December 17, 2013
C. Approve Noise Waiver Application for Central Washington University at 2400 North Alder Street on May 15, 2014 from 4:30 p.m. to 8:30 p.m.
D. Accept Small Works Quote 2013-30, Doorway Installation Work As Complete
E. Accept Small Works 2013-31, Mechanical Assist Filing System As Complete
F. Authorize the Director of Energy Services to Accept the License for a Fiber Optic Line Across Railroad Property

G. Authorize the City Manager to Execute the Kittitas County Conservation Rebate Agreement

H. Authorize the Director of Energy Services to Accept a Professional Services Agreement with Green Rubino for a Natural Gas Utility Marketing Plan at a cost not to exceed $31,500.00 including applicable taxes

I. Authorize the Director of Energy Services to Offer Metropolitan Area Network Services Agreement to Public Agencies and Accept the Agreements on Behalf of the City

J. Authorize the Director of Energy Services to Offer Metropolitan Area Network Services Agreement to Public Agencies and Accept the Agreements on Behalf of the City

K. Authorize the Director of Energy Services to Offer Metropolitan Area Network Services Agreement to Public Agencies and Accept the Agreements on Behalf of the City

L. Authorize the Director of Energy Services to Offer Metropolitan Area Network Services Agreement to Public Agencies and Accept the Agreements on Behalf of the City

M. Authorize the Director of Energy Services to Offer Metropolitan Area Network Services Agreement to Public Agencies and Accept the Agreements on Behalf of the City

N. Authorize the Director of Energy Services to Offer Metropolitan Area Network Services Agreement to Public Agencies and Accept the Agreements on Behalf of the City

O. Approve University Way Banner Request for Spirit of the West from January 27, 2014 through February 17, 2014

M. Authorize Continuation of Street Use Permits for Ellensburg Rodeo Association at 1318 East Vantage Highway and Community Health of Central Washington at 521 E. Mountain View Avenue

N. Authorize Mayor to Execute Easements with McDonalds Corporation


Presentation by Kirk Holmes, Kittitas County Public Works Regarding Wilson and Naneum Creek Assessment

Kirk Holmes gave a report regarding the Wilson, Naneum and Cherry Creek Watersheds. Council asked questions of Mr. Holmes.

Ordinance No. 4662 - Cable Television Franchise Renewal
The proposed ordinance would grant a cable television franchise renewal to Charter Communications, Inc. Council gave first reading to Ordinance No. 4662 at the January 6, 2014 meeting. Energy Services Director Dunbar discussed some amendments to the proposed ordinance.

**Motion for second reading and adoption of amended Ordinance No. 4662.** Tabb

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CABLE TELEVISION, RENEWING A NONEXCLUSIVE AND REVOCABLE FRANCHISE WITH FALCON COMMUNICATIONS, L.P., LOCALLY KNOWN AS CHARTER COMMUNICATIONS, INC. (“CHARTER”), PURSUANT TO STATE AND FEDERAL LAW, AND CITY ORDINANCE CODIFIED AT CHAPTER 11.43 OF THE ELLENSBURG CITY CODE, THROUGH ADOPTION OF A NEW FRANCHISE AGREEMENT WITH REVISED TERMS AND CONDITIONS, TO OPERATE, MAINTAIN, RECONSTRUCT AND REPAIR A CABLE SYSTEM FOR THE PURPOSE OF PROVIDING CABLE-RELATED SERVICES SUBJECT TO THE TERMS SET FORTH IN THE FRANCHISE AGREEMENT; and

REPEALING CHAPTER 11.08 OF THE ELLENSBURG CITY CODE RELATING TO THE FRANCHISE GRANTED TO KING VIDEOCABLE COMPANY D/B/A CONTINENTAL CABLEVISION.

Vote on motion. Aronica (yes)

Lillquist (yes)

Miller (yes)

Morgan (yes)

Scheffer (yes)

Tabb (yes)

Elliott (yes)

Motion approved.

**Ordinance No. 4663 – Telecommunications Fund**

The proposed ordinance establishes a Telecommunications Utility Fund. Council gave first reading to Ordinance No. 4663 at the January 6, 2014 meeting.

