

City of Cle Elum
Regular City Council Meeting
June 9, 2009

The meeting was called to order by Mayor Charles Glondo at 7:00 p.m. Members present included Warren Perry, Ken Ratliff, Mickey Holz, Jim Eidemiller, Arthur Scott, Ron Spears and Bonnie Reay. Also present included City Administrator Gregg Hall, City Planner Matt Morton, Public Works Director Jim Leonhard, Police Chief Scott Ferguson, City Attorney Bob Sterbank and City Clerk Toni Fields.

Approval of the Meeting Agenda

A motion was made by Mickey Holz and seconded by Ron Spears to approve the meeting agenda as presented and also to include an executive session for pending litigation after committee reports. Motion Carried

Consent Agenda

A motion was made by Jim Eidemiller and seconded Mickey Holz to adopt the consent agenda as presented which included the minutes of the May 26 city council meeting with a correction of the fire department has purchased a 1999 not 199 Ford Expedition; vouchers and checked numbered 28428-28481 in the amount of \$91,334.92; payroll checks numbered 20116-20137 in the amount of \$78,914.21 voided warrants# 28403-\$599.51 & #28324-\$61.42. Motion Carried

Officer Reports

City Administrator Gregg Hall:

- Called attention to the new sound/recording system in the council chambers. Rob Omans, city employee installed the system. Total cost was about \$600.00. Inlandnet works also has installed TV camera/recording system
- 82 people were in attendance for the airport ribbon cutting.
- Received a memo from Kirk Holmes, Kittitas County Public Works Director, regarding the formation of a flood control district.

City Planner Matt Morton:

- Progress Path Project will be out for bidding within 30 days
- Working on the final draft for the transportation plan is in the final stages.
- Two grants received :1-Phase 2 of the Focus Downtown Project, \$10,000.00; 2-\$25,000.00 to establish a level of standards for streets in the city

Public Works Director Jim Leonhard:

- Potholes in city streets are being patched; crosswalk striping; alleys graded and West First Street being crack sealed.
- Kittitas County Conservation District is mapping city storm sewers through a grant funded by the Dept of Ecology.

Police Chief Scott Ferguson:

- Reported on Memorial Day activity.
- Corporal Bland completed a class for range instructors
- Received \$500.00 from life support to purchase start up equipment for the new vehicle
- Presented two High School Seniors the Bill Rolcik Memorial Award on June 6th.
- Responded to allegations made at the last council meeting. He reviewed an annual report with statistical information on crime in the area.

Fire Chief Campbell was absent. He submitted a written report. The fire department responded to 2-fire calls, 7EMS, 2-Mutual Aid calls, 1-meeting, 2 training and a scholarship presentation at class day.

Citizen Comments

Sarah Baeckler, Chimpanzee Sanctuary Northwest, asked the council to consider allowing the Mayor to sign a proclamation declaring the "Cle Elum Seven" as honorary citizens of the city. She said they have been living in rural Cle Elum since June 13, 2008. ***A motion was made by Mickey Holz and seconded by Warren Perry to declare the "Cle Elum Seven" as honorary citizens of the city and authorized the mayor to sign a proclamation.. Motion Carried.***

Richard Hill, Cle Elum, stated the comments he had made at the last council meeting were factual and crime situations are getting worse. He said the purpose was not to shame the police department. Catherine Clerf, Ellensburg, wind developer, reminded council the USDA Energy Efficiency Grant applications due July 31st. She advised the city establish a council subcommittee. She also said she had sent the Spectrum Report to all officials of the county.

