

City of Cle Elum
Regular City Council Meeting
12-April 2011

The meeting was called to order by Mayor Charles Glondo at 7:00 p.m. Members present included Bonnie Reay, Ron Spears, Jay McGowan, Jim Eidemiller, Ken Ratliff and Warren Perry arrived at 7:05. Mickey Holz was absent. ***A motion was made by Jim Eidemiller and seconded by Jay McGowan to excuse Mickey Holz. Motion Carried.*** Also in attendance were City Administrator Matt Morton, City Attorney Mike Kenyon, Public Works Director Jim Leonhard, Fire Chief Dave Campbell and City Clerk Toni Fields.

Approval of the Meeting Agenda

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

Announcements

Mayor Glondo appointed Jay McGowan to replace Bonnie Reay on the Coal Mine Trail Commission and the Yakima Basin Fish & Wildlife Recovery Board.

Consent Agenda

A motion was made by Jim Eidemiller and seconded by Bonnie Reay to approve the Consent Agenda as presented which include the minutes of the March 22nd, 2011 council meeting; vouchers and checks numbered 30959-31045 in the amount of \$177,851.67 and payroll checks in the amount of \$102,307.58. Motion Carried.

Officer Reports

City Administrator Matt Morton reported:

- meeting with Hubregste, Louman and Associates, BNSF Railroad regarding the right of way & easement for the Railroad Street bypass project.
- KittCom Executive Board will be entering into negotiations for the labor contract for Kittcom
- Pending legislation the city may be obligated to allow a marijuana dispensary in the city.
- Regional sewer committee let contract with FCS for Upper County Regional Wastewater Facility Rate Assistance.
- During the first quarter of 2011 the sales tax revenue is up \$40,305.06 from 2006. He attributed the drop of \$63,500.00 in expenditures to the wise spending of the city staff.
- As promised to the citizens of the city (as per contract with Waste Management) they will be seeing a rate reduction on their May garbage billing.

Public Works Director Jim Leonhard reported:

- City crew has been grading alleys and patching pot holes.
- He will be attending a session on the Water Efficiency Rule.

Fire Chief Dave Campbell reported:

- Dept responded to 3-fire calls; 21-EMS calls, 2-meetings, 4- training and 4-other. He said the Annual Easter Egg Hunt will be held on Saturday 23rd at 11:00am. at the Cle Elum Fireman's Park.

Warren Perry apologized to staff for his misunderstanding of the duties for the animal control officer.

Citizen Comments

None

Public Hearings

Right of Way Vacation-Gaub Addition:

Matt Morton said the public hearing was to take public testimony on the request to vacate a public road right of way by Gordon Gaub. He said the council did pass Resolution No. 2011-01 setting this meeting as the hearing date. The alley right of way is located in Block 11 Roslyn 2nd Addition. He said city staff recommends the city council authorize the proposed right of way be conditionally vacated subject to 5 conditions: 1. It has been the position of the City of Cle Elum, pursuant to RCW 35.79.030 to charge 100% of the assessed value of surplus right of way that has been part of the City for more than 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 the final ordinance being brought forward for the Mayor's signature so the value of the right of way can be established., 2. The petitioner shall provide the City with a final recorded legal description of the right of way to be vacated prior to the Mayor signing the ordinance., 3. Pursuant to RCW 35.79.030 an easement shall be dedicated to the city to retain utility rights (if required). 4. Pursuant to State Statute and CEMC the petitioner is responsible for all costs associated with the publishing of public notices in the paper of record for the proposed vacation. Prior to final ordinance adoption staff will ensure these fees have been paid by the petitioner. 5. Prior to any adopted ordinance becoming effective, the assessed value of the portion of right of way proposed to be vacated. The hearing was opened for public comment at 7:12 p.m. There were no public comments. The hearing was closed at 7:13 p.m. Council comments: Jim Eidemiller felt the request was in order, Ken Ratliff pointed out Gordy Gaub owns property on both sides, Warren Perry asked if the property on the eastside is residential or commercial. Matt Morton said it is a mix of both.

