

City of Cle Elum  
Regular City Council Meeting Minutes  
June 28, 2021

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

The meeting was called to order by Mayor McGowan at 6:00 pm. The Pledge of Allegiance was recited. The Roll was called. Members present were Mayor McGowan, Matthew Lundh, John Glondo, Ruston Weaver, Mickey Holz, Beth Williams and Ken Ratliff. Steven Harper was absent. Other members present were City Administrator Robert Omans, City Planner Lucy Temple and City Clerk Kathi Swanson. *A motion was made by John Glondo and seconded by Ruston Weaver to excuse the absence of councilmember Harper. The motion carried unanimously*

**Approval of the Meeting Agenda**

*A motion was made by Matthew Lundh and seconded by Ken Ratliff to approve the meeting agenda with the following amendments: Add an executive session after citizen comments (item 6) followed by Gregg Dohrn's status report on the City Heights Phase 1 Appeal (item 10g). The motion carried unanimously.*

**Announcements, Appointments, Awards & Recognition**

None

**Consent Agenda**

*A motion was made by Beth Williams and seconded by Matthew Lundh to accept the consent agenda as presented. The consent agenda included the minutes to the 06/14/2021 Regular City Council meeting; the minutes to the 06/22/2021 Special Meeting; and 06/24/2021 EFTs and Checks #43524 - 43562 for Claim Vouchers in the amount of \$171,616.69 The motion carried unanimously.*

**Officer Reports**

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

- Recognized his Department Heads for the reports they provided him while he was gone.
- On behalf of the Fire Chief, reported there is a burn ban in effect at this time.
- The Fire Chief will be on hand during the 4<sup>th</sup> of July Fireworks Show.

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

- Deferred the Planning Department staff report to the items to be addressed on the agenda.

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

- County will chip seal on 06/30/2021, starting at Pennsylvania between First and Railroad.
- The crew is preparing for the 4<sup>th</sup> of July Parade.
- The crew has been busy at the cemetery with burials.
- WSDOT inspection at the airport; lights are being replaced.
- Cleaning the parks, including repairs at the skate park.
- One of the new Parks Playground equipment has broken, parts are on order.

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

- The last weekend was busy with lots of traffic with few bookings.
- Assisted the Sheriff's Department on a number of calls.
- Looking into getting the HVAC system working better.

**Mayor McGowan :**

- Provided information regarding the County's plans to develop, coordinate and implement an efficient and effective strategy for economic development.

**Citizen Comments on Non-Agenda Items**

**Larry Stauffer – 2661 Lower Peoh Point:** Asked the Mayor and Gregg Dohrn if the City is currently in the process of negotiating, discussing or having conversations with the applicant with regard to the 47 Degrees North Project; is the City involved with any preapplication review as it relates to the Project; and is it ready to submit to the Public.

**Gregg Dohrn:** In response to Mr. Stauffer, stated it is the City's understanding that an application may be submitted any day. Once received, staff will review it; once it is determined to be complete, a formal Notice of Application will be sent out to the public and there will be public review and comment period and will be posted on the City's website.

**Gordon Jones – 511 W. Sixth Street:** Reported he is a member of the #7 Hill Historic Preservation Committee, which has concerns with the logging project in the extreme weather conditions. Slash piles have been created and are lying within the City limits. Other concerns include possible Forest Practice violations. The Historic Committee noted the existing #7 mine foundations are a very important part of the history of Cle Elum. DAHP did a study in 2009, but none of the mines were mentioned. DAHP reported they have contacted the City twice to have another look at the historic site with no response from the City. The Historic Committee would like these concerns addressed.

**Scott Runyon – 712 West Sixth Street:** A major concern is fire and asked if this project is under the jurisdiction of the DNR or the City to take precautions for fire prevention. The size of the trees that were to be cut were to be less than 30 inches; however, there have been trees cut that are larger than 30 inches. Some of the cut trees were too close to the creek. The road will need to be reconstructed to allow for the increased traffic accessing 7 Hill. Foundations exist from the #7 Mine which are historical and should be preserved. The mapping that has been provided shows the property to be a wetland at least 6 months out of the year. The overlay of the GPS maps is not actual mapping of the property. Commented it should be the City's responsibility to make sure the maps are correct.

**Steve Jones – 509 W Sixth:** Noted no response has been received from the City regarding letters that have been written with concerns about what will happen to the community with this project. Concerns include wetlands, logging and a stream that runs 9 months out of the year. Asked if there should be a state entity involved to help make determinations on the development. Commented he would like to receive more information from the City.

**Nancy Jones – 509 West Sixth:** The eastern most block of homes is proposed to go on top of the spring that is across from her property, which does not seem to be legal.

**Jackie Van Dongen :** Asked for the status of her complaint via the on-line complaint system with regard to her property at 203 Pennsylvania. Issues include trespassing, cutting down city trees and building structures on City property; she has received no response from the City. Mayor McGowan responded this situation involves the Planner, the police and him. Mayor McGowan stated he will get back to her but assured her the City is working on it.

