

City of Cle Elum  
Regular City Council Meeting  
April 26, 2016

Call to Order – Roll Call of Membership

The meeting was called to order by Mayor Jay McGowan at 7:00 p.m. The Pledge of Allegiance was recited. Members present were Arthur Scott, Lindsey Ozbolt, Ron Spears, Steven Harper, Mickey Holz, Jodi Larsen and Ken Ratliff. Other members present were City Administrator Robert Omans, City Attorney Alexandra Kenyon and City Clerk Kathi Swanson.

Approval of the Meeting Agenda

*A motion **was** made by Arthur Scott and seconded by Lindsey Ozbolt to approve **the** agenda as presented. Motion carried unanimously.*

Announcements - Appointments, Awards and Recognition

Mayor McGowan announced the appointment of Gary Hammons to the Planning Commission and the appointment of Travis Harris as the alternate member of the Planning Commission. *Arthur Scott stated that Gary Hammons is a good man and Steven Harper commented that Gary Hammons is very qualified. Lindsey Ozbolt added that he will add a good dynamic. All council members approved.*

Mayor McGowan announced the appointment of Roberta Newland to the Historic Preservation Commission.

Consent Agenda

*A motion **was** made by Jodi Larsen and seconded by Steven Harper to approve **the** Consent Agenda as presented, **which** includes **the** meeting notes from **the** April 12, 2016 City Council Study Session; **the** minutes of **the** April 12, 2016 Regular City Council Meeting; and vouchers and checks numbered 037242 **through** 037283 in **the** amount of \$267,356.95; and payroll vouchers in **the** amount of \$56,721.32. Motion carried unanimously.*

Officer Reports

City Administrator Robert Omans:

- Reported he and Mayor McGowan attended a tabletop EOC exercise at the Kittitas County Sheriff's office. The exercise consisted of a simulated major fire breakout in the Upper Kittitas County, which caused large scale evacuations. The exercise lasted about 4 hours. Many coordination efforts including planning, GIS mapping services and logistics; and how information channels through the EOC to the public were demonstrated. The exercise also addressed general operational procedures.

Building Official Robert Omans:

- Reported he has met with several people about building projects in the City. *Jodi Larsen asked for more information regarding the renovation projects currently underway, including the Jaime's Depot and Sahara Pizza buildings. Omans replied that no building permits have been applied for; however, partial demolition at those locations has been approved. Steven Harper commented that the purchaser of the Sahara Pizza Building is proposing the possibility of a restaurant. Administrator Omans added that several of the buildings being renovated have residences on the upper floor and commercial on the ground floor, a use that is allowed in the zoning district.*

*Steven Harper asked if there was any code enforcement movement towards the removal of illegal signage. Omans and Mayor McGowan have come up with effective solutions.*

Network Administrator Robert Omans:

- o Reported extensive work on the new City of Cle Elum web site.
- o Reported he has continued to work on the contract with Noel Communications and will present more about the contract under New Business.

Public Works Director Jim Leonhard:

- o Reported, in reference to the sign violations, one of the offenders has removed some of the signs in question and has only one sign on site that should be addressed.
- o Reported the crew has fixed three water leaks.
- o Reported the crew attended a one-day tagger class for updated certification
- o Reported the all of the Historic Plaques have been re-mounted with the exception of the 1918 Fire plaque, which is to be mounted on the old Vogue Theater building, where the fire originally started. The current owner has to be contacted before the plaque can be installed. The Masonic Lodge has a **façade** that is difficult to attach to, and he is trying to devise an attractive method of attaching the plaque.
- o Reported the crew has lain out and started the new sprinkler system at the WYE Park. He hopes to have the project completed by April 28, 2016
- o Reported the crew has been grading alleys, spraying weeds, fixing potholes and conducting general maintenance around the City.
- o Reported he has been in contact with Kittitas County, who will be doing the chip seal program, which covers Third Street from Yakima to Stafford Avenues; seven Avenues between First and Second Streets, and will start around the first of July. The crew will do the prep work, starting within the next two weeks.
- o Reported he will meet with Marc Kirkpatrick and Eric Terrell on April 29<sup>th</sup> to discuss the Upper Kittitas County Rotary Basketball Court Project at the City Park on West Second Street.

*Ken Ratliff thanked Jim Leonhard for the Chip Seal project. Mayor McGowan reported that a complaint from city resident Sarah Thompson regarding incorrect detour signage on the East Interchange to I-90 would be addressed by Jim Leonhard by the following business day.*

Police Report:

- o None

Fire Department Report:

- o None

City Attorney - Alex Kenyon:

- Provided a memo to the Council as an update to the January 19, 2016 Regular Council meeting, when a citizen in the audience disruptively served Michael Kenyon with a federal court lawsuit. The memo states the entire lawsuit has been dismissed as frivolous. The Judge has imposed sanctions on the plaintiff, as well as labeling her a vexatious and harassing litigant. The Judge imposed a pre-filing order on the plaintiff requiring her to get permission before she can file any more lawsuits in Federal Court.

Citizen Comments on Non-agenda Items

None

Public Hearings

None

### Public Appearances

1. Amy McGuffin - Kittitas County Chamber of Commerce - provided an update for services completed or being completed per the contract between the City of Cle Elum and the Chamber.

