

City of Cle Elum  
Regular City Council Meeting  
January 25, 2021

**Call to Order – Roll Call of Membership**

The Regular meeting of the City Council was held "virtually", in compliance with the Covid-19 Social Distancing Mandate issued by Governor Jay Inslee. The meeting 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, Ruston Weaver, Steven Harper, Mickey Holz, Beth Williams and Ken Ratliff. Other members present were City Administrator Robert Omans, City Planner Lucy Temple, Public Works Director Mike Engelhart, Police Chief Kirk Bland and City Clerk Kathi Swanson.

**Approval of the Meeting Agenda**

*A motion was made by John Glondo and seconded by Mickey Holz to approve the meeting agenda as presented. The motion carried unanimously.*

**Announcements, Appointments, Awards & Recognition**

Mayor McGowan reported the City received a check from New Suncadia in the amount of \$400,000 per the Recreational Parcel Agreement. An official ceremony will be held later.

**Consent Agenda**

*A motion was made by Beth Williams and seconded by Steven Harper to accept the consent agenda as presented. The consent agenda included the minutes to the 01/11/2021 Regular City Council meeting; 01/15/2021 Payroll EFTs and Check #43093 in the amount of \$57,125.00; 12/31/2020 EFTs and Checks #43094 - 43103 for Claim Vouchers in the amount of \$57,870.63; and 01/25/2021 EFT's and Checks #43104 – 43132 in the amount of \$185,435.10. The motion carried unanimously.*

**Officer Reports**

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

- A Covid-19 vaccination clinic has been scheduled, beginning on 01/26 at the Centennial Center, by appointment only. The Health Department is asking for help from volunteers.
- He, the Mayor, Lucy Temple and the Engineer met, via Zoom, with the State Representatives and Senator regarding the First Street Project; the City is asking for a \$2.6 million grant.

**City Planner - Lucy Temple – Reported:**

- City Engineer Ben Annen, helped put together the presentation for the Capital Budget Request Zoom meeting for First Street projects, which Rep. Alex Ybarra asked to sponsor.
- Updating permitting packages on the website and social media when they are complete.
- Will be putting out another SEPA Notice for the Vertical Bridge Project.
- DNR Firewising crew has completed work at the Police Department and is now at the airport.

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

- The City crew assisted the City of Roslyn to repair a sewer backup on 01/14/2021.
- Crews are continuing with alley repairs, as weather permits.
- Crews have been cleaning up brush and debris at the cemetery.
- HLA has been assisting the City in updating the Water System Plan.
- Has been in contact with BNSF Railroad.

**Police Chief – Kirk Bland – Reported:**

- Working with Lexipol, a nationally accredited agency that assists with policy manuals. He and Officer Albo attended their first seminar to get the Lexipol policies put into place. Lexipol policies work towards State accreditation.
- A Request for Bids for body camera/car camera and laptop has been published. Bids will close on 02/05/2021.
- Those officers who chose to be vaccinated have received their second Covid-19 shot.

**Gregg Dohrn – Suncadia Report:**

- Roger Beck and his engineers have prepared a draft boundary line adjustment, which is the next step to complete the process of getting the 12-acre parcel transferred to the City.

**Gregg Dohrn – City Heights Report**

- Staff has been reviewing the 1<sup>st</sup> of a series of subdivision applications, which will create 68 lots in the area north of Sixth Street.
- City Heights filed an action under binding arbitration regarding the process the City has been using for review of sub-divisions. The arbitrator ruled in favor of City Heights based on the Master Plan, approved in 2010, which constituted project approval. Based on that finding, there will be no further public hearings and no planning commission involvement or recommendations to council. City Staff will review all applications to determine if they are consistent with the EIS and the City Heights Development Agreement and if there are any clarifications or additional measures that need to be addressed. Approvals will be administrative. Appeals will go to City Council in an open record meeting.
- The applicant's stated intent is that there will be no major or significant modifications to what was approved by council in 2010-2011. There are several provisions within their proposal that appear to require minor modifications and/or provisions, some of which may come to City Council in the form of proposed amendments to the Development Agreement.
- Staff has emphasized to the developer there must be safe all-season, all-weather roads from Second and Stafford Street up to the site without weight restrictions. The roads currently do not meet safety standards. The developer has argued the Development Agreement only requires they must improve the corner on Stafford to Fifth Street and the City does not have the authority to require more. Discussions continue with the developer to reach a voluntary agreement by the developer to make those improvements.
- No parks or trails will be dedicated to the City until work in the area is complete, and there is an agreement on design, construction and maintenance costs and obligations will be.
- Due to steep slopes, wetlands, streams and coal mine tailings in the area, staff will ensure these areas are properly protected by having all primary environmental reviews.
- The decision to approve or disapprove the Phase 1 Plat may require a series of separate documents that spell out some of the changes that have been authorized, as well as a series of amendments to the Development Agreement which will go before the City Council.
- *Council member Ratliff commented he would like to be involved in the Transportation issues, especially getting up the hill.*

