

City of Cle Elum
Regular City Council Meeting
May 9, 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, John Glondo, Ron Spears, Steven Harper, Mickey Holz, Christine Simpson and Ken Ratliff. Staff present was City Administrator Robert Omans, City Attorney Alexandra Kenyon, City Planner Lucy Temple, City Treasurer Lindsey Vaughn and City Clerk Kathi Swanson.

Approval of the Meeting Agenda

A motion was made by Ken Ratliff to accept the agenda with an amendment to add discussion regarding the Grievance Procedure for CDBG Funding under Agenda Item 8, “Business Requiring Public Hearings”. Steven Harper seconded the motion with the amendment to add a 10 minute executive session at the end of the meeting to discuss possible pending litigation with no action to be taken. The motion carried unanimously.

Announcements – Appointments, Awards and Recognition

Mayor McGowan reported the Arbor Day celebration was successful; trees native to the Cle Elum area were planted and about 70 small trees were given away. The Downtown Cleanup was held the same day and was also successful.

Consent Agenda

A motion was made by Steven Harper and seconded by Mickey Holz to accept the consent agenda as written; which included the minutes of the 04/25/17 Regular Council Meeting; vouchers and checks #38491 through #38536 in the amount of \$138,350.27. The motion carried unanimously.

Officer Reports

City Administration – Robert Omans:

- Reported he and Mayor McGowan attended the WCIA full board meeting in Yakima, which is a requirement for the City as a member of the insurance pool. Training included how to minimize liability.
 - Reported the new aluminum flag pole at Flag Pole Park was installed. The base for the pole will be allowed to “cure” for 28 days before a flag will be flown. Omans publicly thanked Jodi Larsen for organizing and securing the funds to replace the flag pole.
 - Reported Belsaas & Smith is in the process of ordering parts for the Downtown Bathroom, with the assurance the bathrooms will be open by Memorial Day weekend.
 - Reported the Downtown Bathroom project is ongoing; the contractor is repairing the walls and ceiling; the plumbing fixtures will be installed the week of 05/15/17. The project is on track for completion by the Memorial Day weekend.
- Council member Spears asked to have the sign changed at the Downtown restrooms to remove the Chamber Pot.*
- Reported the DNR will have Helicopter Wildland Fire Training at the Cle Elum Airport from 05/30 through 06/01 and will consist of 3 or 4 helicopters and fuel trucks and will involve 40 to 60 people.

Building Official – Robert Omans:

- Reported the City Park Shelter structure will be repaired before the Memorial Day weekend.

Network Administrator: Robert Omans:

- Reported 3 cameras were installed at the City Park. The cameras were paid for by Rotary in 2016 when the new basketball court was installed.

Council member Simpson asked if the City has worked with the WSDOT to install port-a-potties in Cle Elum during the freeway construction project. Omans reported there is a meeting scheduled with WSDOT at noon on 05/10/17 to discuss where port-a-potties should be placed.

Lucy Temple – City Planner:

- Reported the Downtown Revitalization planning project by HLA and Hough, Beck & Baird is moving forward with the draft concept of the downtown channelization options and a draft power point presentation for the next phase of public participation.
- Reported receiving an application for a Subdivision within the Swiftwater Business Park, which will be duly noticed in the newspaper of record and sent out to applicable residents and agencies this week.
- Reported receiving an application for the first 8-lot Short Plat of the Cle Elum Pines West development area that is just to the west of Denny Avenue along SR 903 and the existing Cle Elum Pines East Development. The application will be duly noticed in the newspaper of record and sent out to applicable residents and agencies this week.

- Reported she and the Mayor have been part of the Interdisciplinary Team reviewing the Washington Department of Natural Resources Forest Practices Approval for the City Heights development area, which includes a conversion out of forestry for development purposes and a commercial thinning which may happen within the next year. Temple has been reviewing the EIS and Development Agreement.

- Reported receiving a petition for annexation from the Whispering Pines RV Park, copies of which were provided to the Council members in their City mail boxes. Temple will begin the process towards a draft pre-annexation agreement.

- Hope Source Polaris update: Temple reported a draft letter has been provided to the Planning Commissioners addressing the issues considered and solution proposed during the Conditional Use Permit Review. This should move forward at the next Planning Commission meeting on 05/16/17.

