

City of Cle Elum
Regular City Council Meeting
22-July 2014

The meeting was called to order at 7:00p.m. by Mayor Charles Glondo at 7:00 p.m. The Pledge of Allegiance was recited. Members present included Arthur Scott, Jay McGowan, Steven Harper, Lindsey Ozbolt & Mickey Holz. Ron Spears & Jim Eidemiller were absent and excused. Others present included City Attorney Mike Kenyon, Special Land Use Attorney Erin Anderson; City Administrator Matt Morton, Public Works Director Jim Leonhard and City Clerk Toni Fields.

Approval of the Meeting Agenda

A motion was made by Steven Harper and seconded by Jay McGowan to approve the meeting agenda as presented with the addition of 2 letters regarding the installation of a street light on Broadway. Motion Carried.

Announcements, Awards & Recognition

None

Consent Agenda

A motion as made by Jay McGowan and seconded by Steven Harper to approve the Consent Agenda as presented which included the minutes of the July 8, 2014 City Council Meeting; vouchers and checks numbered 35180-35227 in the amount of \$120,205.98; payroll checks in the amount of \$67,495.18. Motion Carried

Officer Reports

City Administrator Matt Morton:

- will be attending the Solid Waste Action Committee Meeting Thurs. July 24 at 6:30p.m.
- new garbage cans & planters have arrived
- hiring process for animal control officer has begun and also the screening of applications for the part time office assistant for the police dept.
- staff recognitions will be presented at the July 29th all staff meeting and those selected will be recognized at the August 12, 2014 City Council Meeting .

Public Works Director Jim Leonhard:

- Railroad Street Project has started construction. The water services has been installed.
- FAA did an inspection of the airport. City received a good report.
- Received a bid of \$100.00 from Debbie Willette for the two surplus playground structures. ***A motion was made by Jay McGowan and seconded by Steven Harper to accept the bid of \$100.00 for the two surplus playground structures. Motion Carried***

Citizen Comments

Jodi Larsen reported on the Veteran Wall Event. She said it was a huge success. She said unofficially there were 13,000 to 15,000 people attending over four days. She also said on

Thursday July 24 5:30 pm there will be a Barbeque for all of the volunteers at the Third Street Park

network under state law. The applicant initiated that proceeding in the mid to late 2000's and conducted a public hearing in 2008. Public Hearings city would entertain the annexation

Continued Garbage Rate Increases stating that the city did state they would entertain the Matt Morton said the tonnage rate has gone up to Waste Management by Cititias County. The

continued hearing was opened for public comments at 7:12 p.m. There were no public comments. The applicant submitted an application for a development agreement rezone and master plan approval.

Council Discussion the applicants wants to put in commercial, industrial, recreational use, open Steven Harper said the staff recommendation is to bring to the public three times. She said they

Arthur Scott commented Waste Management has a 95 month monopoly in the county. He asked if the County has a recourse to go out for bids from elsewhere. Matt Morton said the county has and

Waste Management has presented competitive bids dollars over and on top of the MDNS A motion was made by Steven Harper and seconded by Jay McGowan to direct staff to

prepare an ordinance for the Mayor's signature regarding garbage disposal rates as attached in the agenda staff report. The planning commission hearing there were 3 public comments. Not one of the three

Continued Closed Record Hearing Clo Hunt Pines West Development Agreement for other Special Land Use Attorney Erin Anderson said the County requires for the rezoning, enter into a

development agreement and annexation before council. She said the planning commission conducts the open public record hearing. She said it is a Quasi-Judicial hearing with certain

disclaimers and disclosures in the matter of the closed records. She said the first disclosure on the city council has a direct interest in the outcome of the proceedings. Mayor Scott said

anyone has interest in the outcome of this proceeding that directing benefits or harms them on a personal basis or conflict of interest that would prevent them from being fair. A. Scott-

None Jay McGowan, the Mayor, Nicky, Bob, and Wendy Ozbolt said she did not have a conflict of interest for financial benefit, however she said she was employed by the applicant for eight years and

did work on the project and for that reason although she was going to be a firm as this city individual, she believed it is in the best interest of the applicant and the city. She said she

and leave the building for the evening. Steven Harper had public comments, Mayor Scott opened the closed record hearing for by discussion. to continue the

Attorney Anderson said the property brought forward on July 21st. A portion of the property was included in the urban growth area in 1999 as a part of the Tilden West application. It went through a

environmental review and a 3 year EIS process of that entire area. It was determined it was appropriate to consider for a planned mixed use which is similar to the mixed use across the

highway. They were included in the sewer discussions for the sewer negotiations. They already have a certificate of availability for water. During this process there was no ties with

development agreement for this property. She added the applicant is asking for an extension of 28.44 acres that are in the UGA already; rezone of .96 acres that is in the city but not zoned

PMU then overlay that with a development agreement with Business the rights and

Thursday July 24, 5:30 p.m there will be a Barbeque for all of the volunteers at the Third Street Park.

Public Hearings

Continued Garbage Rate Increase:

Matt Morton said the tonnage rate has gone up to Waste Management by Kittitas County .The continued hearing was opened for public comments at 7:12 p.m. There were no public comments.

Council Discussion:

Steven Harper said the staff recommendation is fair.

Arthur Scott commented Waste Management has a monopoly in the county. He asked is the county has a recourse to go out for bids from elsewhere. Matt Morton said the county has and Waste Management has presented competitive bids.