**Motion for second reading and adoption of Ordinance No. 4663.** Scheffer

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG RELATING TO THE ESTABLISHMENT OF A TELECOMMUNICATIONS UTILITY FUND AND AMENDING CHAPTER 2.16 OF THE ELLENSBURG CITY CODE ENTITLED “FUNDS.”
Vote on motion. Aronica (yes)
Lillquist (yes)
Miller (yes)
Morgan (yes)
Scheffer (yes)
Tabb (yes)
Elliott (yes)

Motion approved.

**Proposed Ordinance – Utility Advisory Committee Amendment**

The proposed ordinance amends the Utility Advisory Committee to include customer involvement in the newly formed telecommunications utility.

**Motion for first reading of Ordinance No. 4664.** Lillquist

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, AMENDING CHAPTER 1.50 OF THE ELLENSBURG CITY CODE ENTITLED “UTILITY ADVISORY COMMITTEE” AND AMENDING SECTIONS 1.50.040 AND 1.50.160 TO ALLOW FOR ADDITIONAL MEMBERS OF THE COMMITTEE.

Affirmed

**Proposed Ordinance – Franchise Agreement with Bonneville Power Administration**

The proposed ordinance establishes a franchise agreement for Bonneville Power Administration’s power and transmission lines on and around City property as well as City rights-of-way.

**Motion for first reading of Ordinance No. 4665.** Lillquist

AN ORDINANCE of the City Council of the City of Ellensburg, Washington granting to the United States of America and the U.S. Department of Energy, Bonneville Power Administration, a non-exclusive franchise for electrical transmission facilities located within the City of Ellensburg.

Affirmed

**Proposed Ordinance – Advance Travel Revolving Fund to Amend City-Owned Vehicle Use Restrictions**
The proposed ordinance changes the vehicle use restrictions and IRS rate from charitable organizations to the rate for businesses.

**Motion for first reading of Ordinance No. 4666.** Scheffer

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CITY OWNED VEHICLE USE RESTRICTIONS AND AMENDING CHAPTER 1.36 OF THE ELLENSBURG CITY CODE ENTITLED “ADVANCE TRAVEL REVOLVING FUNDS.”

Affirmed

**Proposed Ordinance – Renew Moratorium on Establishment of Recreational Marijuana Businesses Pending Adoption of Recreational Marijuana Zoning Regulations**

The proposed ordinance renews the moratorium on establishment of recreational marijuana businesses pending adoption of recreational marijuana zoning regulations.

**Motion for first reading of Ordinance No. 4667.** Lillquist

AN ORDINANCE RENEWING THE MORATORIUM IMPOSED BY ORDINANCE 4654 WITH RESPECT TO THE ACCEPTANCE OR PROCESSING OF APPLICATIONS, OR ISSUANCE OF PERMITS, AND APPROVALS, AND USES OR ACTIVITIES ASSOCIATED WITH THE PRODUCING, PROCESSING, OR RETAILING OF MARIJUANA AND MARIJUANA-INFUSED PRODUCTS ASSERTED TO BE AUTHORIZED OR ACTUALLY AUTHORIZED UNDER WASHINGTON INITIATIVE MEASURE NO. 502 OR PROPOSED WASHINGTON ADMINISTRATIVE CODE CHAPTER 314-55, OR ANY OTHER LAWS OF THE STATE OF WASHINGTON. Affirmed

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

**Motion for second reading and adoption of Ordinance No. 4667.** Tabb

Aronica (yes)
Lillquist (yes)
Miller (yes)
Morgan (yes)
Scheffer (yes)
Tabb (yes)
Elliott (yes)
Motion approved.

Motion to set a public hearing on February 18, 2014 for the moratorium. Scheffer

Affirmed

**Proposed Ordinance – Duke and Dude LLC Rezone**

The proposed ordinance changes the zoning of land currently zoned Residential Suburban (R-S) to Light Industrial (I-L).

