

City of Cle Elum
Regular City Council Meeting
March 23, 2010

The meeting was called to order at 7:00 by Mayor Pro-Tem Jim Eidemiller. Members present included Bonnie Reay, Jay McGowan, Mickey Holz and Ken Ratliff. Mayor Glondo, Warren Perry and Ron Spears were absent. Also present was City Administrator Gregg Hall, City Planner Matt Morton, Police Chief Scott Ferguson, City Attorney Kari Sand and City Clerk Toni Fields. ***A motion was made Jay McGowan and seconded by Mickey Holz to excuse Mayor Glondo, Warren Perry and Ron Spears from the meeting. Motion Carried.***

Approval of the Meeting Agenda

A motion was made by Mickey Holz and seconded by Jay McGowan to approve the meeting agenda as presented. Motion Carried

Consent Agenda

A motion was made by Mickey Holz and seconded by Jay McGowan to accept the consent agenda as presented which included the minutes of the March 9th council meeting, vouchers and checks numbered 29565-29604 in the amount of \$117,831.15 voided check #29506 in the amount of 0-, and payroll checks in the amount of \$73,686.76. . Motion Carried

Officer Reports

City Administrator Gregg Hall reported:

- Attended an economic development conference at Suncadia
- Attended a Regional Sewer meeting along with Jim Leonhard & Jim Eidemiller
- Meeting with Commissioner Alan Crankovich regarding the Upper County District Court redistricting.
- Introduced Attorney Kari Sand from Kenyon Disend.

City Planner Matt Morton:

- March 31st at 6:00 p.m. will be a Vision Cle Elum "All-Team" meeting.
- Gary Norris from DN Transportation Planners & Engineers attended a planning commission meeting to review a tech memo.
- Meeting of the Historic Preservation Committee to consider recent nominations to the local historic register.
- Focus on Downtown Facade Renovation/ Improvement Grant Program is nearing the end.

Police Chief Scott Ferguson:

- Range qualifications for the officers
- Officers will be attending training for abducted children.

Public Works Director Jim Leonhard and Fire Chief Dave Campbell were not in attendance.

Citizen Comments

None

Public Hearings

None

Public Appearances

Dan Sater, 808 East Third, member of Aging & Long Term Care presented a survey that was conducted of Seniors in the area regarding streets, sidewalks, transportation and senior services in the area.

Unfinished Business

None

New Business

Hospital District Sign for Urgent Care

Matt Morton said the request is for an exceptional sign in the right of way. He and Jim Leonhard have worked with KVCH to design a solution that is practicable and amendable to all parties.

A motion was made by Jay McGowan and seconded by Ken Ratliff to authorize staff to bring back either an ordinance or resolution, whichever is appropriate to make this possible. Motion Carried

Mountains to Sound Greenway Kiosk

Matt Morton said Louis Musso, our Mountains to Sound Greenway Trust representative, and the MTSGT have awarded a historical and interpretive kiosk sign to be placed in "Flagpole Park". All costs associated with construction, installation and maintenance of this sign will be MTSGT.

- ***A motion was made by Ken Ratliff and seconded by Jay McGowan to authorize the Mayor to sign the letter and authorize staff to work with the Mountain to Sound Greenway for final sign placement, location and content provided content shall include at a minimum "Cle Elum- the Heart of the Cascades". Motion Carried***

Code City

Gregg Hall presented a comparison of powers between Code and Second Class Cities. The City is now a second class city. Council questioned how this will affect the city. Attorney Sand said the primary reason is the increased powers that would be granted to the city. Two chief advantages she pointed out was: the home rule concept which was the reason the state legislature created the optional code-gives broad home rule authority to all code cities in any manner of local concern and in contrast as a second class city you are limited to only those powers which are expressly or impliedly conferred by the state legislature. Another point in legal perspective of liberal construction, Code Cities powers are to liberally construed whereas second class cities powers are to be strictly construed. In the event of a challenge it is actually to be construed against the city so this is a distinct disadvantage to be a second class city in a legal perspective. Attorney Sand said statistically in the State of Washington there are 281 cities of which 11 are second class cities. Of the 281, 189 are code cities. Jay McGowan asked for a concrete example of how being a city would be different because of being a code city. Attorney Sand pointed out on the comparison done by MRSC item number four Code City-any action may be taken by a code city at a special meeting if proper notification is given whereas Second class city classification says no ordinance may be passed, contract entered into or bill for payment of money allowed at a special meeting. She also pointed out line item number six-a code city has specific statutory authority to appoint a councilmember pro tem in the event of the extended excused absence or disability of a councilmember whereas in a second class city there is no specific statutory authority for the appointment of councilmember's pro tem. Bonnie Reay requested Attorney Sand go into depth on the comparison on item number 9. Attorney Sand said in a code city, under the petition for election method of annexation, the signatures of qualified electors equal only 10 per cent of the votes cast at last state general election are required for a petition to annex territory versus in a second class city, under the petition for election method of annexation, the signatures of qualified voters equal to 20 percent of the

votes cast in the last state general election are required. Jay McGowan inquired about the "planning agency" referred to in item number 7. Attorney Sand said a code city may establish a planning agency, which may be a planning department, a person, staff or body rather than a planning commission. The city may provide for an alternate in the event of conflict whereas a second class city must establish a planning commission which must consist from three to twelve members. There is no provision for appointment of an alternate. Gregg Hall said basically the difference is a second class city must have a planning commission and a code city may establish a planning agency.

Bonnie Reay said in reference to number 9, is this connected to trying to change us into a code city have any connection to any proposal or any potential at all for granting more territory into our city proper. Attorney Sand said not that she is aware of.

A motion was made by Ken Ratliff and seconded by Jay McGowan to approve an authorize the Mayor to sign Resolution No. 2010-05-Declaring the intention of the City Council to adopt for the City of Cle Elum the classification of non charter code city, to be governed by the provisions of Title 35A, revised code of Washington. Motion Carried.

Library Agreement with Kittitas County

- ***A motion was made by Bonnie Reay and seconded by Mickey Holz to authorize the mayor to sign the City-County Library Services Agreement. Motion Carried***

Ordinances & Resolutions

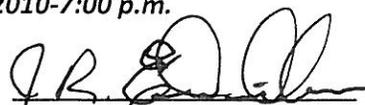
- Resolution No. 2010-03-Surplus of Police Vehicles-***A motion was made by Ken Ratliff and seconded by Mickey Holz to approve Resolution No. 2010-03-providing for the surplus/disposal of two Crown Vic police vehicles. Motion Carried.***
- Resolutions No. 2010-04-Establishment of Public Works Small Works Roster. ***A motion was made by Ken Ratliff and seconded by Bonnie Reay to approve Resolution No.: 2010-04-establishing a small works roster process to award public works contracts and a consulting services roster for architectural, engineering and other professional services. Motion Carried.***
- Resolution No. 2010-06-Adopting an airport overlay zone for the Cle Elum Municipal Airport. ***A motion was made by Jay McGowan and seconded by Bonnie Reay to approve Resolution No. 2010-06-In support of adopting an airport overlay zone for the Cle Elum Municipal Airport. Motion Carried***
- Resolution No.: 2010-07-Revising Hotel/Motel Tax Policies-tabled until the April 13th for discussion

Committee Reports

None

A motion was made by Ken Ratliff and seconded by Mickey Holz to adjourn the meeting at 8:20 p.m. Motion Carried. The next regular scheduled meeting is April 13th, 2010-7:00 p.m.


Toni Fields, Attest


Jim Eidemiller, Mayor ProTem