**Executive Session**

*Mayor McGowan announced an executive session for 10 minutes, the council left the room at 6:40 and will return at 6:50. The council returned at 6:50. Mayor McGowan informed the council and public the purpose of the executive session was to discuss with legal counsel representing the agency matters relating to agency litigation to which the agency is a party, per RCW 42.30.110(i). No action was taken.*

**New Business – Gregg Dohrn – Amended Agenda Item**

**10g. Status Report on the City Heights Phase 1 Appeal:** Gregg Dohrn, who has been managing and coordinating the City Heights project, reported the Development Agreement and annexation was approved in 2011. An application for a preliminary plat for 60 homes at the

intersection of Summit View and West Sixth Street was received last year. A hearings examiner determined that no public hearing would be held as the Master Plan was approved in 2011. The Preliminary plat for Phase 1 was approved in May 2021 with conditions that were tied to the original 2011 DA. An appeal was filed by the applicant on 05/27/202. The project is on hold pending resolution of the appeal.

Under the jurisdiction of the DNR, a permit was issued to begin forestry activities on the site of the Phase 1 proposal, as well as in the area where an application has been submitted to the City for the next phase of development, which includes 65 more lots. This permit is not covered by the rule of the City and not subject to the appeal. City staff had concerns with initiation of forestry activities in advance of the resolution of the appeal, as it would affect roads, parks and open spaces and advised the applicant on several occasions not to initiate any activities until the appeal could be resolved. Information provided by the neighbors has been very helpful. The DNR issued a stop work order on all forestry activities last week. The City will be advised by the DNR, as the lead, on all future permits, including what needs to be done as far as corrective actions, on-going logging activities and ensuring everything is adequately monitored. The City will work cooperatively with the DNR and with the applicant. There will be more follow-up information available within the next few days. The applicant has been advised there has to be better mapping, better understanding of what forestry activity will be taking place and where. There will be pre-construction meetings before any more activity will take place.

With respect to the appeal, a hearing before the council would have been scheduled; however, after filing the appeal, the applicant has asked the city to make several changes to the conditions of approval. If the changes are accepted, the applicant will withdraw the appeal. The DA requires 4 points of access with Stafford Street corridor as the primary access to City Heights. Montgomery, Columbia and a 4<sup>th</sup> corridor in the vicinity of 903 must also be a means of access. Stafford Street is not built to City standards so improvements must be made, which is specifically called for in the DA. There remains a disagreement between the City and the developer regarding whose responsibility it is to pay for the improvements to the road. There are proposed modifications that will address the issue in the draft Revisions of Approval document.

There is a specific provision in the Conditions of Approval that requires the project sponsor to present a plan to memorialize the #7 mine at the location of the entrance to the mine, with input from the neighbors. A meeting has been set for discussion.

The City submitted a grant application of \$1.2 million to CDBG for development funds. If awarded, the City would have the basis to potentially make improvements to the Stafford Street corridor, with the exception of paving the Reed Street corridor. Alternatives would be for the applicant to build a new road from Montgomery to Summit View or upgrade Stafford if the grant funds are not awarded.

The City has contacted the DNR regarding the slash that is on the ground; the DNR will be ensure is cleaned up. Mayor McGowan reported he has spoken with the fire chief who will be monitoring the fire hazard very closely.

A study session was set for Tuesday 07/06/2021 at 6 pm to discuss all of these issues.  
**Brett Pudists – Blueline Group:** With respect to Stafford Street, the applicant has pledged \$400,000 to add to the CDBG grant, if awarded, as part of the project. Backup plans include fixing the corner of Stafford and paving it from Second Street to the property; with the alternate plan of making the grade-appropriate connection from Montgomery to Summit View. There is language in the Conditions that allows for the potential deferral of Parks until the development is up and running.

**Nancy Rogers – Land Use Attorney for the Applicant:** Requested the council to vote tonight on the negotiated conditions to the Development Agreement, as the issues raised by citizens and the City have been addressed. *A motion was made by Matthew Lundh and seconded by Mickey Holz to table this discussion until the scheduled study session on 07/06/2021.*

**Public Appearances - 15 Minute Limit**

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

- a. Provided a Power Point presentation of the Tourism projects and Discover Cle Elum user information for May 2021. Top website pages were “Bleisure”, Travel Guides, Top Hikes near Cle Elum, events and trails.
- b. Consolidated Lodging tax microgrant funds, up to \$1,000, are still available.
- c. The Pioneer Days Parade will be on 07/03/2021 from Peoh to Pennsylvania, with 49 floats signed up to date.
- d. The Independence Day Celebration, a first-time event, will be held at Wye Park on 07/04/2021 from 1 pm to 9 pm.
- e. The Fireworks Show will be at 10 pm with safety protocol being strictly followed.

