

## City of Cle Elum

## Regular City Council Meeting

February 10, 2009

The meeting was called to order at 7:00pm by Mayor Charles Glondo. Members present included Jim Eidemiller, Ken Ratliff, Mickey Holz, Arthur Scott, Bonnie Reay, Ron Spears and Warren Perry. Also in attendance were City Administrator Gregg Hall, City Planner Matt Morton, City Attorney Mike Kenyon, Public Works Director Jim Leonhard, Police Chief Scott Ferguson, 2<sup>nd</sup> Asst. (Fire Dept) Kyle Nicholson and City Clerk Toni Fields.

## Approval of the Meeting Agenda

**A motion was made by Arthur Scott and second by Ken Ratliff to approve the meeting agenda as presented. Motion Carried.**

## Announcements Awards and Recognition

Mayor Glondo introduced Jim Eidemiller as the mayor pro tem for 2009.

**A motion as made by Arthur Scott and seconded by Ron Spears to approve the appointment of Kerry Clark and Rolf Lanzendorfer to the Planning Commission. Motion Carried.**

## Consent Agenda

**A motion was made by Jim Eidemiller and seconded by Mickey Holz to adopt the consent agenda as presented which included the minutes of the January 27<sup>th</sup> council meeting, voucher and warrants numbered 27409-27480 in the amount of \$127,504.53; payroll warrants numbered 19733-19778 in the amount of \$79,941.30 and voided warrants numbered 27397-City of Cle Elum -\$296.57. Motion Carried.**

## Officer Reports

City Administrator Gregg Hall:

- Suncadia- Community get-together on Wednesday February 11, 2009 5:30-7:30 pm at the Lodge.
- Interactive Toys/PAC Family Game Night-Thursdays Feb 19<sup>th</sup> -6-8pm at the CE/Roslyn Elementary.
- On Feb. 6<sup>th</sup> FEMA added Kittitas County to the flood assistance list enabling the applications for disaster assistance being accepted.
- Advised he will be bringing a memorandum of understanding to the next meeting between the City of Cle Elum, Chamber of Commerce and the Cle Elum Improvement Association.

City Planner Matt Morton:

- Meeting of the transportation group members also a study session for planning 2-17-09
- Meeting with representatives of the Kittitas County Conservation Group- discussing grants for storm water issues.

Public Works Director Jim Leonhard:

- Cleanup of the areas affected by the flood. Also stated funding is available for flood prevention.

Police Chief Scott Ferguson:

- Attended a three day workshop
- In-service training beginning.

2<sup>nd</sup> Asst. Fire Chief Kyle Nicholson:

- 4 fire calls, 10 EMS calls, 1 meeting and 2 training
- Requested the acceptance of the newly nominated officers of the fire dept.: Dave Campbell- Chief, Nate Henderson 1<sup>st</sup> Assist. and Kyle Nicholson as 2<sup>nd</sup> Assist. for 2009.
- **A motion was made by Ron Spears and seconded by Bonnie Reay to accept the election of new officers for the fire department Motion Carried.**
- The Volunteers Association purchased 2 new Stihl chainsaws and 2 Honda EU2000 watt generators to replace old wore out equipment.
- 3 new members have been added to the department
- On February 21<sup>st</sup> & 22<sup>nd</sup> 8 firefighters will be going to the fire training center in North Bend
- Shoreline rescue gear being purchased with grant money from the Kittitas County Law & Justice Council will arrive shortly.

## Citizen Comments

None

## Public Hearings

Coal Mine Trail Annexation:

City Planner Matt Morton presented a background on the proposed annexation. It seeks to municipally annex a portion of the Coal Mine Trail right of way to provide connection to the City's UGA to complete the annexation of the 90-acre proposed Cle Elum Industrial Park.

The hearing was opened for public comment at 7:15 p.m.

Hugh Stroh, 660 Power line Road, Cle Elum, questioned why the city wants to own this trail and if the city annexes the property what happens to the snowmobiles ability to use on the trail. M Morton said

the annexation doesn't change ownership and advise there is a three party interlocal agreement between the City of Cle Elum, City of Roslyn and Kittitas County.