Public Works Director – Jim Leonhard:

- Reported 534 free dump vouchers were issued during the spring cleanup week. Of those, 251 vouchers were used at the Transfer Station.

- Reported he has received 11 applications for the Public Works position.

- Reported he received construction plans for water, sewer and streets for 8 new homes in the Cle Elum Pines West Development.

- Reported the Vac Truck is repaired and is working well.

- Reported the City crew has repaired 5 water leaks within the past 2 weeks.

- Reported the installation of a new water service line and meter in the 800 block of East Third Street.

- Reported Public Works has located 3 more leaks to repair in the water distribution system.

Police Report – Chief Scott Ferguson:

- Reported the apprehension of a vehicle prowler suspect on 04/18/17. On 05/02/17 the Cle Elum and Ellensburg Police Departments served a search warrant at a residence in the 400 Block of East Second Street in Cle Elum and were able to recover stolen property, including guns, stolen from cars that were unlocked, and drugs in association with the 04/18/17 arrest.

- Reported receiving a check for \$5,000 from BNSF as a result of a grant application. Funds will be used to purchase additional radio equipment.

Council member Harper asked if charges will be filed against the owners of stolen guns for leaving their cars unlocked with guns inside. Chief Ferguson was unable to comment, as the investigation is ongoing; however, it is the law to not leave guns in unlocked vehicles.

Fire Department Report – Chief Ed Mills:

- Reported 32 calls for the month of April, including 26 medical, 2 false alarms, 1 good intent, and 3 hazardous conditions with no fire.

- Reported the Fire Department and the Fire Department oversight committee are continuing to work on the upgraded computer system.

- Reported developing a flyer to go into the “New Household” packets that are handed out at City Hall.

- Reported the Fireman’s Ball on 4/29/17 was a success.

- Reported receiving the last 8 sets of bunker gear on 05/09/17, which will be paid for by the grant.

- Reported he has contracted with National Hose Testing Specialties, Inc. for hose and ladder testing.

- Reported the Fire department has purchased several items through the association, including new maps for the station and map books for the apparatuses, as well as 3 pairs of binoculars for the vehicles to use on hazmat calls.

- Reported repairs are being made to the ambulance recently purchased from the Hospital District. Funding for the repairs is made possible through fundraising and donations and is at no cost to the citizens of the community.

Veolia – William LaRue:

- Provided the council with graphs of Water Production versus Wastewater Plant Flows, Water Plant Flows and Run Times and Wastewater Flows and Precipitation.

- Stated the City crew is making a difference by fixing water leaks; it should be determined by the next meeting how those repairs are affecting the numbers.

Citizen Comments on Non-agenda Items

Bill Hanson – Director of Economic Development for the Kittitas County Chamber of Commerce:

- Reported concluding the Enterprise challenge, in partnership with New Vision Yakima, which is a Business Plan contest with \$17,500 in prizes. There were 23 contestants from Kittitas and Yakima Counties. Kittitas County business Whipsaw Brewing placed 1st and Wyked Hitch placed 3rd.

- Reported he, along with Chamber staff and representatives, have attended and promoted Kittitas County and local business opportunities at Washington State Sportsman's Show, NW Garden Show, Bighorn Show and NW Bike and Golf Show.
- Reported the Chamber has had business relocation representatives attend 3 National Trade Shows; reps will be attending national shows in the next 2 months.
- Reported the Chamber manages 2 industrial buildings in Ellensburg, through a partnership with the Ellensburg Business Development Authority.
- Reported helping a local brewery expand, hire staff, increase product line and quantity.
- Reported the industrial building at Bowers Field has helped bring an out-of-state company with 10 of their employees to Kittitas County.
- Reported the Catalyst Coworking space in Ellensburg is full.
- Reported the Catalyst Coworking space in Cle Elum has 3 offices full and the conference room is booked regularly 6 times per month.
- Reported chamber staff has responded to multiple site location requests from the State Dept. of Commerce to date for 2017.
- Reported business assistance requests, new business and outreach activities number near 100, and community activities number over 200.
- Reported the Chamber board and staff are spearheading the Port District campaign, with support from community members.