Public Hearings

Central Cascade Land Company Agreement for Staffing & Professional Services

Matt Morton asked council to authorize the Mayor to sign the agreement for staffing services so the city can proceed, at no cost to the city, to conduct an environmental review and bring a final forma and complete annexation request back to the City Council for consideration. He said Central Cascade Land

Company has an application for annexation. It has gone through the City, County and State process and is ready for annexation. He said they are asking to enter into an agreement to conduct environmental review to understand the issues and challenges then bring it to council with an annexation request. The hearing was opened for public comment at & 7:42 p.m.. Catherine Clerf—Ellensburg, expressed concern over the size of the UGA of all of the five towns are too big and the area being used for industrial and not residential. She said it is located in the wrong area to be industrial. She noted the "city will be sued over annexation concerns". Concluding she commented; there are no "rails". Stan Murphy, Roslyn Place, asked where the property is located and if a map was available. Morton responded the 90 acres adjacent to the high school property. He said this is for the services agreement and not the annexation. We are not obligating the city at this time. Murphy also suggested the city look very carefully at this—annexation of land makes it the responsibility of the city, he was comparing it to the Cle Elum Pines development a few years ago.

There were no further public comments. The hearing closed to public comments at 7:51 p.m.

Jim Eidemiller said this is just a document for services.

A motion was made by Mickey Holz and seconded by Ron Spears authorize the mayor to sign the Agreement for staffing services with Central Cascade Land Company. 6- Yes, 1-no-Bonnie Reay.

Sapphire Skies Agreement for Staffing & Professional Services

Matt Morton asked council to authorize the Mayor to sign the agreement for staffing & professional services for Sapphire Skies. He made it clear this hearing was for the staffing professional services agreement. The agreement is for the text framework-not obligating the city. Not for the annexation the hearing was opened for public comment at 7:53 p.m. There were no public comments. Arthur Scott asked if the agreement was reviewed by the attorney. Matt Morton answered yes. City Attorney Mike Kenyon has reviewed it.

Bonnie Reay said in lieu of where we are standing; she personally feels is not in the best interest of the city to annex any property at this time; "leading" on the land owner/requestor by agreeing to the staff agreement. She continued on page 2 of the revised agreement the mention of the boundary review board-she found it interesting this was done in July of 2008 and the Boundary Review Board was disbanded six months later. This she found is highly irregular. Again she repeated the city should not "lead" the developer on and wanted on public record it be clear that she is voting against both of these.

A motion was made by Ken Ratliff and seconded by Arthur Scott to authorize the mayor to sign the Sapphire Skies agreement for staffing services. 6-yes, 1-no Bonnie Reay.

Amended & Restated Pre-Annexation Agreement- Sapphire Skies-

Matt Morton said the agreement is an amended /restated pre-annexation agreement-one is the City Heights-Oct 2002 that is still in effect and the new which addresses the revisions. He said they have been reviewed by the City Attorney-Kenyon Disend and Attorney Erin Anderson. He said Bob Sterbank from Kenyon Disend would address the technical issues/changes that were made.

Attorney Bob Sterbank said he spotted, with regards to the draft; the central issue is it has gone through the boundary review board and be ready for council action for annexation. He said the property owners would prefer not to be annexed until the development agreement is in place that lays out what the site plan is going to be and some agreement on zoning, at least conceptually what the plan designations are going to be. While the process is pending the property owners would agree not to submit applications for land use/zoning changes to Kittitas County.

Warren Perry questioned how much bigger the parcel is now and why. Developer representative Dave Blanchard said the parcel contains 345 acres now and encompasses all acreage the company owns under different ownerships in that area. They integrated them all together which allows them and city view the impacts that development will have in total; so the city can look at it overall and make it fruitful. He continued this agreement commits the city to very little other than we go through a process. It does not guarantee anything. They are looking for a cooperative process.

Warren Perry asked what a planned action ordinance is. Attorney Sterbank said it is a process under environmental review by the state-environmental policy act where all the legislative action can be done at once.

Bonnie Reay asked if it includes the geological assessment. Attorney Sterbank said it typically does. B. Reay said the reason she asked was because of the coal mines.

The hearing was opened for public comment at 8:05 p.m.

Catherine Clerf-former chair of the land use committee, said the existing UGA is too big, over weighted in residential and there is no industrial. The city has great water but if given away to residential you (city) are never going to have a billion dollar "plants" She stated she is on the infrastructure side of development.