- The County website is marketing towards Seattle age groups 35 to 50 and to active 65 and above. The website can be found at [www.discovercleelum.com](http://www.discovercleelum.com). Topics on the website include History, Attractions, Events, Dine, Stay, Shop Camp, Trails, Parks and Blog. The blog is especially sparking interest.

- Played the first of four planned 30 second commercials for the Council. The ad is scheduled for 120 spots and will be aired on FOX and ComCast in Seattle beginning the first week in May. McGuffin encouraged the Council to provide any input they may have. The ad will also be posted on social media.

- Mayor McGowan asked when the Chamber meets and who should go. Jodi Larsen stated she would be going to the meetings going forward. McGuffin offered to forward the meeting information to staff and the Lodging Tax Committee. Jodi Larsen asked who makes the decisions on the ads, etc. McGuffin reported there is an advisory committee comprised of some local businesses and suggestions can be made on the website. The advisory committee is polled. The Chamber makes the final decision based on those votes. Steven Harper stated he feels very comfortable with the Chamber making the final decisions and Jodi Larsen agreed.. Larsen suggested creating a more consolidated board consisting of a council member and several different businesses around town. McGuffin stated she doesn't want to make the board too restrictive.

- Reported the Chamber is currently coordinating the Downtown Cleanup and is partnering with Rotary, Interact and Young Life. Cleanup consists of sweeping sidewalks, emptying trash cans and picking up trash. The Cleanup will be on May 14<sup>th</sup> from 10:00 a.m. to 2:00 p.m. *Mayor McGowan asked the Chamber to coordinate with the Public Works Director for street sweeping on Friday before the Cleanup, and street sweeping the gravel ajier it has been broom swept offthe sidewalk. The Mayor will also work with Jim Leonhard and the Chamber on the project. Arthur Scott suggested the Chamber publicize their Community Cleanup in preparation for the City sponsored free cleanup week, saying publicity is important to get people involved. McGuffin offered the help ofthe Chamber and suggested involving the newspapers.*

- Brochure racks and brochures will be placed around town by May 1, 2016.

- The new "Welcome to Cle Elum" signs will be in place by the first part of May.

#### New Business

a. Noel Communications Contract - Robert Omans: Administrator Omans presented his staff report requesting the Council to approve the Mayor to sign an agreement with Noel Communications to provide the City with high-speed internet and conductivity. Omans has been working with Noel Communications for several months, touring the City facilities to make the determination as to what will be required. Negotiations have lowered the rates significantly and include the City's proposition to pay 75% of the construction and equipment costs over two years (\$7,500.00 each in 2016 and 2017), resulting in a monthly rate of \$750.00, which includes direct fiber connection to six City buildings, a connection to the Upper Kittitas County Courthouse allowing for offsite backups and a connection to KittCom for the Police Department. The finance committee and Omans met to discuss the financial implications of the project. All committee

members agreed with the contract proposal. The eight year contract has not yet been finalized; however the final version will not increase the price. Mayor McGowan and Staff have asked the City Attorney to review the contract for finalization. Attorney A. Kenyon stated the contract has been reviewed; however, there is a specific section the City would like to see omitted; and does not anticipate Noel Communications will disagree with the omission of that specific section. Administrator Omans is asking for approval so that construction can begin with a target cutover date of July 1, 2016. Steven Harper recommended tabling the project until the City has a contract that the Council will feel comfortable with. Robert Omans stated that tabling the contract will slow the progress, and Noel Communications must begin the process of applying for permits. A motion **was** made by Lindsey Ozbolt and seconded by Jodi Larsen that Council approve the Mayor to sign an agreement **with** Noel Communications providing the City **with** high-speed internet and conductivity between all city buildings, as described in the Staff Report, for not to exceed the \$15,000.00 spread between **two** years and the monthly payment of \$750.00 for services pending Attorney's approval of the contract. Arthur Scott, Ken Ratliff, Lindsey Ozbolt, Mickey Holz and Jodi Larsen voted "A YE". Ron Spears and Steven Harper voted "NAY". Motion carried. Steven Harper commented that he is concerned with the possible open endedness of the contract regarding liabilities **if** Noel Communications is compromised, and asked **if** the contract indemnifies the City and not Noel Communications. He wants to see the verbatim of the contract before he can agree to approve it. He added that voting against the motion is not a vote against Noel Communications; merely a vote against the contract as it stands without final legal review.

#### Ordinances and Resolutions

None

#### Committee Reports

- Jodi Larsen reported the Lodging Tax Committee will meet on April 27, 2016 to review two applications pertaining to the Pioneer Days Celebration.
- Ron Spears introduced Laura Osiadacz to the public as the replacement for the Kittitas County Commissioner's seat vacated by Gary Berndt.
- Mickey Holz announced he would not be at the May 10, 2016 Council meeting.
- Lindsey Ozbolt complimented staff, specifically Robert Omans, on the remodel of the City Hall Administrative offices, especially the front counter area.

#### Council Members Comments & Concerns

- Steven Harper: Commented that the flower beds on First Street are being confused with trash cans. Mayor McGowan stated that Jim Leonhard will address the problem during the May 14, 2016 Chamber of Commerce cleanup.

#### MOTION TO ADJOURN

A motion **was** made by Lindsey Ozbolt and seconded by Steven Harper to adjourn the meeting at 7:53 pm. Motion carried unanimously. The next regular scheduled meeting is Tuesday May 10, 2016 at 7:00 p.m.

Kathi Swanson

Attest

Jay McGowan Mayor