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

Others present were Interim City Manager Akers; City Attorney Weiner; City Clerk Reno; Executive Assistant Gigstead; Assistant City Engineer Mayo; Human Resources Director Smith; Captain Hansberry; Planning Supervisor Bailey; and approximately 10 members of the audience.

Agenda Approval

Motion to approve the agenda. Tabb

Motion to amend the agenda to add Item 10.A. to discuss the status of the City Manager Morgan hiring process. Affirmed

Vote on main motion. 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: Tabb

A. Approve Minutes – January 21, 2014, Regular Meeting
B. Acknowledge Minutes of Boards and Commissions
   (1) Arts Commission – December 9, 2013
   (2) Cable Television Commission – November 20, 2013
   (3) Environmental Commission – November 20, 2013
   (5) Library Board – December 10, 2013
   (6) Lodging Tax Advisory Committee – December 11, 2013
   (7) Utility Advisory Committee – December 10, 2013
C. Approve Noise Waiver Application for Spirit of the West Cowboy Gathering on February 15,
2014 from 9:00 p.m. to 1:00 a.m.

D. Authorize the Energy Services Director to Sign the Amendment to Extend the Energy Conservation Agreement with Bonneville Power Administration

E. Authorize the Mayor to Sign the Interlocal Jail Agreement with Kittitas County

F. Authorize Continuation of Street Use Permit for Timothy and Teresa Barlen at 201 North Pine Street

G. Authorize the Mayor to Sign the Library Services Agreement with Kittitas County

H. Authorize the Mayor to Sign the Kittitas County Weed Board Interlocal Agreement

I. Approve February 3, 2014 Claims Fund Voucher Numbers 116690 Through 116874 in the Amount of $1,225,602.00, ACH Direct Payments 716-730 in the Amount of $1,705,725.79, Payroll Fund Check Numbers 87126 Through 87183 in the Total Amount of $75,681.33, Direct Deposit in the Amount of $217,271.93, and Electronic Fund Transfer of $3,650.00.

Affirmed

Letter from Richard Byrum, Butler Amusements, Inc. Regarding Amendment to Land Use Code to Allow a Temporary Carnival

Richard Byrum, Butler Amusements, Inc. is requesting an amendment to the Land Use Code to allow a temporary carnival on University Way.

Motion to direct staff to bring back ordinance language for consideration which Lillquist would allow carnivals in the C-T and C-H Zones to include the definition of carnival and address size, duration, potential traffic mitigation issues, and public safety. Affirmed

Council requested the Planning Commission review the proposed amendment.

Ron Criddlebaugh of the Ellensburg Business Development Authority (EBDA) presented an update regarding the activities of the EBDA

Ron Criddlebaugh gave an update regarding the activities of the Ellensburg Business Development Authority and handed out the 2013 Annual Report.

Public Hearing – Proposed Resolution - Surplus Property – 113 W. Bender Road (Legislative)

Mayor Elliott opened the public hearing to consider surplus property at 113 W. Bender Road.
Assistant City Engineer Mayo summarized the agenda report.

Council asked questions of staff.

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

Motion to adopt Resolution No. 2014-05. Tabb

Affirmed

**Public Hearing – Proposed Resolution - Six Year Transportation Improvement Plan Amendment to Include the Water Street Extension Project from Bender Road to Bowers Road (Legislative)**

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

Assistant City Engineer Mayo summarized the agenda report.

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

Motion to adopt Resolution No. 2014-06. Tabb

Affirmed

**Public Hearing - Proposed Ordinance – Zoning Text Amendment Creating Regulations for Marijuana Sales, Processing, and Production (Legislative)**

Mayor Elliott opened the public hearing to consider a proposed ordinance for a zoning text amendment creating regulations for marijuana sales, processing, and production.

Planning Supervisor Bailey summarized the agenda report.

Daniel Wagner, 2608 Millstone Loop, spoke in opposition to the proposed ordinance. He requested a moratorium be continued on the issue.

