

City of Cle Elum  
Regular City Council Meeting  
July 11, 2022, 6:00 pm

*A motion was made by Matthew Lundh and seconded by Steven Harper to move item 6 – Citizen Comments on Non-Agenda Items – Limited to 5 Minutes to add Public Comment right after Roll Call. The motion carried unanimously.*

**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, Siw Bay-Hansen and Beth Williams. Other members present were City Administrator Robert Omans, Public Works Director Mike Engelhart, Police Chief Kirk Bland, Fire Chief Ed Mills and City Clerk Kathi Swanson. *A motion was made by Matthew Lundh and seconded by Steven Harper to excuse the absence of Ken Ratliff. The motion carried unanimously. Councilmember Ratliff arrived at 6:15*

**Public Comment – Limited to 5-Minutes**

None

**Approval of the Meeting Agenda**

*A motion was made by Matthew Lundh and seconded by John Glondo to approve the meeting agenda with the following amendments: Add Item 10a, Mouse-About Event Application and move all other items down accordingly; Add 10h – authorization to pay the legal fees in defense of the recall effort against the Mayor; 10i – Permanently add Public Comment to the agenda right after roll call. The motion carried unanimously.*

**Announcements, Appointments, Awards & Recognition**

Mayor McGowan will be appointing a 3-person council committee for the interview process for the Hearing Examiner.

**Consent Agenda**

*A motion was made by Matthew Lundh and seconded by John Glondo to accept the consent agenda as presented. The consent agenda included the minutes to the 06/27/2022 Regular City Council meeting; the 07/11/2022 Accounts Payable EFTs and Vouchers #44610 - 44646 in the amount of \$330,897.20; June 2022 Payroll Vouchers #44603 – 44609 in the amount of 248,218.03; and the Engagement Agreement for Legal Representation, Fees, and Costs for litigation and arbitration brought by City Heights Holdings, LLC. The motion carried unanimously.*

**Officer Reports**

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

- Year to date: 38 building permits have been issued through the month of June totaling \$42,000, compared to last year at this time when 43 permits were issued, bringing in almost \$54,000.
- Advised the council the 6-month Budget Position Report was included the Council Packets.
- The City officially authorized City Heights to close Summit View Drive for construction of the water, sewer and stormwater improvements to the development. This is expected to last through 08/12/2022; information has been published on the City website. *Mayor McGowan commented the contractors have not been abiding by the agreement.*

- *Matthew Lundh asked for an update on the planner applications. Mayor McGown responded there have been applications received for the City Heights Planner and the City in-house Planner. None of the applicants for the in-house position have Engineering experience.*

**Public Works Director – Mike Engelhart - Reported:**

- The 4<sup>th</sup> of July events were successful, including the parade, downtown events and the 4<sup>th</sup> of July Celebration event at the 4-plex.

- The Downtown Revitalization Project is underway. All businesses within the project area will remain open. Any person not able to access any business can ask for help. Inspectors will be on-site to help. There have been weekly updates on the project.

- There have been numerous water leaks in the past few weeks, including a significant leak on Montgomery. Pipe has been ordered to replace the faulty section.

- Park bathrooms have been closed due to vandalism. Port-a-Potties have been placed in the park and are cleaned on a regular basis. Staff has made arrangements for the bathrooms to be reopened, once they have been repaired, from 7 am to 4:30 pm. They will be closed nightly by the Police Department or Public Works, who will check to ensure no one is in the bathrooms when they are locked. Contact phone numbers are posted.

**Police Chief Kirk Bland – Reported:**

- The 4<sup>th</sup> of July was busy but people were well behaved. The extra traffic control posted at each end of the parade and side streets was beneficial.

- There were a total of 7 fireworks complaints over the 4<sup>th</sup> of July weekend.

- The next big event will be the Cle Elum Roundup at the end of July.

- National Night Out will be held at the Skateboard Park 08/02/2022 from 3 pm to 6 pm.

- Received 1 RFP for the Prosecutor opening; the closing date for proposals is 07/13/2022.

- Addressed the issue of oversize trucks going up Stafford Avenue illegally, stating he does not have enough staff to monitor the problem, suggesting the project foreman post someone at the bottom of the hill to redirect the truck drivers to the proper route. The consequences of a citizen blocking the way to keep trucks from driving up Stafford would be a citation for disorderly conduct. The driver must be clearly identifiable, as that driver would be cited, not the company, for illegal use of the road.

**Fire Chief – Ed Mills - Reported:**

- The Department had 48 toned calls in June, including 34 EMS calls, 1 fire, 3 hazardous conditions, 7 service calls and 2 false alarms.