Motion to approve the Findings of Fact for the Duke and Dude LLC Rezone. Tabb

Affirmed

**Motion for first reading of Ordinance No. 4668.** Morgan

AN ORDINANCE relating to zoning and amending Title 13 of the Ellensburg City Code by changing the zoning classification of certain property within the City of Ellensburg from Residential Suburban (R-S) to Light Industrial (I-L). Affirmed

**Proposed Resolution – Gas Meters and Steel Fittings Sole Source**

The proposed resolution establishes Mueller as the sole source supplier of steel pipe fittings and Roots/Dresser as the sole source supplier of large rotary gas meters.

Motion to adopt Resolution No. 2014-03. Lillquist

Affirmed

**Proposed Resolution – Canterberry Estates Division II, Phase 4 Preliminary Plat Approval of Findings of Fact and Conclusions of Law**

The proposed resolution approves the Findings of Fact and Conclusions of Law for the Canterberry Estates Division II, Phase 4 Preliminary Plat. Planning Supervisor Bailey handed out a revised resolution tonight.

Motion to adopt Resolution No. 2014-04. Morgan

Affirmed

**Council Assignments to Boards and Committees**

Council made the following assignments:

Councilmember Aronica - Utility Advisory Committee and ASCWU-BOD Liaison;
Councilmember Lillquist - Utility Advisory Committee, Mental Health & Developmental Disabilities Board, Yakima Basin Fish and Wildlife Recovery Board, and Flood Control Citizens Committee; Councilmember Miller - Finance Committee, Homelessness and Affordable Housing Committee, Law and Justice Council, and Kittitas County Community Network Drug Free Coalition; Councilmember Morgan – KITTCOM, Airport Advisory Committee, and KCCOG; Councilmember Scheffer - Chamber of Commerce Liaison, Lodging Tax Advisory Committee, South Central Washington R C & D, and Brownfields Committee; Councilmember Tabb - Finance Committee, KCCOG, QUADCO RTPO, Campus and Community Coalition, Public Transit Advisory Committee, and Community Center Committee; Mayor Elliott - HopeSource Board, EMS and Trauma Care Council, Fire Relief & Pension Board, Disability Board (LEOFF), and Solid Waste Advisory Committee.

Discussion regarding the Filling of Vacancies and Expired Terms on Boards and Commissions

Council discussed the process for filling of vacancies and expired terms on boards and commissions. Council requested staff bring back a policy in the next couple of months along with an amendment to the Council Rules.

Appointment of Interim City Manager

Motion to appoint John Akers as the Interim City Manager effective February 1, 2014. Tabb

Affirmed

Manager's Report

Set Public Hearings

Motion to set a public hearing for February 3, 2014 to consider the buildings and their Tabb contents and the hardscape at 113 W. Bender Road as surplus to the City’s needs. Affirmed

Motion to set a public hearing for February 3, 2014 to consider amendments and Miller updates to the Six-Year Transportation Improvement Plan Affirmed

Motion to set a public hearing for February 3, 2014 to consider the Initiative 502 zoning Miller text amendment. Affirmed

Councilmembers' Reports

Councilmember Aronica reported on the Ellensburg Business Development Authority Board.

Councilmember Lillquist reported on the Yakima Basin Fish and Wildlife Recovery Board meeting, the
Utility Advisory Committee meeting, the Teanaway community forest open house, and the Land Trust groundbreaking ceremony.

Councilmember Miller reported on the Land Trust groundbreaking ceremony, the Homelessness and Affordable Housing Committee, and the Law and Justice Council.

Councilmember Morgan reported on the KITTCOM Board meeting.

Councilmember Scheffer reported on the Lodging Tax Advisory Committee and Brownfields Advisory Committee.

Councilmember Tabb reported on Central Transit and the Downtown Revitalization Committee.

Mayor Elliott reported on upcoming agendas and would like to discuss the process for appointing members to a Sign Code Committee on February 3, 2014 and to discuss the Community Development report on priority projects on February 18, 2014. He also discussed the schedule for City Manager applicants.

Adjourn

Motion to adjourn at 9:39 p.m. Scheffer

Affirmed

Mayor

ATTEST: ______________________________

City Clerk