

City of Cle Elum
Regular City Council Meeting
February 14, 2017

Call to Order – Roll Call of Membership

The meeting was called to order by Mayor McGowan at 7:00 p.m. The Pledge of Allegiance was recited. Other members present were Tom Hastings, Ron Spears, Steven Harper, Mickey Holz, Christine Simpson and Ken Ratliff. Staff present was City Administrator Robert Omans, City Planner Lucy Temple, City Attorney Alexandra Kenyon and City Clerk Kathi Swanson.

Approval of the Meeting Agenda

Council member Ratliff informed the mayor and council he has a Utility Committee Report that he would like to discuss higher up on the agenda than under Committee reports. Mayor McGowan suggested placing the item under 6a after Citizen Comments on non-agenda items. A motion was made by Steven Harper and seconded by Ken Ratliff to approve the agenda as amended. Motion carried unanimously.

Announcements – Appointments, Awards and Recognition

a. Appointment of Fire Department Officers: Mayor McGowan appointed Ed Mills as Fire Chief, Mark Heimbigner as the 1st Assistant, BJ Bator as the 2nd Assistant and Jessi Campbell as the Secretary Treasurer of the Cle Elum Volunteer Fire Department and asked for a vote of approval from the Council. A motion was made by Steven Harper and seconded by Ron Spears to approve the Mayor's recommendation for the appointment of the new officers for the Fire Department. Discussion: Tom Hastings commented he would like to see more oversight of the Fire Department than has been in the past. Motion carried unanimously.

Consent Agenda

A motion was made by Ron Spears and seconded by Mickey Holz to approve the consent agenda; which included the amended minutes of the 12/19/16 Special Council Meeting, the minutes to the 01/24/17 Regular Council Meeting, the minutes to the 01/31/17 Special Public Official Training Meeting; approval of vouchers and checks numbered 38148 through 38230 in the amount of \$170,121.45; approval of 01/15/17 Payroll Vouchers in the amount of \$60,552.83 and approval of 01/31/17 Payroll Vouchers in the amount of \$112,424.96. Motion carried unanimously.

Officer Reports

City Administration – Robert Omans:

- Reported the Public Official Training held at City Hall on 01/31/17 was successful, with approximately 16 people in attendance.
- Reported the \$125,000 Complete Street TIB Grant is officially final and an acceptable project has been determined.
- Reported he has met with the Mayor, Department heads, County Sheriff's Department and County Public Works to determine what assets may be available to the City. Omans has developed a Public Service Announcement which is designed to help citizens prepare for a potential flood.

Building Official – Robert Omans:

- Reported the roof at the McDonalds Drive-In was suffering from deflection in the roof trusses. As a precaution, the building was posted with a "Do Not Occupy" tag and

the building owner was notified. A team of workers removed the snow from the roof and an engineer was brought in to certify the building as safe; the business was reopened the following day. The trusses will be reassessed in the spring and snow will be kept off the roof.

Network Administrator: Robert Omans:

- No Report.

Public Works Director – Jim Leonhard:

- Reported the City crew has fixed 5 water leaks in town
- Reported plowing 3 times to ensure the roads are safe and the drains are kept free of snow and ice
- Reported one loader is temporarily broken down
- Reported receiving the thaw machine donated by Windy Chevrolet and publicly thanked them. The City is attempting to thaw pipes that are frozen from the meter to the City's main line. A certified individual has been hired to operate the machine; however, 2 attempts to thaw frozen pipes have been unsuccessful, a problem Leonhard anticipated.

Lucy Temple – City Planner:

- The City has taken an optional 24-month extension for our GMA Comprehensive Plan update, which will allow the City to complete a more thorough update, which will be due in June of 2019.
- Reported the Planning Commission has begun their review of the chapters of the 2007 and 1997 Comprehensive Plan for the update, including a work plan. The Department of Commerce suggests the work plan be an ordinance adopted by the City Council.
- Reported the Planning Commission is working on a systematic annual review of about 12 Conditional Use Permits by assessing 2 permits each meeting
- Reported receiving one applicant for the vacant Planning Commission seat and hope to fill the seat after the vacant City Council position is filled.
- Reported the Historic Preservation Commission is reviewing Old Town Commercial Zoning District development as necessary; and continues to maintain the City's Historic Register and will become more involved with the Downtown Association.
- Reported members of the CEHPC and the Planner will be attending the CLG training in Tacoma in March
- Reported there are 2 vacant positions on the CEHPC and urged interested individuals to apply

Police Report – Chief Scott Ferguson:

- Reported the Police Department acquired a drug bin drop box, which is installed in the Police Department Lobby.
- Reported the discovery of a drug overdose victim in his car at the Price Chopper Parking lot on Saturday 02/11/17 at approximately 11:00 p.m. Efforts to resuscitate were unsuccessful.

