

City of Cle Elum
Regular city Council Meeting
12-August 2014

The meeting was called to order by Mayor Glondo at 7:00 p.m. The pledge of allegiance was recited. Members present included Ron Spears, Jim Eidemiller, Lindsey Ozbolt, Mickey Holz, Steven Harper, Jay McGowan, Arthur Scott was absent and excused. Also present was City Administrator Matt Morton, City Attorney Mike Kenyon, Sgt. Kirk Bland, Fire Chief Dave Campbell and City Clerk Toni Fields.

Approval of the Meeting Agenda

Lindsey Ozbolt proposed a change in the agenda, under Public Hearings -move Closed Record Hearings -Cle Elum Pines West development Agreement and Annexation to after Agenda Item No. 11-Ordinances & Resolutions. A motion was made by Lindsey Ozbolt and seconded by Steven Harper to approve the agenda as presented with the amendment. Motion Carried.

Announcements, Appointments, Awards and Recognition

None

Consent Agenda

A motion was made by Jay McGowan and seconded by Lindsey Ozbolt to approve the Consent Agenda as presented which included the minutes of the July 22,2014 City Council Meeting; vouchers and checks numbered 35228-35297 in the amount of \$174,489.90; payroll checks in the amount of \$ 111,826.14 and voided checks No. 35275-\$513.00. Motion Carried.

Officer Reports

City Administrator Matt Morton:

- advised that typically the City Council takes a summer break for the 2nd meeting in August .
A motion was made by Lindsey Ozbolt & seconded by Jay McGowan to cancel the August 26th City Council Meeting. Motion Carried.
- announced a City Picnic on Friday, September 12th
- Reviewed a memo to council regarding the annual review of city leases-901 West Second-increase from \$800.00 monthly to \$855/mo.-903 West Second-No Change-\$1,000 /mo-City Hall Annex #1-(Driving School)-from\$300 to \$500/mo. #2-(Salon-2120) no change \$1,000mo. The city cellular sites are still under contract review.
- requested an exception to the City Travel Policy for AWC Training in Leavenworth. He said because of the summer months the cost exceeds the amount of \$85.00 the city policy states. He also added, he requested "advanced travel funds" with the city credit card *A motion was made by Ron Spears and seconded by Jay McGowan to approve the request from City Administrator Matt Morton to attend the AWC training in Leavenworth. Motion Carried.*
- Attended the Kittitas County Solid Waste Action Committee Meeting.
- Requested a committee to meet and review the applicants for the Annual Judge Paul P. Pangrazi Award and make a recommendation at the September 9th City Council Meeting. *A motion was made by Lindsey Ozbolt and seconded by Jay McGowan to reconvene the Pangrazi Award Committee to bring forward a recommendation to council at the Tuesday September 9th City Council Meeting. Motion Carried.*
- WCIA (City Insurance Carrier) audit was conducted. The Risk Analysis shows the City of Cle Elum as one of the lowest risk members in the pool.

Sgt. Kirk Bland-Police Dept.

- interviews have been held for the animal control position and the asst records clerk-background checks are being conducted.
- police officers have responded to 562 calls this past month-138 reports, 4 bookings and 4 felony arrests.
- Annual "Pig Out " is August 21st at the City Park.

Fire Chief Dave Campbell:

- reviewed a written report he submitted - in July the dept responded to 49 calls.

Comments from the Public

Kerri Farnum-Vision Cle Elum, presented a "Main Street Certificate" . As to date she said they have pledged and collected \$91,000.00 to go towards the downtown plan. Their goal is to max out at \$135,000.00.

Vision is working with Helga on the mural idea she brought to the city. Also Vision assisted with the Rodeo at the Horse Park and sponsored the Downtown Dance on Saturday.

Public Hearings

Fireworks Ban for the City of Cle Elum:

M. Morton said council had received two letters-one from Dick Kloss and one from John & Judy Waldemeier. Steven Harper said as per the meeting minutes; while the public hearing is documented as a discussion of a ban, it is a broad discussion -looking for the impact from the public in general.

The hearing was opened for public comments at 7:19 :

Loren Schuck,306 West Third St. said she has noticed a yearly increase in the number and sophistication of the fireworks being detonated in the city. She added she has noticed this year several displays going simultaneously in the city. It is hard to tell if they are legal. Because of the increase in the activity she wonders if it is people from out of the area coming to the city to light them off. She felt if Cle Elum is benefiting financially from this & be known as "fireworks central" then a safe fire proof controlled area should be provided for these folks to detonate their fireworks otherwise please ban them before we have a disaster.

