

City of Cle Elum  
Regular City Council Meeting  
May 24, 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, 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. Ron Spears was absent. *A motion was made by Lindsey Ozbolt and seconded by Steven Harper to excuse Ron Spears. Motion carried unanimously.*

Approval of the Meeting Agenda

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

Announcements - Appointments, Awards and Recognition

- Jodi Larsen announced her upcoming council position vacancy due to the fact she is moving out of town on June 1, 2016. After discussion whether Larsen could remain on the council until her replacement is found, it was determined that Larsen must relinquish the seat upon her resignation. Mayor McGowan noted that Larsen will be retained as the citizen representative for the Fire Department Oversight Committee.
- Mayor McGowan thanked Amy McGuffin and the Chamber of Commerce Cleanup Committee for all their hard work on the May 14<sup>th</sup> Cleanup Day

Consent Agenda

*A motion was made by Steven Harper and seconded by Kenneth Ratliff to approve the Consent Agenda as presented, which includes the notes from the Study Session held on May 10, 2016; the minutes of the May 10, 2016 Regular City Council Meeting; and vouchers and checks numbered 037326 through 037366 with the amount of \$167,129.51; and payroll vouchers with the amount of \$57,638.99. Motion carried unanimously.*

Officer Reports

City Administrator Robert Omans:

- Reported he is continuing work on the Airport project and has met with the engineers to review plans and specifications. Progress is on schedule. The project will be going out to bid on May 25, 2016 and will be advertised in the Northern Kittitas County Tribune and the Seattle Daily Journal of Commerce.
- Reported he attended the COG meeting on May 18, 2016. The BERK group conducted a study on population in Kittitas County, in preparation for the 20-year Comp Plan Update. COG will have input regarding where the growth may take place, how much developable land is available, and how it affects the UGAs. Omans encouraged the City Council's involvement in the process. *Mayor McGowan noted BERK was not aware of the Land Use Agreements with Bullfrog Flats and Sapphire Skies he will provide the correct information so that adjustments can be made to the figures in the study.*

Building Official Robert Omans:

- Reported he attended training on May 24, 2016 on the new energy code, which was the last piece of training he needs to begin working on the new code, which must be adopted by July 1, 2016.

**Network Administrator Robert Omans:**

- o Reported the City is waiting for the fiber to come in for the Noel Communications project.

**Public Works Director Jim Leonhard:**

- o Reported the Spring Cleanup was a success. City Staff gave out 350 vouchers; 270 of which were used at the transfer station. The brush dump was also well used.
- o Reported the Rotary sponsored basketball court is about 95% completed.
- o Reported the WYE Park irrigation system is connected; however no donations of grass seed have been received. Leonhard asked Susie Weis to request donations again.
- o Reported the new "Welcome to Cle Elum" signs are ready, but he will not get them mounted to the sign posts until after Memorial Day.
- o Reported the crew will start prepping for the chip seal project.
- o Reported the cemetery is being prepped for Memorial Day. Headstones are being repaired and new sod is being laid where needed

*Mayor McGowan thanked Jim Leonhard and his crew for the work they have done at WYE Park.*

**Police Report - Sgt. Kirk Bland:**

- o Submitted a written report to the council detailing the 1<sup>st</sup> half police calls reported at the May 10<sup>th</sup> meeting.
- o Reported interviews had been conducted for the part time records tech. The department is currently conducting background checks on the finalists for the position.

**Fire Department Report:**

- o No Report

**Citizen Comments on Non-agenda Items**

**Kelli Connor - 8511 Teanaway Road:** Expressed her disdain for the County Commissioners' use of Hotel/Motel tax money by dedicating \$550,000.00 of the Real Estate Excise Tax fund to the bowling alley in Ellensburg and creating a debt of 1.4 million dollars for Fairground property. Connor believes the people in the Upper County should have a say regarding how funds are used, stating a good portion of the money comes from the Upper County. Connor added that \$550,000.00 would have been better spent on Economic Development in the Upper County. Connor stated too much money is spent on the Armory in Ellensburg with funds that come from Upper County.

**Carl Nelson -1710 Sunlight Drive:** Commented he understands Kelli Connor's disdain for the County Commissioners and introduced himself as a candidate for County Commissioner. Nelson has worked for Water District 7 for the past six years. Additional experience includes working with County officials, Department of Community Development, State Department of Health and Ecology.

