Minutes of Council Meeting, Regular Session

November 7, 2016

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

Others present were City Manager Akers; City Attorney Weiner; City Clerk Reno; Executive Assistant Gigstead; Public Works Director Lyyski; Finance Director Pascoe; Energy Services Director Dunbar; Sr. Financial Analyst/Budget Officer Bassett; and approximately 20 members of the audience.

Proclamation

Councilmember Miller read the proclamation for Not in Our Town.

Marte Fallshore discussed the proposed proclamation.

Motion to authorize Mayor to sign the proclamation. Lillquist

Affirmed

Awards and Recognitions

Energy Services Director Dunbar introduced new Gas Engineer Jeremiah Pappe.

Agenda Approval

Motion to approve the agenda. Tabb

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 – October 17, 2016, Regular Meeting

B. Acknowledge Minutes of Boards and Commissions

   (1) Public Transit Advisory Committee – September 6, 2016
C. Authorize the Mayor to Sign Exhibit A Revision 2 of the Bonneville Power Administration Transmission Services Agreement

D. Approve University Way Banner Request for EYBS Registration from January 23-29, 2017


F. Authorize the City Manager to Execute an Energy Conservation Agreement with Rosauers Supermarkets DBA Super One Foods in an Amount not to exceed $50,000

G. Approve the Proposed Increase to the Fixed Monthly Service Charge Component of the Central Washington University Interlocal Agreement for Interruptible Natural Gas Service

H. Authorize the City Manager to sign the 2017 Benefits Contracts

I. Approve Street Closure Application for Chamber of Commerce for 4th Avenue from Main Street to Pine Street on November 8, 2016 from 6:30 a.m. to 9:00 a.m. for Commercial Shoot

J. Authorize the Mayor to Sign the Mutual Assistance Agreement with Bonneville Power Administration

K. Authorize the Mayor to Sign the Agreement Accepting the Grant from Kittitas County for Restroom at Veterans Memorial Park

L. Approve November 7, 2016 Claims Fund Voucher Numbers 130735 Through 131041 in the Amount of $1,723,403.30, ACH Direct Payments in the Amount of $1,263,402.43, Payroll Fund Check Numbers 92039 Through 92083 in the Total Amount of $57,278.98, Direct Deposit in the Amount of $263,017.13, and Electronic Fund Transfer of $3,650.00.

Affirmed

Public Hearing - Proposed Ordinance – 2017 Property Tax Levy

Mayor Elliott opened the public hearing to consider the proposed ordinance for the 2017 property tax levy.

Finance Director Pascoe summarized the agenda report.

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

Motion for first reading of Ordinance No. 4751. Tabb
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, LEVYING PROPERTY TAXES FOR THE CITY OF ELLENSBURG FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2017, ON ALL PROPERTY IN SAID CITY WHICH IS SUBJECT TO TAXATION FOR THE PURPOSE OF PAYING SUFFICIENT REVENUE TO CARRY ON GENERAL OPERATIONS, RECOGNIZE VOTER APPROVED LEVIES AND PAY DEBT SERVICE OBLIGATIONS OF SAID CITY AS REQUIRED BY LAW. Affirmed

Public Hearing - Proposed Ordinance – Amending the 2015-2016 Biennial Budget

Mayor Elliott opened the public hearing to consider the proposed ordinance for amendment of the 2015-2016 Biennial Budget.

Sr. Financial Analyst/Budget Officer Bassett summarized the agenda report.

Council asked questions of staff.

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

Motion for first reading of Ordinance No. 4752. Lillquist

AN ORDINANCE AMENDING THE 2015-2016 BIENNIAL BUDGET OF THE CITY OF ELLENSBURG AS SET FORTH IN ORDINANCE NO. 4723 TO ADJUST APPROPRIATIONS IN THE CITY’S FUNDS. Affirmed

Ordinance Nos. 4746 and 4747 – Natural Gas & Telecommunications Bonds

The proposed ordinances, as prepared by Stradling Yocca Carlson & Rauth, P.C., the City’s bond counsel, authorizes the issuance and sale of $859,014.70 of Natural Gas Revenue Bonds and $390,243.00 of Telecommunications Limited Tax General Obligation Bonds. The City Council gave first reading to Ordinance Nos. 4746 and 4747 at the October 17, 2016 meeting.