Fire Department Report – Chief Ed Mills:

- Thanked the Mayor and Council for approving the appointment of Fire Department Officers and stated he looks forward to service the community as the Fire Chief in 2017.

- Reported leaving applications at City Hall for Fire Department Volunteers and urged interested parties to apply.
- Reported 25 Incident calls in December 2016; 18 aid calls, 2 electrical, 1 vehicle, 1 mutual aid, 2 smoke and 1 false alarm.
- Reported 40 Incident calls in January 2016; 27 EMS services 11 other incident calls and 2 fires, which included mutual aid with Fire District #7.
- Reported the new bunker gear has been issued out and thanked Dave Campbell publicly for writing the grants that enabled the Department to obtain the gear.

Veolia – William LaRue:

- Reported 26.9 million gallons of flow and operational time of 300 hours at the Water Treatment Plant in January 2017 compared to 18.3 million gallons of flow and 241 hours of operational time in January 2016.
- Reported 15.1 million gallons of flow and 1.03 inches of precipitation at the Wastewater Treatment Plant in January 2017 compared to 27.7 million gallons of flow and 2.8 inches of precipitation in January 2016.
- Reported Veolia is keeping a close watch on the weather and will do everything possible to insure the Wastewater Treatment Plant will be able to handle higher flows due to snow melt and runoff.

Citizen Comments on Non-agenda Items

Barb Bailey – 113 West Third: Thanked Jim Leonhard for trying to help with the individuals in town whose pipes are frozen. Mrs. Bailey stated she does not believe these individuals should have to pay a water bill for the time they have been without water and asked if the City plans to give relief of water charges to those afflicted.

Frances Gonzalez – 313 Grant Street: Stated she is unhappy with the Building Official of the City who had informed her she did not need a permit for her new shed; then red-tagged the shed; when she went to City Hall to purchase the permit, she was informed that she would have to move the building and must also obtain a flood permit. Mrs. Gonzalez stated she now refuses to pay for any permits and wants the City to pay her \$1200.00 for the shed. Mrs. Gonzalez complained that her neighbor has a large building that violates the City's Code. She also stated she is fighting the City to keep her dogs and plans to sue the City of Cle Elum and her neighbor.

Kris Sullivan – 311 Grant Street: Stated he had attended the meeting to hear the Tree City report to be given by Gary Berndt. Mr. Sullivan commented on Mrs. Gonzalez's complaints, stating he obtained a building permit for the garage she referred to. Mr. Sullivan added that he cannot get the snow off of his building because Mrs. Gonzalez's shed is too close to it.

Ken Ratliff – Council Representative for the Utilities Committee: Reported the Utilities Committee and Staff had met to discuss procedures to compensate City water customers whose pipes froze due to severe, abnormally low temperatures for an extended period of time in January 2017. The committee submitted a recommendation to amend CEMC 13.12.115 by adding verbiage to allow credit to affected customers whose service was interrupted on the City's side of the meter. *A motion was made by Steven Harper and seconded by Ron Spears to direct City staff to draft the amended ordinance with the changes recommended by the Utilities Committee and bring the draft to the next meeting. Discussion: Tom Hastings suggested better education of the citizens and plumbers to inform them not to tamper with meters and to let their water run during*

cold periods. Mickey Holtz commented that the City must comply with State laws and any credit issued by the City must be done legally. Robert Omans urged customers to continue to pay their bills to remain in good standing; any credit issued will be retroactive. The motion on the table carried unanimously.

Public Appearances

- a. Gary Berndt – unable to attend – postponed to a future meeting
- b. Roger Beck – **Review and Update on Suncadia:** Mr. Beck gave a power point presentation on the history of the progress of the Suncadia Resort and informed the Council Suncadia will be sending a letter to ask for an extension of the Development Agreement between Suncadia and the City of Cle Elum, which expires in October 2017.