**Public Hearings**

None

**Public Appearances**

**Amy McGuffin - Director of Tourism - Kittitas County Chamber of Commerce**

- o Reported the 27 brochure racks will not be in place by Memorial Day weekend as planned. There will be a rack at the Washington State Horse Park for their event over the 4-day weekend. More businesses are being sought to participate in the brochure program, which promotes activities in the Upper County.

- Reported receiving a grant for visitor kiosks. The kiosks have been, or soon will be, installed at the Lauderdale Junction, Teanaway Outpost, Washington State Horse Park, Iron Horse State Trail, Thorp Mill, Vantage boat launch and the Visitor Center at Snoqualmie Pass. County wide information and maps will be provided at the kiosks, which will be maintained on a regular basis.
- Reported the Town Guides have been printed. The Chamber will distribute them throughout the local area.
  - Offered to help put up the "Welcome to Cle Elum" signs.
  - Reported the success of the Cleanup held on May 14<sup>th</sup>. There were 25 volunteers, including the Rotary Interact Kids who planted the flower pots. Volunteers swept sidewalks and pulled weeds. The next cleanup will be sponsored by Windermere Real Estate and will be held on June 3<sup>d</sup> at 10:00 a.m.
  - Reported working with the Historic Preservation Commission to produce the Cle Elum Historic Register brochures, which are available at the Visitor Center in Cle Elum and will be included in the brochure racks. All of the QR code stickers have been mounted on the Historic Plaques.
  - Reported the Chamber of Commerce Central Washington Visitor's Guide is now available. The guide has a summary of all communities and lists every Kittitas County restaurant, hotel and campground. The Guide also includes a calendar of events.
  - Announced the Chamber's partnership with the Tribune Visitor's Guide. The guide will be a Campaign for Cle Elum, providing for a photo and uploading contest.
  - Announced the video ad campaign has been released and the video has gone viral. There have been 154,583 views in the past 30 days, 803 people have visited the website because of the video, spending approximately 5.5 minutes on the site. Spokane, South Hill, Tumwater, Seattle, Kennewick, SeaTac and New York City are in the top ten of hit originations. Top ten hit sites, in order, are the Blog site, History, Attractions, Events, Stay Page, Dining Page, Shopping Page, Parks Page and Trails. The top ten originations for the video views are Seattle, Puyallup, Tacoma, Kent, Lake Stevens, Renton, Snohomish and Kennewick. *Steven Harper cautioned that local calls through Century Link may appear as a Spokane IP address. which may skew the numbers. Harper asked for stats on the numbers of hits for council packets in the future.*
  - Reported the Chamber has started the 2017 Campaign.
  - Reported a Tourism committee meeting scheduled for May 31<sup>st</sup> at 5:30 at the Chamber office.

*Art Scott thanked McGuffin for her cleanup efforts*

**Gary Hammons – 1081 Wapiti Drive:** Announced that Commissioner Candidates are welcome to **put** their campaign signs in the windows at the Wapiti Office, saying he does not support any particular candidate, but supports the democratic process. Mr. Hammons thanked Mayor McGowan for the appointment to the Planning Commission, stating he believes the position is vital to help citizens navigate through the planning process. Hammons reported, as of this date, 417 signatures have been collected to ballot the Upper County Port District in the fall. The signatures will be turned in to the County Auditor on May 26<sup>th</sup>. There must be at least 267 verified signatures to get the petition to the County Commissioners, who will review it. They will then conduct public hearings, and will then decide if the measure will go on the ballot by August 1<sup>st</sup>. If the measure goes on the ballot and passes, three commissioners will be elected in November of 2017 and will take

their positions immediately. Money from the Port District will come in January 2018. The campaign will cost approximately \$4,500.00. If the measure passes, the POIt District will have to pay the money back to the County. If the measure fails, the County will eat the cost.