Dave Blanchard said it is their intent to bring water rights to the city that will serve the project so they are hoping it is a water neutral impact to the city. He said they (sapphire Skies) is trying to be as open as they can and are not trying to back door anyone.

Bonnie Reay asked if they had the water rights in hand. Dave Blanchard said they have owner control- they have them under Contract and can purchase them. Attorney Sterbank added at the closing of the transaction is contingent to DOE the confirmation of the amount of water.

J Eidemiller asked how long are we looking at as far as dealing with the particular issue. B. Sterbank noted it is not a fast process, he did not know personally. Dave Blanchard said it is unpredictable. They have had meetings with DOE for 11 months. They have a common understanding of the plan and a general acceptance of the methods they are trying to use and now it becomes a technical analysis to when we say we have assumptive water are they going to agree to that. They are trying to outline parameters.

Arthur Scott commented- this development may be 20 years out and he sees there is a choice of 1- let them go to the county - where they are in the "saddle" or it can be the city- have them go through the process- the city has a better choice. Get the process thought through then vote on. He added we got to do a good job up front.

Jim Eidemiller said it is apparent the agreement needs tweaking and he is not comfortable to vote on. He requested a final draft that is completed.

B. Sterbank will prepare a final draft. **A motion was made by Ron Spears and seconded by Warren Perry to table the agreement until the next meeting. Motion Carried.**

Clark Mitigation Agreement- M Morton said he would like to strike the public hearing. There is still a process to go through.

Public Appearances

None

Unfinished Business

Agreement with "Outside Seattle"

Gregg Hall brought to the attention of council at the last meeting they directed him to draft an agreement for signature for allocation of funds from the City of Cle Elum for Outside Seattle. He said the funding of the \$15,000.00 would be paid from Hotel/Motel Tax Fund. **A motion was made by Ken Ratliff and seconded by Ron Spears to authorize the Mayor to sign the agreement for allocation of funds from the City of Cle Elum to Outside Seattle. Motion Carried.** Mayor Glondo appointed Gary Kurtz as the representative from Cle Elum.

New Business

Interlocal Agreement with Kittitas County for administering housing funds

Gregg Hall said in order to distribute the housing funds; the county must have an interlocal agreement with the cities and towns. **A motion was made by Jim Eidemiller and seconded by Warren Perry to approve and authorize the mayor to sign the city-county interlocal agreement of administering housing funds. Motion Carried.**

Ordinances & Resolutions

Resolution No. 2009-14-City of Cle Elum Investment Policy

A motion was made by Ron Spears and seconded by Arthur Scott to pass Resolution No.: 2009-14-City of Cle Elum investment Policy. Motion Carried

Resolution No.: 209-15-Nominating Cavallinis Pharmacy to the Cle Elum Historic Register. **A motion was made by Ken Ratliff and seconded by Mickey Holz to pass Resolution No. 2009-15 accepting the nomination of Cavallinis Pharmacy building to the local register of historic places. Motion Carried**

Committee Reports

Utilities-water leak requests

Ken Ratliff reported the utilities committee had met to review the requests for relief of water leaks. Out of 15 requests 4 were qualified for credit. Included were Judith Stewart, Janice Adkins, Jim & Mae Barich and Marge Treadwell. **A motion was made by Ken Ratliff and seconded by Rob Spears to credit for water use overages: Judith Stewart-308 West Second-\$275.79, Janice Adkins-104 West Third-\$110.65; Jim Barich-413 Cottage-\$125.31 and Marge Treadwell-310 Montgomery-\$523.62 as recommended by the committee. Motion Carried.**

Mayor Glondo announced at 8:38 p.m. there would be an executive session for pending litigation RCW 42.30.110(i) for approximately 15 minutes with no action to be taken during the session.

The meeting was reconvened at 8:54 p.m. by Mayor Glondo. He said no action was taken during the session. No action would be taken.

A motion was made by Jim Eidemiller and seconded by Mickey Holz to adjourn the meeting at 8:58 p.m. The next regular scheduled meeting is Tuesday, June 23rd, 2009 at 7:00 p.m.


Attest


Mayor