A motion was made Jay McGowan and seconded by Warren Perry to authorize the proposed right of way be conditionally vacated subject to the aforementioned five conditions. Once the conditions are satisfied the mayor shall sign the final ordinance. Motion Carried.

Emergency Moratorium relating to fences in the GC, EC & OTC Zones

Matt Morton said the hearing is to take public comment on Ordinance No. 1343 establishing an emergency moratorium on fences in certain zones. He said city staff has begun the public process on permanent amendments to CEMC regarding fences. He said the city is required to have a public hearing and get public input. Staff will work with the public to bring code changes to the planning commission for a full public process and back to council for a decision.

The hearing was opened for public comments at 7:18 p.m. Robert Lanphere said he is a property owner on Railroad Street. When he purchased it for storage it was zoned light industrial. He said the city had leased the property for several years for snow storage. In January of this year the city terminated the lease for 2011. On March 1st he asked the city and school district to stop using his property because he did not want the liability. He also said when the snow melted he was putting a fence up to make the property more marketable to lease again. One week after he questioned the city about a fence a moratorium was put on fences. He felt the moratorium would do more harm than good. He would like to see the city encourage new business instead of putting restrictions on them. He also questioned the legality of the moratorium restricting the Railroad from fencing their property. He requested his

property be excluded from the moratorium because he was in the process of putting a fence up. He felt everyone should be able to protect and secure their property.

Catherine Clerf commented with light industrial/industrial zoning you need a fence.

There were no further public comments. The hearing was closed at 7:23 p.m.

Jim Eidemiller said it will now go to the planning commission for review and then back to council.

Warren Perry felt that maybe there should be leeway for people in the process of putting up a fence. He also referenced Ms. Clerfs comments about protecting their property with a fence. Bonnie Reay said it is all about bringing business here and putting minds together for a solution.

Public Appearances

Chamber of Commerce Monthly Report

Ryan Munsey, president of the Chamber of Commerce, reported the "Feather nester" will be this weekend. Olga Newton has been selected as the queen of the Pioneer Days. He also said there have been 3,300 website hits and the chamber face book site has 86 followers. Also a replacement sign is being built for the West end of the city.

Kittitas County Dept of Public Works-Kittitas County Road Standards Update Meetings. Jan Ollivier gave a presentation regarding a series of public meetings in the upper and lower county regarding the Kittitas County Road Standards.

Unfinished Business

None

New Business

Railroad Street Parking

Jim Leonhard said the concern is the parking on the newly improved section of Railroad Street. He said since the striping was added to the street this has become an issue. He had several street sign options- No Parking, Limited Parking or Handicap Parking on the North side of the street. He asked for direction from council.

Memorial Field Improvements Interlocal with Kittitas County-

Jim Leonhard said the interlocal is an agreement to accept funding from Kittitas County for Memorial Park Improvements. ***A motion was made by Ken Ratliff and seconded by Bonnie Reay to authorize the Mayor to sign the Interlocal with Kittitas County for the acceptance of funds for Memorial Park Improvements. Motion Carried.***

Citizen Advisory Committee for Kittitas County Flood Control Zone District:

Matt Morton said he had received a letter from the Kittitas County Commissioners inviting him to serve on a Citizen Advisory Committee for the Kittitas County Flood Control District. He advised council he would be filling out the application for appointment.

Ordinances & Resolutions

None

Committee Reports

Jay McGowan, city representative to the Council of Governments (COG), said COG is changing the rules on how COG votes. Previously the votes were weighted by population so Ellensburg had the majority. There is no need for that now so they want equal voting.

Mayor Glondo announced an executive session at 7:52 p.m. for pending litigation and real estate. He said the session would last 30 minutes with no action being taken during the session but possible action when the meeting reconvenes. The meeting reconvened at 8:15 p.m. Mayor Glondo said no action was taken during the session. Matt Morton said in regards to the Community Development Block Grant application for the gazebo project, the federal government has reduced funding so the State of Washington will be receiving 12 million instead of 40 million previously stated. He will keep council informed.

There was no further business. A motion was made by Jim Eidemiller and second by Bonnie Reay to adjourn the meeting at 8:25 p.m. The next regular meeting is Tuesday April 26th at 7:00 p.m.



Attest



Mayor