A motion was made by Steven Harper and seconded by Jay McGowan to direct staff to prepare an ordinance for the Mayors signature amending garbage disposal rates as attached in the agenda staff report.

Continued Closed Record Hearing Cle Elum Pines West Development Agreement:

Special Land Use Attorney Erin Anderson said there are requests for a rezone, enter into a development agreement and annexation before council . She said the planning commission conducts the open public record hearing. She said this is a Quasi Judicial hearing with certain disclaimers and disclosures in the matter of the closed record. She said the first is if anyone on the city council has a direct interest in the outcome of the proceedings. Mayor Glondo asked if anyone has interest in the outcome of this proceeding that directing benefits or harms them on a personal basis or conflict of interest that would prevent them from being fair. A. Scott-none; Jay McGowan-none; Mickey Holz-none; Lindsey Ozbolt-said she did not have a conflict as for financial benefit; however she said she was employed by the applicant for eight years and did work on the project and for that reason although she would not benefit from it as an individual; she believed it is in the best interest of the applicant and the city she recues herself and leave the building for the evening. Steven Harper-none.

Mayor Glondo opened the closed record hearing for council discussion.

Attorney Anderson said the property brought forward tonight is property that was included in the urban growth area in 1999 as a part of the Trendwest application. It went through full environmental review and a 3 year EIS process of that entire area. It was determined it was appropriate to consider it for a planned mixed use which is similar to the mixed use across the highway. They were include in the sewer discussions, sewer contract negotiations. They already have a certificate of availability for water. During this process there was no development agreement for this property . She added the applicant is asking for annexation of 28.44 acres that are in the UGA already; rezone of .96 acres that is in the city but not zoned PMU then overlay that with a development agreement which establishes the rights and

responsibilities. SEPA does not apply to annexations but there is a complex annexation framework under state law. The applicant initiated that proceeding in the mid to late 2000's and conducted a public hearing in 2008 to whether the city would entertain the annexation petition request from then. Following that the city did state they would entertain the annexation. The county did certify. It then went to the boundary review board to whether they wanted to make any changes. So now the annexation is ready to move forward. In 2012 they submitted an application for a development agreement rezone and master plan approval. In the 29.44 acres the applicants wants to put in commercial, industrial, recreational use, open space and residential. She said the SEPA was brought to the public three times. She said they have agreed to transfer senior water rights, pre 1905, to the city for their water supply needs. For wastewater they are included in previous process.

Appendix U is a matrix. It shows by topic mitigation dollars over and on top of the MDNS requirements for trails, storm water etc. The development agreement will last for 24 years. There are master site plans attached as Exhibit 3(C).

During the planning commission hearing there were 3 public comments. Not one of the three were opposed to the project. The school district asked the applicant to buy portables for other development probable in the future in the Upper County. She noted that is unacceptable mitigation.

She commended the Planning Commission on the job they had done on this request.

Jay McGowan commented there are a lot of miscellaneous questions. He questioned the process council should take- review findings of fact. Attorney Anderson suggested taking by topic. She recommended starting with the MDNS.

Ms. Anderson suggested the council conduct their questions and answers in public.

Mickey Holz said he had read through the documents and his questions were answered in the planning commission's findings.

Arthur Scott remarked a good question was if this project was going to be an asset to this city as it evolves in 25 years. He suggested Matt present topics for the council to discuss for the risks to the city at a study session. There were no further public comments,

A motion was made by Steven Harper and seconded by Jay McGowan to continue the discussion at a special study session at 6:00 p.m August 12, 2014. Motion Carried

City Administrator Morton he would create an agenda for the study session on the 12th of August- 6:00 p.m.

Cle Elum Pines West Annexation

The hearing was opened for public comment at 7:20 p.m. by Mayor Glondo.

Chad Bala, Terra Design-Land use consultant for the applicant stated the annexation ties with the development agreement and he recommended the public hearing be continued to the August 12, 2014 council meeting.

Public Appearances, Unfinished Business

None

New Business

Shoreline Master Program Consultant Services-not to exceed \$8,000.00.

A motion was made by Jay McGowan and seconded by Steven Harper to authorize staff to sign the agreement with Van Ness Fieldman LLP pending review of the City Attorney. Motion Carried.

Ordinances & Resolution

Resolution No. 2014-009-Surplus of Office Equipment-

A motion was made by Steven Harper and seconded Jay McGowan to pass Resolution No.: 2014-009-Surplus of Office Equipment-Copier. Motion Carried.

Committee Reports

Steven Harper said the is no set schedule for the cemetery committee.

Jay McGowan said the Street/Tree committee is working on a report for council.

Steven Harper read the letter from Sam Craven and Velma Craven regarding the installation of a street light on Broadway. He recommended a committee check on the request.

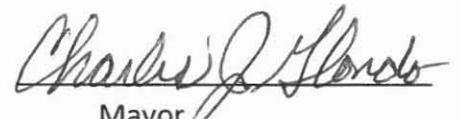
Arthur Scott asked the status of the cleanup of a residence on Broadway. Matt Morton said the process for a public hearing before the hearings examiner is being scheduled.

There was no further business to come before the meeting. ***A motion was made by Jay McGowan and seconded by Steven Harper to adjourn the meeting. Motion Carried.***

The next regular scheduled meeting is Tuesday August 12th, 20147:00 p.m. with a study session scheduled for 6:00 p.m.



Attest



Mayor