Lloyd Olson, East Third Street,

said he urges a ban on Fireworks in Cle Elum. He added there are benefits and a dark side to Community & National Pride. He said fireworks went of for almost two hours and he added he believed those who did so were not "Seattle" residents coming over here to shoot off fireworks. He continued, put a ban on fireworks but put something of value in its place. He suggested a money being put in a community concert and a free picnic. It is time to present something uplifting to our nations declaration of independence-let's make it classy as possible-a well thought event.

David Franklin, 202 East Third Street, He commented this was the most intense year on Third Street for fireworks. He said it lit up his residence and there was quite a noise effect. He said he would support banning the fireworks.

There were no further public comments. The hearing was closed to public comments at 7:22 p.m.

Council Discussion:

Jim Eidemiller said several people have come to him concerned about the fireworks. He reflected on an incident that happened to him a few years ago. He said the aerial displays go as high as the public display. He has a concern for the safety of the community. He said personally he would support the ban as long as the professional display was allowed.

Jay McGowan questioned the proposal one time of just having fireworks on New Years.

M Morton said a comment to him was if a ban is considered then make a provision is to ban the sales and use of personal fireworks not the city show. he said this year there will be a fireworks show this Christmas in Cle Elum Event. He said council can set parameter and then an ordinance can be brought back for approval.

Steven Harper said he opposes a ban on fireworks if no other remedies have been tried. He said citizens could have an area where fireworks could be discharged. Other suggestions have been to step up the enforcement. He suggested the city consider other alternatives first before enacting a ban. Jim Eidemiller added his concern on the central area who be if someone was hurt. S. Harper said we have already established areas where they are banned-this giving safe havens for families- council could consider what areas are hot spots-general rules being applied. He felt a partial ban would be in order. Fire Chief Dave Campbell said in his 22 years he said the department has never had a structure fire due to fireworks. There have been many tree and brush fires. He said there has been alot of illegal activity with fireworks but no action has been taken. He also gave council a report distributed by the state regarding fireworks incidents.

South Cle Elum Fire Chief Kirk Bland said if the City of Cle Elum bans fireworks that leaves the only entity open. He said safety is a big concern. If Cle Elum bans he will recommend South Cle Elum impose a ban. He added along with the fireworks bring alot of police related activity.

Ron Spears also expressed concerns about the plan for the police and fire departments handling incidents if the ban is imposed.

Mayor Glondo recommended a ban on the fireworks. He said he does not want to be responsible for someone losing everything they have. He is in favor of the public displays & having a celebration.

Lindsey Ozbolt said she has heard of complaints about the noise and the danger. She also mentioned the garbage that is left after the fireworks are discharged. She suggested a method to ban aerial fireworks but allow like sparklers. She said she would like time to review the information from the state provided by the fire chief before a vote is made. The aerial public display is allowed should go to a procedure that is approved by the council. She proposed no recommendation be made at this meeting and come back at the next meeting and give direction back at that time.

Mickey Holz said he has been against it for a number of years and one day there is going to be a loss.

A motion was made by Jim Eidemiller and seconded by Mickey Holz to recommend staff bring back an ordinance to place a ban on the possession and discharge of personal fireworks within the city at any time. Steven Harper is concerned about travelers thru town that have possession of fireworks. Motion Carried.

Public Appearances

Amy McGuffin, Kittitas County Chamber of Commerce, gave a monthly report . She asked if the resident survey link could be put on the city utility bill. They are seeking county input on the fairgrounds in Ellensburg. Council agreed to allow the request.

She said money is also being used for a capital facilities plan. It is countywide.

She said the chamber has partnered with Vision Cle Elum for the Branding opportunity. She invited council to the roundtables on August 27 & 28th to create a brand for advertising use.

She said the roundup at the horse park brought 126 competitors.

She also brought attention to the Lodging Tax workshops in September at the upper county district court on the 16th & 23rd & lower county on the 17th & 24th. The due date for applications is October 3rd.

She requested the council to contact her for a meeting with the lodging tax committee or city administrator.