**Cle Elum Downtown Association – Debbie Bogart**

- a. Provided an overview of the projects CEDA is has been working on.
- b. Thanked the Public Works crew for taking care of the flowers
- c. Thanked Council members Weaver, Harper and Lundh for being supportive at events.
- d. Thanked the Rotary Club for supporting the Downtown.
- e. Provided a listing of all Pioneer Days events.
- f. The Public Market was successful. The goal is to grow it to a weekly event next year
- g. Façade and Beautification grants applications will be reviewed in July.
- h. All baskets and planters have been adopted by local businesses for the Cle Elum Bloom Adopt a Basket program
- i. Working with Kittitas County to support business owners and their employees for childcare needs

**Business Requiring a Public Hearing**

**Resolution 2021-012 – Six-Year Street Program – 2022 to 2027:** Ben Annen, of HLA, reviewed the projects that have been identified for the coming six years. Mayor McGowan opened the public hearing at 8:11. No comments were received. The public hearing was closed at 8:12. Councilmember Ratliff pointed out that South Cle Elum Way is now Hartvig Boulevard and asked Ben Annen to make the correction. *A motion was by Mickey Holz and seconded by John Glondo to approve Resolution 2021-012 for the Six-Year Street Program from 2022 to 2027. The motion carried unanimously.*

**Unfinished Business**

a. **HLA Task Order No. 2021-03 – Title VI Notice of Non-Discrimination:** Ben Annen, of HLA, explained this agreement is required anytime the City receives money from W.S.D.O.T. This Task Order, in the amount of \$9,000, will bring the City’s Non-Discrimination Agreement back in compliance. HLA will then prepare the annual report and submit it to W.S.D.O.T. *A motion was made by Matthew Lundh and seconded by Mickey Holz to authorize the Mayor to sign Task Order 2021-03. The motion carried unanimously.*

**New Business**

a. **HLA Task Order No, 2021-04 – Sewer Rate Study:** Ben Annen explained the City’s rate structure is primarily set up for residential users. With more breweries, and possibly wineries, the rates should be structured to be more equitable to the rate payers and to address the infiltration and inflow issues. *A motion was made by Ken Ratliff and seconded by Beth Williams to authorize the Mayor to sign Task Order 2021-04 with HLA for the sewer rate study. Question on the motion: Council member Lundh asked if a budget amendment will be required, as this has not been budgeted. Mayor McGowan and Ben Annen responded , saying some portions of this Task Order will be regional and some will be the responsibility of the City. Funds are available in the Enterprise Fund. The motion carried unanimously.*

b. **ILA – Cle Elum/Kittitas County – Second Street Pathway Funding Obligation – Ben Annen, HLA.** *A motion was made by Mickey Holz and seconded by John Glondo to accept the ILA between the City of Cle Elum and Kittitas County for the City Safety Improvements. The motion carried unanimously.*

c. **ILA - Cle Elum/Kittitas County – City Safety Project – Ben Annen:** *A motion was made by Mickey Holz and seconded John Glondo to accept the ILA between the City of Cle Elum and Kittitas County for the City Safety Improvements. The motion carried unanimously.*

d. **Amendment to Police/Teamsters Contract:** Chief Kirk Bland explained this amendment is to clarify dates of hire in relation to health care benefits. *A motion was made by Matthew Lundh and seconded by Beth Williams to authorize the Mayor to sign the letter of agreement by and between the Teamster’s Local 760 and the City of Cle Elum. The motion carried unanimously.*

e. **Resolution 2021-016 – Setting a Time/Date for an Alley Vacation Public Hearing – Lucy Temple.** *A motion was made by Mickey Holz and seconded by Beth Williams to pass Resolution 2021-016 establishing 07/26/2021 as the date of a Public Hearing regarding an Ordinance to vacate public right-of-way. The motion carried unanimously.*

f. **Proposed Revisions to the Administration of the City’s Development Regulations:** Gregg Dohrn introduced the agenda item to council, with no action being taken at this time. The goal is to bring all administrative revisions into one section of the code to make the document more efficient and user friendly and to establish a Hearings Examiner form of decision making. *A motion was made by Matthew Lundh and seconded by Mickey Holz to send the document to the Planning Commission for their review and approval. Councilmember Lundh amended his motion to add that the Hearings Examiner portion of the document be separated out and expedited. Mickey Holz seconded the amended motion. The amended motion carried unanimously.*

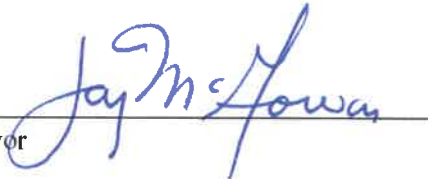
**Committee Reports:**

**Matthew Lundh:** Reported a Lodging Tax application in the amount of \$7,500 was received from the Chamber for the 2021 Fireworks Show. *A motion was made by Ken Ratliff and seconded by Beth Williams to approve the Lodging Tax funding application of \$7,500 for fireworks. The motion carried unanimously.*

**Motion to Adjourn**

*A motion was made by John Glondo to adjourn at 8:58 p.m. The next regular scheduled meeting is Monday July 12 2021 at 6:00 p.m.*

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Mayor



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Attest