**Citizen Comments on Non-Agenda Items**

None

**Public Appearances - 15 Minute Limit****Kittitas County Health Department Covid Update – Tristen Lamb, Darren Higashiyama and Rich Elliott:**

- Reported the first round of Phase 1b mass vaccination clinics will begin this week with 1,000 vaccines each to be administered in the Upper County and Ellensburg.

- As of 01/22/2021, the incidence rate is on the decline. The positivity rate is at 9%; the County Health Department would like 2% or less.
- Regionalization of the Phase matrix set Kittitas County back to Phase 1, due to the creation of the South-Central Region, which also includes Yakima, Benton, Walla Walla, Franklin and Columbia counties.
- Phase 1a population has been vaccinated with no vaccine loss. Kittitas County requested and received 2,000 additional vaccines.

**Chamber of Commerce – Madison Ford - Reported:**

- Provided a Power Point presentation of the Tourism projects and Discover Cle Elum user information for the year 2020.
- Cle Elum was featured in Travel and Leisure organically in 2020.
- Website hits for 2020 were up 9% from 2019 and 110% from 2018.

**Business Requiring a Public Hearing**

None

**Unfinished Business**

**a. Agee Land Exchange – Lucy Temple:** The Agee – City Parcel Segregation and Vacation Resolution and Ordinance have been completed. The next step is the Land Exchange Agreement, presented to council at this meeting with the recommendation that council authorize the Mayor to sign. This action will trigger the next process of the final boundary line adjustment. *A motion was made by Steven Harper and seconded by Matthew Lundh, to authorize the Mayor to sign the Agee Land Exchange Agreement as presented. The motion carried unanimously.*

**b. 2021 Chamber of Commerce Contract:** Mayor McGowan read a letter from Marc Kirkpatrick stating the Downtown Association is not in favor of cutting money from the Chamber of Commerce contract. Steven Harper reported the Chamber sent back a counter proposal for the 2021 contract. When the contract was reviewed by the committee, a clause giving the Chamber sole ownership of the work product of the ads and work provided by the Chamber was discovered. While legal counsel has stated this clause is legal, the Committee would prefer to grant a license to the Chamber to use the product but not give them sole ownership. The recommendation of the committee is to seek a motion to formally rescind the contract in its original form as approved at the 01/11/2021 council meeting: *A motion was made by Matthew Lundh and seconded by Ruston Weaver to rescind the contract the City approved at the 01/11/2021 meeting as it is not in the best interest of the council to give up ownership. Clarification of the motion: if the motion passes, the city is still in discussion with the Chamber for the 2021 contract. Amy McGuffin stated the Chamber obtained the funding for the City brand and logo; therefore, received the copyright for them. The Chamber's goal has always been to help the City of Cle Elum become a tourist destination. The Chamber will accept rescinding the contract if they can have the opportunity to have conversations with the City regarding the 2021 contract. John Glondo, Beth Williams, Steven Harper, Matthew Lundh and Ruston Weaver voted aye. Mickey Holz voted nay. The motion carried 6 – 1.*

**New Business**

**a. Police Union Contract:** Robert Omans reported this contract was agreed upon by the City, Police and the Union and is for 3 years. *A motion was made by Mickey Holz and seconded by Ruston Weaver to approve the 2021 – 2023 Police Contract and authorize the mayor to sign. The motion carried unanimously.*

**b. ILA with Kittitas County for Inmate Housing:** Chief Kirk Bland reported he compared the Interlocal Agreement to the contract from previous years and finds no reason to alter or add anything to the contract as presented. *A motion was made by Steven Harper and seconded by Mickey Holz to approve the Interlocal Agreement with Kittitas County for Inmate Housing as presented. The motion carried unanimously.*