Judy Hallisey – Upper Kittitas County Rotary:

- Reported the Rotary is sponsoring the 21st Annual Cruise Cle Elum for the 3rd year. Rotary has received lodging tax grant money for advertising with the recommendation from LTAC to strive to keep participants overnight. The Caboose Tavern is partnering with Rotary by offering a beer garden and a street dance. The formal application will be brought before council at their next meeting.

J.B. Mulcahy – Co-director of the Chimpanzee Sanctuary Northwest:

- Spoke against the traveling circus which has submitted an event application to set up their circus in Cle Elum. Mulcahy stated the Culpepper & Merriweather Circus has a history of animal cruelty and animal escapes; and asked the Council to consider the event application seriously.

Diana Goodrich – Co-director of the Chimpanzee Sanctuary Northwest:

- Spoke about the violations of the Animal Welfare Law that the Culpepper & Merriweather Circus has been cited for, including the suspension of their license in 2011.

Public Appearances

None

Business Requiring Public Hearings

a. CDBG Funding for First Street Stormwater Improvements and Resolution No. 2017-007: Lucy Temple presented her staff report to council, stating the purpose of the \$750,000 grant, with no matching funds required, is to provide construction funding to replace the deficient storm drain system along First Street from Billings Avenue to Peoh Avenue. Improvements will include provisions for future bulbout construction at each intersection to capture stormwater, correct safety concerns, and accommodate future downtown revitalization improvements, a phase of the City's Downtown Revitalization project. Mayor McGowan opened the hearing for public comments at 7:46. Patsy Preston – 906 West Second street: commented that the city should apply for grant money to fix potholes before any additional work is done.

Hearing no further comments, Mayor McGowan closed the public hearing at 7:51. **Lucy Temple** explained the City is working with D.O.T. for a paving rehabilitation project from I-90 exit 85 to Oakes Avenue in 2018. The city will "piggy back" on the State project to fix stormwater issues. If the stormwater project is done after the pavement rehabilitation, the pavement would have to be re-cut, which would nullify the paving rehabilitation project. Mayor McGowan stated there is a plan to fix the potholes. *A motion was made by Steven Harper and seconded by Tom Hastings to adopt Resolution No. 2017-007 as presented and to authorize the mayor to sign. The motion carried unanimously.*

b. CDBG Funding for Capital Facility Plan and Resolution No. 2017-008: Lucy Temple presented her staff report to council, stating the city is authoring their Comprehensive Plan and is seeking a \$25,000 planning only grant to complete the Capital Facilities Plan, which will include Roadway System, Storm Drainage System, Domestic Water System, Sanitary Sewer System, Municipal Buildings and Parks & Recreation per the Growth Management Act of 1990,

specifically RCW 36.70A.070. Mayor McGowan opened the hearing for public comments at 7:56. Hearing no comment, the public hearing was closed at 7:57. *A motion was made by Mickey Holz and seconded by Steven Harper to adopt Resolution No. 2017-008, CDBG Funding for the Capital Improvement project as presented and to authorize the mayor to sign. The motion carried unanimously.*

c. USDA Funding for First Street Stormwater Improvements and Resolution No. 2017-010: Lucy Temple presented her staff report to council stating the \$30,000 grant will provide design funding for replacing deficient storm drain systems along First Street from Billings to Peoh Avenue. Improvements will include provisions for future bulbout construction at each intersection to capture stormwater, correct safety concerns and accommodate future downtown revitalization improvements. Mayor McGowan opened the hearing for public comments at 8:00. Hearing no comment, the public hearing was closed at 8:01. *A motion was made by Mickey Holz and seconded by John Glondo to approve Resolution No. 2017-010, the USDA Funding for First Street Stormwater Improvements as presented and to authorize the mayor to sign. The motion carried unanimously.*