- No fireworks related calls were received during the 4<sup>th</sup> of July weekend.

- Thanked the mayor for donating his time to weld a piece of Fire Department equipment.

- All apparatus have been serviced by the City mechanic, except one aid car.

- Advised the council the fire season will be coming soon, and acknowledged it is council's decision as to when the burn ban will be implemented. Chief Mills asked the council to allow him to implement the start of the burn ban at his discretion; and would like to coordinate the implementation of a burn ban with Roslyn, District 6 and South Cle Elum. Criteria is conditions that are too dry, as agreed upon by the local fire chiefs. Councilmember Ratliff asked for a better definition of the criteria. *A motion was made, for discussion, by Steven Harper and seconded by Matthew Lundh to authorize the Fire Chief to enact a burn ban at his sole discretion; Councilmember Harper commented the Fire Chief has gone out of his way to not enact a burn ban whenever it is not necessary and trusts his judgement historically and stand in favor of his motion. The motion carried by a vote of 6 to 1.*

**Veolia - William LaRue Reported:**

- Graphs of Water Plant Flows, Run Times, Precipitation, Wastewater Flows and Water Plant versus Wastewater Plant Flows for June 2022 were provided in council packets.

**At the Water Treatment Plant:**

- Flows are up 10 mgd from last month due to the onset of warmer weather; however, runtime is down 60 hours from the same period in 2021. Reduced runtime and higher production is a result of operational modifications implemented by the WTP staff.
- The Consumer Confidence Report (CCR) and Water Use Efficiency final reports have been submitted to the Department of Health, bringing an end to the report season.
- Staff installed a fire connection on the raw water supply at the intake station for the fire department to use during wildfire season.

**At the Wastewater Treatment Plant:**

- The grit pump was shipped and will be delivered on 07/14/2022.
- Several trees fell across the lagoon access road today; staff will work with Public Works to get them removed.

**Business Requiring Public Hearings**

None

**Unfinished Business**

- a. **Vector Truck** : Mike Engelhart presented the option to lease a 2022 Vector truck for 5 years, with the option to purchase at the end of the fifth year. *A motion was made by Beth Williams, and seconded by Steven Harper for discussion, to accept the 5-year lease option with the option for the purchase of the Vector truck.* After discussion, Councilmember Harper recommended rescinding the initial motion and re-word the motion to include a warranty. Councilmember Williams rescinded her motion, and Councilmember Harper rescinded his second. *A motion was made by Steven Harper and seconded by Sarah Lackey to authorize the 5-year lease with option to purchase as presented with the condition that there be an accompanying warranty by the lessor for the duration of 5 years on the vehicle for a total of \$626,607.25; and further, that the additional cost of the warranty be approved at a future meeting. The motion carried unanimously. The first payment will be made in 2023 and will be budgeted. Water and sewer rates will not be raised due to the purchase of this truck.*

*The council took a 10-minute break at 7:05 and went outside to look at a similar truck that was provided by Vector. Council returned to deliberations at 7:15.*

**New Business**

- a. **(Added Agenda Item) – Mouse-About Event Application Noise Variance Request:** Stephanie Mifflin asked for a noise variance on 08/13 from 9 am to 7 pm and 08/14/2022 from 9 am to 4:00 pm. Councilmember Lundh commented these hours do not appear to be within the parameters of the noise ordinance. The second request is to add RV parking at Fireman's Park. *A motion was made by Matthew Lundh and seconded by Beth Williams to approve the noise variance request during the hours specified as well as the parking variance request. The motion carried unanimously.*

- b. **TIB Consultant Agreement – First Street/Douglas Munro Intersection Improvements – Construction Engineering Services with HLA:** Ben Annen presented the agreement to the council explaining the bids all came high; the lowest bid came in at \$100,00 over the engineers' estimate. HLA went to TIB to request additional funds. TIB immediately agreed to the additional funding. At the council's request, Ben Annen explained the signal timing will be done by DOT, so there will be no queuing on I-90. Annen explained there is currently queuing on the north and south legs; the level of service delays are unacceptable for the City's Comprehensive Plan. Therefore, a signal is warranted at this location. *A motion was made by*