Kirk Holmes , Kittitas County Public Works, Flood Hazard area-South Cle Elum Bridge

He said the county has asked the army corp. of engineers to conduct an initial eligibility inspection of the flood control work-the area surrounding the South Cle Elum bridge. The county hopes to place that facility into a active status with the army corp. of engineers and the county would act as sponsor. If there was a flood the county could call the corp. and they would come help fight the flood at their expense.

Unfinished Business

None

New Business

Progress Estimate No.1: Railroad Street Extension Project-Belsaas & Smith Construction Inc. - \$166,132.13. *A motion was made by Lindsey Ozbolt and seconded by Ron Spears to approve Progress Estimate No. 1 in the amount of \$166,132.13 as presented. Motion Carried.*

Official Newspaper Bid Opening Acceptance-Resolution No. 2014-010- Matt Morton said the Northern Kittitas County Tribune came in as low bidder. He noted they have not changes their rates in seven years. *A motion was made by Steven Harper and seconded by Jay McGowan to accept the low bid and to award the bid to the Northern Kittitas County Tribune as the official newspaper as the City of Cle Elum for August 1, 2014 to July 31, 2015. Motion Carried*

Closed Record Hearing for Cle Elum Pines West Development and Cle Elum Pines West

Annexation

Lindsey Ozbolt stated, for the record, she was recuing herself from the Cle Elum Pines West Annexation Proposal. She state she was employed by the applicant for approximately 8 years and worked on the project and has nothing to gain financially from it herself but she feels it is in the best interest of the applicant and city to not participate and recues herself. She also stated she did not participate in the study session this evening nor did she participate in the last hearing. Steven Harper requested Lindsey Ozbolt be present for an item 13-Council Members Comments & Concerns-

He proposed to council to direct staff to provide a computer for use by the council members for correspondence and research and email. A motion was made by Steven Harper and seconded by Jay McGowan to direct staff provide a computer for the use of correspondence and research and general city related matters to council members. Ron Spears if that was feasible. M. Morton advised a computer could be set up for council members. Lindsey Ozbolt felt a report of what this entails should be presented before moving forward. She said setting the computer up would be ok but there is a motion on the floor. J. McGowan withdrew his second. S. Harper then motioned to direct staff to bring a proposal which would facilitate a provision of a computer for use by the council members for the purpose of correspondence, research, city email and general connecting of city business pertaining to council respective duties. Lindsey Ozbolt seconded the revised motion. Motion Carried.

Lindsey Ozbolt left the building.

Matt Morton said that there was a study session with an agenda and written response at six p.m. for a discussion on the proposals of the annexation and development agreement.

City Attorney Mike Kenyon stated this is a Quasi Judicial proceeding. At the last council meeting on July 22nd,all the council members responded that they had no interest in the property that's the subject of the application- not owners, or tenants and they did not stand to gain or lose financial by virtue of their acting on matters tonight and that they have no exploited contact with no opponents or proponents of the project. He asked if that is still the case today-has anything changed since July 22? everyone responded no change. He asked the audience "based on those responses is there anyone which to challenge the

continued participation of any council member in consideration of these matters. There were no challenges. He now said council is free to deliberate. He reminded council there were three separate issues here: an annexation ordinance, rezone ordinance and a development agreement of which three separate votes will be taken.

He suggested they start with the annexation:

A motion was made by Mickey Holz and seconded by Jay McGowan to pass an ordinance pursuant to RCW 35A.14.12 annexing approximately 28.44 acres of unincorporated territory described and hereafter commonly known as Cle Elum Pines West. Motion Carried

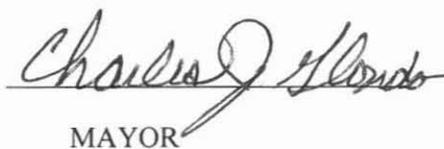
A motion was made by Jay McGowan and seconded by Mickey Holz to pass an ordinance rezoning approximately .96 acres of property in the City of Cle Elum from residential to planned mixed use. Motion Carried

A motion was made by Mickey Holz and second by Jay McGowan to adopt an ordinance executing a development agreement granting planned and mixed use approval and a master site plan approval for the development of Cle Elum Pines West as set forth in the development agreement. Motion Carried.

There was no further business to come before the council. *A motion was made by Ron Spears and seconded by Jay McGowan to adjourn the meeting at 8:20 p.m. The next regular scheduled meeting is Tuesday September 9th at 7:00 p.m.*



ATTEST



MAYOR