

City of Cle Elum
Regular City Council Meeting
March 14, 2022

Call to Order – Roll Call of Membership

The Regular meeting of the City Council was called to order by Mayor McGowan at 6:00 p.m. The Pledge of Allegiance was recited. The Roll was called. Members present were Mayor McGowan, Matthew Lundh, John Glondo, Sarah Lackey, Steven Harper, Beth Williams and Ken Ratliff. Other members present were City Administrator Robert Omans, Public Works Director Mike Engelhart, Police Chief Kirk Bland, Fire Chief Ed Mills, Veolia Water/Sewer Treatment Plants Operator William LaRue and City Clerk Kathi Swanson.

Approval of the Meeting Agenda

A motion was made by Ken Ratliff and seconded by Steven Harper to approve the agenda as presented. The motion carried unanimously.

Consent Agenda

A motion was made by Steven Harper and seconded by Beth Williams to amend the minutes of the 02/28/2022 meeting on page 3, under point 7 to read “If a statement of preliminary determination is not available, an explanation shall be provided at the time of the preliminary determination of consistency” and to approve the agenda as amended. The consent agenda included the minutes to the 02/28/2022 Regular City Council meeting; February Payroll EFTs and Vouchers #44267 – 44273 in the amount of \$251,935.40; 02/28/2022 EFTs in amount of \$637.43; and EFTs and Vouchers #44274 – 44320 in the amount of \$202,942.83. The motion carried unanimously.

Officer Reports

Mayor McGowan - Reported:

- The City Attorney will issue a memo to council regarding the City Heights Arbitration.
- Legal staff is preparing an RFP for the Hearings Examiner, which staff is reviewing at this time; the council will be able to review before it is published.

City Administrator, Building Official, Network Administrator – Robert Omans – Reported:

- Year to date: 5 permits have been sold and 18 inspections performed.
- The Building Department receives 4 to 5 building-related questions per day.
- Year to date: The Building Department has received 12 plan reviews.
- No applications have been received for the open Planner position.

Public Works Director – Mike Engelhart - Reported:

- Matt MacKenzie has accepted a position with South Cle Elum, effective 03/31/2022.
- The City is advertising for and accepting applications for the Heavy Equipment Maintenance position, vacated by Matt MacKenzie.
- The City is advertising and accepting applications for the open Maintenance Position and seasonal Parks Position.
- Jimmy Studebaker and Cody Strohl successfully completed the asbestos course and are now certified.
- The crew has been shorthanded due to members attending classes or having surgery.
- Crews are grading alleys and sweeping sand and debris.

Police Chief Kirk Bland - Reported:

- Working through the process of hiring Anthony Venera who has completed his psychological and polygraph exams and is now waiting for the medical exam to be completed. His start date is anticipated to be 03/21/2022.
- Officer Matt Anderson will be going to the equivalency academy at the end of March.
- Officers will be attending the annual in-service training with the City of Ellensburg.
- The workstation at Roslyn City Hall is in place in an access certified, secure location.

- Presented the new patch design to the Roslyn City Council. There is a 4- to 6-week delay before the patch will be ready. He will email the design to council for their review.

Fire Chief – Ed Mills - Reported:

- The Department had 39 calls in February, including 32 aid calls, 1 hazardous condition, 3 service calls, 1 citizen's assist and 2 false alarms.
- The aid car is back in service.
- The Fire Advisory Committee has met twice and is currently working on a focused plan and strategy to work on improving all operations of the Fire Department and the City's Comprehensive emergency plans.
- Meeting with DNR, Roslyn and Ronald to work together to be a better Fire Adaptive Community. Various plans are under discussion at this time.

Veolia – William LaRue - Reported:

- Graphs of Water Plant Flows, Run Times, Precipitation, Wastewater Flows and Water Plant versus Wastewater Plant Flows for February 2022 were provided.

Water Treatment Plant:

- McKinstry Industries is still working on the 3 heaters that are not performing to specifications; no timeline has been provided for the completion of the repairs.
- Received an excellent rating on the Blind Proficiency Testing.
- Replaced the two-stage pressure controller on the fish screen air compressor, which had failed, with one that was in stock.
- Submitted the Backflow Annual Summary Report and is working on the Consumer Confidence Updates, which are due by 03/31/2022.
- Received 3.38" of rain in a 24-hour period on 02/28/2022, which required the plant to run off of the well field for several days until the river cleared up.

Wastewater Treatment Plant:

- Submitted the quarterly fats, oils and grease (FOG) report to the State DOE.
- The influent fine screen compactor failed; replacement OEM bearings are on order and expected to arrive later this week. Screens are now being cleaned manually.
- The internal stator bearings on the paddle drive motor failed. Replacement bearings are on order and expected early next week.
- There is a crack on the inner volute of the grit pump, causing it to fail. Staff has a plan to repair the volute until a new pump can be sourced out.
- The PLC failed twice in the last 3 weeks.
- The rainfall on 02/28 caused the plant to see sustained flows of 2600 gallons per minute; the total treated for that day was 3.4 million gallons.
- Thanked Mike Engelhart, Matthew MacKenzie and Cody Strohl for vactoring out the influent wet well before the storm.
- Thanked Sarah Lackey for touring the water treatment plant. The offer of a tour still stands to anyone that cares to see the plants.