**c. Task Order 2021-01 – Traffic Count Record System:** Mike Engelhart reported this Task Order will authorize HLA to gather information from traffic counts from WSDOT, Quadco, Kittitas County, and private developers, and enter the data into the GIS system. This information can be accessed for developments, information on roads, as well as other projects. *A motion was made by Mickey Holz and seconded by Steven Harper to approve Task Order 2021-01 for the Traffic Count Record System. The motion carried unanimously.*

**d. Resolution 2021-004 – Accept the SR 903/Stafford Avenue Project as Complete:** Mike Engelhart reported the project is complete. Once the mayor signs the resolution, the process can begin for the payment of retainage. *A motion was made by Matthew Lundh and seconded by John Glondo to approve Resolution 2021-004 accepting the SR 903 & Stafford Avenue Project as complete and authorize the mayor to sign. The motion carried unanimously.*

**e. Ordinance No. 1604 – Amending the Purchasing Policy:** Robert Omans reported the Ordinance will remove the wording “into public works contract change orders for”. The intent of the original Ordinance will not change. *Steven Harper recused himself from discussion and the vote. A motion was made by Beth Williams and seconded by John Glondo to accept Ordinance 1604 as presented. Matthew Lundh, John Glondo, Ruston Weaver, Mickey Holz, Beth Williams and Ken Ratliff voted aye. Steven Harper abstained from the vote. The motion carried.*

#### Committee Reports:

- **Cemetery Committee – Steven Harper – No Report**
- **Utilities Committee – Ken Ratliff** reported the committee met to discuss a request made by a person who owns property with a house on it to update/replace his septic system. The issue for the committee is to determine if the property must be connected to City sewer, as required by the City Code, or if it qualifies for an upgrade to the septic system. Chapter 13.08.050 requires connection to the public sewer system provided the sewer is available within 200 feet of the property line, however, all new uses will be required to connect to the sewer system. The committee determined, based on the definitions within the City Code, that this is not a new use. City sewer is not available to the site area, therefore, the customer will be allowed the exemption to connect to the sewer, provided the replacement septic system is sized to serve the existing house on the property. However, a larger house will require connection to the sewer. No action by council is required. Staff will work with the property owner who made the request.

#### **Chamber of Commerce Contract – Steven Harper and Matthew Lundh:**

- Commended the Chamber for the good job they have done in the past, and;
- Asked the Council if they are in favor of having a visitor’s center operating during the pandemic.
- Reported the committee would like to put out Requests for Proposals for a Public Information Officer/Communications Director, Director of Tourism and Event Facilitator/Coordinator, which would not be a full-time position. This position would help take the burden off City Staff. It is important for the City to have a competitive bid process.
- Reconsideration of the visitor’s center is high in everyone’s mind, but the reconsideration of the digital marketing campaign is not. A second digital marketing campaign may be an option as opposed to having a Visitor’s Center.
- The City could consider sponsoring a small grant program for qualifying businesses.

- The clause in the current contract regarding ownership of the branding and logo is of concern to the committee.

**Council Discussion:**

- Council member Weaver questioned why the contract is being questioned now, and stated the City needs to start their digital campaign now.
- Council members Holz, Ratliff, Williams and Weaver recommended continuing the Visitor's Center and to continue funding the Chamber per the terms of the original contract at \$106,000 for 2021 and take the year to consider how to move forward in 2022. A recommendation was made by Ken Ratliff to submit a proposal to the Mayor to start the process.
- Council member Harper asked for Council direction to move toward having a PIO in the future, and that the Chamber's contract continues with digital marketing and the Visitor's Center for 2021 as has historically been done. Council member Harper added the committee is always looking at what is in the best interest of the citizens, especially regarding contract terms.
- Council member Harper commented the committee has more to discuss and will bring recommendations back to the council at the 02/08/2021 meeting.

**Motion to Adjourn**

*A motion was made by Matthew Lundh and seconded by John Glondo to adjourn 8:39 p.m. The next regular scheduled meeting is Monday February 8, 2021 at 6:00 p.m. and will be held virtually, with Zoom access by phone and/or computer.*

  
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 Mayor

  
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 Attest