Adam Crawford - Customer and Community Outreach -Puget Sound Energy: Provided brochures that address safety precautions regarding Natural Gas. Crawford reported Roslyn, Cle Elum and South Cle Elwn residents will receive mailers regarding an upgrades campaign. Seven PSE representatives will be knocking on doors from June 27<sup>th</sup> and July 1<sup>st</sup>. If the individual has redeemed the mailer, they will receive a free LED light bulb, as well as energy efficiency information. Crawford will come back to the Council to report on the campaign. *Ken Ratliff suggested a campaign to get more people to convert to natural gas. Mayor McGowan noted that more people would benefit if the distribution lines for natural gas are extended.*

Susie Weis: Thanked Jim Leonhard for the work done at the Wye Park, noting once the park is developed there can be movies and music there. Weis reported the Pioneer Days Toumament games will include bocce ball, horseshoes and Com Hole game. Other events scheduled are the Cle Elum Fire Department breakfast, the Roslyn Fire Department fundraiser, the Ronald Open House, family movie night on Saturday, "Elvis" on Sunday and the Fireworks on Monday, July 4<sup>th</sup>. Carl Vrtnar, the oldest living World War II Vet, will be the parade grand marshal. Pioneer Days flyers will be available about June 1<sup>st</sup> and will include a map indicating where all the events will be.

Frances Gonzalez - 313 Grant Street: Mrs. Gonzalez informed the Council she had received a ticket in the amount of \$600.00 for not having her dogs licensed. Gonzalez asked the Council for a variance for the license fees for her II dogs, as well as a variance for the number of dogs she can own. At present, code allows only 4 dogs per person. Mrs. Gonzales stated that she owns four of the dogs, her husband owns four of the dogs and her son owns three of the dogs. Each dog is registered as a service dog; every member of her household has more than one disability that the service dogs assist with. Gonzalez stated she has owned the dog for three years; they are well cared for, their records are in order, vaccinations are up to date, and all of the dogs wear certified service dog tags. Gonzalez stated giving up her dogs would be like giving up a family member.. Attorney Kenyon cited RCW 49.60.380 which states a City shall honor a request to be exempt from license fees for his or her service animal. Kenyon suggested the City write a letter stating the City has waived the licensing fees. The judge may make his determination of compliance based on the letter. Mayor McGowan and council agreed to direct staff to write the letter for Mrs. Gonzalez. Mayor McGowan opened the discussion on the limitation requirement of dogs allowed. *A motion was made by Steven Harper and seconded by Mickey Holz to direct staff to present a draft ordinance revision that exempts service animals from **the** numerical limit that is within **the** code.* Jodi Larsen, asking for discussion before voting on the motion, stated in order to be registered as a service dog under the American Disabilities Act, the dog must be trained to perform certain tasks and must be able to show those tasks. Larsen also stated each certificate provided by Mrs. Gonzalez is from ServiceDogsRegistry.org which is not recognized by the American Disabilities Act. Additionally, Larson stated, the Certificates of Registration were issued on February 26, 2016. Larson questioned why the Certificates were so recently issued if Mrs. Gonzalez has owned the dogs for three years and they

have been used in a service animals capacity. Steven Harper asked the Mayor to direct that the discussion be germane to the motion on the table as the council is not addressing the variance at this time, merely discussing an amendment to the code. Lindsey Ozbolt commented that the motion is to make an exemption to a code. Such an exemption cannot be made without going through a public hearings process to amend a code. For that reason, she stated she would vote no. Harper explained his motion as directing staff to bring a draft to council that can be opened to the public hearing process. Mayor McGowan clarified the process is to review the amendment, conduct deliberations and public hearings and make a decision. Ken Ratliff further clarified the motion as asking for input from staff for consideration for a future change to code and is separate from the issue of the administrative act of waiving the license fees. Ozbolt noted that the issue of waiving the license fees must be kept separate from waiving the number of animals allowed per residence, and must be clarified for this motion. Ozbolt further stated that Mrs. Gonzalez can be exempted from the licensing fees; however, she cannot be given an automatic exemption to the number of animals from the current code. Harper asked if there is a variance process the City can follow as he believes there is a breach in the City code where it is not consistent with State laws. The purpose of his motion is to bring the city code into compliance. Lindsey Ozbolt asked Attorney Kenyon if there is a variance process currently in the Animal section of the City Code. Kenyon replied there is not; however a process could be added through the Council public hearing process. Ozbolt stated, based on the explanation of the motion given, she is more comfortable accepting the motion; however she takes issue at not having any type of introduction to anything before a motion is made. Mayor McGowan called for a vote on the original motion. *Motion carried unanimously.* Mayor McGowan informed Mrs. Gonzalez the council will continue to work on the issue of the number of dogs allowed. Jodi Larsen commented that a kennel license may eliminate the need to apply for a variance in the limitation on numbers, as a variance may open up a doorway to potential hoarding situations, which is her primary concern. Steven Harper stated the goal of the City is to never restrict the rights of those with disabilities. Mayor McGowan asked the City staff and attorney to research and bring back information that describes the process so the council and discuss and vote on the proposed amendment to the Code.