B. Reay, CMT representative from the City of Cle Elum, advised the commission meetings are held on the First Monday of every month.

Ken Ratliff said he sees the snowmobile use of the trail as an asset.

M Morton added the transportation plan has snowmobile trails included.

Margaret King, City of Roslyn Attorney, said the city has concerns about the sub area planning in the area. The city has property in the area (sewer lagoons) and is concerned about access over the trail. She requested the hearing be continued in two weeks to allow time for a meeting with staff to discuss the concerns.

Dave Gerth, 205 Alaska, Roslyn, a member of the Coal Mine Trail Commission for five years, reviewed a letter he had presented to City Administrator Hall (which copies were distributed to council). Gerth gave background on the acquisition of the Coal Mines Trail Property. He said in 1994 the Cities of Roslyn, Cle Elum and Kittitas County authorized signatory to an Interlocal Cooperation Agreement and reciprocal easements that officially converted the branch line right of way to a publicly owned recreational trail and underground utilities corridor. The line is described as a 100 foot wide corridor being 50 feet on either side of the centerline of the railway. The agreement was conditioned acquisition by each of the parties of that portion of rail corridor that was within their legal jurisdiction. The agreement also prescribed the formation of a commission to manage and maintain the rail corridor as publicly owned trail and utility corridor. He continued- significant public resources have been invested in the development and improvement of the Coal Mines Trail. The trail has gained a well established reputation as an accessible, well maintained and safe corridor recreational resource for residents and visitors. The mission of the CMTC is to protect and enhance scenic, historical, and recreational attributes of the trail.

He asked several questions if the goal of the city was to annex the 90 acre industrial park:

Will analyses of the transportation impacts to the Coal Mines Trail elated to ingress and egress from the new industrial park be performed; has the county done an economic or market analysis that demonstrates the need for 90 acres of new industrial lands over and above the planned industrial lands acreage in the Bullfrog 1100 acre annexation, is a SEPA check list being prepared for the proposed annexation, how does the city reconcile the stipulation in RCW 36.93.180(4) to prevent abnormally irregular boundaries as an objective of the boundary review board and the proposed annexation is not currently in the Cle Elum UGA .Gerth asked as the proceeds unfolds and more documents are created the CMTC requests copies so the commission can be more fully informed about the proposed actions that relate to the Coal Mine Trail. He thanked the city for setting the public hearing and take testimony for the record on the proposed annexation of the Coal Mine Trail.

Attorney Kenyon said the hearing will be continued in two weeks at the regular city council meeting. City Planner Morton stated the reason for annexation was in 2006 "industrial land" was either public right of way or floodway. In 2007 four developers came to the city that required industrial property. There was no industrial property that would accommodate them. The end of the UGA is industrial area.

#### Public Appearances

None

#### Unfinished Business

None

#### New Business

#### Gambling Tax-Staff Report:

Administrator Hall said the city adopted a gambling tax in 2003 with no revisions/changes to date. The owner of Diamond Backs has requested the city council consider rescinding section 3.26.050. He (owner) says if he did not have to pay the city gambling tax, he would be able to keep his business open during these tough economic times. Hall then introduced John Coonan of Diamond Backs. Coonan said the tax on the gross of gaming is where he is losing money-he wants to pay a higher percent of the net then a smaller percent of gross. He asked for "tax break" until the economy takes a turn.

Administrator Hall said tax received in 2004 was 22,000.00, 2005-40,000., 2006-28,500, 2007-30,000 and 2008 \$9,600.

It was decided to have a meeting of the finance committee: Arthur Scott, Warren Perry and Mickey Holz along with administrator Hall and city treasurer Sandy Sutton to discuss the request.

Attorney Kenyon action can be to repeal suspend or amend but the debt cannot be forgiven.

Two employees of Diamond Backs requested council to consider the request so they could return to work.