Motion for second reading and adoption of Ordinance No. 4746. Miller

AN ORDINANCE of the City of Ellensburg, Washington, relating to contracting indebtedness; providing for the issuance, sale and delivery of not to exceed $295,000 principal amount taxable limited tax general obligation bond to provide funds necessary to repay an interfund loan and provide funds for long term financing of the City’s telecommunications infrastructure, and to pay the costs of issuance and sale of the bond; fixing or setting parameters with respect to certain terms and covenants of the bond; appointing the City’s designated representative to approve the terms of the sale and delivery of the bond to Cashmere Valley Bank; and providing for other related matters.

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

Motion approved.  

Motion for second reading and adoption of Ordinance No. 4747. Miller

AN ORDINANCE of the City of Ellensburg, Washington, relating to contracting indebtedness; providing for the issuance, sale and delivery of not to exceed $865,000 principal amount gas utility revenue bond to provide funds to pay or reimburse the costs of certain capital improvements to and extensions of the Natural Gas Utility, funding a deposit to the debt service reserve account, and the pay the costs of issuance and sale of the bond; creating a revenue bond service account and such additional special funds or accounts necessary or desirable to pay and secure the revenue indebtedness authorized herein; fixing or setting parameters with respect to certain terms and covenants of the bond; appointing the City’s designated representative to approve the sale terms and providing for the sale and delivery of the bond to Cashmere Valley Bank; and providing for other related matters.

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

Motion approved.

Ordinance Nos. 4748 and 4749 – Sale of Real Property and Sale of Surplus Property
The proposed ordinances revise the Ellensburg City Code related to the sale of real property and sale of surplus property. The City Council gave first reading to Ordinance Nos. 4748 and 4749 at the October 17, 2016 meeting.

**Motion for second reading and adoption of Ordinance No. 4748.** Morgan

AN ORDINANCE of the City Council of the City of Ellensburg, Washington, amending Chapter 2.06 “Sale of Real Property” of the Ellensburg City Code.

Vote on motion. Herion (yes)

Lillquist (yes)

Miller (yes)

Morgan (yes)

Scheffer (yes)

Tabb (yes)

Elliott (yes)

Motion approved.

**Motion for second reading and adoption of Ordinance No. 4749.** Morgan

AN ORDINANCE of the City Council of the City of Ellensburg, Washington, amending Chapter 2.07 “Sale of Surplus Property” of the Ellensburg City Code, repealing the current Chapter 2.07 in its entirety and adopting a new chapter entitled “Chapter 2.07 sale or disposition of surplus personal property”.

Vote on motion. Herion (yes)

Lillquist (yes)

Miller (yes)

Morgan (yes)

Scheffer (yes)

Tabb (yes)

Elliott (yes)

Motion approved.
**Ordinance No. 4750 - Carryout Bag Regulation**

The proposed ordinance would impose a $0.05 “pass through” fee on single-use paper and plastic carryout bags. The City Council gave first reading to Ordinance No. 4750 at the October 17, 2016 meeting.

Brandon Marsh, 1705 N. Iowa, urged the City Council not to pass the proposed ordinance.

**Motion for second reading and adoption of Ordinance No. 4750.** Tabb

AN ORDINANCE of the City Council of the City of Ellensburg, Washington, relating to plastic and recyclable paper carryout bags and requiring retail establishments to collect a pass-through charge from customers, and adding a new chapter to the Ellensburg City Code entitled “5.64 – Carryout Bag Regulation”.