Veolia Wastewater Plant – Power Point Presentation – William LaRue: Provided a presentation regarding the equipment that has failed at the Wastewater Treatment Plant, noting this equipment is 17 years old and has run almost continuously since the plant came on-line in 2005; approximately 149,000 hours of operation. On 2/28/2022, the Primary brain of PLC failed. Replacement cost is up \$15,000. Replacement cards are obsolete and becoming difficult to find. If these units fail, the plant has to be operated manually. Working with All-Phase to replace the outdated PLCs and analogue cards. Currently there is \$80,000 in the budget, which Mr. LaRue would like to use to move

towards changing to an ethernet base. *Councilmember Harper suggested the IT Committee review the access to the system. Response from Mr. LaRue: The Veolia IT Department monitors the multiple fire walls in place.*

Citizen Comments on Non-Agenda Items

Larry Stauffer – 2661 Lower Peoh Point:

1. Spoke with a staff member in early December to get an opinion on a matter and was given direction. He provided requests to the Planning Commission in mid-December, which were discussed in several meetings. In mid-February, it was determined the issue had to be addressed in the Comp Plan by amendment. He made several requests about clarification of items so he would know which direction to move forward, also noting he received no responses.

2. Regarding the Hearing Examiner, Mr. Stauffer stated he has very little trust in the system but has trust if the right Hearing Examiner is selected. That individual should be a 3rd party person with background, knowledge and understanding of how to follow their own laws; do things that affect the laws and public interest. Per his written comments sent to the councilmembers, he hopes to empower the council to be involved in the preparation of the job description and RFP for the Hearing Examiner, and to participate in the selection.

3. Concerned there will not be a Hearing Examiner on staff before the application process begins and asked the City to put a moratorium on the acceptance of any Class 4 applications until a Hearing Examiner is selected.

Andrew Miller, City Heights Holdings - 316 W First Street:

1. Expressed his concerns that council was not informed or engaged, referring to failed mediation, forthcoming arbitration and the damages claim.

2. Asked if anyone on the council would like to complete a memorandum of understanding, which has been in process for quite some time, and would change the dynamics of the arbitration. It is in the City's best interest to sign an MOU, to conclude much of the arbitration issues, by 03/20/22. The 2020 arbitration was decided in total favor of City Heights; the 03/21/2022 arbitration is going before the same judge. The final responses regarding the MOU have been submitted.

3. The City has approved the Phase 1 Engineering permit. A pre-construction meeting is set for 03/15/2022. Phase 1 brings at least 58 single-family homes, community building featuring local businesses and outdoor activities, reopening bike trails, adding new trails and additional public spaces and new parks.

4. The Phase 2 preliminary plot plans were submitted 10 months ago. The claim for damages continues to grow, due to continued delays, which increase costs.

Steve Jones – 509 West Sixth:

1. Over 900 new houses will be built when City Heights is completed, doubling the size of Cle Elum. The only access to the development is Stafford and Reed. The access road to Alliance Road would be a good street, with a better grade, to use for commuters and would make a good school route. Mr. Northrup informed Mr. Jones the City denied him a permit to use Alliance Road.

Mayor McGowan stated the council cannot comment at this time but when the details are available, he will make sure the citizens are given the information. Mr. Jones reminded the Mayor and Council they are supposed to look out for the good of the citizens.

Beth Marker, 202 East Third Street: Commented the Mayor serves at the will of the council and directs the staff. Her concerns include:

1. Is the City Council being adequately brought along on these critical issues concerning these developments?
2. City Heights and Bullfrog Flats will each contribute 100% more population to the community. Will the resources of the City be adequate?
3. The City does not appear to be able to respond to the citizens and make progress on things that are pressing.
4. Regarding 17.140: Class 4 applications for new land use planning should be accompanied by Development Agreements.
5. Require, per code, that all public service providers are legal parties to the Development Agreement.

Mayor McGowan commented answers cannot be provided immediately because the City has signed a confidentiality agreement for mediation. This is the second time the other team has come forward and made public comments, though they have signed the same confidentiality statement. The City's attorneys are working overtime for the City and are looking out for the citizens of the community.

Ingrid Vimont – 291 Nelson Creek Road: Commented she is concerned about the growth in the area and the Wastewater Treatment Plant. What is the plan to ensure the Treatment Plant will survive the age of the mechanics now with growth going forward?