Obie O’Brien, 501 E. Helena, speaking as a private citizen, discussed the Attorney General’s opinion that says municipalities can ban marijuana, but there are currently four bills in Olympia threatening sanctions of municipalities having the right to ban. He also requested the City consult with the Fire Marshal about annual inspections of processing facilities due to hazardous materials.

Council asked questions of staff.

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

**Motion for first reading of Ordinance No. 4669.** Tabb

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON,
RELATING TO THE CITY OF ELLENSBURG ZONING CODE, ADDING NEW DEFINITIONS TO 15.130.130 FOR “MARIJUANA PROCESSOR”, “MARIJUANA PRODUCER” AND “MARIJUANA RETAILER”; AND AMENDING TABLE 15.310.040 (NON-RESIDENTIAL USES) TO ADD “MARIJUANA PROCESSOR” AND “MARIJUANA PRODUCER” AS PERMITTED USES IN THE LIGHT INDUSTRIAL AND HEAVY INDUSTRIAL ZONING DISTRICTS; AND AMENDING TABLE 15.310.040 (NON-RESIDENTIAL USES) TO ADD MARIJUANA RETAILER AS A PERMITTED USE IN THE NEIGHBORHOOD COMMERCIAL, COMMERCIAL TOURIST, COMMERCIAL HIGHWAY, CENTRAL COMMERCIAL AND CENTRAL COMMERCIAL II ZONING DISTRICTS.

Affirmed

Council took a brief recess at 8:27 p.m. and returned to the meeting at 8:34 p.m.

Ordinance No. 4664 – Utility Advisory Committee Amendment

The proposed ordinance amends the Utility Advisory Committee to include customer involvement in the newly formed telecommunications utility. Council gave Ordinance No. 4664 first reading at the January 21, 2014 meeting.

Motion for second reading and adoption of Ordinance No. 4664. Miller

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.

Vote on motion. Aronica (yes)

Lillquist (yes)

Miller (yes)

Morgan (yes)

Scheffer (yes)

Tabb (yes)

Elliott (yes)

Motion approved.

Ordinance No. 4665 – 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. Council gave Ordinance No. 4665 first reading at the January 21, 2014 meeting.

**Motion for second reading and adoption of Ordinance No. 4665.** Aronica

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.

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

Motion approved.

**Ordinance No. 4666 - 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. Council gave Ordinance No. 4665 first reading at the January 21, 2014 meeting.

**Motion for second reading and adoption 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.”

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

**Ordinance No. 4668 – Duke and Dude LLC Rezone**

The proposed ordinance changes the zoning of land currently zoned Residential Suburban (R-S) to Light Industrial (I-L). Council gave Ordinance No. 4665 first reading at the January 21, 2014 meeting. Staff has changed the language in the proposed ordinance to reference Title 15 instead of Title 13.

Motion for second reading and adoption of Ordinance No. 4668 including the correction of Title 13 to Title 15.

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).

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

Motion approved.

**Proposed Ordinance – Traffic Code Revisions**

The proposed ordinance reflects various changes to the Traffic Code.

Motion for first reading of Ordinance No. 4670. Tabb

City Manager Hiring Process

Council discussed the status of the City Manager hiring process.

Council directed staff to send out a Request for Qualifications to recruiting agencies to assist in the recruitment and pre-screening process and report back at the February 18, 2014 meeting with a proposed process and cost estimates.

Manager’s Report

Set Public Hearing

Motion to set a public hearing on February 18, 2014 to consider no longer declaring Scheffer the Tesla charging station as surplus. Affirmed

Councilmembers’ Reports

Councilmember Scheffer reported on the Lodging Tax Advisory Committee.

Motion to approve an excused absence for Councilmember Miller for the Tabb March 3, 2014 meeting. Affirmed

Councilmember Lillquist requested Council set a date for the Council Retreat that would include discussion related to boards and commissions.

Adjourn

Motion to adjourn at 9:57 p.m. Tabb

Affirmed

_______________________________
Mayor

ATTEST: _______________________________

City Clerk