

City of Cle Elum
Regular City Council Meeting Minutes
November 8, 2021

Call to Order – Roll Call of Membership

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, Steven Harper, Mickey Holz (6:08) and Beth Williams (6:08). Ruston Weaver was absent. Other members present were City Administrator Robert Omans, City Attorney Alexandra Kenyon, Public Works Director Mike Engelhart, Police Chief Kirk Bland, Fire Chief Ed Mills, Veolia Water/Sewer Treatment Plants Operator William LaRue and City Clerk Kathi Swanson. *A motion was made by Matthew Lundh and seconded by Ken Ratliff to excuse Councilmember Weaver. The motion carried unanimously.*

Approval of the Meeting Agenda

A motion was made by Steven Harper and seconded by Matthew Lundh to approve the 11/08/2021 meeting agenda with the amendment to remove Ordinances 1620 and 1621. The motion carried unanimously.

Announcements, Appointments, Awards and Recognition

None

Consent Agenda

A motion was made by Steven Harper and seconded by John Glondo to accept the consent agenda as presented, which included the minutes to the 10/25/2021 Regular City Council meeting; The 11/01/2021 Study Session Notes; 10/2021 Payroll EFTs and Checks #43918 – 43926 in the amount of \$162,002.99; and 11/04/2021 Claim Voucher EFTs and Checks #43927 – 43955 in the amount of \$117,561.88. The motion carried unanimously.

Officer Reports

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

- A new airplane hangar is being constructed at the Airport, bringing the total to 5. The City expects more land leases for hangars in the future.
- October building activity includes 7 new permits issued and 29 building inspections. Year to date: 72 permits issued for a total of \$82,000 in permit fees.

Public Works Director – Mike Engelhart Reported:

- Showed a video of a water leak at the tower below the upper tank (Zone 1.5 reservoir). The leak is roughly 5 gallons per minute of treated water.
- Reminded citizens, business owners and contractors to review Chapter 12.14.010 for information on snow removal. He will be working with CEDA to help educate the citizens. Snow can be removed to designated parts of Railroad Street. *Councilmember Harper noted the City violates their own code by depositing snow on the sidewalks. Engelhart encouraged the council to work with the City to come up with solutions to these issues.*

Police Chief – Kirk Bland – Reported:

- The new police cars will be delivered mid to end of January.
- The local communities are experiencing many thefts and vehicle prowls. He urged citizens to please call if they see or hear anything suspicious.

Fire Chief – Ed Mills - Reported:

- The Department had 48 calls in October, including 2 fires, 1 service call, 1 good intent, 2 false alarms and 1 special incident.
- Hoses have been tested and ladders recertified for the year.

Veolia – William LaRue - Reported:

- Graphs of Water Plant Flows, Run Times, Precipitation, Wastewater Flows and Water Plant versus Wastewater Plant Flows for September 2021 were provided.
- Winter prep at both plants is complete; the WTP irrigation systems have been blown out with air, the snowplow and snow blowers have been serviced. WWTP Plant water lines have been drained and heat tapes placed where lines cannot be shut down.
- Staff conducted the annual electrical reading & thermograph analysis at the WTP.
- DOH conducted the Sanitary Survey of the water system, which is done every 3 years. No significant issues found except for the Zone 1.5 reservoir.
- Working on the Water System Plan review; a written response will be submitted to HLA for his area of responsibility.
- Congratulated O&M Tech Mike Lackey for successfully passing his Water Treatment Plant Operator 1 certification exam. All operators are now certified.
- The #1 UV system isolation valve at the WWTP should be delivered this week.
- The thermostat on the drying oven at the WWTP failed and was replaced by staff.
- The annual service of the WWTP Jet Motive pumps used on the SBR's was completed by staff. A boom truck was rented to pull the pump.
- Priority Pollutant samples were collected from the WWTP and sent to the lab for analysis. The results were uploaded to the DOE website as required under the National Pollution Eliminations Discharge Permit (NPDES) Special Section 2A.
- Staff completed the bi-annual blind QA/QC study as required under the EPA and NPDES permit. The plant received an excellent rating.
- The anticipated delivery date for the VFD replacement is 11/09/2021; installation will be scheduled shortly thereafter.
- The WWTP SCADA upgrade project is 99.9% complete. Waiting for documentation and a backup copy of the program.

Citizen Comments on Non-Agenda Items

Larry Stauffer, 2661 Lower Peoh Point Road: Provided a handout to council outlining their duties pertaining to the position of Hearing Examiner as described in Ordinance 1609. Mr. Stauffer requested a motion that the Mayor and City Attorney prepare for Council review the following documents as it relates to the position of Hearing Examiner contemplated in Ordinance 1609: an RFP for parties interested in the position of Cle Elum Hearing Examiner to be published Statewide; selection criteria and process for applicant review; and Rules of Procedure, setting the guidelines by which the hearing examiner will perform his or her duties. Mr. Stauffer also requested a motion pertaining to the Preliminary Determination of Consistency associated with the Sun Communities application for Major Modification to the Master Plan for 47 Degrees North. Mr. Stauffer presented a letter sent from Attorneys Meyer, Fluegge & Tenney to Mayor McGowan and Gregg Dohrn. That letter asks questions regarding the modification to the Master Plan for 47 Degrees North; procedural Guidelines for Review of Land Use Applications, Determination of Completeness, and Determination of Consistency. Mr. Stauffer requested the City Council make a motion and vote affirmatively as follows: "The Mayor

shall follow its city code as passed by the City Council, and, within seven (7) calendar days, issue a Preliminary Determination of Consistency relating to the Sun Communities' application for Major Modification to the Master Plan for 47 Degrees North".