David Gusdorf: Concerned there is no process now for reviewing the impact of the area for 47 Degrees North. *Response from Council: There is no application in place to review. Once an application is received, there will be a public review process.*

Public Appearances – 15 Minute limit

Court Advocates for Children – Proclamation / April as Child Abuse Prevention Month:

Sarah Read reported this is a Not-for-profit organization and is asking the City to adopt the proclamation. Mayor McGowan read the Proclamation into the record and stated he will sign it.

Unfinished Business

a. **Change Council Meeting Date to Second and Fourth Tuesdays:** Matthew Lundh reported the newspaper deadline is 1 am on Wednesday morning and suggested notices be written in advance and submitted after the meeting. He asked to wait until there is a full council before the decision is made. Councilmember Harper commented there appears to be more citizen participation on Mondays. Council member Lundh responded there are currently issues that the public is interested in. Moving meetings to Tuesdays will give the council one extra day to talk to staff. Councilmember Williams stated she appreciates having the extra day that having the meeting on Tuesday would provide, as it gives more time to be prepared. Councilmember Harper responded, saying staff has never been unavailable. *A motion was made by Steven Harper and seconded by Ken Ratliff to discontinue discussion on the subject at this point. A poll vote was taken; Councilmembers Steven Harper, John Glondo, Sarah Lackey and Ken Ratliff voted aye; Councilmembers Lundh and Williams voted nay. The motion carried by a vote of 4 to 2.*

New Business

a. **Resolution 2022-006 – Water Use Efficiency Goals & Measures:** Ben Annen reported the goal is to reduce the average residential water consumption by 2 gallons per service per day over the next ten years by using a series of measures to achieve this goal. *A motion was made by Steven Harper and seconded by Matthew Lundh to adopt Resolution 2022-006 adopting water use efficiency goals and measures. The motion carried unanimously.*

b. **City Safety Improvements – Recommendation of Bid Acceptance:** Mike Engelhart reported the City conducted a bid opening for the City Safety Improvement project, which includes improvements to the guardrail and installing bollards on the travel lanes on West First to

protect Crystal Creek; a flashing, illuminated stop sign on Second and Floral, as well as street light improvements in that area. The low bid, submitted by Larry Brown Construction, was \$103,291.75, which was 10% below the Engineers' estimate. *A motion was made by Matthew Lundh and seconded by Beth Williams to award the City Safety Improvements Project to Larry Brown Construction in the amount of \$103,291.75. The motion carried unanimously.*

c. **Fireworks Discussion:** Beth Williams asked to have the Fireworks Committee look into having quiet fireworks for City events, as an alternative to the loud fireworks. Mayor McGowan appointed Councilmember Williams to fill the vacancy on the Fireworks Committee, who will review Councilmember Williams' proposal.

• **Main Street Credit:** Marc Kirkpatrick and Debbie Bogart asked the City to make their annual pledge of \$30,000, or more, into the Main Street Tax Incentive Program. *A motion was made by Steven Harper and seconded by Matthew Lundh to authorize the Treasurer to make the contribution of \$30,000 to the Downtown Association for the MSTIP. Councilmember Harper amended his motion to increase the amount per Treasurer recommendation. Matthew Lundh seconded the amendment to the motion.. The motion carried unanimously.*

Committee Reports

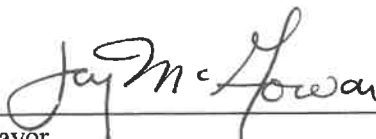
CEDA Lodging Tax Application – Holiday Lighting Project – Amended 02/11/2022: Debbie Bogart reported the original application was between CEDA and the City. There was a shortfall in the Downtown Association's original request and what the final bill was. At the recommendation of the Lodging Tax Committee, CEDA submitted an amended application in the amount of approximately \$2,900. *A motion was made by Steven Harper and seconded by Beth Williams to approve the amendment to pay an additional \$2,931.75 to CEDA for the shortfall to the Holiday Lighting Lodging Tax Application. The motion carried unanimously.*

Utilities Committee – Request for leak relief – 600 W Fifth Street: Mike Engelhart reported the city crew noticed the leak and reported it to the homeowner. Attempts were made to call local contractors to assist in the repairs; none were available. The health and safety of the residents of the house, and the need to repair a leak in the absence of being able to locate a local contractor to do the work, prompted the Public Works Director to instruct the crew to locate the leak, repair it and restore service, which was completed within one day. *A motion was made by Beth Williams and seconded by Steven Harper to approve credit for leak relief in the amount of \$178.71. The motion carried unanimously.*

Legislative Policies Committee: Councilmember Lundh asked to set a time and date for another study session to discuss the Mayor/Councilmember Handbook. The meeting was set for 4 pm on Thursday 03/31/2022, for 90 minutes.

Motion to Adjourn.

A motion was made by John Glondo to adjourn. The meeting adjourned at 8:00. The next regular meeting is scheduled for Monday March 28, 2022, at 6:00 p.m.



Mayor



Attest