City of Cle Elum
Regular City Council Meeting
June 23, 2009

The meeting was called to order by Mayor Charles Glondo at 7:00 p.m.. Members present included Warren Perry, Ken Ratliff, Bonnie Reay, Mickey Holz, Ron Spears and Arthur Scott. Jim Eidemiller was absent. ***A motion was made by Bonnie Reay and Ken Ratliff to excuse Jim Eidemiller. Motion Carried.*** Also present were City Administrator Gregg , City Attorney Mike Kenyon, Public Works Director Jim Leonhard, Police Chief Scott Ferguson, Fire Chief Dave Campbell and City Clerk Toni Fields.

Approval of the Meeting Agenda

***A motion was made by Bonnie Reay and seconded by Ron Spears to approve the meeting agenda as presented. Motion Carried.***

Announcements, Appointments, Awards & Recognition

None

Consent Agenda

***A motion was made by Warren Perry and seconded by Bonnie Reay to accept the consent agenda which included the minutes of the June9th, 2009 council meeting checks numbered: 28484-28524 in the amount of $140,097.99 and payroll checks numbered 20138-20170 in the amount of $85,697.90 Motion Carried.***

Officer Reports

City Administrator Gregg Hall:

- Working on locations for the police/court. He and Mayor Glondo will be meeting with the commissioners to discuss options.
- Council of Governments(COG) awarded city $320,000.00 for the Railroad Street Project. Last year the city was awarded $180,000 00 which enables the city to reconstruct 3 to 4 blocks of Railroad Street.

Public Works Director Jim Leonhard:

- City crew "cleaning up after rain storm"
- Replacing water line in the 600 block of West Second.
- 6 year street plan will be on the next agenda for public hearing
- Completing a sewer replacement in the 200 Block of East Fourth. He noted several tree roots were damaged and he will be seeking bids for removal of the trees.
- Striping of the streets is completed.
- Dust oil being applied to alleys.

Mickey Holz complimented the city crew for the appearance of the Flag Pole Park.
Bonnie Reay asked if there were funds or grants available for the storm sewers. J. Leonhard responded the city is always on the alert for available grants.
Police Chief Scott Ferguson:

- FATS Training for the officers.
- Police department was reimbursed $1,000.00 from ASPEN for Officer Rogers training.
- Received a letter of retirement effective end of August from Judy Reagan. She has been employed by the city for 18 years.

Fire Chief Dave Campbell

- Fire department responded to 2- fires,8 EMS, 2 trainings
- Newly purchased command vehicle is being painted.
- Department will assist with Fourth of July celebration
- Technical rescue training.

Council person Reay complimented City Planner- Matt Morton on his service to the city. She noted he has acquired 14 out of 14 grants for the city.
Jim Leonhard advised the plans for the restroom at the park will be going out to bid soon.

Citizen Comments

Wendy Smith said the picnic tables at the park are a nice addition. The garbage cans in the downtown area need to be emptied more often or additional cans need to be placed in the area.
Michael Kidder said he is acquiring more information on the Frisbee golf course and advised the BMX track is going to be finished by a tractor.
Mayor GLondo told Mr. Kidder the city insurance carrier has advised a fence need to be installed around the property. Mayor Glondo offered property on Third Street or 10 acres near t he cemetery for the track. He also requested Mr. Kidder come to the city in the future and request permission to use city property. He ordered Mr. Kidder to stop the activity at the Frisbee Golf Course and BMX track.

Public Hearings

<u>Andy Wiedrich Vacation Request</u>:
Public Works Director Jim Leonhard gave a background of the request of vacation from Any Wiedrich.

Weidrich proposes that approximately 3,400 square feet of public right-of-way be vacated. This would include an approximate 14'x80' section running north & south9adjacent to the petitioner property) on the West side of Peoh Ave. and an approximate 120'section running east & west along the north right-of-way of Second Street.(also adjacent to the petitioners property). Leonhard noted this portion of Second Street is a 100' right of way. Everything on Second Street west of Peoh Avenue is 80' and everything East of Peoh is 100 feet. The five issues that need to be addressed are: **1.**It has been the position of the City of Cle Elum, pursuant to RCW35.79.030 to charge 100% of the assessed value of surplus right of way that has been a part of the city for 25 years. A qualified appraisal conducted by an appraiser certified in the State of Washington must be submitted to the City of Cle Elum(at the petitioners expense)prior to an ordinance being brought forward to the city council so the value of the right of way can be established. **2.** Encompass engineering and surveying, has at the request and expense of the petitioner, "staked"the portion of right of way proposed to be vacated. The city must have an actual survey and full legal description of the right of way proposed to be vacated. This information must be provided to the City in a format acceptable to the City and at the owner's expense. **3.**Pursuant to RCW35.79.030 an easement shall be dedicated to the city and depicted on the survey that grants 10feet adjacent to the existing right of way for the purpose of construction, repair, and maintenance of any and all public utilities and services. **4.**Pursuant to State Statue and CEMC the petitioner is responsible for all costs associated with the publishing of public notices in the paper of records for the proposed vacation. Prior to final ordinance adoption the City should ensure these fees have been paid by the petitioner.**5.** Prior to any adopted ordinance becoming effective, the petitioner must compensate the City for 100% of the assessed value of the portion of right of way proposed to be vacated.

Jim Eidemiller arrived at 8:40p.m.

The hearing was opened for public comment at 7:32 p.m. There was no public comment. The hearing was closed at7:33 p.m. ***A motion was made by Ron Spears and seconded by Warren Perry to authorize the proposed right of way be conditionally vacated subject the five conditions mentioned. 5 yes, 1-opposed-Ken Ratliff, 1-abstain-Jim Eidemiller***

Unfinished Business

Sapphire Skies Amended and Restated Annexation Agreement:

Administrator Hall said t here is issues to be resolved and it would be brought to council when Planner Morton returns from vacation.

New Business

None

Ordinances & Resolutions

None

Committee Reports

None

Mayor Glondo announced a 30 minute executive session for potential litigation RCW 42.30.110(i) at 7:43 p.m. He said no action would be taken during the session but with action being anticipated when the meeting is reconvened. At 8:15 p.m. City Clerk Fields advised the waiting parties the session would be an additional 30 minutes. The meeting reconvened at 8:43 p.m. ***A motion as made by Ken Ratliff and seconded by Bonnie Reay to direct staff to move to the next level on the mediation/arbitration agreement as laid out in the development agreement with Suncadia who is the successor to Trendwest. Motion Carried***

***A motion was made by Ron Spears and seconded by Warren Perry to adjourn the meeting at 8:45 p.m.***

The next regular scheduled council meeting is Tuesday July 14, 2009.

Attest

Mayor