Public Appearances – 15 Minute limit

I-90 Coalition Presentation: Kittitas County Commissioner Laura Osiadacz provided a power point presentation of the STEER (Safety Transportation Environment Equity Resiliency) I-90 Coalition, whose purpose is to develop solutions to the I-90 Corridor traffic issues between Cle Elum and Easton. The City of Cle Elum was invited to be an active member of the coalition to help secure funding in the amount of \$5 million to support the coalition priorities. There is no interest by the State of Washington to fund highways on the East side of Snoqualmie Pass; therefore, the coalition is pursuing federal funding with more success. Councilmember Ratliff offered to join the coalition on behalf of the City.

Executive Session

Mayor McGowan announced the council would go into Executive Session for 20 minutes to discuss with legal counsel litigation or potential litigation. The Execution Session began at 6:55. At 7:15, the Council reconvened its regular session. Mayor McGowan announced the Council will take action. *A motion was made by Steven Harper and seconded by Matthew Lundh to approve and authorize the Mayor to sign the Mediation Fee and Confidentiality Agreement with Lou Peterson presented to council, with the revision to the indemnification language as follows: "Any party intentionally and materially breaching this agreement shall be liable for and shall indemnify the nonbreaching parties and the Mediator for damages caused by such intentional and material breach". The motion carried unanimously.*

Business Requiring Public Hearing

2022 Budget First Hearing: Mayor McGowan read his budget message into the record. The hearing was opened to the public by Mayor McGowan at 7:20 pm. Hearing no comments from the public, the public hearing was closed. The second public hearing will be held on 11/22/2021 at the regular City Council Meeting.

Ordinance 1615 – Flood Hazard Prevention Regulations: Gregg Dohrn reminded Council they approved an ordinance in September as an interim measure to allow residents to obtain flood insurance and to allow City Staff and the Planning Commission time to review the mandated provisions, along with additional revisions recommended by the Department of Ecology and to determine how best to integrate these provisions with the previously proposed amendments to the City's Critical Areas Regulations. The public hearing is required to receive comments regarding the regulations. Written comments will be accepted until 11/22/2021, and another public hearing will be held on 11/22/2021 at the Cle Elum City Council regular meeting. No action is required at this time. Mayor McGowan opened the meeting to the public for comment at 7:25 pm. No comments were received. The public hearing was continued until the 11/22/2021 City Council Meeting.

Unfinished Business

None

New Business

Ordinance 1617 – Budget Amendment: *A motion was made by Ken Ratliff and seconded by Mickey Holz to adopt Ordinance 1617 amending the 2021 Budget. The motion carried unanimously.*

Ordinance 1622 – Tax Certification Levy: City Treasurer Robin Newcomb explained if the council does not utilize the 1% increase, there is the possibility the City will lose the opportunity

in the future; Newcomb recommended the council contact the Assessor’s Office for more information. Mayor McGowan explained this tax adds to the City’s share and does not affect how much the property is taxed and does not increase the levy rate. ***A motion was made by Steven Harper and seconded by Matthew Lundh to reconsider the Tax Levy Certification Ordinance. The motion carried unanimously. A motion was made by Steven Harper and seconded by Matthew Lundh to adopt Ordinance 1622 as presented. The motion carried unanimously. A request was made by Matthew Lundh to have staff provide a Staff Report in the future if they are unable to attend the meeting to answer questions.***

Ordinance 1620 – Adopting Updated FLUM and Zoning Maps – Gregg Dohrn. *Removed from the agenda by motion under Approval of Meeting Agenda.*

Ordinance No. 1621 – Adopting Amendments to CEMC Development Regulations – Gregg Dohrn; *Removed from the agenda by motion under Approval of Meeting Agenda.*

2022 through 2026 Waste Management Contract Discussion: Mayor McGowan reported this will be discussed by the Utilities Committee who will meet to discuss the contract with two consultants who will give us options.


Committee Reports

Ken Ratliff – Utilities Committee: Reported a rate payer in Cle Elum Pines had an undetectable leak caused by poor backfilling of the irrigation water line by the home builder. This is the 4th such complaint in that area and the Utilities Committee is very concerned about the faulty installations of these lines. The committee met to discuss and recommended the customer at 1206 Marian Drive be issued credit in the amount of \$330.30 for overage caused by the water leak. This request meets the criteria in the code. ***A motion was made by Steven Harper and seconded by Matthew Lundh to authorize credit in the amount for \$330.30 to the customer at 1206 Marian Drive. The motion carried unanimously. Councilmember Ratliff reported there is no recourse from the Homeowner’s Association and the Committee will be working with the Mayor and staff to determine a way to correct the problem at the new development on Marian Drive.***

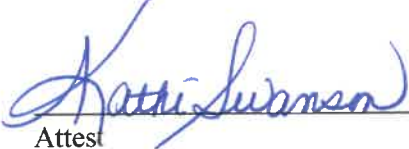
Steven Harper – Lodging Tax Committee: Reported the committee is going through the LTAC grading process at this time. A meeting of the committee will take place on Friday, 11/12/2021. The Consolidated Tax Meeting will take place at the Ellensburg City Hall on 11/19/2021, after which the Committee will have a recommendation.

Motion to Adjourn.

A motion was made by John Glondo to adjourn at 7:48 pm. The next regular meeting is scheduled for Monday December 13, 2021, at the Cle Elum City Council Chambers at 6:00 p.m.



Mayor



Attest