*Ken Ratliff and seconded by John Glondo to approve the TIB Consultant Agreement for Construction Services for the First Street and Douglas Munro Intersection Improvements. The motion carried by a vote 6 to 1.*

c. **Final Progress Estimate No. Advantage Dirt Contractors – Emergency Sewer Repair - \$21,886.65:** Public Works Director Mike Engelhart reported the project was completed and HLA has reviewed the grant documents. *A motion was made by Ken Ratliff and seconded by Matthew Lundh to authorize final payment in the amount of \$21,886.65 for the Billings Avenue Emergency Sewer Repair. The motion carried unanimously.*

d. **Progress Estimate No. 1 – First Street Revitalization – Belsaas & Smith - \$5,284.09:** Mike Engelhart reported this is for prep work for the project, including traffic control and putting paper around the catch basins. *A motion was made by Ken Ratliff and seconded by Beth Williams to authorize payment for Progress Estimate No. 1 in the amount of \$5,284.09. Councilmember Harper recommended, in the future, that a better time to conduct this work than on a holiday weekend. The motion carried unanimously.*

e. **Belsaas & Smith – Request for Alternate Work Hours:** Mike Engelhart reported Belsaas & Smith would like to extend working hours to start a 6:00 am and to work four 10-hour days in an effort to make the project less disruptive to local business owners. *A motion was made by Steven Harper and seconded by Beth Williams to approved Belsaas & Smith request to work the alternate hours as requested in their letter.*

f. **Ordinance 1631 – Sewer Connection Fees:** *A motion was made by Steven Harper and seconded by Matthew Lundh to continue the first reading of Ordinance 1631 to the 07/25/2022 council meeting to allow the Utilities Committee to review the document. The motion carried unanimously.*

g. **Ordinance 1632 – Flood Hazard Prevention Regulations:** Gregg Dohrn reported public hearings have been held by the planning commission who will meet again on 07/19/2022 to review this document. No comments have been received from the public to date. Mr. Dohrn will have updates at the second reading before council on 07/25/2022. At the request of Councilmember Harper, Mr. Dohrn explained the definition of the word “Farmhouse”, as referred to on page 22, saying this is where livestock would be protected during a flood, such as a barn. The draft of the ordinance will be made available to the public on the City’s website. *A motion was made by Matthew Lundh to table this agenda item until the 06/27/2022 because the Exhibit was not included in the electronic packets. Rob Omans reported the paper packets did have the Exhibit included. The item was tabled.*

h. **(Added Agenda Item) Authorization to pay legal Fees for the Mayor Recall Petition:** *A motion was made by Matthew Lundh and seconded by Ken Ratliff to authorize the City to pay defense fees related to this petition. Councilmember Harper asked for a friendly amendment to quote the applicable RCW. Councilmember Lundh restated the motion to authorize the City to provide defense fees related to the petition as provided by RCW 4.96.041 (3). Ken Ratliff seconded the restated motion. The motion carried unanimously.*

i. **(Added Agenda Item) Permanent Change to the Agenda to add Public Comment as Item 2:** Councilmember Lundh reported there have been changes made to the Open Public Meetings Act, which states before a body makes a final action, including approving the agenda, public comment must be accept at the beginning of every meeting. Councilmember Lundh requested the standing agenda be updated to make item 2 Public Comment, which includes any item on the agenda. *A motion was made by Steven Harper and seconded by John Glondo to direct the mayor to adjust the meeting agenda to add “Public Comments – limited to 5 minutes” as Item 2, and to permanently strike Item 6 “Public Comments on Non-Agenda Items”. The motion carried unanimously.*

#### **Committee Reports**

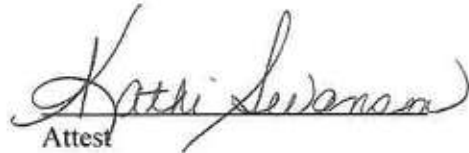
**Yakima Basin Fish and Wildlife Recovery Board:** Mayor McGowan provided information from the YBFWRB , including the Yakima Basin Habitat Restoration Projects from 1999 through 2021. Nancy Lindquist, Cory Wright and Mayor McGowan represent Kittitas County on the Board. The Council is invited to attend the Annual meeting on 08/10/2022. The meeting will include lunch, open house and a business meeting in the Tri-Cities, with a tour of the Lower Yakima salmon recovery issues and projects.

**Economic Recovery Board:** Matthew Lundh asked council if they had all received the invitation email for the Economic Development Opportunity Workshop to be held at the Windrow Hotel on 07/20/2022. There will also be a luncheon in Cle Elum on 07/19/2022

**Motion to Adjourn.**

*A motion was made by John Glondo to adjourn. The meeting adjourned at 8:05  
The next regular meeting is scheduled for Monday July 25, 2022, at 6:00 p.m.*

  
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Mayor

  
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Attest