#### Bid opening for surplus vehicles:

Sealed bids were opened for a 1971-John Deere Loader-high bidder was Robert Giaudrone-\$5,883.61;1957 Cat Grader-high bidder-Dave Anderson-\$4,500.00; 1986 Mazda Pickup-Phil Miller-\$720.25; 1975 Ford F-150-Phil Miller-\$309.00; 1989 Ford Crown Vic-Chuck Wallick-\$301.00, 1977 Chevrolet pickup-Brad Page-\$105.75; 1989 Chevrolet pickup-Brad Page-\$675.00. There were no bids

received for the 1970 Ford tanker truck. **A motion was made by Warren Perry and seconded by Bonnie Reay to accept the high bids for the surplus vehicles. Motion carried.**

RSVP Bicycle Tour October 2009-

Administrator Hall presented an FYI to council the event would be happening in October of 2009.

Ordinances & Resolutions

Resolution No.: 2009-04-Surplus Property-

A resolution to surplus the city owned house at 807 West Second. **A motion was made by Jim Eidemiller and seconded by Mickey Holz to pass Resolution No: 2009-04 to surplus the city owned house at 807 West Second. Ken Ratliff abstained from the vote. Motion Carried.**

Resolution No.: 2009-05-Adding the Independent Meat Company Building to the Cle Elum Register of Historical Places. **A motion was made by Mickey Holz and seconded by Ron Spears to accept Resolution No.: 2009-05- to accept the nomination of the Independent Meat Company Building to the Cle Elum Historic Register. Motion Carried.**

Resolution no.: 2009-06-Adding the Cle Elum City Hall Building (Grillo Motor Service/McKnight Motors Building) to the Cle Elum Register of Historical Places. **A motion was made by Arthur Scott and seconded by Warren Perry to accept Resolution No. 2009-06-Adding the Cle Elum City Hall (Grillo Motor Company/McKnight Motor Building) to the Cle Elum Historic Register. Motion Carried.**

Ordinance No.: 1307-Amending the City Garbage Ordinance:

Administrator Hall said since the adoption in 1957 there have been few changes in the garbage ordinance other than rate adjustments. He said there is a need now to make a few updates to bring it in line with the Currents Waste Management contract. He asked council to discuss the proposed changes and direct staff to prepare the Ordinance for the next meeting for adoption.

Section 8.08.235-Low Income Senior Citizens-Reduced Rates-to read Low income senior citizens (being a person sixty two years of age and whose total income, including that of his or her spouse or cotenant, does not exceed the amount specified in RCW84.36.381 (5) (b) as now or hereafter amended shall upon application be entitled to a reduced rate for garbage collection at the rates set forth in Section 8.08.210.A.2 above.

Section 8.08.240-Liens for delinquent charges-strike tenth day of the calendar month and add fifth day of the calendar month.

He added 8.08.230 Collector of Garbage Charges- change the word city to utility clerk of the city shall receive, collect and account for all garbage collection and disposal charges and accounts due the city. Then to strike "In addition to his salary as city clerk, he shall receive such compensation for his services as garbage charges as shall be determined by the city council."

Section 8.08.260-Penalty for Violation-Any person convicted of violating any of the provisions of the chapter shall be fined in any sum not exceeding five(striking on) hundred dollars striking or imprisoned for a term not exceeding thirty days, or both fined and imprisoned, in the direction of the court.

Lastly, Section 8.08.180-Use of Sanitary Fill- Delete-"only the garbage collector of such person as may be specifically authorized by the city council shall use or be permitted to use the sanitary fill or fills or other places of disposal established and used by the city.

Committee Reports

Bonnie Reay reported the Economic Development Committee will be meeting on Feb. 23 at 3:00p.m. **A motion was made by Bonnie Reay and seconded by Warren Perry to adjourn the meeting at 9:35 p.m.**

The next scheduled meeting is Tuesday February 24<sup>th</sup> at 7:00 p.m.

  
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Attest

  
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Mayor