#### Unfinished Business

None

#### New Business

a. Progress Estimate #6 - McClure & Sons - Water Treatment Plant Improvements: \$6,142.02: Jim Leonhard presented the Progress Estimate and asked Council to consider and approve payment of \$6,142.02, to McClure & Sons as requested. *A motion was made by Steven Harper and seconded by Jodi Larsen to accept Progress Estimate #6. Motion carried unanimously.* Jim Leonhard informed the council there should be one more payment before the project is complete.

#### Ordinances and Resolutions

a. Resolution #2016-005 - Authorizing an inter-fund loan to the Airport Fund from the General Fund: Robert Omans informed the Council the City is moving forward with plans for the Airport. The first payment has come due; however the Airport fund does not currently have money to pay the bill. This resolution is an inter-fund loan of \$70,000.00 from the general fund to the Airport fund to pay the current bill, with a three

year term; however, the loan should be repaid by the end of the year. The City has been awarded a \$300,000.00 reimbursement grant from the FAA; however only 72% of the funds have been collected. Once the remaining 28% has been collected, the FAA will release the grant money to the City. At that point, the loan will be repaid to the general fund. Lindsey Ozbolt noted that at no time will the loan balance exceed the \$70,000.00 threshold. Ozbolt asked if the FAA grant money is guaranteed; and what would happen if the remaining 28% is not collected. Omans responded the grant money is not guaranteed. The \$70,000.00 loan will take the project through the design phase only. The City will not award any contracts and no additional work will be done until the grant money has been released. If the grant money is not awarded, the FAA will reimburse the \$70,000.00 spent on the design phase. In addition, the engineers have applied for a W.S.D.O.T grant to pay 5% of the 10% the City has to pay. Arthur Scott asked if this inter-fund loan will cause a cash flow problem with the General Fund. Omans responded the City Treasurer has indicated that the General Fund will be fine. Lindsey Ozbolt identified a statement in the Loan Authorization indicating the City Treasurer will keep a close eye on the fund. *A motion was made by Kenneth Ratliff and seconded by Steven Harper to adopt Resolution #2016-005 as written. Motion carried unanimously.*

#### Committee Reports

- Councilman Harper announced the Lodging Tax Commillee has received applications and asked to convene a Lodging Tax Committee meeting to discuss those applications prior to the next City Council meeting.
- Councilman Harper announced the Youth Services sub-committee of the Law and Justice Committee will meet at 10:00 a.m. on May 25, 2016.

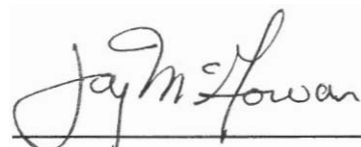
#### Council Members Comments & Concerns

- Art Scott voiced his regrets that Jodi Larsen is leaving. Larsen stated she also regrets she is leaving but will continue to stay involved in the community whenever she is needed.
- Steven Harper read a letter submitted by Jeri and Scott Runyon and signed by other neighbors, asking for a "NO OUTLET - DEADEND" sign and a "CHILDREN AT PLAY – SLOW" sign on West Sixth Street and Summit View Road, due to a problem with speeders in the area. Harper asked to direct Public Works to place the requested signs. Ken Ratliff noted there are sign requirements that Jim Leonhard, Public Works Director, is familiar with. Leonhard will speak to the owners of the property and will place the proper signs as directed.
- Mayor McGowan reminded the council members there is a Study Session on June 14, 2016 at 6:00 p.m.

#### MOTION TO ADJOURN

*A motion was made by Lindsey Ozbolt and seconded by Art Scott to adjourn the meeting at 8:25 pm. Motion carried unanimously. The next regular scheduled meeting is Tuesday June 14, 2016 at 7:00 p.m.*

 Kathi Swanson, City Clerk Attest

 Jay McGowan Mayor