Vote on motion. Herion (no)

Lillquist (yes)

Miller (yes)

Morgan (yes)

Scheffer (yes)

Tabb (yes)

Elliott (yes)

Motion approved.

**Proposed Ordinance – Water and Sewer Revenue Refunding Bond**

The proposed ordinance authorizes the issuance and sale of a not to exceed $7,500,000 Water and Sewer Revenue Refunding Bond.

**Motion for first reading of Ordinance No. 4753.** Morgan

An Ordinance of the city Council of the City of Ellensburg, Washington, authorizing the issuance of a water and sewer revenue REFUNDING bond of the City in the principal amount of not to exceed $7,500,000 TO PROVIDE FUNDS NECESSARY TO REFUND OUTSTANDING WATER AND SEWER REVENUE BONDS OF THE CITY; DELEGATING AUTHORITY TO APPROVE THE FINAL TERMS OF THE BOND; AND RESERVING THE RIGHT TO ISSUE REVENUE BONDS IN THE FUTURE ON A PARITY WITH THE BOND HEREIN AUTHORIZED UPON COMPLIANCE WITH CERTAIN CONDITIONS.
Proposed Ordinance – Repeal Chapter 1.75 ECC, Access to Public Records, and Replace with new Chapter 1.75 ECC, Public Records

The proposed ordinance repeals Chapter 1.75 ECC and replaces it with a new chapter.

Motion for first reading of Ordinance No. 4754. Miller

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON RELATING TO PUBLIC RECORDS AND REGULATING COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 42.56 RCW, THE PUBLIC RECORDS ACT (“THE ACT”), REPEALING CHAPTER 1.75 ENTITLED “ACCESS TO PUBLIC RECORDS” AND ADOPTING A NEW CHAPTER 1.75 ENTITLED “PUBLIC RECORDS.”

Affirmed

Third Quarter Financial Status and Investment Reports

Finance Director Pascoe presented the Third Quarter Financial Status and Investment Reports.

Motion to accept the Third Quarter Financial Status and Investment Reports as presented. Tabb

Affirmed

Manager’s Report

Set Special Meeting and Public Hearings

Motion to set a special meeting for November 21, 2016 at 6:00 p.m. for a joint meeting Tabb with the Ellensburg Business Development Authority Board. Affirmed

Motion to set a public hearing for November 21, 2016 to consider a rezone request Tabb from Son Vida, LLC. Affirmed

Motion to set a public hearing for November 21, 2016 to consider Comprehensive Plan Morgan amendments. Affirmed

Councilmembers’ Reports

Councilmember Lillquist reported on the Developmental Disabilities Advisory Committee, the Lodging Tax Advisory Committee and “Not in our Kittitas County” events.

Councilmember Miller reported on the Washington Forestry Council meeting, the Homeless and
Affordable Housing meeting, and the APA conference.

Councilmember Scheffer provided a letter of support regarding Washington Wildlife and Recreation Coalition 2017-2019 funding levels and requested Council authorize the Mayor to sign the letter.

Motion to authorize the Mayor to sign the letter of support. Lillquist

Affirmed (Herion – no)

Councilmember Tabb requested Council select an alternate for the Kittitas County Conference of Governments (KCCOG) meeting.

Motion to formally designate Mayor Elliott as the substitute for the Lillquist

November 16, 2016 KCCOG meeting. Affirmed (Mayor Elliott – abstain)

Councilmember Tabb reported on the Public Transit Advisory Committee and Finance Committee meeting.

Mayor Elliott reported on the cabulance service discussions and the Interlocal Agreement with Kittitas County regarding the Urban Growth Area.

Recess

Council recessed to executive session at 8:34 p.m. to discuss labor negotiations. The executive session was expected to last approximately five minutes and Council was not expected to reconvene.

Adjourn

Motion to adjourn at 8:39 p.m. Tabb

Affirmed

Mayor

ATTEST: __________________________________________________

City Clerk