Business Requiring Public Hearings

None

Unfinished Business

None

New Business

- a. **Resolution No. 2017-002 – Jail Services Interlocal Agreement – Rob Omans:** Omans presented the resolution to the Council and Mayor and asked for a motion to approve. *A motion was made by Ron Spears and seconded by Ken Ratliff to approve Resolution No. 2017-002 and to authorize the Mayor to sign the Interlocal Agreement between the City of Cle Elum and Kittitas County related to the Housing of Inmates for 2017-2018. Motion carried unanimously.*

- b. **Resolution No. 2017-003 – TIB Grant Agreement – Rob Omans:** Omans presented the Resolution, stating the \$125,000.00 grant and work plan will include the Pedestrian Bicycle Plan, the Pedestrian Crossing at Denny Avenue and the Pedestrian Crossing Safety Project on East First Street and Peoh Avenue. *A motion was made by Steven Harper and seconded by Ron Spears to approve Resolution No. 2017-003 authorizing the mayor to sign the agreement between the City and Washington State TIB. Motion carried unanimously.*

Committee Reports

None

Council Members Comments & Concerns

Council member Simpson:

- Apologized to Barb Bailey for being without water for 5 weeks.
- Commented she is concerned the City still has an infrastructure problem, specifically why the pipes are freezing, and does not believe it is entirely due to freezing temperatures, but due to a failing system.
 - Is concerned about the advertising for the Windy Chevrolet groundbreaking machine and that it was brought to a church prior to a home.
 - Stated the City does not have short term plans and long term goals to make repairs to the systems; therefore, our City is failing.
 - Stated the City is over budget due to hiring a private person to do snow plowing.
 - Commented the City owes the citizens a more bird's eye view of the City's fixes and should give citizens better communication.
 - Commented there are problems with policies and procedures and a lack of transparency and honest communication; the City does not have a system set up for the successful goals for the staff and citizens of the community.

- Commented that she had \$135,000 damage to her home since 2009 due to water leaks in the City line. Councilmember Simpson stated she handed her claim in to the previous Administrator, who turned the claim in a week late, so she was ineligible to receive funding from the City.
- Commented the chip repair done on Third Street has been damaged due to water leaks.
- Commented that Kittcom should not be taking calls from citizens for broken pipes or frozen water.
- Commented there is transparency from some people on the council but not for all people on the council.
- Asked if the Conditional Use Permit for the Hope Source Polaris Project is under review, and, if so, would like to be invited to the review meeting.

Council member Ratliff:

- Commented the City has done remarkable things, and has honest communication and transparency. Ratliff further stated the water system is not failing; the City has a state of the art water treatment plant and has made huge improvements to the pipe system through town.

Council member Hastings:

- Stated there is a lack of trust and communication with the Mayor.
- Commented the Water treatment plant is good; however the water distribution system is poor and has a lot of leaks.
- Stated the Wastewater system has a 55% I and I issue, the collection system needs work.
- Asked the Mayor if he has directed staff to establish an on-call system for after hours and weekends. *Mayor McGowan stated the matter is being worked on.*
- Commented he is disappointed that a second marijuana store has been established without communication to the Council from the City
- Commented there are approximately 6 homes in town that have been turned into vacation rentals and the City should move faster regarding getting them into compliance with business licenses issued and taxes paid.
- Asked when the open council position will be filled. *Mayor McGowan responded the interviews will be conducted at the next regular meeting.*

Council member Spears:

- Commented the water distribution system is old with a lot of leaks that need to be fixed.

Council member Harper:

- Commented on the lack of communication regarding the business license issued to the new business that will sell cannabis in the middle of town; the information should have been included under officer reports.
- Commented that using the thawing machine at a church before a home was the right call by the city as it is better to introduce a new liability to a place that is not occupied.
- Commented that Kittcom is not exclusive to emergency issues and customers' use of the non-emergency number is acceptable for after hours and weekend call outs.

Commented he has heard concerns from citizens regarding the Hope Source project and its tenants being involved with illicit drugs and asked for guidance as to how to address the issue. Harper has received communication from citizens stating the current manager feels powerless to handle the problems. *(Chief Ferguson acknowledged there is a problem which is, in part, a management issue.*

Executive Session

Council member Harper requested convening an executive session to discuss potential litigation and asked for the Police Chief and the Planner to be involved. Mayor McGowan stated the executive session would last approximately 15 minutes beginning at 9:17 p.m. with no action expected. The regular Council meeting reconvened at 9:38 p.m. No action was taken during the Executive Session.

MOTION TO ADJOURN

A motion was made by Ron Spears and seconded by Steven Harper to adjourn. The meeting adjourned at 9:45 p.m. The next regular scheduled meeting is Tuesday February 28, 2017 at 7:00 p.m.

Jay McGowan

Mayor

Kathi Swanson

Attest