Unfinished Business

None

New Business

a. Grievance Procedure: Lucy Temple presented her staff report to council stating the document, provided by HLA Engineering, is a requirement of the State for grant funding. Council member Harper asked for clarification as to whether this policy is a general policy for all grievances filed with the City, or a grievance policy directed toward the grievances arising out of the planning and construction of the stormwater system. Robert Omans stated the intent of the policy is for grievances directly related to the stormwater system project. *A motion was made by Steven Harper and seconded by Ken Ratliff to adopt the Grievance Policy as presented because having it in place is in the best interest of the City and its residents.* Attorney Kenyon recommended checking with HLA to clarify if the document is specific to CDBG and USDA funded projects. *Council member Harper withdrew his motion upon hearing the attorney's advice. A motion was made by Tom Hastings and seconded by Mickey Holz to grant the mayor the authority to sign the Grievance Procedure Document, upon legal review by the City Attorney to determine the document is only for CDBG projects. The motion carried unanimously.*

b. Event Application – Circus 06/04/17: Manny Garcia, on behalf of the Kittitas County Chamber of Commerce, presented the application to the council. Garcia addressed the concerns of the public, stating he has contacted the circus administrative offices regarding those concerns. The circus is under new ownership since the citations were issued prior to 2011, and has changed the manner in which the circus animals are treated. Garcia anticipates no protests. Volunteers from the Kiwanis will be helping with traffic control and security. Members of council stated their concerns that the Chamber has advertised the event prior to City Council approval. Other concerns of the council included traffic, parking, animal safety, the safety of the attendees and animal control. *A motion was made by Ken Ratliff and seconded by Ron Spears to approve the Chamber of Commerce Circus event application. A poll vote was taken. Ron Spears, Ken Ratliff and Mickey Holz voted aye. Christine Simpson, Steven Harper, Tom Hastings and John Glondo voted nay. The motion did not carry.*

c. Event Application: Soccer Skills and Agility Camp 10/07/17: Marcus Bailey presented his application to conduct a soccer and agility camp for elementary and preschool children from 06-26 through 06/30/17. Concerns of the council included having EMS volunteers on site and assurance that there is no conflict for the fields with the Upper Kittitas County Youth Baseball Association. Bailey stated he is working with Kevin Larimer of UKCYBA to work out those details. *A motion was made by Ken Ratliff and seconded by Steven Harper to approve the event application with the conditions there is no conflict with the youth baseball fields at the Memorial Field four-plex and that port-a-potties are provided. The motion carried unanimously.*

Ordinances and Resolutions

a. Resolution No. 2017-007 – CDBG for First St. Stormwater Improvements: *Passed under Business Requiring Public Hearings.*

b. Resolution No. 2017-008 – CDBG for Capital Improvement Projects: *Passed under Business Requiring Public Hearings.*

c. Resolution No. 2017-010 - USDA Funding for First Street Stormwater Improvements: *Passed Under Business Requiring Public Hearings.*

d. Resolution No. 2017-009 – Video Surveillance Policy: Robert Omans presented the resolution to the Council, stating City Hall now has a surveillance camera in the lobby that records video only, not audio. *A motion was made by Ron Spears and seconded by Ken Ratliff to approve Resolution No. 2017-009 as presented. The motion carried unanimously.*

e. **Ordinance No. 1466 - Budget Amendment:** Lindsey Vaughn presented the Budget Amendment to the council. *A motion was made by Ron Spears and seconded by Mickey Holz to approve Ordinance Number 1466, amending the 2017 budget, as presented. The motion carried unanimously.*

Committee Reports

a. **Steven Harper** reported the City has received 1 application for Lodging Tax and set a meeting of the Lodging Tax Advisory Committee for 05/23/17 at 6:30 p.m.

b. **Christine Simpson** asked to set a Parks and Recreation Committee meeting. The committee members agreed to meet before the regular council meeting on 05/23/17 at 6:00 p.m.

c. **Ron Spears** asked the City to fence the park on East Third Street with Hotel/Motel funds. Council member Simpson suggested having Rotary or Kiwanis submit a letter to the Parks and Rec Committee to request the funds as a 501c3.

Executive Session

Mayor McGowan announced the Council would convene an Executive Session for the purpose of discussing potential litigation with no action to be taken. The Mayor stated the Executive session would last for 10 minutes, beginning at 9:13 p.m. The regular Council meeting reconvened at 9:25 p.m. No action was taken during the Executive Session.

Motion to Adjourn

A motion was made by Steven Harper and seconded by Tom Hastings to adjourn. The meeting adjourned at 9:28 p.m. The next regular scheduled meeting is Tuesday May 23, 2017 at 7:00 p.m.

Jay McGowan

Mayor

Kathleen Swanson
5-24-17

Attest