

City of Cle Elum  
Regular City Council Meeting  
November 8, 2011

The meeting was called to order by Mayor Charles Glondo at 7:00 p.m. Members present included Arthur Scott, Ron Spears, Jay McGowan, Jim Eidemiller, Mickey Holz, Ken Ratliff and Warren Perry. Also present was City Attorney Mike Kenyon, City Administrator Matt Morton, Public Works Director Jim Leonhard, Police Chief Scott Ferguson, Fire Chief Dave Campbell, Special Land Use Attorney Erin Anderson and City Clerk Toni Fields.

Approval of the Meeting Agenda

***A motion was made by Jay McGowan and seconded by Ron Spears to approve the meeting agenda as presented and to include Resolution No. 2011-09-Progress Acceptance for the Pinecrest Manor Demolition under Ordinances and Resolutions. Motion Carried***

Announcements, Appointments, Awards and Recognition

Mayor Glondo appointed Ron Spears-Chairman, Mickey Holz and Jim Eidemiller to the newly formed Lodging Tax Sub Committee.

Consent Agenda

***A motion was made by Jim Eidemiller and seconded by Jay McGowan to approve the consent as presented which included vouchers and checks numbered 31718-31773 in the amount of \$95,023.33, payroll checks in the amount of \$108,223.91. Motion Carried***

Officer Reports

City Administrator, Matt Morton, said he would be addressing items on the agenda

Public Works Director Jim Leonhard said the snow removal equipment is in working order. He also reminded citizens the downtown area will be posted with winter parking. He also requested alleys be kept clear so the snowplows can have access to them.

Police Chief Scott Ferguson reported no incidents on Halloween. Had a small turnout for the "Drug Take Back Program" on October 29<sup>th</sup> at the police dept. On November 18th the police dept will be moving to the price chopper building. Requested council consider the passage of Resolution 2011-08-Surplus of inventory items.

Fire Chief Dave Campbell reported the fire dept responded to 1 firecall, 12 EMS, 1-mutual aid; 2 meetings, 2 training and 3 other.

Citizen Comments

Catherine Clerf, 60 Moe Road Ellensburg, WA. 98926- spoke about articles in the newspapers about Suncadia.

Steve Jones, 509 West Sixth, said he was confused about the proposed road to City Heights. Attorney Kenyon said there is a public hearing scheduled later on the agenda.

Public Hearings

2012-Budget- M. Morton said this is the first public hearing on the 2012 budget. He said the proposed budget is balanced. Several items needed to be considered will be Kittcom, teamster negotiations and up to date sales tax information. He said the second public hearing will be held on November 22<sup>nd</sup>. The hearing was opened for public comment at 7:18 p.m. There were no public comments. The hearing was closed for public comments. Arthur Scott questioned the sales & use taxes.

Continued Hearing/Deliberation for City Heights- City Attorney Kenyon asked council to consider moving the City Heights items later in the agenda so that Councilman Perry could participate in other items on the agenda.

#### Public Appearances

Gary Berndt, Cle Elum Chamber of Commerce, gave a monthly report.

#### Unfinished Business

None

#### New Business

Rail District Funding Proposal-Louis Musso- Gave an update on the promotion of the passenger and freight rail in Kittitas County

Natural Gas Tax-Matt Morton said after review from the budget committee and city staff it was decided to impose a 6% natural gas utility tax –an amendment to CEMC Chapter 5.04. A public hearing has been scheduled for the November 22, 2011 council meeting.

#### Ordinances & Resolutions

Resolution No. 2011-08-Police Dept.- Surplus Inventory- *A motion was made by Mickey Holz and seconded by Jay McGowan to approve Resolution No..2011-08-Declaring surplus inventory of the Police Dept. Motion Carried*

Resolution No. 2011-09- accepting Progress Estimate No. 1, Final Progress Estimate and Project Acceptance, for the demolition of the Cle Elum Pine Crest Manor South building. ***A motion was made Warren Perry and seconded by Ron Spears to adopt Resolution No. 2011-009- accepting Progress Estimate No. 1, Final Progress Estimate and Project Acceptance , for the Demolition of Cle Elum-Pine Crest Manor South. Motion Carried.***

Mickey Holz said that last June the planning commission brought forth a sign ordinance about electronic signs. The Senior Center was issued a permit for one and since that time McDonalds has requested an electronic sign permit. The issue was pushed into the fall and it was to be put on the agenda for discussion. Jay McGowan said to go along with that would be allowing the enamel neon signs in the downtown historic area. M. Morton said after the first of the year would be a good time.

#### Committee Reports

None

At this time Mayor Glondo said this agenda items had been completed and now it was time to open the hearing for the proposed City Heights. Land Use attorney Erin Anderson said because the proposed annexation is a legislative matter Councilman Perry would be able to participate in it. She said there is limited testimony that needs to be read into the record. She told Perry the rezone and the development agreement is implemented thru the planned action quasi judicial action to which the appearance of fairness doctrine applies. He remained for the proposed annexation.

Mayor Glondo reopened the open record portion of the annexation hearing to receive testimony-read into the record by the author of the email that came in on the 13<sup>th</sup> that did not get into the record that night and then it will be closed.

Catherine Clerf, 60 Moe Road, Ellensburg-read a letter sent via an email Tuesday Sept. 13<sup>th</sup> 2011-16:14:06 PDT for the record.

Mayor Glondo closed the hearing.

Attorney Anderson reviewed the comprehensive plan land use goals and policy address how the city should review annexations. Land Use policy 1.7, 1.9, 2.10, 3.2, 3.5, 3.99, 7.1, 9.1, 9.2, 9.6. and also the state requirements for annexation.

***A motion was made by Jay McGowan and seconded by Ken Ratliff to approve the annexation.***

***Question on the motion-Arthur Scott asked if any of the LLCs composing the Ridge Entities have liabilities or conflicts of interest that affect the future capacity of the developer to perform under this agreement. Ms. Anderson answered that they are required to be bonded. Also included is up front cash payments to the city enabling them to go forward. A poll vote was called: Arthur Scott-yes; Ron Spears-yes; Jay McGowan-yes; Jim Eidemiller-yes; Mickey Holz-yes; Ken Ratliff-yes; Warren Perry-no.***

***Motion Carried***

Development Agreement-Erin Anderson reviewed the changes requested at the last hearing to the development agreement. She presented an ordinance for adoption that was passed by oral motion at a previous meeting.

Rezone- E Anderson reviewed the six requirements for a rezone under city code 17.120.030.

***A motion was made by Mickey Holz and seconded by Ken Ratliff to approve the Rezone -17.120.030.***

***Poll vote –Ken Ratliff-yes; Mickey Holz-yes; Jim Eidemiller-yes; Jay McGowan-yes; Ron Spears-yes and Arthur Scott-yes Motion Carried***

Planned Action – (Legal process under SEPA) ***A motion was made by Ken Ratliff and seconded by Mickey Holz to instruct staff to evaluate applications according to the development agreement and treat it as a planned action. Motion Carried.***

***A motion was made by Jim Eidemiller and seconded by Ron Spears to adjourn the meeting at 10:05 p.m.***

  
Attest

  
Mayor